

**City of Swartz Creek  
AGENDA**

**Regular Council Meeting, Monday, July 12, 2021, 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:**
3. **ROLL CALL:**
4. **MOTION TO APPROVE MINUTES:**  
4A. Council Meeting of June 28, 2021 MOTION Pg. 25
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. 32  
6C. Master Plan Proposal Pg. 42  
6D. Meijer Appeal Pg. 76  
6E. Building Relocation Proposal Pg. 82
7. **MEETING OPENED TO THE PUBLIC:**  
7A. General Public Comments
8. **COUNCIL BUSINESS:**  
8A. Master Plan Proposal RESO Pg. 22  
8B. Meijer Appeal DISCUSSION  
8C. Building Relocation Services RESO Pg. 23
9. **MEETING OPENED TO THE PUBLIC:**
10. **REMARKS BY COUNCILMEMBERS:**
11. **ADJOURNMENT:** MOTION Pg. 24

**Next Month Calendar**

Downtown Development Authority:	Thursday, July 15, 2021, 6:00 p.m., PDBMB	CANCELLED
Fire Board:	Monday, July 19, 2021, 6:00 p.m., Public Safety Building	
Zoning Board of Appeals:	Wednesday, July 21, 2021, 6:00 p.m., PDBMB	CANCELLED
City Council:	Monday, July 26, 2021, 7:00 p.m., PDBMB	
Metro Police Board:	Wednesday, July 28, 2021, 10:00 a.m., Metro HQ	
Planning Commission:	Tuesday, August 3, 2021, 7:00 p.m., PDBMB	
Park Board:	Wednesday, August 4, 2021, 5:30 p.m., PDBMB	
City Council:	Monday, August 9, 2021, 7:00 p.m., PDBMB	

## **City of Swartz Creek Mission Statement**

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

## **City of Swartz Creek Values**

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

### ***Honesty, Integrity and Fairness***

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

### ***Fiscal Responsibility***

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

### ***Public Service***

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

### ***Embrace Employee Diversity and Employee Contribution, Development and Safety***

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

### ***Expect Excellence***

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

### ***Respect the Dignity of Others***

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

### ***Promote Protective Thinking and Innovative Suggestions***

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

**CITY OF SWARTZ CREEK  
VIRTUAL REGULAR CITY COUNCIL MEETING ACCESS INSTRUCTIONS  
MONDAY, JULY 12, 2021, 7:00 P.M.**

The regular virtual meeting of the City of Swartz Creek city council is scheduled for **July 12, 2021** starting at 7:00 p.m. and will be conducted virtually (online and/or by phone), due to health concerns surrounding Coronavirus/COVID-19 and rules promulgated by the Michigan Department of Health and Human Services.

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

**Zoom Instructions for Participants**

**To join the conference by phone:**

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

**Before a videoconference:**

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

**To join the videoconference:**

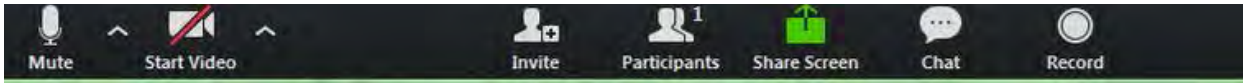
1. At the start time of your meeting, enter the link to join via computer. You may be instructed to download the Zoom application.
2. You have an opportunity to test your audio at this point by clicking on “Test Computer Audio.” Once you are satisfied that your audio works, click on “Join audio by computer.”

You may also join a meeting without the link by going to [join.zoom.us](https://join.zoom.us) on any browser and entering the Meeting ID provided below.

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

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

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



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

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

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

**Connie Olger is inviting you to a scheduled Zoom meeting.**

**Topic: Swartz Creek City Council Meeting**

**Time: July 12, 2021 07:00 PM Eastern Time (US and Canada)**

**Join Zoom Meeting**

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

**Meeting ID: 830 9640 1128**

**One tap mobile**

**+13017158592,,83096401128# US (Washington DC)**

**+13126266799,,83096401128# US (Chicago)**

**Dial by your location**

**+1 301 715 8592 US (Washington DC)**

**+1 312 626 6799 US (Chicago)**

**+1 929 205 6099 US (New York)**

**+1 253 215 8782 US (Tacoma)**

**+1 346 248 7799 US (Houston)**

**+1 669 900 6833 US (San Jose)**

**Meeting ID: 830 9640 1128**

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

**If you have any further questions or concern, please contact 810-429-2766 or email [colger@cityofswartzcreek.org](mailto:colger@cityofswartzcreek.org).**

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

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

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

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

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

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

### **MAINTAINING ORDER**

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

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

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

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

### **MOTIONS & RESOLUTIONS**

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

### **PUBLIC ADDRESS OF COUNCIL**

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

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

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

## **VOTING RECORD OF PUBLIC BODIES**

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

**City of Swartz Creek**  
**CITY MANAGER'S REPORT**

**Regular Council Meeting of Monday, July 12, 2021 - 7:00 P.M.**

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

**FROM:** Adam Zettel, City Manager

**DATE:** June 30, 2021

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## **ROUTINE BUSINESS – REVISITED ISSUES / PROJECTS**

✓ **MICHIGAN TAX TRIBUNAL APPEALS (*Business Item*)**

I have the Meijer appeal on the agenda for discussion. On the surface, I believe this is an appeal that we must vigorously refute on our end. A proposal for an appraisal will be forthcoming. With a bit of cooperative spirit, we may be able to combine forces with Davison Township.

A deeper look at the issue is more disturbing, and not just to Swartz Creek. Such an appeal brings serious questions before us about what role commercial property has in our community. As noted, Meijer claims that their entire site has the same true case value as that of 18 new-build condos (which would encompass about 5 acres, general low traffic, and require little public safety services). Why then do we zone such large tracts of land for commercial use when the demand on traffic, public safety, and general community impact are so high?

With that said, it may be time to consider the future of some of our existing commercial and vacant land. I can now make a strong argument that the remainder of the Meijer parcel would be better off (in terms of community impact and fiscal liability) if it were zoned for two-family residential, perhaps even agricultural.

I will be liaising with the city attorney, who has recently worked on such cases. I will also be reaching out to the MML. Perhaps we need to bring this issue to light (again) in the same manner that Escanaba did (recall that this was a Supreme Court case that our community financially supported in order to combat the 'dark store' valuation argument). The state tax laws and disposition of the Michigan Tax Tribunal are creating a toxic environment where the tax burden continually shifts onto residential and small business owners.

The previous report follows:

Meijer is seeking to have their taxable value reduced from \$4,268,627 to \$2,884,935. It looks like they have appeals filed all over the state. This one literally reduces the True Cash Value by 50% (down from ~\$11,000,000), which drops taxable by 32%.

This is a huge slap in the face considering the value of investment and level of economic activity at this site. The site is 58 acres (1.5 acres sold to Dort of ~\$350,000 as vacant land). It also includes a gas station, a land lease (coffee drive through), internal tenants, ~150,000 square feet of indoor sales, additional outdoor sales, and site improvements. They propose to be valued at the same level as 18 new condos.



Given how much we spend to maintain such a commercial site in the form of a wider road, two new traffic signals, neighbor complaints (trash), and numerous police/fire calls (including an expensive vehicle fire in the last month), I am not sure it is worth having such uses in the community any more. We may want to consider rezoning the rest of the vacant land to R-4 Two Family Residential.

Like the Family Farm and Home appeal, we can only assume that commercial business are looking to cash in on COVID, even if their business has picked up. This appeal is especially harmful to the city since Meijer is in the DDA Tax Increment Financing district. This could effectively wipe out the DDA, putting all their plans on hold and even compromising their ability to pay their debt.

I had some initial luck contacting Meijer real estate, with the hope of conversing on the matter. However, as of writing, it has been crickets. I am aware of appeals filed for the Davison and Burton stores as well. I am looking into the option of cooperating to get the most accurate appraisals possible. For the record, like Kroger appeals of the past, I am very comfortable with the value placed on Meijer.

Concerning the Farm and Home appraisal, I have a proposal from Kevin Groves Appraisals, Inc, the firm that has done these in the past. The fee is \$3,000. I am including a resolution to proceed, including an additional allocation for miscellaneous attorney fees. While the direct savings are not substantial, I believe we must preserve the integrity and fairness of the valuation methods. I hope the council agrees.

I recommend we vigorously defend the Meijer value as well. Though there are depressed big box sales in Flint Township, I am confident that we can prevail with a market appraisal meeting or exceeding our valuation.

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

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

✓ **2020-2023 TRAFFIC IMPROVEMENT PROGRAM (TIP)** *(No Change in Status)*

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

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

In addition, we expect to ramp up with the next round of TIP submissions. This is the phase in which we request funding of specific major streets through the federal programs next three year cycle. Andy and I have been working on a strategy, and

we believe we have no choice but to submit Miller Road (Morrish to N. Seymour) and ONLY this segment. In the past, we have submitted other major streets as backup. While they have been funded (Morrish and Fairchild), we have not been adequately addressing our largest and most crucial asset.

To better position our community, we are completing PE for Miller Road early and keeping it as a standby project for other unspent TIP funds in the county (e.g. if the GCRC or another community in Genesee receives funding for a project but cannot complete it for some reason, a 'shovel-ready' project can take its place). Doing so will put our project on stand by and also demonstrate to the selection committee the degree of our commitment to having Miller Road funded in the next cycle. We now have a proposal for this work. I recommend proceeding. The design needs to be complete anyway, and doing it sooner may open more doors for funding.

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

✓ **STREET PROJECT UPDATES (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.*

Chelmsford and Oakview (to Seymour) is now underway and will be completed this year. Water main should be substantially complete by the time we meet, with road work on the way. Forestry work finished a while back, and we have communicated the schedule and impact letters to residents.

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

Lighting contracts with Consumers Energy have been approved.

Crack fill services have been conducted city-wide. We are happy with the results.

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

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

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

With that said, we are going to include more routine cleanings and inspections on an annual basis. I have some initial pricing for a broad televising program for this year, which will set the table for future lining programs and ensure that we are hitting

our jetting maintenance goals as well. Based upon the work completed so far, which is extensive, as well as what we expect to learn from this effort, we will be updating our 20 year sewer plan and map. This may result in new 20 year set of goals that will replace the existing.

Note that we also intend to apply for funds that may help with storm sewer disconnections. This is part of the massive Inflow and Infiltration (I&I) program that the county must undertake. I&I enables storm water to enter the sanitary sewer and results in high volumes (up to 10x normal flow), which impact the treatment facility and transmission lines can be overwhelmed. As such, we have been working to eliminate I&I by lining clay pipes, sealing manholes, and removing direct inflow (home weep tile, business roof drains, etc.).

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

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

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

We held the pre-construction meeting with Glaeser Dawes to begin work. All signs indicate a smooth project.

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

The Miller, Morrish, and Bristol Road segments are complete. The contractor is now in Winchester Village, which should be complete by mid-July. The Miller Road segment from Elms to Raubinger will be last up.

Note that Morrish Road paving and paint markings are temporary. We have timed this so that repairs commence next year with the Transportation Improvement Program funds.

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

- Greenleaf
- Winshall
- Durwood
- Norbury
- Witney
- Seymour (South of Miller)

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

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

As presented by the GCDC on April 12, the new county Master Plan includes a northern loop and southern loop option to provide redundancy and stability to the system. This is good news since Gaines and Clayton Township rely on the overstressed Miller line. There will not be any cost participation by the city, but the timeline is unclear. There are rumors that recovery act funds may be put forth to accelerate a loop.

The city is revisiting an effort to work with the county to abandon the 8" Dye Road water main in the vicinity of the rail line (west side of Dye). This line is prone to breaks, which can be very costly and dangerous near the rail spur. The intention would be to connect our customers to the other side of the street, onto the county 16" line. It appears the transition cost would be about \$25,000. Mr. Harris and I have learned of the needs from the county and are ready to proceed. We may look to add this as USDA work or bring back a separate proposal. Note that the city line will be abandoned, but the city will still retain the customers.

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

OHM is proceeding with the plan. While we are not on schedule for all facets, we are still in a good spot. Flow testing has been done and analysis is underway. Note that the flow testing is conducted with open hydrants and has resulted in some water quality complaints. We should have some interesting things to show the community soon.

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

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

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

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

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

The last of the lots acquired prior to the special assessment have been sold. We approved permits for single family homes on September 30<sup>th</sup>, which are being finalized. The city also has two more lots that were acquired through the tax reversion process. As of May, 2021, there may be interest by the builder to proceed with acquisition and construction. This would finally clear us of the subdivision and put the association in a better position to build membership and dues for their operations.

✓ **NEWSLETTER** (*Update*)

The July newsletter is out for distribution.

✓ **CONSTRUCTION & DEVELOPMENT UPDATE** (*See Individual Category*)

This will be a standing section of the report that provides a consolidated list for a brief status on public and private construction/developmental projects in the city.

1. The city has been recommended for funding through the **DNR Trust funds for 2021 construction of the Genesee Valley Trail**. The MDOT grant is conditionally awarded. We hope to combine this with the Safe Routes to School initiative for 2021 construction.
2. The **raceway owner appears ready to move on**. The owner will be looking to repurpose the site and cooperate with our master plan process. See details below.
3. Communities First has a purchase option for **Mary Crapo**. This option has apparently been extended by the School Board for one year as of this month. Their first application was denied. The zoning, site plan, and PILOT for the 40 unit building conversion have been approved by the city. The land purchase and state approvals are still pending. The park board recommends against the lease unless terms are dramatically improved to allow flexible public use.
4. The **school bond** passed and many improvements are expected in 2020 throughout the district. Total investment for this effort will exceed \$50 million over two to three years. Work has commenced on Syring and Elms School, as well as the high school athletic complex. Plans are being submitted for the Middle School. The schools in the city are in a rigorous state of improvement at the moment. It also appears that the school will be adding a walking path on their high school campus that should be integrated with other pedestrian features.
5. **Street repair in 2020** is complete. We will be completing the remainder of Chelmsford and Oakview to Seymour in 2021. The city also has grants and loans for about **\$5 million in water main work** to occur between 2020 and 2022. COVID 19 may put a stop to some or all work efforts.
6. The **Applecreek Station** development of 48 townhomes is on hold due to construction material availability and cost. They continue to seek final review by the county. These units range in size from 1,389 to 1,630 square feet, with garages. Construction will occur on vacant land in the back of the development, by Springbrook Colony. Site engineering plans have just been submitted by the

owner. Rents are expected to be about \$1.00 per square foot (~ \$1,600 a month) which matches rents in Winchester Village. This project is on hold pending the sewer relief project.

7. **(Update)** The **Brewer Condo Project** has affirmed their site plan with the Planning Commission in April (the site plan validity expired). The master deed documents were also finalized. The existing purchase agreement is being executed and we expect a closing within 30 days. Site work might begin in July. The project includes 15 townhome condos off Morrish Road in downtown. They are approximately 1,750 square feet, with two car garages and basements (or shelters, in accordance with the applicable ordinance).
8. The next **Springbrook East** phase is under construction. They have pulled many home permits.
9. **8048 Miller Road**, the home of the Great Lakes Smoothie Company, has a new owner who is working aggressively to improve the property. They will be paving, installing a fancy new ground sign, updating the façade, and improving upper floor residential.

✓ **TAP/DNR TRAIL (Update)**

Flint Township is proceeding with all funding commitments and easements on their end. We are all systems go. GM easements are signed and recorded! In the end, they worked well with us, but I wish it started more smoothly. The previous report follows.

The DNR indicates that funds are now officially obligated for the Trust Fund grant, in the amount of \$300,000! We now have a grant agreement to approve. This is a standard form instrument that we must abide by to get the funds. I have included the agreement and a resolution in the packet.

It appears there might still be an opportunity to roll this in with the SRTS trail. Either way, we expect to bid in about six months. As always, the bids could come in high or construction change orders could add costs, but we are definitely in a good spot. I suspect high exposure will be \$150,000 of local funds at this point. Hopefully, this will cover most of it!

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

Preliminary engineering is underway. We are also working on the four easements that are required. We expect this to go more smoothly than the Genesee Valley Trail Extension. This project is likely to be done in late 2021 or 2022. There no longer appears to be a chance that this will be combined with the TAP/DNR project and bid in early fall.

This is a substantial grant for another \$600,000+ for trails and walkways in the community! This will enable installation of paths near the middle school, Elms, and Syring for student safety. These connections will also enhance our trail network.

✓ **REDEVELOPMENT READY COMMUNITIES (Update)**

We owe a big thanks to the state and Chris Germain for his efforts. Thanks to this program and the continual communication we received from MEDC, we are able to invest in a cutting edge Master Plan and DDA Plan this year! This is something we would not otherwise be able to do (See the Master Plan Section)!

In other news, we have been working actively with various partners at the state and local level to work on a small business plan and options for use of the raceway. I think the prospects for that property are looking up!

We also have the option to exercise a crowd funding match for a public place enhancement. This is a big deal and can provide up to \$50,000 towards a downtown project!

A link to this program is here: <https://www.miplace.org/programs/public-spaces-community-places/>

✓ **TAX REVERTED PROPERTY USE (Update)**

We have some interest in the Wade Street property from J.W. Morgan. Since this property is just taking up space and generating mowing bills, we should consider unloading it. This is especially true since it is likely to lose its tax exempt status. An infill bungalow house might be the way to go.

✓ **8002 MILLER (Update)**

The tenant is not catching up like we had hoped. However, she reached out and indicated that business is picking up and additional payments are forthcoming.

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

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

We have received a few complaints about lighting at Elms and Syring. The school is working with us to control glare with shields and/or limit hours of operation. This will help improve the neighborhoods. Note that these are voluntary actions since schools are exempt from local zoning.

✓ **CDBG (No Change of Status)**

The downtown and neighborhood sign program has been installed, invoiced, and reimbursed. We are all set here.

Applications were submitted for the 2022-2024 cycle which will go towards senior services and new downtown residential neighborhood sidewalks. The county is reviewing the proposal now.

✓ **GIS MAPS (Update)**

Staff is now able to edit the maps and accompanying data fields for our GIS system. Mr. Harris educated the office staff on some of the platform functionality at our June 23<sup>rd</sup> staff meeting. This further expands its use and will put the city in a position to be a bit more efficient and productive on the customer service end.



The GIS platform includes underground water, sewer, and storm facilities. We are also mapping basic street data. This system is accessible by our field staff anywhere in the city by mobile device and will enable locational support, as well as important maintenance and related data fields related to infrastructure.

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

✓ **DISC GOLF (Update)**

Andy and I met with Mike S. and the city contractor at Otterburn Park. The disc golf course is moving into the next phase! basket 18 (the sledding hill) is looking amazing! The contractor is now going to be smoothing out some fairways and adding some topography to the rest of the course. We also have a plan for a circle-drive parking lot, with pavilion. I expect the disc golf promotion committee to have much to go on soon!

✓ **8067 MILLER ROAD (Update)**

The house is nearly complete. However, some mechanical and plumbing inspections revealed some areas for improvement, including the boiler. Stay tuned. Despite that, we have the listing agreement executed and showings are expected during the weekend of the 10th. The pricing seems fortuitous, however, if the boiler has crapped out, we may not even break even.

✓ **MASTER PLAN UPDATE (Business Item)**

The MEDC approved the proposal that was included in the June 14, 2021 packet. I am including it again. The approval will match \$30,000 towards this effort, which allows us to get waaay more done! I recommend we approve the proposal at this point and have included a resolution.

The previous report follows.

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

The planning commission considered this matter at their regular May meeting. Justin Spraug with CIB Planning attended as well to provide some guidance. The commission had a number of suggestions for specific plan amendments. Overall, it appears the plan scope will include a pretty thorough review, but not a rewrite. This could be a fortuitous time to engage the plan because the state is making up to \$30,000 available to us for planning purposes, with the idea that we can focus on the downtown and RRC sites.

Our plan is to create a specific downtown plan that addresses the specific, parcel by parcel needs of the various districts. We can also create some design guidelines for the various districts that will help our officials and developers in proceeding with



improvements. The combination of area plans and design guidelines happens to be the primary objective of the current master plan that is not yet complete!

✓ **RACEWAY (Update)**

There are rumblings that the state may yet explore historical wagering. I have been able to touch base, and it appears the owner is not putting much stock in this. They continue to proceed with reuse, and it appears there is interest. GM is temporarily storing cars onsite. The owner is also looking to engage in our master plan process. Again, I think they are considering marijuana uses so start pondering that and seeking input from constituents.

The previous report follows.

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

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

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

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

✓ **FIRE DEPARTMENT (EMS) SERVICES (Update)**

The fire department is set to respond to EMS calls on August 1. A report on activity and operational findings is expected in early 2022. The county standard is that the FD would only be dispatched if the EMS/MEDIC is more than 8 minutes/miles away (under certain stipulations).

With that said, Medstar, based in Mundy Township is offering a no-charge agreement to meet this standard for the City of Swartz Creek. This is something new that Chief Plumb believes is a good option. I will be meeting with their leadership in late July. Most agencies who sign with municipalities include the national standard in their

agreement that they will arrive on scene within 8 minutes 90% of the time. This could cut down on the number of calls the FD has to respond to, if these times were met

✓ **WASTE SERVICES (Update)**

We are going live on July 6<sup>th</sup>. GFL has distributed a newsletter and met with staff to complete our onboarding. Carts have been delivered, but there is still some follow up to address missed accounts, downsizing, additional carts, etc. I have left instructions and a management structure in place in my absence to address foreseeable and unforeseeable conditions to the best of our ability.

Republic now indicates that they will be picking up their carts the week of July 12<sup>th</sup>. All residents are instructed to put their Republic carts to the roadside on July 12<sup>th</sup>. Also note, that we are expecting invoices from GFL for services performed prior to the commencement of our agreement. My intention is to withhold payment to Republic for the corresponding amount.

✓ **COVID AID (Update)**

It appears that our community will be receiving about ~\$500,000 in stimulus funds. This allocation is supposed to be a direct federal allocation (via the State of Michigan) under the American Rescue Plan Act of 2021. We are going to be able to apply for the first distribution (50%) in early July. We will do so, with the understanding that we still have time to commit to an eligible expense. These funds will need to be spent in approximately 24 months and are not to be comingled with other operating funds.

Initial recommendations from the National League of Cities include expenditures on essential sanitation infrastructure, such as water and sewer. They also note the importance of economic recovery. This MAY include allocations to improvements related to downtown and recreation. It MAY also include direct allocations to businesses in the form of loans or grants. While the categories have been laid out, it is not obvious what specific expenses are permitted. We continue to educate ourselves and make inquiries.

This is certainly welcome news. However, I am cautious regarding the expectation for such a windfall. I am also conscious of the potential for short to mid-term reductions in tax base, revenue sharing, and unfunded liability assets as a lingering impact of COVID. As such, the budget implications are unclear. We certainly have deferred improvements with water, roads, and parks. We also have opportunities in downtown. However, we may have serious needs in our essential service expectations as well.

✓ **DEPARTMENT OF PUBLIC AND COMMUNITY SERVICES (Update)**

We conducted interviews the week of the 28<sup>th</sup>. With a robust pool of applicants, we found ourselves to be fortunate to select among a group of very qualified professionals. As of writing, we have not settled on a candidate, but we expect we will have someone onboarding by mid-July and starting soon after.

We continue to establish OHM as a more proactive engineering consultant by 'injecting' them into our operations at a higher degree. This includes an in-office workstation/login, remote access, routine duties, and more frequent communication.

✓ **PAVILION COMMITMENT (Update)**

The city council has committed to installing a pavilion at Otterburn Park, including a commitment of \$20,000. I have reached out to the family, and we will meet when I return to go over details of the project and fundraising.

A quick search of modern pavilion kits online reveals that the material and delivery cost of a pavilion would be around \$30,000 for a 20 x 24 space. The site prep, slab, and assembly would be required as well. I suspect a project like this could get much in terms of donations and in-kind assembly help.

A good target price would be \$50,000 with 2022 construction.

✓ **WATER OPERATIONS SERVICES** (*Business Item*)

We are in a position to proceed with an agreement with the GCDC-WWS to supply operational services to the city regarding the water distribution system. This has enabled us to have a broader array of options in selecting the next DPW Director. However, there is no rush to act quickly. We have the ability to take our time further study and consider options. One of the first items of business as we onboard a new director is to consider this option. I will keep the council informed.

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

✓ **MONTHLY REPORTS** (*Update*)

The building reports are in!

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

✓ **PLANNING COMMISSION** (*Update*)

The Planning Commission met on May 4, 2021. They discussed the community master plan (see above). Mr. Novak resigned and was replaced by Mr. Jason Keene. The master plan process is now expected to commence in August. The next meeting is scheduled for July 6. Since I will be out of town and the master plan proposal has yet to be affirmed, this has been cancelled.

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

The DDA met two weeks later in April than normal. They reviewed their next fiscal year budget and approved a façade grant for the Assenmacher Building rehabilitation project. They did not meet in May or June, but there could be upcoming business related to a new farmers market group in the community. Their next meeting is scheduled for July 8. Again, with my absence and the delay in the master plan commencement, this was cancelled.

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

A sign variance for 8048 Miller was approved on May 19th. The variance will enable a 10 foot ground sign for the property. In addition, the ZBA selected officers, with Mr. Packer remaining as chair, Mr. Plumb as vice chair, and Mr. Smith as secretary. The next meeting date is tentatively July 21. Since there is no current business, this will be pushed to August 18.

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

The Park Board met on June 2nd. There were updates on disc golf, Otterburn Park, and the trails (see above). The park board slip and slide, as administered by the Swartz Creek Fire Department Auxiliary, is tentative for August 14<sup>th</sup> at Elms Park.

The park board discussed the potential for a FitLot somewhere in town, as well as the possible donation of murals that could be displayed at a park or other public space. Both of these items were tabled, pending additional information.

Lastly, the Baptist Church is looking to take on the playscape staining. This appears to be aligning for August 14th. We are thrilled that they are willing to take this on!

Their next meeting is July 7th at Abrams Park.

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

The Board of Review was held virtually this year between March 15 and 17<sup>th</sup>. There were six protests on assessments, including the Genesee Valley Golf Course. There were twelve Disabled Veterans Exemptions, two late personal property statements, and one uncapping petition.

The assessor notes that residential values continue to increase at a very high rate. However, there is concern for commercial appeals, which can be appealed directly to the Michigan Tax Tribunal through June.

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

I will not be in attendance at the July 12<sup>th</sup> council meeting, I will be on vacation. Jody Key will be filling in for me during my absence.

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

Typical routine tasks continue to occupy the crew's time.

✓ **TREASURER UPDATE** (*Update*)

The 2021 tax bills and July water bills have been mailed. Staff continue to field calls regarding the changes to waste collection. The preparation for the year-end audit continues. Routine duties were performed including, but not limited to, writing/processing routine journal entries, bank wires, review and approval of accounts payable invoices, building department permits and rental inspection collections, park reservations, processing payroll, receipt of tax and utility billing payments, and other financial matters impacting the city.

## **NEW BUSINESS / PROJECTED ISSUES & PROJECTS**

✓ **BUILDING RELOCATION SERVICES** (*Business Item*)

We have been looking to make use the red barn that is located on the Fortino Drive site for some years. This structure has been used for miscellaneous police and DPW storage since its acquisition. With the sale appearing to be imminent, Mr. Harris has been seeking qualified contractors to move and set the structure so that it does not get demolished.

We have not had much luck. However, we have been referred to S&W House and Structural Movers by one of our local general contractors. They have submitted a price to do so. Andy finds that this is a reasonable price for a specialized service, which we find to be less competitive than general contracting services. We ask the council to approve the proposal with a standard contractor's agreement.

**Council Questions, Inquiries, Requests, Comments, and Notes**

*Notable Code Issues:* Our attorney has been granted a default judgement as it relates to the Miller Road camping case that ended up in Circuit Court. We have an apparent judgement to remove any vehicle illegally parked, stored, or habituated in anywhere within the city. At the moment, the camper is gone.; the owner of the Miller Road homes slated for demolition has hired a contractor, paid a deposit, and pulled permits; we are also working on one unpermitted sign (North Atlas).

*Time Away From the Office:* As noted at the last meeting, I went and got married this month! We did not plan a formal honeymoon, but we are taking time in July to travel together. When combined with the Fourth of July, I will be out of the office for the better part of two weeks (July 5-July 16). I will be in the office on July 12<sup>th</sup>, and I will be attending that council meeting. I will be back in the office on the 19<sup>th</sup> as well.

**City of Swartz Creek  
RESOLUTIONS  
Regular Council Meeting, Monday, July 12, 2021, 7:00 P.M.**

**Motion No. 210712-4A**                      **MINUTES – June 28, 2021**

Motion by Councilmember: \_\_\_\_\_

**I Move** the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday, June 28, 2021, to be circulated and placed on file.

Second by Councilmember: \_\_\_\_\_

Voting For: \_\_\_\_\_

Voting Against: \_\_\_\_\_

**Motion No. 210712-5A**                      **AGENDA APPROVAL**

Motion by Councilmember: \_\_\_\_\_

**I Move** the Swartz Creek City Council approve the Agenda as presented / printed / amended for the Regular Council Meeting of July 12, 2021, to be circulated and placed on file.

Second by Councilmember: \_\_\_\_\_

Voting For: \_\_\_\_\_

Voting Against: \_\_\_\_\_

**Motion No. 210712-6A**                      **CITY MANAGER’S REPORT**

Motion by Councilmember: \_\_\_\_\_

**I Move** the Swartz Creek City Council accept the City Manager’s Report of July 12, 2021, including reports and communications, to be circulated and placed on file.

Second by Councilmember: \_\_\_\_\_

Voting For: \_\_\_\_\_

Voting Against: \_\_\_\_\_

**Resolution No. 210712-8A**                      **RESOLUTION TO APPROVE PROFESSIONAL MASTER PLAN SERVICES**

Motion by Councilmember: \_\_\_\_\_

**WHEREAS**, the Michigan Planning Enabling Act (P.A. 33 of 2008) requires city’s to create and update a Master Plan every five years; and

**WHEREAS**, the City of Swartz Creek relies on the 2016 Master Plan to shape policy, guide administrative actions, establish budgetary expectations, and direct land use actions by all board and commissions; and

**WHEREAS**, the City now seeks to update its master plan and expand upon the downtown plan; and

**WHEREAS**, the City, as a Redevelopment Ready Community, has been awarded \$30,000 towards this end; and

**WHEREAS**, the City and the MEDC utilize CIB Planning to analyze, update, and improve the city's plans, zoning ordinance, and policies; and

**WHEREAS**, the City Council finds the planning and design services to be professional services under Ordinance Section 2-402.

**NOW, THEREFORE, BE IT RESOLVED**, the City of Swartz Creek City Council hereby awards the 2021 Master Plan Update to CIP Planning in the amount of \$60,000, as included in the City Council Packet of July 12, 2021.

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

Second by Councilmember: \_\_\_\_\_

Voting For: \_\_\_\_\_

Voting Against: \_\_\_\_\_

**Resolution No. 210712-8C**

**RESOLUTION TO RELOCATION A STORAGE BUILDING FROM ONE CITY PROPERTY TO THE DPW GARAGE**

Motion by Councilmember: \_\_\_\_\_

**WHEREAS**, the city is in the process of selling land on Fortino Drive; and

**WHEREAS**, a storage barn that is currently located upon the land is in fair condition and could be used at the city's DPW garage on Morrish Road; and

**WHEREAS**, the city has sought proposals to relocate the barn; and

**WHEREAS**, only one contractor has been located that is able and willing to do so, S&W House and Structural Movers; and

**WHEREAS**, the city council can approve expenditure on a specialized public work or service if it finds the service to be specialized and non-competitive under the circumstances under Ordinance Section 2-402.

**NOW, THEREFORE, BE IT RESOLVED**, the City of Swartz Creek City Council hereby approves the relocation of the barn by S&W House and Structural Movers for a cost of

\$12,000 plus any force account or other efforts to fully establish the structure at the DPW garage.

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

Second by Councilmember: \_\_\_\_\_

Voting For: \_\_\_\_\_

Voting Against: \_\_\_\_\_

**Motion No. 210712-11A**

**ADJOURN**

Motion by Councilmember: \_\_\_\_\_

**I Move** the Swartz Creek City Council adjourn the regular council meeting of July 12, 2021.

Second by Councilmember: \_\_\_\_\_

Voting For: \_\_\_\_\_

Voting Against: \_\_\_\_\_



**CITY OF SWARTZ CREEK  
SWARTZ CREEK, MICHIGAN  
MINUTES OF THE REGULAR COUNCIL MEETING  
DATE 6/28/2021**

The meeting was called to order at 7:00 p.m. by Mayor Krueger in the Swartz Creek City Council Chambers, 8083 Civic Drive.

Invocation and Pledge of Allegiance.

Councilmembers Present: Fountain, Florence, Gilbert, Hicks, Krueger, Henry.

Councilmembers Absent: Pinkston.

Staff Present: City Manager Adam Zettel, Clerk Connie Olger, City Attorney Chris Stritmatter.

Others Present: Lania Rocha, Butler, Erik Jamison, Dennis Cramer, Dan Potter, Neketia Alyatim.

**EXCUSE COUNCILMEMBER PINKSTON**

**Resolution No. 210628-01**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Councilmember Florence

**I Move** the Swartz Creek City Council excuse Councilmember Pinkston.

YES: Unanimous Voice Vote.  
NO: None. Motion declared carried.

**APPROVAL OF MINUTES**

**Resolution No. 210628-02**

**(Carried)**

Motion by Councilmember Henry  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council approve the corrected Minutes of the Regular Council Meeting held Monday June 14, 2021 to be circulated and placed on file.

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

**APPROVAL OF AGENDA**

Draft Minutes

**Resolution No. 210628-03**

**(Carried)**

Motion by Councilmember Fountain  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council approve the Agenda as, amended for the Regular Council Meeting of June 28, 2021, to be circulated and placed on file.

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

**CITY MANAGER’S REPORT**

**Resolution No. 210628-04**

**(Carried)**

Motion by Councilmember Florence  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council accept the City Manager’s Report of June 28, 2021, including reports and communications to be circulated and placed on file.

Discussion Ensued.

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

**MEETING OPENED TO THE PUBLIC:**

Dennis Cramer 5299 Worchester Drive, thanked the city for the award.

**COUNCIL BUSINESS:**

**WATER SYSTEMS OPERATION**

**PRESENTATION**

Mr. Zettel briefly spoke on the option of contracting Genesee Country Drain Commission for our water operation and maintenance services.

Dan Potter, Chief Deputy of Genesee County Drain Commission, overviewed the organization and spoke of the different contracts and options they offer municipalities.

Mr. Zettel requested the council give him their input of a possibly contract with the county for certain water services.

Council consensus due to current and future regulations, that the city should pursue the idea.

## **RESOLUTION TO APPROVE FORESTRY SERVICES**

**Resolution No. 210628-05**

**(Carried)**

Motion by Mayor Pro Tem Hicks  
Second by Councilmember Henry

**WHEREAS**, the city maintains parks, right of ways, and other grounds that possess diverse and plentiful forestry assets; and

**WHEREAS**, proactive maintenance of forestry assets is found to create long term savings in management of trees; and

**WHEREAS**, proactive maintenance of forestry assets is also found to improve tree safety, appearance, and conflict with various shared features of right of ways and parks; and

**WHEREAS**, the city has established a relationship with a local tree service company and arborist and desires to continue to build upon that knowledge legacy and mutual interest; and

**WHEREAS**, the City Council finds the inspection and management of forestry assets to be a professional service per Ordinance Section 2-402.

**NOW, THEREFORE, BE IT RESOLVED**, the City of Swartz Creek City Council hereby awards the 2021 forestry maintenance service to J-n-J Yard & Tree Service in the amount of \$14,800.

**BE IT FURTHER RESOLVED**, the city council authorizes and directs the City Manager to execute the proposal on behalf of the city.

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

## **RESOLUTION TO APPROVE AND COMMIT TO PAVILION CONSTRUCTION AT OTTERBURN PARK**

**Resolution No. 210628-06**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Councilmember Fountain

**WHEREAS**, the city owns, operates, and maintains a system of parks and recreation facilities; and

**WHEREAS**, the city is expanding their park system to include Otterburn Park, a recreational area that will include disc golf, a connection to the Genesee Valley Trail, and a sledding hill; and

**WHEREAS**, Mr. Jentery Farmer passed away on April 26<sup>th</sup> as an active City Council Member and Park Board Chair, among other roles; and

**WHEREAS**, Mr. Farmer was an avid supporter of the trail, disc golf, and the expansion of Otterburn Park; and

**WHEREAS**, the city park board, in working with the family of Mr. Farmer, recommend that the city commit to constructing a pavilion in Otterburn Park to honor Mr. Farmer at their regular meeting on June 2, 2021.

**NOW, THEREFORE, BE IT RESOLVED**, the City of Swartz Creek City Council hereby authorizes pavilion construction at Otterburn Park and commits \$20,000 from the current and/or future budgets to match towards any and all contributions from the public towards the same.

**BE IT FURTHER RESOLVED** that the City of Swartz Creek City Council recognize the pavilion as the Jentery Farmer Pavilion and allow a plaque or nameplate to be placed commemorating the same.

Discussion Ensued.

YES: Henry, Fountain, Florence, Gilbert, Hicks, Krueger.

NO: None. Motion Declared Carried.

**Break 8:08 p.m. to 8:12 p.m.**

**RESOLUTION TO APPROVE PAVEMENT/SOIL BORINGS FOR STREETS AND PUBLIC PAVING**

**Resolution No. 210628-07**

**(Carried)**

Motion by Councilmember Henry

Second by Mayor Pro Tem Hicks

**WHEREAS**, the City of Swartz Creek owns, operates, and maintains a network of streets and parking lots that are composed of concrete, asphalt, aggregate, and similar surface and subsurface materials; and

**WHEREAS**, the full depth composition of the streets and parking lots is not known in all cases; and

**WHEREAS**, an understanding of the full depth composition of said surfaces is essential to understanding the life expectancy, type of expected failure, and rehabilitation methods of such surfaces; and

**WHEREAS**, the city solicited quotes to perform boring services at six different locations within the city to ascertain the composition of said areas; and

**WHEREAS**, while the individual price estimates for each area is administratively approvable, the aggregate of said prices is more appropriately approved by the city council under Ordinance Section 2-402.

**NOW, THEREFORE, BE IT RESOLVED**, the City of Swartz Creek hereby awards boring services to Intertek in the aggregate amount of \$8,200 and authorizes the City Manager to enter the City into a standard contractor's agreement to perform said services.

Discussion Ensued.

YES: Fountain, Florence, Gilbert, Hicks, Krueger, Henry.

NO: None. Motion Declared Carried.

## **RESOLUTION TO APPROVE APPRAISAL FOR FAMILY FARM & HOME PROPERTY**

**Resolution No. 210628-08**

**(Carried)**

Motion by Councilmember Fountain

Second by Councilmember Henry

**WHEREAS**, the city assesses property and collects taxes per the Michigan General Property Tax Act; and

**WHEREAS**, the City Assessor is charged with determining values for property to be taxed under the same act and rules promulgated by the Michigan Department of Treasury, with the intent of valuing real and personal property in the city accurately, fairly, and consistently; and

**WHEREAS**, from time to time, the city finds it necessary to defend valuations that are appealed by owner interests in order to achieve those intentions.

**NOW, THEREFORE, BE IT RESOLVED**, the City of Swartz Creek City Council amend the budget to allocate \$4,500 of unencumbered, unreserved general fund monies to the assessing department for the purpose of contesting the tax appeals

by parties referred to as 4315 Elms Road; PID 58-31-551-005; Kuk & Youngae Chung Trust; Family Farm & Home property, costs to include an appraisal, legal services, and other related expenses to be provided by the city's legal counsel and an appraisal firm, as selected by the city manager or assessor, with the authority of the city council under Section 2-402(a)(2) of the city ordinances.

**BE IT FURTHER RESOLVED**, the City of Swartz Creek City Council approve the proposal from Kevin Groves Appraisals, Inc., as included in the city council packet of June 28, 2021 and further direct the Mayor to execute said proposal on behalf of the city.

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

### **MEETING OPENED TO THE PUBLIC:**

Dennis Cramer 5299 Worchester Drive, Methodist Church on Morrish Road would be a great location for a community center and this is his endeavor for this in the future.

### **REMARKS BY COUNCILMEMBERS:**

Councilmember Gilbert inquired about a broken handle on a new waste bin and how to report it. Mr. Zettel responded to call GFL. The driveway to Elms Park is full of potholes that need filled in.

Mayor Pro Tem Hicks noticed the staking at Elms Park and the construction sign at Brady/Miller is still there. Camp 911 was very successful program this year. Councilmember Florence commented there were a lot of officers in attendance at camp 911.

Councilmember Henry commented that Chelmsford is really bad. He also commented that Elms Park has several areas with potholes. The streetlight fixture on Chelmsford has been taken down.

Councilmember Florence notice the fence at Elms Park by 69 & the park needs looked at and possibly removed. Then fenceline on the northside, running east to west, of the park has been cleared by resident and looks nice.

Mayor Krueger looks forward to the next meeting.

### **ADJOURNMENT**

**Resolution No. 210628-09**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Councilmember Fountain

**I Move** the Swartz Creek City Council adjourn the regular meeting of June 28, 2021 at 8:42 p.m.

Unanimous Voice Vote.

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**David A. Krueger, Mayor**

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**Connie Olger, City Clerk**

# City of Swartz Creek

## Building Permit List

2021

Permit No.	Date	Applicant	Phone	Tax ID No.	Value of Const/Permit Fee	Location	Type of Construction
<b>Building</b>							
PB2100037	06/03/21	Lockhart Roofing Co.	(810) 235 9866	58-01-502-018	\$3,480	\$100.00	5036 THIRD ST 48473-Roofing
PB2100038	06/07/21	COOK, SHAWN & SANDRA		58-31-200-005	\$2,000	\$85.00	6199 BRISTOL RD 48473-Res Add/Alter/Repair
PB2100039	06/07/21	C & L Ward Bros Co	(810) 652 6622	58-36-577-030	\$8,560	\$155.00	7255 MILLER RD 48473-Window Replacement
PB2100040	06/04/21	DOUCETTE, TIMOTHY		58-30-651-009	\$15,000	\$280.00	6337 AUGUSTA ST 48473-Res Deck
PB2100042	06/14/21	WOLGAST CORP	(989) 790 9120	58-02-200-036	\$2,320,140	\$7,445.00	8230 CRAPO ST 48473 School Project
PB2100043	06/14/21	WOLGAST CORP	(989) 790 9120	58-02-200-036	\$1,979,042	\$6,347.00	8230 CRAPO ST 48473 School Project
PB2100045	06/14/21	WOLGAST CORP	(989) 790 9120	58-02-100-006	\$2,039,731	\$8,179.00	1 DRAGON DRIVE 48473 School Project
PB2100046	06/14/21	WOLGAST CORP	(989) 790 9120	58-02-100-006	\$3,501,227	\$11,589.00	1 DRAGON DRIVE 48473 School Project
PB2100047	06/14/21	WOLGAST CORP	(989) 790 9120	58-02-100-006	\$815,250	\$3,531.00	1 DRAGON DRIVE 48473 School Project
PB2100049	06/18/21	DAC Contracting Group, LLC	(810) 287 2878	58-35-400-011	\$8,400	\$155.00	8210 MILLER RD 48473-Res Deck
PB2100052	06/30/21	Northstar Builders, LLC	(810) 333 0069	58-35-776-117	\$3,528	\$155.00	117 ASHLEY CIR 48473-Res Deck

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**Total: 11 Permits Value: \$10,696,358 Fee Total: \$38,021.00** Total Number of Dwelling Units 0

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### Electrical

PE2100018	06/14/21	LJ Electric LLC	(810) 644 7769	58-36-651-097	\$0	\$150.00	7438 CROSSCREEK DR 48473-Electrical
PE2100022	06/02/21	Signs By Crannie	(810) 487 0000	58-36-200-012	\$0	\$142.00	4246 ELMS RD 48473-Electrical
PE2100023	06/07/21	Creative Electrical Solutions	(810) 659 7884	58-36-651-164	\$0	\$149.00	7384 CROSSCREEK DR 48473-Electrical
PE2100024	06/15/21	LJ Electric LLC	(810) 644 7769	58-03-200-006	\$0	\$180.00	5300 OAKVIEW DR 48473 Electrical
PE2100025	06/17/21	Element Electrical Services	(248) 464 2332	58-03-578-006	\$0	\$210.00	5332 WORCHESTER DR 48473-Electrical
PE2100026	06/22/21	LJ Electric LLC	(810) 644 7769	58-03-528-021	\$0	\$150.00	9080 CHELMSFORD DR 48473-Electrical

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**Total: 6 Permits Value: \$0 Fee Total: \$981.00** Total Number of Dwelling Units 0

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# City of Swartz Creek Building Permit List

2021

Permit No.	Date	Applicant	Phone	Tax ID No.	Value of Const/Permit Fee	Location	Type of Construction
<b>Mechanical</b>							
PM210028	06/14/21	LJ Electric LLC	(810) 644 7769	58-36-651-097	\$0	\$160.00	7438 CROSSCREEK DR48473-Mechanical
PM210029	06/07/21	Thomas Albright & Assoc Inc	(810) 659 7884	58-36-651-164	\$0	\$135.00	7384 CROSSCREEK DR48473-Mechanical
PM210030	06/07/21	Goyette Mechanical	(810) 742 8530	58-36-651-138	\$0	\$135.00	4264 CHAPEL LN 48473-Mechanical
PM210031	06/18/21	Johnson & Wood, LLC	(810) 715 0700	58-03-578-006	\$0	\$135.00	5332 WORCHESTER DR48473-Mechanical
PM210032	06/18/21	David L Maurer		58-36-651-227	\$0	\$160.00	7368 CROSSCREEK DR48473-Mechanical
PM210033	06/21/21	Payne Mechanical	(810) 223 3667	58-02-100-006	\$0	\$160.00	1 DRAGON DRIVE 48473 Mechanical
PM210034	06/22/21	LJ Electric LLC	(810) 644 7769	58-03-528-021	\$0	\$165.00	9080 CHELMSFORD DR48473-Mechanical
PM210035	06/21/21	Goyette Mechanical	(810) 742 8530	58-35-776-095	\$0	\$190.00	95 ASHLEY CIR 48473-Mechanical
PM210036	06/23/21	First Choice Htg & Clg LLC	(810) 750 8100	58-31-526-015	\$0	\$160.00	6189 BRISTOL RD 48473-Mechanical
<b>Total:</b>		<b>9 Permits</b>	<b>Value: \$0</b>		<b>Fee Total: \$1,400.00</b>		Total Number of Dwelling Units 0
<b>Plumbing</b>							
PP210018	06/03/21	Goyette Mechanical	(810) 742 8530	58-36-300-009	\$0	\$65.00	7400 MILLER RD 48473 Plumbing
PP210019	06/18/21	Robert M Carmack	()	58-03-578-006	\$0	\$207.00	5332 WORCHESTER DR48473-Plumbing
<b>Total:</b>		<b>2 Permits</b>	<b>Value: \$0</b>		<b>Fee Total: \$272.00</b>		Total Number of Dwelling Units 0
<b>Zoning</b>							
PZ21-0018	06/03/21	DELECKI, DAVID		58-02-503-040	\$10,000	\$25.00	8341 CAPPY LN 48473-Fence
PZ21-0019	06/01/21	Barrett Sign	(989) 792 7446	58-35-576-039	\$15,000	\$180.00	8048 MILLER RD 1 48473-Sign
PZ21-0020	06/01/21	DECKER, EDAN		58-36-526-065	\$2,800	\$25.00	7055 BRISTOL RD 48473-Fence
PZ21-0021	06/03/21	Signs By Crannie	(810) 487 0000	58-36-200-012	\$24,500	\$209.00	4246 ELMS RD 48473-Sign

# City of Swartz Creek Building Permit List 2021

Permit No.	Date	Applicant	Phone	Tax ID No.	Value of Const/Permit Fee	Location	Type of Construction
PZ21-0022	06/02/21	AIS Installation	(586) 274 9100	58-02-528-011	\$2,000	\$25.00 5006 FORD ST	48473-Fence
PZ21-0023	06/04/21	SEPANAK, DOUGLAS & MIC		58-02-528-012	\$0	\$25.00 5014 FORD ST	48473-Fence
PZ21-0024	06/10/21	BRANDON, CARL		58-03-533-172	\$800	\$25.00 5283 DURWOOD DR	48473-Fence
PZ21-0026	06/15/21	BANDY, THOMAS A		58-02-526-035	\$2,500	\$25.00 5083 MC LAIN ST	48473-Fence
PZ21-0027	06/22/21	FINKBEINER, BRIAN		58-02-552-008	\$6,946	\$25.00 5316 DON SHENK DR	48473-Fence

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**Total:            9 Permits            Value: \$64,546            Fee Total:            \$564.00            Total Number of Dwelling Units            0**

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**Permit Total: 37            Value: \$10,760,904            Fee Total: \$41,238.00**

Permit.DateIssued Between 6/1/2021 12:00:00 AM AND 6/30/2021 11:59:59 PM

# Inspection List

Address	Parcel Number	Inspection Type	Scheduled	Completed	Result
8231 MILLER RD	58-02-526-031	Status	06/01/2021	06/01/2021	Partially Complied
8250 MILLER RD	58-35-400-018	Status	06/01/2021	06/01/2021	No Change
5409 DURWOOD DR	58-03-533-186	Status	06/01/2021	06/03/2021	Complied
5128 WORCHESTER DR	58-02-502-039	Status	06/01/2021	06/01/2021	Partially Complied
5044 SECOND ST	58-01-502-035	Status	06/01/2021	06/03/2021	Partially Complied
5438 SEYMOUR RD	58-03-400-009	Status	06/01/2021	06/01/2021	Partially Complied
7512 GROVE ST	58-01-100-019	Ordinance	06/01/2021		
5365 WORCHESTER DR	58-03-578-015	Ordinance	06/01/2021		
5111 WINSTON DR	58-02-501-094	Ordinance	06/01/2021		
7060 YARMY DR	58-36-526-038	Final	06/01/2021	06/01/2021	Approved
7060 YARMY DR	58-36-526-038	Final	06/01/2021	06/01/2021	Approved
4278 ALEX MARIN DR	58-36-676-087	Backfill	06/01/2021	06/01/2021	Not Ready
8012 MAPLE ST	58-02-530-045	Initial	06/01/2021	06/01/2021	Locked Out
5279 MORRISH RD	58-01-100-001	Ordinance	06/02/2021		
WADE ST	58-01-502-082	Ordinance	06/02/2021		
8099 MAPLE ST	58-02-530-036	Ordinance	06/02/2021		
9033 CHELMSFORD DR	58-03-528-014	Ordinance	06/02/2021		
ELMS RD	58-36-577-009	Ordinance	06/02/2021		
4354 ELMS RD	58-36-577-012	Ordinance	06/02/2021		
3418 DYE RD	58-29-551-023	Ordinance	06/02/2021		
5397 MILLER RD	58-32-100-005	Ordinance	06/02/2021		
6460 BRISTOL RD	58-30-300-002	Ordinance	06/02/2021		
6269 BRISTOL RD	58-31-100-016	Ordinance	06/02/2021		
6398 TALLMADGE CT	58-31-100-021	Ordinance	06/02/2021		
4505 MORRISH RD	58-36-552-003	Ordinance	06/02/2021		
6231 BRISTOL RD	58-31-200-003	Ordinance	06/02/2021		
5348 WINSHALL DR	58-02-553-004	Initial	06/02/2021	06/02/2021	Violation(s)
7060 YARMY DR	58-36-526-038	Final	06/02/2021	06/02/2021	Disapproved
7306 MILLER RD	58-36-578-001	Status	06/03/2021	06/03/2021	Complied
5365 WORCHESTER DR	58-03-578-015	Status	06/03/2021	06/03/2021	Partially Complied
3278 HERITAGE BLVD	58-30-651-092	Final	06/03/2021	06/03/2021	Approved
4278 ALEX MARIN DR	58-36-676-087	Backfill	06/03/2021	06/03/2021	Disapproved
8460 CAPPY LN	58-02-502-019	Final Zoning	06/07/2021	06/07/2021	Approved
5283 DURWOOD DR	58-03-533-172	Ordinance	06/07/2021	06/07/2021	Partially Complied
8048 MILLER RD 1	58-35-576-039	Final	06/07/2021	06/07/2021	Approved
8048 MILLER RD 1	58-35-576-039	Final	06/07/2021	06/07/2021	Approved

# Inspection List

Address	Parcel Number	Inspection Type	Scheduled	Completed	Result
5274 DURWOOD DR	58-03-533-131	Final	06/07/2021	06/07/2021	Approved
7060 YARMY DR	58-36-526-038	Final-Reinspection	06/07/2021	06/07/2021	Approved
4278 ALEX MARIN DR	58-36-676-087	Backfill	06/07/2021	06/07/2021	Approved
5472 MILLER RD	58-29-551-002	Status	06/08/2021	06/08/2021	Partially Complied
7028 BRISTOL RD	58-25-576-021	Status	06/08/2021	06/08/2021	Complied
7016 YARMY DR	58-36-526-075	Status	06/08/2021	06/08/2021	No Change
6231 BRISTOL RD	58-31-200-003	Status	06/08/2021	06/08/2021	Partially Complied
3284 HERITAGE BLVD	58-30-651-091	Final	06/08/2021	06/08/2021	Disapproved
3278 HERITAGE BLVD	58-30-651-092	Final	06/08/2021	06/08/2021	Disapproved
3278 HERITAGE BLVD	58-30-651-092	Final	06/08/2021	06/08/2021	Approved
3284 HERITAGE BLVD	58-30-651-091	Final	06/08/2021	06/08/2021	Approved
8502 CHELMSFORD DR	58-02-501-042	Final Zoning	06/09/2021	06/09/2021	Approved
5283 DURWOOD DR	58-03-533-172	Status	06/09/2021	06/09/2021	Complied
5152 MORRISH RD	58-02-200-023	Status	06/10/2021		
7016 YARMY DR	58-36-526-075	Status	06/10/2021	06/17/2021	Partially Complied
3284 HERITAGE BLVD	58-30-651-091	Final-Reinspection	06/10/2021	06/10/2021	Approved
3284 HERITAGE BLVD	58-30-651-091	Final	06/10/2021	06/10/2021	Approved
3278 HERITAGE BLVD	58-30-651-092	Final	06/10/2021	06/10/2021	Approved
3278 HERITAGE BLVD	58-30-651-092	Final-Reinspection	06/10/2021	06/10/2021	Approved
7193 RUSSELL DR	58-36-676-085	Footing	06/14/2021	06/14/2021	Approved
7255 MILLER RD	58-36-577-030	Final	06/14/2021	06/14/2021	Approved
7438 CROSSCREEK DR	58-36-651-097	Final	06/14/2021	06/14/2021	Approved
5128 WORCHESTER DR	58-02-502-039	Status	06/15/2021	06/17/2021	Complied
5044 SECOND ST	58-01-502-035	Status	06/15/2021	06/17/2021	Complied
6231 BRISTOL RD	58-31-200-003	Status	06/15/2021	06/15/2021	Complied
8231 MILLER RD	58-02-526-031	Status	06/15/2021	06/15/2021	Complied
5019 HAYES ST	58-02-529-006	Status	06/15/2021	06/17/2021	Partially Complied
6509 BRISTOL RD	58-31-501-007	Status	06/15/2021	06/15/2021	Partially Complied
7115 YARMY DR	58-36-526-030	Status	06/15/2021	06/15/2021	Complied
5365 WORCHESTER DR	58-03-578-015	Ordinance	06/15/2021		
5027 FIRST ST	58-01-502-038	Ordinance	06/15/2021		
8250 MILLER RD	58-35-400-018	Letter	06/15/2021	06/15/2021	Violation(s)
4131 MORRISH RD	58-36-100-015	Final	06/15/2021	06/15/2021	Approved
4289 ALEX MARIN DR	58-36-676-099	Swr & Wtr Tap Ins	06/15/2021	06/15/2021	Approved
7071 ABBEY LN	58-36-526-049	Final	06/16/2021	06/16/2021	Approved
9117 CHELMSFORD DR	58-03-528-005	Final	06/16/2021	06/16/2021	Approved

# Inspection List

Address	Parcel Number	Inspection Type	Scheduled	Completed	Result
5316 SEYMOUR RD	58-03-531-059	Final	06/16/2021	06/16/2021	Approved
7177 LINDSEY DR	58-36-676-050	Final	06/17/2021	06/17/2021	Approved
7193 RUSSELL DR	58-36-676-085	Backfill	06/17/2021	06/17/2021	Approved
5296 WINSHALL DR	58-02-553-012	Reinspection	06/21/2021	06/21/2021	Complied
5259 DURWOOD DR	58-03-533-170	Reinspection	06/21/2021	06/21/2021	Complied
5283 DURWOOD DR	58-03-533-172	Progress	06/21/2021	06/21/2021	Approved
8126 INGALLS ST	58-02-200-004	Final	06/21/2021	06/21/2021	Approved
5042 MC LAIN ST	58-02-526-057	Final	06/21/2021	06/21/2021	Approved
5404 MILLER RD	58-29-551-010	Final	06/21/2021	06/21/2021	Approved
5295 OAKVIEW DR	58-03-532-031	Final	06/21/2021	06/21/2021	Approved
5373 MILLER RD	58-32-100-007	Final	06/21/2021	06/21/2021	Approved
7179 RUSSELL DR	58-36-676-083	Insulation	06/21/2021	06/21/2021	Approved
5332 WORCHESTER DR	58-03-578-006	Rough	06/21/2021	06/21/2021	Approved
3431 HERITAGE BLVD	58-30-651-061	Initial	06/22/2021	06/22/2021	Complied
5192 GREENLEAF DR	58-03-533-069	Initial	06/22/2021	06/22/2021	Violation(s)
8095 CIVIC DR	58-35-576-058	Site Visit	06/22/2021	06/22/2021	Disapproved
5332 WORCHESTER DR	58-03-578-006	Rough	06/22/2021	06/22/2021	Approved
5332 WORCHESTER DR	58-03-578-006	Final	06/22/2021	06/22/2021	Approved
7550 MILLER RD	58-36-552-010	Insulation	06/22/2021	06/23/2021	Approved
7514 MILLER RD	58-36-300-018	Site Visit	06/23/2021	06/23/2021	Approved
8230 CRAPO ST	58-02-200-036	Footing-Stem Lab A	06/23/2021	06/23/2021	Approved
5438 SEYMOUR RD	58-03-400-009	Status	06/24/2021	06/24/2021	Complied
8089.5 MILLER RD	58-02-529-027	Reinspection	06/24/2021	06/24/2021	Complied
5289 GREENLEAF DR	58-03-533-092	Final	06/24/2021	06/24/2021	Approved
8067 MILLER RD	58-02-529-021	Final	06/24/2021	06/24/2021	Partially Approv
1 DRAGON DRIVE	58-02-100-006	Final	06/24/2021	06/24/2021	Approved
8067 MILLER RD	58-02-529-021	Final	06/24/2021	06/24/2021	Partially Approv
8230 CRAPO ST	58-02-200-036	Footing-East Additic	06/25/2021	06/25/2021	Approved
7016 YARMY DR	58-36-526-075	Status	06/29/2021	06/29/2021	Complied
7177 LINDSEY DR	58-36-676-050	Final	06/29/2021	06/29/2021	Partially Approv
8353 CAPPY LN	58-02-503-042	Ordinance	06/29/2021	06/29/2021	Complied
5438 MILLER RD	58-29-551-006	Initial	06/29/2021	06/29/2021	Complied
5141 DAVAL DR	58-02-501-007	Initial	06/29/2021	06/29/2021	Violation(s)
5396 WINSHALL DR	58-03-580-005	Final	06/29/2021	06/29/2021	Approved
8067 MILLER RD	58-02-529-021	Final-Reinspection	06/29/2021	06/29/2021	Approved
117 ASHLEY CIR	58-35-776-117	Post-Hole	06/29/2021	06/29/2021	Approved

# Inspection List

Address	Parcel Number	Inspection Type	Scheduled	Completed	Result
7183 RUSSELL DR	58-36-676-084	Rough	06/29/2021	06/29/2021	Approved
4289 ALEX MARIN DR	58-36-676-099	Footing	06/29/2021	06/29/2021	Approved
7177 LINDSEY DR	58-36-676-050	Final	06/29/2021	06/29/2021	Approved
8230 CRAPO ST	58-02-200-036	Footing-East Additic	06/30/2021	06/30/2021	Approved

**Inspections: 112**

Population: All Records

Inspection.DateTimeScheduled Between 6/1/2021 12:00:00 AM AND 6/30/2021 11:59:59 PM

# Certificates With Inspections

07/01/2021

Certificate Number	Address	Date Applied	Since	Issued	Last Inspection	Expires	Status
CR210033	5141 DAVAL DR	06/08/2021	06/08/2021	06/08/2021	06/29/2021	06/08/2023	Suspended
Initial	JKEY	Matt Hart	Completed	Violation(s)			
CR210034	5192 GREENLEAF DR	06/08/2021	06/08/2021	06/08/2021	06/22/2021	06/08/2024	Suspended
Initial	JKEY	Matt Hart	Completed	Violation(s)			
CR210035	5438 MILLER RD	06/09/2021	06/09/2021	06/09/2021	06/29/2021	06/09/2024	Certified
Initial	JKEY	Matt Hart	Completed	Complied			

Population: All Records

Record Count: 3

Certificate.DateIssued Between 6/1/2021 12:00:00 AM  
AND 6/30/2021 11:59:59 PM

# Enforcements By Category

07/01/21

## ZONING

Enforcement Number	Address	Status	Filed	Closed
E21-281	5283 DURWOOD DR	Closed	06/07/21	06/09/21
			<b>Total Entries: 1</b>	

## PARKING

Enforcement Number	Address	Status	Filed	Closed
E21-350	8353 CAPPY LN	Closed	06/29/21	06/29/21
			<b>Total Entries: 1</b>	

## WEED COMPLAINT

Enforcement Number	Address	Status	Filed	Closed
E21-221	7512 GROVE ST	Inspection Pending	06/02/21	
E21-222	5365 WORCHESTER DR	Inspection Pending	06/02/21	
E21-223	5111 WINSTON DR	Inspection Pending	06/02/21	
E21-224	5279 MORRISH RD	Inspection Pending	06/04/21	
E21-225	WADE ST	Cancelled	06/02/21	06/09/21
E21-226	8099 MAPLE ST	Cancelled	06/02/21	06/09/21
E21-227	9033 CHELMSFORD DR	Cancelled	06/02/21	06/09/21
E21-228	ELMS RD	Inspection Pending	06/03/21	
E21-229	4354 ELMS RD	Inspection Pending	06/03/21	
E21-230	3418 DYE RD	Closed	06/04/21	06/21/21
E21-231	5397 MILLER RD	Cancelled	06/02/21	06/09/21
E21-232	6460 BRISTOL RD	Inspection Pending	06/04/21	
E21-233	6269 BRISTOL RD	Inspection Pending	06/03/21	
E21-234	6398 TALLMADGE CT	Cancelled	06/04/21	06/21/21
E21-235	4505 MORRISH RD	Inspection Pending	06/04/21	
E21-238	6231 BRISTOL RD	Cancelled	06/02/21	06/09/21



# Enforcements By Category

07/01/21

E21-348	5365 WORCHESTER DR	Inspection Pending	06/16/21
E21-349	5027 FIRST ST	Inspection Pending	06/18/21

**Total Entries: 18**

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**Total Records: 20**

Population: All Records  
Enforcement.DateFiled Between 6/1/2021 12:00:00 AM AND 6/30/2021 11:59:00 PM



# City of Swartz Creek Master Plan Update

**CIB Planning**  
We Deliver Results.

June 9, 2021

Adam Zettel, City Manager  
City of Swartz Creek  
8083 Civic Drive  
Swartz Creek, MI 48473

Subject: Master Plan Update Proposal

Dear Mr. Zettel:

It is with much enthusiasm that the CIB Planning/SmithGroup team submits this proposal to work with the City of Swartz Creek to prepare an update to the City's Master Plan. Our firms offer the wide range of expertise and innovation necessary to undertake the planning process to provide the City with a useful plan. Our combined experience in community planning, public involvement, economic development, site redevelopment, and ongoing work with communities over a broad geographical area will be invaluable to this assignment. We look forward to our continued partnership with the City of Swartz Creek in planning a great community and helping the City achieve its goals.

Why select the CIB Planning team?

- The principals at CIB Planning have provided quality planning and zoning services to the City of Swartz Creek for nearly two decades.
- CIB Planning and SmithGroup planners are considered experts in planning and zoning, and have prepared dozens of master plans together throughout Michigan, both as public sector planners and as private sector consultants providing staff support.
- One of our team goals is to prepare Master Plans with strategies and projects that can actually be implemented.
- We have significant experience redeveloping sites that are considered no longer viable and can use the Master Plan as the foundation for local efforts.
- Our firms strive to eliminate unnecessary information from the Master Plan and focus on analysis and strategies that prove useful to the Planning Commission, so it doesn't "sit on the shelf and gather dust."

Additionally, both CIB Planning and SmithGroup are proud to serve as two of the firms providing technical assistance and Best Practices training through the Redevelopment Ready Communities program, sponsored by the Michigan Economic Development Corporation. As such, as we review and update your current Master Plan, we will incorporate the RRC Best Practices.

We would value the opportunity to talk more about this important assignment and will gladly refine our enclosed proposal to ensure that it best meets your needs. Let us know how we can help and, feel free to call me directly at 810-734-0000.

Sincerely,



Carmine P. Avantini, AICP  
President, CIB Planning

## About CIB Planning

CIB Planning's mission is to deliver uncommon planning, marketing and development solutions meeting community needs and challenges, helping them prosper.

We believe that everyone should feel a strong connection and a sense of place in their community. We strive to serve our partners by providing innovative and implementable planning and development solutions.

CIB Planning provides exceptional planning and development services to small- and medium-sized communities throughout Michigan, and we are also active in the fields of economic development, economic development marketing, regional coordination, downtown development, ongoing DDA & CIA assistance, housing implementation, redevelopment financing, and project implementation. The planning professionals at CIB began their careers in the public sector and continue to work with local governments on a daily basis. This connection helps ensure that the plans, ordinances, and recommendations we make are both visionary and practical.

Moreover, we pride ourselves on a firm that can not only provide day-to-day solutions to planning and development issues, but also bring a level of leadership that will build community consensus on key topics. This is evidenced by the long-term relationships that we have with client communities; the longest being over 27 years.

At CIB, we have experts with experience at every angle of community improvement. We combine community planning and stakeholder engagement with economic development and tie in marketing, branding, implementation and redevelopment financing strategies, building tools for communities to transform their vision into reality while being a collaborative and trustworthy partner in every step.

CIB frequently teams with other consultants in order to provide a wide range of talents and expertise.

## Firm Information

Community Image Builders (CIB)  
Carmine P. Avantini, AICP, President  
17195 Silver Parkway, #309  
Fenton, Michigan 48430  
avantini@cibplanning.com  
(810) 734-0000

CIB was formed in 2012 and is a Subchapter S Corporation organized in the State of Michigan, Federal ID# 45-5419410.

CIB is an innovative planning and development consulting firm managed by Carmine Avantini, one of the founding partners of LSL Planning, and Justin Sprague, formerly with the Flint & Genesee Chamber of Commerce. With a staff of five professionals, the firm has over 75 years of experience providing innovative planning and development solutions to communities in Michigan and the eastern United States.







# About SmithGroup

Founded in 1853, SmithGroup has become an award-winning, multi-national organization that employs research, data, advanced technologies, and design thinking to help clients solve their greatest challenges. Working across a network of 15 offices internationally, our team of 1,200 experts is committed to excellence in strategy, design, and delivery—giving rise to new and innovative processes and methodologies which are redefining the way we work and collaborate. Our specialists—from planners to architects and engineers, space programmers, campus system

strategists and beyond—develop beautiful, sustainable, future-focused solutions for higher education, science and technology organizations, healthcare providers and cultural institutions, urban environments, diverse workplaces, mixed-use and waterfront developments, and parks and open spaces.

Our integrated practice offers depth in all disciplines serving the built and natural environment, including architecture, engineering (civil, structural, mechanical, electrical, and plumbing), landscape architecture, urban design, and planning.

# Services & Value



## COMMUNITY & CITY PLANNING

Our work is client-focused and based on building an understanding and deep appreciation for community context. We analyze existing conditions and rapidly iterate future opportunities, including physical form and relationship of buildings, streets and open spaces in the context of historical patterns, existing situations and future needs. We improve campuses and cities through design guidelines, development projects and refined details that strengthen and identify values and a unique sense of place. We capitalize on the economic value of existing infrastructure including government, institutional, cultural and natural assets. Our approach results in plans and projects that promote activity and enjoyment, support business development, and achieve exciting and livable environments.



## PUBLIC REALM & PLACEMAKING

Our team is dedicated to creating great places, streets and waterfronts, and vibrant, sustainable cities. We know the key elements of creating active, people-focused places, and how to employ them in each part of a city. Our firm has designed signature public places for over 60 years, and we continue to be a leader in place creation for the public realm. Successful urban spaces anticipate and accommodate a wide range of users and use, creating vital public destinations.



## MIXED-USE & REDEVELOPMENT

Our team provides our clients with an adaptive framework to navigate the complex challenges and transformative opportunities facing development projects, from pre-development strategy, to initial concept and implementation. We work with private, public, and non-profit clients to guide the creation of mixed-use environments that meet emerging expectations and critical needs. We collaboratively define near and long-term strategies to realize successful developments while sustaining our clients' core missions and achieving their overall goals.





## MOBILITY & STREET DESIGN

We are leaders in the design of mobility systems that reflect and sustain land use, social activity, community events, pedestrian and non-motorized movement, outdoor dining and shopping, and community identity. Street design must accommodate multi-modal users of all ages and abilities and be flexible enough to adapt to evolving mixes of land use and activity. Resilient streets can better support civic activities, promote a stronger business environment, and build community through unique opportunities for interaction.



## CONNECTING ASPIRATION & OPPORTUNITY

Urban development projects depend on collaborative networks for success: forging local partnerships and building community coalitions, drawing on multiple funding sources, and securing agency support and regulatory approvals, to name just a few. SmithGroup teams help navigate this collaborative process with a strong sense of civic responsibility and stewardship. We listen first: gathering information and perspective from a diverse array of stakeholders. Then we work to help shape a shared vision for future priorities and outcomes, building a broad coalition of support. The result is planning and design that authentically reflects your community, and that connects your aspirations and assets with genuine opportunities.



## EQUITY MATTERS

SmithGroup's urban design and planning practice is built on the philosophy that equitable public engagement has the power to more inclusively shape the design of our communities. We believe in engaging the broadest range of perspectives and values to build a shared understanding of the forces that shape our communities. Over the years, our teams have done this in ways that meet people where they are and use multiple methods and tools to break down barriers.



## ZONING

SmithGroup's urban planners craft zoning amendments that build off the local context, incorporating form-based techniques to realize a plan's vision. Our complete zoning ordinance rewrites focus on the end-user; we provide zoning audits and streamlined development review procedures to ensure an ordinance isn't a barrier to redevelopment.

# THE TEAM



For over 39 years, **Carmine Avantini, AICP**, president and founder of CIB Planning, has provided innovative solutions to community planning, housing, zoning, and development challenges. Carmine specializes in community planning, zoning, public involvement, economic development, downtown planning, small town development, site redevelopment, housing, and project implementation. He works with a wide range of municipalities to find creative solutions to challenging development issues and sees them through to implementation; recognizing that projects are not truly completed until construction is finished.

Carmine's depth of knowledge and his vast experience working with numerous municipalities throughout the planning process offers an advantageous opportunity for Swartz Creek. The community will benefit from a number of strategic initiatives that will best position the area for positive development and redevelopment.



**Kelly McIntyre**, principal and director of planning at CIB Planning, specializes in community planning, zoning, public involvement, and planning administration. She has served as the on-going planning consultant for the City of Wixom and the City of South Lyon and has been involved in zoning re-writes for Ironwood, Munising, Vassar, Wixom, Oak Park, Mayville, and Wixom.

Kelly works with municipalities to identify needs, resources and problems and to make decisions on goals, policies, priorities, plans, programs, and methods of implementation to create a healthy, liveable community. Whether "visioning" with a community, leading a development meeting, or drafting a master plan, Kelly is able to tap into her years of private and public sector experiences.

Prior to joining CIB, Kelly was the community planning and economic director for the City of South Lyon; the deputy director for the non-profit state chapter of American Planning Association-Michigan Association of Planning; the staff planner for the cities of Brighton and Novi, Michigan; and a consultant for LSL Planning Inc., Royal Oak, Michigan; Land Ethics, Annapolis, Maryland; and Dexter, Michigan.





**Justin Sprague** serves as vice president and principal at CIB where he is responsible for traditional planning and zoning services, economic development services, and private sector development services including site selection, incentive negotiations, and navigating the municipal development process. He was previously the director of business development at the Flint & Genesee Chamber of Commerce, where he was responsible for business attraction/retention efforts, large site redevelopment, and municipal collaboration projects. While at the Chamber, Justin teamed with CIB and the W.E. Upjohn Institute to successfully prepare Accelerate, a seven-county regional economic development plan that included a Federal EDA CEDS Plan and State Regional Prosperity Plan.



**Elena Moeller-Younger** serves as principal and the director of marketing and strategic planning for CIB, where she leads the marketing, branding, development and implementation of clients' community image strategies. Elena focuses on assisting municipal clients developing a unique brand and communications plan to attract new investment to the community in the form of industry, housing, and tourism. She also oversees internal marketing and brand development for CIB and assists with proposals, web content, social media, marketing materials and other related business development functions.



**Hannah Smith** serves as a planner for CIB, where she works on planning, zoning, and public engagement. Hannah is a recent graduate of the Master of Urban and Regional Planning Program at the University of Michigan. She received her Bachelor's from U of M in Environment & Sustainability, and worked as the Planning Assistant for the City of Novi. Her professional interests include municipal planning, sustainability-focused planning, and community engagement.





**Kathleen Duffy**, AICP, urban planner, specializes in urban design and planning. She has a wide variety of planning and zoning experience ranging from small villages to capital cities, from rural townships to urban centers. She is an expert on land use, character and placemaking projects and excels in redevelopment and economic development strategies for corridors, downtowns, and districts linking land use to transportation. Her creative problem solving, unique design skills and big picture thinking allow her to effectively and efficiently implement public engagement strategies that are inclusive and ultimately results in an implementable plan.



**Caeley Hynes**, urban planner, specializes in urban design and planning and is a passionate planner who effectively communicates with various stakeholders and coordinates the production and analysis of diverse ranges of data. Her work on several recent master planning and zoning projects gives Caeley a range of project experience to draw from, and her passion for her work allow her to produce high-quality deliverables.



**Alicia Adams** is a leader in SmithGroup's Urban Design Studio where she manages the development of complex urban design projects and contributes the formation of important redevelopment and open space strategies. As a landscape architect, Alicia seamlessly integrates her creative capacity to drive important site design through human-centric goals. She is passionate about bringing together diverse experiences and disciplines to find unconventional and innovative solutions to the challenges we face in our changing urban environments.





# Scope

# Project Scope

As part of the CIB Planning team, SmithGroup will lead the master plan update to be graphically rich with updated maps, photos, diagrams, infographics, and concept drawings to illustrate the plan's vision. We will add a new chapter for the downtown plan and design guidelines to illustrate the form, character, massing, and site design desired for infill development and redevelopment in both the downtown core and the Moorish Road corridor.

## Key Deliverables and Meetings by Task:

### A. Existing Conditions Updates:

- Commence with a kickoff meeting and tour with City Staff to walk downtown and strategize on development potential
- Update demographics when 2020 Census becomes available
- Create updated GIS maps from Genesee County and parcel data from BS&A
- Preparation of infographics to tell data story

### B. Plan Audit:

- City Staff to annotate existing plan:
  - » What has been accomplished since last plan?
  - » What is no longer relevant?
  - » What's missing?
  - » What's most important?
- CIB/SmithGroup Team outline proposed changes/reorganization
  - » Align objectives with action plan
  - » Ensure latest compatibility with RRC 2.0
- Plan Audit Virtual Call
  - » Staff and SmithGroup discuss revised plan outline based on audit
- Planning Commission
  - » Present draft outline/framework
  - » Downtown/Corridor opportunities + challenges discussion

### C. New Downtown and Corridor Plan:

- Focus Groups: SmithGroup and CIB Planning will facilitate three focus groups comprised of officials, business, property owners, and any other key stakeholders focused on redevelopment opportunity, challenges, and character for the targeted subareas:
  - » Downtown
  - » Corridor Transition (gateway to downtown vs. highway commercial)

- Draft concepts
  - » SmithGroup will prepare a draft schematic concept map illustrating in plan view infill opportunities, gateway/streetscape improvements, and proposed street connections
  - » Concept call with City Staff
- Design guidelines
  - » Accompanying the concept map, we will prepare bulleted annotations for character and diagrammatic drawings and photos for buildings, site features (especially signs)
- Planning Commission
  - » Present draft downtown concepts, guidelines, and relationship to downtown zoning PUD

#### **D. Public survey:**

- SmithGroup will prepare a visual online survey highlighting key revisions to the master plan and draft concepts
- City Staff will advertise the survey via social media, email, and on meeting agendas

#### **E. Final Plan Draft:**

- Repackaged Master Plan
  - » Visually impactful
  - » Tie vision to metrics
  - » New downtown vision + design guidelines chapter
  - » Incorporate economic development strategy (2019)
- SmithGroup + CIB Planning will assist with the adoption process
  - » Draft notices
  - » Planning commission draft plan presentation
  - » Public hearing presentation
  - » One set of draft revisions
  - » City to staff adoption meetings
  - » SmithGroup to provide adoption final draft InDesign and GIS shared back with the City

#### **F. DDA Plan Update:**

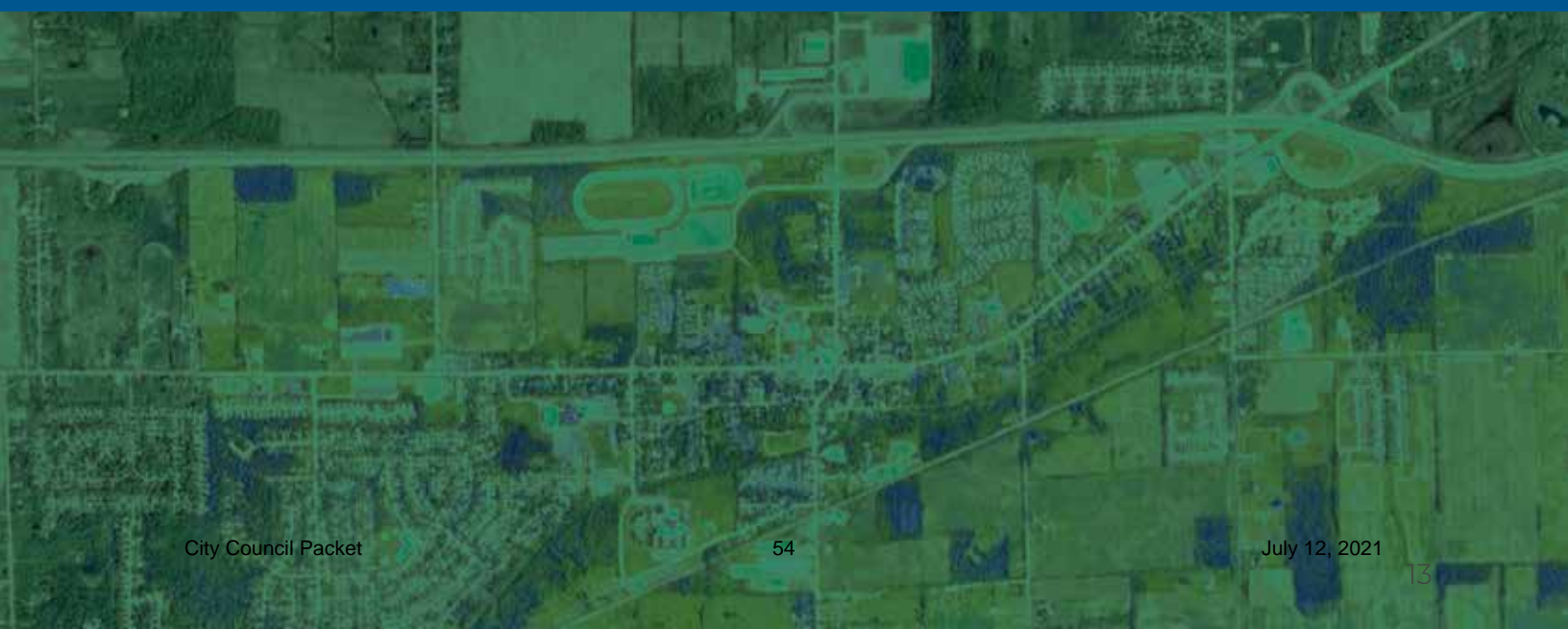
As part of the master plan update, CIB Planning will work with the City and SmithGroup to update the City's DDA plan including a revised development plan project list, incorporating additional financing tools. Tax capture tables will also be updated and it is not anticipated that the District boundaries will be amended nor the length of time the current plan is in effect.



# Project Schedule

Below is our anticipated timeline to complete all tasks related to the master plan update project.

Project Timeline	Q2 2021	Q3 2021	Q4 2021	Q1 2022
<b>Phase 1: Understand</b> (Kickoff, tour, conditions, audit, objectives, base maps)				
<b>Phase 2: Explore</b> (Focus groups, draft guidelines & concepts, zoning approach)				
<b>Phase 3: Realize</b> (Updates & reformatting, adoption notices, public survey, draft plan revisions, public hearing, DDA Plan)				



# Project Budget

The following budget and associated lump sum fee represent the time anticipated for each of the phases identified in the scope, and includes estimated expenses for items such as travel, reproduction, maps, etc. The time allocated to each task will likely change somewhat during the course of the project, but the fee is still fixed.

Phase 1: Understand	\$18,768
Phase 2: Explore	\$27,502
Phase 3: Realize	\$13,730
<b>Total</b>	<b>\$60,000</b>



# Related Work & Project Samples



## Redevelopment Ready Communities Program



In conjunction with CIB Planning, SmithGroup is part of a team that serves as advisors to the Michigan Economic Development Corporation's (MEDC) "Redevelopment Ready Community" program, a certification program through which the MEDC audits the community's plans, codes, and procedures. We have spent several years serving as the primary point-of-contact for RRC staff to help fill the gaps in the communities' redevelopment programs.

CIB Planning and SmithGroup assist communities to apply best practices including the following services:

- Downtown, corridor, and comprehensive plans
- Zoning ordinances and form-based codes
- Site prioritization and redevelopment strategies
- Economic development and marketing strategies
- Delivery of training programs for staff and officials
- Development review process evaluation and recommendations

**Through this program, our team assisted the following communities:**

Alpena  
Battle Creek  
Big Rapids  
Boyer City  
Dearborn  
Detroit  
East Lansing

Eastpointe  
Grass Lake  
Hart  
Ironwood  
Jackson  
Laingsburg  
Lansing  
Lathrup Village  
Lawrence  
Lexington  
Mayville

Melvindale  
Menominee  
Meridian Twp  
Mount Clemens  
Mt. Pleasant  
Munising  
Muskegon  
Muskegon Hts  
Newaygo  
Newaygo  
Oak Park

Owosso  
Portage  
Saginaw  
Swartz Creek  
Traverse City  
Vassar  
Wayne  
Wyandotte  
Ypsilanti



## Project Accelerate



Project Accelerate is the culmination of a collaborative planning process for a seven-county area, resulting in a coordinated Federal Economic Development Strategy and State Prosperity Plan. The project ties together the U.S. Economic Development Administration Comprehensive Economic Development Strategy (CEDS) and the Region 6 Prosperity plans into a single,

unified plan expressing a shared economic vision for Shiawassee, Genesee, Lapeer, St. Clair, Tuscola, Huron, and Sanilac counties. Accelerate creates an economic roadmap for unified actions in the region leading to new jobs, international marketing opportunities, and investment. The roadmap is guiding the coordinated efforts by local communities across the seven counties in a manner that will positively impact the region and is still being implemented today. The project began in 2013.

Link to plan: <http://i-69thumbregion.org/wp-content/uploads/2018/07/FINAL-PLAN.pdf>

## Shelby Township Master Plan

Continuing a partnership that began with a revised vision for the DDA's Town Center, CIB Planning was part of a multidisciplinary team with SmithGroup, including Carmine Avantini, to create a new Township-wide master plan. As a nearly built-out township with established neighborhoods, Shelby Township sought a strong redevelopment emphasis for its aging commercial corridors. Through public and stakeholder engagement, including collaboration with adjacent municipalities and road agencies, the team established corridor improvement strategies to group niche uses at nodes, coupled with transportation recommendations to incorporate better non-motorized connections and streetscape improvements. Catalytic projects were identified for each guiding principle, providing a key set of transformative actions for short-term implementation of the recommendations.



## City of Newaygo Master Plan



With assistance from the Michigan Economic Development Program's Redevelopment Ready Communities Program (RRC), CIB Planning teamed with Smith Group to prepare a new Master Plan for Newaygo that tackled the challenges facing this small West Michigan City. The Master Plan provides a strategy for the development of much needed new housing options throughout the City. It also encourages continued housing, retail and office development in the downtown area. As home to home of

the leading small business incubators in the state, the economic development strategy calls for Newaygo to be hub of small business development and start-ups in the County. Tied in with the economic development strategy is the promotion of the Muskegon River as a focal point for tourism, since this is one of the top fly-fishing rivers in the world. The implementation section of the plan ties together these key community strategies and provides a useful road map for land use and development in the City.

## City of Fenton Master Plan

CIB Planning has been actively involved in the successful planning and development of Fenton for over 25 years. Carmine Avantini has been the planning consultant for Fenton during that entire period and has prepared four Master plans for the City, along with associated specialized studies. He has also overseen the planning effort that transformed what was once a failed 1960's federal Urban Renewal retail mall back into a traditional downtown area. Building upon ideas generated through charrettes, stakeholder meetings and public workshops, an innovative plan was prepared for redevelopment of the downtown. This plan was recently updated to include a transformation of the North Leroy Street corridor due to increased development demand in the downtown area.





# The Village of Lexington Master Plan & Zoning Ordinance Update



CIB Planning and SmithGroup updated the Master Plan for this waterfront community, which is situated on Lake Huron, just north of the City of Port Huron. A popular tourist destination in the Summer, one of the challenges presented to the team is the decline in population and spending during the Fall, Winter and Spring months. The cost to provide public services is year-round but the sales revenue for businesses is not. CIB Planning's team focused on an economic development strategy that will increase the population base and encourage investment and activity throughout the year. As with other communities, there is also a need for additional housing and the Future Land Use Plan was amended to provide additional options for builders and developers. Another

key feature of the Master Plan will be enhancements to the traditional downtown and need to attract more year-round businesses.

## City of Owosso Master Plan Update

As an update and reorganization of the City's first comprehensive master plan, SmithGroup's plan will reflect changes that the City has experienced over the past 20 years. The Update will continue expansion of adjacent urban regions; address the decrease in industrial production and employment; expand the Baker College campus; address the aging neighborhoods, buildings and infrastructure in the City; and create a strong downtown revitalization by combining programming, grants and entrepreneurial activity. This Comprehensive Master Plan Update will position the City of Owosso to address the change that is anticipated over the next 10 to 20 years.



## City of Wayne Master Plan & Economic Development



CIB Planning and SmithGroup worked to update the City of Wayne’s Master Plan and provide technical assistance through the Redevelopment Ready Community Certification (RRC) process in 2019. Through the RRC process, the team built a downtown redevelopment strategy, an economic development strategy, and economic development marketing plan for the community. The City of Wayne offers small community living while being close to major employment markets, has relatively low vacancy rates for both businesses and housing; and areas of the city are walkable

with downtown with a great customer base.

## City of Midland, Downtown Streetscape Redevelopment

To preserve its iconic downtown heritage as a quintessential gathering place for the community, the City of Midland needed to address the current design of its downtown streetscapes and sidewalks, which were quickly becoming dated and limited pedestrian accessibility.



Under an aggressive design schedule, our team evaluated design solutions to completely re-imagine seven blocks of the City’s streetscapes to enhance non-motorized activity within the downtown core. Through multiple transportation nodes and improved street practices, these street projects provided increased and safer pedestrian usage, promoted bicycle activity, and created flexible public open space for informal social interaction.

Extensive public and stakeholder engagement shaped the fundamental nature of our design process. We led multiple workshops, open houses, and stakeholder meetings to understand the community’s needs and subsequently develop design concepts for the downtown streets that accommodate them. These concepts included a curbside festival-style streetscape with widened sidewalks, minimized parallel parking spaces, planter beds, rain gardens, bike facilities, civic plazas, and more flexible seating for outdoor dining and community events.



# Marquette Downtown Development Authority, Downtown Master Plan

With support from the Redevelopment Ready Community (RRC) program, SmithGroup led a team of downtown experts in preparing a Downtown Master Plan for the Marquette Downtown Development Authority (DDA).

Framed by dramatic topography and stunning vistas of Lake Superior, downtown Marquette has successfully redeveloped their waterfront, become a premier hub for bicycling of all types, established a strong relationship with Northern Michigan University, and developed into a regional health care, events, and cultural center. The downtown master plan focuses on knitting these successful elements together and establishing economic development strategies for equitable future growth.

Recommendations in the plan cover a broad range of topics critical for success:

- Improvements to the physical environment (such as connecting to the waterfront and campus, creating a festival street, and redeveloping the farmer's market and town green)
- Improvements to the transportation system (including an update to the parking plan, alternatives for parking expansion, non-motorized network enhancement, and analysis of transit upgrades)
- Adopting policy and development strategies to increase workforce housing, renovate upper floors of downtown buildings, foster technology based businesses, expand form based zoning, and redefine the tax increment financing district boundary.



## Downtown Fenton Ongoing Planning Services



CIB Planning has been actively involved in the successful redevelopment planning and implementation of Downtown Fenton for over 26 years. Carmine Avantini has been the lead planning consultant for Fenton during that entire period. Building upon ideas generated through charrettes, stakeholder meetings and public workshops, an innovative plan was prepared for redevelopment of the downtown.

This included the acquisition and demolition of retail and office buildings, culminating in the re-opening of N. Leroy

Street to through traffic. Downtown Fenton has seen a recent surge in new activity as a number of gamechanging projects have been completed.

CIB's planning and economic development involvement resulted in the transformation of the former Fenton fire station building into the Fenton Fire Hall restaurant, redevelopment of the former Beanery Building into Red Fox Outfitters, and an expansion of the Fenton Community Center building. CIB also assisted the City in the development of mixed-use buildings including the four-story Cornerstone Building, the three-story Horizon Building, and the four-story 111 Leroy Place buildings. The ongoing planning services work that CIB Planning handles with the City of Fenton includes master planning, public involvement, intergovernmental cooperation, tax increment financing, and zoning.





# Qualifications

# Carmine P. Avantini, AICP



For over 39 years, Carmine has provided innovative solutions to community planning, housing, zoning, and development challenges. Carmine specializes in community planning, zoning, public involvement, economic development, downtown planning, small town development, site redevelopment, housing, and project implementation. He works with a wide range of municipalities to find creative solutions to challenging development issues and sees them through to implementation; recognizing that projects are not truly completed until construction is finished.

Carmine is also active in the preparation and implementation of several redevelopment strategies and projects including the Wixom Village Center Area (VCA); the Downtown Fenton Redevelopment Plan including removal of the pedestrian mall and re-opening of the street; the Maxfield Training Center (MTC) redevelopment project in Downtown Farmington; the Pointe South Redevelopment plan in Jasper County, South Carolina; and redevelopment of the former Ford Wixom Assembly Plant into a mixed-use commercial, industrial, office and R&D center.

Prior to starting CIB, Carmine was a co-founder of LSL Planning, the Director of Planning and Community Development for Utica, NY, Executive Director of the Herkimer County, NY, Development Corporation and City Planner for Rome, NY. He also worked as a Project Manager with CRM Commercial Properties where he was responsible for the redevelopment of two different former industrial complexes into mixed- use facilities.

## Implementation & Redevelopment

- City of Farmington (MI) DDA Plan
- City of St. Clair (MI) Riverview Plaza Revitalization Plan
- City of Wayne (MI) Downtown Redevelopment Plan and Master Plan
- City of Fenton (MI) Downtown Plan, Implementation & Façade Improvement Program Update
- City of Westland (MI) Central City Parkway Plan
- City of Wixom (MI) DDA Plan & VCA Design Guidelines
- City of Grand Blanc (MI) DDA Plan & Redevelopment Implementation
- City of Novi (MI) Fox Run Senior Housing Community PUD (Private)
- City of Novi (MI) Adell Mixed Use Site Rezoning (Private)
- City of Wixom (MI) Ford Plant Site Redevelopment
- City of Taylor (MI) NSP Implementation
- City of Wixom LDFA Plan Update
- Northwest Georgia & Southeast Tennessee Regional Sustainability Grant Project
- Grosse Ile (MI) DDA Plan & Business Park Redevelopment Plan Jasper County (SC) Point South Redevelopment Plan



- Meridian Township (MI) DDA Plan Update & Village of Shelby Funding Strategy
- MEDC Redevelopment Ready Communities Technical Assistance
- City of Luna Pier (MI) Economic Development Strategy
- Shelby Township (MI) DDA Plan Update & Project Implementation

## **Community Planning**

- Accelerate Regional Prosperity & CEDS Plan
- City of Farmington (MI) Master Plan
- City of Fenton (MI) Master Plan, Zoning Ordinance & Ongoing Services
- City of Swartz Creek (MI) Master Plan & Ongoing Services
- City of Lapeer (MI) Master Plan, Zoning Ordinance
- City of Wixom (MI) Master Plan, Zoning Ordinance, Vision 2020 Plan & Ongoing Services
- City of Imlay City (MI) Master Plan & Ongoing Services
- City of Cedar Springs (MI) Master Plan, Ongoing Services & Image Building Program
- City of South Lyon (MI) Master Plan, Zoning Ordinance & Ongoing Services
- City of Owosso (MI) Master Plan
- Delhi Township (MI) Cost of Community Services Study
- Mundy Township (MI) Corridor Improvement Authority Plan
- Rogers City (MI) Downtown Plan & Public Involvement
- Shelby Township (MI) Master Plan Update
- Village of Spring Lake (MI) Special Zoning Projects
- Village of Lexington (MI) Master Plan
- Southeast Tennessee/Northwest Georgia Regional Sustainability Project

## **Education**

Bachelors in Political Science, with Honors, University of Buffalo

Masters in Community Planning, High Honors, University of Cincinnati

## **Professional Associations**

- American Institute of Certified Planners (AICP)
- Vice President, Michigan Association of Planning
- American Planning Association
- National Charrette Institute (NCI)
- Form Based Code Institute (FBCI)
- Fenton Education Foundation, Board of Directors



## Kelly McIntyre

For more than 20 years, Kelly has worked to listen, understand, educate and coalesce citizens' and communities' needs and desires for the use and implementation of land.

Kelly specializes in community planning, zoning, public involvement, and planning administration. She works with municipalities to identify needs, resources and problems and to make decisions on goals, policies, priorities, plans, programs, and methods of implementation to create a healthy, liveable community. Whether "visioning" with a community, leading a development meeting, or drafting a master plan, Kelly is able to tap into her years of private and public sector experiences.

Kelly has significant experience in grant writing and management. She secured grants from People and Land grants, Michigan Department of Environmental Quality, Michigan Department of Transportation, Safe Routes to Schools, and Michigan State Housing and Development Authority. Kelly was instrumental in the preparation and publication of Green Communities and Redevelopment Readiness articles and accompanying workshops across the state. She developed, coordinated, and managed a basic training series for local officials in Michigan's Cities of Promise program.

Prior to joining CIB, Kelly was the Community Planning and Economic Director for the City of South Lyon, the Deputy Director for the non-profit state chapter of American Planning Association-Michigan Association of Planning, the Staff Planner for the cities of Brighton and Novi, Michigan, and consultant for LSL Planning, Inc., Royal Oak, Michigan and Land Ethics, Annapolis, Maryland and Dexter, Michigan.

### Community Planning and Zoning

- City of Oak Park Zoning Ordinance
- City of Swartz Creek Zoning Ordinance
- City of Ironwood Zoning Ordinance
- City of Vassar Zoning Ordinance
- Village of Mayville Zoning Ordinance
- City of Munising Zoning Ordinance
- Beaufort County (SC) Comprehensive Plan
- City of Berkley (MI) Visioning Plan
- City of Brighton (MI) Staff Planner
- City of Montrose (MI) Ongoing Services
- City of Novi (MI) Staff Planner
- City of Wixom (MI) Ongoing Services and Zoning Ordinance updates
- City of Swartz Creek (MI) Ongoing Services
- City of South Lyon (MI) Planning Director, Zoning Ordinance & Ongoing Services
- Dundee Township (MI) Master Plan

- Southampton (NY) Comprehensive Plan
- Village of Chelsea (MI) Master Plan
- Village of Dundee (MI) Master Plan & Ongoing Services
- Village of Goodrich (MI) Ongoing Services

### **Implementation & Redevelopment**

- People and Land redevelopment Read communities Publication and Workshops
- MDOT Safe Routes to School Publication, Planning Guidelines, and Transportation Workshops
- MSHDA Cities of Promise Basic Training for Local Elected and Appointed Planning Officials

### **Education**

Bachelor's in philosophy, University of Maryland, College Park

Master's in Community Planning, University of Maryland, College Park

### **Professional Associations**

- American Institute of Certified Planners (123222)
- American Planning Association
- Michigan Society of Association Executives



## Justin Sprague

For over 18 years, Justin has provided innovative solutions to planning and community development challenges.

Justin Sprague serves as Principal and Vice President for CIB, where he is responsible for municipal planning and zoning, economic development, corporate incentives and location support, downtown development, corridor improvement, and regional economic development planning.

Prior to joining CIB, Justin was Director of Business Development at the Flint & Genesee Chamber of Commerce where he was responsible for business attraction projects throughout Flint & Genesee County, business retention, brownfield redevelopment, downtown investment projects, and municipal collaboration projects focused around economic development.

### **Economic Development Experience**

- I-69 Thumb Region (MI) “Accelerate” Economic Development Strategy & Prosperity Plan
- Buick City Redevelopment (Flint, MI)
- Genesee County Freight Forecast, 2012 (Genesee County, MI)
- Genesee County Industrial Building Demand Analysis (2015)
- Shiawassee County Industrial Property Inventory and Analysis (2005)
- Economic Development Strategy (City of Laingsburg)
- Region 6 Housing Implementation Strategy (2018)
- Economic Development Strategies for Swartz Creek, Laingsburg, Grand Blanc, Romulus, Flint Township, Hart, Vienna Township, Grand Blanc Township, City of Portage
- City of Hamtramck (MI), Build MI Place (City Owned Property Marketing and Disposition Process)
- City of Inkster (MI), Build MI Place
- Garfield Township, Clare County (MI), Economic Development Strategic Plan

### **Planning and Zoning**

- City of Owosso, Ongoing Planning & Zoning Services
- Village of Fowlerville, Ongoing Planning & Zoning Services
- Imagine Flint, City of Flint Master Plan (team member)
- City of Caro, Master Plan and Zoning Ordinance
- Village of Bancroft, Master Plan and Zoning Ordinance

- Village of Dryden, Master Plan
- City of Lapeer, Master Plan
- Caledonia Township (Shiawassee County) Mater Plan, Zoning Ordinance and zoning support services
- City of Flint DDA, Buckham Alley Placemaking Plan and River Bank Park Phase I
- City of Flint, Chevrolet Avenue Bridge Place Making and Context Sensitive Design
- City of Flint, ongoing planning and zoning support services
- City of Clio, Master Plan, Zoning Ordinance and zoning support services
- City of Bay City, Uptown at Rivers Edge Development Concept Bay Area Housing, Neighborhood Preservation Plan (MAP Award Winner, 2009)
- City of Mt. Pleasant, Parking Study Pinconning Township, Master Plan
- City of Coleman, Master Plan City of Chesaning, Master Plan and Zoning Ordinance

### **Corporate Incentive Projects**

- Miller Industries Corporate HQ (Fenton Township)
- Creative Foam Corporation (Fenton and Mundy Township)
- Enihcam (Fenton Township)
- Crust, A Baking Company (Fenton)
- Laird Technologies (Grand Blanc Township)
- SpenTech USA (Flint)
- Horizon Group (Fenton)
- SignArama (Flint Township)
- Lodgco (Mundy Township)
- Lear Corporation (Flint)

### **Education**

Bachelors in Resource Planning, University of Michigan—Flint

### **Boards and Committees**

- Planning Law Committee
- MAP Scholarship Committee

### **Professional Associations**

- Michigan Association of Planning
- American Planning Association
- Michigan Economic Development Organization



## Kathleen Duffy, AICP

Kathleen specializes in urban design and planning. She has a wide variety of planning and zoning experience ranging from small villages to capital cities, from rural townships to urban centers. She is an expert on land use, character and placemaking projects and excels in redevelopment and economic development strategies for corridors, downtowns, and districts linking land use to transportation.

### Planning and Zoning

- Michigan Economic Development Corporation Redevelopment Ready Communities Program, Various Locations, Michigan
- City of Wyandotte Zoning Ordinance Update, Wyandotte, Michigan
- Downtown Ferndale Planning, Ferndale, Michigan
- Las Vegas Master Plan, Las Vegas, Nevada
- Comprehensive Plan and Form-Based Code, Lansing, Michigan
- Village of Lexington Master Plan, Lexington, Michigan
- Mahomet Downtown Plan and Form-Based Code, Mahomet, Illinois
- Kenosha Innovation District, Kenosha, Wisconsin
- Oshkosh Lakeshore Park Master Plan, Oshkosh, Wisconsin
- Clear Lake Subarea Plan, La Porte, Indiana
- Southtown Corridor Improvement District Plan, Grand Rapids, Michigan
- Downtown Vision Plan, Muskegon Heights, Michigan
- Zoning Ordinance + Form-Based Code, Ironwood, Michigan
- West Downtown Form-Based Code and Design Guidelines, Dearborn, Michigan
- Master Plan Update, Menominee, Michigan
- Shelby Township Town Center and Comprehensive Plan, Shelby Township, Michigan\*

*\*Experience prior to SmithGroup*

### Education

Master of Urban and Regional Planning, University of Illinois, 2008

Bachelor of Science in Architecture with a Minor in Art History, University of Michigan, 2006

Urban Land Institute Larson Center for Leadership, Class of 2014

### Registrations

American Institute of Certified Planners

### Professional Affiliations

- American Planning Association
- Urban Land Institute
- Form-Based Code Institute
- National Charrette Institute



## Alicia Adams, PLA, ASLA

Alicia Adams is a leader in SmithGroup's Urban Design Studio where she manages the development of complex urban design projects and contributes the formation of important redevelopment and open space strategies. As a landscape architect, Alicia seamlessly integrates her creative capacity to drive important site design through human-centric goals.

### Planning and Zoning

- Michigan Economic Development Corporation Redevelopment Ready Communities Program, Various Locations, Michigan
- Campau Banglatown Neighborhood Planning, Detroit, Michigan
- Islandview Greater Villages Urban Design Neighborhood Revitalization, Detroit, Michigan
- ReImagine Washtenaw Corridor Transportation Plan, Ann Arbor & Ypsilanti, Michigan
- Buffalo Central Terminal Site and Neighborhood Planning, Buffalo, New York
- Euclid Avenue Redevelopment Study, Cleveland, Ohio
- Joe Louis Greenway Framework Plan, Detroit, Michigan
- Las Vegas Master Plan, Las Vegas, Nevada
- Pittsburgh District Vision Plan, Pittsburgh, Pennsylvania
- Greenway Planning Study, Sylvania, Ohio
- Community Design Charrettes, Washtenaw County, Michigan
- Lower Rouge Trail Signage Program, Canton, Michigan
- Mix-tape Zoning, Detroit, Michigan
- DTE Energy, Campus and Neighborhood Master Plan, Detroit, Michigan
- Eastside Greenway Master Plan, Cuyahoga County, Ohio

### Education

Bachelor of Landscape Architecture, Iowa State University, 2013

### Registrations

Landscape Architect: Michigan

### Professional Affiliations

- American Society of Landscape Architects (ASLA)
- AIA Detroit Architecture Building Communities: Detroit Program Volunteer (ABC:D K-8 outreach program)
- ASLA Emerging Professionals Committee
- ASLA Archives and Collections Committee
- Urban Land Institute
- ULI Larson Leadership Program
- Portfolio Review Juror, University of Detroit Mercy





## Caeley Hynes

Caeley Hynes specializes in urban design and planning and is a passionate planner who effectively communicates with various stakeholders and coordinates the production and analysis of diverse ranges of data. Her work on several recent master planning and zoning projects gives Caeley a range of project experience to draw from, and her passion for her work allow her to produce high-quality deliverables.

### Planning and Zoning

- Ann Arbor Affordable Housing Public Engagement, Ann Arbor, Michigan
- Big Rapids Planning Services, Big Rapids, Michigan
- City of Cleveland Euclid Avenue Redevelopment Study, Cleveland, Ohio
- City of Kalamazoo Street Design Manual, Kalamazoo, Michigan
- City of Romulus Ongoing Planning Services, Romulus, Michigan
- City of Wyandotte Zoning Ordinance Update, Wyandotte, Michigan
- Connecting the Rouge Framework Plan, Wayne County, Michigan
- Downtown Phoenix Partnership Curb Study, Phoenix, Arizona
- Las Vegas Master Plan, Las Vegas, Nevada
- Marquette Downtown Plan, Marquette, Michigan
- MEDC Redevelopment Ready Communities Technical Assistance, Various Locations, Michigan
- Menominee Master Plan Update, Menominee, Michigan
- Village of Grass Lake Master Plan, Grass Lake, Michigan
- Village of Lexington Master Plan Update, Lexington, Michigan
- Village of Mahomet Form-Based Code, Mahomet, Illinois

### Education

Bachelor of Art in Urban & Regional Planning, University of Illinois at Urbana-Champaign

### Registrations

- Michigan Association of Planning (MAP)
- Illinois Association of Planning (APA-IL)





## Hannah Smith

Hannah worked as the Planning Assistant for the City of Novi, and is a recent graduate of the Master of Urban and Regional Planning Program at the University of Michigan

Hannah Smith serves as a planner for CIB, where she works on planning, zoning, and public engagement. Hannah is a recent graduate of the Master of Urban and Regional Planning Program at the University of Michigan. She received her Bachelor's from U of M in Environment & Sustainability, and worked as the Planning Assistant for the City of Novi. Her professional interests include municipal planning, sustainability-focused planning, and community engagement.

### Planning & Policy Experience

- Graduate Research Assistant to Sarah Mills, PhD
- Policy Analyst/Graduate Research Assistant to Professor Barry Rabe, PhD
- Taubman Externship Program Extern – McKenna
- Planning Assistant – City of Novi Planning Division (Community Development Department)
- CLOSUP (Center for Local, State, and Urban Policy) Policy Analyst

### Summer Internships

- Matthaei Botanical Gardens Gaffield Children's Garden Internship
- Growing Hope Urban Farm Internship

### Projects & Publications

- "Measuring Equitable Development: A Scorecard for the People of Detroit," (Working Project). UM MURP Capstone project.
- Light, A., Smith, H., & Mills, S. "Renewable Energy in Michigan," Planning & Zoning News, March-April 2020.
- "Commerce 275: A Future for Huron Township," Report for Detroit Region Aerotropolis Development Corp., URP507 course project.
- Mills, S., Bessette, D., & Smith, H. (2019). "Exploring landowners' post-construction changes in perceptions of wind energy in Michigan," Land Use Policy, 82, 754-762.
- Rabe, B. & Smith, H. "United States" Chapter in Federalism & Climate Governance book (forthcoming).

# REFERENCES

**We invite you to contact the following references who can speak on behalf of the CIB Planning team.**

Lynn Markland, City Manager, City of Fenton  
(810) 629-2261  
lmarkland@cityoffenton.org

Brian Chapman, Current City Manager, Sault Sainte Marie  
Former City Manager, City of Vassar  
(906) 632-5706  
bchapman@saultcity.com

Steve Brown, City Manager, City of Wixom  
(248) 624-0894  
citymanager@wixomgov.org

Nathan Henne, City Manager, City of Owosso  
(989) 725-0568  
nathan.henne@ci.owosso.mi.us

Tom Bergman, Community Development Director, City of Ironwood  
(906) 932-5050 x 126  
bergmant@cityofironwood.org

Michelle Parkkonen, Manager, RRC, Michigan Economic Development Corporation  
(517) 599-8796  
parkkonenm@michigan.org



# We Deliver Results.

CIB Planning

17195 Sliver Parkway, #309

Fenton, MI 48430

P. 810-734-0000

[www.cibplanning.com](http://www.cibplanning.com)



STATE OF MICHIGAN  
DEPARTMENT OF LICENSING & REGULATORY AFFAIRS  
MICHIGAN OFFICE OF ADMINISTRATIVE HEARINGS AND RULES  
MICHIGAN TAX TRIBUNAL

Meijer, Inc.,

Petitioner,

v.

MOAHR Docket No. 21-001467  
[Parcel No(s). 58-36-100-014]

Swartz Creek,

Respondent.

\_\_\_\_\_ /

**PETITION**

Meijer, Inc. ("Petitioner"), through its attorneys, HONIGMAN LLP, says:

1. Petitioner's principal office address is 2929 Walker Ave., NW, Grand Rapids, MI 49544-9428. Petitioner is a party in interest with respect to property taxes on tax parcel no(s). 58-36-100-014 ("Petitioner's Property"), also known as Store No. 259 at 4141 Morrish Road. If this petition includes more than one (1) real property tax parcel, the tax parcels are contiguous.

2. Respondent, Swartz Creek, assesses and collects property taxes on Petitioner's Property.

3. In 2021, Respondent determined the taxable value of Petitioner's Property to be \$4,268,627 and assessed Petitioner's Property at \$5,743,700 , which will result in a state equalized value in the same amount based upon the tentative equalization factor.

4. Petitioner's Property is classified as Commercial Real. Petitioner's Property is presently used or available for use for Retail purposes. Petitioner believes that Petitioner's Property was originally designed to be used for Retail purposes.

5. This matter involves issues relating to: (a) valuation, (b) assessment, (c) taxable value and (d) uniformity.

6. At this time, Petitioner believes, as it relates to taxable value, that there is a dispute relative to the value of a loss.

7. If P.A. 174 of 2006 requires a board of review protest for Petitioner's Property, a board of review protest was filed in March, 2021.

8. The 2021 assessment, including state equalized value and taxable value, imposed on Petitioner's Property, and the taxes to be levied and collected thereon, are invalid and unlawful and operate as a fraud upon the taxpayer for the reasons that:

(a) The assessment, including state equalized value and/or taxable value, exceeds the amount permitted by the Michigan Constitution and applicable statutes;

(b) The assessment, including state equalized value and/or taxable value, are at higher percentages of true cash value than permissible under the Michigan Constitution and applicable statutes;

(c) The assessment, including taxable value and/or state equalized value, are based upon an erroneous determination of the true cash

39329201.1

value of that portion of Petitioner's Property that is taxable under Michigan law, and are based upon the application of wrong principles; and,

(d) The assessment, including state equalized value and/or taxable value, and the mode of assessment adopted by Respondent, discriminate against Petitioner and deny Petitioner its constitutional rights to uniformity, equal protection and due process of law.

WHEREFORE, Petitioner requests that the Tax Tribunal enter an Order reducing the 2021 taxable value of Petitioner's Property from \$4,268,627 to \$2,884,935 , and reducing the 2021 state equalized value of Petitioner's Property from \$5,743,700 to \$2,884,935 , and requiring Respondent to pay Petitioner the refunds attributable to such reductions, plus interest and costs.

Respectfully submitted,

HONIGMAN LLP  
Attorneys for Petitioner

By: Michael B. Shapiro (by DLS P57052)

Michael B. Shapiro (P20282)  
660 Woodward Avenue  
2290 First National Bldg.  
Detroit, Michigan 48226-3506  
(313) 465-7622  
mshapiro@honigman.com

Dated: 5-25-21



**STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
MICHIGAN ADMINISTRATIVE HEARING SYSTEM  
MICHIGAN TAX TRIBUNAL**

Meijer Inc.,  
Petitioner,

V.

MTT Docket No: 21-001467

City of Swartz Creek,  
Respondent.

\_\_\_\_\_ /

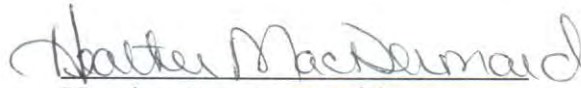
ENTIRE TRIBUNAL ANSWER TO PETITION

Respondent, through its Assessor Heather MacDermaid (Legacy Assessing Services, Inc.), answers as follows:

1. Admit
2. Admit
3. Admit
4. Admit
5. Admit
6. Deny
7. Admit
8. Deny

WHEREFORE, Respondent requests that this Honorable Tribunal affirm the existing True Cash Value and resulting Assessed Value, State Equalized Value and Taxable Value.

June 8, 2021

A handwritten signature in black ink that reads "Heather MacDermaid". The signature is written in a cursive style with a horizontal line underneath the name.

Heather MacDermaid  
City of Swartz Creek Assessor  
PO Box 489  
Fenton, MI 48430  
legacyassessing@gmail.com  
810-750-1660

**STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
MICHIGAN ADMINISTRATIVE HEARING SYSTEM  
MICHIGAN TAX TRIBUNAL**

Meijer, Inc.,  
Petitioner,

V.

MTT Docket No: 21-001467

City of Swartz Creek,  
Respondent.

\_\_\_\_\_ /

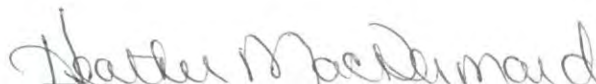
**PROOF OF SERVICE**

Heather MacDermaid states that on June 8, 2021 she served a copy of the Answer to Petition in the above matter by first class mail to the following parties:

Michigan Tax Tribunal  
PO Box 30232  
Lansing, MI 48909

Michael B. Shapiro  
660 Woodward Ave.  
2290 First National Bldg.  
Detroit, MI 48226-3506

June 8, 2021

  
\_\_\_\_\_  
Heather MacDermaid

# S&W House and Structural Movers

## PROPOSAL

PROPOSAL SUBMITTED TO <b>City of Swartz Creek</b>		TODAY'S DATE <b>06/28/2021</b>	DATE OF PLANS/PAGE #'S
PHONE NUMBER	FAX NUMBER	JOB NAME <b>Pole Barn Move</b>	
ADDRESS, CITY, STATE, ZIP <b>DPW Morrish Rd</b>		JOB LOCATION <b>Paul Fortino Drive</b>	

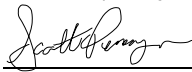
We propose hereby to furnish material and labor necessary for the completion of:  
To move barn from Fortino drive to the DPW on morrish rd.

We propose hereby to furnish material and labor – complete in accordance with above specifications for the sum of:  
**Twelve Thousand Dollars** dollars ( \$ **12,000** )

Payment as follows: \_\_\_\_\_

All material is guaranteed to be as specified. All work to be completed in a substantial workmanlike manner according to specifications submitted, per standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance. If either party commences legal action to enforce its rights pursuant to this agreement, the prevailing party in said legal action shall be entitled to recover its reasonable attorney's fees and costs of litigation relating to said legal action, as determined by a court of competent jurisdiction.

**Authorized Signature**



Note: this proposal may be withdrawn by us if not accepted within 45 days.

**ACCEPTANCE OF PROPOSAL** The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature \_\_\_\_\_

Signature \_\_\_\_\_

Date of Acceptance \_\_\_\_\_