

City of Swartz Creek

AGENDA

Regular Council Meeting, Monday, March 23, 2026, 7:00 P.M.

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

THIS WILL BE A HYBRID MEETING, WITH IN PERSON ATTENDANCE BY COUNCIL MEMBERS.

1. **CALL TO ORDER:**
2. **INVOCATION & PLEDGE OF ALLEGIANCE:**
3. **ROLL CALL:**
4. **MOTION TO APPROVE MINUTES:**
 - 4A. Council Meeting of March 9, 2026 MOTION Pg. 28
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. 36
 - 6C. CDBG Signature Cards Pg. 41
 - 6D. Update Treasurer Job Description Pg. 42
 - 6E. Sewer Collection Operator Materials Pg. 50
 - 6F. Proposed MDOT Detours Pg. 70
 - 6G. Street Sweeper Quote & Current Fleet Replacement Plan Pg. 72
 - 6H. 4355 Elms Road Tower Rent Change Request Pg. 74
7. **MEETING OPENED TO THE PUBLIC:**
8. **COUNCIL BUSINESS:**
 - 8A. Additional Treasurer Job Duties RESO Pg. 25
 - 8B. CDBG Signature Cards RESO Pg. 26
 - 8C. Tower Rent Reduction Consideration DISCUSSION
 - 8D. Potential Street Sweeper Acquisition DISCUSSION
 - 8E. Appointments RESO Pg. 26
9. **MEETING OPENED TO THE PUBLIC:**
10. **REMARKS BY COUNCILMEMBERS:**
11. **ADJOURNMENT:** MOTION Pg. 27

Next Month Calendar (Public Welcome at All Meetings)

Metro Police Board:	Wednesday, March 25, 2026, 11:00 a.m.,
Planning Commission:	Tuesday, April 7, 2026, 7:00 p.m., PDBMB
Downtown Development Authority:	Thursday, April 9, 2026, 6:00 p.m. PDBMB
City Council:	Monday, April 13, 2026, 7:00 p.m., PDBMB
Zoning Board of Appeals:	Wednesday, April 15, 2026, 6:00 p.m., PDBMB
Fire Board:	Monday, April 20, 2026, 6:00 p.m., Station #1
Park Board:	Tuesday, April 21, 2026, 5:30 p.m., PDBMB
City Council:	Monday, April 27, 2026, 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 23, 2026, 7:00 P.M.**

The regular meeting of the City of Swartz Creek city council is scheduled for **March 23, 2026** starting at 7:00 p.m. and will be conducted in hybrid form. The meeting will be available virtually (online and/or by phone). Council members and staff must attend in-person. The general public may attend in-person or virtually.

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 Amy Nichols, 810.635.4464, 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 provided 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:

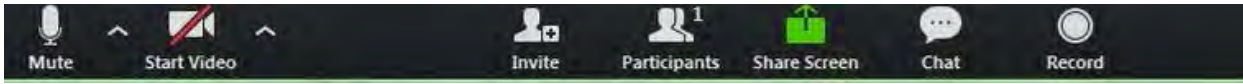
1. At the start time of your meeting, enter the link to join via computer. You may be instructed to download the Zoom application.
2. You have an opportunity to test your audio at this point by clicking on “Test Computer Audio.” Once you are satisfied that your audio works, click on “Join audio by computer.”

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 (DTMF) 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.

The City of Swartz Creek is inviting you to a scheduled Zoom meeting.

Topic: Swartz Creek City Council Meeting

Time: March 23, 2026 at 7:00 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 concerns, please contact 810-429-2766 or email anichols@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) 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 who 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 23, 2026 - 7:00 P.M.

TO: *Honorable Mayor, Mayor Pro-Tem & Council Members*
FROM: Adam Zettel, City Manager
DATE: March 18, 2026

ROUTINE BUSINESS – REVISITED ISSUES / PROJECTS

✓ **MICHIGAN TAX TRIBUNAL APPEALS** (*No Change of Status*)
 The timeframe for appeals is open. As of writing, we do not have any. Generally, values have been increasing at a rate that is obviously in excess of our taxable value rate adjustments. However, this may be slowing down, and businesses may look to explore appeals again.

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

✓ **2025-2027 TRAFFIC IMPROVEMENT PROGRAM (TIP)** (*Update*)

We have commenced a preliminary request for congressionally designated spending (Senate) and Community Promotion Funds (House) to add necessary funds to our projects. As of writing, it appears this request may be combined with the county application for funds to improve Maple and Elms near the Advanced Manufacturing District. If these funds are awarded, we will likely need to push construction to 2028 and/or 2029. The previous report follows.

The revised timeline for work on Elms and Miller has been approved. With Elms due for rehabilitation in 2027, preliminary engineering and third-party services have been established as well. Design work has been given the authorization to proceed by the MDOT.

We do plan to perform all work in the timeframe provided. This may be more readily completed because of the proposed increase in our street funding from the state. However, because most of the Miller Road funding is not to be provided until 2029, the city MAY need to look at short term borrowing.

In any event, I will be working with the engineers to consider a greater degree of milling thickness, if affordable, which will add a longer life to the road work.

The new table that includes the timeline, federal funding, and total costs is below. For greater detail and context, see the January 12, 2026 council report.

Section	Repair Type	Beginning	End	Year*	Total Cost	Federal	Local
Miller	Concrete Repair	East Springpoint of Elms	475' East of Tallmadge	2028 (2028)	\$668,502	\$534,802	\$133,700
Elms	Asphalt Resurfacing	South City Limits	North City Limits	2027 (2027)	\$730,313	\$470,800	\$259,513

Miller	Asphalt Resurfacing	Morrish	Elms	2028 (2029)	\$1,287,581	\$747,384	\$540,197
Miller	Asphalt Resurfacing	Tallmadge	Dye	2028 (2029)	\$1,524,916	\$1,114,256	\$410,660

*Years in () are payment years.

\$4,211,312 \$2,867,242 \$1,344,070

✓ **STREET PROJECT UPDATES (Update)**

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.

We are performing some essential street cores on Elms Road to have more information about how to optimize repairs. In addition, I am seeking a proposal to perform additional cores on a number of streets that are in need of rehabilitation. This will include much of Otterburn, Bristol Road, and downtown streets. We may be able to tackle some of these projects with our existing fund balance in 2026 and 2027.

Again, much may depend on funding for the TIP street projects. If we cannot secure additional funds, it will be difficult to make those happen on our own. As noted, state revenues will increase in the coming years, but we may not actually see these funds until early in our 2027 fiscal year (July or August of 2026).

Crack fill pricing is approved for 2026, and we plan to cover the entire city.

✓ **I-69 MDOT WORK (Update)**

There was a pre-construction meeting on March 9th. We have been told that Elms shall be subjected to a hard close for three days, April 6-April 8, and Miller shall be subject to the same close on April 9-April 11. I am certain these dates could change and construction needs arise. The purpose is for demolition on the overpass structures. I am including proposed detour maps.

I-69 is open fully to traffic now until spring.

It appears MDOT is going to be with us until the end of 2027. We have been asking direct, specific questions and getting general, broad answers. We have not been directly informed of any of the project plans, timelines, or closures. However, they indicate that they will include the city in the pre-construction meeting in the spring.

We did meet with the Davison office on October 27th, but many details are still unknown, even to their staff. Here is what we know.

-2025 work should conclude by December and includes construction of the temporary median crossover. This is going to provide one lane of traffic in each direction when in use. This will be in place for at least two years.

-The scope of work includes various levels of restoration of all bridges from Elms to I-75. This does include the Elms and Miller overpasses

-Their plans show complete closures of Elms and Miller Roads at the overpasses in 2026. However, they are not sure if they will be able to maintain one lane of traffic or not. The approximate date of closure and duration are not known.

-Closures of some of the Morrish and Miller interchanges are proposed for 2026. It appears this includes all east-bound Miller traffic and east-bound Morrish on-ramp only. The approximate date and duration is not known.

-The Bristol Road interchange is to be closed for some or most of 2027, with all traffic being directed to the Miller Road ramps in the city.

-No ramp surfacing, highway surfacing, or expansions are proposed.

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

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

Dependable Sewer completed the second year of the eight-year cleaning and televising program. This included about 17,000 lineal feet of pipe, and no notable issues were detected that require follow-up maintenance.

The following work is approved for 2026.

2026 Sewer Cleaning and Televising

Sewer Section	Footage
Otterburn Heights	
Jennie Ln	1657
Yarmy Dr.	1079
Abbey Ln.	872
Total	3608
Bristol Rd. 7335 West to Elms	
Total	3587
Parkridge	
Parkridge to Elms	2461
Hickory to Parkridge	426
Birch to Parkridge	417
Mountain Ash to Parkridge	412
Red Oak to Parkridge	403
Locust to Parkridge	403
Silver Maple to Parkridge	343
Total	4865
East Entrance to Kroger	
Total	277
Springbrook East	
Alex Marin to Russell	393

Lindsey to Russell						558
Russell from Alex Marin to Kroger Dr.						716
7260 Lindsey to Russell						860
Kroger Dr. to Miller Rd.						506
Maya to Miller						1378
Maplecrest Circle						186
						Total 4597
						2026 Total 16934

Based upon the approved pricing of the three-year agreement, I estimate that the work will cost around \$80,000 for cleaning, televising, root cutting, and mobilization. Staff did include additional provisions for traffic control, which include a benchmark of MDOT standards. I am including a map for reference and a resolution to affirm the work.

The city continues updates to our GIS (Geographic Information System or mapping system). DLZ has been retained to do some repairs on our GIS map and to update the related data fields with existing information. They will also be updating the data regularly as new inspection and/or repair data is made available.

See the January 13, 2025 report for historic and conceptual details regarding the city's eight year inspection program.

✓ **WATER PLANS (Update)**

Staff has been working with OHM on the water model initial findings. There are three areas in our system in which pressures are remarkably different than model expectations, indicating valve issues, incorrect pipe diameters, or related issues. We are exploring these. It appears that our system gets feeds from two different pressure systems of the county. The Miller/Dye feed is a high pressure system, and the Elms Road line, which is higher, is a low pressure system. We believe this explains much of the deviation that our engineers observed.

We are also working on some preliminary security audit information. The previous report follows.

OHM is working on the water plans and studies that are required by EGLE and the EPA. These include the Water Reliability Study (WRS), General Plan, Asset Management Plan (AMP), Emergency Response Plan (ERP), and Risk and Resilience Assessment (RRA).

The RRA should be done around June 1, with the ERP to follow those findings. The current findings for the WRS modeling are resulting in some additional field work. Work on this and the AMP will continue independent of the RRA/ERP and result in the practical guide to water system improvements in the coming years.

✓ **SEWER ASSET MANAGEMENT PLAN (No Change of Status)**

DLZ continues to update our sewer district map and 20 year asset management plan. They indicate that the map is now updated and they can commence a redistricting of

our system and to make a determination of theoretical flows based upon changes to the system since the last districting process.

We have three flow meters that are going to be available for three years to measure actual flows in our sewer districts. This will help plan any future expansions and to track inflow and infiltration. This is estimated to be under \$30,000 annually. I am awaiting an official statement from the county. We expect that we will need to formally acknowledge the bids and our participation with a future resolution. We are looking to install our first round of monitoring in districts 1, 2, & 4.

For complete details on this topic, see the June 23, 2025 report.

✓ **SEWER INFLOW MITIGATION** *(No Change of Status)*

As an alternative to removing individual footing drains as a means to reduce peak sewer flows during storm events, we have approached the county about the installation of an underground storage tank that could essentially function like a stormwater detention pond for our sewer. They are open to this idea. If we can create a concept that would store enough liquid during peak times, we might be able to manage all of our peak storm flows with one project instead of 100s of individual footing disconnects. The previous report follows.

We may pause proceeding with the program as it relates to financially supported footing drain disconnects. At the last Water and Wastewater Advisory meeting, we learned that the treatment costs and penalties relating to the 2025 storm events would likely only amount to \$1,000 to \$6,000 in charges to the city.

The good news is that this level of charges/penalties is extremely small. The other ramification is that, with footing drain disconnects estimated to average around \$10,000 each, it is difficult to justify a program that actively funds the disconnection of these from the system. We will spend the winter months working with the county to explore more options. See the October 27, 2025 packet for greater details on the purpose and methods of our potential program.

✓ **HYDRANTS** *(No Change of Status)*

The contractor has not reached out about finishing the work or disputing our 50% payment. As of writing, it appears that at least 200 hydrants are acceptable. We issued a check for 50% payment for work completed in good faith.

We expected a correction of deficient work. However, the contractor is not responding to our requests to complete the project. Since we have not heard from them, we will assume an end to our business and look to complete the project with another contractor or city staff. Rob is leaning towards having staff work on these in 2026.

✓ **GENESEE COUNTY WATER & SEWER MATTERS** *(No Change of Status)*

We will not be getting any water or sewer rate increases from the county in 2026. However, early indications are that sewer rates will go up in January of 2027. This rate jump will likely be substantial because the county passes five-year rates as a standard practice. This results in front-loaded budget surpluses in the early years and deficits in

the later years for the county. The upside is stability. The downside is that we experience larger incremental increases.

I am hopeful that, depending on our findings with our sewer inspection program, we will be able to absorb much of this increase into our existing budget, which is functioning well in the black.

The county also informed us that state legislation for water affordability is back in the Senate. I strongly oppose this legislation, which we have reviewed in the past. In short, the legislation would prohibit water shut offs and fee recovery assessments in incidents of non-payment OR it would require the city to charge between \$1.25 to \$3.00 per account per month so the state could redistribute those funds to users that qualify for assistance. This scenario also greatly limits, if not practically eliminates, water shut offs as well.

Our staff and most municipalities are strongly opposed because this state program would use local units to collect funds as the state directs to support wealth redistribution between customers and between municipalities. It also would greatly limit, if not prohibit, collection of overdue accounts through assessment or shut off, which we believe would ultimately destroy the long-term solvency of our water utility.

I have detailed this legislation and its impact in previous reports. If movement continues, I recommend we revisit this. For the time being, my understanding is that the House is not likely to pass this.

The previous report follows.

Work is complete on a new section of water main that will connect Elms/Maple to Hill, and on to Morrish. This will provide some additional redundancy for the system. Water main is being installed on Elms, between Maple and Hill. Connection down Hill to Seymour is expected next year. I am making inquiries to the county to see if this is something we need to plan for. It does not appear that a connection is imminent.

These two connections will greatly increase reliability in the city, especially on our extreme west end, where we have a pronounced need for a second feed from either Clayton or Gaines. As a side note, this could encourage some new development south of the city, which is common to experience when utilities are extended during strong economic periods.

See prior reports (May 28, 2024) for updates on PFAS. At a meeting of the WWS Advisory Committee in December, it was again stressed that there is not a good solution for PFAS effluence. The county may be forced to devise a plan for incineration as land application and landfill disposal becomes more problematic. This could result in future added costs.

It was affirmed during the GCDC-WWS budget meeting in December that there is no rate increase planned for our bulk water.

✓ **HERITAGE VACANT LOTS** (*No Change of Status*)

Another privately owned lot is having a new home built. The water service could not be located, so the city provided one at our expense.

The city also has two more lots that were acquired through the tax reversion process. There is interest by the builder to proceed with acquisition and construction. In addition, the association manager reached out about permitted designs and builders for the subdivision. There could be renewed interest in some building. This would finally clear us of the subdivision and put the association in a better position to build membership and dues for their operations.

Though the city cannot retain funds in addition to expenses for these lots, we are still expected to sell them at market value. Listings in Heritage for vacant units are \$10,000-\$12,000, and none of them are moving. I propose a price of \$10,000 for each lot. If there is no objection, I will bring this back to the council for the first step of the sale process.

✓ **NEWSLETTER (Update)**

The spring newsletter will go out shortly after Easter. Let me know if you have content 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. Many of these briefs are covered in more detail elsewhere in this report

1. We met with the owner of the **Raceway** and the Genesee Economic Alliance on December 3rd to explore the potential of the site for reuse. There is potential for economic development funds from third parties to be used to prepare the site for future uses. This might include further environmental, topographical, or planning studies.
2. **Street repair in 2026.** Local street work in 2026-2028 will be limited due to advancement of the above projects. However, TIP funds are still pending for Miller (Morrish to Dye) and Elms. As we assess the budget, we will look to perform rehabilitation of the rest of School, Frederick, and other local streets in the street plan.
3. The **Brewer Condos** project is still expected to submit an incentive application to complete the remaining twelve units. Filed documents indicate that they have until early 2027 to continue.
4. The current phase of **Springbrook East is substantially complete.** I am hopeful that we can get the easement dedication for the street and utilities to the council in the next month. However, we are having issues resolving the final steps of the transition with the developer. We still need proper survey instruments and affirmation of the ownership, which we have been seeking for many months.
5. The **southwest corner of Elms & Miller** was seeing some increased activity. We met with the owner and an architect yet again in January. Though there is nothing imminent, there is enough interest to make me believe we may see something in 2025.
6. **(Update) Park Projects.** We have a signed agreement for construction services for Otterburn. I am still looking to get affirmation from the primary HUD fund recipient (Genesee County Parks) prior to commencement, just in case there are issues with

those funds. I expect another sapling tree order for parks. 2026 projects will be discussed at the April Park Board meeting. Additional historical signs are awaiting availability of the historical society to furnish content.

7. **(Update) New Businesses.** The former Trecha Building on Holland Drive is for sale. Two commercial property owners are looking to submit site plans in the coming months for reconstruction and/or expansion of businesses. The downtown bookstore is open! The property across from Gil-Roys in Clayton continues to gain new activity. There is interest in a couple industrially zoned properties in the city.
8. **Mundy Megasite (Advanced Manufacturing District).** The Genesee Economic Alliance maintains efforts to find a user and continues acquisition and demolitions. It appears the Morrish sale issue is dead for now, which I find to be a mistake for the community. Multiple parties are seeking to improve and increase capacity for Maple Avenue and Elms Road through specific state and federal funding plans. This might include the city's portion of Elms, south city limit to Miller.
9. **(Update) The Holland Square** order for the primary structure will be going in shortly. Public Spaces, Community Places (Crowdfunding) should commence in May to support the additional site needs.
10. **Wayfinding & Branding Signs** are going in at various locations as old signs depreciate and budget permits. With the sad state of the gateway sign at Seymour and Miller becoming an issue, I will see if the general fund can support replacement with a mid-year budget adjustment. I have reached out to Signs By Crannie to price out some higher priority signs that council can consider in the FY2027 budget.
11. The DDA considered a **Social District about two years ago.** With Bella's Book Nook and the pergola coming in 2026, I think this is worth a look. With the potential for another tavern coming, the city has the ability to designate a commons area in the community.
12. The **Cage Fieldhouse** right of way work is done, but we are requiring additional work to smooth the asphalt and to correct some concrete work. As of writing, this has been completed but is not to standards. We will seek funds from the school to correct the work in the spring. In addition, the land to the north is being marketed for commercial use, and the broker seeks to work with the school to combine their drive with a future drive that is shared and aligns with Meijer. This would be a very desirable improvement.
13. **(Update) Old Methodist Church** should be able to proceed with abatement very soon. I am checking on the possibility of hiring a monitoring company to ensure the work goes smoothly.

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

The state provided \$9,685 for industrial hygiene services for the church. This includes an asbestos and lead survey, as well as services to create bid specifications for procurement of remediation services. We are very pleased that this is available to us as another benefit of our RRC MEDC affiliation. The survey indicates commonly found asbestos and some lead paint. The contractor developed bid specs and conducted a letting for pricing. These are due on February 26th and will be considered by the DDA. I expect this to be \$30,000-\$50,000.

The previous report follows.

The RFQ for the old Methodist Church has come and gone without a submission. This has been broadcast all over the state, shared with trade groups, and delivered to known local and regional interests. This is not good news, but there may be assistance that can still be offered by the state to reduce real and perceived barriers to use. For example, funds may be able to cover the analysis and/or removal of lead and asbestos onsite, which makes many users worried when considering such a project.

The DDA is expected to consider this matter strongly this winter. I expect them to choose a direction that commits to preservation of the structure or to move quickly to a demolition. What we wish to avoid is a middle approach which may still result in significant expenses over a period of time, without a commitment to preservation and use, which may still result in a wrecking ball. The previous report follows.

The DDA completed the purchase of the Methodist Church on Morrish. They made this acquisition as a means to create more likely opportunities for the building's preservation and reuse for recreation, hospitality, or culture. We requested MEDC assistance through the RRC program to create a Request for Qualifications for reuse of the site.

The DDA continues to market the site to potential users and request statements from interested parties that include a conceptual use, business plans, and qualifications. The DDA hopes to proceed to select one or more parties to negotiate a plan and transaction.

The DDA is also taking the lead on Holland Square, which is a candidate for a future crowdfunding program. Please see the dedicated section below.

✓ **CDBG (Update)**

Folks from a surveyor, city staff, and SCFA met onsite the week of the February 23rd to commence the creation of bid specs for the project. FSE is looking to provide necessary design and specification services at no charge! We hope to bid soon, in an attempt to get this completed prior to concert season. There is a good chance work will occur afterwards. The previous report follows.

Our agreement to spend CDBG funds on the Pajtas Amphitheater ADA drop-off has been approved in the amount of \$24,633. We are working with the Swartz Creek Fine Arts Association to develop a design and bid to complete work related to an ADA drop off and viewing area.

✓ **OTTERBURN PARK (Update)**

The city accepted the low bid from Glaeser Dawes in the amount of \$574,025.15. The DNR and our engineer, Rowe, have authorized and recommend approval of the low bid, respectively. I am looking to get something in the affirmative from HUD to proceed as well.

We have sufficient funds from the DNR, HUD, and donations to cover all proposed construction expenses. Preliminary and construction engineering services have previously been approved and budgeted by the city.

The engineer expects substantial completion on July 1, with full completion on July 30th. The previous report follows.

The water service and sewer services have been installed.

The project now includes a pavilion, restrooms, a path, bike station, gates, sign, and ADA parking. The estimated total cost is close to \$600,000. Our grants include \$283,000 from HUD and \$290,000 from the DNR, in addition to donations. This concept includes all original work items, excluding the disc golf and sledding hill (now complete), as well as a secondary pavilion on the far north side of the site, which is not affordable.

✓ **WAYFINDING PROJECT** *(No Change of Status)*

With the need for a new gateway sign at Seymour and Miller becoming more demanding, I will look to see if there are funds in the budget this spring that could be directed to replacing this with a sign that aligns with our new models. I am working with Signs By Crannie to get pricing for some high priority signs that council can consider for the FY2027 budget. The previous report follows.

Trail head signs and trail wayfinding signs are in, with the exception of Otterburn. For this sign, we await the balance of the Otterburn improvements! As noted, we could not place the sign at Elms and Miller where we desired due to a very large amount of underground utilities. This has resulted in a less desirable placement. We looked into other nearby locations, but the ground is absolutely saturated with telecom, fiber, and power.

The Abrams Park primary sign has been installed as well. The Hill Road gateway sign was replaced with the new model after being struck by a vehicle. The next candidate is the red sign on Seymour and Miller. That sign is definitely at the end of its life (this will require some future budgeted funds).

✓ **SOCIAL DISTRICT** *(No Change of Status)*

With Bella's Book Nook due to open soon and the Pergola at Holland Square coming in 2026, I think this issue should be revisited by the DDA. Please share any thoughts or questions on the matter. The prior report follows.

The DDA had a discussion about the potential for a social district in the downtown area. There is some potential for this to have a positive impact by attracting events and visitors to encourage commerce and desirable activities in the community. There is also the potential for this to generate undesirable nonsense, bad behavior, litter, etc. The DDA did not act on this. They intend to independently consider how a district might impact the community, be received by the residents, and support businesses. See the April 8, 2024 packet for more details.

✓ **HOLLAND SQUARE CROWDFUNDING PROJECT** *(Update)*

The DDA affirmed financing for the pergola structure. Once the MSHDA signs off on the two phase approach, we can place our order. I do not expect this to be a problem. Once the Public Spaces Community Places crowdfunding program is activated, which should be in May, we can raise the rest of the funds necessary to adding lighting, sound, signs, etc.

See the February 23, 2026 packet for prior project details.

✓ **SPRINGBROOK STREET DEDICATION INQUIRY** *(No Change of Status)*

Resurfacing of Cross Creek Drive has occurred. Our engineer conducted many inspections, recommended specific repairs, and documented the work. The HOA was great to work with and altered their plans during construction to ensure road base issues were addressed.

The previous report follows.

The HOA was not able to meet on May 13th as planned, but was able to convene on May 20 to discuss next steps. It sounds like they are desirous of taking formal steps to consider city ownership of the streets. I recommended that they send a written request to the city council, signed by the homeowners association, that indicates their conceptual terms and conditions for such a potential transfer. The council can then review this and decide if and how to proceed. The previous report follows:

I met with the HOA street committee on February 24th and March 24th along with Councilmember Spillane. The group is proceeding with rehabilitation of Cross Creek, using the best practices recommended by our engineer. They are also interested in continued in-kind services during final planning and construction to ensure project quality. If the city is still open to taking these streets, I recommend this support be given to ensure the assets are optimized.

Beyond their 2025 work, there is still much discussion, and I do not see this moving forward very quickly. They have a lot of questions about winter maintenance, solicitation control, sidewalks, and costs. The previous report follows.

The HOA completed three cores on Cross Creek Drive to better understand the pavement cross section that is there. It appears the road is generally built of 10" thick asphalt on clay instead of 5" asphalt on 10" of aggregate. Leadership from the HOA met with our engineers and staff to go over the implications of this finding on January 21st.

For the time being, they are taking the informal advice of our engineers and adjusting some of their plans for the 2025-2026 construction years. Though there is not any further movement towards a potential street transfer, they appear to be proceeding with street maintenance and rehabilitation in a manner that would meet city standards.

I expect to be meeting with the group regularly moving forward. See the October 14, 2024 report for all the details of this request, as well as a historical and contextual narrative.

- ✓ **GENESEE COUNTY FORECLOSURES** *(No Change of Status)*
The Genesee County Land Bank has taken possession of Wade Street property. I will be communicating with them about the potential cleanup of the property and its future use.
- ✓ **PARKRIDGE DRIVEWAYS** *(No Change of Status)*
We should get full compliance on this issue. One owner that met this action in court has agreed to a consent judgement to correct the issue. The remaining owners have done so voluntarily or are on voluntary timelines for compliance. See the September 22, 2025 packet for full details.
- ✓ **APPOINTMENTS** *(Update)*

The fire board swing seat appoint is also set to commence on April 1, 2026. As of writing, there is not a candidate for this position.

In addition, Mr. Knickerbocker is having scheduling difficulties with the 911 Consortium meetings. He is working with the Mayor on a replacement from the city council. Currently, Mr. Henry is the alternate. I believe he is hoping another council member will take on primary duties.

✓ **CONSUMERS ENERGY FRANCHISE (Update)**

As our attorney reviews their request, we have actually had some difficulty with CE. Notably, their crews hit a marked water service and culvert on Hill Road this winter, which we repaired at a cost of over \$20,000. I have been having discussions with CE about this specific issue (seeking reimbursement), as well as the issues we face in sharing utility corridors with CE in general.

The previous report follows.

The franchise agreement that the city has with Consumers Energy to set the terms and conditions under which they provide electric and gas service in the city expires this year. They have requested to renew this, and I have our attorney's office reviewing that request. I am seeking to ensure we have the most favorable terms as it relates to ensuring proper service to residents and to ensuring appropriate use of our right of ways.

While CE is probably the best occupant of our right of ways as it relates to notices for disruption, restoration, and the convenience of the infrastructure, there may be more we can do to create more functional and attractive ROW's in the city through an updated agreement.

I expect this to be on one of our spring agendas.

✓ **WATER ORDINANCE UPDATE (No Change of Status)**

We have had a question posed about the process we use for notifying residents of turn offs. We consulted our attorney on the matter, and he finds our ordinance to be very vague regarding due process, and he recommends we update this to reflect a local process that we are comfortable with. This will provide users with predictable due process.

Currently, we rely on a combination of standard utility bills, payment arrangement forms, landlord/tenant affidavits, robo calls, and door hangers to make users aware of a potential shut off. Moving forward, we may be compelled to use door hangers for all notice and/or a combination of door hangers and letters. I recommend we continue with email and robo calls as a practical means to inform users of their status.

I expect to have something in front of the city council in April. The changes should be relatively minor in nature.

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

✓ **MONTHLY REPORTS (Update)**

Monthly reports are included.

✓ **EGLE COLLECTION SYSTEM REQUIREMENTS (Update)**

We received a communication from the Genesee County Drain Commissioners office. It appears EGLE is moving forward with creating a system for required sewer collection system credentialling. I am including their letter and the draft promulgated rules. These changes will impact sanitary sewer only.

In short, we would require a single C3 operator. As the program rolls out, which could take years, we will see if the training and credentialling is appropriate for operators or if it involves mostly administrative content.

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

✓ **PLANNING COMMISSION (No Change of Status)**

The Planning Commission did not meet in February. See the February 23, 2026 packet for a report on their January meeting.

Their next meeting is scheduled for April 7, 2026.

✓ **DOWNTOWN DEVELOPMENT AUTHORITY (Update)**

The DDA met on March 12, 2026. The low bid for the church abatement was approved. There were some questions about reliability of the contractor. As such, I am taking a look at having a monitoring company onsite to ensure a smooth process and proper outcome. The DDA approved three event support requests for Jeepers Creekers, the summer concert series by the Swartz Creek Fine Arts Association, and a new car show series by the Swartz Creek Historical Society.

The DDA approved the order and funding for the pergola project, as proposed to be split into two phases. Pending final MSHDA approval, the order can be placed anytime. Crowdfunding is expected to occur in May for lighting, sound, signage, and the other add-ons.

The next DDA meeting is scheduled for April 9th.

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

The ZBA selected officers and held their annual training during their March 18 meeting. This group meets, as needed, on the third Wednesday of each month.

✓ **PARKS AND RECREATION COMMISSION (Update)**

The Park Board met on March 17th. They did not take any action, but they considered a number of items that may be on future agendas. They are requesting pricing for new picnic tables, Otterburn Park insect control, and the potential to expand pickleball. They also discuss the Otterburn park ribbon cutting and the potential for a mural. Their next meeting is scheduled for April 21, 2026.

✓ **BOARD OF REVIEW (Update)**

The Board of Review went well and was quiet. There were a total of nine petitions. Of these, five were late personal property or uncappings and four were people who came in to appeal. Three of the four actually appealed their assessment and one requested information about tax exemptions for being disabled.

The Board and Jacquie all did a good job and everything went smoothly.

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

- ❑ The office of clerk is vacant and is expected to be filled in early May.
- ❑ Amy, as Deputy Clerk, has been taking on management of these duties.
- ❑ Routine duties include record management, publications, FOIA requests, human resources, ordinance codification, payroll approval, solicitation permits, recording secretary, maintaining the cemetery registry, helping to maintain the website, Keeper of the City Seal, Board of Review, and everything related to elections.

✓ **DEPARTMENT OF COMMUNITY SERVICES UPDATE (Bincsik) (Update)**

- ❑ DPS continues to GPS water and sewer assets.
- ❑ DPS continues to update water meter transponders, registers and meters as needed.
- ❑ DPS continues to work on maintenance of summer equipment, wood chipper, street sweeper, chainsaws, weedwhackers, blowers etc
- ❑ DPS continues to fill pot holes.
- ❑ DPS will work with Dawe's to replace 2 valves on the corner of Seymour and Hill.
- ❑ DPS was able to locate the manholes on the sewer behind 7459 Miller Rd and 7493 Miller Rd. We will work with DLZ to get the pipe segments added to the GIS.
- ❑ DPS continues to work with OHM and GCDC on water model calibration issues.
- ❑ DPS is working on a quote for a separator fence at the Elms Park pickleball courts.

✓ **TREASURER UPDATE (Nichols) (No Change of Status)**

Property tax season is over and all delinquent real property taxes have been turned over to Genesee County for settlement. Routine operations include, but are not limited to, processing payments for utility bills, tax bills, delinquent personal and qualified real taxes, building permits, daily/weekly/monthly journal entries, bank wires, review/approval of accounts payable invoices, issuance of building permits and rental inspection collections, processing payroll, accounting for grants and projects and other financial matters impacting the city.

✓ **ECONOMIC DEVELOPMENT UPDATE (Dietrich) (Update)**

- ❑ Holland Sq: MEDC Funding for Patronicity has been funded on December 2nd. We expect to open the link for fundraising in April.
- ❑ Holland Sq: We applied to the Consumer Energy Foundation for \$50,000 for the Pergola. Our request was denied in December.
- ❑ Holland Sq: We met with the Flint Community Foundation for the initial step in funding for the Pergola. Funding will be made available in February 2026, and an application has been submitted.
- ❑ The Economic Developer met with Sharp Funeral home for a letter of support and a donation for the Pergola. We have yet to hear back from them.
- ❑ Contacted the Flint & Genesee Economic Alliance requesting funding for the Pergola and was declined on November 24th. Our request was denied in December.
- ❑ Request for the letter of support from the Swartz Creek Chamber of Commerce was requested at the end of November. As of February, there has been no response after multiple emails.
- ❑ Application for Pergola funding to the Genesee Valley Rotary Club was denied.

- ❑ Dort Financial CU naming rights check in the amount of \$25,000 was received in December and the final amount of \$25,000 was received in December.
- ❑ Bella's Book Nook Café will be applying for the Match on Main in March for reimbursement for bookshelves, Coffee & tea mugs.
- ❑ Applied for \$60,000 through a partnership with Main Street America and General Motors.
- ❑ Applied for \$20,000 through the Community Foundation of Flint.
- ❑ Met with Congressional Staff to submit letters of support from Sen Cherry, Flint & Genesee Economic Alliance and Curbco for a City and Genesee County joint request through Congresswoman McDonald Rivet for \$900,000 in federal funding to support expanded roadway improvements along Miller Road

NEW BUSINESS / PROJECTED ISSUES & PROJECTS

✓ CONGRESSIONALLY DESIGNATED SPENDING *(Update)*

I have submitted a preliminary request to Representative McDonald Rivet's office for Community Promotion Funds. These are the funds that our elected officials can often look to provide through established federal programs, such as the HUD funds for Otterburn. In the Senate, they are referred to as Congressionally Designated Spending.

I believe our best and most fundable project is the road work for Miller and Elms Roads. This set of projects is partially funded already, has regional impact, is very visible, and is nearly shovel-ready status. Because of the proximity to the Advanced Manufacturing District, this submission should carry some positive weight. We will likely be working with Senator Peters as well so that there is a working advocate in both the Senate and the House.

As of writing, our project may be consolidated into a matching application for the previously mentioned Build Grant that the Genesee County Road Commission is pursuing to improve Maple Avenue and Elms Road. I suspect this change will greatly increase our odds at receiving funds. This submission may also alter the scope of the project in a manner that adds additional rehabilitation or reconstruction work. I will keep the council informed.

✓ CITY CLERK POSTION *(Update)*

We have posted the position for a full-time clerk. The closing for this position will be the first week of April, and we hope to onboard someone around the first week of May. In the meantime, we have been acting as a committee to transition and cover essential functions. Amy, as Deputy Clerk, has stepped up, along with other office staff to fill in.

✓ CITY SWEEPER REPLACEMENT DISCUSSION *(Update)*

As council is aware, we have an unfunded and provisional plan to acquire a replacement street sweeper in fiscal year 2029 for \$350,000. Our current sweeper is a 2006 model that has undergone much upfitting and rehabilitation over the years. At this point, it appears to be operating adequately, but as it nears its twentieth birthday, we find that the cab components are now not available, which could create repair stress in addition to reliability concerns down the road.

Knowing this, we were able to take a look at some surplus comparable equipment that is substantially newer. This was being offered by a local company that maintains a fleet,

Curbc. Rob investigated some of their equipment, and while conducting a referenced check with a supplier, discovered that we might be able to get similar equipment directly from a refurbishment company for a substantially lower price.

I am including a quote for 2021 Elgin Whirlwind sweeper. Since this is not currently in our budget or short term fleet plan, I have no expectation that council would proceed with a purchase. However, I do wish to have some discussion to ascertain if there is interest in looking at this further.

In short, we can get a substantially newer and more reliable sweeper for \$125,000, with the understanding that we can likely fetch \$25,000 for our existing sweeper. If the council sees some merit to this, we may be able to adjust our fleet plan to provide for the equipment AND eliminate the need for outside funding to replace this piece of equipment.

✓ **COMMUNICATIONS TOWER RENT REDUCTION (Update)**

There is a request by the tower owner at 4355 Elms to reduce their rent from \$1,969.90 (to be \$2,363.92 per month in mid-2027) to \$1,766.00 (-\$203.90/month; -\$2,446.80/year). Note that there is a co-locator on the tower that currently pays \$1,407.06 per month directly to the city.

We get such requests from time to time. It is difficult to discern if the owner is simply trying to improve their situation or if there is genuine hardship. To answer this question, I have requested a rent roll and/or profit and loss statement for this site. As of writing, I have not received it.

Without some evidence of hardship, I think it would be tough to justify a reduction for an occupied tower in a prime area. However, it does not hurt to talk about it, and I believe a company representative will be available via Zoom to make their case.

✓ **CDBG SIGNATURE CARDS (Business Item)**

The Genese County Metropolitan Planning Commission is requesting that we update our Community Development Block Grant Signature cards. Providing executors is necessary to meeting the executive and compliance functions of this grant source. I am recommending myself and Amy.

✓ **TREASURER AGREEMENT AMENDMENT (Business Item)**

I am asking the council to amend the agreement of the Treasurer as it relates to duties and compensation. There are a number of general office duties that she is picking up in the absence of the clerk, which I believe can be permanent. In addition, I am comfortable assigning the office supervision duties to her, which have not been formally assigned to anyone since Connie Olger retired. Amy has been working towards proficiency in these duties through informal assistance and formal training.

Some notable added training and credentials she has acquired since joining us include:

Certified Human Resources Specialist (MSU)
Certified Labor Relations Professional (CLRP)
Michigan Certified Professional Treasurer (MMTA)
Fundamentals of Local Government Budgeting (GFOA)

Asset Management for Finance (GFOA)
PMGAP University Course (Plante Moran)

The added duties shall include:

- Supervise, train, and guide all FT, PF, temporary, and volunteer administrative staff of the City Office under the direction of the City Manager (authority to hire, promote, formally discipline, and terminate remains vested with the City Manager).
- Oversee schedules, duties, working conditions, and supply management for the City Office.
- Assist with oversight of personnel records and training records of the City as needed and directed by the City Manager.
- Assist with supervision of IT and benefit administration functions and serve as liaison with respective professional service providers as needed and directed by the City Manager.
- Coordinate duties of payroll, utility billing, cash receipts, bank deposits, bank reconciliations, accounts payable, and accounts receivable among designated administrative staff.

Connie was paid an hourly supplement of \$4.80 to perform these duties in addition to her core job duties. I recommend this be adjusted to \$5.50, for the period through June 30, 2027.

I am including a revised agreement that includes the new compensation and job description, as well as a resolution.

✓ **HOMETOWN DAYS (Update)**

The group is working with Metro PD on solutions for their proposed schedule and policies for 2026. They have actively been promoting their event as a free event that runs until 10pm on all nights. This is a vast change from last year, and it has created some concern among law enforcement, who have been working to alter the event in such a way that reduces the disorder that had been experienced in 2023 and 2024. Last year, with an entry fee, closure at 6pm, and other conditions, the event was much more orderly and safe. Metro is looking to find ways to increase the event's times and capacity without compromising their ability to police the event and the areas around the event.

I will continue to report on this. I expect the applications in April.

Council Questions, Inquiries, Requests, Comments, and Notes

Orienteering Course: I am working with Walt to replace these medallions. We appear to be close to getting new material in the ground.

**City of Swartz Creek
RESOLUTIONS
Regular Council Meeting, Monday, March 23, 2026, 7:00 P.M.**

Motion No. 260323-4A **MINUTES – MARCH 9, 2026**

Motion by Councilmember: _____

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday, March 9, 2026, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Motion No. 260323-5A **AGENDA APPROVAL – MARCH 23, 2026**

Motion by Councilmember: _____

I Move the Swartz Creek City Council approve the Agenda as presented / printed / amended for the Regular Council Meeting of March 23, 2026, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Motion No. 260323-6A **CITY MANAGER’S REPORT**

Motion by Councilmember: _____

I Move the Swartz Creek City Council accept the City Manager’s Report of March 23, 2026, including reports and communications, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 260323-8A **RESOLUTION TO APPROVE THE AMENDED TREASURER PROFESSIONAL SERVICE AGREEMENT**

Motion by Councilmember: _____

WHEREAS, section 4.2 of the City Charter provides the appointive office of Treasurer shall be filled by the City Manager with approval of the City Council; and

WHEREAS, section 7.4 of the City Charter provides for the fundamental duties of the Treasurer; and

WHEREAS, the City of Swartz Creek City Council approved the agreement with Amy Nichols, the City Treasurer on August 28, 2023, to provide for conditions and provisions of employment; and

WHEREAS, the conditions of employment for department heads and exempt employees are largely established in a consistent and universal manner in the adopted Personnel Policies Manual, and;

WHEREAS, Mrs. Nichols and the City have come to an agreement on specific terms and conditions regarding the City's appointment of her to the office of Treasurer.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek approve the Agreement between the City of Swartz Creek and Amy Nichols as included herein, and further authorize the Mayor and City Clerk to execute the agreement on behalf of the City.

BE IT FURTHER RESOLVED that the City of Swartz Creek City Council recognizes that, by virtue of her duties in the role of Deputy Clerk, the Treasure has been and may continue to act in the role of Clerk in the absence of a dedicated Clerk and as needed by the city.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 260323-8B RESOLUTION TO AUTHORIZE EXECUTORS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Motion by Councilmember: _____

WHEREAS, the City of Swartz Creek participates in the Genesee County Community Development Program; and

WHEREAS, the Genesee County Community Development Program has requeste3d that we update our authorized signature card.

NOW, THEREFORE, BE IT RESOLVED, that the following individuals are authorized to request reimbursements from the Community Development Block Grant (CDBG) Program:

Adam Zettel, City Manager
Amy Nichols, City Treasure-Deputy Clerk

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 260323-8E RESOLUTION TO APPROVE COMMISSION APPOINTMENTS

Motion by Councilmember: _____

WHEREAS, the laws of the State of Michigan, the Charter and Ordinances of the City of Swartz Creek, interlocal agreements in which the City of Swartz Creek is a member, and previous resolutions of the City Council require and set terms of officers for various appointments to City boards and commissions, as well as appointments to non-city boards and commissions seeking representation by City officials; and

WHEREAS, there exist vacancies in such positions; and

WHEREAS, said appointments are Mayoral appointments, subject to affirmation of the City Council.

NOW, THEREFORE, BE IT RESOLVED, the Swartz Creek City Council concur with the Mayor and City Council appointments as follows:

#260323-8E1 **MAYOR APPOINTMENT:** Rodney Gardner
Swartz Creek Area Fire Board – Resident – Swing Seat
One year term, expiring March 31, 2027

#260323-8E2 **MAYOR APPOINTMENT:** Nate Henry
911 Consortium - Primary
Remainder of two year term, expiring November 23, 2026

#260323-8E3 **MAYOR APPOINTMENT:** _____
911 Consortium - Alternate
Remainder of two year term, expiring November 23, 2026

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Motion No. 260323-11A **ADJOURN**

Motion by Councilmember: _____

I Move the Swartz Creek City Council adjourn the regular council meeting of March 23, 2026.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE March 9, 2026**

The meeting was called to order at 7:04 p.m. by Mayor Henry in the Swartz Creek City Council Chambers, 8083 Civic Drive.

Invocation and Pledge of Allegiance.

Councilmembers Present: Melen, Spillane, Gilbert, Hicks, Knickerbocker, Henry.

Councilmembers Absent/Excused: Krueger

Staff Present: City Manager Adam Zettel, Jody Key.

Others Present: Dennis Cramer .Jeremy Morgan,Rebecca Bosas, Jeffrey E Kelley, Brooke Tucker, Jeff C Kelley, Sheri Sprygada, Mike Murphy

Others Virtually Attended: Lania Rocha, Nay

APPROVAL OF MINUTES

Resolution No. 260309-01 (Carried)

Motion by Councilmember Spillane
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday February 23, 2026 to be circulated and placed on file.

YES: Spillane, Gilbert, Hicks, Knickerbocker, Henry, Melen.
NO: None. Motion Declared Carried.

APPROVAL OF AGENDA

ADD ITEM 8F TO THE AGENDA TO GO INTO CLOSED SESSION

Resolution No. 260309-02 (Carried)

Motion by Councilmember Melen
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Agenda as printed for the Regular Council Meeting of March 9, 2026, to be circulated and placed on file.

YES: Gilbert, Hicks, Knickerbocker, Henry, Melen, Spillane.
NO: None. Motion Declared Carried.

CITY MANAGER'S REPORT

Resolution No. 260309-03

(Carried)

Motion by Mayor Pro Tem Hicks
Second by Councilmember Gilbert

I Move the Swartz Creek City Council accept the City Manager's Report of March 9, 2026, including reports and communications to be circulated and placed on file.

Discussion Ensued.

YES: Hicks, Knickerbocker, Henry, Melen, Spillane, Gilbert.
NO: None. Motion Declared Carried.

MEETING OPENED TO THE PUBLIC:

Dennis Cramer– Requesting 250th mural concept and funding events

COUNCIL BUSINESS:

RESOLUTION TO APPROVE COMMISSION APPOINTMENTS

Resolution No. 260309-04

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Knickerbocker

WHEREAS, the laws of the State of Michigan, the Charter and Ordinances of the City of Swartz Creek, interlocal agreements in which the City of Swartz Creek is a member, and previous resolutions of the City Council require and set terms of officers for various appointments to City boards and commissions, as well as appointments to non-city boards and commissions seeking representation by City officials; and

WHEREAS, there exists vacancies in such positions; and

WHEREAS, said appointments are Mayoral appointments, subject to affirmation of the City Council.

Discussion Ensued.

YES: Knickerbocker, Henry, Melen, Spillane, Gilbert, Hicks,

NO: None. Motion Declared Carried.

RESOLUTION TO APPROVE THE PURCHASE AND INSTALLATION OF THE MINIMAL PERGOLA STRUCTURE COMPONENTS FOR HOLLAND SQUARE

Resolution No. 260309-06

(Carried)

Motion by Councilmember Spillane

Second by Councilmember Melen

WHEREAS, the City of Swartz Creek owns property on Holland Drive, known as Holland Square, that functions as a parking and outdoor event space, and

WHEREAS, the Downtown Development Authority has been seeking a means to increase the value of this space as it relates to hosting various outdoor events, and

WHEREAS, the DDA, through the work established by an ad hoc committee of the council, proposed to construct a pergola-style structure on the Miller Road frontage, complete with lighting and sound, said concept being approved by the city council on September 22, 2025, and

WHEREAS, the project is to be funded by a Michigan State Housing Development Authority grant in the amount of \$75,000, a contribution of \$50,000 from Dort Financial Credit Union, anticipated Public Spaces Community Places funds, community contributions, and DDA funds, and

WHEREAS, the MEDC crowdfunding campaign is delayed until May of 2026, and MSHDA funds must be fully spent by September 30, 2026, requiring downsizing and commencement of the project prior to receipt of all funds, with additional features to be added later, and

WHEREAS, the City Council finds that the design-build process involving Amag Architects and JW Morgan Construction is the best way to plan and procure the pergola.

NOW, THEREFORE, BE IT RESOLVED the City of Swartz Creek City Council approves the purchase and installation of the Pergola Structure, without signs, lighting, sound, furnishings, and related features, as included in the March 9, 2026 city council packet.

BE IT FURTHER RESOLVED the City of Swartz Creek City Council approves the proposal by JW Morgan to procure and install such features, per the submitted work scope and cost sheet, as included in the March 9, 2026 city council packet.

BE IT FURTHER RESOLVED the approvals and procurement herein are conditioned upon affirmation of the same by the Swartz Creek DDA, with the DDA to supply funds to support the project, as executed by the City of Swartz Creek

Discussion Ensued.

YES: Henry, Melen, Spillane, Gilbert, Hicks, Knickerbocker.
NO: None. Motion Declared Carried.

**RESOLUTION TO APPROVE A PUBLIC PLACE PERMIT FOR THE SWARTZ CREEK
AREA HISTORICAL, SOCIETY CAR SHOWS**

Resolution No.260309-07

(Carried)

Motion by Councilmember Melen
Second by Councilmember Knickerbocker

WHEREAS, the Swartz Creek Area Historical Society is a recognized charitable entity that is in good standing and that operates in Swartz Creek; and

WHEREAS, said organization proposes to organize three car shows within Holland Square and on Holland Drive, and they therefore seek a permit to use the city plaza from 10:00 a.m. to 3:00 p.m. on the following Sundays of June 28, August 30, and October 4: and

WHEREAS, the City Council finds the organization and the event to be beneficial to the public and in good standing.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek hereby approves the application for a public place and street usage permit, conditioned upon site accessibility during potential construction, to conduct three car shows within Holland Square and on Holland Drive, from 10:00 a.m. to 3:00 p.m. on the following Sundays of June 28, August 30, and October 4, applicant: the Swartz Creek Area Historical Society, in accordance with the application submitted.

Street and City property use subject to the following stipulations:

1. Insurance certificate naming the City as insured in the amount not less than \$1,000,000.00 (One-Million Dollars)
2. Sufficient number of portable bathrooms placed and located, and litter control program in accordance and under the approval of Director of Community Services.

Approval by the Chief of Police. Traffic control and pedestrian safety plan in accordance with and under the approval of office of Chief of Police

Discussion Ensued.

YES: Melen, Spillane, Gilbert, Hicks, Knickerbocker, Henry.
NO: None. Motion Declared Carried.

RESOLUTION TO APPROVE MID-YEAR BUDGET ADJUSTMENTS

Resolution No.260309-08

(Carried)

Motion by Mayor Pro Tem Hicks
Second by Councilmember Gilbert

WHEREAS, Act 621 of P.A. 1978 provides for a uniform budgeting system for local units of government; and

WHEREAS, Act 275 of P.A. of 1980 further prohibits deficit spending by local units of government; and

WHEREAS, the City Council has reviewed the City's 2025 – 2026 Revenue and Expenditure Report through January, and finds that it is not in deficit; however, certain department activity line items may be in deficit; and

WHEREAS, the City Council has received a Budget Amendment Summary and Revenue and Expenditure Reports reflecting proposed changes in budgeted items; and

WHEREAS, new budget amounts necessitate adjustments to the original adopted budget; and

WHEREAS, said supplemental documentation shows the new proposed revenue and expenditures by fund.

THEREFORE BE IT RESOLVED, the Swartz Creek City Council hereby authorizes and directs the city treasurer to make all necessary mid-year budget adjustment amendments to all city funds in accordance with the supplemental documentation as included in the March 9, 2026 city council

MEETING OPENED TO THE PUBLIC:

Brooke Tucker – Candidate for district court judge.

RESOLUTION TO ENTER A CLOSED SESSION TO CONSIDER CITY CLERK'S EMPLOYMENT

Resolution No 2603090 -09

(Carried)

WHEREAS, the MCL 15.268(a) of Michigan's Open Meetings Act permits a governing body to enter a closed session to consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named individual requests a closed hearing.

WHEREAS, the City of Swartz Creek City Council desires to discuss employment related matters of the City Clerk, and the City clerk has requested that the discussion be held in closed session as permitted by Michigan's Open Meetings Act; and

NOW THEREFORE, BE IT RESOLVED the City of Swartz Creek City Council exit the regular session of the city council and enter into a closed session for the purpose of discussing the City Clerk's employment

Motion by Councilmember Gilbert
Second by Councilmember Melen

YES: Melen, Spillane, Gilbert, Hicks, Knickerbocker, Henry.
NO: None. Motion Declared Carried.

ENTER INTO CLOSED SESSION – 7:45 PM

OPEN SESSION – 8:04 PM

REMARKS BY COUNCILMEMBERS:

Councilmember Melen: Think spring

Councilmember Spillane: Historical presentation on Wednesday 3/11/26

Councilmember Gilbert: Keep thinking spring. History of middle school road.

Councilmember Knickerbocker: Tough part of the job when staff moves on.

Mayor Pro Tem Hicks: Is Swartz Creek considered a tree city?

Mayor Henry: Happy belated International Women's Day.

ADJOURNMENT

Resolution No. 260309-10

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Melen

I Move the Swartz Creek City Council adjourn the regular meeting at 8:10 p.m.

Unanimous Voice Vote.

Nate Henry, Mayor

Amy Nichols, Deputy Clerk

CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
PARK AND RECREATION ADVISORY BOARD
MINUTES OF REGULAR MEETING
ABRAMS PARK
PAUL D. BUECHE MUNICIPAL BUILDING
MARCH 17, 2026

Meeting called to order at 8083 Civic Drive at 5:30 p.m. by Chairman Barclay

Members Present: Barclay, Cramer, Gonyea, Henry, K. Melen, Parenteau, S. Witter.

Members Absent: W. Melen, D. Witter.

Staff Present: Adam Zettel & Robert Bincsik.

Others Present: Mr. Henry, Sandi Brill (online), Lania Rocha (online), & Mike Suchodolski (online).

APPROVAL OF AGENDA: Motion by Henry to approve the agenda for March 17, 2026, with the additions of picnic tables and Otterburn pavilion roof color, support by Gonyea.

Unanimous Voice Vote.
Motion Declared Carried.

APPROVAL OF MINUTES: Motion by Henry to approve minutes of February 17, 2026, support by Cramer.

Unanimous Voice Vote.
Motion Declared Carried.

MEETING OPEN TO THE PUBLIC:

No comments given.

COMMUNICATIONS TO THE BOARD:

- A. February 17, 2026 Minutes
- B. Staff Letter

REPORTS:

- A. DPW Director Mr. Bincsik noted that cottonwoods may need to come down at Abrams as their condition deteriorates. Gonyea asked if low spots by the dog park could be looked at. Adam offered that the Otterburn trench was filled and the contract approved by council, pending HUD affirmation.

BUSINESS:

- A. Pickleball Fence: Mr. Henry advocated for a fence to separate the basketball from pickleball. Expanding the area by two to four courts was discussed. Pricing will be retrieved by staff.
- B. Abrams Bathroom: Mr. Barclay inquired about the possibility of painting a mural on the Abrams restroom building instead of previously noted tile. Graffiti and the block texture was discussed. Mr. Cramer noted an effort to place a 250th mural downtown.
- C. Otterburn Ticks: Ticks and mosquitos were noted as an issue. Staff will look into pricing for treatment by a private company.
- D. Otterburn Ribbon Cutting: It was noted that a ribbon cutting for the venue will be needed. Mr. Zettel indicated that the family of Jentery Farmer is considering optimal ways to memorialize Jentery and to host a ceremony. More information is to come.
- E. Picnic Tables: Many wooden tables are rotting or having their metal components rust. Rob offered composite and hybrid table options for replacement. The understanding is that we could look at a five to ten year plan to replace all fifty tables in the system. Models and pricing will be presented at the April meeting. The idea was received well.
- F. Otterburn Park Pavilion Roof: The interior of the roof will need a color choice. The board opted to let the contractor's wife, Jodi, decide.

MEETING OPEN TO PUBLIC:

Sandra Brill noted that Abrams Park may need investment in pavilion roofs and the sidewalk by the restrooms. She asked if the exercise stations should come out because they are in bad shape.

Mike Suchodolsik asked if there was more Shattered Chains should be working on at Otterburn.

BOARD MEMBER COMMENTS:

Board Member Cramer expounded upon his desire to celebrate the 250th with a concert and downtown mural, perhaps at the pharmacy.

Board Member Gonyea inquired about engaging high school artists for the murals.

ADJOURNMENT: Motion by Gonyea to adjourn the meeting of March 17, 2026, support by Cramer.

Unanimous Voice Vote.
Motion Declared Carried.

Meeting adjourned at 6:27 p.m.

NEXT MEETING: April 21, 2026, 5:30 p.m.

Mark Gonyea, Secretary

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE ZONING BOARD OF APPEALS
MARCH 18, 2026**

The Regular Meeting was called to order at 6:00 pm by Chair Packer in the Swartz Creek City Council Chambers, 8083 Civic Drive.

Board members Present: Packer, Gilbert, Smith, Hicks, Gonyea (Alternate), Brill (Alternate).

Board members Absent: Wyatt.

Staff Present: Adam Zettel.

Others Present: Nate Henry.

APPROVAL OF AGENDA

Resolution No. 260318-01

(Carried)

Motion by Board Member Smith
Second by Board Member Gilbert

The Swartz Creek City Zoning Board of Appeals hereby approves the Agenda of the Regular Board Meeting of March 18, 2026 as printed.

Unanimous Voice Vote
Motion declared carried

APPROVAL OF MINUTES:

Resolution No. 260318-02

(Carried)

Motion by Board Member Smith
Second by Board Member Hicks

The Swartz Creek City Zoning Board of Appeals hereby approves the Minutes of the Regular Board Meeting July 16, 2025 to be approved.

Unanimous Voice Vote
Motion declared carried

Meeting Open To The Public: None

Selection of Chairperson, Vice Chairperson and Secretary

Resolution No. 260318-03

(Carried)

Motion by Board Member Gonyea
Second by Board Member Smith

I Move, the Swartz Creek Zoning Board of Appeals selects Board Member Packer to serve as the ZBA Chairperson, Board Member Gilbert to serve as Vice Chair and Board Member Smith to serve as Secretary for a twelve month period commencing immediately and ending at the next annual meeting or as stated in the bylaws.

Unanimous Voice Vote
Motion declared carried

Zoning Board of Appeals Training

Mr. Zettel conducted in-house staff training that covered the Zoning Enabling Act; duties of ZBA, council, and planning commission; meeting best practices; Open Meetings Act; FOIA, interpretations, appeals, and variances; and some case studies.

Meeting Open To The Public: None.

Adjourn

Resolution No. 260318-04

(Carried)

Motion by Board Member Brill
Second by Board Member Gilbert

I Move the Swartz Creek Zoning Board of Appeals adjourns the March 18, 2026 ZBA meeting.

Unanimous Voice Vote
Motion declared carried

The meeting adjourned at approximately 6:50 p.m.

Ronald Smith
Secretary



AUTHORIZED SIGNATURE CARD FOR CONTRACTS AND INVOICES

NAME OF AGENCY OR BUSINESS	ADDRESS OF AGENCY OR BUSINESS
SIGNATURES OF INDIVIDUALS AUTHORIZED TO SIGN CONTRACTS AND SUBMIT INVOICES <input type="checkbox"/> ONLY ONE SIGNATURE REQUIRED <input type="checkbox"/> TWO SIGNATURES REQUIRED	
1) TYPED/PRINTED NAME AND SIGNATURE	2) TYPED/PRINTED NAME AND SIGNATURE
3) TYPED/PRINTED NAME AND SIGNATURE	4) TYPED/PRINTED NAME AND SIGNATURE
I CERTIFY THAT THE SIGNATURES ABOVE ARE THE INDIVIDUALS AUTHORIZED TO SIGN CONTRACTS AND SUBMIT INVOICES	
_____ SIGNATURE OF AUTHORIZING OFFICIAL AND DATE	
PLEASE ATTACH ANY SUPPORTING DOCUMENTATION	

AMENDED AND RESTATED PROFESSIONAL SERVICES AGREEMENT
Between
CITY OF SWARTZ CREEK
And
TREASURER, AMY NICHOLS

This Amended and Restated Labor Agreement (“Agreement”) is made this ____ day of March, 2026, between the City of Swartz Creek, a Michigan Municipal Corporation, hereinafter referred to as the "Employer" or the “City” and the Amy Nichols, hereinafter referred to as the "Treasurer."

WHEREAS, section 4.2 of the City Charter provides that the appointive office of Treasurer shall be filled by the City Manager with approval of the City Council; and

WHEREAS, section 7.4 of the City Charter provides for the fundamental duties of the Treasurer; and

WHEREAS, Many terms and conditions of employment that were previously included in prior versions of this employment agreement are now provided for as general employment terms and conditions within the Personnel Policies Manual, as amended from time to time; and

WHEREAS, Amy Nichols and the City have come to an agreement on specific terms and conditions regarding the City’s appointment of her to the office of Treasurer.

NOW, THEREFORE, the City and the Treasurer hereby agree to the following:

SECTION NO. 1 - HEADINGS

The headings used in this agreement neither add to, nor subtract from, the meaning of the text of this agreement, but are for reference only.

SECTION NO. 2 - PURPOSE AND INTENT

The purpose of this agreement is to set forth terms and conditions of employment of the Treasurer, and to promote orderly and productive labor relations between the Employer and the Treasurer. Treasurer agrees and understands that their employment is on an at-will basis and that nothing contained in this Agreement will be construed to alter their status as an at-will employee. Treasurer’s employment may be terminated by the Treasurer or Employer at any time.

SECTION NO. 3 - ACKNOWLEDGEMENTS

The City, acting by and through its City Council, and the Treasurer hereby acknowledges the appointment of Amy Nichols to the position of the Treasurer, including the related accumulated years of service, vesting of benefits, and other employment attributes herein conditioned upon accumulated years of service or initial employment date with the City. The Treasurer acknowledges the management rights of the City and agrees to abide by the Personnel

Policies Manual of the City, as modified from time to time. The City and Treasurer agree that, when a conflict between the Personnel Policies Manual and this Agreement exists, this Agreement shall apply to the extent that it is permissible by state, federal and local law.

SECTION NO. 4 - CHARTER REQUIREMENTS

The Treasurer acknowledges that she is familiar with the City Charter, Personnel Policies Manual of the City, and that she has reviewed the provisions thereof, particularly those which describe the powers, functions, duties and responsibilities of the Treasurer, which are fully described in Exhibit A below, and further acknowledges that she is capable of complying with such Charter requirements as to the exercise of such powers, functions and duties and agrees to do so.

SECTION NO. 5 - SALARY

The Treasurer currently receives a salary of Fifty-Nine Thousand Four Hundred Eighty-Three Dollars (\$59,483) per year. The salary shall increase by the State of Michigan Department of Treasury Property Tax Inflationary Adjustment Factor (limit 5%) or 2%, whichever is more, effective July 1, 2026. The Treasurer shall also be compensated a salary of \$11,440, effective on March 23, 2026, for additional duties noted herein. The combined salary shall increase by the State of Michigan Department of Treasury Property Tax Inflationary Adjustment Factor (limit of 5%) or 2%, whichever is more, on July 1, 2027. All such salary shall be paid in a manner similar to other employees.

SECTION NO. 6 - COMPENSATORY TIME/OVERTIME

The City Treasurer shall be entitled to compensatory time.

SECTION NO. 7 - PROFESSIONAL MEMBERSHIPS & FEES

The Treasurer shall maintain and retain credentials for MiCPT (or equivalent). The Employer agrees to pay annual membership fees and training expenses for Treasurer that are required, common, or customary to the job of a Michigan municipal Treasurer.

SECTION NO. 8 - SEVERABILITY

All agreement and covenants contained herein are severable and, if any of them are held to be invalid by a court of competent jurisdiction, such ruling shall not invalidate this agreement, and each provision of this agreement, including the termination and severance pay provisions, shall be interpreted as if such invalid agreement or covenants were not contained therein.

SECTION NO. 9 - REPRESENTATIONS

The Treasurer hereby represents to the City that she is of sound moral character and that she has never been convicted of any crime, whether felony or misdemeanor, excluding minor traffic offenses, and that she has not been determined in any legal or other professional proceeding

to be responsible for any act of moral turpitude. The City hereby relies on those representations and conditions this agreement thereon. The Treasurer will execute any waivers or releases necessary to allow the City to conduct a background check to verify these representations of the Treasurer. If, as a result of said background check, the City acquires any information indicating that any such representations by the Treasurer are untrue, it shall provide such information to the Treasurer forthwith, who shall have a reasonable opportunity to respond to such information. If the City then finds that the Treasurer made any such representations knowing same to be untrue, it may terminate this agreement forthwith and such termination may, in the sole discretion of the City, be deemed to be a discharge for cause.

SECTION NO. 10 – BINDING EFFECT

This agreement will be governed by and construed in accordance with the internal laws of the State of Michigan, without regard to any choice of law principles which would require the application of the law of any other jurisdiction. This agreement shall be binding upon the parties hereto, their heirs, successors and assigns.

(Signature Page to Follow)

IN WITNESS WHEREOF the parties hereto have caused this instrument to be executed on the date and year first above written.

CITY OF SWARTZ CREEK
A Michigan Municipal Corporation

AMY NICHOLS
Treasurer

By _____
Nate Henry, Mayor

By _____
Amy Nichols, Treasurer

By _____
, City Clerk

APPROVED AS TO FORM:
Chris Stritmatter
City Attorney

Appendix “A”

JOB DESCRIPTION

Job Description

FLSA: Exempt

DEPARTMENT: City Treasurer

GENERAL STATEMENT OF DUTIES: Has custody of all moneys of the city, the Clerk's Bond and other personnel bonds, and all evidences of value belonging to or held in trust by the city. Maintains a current log of all city investments and insures such investments are made in accordance with city policy and state law. Collects and distributes real and personal property taxes. Maintains the repository for all business licenses and permits held by the city, including computer software licenses. Responsible for the maintenance of all financial functions of the City including payroll, accounting, utility billing, real and personal property administration and collection and other duties as set forth in the City Charter. Serves as the general accountant of the City and performs or oversees the performance of the functions assigned to the finance officer under the City Charter or as assigned by State statute.

SUPERVISION RECEIVED: Works under the general direction of the City Manager.

SUPERVISION EXERCISED: Provides general and technical direction and supervision to the Administrative Assistant positions, cashiers, and administrative temporary employees. Coordinates the work of the Contract City Assessor.

EXAMPLES OF WORK PERFORMED: The following tasks are typical examples of the work performed by an employee holding this position. The list is not all inclusive and does not include all of the tasks relevant to this position

Oversee or perform:

1. Collect municipal revenues and serve as initial depository of all city receipts.
2. Deposit and invest city funds in accordance with Council policy, state law and the Michigan Department of Treasury Guidelines and Procedures.
3. Maintain records of municipal funds and treasury transactions and prepare necessary reports and records.
4. Monitor expenditure levels of all city departments for compliance with budgetary and management objectives.
5. Assist the City Clerk in fulfilling the functions of the Finance Officer under the City Charter.
6. Maintains the City's general ledger and oversees inventory.
7. Assists the City Manager in preparation, implementation, and development of the City Budget.
8. Prepares annual comprehensive financial report and monthly financial statements.
9. Prepares revenue forecasts for budget and management decisions.
10. Directs purchasing for the city.
11. Coordinates the preparation of real and personal property tax rolls, special assessment rolls, jeopardy tax and assessment collections and administration.

12. Compile delinquent tax rolls, including computation of interest, penalty and collection fees for the County Treasurer.
13. Process delinquent tax settlements from the County Treasurer and distribute funds to proper general ledger accounts.
14. Oversee meetings of the Board of Equalization.
15. Provide assistance and information to the public.
16. Monitor daily operations including cash receipts, bank deposits, bank reconciliations, accounts payable/receivable financial reporting and posting of funds.
17. Coordinate the security and investment of city funds as directed by the City Manager.
18. Review and report on programs and activities influencing the city's financial condition.
19. Oversee utility billing as it pertains to collection of accounts receivable.
20. Oversee the preparation of payroll.
21. Audit payroll records, withholding and employee benefit reports.
22. Assist external auditors by providing needed data and responding to inquiries in the course of the audit.
23. Attend job related training courses and seminars, complete appropriate N.I M.S. training, if required.
24. Assist the Clerk to administer elections consistent with federal, state and local laws. Publish notices, issue absentee ballots and forward required documentation to County, State and other organizations as required.
25. Support the office of the Clerk during absences or times of limited staff to perform records management, FOIA processes, administrative HR functions, meeting & minute functions, and publications.
26. Supervise, train, and guide all FT, PF, temporary, and volunteer administrative staff of the City Office under the direction of the City Manager (authority to hire, promote, formally discipline, and terminate remains vested with the City Manager).
27. Oversee schedules, duties, working conditions, and supply management for the City Office.
28. Assist with oversight of personnel records and training records of the City as needed and directed by the City Manager.
29. Assist with supervision of IT and benefit administration functions and serve as liaison with respective professional service providers as needed and directed by the City Manager.
30. Coordinate duties of payroll, utility billing, cash receipts, bank deposits, bank reconciliations, accounts payable, and accounts receivable among designated administrative staff.
31. Perform related duties as assigned.

REQUIRED KNOWLEDGE, ABILITIES, AND SKILLS:

- Knowledge of the principles and practices of governmental accounting.
- Working knowledge of the practices and procedures used to administer

the State of Michigan's real and personal property system and related automated programs (Equalization).

- Ability to effectively manage, motivate and supervise personnel.
- Ability to obtain a financial surety bond.
- Knowledge of governmental purchasing practices and requirements.
- Working knowledge of the principles and practices of public administration, including budgeting, personnel administration and records management.
- Working knowledge of governmental auditing procedures.
- Comprehensive knowledge of the principles and practices of public finance, budgeting and fund accounting.
- Extensive knowledge of procedures, including use of automated accounting systems (BS&A, Excel databases, etc.).
- Knowledge of economic trend forecasting and analysis techniques.
- Knowledge of State and Federal laws and local policies relating to the investment of governmental funds.
- Ability to maintain complex financial records and prepare financial statements.
- Working knowledge of word processing, spreadsheet and database programs (Microsoft Word, Excel and Access).
- Working knowledge of record keeping and filing systems.
- Ability to operate standard office equipment, including fax machine, copier and telephone system.
- Ability to communicate clearly and effectively, orally and in writing, with co-workers, supervisors and the general public.
- Ability to write reports and correspondence.
- Knowledge of policies and procedures specific to the Clerk's office, elections, and human resources administration practices strongly preferred.
- Ability to attend meetings and functions outside of normal business hours during elections or as needed.
- Ability to understand and follow complex oral and written instructions.
- Ability to operate a keyboard, copier and other office equipment, lift loads of up to 25 pounds, sit for prolonged periods of times, hear verbal communications on the phone and in an office environment, read and manipulate written text.

MINIMUM QUALIFICATIONS:

A combination of education and experience substantially equivalent to graduation from a recognized college or university with a Bachelor's Degree in business administration, accounting, or closely related field. Three years of experience in public sector accounting, financial management, and/or public administration.

Approved:

Adam Zettel, City Manager

Date Approved:



GENESEE COUNTY DRAIN COMMISSIONER'S OFFICE

- DIVISION OF -

WATER & WASTE SERVICES

G-4610 BEECHER ROAD - FLINT, MICHIGAN 48532-2617
PHONE (810) 732-7870 - FAX (810) 732-9773

JEFFREY WRIGHT
COMMISSIONER

To: Advisory Board

From: John F. O'Brien, PE, BCEE, Director *JFO*

Re: MEGLE - Collection Systems

Date: March 10, 2026

The Michigan Department of Environment, Great Lakes and Energy (MEGLE) has proposed licensing requirements for operation of a sanitary collection system. Each municipality that is connected to the County treatment facility owns its own collection system. Each system will be required to maintain licensed personnel to operate the system.

The classification is as follows:

- C4 - Up to 1999 people
- C3 - From 2000 up to 9,999 people
- C2 - From 10,000 up to 49,999 people
- C1 - Over 50,000 people

For those communities that have executed a CMOM Agreement with the County, a licensed operator will be provided.

It is our understanding that once approved, it may take the State up to two years to develop the actual tests and begin administering the licensing.

It is our concern that once licensed operators are in place, the State will want to permit the operation of the collection system similar to treatment facilities. This would require a five-year permit cycle and most likely require monthly operating reports.

If you would like a copy of the rules, do not hesitate to contact me directly. We will continue to monitor the situation and keep you posted of any changes.

JFO/JMW

cc: Jeff Wright, Drain Commissioner
Dan Potter, Chief Deputy Drain Commissioner



DEPARTMENT OF ENVIRONMENTAL QUALITY, GREAT LAKES, AND ENERGY

WATER RESOURCES DIVISION

SEWERAGE SYSTEMS

Filed with the secretary of state on

These rules become effective immediately after filing with the secretary of state unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the director of the department of environmental quality, Great Lakes, and energy by section 4104 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.4104, and Executive Reorganization Order Nos. 1995-16, 2009-31, 2011-1, and 2019-1, MCL 324.99903, 2009-31, MCL 324.99919, and 2011-1, MCL 324.99921, and 324.99923)

R 299.2903, R 299.2911, R 299.2912, R 299.2916, R 299.2917, R 299.2918, R 299.2920, R 299.2922, R 299.2923, R 299.2924, R 299.2925, R 299.2925a, R 299.2926, R 299.2927, R 299.2931, R 299.2933, R 299.2935, R 299.2936, R 299.2938, R 299.2939, R 299.2941, R 299.2942, R 299.2943, R 299.2952, R 299.2953, R 299.2955, R 299.2956, R 299.2957, R 299.2959, R 299.2960, and R 299.2971 of the Michigan Administrative Code are amended, and R 299.2972, R 299.2973, and R 299.2974 are rescinded, as follows:

PART 1. GENERAL PROVISIONS

R 299.2903 Definitions.

Rule 3. As used in these rules:

(a) "Act" means the natural resources and environmental protection act, 1994 PA 451, MCL 324.101 to 324.90106 et seq.

(b) "Board" means the board of certification authorized by R 299.2916.

(c) "Certificate" means a document that is issued by the department to a person that who meets specific qualification requirements specified in these rules, qualifying the person as a certified operator.

(d) "Combined sewer system" means a sewer system that conveys domestic and industrial wastes and storm-water through a single pipe to a publicly-owned treatment works for treatment prior to discharge to surface waters.

(de) "Department" means the director of the Department of Environmental Quality, Great Lakes, and energy or his or her the director's designee.

(ef) "Division" means the appropriate division of the department as delegated by the director.

February 26, 2025

(fg) "Governmental agency" means a city, village, township, county, metropolitan district, other unit of government, or officers of the entities specified in this subdivision.

(gh) "Operator" means an individual who works in a treatment facility, or collection system and who has some responsibility for the operation of the treatment facility, or collection system.

(hi) "Person" means an individual, partnership, association, corporation, or any a governmental agency.

(ij) "Public" means 1 or more persons that discharge sewage from its sewer lead into a sewer system, sewerage system, or treatment facility, as defined in these rules.

(ik) "Renewal cycle" means the period of time from the issuance date to the expiration date stated on a certificate or a replacement certificate.

(jl) "Replacement certificate" means a certificate issued to an individual who holds a valid certificate. ~~issued before the effective date of these amendatory rules.~~

(km) "Retention treatment basin" or "RTB" means an approved treatment facility installed to retain collect and treat domestic and industrial wastes and storm-water overflows from a combined sewer system during storm events, in accordance with its discharge permit.

(n) "Sewer system" or "collection system" means the pipes, channels, conduits, manholes, pumping stations, and appurtenances, collectively or severally, used or intended for use by the public for the purpose of collecting, conveying, or transporting domestic and industrial wastes to a treatment facility for more than 1 individually owned real property.

(ko) "Sewerage system" means a sewer system and treatment facility that is used or intended for use by the public and is are used to collect, transport, and treat domestic and industrial wastes for more than 1 individually owned real property.

~~(l) "Sewer system" means the pipes, channels, conduits, manholes, pumping stations, and appurtenances, collectively or severally, actually used or intended for use by the public for the purpose of collecting, conveying, or transporting domestic and industrial wastes to a treatment facility.~~

(mp) "Superintendent" means an individual who is in charge of and responsible for the operation of a treatment facility or collection system and in whom is vested with the authority and responsibility for the establishment and execution of specific practices and procedures controlling the operations of the treatment facility or collection system in accordance with the policies of the owner of the treatment facility or collection system and the department.

(nq) "Treatment facility" means structures, equipment, and appurtenances, collectively or severally, ~~actually~~ used or intended for use by the public for the purpose of treating or otherwise handling domestic and industrial wastes for more than 1 individually owned real property.

~~(o) "Treatment works" means a treatment facility.~~

**PART 2. TREATMENT FACILITY AND COLLECTION SYSTEM
CLASSIFICATION AND AND OPERATOR CERTIFICATION**

R 299.2911 Initial treatment facility and collection system classification.

Rule 11. (1) Except as provided in subrules (3), and (4), and (5) of this rule, treatment facilities shall be classified by the department into 4 classes, designated as Class A, B, C, or D, with Class A being the highest. **Collection Sewer systems shall be classified by the department into 4 classes, designated as class C1, C2, C3, or C4, with class C1 being the highest.** The classifications ~~must shall~~ be based on population served, the type of treatment facility or collection system, the character and volume of wastes to be treated, and the use and nature of the waters of the state receiving the effluent thereof. Treatment facilities and ~~collection sewer systems~~ classified according to the population criteria in subrules (2) and (6) of this rule may be placed in a higher classification by the department, by reason of the incorporation in the treatment facility or collection sewer system of special features of design, by characteristics more difficult to operate than usual, ~~or~~ by reasons of a particularly difficult type of sewage, ~~or~~ by reason of particular stream conditions or combinations thereof.

(2) One of the following minimum classifications ~~must shall~~ be assigned to each treatment facility that serves the public:

(a) Class A, treatment facilities serving or designed to serve a population of 50,000 or more persons.

(b) Class B, treatment facilities serving or designed to serve a population of 10,000 or more, but less than 50,000, persons.

(c) Class C, treatment facilities serving or designed to serve a population of 2,000 or more, but less than 10,000, persons.

(d) Class D, treatment facilities serving or designed to serve a population of less than 2,000 persons.

(3) Treatment facilities utilizing the waste stabilization lagoon process shall be classified by the department into ~~one~~ 1 of the 2 following classes, designated as class L2 and L1:

(a) Class L2, treatment facilities utilizing the waste stabilization lagoon process ~~that which~~ include special mechanical devices such as aerators, chemical precipitation, disinfection, or other factors. Class L2 ~~must shall~~ be considered a higher classification than class L1.

(b) Class L1, treatment facilities utilizing the waste stabilization lagoon process ~~that which~~ do not include special mechanical devices such as aerators, chemical precipitation, disinfection, or other factors.

(4) Treatment facilities that require minimal operation and control, and serve a population of less than 1,000 persons may be classified by the department as a special classification, designated as class SC. ~~Such~~ These treatment facilities include, but are not limited to, septic tank and tile field systems, and recirculating sand filters.

(5) Class RTB, treatment facilities that retain and treat discharge from approved facilities serving a combined sewer system in accordance with its discharge permit.

(6) Collection Sewer systems that convey wastewater to a treatment facility, with all flow transported through a combination of gravity sewers, gravity sewers and pump stations with force mains, or low-pressure ~~collection sewer~~ systems, must be classified by the department into 1 of the 4 following classes, designated as class C1, C2, C3, or C4, with class C1 being the highest:

(a) **Class C1, collection sewer systems serving or designed to serve a population of 50,000 or more persons.**

(b) **Class C2, collection sewer systems serving or designed to serve a population of 10,000 or more, but less than 50,000, persons.**

(c) **Class C3, collection sewer systems serving or designed to serve a population of 2,000 or more, but less than 10,000, persons.**

(d) **Class C4, collection sewer systems serving or designed to serve a population of 150 or more, but less than 2,000 persons unless otherwise required by the department.**

R 299.2912 Treatment facility classification and collection system changes.

Rule 12. (1) ~~When~~ If 1 or more of the conditions described by subrule (2) of this rule exist or are imminent, the department may change the classification of a treatment facility **or collection system** after notice and opportunity for hearing on the proposed action not less than 60 days before the classification change. Hearings conducted by the department pursuant to this subrule ~~must~~ shall be undertaken according to hearing procedures prescribed by part 5 of these rules.

(2) The department may change the classification of a treatment facility **or collection system** upon after finding that any of the following or ~~any~~ a combination has occurred or is expected to occur within 60 days:

(a) The population being served by the treatment facility **or the collection system** has changed.

(b) There has been incorporated within the treatment facility **or collection system** special features of design or characteristics ~~that~~ which render the treatment facility **or collection system** more difficult to operate.

(c) Certain wastes are being treated within the treatment facility that require special treatment facility design or operation procedures.

(d) Conditions of flow or use of the receiving waters require an unusually high degree of treatment facility operational control.

R 299.2916 Board of certification; appointments.

Rule 16. The department shall appoint a board of certification ~~that which shall~~ consists of 5 members, of whom 1 shall be a class A certified operator, 1 shall be a qualified engineer registered in ~~this~~ the state knowledgeable in the operation and maintenance of treatment ~~facility works, and collection sewer system~~, 1 shall be a staff member of the department, 1 shall be a municipal official, and 1 shall be a member at large. As the term of a member of the board of certification expires, the department shall appoint a member to the vacancy for a 3-year term. The department may appoint a member to a shorter term when filling a vacancy created ~~when~~ if a member vacates the position before the end of the term.

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R 299.2917 Board of certification; duties and responsibilities.

Rule 17. (1) The board shall advise the department in the examination of persons applying for certification, as set forth in R 299.2918(1). The board shall meet **not less than** ~~at least~~ twice each year at such times and places as it may designate. The board shall do all of the following:

(a) Advise the department when it considers additional education or experience as adequate substitutions for other requirements, as set forth in R 299.2918(2).

(b) Advise the department in evaluating applications for examinations, as set forth in R 299.2920(2).

(c) Review and provide comment to the department on the substance of the examinations, as set forth in R 299.2922(1).

(d) Provide recommendations to the department on the issuance or denial of certificates following the examination process, as set forth in R 299.2924(1).

(e) Provide recommendations to the department on the issuance or denial of a certificate or a temporary certificate following the evaluation of certification received from another state, territory, or possession of the United States, or ~~any~~ another country as set forth in R 299.2924(2) and (3).

(f) Evaluate and approve or disapprove continuing education training courses, decide their hour value, and categorize them, as set forth in R 299.2925(5).

(g) Comment to the department regarding probation of a certified operator or the suspension or revocation of ~~a person's~~ an individual's certificate, as set forth in R 299.2926.

(2) Members of the board shall not be compensated, but ~~shall be~~ are entitled to all actual and necessary expenses in the performance of their official duties according to the rates established by the latest edition of the standard travel regulations of ~~the~~ this state.

(3) Three members of the board constitute a quorum.

R 299.2918 Operator certification, minimum requirements.

Rule 18. (1) Certification ~~must shall~~ require written examination conducted by the department, with the advice of the board, according to 1 or more of the following classifications based upon on minimum education and experience qualifications:

(a) Class A. To be eligible to write the examination for a ~~C~~class A certificate, the applicant shall satisfy all of the requirements in either paragraph (i) or (ii) of this subdivision, as follows:

(i) The applicant shall comply with all of the following requirements:

(aA) Possess a college degree with sufficient engineering or allied subjects to understand the mechanics, electronics, and hydraulics of a complex treatment facility.

(bB) Possess a ~~C~~class B certificate.

(cC) Have 4 years of acceptable experience in the operation of a ~~C~~class B or higher treatment facility, 2 years of which ~~must shall~~ have been in a supervisory position or a position of major operational responsibility.

(ii) The applicant shall comply with all of the following requirements:

(aA) Have completed 2 years of a standard college curriculum in engineering or allied field with sufficient subjects to understand the mechanics, electronics, and hydraulics of a complex treatment facility.

(bB) Possess a ~~C~~class B certificate.

(cC) Have 6 years of acceptable experience in the operation of a ~~C~~class B or higher treatment facility, 2 years of which ~~must shall~~ have been in a supervisory position or a position of major operational responsibility.

(b) Class B. To be eligible to write the examination for a ~~C~~class B certificate, the applicant shall comply with all of the following requirements:

(i) Have completed 1 year of college or its equivalent with sufficient subjects to aid in the understanding of the mechanics, electronics, and hydraulics of a treatment facility.

(ii) Possess a Class C certificate.

(iii) Have 4 years of acceptable experience in the operation of a treatment facility of Class C or higher, 2 years of which must have been in a supervisory position or a position of major operational responsibility.

(c) Class C. To be eligible to write the examination for a Class C certificate, the applicant shall comply with all of the following requirements:

(i) Have completed high school or its equivalent.

(ii) Possess a Class D certificate.

(iii) Have 2 years of acceptable experience in the operation of a Class D or higher treatment facility.

(d) Class D. To be eligible to write the examination for a Class D certificate, the applicant shall comply with both of the following requirements:

(i) Have completed high school or its equivalent.

(ii) Have 1 year of acceptable experience in the operation of a Class D or higher treatment facility.

(e) Class L2. To be eligible to write the examination for a Class L2 certificate, the applicant shall comply with both of the following requirements:

(i) Have completed high school or its equivalent.

(ii) Have 1 year of acceptable experience in the operation of a Class L2 lagoon system.

(f) Class L1. To be eligible to write the examination for a Class L1 certificate, the applicant shall comply with both of the following requirements:

(i) Have completed high school or its equivalent.

(ii) Have completed 1 year of acceptable experience in the operation of a Class L1 or Class L2 lagoon system.

(g) Class SC. To be eligible to write the examination for a Class SC certificate, the applicant shall comply with both of the following requirements:

(i) Have completed high school or its equivalent.

(ii) Have completed 1 year of acceptable experience in the operation of a Class SC type facility.

(h) Class RTB. To be eligible to write the examination for a class RTB certificate, the applicant shall comply with both of the following requirements:

(i) Have completed high school or its equivalent.

(ii) Have completed 1 year of acceptable experience in the operation of a class RTB facility and actively participated in not less than 4 discharge events.

(i) Class C1. To be eligible to write the examination for a class C1 certificate, the applicant shall comply with satisfy both of all the following the requirements; in paragraph (i) or (ii) of this subdivision, as follows:

(i) Have completed high school or its equivalent.

(ii) The applicant shall comply with all the following requirements:

—(A) Possess a college degree with sufficient science, engineering or allied subjects to aid in the understanding of operation and maintenance of a collection system.

—(B) Possess a class C2 certificate.

~~(C) Have 53 years of acceptable operational experience in a class C2 or higher collection system, 1 year of which must have been in a supervisory position or a position of major operational responsibility.~~

~~(ii) The applicant shall comply with all the following requirements:~~

~~(A) Have completed 2 years of standard college curriculum with sufficient science, engineering or allied subjects to aid in the understanding the operation and maintenance of a collection system.~~

~~(B) Possess a class C2 certificate.~~

~~(C) Have 4 years of acceptable operational experience in a class C2 or higher collection system, 1 year of which must have been in a supervisory position or a position of major operational responsibility.~~

~~(j) Class C2. To be eligible to write the examination for a class C2 certificate, the applicant shall comply with both of all the following requirements:~~

~~(i) Have completed high school or its equivalent. Have completed 1 year of college or its equivalent with sufficient subjects to aid in the understanding of operation and maintenance of a collection system.~~

~~(ii) Have 4 years of acceptable operational experience in a class C3 or higher collection system, 1 year of which must have been in a supervisory position or a position of major operational responsibility. Possess a class C3 certificate.~~

~~(iii) Have 3 years of acceptable operational experience in a class C3 or higher collection system, 1 year of which must have been in a supervisory position or a position of major operational responsibility.~~

~~(k) Class C3. To be eligible to write the examination for a class C3 certificate, the applicant shall comply with both of all the following requirements:~~

~~(i) Have completed high school or its equivalent.~~

~~(ii) Have 2 years of acceptable operational experience in a class C4 or higher collection system. Possess a class C4 certificate.~~

~~(iii) Have 2 years of acceptable operational experience in a class C4 or higher collection system.~~

~~(l) Class C4. To be eligible to write the examination for a class C4 certificate, the applicant shall comply with both of the following requirements:~~

~~(i) Have completed high school or its equivalent.~~

~~(ii) Have 1 year 6 months of acceptable operational experience in a class C4 or higher collection system.~~

~~(2) Additional education or experience of an applicant may be substituted by the department, with the advice of the board, for meeting the minimum qualifications prescribed in subrule (1) of this rule.~~

R 299.2920 Application for Examination.

Rule 20. (1) The department shall schedule not less than at least-1 examination per year. The department shall make public the dates for examinations not less than 90 days before the dates set for the examinations.

(2) An individual desiring to be certified as in charge of and responsible for the operation of a treatment facility or collection system shall file with the department, not less than 45 days before an examination date announced by the department, an

application for examination and certification on a form prepared and provided by the department. The information contained on the application ~~must shall~~ be evaluated by the department and the information ~~must shall~~ constitute a part of the examination.

(3) The department shall notify the applicants of their acceptance for examination and the time and place of the examination not less than 15 days before the date of examination.

R 299.2922 Examination procedures.

Rule 22. (1) ~~The department shall prepare the~~ Examinations for operator certification ~~shall be prepared by the department~~, taking into account board review and comment. The examinations ~~must shall~~ include, but ~~are not be~~ limited to, the following 3 parts:

- (a) An evaluation of the educational qualifications of the applicant.
- (b) An evaluation of the experience qualifications of the applicant.
- (c) A written examination on the general subject of treatment facility or collection system operation in any or all of its phases.

(2) An applicant shall not be admitted to the written examination unless ~~the applicant~~ ~~he or she~~ meets the minimum requirements prescribed in R 299.2918.

(3) ~~The department shall prepare~~ ~~S~~separate examinations for each class ~~shall be prepared by the department to that~~ encompass basic differences in the duties and responsibilities of operators, types of treatment facilities and collection systems, variations in wastewater quality, conditions of receiving waters, and ~~such~~ other factors as the department determines.

R 299.2923 Examinations, gradings, notification, repeating exam.

Rule 23. (1) The minimum passing grade for the written examination is 70%.

(2) The department or others designated by it shall grade each examination.

(3) ~~The department shall mail the~~ results of each applicant's examination ~~shall be mailed to that applicant by the department~~ within 60 days after the date of the written examination.

(4) Applicants who fail to pass a written examination may repeat the examination ~~at any~~ a subsequent, regularly scheduled examination by submitting an application as prescribed by R 299.2920.

R 299.2924 Operator certificates, issuance.

Rule 24. (1) Following examination, the department shall issue or deny a certificate for each applicant, taking into account the recommendation of the board. Each certificate ~~must shall~~ indicate the class of treatment facility or facilities or collection system(s) ~~that for which the certified operator is entitled to assume responsible charge of.~~

(2) An operator in another state, a territory or possession of the United States, or another country who holds an operator certificate may apply for reciprocity in obtaining a certificate under this part. ~~When~~ ~~If~~ an application for reciprocity is received, the department may do either of the following:

(a) Issue a certificate in a comparable classification without examination, if the requirements for certification of operators ~~under which the certificate was issued~~ are comparable to the requirements prescribed by this part.

(b) Issue a temporary certificate in a comparable classification without examination which shall ~~that~~ expires at such time as when the individual has an opportunity to obtain the results from taking this state's the next available equivalent Michigan-certification examination, but ~~must shall~~ not be for more than 18 months. If the individual fails this state's the equivalent Michigan-certification exam, ~~the individual he or she~~ is not eligible for ~~any-an~~ additional temporary certification.

(3) A certificate, other than a replacement or temporary certificate, ~~must shall~~ be issued for a period of not less than 36, ~~nor~~ or more than 39, months. A certificate that is not renewed ~~must shall~~ expire.

R 299.2925 Replacement certificates, renewal requirements, expiration, reinstatement.

Rule 25. (1) All certificates issued before the effective date of these ~~amendatory~~ rules expire 1 year after the effective date of these ~~amendatory~~ rules.

(2) An individual who has been issued a certificate before the effective date of these ~~amendatory~~ rules pursuant to the provisions of section 4104 of the act, **MCL 324.4101**, and who submits to the department, within 10 months after the effective date of these ~~amendatory~~ rules, a completed application on a form provided by the department, shall be issued a replacement certificate at ~~the individual's his or her~~ current classification by the department. A replacement certificate may be issued for a term of not less than 3, ~~nor~~ more than 4-1/2 $\frac{1}{2}$, years.

(3) To renew a certificate, a certified operator shall submit to the department an application for renewal on a form provided by the department.

(4) A certified operator shall be responsible for making application to renew a certificate regardless of lack of notification by the department.

(5) The board shall evaluate and either approve or disapprove continuing education training and determine the continuing education training hour value. All continuing education training approved by the board ~~must shall~~ relate to the duties, responsibilities, operation, maintenance, or supervision of a sewerage system. The board shall categorize all continuing education training as technical, managerial, or other.

(6) To renew an A or B certificate, the certified operator shall have completed, during the renewal cycle, not less than 24 hours of board-approved continuing education training. Not less than 6 hours of the training ~~must shall~~ be technical training and not less than 6 hours of the training ~~must shall~~ be managerial training.

(7) To renew a ~~C~~class C, D, L2, or L1 certificate, the certified operator shall have completed, during the renewal cycle, not less than 12 hours of board-approved continuing education training. For ~~C~~class C certification renewal, no more than 6 hours of training in the non-managerial, non-technical category may be used to meet the continuing education requirement.

(8) To renew a C1 or C2 certificate, the certified operator shall have completed, during the renewal cycle, not less than 20 hours of board-approved continuing education training. No more than 6 hours of training in the non-managerial, non-technical category may be used to meet the continuing education requirement.

(9) To renew a C3 or C4 certificate, the certified operator shall have completed, during the renewal cycle, not less than 10 hours of board-approved continuing education training.

(10) To renew a RTB certificate, the certified operator shall have completed, during the renewal cycle, not less than 12 hours of board-approved continuing education training.

(811) Individuals holding more than 1 certification need only meet the higher continuing education training requirement of the certifications held.

(912) Types of continuing education training programs that may be approved include, but are not limited to, the following:

(a) Programs sponsored by either of any of the following entities:

- (i) Governmental agencies.
- (ii) Professional and trade organizations.

(b) Home study courses and correspondence courses that have independent verification of successful completion.

(c) Technical courses conducted by private contractors.

(d) University, college, and community college courses.

(e) Training programs sponsored by the department and the ~~United States~~ Environmental Protection Agency.

(f) Training sponsored by nationally recognized organizations.

(103) The department shall issue renewal certificates to certified operators who verify to the department that they have successfully complied with the continuing education training requirements.

(114) A certified operator shall keep ~~their his or her~~ own record of approved continuing education training and present proof of the training ~~upon~~ on application for renewal and ~~at any time subsequent to~~ after being issued a certificate.

(125) A certified operator who is not eligible for renewal pursuant to the provisions of this rule may apply for examination pursuant to the provisions of R 299.2920.

(136) A ~~C~~class A or B certified operator who has not met the continuing education training requirements of subrule (6) of this rule may request issuance of a ~~C~~class C or D certificate for which the requirements have been met.

(17) A class C1 or C2 certified operator who has not met the continuing education training requirements of subrule (8) of this rule may request issuance of a class C3 or C4 certificate for which the requirements have been met.

(14~~8~~7) A certified operator whose certificate has expired may apply for examination at the level equal to or less than the level of the valid certificate previously held pursuant to the provisions of R 299.2920.

(15~~9~~8) The department may reinstate an expired certificate within 1 year ~~after~~ from the expiration date of the certificate when an individual has completed the necessary continuing education training requirements as prorated from the certificate's expiration date.

R 299.2925a Restricted and initial certificates for existing operators.

Rule 25a. (1) The owner of a treatment facility reclassified as a result of these rules ~~must~~ shall notify the department of all certified operators currently employed by the owner. ~~Such~~ The notification ~~must~~ shall be made within 90 days after notification by the department that the system has been reclassified or within 2 years ~~from~~ after the effective date of these rules. **The notification must be made as follows:**

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(a) To the operator or operators identified in ~~subrule (1)~~ of this rule as holding a ~~Class L~~ certificate, the department shall issue a ~~Class L1~~ replacement certificate.

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(b) To the operator or operators identified in ~~subrule (1)~~ of this rule as holding certificates other than a ~~Class L~~ certificate, the department shall issue a site-specific, restricted certification.

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(c) To the operator or operators identified in ~~subrule (1)~~ of this rule as holding a class D or higher certificate and actively supervising or operating an RTB system, the department may issue a site-specific, restricted RTB certification. ~~(d) To the operator or operators identified in this rule as holding a class D or higher certificate or L2, L1, or SC certificate and actively supervising or operating a sewer system, the department may issue a site-specific, restricted C1, C2, C3, or C4 certification. For these restricted certificates, the owner of a sewer system reclassified as a result of these rules, shall notify the department of all certified operators currently employed by the owner. The notification must be made within 90 days after notification by the department that the system has been reclassified.~~

~~(e) For the operator or operators not identified in this rule, an operator with 5 or more years of hands-on experience, or 10 or more years with direct supervision in class C1, C2, C3, or C4 sewer system, may write the examination for the sewer system as classified by the department and the department shall issue a class C1, C2, C3, or C4 certification. The examination may be taken no more than 2 times. A subsequent examination must be taken at 1 classification lower than the previous examination. This applies within 5 years after the initial facility classification by the department.~~

(2) The owner of a collection system classified as a result of these rules must notify the department of all operators currently employed by the owner. This applies within 2 years after the initial facility classification by the department. The notification must be made as follows:

(a) To the operator or operators identified in subrule (2) of this rule as holding a class D or higher certificate or L2, L1, or SC certificate and actively supervising or operating a collection system, the department may issue a site-specific, restricted C1, C2, C3, or C4 certification.

(b) For the operator or operators not identified in this rule, the department may issue a site-specific, restricted C1, C2, C3 or C4 certification for operators that meet the C1, C2, C3, or C4 certification requirements as outlined in rule 18, in accordance with the facility classification.

(3) Site-specific, restricted certifications are subject to the certification renewal and continuing education requirements outlined in rule 25.

R 299.2926 Operator certificates; probation; revocation; suspension.

Rule 26. (1) Following a review and comment by the board, the department may place on probation, suspend, or revoke the certificate of a certified operator who is adjudged incompetent or unable to properly perform the duties of a certified operator in their his or her classification, or who has practiced fraud or falsification, or who has been negligent in the discharge of his or her their duties or responsibilities. Notice of

suspension or revocation ~~must shall~~ be provided, by the department, in writing to the certified operator and the owner of the treatment facility ~~or collection system~~.

(2) The department shall not accept an application for examination during the time period of suspension for a certified operator whose certificate has been suspended.

(3) The department may renew a suspended certificate if the applicant meets all renewal requirements. The renewal ~~must shall~~ not affect the terms of suspension.

(4) The department shall not accept an application for examination from an individual who has had a certificate revoked, for a period of 5 years ~~from~~ after the effective date of the revocation of the certificate. After 5 years, the department may accept an application submitted by an individual who has had a certificate revoked to write an examination at the level previously held.

R 299.2927 Appeals.

Rule 27. (1) A person ~~who that~~ is aggrieved by ~~any-an~~ action under these rules, or who wishes to appeal ~~any-other-another~~ action with respect to ~~his or her~~ certification, shall have an opportunity for a hearing before the department.

(2) A hearing conducted under this rule ~~must shall~~ be conducted in accordance with R 299.2971 to R 299.2974.

PART 3. SEWERAGE SYSTEM PLANS AND SPECIFICATIONS

R 299.2931 Definitions.

Rule 31. As used in this part:

(a) "Alteration" means the construction of ~~any-a~~ modification or addition to an existing sewerage system ~~which-that~~ changes the process or system capacity.

(b) "Construction" means erection or installation of sewer systems or treatment facilities, including equipment and appurtenances, in accordance with approved plans and specifications.

(c) "Permit" means a construction permit issued by the director of the department for a sewer system or treatment facility pursuant to section 6 of the act and these rules.

R 299.2933 Submittal of plans and specifications.

Rule 33. (1) Before the construction or alteration of a sewerage system or portions thereof, plans and specifications ~~must shall~~ be submitted to the department for review and issuance of a construction permit.

(2) The plans and specifications ~~must shall~~ be submitted by the owner of the sewer system or treatment facility or by the owner's ~~his~~ designated agent. ~~When-If~~ a person files plans and specifications as an agent of an owner, the owner shall furnish the agent with a letter of authorization for filing the plans and specifications. The letter ~~must shall~~ identify the plans or project and be submitted with the plans and specifications.

(3) Plans and specifications submitted to the department pursuant to subrule (1) of this rule ~~are shall~~ not be considered adequate unless prepared by a professional engineer registered in ~~this the~~ state, and the plans and specifications ~~must shall~~ be properly sealed by the engineer as required by law.

R 299.2935 Engineering reports; basis of design; minimum requirements.

Rule 35. (1) Before submission of plans and specifications, an engineering report or basis of design, or both, **must shall** be submitted to the department for review and approval.

(2) An engineering report ~~is shall be~~ required for all proposed projects dealing with construction of treatment facilities and major sewer systems. The engineer, when preparing the report, shall consider the material set forth under ~~section 11, the engineering report section,~~ of the recommended standards for ~~sewage works wastewater facilities, which can be found at~~ <https://www.health.state.mn.us/communities/environment/water/tenstates/index.htm> ~~https://www.health.state.mn.us/communities/environment/water/docs/tenstates/tenstates2014.pdf~~, wherever applicable, to the facility for which the report is being prepared.

(3) A basis of design ~~must shall be~~ required for all proposed projects and may be included in the engineering report. Basis of design forms for treatment facilities and pump stations are available from the division office. The basis of design for sewer systems **must shall** include, depending on applicability to the sewer system for which the basis of design is being prepared, but ~~are not necessarily be~~ limited to, the following:

(a) A general map of the service area showing the location of the existing and proposed sewer system.

(b) The service area in acres.

(c) The present and future population densities per acre and total population.

(d) The present and future per capita sewage contribution, average and maximum.

(e) A description of commercial and industrial waste contributions.

(f) The present and design flow rates, average and maximum.

(g) The size of pipe, grade, and, ~~where if~~ appropriate, the size of pump station, number and capacity of pumps, size and length of force main, and point of discharge.

(h) An analysis of the effect of the proposed additional flows on the existing sewerage system.

(i) A detailed explanation of steps to be taken ~~if there is a in case of~~ power failure or equipment breakdown, including a description of special reserve units available for emergency treatment, storage, or transportation of the wastewater.

(j) An analysis and determination as to the applicability of ~~sections 2 and 5 of Act No. 245 of the Public Acts of 1929, as amended, being §§323.2 and 323.5 of the Michigan Compiled Laws, and Part 13 of the General Rules of the water resources commission, being R 323.1311 to R 323.1329 of the Michigan Administrative Code.~~

(4) If the construction or alteration proposed is for a privately owned sewer or sewerage system, or portion thereof, serving the public, the permit application must require proof of the completion of the following, before the department issues a construction permit:

(a) Proof of recordation of a notification of responsibility form acceptable to the department across each parcel served by the sewer or sewerage system.

(b) A resolution and agreement of its governing body by the city, village, or township where the proposed sewer or sewerage system is to be located accepting or not accepting operational responsibility of the sewer or sewerage system should the private owner fail to properly operate or maintain the sewer or sewerage system. If the city, village, or township refuses to accept operational responsibility, the owner

of the privately owned, publicly used sewerage shall comply with subrules (4)(c) and (4)(d) of this rule.

(c) An asset management plan on a form acceptable to the department. The asset management plan must provide for the continued operation, maintenance, and funding of the repairs and replacements of the sewer or sewerage system in accordance with the requirements of the act and these rules. The owner of the constructed sewer or sewerage system shall comply with the department-approved asset management plan and update it periodically, as necessary.

(d) An escrow account or letter of credit, payable to the department that is the greater of either \$20,000.00 or 20% of the total replacement cost of the whole privately owned, publicly used sewer or sewerage system, but not more than \$100,000.00. The department may withdraw money from the escrow account or letter of credit to cause deficiencies to be corrected if the sewer or sewerage system is not operated or maintained as necessary to protect the public health and the environment. If it is necessary for the department to withdraw money from the escrow account or letter of credit, the money must be replaced within 90 days by the developer, private owner, or organization then responsible for the sewer or sewerage system.

(e) The department may reduce or eliminate the need for an escrow account or letter of credit established under this rule after 10 years of operation and maintenance considered satisfactory by the department.

(f) Before the transfer of ownership of a privately owned, publicly used sewer or sewerage system, a private purchaser shall comply with this subrule.

R 299.2936 Plans and specifications; minimum requirements.

Rule 36. Information contained within the plans and specifications submitted to the department for review and approval pursuant to R 299.2933 ~~must shall include, but is not necessarily be limited to, the material recommended in section 12, plans, and section 13, specifications, engineering plans and specifications section~~ of the recommended standards for sewage works wastewater facilities.

R 299.2938 Plans and specifications; review by department.

Rule 38. (1) ~~Upon receipt of~~ **The department shall review** plans and specifications for the construction or alteration of a sewerage system or portion thereof, ~~the department shall review them as soon as practicable on receipt to determine if the plans and specifications meet their completeness with regard to the minimum requirements specified in R 299.2936 and their acceptability with regard to accepted design standards for wastewater facilities in this state. In making its review, the department shall consider design criteria as set forth in recommended standards for sewage works wastewater facilities and shall be assured that the sewerage system or portion thereof is so designed so as to protect the public health and prevent unlawful pollution.~~

(2) If the department determines that plans and specifications are incomplete or are inadequate, ~~it the department shall notify the owner or the owner's his~~ authorized agent of the proposed sewerage system or portion thereof, and may request the resubmittal thereof with appropriate corrections or additions. The director shall not grant an approval

of plans and specifications until they are complete and are judged to be adequate by the department.

R 299.2939 Approval of plans and specifications; permits.

Rule 39. (1) ~~Upon~~ **On** the determination by the department that the plans and specifications for a sewerage system or portion thereof are complete and satisfactory, the director shall approve them and shall issue a permit for construction.

(2) A permit issued pursuant to the act and these rules expires unless construction commences within 2 years ~~from~~ **after** the date of issuance. An owner of a wastewater facility may apply for reissuance of a permit in accordance with R 299.2933.

R 299.2941 Permits; conditions for issuance.

Rule 41. **The director of the department shall issue** ~~A~~ a permit for the construction of a sewerage system or portions thereof ~~shall be issued by the director of the department only when if~~ both of the following conditions are met:

(a) Proper devices are or will be available and are in satisfactory operation for the collection, transportation, and treatment, before discharge into ~~any~~ **a** public watercourse, lake, drain, ditch, or groundwater, of the sewage or wastes collected or conveyed by ~~such~~ **these** systems; or a definite program or agreement satisfactory to the department leading to the construction and operation of ~~such~~ **the** collection, transportation, or treatment devices ~~must~~ **shall** have been officially adopted by the applicant for ~~such~~ **the** permit and filed in the offices of the department.

(b) ~~Where~~ **If** the plans and specifications for the work ~~for which that~~ a construction permit is requested ~~for~~ have been properly prepared in accordance with the laws of ~~the~~ **this** state, ~~and~~ have been submitted to the director for ~~his~~ examination and approval, ~~and~~ ~~which~~ have been found to be in accordance with good modern practices, and, if built according to the plans and specifications, are of ~~such~~ **the** nature and design as to protect the public health and prevent unlawful pollution.

R 299.2942 Revisions to approved plans.

Rule 42. (1) The director shall approve ~~any~~ deviations from approved plans or specifications affecting capacity, flow, ~~isolation distances~~, or operation and ~~maintenance~~ of units before construction of the changes. Plans and specifications so revised ~~must~~ **should** be submitted, ~~along with the new application~~, well in advance of ~~any~~ construction work ~~that which~~ will be affected by the changes, to ~~permit~~ **allow** sufficient time for review and approval. ~~Structural revisions of~~ ~~minor~~ changes not affecting capacities, flows, ~~isolation distances~~, or operation and maintenance of units ~~are permitted during construction without approval~~ **may be verbally approved by the department. Minor modifications include, but are not limited to, a minor change of location of the sewer or locations of manholes.**

(2) If a person seeks confirmation of the department's verbal approval of a minor modification under subrule (1) of this rule, the person shall notify the department electronically, at an address specified by the department, with a detailed description of the request for the modification. The department shall make reasonable efforts to respond within 2 business days, confirming whether the request has been approved or denied. If the department has not responded within 2 business days after the

department receives the detailed description, the verbal approval must be considered confirmed. "As-built" plans clearly showing the work as constructed must shall be submitted to the department at the completion of the work.

R 299.2943 Operation during construction.

Rule 43. ~~Wherever possible~~ Bypassing of untreated wastewater or reduction in treatment effectiveness must shall be adequately addressed avoided during the construction of sewer system or treatment facility alterations. ~~Prior to~~ Before commencing construction of the alterations, a program for completing the work in a manner that which will minimize pollutional effects on the receiving water must shall be submitted to the department for review and approval.

PART 4. OPERATION AND MAINTENANCE OF SEWERAGE SYSTEMS

R 299.2952 Operator in charge.

Rule 52. (1) An owner of a treatment facility or collection system shall designate a superintendent, who shall be is a properly certified operator, to be in responsible charge of the day-to-day operation and maintenance of each treatment facility or collection system, and shall notify the division in writing of the designation, including the superintendent's address and telephone number thereof. The superintendent shall hold a certificate equivalent to or higher than the classification of the treatment facility or collection system. The owner of the treatment facility or collection system may replace the superintendent with another properly certified operator ~~at any time~~, and shall notify the department in writing within 10 days after the replacement.

(2) During construction of a new treatment facility or collection system and before placing the treatment facility in operation, the owner shall employ a properly certified operator who is shall be in charge when the treatment facility or collection system is completed and placed in operation. This individual shall become fully familiar with all facilities and equipment, and shall train selected subordinate employees as appropriate both before and following treatment facility or collection system start-up.

R 299.2953 Monthly operational reports.

Rule 53. The superintendent of a treatment facility shall file with the department each month or at such other intervals as the department may designate, on forms prescribed by the department, operating reports showing the effectiveness of the treatment facility operation and the quantity and quality of liquid wastes discharged into the waters of the ~~this~~ state. ~~When~~ If the superintendent is not available to file the report, the owner of the treatment facility may appoint a substitute acceptable to the department to file the report.

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R 299.2955 Sewerage system operation and maintenance; general requirements.

Rule 55. (1) Sewerage systems must shall be operated and maintained at all times as efficiently as possible and in a manner that which will minimize upsets and discharges of excessive pollutants.

(2) The owner of the sewerage system shall provide an adequate operating staff that which is qualified to carry out the operation, maintenance, and laboratory testing functions required to ensure compliance with the conditions of subrule (1) of this rule.

(3) Wherever possible, maintenance of sewerage systems ~~must shall~~ not result in degradation of effluent quality. If degradation of effluent is unavoidable, maintenance ~~must shall~~ be programmed and scheduled during noncritical water quality periods and ~~shall~~ be carried out in a manner approved by the department.

(4) All reasonable measures, including, ~~where-if~~ appropriate, the provision of shutoff valves adjacent to storage tanks, catchment areas, relief vessels, or entrapment dikes, ~~must shall~~ be taken for containment of any accidental losses of concentrated solutions, acids, alkalies, salts, oils, or other polluting materials.

R 299.2956 As-built plans and specifications.

Rule 56. The owner of the sewerage system shall obtain and maintain reproducible as-built plans and specifications ~~that which~~ accurately describe the entire sewerage system in its current condition.

R 299.2957 Operation and maintenance manual.

Rule 57. (1) The owner of a treatment facility shall prepare, or cause to be prepared, an operation and maintenance manual for the treatment facility ~~that which~~ ~~must shall~~ be used by the operator of the facility as a guide for facility operation and maintenance. The manual ~~must shall~~ describe the function, start-up, shutdown, and periodic maintenance procedures for each unit process and item of mechanical and electrical equipment. The appropriate responses or facility adjustments to minimize the impact of emergency situations ~~must shall~~ be described so as to facilitate rapid implementation of a correct response during emergencies. A copy of the operation and maintenance manual ~~must shall~~ be submitted to the department for its review, approval, and filing 60 days before the date of operation.

(2) If the department determines that an operation and maintenance manual is incomplete or inadequate, it may return the manual to the owner of the treatment facility with its findings and recommendations and request modification thereof. The owner of the treatment facility shall modify and resubmit the manual to the department.

R 299.2959 Emergency measures, reports to department.

Rule 59. (1) If a breakdown of a sewerage system or system component or ~~any-an~~ emergency situation results in the diversion from or bypass of facilities necessary for the effective collection, transportation, or treatment of the wastes and in the discharge of pollutants in excess of those authorized by a discharge permit issued by the department under the act, ~~then~~ the system owner shall take all necessary measures to correct the breakdown or emergency and eliminate or reduce the discharge of excessive pollutants.

(2) The owner of a sewerage system that discharges, or ~~permits allows~~ to be discharged, excessive pollutant to the waters of the state as a result of a facility breakdown or emergency shall notify the division promptly. The owner shall supplement the notice by a written report filed with the division within 72 hours outlining the cause, its discovery, and the corrective actions taken to minimize adverse impact to the waters of ~~the this~~ state, restore facilities to operative condition, and eliminate the need for future diversion or bypass. This rule does not supersede, rescind, or otherwise alter ~~any other another~~ existing or future procedure, rule, or statute pertaining to pollution of the waters of the state.

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~~R 299.2960 Enforcement.~~

Rule 60. A person ~~who that~~ violates this part is subject to the procedures and penalties prescribed by the act or ~~any other another~~ applicable law or rules of this state. **If the department has determined that a person has violated part 41 of the act, MCL 324.4101 to 324.4113, or these rules, the department may notify the alleged offender of its determination and may require that person to enter an order, or the department may follow the enforcement procedures and penalties prescribed by the act or another applicable law or rule of this state, or both.**

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PART 5. HEARINGS

R 299.2971 Opportunity for hearings.

Rule 71. (1) A person ~~who that~~ is aggrieved by an action undertaken under the act or these rules may file a sworn petition with the department setting forth the grounds and reasons for ~~the his or her~~ complaint or appeal and asking for a hearing before the department. The department shall ~~then~~ fix the time and place for the hearing and notify the petitioner of the time and place, ~~by certified mail.~~ At the hearing, the petitioner and ~~any other interested party~~ parties may appear, present witnesses, and submit evidence. Following the hearing, the final decision or disposition of the case by the department is conclusive unless reviewed in accordance with and subject to **the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328 Act No. 306 or the Public Acts of 1969, as amended, being §24.201 et seq. of the Michigan Compiled Laws**, in the circuit court for the county of Ingham or for the county ~~where in which~~ the person resides.

(2) An appearance at a hearing ~~must shall be either in person by the party~~ **must be either in person by the party himself, by the party's duly authorized agent, or by counsel.**

~~R 299.2972 Hearing commissioner. Rescinded.~~

~~Rule 72. (1) The part of a hearing in a contested case in which testimony and evidence are to be taken may be referred to a hearing commissioner. The hearing commissioner shall be designated and authorized by the department to preside at the hearing.~~

~~(2) The hearing commissioner shall hear the evidence and prepare a record of the proceedings and a proposal for a decision, including findings of fact and conclusions of law. The hearing commissioner shall file the record of the proceedings and proposal for decision at the department offices as early as possible after completion of the hearing. The hearing commissioner shall transmit a copy of the proposal for decision to the department and shall serve a copy, by certified mail, on all other parties to the proceedings.~~

~~R 299.2973 Department files and records; use in connection with hearings. Rescinded.~~

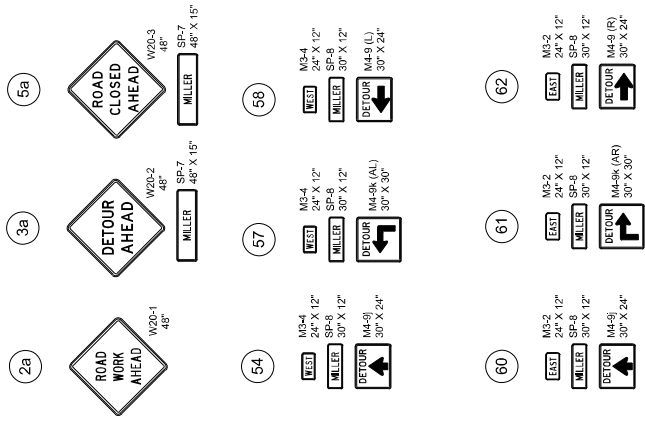
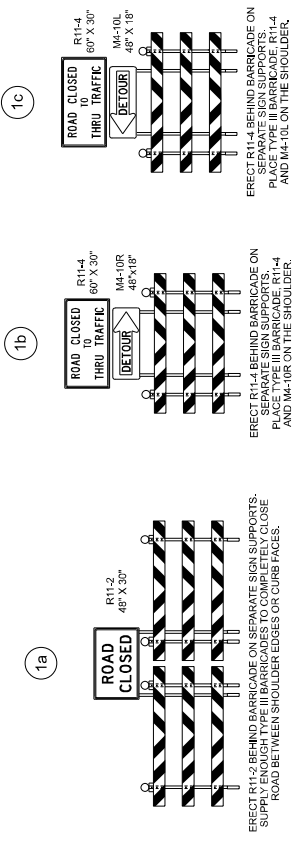
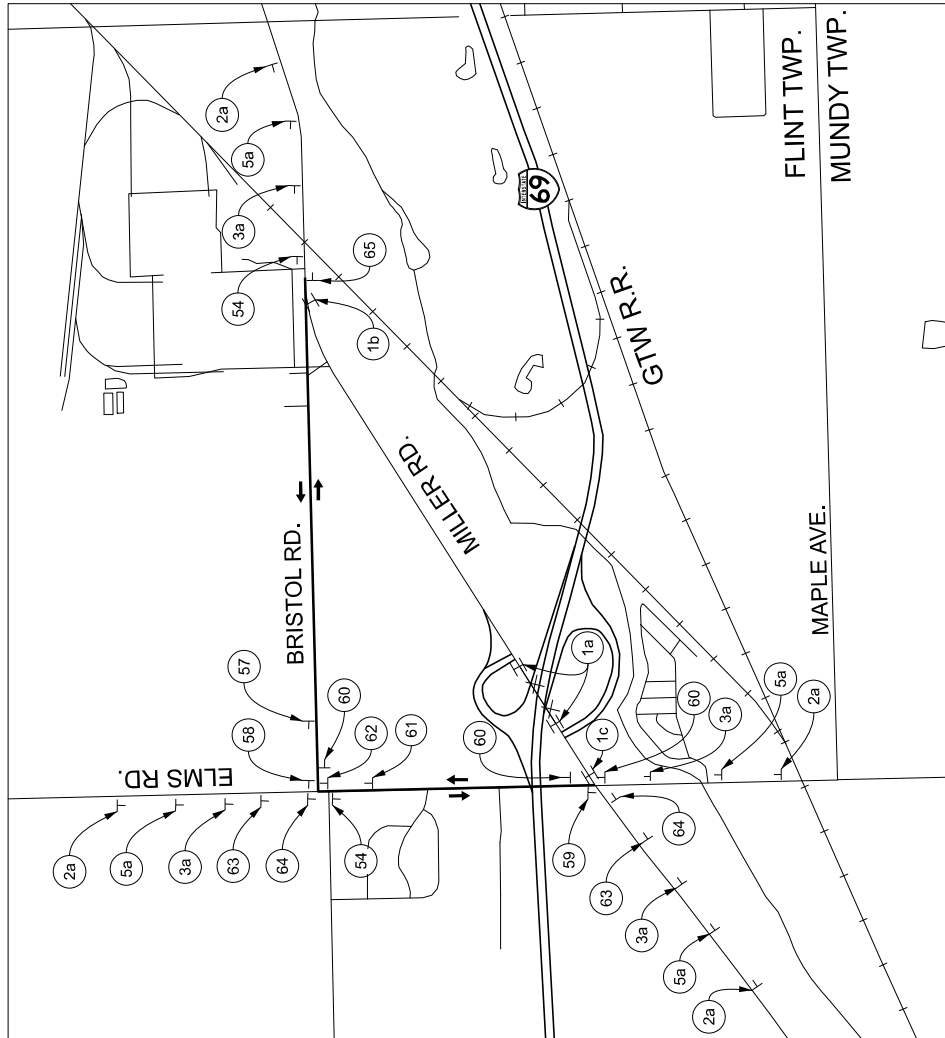
~~Rule 73. The department shall make its files and records that are applicable to hearings conducted under these rules, except the materials exempted by section 22 of Act No. 306 of the Public Acts of 1969, as amended, being §24.222 of the Michigan Compiled Laws, available for inspection before or at the hearings held by the department or hearing~~

commissioner. The department's files and records may be offered at a hearing as evidence on behalf of the department.

R 299.2974 Department hearings. Rescinded.

~~Rule 74. (1) The department shall provide an opportunity for either party to a contested case to submit arguments, exceptions, or appeals to the department regarding a hearing commissioner's report and proposal for decision. A party shall file arguments, exceptions, and appeals in writing and in a timely manner. To be considered by the department, written briefs or exceptions shall be received at the office of the department in Lansing not later than 2 weeks before the date set by the department for consideration of the hearing commissioner's report. The department may provide an opportunity for a party to present oral argument to the department. The department shall notify all parties if the department decides to permit oral argument.~~

~~(2) The department shall prepare and serve a certified copy of a final decision adopted in a contested case by the department. The department shall serve the copy by certified mail on the contesting parties or their attorneys. The copy of a final decision shall contain a resume of the facts and the grounds for decision.~~



LEGEND

ROAD RAMP CLOSED	X
TRAFFIC FLOW	→
TEMPORARY SIGN	T
TYCULI BARRICADES	H

FINAL ROW PLAN REVISIONS				DATE:	07/09/25	CS:	25042	MAINTAINING TRAFFIC DETOUR MAP		DRAWING SHEET
NO.	DATE	DESCRIPTION	AUTH	NO.	DATE	AUTH	DESCRIPTION	STAGE 2		SECT 2
								MILLER ROAD		I-68
										MT/DETR
										4
										103



Michigan Office:
78 Northpointe Drive
Lake Orion, Michigan 48359
Phone: (248) 370-0000
Fax: (248) 370-0011

City of Swartz Creek Elgin Whirlwind

2021 Elgin Whirlwind – Stock # LOR101
S/N – MV41759
Mounted on Freightliner M2-106
Cummins Engine
Allison Transmission
Rear Wandering Hose
8 Yard Hopper
Dual Side Brooms and Pick Up Heads
Dual Steering
Hopper Lifeliner
Freight Included
Delivery on 3-24-26

Total - \$125,000



If you would like to proceed with this purchase, please sign and date below and return it to
Chris.Baldas@Macqueengroup.com

Signature:

Date:

Provided by Chris Baldas
Territory Sales Representative for MacQueen

Quoted on 3-11-26

Elgin Street Sweepers • Envirosight Cameras • TruVac • Vactor

Swartz Creek Fleet Replacement Plan
Apr-25

DESCRIPTION	Year	Vin	EST LIFE	FYE 2024	FYE 2025	FYE 2026	FYE 2027	FYE 2028	FYE 2029	FYE 2030	FYE 2031	FYE 2032
Projected Fleet Budget				\$150,000.00	\$160,000.00	\$120,000.00	\$120,000.00	\$130,000.00	\$130,000.00	\$140,000.00	\$140,000.00	\$140,000.00
Fleet Budget and Cash Fund Balance				\$261,711.00	\$266,711.00	\$231,711.00	\$281,711.00	\$341,711.00	\$51,711.00	\$111,711.00	\$101,711.00	
Backhow-CASE	2021	JJGN580NKMC771252	20									
Loader-JCB	2001		20									
Freightliner 108sd Dump	2022	3ALAG5FE1NDNL8127	10									\$300,000.00
Freightliner 108sd Dump	2024	1FVAG5FE4RHVB6764	10	\$225,000.00								
Chevy Silverado 2500HD 4x4/Plow	2024	1GC3YLE79RF435896	5		\$60,000.00						\$75,000.00	
Chevy Silverado 2500HD 4x4/Plow	2024	1GC3YLE70RF453350	5		\$60,000.00						\$75,000.00	
Hot Patcher/Hopper	2022	4S9PH131ONM097319	10									
Ford F-250 4X4 Truck/Plow	2016	1FT7X2B69GGEA39092	5		\$65,000.00							
Chevrolet Silverado 2x4	2013	1GCNPEX0DZ310436	5		\$60,000.00							
Utility Vehcile KUBOTA RTV-500	2018		8		\$30,000.00							
Ford Diesel F-250 4x4 Super-Chipper Truck	2019	1FTBF2BT5KEC90168	5				\$70,000.00					
Ford Diesel F-350 4X4/Plow	2020	1FDRF3HT6LEC31980	5				\$70,000.00					
GMC Sierra 2500HD 4x4/Plow	2022	1GT39LE78NF334257	5					\$70,000.00				
Trailer-Enclosed	2018	7H5UB0812JE001185	15									
Woodchipper			15							\$80,000.00		
John Deere Tractor/loader	1967		25	\$35,000.00								
Sweeper	2007	49HAADB67DX61697	15					\$350,000.00				
Total Expenditure				\$155,000.00	\$155,000.00	\$70,000.00	\$70,000.00	\$420,000.00	\$80,000.00	\$150,000.00	\$300,000.00	
Fleet Fund Balance				\$106,711.00	\$111,711.00	\$161,711.00	\$211,711.00	-\$78,289.00	-\$28,289.00	-\$38,289.00	-\$198,289.00	
Amount from general fund required												

Assumptions: Schedule C rates are expected to increase annually. This does not take into account any revenue generated from existing equipment sales. Bucket truck replacement and tractor/frt loader replacement are guesses regarding their cost.

Equipment Already Purchased
 This tractor has failed. We are looking to substitute kubota dollars for the tractor this fiscal year or finance it through sewer. DPS is looking at a new replacement tractor for \$30,500.
 The Street Sweeper requires heavy maintenance and is losing reliability. Service by a third party may be an option in lieu of replacement. Supplemental funds would be required.
 Replace with used loader to served as a backup for salt use as needed.



03/16/2026

City Of Swartz Creek MD
Adam Zettel
2300 Austin Parkway
Flint, MI 48507-1363

Subject: American Tower Site #: 412754 / Site Name: Swartz Creek MD SQA

Dear Adam

Tower Alliance has been engaged by American Towers LLC (together with its affiliates and subsidiaries, “American Tower”) to discuss with you the need to amend the lease for the Tower Site. The goal of this discussion is to identify alternatives to the current arrangement and determine how we can work together to strengthen the position of the Tower Site.

Recent Industry Developments: In the past, wireless carriers primarily focused on rapidly building out their networks to provide the best coverage and were less focused on operating costs. Currently, while consumers are enjoying greater services and better coverage, operating costs have come under greater scrutiny. Business consolidations are also affecting the tower industry as carriers continue to streamline their operations.

Below are two options that can improve the long-term security of the Tower Site:

Option 1: Reduce Rent to \$1766.00 per month

Option 2: Convert your lease to a Perpetual Easement with ATC

- **This would allow you to receive a lump sum payment of \$416,000.00**

I look forward to talking with you in the coming days after you’ve had an opportunity to review this letter. If you have questions, please feel free to reach out to me at my contact information listed below.

Sincerely,

Mike Atkins
Lease Consultant
Tower Alliance LLC
An authorized vendor of American Towers LLC and its subsidiaries and affiliates
Matkins@TowerAllianceLLC.com
561-419-6865

**PLEASE NOTE: All proposals are good for a limited time and for discussion purposes only. The parties will not be bound in any respect and with regard to any proposal until and unless a written agreement is signed by all applicable parties. Further, all proposals are contingent upon: 1) American Tower’s confirmation, review and approval, in its sole discretion, of a title report and if necessary, a land survey of the property; and 2) final approval and authorization by American Tower’s Executive Team. Nothing contained herein shall be construed as, or deemed to create, an agency, joint venture, or partnership relationship between American Tower and Tower Alliance.

From: [Mike Atkins](#)
To: [Adam Zettel](#)
Subject: Swartz Creek SQA Rent Reduction Term Sheet
Date: Monday, March 16, 2026 12:04:31 PM
Attachments: [image001.png](#)
[Swartz Creek MI SQA 412754.pdf](#)

Hi Adam,

There are 6 towers within a mile and 289 and 285 antennas within a 3-mile radius of this site's location. There is a Verizon site that is less than a ½ mile, so they could leave at any time. AT&T is wanting a better rate. We want to make sure that these carriers stay happy and don't jump ship. The city is also on this tower. This is why I am asking for a \$400 reduction currently. If you don't want the reduction, then you have the option of doing a perpetual easement.

Thanks

Michael Atkins
Lease Consultant

Tower Alliance LLC, an authorized vendor of American Towers LLC and its subsidiaries and affiliates

1700 S. Dixie Highway, Suite 402

Boca Raton, FL 33432

561-419-6865 – Office

619-985-2713 – Mobile

(866) 236-1216 – Fax



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