

**City of Swartz Creek
AGENDA**

Regular Council Meeting, Monday, March 22, 2021, 7:00 P.M.

Paul D. Bueche Municipal Building, 8083 Civic Drive Swartz Creek, Michigan 48473

**THIS WILL BE A HYBRID MEETING, WITH UP TO 25 PERSONS IN THE CITY COUNCIL CHAMBERS AND
TWO-WAY COMMUNICATION VIA THE ZOOM APPLICATION.**

PLEASE NOTIFY THE CITY CLERK IF YOU INTEND TO ATTEND IN PERSON

1. **CALL TO ORDER**
2. **INVOCATION:**
3. **ROLL CALL:**
4. **MOTION TO APPROVE MINUTES:**
4A. Council Meeting of March 8, 2021 MOTION Pg. 29
5. **APPROVE AGENDA:**
5A. Proposed / Amended Agenda MOTION Pg. 1
6. **REPORTS & COMMUNICATIONS:**
6A. City Manager's Report MOTION Pg. 8
6B. Staff Reports & Meeting Minutes Pg. 35
6C. Disc Golf Equipment Pg. 50
6D. Incentive Application Materials Pg. 53
6E. NPDES Materials Pg. 64
6F. 8Draft ORV Ordinance Pg. 74
6G. Consumers Pole Relocation Quote Pg. 78
6H. GHS Tax Presentation Pg. 79
6I. Art in the Park Reservation and Waiver Pg. 93
7. **MEETING OPENED TO THE PUBLIC:**
7A. General Public Comments
8. **COUNCIL BUSINESS:**
8A. Disc Golf Basket Purchase RESO Pg. 23
8B. Brewer Incentive Package RESO Pg. 24
8C. NPDES Renewal RESO Pg. 25
8D. Consumers Pole Relocation RESO Pg. 26
8E. Park Reservation and Waiver RESO Pg. 27
9. **MEETING OPENED TO THE PUBLIC:**
10. **REMARKS BY COUNCILMEMBERS:**
11. **ADJOURNMENT:** MOTION Pg. 28

Next Month Calendar

Metro Police Board:	Wednesday, March 24, 2021, 10:00 a.m., Metro HQ
Planning Commission:	Tuesday, April 6, 2021, 7:00 p.m., PDBMB
Park Board:	Wednesday, April 7, 2021, 5:30 p.m., PDBMB
Downtown Development Authority:	Thursday, April 8, 2021, 6:00 p.m., PDBMB
City Council:	Monday, April 12, 2021, 7:00 p.m., PDBMB
Fire Board:	Monday, April 19, 2021, 6:00 p.m., Public Safety Building
Zoning Board of Appeals:	Wednesday, April 21, 2021, 6:00 p.m., PDBMB
City Council:	Monday, April 26, 2021, 7:00 p.m., PDBMB

City of Swartz Creek Mission Statement

The City shall provide a full range of public services in a professional and competent manner, assuring that the needs of our constituents are met in an effective and fiscally responsible manner, thus promoting a high standard of community life.

City of Swartz Creek Values

The City of Swartz Creek's Mission Statement is guided by a set of values which serve as a common operating basis for all City employees. These values provide a common understanding of responsibilities and expectations that enable the City to achieve its overall mission. The City's values are as follows:

Honesty, Integrity and Fairness

The City expects and values trust, openness, honesty and integrity in the words and actions of its employees. All employees, officials, and elected officials are expected to interact with each other openly and honestly and display ethical behavior while performing his/her job responsibilities. Administrators and department heads shall develop and cultivate a work environment in which employees feel valued and recognize that each individual is an integral component in accomplishing the mission of the City.

Fiscal Responsibility

Budget awareness is to be exercised on a continual basis. All employees are expected to be conscientious of and adhere to mandated budgets and spending plans.

Public Service

The goal of the City is to serve the public. This responsibility includes providing a wide range of services to the community in a timely and cost-effective manner.

Embrace Employee Diversity and Employee Contribution, Development and Safety

The City is an equal opportunity employer and encourages diversity in its work force, recognizing that each employee has unlimited potential to become a productive member of the City's team. Each employee will be treated with the level of respect that will allow that individual to achieve his/her full potential as a contributing member of the City staff. The City also strives to provide a safe and secure work environment that enables employees to function at his/her peak performance level. Professional growth opportunities, as well as teamwork, are promoted through the sharing of ideas and resources. Employees are recognized for his/her dedication and commitment to excellence.

Expect Excellence

The City values and expects excellence from all employees. Just "doing the job" is not enough; rather, it is expected that employees will consistently search for more effective ways of meeting the City's goals.

Respect the Dignity of Others

Employees shall be professional and show respect to each other and to the public.

Promote Protective Thinking and Innovative Suggestions

Employees shall take the responsibility to look for and advocate new ways of continuously improving the services offered by the City. It is expected that employees will perform to the best of his/her abilities and shall be responsible for his/her behavior and for fulfilling the professional commitments they make. Administrators and department heads shall encourage proactive thinking and embrace innovative suggestions from employees.

**CITY OF SWARTZ CREEK
VIRTUAL REGULAR CITY COUNCIL MEETING ACCESS INSTRUCTIONS
MONDAY, MARCH 22, 2021, 7:00 P.M.**

The regular virtual meeting of the City of Swartz Creek city council is scheduled for **March 22, 2021** starting at 7:00 p.m. and will be conducted virtually (online and/or by phone), due to health concerns surrounding Coronavirus/COVID-19 and rules promulgated by the Michigan Department of Health and Human Services.

To comply with the **Americans with Disabilities Act (ADA)**, any citizen requesting accommodation to attend this meeting, and/or to obtain the notice in alternate formats, please contact Connie Olger, 810-429-2766 48 hours prior to meeting,

Zoom Instructions for Participants

To join the conference by phone:

1. On your phone, dial the teleconferencing number provided below.
2. Enter the **Meeting ID** number (also provided below) when prompted using your touch-tone (DTMF) keypad.

Before a videoconference:

1. You will need a computer, tablet, or smartphone with speaker or headphones. You will have the opportunity to check your audio immediately upon joining a meeting.
2. Details, phone numbers, and links to videoconference or conference call is provide below. The details include a link to “**Join via computer**” as well as phone numbers for a conference call option. It will also include the 9-digit Meeting ID.

To join the videoconference:

1. At the start time of your meeting, enter the link to join via computer. You may be instructed to download the Zoom application.
2. You have an opportunity to test your audio at this point by clicking on “Test Computer Audio.” Once you are satisfied that your audio works, click on “Join audio by computer.”

You may also join a meeting without the link by going to join.zoom.us on any browser and entering the Meeting ID provided below.

If you are having trouble hearing the meeting, you can join via telephone while remaining on the video conference:

1. On your phone, dial the teleconferencing number provided below.
2. Enter the **Meeting ID number** (also provided below) when prompted using your touchtone (DMTF) keypad.
3. If you have already joined the meeting via computer, you will have the option to enter your participant ID to be associated with your computer.

Participant controls in the lower left corner of the Zoom screen:



Using the icons in the lower left corner of the Zoom screen you can:

- Mute/Unmute your microphone (far left)
- Turn on/off camera (“Start/Stop Video”)
- Invite other participants
- View participant list-opens a pop-out screen that includes a “Raise Hand” icon that you may use to raise a virtual hand during Call to the Public
- Change your screen name that is seen in the participant list and video window
- Share your screen

Somewhere (usually upper right corner on your computer screen) on your Zoom screen you will also see a choice to toggle between “speaker” and “gallery” view. “Speaker view” show the active speaker.

Connie Olger is inviting you to a scheduled Zoom meeting.

Topic: Swartz Creek City Council Meeting

Time: March 22, 2021 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/83096401128>

Meeting ID: 830 9640 1128

One tap mobile

+13017158592,,83096401128# US (Washington DC)

+13126266799,,83096401128# US (Chicago)

Dial by your location

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

Meeting ID: 830 9640 1128

Find your local number: <https://us02web.zoom.us/u/kz4Jb4etg>

If you have any further questions or concern, please contact 810-429-2766 or email colger@cityofswartzcreek.org.

A copy of this notice will be posted at City Hall, 8083 Civic Drive, Swartz Creek, Michigan.

CITY OF SWARTZ CREEK VIRTUAL (ELECTRONIC) MEETING RULES AND PROCEDURES

In order to conduct an effective, open, accessible, and professional meeting, the following protocols shall apply. These protocols are derived from the standard practices of Swartz Creek public meetings, Roberts Rules of Order, the City Council General Operating Procedures, and other public board & commission procedures. These procedures are adopted to govern participation by staff, councilpersons and members of the public in all City meetings held electronically pursuant to PA 228 of 2020. Note that these protocols do not replace or eliminate established procedures or practices. Their purpose is to augment standing expectations so that practices can be adapted to a virtual meeting format.

The following shall apply to virtual meetings of the city's public bodies that are held in accordance with the Open Meetings Act.

1. Meetings of the City Council, Planning Commission, Zoning Board of Appeals, Downtown Development Authority, Park Board, or committees thereunder may meet electronically or permit electronic participation in such meetings insofar as (1) the Michigan Department of Health and Human Services restricts the number of persons who can gather indoors due to the COVID-19 pandemic; (2) persons have an illness, injury, disability or other health-related condition that poses a risk to the personal health or safety of members of the public or the public body if they were to participate in person; or (3) there is in place a statewide or local state of emergency or state of disaster declared pursuant to law or charter by the governor or other person authorized to declare a state of emergency or disaster.
2. All meetings held hereunder must provide for two-way communication so that members of the public body can hear and respond to members of the general public, and vice versa.
3. Members of the public body who participate remotely must announce at the outset of the meeting that he/she is in fact attending the meeting remotely and by further identifying the specific physical location (by county, township, village and state) where he/she is located. The meeting minutes must include this information.
4. Notice of any meeting held electronically must be posted at the City Offices at least 18 hours before the meeting begins and must clearly explain the following:
 - (a) why the public body is meeting electronically;
 - (b) how members of the public may participate in the meeting electronically, including the specific telephone number, internet address or similar log-in information needed to participate in the meeting;
 - (c) how members of the public may contact members of the public body to provide input or ask questions on any business that will come before the public body at the meeting;
 - (d) how persons with disabilities may participate in the meeting.

5. The notice identified above must also be posted on the City's website homepage or on a separate webpage dedicated to public notices for non-regularly scheduled or electronic public meetings that is accessible through a prominent and conspicuous link on the website's homepage that clearly describes the meeting's purpose.
6. The City must also post on the City website an agenda of the meeting at least 2 hours before the meeting begins.
7. Members of the public may offer comment only when the Chair recognizes them and under rules established by the City.
8. Members of the public who participate in a meeting held electronically may be excluded from participation in a closed session that is convened and held in compliance with the Open Meetings Act.

MAINTAINING ORDER

Public body members and all individuals participating shall preserve order and shall do nothing to interrupt or delay the proceedings of public body.

All speakers shall identify themselves prior to each comment that follows another speaker, and they shall also indicate termination of their comment. For example, "Adam Zettel speaking. There were no new water main breaks to report last month. That is all."

Any participants found to disrupt a meeting shall be promptly removed by the city clerk or by order of the Mayor. Profanity in visual or auditory form is prohibited.

The public body members, participating staff, and recognized staff/consultants/presenters shall be the only participants not muted by default. All other members must request to speak by raising their digital hand on the virtual application or by dialing *9 on their phone, if applicable.

MOTIONS & RESOLUTIONS

All Motions and Resolutions, whenever possible, shall be pre-written and in the positive, meaning yes is approved and no is defeated. All motions shall require support. A public body member whom reads/moves for a motion may oppose, argue against or vote no on the motion.

PUBLIC ADDRESS OF COUNCIL

The public shall be allowed to address a public body under the following conditions:

1. Each person who wishes to address the public body will be first recognized by the Mayor or Chair and requested to state his / her name and address. This applies to staff, petitioners, consultants, and similar participants.
2. Individuals shall seek to be recognized by raising their digital hand as appropriate on the digital application.

3. Petitioners are encouraged to appropriately identify their digital presence so they can be easily recognized during business. If you intend to call in only, please notify the clerk in advance of your phone number.
4. The city clerk shall unmute participants and the members of the public based upon the direction of the mayor or chair. Participants not recognized for this purpose shall be muted by default, including staff, petitioners, and consultants.
5. Individuals shall be allowed five (5) minutes to address the public body, unless special permission is otherwise requested and granted by the Mayor or Chair.
6. There shall be no questioning of speakers by the audience; however, the public body, upon recognition of the Mayor or Chair, may question the speaker.
7. No one shall be allowed to address the public body more than once unless special permission is requested, and granted by the Mayor or Chair.
8. One spokesperson for a group attending together will be allowed five (5) minutes to address the public body unless special permission has been requested, and granted by the Mayor or Chair.
9. Those addressing the public body shall refrain from being repetitive of information already presented.
10. All comments and / or questions shall be directed to and through the Mayor or Chair.
11. Public comments (those not on the agenda as speakers, petitioners, staff, and consultants) are reserved for the two "Public Comment" sections of the agenda and public hearings.

VOTING RECORD OF PUBLIC BODIES

All motions, ordinances, and resolutions shall be taken by "YES" and "NO" voice vote and the vote of each member entered upon the journal.

City of Swartz Creek
CITY MANAGER'S REPORT

Regular Council Meeting of Monday, March 22, 2021 - 7:00 P.M.

TO: *Honorable Mayor, Mayor Pro-Tem & Council Members*

FROM: Adam Zettel, City Manager

DATE: March 17, 2021

ROUTINE BUSINESS – REVISITED ISSUES / PROJECTS

✓ **MICHIGAN TAX TRIBUNAL APPEALS** *(No Change in Status)*

We have an appeal filed for an office at 5376 Miller Road. An appraisal for this property has been completed by Kevin Groves Appraisals, Inc. We have a hearing date, but may be able to settle beforehand based upon our data. I will keep the council informed on the progress of this appeal.

Another appeal is for Family Farm and Home. This is part of a disturbing trend we are hearing about in which businesses use the economy of the COVID year to set their taxable values substantially lower, knowing that they cannot improve with the economy during a rebound (Proposal A). What is more disturbing is that some industries saw banner years, fast food and yard/hardware among them, however the appeals are still coming in.

✓ **STREETS** *(See Individual Category)*

✓ **2020-2023 TRAFFIC IMPROVEMENT PROGRAM (TIP)** *(Update)*

Morrish Road is slated for 2022 federal funding. Note that the total scope of the project is around \$1,050,000, with 20% being the city's contribution.

The city has committed the match portion to this project, which is 80-20. The project is slated to be complete in 2022, one year after the water main installation in this area. We are proceeding with preliminary engineering for this project. The engineers have included work scope regarding our desire to widen Paul Fortino to the north so that a left turn lane may be added. We expect this will occur whether or not the townhome project proceeds.

In addition, we expect to ramp up with the next round of TIP submissions. This is the phase in which we request funding of specific major streets through the federal programs next three year cycle. Andy and I have been working on a strategy, and we believe we have no choice but to submit Miller Road (Morrish to N. Seymour) and ONLY this segment. In the past, we have submitted other major streets as backup. While they have been funded (Morrish and Fairchild), we have not been adequately addressing our largest and most crucial asset.

To better position our community, we are completing PE for Miller Road early and keeping it as a standby project for other unspent TIP funds in the county (e.g. if the GCRC or another community in Genesee receives funding for a project but cannot complete it for some reason, a 'shovel-ready' project can take its place). Doing so will put our project on stand by and also demonstrate to the selection committee

the degree of our commitment to having Miller Road funded in the next cycle. We now have a proposal for this work. I recommend proceeding. The design needs to be complete anyway, and doing it sooner may open more doors for funding.

Lastly, the county has put Miller and Elms intersection on a short list for potential roundabout candidates. It is unclear if there will be any additional funds (safety, air quality, or other). However, we are taking the first steps to take this into consideration. This intersection certainly poses some safety and efficiency issues.

✓ **STREET PROJECT UPDATES** *(No Change in Status)*

This is a standing section of the report on the status of streets as it relates to our dedicated levy, 20 year plan, ongoing projects, state funding, and committee work. Information from previous reports can be found in prior city council packets.

Chelmsford and Oakview (to Seymour) will be completed this year. Forestry work has already commenced, and we have communicated the schedule and impact letters to residents.

The city accepted the low bid by Glaeser Dawes for 2020 and 2021 work projects, including our street reconstruction projects. This is the company that completed the first three phases of the street/water main reconstruction projects in the city since 2017.

Lighting contracts with Consumers Energy have been approved.

Mr. Harris and I will be working with OHM to ascertain what preventative maintenance projects or rehabilitation projects might be added to 2021 and beyond.

✓ **WATER – SEWER ISSUES PENDING** *(See Individual Category)*

✓ **SEWER REHABILITATION PROGRAM** *(No Change in Status)*

We are ramping up for a new slate of inspections, cleaning, and lining. Revenues and fund balance are still adequate for an aggressive program. This is true even with the added expense of the District 3 expansion. All of this is good because we have learned that there is more clay pipe in the system than we originally thought, including Springbrook.

With that said, we are going to include more routine cleanings and inspections on an annual basis. Previously, these were limited to inspections in our capital improvement program or to high grease/high problem areas. However, we would like to revisit lines every 10 years instead of every 20. For select lines, the frequency is as high as one year.

Andy and our contractor will be compiling a list of projects for this coming year. This may result in budgetary adjustments. However, the funds and work are both present, so we wish to proceed.

Note that we also intend to apply for funds that may help with storm sewer disconnections. This is part of the massive Inflow and Infiltration (I&I) program that the county must undertake. I&I enables stormwater to enter the sanitary sewer and

results in high volumes (up to 10x normal flow), which impact the treatment facility and transmission lines can be overwhelmed. As such, we have been working to eliminate I&I by lining clay pipes, sealing manholes, and removing direct inflow (home weep tile, business roof drains, etc.).

We hope to secure the noted grant to be able to eliminate weep tile connections as we come across them. Most of them are in Winchester Village, and they are responsible for most of our I&I. While our I&I is not relatively bad, it can still cause problems. The grant could save a homeowner up to \$10,000 for such a disconnection.

We continue to work on GIS mapping updates for all sewer system attributes.

✓ **SEWER CAPACITY INITIATIVE** *(No Change in Status)*

The Springbrook easement has been approved, and county reviews of the project are underway. Bidding is not too far off.

The previous report follows:

ROWE has a potential solution for the district three capacity problem. They recommend a by-pass of specific portions of the collection system that function as a choke point through the installation of a larger capacity sewer line. This will require a sizable construction effort, approaching \$500,000. It will also require cooperation with Springbrook Home Owners Association, the United Methodist Church, and the Masonic Lodge. I am hopeful all those property owners will be agreeable and have been communicating with all three groups, with positive feedback.

Rowe has begun their design. We would like to perform this work in 2021. Once crews can begin work, they will survey the area and prepare engineering documents that will get us to bid.

Concerning inflow and infiltration (I&I), the county met with communities about the current status and long term solutions for the sanitary sewer systems. This is something we have been actively reducing for years through manhole water proofing and pipe lining. However, there are still issues, and the higher levels of government are pushing hard to reduce I&I.

In pursuing the 'general permit' that is issued by EGLE, the county will be mandating targets for I&I reduction. We do not know what this will look like for our community since many things come into play, including the current wet weather ratio, the ability of surface water management to effectively remove water from problem areas, and the capacity of the county interceptor. A plan is expected to be crafted by 2022. I will keep the council informed.

✓ **WATER MAIN REPLACEMENT - USDA** *(Update)*

OHM is working on an application for another round of USDA grant/loans. This will help us afford the remainder of the Winchester Village Streets:

Greenleaf

Winshall
Durwood
Norbury
Whitney
Seymour (South of Miller)

If we are going to do this, we may need to skip a street reconstruction in 2022 so that the USDA process is ready to go. The upside is that 2023 and 2024 could see the total completion of all Village water main and streets. Doing so will also require another street bond (funded with existing revenues). This is something we can probably arrange for ten years like we did with the first segment of road work.

If the USDA application is approved, we will know our obligations towards additional notes or access to grants. We can then formalize a workable financial and construction plan to finish the Village streets and water main.

Chelmsford and Oakview (to Seymour) will be completed this year, along with the remainder of the water main work, which will include Morrish Road from Fortino to I-69 and Miller from Raubinger to Elms.

Prior system report findings follow:

The Genesee County Drain Commission - Water and Waste Services Division Water Master Plan, indicates they are considering a northern loop to provide redundancy and stability to the system. This is good news since Gaines and Clayton Township rely on the overstressed Miller line. There is currently not any cost or participation information available. I will keep the council informed.

The city has been working with the county to abandon the Dye Road water main in the vicinity of the rail line. Note that we are holding this action pending the master plan review. This line is prone to breaks, which can be very costly and dangerous near the rail spur. The intention would be to connect our customers to the other side of the street, onto the county line. It appears the transition cost would be about \$25,000. We will work with the county on this matter and report back on our findings.

✓ **WATER SYSTEM MASTER PLAN** (*No Change in Status*)

The city must complete a Water System Master Plan by mid-2021 for compliance with America's Water Infrastructure Act of 2018 (AWIA). The city must also update a Risk and Resilience Assessment (RRA) and Emergency Response Plan (ERP). The Water System Master Plan will address the requirements of the Michigan Department of Environment, Great Lakes, and Energy (EGLE) Safe Drinking Water Act (Act 399) for both the Water Reliability Study (Part 12) and General Plan (Part 16) portions.

This Water Master plan will ultimately be used by the City to address high-priority asset needs that are critical to the City's infrastructure performance, hydraulic capacity, and planning for future capital and operating expenditures. The City last completed an update in 2013.

Under AWIA, the RRA & ERP must certify to the Environmental Protection Agency (EPA) that the RRA has been completed by June 30, 2021. The certification that the ERP has been completed is due 6 months after RRA certification. The RRA identifies key water system assets and potential threats to those assets, and the Emergency Response Plan identifies the procedures and processes the City will employ to address the identified threats.

The investigation and analysis to complete these tasks is highly sophisticated. As such, we have retained OHM to provide these studies and reports. They are at work on the matter.

- ✓ **UTILITY BILL PENALTIES, INTEREST, AND TURN OFFS** *(No Change in Status)*
We have decided to commence with utility bill penalties after the January billing payment date. We will send this notice out with all invoices and directly to those with outstanding balances. This does NOT mean that shut offs will occur. In fact, the state does not allow shut offs due to COVID. We will be accepting payment plans on an extended basis that will go beyond the standard shut off time period.

Again, we understand that there were allowances made to overcome hardships, so we do not wish to financially punish folks or take unreasonable action on collections or shut offs. However, we do need to move forward sooner or later. Further down the road, we shall need to consider if the outstanding balances will need to go on the July 2021 tax assessment roll, or if some delay will be necessary. We will keep the council informed.

- ✓ **HERITAGE VACANT LOTS** *(No Change in Status)*
The last of the lots acquired prior to the special assessment have been sold. We approved permits for single family homes on September 30th. The city also has two more lots that were acquired through the tax reversion process.
- ✓ **NEWSLETTER** *(Update)*
The April newsletter is right around the corner. Let us know if you have any ideas.
- ✓ **CONSTRUCTION & DEVELOPMENT UPDATE** *(See Individual Category)*
This will be a standing section of the report that provides a consolidated list for a brief status on public and private construction/developmental projects in the city.

1. The city has been recommended for funding through the **DNR Trust funds for 2021 construction of the Genesee Valley Trail**. The MDOT grant is conditionally awarded. We hope to combine this with the Safe Routes to School initiative for 2021 construction.
2. The **raceway owner appears ready to move on**. The owner will be looking to repurpose the site and cooperate with our master plan process. See details below.
3. Communities First has a purchase option for **Mary Crapo**. This option has apparently been extended by the School Board for one year as of this month. Their first application was denied. The zoning, site plan, and PILOT for the 40 unit building conversion have been approved by the city. The land purchase

and state approvals are still pending. The park board recommends against the lease unless terms are dramatically improved to allow flexible public use.

4. The **school bond** passed and many improvements are expected in 2020 throughout the district. Total investment for this effort will exceed \$50 million over two to three years. Work has commenced on Syring and Elms School, as well as the high school athletic complex. Plans are being submitted for the Middle School. The schools in the city are in a rigorous state of improvement at the moment. It also appears that the school will be adding a walking path on their high school campus that should be integrated with other pedestrian features.
5. **Street repair in 2020** is complete. We will be completing the remainder of Chelmsford and Oakview to Seymour in 2021. The city also has grants and loans for about **\$5 million in water main work** to occur between 2020 and 2022. COVID 19 may put a stop to some or all work efforts.
6. The **Applecreek Station** development of 48 townhomes is seeking final review by the county. These units range in size from 1,389 to 1,630 square feet, with garages. Construction will occur on vacant land in the back of the development, by Springbrook Colony. Site engineering plans have just been submitted by the owner. Rents are expected to be about \$1.00 per square foot (~ \$1,600 a month) which matches rents in Winchester Village. This project is on hold pending the sewer relief project.
7. **(Update)** The **Brewer Condo Project** is affirming their site plan with the Planning Commission in April (the site plan validity expired). The master deed documents are also being finalized. Once done, the property can be transferred and building commenced. We have an application for water and sewer connection fee waivers. This is covered below. The project includes 15 townhome condos off Morrish Road in downtown. They are approximately 1,750 square feet, with two car garages and basements.
8. The next **Springbrook East** phase is under construction. They have pulled their first home permit.

✓ **TRAILS (Business Item)**

We sent offers to GM and Andy Harris (not our Andy, but another property owner on Miller). We have not formalized any good faith acquisition. Our counsel indicates that we should hear a counter offer from the residential property owner. GM is communicating with us, and they indicate that we can expect an answer soon. Upon expiration of the offers, our counsel will take further steps.

The DNR is recommending funding of the Trust Fund grant application in the amount of \$300,000! This is fantastic news which should cover the absolute lion's share of the construction amount. As always, the bids could come in high or construction change orders could add costs, but we are definitely in a good spot. I suspect high exposure will be \$150,000 of local funds at this point. Hopefully, this will cover most of it!

We have another non-bid item that we seek approval on at this time. The trail construction requires the relocation of a number of Consumers Energy utility poles. This is not something that CE must complete at its own expense since it is not a street project. As such, the city is responsible.

Since CE is the sole provider and operator of these utilities, they are the only entity that can and will perform the work. As such, this is work that is to be priced and ordered independent of the main bidding process. Andy has been working with CE on pricing. We have a quote included that he finds to be essential and reasonable. We ask for approval to perform this work.

✓ **REDEVELOPMENT READY COMMUNITIES** *(No Change of Status)*

We are supposed to have a joint meeting of the council, planning commission, and DDA this calendar year. This is an obvious challenge to do in person with COVID, and might be even more difficult with a virtual meeting of the same group. Given the large amount of appointments that are due in the near future, compounded with our need to revisit the master plan, I am working with the state on solutions. They recommend we push this into early 2021. We could host a virtual workshop on master planning or otherwise bring the larger group together to host a state-of-the city style event. I will keep the council informed.

There is a buyer for the Lovegrove Building. We met with them onsite. Though they have not yet closed on the property, it appears that they will soon. They have plans for relatively robust maintenance and upgrades at the property, and they would like to cooperate on parking, site access, and downtown events.

Though it does not appear they have any immediate plans to engage in a larger scale transformative project, I do believe they have some good users coming to the site and will be investing sufficient resources to bring the building up to functional expectations. I think this is a good step forward.

We are still able to offer our RRC incentives. We will continue to work with property owners to educate and encourage them to consider the benefits of property enhancement and the incentives that can be leveraged to that end.

I have had conversations with them and they are entertaining the possibility of transforming the property in accordance with the Request for Proposals. Either way, we will be moving forward, and I am confident they will act as positive change agents for the building and downtown!

✓ **TAX REVERTED PROPERTY USE** *(No Change of Status)*

I am seeking release from the buyers of tax reverted property on Wade. I am doing so because the council granted sale approval over one year ago, but the purchase agreements remain unsigned after numerous requests. We can look to reoffer the properties or allow time to mature the prospects more.

✓ **8002 MILLER** *(Update)*

The city attorney received a \$10,000 certified check. He is sending this to us. Concurrently with this, the user is seeking some rent reductions for the lease, which needs to be extended. I have requested that tenant sign the lease extension as-is and request rent reductions in writing to the city council.

Overall, for a user to make such a payment for back rent does show a strong commitment. I know we have had our issues, but I recommend working with the tenant again.

✓ **SCHOOL FACILITY PROPOSAL** (*No Change in Status*)

The school is continuing to work on most facilities. Major efforts underway include the admin building. Much site and building work at the city elementary schools is finishing up, as are the athletic facilities. More work on the high school and middle school campuses is slated for 2021. It appears there will be a series of trails near the high school campus.

✓ **CDBG** (*No Change in Status*)

Applications were submitted prior to the due date of January 15th. The amount of funding available for the 2022-2024 cycle is \$42,025. 15% will go towards senior services and 85% will go towards new downtown residential neighborhood sidewalks.

We have accepted bids for the purchase of decorative street signs. This project includes the purchase and installation of decorative street signs throughout the downtown area. We hope to proceed as soon as orders can be made. The bid is less than anticipated, which is always good. We will purchase the signs and look to seek reimbursement for reasonable labor and equipment costs related to installation by our crews. This should get us close to the available allotment.

✓ **SAFE ROUTES TO SCHOOL** (*No Change of Status*)

A conditional award has been made by the MDOT! We have also funded and awarded engineering for this effort. This is a substantial grant for another \$600,000+ for trails and walkways in the community! This will enable installation of paths near the middle school, Elms, and Syring for student safety. These connections will also enhance our trail network.

✓ **GIS MAPS** (*No Change of Status*)

Staff is now able to edit the maps and accompanying data fields for our GIS system. This includes underground water, sewer, and storm facilities. We are also mapping basic street data. This system is going to be accessible by our staff anywhere in the city by mobile device and will enable locational support, as well as important maintenance and related data fields related to infrastructure.

We are also exploring the use of work order applications with GIS that will save some time and better integrate data analytics for our infrastructure. Some of these features may be viewable by the public as well once we are established.

✓ **DISC GOLF** (*Business Item*)

A parking area with two drives has been installed. Site grading, including the extension of the eastern berm continues. In addition, Woodside Builders has donated some culverts for drain crossings. We expect to be purchasing baskets this fiscal year, and the enthusiasts appear able and willing to promote the course with a fundraiser this summer.

The park board recommends the purchase of the baskets and pads using budgeted funds. This might enable us to hit the ground running in 2021. The difficulty comes from the usage of the site for water main construction staging. While Glaeser Dawes is doing a great service in providing this, they have a heavy footprint there and will continue to do so most of the 2021 warm months. This makes recreational use problematic.

Despite that, we are ready to move on. I have consulted the disc golf pros. They have made some recommendations on equipment. I have followed up on their ideas with quotes, which I have included. I hope we can proceed.

✓ **COVID 19** (*No Change of Status*)

We can host meetings in person with up to 25 people! As such, we plan to hold all of our public meetings in the council chambers moving forward. We will also be using the improved tech of the chambers to host Zoom participants, who shall be able to hear and be heard by the in-person participants. See the attached notice for guidance on this new state order.

Our operational status may see some small changes. We are still maintaining the two team approach to staffing city hall (limiting our staff numbers and hours of operation). However, some special duties/services may conflict with some staff taking well-earned personal time. In that case, we shall be blending members of the teams to maintain services and essential duties as needed. Mask, spacing, and sanitation protocols will be adhered to tot the best of our abilities. A split team approach shall still be the standard operating procedure for the time being.

✓ **8067 MILLER ROAD** (*Business Item*)

The planning commission continued their discussion on 8067 Miller Road at their March meeting. They recommend that the easement be secured for a future alley, which staff will begin working on immediately. We can order this up administratively from one of our approved engineers. I expect to have Rowe working on this yet this week.

They also recommend that the council consider marketing and sale of the house as a residence with an emphasis on its ability to be used for a home occupation (home business).

To this end, I have invited one of our community's most prominent residential real estate agents to consult on the matter, Andrea Fick. We have inspected the home, and she has completed an analysis. She believes we should market the house for about \$175,000. However, we shall need to finish the great room and downstairs bathroom for the home to qualify for conventional lending. I am seeking a price from local builder, Jeremy Morgan. I expect this will be up to \$20,000.

With that investment and sale price, we will be close to break-even territory given our inputs into taxes, utilities, the alley survey, and other maintenance. If we can do that, I will be very pleased. It will also get this home back into economic service. I had a resolution prepared to proceed with marketing, but we need to approve a rehabilitation quote before we can proceed. Hopefully, both items will be ready for the April 12 agenda.

✓ **MASTER PLAN UPDATE** *(No Change in Status)*

The city master plan was last updated in 2016 and is expected to be revisited every five years. This provision could be as simple as accepting the plan as current and valid, or it could be as extensive as a complete rewrite.

We need to get this process underway. There are two circumstances that should settle prior to commencing. We need a final disposition on the raceway, and we need a better open meeting environment. Once the raceway is known, we will have a better idea of the plan scope. We can then decide whether to do this in-house like last time or to contract the service out.

✓ **ORV ORDINANCE** *(Update)*

Per guidance from the city council, the attorney has finished a rough draft of an ordinance that would enable enclosed ORV's on select streets (shoulders or 25 mph speed limits and under) under select circumstances (operator, ORV features, etc). I have included it in the packet. We can obviously discuss this at the meeting and see where we wish to go. I do recall that there was some discussion about limiting this to enclosed ORV's only (side-by-side type vehicles instead of motorcycles and quads). Perhaps the planning commission could take the lead on specifics.

✓ **RACEWAY** *(Update)*

I have reached out to the state MEDC folks to see what assistance we may get to plan, market, or rehabilitate the site. I am getting positive feedback so far, but we have not concluded anything. The previous report follows.

The raceway owner is ready to move on. They are going to test the market for possible buyers and users of the site. We have been communicating with them concerning the city's ability to provide services, specifically traffic to the site. We have also been stressing our desire to place low-impact uses there that compliment (or at least are not detrimental) to the adjacent properties.

This conversation has led us away from high-traffic retail and apartment uses. We are leaning towards consideration of a modern light industrial park. This could provide daily users that complement the downtown and retail of the city, while having a low impact on services and the surrounding areas. Of course, a site this size is likely to have multiple users and might still offer sites for hospitality, hotel, or condo space. We would need to work on a plan together to ascertain how the community should proceed.

I also suspect that the owner will get potential buyers in the marijuana growing or production industries. This is something that the city considered when the five medical marijuana license types were decriminalized in Michigan. All such licenses were prohibited. With the impact of such sites (growing and production only; not retail) being observable in more and more Michigan communities, our community should revisit this as a potential springboard to getting the site functional.

✓ **SPRINGBROOK HYDRANT** *(No Change in Status)*

The association decided to hold off on hydrant replacement for the time being. It appears they will consult with their attorney for advice. I have forwarded them the utility

agreement they have with the city. Since that time, I have spoken with their attorney. The association may revisit cost-sharing. See the March 8, 2021 packet for the full report.

✓ **FIRE DEPARTMENT SERVICES** *(No Change in Status)*

The fire department is proceeding with a detailed operational plan for implementation of medical runs. I expect we will see this again if/when there is a budget amendment required. If there is not such an amendment, good for them (and us)!

The chief proposes a program would restrict medical responses to one or two fire personnel per run. This is a great reduction from some departments that have up to twenty people on the payroll for a call. The department would license two vehicles only. After initial costs, which he is still investigating, he estimates a yearly increase of about \$1500 a year per municipality.

✓ **WASTE BID REVIEW AD HOC COMMITTEE** *(Update)*

The committee had an organizational meeting on March 15th. The committee, based upon community input and their findings, immediately decided to stay with an automated (cart based) provider. This eliminated Emterra from contention and answered one big question regarding service. If council members disagree, please sound off.

The committee has made arrangements to meet at least weekly. Their intent is to finalize a rating system and interview standards at their meeting on the 22nd. Once done, they can interview the other three contractors, rate them, and assess their findings as a group.

I expect to have a recommendation for a preferred contract on schedule.

✓ **FORWARD TOGETHER PLAN** *(No Change of Status)*

Genesee County has completed a regional economic development plan. It will function as an additional Comprehensive Economic Development Strategy (CEDS). This enables certain streams of funding for eligible activities, which could even be a part of the proposed stimulus. I have been speaking with regional economic development staff, and they are very interested in the raceway. They wish to present this plan to our community.

I think this will be a good opportunity to have our RRC joint meeting of the council, DDA, and planning commission. I will see if we can set this up in April. We should learn much about the regional plan and possibilities to advance some of our compatible local efforts.

✓ **OTHER COMMUNICATIONS & HAPPENINGS** *(See Individual Category)*

✓ **MONTHLY REPORTS** *(Update)*

There are some routine reports included for your information.

✓ **GHS TAX** *(Update)*

I am including a presentation by Genesee Health System regarding their tax proposal for the May ballot.

✓ **BOARDS & COMMISSIONS** *(See Individual Category)*

✓ **PLANNING COMMISSION** *(Update)*

The Planning Commission met on March 2, 2021. They continued their discussion on 8067 Miller Road (above). The commission recommends that the easement be secured for a future alley, which staff will begin working on immediately. They also recommend that the council consider marketing and sale of the house as a residence with an emphasis on its ability to be used for a home occupation (home business).

The next meeting is April 6th and should be at city hall!

✓ **DOWNTOWN DEVELOPMENT AUTHORITY** *(Update)*

The DDA did not meet in March. Their next meeting is scheduled for April 8. Preliminary budget figures look good.

✓ **ZONING BOARD OF APPEALS** *(Update)*

There was not a March meeting of the ZBA. The annual meeting is delayed since the 2020 annual meeting was held in late fall due to COVID. Not variances, appeals, or interpretations are pending.

✓ **PARKS AND RECREATION COMMISSION** *(No Change of Status)*

The Park Board met on March 3rd. The park board spent some time discussing the disc golf course at Otterburn Park. Though the site will remain a staging area for the watermain work this summer, they wish to proceed with the purchase of the baskets. This is a budgeted item, and purchasing them will help us keep momentum going with the fundraising group and others that wish to see some progress this year. With the baskets in hand, we should be able to arrange for installation as soon as possible.

The disc golf enthusiasts still plan to host a fundraiser at a temporary course in town. This could be at Elms Park, somewhere downtown during Hometown Days, or the Swartz Creek Golf Course (Genesee Valley is not interested).

Their next meeting is April 7th.

✓ **BOARD OF REVIEW** *(Update)*

The Board of Review was held virtually this year between March 15 and 17th. I do not yet have details on the number or composition of petitions received.

✓ **CLERK'S OFFICE/ELECTION UPDATE** *(Update)*

Election Update: Ballots for the May 4th election have been received and were mailed out Friday March 19th. Other than preparing for the May election I have no other news to report.

✓ **DEPARTMENT OF COMMUNITY SERVICES/ENGINEERING UPDATE** *(Update)*

Things have been relatively quiet for the past couple weeks and our fingers are crossing hoping that trend continues. We had a couple of water service interruptions along Bristol Road near Heritage however all services have now been installed and

the connection to Heritage is complete. As we move the water supply over to the new main we're hopeful the number of interruptions continues to drop.

Water reads were completed this week. I'm happy to report that the process can now be completed in a couple of days due to the technology that's been installed over the years. The investments made in the past certainly make the task more efficient!

✓ **TREASURER UPDATE (Update)**

Settlement with the County Treasurer's Office has been completed. The settlement check for purchase of the delinquent real property taxes for 2020 is issued in June. Delinquent personal property and property on leased land continue to be collected at the City. The draft budget for fiscal year 2021-2022 is near completion. Some staff are now assisting the City Clerk with election preparation. Enforcement notices for snow removal have been issued. Routine duties were performed including, but not limited to, writing/processing routine journal entries, bank wires, review of accounts payable invoices, building department permits and rent inspection collections, park reservations, processing payroll and payroll remittances, receipt of utility billing payment arrangements, and other financial matters impacting the city.

NEW BUSINESS / PROJECTED ISSUES & PROJECTS

✓ **PHASE II STORMWATER AGREEMENT (Business Item)**

The county agreement for Federal Phase II Stormwater Management oversight with Genesee County has expired. This agreement places Genesee County as the lead in providing stormwater management oversight for the urbanized area of Genesee County (including Swartz Creek).

This includes applying for the NPDES permit (National Pollutant Discharge Elimination System), MS4 permitting/oversight, and IDEP management (Illicit Discharge Elimination Plan). While all communities are subject to these regulations to a degree, the city does fall into the urban area of Genesee County and must therefore maintain an MS4 permit and IDEP monitoring plan. The goal of the MS4 program is to reduce the discharge of pollutants to surface waters of the State. An MS4 is a system of drainage (including roads, storm drains, pipes, and ditches, etc.) that is not a combined sewer or part of a sewage treatment plant.

What this means in plain English is that the county coordinates the protection of stormwater for impacted municipalities in order to comply with federal regulations. They undertake the permitting and much of the actions related to soil erosion, point-source pollution monitoring, and surface water management through the Drain Commissioner's office.

With that said, we do not have the capacity or expertise to engage in the level of permitting and point source pollution monitoring that the county does. Though we do not enjoy navigating the regulatory waters related to these processes, the county is crucial to our compliance. The fees are very reasonable once spread out among the participants (see attached schedule). You will note that our IDEP rates are higher, however we have many more outfalls due to our relationship to the Swartz Creek.

I am including the amendments and the standard resolution to continue the arrangement. Though we may have the capacity and advantage to maintain such services in-house, that is not the case today. We recommend continuing the arrangement.

✓ **INCENTIVE APPLICATION FOR BREWER TOWNHOMES (*Business Item*)**

The developer of the Brewer Townhome project is applying for water and sewer tap fee reductions per the city's incentive program. I am including the application and incentive package.

As part of qualifying for the RRC program with the state, the city has adopted a formal incentive policy. Most of this policy centers on statutorily enable tax abatements for commercial and industrial development or rehabilitation. This project does not qualify for those. However, the package also provides for limited abatements of water and sewer connection fees for RRC sites and Downtown properties.

The policy has a rating system that provides for higher percentages of abatement based upon factors such as job creation, invested value, and the achievement of downtown goals (multi-story development, small setbacks, walkable sites, etc.). Based upon the application, it appears that this project qualifies for a 60% abatement of water and sewer fees, which will have the following impact:

15 Units x \$1,500 water = \$22,500; 60% savings = \$13,500; 40% payment = \$8,000
15 Units x \$1,500 sewer = \$22,500; 60% savings = \$13,500; 40% payment = \$8,000

Total Savings to Developer: \$27,000
Total Collection by City: \$16,000

Since the incentive plan is prescriptive, I recommend the city council affirm the application and grant the incentive. Note that the incentive has no value if the project does not commence. A resolution is included with the packet.

✓ **EXPANDED USE PARK RESERVATION & WAIVER REQUEST (*Business Item*)**

The Art in the Park event is being planned for Elms Park next summer on August 28th. The Kiwanis Club, in partnership with the Swartz Creek Area Art Guild and Swartz Creek Women's Club, have held this event at the park for many years, last year obviously excluded. They are hoping to have an opportunity to hold the event in late August this year. The activities, needs, and setup remain the same as previous years.

Briefly described, the event is an outdoor art fair that is held on a single Saturday in August. There is a setup area for tents immediately west of the main pavilion, a food vendor area east of the tennis courts, and parking on the soccer fields. Setup begins the preceding Friday. About 2,000 attendees are expected.

The dates to hold this event (August 27-28) have been tentatively reserved. It is now appropriate to consider this application under the following applicable conditions:

EXPANDED PARK USE AND RESERVATIONS. Swartz Creek-based organizations (defined as non-profit organizations or institutions with a principle office or auxiliary presence within the Swartz Creek school district) may be permitted the use of designated

areas of city parks, including control during hours the parks are closed to the public, subject to the following conditions:

- 1) Use must be pre-approved by the city council.
- 2) The organizations' use of the park area shall not violate any local or state law nor unreasonably interfere with the use and enjoyment of adjacent park areas by others.
- 3) The organizations shall hold the city harmless from liability for incidents arising out of the organizations' use of the park area and shall provide evidence of insurance coverage.
- 4) The city reserves the right to direct where organizations' structures are installed and activities conducted to minimize damage to park property and facilities and to limit interference with the use of adjacent areas of the park.
- 5) Fees shall equal the cost of all pavilion rentals for the park in use on a daily basis. Additional fees may be charged for services requested of the city and negotiated in advance, including use of barricades, additional utilities, port-a-johns, etc.
- 6) In no case will use result in a charge for or prohibition on general access to the park by the public, by vehicle or other means.

Based upon the proposed event and past experiences with this event, I do not see any issues or areas of non-compliance with issuing the reservation.

Related to the reservation, the group is requesting a fee waiver. This is completely up to the city council based upon the following:

Fees may be waived in full if reservations by a non-profit are found to result in a public benefit directly or if proceeds from the reserved event are found to be a benefit to the city. Monies must be paid at the time of reservation. Cancellations must be made two (2) weeks or more prior to event date and all cancellations are subject to a \$20 fee.

A resolution to permit the reservation and waiver has been included, written in the affirmative. Note that Kiwanis is applying in conjunction with two other local non-profits, the Women's Club and the Art Guild. Mr. Doug Stephens has written a detailed narrative and provided other information about these groups, the event, and the benefits that the event/proceeds bring to the city.

Council Questions, Inquiries, Requests, Comments, and Notes

Notable Code Issues: Our attorney has moved the Miller Road camping issue to Circuit Court and is including the property owner as well; we hope to have demolition permits for the homes on Miller by Elms that are blighted soon; we are working on one unpermitted sign (North Atlas).

Hometown Days: The HTD's committee is planning to hold an event this year. The scope and scale is unknown. The proposed dates are June 3-6.

**City of Swartz Creek
RESOLUTIONS
Regular Council Meeting, Monday, March 22, 2021, 7:00 P.M.**

Motion No. 210322-4A **MINUTES – March 8, 2021**

Motion by Councilmember: _____

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday, March 8, 2021, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Motion No. 210322-5A **AGENDA APPROVAL**

Motion by Councilmember: _____

I Move the Swartz Creek City Council approve the Agenda as presented / printed / amended for the Regular Council Meeting of March 22, 2021, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Motion No. 210322-6A **CITY MANAGER’S REPORT**

Motion by Councilmember: _____

I Move the Swartz Creek City Council accept the City Manager’s Report of March 22, 2021, including reports and communications, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 210322-8A **RESOLUTION TO APPROVE THE PURCHASE OF DISC GOLF EQUIPMENT FOR OTTERBURN PARK**

Motion by Councilmember: _____

WHEREAS, the City of Swartz Creek is establishing a public disc golf course at Otterburn Park on Bristol Road, and

WHEREAS, the city has budgeted funds for the establishment of this park, in the amount of \$10,000 and

WHEREAS, local volunteers are assisting in the establishment of the course by offering design assistance, maintenance, and fundraising, and

WHEREAS, the park board desires to see use of the park as soon as possible, potentially in 2021, and

WHEREAS, delays exist in the production and delivery of many disc golf products, and

WHEREAS, the park board recommends proceeding with acquiring baskets for Otterburn Park.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek City Council accepts the quote from Discraft in the amount of \$5,981.40 for disc golf baskets and additionally approves the quote from MVP Disc Sports in the amount of \$3,600 for disc golf launch pads, as included in the city council packet of March 22, 2021, plus freight.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 210322-8B

RESOLUTION TO APPROVE WATER AND SEWER CONNECTION FEE INCENTIVES FOR THE BREWER TOWNHOME PROJECT

Motion by Councilmember: _____

WHEREAS, the City of Swartz Creek approved the land sale and site plan for the Brewer Condominium project, which consists of 15 townhomes on Paul Fortino Drive, and

WHEREAS, the developer and buyer, RBF Construction, will be affirming the site plan before the planning commission in April, is finalizing condominium documents & master deed, has completed Genesee County approvals, and is proposing to begin construction on the first tri-plex this spring, and

WHEREAS, as part of the Redevelopment Ready Communities certification, the city has adopted an incentive policy for RRC sites, industrial rehabilitation sites, and other downtown properties, and

WHEREAS, the Brewer Condominium project does not qualify for any tax abatements, but does qualify for a 60% abatement of water and sewer tap fees.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek City Council approves the 60% abatement for water and sewer tap fees as applied for and reviewed in accordance with the city's incentive policy.

NOW, BE IT FURTHER RESOLVED that the reduction shall only apply to units built in accordance with the approved site plan. Any purchased units that are not applied to the development as proposed shall not be vested or transferred without payment of 100% of the applicable fee.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 210322-8C

RESOLUTION TO APPROVE THE FOURTH AMENDMENT TO THE GENESEE COUNTY PHASE II REGULATIONS STORM WATER MANAGEMENT SYSTEM CONTRACT

Motion by Councilmember: _____

WHEREAS, the County of Genesee (the “County”) and the cities and townships located within the County identified on Exhibit A attached hereto (hereinafter referred to individually as a “Municipality” or collectively as the “Municipalities”) and other units of local government in the County have previously entered into the Genesee County Phase II Regulations Storm Water Management System Contract, dated as of May 1, 2001, as amended by the First Amendment to Genesee County Phase II Regulations Storm Water Management System Contract, the Second Amendment to Genesee County Phase II Regulations Storm Water Management System Contract and the Third Amendment to Genesee County Phase II Regulations Storm Water Management System Contract (as amended, the “Contract”), pursuant to which the County agreed to provide such services as are necessary (defined therein as the “Services”) to assist the County, the Municipalities and such other local units of government in complying with the requirements of the Phase II Regulations and in other watershed management activities, including, but not limited to, applying for NPDES permit coverage and planning for and implementing storm water discharge management controls (known as “best management practices”) with respect to the following minimum control measures: (a) public education and outreach on storm water impacts; (b) public participation/involvement; (c) illicit discharge detection and elimination; (d) construction site storm water runoff control; (e) post-construction storm water runoff control; and (f) pollution prevention/good housekeeping for municipal operations; and

WHEREAS, the Contract terminated on October 1, 2020 with the intent of the parties to renew, but that was not renewed due to the postponement and cancellation of certain public meetings of the County and the Municipalities following the COVID-19 outbreak and issuance of related statewide orders limiting attendance at various types of gatherings and venues; and

WHEREAS, the Clerk has presented to the Swartz Creek City Council a form of fourth amendment to contract dated as of April 1, 2021, among the County of Genesee, acting through its Drain Commissioner, as County Agency, and the Municipalities, which amendment ratifies and confirms the Contract and amends the Contract relative to the provision relative to the provision of services for implementation activities required by

the Phase II Storm Water Regulations (the “Phase II Regulations”) and the allocation of the costs of such activities among the County and the Municipalities.

WHEREAS, Discussion of the fourth amendment to contract occurred at the regular city council meeting of March 22, 2021.

NOW, THEREFORE BE IT RESOLVED: The Contract is hereby ratified and confirmed, and the intent of the City of Swartz Creek to renew and restore the terms of the Contract, as amended through the Third Amendment to Genesee County Phase II Regulations Storm Water Management System Contract, is hereby acknowledged and confirmed.

BE IT FURTHER RESOLVED that the City of Swartz Creek City Council hereby approves the Fourth Amendment to Genesee County Phase II Regulations Storm Water Management System Contract to be dated as of April 1, 2021, among the County of Genesee, acting through its Drain Commissioner, as County Agency, and the Municipalities (the “Amendment”), which Amendment provides, among other things, for the provision by the Genesee County Storm Water Management System of services for implementation activities required by the Phase II Regulations, the allocation of the costs of such activities among the County and the Municipalities, and the payment by the County and the Municipalities of their respective share of the cost of the services as set forth in the Amendment.

BE IT FURTHER RESOLVED that the Mayor and the Clerk are authorized and directed to execute and deliver the Amendment for and on behalf of the City of Swartz Creek (in such number of counterparts as may be desirable).

BE IT FURTHER RESOLVED that a copy of the Amendment presented on this date and herein approved and authorized to be executed and delivered shall be attached to the minutes of this meeting and made a part thereof and shall be placed on file with the Clerk and made available for examination by any interested person during normal business hours.

BE IT FURTHER RESOLVED that All resolutions and parts of resolutions, insofar as they may be in conflict herewith, are hereby rescinded.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 210322-8D

RESOLUTION TO APPROVE UTILITY POLE RELOCATION SERVICES RELATED TO THE GENESEE VALLEY TRAIL EXTENSION

Motion by Councilmember: _____

WHEREAS, the City of Swartz Creek intends to commence construction of the Genesee Valley Trail Extension in the city in 2021, and

WHEREAS, utility pole relocation services are required as part of this project, and

WHEREAS, these services are provided only by the utility provider, Consumers Energy, and must be approved separate from any competitive bidding process, and

WHEREAS, Consumers Energy has assessed the project and has quoted the work that is expected to be required, and

WHEREAS, the city engineer has reviewed the quote price and responsibility of the effort as it relates to trail work within and around the right of way, and

WHEREAS, the Consumers Energy quote is found to be justified and reasonable.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek City Council approves the quote from Consumers Energy in the amount of \$29,123 for the noted services.

BE IT FURTHER RESOLVED that the City of Swartz Creek directs the Treasurer to apportion expenses from the major street and general funds.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 210322-8E

RESOLUTION TO APPROVE AN EXPANDED USE RESERVATION AND PARK FEE/DEPOSIT WAIVER FOR USE OF ELMS PARK FOR A NON-PROFIT ART EVENT

Motion by Councilmember: _____

WHEREAS, the City of Swartz Creek requires park usage reservations and fees in accordance with adopted rules and regulations; and

WHEREAS, the Swartz Creek Kiwanis Club, in conjunction with the Swartz Creek Area Art Guild and Women’s Club is proposing an expanded park use reservation for Elms Park August 27-28, 2021 for the purpose of holding a public art fair; and

WHEREAS, all three groups are recognized non-profits operating in Swartz Creek that meet the requirements for an expanded use reservation; and

WHEREAS, the city park rules and regulations states that “fees may be waived in full if reservations by a non-profit are found to result in a public benefit directly or if proceeds from the reserved event are found to be a benefit to the city.”; and

WHEREAS, the City Council finds the Swartz Creek Kiwanis Club, partnered with the Swartz Creek Area Art Guild and Women’s Club, to be a qualifying group with a qualifying activity.

NOW, THEREFORE, BE IT RESOLVED, the Swartz Creek City Council hereby approves the expanded use reservation of the Swartz Creek Kiwanis Club and waives all fees for the August 27-28, 2021 reservation in Elms Park.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Motion No. 210322-11A

ADJOURN

Motion by Councilmember: _____

I Move the Swartz Creek City Council adjourn the regular council meeting of March 22, 2021, and set the city council chambers as the venue for the next regularly scheduled council meeting of April 12, 2021.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR (HYBRID) COUNCIL MEETING
DATE 3/08/2021**

The hybrid meeting was called to order at 7:00 p.m. by Mayor Pro Tem Hicks.

Invocation and Pledge of Allegiance.

Councilmembers Present: Fountain, Farmer, Gilbert, Hicks, Krueger, Pinkston, Henry.

Councilmembers Absent: None.

Staff Present: City Manager Adam Zettel, Clerk Connie Olger, City Attorney Chris Stritmatter, Director of Public Services.

Others Present: Lania Rocha, Bob Plumb, Dennis Cramer, Brenda Huyck, Jason Christie.

APPROVAL OF MINUTES

Resolution No. 210308-01

(Carried)

Motion by Councilmember Henry
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday February 22, 2021 to be circulated and placed on file.

YES Farmer, Gilbert, Hicks, Krueger, Pinkston, Henry, Fountain.
NO: None. Motion Declared Carried.

APPROVAL OF AGENDA

Resolution No. 210308-02

(Carried)

Motion by Councilmember Pinkston
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Agenda as, printed for the Regular Council Meeting of March 8, 2021, to be circulated and placed on file.

YES: Gilbert, Hicks, Krueger, Pinkston, Henry, Fountain, Farmer.
NO: None. Motion Declared Carried.

CITY MANAGER'S REPORT

Resolution No. 210308-03

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Farmer

I Move the Swartz Creek City Council accept the City Manager's Report of March 8, 2021, including reports and communications to be circulated and placed on file.

Discussion Ensued.

YES: Hicks, Krueger, Pinkston, Henry, Fountain, Farmer, Gilbert.
NO: None. Motion Declared Carried.

MEETING OPENED TO THE PUBLIC:

Dennis Cramer 5299 Worchester Drive, questioned if individual objecting with easement if they have attended any council meetings and voiced their concerns and are they the only one objecting to the project. Mr. Zettel responded that the individual is the only one he is formally aware of not cooperating.

Mr. Cramer also commented on the race track and potential new owners.

COUNCIL BUSINESS:

RESOLUTION TO APPROVE TREE REMOVAL SERVICES RELATED TO THE GENESEE VALLEY TRAIL EXTENSION

Resolution No. 210308-04

(Carried)

Motion by Councilmember Fountain
Second by Councilmember Farmer

WHEREAS, the City of Swartz Creek intends to commence construction of the Genesee Valley Trail Extension in the city in 2021, and

WHEREAS, tree removal services are required as part of this project, and

WHEREAS, the city engineer recommends we perform these services in advance and separate from the MDOT related work, as a means to save money and time, and

WHEREAS, the work was bid in accordance with the city's finance ordinance, with multiple bid holders taking specifications and one contractor providing a price, and

WHEREAS, the city engineer has reviewed the bid price in relation to prior work in the city and in the region, and he recommends we proceed, and

WHEREAS, Great Lakes Tree Experts, Inc. has performed extensive work in the city and is in good standing.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek City Council accepts the bid of Great Lakes Tree Experts, Inc. in the amount of \$8,160 for the noted services.

BE IT FURTHER RESOLVED that the City of Swartz Creek directs the Treasurer to apportion expenses from the major street and general funds.

BE IT FURTHER RESOLVED, that the City Council directs the City Manager to prepare and execute a standard contractor's agreement on behalf of the city.

Discussion Ensued.

YES: Krueger, Pinkston, Henry, Fountain, Farmer, Gilbert, Hicks.
NO: None. Motion Declared Carried.

WASTE BID REVIEW COMMITTEE

Resolution No. 210308-05

(Carried)

Motion by Councilmember Farmer
Second by Councilmember Fountain

WHEREAS, under the General Operating Rules of the Council, the Mayor, with the advice and consent of Council, may appoint temporary committees whose membership may include persons not on Council; and

WHEREAS, such committees must be temporary in nature, have a specific purpose, and include a specific time frame for their activities; and

WHEREAS, the city has recently received bids for the collection of garbage, recycling, and yard waste from four different carries; and

WHEREAS, the council desires to enable a committee of councilmembers, staff, and other stakeholders to review the proposals, interview contractors, and check references; and

WHEREAS, the council further desires the committee to report a final recommendation regarding the preferred bidder.

NOW, THEREFORE, BE IT RESOLVED, the City of Swartz Creek City Council hereby creates a temporary committee, to be referred to as the “Waste Bid Review Committee,” for the purpose of reviewing and making a recommendation regarding the preferred contractor for the city’s next waste, recycling, and yard waste collection contract.

BE IT FURTHER RESOLVED, the Waste Bid Review Committee shall endeavor to deliver such findings at or before the regular meeting on April 26, 2021 and be subsequently dissolved unless otherwise engaged in further reviews at the direction of the city council.

BE IT FURTHER RESOLVED, the membership of the Waste Bid Review Committee shall be coordinated by the City Manager and composed of the following individuals:

Councilmember Gilbert
Councilmember Henry
Chad Young
Andy Harris
Dennis Cramer

Discussion Ensued.

YES: Pinkston, Henry, Fountain, Farmer, Gilbert, Hicks, Krueger.
NO: None. Motion Declared Carried.

RESOLUTION TO APPROVE PROFESSIONAL SERVICES FOR PRELIMINARY DESIGN OF MILLER ROAD

Resolution No. 210308-06

(Carried)

Motion by Mayor Krueger
Second by Councilmember Farmer

WHEREAS, the City of Swartz Creek owns, operates, and maintains a system of major and local streets, and

WHEREAS, the major streets within the city qualify for federal rehabilitation and replacement assistance through the regionally administered Transportation Improvement Program, and

WHEREAS, this funding provides reimbursement of up to 80% of the cost for such street work, and

WHEREAS, additional funds are often made available due to delays on other federal projects within the region or because of additional funds made available for special purposes, and

WHEREAS, the city wishes to place a high priority on the rehabilitation of Miller Road, from N. Seymour to Morrish, with the hope that this will be a priority TIP project or otherwise be eligible for funding additions, and

WHEREAS, completion of preliminary design will increase the eligibility and likelihood that Miller Road can be a candidate for federal funding, and

WHEREAS, OHM Advisors, functioning as the city's consultant engineer, delivered a proposal, dated February 23, 2021 to provide such services.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek City Council accepts the proposal from OHM in the amount of \$25,500 for the noted services.

BE IT FURTHER RESOLVED that the City of Swartz Creek directs the Treasurer to apportion expenses from the major street fund.

BE IT FURTHER RESOLVED, that the City Council directs the Mayor to execute said proposal on behalf of the city.

Discussion Ensued.

YES: Henry, Fountain, Farmer, Gilbert, Hicks, Krueger, Pinkston.

NO: None. Motion Declared Carried.

MEETING OPENED TO THE PUBLIC:

Dennis Cramer 5299 Worchester Drive, commented on the State Historic Preservation Organization.

Brenda Huyck, Hometown Days Committee, they will be moving forward with Hometown Days June 3-6th. They will present a final plan once it's completed, she just asked the council to be patient.

REMARKS BY COUNCILMEMBERS:

Councilmember Henry saw a lot of people out walking and he thanked Andy Harris for taking care of issues he reported.

Councilmember Farmer wondered if we could put up the tennis nets. Mr. Harris replied he would get them put up this week.

Councilmember Fountain is excited about the news of Hometown Days happening this year.

Councilmember Pinkston the village looks good, trees are down already and glad to see construction starting.

Councilmember Gilbert everyone enjoy the weather.

Mayor Krueger thanked Rae Lynn for running the meeting tonight and appreciates the warmer weather.

Mayor Pro Tem Hicks remarked March is Women's History month and today is international women's day.

ADJOURNMENT

Resolution No. 210308-07

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Farmer

I Move the Swartz Creek City Council adjourn the regular meeting at 7:52 p.m.

Unanimous Voice Vote.

David A. Krueger, Mayor

Connie Olger, City Clerk

REVENUE AND EXPENDITURE REPORT FOR CITY OF SWARTZ CREEK
PERIOD ENDING 02/28/2021

GL NUMBER	2020-21 ORIGINAL BUDGET	2020-21 AMENDED BUDGET	YTD BALANCE 02/28/2021	AVAILABLE BALANCE	% BDGT USED
Fund 101 - General Fund					
000.000 - General	2,322,610.27	2,337,610.93	2,058,425.79	279,185.14	88.06
215.000 - Administration and Clerk	40.00	40.00	2.40	37.60	6.00
262.000 - Elections	0.00	5,000.00	5,000.00	0.00	100.00
301.000 - Police Dept	4,100.00	4,257.00	5,909.97	(1,652.97)	138.83
336.000 - Fire Department	0.00	40,883.00	40,883.00	0.00	100.00
345.000 - PUBLIC SAFETY BUILDING	25,050.00	25,050.00	14,133.31	10,916.69	56.42
410.000 - Building & Zoning & Planning	65,200.00	68,300.00	42,956.09	25,343.91	62.89
444.000 - Sidewalks	900.00	900.00	810.00	90.00	90.00
448.000 - Lighting	9,870.00	9,870.00	5,147.68	4,722.32	52.15
523.000 - Grass, Brush & Weeds	4,500.00	4,500.00	2,820.00	1,680.00	62.67
694.000 - Community Development Block Grant	33,300.00	33,300.00	0.00	33,300.00	0.00
728.005 - Holland Square Streetscape	40,000.00	40,000.00	40,000.00	0.00	100.00
780.500 - Mundy Twp Park Services	0.00	0.00	1,170.79	(1,170.79)	100.00
782.000 - Facilities - Abrams Park	140.00	140.00	140.00	0.00	100.00
783.000 - Facilities - Elms Rd Park	6,700.00	6,700.00	4,780.00	1,920.00	71.34
790.000 - Facilities-Senior Center/Libr	6,200.00	6,200.00	2,931.15	3,268.85	47.28
794.000 - Community Promotions Program	0.00	1,000.00	1,000.00	0.00	100.00
931.000 - Transfers IN	0.00	10,574.22	10,574.22	0.00	100.00
TOTAL REVENUES	2,518,610.27	2,594,325.15	2,236,684.40	357,640.75	
000.000 - General	14,160.00	14,160.00	9,073.84	5,086.16	64.08
101.000 - Council	22,585.73	22,612.29	18,019.58	4,592.71	79.69

GL NUMBER	2020-21 ORIGINAL BUDGET	2020-21 AMENDED BUDGET	YTD BALANCE 02/28/2021	AVAILABLE BALANCE	% BDGT USED
172.000 - Executive	109,424.96	256,193.72	219,415.59	36,778.13	85.64
215.000 - Administration and Clerk	36,221.00	36,221.00	18,223.35	17,997.65	50.31
228.000 - Information Technology	15,875.00	22,714.88	17,991.30	4,723.58	79.20
247.000 - Board of Review	3,658.85	3,658.85	645.89	3,012.96	17.65
253.000 - Treasurer	93,323.00	94,897.00	63,649.76	31,247.24	67.07
257.000 - Assessor	47,959.00	48,117.25	24,451.33	23,665.92	50.82
262.000 - Elections	47,202.00	49,563.70	38,845.97	10,717.73	78.38
266.000 - Legal Council	14,000.00	14,000.00	12,722.91	1,277.09	90.88
301.000 - Police Dept	7,900.00	7,900.00	11,775.90	(3,875.90)	149.06
301.266 - Legal Council PSFY	5,000.00	9,000.00	12,240.36	(3,240.36)	136.00
301.851 - Retiree Employer Health Care PSFY	19,670.00	19,670.00	14,091.73	5,578.27	71.64
334.000 - Metro Police Authority	1,019,475.00	1,019,475.00	774,756.00	244,719.00	76.00
336.000 - Fire Department	206,650.00	206,650.00	139,683.01	66,966.99	67.59
345.000 - PUBLIC SAFETY BUILDING	39,132.39	89,712.57	71,299.54	18,413.03	79.48
410.000 - Building & Zoning & Planning	128,884.00	128,896.00	59,635.85	69,260.15	46.27
444.000 - Sidewalks	1,200.00	1,200.00	3,645.00	(2,445.00)	303.75
448.000 - Lighting	105,000.00	105,000.00	59,373.38	45,626.62	56.55
523.000 - Grass, Brush & Weeds	1,200.00	1,200.00	550.00	650.00	45.83
694.000 - Community Development Block Grant	33,300.00	33,300.00	17,964.66	15,335.34	53.95
728.000 - Economic Development	0.00	55.91	241.73	(185.82)	432.36
780.500 - Mundy Twp Park Services	0.00	0.00	1,548.99	(1,548.99)	100.00
781.000 - Facilities - Pajtas Amphitheat	1,468.00	1,468.00	986.91	481.09	67.23
782.000 - Facilities - Abrams Park	37,785.87	37,820.87	18,350.74	19,470.13	48.52

GL NUMBER	2020-21 ORIGINAL BUDGET	2020-21 AMENDED BUDGET	YTD BALANCE 02/28/2021	AVAILABLE BALANCE	% BDGT USED
783.000 - Facilities - Elms Rd Park	80,732.00	80,804.55	34,738.71	46,065.84	42.99
784.000 - Facilities - Bicentennial Park	1,324.00	1,414.89	372.24	1,042.65	26.31
786.000 - Non-Motorized Trailway	30,000.00	55,430.00	27,262.00	28,168.00	49.18
787.000 - Veterans Memorial Park	2,840.00	2,881.42	2,220.02	661.40	77.05
788.000 - Disc Golf Park	10,000.00	10,000.00	0.00	10,000.00	0.00
790.000 - Facilities-Senior Center/Libr	36,620.58	36,913.77	15,638.48	21,275.29	42.36
793.000 - Facilities - City Hall	19,802.88	20,004.66	8,820.77	11,183.89	44.09
794.000 - Community Promotions Program	50,059.00	51,957.50	26,680.06	25,277.44	51.35
796.000 - Facilities - Cemetary	1,901.70	1,901.70	851.09	1,050.61	44.75
797.000 - Facilities - City Parking Lots	5,600.00	8,890.00	3,283.57	5,606.43	36.94
851.000 - Retired Employee Health Care	25,900.00	25,900.00	11,156.02	14,743.98	43.07
965.000 - Transfers Out	175,367.50	181,919.28	180,330.61	1,588.67	99.13
TOTAL EXPENDITURES	2,451,222.46	2,701,504.81	1,920,536.89	780,967.92	
Fund 101 - General Fund:					
TOTAL REVENUES	2,518,610.27	2,594,325.15	2,236,684.40	357,640.75	86.21
TOTAL EXPENDITURES	2,451,222.46	2,701,504.81	1,920,536.89	780,967.92	71.09
NET OF REVENUES & EXPENDITURES	67,387.81	(107,179.66)	316,147.51	(423,327.17)	
Fund 202 - Major Street Fund					
000.000 - General	450,475.00	450,475.00	267,959.38	182,515.62	59.48
441.000 - Miller Rd Park & Ride	5,000.00	5,000.00	1,232.52	3,767.48	24.65
452.100 - Safe Routes to School Grant	0.00	0.00	5,000.00	(5,000.00)	100.00
474.000 - Traffic Services	0.00	0.00	364.36	(364.36)	100.00
478.000 - Snow & Ice Removal	2,400.00	2,400.00	1,971.22	428.78	82.13
931.000 - Transfers IN	0.00	240.41	240.41	0.00	100.00
TOTAL REVENUES	457,875.00	458,115.41	276,767.89	181,347.52	

GL NUMBER	2020-21 ORIGINAL BUDGET	2020-21 AMENDED BUDGET	YTD BALANCE 02/28/2021	AVAILABLE BALANCE	% BDGT USED
228.000 - Information Technology	1,000.00	1,231.03	697.84	533.19	56.69
441.000 - Miller Rd Park & Ride	5,058.24	5,177.51	2,350.81	2,826.70	45.40
448.000 - Lighting	15,000.00	58,330.00	43,330.00	15,000.00	74.28
449.500 - Right of Way - General	10,000.00	10,000.00	4,215.00	5,785.00	42.15
449.501 - Right of Way - Storms	20,000.00	20,000.00	2,002.19	17,997.81	10.01
451.102 - Morrish Rd Bridge Reconstruction	0.00	609.06	609.06	0.00	100.00
452.100 - Safe Routes to School Grant	0.00	83,200.00	33,280.00	49,920.00	40.00
453.105 - Fairchild-Cappy to Miller TIP	0.00	7,475.00	7,473.39	1.61	99.98
463.000 - Routine Maint - Streets	158,025.87	158,025.87	35,378.28	122,647.59	22.39
463.307 - Oakview - Seymour to Chelmsford	50,000.00	404,280.46	404,764.06	(483.60)	100.12
463.308 - Winston - Oakview to Chesterfield	20,000.00	36,657.77	36,704.27	(46.50)	100.13
473.000 - Routine Maint - Bridges	1,000.00	1,000.00	0.00	1,000.00	0.00
474.000 - Traffic Services	40,202.00	56,021.08	25,943.22	30,077.86	46.31
478.000 - Snow & Ice Removal	81,307.00	81,307.00	27,971.84	53,335.16	34.40
482.000 - Administrative	17,762.00	17,762.00	9,960.56	7,801.44	56.08
538.500 - Intercommunity storm drains	12,500.00	12,500.00	4,695.19	7,804.81	37.56
965.000 - Transfers Out	100,000.00	100,000.00	100,000.00	0.00	100.00
TOTAL EXPENDITURES	531,855.11	1,053,576.78	739,375.71	314,201.07	
Fund 202 - Major Street Fund:					
TOTAL REVENUES	457,875.00	458,115.41	276,767.89	181,347.52	60.41
TOTAL EXPENDITURES	531,855.11	1,053,576.78	739,375.71	314,201.07	70.18
NET OF REVENUES & EXPENDITURES	(73,980.11)	(595,461.37)	(462,607.82)	(132,853.55)	
Fund 203 - Local Street Fund					
000.000 - General	143,500.00	144,694.57	91,894.10	52,800.47	63.51
449.000 - Right of Way Telecomm	15,000.00	15,000.00	0.00	15,000.00	0.00

GL NUMBER	2020-21 ORIGINAL BUDGET	2020-21 AMENDED BUDGET	YTD BALANCE 02/28/2021	AVAILABLE BALANCE	% BDGT USED
478.000 - Snow & Ice Removal	500.00	500.00	1,314.14	(814.14)	262.83
931.000 - Transfers IN	500,000.00	600,240.41	100,240.41	500,000.00	16.70
TOTAL REVENUES	659,000.00	760,434.98	193,448.65	566,986.33	
228.000 - Information Technology	1,000.00	1,231.03	697.84	533.19	56.69
429.000 - Occupational Safety	0.00	0.00	38.10	(38.10)	100.00
448.000 - Lighting	15,000.00	22,222.00	7,222.00	15,000.00	32.50
449.500 - Right of Way - General	22,500.00	22,500.00	1,580.00	20,920.00	7.02
449.501 - Right of Way - Storms	0.00	659.38	1,139.38	(480.00)	172.80
463.000 - Routine Maint - Streets	285,870.05	286,670.05	131,793.53	154,876.52	45.97
463.107 - Chelmsford - Seymour to Oakview	50,000.00	288,235.56	288,570.36	(334.80)	100.12
463.108 - Oxford Court	55,000.00	134,866.38	134,931.48	(65.10)	100.05
474.000 - Traffic Services	20,006.00	20,310.20	8,625.66	11,684.54	42.47
478.000 - Snow & Ice Removal	68,999.00	69,069.00	21,531.99	47,537.01	31.17
482.000 - Administrative	20,319.75	20,319.75	7,470.32	12,849.43	36.76
538.500 - Intercommunity storm drains	10,000.00	10,000.00	4,695.19	5,304.81	46.95
TOTAL EXPENDITURES	548,694.80	876,083.35	608,295.85	267,787.50	
Fund 203 - Local Street Fund:					
TOTAL REVENUES	659,000.00	760,434.98	193,448.65	566,986.33	25.44
TOTAL EXPENDITURES	548,694.80	876,083.35	608,295.85	267,787.50	69.43
NET OF REVENUES & EXPENDITURES	110,305.20	(115,648.37)	(414,847.20)	299,198.83	
Fund 204 - MUNICIPAL STREET FUND					
000.000 - General	651,580.00	651,628.90	668,529.62	(16,900.72)	102.59
TOTAL REVENUES	651,580.00	651,628.90	668,529.62	(16,900.72)	
905.000 - Debt Service	167,917.11	167,917.11	12,893.97	155,023.14	7.68
965.000 - Transfers Out	500,000.00	500,000.00	0.00	500,000.00	0.00

GL NUMBER	2020-21 ORIGINAL BUDGET	2020-21 AMENDED BUDGET	YTD BALANCE 02/28/2021	AVAILABLE BALANCE	% BDGT USED
TOTAL EXPENDITURES	667,917.11	667,917.11	12,893.97	655,023.14	
Fund 204 - MUNICIPAL STREET FUND:					
TOTAL REVENUES	651,580.00	651,628.90	668,529.62	(16,900.72)	102.59
TOTAL EXPENDITURES	667,917.11	667,917.11	12,893.97	655,023.14	1.93
NET OF REVENUES & EXPENDITURES	(16,337.11)	(16,288.21)	655,635.65	(671,923.86)	
Fund 226 - Garbage Fund					
000.000 - General	415,025.00	415,649.89	424,437.68	(8,787.79)	102.11
931.000 - Transfers IN	0.00	541.95	541.95	0.00	100.00
TOTAL REVENUES	415,025.00	416,191.84	424,979.63	(8,787.79)	
000.000 - General	10,036.75	10,036.75	10,036.75	0.00	100.00
101.000 - Council	3,169.93	3,751.57	3,051.92	699.65	81.35
172.000 - Executive	7,850.00	7,879.30	5,586.21	2,293.09	70.90
215.000 - Administration and Clerk	3,735.00	3,879.87	2,818.84	1,061.03	72.65
228.000 - Information Technology	2,075.00	2,085.54	1,641.98	443.56	78.73
253.000 - Treasurer	15,705.00	16,008.00	11,153.25	4,854.75	69.67
257.000 - Assessor	800.00	800.00	0.00	800.00	0.00
528.000 - Sanitation Collection	292,202.58	293,451.49	183,104.89	110,346.60	62.40
530.000 - Wood Chipping	52,484.50	52,683.22	24,588.88	28,094.34	46.67
782.000 - Facilities - Abrams Park	9,092.00	9,132.00	5,365.88	3,766.12	58.76
783.000 - Facilities - Elms Rd Park	12,140.00	12,140.00	8,266.02	3,873.98	68.09
793.000 - Facilities - City Hall	4,045.09	4,057.37	2,127.03	1,930.34	52.42
TOTAL EXPENDITURES	413,335.85	415,905.11	257,741.65	158,163.46	
Fund 226 - Garbage Fund:					
TOTAL REVENUES	415,025.00	416,191.84	424,979.63	(8,787.79)	102.11
TOTAL EXPENDITURES	413,335.85	415,905.11	257,741.65	158,163.46	61.97
NET OF REVENUES & EXPENDITURES	1,689.15	286.73	167,237.98	(166,951.25)	

GL NUMBER	2020-21 ORIGINAL BUDGET	2020-21 AMENDED BUDGET	YTD BALANCE 02/28/2021	AVAILABLE BALANCE	% BDGT USED
Fund 248 - Downtown Development Fund					
000.000 - General	66,962.00	66,962.00	72,114.30	(5,152.30)	107.69
728.004 - Family Movie Night	2,000.00	2,000.00	0.00	2,000.00	0.00
TOTAL REVENUES	68,962.00	68,962.00	72,114.30	(3,152.30)	
173.000 - DDA Administration	2,820.00	2,833.00	2,515.50	317.50	88.79
728.002 - Streetscape	40,945.00	40,945.00	40,000.00	945.00	97.69
728.003 - Facade Program	0.00	12,500.00	0.00	12,500.00	0.00
728.004 - Family Movie Night	3,450.00	11,510.00	4,907.07	6,602.93	42.63
TOTAL EXPENDITURES	47,215.00	67,788.00	47,422.57	20,365.43	
Fund 248 - Downtown Development Fund:					
TOTAL REVENUES	68,962.00	68,962.00	72,114.30	(3,152.30)	104.57
TOTAL EXPENDITURES	47,215.00	67,788.00	47,422.57	20,365.43	69.96
NET OF REVENUES & EXPENDITURES	21,747.00	1,174.00	24,691.73	(23,517.73)	
Fund 350 - City Hall Debt Fund					
000.000 - General	7.00	7.00	4.22	2.78	60.29
931.000 - Transfers IN	100,357.50	100,357.50	98,778.83	1,578.67	98.43
TOTAL REVENUES	100,364.50	100,364.50	98,783.05	1,581.45	
905.000 - Debt Service	101,117.50	101,117.50	3,058.75	98,058.75	3.02
TOTAL EXPENDITURES	101,117.50	101,117.50	3,058.75	98,058.75	
Fund 350 - City Hall Debt Fund:					
TOTAL REVENUES	100,364.50	100,364.50	98,783.05	1,581.45	98.42
TOTAL EXPENDITURES	101,117.50	101,117.50	3,058.75	98,058.75	3.02
NET OF REVENUES & EXPENDITURES	(753.00)	(753.00)	95,724.30	(96,477.30)	
Fund 402 - Fire Equip Replacement Fund					
000.000 - General	11.00	11.00	8.40	2.60	76.36
931.000 - Transfers IN	75,000.00	75,000.00	75,000.00	0.00	100.00
TOTAL REVENUES	75,011.00	75,011.00	75,008.40	2.60	
336.000 - Fire Department	3,500.00	3,500.00	0.00	3,500.00	0.00

GL NUMBER	2020-21 ORIGINAL BUDGET	2020-21 AMENDED BUDGET	YTD BALANCE 02/28/2021	AVAILABLE BALANCE	% BDGT USED
TOTAL EXPENDITURES	3,500.00	3,500.00	0.00	3,500.00	
Fund 402 - Fire Equip Replacement Fund:					
TOTAL REVENUES	75,011.00	75,011.00	75,008.40	2.60	100.00
TOTAL EXPENDITURES	3,500.00	3,500.00	0.00	3,500.00	0.00
NET OF REVENUES & EXPENDITURES	71,511.00	71,511.00	75,008.40	(3,497.40)	
Fund 590 - Water Supply Fund					
000.000 - General	6,000.00	6,000.00	1,190.72	4,809.28	19.85
540.000 - Water System	2,226,000.00	2,225,615.59	1,090,833.95	1,134,781.64	49.01
931.000 - Transfers IN	0.00	2,316.60	2,316.60	0.00	100.00
TOTAL REVENUES	2,232,000.00	2,233,932.19	1,094,341.27	1,139,590.92	
000.000 - General	25,091.88	25,095.30	25,088.46	6.84	99.97
101.000 - Council	13,503.00	13,655.23	7,631.59	6,023.64	55.89
172.000 - Executive	29,826.00	30,020.07	21,301.71	8,718.36	70.96
215.000 - Administration and Clerk	19,583.00	19,583.00	10,005.10	9,577.90	51.09
228.000 - Information Technology	5,675.00	6,890.13	4,901.74	1,988.39	71.14
253.000 - Treasurer	56,381.50	58,789.00	36,916.80	21,872.20	62.80
540.000 - Water System	2,037,955.66	2,038,010.66	1,005,814.01	1,032,196.65	49.35
542.000 - Read and Bill	51,475.00	51,475.00	14,279.50	37,195.50	27.74
543.230 - Water Main Repair USDA Grant	243,800.00	1,835,230.21	1,835,230.21	0.00	100.00
793.000 - Facilities - City Hall	10,289.20	10,295.92	5,250.08	5,045.84	50.99
905.000 - Debt Service	99,579.23	99,579.23	8,163.32	91,415.91	8.20
TOTAL EXPENDITURES	2,593,159.47	4,188,623.75	2,974,582.52	1,214,041.23	
Fund 590 - Water Supply Fund:					
TOTAL REVENUES	2,232,000.00	2,233,932.19	1,094,341.27	1,139,590.92	48.99
TOTAL EXPENDITURES	2,593,159.47	4,188,623.75	2,974,582.52	1,214,041.23	71.02
NET OF REVENUES & EXPENDITURES	(361,159.47)	(1,954,691.56)	(1,880,241.25)	(74,450.31)	

GL NUMBER	2020-21 ORIGINAL BUDGET	2020-21 AMENDED BUDGET	YTD BALANCE 02/28/2021	AVAILABLE BALANCE	% BDGT USED
Fund 591 - Sanitary Sewer Fund					
000.000 - General	5,700.00	5,700.00	1,118.21	4,581.79	19.62
536.000 - Sewer System	1,267,000.00	1,267,140.00	630,595.37	636,544.63	49.77
931.000 - Transfers IN	0.00	2,316.59	2,316.59	0.00	100.00
TOTAL REVENUES	1,272,700.00	1,275,156.59	634,030.17	641,126.42	
000.000 - General	25,091.88	25,091.88	25,089.41	2.47	99.99
101.000 - Council	12,930.82	12,984.93	7,630.04	5,354.89	58.76
172.000 - Executive	29,964.00	29,979.30	21,009.80	8,969.50	70.08
215.000 - Administration and Clerk	18,433.00	18,433.00	10,005.38	8,427.62	54.28
228.000 - Information Technology	5,375.00	6,590.13	4,901.74	1,688.39	74.38
253.000 - Treasurer	55,919.00	55,926.50	36,897.16	19,029.34	65.97
536.000 - Sewer System	994,754.59	995,990.75	343,423.84	652,566.91	34.48
537.000 - Sewer Lift Stations	10,982.00	10,982.00	6,096.86	4,885.14	55.52
542.000 - Read and Bill	63,122.00	63,122.00	42,164.82	20,957.18	66.80
543.310 - Sewer District Rehabilitation	0.00	26,263.00	25,493.30	769.70	97.07
543.400 - Reline Existing Sewers	183,128.00	0.00	0.00	0.00	0.00
543.401 - Flush & TV Sewers	90,000.00	90,000.00	14,058.00	75,942.00	15.62
793.000 - Facilities - City Hall	9,790.16	9,795.92	5,232.71	4,563.21	53.42
TOTAL EXPENDITURES	1,499,490.45	1,345,159.41	542,003.06	803,156.35	
Fund 591 - Sanitary Sewer Fund:					
TOTAL REVENUES	1,272,700.00	1,275,156.59	634,030.17	641,126.42	49.72
TOTAL EXPENDITURES	1,499,490.45	1,345,159.41	542,003.06	803,156.35	40.29
NET OF REVENUES & EXPENDITURES	(226,790.45)	(70,002.82)	92,027.11	(162,029.93)	
Fund 661 - Motor Pool Fund					
000.000 - General	234,250.00	235,257.25	86,123.76	149,133.49	36.61
931.000 - Transfers IN	0.00	895.82	895.82	0.00	100.00

GL NUMBER	2020-21 ORIGINAL BUDGET	2020-21 AMENDED BUDGET	YTD BALANCE 02/28/2021	AVAILABLE BALANCE	% BDGT USED
TOTAL REVENUES	234,250.00	236,153.07	87,019.58	149,133.49	
172.000 - Executive	10,300.00	10,300.00	9,736.00	564.00	94.52
228.000 - Information Technology	1,070.00	1,182.08	813.86	368.22	68.85
253.000 - Treasurer	7,788.00	7,788.00	5,070.13	2,717.87	65.10
795.000 - Facilities - City Garage	386,681.00	387,219.13	91,555.43	295,663.70	23.64
TOTAL EXPENDITURES	405,839.00	406,489.21	107,175.42	299,313.79	
Fund 661 - Motor Pool Fund:					
TOTAL REVENUES	234,250.00	236,153.07	87,019.58	149,133.49	36.85
TOTAL EXPENDITURES	405,839.00	406,489.21	107,175.42	299,313.79	26.37
NET OF REVENUES & EXPENDITURES	(171,589.00)	(170,336.14)	(20,155.84)	(150,180.30)	
Fund 865 - Sidewalks					
965.000 - Transfers Out	0.00	0.00	1,519.22	(1,519.22)	100.00
TOTAL EXPENDITURES	0.00	0.00	1,519.22	(1,519.22)	
Fund 865 - Sidewalks:					
TOTAL REVENUES	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES	0.00	0.00	1,519.22	(1,519.22)	100.00
NET OF REVENUES & EXPENDITURES	0.00	0.00	(1,519.22)	1,519.22	
Fund 866 - Weed Fund					
965.000 - Transfers Out	0.00	0.00	9,055.00	(9,055.00)	100.00
TOTAL EXPENDITURES	0.00	0.00	9,055.00	(9,055.00)	
Fund 866 - Weed Fund:					
TOTAL REVENUES	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES	0.00	0.00	9,055.00	(9,055.00)	100.00
NET OF REVENUES & EXPENDITURES	0.00	0.00	(9,055.00)	9,055.00	

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF VIRTUAL PLANNING COMMISSION
MEETING
MARCH 2, 2021**

Virtual Meeting called to order at 7:01 p.m. by Commissioner Wyatt.

Pledge of Allegiance.

ROLL CALL:

Commissioners present: Binder, Long (arrived late), Campbell, Novak, Grimes, Krueger, Farmer, Zuniga, Wyatt.

Commissioners absent: None.

Staff present: Adam Zettel, City Manager.

Others present: George Hicks, Nate Henry.

APPROVAL OF AGENDA:

Resolution No. 210302-01 **(Carried)**

Motion by Commissioner Krueger support by Commissioner Farmer, March 2, 2021 Planning Commission meeting.

Unanimous Voice Vote
Motion Declared Carried

APPROVAL OF MINUTES:

Resolution No. 210302-02 **(Carried)**

Motion by Commissioner Krueger support by Commissioner Binder the Swartz Creek Planning Commission approves the minutes for the February 2, 2021 Planning Commission meeting.

Unanimous Voice Vote
Motion Declared Carried

MEETING OPENED TO THE PUBLIC:

None.

BUSINESS:

8067 Miller Road

Mr. Zettel recapped the activity on this property.

Mr. Zuniga offered some information and considerations to take based on his past experience working on projects, such as ADA compliances, fire suppression. He recommends that the property be branded as a live work property.

Mr. Zettel feels due to the current floor plan of the house and the financial investment needed, we could brand this property as a residential home with home occupation business.

Resolution No. 210302-03

(Carried)

Motion by Planning Commission Member Campbell
Second by Planning Commission Member Long

WHEREAS, the City has been working with the Michigan Economic Development Corporation as it relates to building the community as a Redevelopment Ready Community, and;

WHEREAS, the community identified priority sites for redevelopment in downtown, including the Assenmacher Building, and;

WHEREAS, a working group related to promoting the reuse of the Assenmacher Building recommended the provision of an alley between Hayes Street and Holland Drive; and

WHEREAS, the City Council acquired 8067 Miller Road, a residential home, to enable the establishment of such an alley, as well as to hold in the event that the Assenmacher redevelopment required the real estate for 8067 Miller Road; and

WHEREAS, the Assenmacher Building has been purchased, is intended for minor rehabilitation that does not involve 8067 Miller Road, however the owner is interested in the alley access in the future; and

WHEREAS, the planning commission has reviewed the property and near term options, including residential rental, business rental, retention for investment, sale as residential, and use/rent as community space; and

NOW, BE IT RESOLVED that the Swartz Creek Planning Commission hereby recommends that the city council take the following action as it relates to 8067 Miller Road:

1. Survey and obtain an easement across the south side of the parcel sufficient to enable minimum two way traffic across said easement.

Unanimous Voice Vote
Motion Declared Carried

Resolution No. 210302-04

(Carried)

Motion by Planning Commission Member Krueger
Second by Planning Commission Member Novak

I Move recommending the property, 8067 Miller Road, be marketed as a primary single residential property with option of live work space, upon council's approval.

Unanimous Voice Vote
Motion Declared Carried

Meeting Open to Public:

None.

Remarks by Planning Commission:

Commissioner Krueger commented it passed that we could now meet in person allowing 25 people or less attending.

Adjourn

Resolution No. 201110-05

(Carried)

Motion by Planning Commission Member Novak
Second by Planning Commission Member Farmer

I Move the Swartz Creek Planning Commission adjourns the March 2, 2021 Planning Commission meeting.

Unanimous Voice Vote
Motion Declared Carried

Meeting adjourned at 7:49 p.m.

Jentery Farmer, Secretary

CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
PARK AND RECREATION ADVISORY BOARD
MINUTES OF REGULAR MEETING VIRTUAL
MARCH 3, 2021

Meeting called to order at 5:32 p.m. by Chairperson Farmer.

Members Present: Jentery Farmer, James Barclay, Steve Long, Rae Lynn Hicks, George Hicks, Samantha Fountain, Connie Olger, Trudy Plumb.

Members Absent: Mark Gonyea.

Staff Present: Adam Zettel, Andrew Harris.

Others Present: Lania Rocha.

APPROVAL OF AGENDA: Motion by Plumb to approve the agenda of March 3, 2021, support by Fountain.

Unanimous Voice Vote.
Motion Declared Carried.

APPROVAL OF MINUTES: Motion by Barclay b to approve minutes of February 3, 2021, support by Steve Long.

Unanimous Voice Vote.
Motion Declared Carried.

MEETING OPEN TO THE PUBLIC: None.

COMMUNICATIONS TO THE BOARD:

- A. February 3, 2021 Minutes
- B. Staff Letter

REPORTS:

- A. DPW Director: Last week while prepping for the Slip & Slide event we noticed some of the outlets in some of the pavilions were not working and we are working on getting those fixed.
- B. City Manager: Genesee Valley Trail is on track and we are still working on 2 easements.

Merry Go Round Abrams Park has been removed, it's the one by the ballfield. Cost to replace is around \$7,500 - \$11,000. It is not in the budget this year and Adam would like the board's opinion if we would like to replace it or not. Board members agree on not replacing it.

Mr. Zettel would like to get with the Disc Golf folks in the next 30-60 days to start working on a fundraiser for the course.

BUSINESS:

- A. Otterburn Park: Mr. Zettel informed the board that there is \$10,000 budgeted this fiscal year and wanted the board to discuss whether we should invest in Disc Golf equipment or wait till project is at a more advanced stage of construction.

Motion by Barclay, Park Board agrees to purchase Disc Golf equipment this fiscal year upon Mr. Zettel's discretion, supported by Hicks.

Yes: Long, R. Hicks, Fountain, Olger, Plumb, Farmer, Gonyea, Barclay.

No: None. Motion carried.

MEETING OPEN TO PUBLIC: None

BOARD MEMBER COMMENTS: Jim Barclay wondered if we would be meeting in person next meeting. Mr. Zettel responded, yes we will meet in person in April.

Rae Lynn Hicks spoke to one of the employees from the tree company the city employed and was told that the city could have the wood and chips that they are getting from the job, if we are interested.

Steve Long wondered if the board decided which park, Elms or Abrams, the donated tree would be planted. Mr. Zettel responded, yes it will be planted at Elms Park.

Rae Lynn Hicks asked the board if anyone objected to her donating a stick box outside of the dog park. It's something she saw and would like to make one and have it put by the dog park.

ADJOURNMENT: Meeting adjourned at 6:06 p.m.

NEXT MEETING: April 7, 2021, 5:30 p.m.

Connie Olger, Secretary



THE WORLD LEADER IN DISC SPORTS

Discraft Inc.
51000 Grand River Ave
Wixom, MI 48393-3326

SALES QUOTE

Page: 1

Sales Quote Number: 1154
Sales Quote Date: 3/12/2021

Sold Swartz Creek, MI 48473
To: USA

Ship
To: PICK UP
Swartz Creek, MI 48473
USA

Email mike@nowyoucansee.com
Phone No.

Ship Date	3/12/2021	Payment Method Name	
Shipping Agent	Pick Up	Payment Method Status	
Shipping Agent Service		Payment Transaction ID	
Shipping Bill To	Sender	Customer ID	223188
Freight Account		P.O. Number	
Design Name		P.O. Date	3/12/2021

Item No.	Description	Qty.	Unit Price	Line Disc.	Total Price
CSPRO.REMOVE	Removable Chainstar PRO	19	\$329.99	\$0.00	\$6,269.81

Discount Code

Subtotal: \$6,269.81
 Invoice Discount: \$626.98
 Total Sales Tax \$338.57

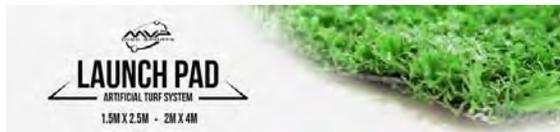
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Launch Pad

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Launch Pad Artificial Turf System

18-Hole Launch Pad Pro - 2x4m [Subject to Additional Freight] \$:

\$3,600 +Freight

Buy Now



Installation Instructions Download
 (https://mvpdiscsports.com/downloads/Launch-Pad-Installation-Guide.pdf)

Pro Pad - 2M x 4M

AM Pad - 1.5M x 2.5M

March 22, 2021

MVP NETWORK



SPECIFICATIONS

- . Rugged all-weather artificial turf
- . 15mm optimal blade height for excellent traction in all weather conditions
- . High-density fibers for improved traction control
- . Professional size and quality
- . Available in both Pro and AM sizes
- . Limited 3 year manufacturers warranty

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844-MVP-DISC (687-3472) (tel:844-MVP-DISC (687-3472))



6599 Euclid St, Marlette, MI 48453 (https://www.google.com/maps/place/MVP+Disc+Sports,+LLC/@43.3189278,-83.0857942,17z)

City Council Packet <https://www.google.com/maps/place/MVP+Disc+Sports,+LLC/@43.3189278,-83.0857942,17z> March 22, 2021

83.0836002!3m4!1s0x882439d6b99f3175:0x266c2d7514688b06!8m2!3d43.3189196!4d-83.0835938)

CITY OF SWARTZ CREEK

Tax Abatement & Incentive Policy

Policy Statement: The City of Swartz Creek is committed to enhancing the quality of life for its residents. To do so, the community recognizes the need for robust and diverse businesses to add cultural, entertainment, economic, and related value to the community. The community further recognizes a need to create high-quality places (including walkable areas, diverse housing, higher densities, and public amenities) for such activities, especially in the traditional downtown. Lastly, the community recognizes that some barriers exist to fulfilling these aspirations. Such barriers include obsolescence of property, a struggling regional economy, and limited market strength of certain sectors.

Tax abatements (as provided by state statute) and local incentives (in the form of fee waivers and Tax Increment Financing assistance) can encourage private development projects that produce the results desired. Accordingly, consideration for tax abatements and/or incentives is viewed as a privilege, not as a property right. This policy establishes minimum requirements and a uniform set of standards and procedures to be used when considering a request for a tax abatement/exemption or incentives.

The focused purpose of tax abatements and local incentives is to provide for private investment that would not otherwise occur, provided such investment is aligned with the city's stated intentions. See the City Master Plan and Downtown Development Plan. Abatements and incentives, if awarded, are expected to be awarded to varying degrees that are in proportion with the degree of public benefit that results. The impetus for a formal program is based upon the Michigan Redevelopment Ready Communities best practices.

Abatements include:

1. Michigan Public Act 255 of 1978: Commercial Redevelopment Act
2. Michigan Public Act 210 of 2005: Commercial Rehabilitation Act
3. Michigan Public Act 198 of 1974: Plant Rehabilitation and Industrial Development Act

Incentives Include:

1. Water and Sewer Connection Fee Waivers
2. Tax Increment Financing Assistance (Per DDA policy & City Council Budget Oversight)

I. MINIMUM REQUIREMENTS FOR TAX ABATEMENTS & INCENTIVES

- A. Abatements & incentives shall be subject to duration and amount limits.
- B. Such duration and amount limits shall be for the minimum amount necessary to meet the goals of the project.
- C. Benefits to the city of the proposed abatement or incentive shall be:
 1. at least equal to or greater than the cost of the abatement; and
 2. accomplish at least one of the following purposes:
 - a. provide significant economic and/or employment opportunities;
 - b. provide or help acquire or construct public facilities;

- c. significantly redevelop or renew blighted areas;
 - d. help provide access to services for residents; or
 - e. preserve or restore a feature of historical significance.
- D. The taxable value of any proposed abatement, considered together with the aggregate taxable value of property exempt under certificates previously granted and in force shall not exceed five-percent of taxable value of the City of Swartz Creek.

Example: 2020 City of Swartz Creek potential taxable value - \$150,000,000
 Five-percent of City of Swartz Creek - \$7,500,000

- E. The city will not issue or be a signatory on bonds in connection with abatements.
- F. Commencement of any new construction or improvements shall be within the limits set forth within the applicable act related to the abatement being applied for.
- G. The city council will not take action on any abatement or incentive unless the applicant or legal representative is present at the public hearing to make a presentation and/or answer questions.
- H. The City reserves the right to waive, modify, or amend any of these policies when it is in the best interest of the city residents.
- I. Abatements shall be granted for RRC sites only.
- J. Incentives shall be granted for DDA sites only.

II. EVALUATION CRITERIA

- A. *Private Development Objectives.* The City of Swartz Creek will consider using tax abatement and local incentives to help private development projects that strive to achieve three or more of the following objectives:
- 1. Include investment in formally recognized RRC sites (required for abatements)
 - 2. Provide for hospitality, cultural, entertainment, and recreational uses
 - 3. Include historic preservation or restoration
 - 4. Provide or retrain build-to lines for development (little or no setbacks)
 - 5. Provide outdoor uses such as dining, seating, recreation, etc.
 - 6. Include strong pedestrian features and design
 - 7. Include residential uses
 - 8. Provide multiple stories
 - 9. Provide total investment of over \$10,000,000 or 50 FTE
 - 10. Satisfy specific plan goal
- B. *Additional Objectives.* Some investments and their consequences are difficult to foresee, requiring flexibility in the decision making process. The City of Swartz Creek will therefore consider the following factors when evaluating tax abatement and incentive requests to help private development projects:
- 1. Additional consideration will be given to existing businesses seeking to expand and grow within the city.

2. Whether or not the proposed project provides services not already provided in the city or services which are needed.
3. Whether or not the proposed business would be in direct competition with existing businesses in the city. Abatements should not be given to businesses which would receive a competitive advantage over similarly situated businesses in the city.
4. Whether or not the project will significantly impact environmental/natural resources.
5. Public and other stakeholder input.
9. The extent to which the project satisfies or requires improvements in city infrastructure, traffic control, or services such as law enforcement.
10. Consistency of the proposed project with city land use regulations, zoning and planning policies.
11. How the proposed project furthers the goals and objectives of the city and/or community.
12. The level of private financial investment into the project.

III. APPLICATION

- A. The applicant shall submit an application (available from the city) for all projects for which a tax abatement is sought from the City of Swartz Creek.
- B. Applications shall include:
 1. A letter formally requesting tax abatement or incentive from City of Swartz Creek;
 2. Completed application for tax abatement with all support materials attached (if applicable);
 3. The applicant will pay for any contracted legal, financial, consultant or other third party costs not to exceed statutory limits of the applicable act.
 4. Official forms developed by the state of Michigan, if applicable, shall also be submitted in a timely manner per procedures set forth within the applicable abatement/exemption act under which the application is made.
- C. The applicant shall submit completed applications to the city clerk.

IV. APPROVAL PROCESS

- A. The city clerk shall notify, by certified mail, each taxing jurisdiction of a request to establish an abatement district or an application for the abatement. Said taxing jurisdiction shall have 15 days from the date of receipt of said notification to respond in writing of their thoughts and considerations. These taxing jurisdictions shall have no voting or veto authority.
- B. The city clerk shall notify applicant by certified mail if the application is found consistent with this policy. Procedures set forth within the abatement/exemption act shall be followed.
- C. The length of the exemption shall be determined by the attached abatement schedule.
- D. The approval for the abatement district and approval of an application for abatement shall not be addressed at the same meeting.

V. DEVELOPMENT AGREEMENT AND ANNUAL REPORTING REQUIREMENTS

- A. *Development Agreement.* All projects granted tax abatement will be required to enter a development agreement. The development agreement will be recorded against the property, will clearly define the responsibilities of the property owner(s) receiving the abatement, and will require annual reporting.

- B. *Annual Reporting Requirements.* All projects granted tax abatement shall submit an annual status report on the form developed and provided by the City of Swartz Creek. The requirement makes all abatements granted consistent with State Tax Commission Administrative Rules, as they pertain to relevant Public Acts, as amended. The report content will meet reporting expectations set in the Development Agreement.

VI. RESCISSION OF ABATEMENT/EXEMPTION

- A. Imposition of any rescission is at the sole discretion of the City of Swartz Creek and shall be considered on a case-by-case basis in compliance within the applicable act under review.
- B. Rescission shall not violate the statutory requirements of the applicable act in any way. Consideration may include but are not limited to the:
 - 1. sale or closure of the facility and departure of the company from the jurisdiction unless abatement/exemption is transferable.
 - 2. significant change in the use of the facility and /or the business activities of the company not consistent with the requirement of the applicable act for which approved.
 - 3. significant employment reductions not reflective of the company's (normal) business cycle and/or local and national economic condition.
 - 4. failure to achieve the minimum number of net new jobs and wage level as specified in the abatement/exemption application.
 - 5. failure to complete the project in a timely manner as specified in the approval resolution.
 - 6. failure to comply with annual reporting requirements.
 - 7. failure to pay annual property taxes on real and personal property not exempt under the approved abatement/exemption.
 - 8. failure to cooperate with the City of Swartz Creek ordinances and policies.

Abatement Schedule

This schedule applies to Industrial or Commercial Property as defined in 211.34c of the General Property Tax Act

1. Capital investment \$Up to \$100,000 \$100,001 to \$250,000 \$250,001 to \$500,000 \$500,001 to \$1,000,000 \$1,000,001 to \$2,500,000 \$2,500,001 to \$5,000,000 \$5,000,001 and up	Years of tax abatement 1 2 3 4 5 6 7	Rehabilitated/restored additional two years in any capital investment
2. Job creation <u>as Full Time Equivalent</u> 1-10 11-25 26-50 51 and up	Years of tax abatement 2 3 4 5	
3. Job wages Average wage > 1.5x minimum wage Average wage > 2x minimum wage Average wage > 3x minimum wage	Years of tax abatement 2 4 6	
4. Number of years located in the City 2-10 11-15 16 and up	Years of tax abatement 1 2 3	
5. Private Development Objectives (II.A) 4-5 6-7 8+	Years of tax abatement 2 3 4	

Note: Total number of tax abatement years shall not exceed statutory limits. This schedule applies to years of TIF assistance.

Incentive Schedule

Incentives provided as a percentage of fee waivers (water and sewer REU's) or TIF funds returned to project (if available)

1. Capital investment \$Up to \$100,000 \$100,001 to \$250,000 \$250,001 to \$500,000 \$500,001 to \$1,000,000 \$1,000,001 to \$2,500,000 \$2,500,001 to \$5,000,000 \$5,000,001 and up	Percent of Fee 5% 10% 15% 20% 25% 30% 40%	Rehabilitated/restored additional 10% South of I-69 additional 20%
2. Job creation <u>as Full Time Equivalent</u> 1-10 11-25 26-50 51 and up	Percent of Fee 10% 15% 20% 25%	
3. Job wages Average wage > 1.5x minimum wage Average wage > 2x minimum wage Average wage > 3x minimum wage	Percent of Fee 10% 20% 30%	
4. Number of years located in the City 2-10 11-15 16 and up	Percent of Fee 10% 15% 20%	
5. Private Development Objectives (II.A) 4-5 6-7 8+	Percent of Fee 30% 40% 50%	

Note: Total incentive cannot exceed 100%. This schedule applies to annual TIF assistance as a ratio to the project-specific capture.

Current abatements available

PA 198 – 1974 – Industrial Facilities Tax

Eligible industries: manufacturing, research and development, high-tech, and communications centers.
Maximum eligible award – 50% abatement for up to 12 years on new real and personal property investments.

PA 255 – 1978 Reinstated 2009 – Commercial Redevelopment Tax

Eligible industries: obsolete and declining property, zoned for commercial/industrial prior to June 21, 1975
Maximum eligible award – 50% abatement for up to 12 years on replacement or new real property. Zero taxes levied on value of restored real property investment for up to 12 years.

PA 210 – 2005 – Commercial Rehabilitation Tax

Eligible industries: multifamily housing or group of contiguous commercial property 15 years old or older covering at least three acres or located in a downtown district.
Maximum eligible award – Zero taxes levied on value of restored real property investment for up to 10 years.

Swartz Creek Tax Abatement and Incentive Policy Procedures

1. Contact made from perspective applicant of tax abatement or incentive.
 - a. City of Swartz Creek Abatement & Incentive Policy and Application given to applicant. **(All applications are to go through City Clerk per policy and/or public act.)**
 - b. Give notice to city manager & city assessor.
 - c. Review of application and set meeting with applicant if determined they qualify.
2. Meeting with applicant after application is received.
 - a. Applicant presents possible project. Require applicant to have a cost of project analysis prepared by contractor or architect.
 - b. If applicant is unsure of abatement/exemptions available, review of each is presented.
 - c. If a qualified district for abatement is not in place, applicant is required to request, in writing, a district be established. (In some cases, notification must be given to assessor of request for a district because determining obsolescence is charged to assessor.)
 - d. If qualified district exists, skip to 4.
3. Establishing a district after receipt of request (STC abatements only).
 - a. Prepare memo to council explaining the project and if the applicant qualifies for an abatement/exemption per the city's policy. (Council has already proven to ignore interpretation and recommendation from staff).
 - b. Prepare resolution to set public hearing for establishing a qualified district.
 - c. Prepare maps and any other data that will assist council in making a decision.
 - d. All documents given to clerk by deadline set for being placed on council agenda.
4. After receipt of Incentive Application or State Exemption Application. (See tax link on Michigan.gov).
 - a. Prepare report to council, again explaining project.
 - b. Prepare resolution to set public hearing for abatement/exemption (hearing not required for local incentives).
 - c. Prepare Abatement Schedule for council that determines years for the abatement/exemption, not to exceed statutory limits. The applicant is to present cost estimate prepared by contractor or architect.
 - d. Prepare other supporting documents for council, such as maps, drawings, copy of city's abatement application.
 - e. All documents given to clerk (city manager) by deadline set for being placed on council agenda.
5. Assist clerk in preparing final approved and required documents to send to State Tax Commission for their approval. Many of the statutes give the STC 60 days to make their final approval and may also require documents be sent to them by October to place the abatement/exemption in place for the following year.

TAX ABATEMENT & INCENTIVE CRITERIA CHECKLIST

I. INITIAL CONSIDERATION

- A. Are the benefits to the city of the proposed abatement at least equal to or greater than the cost of the abatement? Y N
- B. In the public interest, will the abatement accomplish any of the following purposes?
- a. provide significant economic and/or employment opportunities; Y N
 - b. provide or help acquire or construct public facilities; Y N
 - c. significantly redevelop or renew blighted areas; Y N
 - d. help redevelop or renew blighted areas; Y N
 - e. help provide access to services for residents; or Y N
 - f. preserve or restore a feature of historical significance. Y N
- C. Does the abatement apply to a RRC site? Y N NA
- D. Does the incentive apply to a DDA site? Y N NA

II. EVALUATION CRITERIA

- A. *Private Development Objectives.* Will using tax abatement help the development project strive to achieve three or more of the following objectives?
- 1. Include investment in formally recognized RRC sites Y N
 - 2. Provide for hospitality, cultural, entertainment, and recreational uses Y N
 - 3. Include historic preservation or restoration Y N
 - 4. Provide or retrain build-to lines for development (little or no setbacks) Y N
 - 5. Provide outdoor uses such as dining, seating, recreation, etc. Y N
 - 6. Include strong pedestrian features and design Y N
 - 7. Include residential uses Y N
 - 8. Provide multiple stories Y N
 - 9. Provide total investment of over \$10,000,000 or 50 Full Time Equivalent jobs Y N
 - 10. Satisfy specific plan goal Y N



APPLICATION FOR TAX ABATEMENT

Applicant (Official Company Name) RBF Holdings LLC

Business Name (If Different) _____

Address of Proposed Project Lots 2 & 3, Swartz Creek

Mailing Address (If Different) 4140 Morrish Rd

Do you own the property? _____ If no, what is your relationship? _____
Purchase pending with City

Type of Abatement/Incentive Requested (if known) Sewer/Water Tap Fees

Description of proposed project: type of business, product to be manufactured (if applicable), size of proposed structure and proposed activity and/or product. Provide narrative and described materials to support evaluation criteria findings. Attach materials and plans as necessary.

15 unit residential Town Homes (Plans Submitted)

Give the estimated cost of the following components applicable for the proposed project:

Land improvements (excluding land): \$100,000

Building improvements: Size 25,500 sf \$ 3,000,000+

Machinery & Equipment: —

Furniture & Fixtures: —

Time schedule for start and completion of construction and equipment installation (if applicable):

Building: _____ Equipment installation (if applicable): _____

Start Date May 2021 Start Date —

Completion Date Dec 2022 Completion Date —

Will project be owned or leased by applicant? Sale or Leased

Will machinery be owned or leased by applicant? No

How many employees do you currently employ? Full Time — Part Time —

How many new employees do you estimate after project complete? Full Time —

Part Time —

When project is complete, how many will be:

Management/Professional _____ Wage level \$ _____

Skilled _____ Wage level \$ _____

Semi-Skilled _____ Wage level \$ _____

Un-Skilled _____ Wage level \$ _____

Name of Company Officer (contact person) Brett Jory

Title V.P., P.E.

Signature Brett Jory Date 3-5-21

Phone Number 810.516.4405

Email Address RBF.Jory@gmail.com

FOURTH AMENDMENT TO
GENESEE COUNTY PHASE II REGULATIONS STORM WATER
MANAGEMENT SYSTEM CONTRACT

THIS FOURTH AMENDMENT TO CONTRACT, made and entered into as of the 1st day of April, 2021, by and among the COUNTY OF GENESEE, a Michigan county corporation (hereinafter referred to as the “County”), by and through its Drain Commissioner, as County Agency, and the TOWNSHIP OF ARGENTINE, TOWNSHIP OF DAVISON, CHARTER TOWNSHIP OF FENTON, CHARTER TOWNSHIP OF FLINT, CHARTER TOWNSHIP OF GENESEE, CHARTER TOWNSHIP OF MT. MORRIS, CHARTER TOWNSHIP OF VIENNA, CITY OF BURTON, CITY OF CLIO, CITY OF DAVISON, CITY OF FENTON, CITY OF FLUSHING, CITY OF GRAND BLANC, CITY OF LINDEN, CITY OF MT. MORRIS and CITY OF SWARTZ CREEK (hereinafter referred to individually as a “Municipality” or collectively as the “Municipalities”):

W I T N E S S E T H:

WHEREAS, the County and the Municipalities are subject to the requirements of the Phase II Storm Water Regulations (the “Phase II Regulations”) published by the United States Environmental Protection Agency (“EPA”) in the Federal Register on December 8, 1999; and

WHEREAS, the Board of Commissioners of the County of Genesee has established the Genesee County Storm Water Management System (the “System”) to provide, among other things, storm water management services to the Municipalities pursuant to the provisions of Act 342, Public Acts of Michigan, 1939, as amended (“Act 342”), to enable the County and the Municipalities to comply with the requirements of the Phase II Regulations and to engage in other watershed management activities related thereto; and

WHEREAS, the County Drain Commissioner (hereinafter referred to as the “County Agency”) has been designated as the agency of the County in connection with the establishment, management and operation of the System; and

WHEREAS, the County, the Municipalities and other units of local government in the County have previously entered into the Genesee County Phase II Regulations Storm Water Management System Contract, dated as of May 1, 2001, as amended by the First Amendment to Genesee County Phase II Regulations Storm Water Management System Contract and the Second Amendment to Genesee County Phase II Regulations Storm Water Management System Contract and the Third Amendment to Genesee County Phase II Regulations Storm Water Management System Contract (as amended, the “Contract”), pursuant to which the County agreed to provide such services as are necessary (defined therein as the “Services”) to assist the County, the Municipalities and such other local units of government in complying with the requirements of the Phase II Regulations and in other watershed management activities, including, but not limited to, applying for NPDES permit coverage and planning for and implementing storm water discharge management controls (known as “best management practices”) with respect to the following minimum control measures: (a) public education and outreach on storm water impacts; (b) public participation/involvement; (c) illicit discharge detection and elimination; (d) construction site storm water runoff control; (e) post-construction storm water runoff control; and (f) pollution prevention/good housekeeping for municipal operations; and

WHEREAS, the Contract provided for a budget of not to exceed \$250,000 for the Services and set forth the manner in which the budgeted cost of the Services was to be allocated among the County and the Municipalities; and

WHEREAS, the Contract also provided for the creation of a Phase II Storm Water Advisory Committee (the Committee”), which consists of one representative from the County and each of the Municipalities; and

WHEREAS, the Committee has appointed three subcommittees with the following responsibilities to assist in the implementation of the best management practices: (a) the Public Education Program Subcommittee, with responsibility for public education and participation; (b) the Monitoring and Mapping Subcommittee, with responsibility for the illicit discharge program, which will identify and map all municipal discharges to open waters; and (c) the New Construction Standards Subcommittee, with responsibility for construction standards, redevelopment standards, oversight of all watersheds and the preparation of the pollution prevention program known as the Storm Water Pollution Prevention Initiative; and

WHEREAS, the County and the Municipalities desire to proceed with the foregoing implementation activities and any other activities required by the Phase II Regulations (hereinafter referred to as the “Implementation Activities”) and to provide a method for allocating the costs of such activities, and it is therefore necessary to amend and supplement the Contract in the manner hereinafter set forth.

NOW, THEREFORE, in consideration of the premises and the covenants of each other, the parties hereto agree as follows:

1. The cost of the Services to be provided by the County in connection with the Implementation Activities will consist of budgeted costs and variable costs.

(a) The budgeted costs shall not exceed \$150,000 per Fiscal Year (as hereinafter defined), which amount is hereby approved by the parties. For purposes of this

Fourth Amendment to Contract, the term “Fiscal Year” shall mean the fiscal year of the County, which currently begins on October 1 of each year and ends on September 30 of the following year, with the exception of the first Fiscal Year under this Fourth Amendment to Contract which shall mean April 1, 2021 to and including September 30, 2022. The County agrees to pay twenty-five percent (25%) of the budgeted cost of such Services each Fiscal Year and the remaining seventy-five percent (75%) of the budgeted cost of such Services (the “Local Share”) shall be allocated each Fiscal Year to each Municipality on the basis of a fraction, the numerator of which is the population for such Municipality at the beginning of such Fiscal Year and the denominator of which is the population for all Municipalities at the beginning of such Fiscal Year.

(b) Budgeted costs referred to in subsection (a) above do not include Services relating to the illicit discharge elimination program (“IDEP”). Those Services relating to the IDEP shall be allocated to each Municipality as a variable cost. Each Municipality shall be responsible for paying for IDEP Services that are directly related to each Municipal Separate Storm Sewer System (“MS4”) that is owned by such Municipality. During each year that this Fourth Amendment to Contract is in effect, the County shall prepare a statement for each Municipality identifying each MS4 owned by such Municipality and an estimated amount for each Municipality to comply with the IDEP. If requested by the Municipality, the variable costs for the IDEP will be payable in equal quarterly installments.

2. Each Municipality agrees to pay the County its share, as set forth in Section 1, of the cost of the Services for the Implementation Activities, promptly upon receipt of an invoice for the same from the County Agency. The County Agency intends to send such an invoice to each Municipality quarterly on December 1, March 1, June 1 and September 1 of each Fiscal Year. The Municipalities shall not be responsible for their share of any budgeted costs for the Services in connection with the Implementation Activities that exceed \$150,000 in any Fiscal

Year unless such additional costs shall have been approved by a majority of the members of the Committee. If such additional costs are so approved, each Municipality agrees to pay its share, as set forth in Section 1, of such costs promptly upon receipt of an invoice for the same from the County Agency.

3. The payments made by the Municipalities pursuant to Section 2 shall be used solely and only to pay for the Services for the Implementation Activities, and after payment of all costs of the Services as contemplated by this Fourth Amendment to Contract, any surplus remaining from the payments made by the County and the Municipalities for such Services shall be credited to the County and the Municipalities for charges for Services in the following Fiscal Year pro rata in accordance with the percentages set forth in Section 1.

4. All powers, duties and functions vested by this Fourth Amendment to Contract in the County shall be exercised and performed by the County Agency for and on behalf of the County unless otherwise provided by law or in this Fourth Amendment to Contract.

5. In the event that any one or more of the provisions of this Fourth Amendment to Contract shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions hereof, but this Fourth Amendment to Contract shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

6. This Fourth Amendment to Contract shall become effective on April 1, 2021, after approval by the governing body of each Municipality and by the Board of Commissioners of the County and execution by the authorized officials of the parties; may be executed in several counterparts; and shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

7. The Contract, as amended and supplemented by this Fourth Amendment to Contract, is hereby ratified and confirmed, and shall terminate on October 1, 2026 unless extended by the parties.

IN WITNESS WHEREOF, the parties hereto have caused this Fourth Amendment to Contract to be executed and delivered, by their respective duly authorized officers, all as of the day and year first above written.

COUNTY OF GENESEE

TOWNSHIP OF ARGENTINE

By: _____
Drain Commissioner,
as County Agency

By: _____
Supervisor

And: _____
Clerk

TOWNSHIP OF DAVISON

CHARTER TOWNSHIP OF FENTON

By: _____
Supervisor

By: _____
Supervisor

And: _____
Clerk

And: _____
Clerk

CHARTER TOWNSHIP OF FLINT

CHARTER TOWNSHIP OF GENESEE

By: _____
Supervisor

By: _____
Supervisor

And: _____

And: _____

Clerk

Clerk

CHARTER TOWNSHIP OF MT. MORRIS

CHARTER TOWNSHIP OF VIENNA

By: _____
Supervisor

By: _____
Supervisor

And: _____
Clerk

And: _____
Clerk

CITY OF BURTON

CITY OF CLIO

By: _____
Mayor

By: _____
Mayor

And: _____
Clerk

And: _____
Clerk

CITY OF DAVISON

CITY OF FENTON

By: _____
Mayor

By: _____
Mayor

And: _____
Clerk

And: _____
Clerk

CITY OF FLUSHING

CITY OF GRAND BLANC

By: _____
Mayor

By: _____
Mayor

And: _____

And: _____

Clerk

Clerk

CITY OF LINDEN

CITY OF MT. MORRIS

By: _____
Mayor

By: _____
Mayor

And: _____
Clerk

And: _____
Clerk

CITY OF SWARTZ CREEK

By: _____
Mayor

And: _____
Clerk

Troy 9075-247 1480772v1

Drains to Rivers, Lakes & Streams



Storm drains lead straight to rivers, lakes and streams. When contaminants enter storm drains, they pollute our water resources.



Storm Water Runoff is a major source of surface water pollution. Runoff can pick up contaminants on the ground,

including sediment, oil, gas, fertilizer, pet waste, grass clippings, car wash water, etc. By making some simple changes, you can help prevent polluted runoff:

- Fix auto leaks promptly
- Properly dispose of used motor oil
- Don't fertilize before it rains
- Don't top off when you fill up
- Put trash in its place
- Never dump anything down a storm drain!

Helpful Definitions

Illicit Discharge Any discharge (or seepage) to the separate storm water drainage system that is not composed entirely of storm water or uncontaminated groundwater.

Illicit Connection A physical connection to a separate storm water drainage system that primarily conveys illicit discharges into the system and/or is not authorized or permitted by the local authority (where a local authority requires such).

Point Source An outfall from a drainage system to waters of the state, or a point where a storm water drainage system discharges into a system operated by another public body.

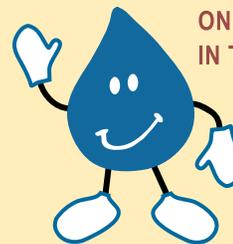
Storm Water Runoff Rain or snowmelt that falls on impervious surfaces can pick up contaminants as it travels to natural or artificial drainage systems or water bodies.

Together... **Better Roads, Cleaner Streams**

Acceptable Discharges (per Phase II Permit)

The rule of thumb is: *"If you don't drink it, don't dump it,"* but there are a few exceptions to what you can safely and legally discharge into a storm drain other than storm water:

- Lawn and Landscape Irrigation Runoff
- Foundation and Footing Drain Flow
- Water from Non-Commercial Car Washing
- Water Main Flushing
- Diverted Stream Flows
- Pumped Groundwater
- Air Conditioning Condensate
- Water from Crawl Space Pumps
- Residual Street Washing Waters
- Discharges from Potable Water Sources
- Residential, De-Chlorinated Pool Discharges
- Flows from Emergency Fire Fighting Activities



ONLY RAIN
IN THE DRAIN!

Learn More

For additional information on MDOT's efforts to protect our lakes and streams and/or to get involved in local protection efforts, visit our web site at:

www.michigan.gov/stormwatermgt



Together... **Better Roads, Cleaner Streams**

Illicit Discharge Elimination Program

Did you know that anything dumped into a storm drain goes straight to a stream, river or lake?

MDOT's Storm Water Management Plan includes a program to eliminate illicit discharges, but we need your help. Learn to spot common warning signs and please...

Report Illicit Discharges!

March 22, 2021

Report Dry Weather Flow



If a storm drain has flow when it has not rained for at least 72 hours, or if it shows signs of intermittent flow (staining, odor), an illicit discharge or illegal dumping may be present. A team of trained investigators is required to determine the source of the dry weather flow. MDOT has procedures in place to conduct these investigations.

**If You Don't Drink It,
Don't Dump It!**

Report Suds



Suds may seem harmless, but fish don't enjoy bubble baths like humans do. Suds often enter lakes and streams as a result of illicit car washes or pipes from washing machines. Natural foam also exists, but it is very dry and non-slippery, and it does not pollute the water or harm aquatic life. You can help by washing vehicles and equipment in designated areas away from storm drains.

City Council Packet

REPORT SUSPICIOUS CONNECTIONS OR DUMPING!

YOU CAN HELP stop illicit discharges! Look for **WARNING SIGNS** (dry weather flow, suds, sewage, oil and gas) and report problems to **PEAS**, your Supervisor, or the Region IDEP Coordinator.

ILLICIT DISCHARGE SUSPECTED

Record the Following:

- Location
- Description
- Extent
- Thoughts
- Photograph

Is it an Emergency?

YES

Call 911 or
PEAS hotline:
800-292-4706

NO

Notify
Supervisor or
Region IDEP
Coordinator

Report Sewage



Sewage pollutes rivers and lakes when people have septic tank overflow pipes or improperly dump travel trailer or porta-potty waste. You can tell when sewage is present - it has a distinct odor. There may also be black staining inside the drainage pipe and visible evidence of sanitary waste, such as toilet paper and opaque or gray water.

**Four Quarts of Motor Oil
Can Form an
Eight-Acre Oil Slick!**



Report Oil and Gas



If you swirl oil and gas around in the water, it will always re-attach. Natural sheens secreted from plants will remain separate if swirled. Gas and oil enter water bodies via storm water runoff (when oil or gas drips onto pavement) and illegal dumping. You can help by not topping off when you fill up your tank, keeping your vehicle maintained, and properly recycling used motor oil.

Together... **Better Roads, Cleaner Streams**



Only Rain in the Drain!



www.michigan.gov/stormwatermgt

March 22, 2021

CITY OF SWARTZ CREEK

ORDINANCE NO. _____

An ordinance to amend Chapter 18 of the Code of Ordinances Section 18-24.

THE CITY OF SWARTZ CREEK ORDAINS:

Section 1. Amendment of Chapter 18 of the Code of Ordinances of the City of Swartz Creek.

Chapter 18 of the City of Swartz Creek Code of Ordinances, section 18-24, are amended as follows:

ARTICLE II. MOTOR VEHICLE TRAFFIC CODE

Sec. 18-24. OFF-ROAD VEHICLE REGULATION

(a) PURPOSE AND INTENT

The city recognizes a compelling interest in establishing regulations and permitting Off-Road-Vehicles (ORVs) within the City of Swartz Creek limits and promoting the health, safety and welfare of the citizens. This ordinance in coordination will supplement the Genesee County Ordinance, which restricted the operation of ORVs within the limits of the City of Swartz Creek. Specifically state law permits the legislative body of a municipality the authority to adopt an ordinance authorizing the operation of ORVs on streets within the municipality under MCL 324.81131(5).

(b) Definitions.

- (i) "Driver's license" means an operator's or chauffeur's license or permit issued to an individual by the Michigan Secretary of State.
- (ii) "Operate" means to ride in or on, and be in actual physical control of the operation of an ORV.
- (iii) "Operator" means a person who operates or is in actual physical control of the operation of an ORV.
- (iv) "ORV" for the purposes of this ordinance means a motor driven off road recreational vehicle capable of cross-country travel without benefit of a road or trail, on or immediately over land, snow, ice, marsh, swampland, or other natural terrain. ORV or vehicle does not include a registered snowmobile, a farm vehicle being used for farming, a vehicle used for military, fire, emergency, or law enforcement purposes.
- (v) "Road" or "County Road" means a county primary road or county local road as described in section 5 of 1951 PA 51, being MCL 247.655.

- (vi) "Visual supervision" means the direct observation of the operator with the unaided or normally corrected eye, where the observer is able to come to the aid of the operator.
- (vii) "Far Right of the Maintained Portion of the County Road" indicates the shoulder of the road when the roadway is improved by pavement, tar and chips, concrete, or other similar materials or indicates the extreme right of the open portion of the right-of-way when the roadway is not improved by pavement, tar and chips, concrete, or other similar materials.

(c) ORV OPERATION

An ORV may be operated only with the flow of traffic on the far right of the maintained portion of the City Roads listed in attached Schedule A provided that:

- (i) A person shall not operate an ORV at a speed greater than 25 miles per hour, or lower if posted, and in no event shall an ORV be operated in a manner that interferes with traffic on a road or street or at a speed greater than conditions allow.
- (ii) A person possesses a license as defined in Section 25 of the Michigan Vehicle Code, Act 300, Michigan Public Acts of 1949; MCL 257.25.
- (iii) Any ORV operated in the allowed portion of the road shall travel single file, except when passing or being overtaken by another ORV.
- (iv) A person shall not operate an ORV on roads described herein unless displaying a lit headlight and lit taillight.
- (v) No person under the age of 18 may operate an ORV on roads described herein, unless that person is in possession of a valid driver's license or under the direct supervision of a parent or guardian.
- (vi) No person under the age of 12 may operate an ORV on any road described herein.
- (vii) Any person and any passenger in or on the ORV shall wear on his or her head a crash helmet and protective eyewear approved by the United States Department of Transportation. This subdivision does not apply if the vehicle is equipped with a windshield and a roof or roll bar that meets or exceeds standards for a crash helmet and the operator and each passenger is wearing a properly adjusted and fastened safety belt.
- (viii) The ORV is equipped with a braking system that may be operated by hand or foot, capable of producing deceleration at 14 feet per second on level ground at a speed of 20 miles per hour; a brake light, brighter than a taillight, visible when the brake is activated to the rear of the vehicle when the vehicle is operated during the hours of 1 /2 hour after sunset and 1 /2 hour before sunrise.
- (ix) The ORV is operated pursuant to noise emission standards defined by law.

(d) AMENDMENTS

Schedule A may be amended and or replaced by the City Council upon the passing of a resolution amending this Section.

(e) Violations

A person who violates this Ordinance shall be responsible for a municipal civil infraction, and shall pay a fine of up to \$500.00, and in addition may be charged with and ordered to pay the cost of full restitution for damages to the environment, a road, or other property resulting from that persons operation of an ORV.

(f) Severability

If any part of this ordinance shall be determined to be unenforceable by a court of competent jurisdiction, that part shall be deemed to be severed and removed from the body of this ordinance, and the rest shall remain in full force and effect.

(g) Effective Date.

This Ordinance shall take effect 30 days following publication.

At a regular meeting of the City Council of Swartz Creek held on the _____ day of _____, 2020, _____ moved for adoption of the foregoing ordinance and _____ supported the motion.

Voting for:

Voting against:

The Mayor declared the ordinance adopted.

David Krueger
Mayor

Connie Olger
City Clerk

CERTIFICATION

The foregoing is a true copy of Ordinance No. _____ which was enacted by the Swartz Creek City Council at a regular meeting held on the _____ day of _____, 2020.

Connie Olger
City Clerk

March 19, 2021

City of Swartz Creek
ATTN: Andrew Harris
Director of Community Services
8083 Civic Drive
Swartz Creek, MI 48473

RE: CE Notification 1055546557 Shared Use Path Elms Park to Norko

A breakdown of the estimated charges are as follows:

Relocate Street Lights	<u>\$29,123.00</u>
Total Payment	<u>\$29,123.00</u>

This estimate is only good for 60 days.

If you have any other questions, please call (517) 204-9018.

Thank you,

Tracy Mahar
3rd Party Coordinator Electric Distribution
Consumer Energy - LVD Flint/Owosso
pobox3PTY_LVDEZ6@cmsenergy.com
517-204-9018



Genesee Health System
presentation

Community Mental Health Millage
May 4, 2021

www.geneseethefuture.org



Focus Area	Purpose	Investment
Focus #1	Law Enforcement/First Response CIT Mental Health Response Team	\$521,000
Focus #2	Law Enforcement/Mental Health Co- Response and Jail Diversion	\$3,270,059
Focus #3	Court/Corrections Mental Health Supports and Services	\$521,000
Focus #4	Suicide and Crisis Prevention	\$521,000
Focus #5	Schools: Prevention and Crisis De- Escalation	\$971,000
Focus #6	Crisis Center/Crisis Stabilization	\$3,270,059
Focus #7	Health and Wellness for Vulnerable Populations	\$521,000
	Total:	\$9,595,118

Community Mental Health Millage

Focus Area #1:
Law Enforcement/
First Responders
Crisis Intervention
Teams (CIT) Mental
Health Response
Training



Investment:
\$521,000

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Community Mental Health Millage

Focus Area #2:
Law Enforcement/
Mental Health
Co-Response
and Jail Diversion



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City Council Packet

82

Investment:
\$3,270,059

March 22, 2021

Community Mental Health Millage

Focus Area #3:
Court/Corrections
Mental Health
Supports and
Services.



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City Council Packet

83

Investment:
\$521,000

March 22, 2021

Community Mental Health Millage

Focus Area #4:
Suicide and Crisis
Prevention.



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City Council Packet

84

Investment:
\$521,000

March 22, 2021

Community Mental Health Millage

Focus Area #5:
Prevention and Crisis
De-escalation in the
K-12 Community



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City Council Packet

85

Investment:
\$971,000

March 22, 2021

Community Mental Health Millage

Focus Area #6:
Crisis Center -
Crisis Stabilization



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City Council Packet

86

Investment:
\$3,270,059

March 22, 2021

Community Mental Health Millage

Focus Area #7:
Health and Wellness
for Vulnerable
Populations



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City Council Packet

87

Investment:
\$521,000

March 22, 2021

Polling - Key Findings

71% of respondents believe that they or a loved one would have access to the proper mental health services if they needed help.

76% of voters would support a millage to expand mental health services for Genesee County residents

8 in 10 are more likely to support the millage after being told that it would provide law enforcement with embedded mental health professionals.

55% of those unwilling to support the millage won't do so because their taxes would increase

84% of respondents are more likely to support the millage after hearing that it would create a Mental Health Crisis Center in collaboration with Hurley

81% would support the millage, with just 10% opposing and 10% unsure as to how they would vote

44% of those supportive of the millage said they do so because there's a mental health crisis and this money will help a lot of people who need it

Polling - Voices of Genesee County

We asked respondents an opened ended questions about why they support/don't support the Community Mental Health Millage.

Here's what they said:

"I had a brother-in-law who committed suicide and he was two months away from getting into a facility, if he could have gotten help sooner, it might have saved his life"

"We can't leave the people in our community behind"

"I have a son who has mental health issues, so the issue is close to home for me"

"I'd rather see people get help rather than go to jail"

"I have relatives who suffer from mental health problems. I definitely understand the need for more services in our area"

"There's hardly anything out there to help people who are suicidal"

"It would relieve some of the tension on police dealing with mentally challenged people"

"The State should pay for this"

"Mental health is just as important as physical health"

Yearly cost to homeowner based on Taxable Value

Taxable Value	Millage Rate	Tax/year	Formula
\$25,000	0.94	\$23.50	$\$25,000/1000 = \$25 \times 0.94 = \$23.50$
\$50,000	0.94	\$47	$\$50,000/1000 = \$50 \times 0.94 = \$47$
\$100,000	0.94	\$94	$\$100,000/1000 = \$100 \times 0.94 = \$94$
\$200,000	0.94	\$188	$\$200,000/1000 = \$200 \times 0.94 = \$188$

Endorsements

The Honorable Jim Ananich
Michigan State Senator, Senate Democratic Leader

The Honorable Tim Sneller
Michigan House of Representatives

The Honorable Dominique Clemens
Genesee County Commissioner

Luke Zelle, Executive Director
The Disability Network, Flint, MI
Michigan

Ms. Kelly Bidelman, Executive Director
Center for Civil Justice, Flint, Michigan

The Honorable Ken Horn
Michigan State Senate

The Honorable John Cherry
Michigan House of Representatives

The Honorable Charles Winfrey
Genesee County Commissioner

The Honorable Jennie E. Barkey, Judge
Genesee County Probate Court, Flint,

Joshua Sinclair, LMSW
Owner, We Are Many, PLLC, Flint, Michigan



VANGUARD
PUBLIC AFFAIRS

Questions?

www.geneseethefuture.org



City of Swartz Creek Proof of Pavilion Reservation

NOT RESERVABLE: Playscape, Restrooms, Play Equipment, Tennis Courts, Volleyball Courts and Basketball Courts. Ball diamonds may be requested during the week by submitting a schedule to the City Offices, including dates, times, ball diamond location and group requesting the reservation; all of which will be reviewed and scheduled administratively.

All monies, including a \$100 refundable deposit, must be paid at time of reservation. Only Cash payments will be accepted for a rental date of five (5) days or less. Any cancellations must be made two (2) weeks prior to event date. **All cancellations are subject to a \$20.00 Cancellation Fee. ABSOLUTELY NO REFUNDS DUE TO WEATHER.**

Park Fees Apply on Fridays, Saturdays, Sundays and Holidays. Fees Charged May through October.

Elms Park- 4125 Elms Rd

Abrams Park- 5225 Winshall Dr.

- #1 \$70.00
70-80 People **Electricity** 8 Tables
- #2 \$120.00
90-100 People **Electricity** 7 Tables
- #3 \$70.00
25-30 People 4 Tables
- #4 \$120.00
80-90 People **Electricity** 12 Table
- Ball Field
- Soccer Field

- #1 \$70.00
60 People 4 Large Tables
- #2 \$70.00
80 People 6 Large Tables
- #3 \$70.00
40 People 4 Small Tables
- Ball Field

WE REQUEST THE ENTIRE PARK. A REQUEST FOR A FEE WAIVER WILL BE SUBMITTED LATER. THIS WAIVER HAS ALWAYS BEEN GRANTED IN THE PAST.

Date of Reservation AUGUST 27 & 28, 2021

Name of Responsible Party KIWANIS CLUB OF SWARTZ CREEK

Address 5023 HOLLAND Phone: 810 282 7641

City SWARTZ CREEK, MI Zip 48473

Number of Guests 2000 Nature of Activity ANNUAL ART FAIR

Responsible Party Signature Douglas Stephens

E-Mail Address DOUG@HSAA.COM

I have received a copy of the Park Rules: YES

Deposits can be expected to be returned within 30 days of reservation date.

CASH CHECK#

Receipt #

Area restrooms are attended to during the early morning hours in the summertime. Due to high park volume and vandalism, you are strongly encouraged to bring your own paper products and soap or sanitizer for restroom use.

IF THERE ARE PROBLEMS AT THE PARK CONTACT 911.



To: Swartz Creek City Council
From: Doug Stephens, Swartz Creek Kiwanis Club
Re: 2021 Art in the Park art fair at Elms Park

Please consider this request to waive the park fee, and the security fee, for the total use of Elms Park on Friday, August 27, and Saturday, August 28, 2021.

HISTORY: We held the art fair at the park in 2009, 2010, 2011, and 2012. The public responded well to those events with nearly 2000 people attending each year. In 2013 and 2014 we tried moving indoors to the Cage Field House, which did not draw well. We returned to Elms Park in 2015. Our last show was in 2019 (as you know 2020 was canceled due to COVID-19). It was a great success with 83 artists and over 3000 patrons in attendance. This year we are planning on similar results. This will be our 11th show.

We are partnering with the Swartz Creek Area Art Guild and the Women's Club. Generally speaking Kiwanis will provide 9 years of experience in conducting an art fair; the Art Guild, their 5th year with us, will be responsible for recruiting artists; the Women's Club will provide artist refreshments and conduct a blind auction. This is a fundraiser for all three groups, and we anticipate a total net profit in excess of \$12,000, which will all go back into the community. The Chamber of Commerce is also a loyal sponsor and helper. The City has provided tremendous support in preparing the park for the event.

BENEFIT TO SWARTZ CREEK: In the past the art fair has brought a sense of pride in the community in that it has created positive awareness of Swartz Creek from outside communities. It has also brought in funds to the community that is used to benefit the community rather than a commercial entity. Some of those funds went directly into supporting Elms Park.

KIWANIS: The Kiwanis Club of Swartz Creek has been serving the youth of the Swartz Creek area since 1955. For example, we have provided over \$75,000 worth of college scholarships in that time. Their total budget has been in excess of \$500,000, all of which has gone back into the community. They were instrumental in building Elms Park and the main pavilion. In 2009 they made structural repairs and installed a new roof on the main pavilion. They also provided funds and volunteer labor in the construction of the playscape, and in 2011 they refurbished it. Some of their members are involved in the annual maintenance of the park (brush clearing, tree trimming etc.) .

ART GUILD: Established in 2010, the Art Guild is dedicated to promoting interest in the visual arts through education and development of artistic activities in S.C. and surrounding areas. They partner with VSA of Michigan and Elmer Knoph Learning Center to provide art experiences and educational instruction for disabled youth and adults. They also sponsor an annual Student Exhibit at the Gallery for the S.C. High School Art Dept.

WOMEN'S CLUB: This group contributes many hours to Swartz Creek by planting and maintaining the flower pots in town and the entrance garden to the city buildings during the growing season. They have made financial contributions to the police and fire departments for the police dog, Cops in the Park, etc. They were also involved, physically and financially, in the repairs to the park pavilion in the downtown park, and the Veterans Memorial statues.

Your approval of this waiver would be greatly appreciated by these groups who are selflessly working hard to improve Swartz Creek, one dollar at a time.

Following is some comments we received from artists and patrons, as well as two images that represent how we intend to use the park.

Questions can be addressed to Doug Stephens, dstephens@hsaa.com, Cell: 810 282 7641
Website: www.swartzcreekkiwanis.org/art

"We participated in our first Art in the Park in Swartz Creek this past Saturday. What a well run and staffed event it was. Weather was perfect (I know you worked hard on that) and the lay-out and amenities were some of the finest (and we've been to The Suburban Collection-Great Lakes Art Fair among other Art shows) and was so pleasantly surprised how great an event you put on! Everyone was so helpful and we loved the free water and healthy snacks (loved the fruit cups!). We had a great day of sales and we look forward to returning in 2018. Thanks for the personal invite and see you in 2018! We will spread the word to others as well!"
 Janet & Larry Allen

"Love this annual event! Great place to bring the family. Nice variety of fine arts. I always leave with a Christmas gift for someone, and always regret not buying more for myself!" - Lina Russell

"Great art & craft show. Entertainment was excellent! Talent was diverse & fun. Food was delicious, and the event was organized & well attended. Every year it gets bigger & better." - Bonnie Krupp O'Neal

Swartz Creek Art in the Park is America at its best !!! We live in one of the greatest cities in the world !!!
 Richard Kerry Thompson

"The Kiwanis Art in the Park is the best Art show i have ever been to". - Pat Kenke

