

City of Swartz Creek

AGENDA

Regular Council Meeting, Monday, October 26, 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 October 12, 2026 MOTION Pg. 41
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. 58
 - 6C. CDBG Call for Projects Pg. 81
 - 6D. 5472 Miller Road Zoning Amendment Petition and Documentation Pg. 103
 - 6E. Christmas Parade Permit Pg. 127
 - 6F. Street Lighting Amendment Material Pg. 128
 - 6G. Brewer Townhome Incentive Materials Pg. 137
 - 6H. Inflow and Infiltration Mock Invoice (CMOM Quarterly Report) Pg. 170
7. **MEETING OPENED TO THE PUBLIC:**
8. **COUNCIL BUSINESS:**
 - 8A. Community Development Block Grant PUBLIC HEARING
 - 8B. Community Development Block Grant RESO Pg. 33
 - 8C. 5472 Miller Road Zoning Amendment RESO Pg. 34
 - 8D. Brewer Townhome Incentive RESO Pg. 36
 - 8E. Street Lighting Amendment RESO Pg. 38
 - 8F. Christmas Parade Permit RESO Pg. 39
 - 8G. Closed Session RESO Pg. 39
9. **MEETING OPENED TO THE PUBLIC:**
10. **REMARKS BY COUNCILMEMBERS:**
11. **ADJOURNMENT:** MOTION Pg. 40

Next Month Calendar (Public Welcome at All Meetings)

City Council:	Monday, November 9, 2026, 7:00 p.m., PDBMB
Planning Commission:	Tuesday, November 10, 2026, 7:00 p.m., PDBMB (Week later)
Downtown Development Authority:	Thursday, November 12, 2026, 6:00 p.m. PDBMB
Fire Board:	Monday, November 16, 2026, 6:00 p.m., Station #2
Park Board:	Tuesday, November 17, 2026, 5:30 p.m., PDBMB
Zoning Board of Appeals:	Wednesday, November 18, 2026, 6:00 p.m., PDBMB
City Council:	Monday, November 23, 2026, 7:00 p.m., PDBMB
Metro Police Board:	Wednesday, November 18, 2026, 11:00 a.m., Metro PD (Week early)

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, OCTOBER 26, 2026, 7:00 P.M.**

The regular meeting of the City of Swartz Creek city council is scheduled for **October 26, 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 Jacquie Forrest, 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: October 26, 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/j/kz4Jb4etg>

If you have any further questions or concerns, please contact 810-429-2766 or email jforrest@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, October 26, 2026 - 7:00 P.M.

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

FROM: Adam Zettel, City Manager

DATE: October 21, 2026

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ROUTINE BUSINESS – REVISITED ISSUES / PROJECTS

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

We have an appeal from McDonalds. I discussed our strategy with Heather, and she indicates that this is a smaller appeal that does not warrant the appraisals and investment of some of the previous commercial appeals. She believes she can negotiate this at or about an agreeable value based upon comparable properties in a recent survey that she performed. I support this initial tactic and will report the results to the city council.

Note that Heather believes commercial appeals are on the rise, and 2027 is likely to be a heavy year for appeals, though we have not yet experienced it in Swartz Creek.

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

✓ **2025-2027 TRAFFIC IMPROVEMENT PROGRAM (TIP)** (*No Change of Status*)

We are likely to submit a set of amendments to the TIP program for Elms Road. Though our federal program dollars are fixed, our work scope has increased, along with the price. As such, MDOT recommends we amend the TIP to include the new pricing, along with the change in local match. We are also going to look to reclassify our construction engineering federal match as construction match. This will enable us to forego the burdensome third-party engineering issue (the stipulation that a federally funded engineer must be observed by another engineer at the local community's expense).

Lastly, and most importantly, we are going to seek the postponement of our project into 2028. This is because we are not likely to receive a response to our congressionally designated spending submission for this project (along with the Miller sections) until mid-2027. With that timeline, we cannot possibly start work in early 2027.

The previous report follows.

Elms Road is proposed to be bid in January of 2027 based on the current timeline. We strongly expect this to be delayed if congressional funds are allocated to this project prior to then, as it would tie the road into a larger investment down the road.

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 is to 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 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.

Crack fill work is complete for 2026, and we are pleased with the results. We have the same contractor lined up for 2027 and are seeking an early completion date, perhaps May.

Road markings by M&M Pavement Markings are substantially complete. We will look to get this done earlier in the year moving forward, provided we can get crack fill work done prior.

The previous report follows.

Intensive rehabilitation has been approved for Church and Frederick Streets. The contractor has notified us that they intend to push the project into spring of 2027 at the provided pricing. Rob and I do not object to this. Since the work is an intensive rehabilitation, additional street deterioration should not be a factor in the longevity of the repairs.

Recent reports indicate that several Michigan tax revenue sources intended to support the new road funding package are performing below original projections. In particular, marijuana tax revenues appear to be significantly lower than anticipated. Because local road agencies, including cities, receive funding after other allocations are made, any shortfall in overall collections can have a disproportionate effect on the amount ultimately distributed to local governments.

At this point, I do not believe there is cause for alarm, but the revenue trends warrant close monitoring. If collections continue to fall short of projections, the anticipated increase in local road funding may be substantially reduced and, in some scenarios, local agencies could receive little or no net benefit from the program. Some analysts and commentators have questioned whether the original revenue estimates were overly

optimistic, suggesting that projected collections may not have been fully aligned with actual market conditions.

Until more data becomes available, it would be prudent to view future road funding projections with caution and avoid relying on the full anticipated increase when making long-term financial plans.

Road cores are being ordered up per the proposal approved on March 23rd. This will provide valuable information regarding road and road base profiles, which will be used to provide rehabilitation options for many major and local streets. We are going to ensure the filling of the core holes is done properly.

✓ **I-69 MDOT WORK (Update)**

There is an update from MDOT which follows:

We are planning to close Miller from Nov 4th to December to complete patches and painting, detours for this will be Elms (fully opened), Bristol to Miller Rd. I will be working with our communications rep to get out a press release for this closure. I also spoke to our operations about getting the conc section patched as discussed, he is looking at how to write it to charge the job. I think we can get this done.

MDOT indicated that they believe a full closure is necessary to complete necessary work before the onset of winter. I indicated that our preference would be to maintain limited traffic, but there are concerns about snow maintenance with a single lane open in the construction zone, among other concerns. We also expressed a need to restore some of the damaged road surface prior to having MDOT leave the site. They appear to be open to this. I will be working with them on this matter further and will report any closures and new timelines.

There is still work planned for 2027.

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

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

Dependable is in the city nearly daily and is getting through a large amount of sewer cleaning and inspection.

We have had a couple of backups on the heels of our inspection program. One was in Springbrook and may be the result of flushing the sewer lines of ‘ancient’ gravel deposits that were left during construction to a point downstream.

In addition, we have run into a lot of grease on Miller Road that appears to be coming from apartments. Rob is ordering them to inspect and report on their private system with an independent contractor. We also intend to conduct public education through direct distributions and our newsletter and the proper disposal of grease, wipes and other materials. Please see the draft public service announcement.

The previous report follows.

Dependable has completed their initial phase of work in the city. This work only includes the original ~3 miles of pipe that were approved.

They are now looking to inspect sections that do NOT include backyard easement work (Winchester Village). This is approximately eight miles of line.

The mobilization fee to work in the back yards of the Village needs to be agreed upon prior to engaging the rest of the work.

The previous report follows.

Based on the projected budget, we are going to look to expand our 2026 program from ~3 miles of inspections (1/8th of the 24 miles), to include the entire system not yet cleaned or inspected (televised). We expect this to cost an additional \$300,000 plus a Winchester Village mobilization/access charge to work in the rear yards. This has not been negotiated yet.

The previous report follows.

The following work is approved for 2026. The contractor agreement has been executed and we await a timeline for commencement.

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						3587
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						277
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

This is an ongoing program in which the city cleans and inspects about three miles of collection system each year, over a six to eight year cycle. Areas that require additional attention will be noted during the inspection and included in a rehabilitation or replacement program. With most of the 1950s era clay pipes already lined, we are not coming across many areas that require lining or replacement.

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

✓ **WATER PLANS** *(No Change of Status)*

Our water Risk and Resiliency Study draft is complete. OHM will look to submit this to the state this month. In addition, we have taken a first look at the water system dashboard, which is the online information depository that will be the basis for our master plan. We are pleased with the data provided, our progress on the system, the modeled system function, and the recommendations for 5 and 20 year improvements. In short, the city is in a good spot, and there is not much, if anything, that will require investment in the coming years.

In addition to all of the water plans that are currently in the works, we will need to assess the water tower again in early 2027. We have been conducting an inspection every five years as a best practice to ensure structural safety and preservation. I expect to have a proposal before the council in the fourth quarter of this year.

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 (complete), 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)*

We have three flow meters that are being installed to measure actual flows in our sewer districts. This will help plan any future expansions and to track inflow and infiltration. We affirmed that our first round of monitoring in districts 1, 2, & 4. This includes a Miller

Road connection to the interceptor that includes Heritage Village to the north; the Elms Road connection that includes the commercial area at Miller; the First Street connection that includes Morrish and parts of downtown and the raceway. These meters will be available for three years and are expected to be relocated multiple times. As of writing, districts 2 and 4 are installed and sending data. District 1 is expected to be installed within a week. The previous report follows.

DLZ has added much detail to our GIS system. We are now at a point in which we are troubleshooting some anomalies or inconsistencies in the mapped data. We are doing so with field work. In addition, we expect them to be able to produce the first system-wide maps that indicate lining and inspection data, which will be very helpful in assessing the system and optimizing ongoing maintenance.

After mapping of the system is found to be accurate, DLZ will proceed with documenting a 20 year asset management plan. This will include a redistricting of our system based on system changes over the last twenty years. The document will also make a determination of theoretical flows based upon changes to the system since the last districting process.

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

✓ **SEWER INFLOW MITIGATION (Update)**

I am including a mock invoice from the county for what they would have billed each community in 2026 if their fees for Inflow and Infiltration (I&I) were active. As you can see, we had a couple of very substantial rain events in 2026, and we still only accumulated \$2,000 in fees for the entire year.

With that said, we cannot justify the programming we were previously considering, including the storage area or the footing disconnection program. It is far more efficient to pay the fees than to invest in larger scale solutions. IN addition, the city is eligible to recover these fees if investments are made into the system to reduce I&I. For example, if we incur \$5,000 in fees in 2027, the city could engage in another targeted footing drain disconnect or seal some manholes. These expenses would be reimbursable from the amount paid.

Moving forward, we will monitor our expenses to the county and seek proportionate investments to offset any future fees. In addition, we will continue to find opportunities to reduce all I&I in the system from all sources as a best practice. I will remove this section from future reports pending any substantial updates. The previous report follows.

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.

✓ **GENESEE COUNTY WATER & SEWER MATTERS (Update)**

Genesee County formally resolved to adjust their sewer rates upwards as indicated in the October 12 packet. This has been a long time coming and is no surprise. As noted below, I recommend no change. Unless the situation is altered or members of the council seek to review this further, I will remove this from future reports. We will, of course, monitor the new expenses against our current revenues.

Based on our initial math, we are looking at an annual increase to our total expenses of about \$130,000 annually. This includes \$1 per month per unit as a readiness to serve charge (~3,800 sewer units x \$1.00 x 12 months = \$45,600 annually). It also includes an increase of \$0.38 per 100cf of retail water usage. At ~5,500,000 cf per quarter, this equates to \$83,600 annually.

Fortunately, we have some wiggle room, as indicated in previous reports. As we have accelerated our line cleaning and inspection, we have not encountered much that will require capital investment, nor does a large investment in inflow and infiltration appear necessary. As such, we were looking at a potential rate decrease in 2027. In lieu of decreasing our rates, we will almost certainly be able to absorb this increase.

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

I received an inquiry about the purchase of one or more of our lots. Currently, staff is only authorized to sell to J.W. Morgan per the action of the council in conjunction with the Heritage Home Owners Association. If something formal is received, I will bring this to the council. The previous report follows.

The city also has two more lots that were acquired through the tax reversion process. 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, but they are moving slowly.

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

The fall newsletter is out. Let me know what you think.

✓ **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. **(Update)** The potential use of the raceway is a dead issue. It appears Consumers cannot get power to the site in any practical fashion. I suspect this closes the door on data centers in the city as we know them. If anyone wishes to follow up with this, we can make this a discussion item at the next meeting (November 9). The previous report follows. The Flint Genesee Economic Alliance is still interested in finding a user for the **raceway**. They have a technology company that is looking for space in multiple areas, and that company may approach the raceway about the availability of the site. We get these often enough for this site that I do not wish to elevate the status of this to a reasonable possibility for the present time, since the owner has not displayed a willingness to engage in those discussions yet. Indications are that the user is a 20 to 60 MW **data center**. Our understanding is that this is a smaller 'legacy' data center that requires minimal water and infrastructure, using less than half the site. I stress that this is a superficial probe at this time with a number of barriers to cross prior to seeking review by the community. There is NOT a proposal or pending data center project in Swartz Creek at this time! Note that staff and other officials are not negotiating or planning this in any way, and the community has total latitude to create moratoriums, deny, approve, or approve with conditions any such proposal at a future date. If this follows the pattern of other inquiries for this site, we have already heard the last of it. If the situation progresses, be assured that our community and its council have the full range of options available to scrutinize, regulate, or deny any such proposal. I do not recommend any action at this time. We simply do not have enough information and there are no concepts, filings, permits, or proposals to review at this time.
2. **Street repair in 2026.** Road repairs from water main breaks are complete, as is crack filling. Frederick and Church are to be rehabilitated in the spring of 2027.
3. **(Business Item)** The **Brewer Condos** project submitted an incentive application to complete the remaining twelve units. The DDA review committee met on June 9th with a generally favorable view of the application. Further deliberation with the applicant occurred on June 24th. The full DDA board received information at their August 13 meeting and again on September 10th. The board supported proceeding with the request and directed staff to work with the attorney to complete a final incentive agreement for the October meeting. The DDA DID recommend approval of an incentive and agreement, which is now finalized with the city attorney and included in the packet. Filed documents indicate that they have until early 2027 to continue.
4. The current phase of **Springbrook East is substantially complete**. There has been movement toward completion of the required easement documents as noted. We did not get the easement dedication for the street and utilities to the council in time for the state deadline. We still need proper survey instruments and affirmation of the ownership, which we have been seeking for many months. The homeowners association has taken concrete steps to resolve these issues, including the retainage of FSE. Mr. Vertie Brewer with the HOA is very competent and determined.
5. The **southwest corner of Elms & Miller** was seeing some increased activity. I have not heard anything in many months, and I see much of list area listed as a combined sale for ~\$1,900,000.
6. **(Update) Park Projects.** We have signed an agreement for construction services for Otterburn, and have been given the notice to proceed. The updated schedule is

included below. We expect pickleball court expansion at Elms and numerous maintenance updates at Abrams, including a new drinking fountain. We are working with the historical society on new interpretive signs for some of our park facilities.

7. **(Business Item) New Businesses.** A zoning change is proposed for 5472 Miller (next to the Wistuba building across from Genesee Valley Golf Course). They propose to expand onto the vacant land next door. This was recommended for approval at the October 6th meeting and will be a business item for the city council on October 26th. I expect one of our local medical offices to pursue a site plan application to expand soon.
8. **(Update) Mundy Megasite (Advanced Manufacturing District).** Trees are being planted along some borders of the site to function as a buffer for any potential development. I observed this initially along Linden Road. It appears that Consumers Energy is proposing a temporary sub-station on the site, but this was turned down. Another offer was provided to the schools to sell Morrish Elementary. The school did not accept this offer. The Genesee Economic Alliance maintains efforts to find a user and continues acquisition and demolitions. 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** project is nearing completion, with lighting and sound crews to mobilize any day now. Signs, planters, and plaques are in the process of final order, with most awaiting delivery.
10. **Wayfinding & Branding Signs** are budgeted and approved for acquisition and installation by the city and the DDA. We are looking to install a couple 'pilot' signs that will include one jurisdictional marker and the public safety building sign. Once we determine the quality is good, we will order more. We should see some strong movement on this in 2026 and 2027.
11. **(Update) The Social District** was approved for a two-year trial. The state has approved this district so we can expect applications from our taverns soon. We are still finalizing graphics. Once complete, we can onboard our license holders and sign the district.
12. **Old Methodist Church** abatement is complete. I am exploring brick restoration options. The MEDC is covering designs costs to create a scope of work and bid specs. This scoping work is underway, and the architect was onsite on September 23rd.
13. I am recommending that the city create **Short Term Rental Regulations** in our zoning code. While our community is not poised to have much interest in this for routine visitors, I have fielded a couple inquiries in the last month; one for downtown and one for Winchester Village. Our ordinance limits transient housing to hotels, motels, and B&B's. We need to be more explicit and up to date to protect neighborhoods and to comply with the changing state law.

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

The MEDC has reduced their workforce by 15%, which is very substantial and includes one of our closest contacts. I am not sure how this will impact our programming or access to funds. For now, it appears we are still funded for the brick work project scoping.

The MEDC agreed to fund design and bid specifications for masonry work at the church. This program is still a staple in our development toolbox. Though the future of the program

may be somewhat in doubt because of legislative and other action, they remain a great partner. I encourage our council to note the success of this program to our legislators.

✓ **OTTERBURN PARK (Update)**

We have a schedule for the Otterburn Park work. We are not pleased with losing the 2026 season, but our only other option is to rebid at this point, which will not alleviate the delay.

The proposed schedule follows:

Staking Starting week of October 19
Silt Fence Week of October 26
Clearing End of Week of October 26
Submittal for alternate pavilion end of week of October 19
8-10 week Delivery
Submittal for alternate restroom end of week of October 19
6 month Delivery

Note that the initial delay was due to the late release of funds by HUD. This made the acquisition of the pre-fabricated structure components difficult, with lead times going from 60 days to about 200 days. The previous report follows.

The previous report follows.

The notice to proceed has been given. Work can start any day. However, we have hit yet another snag. It appears the pavilion materials are a 2-3 month order and the pre-fab bathroom is a 10 month order! With that said, we are looking for substitutes that will allow us to proceed with change orders this summer/fall. If not, we do have the ability to construct in 2027 and still comply with the DNR grant. We would prefer not to drag this out if we do not have to though.

The city accepted the low bid from Glaeser Dawes in the amount of \$574,025.15. 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 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)**

Signs are budgeted and approved for acquisition and installation by the city and the DDA. We are looking to install a couple 'pilot' signs that will include one jurisdictional marker and the public safety building sign. These have been delivered and are awaiting installation. We have also ordered the 'flag panel' signs for the pergola and some public parking signs.

Once we determine the quality is good, we will order more. We should see some strong movement on this implementation in 2027.

The cost for the signs as approved is estimated to be \$88,858.80 as split by the city and DDA. Note that this is not necessarily a 50/50 split. The DDA will cover the cost of signs in their jurisdiction. This round of signs does NOT include many components of the master sign plan (monument signs and civic campus signs), but it will conclude the bulk of all wayfinding needs until existing signs require replacement (city offices, Elms Park, etc.).

Please see the consultants original design work [here](#) and the original sign location plan [here](#).

✓ **HOLLAND PROJECT (Update)**

Work on the structure has been completed, and our MSHDA grant has been successfully closed! Personally, I think it looks great, and I applaud our architect and builder! We were under a pretty extraordinary timeline and had some unforeseen challenges. We do recognize that the concrete work was a challenge based upon the available approaches to the area for smoothing, but we can accept it.

The DDA approved lighting and sound purchase and installation at their meeting on September 10th. There was a pre-installation meeting onsite on Friday, October 9th. This went well.

Planters have been ordered, and we are finalizing plaques and the banner poles. This will complete the project, hopefully before the Christmas Parade.

The previous report follows.

Getting to this point, there have been challenges. We had some deadline issues, which are behind us, as well as some change orders. On the bright side, we exceeded our fundraising budget and even got some donated gutter systems, which we did not expect. So, we have had some ups and downs.

The bad news is that we are likely to eat through all of the contingency funds. Due to some discoveries with the existing footings for the masonry columns, it became necessary to conduct a rather large excavation to install the engineered footings of the structure. While this change was under \$10,000 and actually assisted in the placement of electrical conduit, it now requires a substantial surface replacement. We installed 4" reinforced concrete at a cost of \$34,680. While this will certainly be a surface improvement, it does take a big chunk of additional expenditure.

Overall, the budget for the entire project is \$435,102. The structure and flat work is complete with \$312,055.00 spent so far. This leaves \$123,047 for electrical, audio/lighting, signs, and hardscape amenities. This should be about right, but things are getting tight. Again, with fundraising exceeding expectations, we should still have a project before us that is on time and budget.

With the structure up, many folks have asked where the Christmas tree will go. After viewing the area, speaking to the DPW, and consulting with some DDA/Park Board members, we

actually think that placing the tree under the structures elevated east end is worth a shot. Let us know what you think.

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

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

I attended the annual meeting of the homeowners association for Springbrook Colony. The road issue was not an official item of business, but I was able to speak with some folks about the matter.

It appears there is still interest in moving in this direction, but there is no rush to do so. In the meantime, they have budgeted funds to rehabilitate Springbrook Drive, which is a massive investment. I will be liaising with them to ascertain if our assistance with planning or observing construction is requested as it was for Crosscreek Drive.

See the September 14, 2026 and October 14, 2024 reports for all the details of this request, as well as a historical and contextual narrative.

✓ **GENESEE COUNTY FORECLOSURES** *(No Change of Status)*

The property at 7484 Wade Street has been vacant for over one year. Under our ordinance, the non-conforming use is no longer permitted. Any future occupancy and use must comply with the zoning code. We have sent a letter to the owner of record informing them of this. The previous report follows.

The Genesee County Land Bank has taken possession of Wade Street property. Some of us were able to tour the site on April 21st. While the building appears to be structurally sound (floor, most of the roof, walls, etc.), we believe a massive amount of work (funds) would be needed to bring this building into a state of environmental and code compliance, even for storage.

I am following up with other Land Bank contacts regarding the potential for a demolition or sale, to us or another party. They were initially unresponsive. After some political prodding, I received a trio of calls from the Land Bank the week of May 11th, indicating that they would respond to our inquiries. Since then, we have been asked to submit an offer form. We did so with the understanding that there is not a committed offer, and they require this as a formality to proceeding with discussions. We have not heard anything of substance from them since.

I have lost nearly all confidence in the Land Bank to properly administer this site from an environmental, maintenance, or sale/disposition perspective.

Despite this, we will continue to seek environmental information and to work with the Land Bank for a future use strategy. Based on prior discussions, we are working with neighborhood stability being the top priority (noise, appearance, contaminants from the site). Potential use by the city is also a priority. Potential use/taxes by a third party comes in as a lower priority.

✓ **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.

✓ **CONSUMERS ENERGY FRANCHISE & DISPUTE (*Business Item*)**

I was able to get an alternate contact for the Hill Road issue. I ask council to enter a closed session to discuss correspondence from the city attorney related to this matter in order to avoid any detrimental financial effect that could occur as a result of holding such a consultation in open session. A resolution is included to do so.

Concerning the franchise agreement and Consumers Energy meeting attendance, my request has been forwarded to another department. I have not heard anything yet though.

Note that the agreement expires on October 14th. After that date, I expect things to function with the status quo, but that does not diminish the need to formalize our relationship with CE. The previous report follows.

We continue to work through our primary claim with CE, which relates to costs incurred for the water line damage during CE work on Hill Road in late 2025. Our attorney is working on a strategy to optimize the outcome for us. As of writing, they have not responded to his statements or calls, nor has the governmental liaison been able to attend one of our meetings to discuss the next thirty-year franchise. I have requested this multiple times. The current franchise expires on October 14, 2026. The previous report follows.

I cannot describe how little cooperation we are getting from Consumers Energy. The actions of the company, inconsistencies in what is communicated, and lack of accountability are so extreme that one questions if it is being done on purpose. I cannot fathom an organization being so poorly run in concept, but it is happening in real time. It is getting worse.

With that said, they finally responded to our request to reimburse the city for the Hill Road damages that occurred last November as a result of a CE gas crew excavation. They place the fault with the city for not marking the water lines properly. However, they still indicate a desire to split the cost.

I have instead directed Chris Stritmatter to prepare a claim for the Michigan Public Service Commission and a court of jurisdiction (if appropriate). While the cost of this specific matter is important, I believe it is more important to disrupt the pattern of behavior from CE in which they deny fault and place blame elsewhere for all (or nearly all) right of way conflicts. As such, I believe the breaking of this cycle as the norm has immense value to our community and all similarly situated communities in Michigan.

In short, our repeated attempts to normalize a relationship with CE based on shared responsibility, respect for assets, prompt communication, and fair expectations has fallen short. I do not see the situation improving and the results drain our staff time, financial resources, and ability to efficiently use the city's right of way. I will work with the city attorney to pursue an improvement in the relationship. I will also look to liaise with area municipalities and Protec to further advocate for institutional changes to the treatment of

right of ways. If council members wish to discuss this further, please let me know and we can add this as a discussion or business item at any time.

Note that CE did reach out on July 9 to further discuss the specific issues and to hear concerns about the larger pattern of behavior. I have no reason to believe this will meaningfully alter the partnership at this time.

The previous report follows.

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 \$25,000. 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.

✓ **CONGRESSIONALLY DESIGNATED SPENDING** (*No Change of Status*)

Our project has been 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. Subsequent and amended applications have been submitted. It appears the combined projects are listed as fundable in congressional reports, but the amounts are lower. I will keep the council informed. The previous report follows.

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.

✓ **REGIONAL TRAIL PLAN** (*No Change of Status*)

We received a communication that affirms the Swartz Creek Creekview trail in the regional plan for Early Preliminary Engineering (EPE). I am including this in the September 14, 2026 packet. The previous report follows.

I spoke with the Genesee County Metropolitan Planning Organization staff again after our initial meeting with ROWE. It appears that GCMPC are going to complete very preliminary

engineering (10% concept engineering) for many of the trails in the legacy network. This includes our stretch between Miller/Elms and Morrish, along the creek. At this point, there is nothing we need to do. They will seek out a professional to complete this work in a package with other projects.

At some point, we may be asked to opine on some findings or provide direction. Eventually, we will be making decisions on our commitment to the trail and what form that will take. For a first step, I am very happy with this. The previous report follows.

A few months back, I reported that our creek trail (Elms to downtown) was noted as a relatively high priority regional trail for the region in their new plan. Given our current commitments for recreational spending and grants, we have not elevated the acquisition of easements or design for this segment based on that alone. However, the Mott Foundation announced \$25M in funding for this trail plan, with apparent commitments for additional funds in the future.

This is huge. If the city can work with grant funds to support much of the trail, we may be able to move this quickly and without the known obstacles of dealing with federal funds. As such, I have started conversations with Rowe PSC regarding preliminary engineering. I also have reached out to one of the more prominent land owners along that route to set the table for easement discussions.

This project could move quickly or not at all, but we will be prepared for those scenarios and all the space in between. I will keep the council informed.

✓ **GAINES FIRE DEPARTMENT** *(No Change of Status)*

Chuck Melki, who represents Gaines Township in some regards, approached the Fire Board on July 20th about shared fire services. An exploratory meeting was held on the 27th of July with the chief, Rae Lynn Hicks, and Tom Spillane to discuss the matter. Chief Plumb also addressed the city council on July 27th. There have not been any further updates since that meeting. The original report follows.

The Gaines Township Fire Department is going through a period of transition that is stressing their resources. Recently, the township board hired a new chief, and this apparently resulted in many resignations. My understanding is that the department is still staffed and functional, operating with 8-10 members (SCAFD operates with about 25 in recent times).

Recent events have resulted in a lot of political statements, social media chatter, and so on. Notably, statements have been made that Gaines Fire is no longer responding to calls and SCAFD is doing everything. Chief Plumb assures me that this is not the case. Gaines is still deploying for runs, and our department backs them up through automatic mutual aid (AMA) as necessary. Given the circumstances, this has been more frequent in recent months due to staffing anyway (SCAFD was deployed to a brush fire in Gaines because only two members were able to respond BEFORE the resignations).

Moving forward, Chief Plumb is focusing on meeting AMA obligations and separating his staff, the department, and our communities from the political currents of the situation. However, some officials from Gaines Township have reached out to myself and Chief

Plumb, and they indicate that there may be an official interest petitioning Clayton and Swartz Creek to expand the fire board to include Gaines Township.

Procedurally, any discussion about providing contractual services or expanding the authority will be a decision by Clayton and Swartz Creek at the legislative level. I recommend the fire board and city remain as observers only until and if a formal request for such service or inclusion is received from the township (village). If such a request is received, I DO recommend that the city work with Clayton to consider this as a serious option that could provide enhanced fire service for all three communities.

Chief Plumb's initial finding is that the potential to contract services to Gaines in the interim and to evaluate the potential for board expansion are very feasible. If township leadership in Gaines pursues this, our communities could begin to explore shared services while under a short term service provision agreement, with final findings available in about 12-18 months.

Some additional notes to consider: Gaines used to participate in the department but withdrew years ago. Consolidation has many benefits, especially with lower paid-on-call participation than ever before. The politics of the current situation may or may not have the requisite degree of permanence. Gaines Village apparently contracts with Gaines Township and will require representation at some level.

I will keep the council informed.

✓ **WEB CONTENT ACCESSIBILITY GUIDELINES** (*No Change of Status*)

The Department of Justice (DOJ) has adopted new accessibility requirements under Title II of the Americans with Disabilities Act (ADA) that apply to local government websites, mobile applications, and other public-facing digital services. Communities with populations under 50,000, including the City of Swartz Creek, must comply by April 26, 2028.

The new rule requires public-facing digital content to meet the Web Content Accessibility Guidelines (WCAG) 2.1 Level AA standard. This includes City websites, online forms, payment portals, agendas and packets, downloadable documents, and other digital services provided to the public.

If you are not familiar with WCAG, please watch this [video](#). These guidelines are put in place to enable web users with disabilities to access content and services. Primary examples include the need for a screen reader to be able to read all text and describe imagery to a blind user, or for meetings to include closed captioning for a deaf user. In practice, this would mean that our budget book and council packets would have to be formatting appropriately in word for reading, each image or graph would need to contain an embedded description, and scans of any content would need to be converted to digitally readable and describable content.

These document and form augmentations are not something we currently provide. We are not alone and are probably better situated than most comparable cities because of our new website, reliance on Formstack, and digital document creation techniques. While certain limited exemptions exist for archival records, older social media content, and some

third-party materials, the majority of City-provided digital content will be expected to meet accessibility standards.

Staff's initial review indicates the City's website was redesigned with accessibility considerations in mind; however, accessibility of PDF documents and other posted materials will require additional attention. Given the volume of agendas, packets, reports, and historical records maintained by the City, compliance efforts may require significant staff time and/or software solutions to ensure documents are properly formatted and accessible.

Over the coming months, staff will continue evaluating current practices, reviewing available compliance tools, and identifying any budgetary or operational impacts associated with implementation. While this sounds daunting, I suspect third party AI tools and services will greatly assist in enabling implementation and/or allowing end users to garner accessibility themselves (e.g. AI is becoming more advanced and will likely be able to interpret old scans, text, and images without additional interpretation or formatting). We will start with ensuring our primary vendors are compliant and look for conversion tools from existing providers, such as our online ordinance codification service.

Additional updates and recommendations will be provided to Council as more guidance and resources become available.

✓ **OATH OF OFFICE LEGISLATION** (*No Change of Status*)

The state has passed legislation that alters the term start dates for local councils. This will have the effect of extending current terms and delaying the start of new terms for the coming election cycle in November. Where our newly elected officials typically take office at the meeting following the election, the state law provides that such terms will now start after the 1st of December.

In addition to extending the current terms, this will also result in the extension of appointed board and commission positions that are typically proposed by the Mayor at the second November meeting. I am including some correspondence with the city attorney on the proper procedure for managing these term extensions, as well as a statement by the Michigan Municipal League (below).

“Following overwhelming bipartisan support, Governor Whitmer signed the long-awaited Oath of Office legislation. HBs 4358–4359 and SBs 240 and 241 are now Public Acts 17-20.

Together, the package addresses a conflict between state law and some municipal charters because of Proposal 2 implementation. Clerks must account for ballots that come in six days following an election and as a result, municipalities with language in their charters requiring newly elected local officials to be seated the week following an election would be doing so prior to actual certification.

Public Acts 17-20 are intended to create a more uniform term start date and ensure that elected officials are not sworn in until voting results are certified. Specifically, term start dates are to commence no earlier than 12 PM on the first day of the month following an election.

The legislation has no impact on municipalities that already seat their officials on or after this date. No municipal charter amendments are required.” -Dave Hodgkins, MML

✓ **BS&A SOFTWARE UPDATES** *(No Change of Status)*

We have engaged BS&A in the conversion from the .NET system to the Software as a Service system. We hoped to convert on or about April 1, 2027, but this has been pushed back to May 17, 2027 due to availability. Our first meeting with them on the transition was on September 8th and went well. This process will move slowly. Staff training should begin in March, data transition will begin the week of May 10, 2027, and the big move will be Monday, May 17. We DO expect some transition errors, delays, and the standard slate of expected but ‘unexpected’ problems.

See the August 10, 2026 report for full details of this move.

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

✓ **MONTHLY REPORTS** *(Update)*

Monthly reports are included.

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

✓ **PLANNING COMMISSION** *(Business Item)*

The commission met on October 6th to consider a request for rezoning of 5472 Miller. The ask is to rezone vacant land next to Wistuba lawncare from Single Family Residential to light Industrial. The commission recommended approval of the zoning change as a conditional zoning request. This is on the agenda for the council to consider in tandem with an agreement that imposes conditions upon the zoning change. As recommended, this will include combination of the subject parcel with the adjacent industrial parcel and approval of a site plan within twelve months.

I am including the zoning request, the review letter, the draft minutes, the conditional agreement, and an affirmative resolution in the packet.

The commission may be getting another site plan for a medical office expansion this year, but this seems less likely with the passing of time. Their next scheduled meeting is November 10, which is delayed one week due to the election.

I think it would be prudent to have the Planning Commission review a draft of an e-bike/scooter ordinance and a short term rental ordinance in the coming months.

The master plan is due to be reviewed in 2027. I will look to budget funds to do so with the understanding that this should require only small revisions.

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

The DDA met on October 8th. They approved a façade grant to install a patio for Feather n’ Fin, which should be partially installed this fall. They are also recommending the installation and addition of two decorative lights on Holland Drive (see below), which are before the city council at this meeting, along with the consideration of approval of an

incentive for the Brewer Townhomes (see below). Their next meeting is scheduled for November 12th.

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

The ZBA approved a variance at their July meeting. The ZBA granted the variance with conditions. For full details, see attached minutes and the [ZBA packet](#). There was not an August, September, or October meeting. Their next regular meeting date is November 18, 2026.

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

The park board met on September 15th. The board directed staff to expand the pickleball at Elms Park by adding four courts to the east of the current courts. They are requesting additional fencing and pavement markings to improve the experience. This will eliminate the westernmost basketball court, which was damaged this summer and is not currently in operation.

They also conducted their annual review of the rules and reservation form, including pricing. These were approved by the city council for the 2027 season.

The group will be awarding four homes with honors for Halloween decorations.

The board did not meet in October. The next regular meeting is set for November 17th.

✓ **BOARD OF REVIEW (No Change of Status)**

The Board of Review met on July 21st to review poverty exemptions. They reviewed two applications and granted one a 100% exemption. There were no qualified errors to review.

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

- ❑ Early Day Voting starts October 24, 2026 at city hall council chambers from 8-4 pm through November 1, 2026 every day. Residents can vote in-person and can also bring their absentee ballot to run through the tabulator if they choose to.
- ❑ As of October 22, 2026, we have received over 759 returned absentee ballots of the 1418 that have been sent out.
- ❑ The General Election is on Tuesday, November 3, 2026. The city of Swartz Creek residents can vote in-person at the Swartz Creek Community Church located at 7400 Miller Rd. from 7 a.m. to 8 p.m.
- ❑ Please return your absentee ballot to the city hall office and make sure you have signed and dated the outer envelope. You still have time to get an absentee ballot. Come into the clerk's office any time during office hours with your photo I.D.
- ❑ If you have any questions concerning the election, your voting precinct, or our election process for the city, please contact the clerk's office anytime at (810) 635-4464.

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

- ❑ Wood chipping
- ❑ ROW political and advertisement signs removed (multiple times)
- ❑ Non read meter replacement appointments
- ❑ Rental inspections
- ❑ Miss Digs staking

- ❑ Monthly Paragon samples
- ❑ Street Sweeping leaves
- ❑ DPS has asked Dependable to cut out the folded portion of the liner on Miller Rd and install a spot liner
- ❑ Winterized hydrants
- ❑ Restoration at Abrams Park around pavilion
- ❑ Painted Cemetery wall
- ❑ Repaired a faucet at Abrams Park
- ❑ Assisted Rick Henry installing new ropes on the Veterans Memorial flag pole with the bucket truck
- ❑ Watered mums
- ❑ Fall cleanout of flowers and hanging baskets
- ❑ Painted Kiwanis bench @ City Hall
- ❑ Completed painting the trim around the garage doors at the Public safety building
- ❑ Programmed garage door openers for public safety
- ❑ Installed a stop sign at Alex Marin and Russell
- ❑ Put out women's club craft show signs
- ❑ Gaines elementary school sample
- ❑ Set up and cleanup for the Jeepers Creekers Halloween event. DPS had our backhoe and an employee there handing out candy with Crosswalk Carl
- ❑ Updated GIS points for several fire hydrants
- ❑ Replaced thermostat at the church
- ❑ DPS worked with Dawes to repair water main break on Elms Rd

✓ **TREASURER UPDATE (Nichols) (Update)**

With our bank conversion complete, I did a quick audit of our interest income for the last few years. Following is a short recap of all funds totaled.

FY23: \$79,105

FY24: \$223,749

FY25: \$417,797

FY26: \$413,204

FY27: \$130,914 (First quarter of FY27.) We are on a really great investment path and it is very exciting to see the growth so far.

Summer property tax payment due date has passed, and we are gearing up for the Winter season. 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)**

- ❑ 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. This request is currently being debated in committee.
- ❑ Senator Peters has included our Miller Road appropriation request and has been included in the THUD Committee in the THIP line item in the amount of \$4M.

Considering how Congress has approved previous continuing resolutions, we should see if our request is funded by early next year.

- ❑ Volunteer groups are signing up to support Family Movie Night, which began in June.
- ❑ In addition, a \$5000 donation and a \$7,500 from the Community Foundation of Greater Flint was awarded for the Pergola this month.
- ❑ Bella's Book Nook was awarded \$980.00 from MEDC's Match on Main program. We look to finalize the reimbursement within the next two weeks.
- ❑ Phase 2 should start this month as the DDA approved funding for sound, lighting and accessories.
- ❑ Grant submission for \$10,000 was submitted through the Consumers Energy Foundation for the sound and lighting for the Pergola.
- ❑ Patronicity application for the pergola has been closed with pictures featuring Jeepers Creekers event and final budget cost.

NEW BUSINESS / PROJECTED ISSUES & PROJECTS

✓ CDBG (*Business Item*)

We have the next three-year Community Development Block Grant (CDBG) cycle planning phase upon us already, even though this will not commence for another two years (October 2028). We posted a notice for a public needs hearing for October 26th to stay on the December submission timeline. This is the first step to using federal CDBG funds for the next cycle, whether it is on senior services, infrastructure projects, or other purposes. The needs hearing will seek comment on prior and potential projects. Using this information, we will submit a pre-application packet to the Genesee County Metropolitan Planning Commission.

We are in line to receive an estimated total of \$38,433 for the next three-year allotment. This is an increase over the ~\$34,000 from the last cycle and a decrease from the earlier cycle, which was \$42,025. Up to 30% of the allocation total can be allocated to the senior center, which the city has generally observed.

The current eligibility maps do not show any low/mod income areas in the city, which makes these dollars tougher to spend, just like the last cycle. Without such qualifying areas, we are limited to spending money on senior operations, ADA improvements, blight removal, or other accepted programming as outlined in the CDBG packet. Given our circumstances, I recommend we apply to put 30% of our allocation to the Swartz Creek Area Senior Center (\$11,530) and the remaining funds to ADA features on public property (\$26,903). This could be ADA paths from parking to pavilions in the parks, sidewalk ramps in public right of ways, or the reduction of other known ADA barriers.

After the hearing and pre-application, we will get affirmation on project eligibility soon after, resulting in the need for a final resolution for a specific project on at our last December or first January meeting, depending on the timing.

An important attribute of these funds is that they require federal prevailing wages, among other federal requirements, which would apply to all costs associated with any such project. These funds are not easy to bid, award, or spend. Therefore, it is more fiscally prudent and procedurally practical to use the funds on a smaller, isolated project than as part of a larger investment, such as a streetscape.

Past projects included decorative lighting, streetscape activities, sidewalks, the amphitheater accessible viewing platform, and sign purchases.

Concerning the current cycle, we have closed out our amphitheater project, so that portion is complete. The senior center is in the process of expending year one of three funds, and they have another cycle that ends in September of 2027 and one in September 2028.

✓ **HOLLAND DRIVE STREET LIGHTS (*Business Item*)**

The DDA has been working with some representatives of the Swartz Creek Area Historical Society as it relates to lighting on Holland Drive. It has been found that Holland Drive and parts of Bicentennial Park are darker at night than preferred. After months of deliberation at the DDA level, with input from the SCAHS, the DDA is recommending installation of two lights on the east side of Holland Drive.

The cost to install these lights is over \$10,000, and the DDA is agreeable to covering this initial charge, provided that the city is able and willing to amend the street lighting contract to take on the monthly expenses for these lights. I believe the current charge for these is around \$15 per month.

I am including the agreement amendment, invoice, lighting, map, and a resolution in the affirmative in the packet.

✓ **BREWER TOWNHOME INCENTIVES (*Business Item*)**

I am recommending that the city council provide final approval of a Tax Increment Financing (TIF) Development Agreement between the Swartz Creek Downtown Development Authority (DDA) and RBF Holdings, L.L.C. for the completion of the Brewer Townhomes development.

This project has been under consideration by the DDA for several months, beginning with a formal review of the developer's incentive application in June. The proposed incentive is intended to facilitate construction of the remaining twelve townhome units, completing a significant residential redevelopment project within the downtown district.

The DDA's incentive review committee met on June 9 and June 24, 2026, to evaluate the application, project finances, development feasibility, and potential public benefits. The committee determined that the project was desirable and that financial assistance was warranted to address the anticipated gap between development costs and sales revenues. The committee subsequently directed staff to work with the applicant and city attorney to prepare a development agreement that would provide assistance while protecting the financial interests of the DDA and city.

The resulting agreement has undergone additional review by the DDA, including consideration at its September and October meetings. On October 8, 2026, the DDA approved a resolution approving the agreement and recommending its approval by the city council.

The incentive is structured as a reimbursement of eligible development costs using future tax increment revenues generated by the project. Under the agreement, the developer may

receive ninety percent (90%) of the applicable DDA tax increment revenues attributable to the twelve additional units, for a period of up to eighteen years, or until the eligible reimbursable costs and applicable interest have been paid, subject to the terms of the agreement.

Importantly, the incentive is not an upfront payment or a commitment of existing city general fund revenues. Rather, reimbursement is dependent upon the developer completing the improvements, documenting actual costs, and generating additional taxable value within the district. The amount eligible for reimbursement is determined through an accounting of development costs and sales proceeds, with payments limited by the terms of the agreement and the tax increment revenues actually collected.

The agreement also establishes expectations for completion of the remaining units in accordance with approved plans, arm's-length sales transactions, documentation of eligible expenses, and administrative review prior to reimbursement. These provisions are intended to ensure that the incentive is tied to demonstrated project costs and performance rather than speculative financial projections.

From a community development perspective, the project represents an opportunity to complete an established residential development, increase downtown housing opportunities and density, and add taxable value to the district. Additional residential households also support the long-term viability of downtown businesses, services, and public investments.

I believe the proposed agreement strikes an appropriate balance between encouraging private investment and safeguarding public resources. The DDA has undertaken a substantial review of the request, and the incentive structure ties public assistance directly to the successful completion and financial performance of the project. To affirm, approval of this incentive enables the DDA to allocate resources to this project. This approval does not require any city general fund appropriations, guarantees, or commitments.

I recommend that the city council approve the Brewer Townhomes TIF Development Agreement substantially in the form presented, authorize the appropriate city officials to execute any necessary documents, and permit final non-substantive administrative or legal revisions that do not materially alter the approved financial terms.

✓ **CHRISTMAS PARADE PERMITS (*Business Item*)**

We have a request from the Swartz Creek Area Fire Fighters Association to conduct the annual Christmas Parade and tree lighting. This year's event will be scheduled for Saturday December 5, 2025. I think we will be limited to a parade and related tree lighting only this year, which is in line with the last two events as well. At the present time, no groups have shown interest in a winter market.

As in prior years, the parade is expected to start at 6:00 PM (closure starting after 5pm). The starting point is now the Middle School (Fairchild St). The route then follows Miller east to Morrish Road, where it will pause and remain for the tree lighting event at Holland Square. At this point, Fairchild will open, and Miller (Fairchild to Hayes) will also open. Miller from Hayes to Morrish will remain closed with Holland Square until 8 pm, but it will likely open

sooner than that. This route was started a few years back in order to engage the downtown businesses. It is workable but definitely more stressful to traffic.

✓ **GENERAL MOTORS SIGNAL REQUEST (Update)**

I received a communication from GM indicating that they have reports of congestion leaving the facility at Gate 4 (the drive across from the retail plaza on Miller). This driveway used to have a fully functional signal when the facility employed 3,000+ people. With the diminishing of the workforce, the signal went to a 'flashing yellow' mode for years before it was declared obsolete about a decade ago. There have not been any known issues since.

I responded that the issues they are experiencing are likely due to temporary traffic increases on Miller Road due to the MDOT work on I-69 and the ramp closures in the area. However, I invited them to pursue the matter further if they so desired and indicated that the community would work with them on solutions. I stressed that any changes would likely require a valid traffic study (provided by the requesting party) that demonstrates a compelling need for improvements, and I reiterated that such a study should be performed under normal operating conditions. I will inform the council of any further communications and will otherwise remove this report from future packets.

✓ **HEALTH CARE RENEWAL (Update)**

The renewal for our medical healthcare premiums is estimated to be over 17% for 2027. This is another massive annual bump. In addition, the plan includes some automatically applied increases to employee costs.

Based on our initial findings, this will put the community well over the hard cap, perhaps as much as \$25,000 over (hard cap is the amount the state permits a government to spend on medical benefits based upon the composition of the group that is covered). However, based on circumstances within the unit covered, there are some adjustments to the employee census that could actually keep us under this amount. This has yet to be determined.

I do not have details to report at this time, nor am I requesting action from the council. However, there will be detailed discussion at one of our next two meetings as it relates to having the council affirm the hard cap, 80/20 split, or opt-out for the 2027 calendar year. I will provide details of past, current, and future coverage with costs prior to any such decision.

Council Questions, Inquiries, Requests, Comments, and Notes

Orienteering Course: Walt has taken the lead on this and has investigated the course. They have some tentative place to replace the medallions. We appear to be close to getting new material in the ground.

Water Main Break: Fire fighting activities on Elms Road on October 19th appear to be directly responsible for a water main break experienced in the vicinity. We are working with the fire department to prevent future breaks related to 'water hammer'.

Small Cities Meeting: We are hosting the Genesee County Small Cities and Villages Association in January instead of November. The location is TBD. Council members are encouraged to attend.

Stub Poles: We received a right of way permit to remove some stub poles in the community. Stub poles are poles that have been replaced but often remain, at half height, to support communication wires that have not migrated to the new pole. We have submitted a list of 14 additional poles that were not on the list for removal and have been told that these should be addressed.

Northwest Arkansas: The Mayor and I have been invited to attend a training event in Northwest Arkansas in November. The event is sponsored and conducted by the Genesee County Metropolitan Planning Commission and will take place November 4-6. The content will be regional governance and recreation/trail economies.

**City of Swartz Creek
RESOLUTIONS**

Regular Council Meeting, Monday, October 26, 2026, 7:00 P.M.

Motion No. 261026-4A

MINUTES – OCTOBER 12, 2026

Motion by Councilmember: _____

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday, October 12, 2026, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Motion No. 261026-5A

AGENDA APPROVAL – OCTOBER 26, 2026

Motion by Councilmember: _____

I Move the Swartz Creek City Council approve the Agenda as presented / printed / amended for the Regular Council Meeting of October 26, 2026, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Motion No. 261026-6A

CITY MANAGER'S REPORT

Motion by Councilmember: _____

I Move the Swartz Creek City Council accept the City Manager's Report of October 26, 2026, including reports and communications, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Resolution No. 261026-8B

RESOLUTION TO APPROVE THE CITY CDBG PRE-APPLICATION

Motion by Councilmember: _____

WHEREAS, the City of Swartz Creek City Council receives an allocation of Community Development Block Grant Funds from Genesee County on a three year cycle, with the next allocation expected to be \$38,433; and

WHEREAS, applications are now being accepted for service projects and construction projects; and,

WHEREAS, projects must meet specific criteria as noted on the pre-application forms, including expenditure in low/moderate income areas, or serving a low/moderate income population while accomplishing a national objective; and,

WHEREAS, the funds for services, including senior services, can equal up to 30% of the three year allocation for approved and eligible purposes; and,

WHEREAS, the city council held a public hearing on October 26, 2026 to hear public comment related to the use of such funds,

NOW, THEREFORE, BE IT RESOLVED THAT the Swartz Creek City Council submit a pre-application to the Genesee County Metropolitan Planning Commission for the three year Community Development Block Grant Distribution, an amount estimated to be \$38,433, to support all or some of the following activities:

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 261026-8C

**A RESOLUTION TO APPROVE ORDINANCE 475 TO
AMEND THE ZONING MAP AS IT RELATES TO 5472
MILLER ROAD**

Motion by Councilmember: _____

WHEREAS, a land owner has petitioned the city to zone 0.58 acres of land in the Single Family Residential District (R-1) to Light Industrial District (I-1), and;

WHEREAS, the petition to rezone has been reviewed by the city's planning commission as it relates to master plan objectives, future land use map, and zoning ordinance requirements; and,

WHEREAS, following a public hearing held October 6, 2026, the Planning Commission reviewed the proposed amendment pursuant to the criteria contained in Section 24.04 of the Zoning Ordinance and found that the proposed conditional rezoning of the property to I-1, Light Industrial, subject to conditions voluntarily offered by the owner, is consistent with the Master Plan and satisfies the applicable zoning amendment criteria; and,

THEREFORE, I MOVE the City of Swartz Creek ordains:

ORDINANCE NO. 475

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF SWARTZ CREEK
TO AMEND THE ZONING MAP.**

THE CITY OF SWARTZ CREEK ORDAINS:

Section 1. Amendment of the Zoning Map of the City of Swartz Creek.

The Official Zoning Map of the City of Swartz Creek is hereby amended to conditionally rezone the following described property from Single Family Residential (R-1) to Light Industrial (I-1):

LOT 4 SUPERVISORS PLAT NO 44; commonly known as 5472 Miller Road, Parcel No. 58-29-551-002.

The rezoning approved by this Ordinance is a conditional rezoning and is expressly subject to the voluntary conditions offered by the property owner and incorporated into the Conditional Rezoning Agreement approved by the City Council in conjunction with this Ordinance. The Conditional Rezoning Agreement and the conditions contained therein are incorporated into and made a part of this conditional rezoning.

Section 2. Conditional Rezoning Agreement

The conditional rezoning granted by this Ordinance shall be subject to the terms and conditions of the Conditional Rezoning Agreement between the City of Swartz Creek and the property owner. The Mayor and City Clerk are authorized and directed to execute the agreement on behalf of the City.

Section 3. Effective Date.

This ordinance shall be effective 20 days after publication.

At a regular meeting of the City Council of the City of Swartz Creek held October 26, 2026, adoption of the foregoing ordinance was moved by _____ and supported by _____.

Voting for:

Voting against:

The Mayor declared the ordinance adopted.

Nate Henry
Mayor

CERTIFICATION

The foregoing is a true copy of Ordinance No. 475 which was enacted by the City Council of the City of Swartz Creek at a regular meeting held on October 26, 2026.

Jacquie Forrest, City Clerk

Publish Date: _____
Swartz Creek View

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 261026-8D

**A RESOLUTION TO APPROVE THE BREWER TOWNHOMES
TAX INCREMENT FINANCING DEVELOPMENT
AGREEMENT**

Motion by Councilmember: _____

WHEREAS, the City of Swartz Creek Downtown Development Authority (DDA) is authorized to use tax increment revenues to support eligible development and redevelopment activities within the Downtown Development District, consistent with its Development Plan and Tax Increment Financing Plan, pursuant to Public Act 57 of 2018, as amended; and

WHEREAS, the City of Swartz Creek Tax Abatement and Incentive Policy recognizes Tax Increment Financing (TIF) assistance as a local economic development incentive intended to encourage private investment, redevelopment, and improvements that advance the goals of the City and DDA; and

WHEREAS, RBF Holdings, L.L.C. has proposed the Brewer Townhomes project, consisting of residential redevelopment involving twelve parcels within the Downtown Development District, and has requested TIF assistance to address financial feasibility challenges associated with the development; and

WHEREAS, the DDA TIF Review Committee reviewed the project and request for TIF assistance at meetings held June 9, 2026, and June 24, 2026, and recommended approval subject to conditions to be addressed in the Development Agreement; and

WHEREAS, the proposed Development Agreement between RBF Holdings, L.L.C. and the DDA provides for reimbursement of eligible project costs from tax increment revenues generated by the development, with ninety percent (90%) of applicable DDA tax increment revenues available for reimbursement, subject to an aggregate Gap Amount not exceeding \$630,000, interest accruing at six percent (6%) annually on approved Gap Amounts, and a reimbursement period not exceeding eighteen (18) years without further authorization; and

WHEREAS, the Development Agreement establishes procedures for the verification of eligible development costs, completion and sale of individual residential units, documentation of arm's-length transactions, and review and approval of reimbursement

requests, together with provisions for compliance, financial accountability, and protection of the public interest; and

WHEREAS, the Downtown Development Authority, at its regular meeting of October 8, 2026, adopted Resolution No. 261008-03 by a unanimous vote of five (5) members voting in favor and none opposed, approving the Brewer Townhomes TIF Development Agreement substantially in the form presented and recommending its approval by the Swartz Creek City Council; and

WHEREAS, the DDA further authorized its appropriate officers to execute the Development Agreement following City Council approval, subject to final non-substantive legal and administrative revisions approved by the City Attorney and City Manager that do not materially alter the approved financial terms; and

WHEREAS, the City Council finds that the Brewer Townhomes project is consistent with the City's economic development objectives and the DDA's redevelopment goals, including the encouragement of additional residential density, private investment, increased taxable value, and redevelopment within the Downtown Development District.

NOW, THEREFORE, I MOVE THE CITY OF SWARTZ CREEK APPROVE the Brewer Townhomes Tax Increment Financing Development Agreement between RBF Holdings, L.L.C. and the City of Swartz Creek Downtown Development Authority, substantially in the form presented to the City Council, including the exhibits and attachments incorporated therein.

BE IT FURTHER RESOLVED, that the City Council concurs with the recommendation of the Downtown Development Authority and authorizes the appropriate DDA officers to execute the Development Agreement following final review by the City Attorney and City Manager, who may approve non-substantive legal, technical, and administrative revisions that do not materially alter the financial terms, reimbursement limitations, or obligations established by the Agreement.

BE IT FURTHER RESOLVED, that reimbursement obligations established under the Development Agreement shall be payable solely from tax increment revenues legally available to the DDA and attributable to the development, in accordance with the terms of the Agreement, and shall not constitute a general obligation of the City of Swartz Creek or require an appropriation from the City's general fund.

BE IT FURTHER RESOLVED, that any material amendment to the financial terms of the Development Agreement, including an increase in the maximum Gap Amount, a change in the percentage of tax increment revenues available for reimbursement, or an extension of the authorized reimbursement period, shall require further approval by the Downtown Development Authority and City Council.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

**RESOLUTION TO APPROVE CONSUMERS ENERGY
LIGHTING AGREEMENT – HOLLAND DRIVE**

Motion by Councilmember: _____

WHEREAS, the street lights in the city are owned and operated by Consumers Energy Company (CE), a Michigan utility with principal offices located at One Energy Plaza, Jackson MI, 49201; and

WHEREAS, CE is the sole provider of street lights, electrical delivery, and maintenance on said lights in the County of Genesee, including Swartz Creek City; and

WHEREAS, CE supplies street lighting services to the city under a current standard street lighting contract, Number 103033446230, which outlines specific fixture counts and types, said contract restated on November 1, 2018 and revised from time to time; and

WHEREAS, the City seeks additional changes to the street lighting services agreement that include the addition of lighting to Holland Drive and subsequent billing for such new light; and

WHEREAS, Consumers Energy requires approval of an amendment to the existing street light contract and affirmation of the work orders to install new lighting in accordance with the restated and amended lighting contract; and

WHEREAS, the Swartz Creek Downtown Development Authority agrees to reimburse the city the full cost of installation, \$10,282.50, provided the City of Swartz Creek consents to financially support ongoing operation and maintenance costs.

NOW THEREFORE, BE IT RESOLVED, it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the lighting service as provided in the Standard Lighting Contract between the Company and the City of Swartz Creek, dated November 1, 2018, in accordance with the Agreement for Modifications of Electric Facilities letter, dated July 16, 2026 and Authorization for Change in Standard Lighting Contract, as included in the October 26, 2026 City Council Packet.

BE IT FURTHER RESOLVED, that it is hereby deemed advisable to enter into a contract with Consumers Energy Company for furnishing lighting service within the City of Swartz Creek for a period of one year and thereafter from year to year, in accordance with the terms of the contract heretofore submitted to the city council.

BE IT FURTHER RESOLVED, that the city agrees to the terms and conditions of form 547 as included in the city council packet of October 26, 2026 and further directs the City Clerk to execute said agreements and forms that represent the aforementioned terms and conditions.

BE IT FURTHER RESOLVED, that the city agrees to furnish payment to Consumers Energy in accordance with invoice #9328865466, charges totaling \$10,282.50 for furnishing and installation of lights, costs to be invoiced to the Swartz Creek DDA.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 261026-8F

RESOLUTION TO APPROVE STREET USAGE & PUBLIC SPACE PERMIT FOR THE ANNUAL FIRE DEPARTMENT CHRISTMAS PARADE

Motion by Councilmember: _____

WHEREAS, the City of Swartz Creek issues street closure permits and public plaza usage permits for the purposes of holding public events from time-to-time; and,

WHEREAS, the Swartz Creek Area Firefighters Association has submitted an application for such a street closure for the purposes of hosting an annual Christmas parade in downtown Swartz Creek, as well as an application to use Holland Square and the adjacent streets for a Tree Lighting event; and,

WHEREAS, the Chief of Police finds the application satisfactory and the City Council finds the time, place, and manner of the parade and related events to be conducive to the health, safety, and welfare of the community.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Swartz Creek accept the Chief of Police's recommendation and approve the Swartz Creek Area Fire Fighters Association's Street Usage Application to hold an annual Christmas Parade on Saturday, December 5, 2026 from 6:00 PM to 8:00 PM (Fairchild to Miller, Miller from Fairchild to Morrish), route, stipulations and conditions as set forth in the application packet, a copy of which is included in the October 26, 2026 city council packet, under the direction and control of the office of the Chief of Police.

BE IT FURTHER RESOLVED THAT the City of Swartz Creek City Council hereby approves the Swartz Creek Area Fire Fighters Association's Municipal Property Reservation request to hold an annual tree lighting event for Holland Square and Holland Drive on Saturday, December 5, 2026 from 6:00 PM to 8:00 PM, under the direction and control of the office of the Chief of Police.

BE IT FURTHER RESOLVED THAT the City of Swartz Creek City Council hereby authorizes and directs the Mayor to ensure quality weather, not too hot or too cold, with just the right amount of seasonal snow, for said events.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 261026-8G

CLOSED SESSION TO CONSIDER PENDING LITIGATION (ROLL CALL VOTE)

Motion by Councilmember: _____

WHEREAS, the City of Swartz Creek City Council desires to consult with the city attorney regarding pending litigation, the public discussion of which would have a detrimental financial effect on the position of the public body, and;

WHEREAS, the MCL 15.268(e) permits a governing body to enter a closed session to consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body.

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 pending litigation.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Motion No. 261012-11A

ADJOURN

Motion by Councilmember: _____

I Move the Swartz Creek City Council adjourn the regular council meeting of October 26, 2026.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE October 12, 2026**

The meeting was called to order at 7:00 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, Krueger, Knickerbocker, Henry.

Councilmembers Absent: None.

Staff Present: City Treasurer Amy Nichols, Clerk Jacquie Forrest.

Others Present: Jeff Kelley, John Pobocik

Others Virtually Attended:

APPROVAL OF MINUTES

Resolution No. 261012-01

(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 September 28, 2026 to be circulated and placed on file.

Councilman Krueger noted a correction to the minutes on September 28, 2026, for the motion of the approval of the agenda from Councilmember Gilbert to Councilman Krueger.

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

APPROVAL OF AGENDA

Resolution No. 261012-02

(Carried)

Motion by Councilmember Krueger
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Agenda as printed for the Regular Council Meeting of October 12, 2026, to be circulated and placed on file.

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

CITY MANAGER'S REPORT

Resolution No. 261012-03

(Carried)

Motion by Councilmember Melen
Second by Councilmember Gilbert

I Move the Swartz Creek City Council accept the City Manager's Report of October 12, 2026, including reports and communications to be circulated and placed on file.

Discussion Ensued.

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

MEETING OPENED TO THE PUBLIC:

None.

COUNCIL BUSINESS:

RESOLUTION TO AMEND THE PARK RULES, RESERVATION FORM

Resolution No. 261012-04

(Carried)

Motion by Mayor Pro Tem Hicks
Second by Councilmember Melen

WHEREAS, the City of Swartz Creek owns, operates, and maintains public park and recreation facilities and desires to promote safe and equitable use of those facilities; and **WHEREAS**, the city regulates use of city parks through the adoption of "Park Rules and Regulations" as enabled and enforceable under City Ordinance Section 11-47, Park Rules and Regulations, which reads as follows: the City Council may by resolution adopt rules and regulations governing the use of parks, including prohibitions or restrictions on uses and acts within parks; and

WHEREAS, the City Council amended the Park Reservation Form at the meeting using an older form with older pricing that was not appropriately updated.

NOW, THEREFORE, BE IT RESOLVED, the Swartz Creek City Council hereby approve the amended reservation form as attached.

Discussion Ensued.

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

RESOLUTION TO AMEND AND RESTATE CITY-WIDE RATES, FEES, AND CHARGES

Resolution No. 261012-05

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Knickerbocker

WHEREAS, the City sets rates and collects fees, fees for permits, charges for services, cost recovery for public safety and cost recovery for consulting services (rates, fees, & charges), and;

WHEREAS, such rates, fees, & charges are a necessary and essential part of the funding for the services that the City provides, and;

WHEREAS, the City's Code of Ordinances defines and provides for certain rates, fees, & charges, and;

WHEREAS, other such rates, fees, & charges are provided for by resolution of the City Council, statutory provision, past practice, policy and other such actions, and

WHEREAS, the City has amended the City's Code of Ordinances to provide for various rates, fees, & charges to be set by resolution of the City Council, and;

WHEREAS, the City has need to implement additional rates, fees, & charges to be set by resolution of the City Council, and;

WHEREAS, the City desires to have all such rates, fees, & charges organized into a single resolution that can be visited periodically and adjusted accordingly.

NOW, THEREFORE, BE IT RESOLVED the City of Swartz Creek hereby sets its rates, fees, & charges in accordance with the following schedule, effective immediately or as soon as practical thereafter, table as follows:

CITY OF SWARTZ CREEK RATES, FEES PERMITS & CHARGES FOR SERVICES
(All fees may be paid in person with cash, check, or card. Building and utility fees may be paid online with card or e-check)

1. Chapter 1: Municipal Ordinance Violations Bureau (Parking Fines)

The following parking violations shall be punishable by the fines indicated.

<u>Offense</u>	<u>Fine</u>
(a) Parking too far from curb	\$ 40.00
(b) Angle parking violations	\$ 40.00
(c) Obstructing traffic	\$ 40.00
<u>Prohibited parking (signs un-necessary)</u>	
(d) On sidewalk	\$ 40.00
(e) In front of drive	\$ 40.00
(f) Within intersection	\$ 40.00

(g) Within 15 feet of hydrant	\$ 40.00
(h) On crosswalk	\$ 40.00
(i) Within 20 feet of crosswalk or 15 feet of corner lot lines	\$ 40.00
(j) Within 30 feet of street side traffic sign or signal	\$ 40.00
(k) Within 50 feet of railroad crossing	\$ 40.00
(l) Within 20 feet of fire station entrance	\$ 40.00
(m) Within 75 feet of fire station entrance on opposite side of street (signs required)	\$ 40.00
(n) Beside street excavation when traffic obstructed	\$ 40.00
(o) Double parking	\$ 40.00
(p) On bridge of viaduct or within tunnel	\$ 40.00
(q) Within 200 feet of accident where police in attendance	\$ 40.00
(r) In front of theater	\$ 40.00
(s) Blocking emergency exit	\$ 40.00
(t) Blocking fire escape or fire lane	\$ 50.00
(u) In a handicapped space	\$100.00
(v) In prohibited zone (signs required)	\$ 40.00
(w) In alley (signs required)	\$ 40.00

Parking for prohibited purpose

(x) Displaying vehicle for sale	\$ 40.00
(y) Working or repairing vehicle	\$ 40.00
(z) Displaying advertising	\$ 40.00
(aa) Selling merchandise	\$ 40.00
(bb) Storage over 48 hours	\$ 40.00
(cc) Wrong side boulevard roadway	\$ 40.00
(dd) Loading zone violation	\$ 40.00
(ee) Bus, parking other than bus stop	\$ 40.00
(ff) Taxicab, parking other than cab stand	\$ 40.00
(gg) Bus, taxicab stand violations	\$ 40.00
(hh) Failure to set brakes	\$ 40.00
(ii) Parked on grade wheels not turned to curb	\$ 40.00
(jj) Parked on lawn extension within right of way	\$ 40.00
(kk) Parked on front lawn	\$ 40.00

All \$40.00 violations not paid within 20 days will be assessed a \$20.00 late fee.

2. Chapter 2: Liability for Expense of an Emergency Operation (Hazardous Materials Cleanup Cost Recovery)

Cost shall be actual expenses inclusive of all Police & Fire Department wages, equipment and motor-pool and / or any sub-contracted actual expenses associated with hazardous materials clean-up.

3. Chapter 2: Liability for Expense of an Emergency Response (Alcohol Related Arrests, Accidents)

A. A cost of \$150 shall be assessed to each defendant convicted of O.U.I.L. – O.U.I.D or O.W.I. The cost recovery shall be collected as a part of the fines and costs set by the 67th District Court.

B. Actual costs shall be assessed to each defendant convicted of O.U.I.L. – O.U.I.D or O.W.I. in which a motor vehicle accident occurred. The cost recovery shall be collected as a part of the fines and costs set by the 67th District Court. In the event the court declines collection, they shall be billed direct to the defendant.

- C. For the purpose of determining costs for extensive investigation and cleanup recovery for emergency response for alcohol related arrests and accidents, the following table shall be used:

Fire

Pumper	\$250.00/hour
Tanker	\$350.00/hour
Squad/Utility	\$200.00/hour
Grass	\$200.00/hour
Command	\$150.00/hour
Officers	\$24.00/hour
Firefighters	\$18.00/hour

Police

Officers	\$64/hour
Officer Overtime	\$72/hour
Police Car	\$15.00/hour

4. **Chapter 5: Cemetery Lots - Purchase**

The cost for purchase of cemetery lots will be \$600.00 per lot.

5. **Chapter 5: Cemetery, Charges for Grave Openings, etc.**

Grave openings shall be actual costs, either as sub-contracted or performed by City Employees, plus a 15% administrative fee.

6. **Chapter 11: Park Reservation Fees**

Elms Park

Pavilion #1	\$80.00(\$270 non-resident)
Pavilion #2	\$100.00(\$325 non-resident)
Pavilion #3	\$50.00(\$200 non-resident)
Pavilion #4	\$80.00(\$270 non-resident)

Abrams Park

Pavilion #1	\$50.00(\$200 non-resident)
Pavilion #2	\$50.00(\$200non-resident)
Pavilion #3	\$40.00(\$170 non-resident)
Pavilion #4	\$40.00(\$170 non-resident)

Otterburn Park

Pavilion #1	\$80.00(\$270 non-resident)
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Deposit \$300.00*

*Deposit to be forfeited with any validated park rule or ordinance violation attributed to the reserving entity.

7. **Chapter 12: Peddlers and Solicitors License and Background Check**

\$50.00 for primary permit and one background check plus \$20 for each additional background check.

8. **Chapter 15: Permit, Sidewalk Installation**

\$50.00

9. **Chapter 15: Permit for Excavation, Right of Way or Other City Property**

\$100.00

10. **Chapter 19: Water System Use, Rates and Charges**

(A) Charges for water supply services to premises within the city connected with the water supply system shall be as follows:

Rates for Quarterly Billings

Readiness to serve charge

5/8", 3/4", 1"	\$60.76
1.5"	\$241.14
2"	\$385.84
3"	\$723.45
4"	\$1,205.76
6"	\$2,411.50

Commodity charge (per 100 cubic feet of water): \$7.87

Additional meters, connected for the exclusive purpose of registering water consumed and NOT returned to the sewer system shall be charged the commodity charge only (example: lawn sprinkler system).

(B) Any water customer may have water services temporarily shut off for any time period during which the premises, for which the water service is provided, will be unoccupied. The request for such shut off shall be made in writing on forms to be provided by the city. The written request shall specify the reason for the shut off and the date on which the water service shall be shut off.

(C) There shall be a Twenty Dollar (\$20.00) charge for shutting off the water service pursuant to such request and a Twenty Dollar (\$20.00) charge for turning the water service back on, if the shut off or turn on is performed during normal business hours. If this shut off or turn on is performed outside of normal business hours, the charge shall be One-Hundred Dollars (\$100.00).

If water is shut off and/or turned back on pursuant to account delinquency, the fee shall be Forty Dollars (\$40.00) per turn off and Forty Dollars (\$40.00) per turn on. This fee shall be applied upon deployment of the field crew for water shut off. Requests for after-hours turn on shall cost One-Hundred Dollars (\$100.00). The City Manager may waive any shut off and turn on fees for reasonable cause.

(D) Water customers shall continue to be billed for a readiness to service charge while connected to the system.

(E) Bulk water sales shall be in accordance with the following fee schedule:

Bulk Water Purchases

1 cubic ft. = 7.4805

Gallons

Gallons	Cubic ft.	Cost
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3,740	499.96658	\$109.20
5,000	668.40452	\$121.80
10,000	1336.809	\$168.00
15,000	2005.2136	\$214.20
20,000	2673.6181	\$259.35

11. Chapter 19: Water & Sewer Tap Fees

(A) There shall be paid, with respect to all premises connecting to the water and sanitary sewer system of the city, a tap-in fee pursuant to the following schedules:

- (1) Single-family residence--\$1,500 each for water & sanitary sewer
- (2) Multiple-family residence--\$1,500 per unit each for water and sanitary sewer

(B) All other uses connecting to the water and/or sanitary sewer system of the city shall be required to pay tap-in fees at the rate of one-thousand, five hundred dollars (\$1,500) per unit factor, pursuant to the unit factor table provided for by the Genesee County Division of Water and Waste. In no case shall tap-in fees be less than one-thousand, five hundred dollars (\$1,500).

(C) Furthermore, for any structure used generally for more than one (1) purpose, connection fees shall be determined by applying the appropriate unit factors as set by the Genesee County Division of Water and Waste, to the various uses on any level, grade or sub-grade plane of the structure, provided that it is intended that the fees so derived shall be cumulative. Tap fees shall also apply for any additional units that may be calculated and applied by the County WWS pursuant to change in use or otherwise.

12. Chapter 19: Sanitary Sewer Rates

Rates for Quarterly Billings

Readiness to serve charge (per Residential Equivalent Unit):	\$53.53
Readiness to serve charge (non-metered accounts):	\$130.43
Commodity charge (per 100 cubic feet of water consumed):	\$2.52

A readiness to serve charge equal to the number of calculated sewer units shall be charged to all customers connected to the city's sewer system to offset fixed costs of system operation. In addition, a commodity charge shall be applied to the sewer bill in an amount equal to the above rate multiplied by the number of ccf that the accompanying water account registers. If the sewer connection is not accompanied by a water meter to register water usage, the charge shall be considered non-metered and no commodity charge shall be applied.

For the purposes of determining sanitary sewer rates, per unit sewage disposal calculations resulting in a fraction of a whole number shall be rounded up to the next highest whole number.

13. Chapter 20: Weed Cutting Fees

\$300 per cut

14. Building & Trade Inspection Fees*

A. Building Permit Fees:

**The total cost of Improvement is based on the International Code Council (ICC)
Building Valuation Square Foot Construction Cost Table.**

Application Fee, non-refundable:	\$125.00
Up to \$1,000 (includes one 1 inspection).....	\$125.00
\$1,001.00 to \$10,000.00 (includes 1 inspection)..	\$125.00 plus \$10.00 per \$1,000.00
\$10,001.00 to \$100,000.00	\$225.00 plus \$7.00 per \$1,000.00
\$100,001.00 to \$500,000.00	\$925.00 plus \$6.50 per \$1,000.00
\$500,001 plus	\$3,250.00 plus \$6.00 per \$1,000.00
Residential Roof (Includes 1 inspection)	\$125
Mobile Home Set (Includes 1 inspection)	\$300
All work not involving a sq. foot computation:	\$125
Residential plan review and administration base fee	\$125/hr, with a \$500 minimum plus applicable third party fees
Residential Minor plan review (Building Dept. determination)	First hour included with application fee, \$125 each additional hour plus any third party fees
Commercial plan review up to \$500,000 valuation	\$0.0019 of building valuation with a minimum of \$500 plus third party fees
Commercial plan review over \$500,000 valuation	\$0.0006 plus \$950 of building valuation plus third party fees
Parking Lot (resurfacing, reconstruction, addition)	\$200 or \$0.02/sf, whichever is greater
Inspections (each)	\$125
Certificate of Occupancy (Residential)	\$125
Certificate of Occupancy (Commercial)	\$300
Commercial Temp C of O for stocking and staffing...	\$ 2,000.00 plus bond equal to 150% of uncompleted items
(not open for business) as estimated	by the Building Department
Work Commencing Before Permit Issuance	\$500
B. Electrical Inspection Fees	
Application Fee (non-refundable)	\$80
Work Commencing Before Permit Issuance	\$120

fees

Plan Review \$125/hr plus third party

New Residential Electrical System

Up to 1,500.00 sq. foot	\$90.00
1,501 to 3,500 sq. foot	\$140.00
Over 3,500 sq. foot	\$190.00

Service

Through 200 Amp.	\$20
Over 200 Amp. thru 600 Amp.	\$25
Over 600 Amp. thru 800 Amp.	\$200
Over 800 Amp. thru 1200 Amp.	\$300
Over 1200 Amp. (GFI only)	\$500
Circuits	\$7
Lighting Fixtures-per 25	\$7
Dishwasher	\$7
Furnace-Unit Heater	\$7
Electrical-Heating Units (baseboard)	\$8
Power Outlets (ranges, dryers, etc.)	\$9

Signs

Unit	\$6
Letter	\$10
Neon-each 25 feet	\$20

Feeders-Bus Ducts, etc.-per 50'	\$8
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Mobile Home Park Site	\$7
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Recreational Vehicle Park Site	\$7
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K.V.A. & H.P.

Units up to 20	\$4
Units 21 to 50 K.V.A. or H.P.	\$6
Units 51 K.V.A. or H.P. & over	\$10

Fire Alarm Systems (excl. smoke detectors)

Up to 10 devices	\$50
11 to 20 devices	\$100
Over 20 devices	\$5 each

Low voltage - Per opening (devices)	\$5 each
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Energy Retrofit-Temp. Control	\$45
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Conduit only or grounding only	\$45
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Inspections

Special/Safety Insp. (includes cert. fee)	\$110
Additional Inspection	\$110
Final Inspection	\$110
Certification Fee	\$75

C. Mechanical Inspection Fees

Application Fee (non-refundable)	\$80
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fees

Work Commencing Before Permit Issuance	\$120
Plan Review	\$125/hr plus third party

Residential Heating System

(Includes duct & pipe)	
Up to 1,500 sq. feet	\$90
1,501 to 3,500 sq. feet	\$140
Over 3,500 sq. feet	\$190
Gas/Oil Burning Equipment Under 400,000 Btu	\$30
Gas/Oil Burning Equipment Under 400,000 Btu In Boiler	\$40
Water Heater	\$30
Damper/Flue	\$5
Solid Fuel Equip. (includes chimney)	\$5
Gas Burning Fireplace	\$30
Chimney, factory built (installed separately)	\$30
Solar; set of 3 panels-fluid transfer (includes piping)	\$25
Gas piping; each opening-new installation (residential)	\$20
Air Conditioning (includes split systems)	\$5
1.5hp to 15 hp	\$30
Over 15 hp	\$50
Heat Pumps (complete residential)	\$30
Dryer, Bath & Kitchen Exhaust	\$5

Tanks

Aboveground	\$20
Aboveground Connection	\$20
Underground	\$20
Underground Connection	\$20
Humidifiers/Air Cleaners	\$5

Piping

Piping-minimum fee \$25	\$.05/ft
Duct-minimum fee \$25	\$.10/ft
Heat Pumps; Commercial (pipe not included)	\$20

Air Handlers/Heat Wheels

Conversion Burners (oil)	\$25
Commercial Hoods/Exhausters	\$30
Heat Recovery Units	\$15
V.A.V. Boxes	\$10
Unit Ventilators	\$10
Unit Heaters (terminal units)	\$10
	\$15

Fire Suppression/Protection/Other

(includes piping) –minimum fee \$20	\$.75/head
Limited Area Suppression (per head)	\$2
Fire Suppression Hood (per head)	\$4
Evaporator Coils	\$30
Refrigeration (split system)	\$30
Chiller	\$30

Cooling Towers	\$30
Compressor/Condenser	\$30
Manufactured Chimney	\$25
Exhaust Fans	\$20
Multi Zone Self Contained Units	\$25
Through Wall Units	\$25
Ranges (gas)	\$20

Inspections

Special/Safety Insp. (includes cert. fee)	\$110
Additional Inspection	\$110
Final Inspection	\$110
Certification Fee	\$75

D. Plumbing Inspection Fees

Application Fee (non-refundable)	\$80
Work Commencing Before Permit Issuance	\$120

Plan Review	\$125/hr plus third party
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fees

New Residential Plumbing System

Up to 1,500 sf	\$90
1,501 to 3,500 sf	\$140
Over 3,500 sf	\$190

Mobile Home Park Site	\$7 each
Fixtures, floor drains, special drains,	\$4 each
Water connected appliances	\$4 each
Stacks (soil, waste, vent and conductor)	\$2 each
Sewage ejectors, sumps	\$5 each
Sub-soil drains	\$5 each

Water Service

Less than 2"	\$25
2" to 6"	\$75
Over 6"	\$100
Connection (bldg. drain-bldg. sewers)	\$25

Sewers (sanitary, storm or combined)

Less than 6"	\$25
6" and Over	\$100
Manholes, Catch Basins	\$15 each

Water Distributing Pipe (system)

¾" Water Distribution Pipe	\$5
1" Water Distribution Pipe	\$10
1 ¼" Water Distribution Pipe	\$15
1 ½" Water Distribution Pipe	\$20
2" Water Distribution Pipe	\$25
Over 2" Water Distribution Pipe	\$30
Reduced pressure zone back-flow preventer	\$5 each
Domestic water treatment and filtering equipment only	\$5
Medical Gas System	\$45

Inspections

Special/Safety Insp. (includes cert. fee)	\$110
Additional Inspection	\$110
Final Inspection	\$110
Certification Fee	\$75

15. Chapter 22: General Emergency Response Fees

Fire

Pumper	\$250.00/hour
Tanker	\$350.00/hour
Squad/Utility	\$200.00/hour
Grass	\$200.00/hour
Command	\$150.00/hour
Officers	\$24.00/hour
Firefighters	\$18.00/hour

Police

Officers	\$51.54/hour
Officer Overtime	\$62.34/hour
Police Car	\$15.00/hour

16. Appendix B: Franchises

\$250 application fee plus actual expenses related to preparation by City Attorney.

17. Miscellaneous Fees

A. *Copies:*

Black & White: 10¢ for page.

Color or Mixed Color and Black & White: 25¢ per page

B. *Freedom of Information Act Requests:*

See the City of Swartz Creek Freedom of Information Act Procedures & Guidelines: adopted June 22, 2015 for details. Standard requests shall be charged 10¢ for 8.5 x 11 page (25¢ for color or mixed color) plus all actual costs for outside re-production (i.e. photo re-prints, blueprint copies, digital media storage, etc.). Extensive search requests shall have an additional per hour fee equal to wages only of the lowest paid clerical position employed with the City (\$8.15/hour with a 1.1 fringe multiplier, totaling \$8.97/hour).

C. *Weddings:*

\$50 per ceremony

D. *Fax Services:*

50¢ per page for the first 10 pages, then \$0.25 per page thereafter

E. *Notary Services:*

\$10.00 per item

F. *Insufficient Funds:*

\$25 each for any check returned unpaid for account insufficient, closed or stopped

G. *Penalties on Outstanding Invoices/Miscellaneous Receivables:*

\$10 penalty for unpaid miscellaneous receivables, including but not limited to: utility bills,

mowing invoices, sidewalk repair, project reimbursements, charges for services, and retiree coverage contributions. This penalty shall be applied once to “past due” invoices.

H. *Interest on Outstanding Invoices/Miscellaneous Receivables:*

1.5% interest per month on outstanding invoices that are 30 days “past due”.

*Payments made toward outstanding balances shall be applied in the following order:
interest, penalties, principle.

18. Chapter 13 & 16: Development Plans, Administrative Fees, Subdivision Site Plan & Review Fees*

A. Site Plan Review:

Property Re-Zoning	\$500
Single & Multiple-Family (non-plat)	\$300 plus \$10.00 per lot/unit
Mobile Home Park	\$500 plus \$10.00 per unit
Commercial Development	\$500 plus \$50.00 per acre/fraction
Industrial Development	\$500 plus \$50.00 per acre/fraction
Office Development	\$500 plus \$50.00 per acre/fraction
Institutional	\$300 plus \$50.00 per acre/fraction
Public/semi-public uses	\$300 plus \$50.00 per acre/fraction
Special Approval or Conditional Use	\$300 plus \$10.00 per acre/fraction
PUD/Mixed Use Review	\$500 plus \$50.00 per acre/fraction
Consulting and/or Third Party Fees	Actual consultant costs plus 5%
Revisions	½ of original review fee

B. Building and Zoning:

Zoning Permit (Includes 1 hr review and inspection)	\$125
Zoning Letter	\$75
Sidewalk Permit	\$50
Sign Permit	See Building Permits
Structure Movement Permit	\$200
Demolition Permit (Including ROW Permit)	\$200 + \$0.10/sf
Right of Way Permit (Residential)	\$100
Right of Way Permit (Commercial and/or Road Break) escrow	\$250 +review/inspection
Home Occupation Permit	\$95
Variance Review	\$300 per variance
Zoning Board of Appeals: Petitioned Interpretation Review	\$150
Zoning Board of Appeals: Appeal Review	\$250
Lot Split/Combination: City Ordinance Section 16.2	\$150 plus \$5.00 per lot
Public or Private Road Plan Reviews	\$400 per mile/fraction
Consulting Fees	Actual consultant costs
Zoning Code	\$10 CD, \$25 Paper
Engineering Standards Manual	Copy \$10 CD, \$25 Paper
Medical Marijuana Dispensary/Facility Review	Copy \$500
Consulting and/or Third Party Fees	Actual consultant costs plus 5%

C. Subdivision Review

Preliminary Subdivision Review-Tentative	\$300 plus \$5.35 per lot
Preliminary Subdivision Review- Final	\$160 plus \$2.70 per lot
Final Plat Review	\$160 plus \$1.00 per lot

Consulting and/or Third Party Fees

plus 5%

Actual consultant costs

- Consultant fees and or third party fees are those planning, engineering, legal, or related services performed unstaffed professionals. Such fees are employed and billed to the city, and are to be paid by the applicant. A pre-determined escrow will be estimated and required by the city prior to engaging in such services, which may need to be adjusted accordingly. Such invoices shall be payable by the applicant with an additional 5% fee.

19. Chapter 1: Municipal Civil Infraction Fines

Civic Infraction Citation Fines:

First Offense	\$100
Second Offense	\$200
Third Offense	\$300

Civic Infraction Notice Fines:

First Offense	\$75
Second Offense	\$150
Third Offense	\$250

20. Rental Inspection Program Fees

Registration	\$100 for the first unit, plus \$25 for each additional unit on a shared premises, with common ownership and management, or within recognized apartment complexes
Follow up inspections	The initial and one follow-up inspection will be performed without additional fees. Subsequent inspections shall be charged at the rate of \$100/unit
Registration Updates/Amendments Coverage	No charge The initial fee covers the registration and first inspection and is valid until the resulting certificate of compliance expires
Pro-ration	There shall be no pro-ration of fees

ADOPTION & REVISION HISTORY:

Resolution No. 050711-07	Dated July 11, 2005
Resolution No. 100208-06	Dated February 8, 2010
Resolution No. 101206-04	Dated December 6, 2010 (Water-Sewer-RTS)
Resolution No. 111114-05	Dated November 14, 2011 (Park Fees)
Resolution No. 110613-07	Dated June 13, 2011 (Water Fees)
Resolution No. 120611-05	Dated June 11, 2012 (Water Fees)
Resolution No. 120709-05	Dated July 9, 2012 (Bulk Water Fees)
Resolution No. 130610-09	Dated June 10, 2013 (Water Fees)
Resolution No. 130826-06	Dated August 26, 2013 (K.W.A. Water Fees)
Resolution No. 140922-07	Dated September 22, 2014 (Utility and MMD Fees)
Resolution No. 150824-05	Dated August 24, 2015 (FOIA, Rentals, Utility Fees)
Resolution No. 151214-05	Dated December 14, 2015 (Parking)
Resolution No. 160523-05	Dated May 23, 2016 (Water and Sewer)
Resolution No. 160808-04	Dated August 8, 2016 (Solicitation)
Resolution No. 171023-07	Dated October 23, 2017 (Building; Police Removal)
Resolution No. 180312-06	Dated March 12, 2018 (Building Penalty)
Resolution No. 181126-07	Dated November 26, 2018 (Parking)
Resolution No. 190325-09	Dated March 25, 2019 (Water)

Resolution No. 201109-06
Resolution No. 210927-06
Resolution No. 211213-04
Resolution No. 220613-05
Resolution No. 221114-06
Resolution No. 231127-08
Resolution No. 241125-06
Resolution No. 240334-12
Resolution No. 251110-05
Resolution No. 260526-05

Dated November 9, 2020 (Water Rates - Cross Connection)
Dated September 27, 2021 (Cost Recovery & Right of Way)
Dated December 13, 2021 (Water and Sewer Rates)
Dated June 13, 2022 (UB Turn On/Off & Park Deposit)
Dated November 14, 2022 (Park Reservations)
Dated November 27, 2023 (Parks, Water, Cost Recovery)
Dated November 25, 2024 (Parks)
Dated March 24, 2025 (Building, Planning, & Zoning)
Dated November 10, 2025 (Parks)
Dated May 26, 2026 (Building, Police Cost Recovery)

Discussion Ensued.

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

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

Resolution No. 261012-06

(Carried)

Motion by Councilmember Knickerbocker
Second by Councilmember Melen

WHEREAS, the City of Swartz Creek participates with the County of Genesee and other municipalities in the Genesee County Storm Water Management System for the purpose of implementing activities required under the Phase II Storm Water Regulations; and

WHEREAS, the City Clerk has presented to the City Council a Fifth Amendment to the Genesee County Phase II Regulations Storm Water Management System Contract, dated as of October 1, 2026, among the County of Genesee, acting through its Drain Commissioner as County Agency, and the participating cities, townships, and charter townships identified in Exhibit A to the Amendment; and

WHEREAS, the Fifth Amendment provides for the continued provision of services associated with implementation activities required by the Phase II Storm Water Regulations and establishes the allocation and payment of the costs of such services among Genesee County and the participating municipalities; and

WHEREAS, the City Council finds that continued participation in the Genesee County Storm Water Management System and approval of the Fifth Amendment is appropriate and in the best interests of the City.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Swartz Creek, Michigan, that:

The City Council hereby approves the **Fifth Amendment to the Genesee County Phase II Regulations Storm Water Management System Contract**, dated October 1, 2026, among the County of Genesee, acting through its Drain Commissioner as County Agency, and the participating municipalities.

The Mayor and City Clerk are hereby authorized and directed to execute and deliver the Fifth Amendment for and on behalf of the City of Swartz Creek, in such number of counterparts as may be necessary or desirable.

A copy of the Fifth Amendment approved herein shall be attached to the minutes of this meeting, maintained on file with the City Clerk, and made available for examination in accordance with applicable law.

All resolutions and parts of resolutions insofar as they conflict with this resolution are hereby rescinded.

Discussion Ensued.

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

MEETING OPENED TO THE PUBLIC:

John Pobocik – Complimented the city on the Holland Square pergola. Pavement marking and street sweeping look great in the city. Barking dog complaint

REMARKS BY COUNCILMEMBERS:

Councilmember Melen: None

Councilmember Spillane: Updates on Otterburn Park

Councilmember Gilbert: Weather is beautiful

Councilmember Knickerbocker: none

Mayor Pro Tem Hicks: A resident does not like flock cameras.

Councilmember Krueger: Take a color tour drive.

Mayor Henry: Held a moment of silence for Chief Matt Bade.

ADJOURNMENT

Resolution No. 261012-08

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Melen

I Move the Swartz Creek City Council adjourn the regular Council meeting.

Unanimous Voice Vote.

Nate Henry, Mayor

Jacquie Forrest, City Clerk

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE DOWNTOWN DEVELOPMENT AUTHORITY MEETING
OCTOBER 8, 2026**

The meeting was called to order at 6:03 p.m. by Board Chairperson Beedy in the Swartz Creek Council Chambers with a virtual (Zoom) meeting available for the general public.

Board Members Present: Barclay, Henry, Beedy, Kelley, Parenteau, Kallas

Board Members Absent: King, Ryan, Barclay, Gardner

Staff Present: Adam Zettel, Greg Dietrich

Others Present: Brett Jory, Susie Kietzman, Mark Kietzman, Jordan Kietzman, Cyndee March

APPROVAL OF AGENDA AND MINUTES:

Resolution No. 261008-01 **(Carried)**

Motion by Board Member Henry
Second by Board Member Parenteau

I Move the Swartz Creek City Downtown Development Authority approves the agenda for the October 8, 2026 meeting with the addition of 8C: Façade Application.

Motion Carried by unanimous voice vote.

Resolution No. 261008-02 **(Carried)**

Motion by Board Member Kelley
Second by Board Member Barclay

I Move the Swartz Creek City Downtown Development Authority approves the minutes from the September 10, 2026, Downtown Development Authority Meeting as written.

Motion Carried by unanimous voice vote.

REPORTS AND COMMUNICATIONS:

Mr. Zettel indicated that some of the new signs for wayfinding and branding were delivered but more were anticipated prior to installation.

MEETING OPEN TO PUBLIC:

None.

BREWER TOWNHOME INCENTIVE PROPOSAL

Mr. Beedy briefly explained the process so far and the changes in this last agreement. He opined that, after many visitations to the board, it should be ready for approval. Discussion turned to committee membership.

Resolution No. 261008-03

RESOLUTION TO RECOMMEND APPROVAL OF THE BREWER TOWNHOMES TIF DEVELOPMENT AGREEMENT

Motion by Board Member: Henry
Second by Board Member: Parenteau

WHEREAS, the City of Swartz Creek Downtown Development Authority (DDA) is authorized to use tax increment revenues to support eligible development and redevelopment activities within the Downtown Development District consistent with its Development Plan and Tax Increment Financing Plan; and

WHEREAS, the City of Swartz Creek Tax Abatement & Incentive Policy recognizes Tax Increment Financing (TIF) assistance as a local incentive for qualifying DDA sites and provides for incentives intended to encourage private investment that advances the goals of the City and DDA; and

WHEREAS, RBF Holdings, L.L.C. has proposed to complete the Brewer Townhomes project, a substantial residential redevelopment that includes twelve additional parcels within the Downtown Development District, and has requested TIF assistance in connection with the project; and

WHEREAS, the DDA TIF Review Committee reviewed the project and request for TIF assistance at meetings held June 9, 2026 and June 24, 2026, and recommended approval subject to conditions to be addressed by the City Attorney in the development agreement; and

WHEREAS, the resulting Development Agreement between RBF Holdings, L.L.C. and the DDA provides for reimbursement of eligible project costs from project-generated tax increment revenues, with ninety percent (90%) of the applicable DDA tax increment revenues available for reimbursement, subject to the terms, limitations, documentation requirements, and other protections contained in the Agreement; and

WHEREAS, the DDA finds that the Brewer Townhomes project and proposed TIF assistance are consistent with the objectives of the City's incentive program and the DDA's redevelopment objectives, including the creation of residential uses, increased density and private investment within the Downtown Development District; and

WHEREAS, the Agreement directs the SCDDA to conduct a number of functions, and the SCDDA Board desires to administer this process through a committee for the purpose of expedience and efficiency, as appointed from time to time; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Swartz Creek Downtown Development Authority hereby approves the Brewer Townhomes TIF Development Agreement substantially in the form presented and recommends approval of the Agreement by the Swartz Creek City Council.

BE IT FURTHER RESOLVED, that, following approval by the City Council, the appropriate DDA officers are authorized to execute the Development Agreement on behalf of the DDA, subject to final non-substantive legal and administrative revisions approved by the City Attorney and City Manager that do not materially alter the financial terms approved herein.

BE IT FURTHER RESOLVED, that the DDA appoints the follow individuals to act on behalf of the SCDDA as required in the Agreement:

1. City Manager
2. DDA Chair
3. City Community Development Director
4. Building Official
5. Mayor
6. Jeff Kelly

Roll Call Vote

Yes: Henry, Beedy, Kelley, Parenteau, Kallas

No: None

Motion Carried.

HOLLAND DRIVE CONSUMERS ENERGY LIGHTING AGREEMENT

Mr. Kelly advocated for two lights instead of one based on a recent experience at the museum afterhours.

Resolution No. 261008-04

RESOLUTION TO APPROVE ADDITIONAL LIGHTING FOR HOLLAND DRIVE

Motion by Board Member: Parenteau

Second by Board Member: Kelly

WHEREAS the City of Swartz Creek provides for street lighting and pedestrian lighting for public streets and other public places in the city through an agreement with Consumers Energy; and

WHEREAS, such lighting can take the form of overhead lighting, decorative lamps, and other forms; and

WHEREAS, the finds that Holland Drive would benefit from the addition of decorative lighting as a means to illuminate a dark stretch of road and to improve the appearance of the area; and

WHEREAS, the DDA has reviewed options for the addition of one or two lights on the east side of Holland Drive.

NOW THEREFORE, BE IT RESOLVED, the Swartz Creek Downtown Development Authority recommends the city council amend their street lighting contract with Consumers Energy to add one additional decorative street light on Holland Drive as outlined in the proposal, dated September 16, 2026 and included in the October 8, 2026 packet.

BE IT FURTHER RESOLVED, the Swartz Creek Downtown Development Authority agrees to pay the quoted \$5,705.80 fee, plus a 15% contingency, for the light installation, conditioned upon the city's acceptance of the light on the city lighting contract, such funds to be appropriated from DDA fund balance and expensed from the DDA's streetscape account.

Roll Call Vote

Yes: Henry, Beedy, Kelley, Parenteau, Kallas

No: None

Motion Carried.

FAÇADE GRANT APPLICATION

Mr. Kietzman explained there two phase project. The DDA deliberated at length about grant qualifications, how the site would function as an outdoor dining area, safety on Miller Road, the curb cut, and vendor quotes.

Resolution No. 261008-05

RESOLUTION TO APPROVE FAÇADE APPLICATION FOR 7543 MILLER ROAD

Motion by Board Member: Parenteau

Second by Board Member: Henry

BE IT RESOLVED, the Swartz Creek Downtown Development Authority approves the façade agreement for 7543 Miller Road as included in the October 8, 2026 DDA packet, funded up to 50% or \$11,927.94, whichever is less, conditioned upon construction of a 42" fence sufficient to safeguard pedestrians along the Miller Road frontage as well as decorative vertical features along the west barrier of the dining area.

Roll Call Vote

Yes: Henry, Beedy, Kelley, Parenteau, Kallas

No: None

Motion Carried.

MEETING OPEN TO PUBLIC:

Lania Rocha indicated that Jeepers Creekers was coming up. The plaza needs power for the obstacle course, the donut vendor, the popcorn vendor, and Lemon Drop.

REMARKS BY BOARD MEMEBERS:

Tammy Parenteau: Complemented Feather and Fin on improvements.

Mr. Beedy: Thanked Brewer and Feather and Fin for their contributions.

Jeffrey Kelly: Twenty-five cars were at the car show on Sunday. Next Wednesday, the SCAHS speaker will talk about coneys in Michigan.

ADJOURN

Meeting declared adjourned at 6:59 pm

Jeffrey E. Kelley

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF PLANNING COMMISSION
MEETING
OCTOBER 6, 2026**

Meeting called to order at 7:00 p.m. by Chair Wyatt

Pledge of Allegiance.

ROLL CALL:

Commissioners present: Binder, Campbell Genovesi, Grimes, Henry, Krueger, Melen, Wyatt

Commissioners absent: Branoff

Staff present: Adam Zettel, City Manager.

Others present: Doug Scott (Rowe; applicant), Cameron Alvado (Rowe: applicant)

Others Virtually Present: None

APPROVAL OF AGENDA:

Resolution No. 261006-01

(Carried)

Motion by Planning Commission Member Henry
Second by Planning Commission Member Krueger

I Move the Swartz Creek Planning Commission approves the agenda for the October 6, 2026, Planning Commission meeting.

Unanimous Voice Vote
Motion Declared Carried

MINUTES OF MAY 5, 2026

Resolution No. 261006-02

(Carried)

Motion by Planning Commission Member Krueger
Second by Planning Commission Member Binder

I Move the Swartz Creek Planning Commission approves the amended Minutes for the August 11, 2026, Planning Commission meeting.

Unanimous Voice Vote
Motion Declared Carried

MEETING OPENED TO THE PUBLIC: None.

BUSINESS:

5472 Miller Road Zoning Amendment:

Doug and Cameron described the zoning proposal, including the voluntary conditions of combining the lot with the adjacent industrial use and to have a site plan approved in twelve months.

Mr. Zettel then described his letter and review, noting the various neighborhood and future land use maps and descriptions. He also emphasized the risk of not tying the zoning change to conditions. The need to review a site plan in the context of the master plan vision for the Miller Road corridor is also crucial to the zoning success.

There was some concern by the commission about other industrial uses being permitted as of right under the new zoning designation.

Mr. Wyatt invited the public to speak at 7:20 by opening the public hearing. There was no comment, and the hearing was closed at 7:20.

Resolution No. 260811-03

(Carried)

RESOLUTION TO RECOMMEND APPROVAL OF A ZONING AMENDMENT TO 5472 MILLER ROAD; 58-29-551-002, to I-1 (LIGHT INDUSTRIAL) from R-1 (SINGLE FAMILY RESIDENTIAL)

Motion by Planning Commission Member Wyatt
Second by Planning Commission Member Binders

WHEREAS, the property owner has petitioned the City to rezone the parcel commonly known as 5472 Miller Road, PID 58-29-551-002, from Single Family Residential (R-1) to Light Industrial (I-1); and,

WHEREAS, the petition to rezone has been reviewed by the Planning Commission as it relates to the objectives of the Master Plan, the Future Land Use Map, and the requirements of the Zoning Ordinance; and,

WHEREAS, pursuant to MCL 125.3405, the property owner, through an authorized representative, has voluntarily offered in writing certain conditions concerning the use and development of the property in connection with the requested rezoning, and has affirmed that such conditions are voluntarily offered by the property owner; and,

WHEREAS, the voluntarily offered conditions provide that:

1. The subject property shall be combined with the adjoining parcel that is the subject of the proposed development into a single parcel [5482 Miller Road, 58-29-551-003]; and,
2. A complete site plan application for the proposed development shall be submitted to the City and site plan approval shall be obtained within one year of the effective date of the rezoning; and,

WHEREAS, the Planning Commission acknowledges that the foregoing conditions have been voluntarily offered by the property owner and are not conditions required or imposed by the City as a prerequisite to consideration of the requested rezoning; and,

WHEREAS, the Planning Commission, after reviewing the criteria contained in Zoning Ordinance Section 24.04, finds that the proposed conditional zoning map amendment for 5472 Miller Road to I-1 is consistent with the intent of the Master Plan and satisfies the applicable zoning amendment criteria.

NOW, THEREFORE, BE IT RESOLVED, that the City of Swartz Creek Planning Commission recommends that the Swartz Creek City Council approve the conditional zoning map amendment of 5472 Miller Road, PID 58-29-551-002, legally described as:

LOT 4 SUPERVISORS PLAT NO 44

from R-1 (Single Family Residential) to I-1 (Light Industrial), subject to the conditions voluntarily offered in writing by the property owner as stated herein, pursuant to MCL 125.3405.

BE IT FURTHER RESOLVED, that the Planning Commission's recommendation of the conditional rezoning does not constitute site plan approval, and that any required site plan shall be submitted, reviewed, and approved in accordance with the applicable requirements and standards of the City of Swartz Creek Zoning Ordinance.

Roll Call Vote

Yes: Grimes, Krueger, Henry, Melen, Wyatt, Binder, Genovesi, Campbell

No: None

Abstain: Henry

Motion Declared Carried

MEETING OPENED TO THE PUBLIC: None.

REMARKS BY PLANNING COMMISSION:

Commissioner Krueger joked that he did not expect a convention center to locate on the site.

Commissioner Wyatt noted that he was interested in how people felt about Flock cameras.

Adjourn

Meeting declared adjourned at 7:24 p.m.

Betty Binder, Secretary

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
INCENTIVE REVIEW COMMITTEE
MINUTES OF JUNE 1, 2026**

Meeting called to order by Mr. Zettel at 10:00 a.m.

Members Present: Todd Beedy, Jeffrey Kelly, Greg Dietrich, Heather MacDermaid, Adam Zettel, Justin Sprauge

Members Absent: None.

Others Present: None.

APPROVAL OF AGENDA: No adjustments.

APPROVAL OF MINUTES: No minutes to approve.

MEETING OPEN TO THE PUBLIC: None.

Business: Brewer Townhome Incentive Review

Justin explained the process and incentive policies briefly. He indicated that the application before the committee is substantially complete and should be evaluated by the committee for eligibility based on the 20 indicator instrument that was adopted by the DDA.

The assessor provided an opinion, as requested, that the units are likely to be valued at about \$300,000 (on average) and pay about \$4,000 annually in TIF taxes. This is based on existing sales/values. This could change dramatically based on the market. In addition, an annual inflationary adjustment factor of 1.8% was agreed to be assumed for these values moving forward.

The group went through the 20 question evaluation line by line. A score of 70 is needed to qualify for incentives. The group was able to rate 19 of the 20 questions, with a score of 67. The question on financing ability was left blank, pending further inquiries. In addition, the incentive rating formula indicated that up to 90% of the TIF could be utilized by the project.

Further discussion ensued regarding the general project viability. The group agreed that, even if the scoring is marginal, it is a project worth pursuing since the DDA was the author of the development. Further, there was optimism that the Fortino Drive fronting units will be in higher demand than the Morrish units.

The committee decided that the next step would be to detail the financial abilities of the developer and conduct a further analysis of their source and use of funds at a future meeting.

This was set for 10am on June 24th, 2026 at the city offices. The developer will be requested to attend.

MEETING OPEN TO THE PUBLIC: None.

MEMBER COMMENTS: None.

Adjourned at 11:25 a.m.

AHZ

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
INCENTIVE REVIEW COMMITTEE
MINUTES OF JUNE 24, 2026**

Meeting called to order by Mr. Zettel at 10:00 a.m.

Members Present: Todd Beedy, Jeffrey Kelly, Greg Dietrich, Adam Zettel, Justin Sprauge (departed at 10:50), Brett Jory, Angela , Emily Doerr

Members Absent: None.

Others Present: None.

APPROVAL OF AGENDA: No adjustments.

APPROVAL OF MINUTES: No adjustments.

MEETING OPEN TO THE PUBLIC: None.

Business: Brewer Townhome Incentive Review

Mr. Zettel indicated that the last meeting concluded with the understanding that the project was desirable if the developer could prove financial capacity. RBF provided some financial data related to their various enterprises. The committee did not dispute their viability.

There was discussion and clarification regarding the potential DDA capture per unit, which was ultimately estimated to be \$3,800 per unit (90% of capture based on \$155,000 increment).

The group discussed the ability of the DDA to provide enough increment to cover gap principle and interest and how many years that might take. It was generally agreed that 29 years was too long, that the initial term should be 15-20 years.

Motion by Jeffrey Kelley, support by Todd Beedy to direct staff to work with OHM and RBF to craft a Tax Increment Financing and Development agreement for review by the DDA and City Council. The conditions and assumptions set by the committee include:

1. DDA to provide TIF capture for the proposed 12 units to fund the financing gap between unit costs and sale for Brewer Townhomes
 - a. 90% of capture will be paid, provided the DDA collects sufficient capture to make payments
 - b. Capture is estimated to increase by 1.8% annually
 - c. Increment will be \$155,000 for each unit in year one
 - d. Capture will include 18 years and include a provision to extend, which will not be unreasonably withheld

- e. Capture shall be used to repay principle and interest only (at market lending rates)
- f. Capture repayment for principle and interest shall be capped at audited gap amount (to be determined at each closing)
- 2. Sales must be arms length and in good faith
- 3. Construction of the 12 units shall occur within 36 months of agreement approval
- 4. The site plan and architectural renderings approved and on file shall be used, as amended by the city

Yes: Kelly, Dietrich, Beedy, Zettel

No: None

Motion Carried.

MEETING OPEN TO THE PUBLIC: None.

MEMBER COMMENTS: None.

Adjourned at 11:16 a.m.

AHZ

Metro Police Authority Offense Summary

For Swartz Creek

Occurred 9/1/2026 - 9/30/2026

Offense	Total Offenses
2202 - 22001 - Burglary - Forced Entry - Residence (Including Home Invasion)	2
2305 - 23005 - Larceny - Personal Property from Vehicle	2
2399 - 23007 - Larceny (Other)	1
2404 - 24001 - Vehicle Theft	1
2901 - 29000 - Damage to Property - Business Property	1
2902 - 29000 - Damage to Property - Private Property	2
3074 - 30002 - Retail Fraud Theft 2nd Degree	1
3078 - 30002 - Retail Fraud Theft 3rd Degree	1
5561 - 55000 - Animals at Large	1
8328 - 54003 - Motor Vehicle Violation	1
9910 - 93001 - Traffic, Non-Criminal - Accident	2
9913 - 93004 - Traffic, Non-Criminal - Parking Violations	1
9941 - 98004 - Inspections/Investigations - Other Inspections	1
9947 - 99002 - Miscellaneous - Natural Death	2
9953 - 99008 - Miscellaneous - General Assistance	4
Total	23

Board Chair
Nate Henry

Chief of Police
Mike Murphy

Lieutenant
Blake Hiben

METRO POLICE AUTHORITY OF GENESEE COUNTY

5420 Hill 23 Drive
Flint, MI 48507
(810) 820-2190
(810) 877-6537-FAX
information@metropolicegc.org

Board Members

Danelle Barker
Rae Lynn Hicks
David Krueger
Mike Odette
Jennifer Stainton
David Witter

Metro Police Authority Police Protection Unit Report- Q3 2026

The Swartz Creek Police Protection Unit calculation for Q3, 2026 is as follows:

$2,876 \text{ (hours/PPUs)} / 13 \text{ weeks} = 221.2 \text{ (hours/PPUs) average per week.}$

REVENUE AND EXPENDITURE REPORT FOR CITY OF SWARTZ CREEK
PERIOD ENDING 09/30/2026

GL NUMBER	2026-27 ORIGINAL BUDGET	2026-27 AMENDED BUDGET	YTD BALANCE 09/30/2026	AVAILABLE BALANCE	% BDGT USED
Fund 101 - General Fund					
000.000 - General	3,062,535.00	3,062,535.00	1,207,612.12	1,854,922.88	39.43
172.000 - Executive	400.00	400.00	0.00	400.00	0.00
253.000 - Treasurer	120.00	120.00	0.00	120.00	0.00
301.000 - Police Dept	7,000.00	7,000.00	14,234.72	(7,234.72)	203.35
345.000 - PUBLIC SAFETY BUILDING	21,750.00	21,750.00	5,367.66	16,382.34	24.68
371.000 - Building/Zoning/Planning	134,400.00	134,400.00	26,662.00	107,738.00	19.84
444.000 - Sidewalks	6,000.00	6,000.00	0.00	6,000.00	0.00
448.000 - Lighting	18,500.00	18,500.00	6,962.40	11,537.60	37.63
523.000 - Grass, Brush & Weeds	1,500.00	1,500.00	2,100.00	(600.00)	140.00
694.000 - Community Development E	4,000.00	4,000.00	0.00	4,000.00	0.00
780.000 - Parks & Recreation	15.00	15.00	0.00	15.00	0.00
780.500 - Mundy Twp Park Services	18,619.00	18,619.00	0.00	18,619.00	0.00
782.000 - Facilities - Abrams Park	350.00	350.00	0.00	350.00	0.00
783.000 - Facilities - Elms Rd Park	6,000.00	6,000.00	1,445.00	4,555.00	24.08
790.000 - Facilities-Senior Center/Lib	9,000.00	9,000.00	1,422.67	7,577.33	15.81
TOTAL REVENUES	3,290,189.00	3,290,189.00	1,265,806.57	2,024,382.43	
000.000 - General	13,800.00	13,800.00	66,915.64	(53,115.64)	484.90
101.000 - Council	27,745.00	27,745.00	10,679.87	17,065.13	38.49
172.000 - Executive	160,013.00	160,013.00	45,615.99	114,397.01	28.51
215.000 - Administration and Clerk	58,209.00	58,209.00	8,510.36	49,698.64	14.62
228.000 - Information Technology	37,000.00	37,000.00	13,731.67	23,268.33	37.11
247.000 - Board of Review	4,529.00	4,529.00	397.76	4,131.24	8.78
253.000 - Treasurer	159,585.00	159,585.00	35,338.06	124,246.94	22.14
257.000 - Assessor	48,683.00	48,683.00	10,325.22	38,357.78	21.21

ERC Lighting Contract Paid Off

GL NUMBER	2026-27 ORIGINAL BUDGET	2026-27 AMENDED BUDGET	YTD BALANCE 09/30/2026	AVAILABLE BALANCE	% BDGT USED
262.000 - Elections	51,005.00	51,005.00	31,442.60	19,562.40	61.65
265.000 - Facilities - City Hall	25,865.00	25,865.00	7,900.44	17,964.56	30.54
266.000 - Legal Council	12,000.00	12,000.00	4,458.00	7,542.00	37.15
301.000 - Police Dept	13,000.00	13,000.00	(1.65)	13,001.65	(0.01)
301.266 - Legal Council PSFY	24,000.00	24,000.00	3,398.75	20,601.25	14.16
301.851 - Retiree Employer Health C	12,400.00	12,400.00	600.00	11,800.00	4.84
334.000 - Metro Police Authority	1,375,521.00	1,375,521.00	277,322.77	1,098,198.23	20.16
336.000 - Fire Department	202,100.00	202,100.00	79,763.60	122,336.40	39.47
345.000 - PUBLIC SAFETY BUILDING	41,903.00	41,903.00	15,729.55	26,173.45	37.54
371.000 - Building/Zoning/Planning	228,149.00	228,149.00	16,452.47	211,696.53	7.21
444.000 - Sidewalks	8,000.00	8,000.00	0.00	8,000.00	0.00
448.000 - Lighting	115,000.00	115,000.00	21,700.89	93,299.11	18.87
463.000 - Routine Maint - Streets	600.00	600.00	0.00	600.00	0.00
523.000 - Grass, Brush & Weeds	1,000.00	1,000.00	195.00	805.00	19.50
567.000 - Facilities - Cemetery	1,989.00	1,989.00	607.87	1,381.13	30.56
694.000 - Community Development E	0.00	0.00	(23,816.00)	23,816.00	100.00
728.000 - Economic Development	8,000.00	8,000.00	0.00	8,000.00	0.00
780.000 - Parks & Recreation	17,202.00	17,202.00	5,565.01	11,636.99	32.35
780.500 - Mundy Twp Park Services	16,926.00	16,926.00	2,635.27	14,290.73	15.57
782.000 - Facilities - Abrams Park	54,983.00	54,983.00	38,154.23	16,828.77	69.39
783.000 - Facilities - Elms Rd Park	107,271.00	107,271.00	34,154.04	73,116.96	31.84
788.000 - Otterburn Disc Golf Park	229,260.00	229,260.00	4,415.73	224,844.27	1.93
790.000 - Facilities-Senior Center/Lib	34,746.00	34,746.00	8,443.72	26,302.28	24.30
794.000 - Community Promotions Pro	143,424.00	143,424.00	26,997.44	116,426.56	18.82
797.000 - Facilities - City Parking Lots	3,800.00	3,800.00	441.90	3,358.10	11.63
851.000 - Retired Employee Health C	35,800.00	35,800.00	6,308.07	29,491.93	17.62

GL NUMBER	2026-27 ORIGINAL BUDGET	2026-27 AMENDED BUDGET	YTD BALANCE 09/30/2026	AVAILABLE BALANCE	% BDGT USED
965.000 - Transfers Out	202,500.00	202,500.00	0.00	202,500.00	0.00
TOTAL EXPENDITURES	3,476,008.00	3,476,008.00	754,384.27	2,721,623.73	
Fund 101 - General Fund:					
TOTAL REVENUES	3,290,189.00	3,290,189.00	1,265,806.57	2,024,382.43	38.47
TOTAL EXPENDITURES	3,476,008.00	3,476,008.00	754,384.27	2,721,623.73	21.70
NET OF REVENUES & EXPENDITURES	(185,819.00)	(185,819.00)	511,422.30	(697,241.30)	
Fund 202 - Major Street Fund					
000.000 - General	723,013.00	723,013.00	130,459.23	592,553.77	18.04
441.000 - Miller Rd Park & Ride	4,600.00	4,600.00	1,091.88	3,508.12	23.74
452.100 - Safe Routes to School Grant	200.00	200.00	0.00	200.00	0.00
474.000 - Traffic Services	0.00	0.00	7,637.00	(7,637.00)	100.00
478.000 - Snow & Ice Removal	6,000.00	6,000.00	0.00	6,000.00	0.00
TOTAL REVENUES	733,813.00	733,813.00	139,188.11	594,624.89	
228.000 - Information Technology	575.00	575.00	335.48	239.52	58.34
429.000 - Occupational Safety	142.00	142.00	283.14	(141.14)	199.39
441.000 - Miller Rd Park & Ride	5,381.00	5,381.00	1,172.44	4,208.56	21.79
449.500 - Right of Way - General	10,000.00	10,000.00	0.00	10,000.00	0.00
449.501 - Right of Way - Storms	100.00	100.00	0.00	100.00	0.00
454.000 - STREETS PROJECTS	26,000.00	26,000.00	10,608.04	15,391.96	40.80
463.000 - Routine Maint - Streets	116,703.00	116,703.00	92,648.67	24,054.33	79.39
474.000 - Traffic Services	44,625.00	44,625.00	5,682.38	38,942.62	12.73
478.000 - Snow & Ice Removal	83,535.00	83,535.00	1,322.49	82,212.51	1.58
482.000 - Administrative	18,296.00	18,296.00	3,840.55	14,455.45	20.99
538.500 - Intercommunity storm drain	10,500.00	10,500.00	540.66	9,959.34	5.15
TOTAL EXPENDITURES	315,857.00	315,857.00	116,433.85	199,423.15	
Fund 202 - Major Street Fund:					
TOTAL REVENUES	733,813.00	733,813.00	139,188.11	594,624.89	18.97
TOTAL EXPENDITURES	315,857.00	315,857.00	116,433.85	199,423.15	36.86
NET OF REVENUES & EXPENDITURES	417,956.00	417,956.00	22,754.26	395,201.74	

GL NUMBER	2026-27 ORIGINAL BUDGET	2026-27 AMENDED BUDGET	YTD BALANCE 09/30/2026	AVAILABLE BALANCE	% BDGT USED
Fund 203 - Local Street Fund					
000.000 - General	238,577.00	238,577.00	39,373.62	199,203.38	16.50
449.000 - Right of Way Telecomm	26,000.00	26,000.00	0.00	26,000.00	0.00
478.000 - Snow & Ice Removal	4,500.00	4,500.00	0.00	4,500.00	0.00
931.000 - Transfers IN	250,000.00	250,000.00	0.00	250,000.00	0.00
TOTAL REVENUES	519,077.00	519,077.00	39,373.62	479,703.38	
228.000 - Information Technology	700.00	700.00	335.47	364.53	47.92
429.000 - Occupational Safety	63.00	63.00	71.73	(8.73)	113.86
449.500 - Right of Way - General	3,500.00	3,500.00	0.00	3,500.00	0.00
449.501 - Right of Way - Storms	1,000.00	1,000.00	0.00	1,000.00	0.00
454.000 - STREETS PROJECTS	44,000.00	44,000.00	0.00	44,000.00	0.00
463.000 - Routine Maint - Streets	180,977.00	180,977.00	38,023.95	142,953.05	21.01
463.503 - Local Streets Rehab	250,000.00	250,000.00	0.00	250,000.00	0.00
474.000 - Traffic Services	15,860.00	15,860.00	2,401.68	13,458.32	15.14
478.000 - Snow & Ice Removal	68,520.00	68,520.00	1,289.54	67,230.46	1.88
482.000 - Administrative	13,722.00	13,722.00	2,880.54	10,841.46	20.99
538.500 - Intercommunity storm drain	12,800.00	12,800.00	540.66	12,259.34	4.22
TOTAL EXPENDITURES	591,142.00	591,142.00	45,543.57	545,598.43	
Fund 203 - Local Street Fund:					
TOTAL REVENUES	519,077.00	519,077.00	39,373.62	479,703.38	7.59
TOTAL EXPENDITURES	591,142.00	591,142.00	45,543.57	545,598.43	7.70
NET OF REVENUES & EXPENDITURES	(72,065.00)	(72,065.00)	(6,169.95)	(65,895.05)	
Fund 204 - MUNICIPAL STREET FUND					
000.000 - General	913,477.00	913,477.00	865,336.10	48,140.90	94.73
TOTAL REVENUES	913,477.00	913,477.00	865,336.10	48,140.90	
905.000 - Debt Service	689,059.00	689,059.00	0.00	689,059.00	0.00
965.000 - Transfers Out	250,000.00	250,000.00	0.00	250,000.00	0.00
TOTAL EXPENDITURES	939,059.00	939,059.00	0.00	939,059.00	
Fund 204 - MUNICIPAL STREET FUND:					

GL NUMBER	2026-27 ORIGINAL	2026-27	YTD BALANCE 09/30/2026	AVAILABLE BALANCE	% BDGT USED
	BUDGET	AMENDED BUDGET			
TOTAL REVENUES	913,477.00	913,477.00	865,336.10	48,140.90	94.73
TOTAL EXPENDITURES	939,059.00	939,059.00	0.00	939,059.00	0.00
NET OF REVENUES & EXPENDITURES	(25,582.00)	(25,582.00)	865,336.10	(890,918.10)	
Fund 226 - Garbage Fund					
000.000 - General	597,092.00	597,092.00	548,640.64	48,451.36	91.89
TOTAL REVENUES	597,092.00	597,092.00	548,640.64	48,451.36	
101.000 - Council	4,093.00	4,093.00	1,452.88	2,640.12	35.50
172.000 - Executive	11,149.00	11,149.00	3,098.69	8,050.31	27.79
215.000 - Administration and Clerk	4,257.00	4,257.00	580.60	3,676.40	13.64
228.000 - Information Technology	1,800.00	1,800.00	2,554.05	(754.05)	141.89
253.000 - Treasurer	25,749.00	25,749.00	6,228.34	19,520.66	24.19
265.000 - Facilities - City Hall	10,320.00	10,320.00	1,508.22	8,811.78	14.61
528.000 - Sanitation Collection	414,907.00	414,907.00	68,752.79	346,154.21	16.57
530.000 - Wood Chipping	78,173.00	78,173.00	26,936.51	51,236.49	34.46
782.000 - Facilities - Abrams Park	11,132.00	11,132.00	3,515.26	7,616.74	31.58
783.000 - Facilities - Elms Rd Park	16,274.00	16,274.00	4,806.60	11,467.40	29.54
TOTAL EXPENDITURES	577,854.00	577,854.00	119,433.94	458,420.06	
Fund 226 - Garbage Fund:					
TOTAL REVENUES	597,092.00	597,092.00	548,640.64	48,451.36	91.89
TOTAL EXPENDITURES	577,854.00	577,854.00	119,433.94	458,420.06	20.67
NET OF REVENUES & EXPENDITURES	19,238.00	19,238.00	429,206.70	(409,968.70)	
Fund 248 - Downtown Development Fund					
000.000 - General	240,392.00	240,392.00	163,594.64	76,797.36	68.05
728.000 - Economic Development	186,600.00	186,600.00	235,507.13	(48,907.13)	126.21
TOTAL REVENUES	426,992.00	426,992.00	399,101.77	27,890.23	
000.000 - General	1,722.00	1,722.00	1,990.24	(268.24)	115.58
173.000 - DDA Administration	21,100.00	21,100.00	173.89	20,926.11	0.82
728.000 - Economic Development	118,873.00	118,873.00	1,790.35	117,082.65	1.51
728.002 - Streetscape	310,102.00	310,102.00	233,379.19	76,722.81	75.26
728.003 - Facade Program	20,000.00	20,000.00	0.00	20,000.00	0.00

GL NUMBER	2026-27 ORIGINAL BUDGET	2026-27 AMENDED BUDGET	YTD BALANCE 09/30/2026	AVAILABLE BALANCE	% BDGT USED
728.004 - Family Movie Night	6,000.00	6,000.00	3,582.50	2,417.50	59.71
TOTAL EXPENDITURES	477,797.00	477,797.00	240,916.17	236,880.83	
Fund 248 - Downtown Development Fund:					
TOTAL REVENUES	426,992.00	426,992.00	399,101.77	27,890.23	93.47
TOTAL EXPENDITURES	477,797.00	477,797.00	240,916.17	236,880.83	50.42
NET OF REVENUES & EXPENDITURES	(50,805.00)	(50,805.00)	158,185.60	(208,990.60)	
Fund 401 - Capital Project Fund					
000.000 - General	16.00	16.00	652.10	(636.10)	4,075.63
931.000 - Transfers IN	47,500.00	47,500.00	0.00	47,500.00	0.00
TOTAL REVENUES	47,516.00	47,516.00	652.10	46,863.90	
265.000 - Facilities - City Hall	24,000.00	0.00	0.00	0.00	0.00
792.000 - Facilities-Public Safety Bldg	0.00	50,000.00	0.00	50,000.00	0.00
TOTAL EXPENDITURES	24,000.00	50,000.00	0.00	50,000.00	
Fund 401 - Capital Project Fund:					
TOTAL REVENUES	47,516.00	47,516.00	652.10	46,863.90	1.37
TOTAL EXPENDITURES	24,000.00	50,000.00	0.00	50,000.00	0.00
NET OF REVENUES & EXPENDITURES	23,516.00	(2,484.00)	652.10	(3,136.10)	
Fund 402 - Fire Equip Replacement Fund					
000.000 - General	9,200.00	9,200.00	3,684.98	5,515.02	40.05
931.000 - Transfers IN	155,000.00	155,000.00	0.00	155,000.00	0.00
TOTAL REVENUES	164,200.00	164,200.00	3,684.98	160,515.02	
Fund 402 - Fire Equip Replacement Fund:					
TOTAL REVENUES	164,200.00	164,200.00	3,684.98	160,515.02	2.24
TOTAL EXPENDITURES	0.00	0.00	0.00	0.00	0.00
NET OF REVENUES & EXPENDITURES	164,200.00	164,200.00	3,684.98	160,515.02	
Fund 590 - Sanitary Sewer Fund					
000.000 - General	75,000.00	75,000.00	25,058.78	49,941.22	33.41
536.000 - Sewer System	1,366,850.00	1,366,850.00	337,811.63	1,029,038.37	24.71
TOTAL REVENUES	1,441,850.00	1,441,850.00	362,870.41	1,078,979.59	
101.000 - Council	10,407.00	10,407.00	3,634.63	6,772.37	34.92
172.000 - Executive	44,146.00	44,146.00	10,752.35	33,393.65	24.36
215.000 - Administration and Clerk	18,959.00	18,959.00	3,636.84	15,322.16	19.18

GL NUMBER	2026-27 ORIGINAL BUDGET	2026-27 AMENDED BUDGET	YTD BALANCE 09/30/2026	AVAILABLE BALANCE	% BDGT USED
228.000 - Information Technology	7,000.00	7,000.00	5,546.40	1,453.60	79.23
253.000 - Treasurer	93,789.00	93,789.00	24,426.14	69,362.86	26.04
265.000 - Facilities - City Hall	27,294.00	27,294.00	3,642.42	23,651.58	13.35
536.000 - Sewer System	1,273,317.00	1,273,317.00	209,716.39	1,063,600.61	16.47
537.000 - Sewer Lift Stations	10,800.00	10,800.00	4,151.29	6,648.71	38.44
542.000 - Read and Bill	66,274.00	66,274.00	18,484.05	47,789.95	27.89
543.401 - Flush & TV Sewers	450,000.00	450,000.00	0.00	450,000.00	0.00
850.000 - Other Functions	3,000.00	3,000.00	0.00	3,000.00	0.00
TOTAL EXPENDITURES	2,004,986.00	2,004,986.00	283,990.51	1,720,995.49	
Fund 590 - Sanitary Sewer Fund:					
TOTAL REVENUES	1,441,850.00	1,441,850.00	362,870.41	1,078,979.59	25.17
TOTAL EXPENDITURES	2,004,986.00	2,004,986.00	283,990.51	1,720,995.49	14.16
NET OF REVENUES & EXPENDITURES	(563,136.00)	(563,136.00)	78,879.90	(642,015.90)	
Fund 591 - Water Supply Fund					
000.000 - General	50,000.00	50,000.00	13,588.27	36,411.73	27.18
540.000 - Water System	2,396,750.00	2,396,750.00	613,137.62	1,783,612.38	25.58
TOTAL REVENUES	2,446,750.00	2,446,750.00	626,725.89	1,820,024.11	
101.000 - Council	10,400.00	10,400.00	3,634.80	6,765.20	34.95
172.000 - Executive	43,883.00	43,883.00	10,784.95	33,098.05	24.58
215.000 - Administration and Clerk	19,559.00	19,559.00	3,637.18	15,921.82	18.60
228.000 - Information Technology	6,000.00	6,000.00	7,447.48	(1,447.48)	124.12
253.000 - Treasurer	109,800.00	109,800.00	21,928.36	87,871.64	19.97
265.000 - Facilities - City Hall	27,156.00	27,156.00	3,642.45	23,513.55	13.41
540.000 - Water System	2,237,211.00	2,237,211.00	477,983.35	1,759,227.65	21.37
542.000 - Read and Bill	55,591.00	55,591.00	12,343.75	43,247.25	22.20
850.000 - Other Functions	8,000.00	8,000.00	0.00	8,000.00	0.00
905.000 - Debt Service	339,575.00	339,575.00	0.00	339,575.00	0.00
TOTAL EXPENDITURES	2,857,175.00	2,857,175.00	541,402.32	2,315,772.68	

GL NUMBER	2026-27 ORIGINAL BUDGET	2026-27 AMENDED BUDGET	YTD BALANCE 09/30/2026	AVAILABLE BALANCE	% BDGT USED
Fund 591 - Water Supply Fund:					
TOTAL REVENUES	2,446,750.00	2,446,750.00	626,725.89	1,820,024.11	25.61
TOTAL EXPENDITURES	2,857,175.00	2,857,175.00	541,402.32	2,315,772.68	18.95
NET OF REVENUES & EXPENDITURES	(410,425.00)	(410,425.00)	85,323.57	(495,748.57)	
Fund 661 - Motor Pool Fund					
000.000 - General	280,600.00	280,600.00	88,000.33	192,599.67	31.36
TOTAL REVENUES	280,600.00	280,600.00	88,000.33	192,599.67	
172.000 - Executive	10,930.00	10,930.00	12,585.00	(1,655.00)	115.14
228.000 - Information Technology	800.00	800.00	2,460.22	(1,660.22)	307.53
253.000 - Treasurer	1,183.00	1,183.00	286.21	896.79	24.19
265.100 - Facilities - City Garage	335,793.00	335,793.00	172,529.09	163,263.91	51.38
850.000 - Other Functions	3,000.00	3,000.00	0.00	3,000.00	0.00
TOTAL EXPENDITURES	351,706.00	351,706.00	187,860.52	163,845.48	
Fund 661 - Motor Pool Fund:					
TOTAL REVENUES	280,600.00	280,600.00	88,000.33	192,599.67	31.36
TOTAL EXPENDITURES	351,706.00	351,706.00	187,860.52	163,845.48	53.41
NET OF REVENUES & EXPENDITURES	(71,106.00)	(71,106.00)	(99,860.19)	28,754.19	
TOTAL REVENUES - ALL FUNDS	10,861,556.00	10,861,556.00	4,339,380.52	6,522,175.48	39.95
TOTAL EXPENDITURES - ALL FUNDS	11,615,584.00	11,641,584.00	2,289,965.15	9,351,618.85	19.67
NET OF REVENUES & EXPENDITURES	(754,028.00)	(780,028.00)	2,049,415.37	(2,829,443.37)	

Genesee County Metropolitan Planning Commission Community Development Block Grant Program

2028-2030 Pre-Application Guide

Pre-Applications Due: Monday, November 30, 2026



An Equal Opportunity Organization
www.gcmpc.org



GENESEE COUNTY
METROPOLITAN PLANNING
COMMISSION

Program Managers

Program Managers will be your primary contact person at GCMPC for this Call for Projects. If you have questions, please reach out to your respective Program Manager as seen below:

Gwynneth Coselman: 810-766-6565
gcoselman@geneseecountymi.gov

- City of Clio
- City of Davison
- City of Grand Blanc
- City of Montrose
- Argentine Township
- Atlas Township
- Davison Township
- Forest Township
- Gaines Township
- Mt Morris Township
- Richfield Township
- Thetford Township
- Village of Gaines
- Village of Goodrich
- Village of Otisville
- Village of Otter Lake

Anna Trujillo: 810-766-6560
atrujillo@geneseecountymi.gov

- City of Burton
- City of Fenton
- City of Flushing
- City of Linden
- City of Mt Morris
- City of Swartz Creek
- Clayton Township
- Fenton Township
- Flint Township
- Flushing Township
- Genesee Township
- Grand Blanc Township
- Montrose Township
- Mundy Township
- Vienna Township

Genesee County 2028-2030 Community Development Block Grant (CDBG) Program

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Genesee County 2028-2030 Community Development Block Grant (CDBG) Program

What is CDBG?

The U.S. Department of Housing and Urban Development (HUD) provides Community Development Block Grant (CDBG) funds to entitlement community grantees, like Genesee County, to carry out a wide range of community development activities. These activities are directed primarily toward revitalizing neighborhoods, encouraging economic development, and providing improvements to community facilities and services in low to moderate income areas.

To determine annual CDBG award amounts, HUD uses a funding formula comprised of several measures of community need. These measures include: the extent of poverty, population, housing, and overcrowding.

Each CDBG assisted activity must meet at least one of the following National Objectives for the program:

1. Provide benefit to low- and moderate-income persons and households; or
2. Aid in the prevention or elimination of slums or blight conditions

The following are considered by HUD to be presumed benefit populations and can be served outside of low-to-moderate income areas:

- Elderly (62 and older)
- Abused Children
- Battered Spouses
- Persons with Disabilities
- Homeless Persons
- Illiterate Adults
- Persons with AIDS
- Migrant Farm Workers

Genesee County 2028-2030 Community Development Block Grant (CDBG) Program

What Projects Are Eligible Under CDBG?

Projects that are located in low to moderate income areas (Page 9), or directly benefiting low to moderate income persons or households are typically eligible under the CDBG program. The following list can help you identify the types of community needs you may be able to address with a CDBG funded project. Keep in mind that this list is not all-inclusive and new project ideas are encouraged. Please note that up to 30% of the local unit of government's allocation can be used for Public Service Projects.

Construction Projects

- Sidewalk Improvements
- Street Improvements
- Water/Sewer Improvements
- Improvements to lighting in public spaces
- Improvements to neighborhood parks/recreational facilities
- Acquisition of real property
- Special Assessment Assistance
- Construction/Rehabilitation of publicly owned buildings (not used for general government)
- Streetscape improvements in neighborhoods/commercial districts
- Purchase firefighting equipment
- Demolition and clearance activities
- Single family housing rehabilitation/improvements
- Historic Preservation
- Neighborhood clean-up efforts
- Art installations/creating aesthetically pleasing public places

Public Service Projects

- Code enforcement activities
- Senior Programs/Services
- Job Training
- Crime Prevention/Public Safety
- Education Programs
- Recreational Programs

Genesee County 2028-2030 Community Development Block Grant (CDBG) Program

What is Neighborly?

Neighborly is the portal where CDBG grantees and subrecipients (LUGs) can access their grant information and request reimbursements for completed projects. Pre-applications and full applications are submitted through Neighborly and reviewed by Community Development staff. The subrecipient portal can be accessed at <https://portal.neighborlysoftware.com/geneseecountymi/Participant>.

An initial pre-application is required to be submitted before an application will be considered. Community Development staff will review pre-applications prior to the submission of full applications.

The full application will include a scope of work for each project and a timeline for completion. A guide to starting a new CDBG application in Neighborly can be found here: <https://gcmnpc.org/wp-content/uploads/2026/02/CDBG-Applications-Neighborly-User-Guide.pdf>.

Once your application has been approved, you will see your grant account listed in the table of Grants. Click “View” to load the grant account screen.

All proposals must be submitted through Neighborly. No fax, mail deliveries, in person, or email proposals will be accepted.

Genesee County Priorities

The Genesee County Board of Commissioners has implemented a set of four county-wide goals. Subrecipients who accept CDBG funding will be required to identify one goal that their project will support in their Neighborly application. In addition to identifying the goal, please also describe the steps you will take to meet that goal. The goals are as follows:

1. Healthy, Livable, and Safe Communities
2. Long Term Financial Stability
3. Inclusive, Collaborative Culture
4. Community and Economic Growth

Details regarding these goals and priorities can be found here: [Priorities \(13\) \(1\).pdf](#)

Genesee County 2028-2030 Community Development Block Grant (CDBG) Program

What Is My Community's CDBG Allocation Amount?

The following table reflects the **estimated** 2028-2030 CDBG Allocation of each community. The dollar amounts listed in the table are only estimates and are subject to change based on the number of applications received and the actual funding received by Genesee County from the U.S. Department of Housing and Urban Development.

Community	Estimated Allocation
City of Burton	\$247,384
City of Clio	\$18,273
City of Davison	\$42,477
City of Fenton	\$76,182
City of Flushing	\$51,160
City of Grand Blanc	\$78,448
City of Linden	\$28,679
City of Montrose	\$16,345
City of Mt. Morris	\$32,798
City of Swartz Creek	\$38,434
Argentine Township	\$52,275
Atlas Township	\$51,652
Clayton Township	\$52,275
Davison Township	\$165,516
Fenton Township	\$102,105
Flint Township	\$282,603
Flushing Township	\$97,367
Forest Township	\$36,599
Gaines Township	\$57,968
Genesee Township	\$215,263
Grand Blanc Township	\$279,610
Montrose Township	\$49,433
Mt Morris Township	\$200,546
Mundy Township	\$104,602
Richfield Township	\$71,150
Thetford Township	\$46,366
Vienna Township	\$94,741
Village of Gaines	\$10,000
Village of Goodrich	\$15,795
Village of Otisville	\$10,000
Village of Otter Lake	\$10,000

Genesee County 2028-2030 Community Development Block Grant (CDBG) Program

SAM Registration Expiration Dates

Argentine Township	4/22/2027
Atlas Township	5/4/2027
City of Burton	7/9/2027
City of Clio	3/17/2027
City of Davison	7/9/2027
City of Fenton	5/7/2027
City of Flushing	6/4/2027
City of Grand Blanc	9/29/2026
City of Linden	9/22/2026
City of Montrose	10/15/2026
City of Mt. Morris	11/12/2026
City of Swartz Creek	5/18/2027
Clayton Township	6/18/2027
Davison Township	4/17/2027
Fenton Township	10/10/2026
Flint Township	3/6/2027
Flushing Township	3/3/2027
Forest Township	7/7/2027
Gaines Township	11/11/2026
Genesee Township	9/8/2026
Grand Blanc Township	12/1/2026
Montrose Township	12/4/2026
Mt. Morris Township	3/3/2027
Mundy Township	10/18/2026
Richfield Township	4/16/2027
Thetford Township	9/29/2026
Vienna Township	1/21/2027
Village of Gaines	2/10/2027
Village of Goodrich	7/15/2027
Village of Otter Lake	
Village of Otisville	8/11/2026

Active SAM registration is required to receive federal funding and must be updated annually. If you need assistance with this process, please contact your project manager. Proof of active SAM registration is to be submitted with the Pre-Application Form(s).

Genesee County 2028-2030 Community Development Block Grant (CDBG) Program

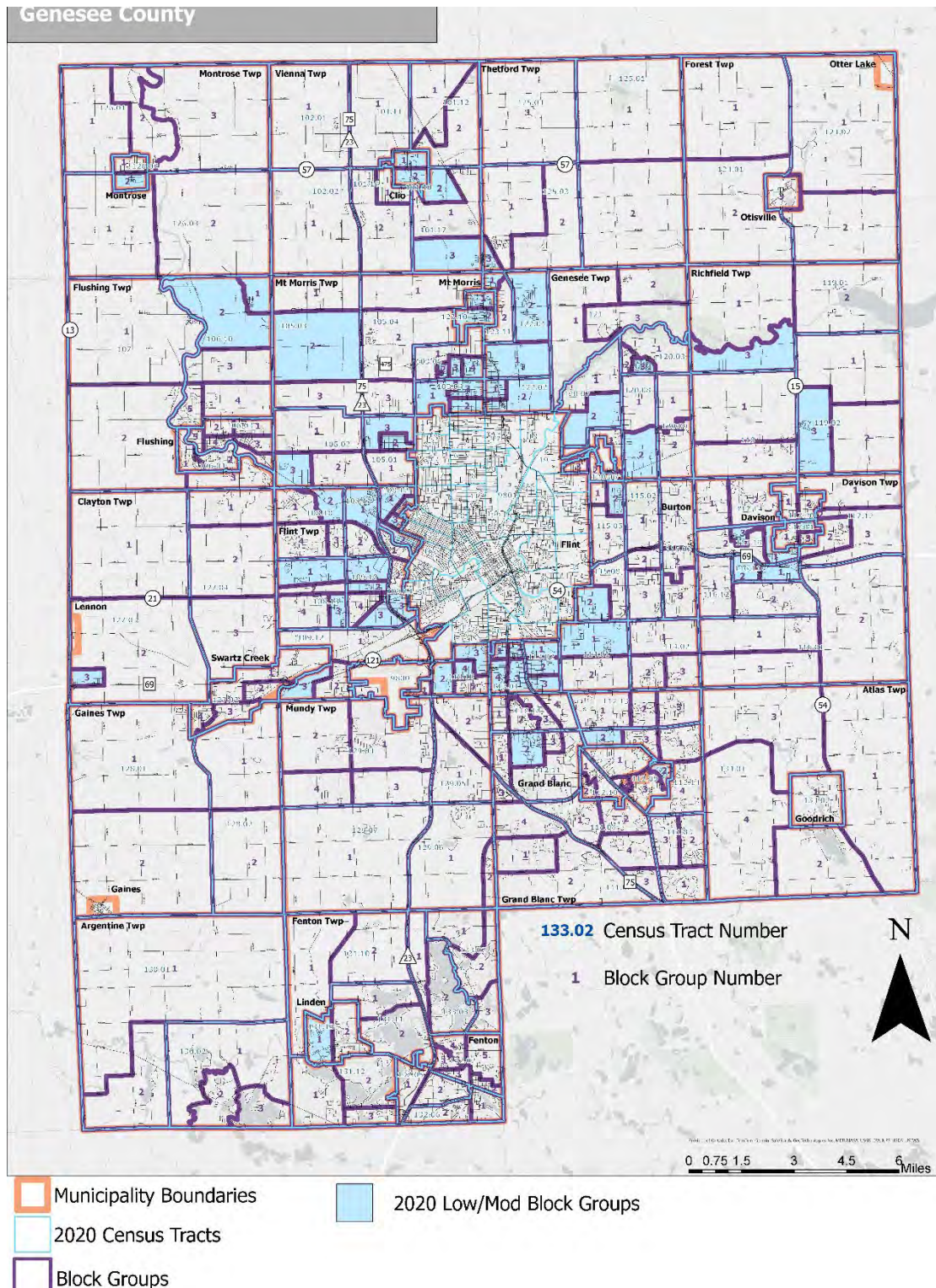
CDBG Program Policies

The following program recommendations were approved and adopted by the Genesee County Board of Commissioners in June of 2018.

Continuing Program Details:

1. Participating local units will be provided a funding estimate for their community which is formula based (population/poverty/over-crowded housing)
2. Staff will continue to assist with or implement projects for the local units of government
3. Public service projects will be 1-year contracts
4. All local units will apply for projects at the same time
5. Call for projects will cover a 3-year cycle
6. Mandatory pre-application process
7. Minimum application of \$5,000 per project
8. Any funding remaining after projects have been approved will be disbursed via formula to the approved projects
9. Inter-local loan agreements will not be allowed; current agreements will be honored
10. Applicants can propose which year of the 3-year cycle they would like to complete their project in
11. Construction projects will have 1 year to complete the project
12. Project funding that remains after project completion can be transferred to another approved project
13. New projects will not be approved after projects are approved for the 3-year cycle
14. Participating local units can apply for up to 30% of their estimated funding to be used for public service projects
15. A second call for projects will be done only if necessary

Genesee County 2028-2030 Community Development Block Grant (CDBG) Program



An online version of the maps can be found at: <https://gcmprc.org/wp-content/uploads/2026/02/LUG-LowMod-Maps-2020-ACS-Data.pdf>.

Genesee County 2028-2030 Community Development Block Grant (CDBG) Program

If your local unit of government would like to propose an eligible project in an area that is not deemed low-to-moderate income, the **Income Survey Form** on the following page can be used to collect household income information for residents that would benefit from the proposed project. Using the data collected, GCMPC will determine if the proposed project would meet the national objective of benefitting low-to-moderate income persons. Contact staff for additional guidance prior to utilizing this process.

Genesee County 2028-2030 Community Development Block Grant (CDBG) Program

Income Survey Form

Dear Resident of: _____
(address)

The _____ is conducting an Income Survey to assess the need
(unit of government) for public improvements in your area.

Please indicate the total number of persons comprising your household. Then indicate in the appropriate box, listed under income, your gross household income from all sources. Gross income includes all monies earned (before taxes) by **all persons** residing within your household.

Number of Persons in Household: _____

Total Household Income:

- ☐ \$ 0 - \$42,500
- ☐ \$42,501 - \$48,550
- ☐ \$48,551 - \$54,600
- ☐ \$54,601 - \$60,650
- ☐ \$60,651 - \$65,550
- ☐ \$65,551 - \$70,400
- ☐ \$70,401 - \$75,250
- ☐ \$75,251 - \$80,100
- ☐ \$80,101+

Signature: _____ Date: _____

An envelope has been provided for your use in returning this form to the Genesee County Metropolitan Planning Commission (GCMPC) Suite 8D, 324 S Saginaw Street, Flint, MI 48502. Thank you for your cooperation.

Very truly yours,

(Local Official)

Genesee County 2028-2030 Community Development Block Grant (CDBG) Program

FY 2026 MEDIAN FAMILY INCOME FOR FLINT AND GENESEE COUNTY -- \$82,100

MAXIMUM INCOME LIMITS

Household Size	30% Extremely Low Income	50% Very Low Income	60% Low Income	80% Moderate Income
One Person	\$17,600	\$29,300	\$35,160	\$46,850
Two Person	\$20,100	\$33,450	\$40,140	\$53,550
Three Person	\$22,600	\$37,650	\$45,180	\$60,250
Four Person	\$25,100	\$41,800	\$50,160	\$66,900
Five Person	\$27,150	\$45,150	\$54,180	\$72,300
Six Person	\$29,150	\$48,500	\$58,200	\$77,650
Seven Person	\$31,150	\$51,850	\$62,220	\$83,000
Eight Person	\$33,150	\$55,200	\$66,240	\$88,350

Released by HUD 6.0128

Genesee County 2028-2030 Community Development Block Grant (CDBG) Program

What Are the Public Involvement Requirements for CDBG Project Proposals?

All potential projects that your community is considering submitting for funding must be mentioned, discussed and recorded within minutes at a local public needs hearing in order to be considered for approval under the Genesee County CDBG Program. The following requirements must be followed for properly conducting a public needs hearing:

Prior to the Local Public Needs Hearing

- A public notice of the hearing must be published in your local paper at least one week in advance of the hearing (Page 14)
- Request an Affidavit from the publisher to submit as proof of publication with your CDBG Application OR a copy of the newspaper page

At the Local Public Needs Hearing

- Can be held as part of an official meeting of your governing body OR can be held as a separate meeting
- The requirements of the Open Meetings Act and any other applicable state or local laws must be adhered to
- An attendance list must be signed by all those attending the hearing (Page 16)
 - o If meeting is held virtually, please submit a list of all participants with application
- The public must be advised of the estimated amount of CDBG funds available to your community
- The public must be provided with a list of the types of eligible projects under CDBG
- The public must be given an opportunity to express community development needs and to propose projects
- The public should be asked for comments on your past CDBG activities
- Any potential projects to be included in the CDBG Pre-Application Forms must be discussed at this hearing
- Detailed meeting minutes must be taken and submitted with the application
 - o Minutes are to include all public comments
- Submit to GCMPC, with Pre-Application Form(s), the following documents:
 - o Proof of a public notice publication
 - o Press release from the local public needs hearing
 - o Meeting minutes from the local public needs hearing
 - o Attendance list from the local public needs hearing
 - o Proof of active SAM registration

Genesee County 2028-2030 Community Development Block Grant (CDBG) Program

Sample Public Notice of Local Public Needs Hearing

Public Notice

The (Name of Local Unit of Government) will hold a public needs hearing on the use of its 2028-2030 Federal Community Development Block Grant (CDBG) Program funds on (Date) at (Time) at (Location and Address).

The purpose of the hearing is to offer an opportunity for citizens to express their ideas on community needs and project proposals concerning the use of Federal CDBG funds for the (Year) Program Year. The hearing will also provide an opportunity for citizens to comment on past CDBG projects.

Genesee County 2028-2030 Community Development Block Grant (CDBG) Program

Sample Press Release for Local Public Needs Hearing

Press Release

(Name of Local Unit of Government) to hold Community Development Hearing

The (Name of Local Unit of Government) will hold a Community Development Public Needs Hearing on (Date) at (Time) at (Location and Address).

The purpose of the hearing is to offer an opportunity for citizens to express their ideas on community needs and project proposals concerning the use of Federal Community Development Block Grant (CDBG) funds for the 2028-2030 Program Years.

The (Name of Local Unit of Government) expects to receive approximately \$ (Estimated 2028-2030 Project Funding) of 2028-2030 CDBG funds. The funds are provided by the Genesee County Metropolitan Planning Commission Community Development Program from an annual entitlement grant received from the U.S. Department of Housing and Urban Development (HUD).

The funds are intended primarily for projects in low- and moderate-income neighborhoods.

Genesee County 2028-2030 Community Development Block Grant (CDBG) Program

Sample Attendance List for Local Public Needs Hearing

(Name of Local Unit of Government) 2028-2030 Community Development Block Grant
Public Needs Hearing

Attendance List

Name	Address
------	---------

- | | |
|-----|-------|
| 1. | _____ |
| 2. | _____ |
| 3. | _____ |
| 4. | _____ |
| 5. | _____ |
| 6. | _____ |
| 7. | _____ |
| 8. | _____ |
| 9. | _____ |
| 10. | _____ |
| 11. | _____ |
| 12. | _____ |
| 13. | _____ |
| 14. | _____ |
| 15. | _____ |
| 16. | _____ |
| 17. | _____ |
| 18. | _____ |
| 19. | _____ |
| 20. | _____ |

Genesee County 2028-2030 Community Development Block Grant (CDBG) Program

The following list is to serve as a reference and reminder of already approved CDBG projects for Program Year 2027.

Approved 2027 Genesee County Annual Action Plan Projects

2027 Community Development Block Grant (CDBG) Program - Estimated 2027 Grant Award: **\$1,781,340**

Genesee County – 2027 CDBG Planning and Administration

Genesee County Metropolitan Planning Commission will provide Community Development Block Grant funding for Planning and Administration of CDBG projects.

This activity will be funded with **\$366,616** of **2027** Genesee County CDBG funds.

Commissioner Districts: Countywide

Genesee County – 2027 CDBG Home Improvement Program (HIP)

Genesee County will provide funding for the Community Development Block Grant Home Improvement Program throughout Genesee County.

This activity will be funded with **\$574,201** of **2027** Genesee County CDBG funds.

Commissioner Districts: Countywide

Atlas Township – Senior Programming

Atlas Township will provide funding for senior services through the township offices (7386 Gale Rd, Grand Blanc MI 48439) including transportation, emergency radios, smoke/carbon monoxide detectors, meals, and other services as needed by residents.

This activity will be funded with **\$1,000** of **2027** Genesee County CDBG funds.

Commissioner Districts: 5

Atlas Township – Historic Preservation

Atlas Township will provide funding for the Historic Preservation of the Goodrich Library/Lyceum Building (10237 Hegel Rd, Goodrich MI 48438). Work to include repairs to windows, plaster, foundation, elevator, and fire escape.

This activity will be funded with **\$48,088** of **2027** Genesee County CDBG funds.

Commissioner Districts: 5

City of Burton – Senior Center Operations

The City of Burton will provide funding for operational costs at the Burton Area Senior Center located at 3410 S. Grand Traverse Street, Burton, MI 48529.

This activity will be funded with **\$16,787** of **2027** Genesee County CDBG funds.

Commissioner Districts: 3

City of Fenton – Blight Elimination

The City of Fenton will provide funding the demolition of property owned by the City of Fenton due to blight conditions, the specific address is to be determined.

This activity will be funded with **\$65,036** of **2027** Genesee County CDBG funds.

Commissioner Districts: 6

Genesee County 2028-2030 Community Development Block Grant (CDBG) Program

City of Fenton – Senior Programming

The City of Fenton will provide funding for senior activities to Southern Lakes Parks and Recreation located at 150 S Leroy St, Fenton, MI 48430.

This activity will be funded with **\$5,000** of **2027** Genesee County CDBG funds.

Commissioner Districts: 6

City of Fenton – Home Improvement Program (HIP)

The City of Fenton will contribute funds towards the Genesee County Home Improvement Program.

This activity will be funded with **\$15,000** of **2027** Genesee County CDBG funds.

Commissioner Districts: 6

City of Flushing – Removal of Architectural Barriers

The City of Flushing will provide funding for the renovation of the Tucker Pool building at Riverview Park (230 S Cherry St, Flushing MI 48433) to create a barrier free entryway and accessible restrooms.

This activity will be funded with **\$25,800** of **2027** Genesee County CDBG funds.

Commissioner Districts: 8

City of Flushing – Public Facility Improvements

The City of Flushing will provide funding for the addition of two windows to the Flushing Area Senior Center annex to allow for natural lighting (106 Elm St, Flushing MI 48433).

This activity will be funded with **\$9,000** of **2027** Genesee County CDBG funds.

Commissioner Districts: 8

City of Flushing – Public Facility Improvements

The City of Flushing will provide funding for the replacement of air conditioner and blower for the lunchroom at the Flushing Area Senior Center (106 Elm St, Flushing MI 48433).

This activity will be funded with **\$7,000** of **2027** Genesee County CDBG funds.

Commissioner Districts: 8

City of Grand Blanc – Senior Center Operations

The City of Grand Blanc will provide funding for operational expenses at the Grand Blanc Senior Center located at 12632 Pagels Drive, Grand Blanc, MI 48439.

This activity will be funded with **\$2,000** of **2027** Genesee County CDBG funds.

Commissioner Districts: 5

City of Mt. Morris – Public Facility Improvement

The City of Mt. Morris will fund beautification improvements to public facilities in the downtown area (intersection of Saginaw & Mt. Morris Roads).

This activity will be funded with **\$3,000** of **2027** Genesee County CDBG funds.

Commissioner Districts: 7

City of Swartz Creek – Senior Center Operations

The City of Swartz Creek will provide funding for operational expenses at the Swartz Creek Area Senior Center located at 8095 Civic Drive, Swartz Creek, MI 48473.

This activity will be funded with **\$3,518** of **2027** Genesee County CDBG funds.

Commissioner Districts: 8

Genesee County 2028-2030 Community Development Block Grant (CDBG) Program

Clayton Township – Senior Center Operations

Clayton Township will provide funding to the Swartz Creek Senior Center (8095 Civic Dr, Swartz Creek MI 48473), and to the Flushing Senior Center (106 Elm St, Flushing MI 48433) for operating costs including wages, supplies and senior activities.

This activity will be funded with **\$3,333** of **2027** Genesee County CDBG funds.

Commissioner Districts: 8

Davison Township – Public Facility Improvements

Davison Township will provide funding for the replacement of three furnace units with new high-efficiency units at the Davison Senior Center (10135 Lapeer Rd, Davison MI 48423).

This activity will be funded with **\$29,657** of **2027** Genesee County CDBG funds.

Commissioner Districts: 3, 9

Fenton Township – Senior Services

Fenton Township will provide funding to Southern Lakes Parks & Recreation for program fees for senior recreation programs.

This activity will be funded with **\$5,000** of **2027** Genesee County CDBG funds.

Commissioner Districts: 6

Flint Township – Senior Center Food Pantry

Flint Township will provide funding to the Carman-Ainsworth Senior Food Pantry located at 2071 S. Graham Road, Flint, MI 48532 for purchasing supplies for seniors residing in Flint Township.

This activity will be funded with **\$20,000** of **2027** Genesee County CDBG funds.

Commissioner Districts: 2, 4, 8

Flint Township – Crime & Fire Prevention

Flint Township will provide funding for crime prevention activities and the distribution/installation of carbon monoxide and smoke detectors in low-to-moderate income areas within the Township.

This activity will be funded with **\$10,000** of **2027** Genesee County CDBG funds.

Commissioner Districts: 2, 4, 8

Flint Township – Blight Elimination

Flint Township will provide funding for the demolition of publicly owned properties due to blight conditions, the specific address is to be determined.

This activity will be funded with **\$45,000** of **2027** Genesee County CDBG funds.

Commissioner Districts: 2, 4, 8

Flint Township – Infrastructure Improvements

Flint Township will provide funding for street improvements, specific locations need to be determined.

This activity will be funded with **\$177,132** of **2027** Genesee County CDBG funds.

Commissioner Districts: 2, 4, 8

Flushing Township – Senior Center Operations

Flushing Township will provide funding for operational expenses at the Flushing Senior Center located at 106 Elm Street, Flushing, MI 48433.

This activity will be funded with **\$5,000** of **2027** Genesee County CDBG funds.

Commissioner Districts: 8

Genesee County 2028-2030 Community Development Block Grant (CDBG) Program

Flushing Township – Removal of Architectural Barriers

Flushing Township will provide funding to construct a handicap accessible kayak/canoe launch and remove existing barriers at the Flushing Township Nature Park (8301 N McKinley Rd, Flushing MI 48433).

This activity will be funded with **\$25,000** of **2027** Genesee County CDBG funds.

Commissioner Districts: 8

Flushing Township – Blight Elimination

Flushing Township will provide funding for the demolition of publicly-owned properties due to blight conditions, the specific address is to be determined.

This activity will be funded with **\$34,851** of **2027** Genesee County CDBG funds.

Commissioner Districts: 8

Forest Township – Public Facility Improvements

Forest Township will provide funding to provide electricity to the pavilion located behind the Forest Township Senior Center (130 E. Main St, Otisville MI 48463), and installation of lights along pathway to the pavilion.

This activity will be funded with **\$20,000** of **2027** Genesee County CDBG funds.

Commissioner Districts: 9

Forest Township – Public Facility Improvements

Forest Township will provide funding to replace of the flooring at the Forest Township Senior Center (130 E. Main St, Otisville MI 48463).

This activity will be funded with **\$16,977** of **2027** Genesee County CDBG funds.

Commissioner Districts: 9

Gaines Township – Senior Center Operations

Gaines Township will provide funding for operational expenses at the Swartz Creek Senior Center located at 8095 Civic Drive, Swartz Creek, MI 48473.

This activity will be funded with **\$14,803** of **2027** Genesee County CDBG funds.

Commissioner Districts: 6

Genesee Township – Senior Center Operations

Genesee Township will provide funding for operational expenses at the Eastside Senior Center located at 3056 Genesee Road, Flint, MI 48506.

This activity will be funded with **\$15,350** of **2027** Genesee County CDBG funds.

Commissioner Districts: 9

Genesee Township – Blight Elimination

Genesee Township will provide funding for the demolition of publicly-owned properties due to blight conditions, the specific address is to be determined.

This activity will be funded with **\$100,000** of **2027** Genesee County CDBG funds.

Commissioner Districts: 9

Grand Blanc Township – Senior Center Operations

Grand Blanc Township will provide funding for operational expenses at the Grand Blanc Senior Center located at 12632 Pagels Drive, Grand Blanc, MI 48439.

This activity will be funded with **\$20,000** of **2027** Genesee County CDBG funds.

Commissioner Districts: 4, 5

Genesee County 2028-2030 Community Development Block Grant (CDBG) Program

Legal Services of Eastern Michigan – Fair Housing

Legal Services of Eastern Michigan will provide funding to conduct fair housing activities across Genesee County. Testing and enforcement services help ensure that the Genesee County community is affirmatively furthering fair housing practices and complying with fair housing law. This activity will be funded with **\$25,000** of **2027** Genesee County CDBG funds.

Commissioner Districts: Countywide

Mt. Morris Township – Senior Center Operations

Mt. Morris Township will provide funding for operational expenses such as transportation costs and newsletter printing at Krapohl Senior Center located at 5473 Bicentennial Drive #G, Mt Morris, MI 48458.

This activity will be funded with **\$7,500** of **2027** Genesee County CDBG funds.

Commissioner Districts: 1, 7

Mt. Morris Township – Youth Programming

Mt. Morris Township will provide funding to Kings Karate (G-5339 N. Saginaw, Flint MI 48505) for supplies, uniforms, training equipment and other related needs for low/moderate-income participants.

This activity will be funded with **\$3,334** of **2027** Genesee County CDBG funds.

Commissioner Districts: 1, 7

Mt. Morris Township – Youth Programming

Mt. Morris Township will provide funding to the Salvation Army LIFE Center (1475 Coldwater Rd, Flint MI 48505) for their youth mentoring program, for literacy curriculum, classroom furniture and technology.

This activity will be funded with **\$3,000** of **2027** Genesee County CDBG funds.

Commissioner Districts: 1, 7

Mt. Morris Township – Youth Programming

Mt. Morris Township will provide funding to the Beecher Community Development Council (1309 Coldwater Rd, Flint MI 48505) for youth mentoring events, basic needs, food and community services projects.

This activity will be funded with **\$3,334** of **2027** Genesee County CDBG funds.

Commissioner Districts: 1, 7

Mt. Morris Township – Code Enforcement

Mt. Morris Township will provide funding for code enforcement officer's wages and abatement activities at properties within the low/moderate-income areas of the township.

This activity will be funded with **\$20,666** of **2027** Genesee County CDBG funds.

Commissioner Districts: 1, 7

Mundy Township – Blight Elimination

Mundy Township will provide funding for the demolition of publicly-owned properties due to blight conditions, the specific address is to be determined.

This activity will be funded with **\$15,692** of **2027** Genesee County CDBG funds.

Commissioner Districts: 4

Mundy Township – Parks Programming

Mundy Township will provide funding to the Miracle League of Greater Flint (MLGF) for operational expenses associated with the creation of a baseball program for adults with

Genesee County 2028-2030 Community Development Block Grant (CDBG) Program

disabilities. The program will take place at the Hill Road Park located at 1286 Hill Road, Mundy Township, MI 48507.

This activity will be funded with **\$3,605** of **2027** Genesee County CDBG funds.

Commissioner Districts: 4

Mundy Township – Senior Center Operations

Mundy Township will provide funding to the Mundy Township Senior and Enrichment Center (1286 Hill Rd, Flint, MI 48507) for operating costs including employee wages, supplies and activities.

This activity will be funded with **\$7,209** of **2027** Genesee County CDBG funds.

Commissioner Districts: 4

Richfield Township – Senior Center Operations

Richfield Township will provide funding for operational expenses at the Davison Area Senior Center located at 10135 Lapeer Road, Davison, MI 48423.

This activity will be funded with **\$4,380** of **2027** Genesee County CDBG funds.

Commissioner Districts: 9

Thetford Township – Infrastructure Improvements

Thetford Township will provide funding to install a new walking/bike bath along Saginaw Road between Dodge Rd and Frances Rd.

This activity will be funded with **\$33,405** of **2027** Genesee County CDBG funds.

Commissioner Districts: 7

Vienna Township – Senior Center Operations

Vienna Township will provide funding for operational expenses at the Clio Area Senior Center located at 2136 W. Vienna Road, Clio, MI 48420. Expenses include but are not limited to staff wages, senior programming and medical supplies for senior citizens. The medical closet provides items such as underwear/diapers, gauze pads, antiseptics, bandages etc. to senior residents in need.

This activity will be funded with **\$10,000** of **2027** Genesee County CDBG funds.

Commissioner Districts: 7

Village of Goodrich – Senior Programming

The Village of Goodrich will provide funding for senior services through the village offices (7338 S State Rd, Goodrich MI 48438) emergency radios, smoke/carbon monoxide detectors, first aid kits, and other supplies and services as needed by residents.

This activity will be funded with **\$1,667** of **2027** Genesee County CDBG funds.

Commissioner Districts: 5



LETTER OF TRANSMITTAL

TO: City of Swartz Creek
8083 Civic Drive
Swartz Creek, MI 48473
Attn: Adam Zettel

DATE: September 14, 2026
JOB NO.: 2600514
RE: Miller Road Rezoning
Shipped via: ☒ By 10:30am next business day
☐ By end of next business day
☐ Standard delivery

cc:

If shipping via UPS please
provide Recipient's Phone No.

WE ARE SENDING YOU:

☒ Attached ☐ Under separate cover via _____

COPIES	DATE	NO	DESCRIPTION
2	9/26	4	Property Information
1	9/26	1	City of Swartz Creek Application for Rezoning
1	9/26	1	Check

THESE ARE TRANSMITTED:

☒ For your use ☒ As requested ☐ Other: _____

REMARKS:
Attached are the application and documents for the rezoning of 5472 Miller Road. Please let Cameron Alvado know if there are any questions or comments.

Thank you!

Signed: 
Kirk Braun
Engineering Technician II

This communication contains **privileged or confidential** information intended exclusively for the use of the Person(s) or Entity named above. If the reader of this cover page is not the intended Recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please telephone (collect) the Sender immediately. Thank you very much.



Where Friendships Last Forever

APPLICATION FOR REZONING

City of Swartz Creek
(An Equal Opportunity Employer)
8083 Civic Drive
Swartz Creek, MI 48473
810-635-4464

Date: 9/15/26

File No: _____

Fee Received: _____ Receipt No: 317865

NOTICE TO APPLICANT:

Regular meetings of the Swartz Creek Planning commission are held on the first Tuesday of each month at 7:00 PM, at the City Hall, 8083 Civic Dr. Application for rezoning shall be filed at least twenty (20) days before the scheduled meeting date.

TO THE PLANNING COMMISSION:

I, (We), the undersigned, do hereby respectfully make application and petition the Planning Commission to amend the Zoning Ordinance and change the zoning as hereinafter requested, and in support of this application, the following facts are shown.

The property is located and described, as follows:

Assessment Roll Description No. 58- 29 - 551 - 002,

Address: 5472 Miller Rd, Swartz Creek

Other description: _____

It has a frontage of: 165 feet and a depth of: 208.1 and 355.6 feet.

PRESENT ZONING: Single Family Residential

If the property is in acreage and is not therefore a part of a recorded plat: The property sought to be rezoned is located and described as follows: (indicate total acreage also).

Assessment Roll Description No. 58- _____ - _____ - _____,

PROPERTY SOUGHT FOR REZONING IS OWNED BY:

Name: Gen4 Properties LLC

Address: 3400 W Bristol Rd, Flint, MI 48507

Phone Number: (810) 339-5773

It is desired and requested that the foregoing described property be rezoned from:

Single Family Residential

To: Light Industrial

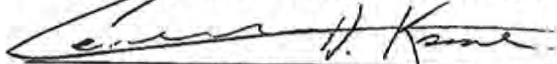
It is proposed that the property will be put to the following use:

Combined with parcel 58-29-551-003. Parcel 58-29-551-002 will expand the existing parking lot on parcel 58-29-551-003 and add some salt storage areas near the rear of the parcel

It is proposed that the following building(s) will be constructed:

No buildings will be constructed

Attached hereto are two (2) prints of the subject property plot plan showing the lot or parcel location within the City. These prints are made a part of this petition and are drawn to scale showing the existing and proposed structures.



Signature of Applicant

Address: 3400 W Bristol

Phone Number: 810

Email Address:

A. Action Taken by the Planning Commission:

- 1. Date application: ____/____/____
- 2. Date of Public Hearing: ____/____/____
- 3. Findings of Planning Commission:

4. Recommendation:

B. Action Taken by the City Council:

- 1. Date of Public Hearing: ____/____/____
- 2. Findings of the City Council:

3. Action of the City Council:

By: _____
City Clerk

Date: ____/____/____

KNOW ALL MEN BY THESE PRESENTS, THAT I, Arthur R. Markham, Supervisor of the Township of Flint, Genesee County, State of Michigan, by virtue of authority in me vested by Section 51, Act 172 P.A. of 1929, having been duly authorized by the Township Board, have caused the land described in the annexed plat to be surveyed, laid out and platted to be known as "SUPERVISOR'S PLAT NO. 44" part of SW Section 29 T7N R6E, Michigan Meridian, Township of Flint, Genesee County, Michigan and the streets as shown on said plat are now being used for such purposes.

Witnesses:

Zella A. Coggins
Zella A. Coggins
Glenn Anderson
Glenn Anderson

Arthur R. Markham
Arthur R. Markham
Supervisor of Flint Township

ACKNOWLEDGEMENT

STATE OF MICHIGAN)
County of Genesee)

On this 27th day of March, A.D. 1951 before me, a Notary Public in and for said County, personally came the above named Arthur R. Markham, Supervisor of the Township of Flint, known to me to be the person who executed the above dedication, and acknowledged the same to be his free act and deed as such Supervisor.

My commission expires April 5, 1957

Meta H. Rowley
Meta H. Rowley
Notary Public in and for Genesee County

CERTIFICATE OF MUNICIPAL APPROVAL

This plat was approved by the Township Board of Flint Township, T7N R6E, at a meeting held February 5, 1951.

Don Ainsworth
Don Ainsworth-Clerk of Flint Township

CERTIFICATE OF APPROVAL BY THE COUNTY BOARD

This plat was approved on the 27th day of March, 1951 by the Genesee County Plat Board.

James P. Barker-County Treasurer George G. Dunn-County Clerk Earl M. Smith-Register of Deeds

CERTIFICATE OF APPROVAL BY BOARD OF COUNTY ROAD COMMISSIONERS

This plat has been examined and was approved on the 27th day of February, 1951 by the Genesee County Board of Road Commissioners.

T. J. Bullard-Commissioner A. Harold Bergh-Commissioner Ivan M. Vernon-Commissioner

SURVEYOR'S CERTIFICATE

I hereby certify that the plat hereon delineated is a correct one and that permanent metal monuments consisting of bars not less than one-half inch in diameter and forty-eight inches in length encased in a concrete cylinder at least four inches in diameter and forty-eight inches in depth have been placed at points marked thus "o" as thereon shown at all angles in the boundaries of the land platted, at the intersections of streets, and at the intersections of streets with boundaries of the plat as shown on said plat.

Richard J. West
Richard J. West-Registered Surveyor #6100

PART OF SW $\frac{1}{4}$ OF SECTION 29, T.7N. R.6E.,
MICHIGAN MERIDIAN TOWNSHIP OF FLINT,
GENESEE COUNTY, MICHIGAN.

SCALE 1 INCH = 200 FEET

ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF

DESCRIPTION OF LANDS PLATTED

The land embraced in the annexed plat of "SUPERVISOR'S PLAT NO. 44" part of the SW Section 29 T7N R6E, Michigan Meridian, Township of Flint, Genesee County, Michigan is described as follows: Beginning 389°45'E 447.82 feet from the SW corner of Sec 29, thence 147°27'E 2952.34 feet along the Sly line of the CTRN ROW to the West line of Dye Road, thence S0°25'W along the West line of Dye Road 1669.80 ft, to the North line of Miller Road, thence S72°55'W along said North line 675 ft, thence S73°55'W along said North line 100 ft, thence S77°47'W along said North line 100 ft, thence S80°55'W along said North line 220.80 ft, thence N89°45'W along said North line 431.25 ft, thence S1°54'W 50 feet, thence N89°46'W along South line of said Section 272.23 feet to the place of beginning.



Examined and Approved

March 24, 1951
Thomas J. Purdy
County Engineer

Rezoing this parcel
from Single Family
Residential to Light
Industrial

S.W. Corner Sec 29
T7N R6E
389°45'E 447.82'

165' 42.5' 82.5' 165' 201' 135.85' 120' 100' 572°55'W 100' 577°47'W 100' 581°55'W 220.80' 51°54'W 50' 51°54'W 50' 107

PLACE OF BEGINNING
389°45'E 447.82 FT. FROM
SW COR. SEC. 29 T7N R6E

21



ROAD - DYE

ROAD (M-78)



Rezoning this parcel
from Single Family
Residential to Light
Industrial

Miller Road

From: [Doug Scott](#)
To: [Adam Zettel](#)
Cc: [Cameron Alvado](#)
Subject: 5472 Miller Road Rezoning
Date: Tuesday, September 29, 2026 11:44:57 AM
Attachments: [4c1ea39c-e5f6-4623-aa14-437c1f3d5d2c.png](#)
[25e52852-4e14-48e5-9bad-fb63cef276c2.png](#)
[71ae3e67-4f86-407c-bf65-676d3613f667.png](#)
[6ba54dea-1b8c-4f21-a18e-bbcd8e9e539f.png](#)
[8880c069-f753-4d23-8b77-eca4695a0ce6.png](#)
[845fd9d4-962e-42a6-a766-f06e53089a6f.png](#)
[16e7a043-f4f3-4b3a-ae64-b02f2cac636e.png](#)

Adam:

I apologize for the late response to your email regarding the conditional approval of the above-mentioned parcel. Cameron is on vacation until tomorrow and asked me to reach out.

I have discussed the request of a voluntary conditional rezoning which includes the intent to combine the two parcels and submit / obtain site plan approval within one year. That is definitely the intent of the Owner and they have agreed to this condition.

Please let me know if you have any questions or require additional information.

Thank you!



Doug Scott, PE, LEED AP

Senior Project Manager, Associate

O: (810) 341-7500 C: (810) 869-5111



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From: [Doug Scott](#)
To: [Adam Zettel](#)
Cc: [Cameron Alvado](#); [Tre Liston](#)
Subject: Re: [EXTERNAL]: RE: 5472 Miller Road Rezoning
Date: Tuesday, September 29, 2026 1:34:25 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[0befd732-cab6-49e7-8d0a-c1a4a6bc8621.png](#)
[60d84240-b917-4c51-b63a-a03def1a6d79.png](#)
[bd6cd0d8-1bf8-4be6-9985-cfd3ba2d3ace.png](#)
[fc87fc52-92e8-4679-8508-e824fc9ba514.png](#)
[731a4fe3-9501-479c-9e27-3f885b6949e7.png](#)
[2ee0cc28-d0eb-453c-b890-3922b7e39e34.png](#)
[27d03327-432d-4854-8430-d5dbf5eae05f.png](#)

Yes, I spoke with Tre Liston (property owner) this morning and he authorized me to speak on his behalf and agree to the conditions stated below.

Tre is also copied on this email.



Doug Scott, PE, LEED AP | Senior Project Manager, Associate

O: (810) 341-7500 C: (810) 869-5111



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From: Adam Zettel <AZettel@cityofswartzcreek.org>
Sent: Tuesday, September 29, 2026 1:30 PM
To: Doug Scott <DScott@rowepsc.com>
Cc: Cameron Alvado <CALvado@rowepsc.com>
Subject: [EXTERNAL]: RE: 5472 Miller Road Rezoning

CAUTION: This email originated externally. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you. That works for our purposes.

For the record, please confirm that you are authorized to make this representation on behalf of the property owner and that the owner voluntarily offers the following conditions pursuant to MCL 125.3405 as part of its rezoning request:

1. The two subject parcels will be combined into a single parcel; and

2. A complete site plan application will be submitted to the City and site plan approval obtained within one year of the effective date of the rezoning.

Upon your confirmation, I intend to incorporate those voluntarily offered conditions into the Planning Commission recommendation and, if recommended for approval, the subsequent rezoning ordinance considered by City Council.

Adam Zettel, AICP

City Manager

Swartz Creek City

8083 Civic Drive

Swartz Creek, MI 48473

810.635.4464 general office

810.287.2147 mobile

azettel@cityofswartzcreek.org

<https://www.facebook.com/CityofSwartzCreek>

This communication, along with any documents, files or attachments, is intended only for the use of the addressee and may contain legally privileged and confidential information. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of any information contained in or attached to this communication is strictly prohibited. If you have received this message in error, please notify the sender immediately and destroy the original communication and its attachments without reading, printing or saving in any manner. This communication does not form any contractual obligation on behalf of the sender or the City of Swartz Creek and, when applicable, the opinions expressed here are my own and do not necessarily represent those of the City.

From: Doug Scott <DScott@rowepsc.com>

Sent: Tuesday, September 29, 2026 11:45 AM

To: Adam Zettel <AZettel@cityofswartzcreek.org>

Cc: Cameron Alvado <CALvado@rowepsc.com>

Subject: 5472 Miller Road Rezoning

Adam:

I apologize for the late response to your email regarding the conditional approval of the above-mentioned parcel. Cameron is on vacation until tomorrow and asked me to reach out.

I have discussed the request of a voluntary conditional rezoning which includes the intent to combine the two parcels and submit / obtain site plan approval within one year. That is definitely the intent of the Owner and they have agreed to this condition.

Please let me know if you have any questions or require additional information.

Thank you!



Doug Scott, PE, LEED AP Senior Project Manager, Associate

O: [\(810\) 341-7500](tel:(810)341-7500) C: [\(810\) 869-5111](tel:(810)869-5111)



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**NOTICE OF PUBLIC HEARING
CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
PLANNING COMMISSION**

Notice is hereby given that a public hearing will be held at a special meeting of the Swartz Creek Planning Commission, on Tuesday, October 6, said meeting to begin at or shortly after 7:00 p.m., in the City Council Chambers, Paul D. Bueche Municipal Building, 8083 Civic Drive, Swartz Creek, Michigan. The purpose of the hearing is to hear all persons interested in a proposed amendment to Zoning Appendix A, Zoning Map, of the City of Swartz Creek Code of Ordinances.

The proposed amendment includes the rezoning of 5472 Miller Road, Swartz Creek, MI, parcel ID 58-29-551-002.

The zoning petition seeks to change the zoning from R-1, Single Family Residential, to I-1, Light Industrial.

The petition and related documents are available at the city offices and will be included in the October Planning Commission Packet on the city's website.

Written comments may be submitted prior to or at the public hearing.

Jacquie Forrest, City Clerk
City of Swartz Creek

"An Equal Opportunity Employer"

4 Classifieds

AFFIDAVIT OF PUBLICATION

STATE OF MICHIGAN } SS
COUNTY OF

Allison Dault, being first duly sworn, says that (s)he is the Admin. Assistant of Genesee Views, a newspaper published in the English language for the dissemination of local or transmitted news and intelligence of a general character and legal news, which is a duly qualified paper, and that annexed hereto is a copy of a certain order taken from said newspaper, in which the order was published

9/17/26

Allison M. Dault

KASEY E TYSICK
Notary Public, State of Michigan
County of Lapeer
My Commission Expires 08-27-2027
Acting in the County of Lapeer

Subscribed and sworn to before me this 17th

day of September, 20 26

[Signature]
Notary Public, _____ County, Michigan

My commission expires _____

Prepared by Genesee Views
1521 Imlay City Rd
PO Box 220
Lapeer, MI 48446



Adam Zettel, AICP

City Manager

azettel@cityofswartzcreek.org

Date: October 23, 2026

Attention: Swartz Creek Planning Commission

Subject: **Zoning Map Amendment**
Parcel: 5472 Miller Road, PID 58-29-551-002
See attached, application and supporting materials

Dear Chairman and Commissioners:

City staff has reviewed the above application submitted by Gen4 Properties LLC for consideration of the zoning change of 5472 Miller Road (PID 58-26-551-002) from Single Family Residential (R-1) to Light Industrial (I-2). This parcel is commonly known as the vacant land east of Wistuba Outdoor Services, which lies on the north side of Miller across from the Genesee Valley Golf Course.

The process to rezone property includes an amendment to the zoning map, which is an official component of the city's zoning ordinance. This requires a public hearing, review, and recommendation by the planning commission, followed by a review and consideration of a zoning ordinance amendment by the city council. The October 6th meeting was scheduled and noticed accordingly for a hearing, which included publication in a newspaper of general circulation and direct mailing to owners within 300 feet of the subject parcel.

APPLICATION SUBMISSION

The application is complete and fees paid. The submission also includes the plat map, an aerial image, and a note that this parcel is intended to be combined legally and functionally with the property to the west, 5482 Miller Road, 58-29-551-003. In addition, I have sought clarification on this note and a subsequent site plan condition so that these are formally incorporated into the zoning request. A land combination is expected to be administrative. Any use changes proposed for the parcel in question, 5472 Miller Road, will be subject to further site plan and/or other reviews.

Note that the parcel in question is currently in violation of the city ordinance due to the parking/storage of commercial vehicles and equipment on the site without a valid site plan

8083 Civic Drive

Swartz Creek Michigan 48473

Phone: (810)-635-4464

Fax: (810)-635-2887

www.cityofswartzcreek.org

ftp://cityofswartzcreek.org

and zoning. Enforcement of these provisions has been granted a temporarily suspended by staff pending zoning AND site plan reviews.

CRITERIA FOR AMENDMENT OF THE OFFICIAL ZONING MAP

In considering any petition for an amendment to the official zoning map, the planning commission and city council shall consider the following criteria in making its findings, recommendations and decision:

- A. Consistency with the goals, policies, and future land use map of the City of Swartz Creek Master Plan. If conditions upon which the master plan was developed (such as market factors, demographics, infrastructure, traffic and environmental issues) have changed significantly since the master plan was adopted, as determined by the city, the planning commission and council shall consider the consistency with recent development trends in the area.*

Finding: Conceptual Support for Amendment

Please note the “Neighborhoods” map from the 2022 Master Plan. This specific parcel, as well as the parcel to the west that is currently I-1, are noted to be in the GM Neighborhood, along with GM. However, the rest of the area corridor is in the Otterburn Neighborhood. I believe this was a very conscious decision, with the understanding that the existing I-1 parcel is very small and functions as a transitional use to GM and the rail line. Including the parcel in question assumes a reasonable expansion of the existing use to a scale that provides more functionality. However, the vision for the corridor should remain intact, which is reflected by the notes on the Otterburn Neighborhood. I am including both below. Note that the parcel in question is subject to the GM Neighborhood and influenced by the vision for the Otterburn Neighborhood.

GM

This is the heavy industrial area of GM and surrounding properties, mostly on Dye Road. This area has the potential for more intense industrial uses, with the understanding that the Miller Road properties must develop or evolve to maintain lower impacts on traffic, visibility, and other externalities.

OTTERBURN

This neighborhood is the namesake of the historic train stop known as Otterburn, as well as the new park on Bristol at Miller Road. This area is the City’s eastern gateway and is a mix of residential and office. The community must endeavor to maintain a safe and efficient transportation corridor that

services heavy car traffic, bike lanes, and a 2022 non-motorized trail. The City should also encourage uses and designs that are inviting to visitors.

Note the Future Land Use Map. While the map shows this entire district as potential office, I believe the specific notes on the GM Neighborhood permit industrial uses that align with the guidance therein. Summarily, a zoning change to I-1 makes sense for this parcel, but the subsequent site plan should consider the guidance for the neighborhood in its review.

- B. Compatibility of the site's physical, geological, hydrological, and other environmental features with the host of uses permitted in the proposed zoning district.*

Finding: No Adverse Findings

Expanding the existing industrial parcel in accordance with site plan requirements provides a larger physical scale that could improve traffic ingress/egress. The existing site is very small and tough to manage.

There are no known geological, hydrological, or other environmental features that are a concern.

- C. Evidence the applicant cannot receive a reasonable return on investment through developing the property with at least one of the uses permitted under the current zoning.*

Finding: No Adverse Findings

Though somewhat subjective, staff finds that the use of the site for new single family residential, institutional, or related uses is not likely to be economically viable. For residential, this parcel is in direct proximity to the rail line, GM, and the existing I-1 site. These uses make a market transaction for new residential unlikely. The site is not large enough to support most other institutional uses on its own.

- D. The compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.*

Finding: No Adverse Findings; Subject to Site Plan

As noted, the areas is in direct proximity to the rail line, GM, and an existing I-1 use that proposes to incorporate this site. Miller Road is also a primary major street with a

higher traffic volume and speed. For these reasons, I-1 is compatible. However, in considering the specific notes on the GM and Otterburn Neighborhood, the master plan acknowledges that the corridor should still be developed to be inviting and compatible with existing residential and proposed office uses.

Summarily, the uses for I-1 would be permissible, subject to the manner in which they are permitted through site plan.

- E. The capacity of the city's infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the "health, safety, and welfare."*

Finding: No Adverse Findings

There is ample capacity in traffic, water, sewer, and public services for this location.

- F. The apparent demand for the types of uses permitted in the requested zoning district in relation to the amount of land currently zoned and available to accommodate the demand.*

Finding: No Adverse Findings

Industrial demand appears to be higher than all other land uses, as evidenced by construction of similar properties on Dye Road and in nearby areas. There is not specific data to support this.

- G. The request has not previously been submitted within the past one year, unless conditions have changed or new information has been provided.*

Finding: No Adverse Findings

This is the first request on record.

- H. Other factors deemed appropriate by the planning commission and city council.*

Finding: Subject to Planning Commission Review

Enabling an expansion of the existing I-1 use makes sense based upon the intent of the master plan and the circumstances observed. This is especially true since the parcel in question is not an existing single-family residence, but a vacant lot. The primary concern is ensuring subsequent development and use maintains an 'inviting' corridor.

RECOMMENDATION

The plan to rezone the property, combine it with the existing I-1 parcel, and expand the use in accordance with an approved site plan makes much sense based on the circumstances and the intent of the master plan.

Since the owner is requesting the rezoning conditioned upon the combination with the adjacent parcel and a subsequent site plan, this does mitigate the risk of the owner potentially selling the parcel or proposing a separate site plan for the rezoned parcel without a combination. Such outcomes could be very different and negate the rational behind this potential change.

However, that planning commission is considering the zoning change with the voluntary conditional rezoning from the petitioner in which they agree to combine the parcel and/or submit and receive site plan approval within twelve months. Under 24.07 of the Zoning Appendix A, and MCL 125.3405, I believe this to be the most prudent method of ensuring each party satisfies their needs.

Please contact me directly if you have any comments or inquiries on the matter. I am happy to receive comments in person, in writing, over the phone, or via e-mail.

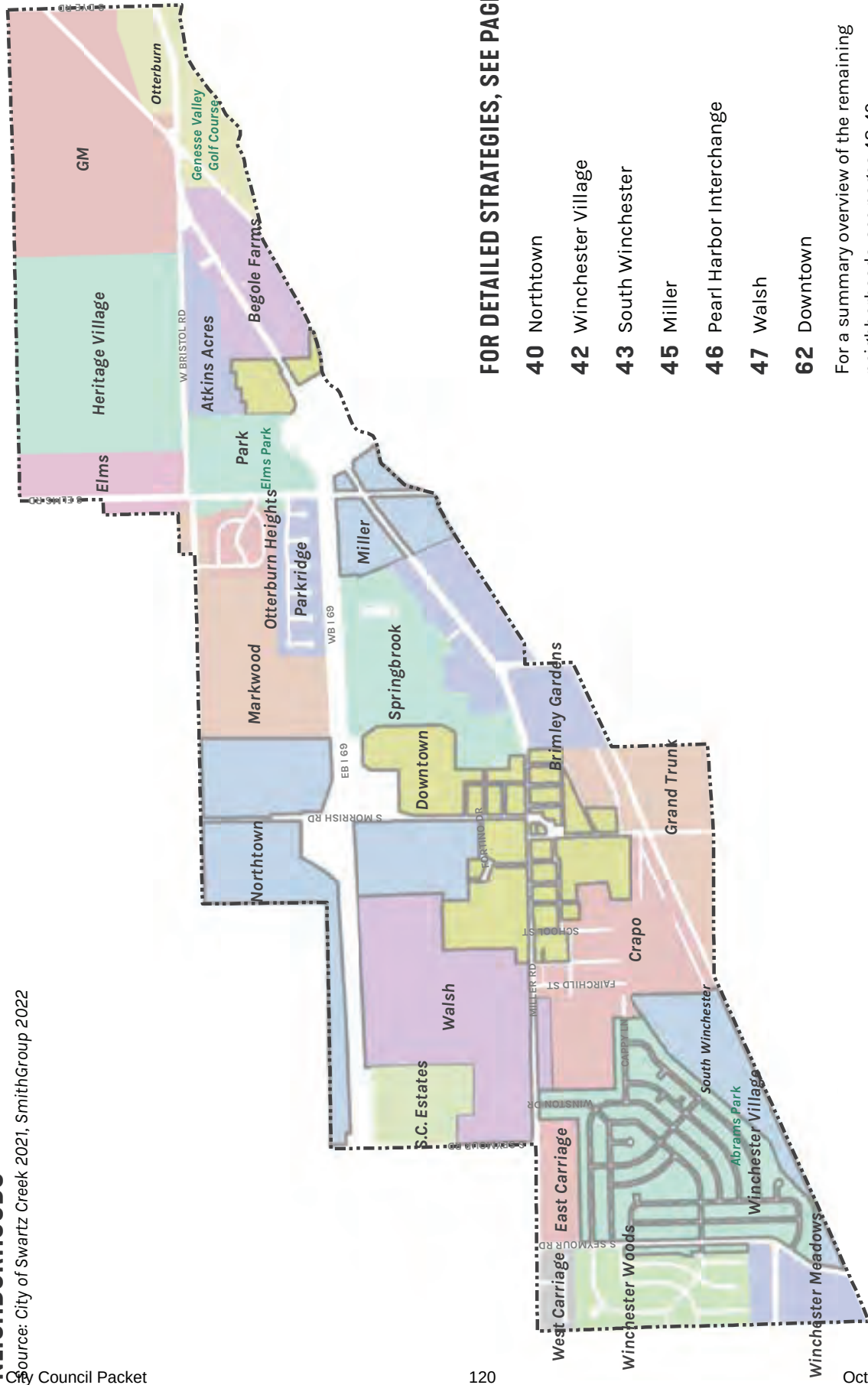
Sincerely,



Adam H. Zettel, AICP
City of Swartz Creek
810.287.2147
azettel@cityofswartzcreek.org

NEIGHBORHOODS

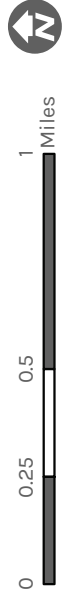
Source: City of Swartz Creek 2021, SmithGroup 2022



FOR DETAILED STRATEGIES, SEE PAGES

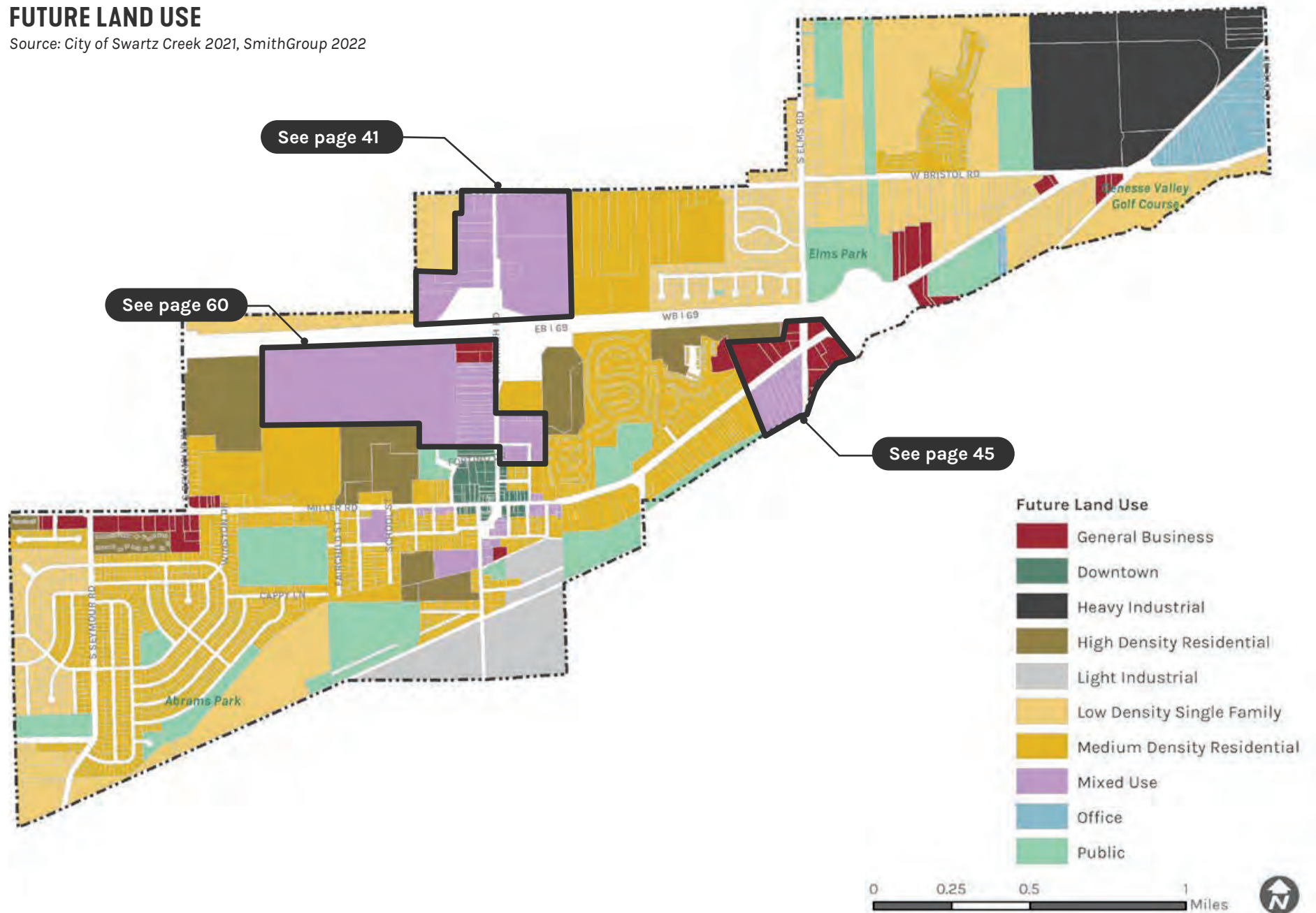
- 40** Northtown
- 42** Winchester Village
- 43** South Winchester
- 45** Miller
- 46** Pearl Harbor Interchange
- 47** Walsh
- 62** Downtown

For a summary overview of the remaining neighborhoods, see pages 48-49.



FUTURE LAND USE

Source: City of Swartz Creek 2021, SmithGroup 2022



CONDITIONAL REZONING AGREEMENT

THIS AGREEMENT made October __, 2026, by and between the City of Swartz Creek ("City"), a Michigan Municipal Corporation, whose offices are Located at 8083 Civic Dr, Swartz Creek, MI 48473, and Gen4 Properties, LLC ("Gen4"), a Michigan Limited Liability Company, whose address is 3400 W. Bristol Road, Flint, Michigan 48507.

RECITALS

WHEREAS, Gen4 is the fee title holder of certain real property ("Property") located at 5472 Miller Road, Swartz Creek, MI 48473 with a parcel number of 58-29-551-002, located within the City of Swartz Creek, State of Michigan, and fully legally described as:

LOT 4 SUPERVISORS PLAT NO 44

WHEREAS, Gen4 applied to rezone the Property from the zoning classification of Single Family Residential to Light Industrial pursuant to the City of Swartz Creek Zoning Ordinance;

WHEREAS, pursuant to MCL 125.3405, Gen4 by its choice, through an authorized representative, has voluntarily offered in writing certain conditions concerning the use and development of the Property in connection with the requested rezoning, and affirms that the Property owner is voluntarily offering these conditions;

WHEREAS the Planning Commission, after reviewing the criteria contained in Zoning Ordinance Section 24.04, finds that the proposed conditional zoning map amendment for 5472 Miller Road to Light Industrial is consistent with the intent of the Master Plan and satisfies the applicable zoning amendment criteria.

WHEREAS on October 6, 2026, the City of Swartz Creek Planning Commission voted to recommend approval of Gen4's request to rezone the Property and to accept Gen4's proposed conditions for the rezoning and recommended the City enter into this Conditional Rezoning Agreement ("Agreement"); and

WHEREAS, on October ____, the Swartz Creek City Council considered and reviewed the recommendation of the Planning Commission and voted to approved Gen4's requested rezoning, accept Gen4's proposed conditions for rezoning of the Property and approve the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, the City and Gen4 agree as follows:

1. Conditional Rezoning

- A. Pursuant to Section 405 of the Michigan Zoning Enabling Act, MCL 125.3405, Gen4 agrees to combine the Property with the adjoining parcel that is the subject of the proposed development into a single parcel, the parcel being the property commonly known as 5482 Miller Road, Swartz Creek, MI 48473, with parcel number of 58-29-551-003; and
- B. Gen4 shall submit a complete site plan application for the proposed development to the City and site plan approval shall be obtained within one year of the effective date of the rezoning;

2. Rezoning Conditions

Gen4 agrees that the development of the Property will proceed in accordance with all applicable City and State of Michigan code and ordinance requirements for the proposed development.

3. Future Development

The conditional zoning conditions set forth in Paragraph 1 above shall apply only to the development of the Property. All future development of the Property shall be in strict compliance with all applicable City Ordinances and regulations.

4. Entire Agreement

This Agreement constitutes the entire understanding between the parties with respect to the subject matter hereof, and all prior or contemporaneous agreements or understandings with respect hereto shall be deemed merged into this Agreement.

5. No Oral Amendments or Modifications

No amendments, waivers or modifications hereof shall be made or deemed to have been made unless in writing and executed by the parties hereto.

6. Severability

If any provision of this Agreement shall be declared invalid, illegal, or unenforceable by a court of competent jurisdiction, the remainder of this Agreement shall not be affected thereby and this Agreement shall be construed as if those provisions were not contained in this Agreement.

7. Applicable Law

This Agreement shall be interpreted and enforced according to the laws of the State of Michigan.

8. Recordation

This Agreement shall be deemed to be in recordable form and shall be recorded with the Lapeer County Register of Deeds immediately after execution.

9. Violation and Enforcement

The failure of any party to complain or enforce any act or omission on the part of another party, no matter how long the same may continue, shall not be deemed to be an acquiescence or waiver by such party of any of its rights hereunder. No waiver by any party at any time, express or implied, or any breach of any provision of this Agreement shall be deemed a waiver of a breach of any other provision of this Agreement or any consent to any subsequent breach of the same or any other provision of this Agreement. If any action by any party shall require the consent or approval of another party, such consent or approval of such action shall not be deemed a consent to or approval of any other provision of this Agreement.

10. Violation of Zoning Ordinance

Any failure by Gen4 to comply with the terms and conditions of this Agreement shall constitute a violation of the City of Swartz Creek Zoning Ordinance and subject Gen4 to the applicable penalties and remedies provided by law, including equitable relief.

11. Binding Effect; Assignment

This Agreement shall bind and inure to the benefit of the City and the successors and assigns of Gen4.

12. Effective date

The conditional rezoning approved by the City Council shall be effective upon the date after the enactment by the City of an amendment to the Zoning Ordinance and Zoning Map, rezoning the Property from Single Family Residential to Light Industrial, and the expiration of the time period within which referendum on the Zoning Ordinance amendment may be petitioned for under the Michigan Zoning Enabling Act has expired without a referendum petition having been filed, or, if a referendum election is held on the Zoning Ordinance amendment, the date after which such amendment has been certified as having been approved by the electors.

The rezoning shall be a conditional rezoning and subject to the terms and conditions set forth in this Agreement. In the event Gen4 fails to meet the conditions of this Agreement, then the approval of the site plan for the proposed developments shall terminate. In such an event, Gen4 may thereafter develop the Property only in accordance with a site plan that is approved by the Planning Commission and complies with all City zoning, engineering, building and fire codes, as well as Ordinances in effect that time.

-signature page follows-

**STATE OF MICHIGAN)
COUNTY of GENESEE)**

On this day of October____, 2026, before me a Notary Public in and for the County, personally appeared Adam Zettel, to me personally known, who, being by me duly sworn, did say that he is the City Manager for the City of Swartz Creek and that he signed this Agreement on behalf of the municipal corporation by authority of its City Council; and acknowledged the instrument to be the free act and deed of the City of Swartz Creek, a Michigan Municipal Corporation.

Notary public, Genesee County, State of Michigan
Acting in Genesee County, Michigan
My commission expires: _____

Adam Zettel, City Manager
City of Swartz Creek

**STATE OF MICHIGAN)
COUNTY of GENESEE)**

On this day of October____, 2026, before me a Notary Public in and for the County, personally appeared_____ to me personally known, who, being by me duly sworn, did say that he is a Member of Gen4 Properties, LLC and that he signed this Agreement on behalf of Gen4 Properties, LLC by authority of its members; and acknowledged the instrument to be the free act of Gen4 Properties, LLC, a Michigan Limited Liability Company,

Notary public, Genesee County, State of Michigan
Acting in Genesee County, Michigan
My commission expires: _____

Name: _____
Authorized Representative
Gen4 Properties, LLC



RESOLUTION # _____

CITY OF SWARTZ CREEK
(An Equal Opportunity Employer)
STREET CLOSURE/USE APPLICATION

DATE OF REQUEST: 12/6/2026
SPONSOR ORGANIZATION: Swartz Creek Area Firefighters INC.
AUTHORIZED REPRESENTATIVE: Ryan Spillane
WORK ADDRESS: 8100-B Civic Drive HOME ADDRESS: _____
PHONE NO: WORK (800) 6352300 HOME: () _____ CELL: () _____
EMAIL ADDRESS: Spillane@SCAFD.com

TYPE OF EVENT: (check box)

PARADE ☒ ** (Draw Route on Attached Map)

CARNIVAL ☐

FOOT/BIKE RACE ☐

CRAFT SHOW ☐

CONCERT ☐

OTHER: _____

DATE OF EVENT: 12 / 6 / 2026

TIME OF EVENT: FROM: 6 AM/PM TO: 8 AM/PM

ESTIMATED NUMBER OF PARTICIPANTS: _____

DESCRIPTION OF EVENT; NOTE STREETS REQUESTED TO BE CLOSED/USED:

Fairchild, North to Miller. East on Miller, Ending at Holland Square.
Miller Road closed, from Morrish - West to Fairchild.

The applicant agrees, as a condition of the granting of this permit, to hold the City of Swartz Creek, its officers, employees, and agents harmless from any liability from any injuries caused to persons or property in connection with this event. To that end, the applicant shall provide the City with evidence of insurance for such liability in an amount determined adequate by the City Attorney, but in no case less than \$ 1,000,000/2,000,000 aggregate and the City of Swartz Creek shall be named as an insured party on said policy. The policy shall also contain a provision providing the City with ten (10) days written notice of cancellation.

FOR: Swartz Creek Area Firefighters Inc BY: Ryan Spillane
(Organization) (Authorized Representative)

APPROVED BY: _____
(Chief of Police) (Street Administrator)

* The throwing of any item(s) from any vehicle during the course of a parade is strictly prohibited and violations may result in criminal prosecution and/or the denial of future permit applications.

**The Chief of Police reserves the right to determine the length of time that any street(s) remain(s) closed to traffic.



CEM Support Center

Consumers Energy, Lansing Service Center, Rm. 122, 530 W. Willow St., Lansing, MI 48906-4754

July 16, 2026

NOTIFICATION #:
1076886571

CITY OF SWARTZ CREEK
8083 CIVIC DR
SWARTZ CREEK, MI 48473-1377

REFERENCE: 5023 HOLLAND DR, SWARTZ CREEK

Dear Valued Customer,

Thank you for contacting Consumers Energy for your energy needs. Please note the Notification Number above and include it on any correspondence you send. Please note the Account Number, located above the Account Name on your invoice, when submitting payment.

Enclosed for approval and signature is the original Authorization for Change and Resolution covering the replacement and/or installation of streetlight(s). You are responsible for the final restoration.

The estimated cost for your energy request is as follows:

Non Refundable Agreement for Installation of Electric Facilities:

Winter Construction Costs:	\$ -
Installation Charge:	\$ 10,282.50
Additional Costs	
Total Estimated Cost:	\$ 10,282.50
Less Prepayment Received:	\$ -
Total Estimated Cost Due:	<u>\$10,282.50</u>

Please sign and return the original Authorization for Change and Resolution in the enclosed self-addressed envelope or email to: POBoxCEServiceRequest@cmsenergy.com. Payment in full is required before the installation can be scheduled for construction.

Please review all attached materials carefully and direct inquiries for your request to:

Gabriel Poletti at 810-760-3485 .



A CMS Energy Company

Dear New Electric Customer:

Thank you for your request for electric service. In order to expedite your request and meet your schedule, we have developed the following list of items requiring action by you (Customer Responsibilities). These requirements must be met before we can install your service.

CUSTOMER RESPONSIBILITIES

- 1) Service Location: A copy of our design document may be included in your customer packet. If included, your service entrance equipment should be located at the spot indicated by an "X" as shown on the design document (Form 2804). Install the meter socket 3½ - 5 feet above final grade of this location.
- 2) Meter Socket: Residential metering equipment furnished free of charge, owned and maintained by Consumers Energy includes: meters and one or two position self-contained meter sockets. Contact the company representative assigned to your notification for locations to pick-up the meter socket. For metering installations that require a three or more position self-contained meter socket, the customer will be required to purchase approved meter sockets from a distributor or supplier of their choice.
- 3) Payment: An invoice may be included in your customer packet. If included, the deposit amount on the invoice must be paid prior to installation of your service. Additional charges may apply and will be billed/or a refund issued upon completion of your service installation.
- 4) Site Conditions: The site must be within three (3) inches of final grade before we can install your service. If you have requested an underground service, you will need to clear a 12-foot wide path that is free of building materials, brush, trees, shrubs, etc, along the proposed service route to avoid delays. Our Forestry Department can provide this service for you at an additional charge. For overhead service, nominal line clearing will be provided at no charge. Any extensive line clearing may require additional charges. After your service is installed, we will backfill and place excavated earth over the trench. You are responsible for the final restoration and ensuring that the grading over the trench is at the required level.
- 5) Staking: To avoid damage, you must mark (stake) your existing private underground facilities such as: well, septic systems, sprinkler system, any underground wires, buried LPG tanks, piping, or other unusual buried facilities. These stakes must be apparent when we arrive to install the service. We cannot reimburse you for damage to facilities that are not properly staked. You do not need to stake the utilities' electric, gas or communication lines.
- 6) Mobile Home or Temporary Service: If you requested service to a mobile home or temporary electric service, you will be required to set your own pole or install a pipe for underground service in accordance with Consumers Energy specifications. Contact the Consumers Energy representative assigned to your notification for additional information.
- 7) Construction Repair: If additional line work is required to reach your location due to site conditions or other unusual circumstances, extra charges may be incurred.
- 8) **ELECTRICAL INSPECTION: YOU ARE RESPONSIBLE FOR ENSURING THAT ALL ELECTRICAL PERMITS AND INSPECTIONS ARE OBTAINED BEFORE ANY SERVICE CONNECTIONS CAN BE MADE. WIRINGS MUST COMPLY WITH LOCAL AND STATE ELECTRICAL CODES. NOTE: CAUTION SHOULD BE USED WHEN WORKING INSIDE FUSE PANEL. PANEL MAY BE ENERGIZED AFTER SERVICE IS**
- 9) Additional Charges: Underground services installed during the months of December through April may be subject to an additional charge. Unusual site conditions may also require an additional charge. These charges will be communicated to you in advance of construction.
- 10) Joint Trenching: Discounts for installation of electric and gas service in the same trench (joint trench) are applied in calculating the gas service contribution.
- 11) Usage Rate: Customers are billed at a general service rate while the structure is under construction. If the structure is a home, then the owner of the home, upon receiving a Certificate of Occupancy, should call 1-800-477-5050 to ensure the gas and/or electric rates are changed to an appropriate rate.

Please keep these procedures in a convenient location to review as we proceed with designing your service and constructing the job. If any of the characteristics of the service request are changed and not communicated to us, you may experience delays and/or additional charges.

If you have any questions regarding these requirements please direct inquiries to:

Gabriel Poletti at 810-760-3485

PLEASE RETURN THE CHECKED DOCUMENTS BELOW TO CONSUMERS ENERGY IN THE ENVELOPE PROVIDED	
TO EXPEDITE SERVICE, RETURN VIA EMAIL TO: POBoxCEServiceRequest@cmsenergy.com	
☐	AGREEMENT FOR INSTALLATION (Please return all pages of contracts) (Form 93, Form 94 and Form 95 - 2 Page Document Each) (Form 861, Form 862 and Form 230 - 4 Page Document Each)
☒	PAYMENT WITH INVOICE STUB (BOTTOM STUB IS REQUIRED FOR PROCESSING)
☐	REQUEST FOR ELEVATED CUSTOMER DELIVERY PRESSURE
☒	STANDARD LIGHTING CONTRACT (MUST BE CERTIFIED BY CLERK) EMAIL STREETLIGHT CONTRACTS TO: street_lighting@cmsenergy.com
☐	SIGNED CUSTOMER ATTACHMENT PROGRAM (CAP) CONTRACT (PLEASE ENSURE TO CHECK PAYMENT OPTION ON CONTRACT)
☐	GO READY FORM (FORM 1250) TO EXPEDITE SERVICE, RETURN VIA EMAIL TO: POBoxCEServiceRequest@cmsenergy.com
☐	SITE READY PHOTO(S) TO EXPEDITE SERVICE, RETURN VIA EMAIL TO: POBoxCEServiceRequest@cmsenergy.com
☐	OTHER:
ELECTRIC SERVICE NOTIFICATION:	
GAS SERVICE NOTIFICATION:	
ELECTRIC OH DISTRIBUTION NOTIFICATION:	
ELECTRIC UG DISTRIBUTION NOTIFICATION:	
GAS MAIN NOTIFICATION:	
STREETLIGHT NOTIFICATION: 1076886571	

Amount Due:	\$10,282.50
Please pay by:	July 30, 2026

Account: 3000 2633 2951**NONENERGY INVOICE**

TOTAL DUE:		\$10,282.50
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Consumers Energy is regulated by the Michigan Public Service Commission, Lansing, Michigan

Fold, detach and mail this stub with your check made payable to Consumers Energy. Please write your account number on your check.



PREPAYMENT REQUEST

Amount Due:	\$10,282.50
Please pay by:	July 30, 2026
Enclosed:	

6 330039954459 000010282507 0000 2056 5 300026332951 H
City Council Packet 131 October 26, 2026

Ways to pay your nonenergy bill:



Same-day payment
ConsumersEnergy.com
Discover® MasterCard®
Visa® or eCheck



Same-day payment
866-329-9593
Discover® MasterCard®
Visa® or eCheck



By mail
Check, money order
Consumers Energy
Payment Center
P.O. Box 740309
Cincinnati, OH 45274-0309



In person
Cash, check, card
or money order
Varies by authorized payment location
Fee may apply



**AUTHORIZATION FOR CHANGE IN STANDARD LIGHTING
CONTRACT(COMPANY-OWNED) FORM 547**

Contract Number: 103033446230

Consumers Energy Company is authorized as of _____ by the City of SWARTZ CREEK CITY, to make changes, as listed below, in the lighting system(s) covered by the existing Standard Lighting Contract between the Company and the City of SWARTZ CREEK CITY, dated 11/1/2018.

Lighting Type: General Unmetered Light Emitting Diode Lighting Rate GU-LED

Except for the changes in the lighting system(s) as herein authorized, all provisions of the aforesaid Standard Lighting Contract dated 11/1/2018 shall remain in full force and effect.

Notification Number(s): 1076886571

Comments: 11902298

City of SWARTZ CREEK CITY

By: _____

(Signature)

(Printed)

Its: _____

(Title)

This Agreement may be executed and delivered in counterparts, including by a facsimile or an electronic transmission thereof, each of which shall be deemed an original. Any document generated by the parties with respect to this Agreement, including this Agreement, may be imaged and stored electronically and introduced as evidence in any proceeding as if original business records. Neither party will object to the admissibility of such images as evidence in any proceeding on account of having been stored electronically.

RESOLUTION

RESOLVED, that it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the lighting service as provided in the Standard Lighting Contract between the Company and the City of SWARTZ CREEK CITY, dated 11/1/2018, in accordance with the Authorization for Change in Standard Lighting Contract dated _____,

heretofore submitted to and considered by this ☐ commission ☐ council ☐ board; and

RESOLVED, further, that the _____ Clerk be and are authorized to execute such authorization for change on the behalf of the City.

STATE OF MICHIGAN
COUNTY OF GENESEE

I, _____, clerk of the City of SWARTZ CREEK CITY do hereby certify that the foregoing resolution was duly adopted by the

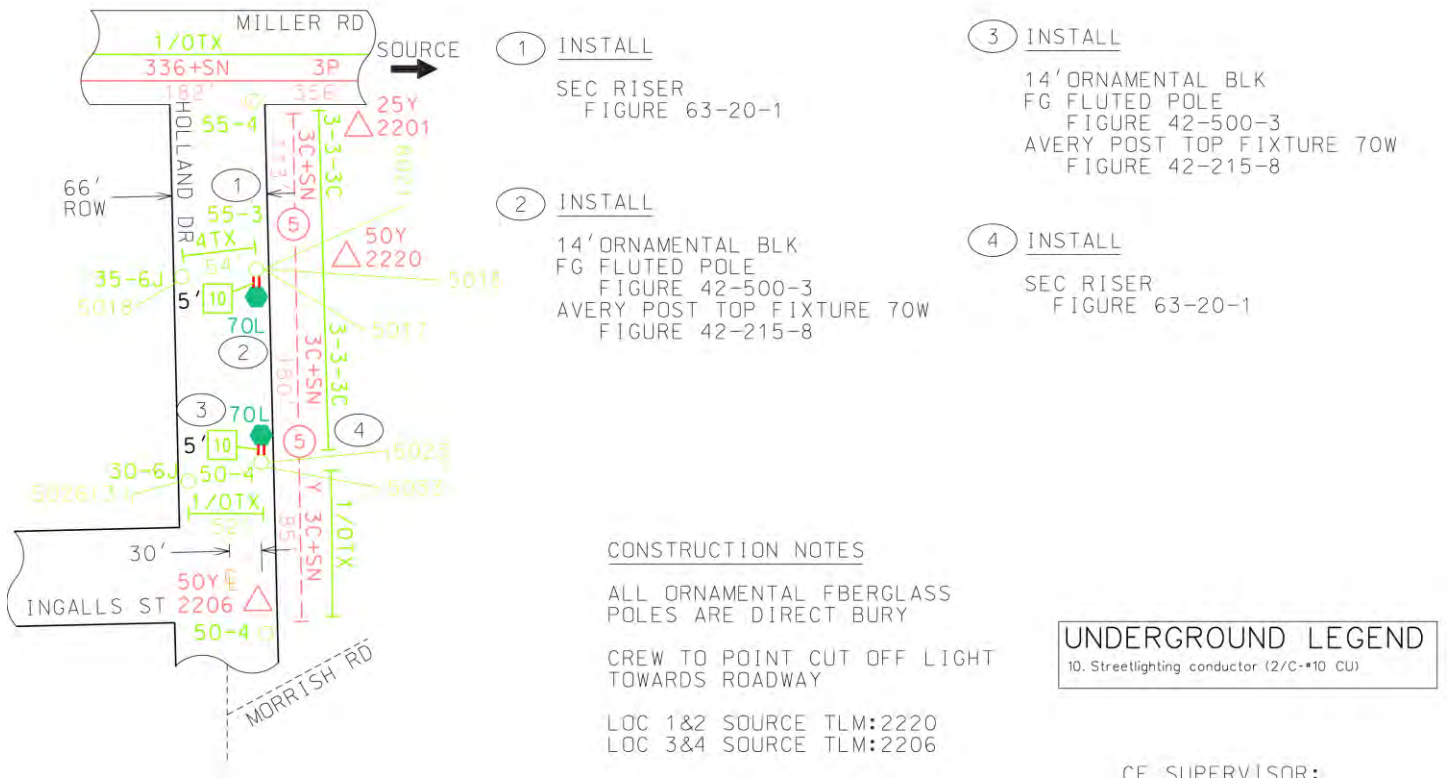
☐ commission ☐ council ☐ board of said municipality, at the meeting held on _____.

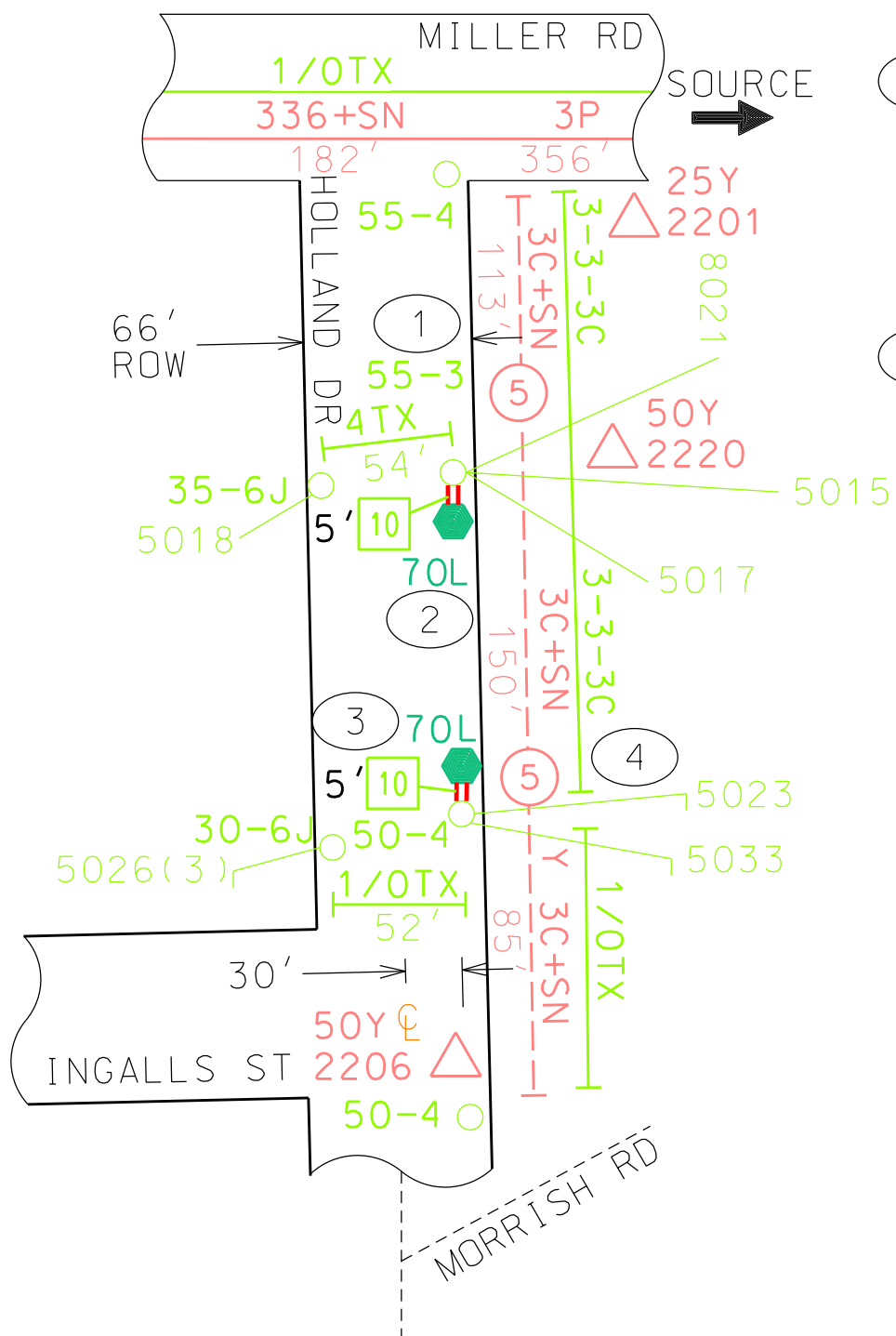
Dated:

Municipal Customer Type: City

GENERAL UNMETERED LIGHT EMITTING DIODE LIGHTING RATE GU-LED

- (2) 70 watt LED White Post Top Avery to Install at location LOC 2 AND 3 ON HOLLAND BETWEEN INGELLS AND MILLER RD;





① INSTALL
SEC RISER
FIGURE 63-20-1

② INSTALL
14' ORNAMENTAL BLK
FG FLUTED POLE
FIGURE 42-500-3
AVERY POST TOP FIXTURE 70W
FIGURE 42-215-8

③ INSTALL
14' ORNAMENTAL BLK
FG FLUTED POLE
FIGURE 42-500-3
AVERY POST TOP FIXTURE 70W
FIGURE 42-215-8

④ INSTALL
SEC RISER
FIGURE 63-20-1

CONSTRUCTION NOTES

ALL ORNAMENTAL FBERGLASS
POLES ARE DIRECT BURY

CREW TO POINT CUT OFF LIGHT
TOWARDS ROADWAY

LOC 1&2 SOURCE TLM:2220
LOC 3&4 SOURCE TLM:2206

UNDERGROUND LEGEND

10. Streetlighting conductor (2/C-#10 CU)

CE SUPERVISOR:
MIKE BOSTWICK 810-760-3312

SUBSTATION SWARTZ CREEK	WD NO. Q398	METER ORDER NUMBER	METER NUMBER	READ	METER LOCATION
CIRCUIT WINCHESTER	CKT NO. Q3	TLM NUMBER 0655012206	# OF RODS	OHMS	5023 HOLLAND DR ECNC STL CM NO.100008372723
 A CMS Energy Company		CE STAKING REQ'D	☐ Yes ☒ No	ORDER TYPE ECNC	MAT. TYPE STL
		FORESTRY REQ'D	☐ Yes ☒ No	NOTIFICATION NUMBER 1076886571	DESIGN NUMBER 11902298
					ORDER NUMBER

JOB PURPOSE: INSTALLATION OF DECORATIVE STREETLIGHT FOR CITY OF SWARTZ CREEK		
UPSTREAM SECTIONALIZING DEVICE: SEE NOTES LOCATION: SEE PRINT		
CONSUMERS ENERGY CONTACTS		
DEPARTMENT	NAME	NUMBER
COORDINATOR DESIGNER	GABRIEL POLETTI SYDNEY BARKER	810-760-3485 810-358-9943

**RBF Holdings
DEVELOPMENT AGREEMENT**

This Development Agreement ("Agreement") is made and entered into as of the day of (month), 2026, by and between RBF Holdings, L.L.C., a Michigan limited liability company, whose address is 1411 W. Hill Rd., Flint, MI 48507 (hereinafter referred to as the "Owner"), and the City of Swartz Creek Downtown Development Authority, a Michigan municipal corporation (hereinafter referred to as the "SCDDA"), whose address is 8083 Civic Drive, Swartz Creek, Michigan 48473.

RECITALS:

The City of Swartz Creek Downtown Development Authority ("SCDDA") was first established in 1980 and then updated in 2005, 2015, 2022, and 2025, pursuant to the Downtown Development Authority Act (current Public Act 57 of 2018). The purpose of the Authority is to correct and prevent deterioration and promote economic growth within City of Swartz Creek's principal business district (the "Downtown District").

To induce and facilitate development/redevelopment in the Downtown District consistent with the City of Swartz Creek and SCDDA's vision for the Downtown District, the SCDDA and the City of Swartz Creek, through the City Council, adopted a Tax Increment Financing Program under the SCDDA's Development Plan and Tax Increment Financing Plan, dated October 13, 2025 (the "DDA TIF Plan").

The DDA TIF Plan authorizes the use of tax increment funding to assist developers in need of assistance to finance projects in the Downtown District that fit within the City's and SCDDA's vision for the Downtown District. The goal is to provide funding to close the "gap" that prevents the project from becoming a reality due to financial feasibility for the Owner.

Owner owns twelve parcels of land situated in the Downtown District of the City of Swartz Creek, Genesee County, Michigan, and described on the attached Exhibit A and hereinafter referred to as the "Property." Owner proposes to undertake a substantial redevelopment of the Property, hereinafter referred to as the "Project" and the Property is currently vacant. The Project is further defined to include all land and improvements in the site plan for the Property that is, will be or has been approved by the City of Swartz Creek, as the same may be amended from time to time.

Owner applied for gap financing ("TIF Assistance") through the DDA

Owner's
Initials

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TIF Plan in connection with the Project. Owner provided documentation supporting its request identifying extraordinary costs that are critical components of the Project, which will be a cornerstone development in the City (the "Application Documents").

On October 8, 2026 the SCDDA approved the Owner's Application for TIF Assistance in anticipation of the Project.

In accordance with the above, the SCDDA and the Owner desire to establish the terms and conditions upon which the SCDDA shall utilize Tax Increment Revenues captured by the Project to reimburse the Owner for the costs of critical components of the Project which are consistent with the City and DDA TIF Plan for the Property and are undertaken by the Owner.

NOW THEREFORE, the parties agree as follows:

- 1. Revenues Captured.** It is understood that the TIF Assistance is intended to be funded by the capture of Tax Increment Revenues from several taxing jurisdictions (see the TIF Assistance Program, Tables 1 and 2), including levies of the City of Swartz Creek, Genesee County, and other taxing jurisdictions that are captured by the SCDDA under Act 57. The SCDDA has considered pursuant to its DDA TIF Plan criteria, and approved to provide Gap Financing to reimburse Owner for the Gap Amount hereunder. The SCDDA has considered pursuant to its TIF Assistance Program criteria, and approved to utilize 90% of the SCDDA tax increment revenues to reimburse Owner for the Gap Amount for each unit developed hereunder.

The terms "Reimbursable Activity" and "Reimbursable Activities," as used herein, include planning, engineering, design, and implementation costs for, but not limited to, the following with respect to the Project in accordance with the City of Swartz Creek Tax Abatement and Incentive Policy:

- A. Public facility improvements, including the planning, construction, renovation, repair, remodeling, rehabilitation, restoration, preservation, and reconstruction of public facilities, including: Streets, sidewalks, plazas, pedestrian malls; parks and recreational facilities; parking facilities; utilities (lines, pipes, water/sewer infrastructure); bridges, waterways, lakes, ponds, canals; buildings used by the public; and barrier free accessibility improvements;
- B. Building improvements, including the improvement, operation, construction, reconstruction, rehabilitation, restoration, equipping,

Owner's
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maintaining, and repairing of buildings, including multiple family dwellings.

- C. Property acquisition, including purchasing land or buildings; acquiring rights or interests (easements, licenses, options, etc.), and costs related to conveyance or disposal.

2. Reimbursement Process. Reimbursement to Owner shall be made as provided in this Agreement.

- a. The Owner shall have sole responsibility to advance the funds to pay for the completion of the Project. The amount to be repaid to Owner through captured TIF revenues shall be the expended total of Reimbursable Activities by Owner minus the amount paid for an individual developed unit subject to this Agreement. The amount shall be referred to as the "Gap Amount" and shall be submitted for approval by the SCDDA, with input from City officials and consultants, to verify the Reimbursable Activities by Owner and proof of the arm's length transaction for the sale of the unit. The total Gap Amount repaid to Owner shall not exceed \$630,000. Upon the completion of the developed unit and receiving a certificate of occupancy that conforms with the submitted site plans and construction materials approved by the City. The Owner shall provide proof of the arm's length transaction subject to the conflict of interest provisions of this Agreement. SCDDA has no obligation to reimburse expenses or costs for any activities other than Reimbursement Activities as provided herein, nor shall payment extend beyond 18 years, without the express consent of the SCDDA and City Council. It is further understood and agreed that any reimbursement to or on behalf of Owner contemplated by this Agreement shall only occur to the extent that Tax Increment Revenues are generated from the Property and those Tax Increment Revenues or other revenue available under Act 57 and this Agreement for the making of reimbursements to the Owner.
- b. Owner shall maintain the financial information and data used in support of the requests for reimbursement for Reimbursable Activities in accordance with generally accepted accounting principles and practices. Such records shall be maintained for thirty-six (36) months after the completion of the Reimbursable Activities and receiving a certificate of occupancy for the approved parcel development. The SCDDA shall have access to these records during normal business hours, provided the SCDDA submits a request to

Owner's
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the Owner to review the records with reasonable advance notice.

- c. The Owner shall submit to SCDDA a Request for Cost Reimbursement for Reimbursable Activities paid for by the Owner, on the form attached as Exhibit B ("Reimbursement Request"). The Reimbursement Request shall describe each individual activity claimed as a Reimbursable Activity and the associated costs of each individual activity. Documentation of the costs incurred shall be included with the Reimbursement Request, including proof of payment and detailed invoices for the costs incurred are sufficient to determine whether the costs incurred are available under Reimbursable Activities in order to establish the Gap Amount once a unit is sold. A duly authorized representative of the Owner shall sign the Reimbursement Request to be reviewed by City officials and consultants, and approval by the SCDDA, or committee designated by the SCDDA to review and approve Reimbursement Requests.
- d. Reimbursement Requests shall be reviewed by SCDDA. The Owner shall cooperate in the review by SCDDA by providing information and documentation to supplement the Reimbursement Request as deemed reasonable and necessary by SCDDA. Within thirty (30) days after submission of a Reimbursement Request, SCDDA shall either approve the Gap Amount or identify in writing to the Owner any costs in the Reimbursement Request deemed ineligible for reimbursement and the basis for the determination. Owner shall be given thirty (30) days thereafter within which to provide supplemental information or documents in support of the Reimbursement Request or portion of it deemed ineligible by SCDDA. Thereafter, except as otherwise agreed to in writing by the Owner and SCDDA, SCDDA shall decide on the eligibility of the disputed cost and inform the Owner in writing of its determination. The SCDDA shall act on a Reimbursement Request after receipt of the requested supplemental information from the Owner at the next scheduled meeting of the SCDDA. Once approved, the Gap Amount paid back to the Owner shall accrue at an interest rate of 6% per annum and paid to the Owner in addition to the Gap Amount.
- e. Payment of Gap Amount approved by the SCDDA will be issued to Owner at least twice annually. If sufficient Tax Increment Revenues attributable to the Property are not available at the time a submission is approved and payment is due, the approved amount shall be paid from Tax Increment Revenues attributable to the Property that are next received by the SCDDA. Payments shall be made no less often

Owner's
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than by June 1 and October 1 of each year using funds collected by the City or Genesee County through such date or a date reasonably preceding such dates. The SCDDA reimbursement responsibility is dependent on funds received from taxing jurisdictions provided that the Property's taxes have been paid. Payment of Reimbursement Requests approved by the SCDDA shall be made payable to the Owner and mailed to the following authorized address, or other approved methods of payments between the parties:

RBF Holdings
4140 Morrish Road
Swartz Creek, MI 48430
Brett Jory, Principal

- f. The obligation of SCDDA to reimburse Owner, is further subject to the following conditions:
- i. The Owner is current on all real property taxes due on the portion of the Property it owns.
 - ii. The Owner is not in Default under this Agreement.
 - iii. The Owner shall provide written proof of payment arising from performance of Reimbursable Activities and proof of an arm's length transaction.
- g. The Owner shall notify the SCDDA of the completion of each unit for which reimbursement may be sought under this Agreement and will execute and deliver to SCDDA a Certificate of Completion of the unit, in the form attached hereto as Exhibit C, after the date of completion of all of the Reimbursable Activities for which reimbursement is sought for the Gap Amount under this Agreement.
- h. The Owner shall receive 90% of the TIF capture by the SCDDA for each completed unit developed under this Agreement. The following twelve units identified by the parcel number have been approved for capture under this Agreement:

58-35-677-004
58-35-677-005
58-35-677-006
58-35-677-007
58-35-677-008
58-35-677-009
58-35-677-010

Owner's
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SCDDA's
Initials

58-35-677-011
58-35-677-012
58-35-677-013
58-35-677-014
58-35-677-015

3. **Dispute Resolution.** Any dispute, controversy, or claim arising from this Agreement, including its interpretation, performance, enforcement, breach, or termination, the Parties shall first attempt in good faith to resolve the dispute through their respective legal counsel.

If counsel cannot resolve the dispute, either Party may send the other Party written notice requesting mediation. Within twenty-one (21) days after the other Party receives the notice, the Parties shall mediate the dispute with a neutral third-party mediator whom they jointly select. The Parties may agree in writing to extend that deadline.

The Parties shall split the mediator's fees and mediation costs equally. Each Party shall pay its own attorney fees and other expenses related to the mediation.

Each Party shall participate in the mediation in good faith and shall ensure that a representative with authority to resolve the dispute attends the mediation. If mediation does not resolve the dispute, either Party may pursue any available legal or equitable remedy in a court of competent jurisdiction. Either Party may also seek temporary or emergency injunctive relief before mediation when necessary to preserve the status quo or prevent immediate and irreparable harm.

4. **Compliance with Laws, Regulations, Approvals, and Conflicts of Interest.** Anything in this Agreement to the contrary notwithstanding, the Owner and its affiliates shall comply with all applicable laws, ordinances, or other regulations imposed by the City or any other properly constituted governmental authority with respect to the Property, and if the Owner shall fail to materially do so, the SCDDA may, in its reasonable discretion, withhold reimbursement payments under this Agreement for as long as such violation persists. At the SCDDA's request, Owner shall copy or provide SCDDA with all correspondence and materials or documents provided to any regulatory authority that are related to the Subject Property or Reimbursable Activities on the Property.

- a. Owner covenants and agrees that any sale, transfer, conveyance, or assignment of the completed parcel(s) developed pursuant to this Agreement shall be made only to a bona fide third-party purchaser who

Owner's
Initials

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SCDDA's
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is independent of Owner and free from any actual or potential conflict of interest. Owner shall not sell, transfer, convey, or otherwise dispose of any completed parcel to Owner, any entity owned or controlled by Owner, any affiliate, subsidiary, partner, member, manager, officer, employee, or agent of Owner, or any immediate family member of Owner or any principal of Owner, unless expressly approved in writing by the SCDDA after full disclosure of all relationships and interests involved.

- b. For purposes of this Agreement, a prohibited conflict of interest shall exist where the proposed purchaser has any direct or indirect ownership interest, financial interest, familial relationship, business relationship, or other affiliation with Owner or any principal of Owner that could reasonably create the appearance of self-dealing, preferential treatment, or a transaction that is not conducted at arm's length. Owner shall provide written disclosure of the identity of any proposed purchaser and certify that the purchaser is an independent third party and that no prohibited undisclosed relationship exists prior to completing any sale or transfer. Any disclosed conflict of interest may be waived by the SCDDA if determined that the sale or transfer is the result of an arm's length transaction.
- c. Any transfer made in violation of this provision shall constitute a material breach of this Agreement, and the SCDDA shall be entitled to pursue all available remedies, including injunctive relief, damages, withholding of approvals, or any other remedies available at law or equity.

5. **Challenges to Capture.** In the event that a taxing jurisdiction, or any other party, challenges the capture of any tax revenues and the State or a court of competent jurisdiction issues an order preventing the capture and use of those revenues and requiring the refund or repayment of any captured Tax Increment Revenue previously paid to Owner pursuant to this Agreement, the Owner agrees to repay to the SCDDA the captured Tax Increment Revenues previously paid to Owner pursuant to this Agreement and the SCDDA agrees to reimburse the Owner, from future capturable revenues, any such repayment by the Owner.

6. **Indemnification/Hold Harmless and Insurance.** Except as provided below, Owner indemnifies and holds harmless the SCDDA, and any of its past, present, and future members, employees, officials, and consultants from any and all losses, demands, claims, actions, assessments, suits, damages, judgments, penalties, cost, or expenses, imposed upon, assessed against, or incurred by SCDDA or the listed

Owner's
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persons which result from, relate to, or arise out of any of the following:

- a. A determination by the State or a court of competent jurisdiction that the State or any other taxing jurisdiction be repaid or refunded any levy captured as Tax Increment Revenues and paid to Owner as a reimbursement under this Agreement made in excess of the amount the SCDDA is permitted to use for such reimbursement;
- b. The undertaking of the Gap Amount by the Owner for each unit developed under this Agreement;
- c. The acquisition, construction, equipping and/or operation of the business of the Owner on the Property.
- d. Any act or omission of the Owner, after taking title to or control of each unit, in connection with remediation or development of the Property.

The SCDDA may, in accordance with a final unappealable order of a court of competent jurisdiction, set-off any amount owing to the Owner under this Agreement to satisfy any indemnification obligation of the Owner under this Agreement. Each Party to this Agreement shall be responsible for defending any claims arising out of the acts and/or omissions of it or its respective employees, contractors, representatives, and agents during the performance of this Agreement, as provided by law. This Agreement does not and is not intended to impair, divest, delegate, or contravene any constitutional, statutory, and/or other legal right, privilege, power, obligation, duty, or immunity of the Parties. The work and activities performed pursuant to this Agreement by the SCDDA are governmental functions. It is the intention of the Parties hereto that this Agreement shall not be construed to waive the defense of governmental immunity held by the City or SCDDA. Owner shall indemnify the SCDDA and the City for the cost of defense, including reasonable attorneys' fees, to the extent that a final unappealable order of a court of competent jurisdiction determines that the Indemnified Persons were not responsible or liable for the claims asserted. The Owner shall also indemnify the SCDDA for all reasonable costs and expenses, including reasonable attorneys' fees, incurred in:

- a. enforcing any obligation of the Owner under this Agreement or any related agreement to which the Owner is a party;
- b. taking any action requested by the Owner; or
- c. to the extent that such cost or expense exceeds or is not subject to this Agreement, taking any action on behalf of the Owner that is required of the Owner, or which is otherwise considered necessary

Owner's
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by the SCDDA, under this Agreement or any related agreement to which the Owner is a party.

The obligations of the Owner under this section shall survive any assignment or termination of this Agreement.

7. **Loss of Revenue from a Taxing Jurisdiction.** It is understood that the TIF Assistance is intended to be paid from captured Tax Increment Revenues from several taxing jurisdictions. In the event that a taxing jurisdiction, or any other party, successfully challenges the capture of any tax revenues and after the issuance of a final, unappealable order of a court of competent jurisdiction preventing the capture and use of those revenues and requiring the refund or repayment of any captured Tax Increment Revenue previously paid to Owner pursuant to this Agreement, the Owner agrees to repay to the SCDDA the captured Tax Increment Revenues previously paid to Owner pursuant to this Agreement, and the SCDDA agrees to reimburse the Owner, from future capturable revenues, any such repayment by the Owner.
8. **Property Tax Appeal.** The Owner and purchasers shall have full rights to appeal property tax assessments under State law. The Owner also expressly acknowledges any tax appeal may impact the SCDDA's ability to reimburse the Owner's Reimbursable Activities or other obligations under this Agreement, and expressly waives any claim against the SCDDA that result from any tax appeal filed by the Owner. To the extent that the previous years' taxes are refunded and to the extent that the refund reduces or eliminates the amount available for reimbursement for activities for the previous year, the Owner shall return that portion of any reimbursement paid from the previous years' taxes.
9. **Access for Inspection.** The City and the SCDDA and Agents are authorized to enter upon the Property during normal business hours for the purpose of inspecting the work related to the Reimbursable Activities and making determinations that such work is being performed in accordance with the Plan in a workmanlike manner with prior reasonable notice to the Owner of each area to be inspected. The Owner reserves the right to preclude access or request the employees or agents of the SCDDA vacate the property for health and safety issues. Any employees or agents of the SCDDA must comply with all site safety standards, including, but not limited to, MIOSHA requirements.
10. **Discrimination.** Owner shall not discriminate against any employee or applicant for employment in violation of state or federal law. Owner shall

Owner's
Initials

SCDDA's
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promptly notify the SCDDA of any complaint or charge filed and/or of any determination by any court or administrative agency of illegal discrimination by Owner.

11. Insurance Requirements. Owner shall provide insurance as reflected in Exhibit D.

12. Effective Date. This Agreement shall take effect upon its execution by SCDDA and Owner. This Agreement shall terminate upon the full payment for each completed unit's Gap Amount to Owner for the developed parcels identified in Section 2 and the expiration of all appeal periods with respect to the assessment or collection of property taxes with respect to the Property.

13. Further Assurances. Each party will, whenever and as often as it shall be reasonably requested by the other party, execute, acknowledge, and deliver, or cause to be executed, acknowledged, and delivered, such further instruments and documents, as may be necessary in order to carry out the terms and conditions of this Agreement. Each party further covenants that from and after the Effective Date, each party shall reasonably cooperate with each other to secure all consents, approvals, authorizations and otherwise take such further actions necessary to affect the Project and other activities contemplated by this Agreement.

14. Mutual Covenants. To induce the parties to enter into this Agreement, the parties agree as follows:

- a. Owner and the SCDDA, with the assistance of their respective legal counsel, have negotiated together to reach the terms of this Agreement, participated in the drafting of this Agreement, and acknowledge that this Agreement is the product of the joint effort of both parties. In no event shall the terms of this Agreement be construed more strictly against one party than the other party.
- b. Owner understands that all documentation submitted by Owner to the City of Swartz Creek and the SCDDA are subject to the Freedom of Information Act, Act No. 442 of the Public Acts of 1976, being Sections 15.231 et seq. of the Michigan Compiled Laws and no claim of trade secrets or other privilege or exception to the Freedom of Information Act will be claimed by Owner as it relates to this Agreement, Reimbursement Activities and supporting documentation for determining the Gap Amount, or their application and submissions for consideration under Swartz Creek's Tax

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Owner's
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Abatement and Incentive Policy.

- c. This Agreement shall be binding upon and inure to the benefit of Owner, a successor owner in the Project, and the SCDDA, and their respective heirs, successors, assigns and transferees. Owner's obligations may only be assigned to an entity not affiliated with the Owner if such transfer or assignment is approved in advance by the SCDDA, which approval shall not be unreasonably withheld, delayed, or conditioned. Notwithstanding anything to the contrary in this Agreement, the SCDDA acknowledges and agrees that Owner may assign its rights under this Agreement as collateral to any one or more lenders providing financing for the Project and, in such event, the SCDDA agrees to execute a customary consent to such assignment and estoppel certificate in customary form. In the event of any assignment or transfer of any right or obligation hereunder, such assignment or transfer shall be subject to all provisions under this Agreement, provided, that the lender/assignee pursuant to a collateral assignment shall not be deemed to be subject to any of Owner's obligations under this Agreement other than as are set forth in this Agreement. In the event of any assignment or transfer of any right or obligation hereunder such transfer or assignment shall not be effective unless a written notice by certified mail is provided to the other party. This Agreement shall not be affected or altered in any way by any sale, lease or other disposition or sale of all or a portion of the Property.
- d. This Agreement shall be interpreted and construed in accordance with Michigan law and shall be subject to interpretation and enforcement only in Michigan courts whether federal or state.
- e. In no event shall the provisions of this Agreement be deemed to inure to the benefit of or be enforceable by any third party.
- f. Neither the delay nor failure by either party to exercise any right under this agreement, or the partial or incomplete exercise of any such rights shall constitute a waiver of that or any other right, unless provided expressly herein.
- g. If any part of this agreement is determined to be invalid by a court of competent jurisdiction, that determination shall apply only to the voided part and not to the agreement as a whole. This Agreement may be executed in any number of counterparts and may be signed and/or transmitted by facsimile, electronic mail or a .pdf document,

Owner's
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SCDDA's
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or electronic signature technology (e.g., via DocuSign or similar electronic signature technology), and each of which will be deemed to be an original, and all of which together will be deemed to be one and the same instrument.

- h. Except as otherwise expressly stated in this Agreement, the rights and remedies of the parties are cumulative, and the exercise by any party of one or more of such rights or remedies shall not preclude the exercise by it, at the same time or different times, of any other rights or remedies for the same default or any other default by any other party.
- i. This Agreement constitutes the entire agreement of the parties and integrates all of the terms and conditions mentioned herein or incidental hereto and supersedes all prior negotiations, representations, warranties, covenants, and agreements between the parties with respect to all or any part of the subject matter hereof.
- j. A party may waive any default, condition, promise, obligation, or requirement applicable to any other party hereunder, provided, that any such waiver shall apply only to the extent expressly given and shall not be deemed or construed to waive any of the same or any other default, condition, promise, obligation, or requirement in any past or future instance. All waivers of the provisions of this Agreement must be in writing and signed by the appropriate officers or representatives of the waiving party, and all amendments hereto must be in writing and signed by the appropriate officers or representatives of all of the parties.
- k. In the event of any conflict or inconsistency between the terms of this Agreement and the terms of any other agreement, document or understanding of the parties, this Agreement shall control.
- l. Notices and reimbursements shall be sent to the following addresses:

Authority: City of Swartz Creek DDA
8083 Civic Drive,
Swartz Creek, Michigan 48473
Attn: Director

The City of Swartz Creek:
Attn: City Manager

Owner's
Initials

SCDDA's
Initials

8083 Civic Drive,
Swartz Creek, Michigan 48473

With copy to Counsel for Swartz Creek:
Simen, Figura, & Parker, PLC
5206 Gateway Centre, Suite 200
Flint, MI 48507
Attn: City of Swartz Creek Attorney

Owner:

RBF Holdings, L.L.C.,
1411 W. Hill Rd.
Flint, MI 48507

With copy to Counsel for Owner:
Rizik & Rizik, PLC
9400 South Saginaw St. Suite E
Grand Blanc, MI 48439
Attn: George Rizik

[Signatures on Next Page]

Owner's
Initials

Page 13 of 15

SCDDA's
Initials

**SIGNATURE PAGE
RBF HOLDINGS DEVELOPMENT AGREEMENT**

IN WITNESS WHEREOF, the parties hereto have executed this Development Agreement through their duly authorized representatives as of the dates set forth below.

OWNER:

RBF Holdings, L.L.C.
A Michigan limited liability company

By: _____

Printed Name: Brett Jory

Title: _____

Date: _____

CITY OF SWARTZ CREEK DOWNTOWN DEVELOPMENT AUTHORITY:

A Michigan public body corporate

By: _____

Printed Name: _____

Title: Chairperson

Date: _____

By: _____

Printed Name: _____

Title: Secretary

Date: _____

Owner's
Initials

SCDDA's
Initials

ACKNOWLEDGMENT OF EXHIBITS

The parties acknowledge that the following exhibits are attached to and incorporated into this Development Agreement:

- Exhibit A – Legal Description of Property
- Exhibit B – Request for Cost Reimbursement
- Exhibit C – Certificate of Completion
- Exhibit D – Insurance Requirements
- Exhibit E – Approved Development Site Plan
- Exhibit F – TIF Reimbursement and Financial Terms

Each exhibit is incorporated herein by reference and shall constitute part of this Agreement.

Owner's
Initials

Page 15 of 15

SCDDA's
Initials

Exhibit A: Legal Descriptions

58-35-677-004

UNIT 2A BREWER TOWN HOMES CONDO (22)

SPLIT/COMBINED ON 09/27/2021 FROM 58-35-576-001, 58-35-576-002, 58-35-576-037;

58-35-677-005

UNIT 2B BREWER TOWN HOMES CONDO (22)

SPLIT/COMBINED ON 09/27/2021 FROM 58-35-576-001, 58-35-576-002, 58-35-576-037;

58-35-677-006

UNIT 2C BREWER TOWN HOMES CONDO (22)

SPLIT/COMBINED ON 09/27/2021 FROM 58-35-576-001, 58-35-576-002, 58-35-576-037;

58-35-677-007

UNIT 3A BREWER TOWN HOMES CONDO (22)

SPLIT/COMBINED ON 09/27/2021 FROM 58-35-576-001, 58-35-576-002, 58-35-576-037;

58-35-677-008

UNIT 3B BREWER TOWN HOMES CONDO (22)

SPLIT/COMBINED ON 09/27/2021 FROM 58-35-576-001, 58-35-576-002, 58-35-576-037;

58-35-677-009

UNIT 3C BREWER TOWN HOMES CONDO (22)

SPLIT/COMBINED ON 09/27/2021 FROM 58-35-576-001, 58-35-576-002, 58-35-576-037;

58-35-677-010

UNIT 4A BREWER TOWN HOMES CONDO (22)

SPLIT/COMBINED ON 09/27/2021 FROM 58-35-576-001, 58-35-576-002, 58-35-576-037;

58-35-677-011

UNIT 4B BREWER TOWN HOMES CONDO (22)

SPLIT/COMBINED ON 09/27/2021 FROM 58-35-576-001, 58-35-576-002, 58-35-576-037;

58-35-677-012

UNIT 4C BREWER TOWN HOMES CONDO (22)

SPLIT/COMBINED ON 09/27/2021 FROM 58-35-576-001, 58-35-576-002, 58-35-576-037;

58-35-677-013

UNIT 5A BREWER TOWN HOMES CONDO (22)

SPLIT/COMBINED ON 09/27/2021 FROM 58-35-576-001, 58-35-576-002, 58-35-576-037;

58-35-677-014

UNIT 5B BREWER TOWN HOMES CONDO (22)

SPLIT/COMBINED ON 09/27/2021 FROM 58-35-576-001, 58-35-576-002, 58-35-576-037;

58-35-677-015

UNIT 5C BREWER TOWN HOMES CONDO (22)

SPLIT/COMBINED ON 09/27/2021 FROM 58-35-576-001, 58-35-576-002, 58-35-576-037;

Exhibit B: Schedule of Values

Section	Category	RBF EST	CO	Pay Out 1	Pay Out 2	Pay Out 3	Pay Out 4	Total Owed
General								
G-1	Land	\$ 60,000.00						\$ -
G-2	Surveying, Foundation and Grade Plans	\$ 2,500.00						\$ -
G-3	Blueprints	\$ 500.00						\$ -
G-4	Printing And Reproduction	\$ 100.00						\$ -
G-5	Bldg. Permits & Bonds	\$ 3,600.00						\$ -
G-6	Soil Erosion Permit	\$ 1,200.00						\$ -
G-7	Soil Erosion Bond	\$ 200.00						\$ -
G-8	Zoning Permit	\$ -						\$ -
G-9	Sewer and Water Tap Fees	\$ 9,800.00						\$ -
G-10	Soil and Material Testing	\$ -						\$ -
G-11	Builders Risk Policy	\$ 2,100.00						\$ -
G-12	Clean-up & Misc. Cost / Barricading	\$ 6,000.00						\$ -
G-13	Utilities - (Temp, Gas and Electric Service)	\$ 3,000.00						\$ -
G-14	Porta-Jon	\$ 1,000.00						\$ -
G-15	Dumpsters	\$ 2,500.00						\$ -
Site Work								
S-1	Mud Mat	\$ 1,200.00						\$ -
S-2	Soil Erosion Control	\$ 1,000.00						\$ -
S-3	Excavation	\$ 7,500.00						\$ -
S-4	Spoils Removal	\$ 3,000.00						\$ -
S-5	Sewer / Septic	\$ 6,500.00						\$ -
S-6	Water Line	\$ 4,500.00						\$ -
S-7	Sump Line / Downspout Drains	\$ 4,500.00						\$ -
S-8	Foundation Block or Concrete with Anchors	\$ 55,000.00						\$ -
S-9	Fill Sand	\$ 4,000.00						\$ -
S-10	Concrete Approach and Parking	\$ 9,000.00						\$ -
S-11	Concrete Sidewalk, Porch, and Stoops	\$ 7,500.00						\$ -
S-12	Landscaping	\$ 8,000.00						\$ -
Exterior Work								
E-1	Framing Materials	\$ 100,000.00						\$ -
E-2	Framing, Door and Window Labor	\$ 50,000.00						\$ -
E-3	Steel Beams and Posts	\$ 4,000.00						\$ -
E-4	Vinyl Windows	\$ 28,000.00						\$ -
E-5	Exterior Doors	\$ 9,000.00						\$ -
E-6	Garage Door	\$ 12,000.00						\$ -
E-7	Roofing Material	\$ 14,000.00						\$ -
E-8	Roofing Labor	\$ 8,000.00						\$ -
E-9	Siding Material	\$ 26,000.00						\$ -
E-10	Siding Labor	\$ 16,000.00						\$ -
E-11	Gutters and Downspouts	\$ 4,000.00						\$ -
E-12	Brick / Block / Cultured Stone & Sills	\$ 7,500.00						\$ -
E-13	Brick, Block and Stone Labor	\$ 13,000.00						\$ -
E-14	Decking Material and Rails	\$ 18,000.00						\$ -
E-15	Deck Labor	\$ 6,000.00						\$ -
Interior Work								
I-1	Concrete Floor and Garage Floor	\$ 14,000.00						\$ -
I-2	Mechanical - Rough and Finish	\$ 33,000.00						\$ -
I-3	Electrical - Rough / Finish + Fixture Allowance	\$ 44,500.00						\$ -
I-4	Plumbing - Rough / Finish + Fixture Allowance	\$ 54,000.00						\$ -
I-5	Insulation - Cellulous	\$ 15,000.00						\$ -
I-6	Drywall - 5/8" Type X Ceilings and 1/2" Walls	\$ 52,275.00						\$ -

I-7	Drywall - Shaftwall	\$	13,500.00							\$	-
I-8	Painting - Interior Walls	\$	20,000.00							\$	-
I-9	Kitchen Cabinetry - Materials / Hardware / Labor	\$	40,100.00							\$	-
I-10	Countertops - Granite / Solid Surface	\$	19,000.00							\$	-
I-11	Interior Doors and Trim Materials	\$	17,500.00							\$	-
I-12	Door Handles and Accessories	\$	2,000.00							\$	-
I-13	Closet Materials	\$	6,000.00							\$	-
I-14	Specialty Wood Materials / Railings	\$	2,000.00							\$	-
I-15	Finish Carpentry - Labor (Cabinets, Doors and Trim)	\$	21,000.00							\$	-
I-16	Flooring - Solid Surface	\$	16,000.00							\$	-
I-17	Flooring - Carpeting	\$	12,000.00							\$	-
I-18	Flooring - Tile	\$	4,000.00							\$	-
I-19	Specialty - Tile Labor	\$	14,000.00							\$	-
I-20	Shower Glass	\$	6,000.00							\$	-
I-21	Bathroom Mirrors, Towel & TP Holders	\$	3,000.00							\$	-

RBF Construction/Holdings

R-1	Site Supervision	\$	30,000.00							\$	-
R-2	Construction Management	\$	65,000.00							\$	-
R-3	Office Management	\$	6,000.00							\$	-
R-4	Real Estate Commission 6%	\$	62,000.00							\$	-
R-5	Other Closing Costs (Title company)	\$	4,500.00							\$	-

TOTAL COST	\$ 1,096,075.00	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
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G702 APPLICATION and CERTIFICATE for PAYMENT

To:

Project: Brewer Townhomes

Application #:

Distribution To:

From: RBF Holdings, LLC
1411 W. Hill Rd
Flint, MI 48507

Application Date:

Period To:

Project #:

☐	OWNER
☐	CONSTRUCTION MGR.
☐	ARCHITECT
☐	CONTRACTOR
☐	OTHER

Contract For: RBF Construction/Holdings -1 Triplex / 3 Units Architect:

Contract Date:

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
Continuation Sheet, G703, is attached.

1	ORIGINAL CONTRACT SUM	\$ 1,096,075.00
2	Net Change By Change Orders	\$ -
3	CONTRACT SUM TO DATE	\$ 1,096,075.00
4	TOTAL COMPLETED AND STORED TO DATE	\$ -
5	RETAINAGE (Total to Date)	\$ -
6	TOTAL EARNED LESS RETAINAGE	\$ -
7	LESS PREVIOUS CERTIFICATES FOR PAYMENT	\$ -
8	CURRENT PAYMENT DUE	\$ -
9	BALANCE TO FINISH, INCLUDING RETAINAGE	\$ 1,096,075.00

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and current payment shown herein is now due.

CONTRACTOR: RBF Construction, Inc.

Sign: _____ Date: _____

By:

State of:

County of:

Subscribed and sworn before me this _____ day of _____

personally appeared before me, the undersigned notary public, and provided satisfactory evidence of identification to be the person who signed this document in my presence and swore or affirmed to me that the contents of this document are truthful and accurate to the best of his/her knowledge and belief.

Notary Public: _____ My Commission Expires: _____

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$ -	
Total approved this Month		
TOTALS	\$ -	\$ -
NET CHANGES by Change Orders	\$ -	

Continuation Sheet G703

PROJECT: Brewer Townhomes

Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed Certification is attached.

Application #:	
Application Date:	
Period To:	
Project #:	

Item #	Description of Work	Schedule of Values	Work Completed		Materials Presently Stored (Not in D or E)	Total Completed and Stored To Date	% Complete	Balance to Finish	Retainage
			From Previous Applications	This Period					0%
1	Land	\$ 60,000.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 60,000.00	\$ -
2	Plans / Survey / Printing	\$ 3,100.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 3,100.00	\$ -
3	Permits / Bonds / Testing / Builder's Risk	\$ 7,100.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 7,100.00	\$ -
4	Sewer & Water Tap Fees	\$ 9,800.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 9,800.00	\$ -
5	Temp Utilities / Cleanup / Porta-Jon / Dumpster	\$ 12,500.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 12,500.00	\$ -
6	Site Prep / Erosion / Excavation / Spoils	\$ 12,700.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 12,700.00	\$ -
7	Site Utilities - Sewer / Water / Drainage	\$ 15,500.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 15,500.00	\$ -
8	Foundation Block / Concrete	\$ 55,000.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 55,000.00	\$ -
9	Fill Sand	\$ 4,000.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 4,000.00	\$ -
10	Concrete Approach / Parking / Walks / Stoops	\$ 16,500.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 16,500.00	\$ -
11	Landscaping	\$ 8,000.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 8,000.00	\$ -
12	Framing Materials	\$ 100,000.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 100,000.00	\$ -
13	Framing / Door / Window Labor	\$ 50,000.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 50,000.00	\$ -
14	Steel / Windows / Exterior Doors / Garage Doors	\$ 53,000.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 53,000.00	\$ -
15	Roofing Material & Labor	\$ 22,000.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 22,000.00	\$ -
16	Siding Material & Labor / Gutters	\$ 46,000.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 46,000.00	\$ -
17	Brick / Stone Material & Labor	\$ 20,500.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 20,500.00	\$ -
18	Deck Material & Labor	\$ 24,000.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 24,000.00	\$ -
19	Concrete Floor & Garage Floor	\$ 14,000.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 14,000.00	\$ -
20	Mechanical	\$ 33,000.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 33,000.00	\$ -
21	Electrical	\$ 44,500.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 44,500.00	\$ -
22	Plumbing	\$ 54,000.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 54,000.00	\$ -
23	Insulation / Drywall	\$ 80,775.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 80,775.00	\$ -
24	Interior Painting	\$ 20,000.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 20,000.00	\$ -
25	Cabinetry / Hardware / Labor	\$ 40,100.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 40,100.00	\$ -
26	Countertops / Doors / Trim / Closets / Railings	\$ 46,500.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 46,500.00	\$ -
27	Finish Carpentry	\$ 21,000.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 21,000.00	\$ -
28	Flooring / Tile	\$ 46,000.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 46,000.00	\$ -
29	Bath Accessories / Shower Glass	\$ 9,000.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 9,000.00	\$ -
30	RBF Supervision / Management	\$ 101,000.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 101,000.00	\$ -
31	Commission/Other Closing Costs	\$ 66,500.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 66,500.00	\$ -

Grand Total

\$ 1,096,075.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 1,096,075.00	\$ -
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EXHIBIT C
CERTIFICATE OF COMPLETION — INDIVIDUAL UNIT

RBF Holdings, L.L.C. / City of Swartz Creek Downtown Development Authority

Attachment to Development Agreement dated _____, 2026

This Certificate is submitted pursuant to Section 2(g) of the Development Agreement (the "Agreement"). Capitalized terms have the meanings assigned in the Agreement.

Parcel identification number	58-35-677-
Unit / street address	
Approved site plan identification / revision	
Date certificate of occupancy issued	
City building permit / CO number	
Date of completed sale / closing (if applicable)	

OWNER CERTIFICATION

The undersigned authorized representative of RBF Holdings, L.L.C. certifies, to the best of the undersigned's knowledge after reasonable inquiry, that:

1. The unit identified above has been completed and a certificate of occupancy has been issued by the City of Swartz Creek.
2. The completed unit substantially conforms to the site plans and construction materials approved by the City, subject to any approved revisions identified in the attached documentation.
3. All Reimbursable Activities and associated costs submitted for this unit are documented in the corresponding Exhibit B Reimbursement Request, with supporting invoices and proof of payment.
4. The Owner has disclosed any deviations, outstanding work, or known violations affecting this certification in the space below or an attached schedule.
5. This Certificate does not independently establish eligibility or approval of any Gap Amount, which remains subject to review and approval under Section 2 of the Agreement.

Exceptions / approved deviations / outstanding items:

RBF Holdings, L.L.C. By: _____ Title: _____

Date: _____

CITY VERIFICATION (ADMINISTRATIVE; NOT AN APPROVAL OF REIMBURSEMENT)

Certificate of occupancy verified: ☐ Yes ☐ No Approved plan compliance verified: ☐ Yes ☐ No

City representative: _____ Title: _____ Date: _____

Attachments: certificate of occupancy; approved revisions, if any; supporting completion documentation.

EXHIBIT D

INSURANCE REQUIREMENTS

RBF Holdings, L.L.C. / City of Swartz Creek Downtown Development Authority

Attachment to Development Agreement dated _____, 2026

These requirements apply to the Owner's construction and development activities undertaken in connection with the Project. The limits and coverage terms below are proposed contract provisions and require confirmation by the City/DDA insurer, risk manager, and legal counsel before execution.

1. Required Coverage

Commercial General Liability	current form; proposed limits: \$1,000,000 each occurrence / \$2,000,000 general aggregate; products-completed operations coverage.
Automobile Liability	proposed \$1,000,000 combined single limit for owned, leased and non-owned vehicles used in Project activities.
Workers' Compensation / Employers' Liability	workers' compensation as required by Michigan law; proposed employers' liability \$500,000 each accident / disease-policy limit / disease-each employee.
Umbrella / Excess Liability	proposed \$2,000,000 per occurrence and aggregate, excess of general and automobile liability.
Lender's Risk / Property	during construction, replacement-cost coverage for improvements and materials as appropriate to the owner's insurable interest and lender requirements; amount and deductible to be approved before commencement.
Professional Liability	where design or engineering services are performed, owner shall require responsible licensed professionals maintain appropriate professional liability coverage; proposed minimum \$1,000,000 per claim.

2. Additional Insured; Primary Coverage

The City of Swartz Creek, the City of Swartz Creek Downtown Development Authority, and their respective officers, officials, employees, and agents shall be included as additional insureds on the Owner's commercial general liability policy for ongoing and completed operations, to the extent available and applicable to liability arising from the Project. Such insurance shall be primary and noncontributory to insurance maintained by the City or SCDDA, where available by endorsement.

3. Evidence and Maintenance

Before commencement of work and upon renewal, Owner shall provide certificates of insurance and copies of additional insured endorsements upon request. Coverage shall be maintained throughout construction and, for completed-operations liability, for a period of [THREE] years after completion, subject to final agreement. Owner shall give prompt written notice of cancellation, material reduction, or nonrenewal after becoming aware of it; any insurer notice obligation must be supported by the applicable endorsement.

4. Contractors; Insurers; No Limitation

Owner shall require contractors and subcontractors to maintain insurance appropriate to their work and shall remain responsible for compliance. Insurers shall be authorized to transact insurance in Michigan and reasonably acceptable to SCDDA. Insurance does not limit Owner's indemnification or other obligations under the Agreement. Any waiver of subrogation, deductible requirements, or higher limits shall be set forth in writing before execution.

Approved limits / modifications (if any): _____

EXHIBIT E

APPROVED DEVELOPMENT SITE PLAN AND PROJECT IDENTIFICATION

RBF Holdings, L.L.C. / City of Swartz Creek Downtown Development Authority

Attachment to Development Agreement dated _____, 2026

This Exhibit identifies the approved plans and improvements constituting the Project referenced in the Recitals and Sections 2(a), 2(g), and 9 of the Agreement. No plan is attached to this drafting copy; the final executed Exhibit must include the actual City-approved plan set or a clearly identified incorporated copy.

Project	Brewer Townhomes — RBF Holdings, L.L.C.
Property	Twelve parcels, 58-35-677-004 through 58-35-677-015; see Exhibit A for legal descriptions.
Site plan title	Brewer Town Homes; Fortino Dr. Townhomes Design
Plan prepared by	RBF Holdings LLC; Studio Intrigue
Plan date and revision number	May 18, 2019; Feb. 26, 2019
Approving body and approval date	Council; June 10, 2019
Approval conditions / resolutions	Resolution 190610-07 & 190610-08
Sheet index	Sheets 1 through 4 of 4; A-2, through A-5

Incorporation and Amendments

The approved plan set and written conditions identified above are incorporated into this Exhibit as the baseline for evaluating unit completion. Any amendment shall be documented by the City's written approval, identified by sheet and revision date, and retained with this Exhibit. An administrative revision to this Exhibit does not modify the financial obligations of the Agreement absent an amendment executed in accordance with the Agreement.

Attachments to Include Before Execution

- ☐ Approved overall site plan ☐ Approved architectural elevations / building plans as applicable
- ☐ Approved utility, grading, drainage, access, and landscaping sheets as applicable
- ☐ Written approval conditions and subsequent approved revisions

EXHIBIT F

TIF REIMBURSEMENT AND FINANCIAL TERMS

RBF Holdings, L.L.C. / City of Swartz Creek Downtown Development Authority

Attachment to Development Agreement dated _____, 2026

This Exhibit summarizes and administers the financial provisions of Sections 1 and 2 of the Agreement. If any provision conflicts with the Agreement, Section 14(k) [renumber as applicable] provides that the Agreement controls. Items marked "CONFIRM" require express resolution in the executed agreement.

Eligible property	Parcels 58-35-677-004 through 58-35-677-015 (12 units).
Share of captured increment	90% of SCDDA tax increment revenues attributable to each completed parcel unit, subject to actual receipt and legal availability.
Maximum aggregate Gap Amount	\$630,000 across all units, under Section 2(a).
Interest	6% per annum on an approved Gap Amount under Section 2(d); accrual start, simple versus compound interest, and treatment under cap: CONFIRM.
Maximum payment duration	Payments shall not extend beyond 18 years without express SCDDA and City Council consent; commencement date: CONFIRM.
Scheduled disbursements	At least twice annually, no less often than June 1 and October 1, subject to receipt of available increment and satisfaction of conditions.
Funding source	Tax Increment Revenues attributable to the Property actually received and available to SCDDA under Act 57 and the Agreement.
Approval	SCDDA approval following review by City officials and consultants as contemplated by Section 2.

1. Unit-by-Unit Gap Calculation

For each completed and sold unit, the proposed calculation in Section 2(a) is: documented, approved Reimbursable Activities expended for that unit LESS the amount paid in an arm's-length sale of that unit = proposed Gap Amount, subject to SCDDA review and the aggregate cap. The parties must confirm the allocation method for shared costs, treatment of negative results, and whether the sale amount is gross or net of transaction expenses. No reimbursement shall be authorized solely by this worksheet.

2. Unit Ledger — To Be Completed as Requests Are Approved

Parcel suffix	Approved costs	Sale amount	Approved Gap	Paid / balance
004				
005				
006				
007				
008				
009				
010				
011				
012				
013				
014				
015				

3. Reimbursement Conditions and Documentation

Each request must include Exhibit B, the applicable Exhibit C, certificate of occupancy, detailed invoices and payment evidence, proof of completed arm's-length sale and purchaser independence/disclosures, current tax status, and such supplemental documentation as reasonably requested under Section 2. The Owner must not be in default.

4. Annual Payment Accounting

For each payment cycle SCDDA should document: (i) increment actually received for each parcel; (ii) 90% available for reimbursement; (iii) principal approved and outstanding; (iv) interest accrued and paid; (v) aggregate principal approved against the \$630,000 cap; and (vi) remaining term. Payments are limited to revenues available under the Agreement.

5. Matters Requiring Written Confirmation Before Execution

- ☐ Whether interest is in addition to the \$630,000 principal cap (current text indicates it is additional).
- ☐ Whether 6% interest is simple or compounded, and the date accrual begins.
- ☐ The start date and end date for the 18-year reimbursement period.
- ☐ Treatment of shared development costs, selling costs, and units with no positive Gap Amount.
- ☐ Whether unused eligible increment may be applied to approved Gap Amounts for other parcels.
- ☐ Whether a unit's sale is required before any reimbursement is approved or merely before payment.

Prepared for review; not an independent authorization of TIF expenditures.

LOCATON MAP



LEGAL DESCRIPTION

LOT 2 AND 3, SUPERVISORS PLAT OF SWARTZ CREEK, GENESEE COUNTY, MICHIGAN.

NOTES

VERTICAL DATUM IS NAVD88
HORIZONTAL DATUM IS MICHIGAN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE NAD83 (2011)
UNITS ARE INTERNATIONAL FEET.

BENCHMARK DATA TABLE

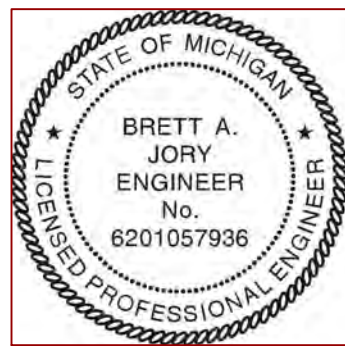
NUMBER	NORTHING	EASTING	ELEVATION	DESCRIPTION
BM 2	532280	1326133	805.16	SET CHISELED X IN THE NORTHEAST RIM OF TELEPHONE MANHOLE IN ASPHALT PARKING LOT ON EAST SIDE OF FIRE STATION

TRAVERSE POINT DATA TABLE

NUMBER	NORTHING	EASTING	DESCRIPTION
TP 1	532273.8060	13266191.3980	SET ROD WITH ROWE TRAVERSE CAP 15'± NORTH OF CENTERLINE OF SIDEWALK ON NORTH SIDE OF FORTINO STREET AND 13'± EAST OF CENTERLINE OF ASPHALT PARKING LOT AT FIRE STATION

BASIS OF BEARING

BEARINGS ARE REFERENCED TO MICHIGAN STATE PLANE COORDINATE SYSTEM SOUTH ZONE (2011)



0 25 50
1"=50'

EXISTING
SITE PLAN

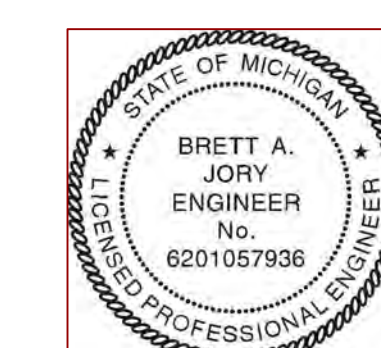
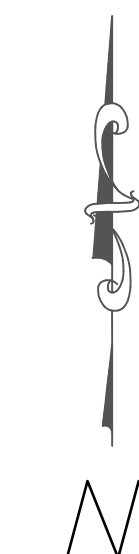
			RBF HOLDINGS LLC			PHONE 810.516.4405		
			A "Rather Be Fishing" Company			FAX 810.630.9111		
						4140 MORRISH ROAD, SWARTZ CREEK MI, 48473		
			Scale: AS SHOWN Date: 05-18-19 By: BAJ Chkd: Sh. 1 of 4					
			Project: BREWER TOWN HOMES			October 26, 2026		
			NOTE: OWNER/ENGINEER ARE SAME ENTITY			Job No.: 19-001		
NO.	REVISION	DATE						

2019	
JUNE-JULY.....	PLAN APPROVALS
AUGUST.....	INSTALL STORM DETENTION AND PHASE 1 ENTRANCE
SEPTEMBER-DECEMBER...	CONSTRUCT BUILDING #1
2020 AND BEYOND	
CONSTRUCTION BUILDINGS #2-#5 AS DETERMINED BY DEMAND	

—BREWER TOWN HOMES CONDOMINIUM CONSISTING OF FIVE THREE UNIT RESIDENTIAL TOWNHOMES. COMMON SPACE AND BUILDING EXTERIOR TO BE MAINTAINED BY CONDOMINIUM ASSOCIATION.

PROPOSED LIGHTING WILL BE BUILDING MOUNTED RESIDENTIAL STYLE PORCH AND GARAGE FIXTURES.

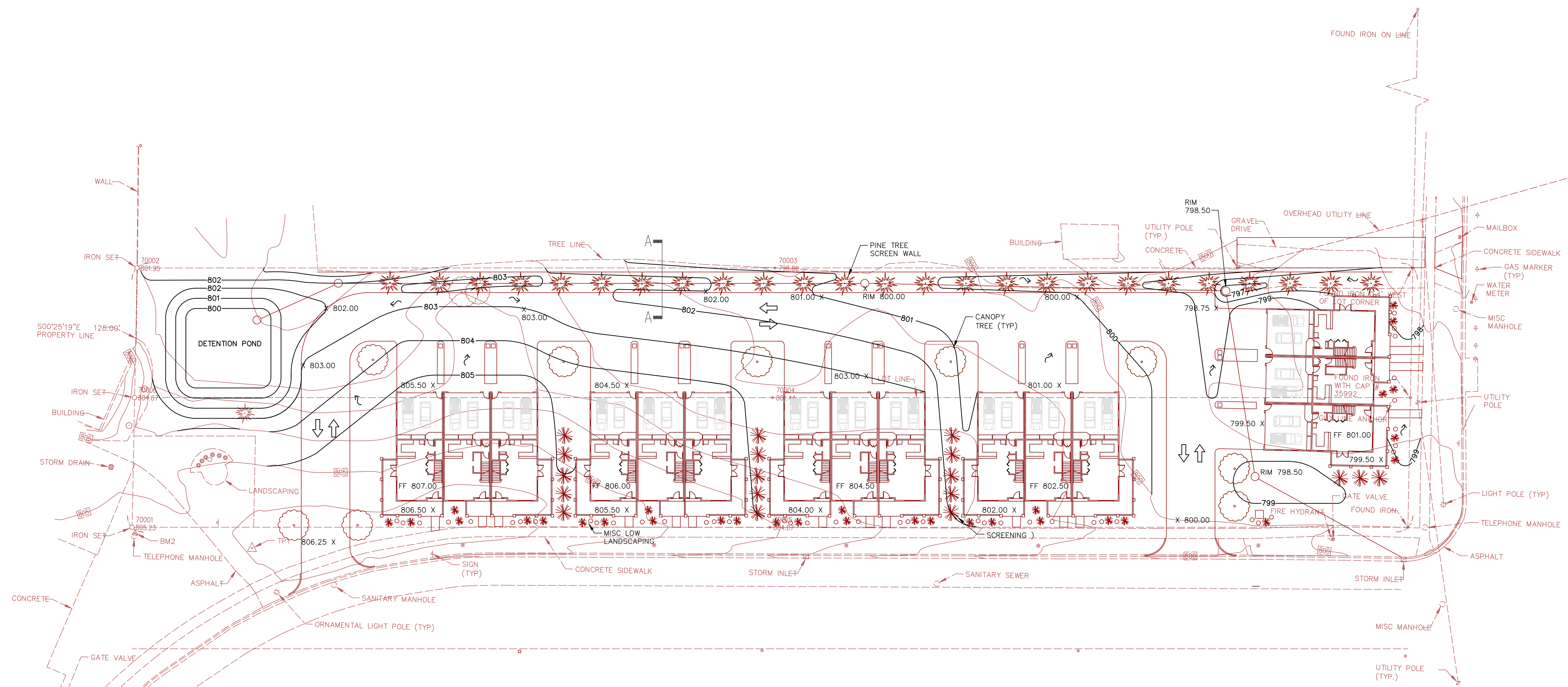
- FRONT 5 FT (0 REQUIRED)
- SIDE 25 FT (0 REQUIRED)
- REAR 60 FT (0 REQUIRED)



0 25 50
1"=50

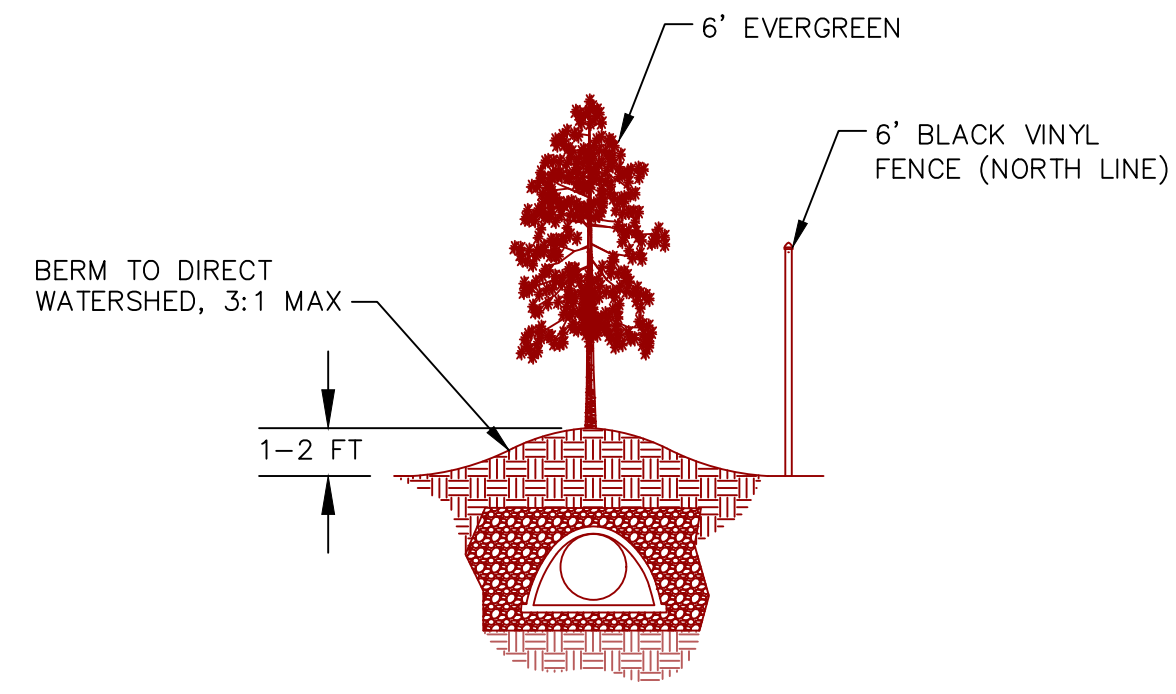
PROPOSED
SITE PLAN

[illegible]



LANDSCAPING KEY

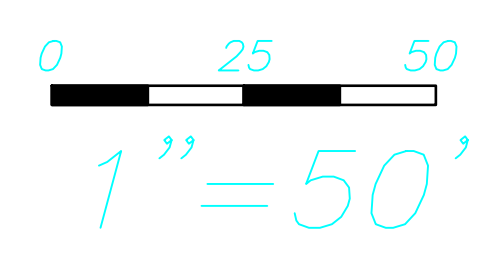
- PINE/EVERGREEN
- CANOPY TREE
- SCREENING PLANT 6-15 FT
- MISC. DECORATIVE LANDSCAPING UNDER 4 FT



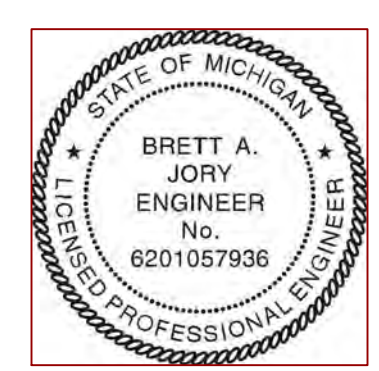
TREE & BERM SECTION

LANDSCAPING NOTES:

- ALL SHALLOW ROOT PINES SHOWN ALONG NORTH LINE TO BETTER FACILITATE UNDERGROUND STORAGE. MAXIMUM 15 FT SPACING.
- 17 CANOPY TREES REQUIRED PER ORDINANCE (1 PER 40 LFT ROAD FRONTAGE), 9 SHOWN. DISTANCE BETWEEN TOWNHOUSE FRONT PORCH AND SIDEWALK DOES NOT FACILITATE A LARGE CANOPY.
- 4 SHRUBS PER UNIT REQUIRED (60), 74 SHRUBS SHOWN WITH 18 ADDITIONAL SCREENING PLANTS SHOWN BETWEEN UNITS.



GRADING PLAN

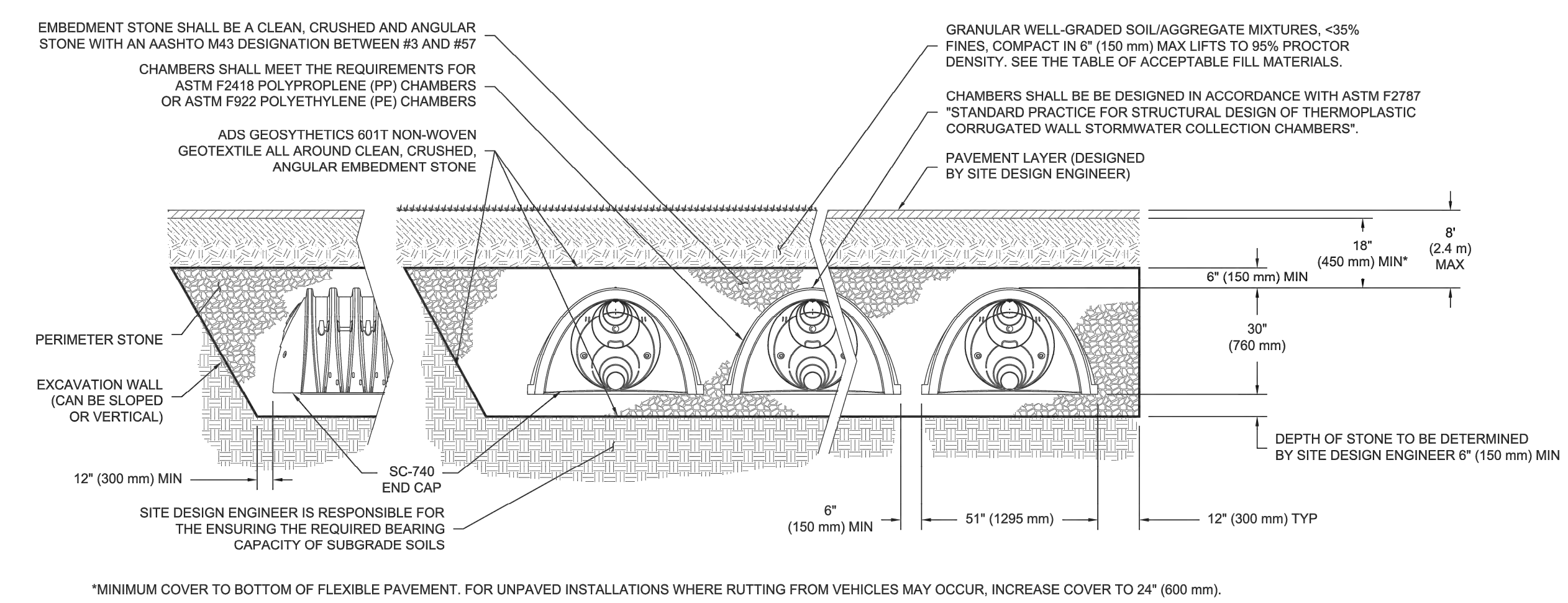
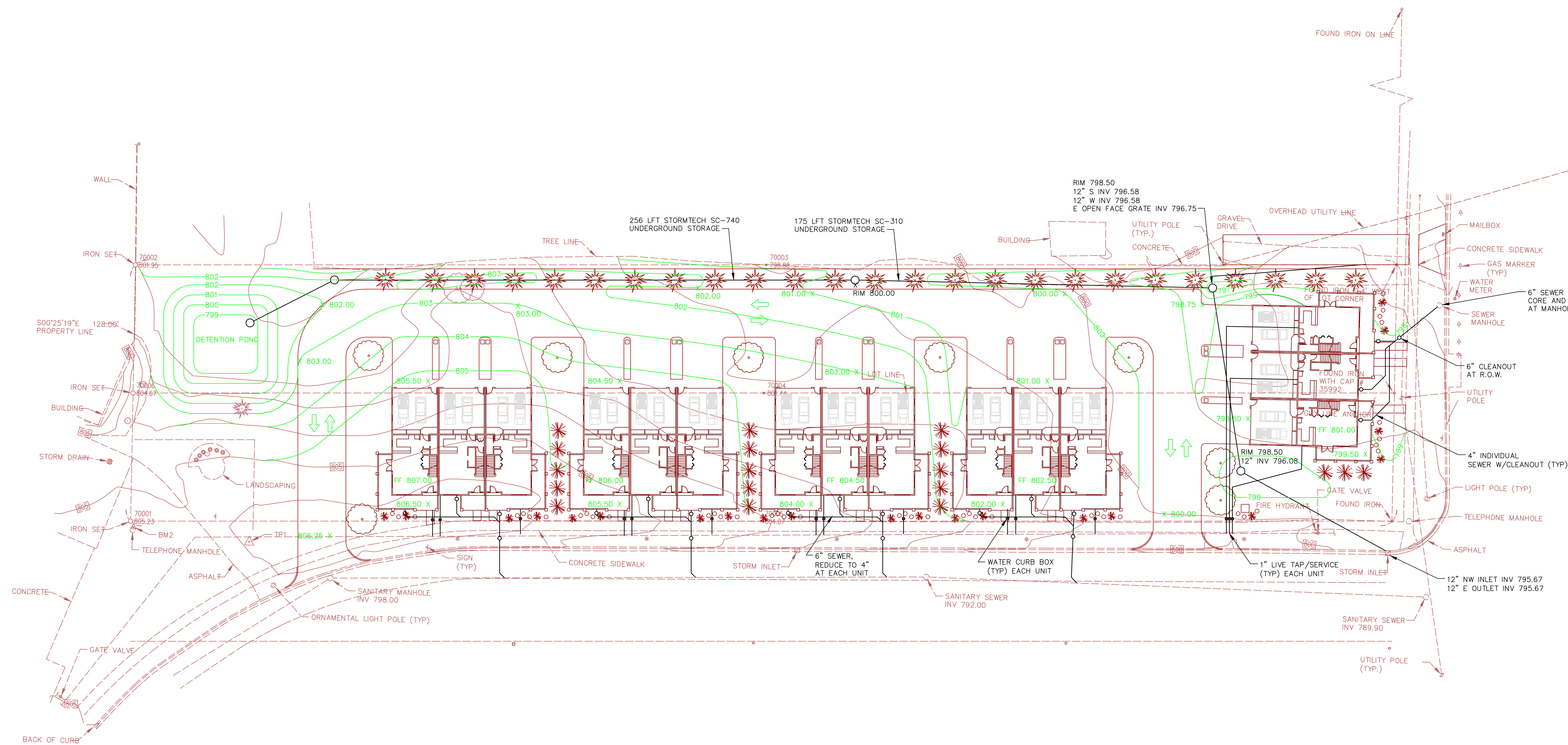


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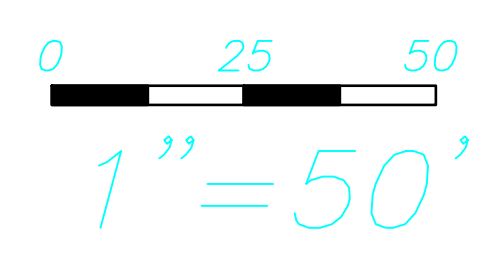
Scale: AS SHOWN Date: 05-18-19 By: BAJ Chkd: Sh. 3 of 4
Project: BREWER TOWN HOMES
NOTE: OWNER/ENGINEER ARE SAME ENTITY

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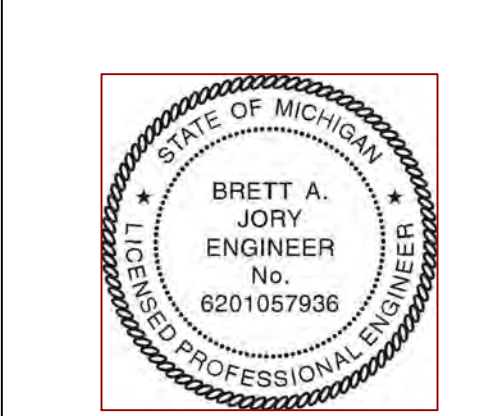
October 26, 2026
Job No.: 19-001



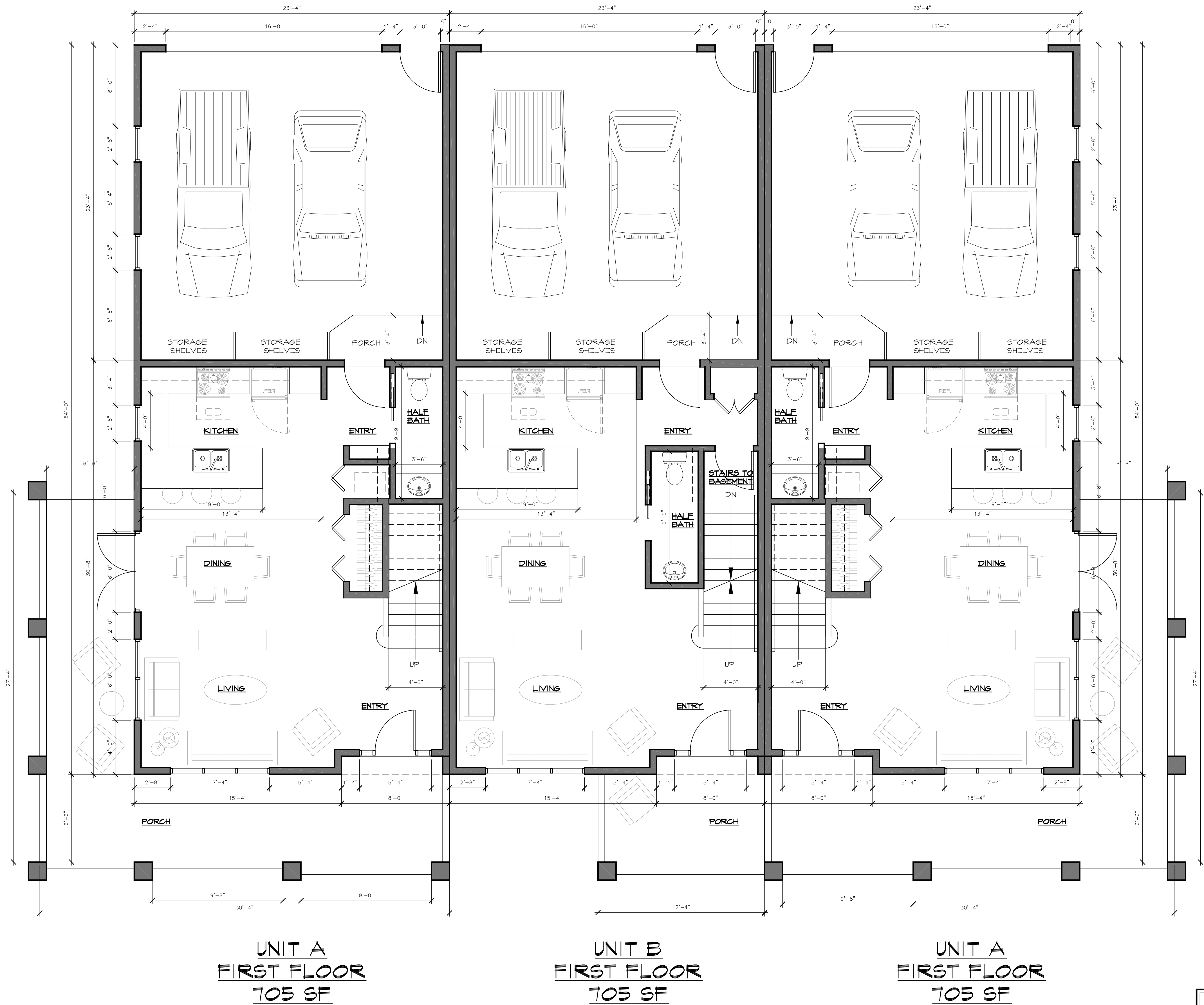
UNDERGROUND STORAGE



UTILITY PLAN

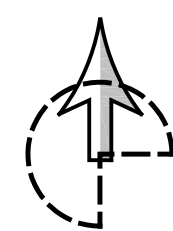


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PHONE 810.516.4405 FAX 810.630.9111
Scale: AS SHOWN Date: 05-18-19 By: BAJ Chkd: Sh. 4 of 4
Project: BREWER TOWN HOMES
October 26, 2026
NOTE: OWNER/ENGINEER ARE SAME ENTITY Job No.: 19-001



PRELIMINARY SECOND FLOOR PLAN

1/4" = 1'-0"



PRELIMINARY
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Project Type
NEW
CONSTRUCTION

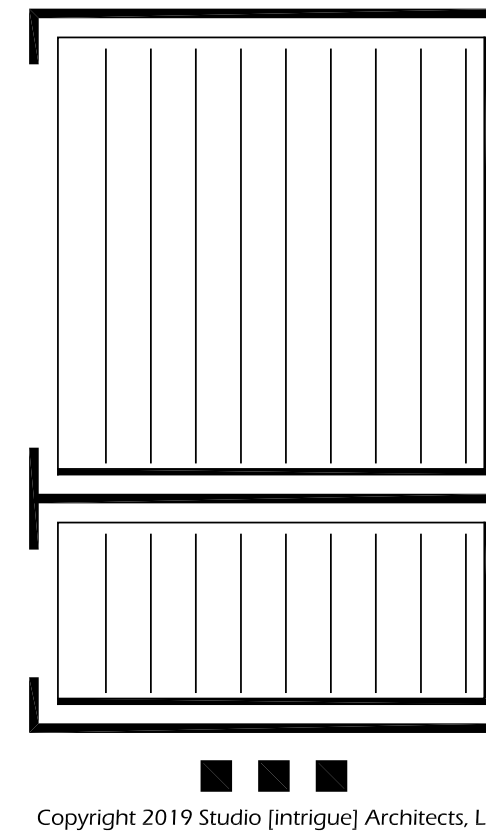
Project
FORTINO DR.
TOWNHOMES
DESIGN

Client
RBF
HOLDINGS
LLC.

4140 MORRISH RD
SWARTZ CREEK, MI. 48473

Project Number
18.171

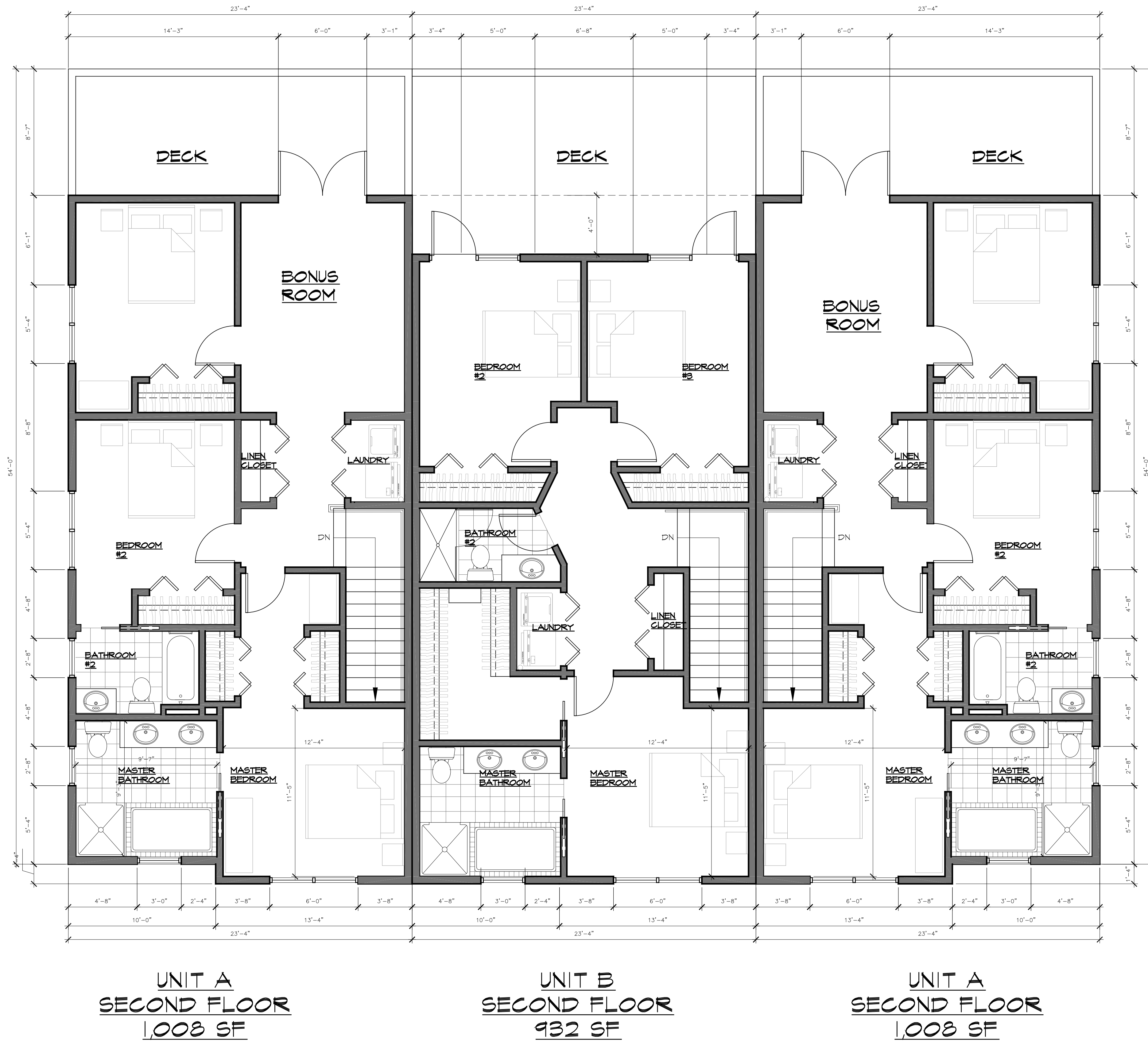
Sheet
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PRELIMINARY SECOND FLOOR
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Project Type
NEW
CONSTRUCTION

Project
FORTINO DR.
TOWNHOMES
DESIGN
FORTINO DR.
SWARTZ CREEK, MI.

Client
RBF
HOLDINGS
LLC.
4140 MORRISH RD
SWARTZ CREEK, MI. 48473

Project Number
18.171

Sheet
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October 26, 2026



PRELIMINARY SOUTH ELEVATION
1/4" = 1'-0"

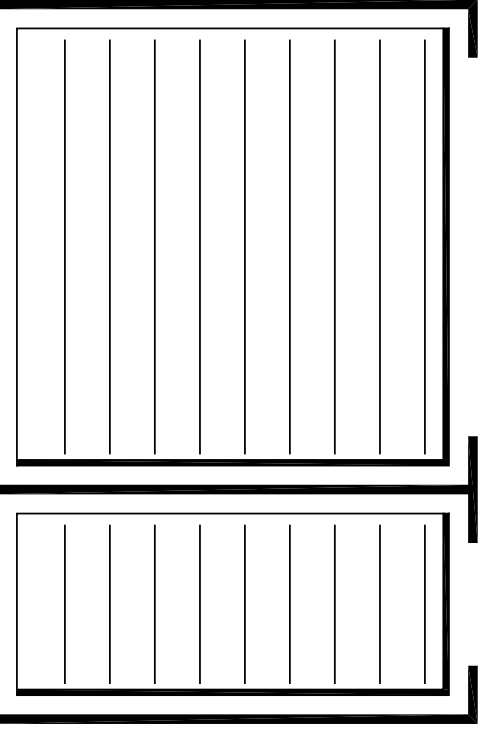


PRELIMINARY WEST ELEVATION
1/4" = 1'-0"

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Project Type
NEW CONSTRUCTION

Project
FORTINO DR. TOWNHOMES DESIGN
FORTINO DR.
SWARTZ CREEK, MI.

Client
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PRELIMINARY NORTH ELEVATIONS
1/4" = 1'-0"

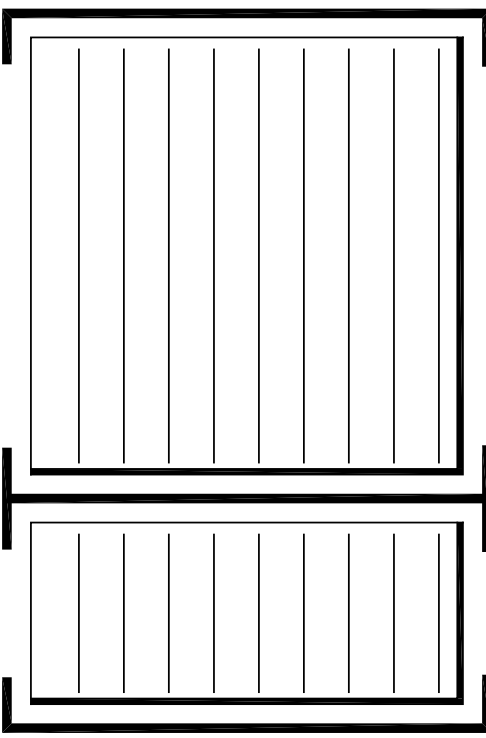


PRELIMINARY EAST ELEVATIONS
1/4" = 1'-0"

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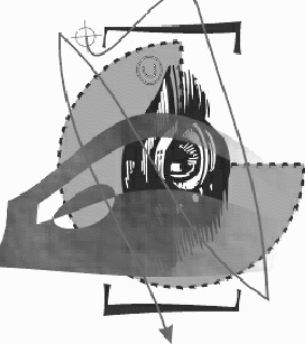
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October 26, 2026

CMOM Quarterly Reports					
	1st QTR	2nd QTR	Rain Gauge	Dates	Rain Totals
Atlas Township	\$0.00	\$500.00	RG-12	6/5,	0.97
City of Burton	\$0.00	\$1,000.00	RG-10	4/14, 4/23	1.08, 0.66
City of Clio	\$500.00	\$0.00	RG-2	3/6,	0.94
City of Grand Blanc	\$0.00	\$9,000.00	RG-12	4/14, 4/23	1.79, 1.31
City of Mt Morris	\$1,500.00	\$1,000.00	RG-3	3/5, 3/7, 3/11, 4/14	0.56, 0.57, 0.80, 0.73
City of Swartz Creek	\$500.00	\$1,500.00	RG-11	3/5, 4/14	1.26, 1.45
Clayton Township	\$0.00	\$0.00	RG-6		
Davison Township	\$0.00	\$500.00	RG-7	4/14,	1.00
Flint Township	\$500.00	\$0.00	RG-6	3/7,	1.06
Genesee Township	\$500.00	\$0.00	RG-5	3/7,	0.92
Grand Blanc Township	\$0.00	\$0.00	RG-12		
Mt Morris Township	\$1,000.00	\$500.00	RG-3	3/7, 4/14	0.57, 0.73
Mundy Township	\$1,000.00	\$500.00	RG-11	3/5, 3/26, 4/14	1.26, 0.81, 1.79
Richfield Township	\$0.00	\$0.00	RG-5		
Thetford Township	\$500.00	\$0.00	RG-5	3/6,	0.92
Vienna Township	\$0.00	\$0.00	RG-2		
Village of Lennon	\$1,500.00	\$0.00	RG-6	2/18, 3/5, 3/7	0.51, 0.78, 1.31
Total	\$7,500.00	\$14,500.00			

There was a large rain event that occurred on April 2-4 that was removed from the reports because majority of the system was surcharged. The rain totals were between 3 to 4.5 inches of rain.