

**City of Swartz Creek
AGENDA**

**Regular Council Meeting, Monday, December 13, 2021, 6:00 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 December 6, 2021 MOTION Pg. 36
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. 50
6C. Genesee County Sewer Rate Notice Pg. 61
6D. MEDC Development District Liquor License Materials Pg. 64
7. **MEETING OPENED TO THE PUBLIC:**
7A. General Public Comments
8. **COUNCIL BUSINESS:**
8A. Utility Rates RESO Pg. 23
8B. Liquor Control Commission Review RESO Pg. 34
9. **MEETING OPENED TO THE PUBLIC:**
10. **REMARKS BY COUNCILMEMBERS:**
11. **ADJOURNMENT:** MOTION Pg. 35

Next Month Calendar

Metro Police Board:	Wednesday, December 15, 2021, 10:00 a.m., Metro HQ
Zoning Board of Appeals:	Wednesday, December 15, 2021, 6:00 p.m., PDBMB (Cancelled)
Fire Board:	Monday, December 20, 2021, 6:00 p.m., Public Safety Building
Planning Commission:	Tuesday, January 4, 2022, 7:00 p.m., PDBMB
Park Board:	Wednesday, January 5, 2022, 5:30 p.m., PDBMB
City Council:	Monday, January 10, 2022, 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, DECEMBER 13, 2021, 6:00 P.M.**

The regular virtual meeting of the City of Swartz Creek city council is scheduled for **December 13, 2021** starting at 6:00 p.m. and will be conducted virtually (online and/or by phone), due to health concerns surrounding Coronavirus/COVID-19 and rules promulgated by the Michigan Department of Health and Human Services.

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

Zoom Instructions for Participants

To join the conference by phone:

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

Before a videoconference:

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

To join the videoconference:

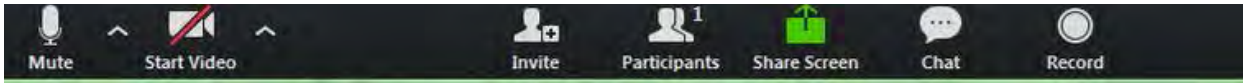
1. At the start time of your meeting, enter the link to join via computer. You may be instructed to download the Zoom application.
2. You have an opportunity to test your audio at this point by clicking on “Test Computer Audio.” Once you are satisfied that your audio works, click on “Join audio by computer.”

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

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

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

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



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

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

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

Connie Olger is inviting you to a scheduled Zoom meeting.

Topic: Swartz Creek City Council Meeting

Time: December 13, 2021 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

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

Meeting ID: 830 9640 1128

One tap mobile

+13017158592,,83096401128# US (Washington DC)

+13126266799,,83096401128# US (Chicago)

Dial by your location

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

Meeting ID: 830 9640 1128

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

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

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

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

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

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

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

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

MAINTAINING ORDER

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

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

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

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

MOTIONS & RESOLUTIONS

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

PUBLIC ADDRESS OF COUNCIL

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

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

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

VOTING RECORD OF PUBLIC BODIES

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

City of Swartz Creek
CITY MANAGER'S REPORT

Regular Council Meeting of Monday, December 13, 2021 - 6:00 P.M.

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

FROM: Adam Zettel, City Manager

DATE: December 8, 2021

ROUTINE BUSINESS – REVISITED ISSUES / PROJECTS

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

The city approved the appraisal for the Meijer Store, and our service provider is already at work. The firm that the city retained has testified successfully against Meijer for the City of Flat Rock. I am hopeful we can get an outright win, petition withdrawal, or very favorable negotiation.

See the July 26, 2021 report for details on the Meijer appeal.

We continue with an appraisal of Family Farm and Home. This is for an appeal filed last year.

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

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

Applications for the next round of TIP have been submitted for Seymour and Miller (Morrish to N. Seymour). All major streets are eligible, but these are in the worst shape, by far. They are also the most likely to be awarded, since the points are largely based on condition, traffic counts, and multi-modal function (e.g. bike lanes). With resolutions of support submitted, we await the awards.

The previous report follows:

Morrish Road is slated for 2022 federal funding. Note that the total scope of the project is around \$843,660, with 25% being the city's contribution (\$214,625). The city has committed the match portion to this project, which is 75-25. However, the federal allocation is capped at 75% of the original estimate, making the maximum federal reimbursement \$629,035. After three years and some project change orders, we are seeing an engineer's estimate that is \$1.1M prior to payment for construction engineering, which would add another \$150,000.

This is creating some obvious heartburn. The local match on this could easily balloon to 50%, which would place a tremendous strain on our road resources. We are working to reduce the project scope, as well as to seek a TIP amendment to increase this amount.

The project is slated to be complete in 2022. 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 are also including a mid-block crossing at Apple Creek Station.

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 funded (Morrish and Fairchild), we have not been adequately addressing our largest and most crucial asset.

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

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

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

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

Paving is done for the year, and not a moment too soon. Some restoration will occur in the spring, and lighting will require some work on Consumers Energy's end. Otherwise, we are in good shape!

OHM is preparing preliminary engineering for the remainder of Winchester Village and Winchester Woods. This is a very large scope of work. If we were not pursuing the USDA phase II, we would likely engineer a single street, perhaps Greenleaf. However, with the USDA funding prospect, it is possible that we will have a much larger scope of work to complete in the two year performance period.

We will report the status of the USDA grant so that we can better plan for future projects.

✓ **BRIDGE WORK** *(No Change of Status)*

We met with the MDOT representative and the city's bridge engineers (Rowe PSC) to go over our bridge inspection file in mid-September. This was an informal audit, and everything went well. During the process, I learned that there may be 95% match maintenance funds available for the bridge decks. This could be timely for us. With the understanding that cooperation is key to awards, I have asked Rowe to coordinate with the county or other agencies to create a work package. I hope to

have something before the council soon. However, like with the TIP, work would be years out.

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

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

A large lining program has been approved. This will finish up with most of downtown and include Miller, from Elms to Morrish. The project is expected to commence in January.

We held off on cleaning and inspections for future lining projects for the time being. When we consider our recent discussions regarding a jetting truck, it might be best to consider these only after we know if we are to do them in-house or with a contractor. Note that we are still looking at costs for in-house vs contracted cleaning. See the “sewer truck” section below for details.

✓ **WATER MAIN REPLACEMENT - USDA** *(No Change of Status)*

The west Miller, Morrish, Bristol Road, and Village segments are complete. The contractor will be starting soon on the final component of USDA phase I, which is the Miller Road segment from Elms to Raubinger.

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
Whitney
Seymour (South of Miller)

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

If the USDA application is approved, we will know our obligations towards additional notes or access to grants. We can then formalize a workable financial and construction plan to finish the Village streets and water main. Note that we seek preliminary engineering for the streets at this meeting (not water main at this time).

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 of Status)*
The water reliability study has been submitted to the state. They are reviewing the document and will provide feedback, if needed. Once finalized, we can integrate the findings into the city capital improvement plan.
- ✓ **UTILITY BILLING CREDIT CARD USAGE AND RATES** *(Update)*
There is not an appetite to build this into the general rate structure. I will work with staff to continue to explore payment options that may better serve the customers. Who knows what apps like PayPal, Venmo, and others may do for governments moving forward. I will remove this section from future reports.
- ✓ **WATER TOWER** *(Update)*
The water tower is due for an inspection. It has been about five years. I expect this to cost only \$5,000. Since the city painted the tower and performed other maintenance after the last inspection (spending about \$100,000), I expect this round to be light on maintenance. I will have a proposal in front of the council in the next month or two.
- ✓ **COMMERCIAL METERS AND TRANSPONDERS** *(Update)*
Rob believes it is time to start replacing our commercial meters. The age of many of these are starting to raise flags concerning accuracy and reliability. We have definitely had some reliability issues with the larger meters at the schools.

We are just now pricing mechanical and ultra-sonic meters. The idea is to invest big and replace a majority of such meters in one swoop, or we can buy them incrementally and replace them with our staff as time permits. I am initially in favor of the later choice. This will cost about \$500-\$1,000 per meter, of which we expect to have 100-200 to replace.

In related news, the technology is available and affordable to move to a live read system for the entire community. This will enable all accounts in the city to be read at any time from city hall. Meters will also track data in increments of just a few minutes, and self-report abnormalities to the city. Such reports would include backwards flow, leaks, and high usage.

This system would cost under \$100,000 to install and would save substantially on routine reads, final reads, and troubleshooting. It would also save city customers

tens of thousands of dollars each year in leaks (this will also reduce property damage). I am in favor of this transition. I think it makes financial sense and is a great customer service. This is something I will ask the council to review in the next year. There is not a rush on the transition.

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

The last of the lots acquired prior to the special assessment have been sold. The city also has two more lots that were acquired through the tax reversion process. There is interest by the builder to proceed with acquisition and construction. This would finally clear us of the subdivision and put the association in a better position to build membership and dues for their operations.

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

✓ **NEWSLETTER** (*Update*)

The winter newsletter will be drafted this month and released in January. Right now, we expect to include utility rates, FOG information, and winter reminders. Let me know if you have ideas!

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

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

1. The city has been recommended for funding through the **DNR Trust funds for 2021 construction of the Genesee Valley Trail**. We expect a grant agreement soon. The MDOT grant is conditionally awarded, with conditions being nearly fulfilled. We hoped to combine this with the Safe Routes to School initiative for 2022 construction. As of writing the SRTS project appears to be a 2023 project.
2. The **raceway owner is still considering racing**. The state has more bills in the works. We should know something soon. As a backup plan, the owner will be looking to repurpose the site and cooperate with our master plan process. For now, they have a temporary zoning permit to store surplus vehicles for GM. See details below.
3. (*Update*) Communities First indicates that there IS STILL a purchase option for **Mary Crapo**. However, the school board is seeking to terminate the option based upon a breach of contract. I am comfortable stating that the school's formal position is that they are looking to move on to other options. At this point, the future of the site is unclear. The school will be looking into this. I will certainly stay involved so I can relay information to the council. The concept for senior housing made sense, but that may not be practical right now. While some in the community believe this could be a city park, my knee-jerk reaction is that we cannot afford to take on another asset, either to improve it or maintain it.
4. The **school bond** passed and many improvements have occurred and many are expected throughout the district. Total investment for this effort will exceed

\$50 million over two to three years. The improvements so far are very impressive, especially what is occurring at the middle and high schools. The project is likely to result in another access to Cappy Lane for the high school. 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 2021** is done! The contractor is currently working on a section of water main on Miller Road to replace yet this year, between Raubinger and Elms.
6. The **Apple Creek Station** development of 48 townhomes is on hold due to construction material availability and cost. They continue to seek final review by the county. If there is no change in status by the end of the year, we will remove this from future reports. 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.
7. The **Brewer Condo Project** is proceeding with building construction at this phase. The project includes 15 townhome condos off Morrish Road in downtown. They are approximately 1,750 square feet, with two car garages and basements. Not everyone is a fan, but we believe it will be a positive addition to the downtown in the long run.
8. The next **Springbrook East** phase is under construction. They have pulled many home permits. There is currently an issue with a home that is under construction, with said home being placed outside the building footprint. A hearing on the variance was held on October 20th, and all dimensional variances were approved. We are requiring staking of all building footprint and foundation walls prior to commencement.

✓ **TAP/DNR TRAIL (Update)**

We have affirmed easements with MDOT, AND we expect final grant agreement execution with DNR any day. As such, we are off to the races. I hope to be in a position to seek bids in the next month or two, as final reviews of plans and specifications conclude with the MDOT.

✓ **SAFE ROUTES TO SCHOOL (Update)**

We are working on the four easements that are required for this project. Two have been signed already (school and Kincaid Apartments). The Kincaid fairground parcel easement should be executed Monday prior to the meeting. We continue to communicate with the farmers on Bristol Road by Elms Elementary (Jaworsky). We are conducting an appraisal for Jaworsky, as required by MDOT, but this should result in an agreeable purchase for the city council to consider.

Preliminary engineering is underway. This project is likely to be done in 2022, or 2023. There is still a chance that this will be combined with the TAP/DNR project.

This is a substantial grant for another \$650,000+ 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** (*Business Item*)

Burrito Bros, 8013 Miller, is applying for the Development District Liquor License. I strongly encourage the city support this. They have been engaging in due diligence on their end, and I have been sending information to the state in preparation, including the city's DDA plan and recent public and private investment. This demonstrates the area and business qualifications.

At this point, I am seeking a resolution from the city to support this. This does not ensure that the application is approved, but it is a necessary step toward that end. I am including a fact sheet on the license, as well as a resolution.

We also submitted a grant on behalf this business for the MEDC Match on Main grant. We hope this is awarded and will result in up to \$25,000 for investments in their downtown location (former Daves)! If so, we expect to activate the outdoor dining area! We should know if this is successful by the end of December.

The master plan is proceeding, and the city received the funds in September 2021, to assist with this (\$30,000). The MEDC continues to offer much in-kind support to our efforts.

Our community needs to find specific projects 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** (*No Change of Status*)

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. The floodplain is complicating matters. We will be looking into this.

There is also the matter of a fire pit that has been left onsite. While the city has been actively caring for this property. It is possible that the house to the north continues to use it for recreation. Like other properties, we have not actively excluded use. However, it might be wise to do so for liability reasons. Since there were no objections at the first August meeting, I have ordered staff to clear the site of the fire pit and other features not belonging to the city. We will get to it when we can.

✓ **8002 MILLER** (*Update*)

The tenant has agreed to be out by January 5, 2022. The city's attorney has integrated this into a consent judgement, as accepted by the court at the November 30 hearing. The condition of her vacating voluntarily is that the city will not seek back rent or attorney fees. An additional payment of \$1,000 has been paid, outside of the lease agreement, to be granted the time to vacate. I believe this is a reasonable outcome.

I recommend we await vacancy and inspection of the site prior to proceeding with any further action. Assuming all goes well, I think the best course is to list the entire site for sale.

✓ **CDBG** (*No Change of Status*)

Applications were submitted for the 2022-2024 cycle which will go towards senior services and new downtown residential neighborhood sidewalks. We signed updated agreements to receive and use this funds on September 2nd. Work will be in 2023 for the downtown sidewalks though.

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

We are looking at activating our GIS by further auditing the data and creating 'widgets' to help us with specific tasks. The widgets would be applications that are made specifically to perform and track tasks, such as hydrant flushing, valve turning, and sewer cleaning. These applications will serve as a depository for GIS information on the asset, its current status, and future management. Depending on the scope of work, we may bring some of the proposals for application creation to the city council.

As of writing, we learned that we may be able to inventory our assets at an even lower price, enabling us to inventory sidewalk, traffic signs, and right-of-way trees. With the ability to tie these assets to our work order system, we may be able to construct and use one of the most advanced GIS/work order systems in the region. This would help us tremendously in our ability to conduct long term maintenance and capital improvement planning.

✓ **DISC GOLF** (*No Change of Status*)

Otterburn Park and the disc golf course is moving into the next phase! Basket 18 (the sledding hill) is looking amazing! The contractor is 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.

The disc golf committee has been working hard to place holes for baskets, clear fairways, and raise funds. They have been out there doing some very intense volunteering in October.

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

CIB, in conjunction with Smith Group, are working on the Master Plan/DDA Plan. The planning commission, along with the steering committee and focus group, have made a lot of progress on the design guidelines and downtown subarea plans. There should be a composite draft of the master plan, including vision, goals, and objectives for the January meeting. I do not have anything at this point.

The Planning Commission is the forum for most of the review, with the DDA invited to participate in all PC meetings. All city officials are encouraged to take a very active role in this process. Formal review and public hearings will be conducted at the PC, DDA, and Council level as required by statute.

Formalization of the plan is likely going to be in early 2022.

✓ **RACEWAY** *(No Change of Status)*

The owner is holding some degree of hope for new legislation to enable racing. However, they continue to proceed with reuse. 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.

✓ **COVID AID** *(Update)*

We applied for a mini-grant that was offered through the Genesee County Regional Planning Commission. Notice was sent out last week about CDBG funds that could be used to benefit qualifying areas to conduct business as it relates to COVID. With Holland Square in a qualifying area, we applied for equipment that was found to be deficient when we debriefed the Christmas events. The idea is that if the city is going to move prior indoor events to outside venues, including the Firemen' Association Christmas gathering, components of Camp 911, and related programs, then we need capacity to do so. As such, we applied for about \$15,000 of shelters, tables, waste receptacles, benches, fire pits, and traffic control devices.

The previous report follows:

We updated our list of funding ideas for ARPA funds based upon input received. The U.S. Department of Treasury has extended the reporting deadline for the Project and Expenditures Report from October of this year to April 30, 2022. As noted, I think we

can easily fill this list up with COVID related matters and deferred maintenance projects that can be funded through the revenue loss component of ARPA.

MAKE NO MISTAKE, THIS MONEY WILL NOT GO FAR! Our community is ahead of most in terms of basic infrastructure and maintenance. However, planned investments in our existing capital improvement plan and deferred maintenance will chew through this very rapidly. Especially when considering the funding demands that are forthcoming for fire equipment, potential overages in streets/trails, and inflationary costs.

With that said, we still should include every essential or potential expenditure on the list so that the prioritization and options remain on the table in future years. We definitely have some things to do sooner than later, but the funds will be with us for many fiscal years to come.

The previous report follows:

It appears that our community will be receiving about ~\$550,000 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.

Another available option is the recovery of revenues below the ~4% bench mark set by the feds. What this boils down to is that we can place said funds into our general fund to the extent that revenues are not meeting national benchmarks. We continue to educate ourselves and make inquiries.

✓ **PAVILION COMMITMENT** *(No Change of Status)*

The city council has committed to installing a pavilion at Otterburn Park, including a commitment of \$20,000. I have reached out to four area builders about the creation of a concept and pricing thereof. One was initially helpful, but they have been non-communicative lately. I have gotten an initial response from a couple others, but there has been no follow up. Most recently, J.W. Morgan has agreed to sit down with the family and myself.

It appears there is basic agreement on an initial concept, which is to be a 30x40 slab with a pole barn style pavilion. No restrooms, power, or other features are included at this time. The contractor is going to scope a pavilion that resembles one that they constructed at Elms Elementary.

With current pricing, we will use this as a starting point to finalize a concept with the park board. Once complete, fundraising can begin. At this point, the family feels some pressure on the matter, especially during the holiday season, and they would like to ease up on the pace a bit. This is perfectly acceptable to us. It simply means that 2022 may be more of a fundraising year than an early construction year. Given our status at Otterburn, this works out well.

The park board is still taking the lead on this, with close input by Jentery's family. I will keep the council informed.

✓ **WATER OPERATIONS SERVICES** *(No Change of Status)*

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.

✓ **SECURITY CAMERAS** *(No Change of Status)*

We are looking at pricing to run conduit in the park. This will have the benefit of providing power (potentially) to additional pavilions. It is also essential if we are to power cameras and provide a feed to the recording device. Once complete, we can better plan for a security system.

✓ **SEWER TRUCK** *(No Change of Status)*

We have some initial cost-benefit analysis done. However, we are not sold on a recommendation yet.

We have looked at five years' worth of contracted jetting services (non-routine). These average \$3,325 a year. Based upon the proposed cleaning/jetting price for routine services, we are pricing \$76,507 a year (25,502 lineal feet at year at \$3.25/ft.). Lastly, we are estimating a conservative \$40,000 for storm sewer cleaning (lineal feet and catch basin count is yet unknown). In total, this equates to \$119,832 per year.

We estimate our equipment purchase price to be ~\$45,000 per year (accounting for purchase and resale). This leaves \$74,832 for labor, fuel, disposal fees, and miscellaneous expenses. Assuming an \$80/hour equipment operation and labor charge for a single operator, we have about 935 labor hours included in that cost (about half a full time employee or a crew of two for four months).

These are very conceptual numbers, but they put us in a reasonable place in my opinion. None of these calculations include the potential for contracted use in other communities, use of the hydro excavator, or training.

Again, there is no recommendation from staff at this point, but we are very interested to hear what council members think of the concept as it is shaping up. The previous report follows:

In an effort to ensure great sewer reliability and long term asset management, Mr. Bincsik has been weighing the benefit of purchasing a sewer jetting truck. Having such a piece of equipment will eliminate our need to rely on third party contractors during after-hour sewer backups, a tenuous proposition these days.

The purchase will also enable us to conduct our own main line jetting program. This is something we absolutely cannot do at this time without large scale contracted services. Even then, we are lucky to clear each main line every 10 years. With our own piece of equipment, we would look to clear each main line every 3-5 years, with problem areas addressed every year or so (Miller and Elms).

The cost is substantial (~\$450,000), but it will reduce our need to contract with private sewer cleaning companies. Most importantly, it will enable our own crews to respond to emergencies involving the sanitary and storm sewer system. We will certainly see a reduction in contracted jetting services, but I expect no overall savings when weighed against the purchase. However, we still recommend looking at this option, since the goal is to enhance our services. The sewer fund IS in a position to cover the purchase and operating costs.

Another benefit is that this will bring high-level work back 'in-house'. This will enable us to supply more labor hours to the DPW in general, thereby offsetting the cost of an additional labor position. This is something we have been working towards for some time to have a larger scale of operations throughout the year.

At any rate, we are only including this narrative, an email price quote, and some images at this time. If there is an appetite to move in this direction, we can indicate our interest and bring back a formal proposal or set of proposals for such equipment. Mr. Bincsik may be at our meeting to indicate his preference for this make and model.

✓ **METRO POLICE INTERLOCAL (Update)**

The council approved all proposed interlocal agreement amendments. Mundy will be reviewing these on December 13th. I will report the outcome.

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

✓ **MONTHLY REPORTS (Update)**

We have routine departmental reports for review.

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

✓ **PLANNING COMMISSION (Update)**

The Planning Commission met on November 2, 2021. They held a public hearing and further deliberated on a new pond ordinance that will provide a basis for review of ponds as an accessory use.

The master plan draft is still in progress. As such, there was not a review at this meeting. Attendance has been an issue this fall for members of the commission. We only had five of nine for the October meeting. The next meeting is scheduled for January 4th, but I expect this will be rescheduled due to timing with the holidays and related travel of involved parties.

✓ **DOWNTOWN DEVELOPMENT AUTHORITY (Update)**

The DDA activity is mostly limited to the master plan, which is no small matter. The master plan is focusing on downtown sub-area plans and design guidelines. While the DDA has not met since August, they are requested to attend to plan drafts and to participate in planning commission meetings. Their next meeting is scheduled for January 13, 2022.

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

The ZBA met on October 20 to hear a variance related to the construction of a new condominium outside of the building envelope in Springbrook East. There was a fair amount of public attendance. The variance was approved without conditions. There was no business in November. Their next meeting is scheduled for January 19, 2022.

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

The Park Board met on December 1st. Updates on trails, disc golf, and the pavilion were discussed (see notes above). Gates are due to be installed before Christmas. The port-a-jons are removed, except for the one by the Elms sledding hill.

It was also reported that the Abrams tennis courts can now be removed without repercussions from the DNR, as long as the area remains recreation. This is good news for the repurposing of this site.

Master Plan goals for the park board will be discussed in late winter. The decorating contest winners will be in the December 23rd edition of the Swartz Creek View News.

Their next meeting is January 5th at the city offices.

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

The Board of Review will meet on December 14th at 3pm. This session will hear qualified errors, principal residence exemptions, poverty exemptions and veteran exemptions.

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

I have prepared the council member petition packets and have these available. The council stipend pay increase will be on the December pay. The council meeting pay increase will be on the January pay. Merry Christmas & Happy New Year to all.

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

Water main installation on Miller Rd. is moving along. Dawes is getting close to Elms Road which is the east end of the project. After the pipe is in the ground there is pressure testing, disinfection and getting the tie ins and services completed. Weather forecast looks good over the next 10 days and should allow them to move quickly. Project still has a long way to go until completion.

Since this is the last correspondence to council before Christmas DPS would like to wish you all a safe and Merry Christmas and a Happy New Year.

✓ **TREASURER UPDATE (Update)**

Winter property tax bills were in mailboxes on Thursday, December 2, 2021. Financial aspects of the fleet management plan are being reviewed with the City Manager and DPS Director on an ongoing basis. Routine operations include, but not limited to, processing property tax payments, daily/weekly/monthly journal entries, bank wires, review/approval of accounts payable invoices, building department permits and rental inspection collections, processing payroll, receipt of tax and utility billing payments, accounting for grants and projects and other financial matters impacting the city.

NEW BUSINESS / PROJECTED ISSUES & PROJECTS

✓ **DEVELOPMENT DISTRICT LIQUOR LICENSE REQUEST (Business Item)**

As noted above, 8013 Miller (form Dave's Pizzeria) has been sold. The new owner is investing much and plans to put in a burrito bar and activate the outdoor space. The city has submitted a grant on their behalf to the MEDC. We hope for funding to make this a reality.

In addition, the owner is interested in the new on-premise liquor licenses that are offered by LARA under MCL 436.1521a(1)(b). This is a set of laws that look to increase hospitality and entertainment businesses in downtowns and other development districts. This is certainly something that our community aspires to as well, especially those that are in the walkable downtown and have outdoor features.

To qualify, the DDA must show at least \$200,000 of public and private investment in the last five years (we show about \$5,000,000 on our books). The establishment must also be able to seat 25 person or more, invest at least \$75,000, and attempt to make a good faith effort to acquire a license from other escrowed licenses in the county.

Once, all of these requirements have been met or are in process. The last item is for the city council to recommend support of the LCC application by resolution. I certainly recommend we do so. I am including a resolution in the packet.

✓ **UPCOMING APPOINTMENT (Update)**

Mr. Krueger's appointment to the Metro Police Board expires at the end of January 2022.

✓ **SEWER RATES (Business Item)**

Per the discussion on December 6th, I have included rate changes to reflect the direct pass through of the sewer rate and a 1% increase to water.

The current sewer rates are as follows:

Rates for Quarterly Billings	
Readiness to serve charge (per Residential Equivalent Unit):	\$52.50
Readiness to serve charge (non-metered accounts):	\$124.61
Commodity charge (per 100 cubic feet of water consumed):	\$2.14

Increasing our RTS and commodity to pass along the county rates, will result in the following:

Rates for Quarterly Billings

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

Water Rates are as follows, with an increase of 1% in parenthesis.

**Rates for Quarterly Billings
RTS Charge by Meter Size**

5/8", 3/4", 1"	\$56.88 (\$57.45)
1.5"	\$227.39 (\$229.66)
2"	\$363.83 (\$367.47)
3"	\$682.18 (\$689.00)
4"	\$1,136.97 (\$1,148.34)
6"	\$2,273.93 (\$2,296.67)

Commodity charge (per 100 cubic feet of water): **\$7.35 (\$7.42)**

If the above charges are accumulated for water and sewer (county rate increase and 1% increase to water), the residential quarterly bill for 1,500 cubic feet of water/sewer will increase from \$251.73 to \$260.08. This is an increase of \$8.35 (3.31%). The county increase is, by far, the largest part of this. I think this is very reasonable, given that the county sewer rate should last five or more years.

Council Questions, Inquiries, Requests, Comments, and Notes

Councilmember Fountain: It appears Councilmember Fountain will be with us through December, but a new councilmember shall need to be appointed in January.

**City of Swartz Creek
RESOLUTIONS
Regular Council Meeting, Monday, December 13, 2021, 6:00 P.M.**

Motion No. 211213-4A **MINUTES – DECEMBER 6, 2021**

Motion by Councilmember: _____

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday, December 6, 2021, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Motion No. 211213-5A **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 December 13, 2021, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Motion No. 211213-6A **CITY MANAGER’S REPORT**

Motion by Councilmember: _____

I Move the Swartz Creek City Council accept the City Manager’s Report of December 13, 2021, including reports and communications, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 211213-8A **RESOLUTION TO AMEND AND RESTATE CITY-WIDE RATES, FEES, AND CHARGES**

Motion by Councilmember: _____

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

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

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

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

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

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

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

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

CITY OF SWARTZ CREEK RATES, FEES PERMITS & CHARGES FOR SERVICES

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

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

<u>Offense</u>	<u>Fine</u>
(a) Parking too far from curb	\$ 40.00
(b) Angle parking violations	\$ 40.00
(c) Obstructing traffic	\$ 40.00
 <u>Prohibited parking (signs un-necessary)</u>	
(d) On sidewalk	\$ 40.00
(e) In front of drive	\$ 40.00
(f) Within intersection	\$ 40.00
(g) Within 15 feet of hydrant	\$ 40.00
(h) On crosswalk	\$ 40.00
(i) Within 20 feet of crosswalk or 15 feet of corner lot lines	\$ 40.00
(j) Within 30 feet of street side traffic sign or signal	\$ 40.00
(k) Within 50 feet of railroad crossing	\$ 40.00
(l) Within 20 feet of fire station entrance	\$ 40.00
(m) Within 75 feet of fire station entrance on opposite side of street (signs required)	\$ 40.00
(n) Beside street excavation when traffic obstructed	\$ 40.00
(o) Double parking	\$ 40.00
(p) On bridge of viaduct or within tunnel	\$ 40.00
(q) Within 200 feet of accident where police in attendance	\$ 40.00
(r) In front of theater	\$ 40.00
(s) Blocking emergency exit	\$ 40.00
(t) Blocking fire escape or fire lane	\$ 50.00
(u) In a handicapped space	\$100.00
(v) In prohibited zone (signs required)	\$ 40.00
(w) In alley (signs required)	\$ 40.00

Parking for prohibited purpose

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

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

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

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

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

- A.** A cost of \$150 shall be assessed to each defendant convicted of O.U.I.L. – O.U.I.D or O.W.I. The cost recovery shall be collected as a part of the fines and costs set by the 67th District Court.
- B.** Actual costs shall be assessed to each defendant convicted of O.U.I.L. – O.U.I.D or O.W.I. in which a motor vehicle accident occurred. The cost recovery shall be collected as a part of the fines and costs set by the 67th District Court. In the event the court declines collection, they shall be billed direct to the defendant.
- C.** For the purpose of determining costs for extensive investigation and cleanup recovery for emergency response for alcohol related arrests and accidents, the following table shall be used:

Fire

Pumper	\$250.00/hour
Tanker	\$350.00/hour
Squad/Utility	\$150.00/hour
Grass	\$200.00/hour
Command	\$150.00/hour
Officers	\$18.00/hour
Firefighters	\$15.00/hour

Police

Officers	\$47.30/hour
Officer Overtime	\$60.85/hour
Police Car	\$15.00/hour

4. Chapter 5: Cemetery Lots - Purchase

The cost for purchase of cemetery lots will be \$100.00 per lot.

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

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

6. Chapter 11: Park Reservation Fees

Elms Park

Pavilion #1	\$ 70.00
Pavilion #2	\$ 120.00
Pavilion #3	\$ 70.00
Pavilion #4	\$ 120.00

Winshall Park

Pavilion #1	\$ 70.00
Pavilion #2	\$ 70.00
Pavilion #3	\$ 70.00
Deposit	\$100.00

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

\$50.00

8. Chapter 15: Permit, Sidewalk Installation

\$25.00

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

\$100.00

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

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

Rates for Quarterly Billings

Readiness to serve charge

5/8", 3/4", 1"	\$57.45
1.5"	\$229.66
2"	\$367.47
3"	\$689.00
4"	\$1,148.34
6"	\$2,296.67

Commodity charge (per 100 cubic feet of water): \$7.42

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

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

(C) There shall be a Twenty Dollar (\$20.00) charge for shutting off the water service pursuant to such request and a Twenty Dollar (\$20.00) charge for turning the water service back on, if the shut off or turn on is performed during normal business hours. If this shut off or turn on is performed outside of normal business hours, the charge shall be One-Hundred Dollars (\$100.00). Such charges shall also apply if water is shut off or turned back on pursuant to account delinquency. The City Manager may waive shut off and turn on fees for reasonable cause.

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

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

Bulk Water Purchases

1 cubic ft. = 7.4805
Gallons

Gallons	Cubic ft.	Cost
3,740	499.96658	\$104.00
5,000	668.40452	\$116.00
10,000	1336.809	\$160.00
15,000	2005.2136	\$204.00
20,000	2673.6181	\$247.00

11. Chapter 19: Water & Sewer Tap Fees

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

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

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

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

12. Chapter 19: Sanitary Sewer Rates

Rates for Quarterly Billings

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

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

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

13. Chapter 20: Weed Cutting Fees

\$300 per cut

14. Building & Trade Inspection Fees

A. Building Permit Fees:

\$75.00 for first \$1,000 value \$5.00 per \$1,000 thereafter and \$50.00 for a one-time Inspection fee.

The first \$75.00 of the application fee is non-refundable. The total cost of Improvement is based on the Bureau of Construction Codes Square Foot Construction Cost Table with the following exceptions:

Single Family Home	1 story.....	\$105.00 per sq. foot
	1.5 story.....	\$91.00 per sq. foot
	2.0 story.....	\$85.00 per sq. foot
Detached garage.....		\$25.00 per sq. foot
Pole Barn.....		\$16.50 per sq. foot
Open deck or porch.....		\$14.00 per sq. foot
Covered deck or porch.....		\$28.00 per sq. foot

Pre-manufactured unit fees are based upon 50% of the normal on-site construction fee.

Residential Roofing..... \$100.00 fee per project

Siding permits are based upon the project cost.

Commercial roofing is to be based upon the project cost.

Up to \$1,000 (includes one (1) inspection only).....	\$75.00
\$1,000.00 to \$10,000.00.....	\$75.00 plus \$10.00 per \$1,000.00 over \$1,000.00
\$10,000.00 to \$100,000.00.....	\$165.00 plus \$3.00 per \$1,000.00 over \$10,000.00
\$100,001.00 to \$500,000.00.....	\$435.00 plus \$2.00 per \$1,000.00 over \$100,000.00
\$500,000 plus.....	\$1,235.00 plus \$3.00 per \$1,000.00 over \$500,000.00

All work not involving a sq. foot computation:

Plan review and administration base fee	\$75
(plus \$50.00 for each inspection)	
Additional inspections	\$75
Certificate of Occupancy	\$50
Work Commencing Before Permit Issuance	\$75

B. Electrical Inspection Fees

Application Fee (non-refundable)	\$65
Work Commencing Before Permit Issuance	\$75

New Residential Electrical System

Up to 1,500.00 sq. foot	\$80.00
1,501 to 3,500 sq. foot	\$130.00
Over 3,500 sq. foot	\$180.00

Service

Through 200 Amp.	\$10
Over 200 Amp. thru 600 Amp.	\$15
Over 600 Amp. thru 800 Amp.	\$20
Over 800 Amp. thru 1200 Amp.	\$50
Over 1200 Amp. (GFI only)	\$75
Circuits	\$5

Lighting Fixtures-per 25	\$5
Dishwasher	\$5
Furnace-Unit Heater	\$5
Electrical-Heating Units (baseboard)	\$4
Power Outlets (ranges, dryers, etc.)	\$7

Signs

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

Feeders-Bus Ducts, etc.-per 50'	\$6
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Mobile Home Park Site	\$5
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Recreational Vehicle Park Site	\$5
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K.V.A. & H.P.

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

Fire Alarm Systems (excl. smoke detectors)

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

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

Special/Safety Insp. (includes cert. fee)	\$65
Additional Inspection	\$65
Final Inspection	\$65
Certification Fee	\$25

C. Mechanical Inspection Fees

Application Fee (non-refundable)	\$65
Work Commencing Before Permit Issuance	\$75

Residential Heating System

(Includes duct & pipe)	
Up to 1,500 sq. feet	\$80
1,501 to 3,500 sq. feet	\$130
Over 3,500 sq. feet	\$180
Gas/Oil Burning Equipment Under 400,000 In	\$30
Gas/Oil Burning Equipment Under 400,000 In	\$40
Boiler	\$30
Water Heater	\$5
Damper/Flue	\$5
Solid Fuel Equip. (includes chimney)	\$30
Gas Burning Fireplace	\$30
Chimney, factory built (installed separately)	\$25
Solar; set of 3 panels-fluid transfer	
(includes piping)	\$20
Gas piping; each opening-new installation	

(residential)	\$5
Air Conditioning (includes split systems)	
1.5hp to 15 hp	\$30
Over 15 hp	\$50
Heat Pumps (complete residential)	\$30
Dryer, Bath & Kitchen Exhaust	\$5

Tanks

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

Piping

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

Air Handlers/Heat Wheels

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

Fire Suppression/Protection/Other

(includes piping) –minimum fee \$20	\$.75/head
Limited Area Suppression (per head)	\$2
Fire Suppression Hood (per head)	\$4
Evaporator Coils	\$30
Refrigeration (split system)	\$30
Chiller	\$30
Cooling Towers	\$30
Compressor/Condenser	\$30
Manufactured Chimney	\$25
Exhaust Fans	\$20
Multi Zone Self Contained Units	\$25
Through Wall Units	\$25
Ranges (gas)	\$20

Inspections

Special/Safety Insp. (includes cert. fee)	\$65
Additional Inspection	\$65
Final Inspection	\$65
Certification Fee	\$25

D. Plumbing Inspection Fees

Application Fee (non-refundable)	\$65
Work Commencing Before Permit Issuance	\$75

New Residential Plumbing System

Up to 1,500 sf	\$80
1,501 to 3,500 sf	\$130
Over 3,500 sf	\$180

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

Water Service

Less than 2"	\$5
2" to 6"	\$25
Over 6"	\$50
Connection (bldg. drain-bldg. sewers)	\$5

Sewers (sanitary, storm or combined)

Less than 6"	\$5
6" and Over	\$25
Manholes, Catch Basins	\$5 each

Water Distributing Pipe (system)

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

Inspections

Special/Safety Insp. (includes cert. fee)	\$65
Additional Inspection	\$65
Final Inspection	\$65
Certification Fee	\$25

15. Chapter 22: General Emergency Response Fees

Fire

Pumper	\$250.00/hour
Tanker	\$350.00/hour
Squad/Utility	\$150.00/hour
Grass	\$200.00/hour
Command	\$150.00/hour
Officers	\$18.00/hour
Firefighters	\$15.00/hour

Police

Officers	\$50.56/hour
Officer Overtime	\$61.87/hour
Police Car	\$15.00/hour

16. Appendix B: Franchises

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

17. Miscellaneous Fees

- A. *Copies:*
Black & White: 10¢ for page.
Color or Mixed Color and Black & White: 25¢ per page
- B. *Freedom of Information Act Requests:*
See the City of Swartz Creek Freedom of Information Act Procedures & Guidelines: adopted June 22, 2015 for details. Standard requests shall be charged 10¢ for 8.5 x 11 page (25¢ for color or mixed color) plus all actual costs for outside re-production (i.e. photo re-prints, blueprint copies, digital media storage, etc.). Extensive search requests shall have an additional per hour fee equal to wages only of the lowest paid clerical position employed with the City (\$8.15/hour with a 1.1 fringe multiplier, totaling \$8.97/hour).
- C. *Weddings:*
\$50 per ceremony
- D. *Fax Services:*
50¢ per page for the first 10 pages, then \$0.25 per page thereafter
- E. *Notary Services:*
\$10.00 per item
- F. *Insufficient Funds:*
\$25 each for any check returned unpaid for account insufficient, closed or stopped
- G. *Penalties on Outstanding Invoices/Miscellaneous Receivables:*
\$10 penalty for unpaid miscellaneous receivables, including but not limited to: utility bills, mowing invoices, sidewalk repair, project reimbursements, charges for services, and retiree coverage contributions. This penalty shall be applied once to "past due" invoices.
- H. *Interest on Outstanding Invoices/Miscellaneous Receivables:*
1.5% interest per month on outstanding invoices that are 30 days "past due".

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

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

- A. Site Plan Review:

Property Re-Zoning	\$250
Single & Multiple-Family (non-plat)	\$300 plus \$5.00 per lot
Cluster Housing Development	\$300 plus \$5.00 per unit
Mobile Home Park	\$400 plus \$5.00 per unit
Commercial Development	\$450 plus \$50.00 per acre/fraction
Industrial Development	\$400 plus \$50.00 per acre/fraction
Office Development	\$350 plus \$50.00 per acre/fraction
Institutional	\$300 plus \$50.00 per acre/fraction
Public/semi-public uses	\$300 plus \$50.00 per acre/fraction
Special Approval or Conditional Use	\$250 plus \$5.00 per acre/fraction
PUD/Mixed Use Review	\$500 plus \$50.00 per acre/fraction
Consulting Fees (All Reviews)	Actual consultant costs
Revisions	½ of original review fee
- B. Building and Zoning:

Swimming Pool Permit	\$25
Misc. Zoning Permit	\$25
Sidewalk Permit	\$25
Sign Permit	See Building Permits

Structure Movement Permit	\$95	
Demolition Permit (Including ROW Permit)	\$150	
Right of Way Permit (Residential)	\$100	
Right of Way Permit (Commercial and/or Road Break)	\$250	+review/inspection
		escrow
Home Occupation Permit	\$95	
Variance Review	\$250 per variance	
Zoning Board of Appeals: Petitioned Interpretation Review	\$150	
Zoning Board of Appeals: Appeal Review	\$250	
Lot Split/Combination: City Ordinance Section 16.2	\$150 plus \$5.00 per lot	
Public or Private Road Plan Reviews	\$400 per mile/fraction	
Consulting Fees	Actual consultant costs	
Zoning Code	\$10 CD, \$25 Paper Copy	
Engineering Standards Manual	\$10 CD, \$25 Paper Copy	
Medical Marijuana Dispensary/Facility Review	\$500	

C. Subdivision Review

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

19. Chapter 1: Municipal Civil Infraction Fines

Civic Infraction Citation Fines:

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

Civic Infraction Notice Fines:

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

20. Rental Inspection Program Fees

Registration	\$75 for the first unit, plus \$20 for each additional unit on a shared premises, with common ownership and management, or within recognized apartment complexes
Follow up inspections	The initial and one follow-up inspection will be performed without additional fees. Subsequent inspections shall be charged at the rate of \$25/unit
Registration Updates/Amendments Coverage	No charge The initial fee covers the registration and first inspection and is valid until the resulting certificate of compliance expires
Pro-ration	There shall be no pro-ration of fees

ADOPTION & REVISION HISTORY:

Resolution No. 050711-07	Dated July 11, 2005
Resolution No. 100208-06	Dated February 8, 2010
Resolution No. 101206-04	Dated December 6, 2010 (Water-Sewer-RTS)
Resolution No. 111114-05	Dated November 14, 2011 (Park Fees)
Resolution No. 110613-07	Dated June 13, 2011 (Water Fees)
Resolution No. 120611-05	Dated June 11, 2012 (Water Fees)
Resolution No. 120709-05	Dated July 9, 2012 (Bulk Water Fees)
Resolution No. 130610-09	Dated June 10, 2013 (Water Fees)
Resolution No. 130826-06	Dated August 26, 2013 (K.W.A. Water Fees)
Resolution No. 140922-07	Dated September 22, 2014 (Utility and MMD Fees)

Resolution No. 150824-05	Dated August 24, 2015 (FOIA, Rentals, Utility Fees)
Resolution No. 151214-05	Dated December 14, 2015 (Parking)
Resolution No. 160523-05	Dated May 23, 2016 (Water and Sewer)
Resolution No. 160808-04	Dated August 8, 2016 (Solicitation)
Resolution No. 171023-07	Dated October 23, 2017 (Building; Police Removal)
Resolution No. 180312-06	Dated March 12, 2018 (Building Penalty)
Resolution No. 181126-07	Dated November 26, 2018 (Parking)
Resolution No. 190325-09	Dated March 25, 2019 (Water)
Resolution No. 201109-06	Dated November 9, 2020 (Water-Cross Connection)
Resolution No. 210927-06	Dated September 27, 2021 (Cost Recovery/ROW)
Resolution No. 211213-__	Dated December 13, 2021 (Water and Sewer Rates)

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 211213-8B RESOLUTION TO RECOMMEND APPROVAL OF A LIQUOR LICENSE FOR 8013 MILLER ROAD

Motion by Councilmember: _____

WHEREAS, the City of Swartz Creek has assigned all geography allocated unclaimed Class C Liquor Licenses as relegated by the State of Michigan Liquor Control Commission; and

WHEREAS, the City of Swartz Creek established a Downtown Authority District under Public Act 197 of 1975, as amended; and

WHEREAS, businesses in the DDA are eligible for a new Development District on-premise liquor license under MCL 436.1521a(1)(b), if the development district, city, and applicant meet certain qualifications, those qualifications include but are not limited to: the investment of over \$200,000 with the development district in the preceding five years; the ability of the establishment to seat at least 25 persons; the business must be related to dining, entertainment, or recreation; the business must invest at least \$75,000 in the establishment ; and

WHEREAS, the owner of 8013 Miller Road (a former restaurant), AVH Lockhart, LLC., is applying for such a license to be used onsite with the intention of operating a restaurant/tavern at the site; and

WHEREAS, the City of Swartz Creek and the Swartz Creek Downtown Development Authority allow and encourage such uses within the Central Business District; and

WHEREAS, the City of Swartz Creek maintains rights to review and approve or deny use of the site prior to final review and inspection by the State of Michigan; and

WHEREAS, the City of Swartz Creek finds that the applicant appears to satisfy the local and statutory requirements necessary to operate a tavern at 8013 Miller Road.

NOW, THEREFORE, BE IT RESOLVED, the City of Swartz Creek recommends that the application by the AVH Lockhart, LLC for a new on-premise Class C Liquor License for 8013 Miller Road, Swartz Creek, Michigan, as applied for under MCL 436.1521a(1)(b), be considered for approval by the Michigan Liquor Control Commission.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Motion No. 211213-11A

ADJOURN

Motion by Councilmember: _____

I Move the Swartz Creek City Council adjourn the regular council meeting of December 13, 2021.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE 12/06/2021**

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, Pinkston, Henry.

Councilmembers Absent: None.

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

Others Present: Lania Rocha, Dennis Cramer.

Others Virtually Attended: Andy Harris OHM, Kevin Kilby Metro Attorney, Laura Gruzowski DLZ.

APPROVAL OF MINUTES

Resolution No. 211206-01

(Carried)

Motion by Councilmember Florence
Second by Councilmember Gilbert

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

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

APPROVAL OF AGENDA

Resolution No. 211206-02

(Carried)

Motion by Councilmember Henry
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Agenda as, printed for the Regular Council Meeting of December 6, 2021, to be circulated and placed on file.

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

CITY MANAGER'S REPORT

Resolution No. 211206-03

(Carried)

Motion by Councilmember Fountain
Second by Councilmember Florence

I Move the Swartz Creek City Council accept the City Manager's Report of December 6, 2021, including reports and communications to be circulated and placed on file.

Discussion Ensued.

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

MEETING OPENED TO THE PUBLIC:

Dennis Cramer 5399 Worchester Drive encouraged the council to elect him to fill Councilmember Fountain's vacancy.

COUNCIL BUSINESS:

RESOLUTION TO APPROVE VARIOUS AMENDMENTS TO THE INTERLOCAL AGREEMENT ESTABLISHING THE METRO POLICE AUTHORITY OF GENESEE COUNTY

Resolution No. 211206-04

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Fountain

WHEREAS, on October 12, 2015, the Parties entered into the Interlocal Agreement establishing a police authority; and

WHEREAS, on September 1, 2016, the Parties entered into the Amendment No. 1 to the Interlocal Agreement whereby the title of the Interlocal Agreement was changed to the "Interlocal Agreement establishing the Metro Police Authority of Genesee County" and the name of the entity created was changed to "The Metro Police Authority of Genesee County"; and

WHEREAS, on December 1, 2018, the Parties entered into Amendment No. 2 to

the Interlocal Agreement, which amended Section 3.05 setting forth how the Parties would handle prosecutions and payments from the court; and

WHEREAS, on January 1, 2019, the Parties entered into Amendment No. 3 to the Interlocal Agreement, which amended Section 3.04 setting forth the central operations building of the Police Authority and how the Parties would handle future buildings of the Police Authority; and

WHEREAS, on January 1, 2019, the Parties entered into Amendment No. 4 to the Interlocal Agreement, which further amended Section 3.05 setting forth further clarification of how the Parties would handle prosecutions and payments from the court; and

WHEREAS, on January 1, 2019, the Parties entered into Amendment No. 5 to the Interlocal Agreement, which amended Section 4.02, clarifying the powers of the Police Authority Board; and

WHEREAS, on January 1, 2019, the Parties entered into Amendment No. 6 to the Interlocal Agreement, which amended Section 4.09, clarifying who appoints the Chief of Police and Deputy Chief of Police of the Police Authority; and

WHEREAS, on January 1, 2019, the Parties entered into Amendment No. 7 to the Interlocal Agreement, which amended Section 4.10, modifying the duties and responsibilities of the Chief of Police and created duties and responsibilities of the Deputy Chief of Police; and

WHEREAS, the Michigan Legislature has adopted new legislation regarding the Michigan Open Meetings act, which modifies the current case law regarding remote meetings and participation. The Police Authority Board is requesting Section 4.04 of the Interlocal Agreement be modified to conform to the newly adopted legislation; and

WHEREAS, representatives of the Police Authority Board feel that the Finance Committee established by Section 4.05 of the Interlocal Agreement is no longer necessary as invoices and accounts payable are emailed to the entire Police Authority Board for review prior to each Police Authority Board meeting; and

WHEREAS, in an effort to assist the Chief of Police in preparation of the budget, the Police Authority Board is requesting the Township Board and City Council to amend the Interlocal Agreement to include a budget committee and a negotiations committee; and

WHEREAS, the Police Authority Board is requesting additional language be added to the Interlocal Agreement clarifying that the position of Deputy Chief of Police is subordinate to the Chief of Police; and

WHEREAS, the Police Authority Board is requesting additional language be added to the Interlocal Agreement clarifying that any promotion to the position of Lieutenant shall be affirmed by the Police Authority Board; and

WHEREAS, as the Police Authority Board continues to progress and evaluate how it conducts business of the Police Authority, the Police Authority Board representatives are recommending the following amendments for consideration by the Township Board and the City Council to assist the Police Authority Board in conducting business of the Police Authority in the future;

NOW, THEREFORE, BE IT RESOLVED, the Swartz Creek City Council hereby agrees to enter into Amendment #8 of the Interlocal Agreement as included in the City Council Packet of December 6, 2021.

BE IT FURTHER RESOLVED, the Swartz Creek City Council authorizes and directs the Mayor to execute said amendments and Agreement on behalf of the city.

Discussion Ensued.

YES: Krueger, Pinkston, Henry, Fountain, Florence, Hicks.
NO: Gilbert. Motion Declared Carried.

UTILITY RATES

DISCUSSION

Mr. Zettel suggest due to the County sewer rate increase he wants the councils' input on two other components to consider while making the rate increase. The two other components to consider: absorbing credit card fees and an inflationary rate increase in water. Council consensus is not to absorb credit card fees but to add a conservative inflationary water rate increase along with the county sewer rate increase.

Mr. Zettel will bring back a very specific rate schedule to next council meeting for council to consider.

RESOLUTION TO ADOPT ORDINANCE 457, AN ORDINANCE TO AMEND THE CITY'S SEWER ORDINANCE IN ORDER TO PROVIDE ADDITIONAL PROVISIONS FOR THE REGULATION OF FATS, OILS, AND GREASES

Resolution No. 211206-05

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Henry

WHEREAS, the city owns, operates, and maintains a collection system for the transportation of sanitary sewage, and;

WHEREAS, sewage collected by the city is transported to the Genesee County Drain Commission – Water and Waste Services Division for treatment, and;

WHEREAS, the city has adopted an extensive sewer use ordinance in consultation with the GCDC-WWS in order to accommodate their treatment expectations, state standards, and best practices, and;

WHEREAS, the city is now acting on the enforcement of discharged fats, oils, and greases (FOGs) into the collection system.

THEREFORE, I MOVE the City of Swartz Creek ordains:

**CITY OF SWARTZ CREEK
ORDINANCE NO. 457**

An ordinance to amend the Code of Ordinances: Chapter 19, Article III Sewage Disposal

THE CITY OF SWARTZ CREEK ORDAINS:

Section 1. Addition of Definitions to Section 19.101.2 of the Code of Ordinances.

The City hereby adds definitions, in alphabetical order, to Section 19.101.2 of the Code of Ordinances:

“25 percent rule” means that the combined depth of oil and grease and other solids (floating and settled) in any chamber of a grease control device shall not be equal or greater than 25 percent of the total operating depth of the grease control device. The operating depth of a grease control device is determined by measuring the internal depth from the water outlet invert elevation to the inside bottom of the grease control device.

“Grease control device” means any grease interceptor, grease trap, or other mechanism, device, or process, which attaches to, or is applied to, wastewater plumbing fixtures, and lines, the purpose of which is to trap, collect, or treat FOG prior to discharge into the sewer system that is collected in food preparation areas, such as restaurants, hotel kitchens, hospitals, bars, school and church cafeterias, and the like.

“Grease interceptor” is commonly associated with kitchen cleaning appliances such as sinks, woks, and any other drains that collect oil and/or grease so as to prevent unreasonable accumulations of oil and/or grease from infiltrating into the sanitary sewer system and otherwise prohibiting the free flow of wastewater within such system. For purposes

of this definition, the term "kitchen" shall refer to a food preparation area located other than in a single family dwelling, primarily intended for activities of preparing, serving or otherwise making available for consumption food stuffs, and which are used for one or more of the following preparation activities: washing, trimming or cleaning fish and/or meat, cooking by frying (all methods), baking (all methods), grilling, sautéing, rotisserie cooking, broiling (all methods) boiling, blanching, roasting, toasting, or poaching; also included are infrared heating, searing, barbecuing, and any other food preparation activity that produces a hot, non-drinkable food product in or on a receptacle that requires washing.

Section 2. Modify Section 19-104.4 of the Code of Ordinances.

The City hereby removes "and/or the local unit" and replaces it with "the City, or the City's representative." within Section 19.104.4 of the Code of Ordinances.

Section 3. Modify Section 19-105.17 of the Code of Ordinances.

The City hereby removes Section 19.105.17 in its entirety from the Code of Ordinances and replaces it with the following:

Sec. 19-105.17. Grease, oil and sand interceptors.

A grease, oil and sand interceptor (trap) shall be installed and maintained in continuously efficient operating condition at the expense of the property owner when, in the determination of the POTW manager, an interceptor is necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable waste, sand, or other harmful ingredient. An interceptor shall be required for every restaurant, fast food outlet, automotive repair shop or garage, car wash, or any other type of establishment or use as determined necessary by the POTW manager and City DPS Director. An interceptor shall not be required for a single-family detached residential or multiple-family residential dwelling unit when used solely for residential living purposes. All interceptors shall be of a type and capacity approved by the POTW manager or City DPS Director, and shall be located so as to be readily and easily accessible for cleaning and inspection. Interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature, and shall be of substantial construction, watertight, and equipped with easily removable covers which when in place shall be gas-tight and water-tight.

Maintenance of indoor and outdoor grease control devices shall be performed at frequencies necessary to protect the capacity of the sewer system against accumulation of grease and oils, as required by the "25

percent rule” as defined herein. The user shall be responsible for the proper removal and legal disposal of the grease control device waste. All waste removed from each device must be disposed of at a facility permitted to receive such waste. No device pumpage may be discharged to the City sewer system. Maintenance shall include the complete removal of all contents, including floatable materials, wastewater, sludges and solids and jet flushing to remove measurable build-up on tank walls. Top skimming of outdoor grease traps, decanting or back flushing of the grease control device or its wastes for the purpose of reducing the volume to be hauled is prohibited.

These devices shall be installed in compliance with the current Michigan Plumbing Code, as enforced by the City. The City or City DPS Director shall make final determination and approval of a grease control device’s size.

The user shall be responsible for maintaining records and/or manifests as to the dates of service, quantity and waste hauler name at the user’s location for a period of three (3) years, which records shall be subject to review by the City without prior notification.

Section 4. Add Section 19-105.18 to the Code of Ordinances.

The City hereby adds a new section, Section 19.105.18 as follows:

Sec. 19-105.18. Outdoor Storage of Grease.

Animal or vegetable grease stored by businesses outside of their buildings must be kept in a self-contained, sealed, leak proof grease container which is approved by the City DPS Director or their designee. The container and the area in and around the container must be kept clean. The name and address of the business must be clearly identified on the outside of the container. Any person or business found disposing of FOG in the City sewer system and/or not properly maintaining their grease container(s) shall be guilty of a misdemeanor and shall be responsible for the costs incurred by the City in cleaning up and disposing of the grease.

Section 5. Modify Section 19-117.1.A of the Code of Ordinances.

The City hereby removes Section 19-117.1.A in its entirety and replaces it with:

“A. *In general.* The POTW, City, and the City’s representative is authorized to carry out all inspection, surveillance, sampling and monitoring activities and procedures, as necessary to determine, independent of information supplied by users or any other persons,

compliance or non-compliance with applicable pretreatment standards and requirements, with this article, and with other applicable laws and regulations. This authority includes, without limitation, the authority.”

within Section 19.117.1.A of the Code of Ordinances.

Section 6. Modify Section 19-117.1.B of the Code of Ordinances.

The City hereby removes Section 19-117.1.B in its entirety and replaces it with:

“B. *Right of entry.* The POTW manager and other authorized representatives of the POTW, City or City’s representative bearing proper credentials and identification are authorized to enter a nondomestic user’s premises (and any other user’s premises, as determined necessary by the POTW manager) to conduct inspection, surveillance and monitoring activities as necessary to determine compliance with this article, and in that regard shall have, without limitation, the following minimum authority:”

within Section 19.117.1.B of the Code of Ordinances.

Section 7. Modify Section 19-117.1.C of the Code of Ordinances.

The City hereby removes Section 19-117.1.C in its entirety and replaces it with:

“C. *Access without delay required.* Users shall allow the POTW, City and City representative ready access at all times to all parts of the user’s facility or premises where wastewater governed by this article is created, handled, conveyed, treated or discharged, or where any production, manufacturing, fabrication, or storage area where pollutants regulated under this article could originate, be stored, or be discharged to the POTW, or where wastewater records are kept, for the purposes of inspection, sampling, records examination, or in the performance of any of the POTW’s duties. If a user has security measures in force that would require proper identification and clearance before entry into the premises by the POTW, the user shall make necessary arrangements in advance with its security guards so that upon presentation of suitable identification, authorized representatives of the POTW (or authorized State or Federal Personnel) will be permitted to enter, without delay, for the purposes of performing their specific responsibilities. Upon arrival at a user’s premises, POTW representatives shall inform the user or its employees that inspections, sampling, compliance monitoring, metering or other POTW procedures are to be performed and that the user has

the right to accompany the POTW employee/representative during the performance of his/her duties.”

within Section 19.117.1.C of the Code of Ordinances.

Section 8. Modify Section 19-117.1.D of the Code of Ordinances.

The City hereby removes Section 19-117.1.D in its entirety and replaces it with:

“D. *Refusal to allow entry.* If a user refuses to permit access (or unreasonably delays access) to an authorized POTW, City or representative or to permit the representative to obtain, take, and remove samples or make copies of documents or undertake other authorized inspection, surveillance and monitoring activities as provided by this article, the POTW manager may order the termination of the discharge of wastewater to the POTW; order the user to permit access within a time certain; issue the user a notice of violation of this section; or take other appropriate action as provided by this article and other applicable laws and regulations (including, but not limited to, seeking the issuance of a search warrant). Further, the refusal to permit access (or causing an unreasonable delay in access) as provided by this section shall constitute a violation of this article.”

within Section 19.117.1.D of the Code of Ordinances.

Section 9. Modify Section 19-117.2.C of the Code of Ordinances.

The City hereby removes Section 19-117.2.C in its entirety and replaces it with:

“C. Nothing in this section shall limit the authority of the POTW and/or the City to take any action, including emergency actions or any other enforcement action, without first issuing a notice of violation, or otherwise require the POTW and/or the local unit to first issue a notice of violation before initiating a civil or criminal action against a person for violating this article.”

within Section 19.117.2.C of the Code of Ordinances.

Section 10. Modify Section 19-117.11 of the Code of Ordinances.

The City hereby removes Section 19-117.11 in its entirety and replaces it with:

“A. Any person who discharges to the POTW, including, but not limited to, any person who causes or creates a discharge that violates any provision of this article, produces a deposit or obstruction, or otherwise damages, injures, or impairs the POTW or City, or causes or contributes to a violation of any Federal, State or local law governing the POTW or City, whether any such act is intentional or unintentional, shall be liable to and shall fully reimburse the POTW and/or local unit for all expenses, costs, losses or damages (direct or indirect) payable or incurred by the POTW and/or City as a result of any such discharge, deposit, obstruction, damage, injury, impairment, violation, exceedance, non-compliance, or act. The costs that must be reimbursed to the POTW and/or City shall include, but shall not be limited to, all of the following:

- (1) All costs incurred by the POTW and/or City in responding to the violation or discharge, including, expenses for any cleaning, repair or replacement work, and the costs of sampling, monitoring, and treatment, as a result of the discharge, violation, or non-compliance.
- (2) All costs to the POTW and/or City of monitoring, surveillance, and enforcement in connection with investigating, verifying, and prosecuting any discharge, violation, or non-compliance.
- (3) The full amount of any fines, assessments, penalties, and claims, including natural resource damages, levied against the POTW or City, or any POTW or City representative, by any governmental agency or third party as a result of a violation of the POTW's NPDES permit (or other applicable law or regulation) that is caused by or contributed to by any discharge, violation, or non-compliance.
- (4) The full value of any POTW City staff, or City's representative time (including any administrative and overhead costs and any required overtime), consultant and engineering fees, and actual attorney fees and defense costs (including the POTW or local unit's legal counsel and any special legal counsel), associated with responding to, investigating, verifying, and prosecuting any discharge, violation, or non-compliance or otherwise incurred by the POTW or local unit in administering and enforcing the requirements of this article.

Further, the POTW and/or City is authorized to correct any violation of this article or damage or impairment to the POTW or local unit caused by a discharge and to bill the person causing the violation or discharge for the amounts to be reimbursed. The costs reimbursable under this section shall be in addition to fees, amounts or other costs and expenses required to be paid by users under other sections of this article.

B. In determining the amounts to be reimbursed, the POTW or City may consider factors such as, but not limited to, the following:

- (1) The volume of the discharge.

- (2) The length of time the discharge occurred.
- (3) The composition of the discharge.
- (4) The nature, extent, and degree of success the POTW may achieve in minimizing or mitigating the effect of the discharge.
- (5) The toxicity, degradability, treatability and dispersal characteristics of the discharges.
- (6) The direct and indirect costs incurred by the POTW, or imposed upon the POTW to treat the discharges, including sludge handling and disposal costs.
- (7) Fines, assessments, levies, charges, expenses and penalties imposed upon and/or incurred by the POTW and/or City, including the POTW or City's costs of defense of actions, or suits brought or threatened against the POTW or City by governmental agencies or third parties.
- (8) Such other factors, including the amount of any attorney's fees, consultant and expert fees, expenses, costs, sampling and analytical fees, repairs, etc., as the POTW or City deems appropriate under the circumstances.

C. Costs to be reimbursed to the POTW or City as provided by this section may be assessed to the user as provided by section 19-117.4 of this article, or as otherwise determined appropriate by the POTW manager or City manager in conjunction with an enforcement action.

D. The failure by any person to pay any amounts required to be reimbursed to the POTW or City as provided by this section shall constitute an additional violation of this article.”

within Section 19.117.11 of the Code of Ordinances.

Section 11. Effective date.

This Ordinance shall take effect thirty (30) days following publication.

Discussion Ensued.

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

RESOLUTION TO AFFIRM COMMISSION APPOINTMENTS

Resolution No. 211206-06

(Carried)

Motion by Councilmember Pinkston
 Second by Councilmember Fountain

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

WHEREAS, there exist vacancies in a number of said positions; and

WHEREAS, said appointments are Mayoral appointments, subject to affirmation of the city council.

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

#211206-6D1 **MAYOR RE-APPOINTMENT:** **James Barclay**
Park and Recreation Advisory Board, Citizen
Three year term, expiring December 31, 2024

#211206-6D2 **MAYOR RE-APPOINTMENT:** **Rae Lynn Hicks**
Park and Recreation Advisory Board
Three year term, expiring December 31, 2024

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

RESOLUTION TO APPROVE PARTICIPATION AND PAYMENT FOR UPDATED PICTOMETRY SERVICES BY GENESEE COUNTY

Resolution No. 211206-07

(Carried)

Motion by Councilmember Fountain
Second by Councilmember Henry

WHEREAS, the City has participated in the County's Pictometry – Orthoimagery Program since its inception in 2005; and

WHEREAS, the approximate average yearly cost to the City since the program initiation has been approximately \$600.00; and

WHEREAS, the City finds the program very useful in property assessing, site plan review, traffic design, engineering and management; and

WHEREAS, the last multi-year agreement that obligated and provided the city with current imagery and county-wide GIS data extended from 2013 through 2021; and

WHEREAS, commitments are needed from participating communities in order to calculate cost distribution for the next six year commitment, with the City's

estimated participating cost being \$4,437.96 which includes six years of software support with two photograph updates, one in 2022 and the other in 2025.

NOW, THEREFORE, BE IT RESOLVED, the City of Swartz Creek hereby commit to participation in the Genesee County G.I.S. Pictometry – Orthoimagery Program, for the 2022-2028 cycle, estimated total cost of \$4,437.96, and further, direct the City Manager to sign the inter-agency agreement on behalf of the City.

Discussion Ensued.

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

MEETING OPENED TO THE PUBLIC:

None.

REMARKS BY COUNCILMEMBERS:

Councilmember Pinkston wanted an update on the Christmas Events in downtown the past Saturday. Mr. Zettel responded there was a fantastic selection of vendors at the market. Social Media comments have all been very positive. The core of the crowd concentration was in downtown. Things went very well.

Councilmember Gilbert has an arrow sign in his yard that needs picked up.

Mayor Pro Tem Hicks had a wonderful time at the Christmas Event. The kids loved the Grinch. Congratulations to all that organized the event.

Councilmember Fountain said her kids had a blast at the event.

Councilmember Henry reminded everyone that the council meeting is early next week at 6 p.m. He suggested when preparing for the next event at Holland Square we have more trash receptacles and lighted port a jons.

Councilmember Florence can get out of Springbrook without all the barrels now. The United Methodist church had 230 Christmas trees and they sold all of them in 7 days.

Mayor Krueger commented all the events went well Saturday in Swartz Creek. He invited all the council to attend the Genesee Wind Symphony Concert at the PAC next Monday night at 7:30 p.m. after the council meeting.

ADJOURNMENT

Resolution No. 211206-08

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Fountain

I Move the Swartz Creek City Council adjourn the regular council meeting of
December 6, 2021 at 8:38 p.m.

Unanimous Voice Vote.

David A. Krueger, Mayor

Connie Olger, City Clerk

REVENUE AND EXPENDITURE REPORT FOR CITY OF SWARTZ CREEK
PERIOD ENDING 11/30/2021

GL NUMBER	2021-22 ORIGINAL BUDGET	2021-22 AMENDED BUDGET	YTD BALANCE 11/30/2021	AVAILABLE BALANCE	% BDGT USED
Fund 101 - General Fund					
Revenue					
000.000 - General	2,374,764.00	2,374,764.00	2,099,524.32	275,239.68	88.41
172.000 - Executive	0.00	0.00	9,350.00	(9,350.00)	100.00
215.000 - Administration and Clerk	30.00	30.00	0.00	30.00	0.00
301.000 - Police Dept	4,250.00	4,250.00	6,169.20	(1,919.20)	145.16
336.000 - Fire Department	0.00	0.00	1,560.29	(1,560.29)	100.00
345.000 - PUBLIC SAFETY BUILDING	26,500.00	26,500.00	7,617.54	18,882.46	28.75
371.000 - Building/Zoning/Planning	54,950.00	54,950.00	36,496.75	18,453.25	66.42
410.000 - Building & Zoning & Planning	0.00	0.00	135.00	(135.00)	100.00
444.000 - Sidewalks	1,500.00	1,500.00	0.00	1,500.00	0.00
448.000 - Lighting	9,221.52	9,221.52	3,217.30	6,004.22	34.89
523.000 - Grass, Brush & Weeds	4,000.00	4,000.00	2,915.00	1,085.00	72.88
694.000 - Community Development Block Grant	37,822.50	37,822.50	0.00	37,822.50	0.00
728.005 - Holland Square Streetscape	40,000.00	40,000.00	40,000.00	0.00	100.00
780.500 - Mundy Twp Park Services	17,000.00	17,000.00	2,797.49	14,202.51	16.46
782.000 - Facilities - Abrams Park	140.00	140.00	70.00	70.00	50.00
783.000 - Facilities - Elms Rd Park	6,500.00	6,500.00	2,800.00	3,700.00	43.08
786.000 - Non-Motorized Trailway	813,500.00	813,500.00	0.00	813,500.00	0.00
790.000 - Facilities-Senior Center/Libr	5,300.00	5,300.00	1,835.55	3,464.45	34.63
TOTAL REVENUES	3,395,478.02	3,395,478.02	2,214,488.44	1,180,989.58	
Expense					
000.000 - General	13,520.00	13,520.00	5,632.75	7,887.25	41.66
101.000 - Council	25,448.50	25,269.07	11,759.25	13,509.82	46.54

GL NUMBER	2021-22 ORIGINAL BUDGET	2021-22 AMENDED BUDGET	YTD BALANCE 11/30/2021	AVAILABLE BALANCE	% BDGT USED
172.000 - Executive	114,594.96	135,163.40	74,053.17	61,110.23	54.79
215.000 - Administration and Clerk	30,870.00	30,870.00	11,710.95	19,159.05	37.94
228.000 - Information Technology	17,000.00	17,000.00	12,035.20	4,964.80	70.80
247.000 - Board of Review	2,520.00	2,520.00	242.22	2,277.78	9.61
253.000 - Treasurer	100,265.60	100,265.60	45,271.69	54,993.91	45.15
257.000 - Assessor	45,016.00	70,016.00	16,197.46	53,818.54	23.13
262.000 - Elections	36,122.00	36,122.00	5,434.59	30,687.41	15.05
265.000 - Facilities - City Hall	26,150.76	26,099.76	3,195.11	22,904.65	12.24
266.000 - Legal Council	18,000.00	18,000.00	6,175.58	11,824.42	34.31
301.000 - Police Dept	7,900.00	7,951.00	11,775.90	(3,824.90)	148.11
301.266 - Legal Council PSFY	17,000.00	17,000.00	8,190.00	8,810.00	48.18
301.851 - Retiree Employer Health Care PSFY	21,000.00	21,000.00	8,531.35	12,468.65	40.63
334.000 - Metro Police Authority	1,060,000.00	1,060,000.00	534,668.00	525,332.00	50.44
336.000 - Fire Department	160,634.00	170,784.00	75,120.16	95,663.84	43.99
345.000 - PUBLIC SAFETY BUILDING	34,932.96	34,593.46	14,291.51	20,301.95	41.31
371.000 - Building/Zoning/Planning	138,690.12	148,690.12	60,342.63	88,347.49	40.58
410.000 - Building & Zoning & Planning	0.00	0.00	9,484.60	(9,484.60)	100.00
444.000 - Sidewalks	1,200.00	1,200.00	0.00	1,200.00	0.00
448.000 - Lighting	106,000.00	106,000.00	34,426.12	71,573.88	32.48
523.000 - Grass, Brush & Weeds	1,200.00	1,200.00	995.00	205.00	82.92
567.000 - Facilities - Cemetery	2,083.16	2,083.16	499.52	1,583.64	23.98
694.000 - Community Development Block Grant	39,832.50	39,832.50	72.98	39,759.52	0.18
728.000 - Economic Development	350.00	350.00	427.44	(77.44)	122.13

GL NUMBER	2021-22 ORIGINAL BUDGET	2021-22 AMENDED BUDGET	YTD BALANCE 11/30/2021	AVAILABLE BALANCE	% BDGT USED
780.500 - Mundy Twp Park Services	7,483.00	7,483.00	3,015.93	4,467.07	40.30
781.000 - Facilities - Pajtas Amphitheat	2,705.00	2,705.00	3,328.12	(623.12)	123.04
782.000 - Facilities - Abrams Park	37,830.05	37,830.05	11,500.27	26,329.78	30.40
783.000 - Facilities - Elms Rd Park	83,812.94	83,812.94	31,150.81	52,662.13	37.17
784.000 - Facilities - Bicentennial Park	2,194.00	2,194.00	378.82	1,815.18	17.27
786.000 - Non-Motorized Trailway	824,200.00	827,970.00	14,125.06	813,844.94	1.71
787.000 - Veterans Memorial Park	3,045.90	3,045.90	1,961.08	1,084.82	64.38
788.000 - Otterburn Disc Golf Park	10,000.00	10,000.00	1,729.90	8,270.10	17.30
790.000 - Facilities-Senior Center/Libr	32,340.34	32,200.00	10,632.62	21,567.38	33.02
793.000 - Facilities - City Hall	0.00	0.00	2,512.55	(2,512.55)	100.00
794.000 - Community Promotions Program	48,244.20	48,244.20	15,341.16	32,903.04	31.80
796.000 - Facilities - Cemetery	0.00	0.00	53.33	(53.33)	100.00
797.000 - Facilities - City Parking Lots	6,800.00	6,800.00	2,688.86	4,111.14	39.54
851.000 - Retired Employee Health Care	21,000.00	21,000.00	4,799.20	16,200.80	22.85
965.000 - Transfers Out	250,000.00	250,000.00	250,000.00	0.00	100.00
TOTAL EXPENDITURES	3,349,985.99	3,418,815.16	1,303,750.89	2,115,064.27	
Fund 101 - General Fund:					
TOTAL REVENUES	3,395,478.02	3,395,478.02	2,214,488.44	1,180,989.58	65.22
TOTAL EXPENDITURES	3,349,985.99	3,418,815.16	1,303,750.89	2,115,064.27	38.13
NET OF REVENUES & EXPENDITURES	45,492.03	(23,337.14)	910,737.55	(934,074.69)	
Fund 202 - Major Street Fund					
Revenue					
000.000 - General	525,080.00	525,080.00	156,158.84	368,921.16	29.74
441.000 - Miller Rd Park & Ride	5,000.00	5,000.00	599.47	4,400.53	11.99
478.000 - Snow & Ice Removal	2,100.00	2,100.00	0.00	2,100.00	0.00

GL NUMBER	2021-22 ORIGINAL BUDGET	2021-22 AMENDED BUDGET	YTD BALANCE 11/30/2021	AVAILABLE BALANCE	% BDGT USED
931.000 - Transfers IN	575,000.00	575,000.00	575,000.00	0.00	100.00
TOTAL REVENUES	1,107,180.00	1,107,180.00	731,758.31	375,421.69	
Expense					
228.000 - Information Technology	1,225.00	1,225.00	484.25	740.75	39.53
429.000 - Occupational Safety	0.00	0.00	58.07	(58.07)	100.00
441.000 - Miller Rd Park & Ride	6,126.15	6,126.15	1,935.29	4,190.86	31.59
449.500 - Right of Way - General	15,000.00	15,000.00	34.48	14,965.52	0.23
449.501 - Right of Way - Storms	25,000.00	25,000.00	0.00	25,000.00	0.00
452.100 - Safe Routes to School Grant	113,200.00	113,200.00	1,500.00	111,700.00	1.33
454.000 - Major Streets Projects	175,700.00	193,550.00	22,417.50	171,132.50	11.58
463.000 - Routine Maint - Streets	156,558.87	156,686.67	26,019.38	130,667.29	16.61
463.307 - Oakview - Seymour to Chelmsford	489,192.92	489,192.92	381,861.58	107,331.34	78.06
473.000 - Routine Maint - Bridges	1,500.00	1,500.00	0.00	1,500.00	0.00
474.000 - Traffic Services	59,184.00	59,184.00	9,467.02	49,716.98	16.00
478.000 - Snow & Ice Removal	57,425.00	57,425.00	1,097.04	56,327.96	1.91
482.000 - Administrative	15,707.00	15,707.00	4,965.25	10,741.75	31.61
538.500 - Intercommunity storm drains	12,500.00	12,500.00	1,720.66	10,779.34	13.77
TOTAL EXPENDITURES	1,128,318.94	1,146,296.74	451,560.52	694,736.22	
Fund 202 - Major Street Fund:					
TOTAL REVENUES	1,107,180.00	1,107,180.00	731,758.31	375,421.69	66.09
TOTAL EXPENDITURES	1,128,318.94	1,146,296.74	451,560.52	694,736.22	39.39
NET OF REVENUES & EXPENDITURES	(21,138.94)	(39,116.74)	280,197.79	(319,314.53)	
Fund 203 - Local Street Fund					
Revenue					
000.000 - General	176,535.00	176,535.00	46,664.99	129,870.01	26.43
449.000 - Right of Way Telecomm	15,000.00	15,000.00	0.00	15,000.00	0.00
478.000 - Snow & Ice Removal	1,400.00	1,400.00	0.00	1,400.00	0.00

GL NUMBER	2021-22 ORIGINAL BUDGET	2021-22 AMENDED BUDGET	YTD BALANCE 11/30/2021	AVAILABLE BALANCE	% BDGT USED
931.000 - Transfers IN	100,000.00	100,000.00	100,000.00	0.00	100.00
TOTAL REVENUES	292,935.00	292,935.00	146,664.99	146,270.01	
Expense					
228.000 - Information Technology	1,225.00	1,225.00	484.26	740.74	39.53
429.000 - Occupational Safety	33.53	33.53	0.00	33.53	0.00
449.500 - Right of Way - General	27,500.00	27,500.00	7,472.49	20,027.51	27.17
449.501 - Right of Way - Storms	1,500.00	1,500.00	871.64	628.36	58.11
455.000 - Local Street Projects	0.00	205,344.00	0.00	205,344.00	0.00
463.000 - Routine Maint - Streets	283,091.05	283,140.73	19,627.02	263,513.71	6.93
463.107 - Chelmsford - Seymour to Oakview	318,712.17	318,712.17	254,574.38	64,137.79	79.88
474.000 - Traffic Services	18,797.00	18,797.00	1,464.42	17,332.58	7.79
478.000 - Snow & Ice Removal	42,646.00	42,646.00	811.03	41,834.97	1.90
482.000 - Administrative	18,325.00	18,325.00	3,723.78	14,601.22	20.32
538.500 - Intercommunity storm drains	10,000.00	10,000.00	1,720.66	8,279.34	17.21
TOTAL EXPENDITURES	721,829.75	927,223.43	290,749.68	636,473.75	
Fund 203 - Local Street Fund:					
TOTAL REVENUES	292,935.00	292,935.00	146,664.99	146,270.01	50.07
TOTAL EXPENDITURES	721,829.75	927,223.43	290,749.68	636,473.75	31.36
NET OF REVENUES & EXPENDITURES	(428,894.75)	(634,288.43)	(144,084.69)	(490,203.74)	
Fund 204 - MUNICIPAL STREET FUND					
Revenue					
000.000 - General	663,443.00	663,443.00	693,100.00	(29,657.00)	104.47
TOTAL REVENUES	663,443.00	663,443.00	693,100.00	(29,657.00)	
Expense					
905.000 - Debt Service	169,409.62	169,409.62	11,683.14	157,726.48	6.90
965.000 - Transfers Out	500,000.00	500,000.00	500,000.00	0.00	100.00
TOTAL EXPENDITURES	669,409.62	669,409.62	511,683.14	157,726.48	

GL NUMBER	2021-22 ORIGINAL BUDGET	2021-22 AMENDED BUDGET	YTD BALANCE 11/30/2021	AVAILABLE BALANCE	% BDGT USED
Fund 204 - MUNICIPAL STREET FUND:					
TOTAL REVENUES	663,443.00	663,443.00	693,100.00	(29,657.00)	104.47
TOTAL EXPENDITURES	669,409.62	669,409.62	511,683.14	157,726.48	76.44
NET OF REVENUES & EXPENDITURES	(5,966.62)	(5,966.62)	181,416.86	(187,383.48)	
Fund 226 - Garbage Fund					
Revenue					
000.000 - General	431,875.00	431,875.00	433,356.39	(1,481.39)	100.34
TOTAL REVENUES	431,875.00	431,875.00	433,356.39	(1,481.39)	
Expense					
101.000 - Council	3,903.13	3,903.13	2,026.98	1,876.15	51.93
172.000 - Executive	8,768.24	8,768.24	3,858.18	4,910.06	44.00
215.000 - Administration and Clerk	4,476.00	4,476.00	1,588.74	2,887.26	35.49
228.000 - Information Technology	1,800.00	1,800.00	1,226.94	573.06	68.16
253.000 - Treasurer	16,979.60	16,979.60	12,498.56	4,481.04	73.61
257.000 - Assessor	800.00	800.00	0.00	800.00	0.00
265.000 - Facilities - City Hall	4,939.28	4,939.28	836.83	4,102.45	16.94
528.000 - Sanitation Collection	324,932.08	324,932.08	108,776.74	216,155.34	33.48
530.000 - Wood Chipping	55,129.08	55,529.16	23,263.82	32,265.34	41.89
782.000 - Facilities - Abrams Park	7,731.00	7,731.00	5,570.16	2,160.84	72.05
783.000 - Facilities - Elms Rd Park	13,141.00	13,141.00	7,377.40	5,763.60	56.14
793.000 - Facilities - City Hall	0.00	0.00	337.58	(337.58)	100.00
TOTAL EXPENDITURES	442,599.41	442,999.49	167,361.93	275,637.56	
Fund 226 - Garbage Fund:					
TOTAL REVENUES	431,875.00	431,875.00	433,356.39	(1,481.39)	100.34
TOTAL EXPENDITURES	442,599.41	442,999.49	167,361.93	275,637.56	37.78
NET OF REVENUES & EXPENDITURES	(10,724.41)	(11,124.49)	265,994.46	(277,118.95)	
Fund 248 - Downtown Development Fund					
Revenue					
000.000 - General	88,007.00	88,007.00	36,966.72	51,040.28	42.00

GL NUMBER	2021-22 ORIGINAL BUDGET	2021-22 AMENDED BUDGET	YTD BALANCE 11/30/2021	AVAILABLE BALANCE	% BDGT USED
TOTAL REVENUES	88,007.00	88,007.00	36,966.72	51,040.28	
Expense					
173.000 - DDA Administration	2,804.00	2,804.00	2,500.51	303.49	89.18
728.002 - Streetscape	41,945.00	41,945.00	40,000.00	1,945.00	95.36
728.003 - Facade Program	12,500.00	12,500.00	0.00	12,500.00	0.00
728.004 - Family Movie Night	5,181.75	5,181.75	2,285.00	2,896.75	44.10
TOTAL EXPENDITURES	62,430.75	62,430.75	44,785.51	17,645.24	
Fund 248 - Downtown Development Fund:					
TOTAL REVENUES	88,007.00	88,007.00	36,966.72	51,040.28	42.00
TOTAL EXPENDITURES	62,430.75	62,430.75	44,785.51	17,645.24	71.74
NET OF REVENUES & EXPENDITURES	25,576.25	25,576.25	(7,818.79)	33,395.04	
Fund 402 - Fire Equip Replacement Fund					
Revenue					
000.000 - General	200.00	200.00	3.66	196.34	1.83
931.000 - Transfers IN	75,000.00	75,000.00	75,000.00	0.00	100.00
TOTAL REVENUES	75,200.00	75,200.00	75,003.66	196.34	
Expense					
336.000 - Fire Department	0.00	60,000.00	0.00	60,000.00	0.00
TOTAL EXPENDITURES	0.00	60,000.00	0.00	60,000.00	
Fund 402 - Fire Equip Replacement Fund:					
TOTAL REVENUES	75,200.00	75,200.00	75,003.66	196.34	99.74
TOTAL EXPENDITURES	0.00	60,000.00	0.00	60,000.00	0.00
NET OF REVENUES & EXPENDITURES	75,200.00	15,200.00	75,003.66	(59,803.66)	
Fund 590 - Water Supply Fund					
Revenue					
000.000 - General	1,100.00	1,100.00	72.62	1,027.38	6.60
540.000 - Water System	2,184,700.00	2,184,700.00	596,056.69	1,588,643.31	27.28
543.230 - Water Main Repair USDA Grant	785,000.00	785,000.00	403,443.76	381,556.24	51.39
TOTAL REVENUES	2,970,800.00	2,970,800.00	999,573.07	1,971,226.93	
Expense					
101.000 - Council	13,208.82	13,096.67	5,067.25	8,029.42	38.69

GL NUMBER	2021-22 ORIGINAL BUDGET	2021-22 AMENDED BUDGET	YTD BALANCE 11/30/2021	AVAILABLE BALANCE	% BDGT USED
172.000 - Executive	32,468.60	32,340.32	14,330.79	18,009.53	44.31
215.000 - Administration and Clerk	15,467.00	15,467.00	5,807.59	9,659.41	37.55
228.000 - Information Technology	5,925.00	5,925.00	3,355.43	2,569.57	56.63
253.000 - Treasurer	63,947.00	63,947.00	32,785.64	31,161.36	51.27
265.000 - Facilities - City Hall	12,641.35	12,641.35	2,136.66	10,504.69	16.90
540.000 - Water System	2,168,464.32	2,170,523.17	464,316.22	1,706,206.95	21.39
542.000 - Read and Bill	52,590.00	52,590.00	10,734.27	41,855.73	20.41
543.230 - Water Main Repair USDA Grant	1,215,556.27	1,215,556.27	436,097.97	779,458.30	35.88
793.000 - Facilities - City Hall	0.00	0.00	840.77	(840.77)	100.00
850.000 - Other Functions	11,300.00	11,300.00	0.00	11,300.00	0.00
905.000 - Debt Service	38,997.88	45,997.88	36,612.83	9,385.05	79.60
TOTAL EXPENDITURES	3,630,566.24	3,639,384.66	1,012,085.42	2,627,299.24	
Fund 590 - Water Supply Fund:					
TOTAL REVENUES	2,970,800.00	2,970,800.00	999,573.07	1,971,226.93	33.65
TOTAL EXPENDITURES	3,630,566.24	3,639,384.66	1,012,085.42	2,627,299.24	27.81
NET OF REVENUES & EXPENDITURES	(659,766.24)	(668,584.66)	(12,512.35)	(656,072.31)	
Fund 591 - Sanitary Sewer Fund					
Revenue					
000.000 - General	3,000.00	3,000.00	142.15	2,857.85	4.74
536.000 - Sewer System	1,255,140.00	1,255,140.00	328,725.59	926,414.41	26.19
TOTAL REVENUES	1,258,140.00	1,258,140.00	328,867.74	929,272.26	
Expense					
101.000 - Council	13,213.82	13,101.67	5,066.65	8,035.02	38.67
172.000 - Executive	32,385.60	32,257.32	14,087.19	18,170.13	43.67
215.000 - Administration and Clerk	15,472.00	15,472.00	5,811.88	9,660.12	37.56
228.000 - Information Technology	5,625.00	5,625.00	3,355.42	2,269.58	59.65
253.000 - Treasurer	59,937.00	59,937.00	27,295.45	32,641.55	45.54

GL NUMBER	2021-22 ORIGINAL BUDGET	2021-22 AMENDED BUDGET	YTD BALANCE 11/30/2021	AVAILABLE BALANCE	% BDGT USED
265.000 - Facilities - City Hall	11,542.35	11,542.35	2,001.29	9,541.06	17.34
536.000 - Sewer System	989,736.79	989,736.79	173,058.63	816,678.16	17.49
537.000 - Sewer Lift Stations	10,907.00	10,907.00	6,558.25	4,348.75	60.13
542.000 - Read and Bill	55,658.00	57,752.48	25,991.87	31,760.61	45.01
543.310 - Sewer District Rehabilitation	400,000.00	443,178.75	180,811.85	262,366.90	40.80
543.400 - Reline Existing Sewers	183,128.00	582,042.00	0.00	582,042.00	0.00
543.401 - Flush & TV Sewers	75,000.00	219,168.95	0.00	219,168.95	0.00
793.000 - Facilities - City Hall	0.00	0.00	840.78	(840.78)	100.00
850.000 - Other Functions	9,400.00	9,400.00	0.00	9,400.00	0.00
TOTAL EXPENDITURES	1,862,005.56	2,450,121.31	444,879.26	2,005,242.05	
Fund 591 - Sanitary Sewer Fund:					
TOTAL REVENUES	1,258,140.00	1,258,140.00	328,867.74	929,272.26	26.14
TOTAL EXPENDITURES	1,862,005.56	2,450,121.31	444,879.26	2,005,242.05	18.16
NET OF REVENUES & EXPENDITURES	(603,865.56)	(1,191,981.31)	(116,011.52)	(1,075,969.79)	
Fund 661 - Motor Pool Fund					
Revenue					
000.000 - General	190,000.00	190,000.00	49,092.41	140,907.59	25.84
TOTAL REVENUES	190,000.00	190,000.00	49,092.41	140,907.59	
Expense					
172.000 - Executive	9,758.00	11,199.00	10,503.97	695.03	93.79
228.000 - Information Technology	970.00	970.00	475.30	494.70	49.00
253.000 - Treasurer	7,853.00	7,853.00	3,042.29	4,810.71	38.74
265.100 - Facilities - City Garage	434,064.88	434,192.68	25,774.20	408,418.48	5.94
795.000 - Facilities - City Garage	0.00	0.00	1,661.74	(1,661.74)	100.00
850.000 - Other Functions	18,750.00	18,750.00	0.00	18,750.00	0.00
TOTAL EXPENDITURES	471,395.88	472,964.68	41,457.50	431,507.18	

GL NUMBER	2021-22 ORIGINAL BUDGET	2021-22 AMENDED BUDGET	YTD BALANCE 11/30/2021	AVAILABLE BALANCE	% BDGT USED
Fund 661 - Motor Pool Fund:					
TOTAL REVENUES	190,000.00	190,000.00	49,092.41	140,907.59	25.84
TOTAL EXPENDITURES	471,395.88	472,964.68	41,457.50	431,507.18	8.77
NET OF REVENUES & EXPENDITURES	(281,395.88)	(282,964.68)	7,634.91	(290,599.59)	

November 2021	MILES DRIVEN		GALLONS GAS PURCHASED		GALLONS DIESEL PURCHASED
#6-16 2WD gas	191.0		8.4		
#1-20 4WD diesel					
#7-15 4WD gas	162.0		21.0		
#3-08 P/U 4WD gas	409.0		48.0		
#10-18 P/U diesel	377.0				53.4
#2-08 P/U 4WD gas	431.0		65.3		
#6-00 BACKHOE diesel					25.0
#11 DUMP gas					
#12-02 DUMP diesel	123.0				17.8
#12-04 DUMP diesel	95.0				24.0
#12-99 GENERATOR gas					
#17 CASE BACKHOE diesel					
#19 JD TRACTOR diesel					
#06-99 BUCKET TRUCK gas					
#21 WOOD CHIPPER diesel					
#807 STREET SWEEPER diesel	82.0				74.5
#42 ASPHALT HEATER diesel					
#37 TRAIL ARROW					
#10-15 GEN gas					
#5-18 KUBOTA (Hours)					
gas can					
TOTAL	1870.0		142.7		194.7



GENESEE COUNTY DRAIN COMMISSIONER'S OFFICE

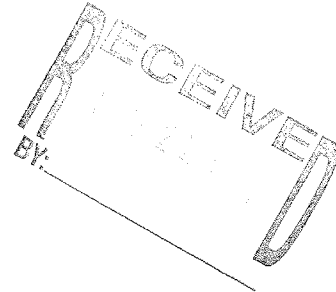
- DIVISION OF -

WATER & WASTE SERVICES

G-4610 BEECHER ROAD - FLINT, MICHIGAN 48532-2617

PHONE (810) 732-7870 - FAX (810) 732-9773

JEFFREY WRIGHT
COMMISSIONER



Date: November 18, 2021
To: The Governing Bodies of Each of the Communities Served by the Drain Commissioner's - Division of Water & Waste Services
Attention: Clerk
Re: Notices of Rates to be Charged
I&T Rates
District 1, 2, 4, and 5
Rates Effective January 2, 2022

Dear Ladies and Gentlemen:

On November 3, 2021, the Advisory Committee reviewed and gave their recommendation of approval of new sewer rates to the Drain Commissioner. The Drain Commissioner has accepted their recommendation and has approved the new sewer rates effective January 2, 2022, for the I&T sewer system, which serves your community.

The County has adopted a five-year rate structure system. Rather than annual increases, the County sets rates on a five-year basis. This allows for a stabilization of rates over that period. Therefore, the rates are established for 2022 through 2026. Find enclosed the new rate sheet. Only Sections 1A, 1B, and 1C have changed. Also attached is a simple fact sheet that may assist in answering questions.

The chart below compares the existing to the increase:

	Existing	Budget Subcommittee Recommendations
RTS (per unit)	4.67	5.70
Commodity (per 100 cf)	1.82	2.20
Flat Rate (per month)	27.43	33.25
Bulk (per 100 cf)	2.07	2.55

This represents approximately a 21 percent rate increase. This is the first increase for the I&T rate since 2014.

Please remember these are charges to the local municipality. Each municipality needs to evaluate these rates and the rate structure and determine the necessary changes required for the rates and the savings they will be pass on to the individual customer.

We would be pleased to assist you in the preparation of the adjustments that you may wish to make. For those customers who have contracted with the County for billing services, we will need your rate information by the 15th of the month of implementation. For example, if you wish to update your rate for January 2, 2022, we will need your Council/Board approval rate by December 15, 2021, to allow us time to implement. If there are any questions relative to the rate adjustment, please contact this office.

Sincerely,


John F. O'Brien, PE, BCEE, Director
Division of Water & Waste Services

JFO/JMW
Enclosure
cc: Advisory Board
City Council Packet

NOTICE OF RATE CHANGE

RATES AND CHARGES TO BE MADE TO THE MUNICIPALITIES
SERVED BY THE GENESEE COUNTY SEWAGE DISPOSAL SYSTEM
INTERCEPTOR AND TREATMENT FACILITIES (DISTRICTS 1, 2, 4, 5)
EFFECTIVE WITH THE BILLINGS TO BE SENT ON OR AFTER JANUARY 2, 2022

I. RATES:

- A. Where individual water meter readings are available, the readings shall be used as the basis for payment. The rate charge shall be based on the water consumption measured by the accumulation of these individual water meter readings and shall be \$2.20 per 100 cubic feet of water consumed or \$2.95 per 1,000 gallons of water consumed, plus a minimum charge of \$5.70 per month (\$17.10 per quarter) per unit.
- B. Where community bulk sewer meter readings are available, the readings shall be used as a basis of payment. The rate charge shall be based on sewer discharged through a meter directly into the county interceptor and shall be \$2.55 per 100 cubic feet (or \$3.37 per 1,000 gallons) of sewage received, plus a minimum charge of \$600.00 per month.
- C. For all other connections having an unmetered water supply, the rate shall be \$33.25 per unit per month (\$99.75 per quarter) based upon the Residential Equivalent Units (REU) set forth below:

<u>USAGE</u>	<u>REU</u>
General Office Building Space.....	0.60 per 1000 sq. ft.
Medical Office Space.....	0.60 per 1000 sq. ft.
Auto Dealers.....	0.40 per 1000 sq. ft.
Restaurant (Sit Down or Fast Food).....	0.16 per seat
Fast Food Drive-Thru Window.....	2.00 per window
Outdoor seating & Bar Area- Restaurant.....	0.06 per seat/stool
Café.....	0.10 per seat/stool
Carry Out- No Seating.....	2.00 per establishment
Multiple Family Residence.....	1.00 per unit
RV/ Campground.....	0.60 per site
Assist. Living /Any Food Prep in Rooms.....	0.60 per Room/Unit
Convalescent Homes.....	0.30 per bed
Hotels/Motel/Bed & Breakfast.....	0.25 per bed
Rooming/Halfway Houses.....	0.30 per person
Shelters, Boarding School or Convents.....	0.30 per person
Churches.....	0.01 per seat
Country Clubs.....	0.10 per member
Fraternal Organizations.....	1.25 per hall
Fraternal Organizations/ Rental Halls.....	2.50 per hall
Schools (with Cafeteria/ No Showers/Pool).....	1.50 per classroom
Schools (with Showers/Pool).....	2.00 per classroom
Schools (with Cafeteria/ Showers/ Gym).....	2.50 per classroom
Daycares.....	1.50 per classroom
Drug Stores.....	0.35 per 1000 sq. ft.
Grocery Stores & Super Markets.....	1.10 per 1000 sq. ft.
Retail Store.....	0.20 per employee
Gas Stations.....	0.30 per pump
Convenience Store.....	1.10 per 1000 sq. ft.
Strip Malls.....	1.00 per tenant space
Bowling Alleys.....	0.20 per alley
Swimming Pool.....	3.50 per 1000 sq. ft.
Pool Table Hall.....	0.20 per table

Theaters (Drive-Ins)	0.10 per car space
Theaters	0.0001 x weekly hours of operation x seats
Fitness Center	0.60 per 1000 sq. ft.
Car Wash (with track)	10.00 per single production line
Car Wash (Stationary w/o recycle)	8.00 per bay
Car Wash (Stationary w/ recycle)	5.00 per bay
Car Wash (Stationary, Do It Yourself.).....	1.50 per wand
Dry Cleaners (Pressing)	1.25 per press
Dry Cleaners (Pick up Only)	0.20 per employee
Laundromat	1.50 per washer
Barber Shops	0.08 per chair
Beauty Shops/Nail Salon/ Spa Pedicures	0.30 per booth
Factories	0.50 per 1000 sq. ft.
Warehouses	0.10 per 1000 sq. ft.
Hospitals.....	1.40 per bed
Public Institutions (Library/ Courthouse).....	0.40 per employee
Uses that do not correspond to categories above.....	Site Specific Estimates

II. INFLOW AND INFILTRATION

A. Fee

Each community shall pay additional fees for excess inflow and infiltration delivered to the County interceptor for treatment. Excess inflow and infiltration shall be considered to be any flow in excess of two (2) times the annual average flow. If a 25-year storm event results in excess flows, no fee shall be collected by the County Agency.

The fees shall be as follows:

Volume from 2 to 2.5 times the community average flow	\$1.00 per 100 cubic feet
Volume from greater than 2.5 to 3 times the community average flow	\$2.00 per 100 cubic feet
Volume greater than 3 times community average flow	\$3.00 per 100 cubic feet

B. Penalty

For each event in which a community's flow exceeds three (3) times the community's average flow, the community will pay a \$5,000.00 penalty to the County Agency. The funds will be returned to the community on a dollar per dollar basis for each dollar spent on removing / eliminating inflow and infiltration in their collection system.

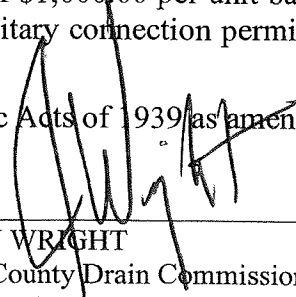
III. CHARGES:

A. County Capital Improvement Fee


The County will charge a Capital Improvement Fee of \$1,000.00 per unit based upon the "Table of Unit Factors" prior to the issuance of a sanitary connection permit (B-Permit). The County Agency shall collect the fee.

The rates are established pursuant to Act 342 Michigan Public Acts of 1939 as amended.

Dated: 11.3.21



 JEFFREY WRIGHT
 Genesee County Drain Commissioner



 JLS

REDEVELOPMENT LIQUOR LICENSES

Through the provisions of [Public Act 501 of 2006](#), the Liquor Control Commission (LCC) may issue new public on-premises liquor licenses to local units of government. In order to allow cities to enhance the quality of life for their residents and visitors to their communities, the LCC may issue public on-premises licenses in addition to those quota licenses allowed in cities under Section 531 (L) of the Michigan Liquor Control Code, [Public Act 58 of 1998](#) as amended.

Note: This document is offered as a general guide only and the legislation should be reviewed by local officials.

WHO IS ELIGIBLE?

A business must be located in either a business district listed below or in a city redevelopment area, as defined in Sec. 521a (2)(c)

- Tax Increment Finance Authority (TIFA) PA 450 of 1980
- Corridor Improvement Authority (CIA) PA 280 of 2006
- Downtown Development Authority (DDA) PA 197 of 1975
- Principal Shopping District (PSD) PA 120 of 1961

Applicants in these businesses districts must:

Be a business engaged in dining, entertainment or recreation and open to the general public.

- Have a seating capacity of at least 25 people;
- Have spent at least \$75,000 for the rehabilitation or restoration of the building where the license will be housed over a period of the preceding five years or a commitment for a capital investment of at least \$75,000 that will be spent before the issuance of the license;
- Show that the total amount of private and public investment in real and personal property in a district listed above was at least \$200,000 in the period covering the preceding five years.

The LCC may issue one license for each of the above (\$200,000) monetary thresholds reached and for each major fraction thereof after the initial threshold is reached.

The LCC may also issue redevelopment liquor licenses to businesses located in a city redevelopment area (there may be more than one in a city).

Applicants in city redevelopment areas must:

- Be a business engaged in dining, entertainment or recreation;
- Be open to the general public at least 10 hours per day, five days per week;

- Have a seating capacity of at least 25 people;
- Adopt a resolution from the governing body of the city establishing the redevelopment project area;
- Provide a map which clearly reflects and outlines where the redevelopment project area is located within the local unit of government;
- Provide an affidavit from the assessor, as certified by the city clerk, stating the total amount of investment in real and personal property within the redevelopment project area of the city during the preceding three year time period;
- Relative to a license issued in a city redevelopment project area, the amount of commercial investment in the redevelopment project area within the city shall constitute not less than 25 percent of the total investment in real and personal property as evidenced by an affidavit of the city assessor as certified by the city clerk;
- A resolution which approves a specific applicant (individual, corporation, limited liability company, limited partnership) at a specific location;
- Have total investment over the last three years in real and personal property in the redevelopment area of:
 - » At least \$50 million in cities having a population of 50,000 or more, or at least \$1 million per 1,000 people in cities of less than 50,000.

The LCC may issue a license when one of the abovementioned monetary thresholds is met.

WHAT IS THE PROCESS?

To be considered for the license by the LCC:

The local unit of government must pass a resolution approving the applicant for an on-premise liquor license pursuant to PA 501 of 2006. If the business is located in a city redevelopment project area the resolution should indicate the license be issued under Section 521a (1)a of PA 501 of 2006. If the business is located in a DDA, TIFA, PSD, etc., the resolution should indicate the license be issued under Section 521a (1)b of PA 501 of 2006.

- The resolution and application ideally should be submitted at the same time.

Applications can be obtained from the LCC by downloading via the internet at www.michigan.gov/documents/lara/RDA_Requirements_629245_7.pdf or by calling 517.322.1400.

All applicants will:

1. Need to demonstrate that they have attempted to purchase a readily available escrowed or quota on premise license within the municipality that they want to operate, and that a license was not available.
2. Pay a \$20,000 fee for the license. Upon receipt of the documentation from the local unit of government, the necessary application forms, other required documents and inspection fees, the application will be authorized for investigation.

The LCC will not transfer a license issued under this act to another location. If the licensee goes out of business, the licensee shall surrender the license to the LCC. The governing body of the local governmental unit may approve another applicant within the redevelopment project area or development district to replace

IMPORTANT NOTE

Do not invest any money in improvements or bind yourself in any agreements until you have been officially notified by the LCC that your request has been approved.

SUPPORTING STATUTE

[Public Act 501 of 2006](#)

[Public Act 58 of 1998 as amended](#)

CONTACT INFORMATION

For more information on redevelopment liquor licenses, contact the [Community Assistance Team \(CAT\) specialist](#) assigned to your territory or visit www.miplace.org.



Michigan Department of Licensing and Regulatory Affairs
Liquor Control Commission (MLCC)
Constitution Hall – 525 W. Allegan, Lansing, MI 48933
Mailing Address: PO Box 30005, Lansing, MI 48909
Toll Free 866-813-0011 – www.michigan.gov/lcc

New On-Premises Development District (DDA) License – MCL 436.1521a(1)(b) Requirements & General Information

- A license issued under MCL 436.1521a(1)(b) may be a Class C, Tavern, B-Hotel, or A-Hotel license. For details on the specific permits and permissions for these licenses, please visit the MLCC's [Retail Licensing Information website](#).
- **The building shall be a restoration or rehabilitation of an existing building and cannot be a brand new building.**
- The proposed licensed premises must be located in one of the development districts or areas listed in MCL 436.1521a(1)(b):
 - Tax Increment Finance Authority Act (TIFA) District under Part 3 of Public Act 57 of 2018 (formerly Public Act 450 of 1980)
 - Corridor Improvement Authority Act Development Area under Part 6 of Public Act 57 of 2018 (formerly Public Act 280 of 2005)
 - Downtown Development Authority (DDA) District under Part 2 of Public Act 57 of 2018 (formerly Public Act 197 of 1975)
 - Principal Shopping District under Public Act 120 of 1961
- The total investment in real and personal property within the development district or area shall not be less than \$200,000.00 over a period of the preceding five (5) years.
- The building that will house the proposed licensed premises must have at least \$75,000.00 expended for the rehabilitation or restoration of the building over the preceding five (5) years or a commitment for a capital investment of at least \$75,000.00 in the building that must be expended before the license is issued.
- The licensed business must be engaged in activities related to dining, entertainment, or recreation.
- The licensed business must be open to the general public and have a seating capacity of not less than 25 persons.
- The initial enhanced license fee for a license issued under this section is \$20,000.00.
- Pursuant to MCL 436.1521a(8) a license issued under MCL 436.1521a(1)(b) cannot be transferred to another location and if the licensee goes out of business the license issued under MCL 436.1521a(1)(b) shall be surrendered by the licensee to the Commission and the Commission will terminate the license.

How to Apply

All applicants requesting a new license under MCL 436.1521a(1)(b) must submit the following:

- **Application Form** - [Retail License & Permit Application \(Form LCC-100\)](#)
- **License Questionnaire** – [New On-Premises Redevelopment or Development District License Questionnaire \(Form LCC-109b\)](#)
- **Inspection Fee** - A \$70.00 nonrefundable inspection fee is required for each license requested in an application. For example, if an applicant has requested a new Class C license under MCL 436.1521a(1)(b) that has a Specially Designated Merchant (SDM) license in conjunction, the inspection fee would be \$140.00.
- **License & Permit Fees** – The annual renewal fees vary by the type of on-premises license. Additional fees will vary based upon whether additional licenses and permits are requested in conjunction with the on-premises license. An initial enhancement fee of \$20,000.00 will be required prior to issuance of the license if the development district license is approved.
- **Livescan Fingerprints** – Applicants that have never been licensed through the Michigan Liquor Control Commission must submit fingerprints through the Livescan fingerprinting process - [Livescan Fingerprint Background Request Form](#).
- **Local Governmental Unit Approval** – [Local Governmental Approval Form \(Form LCC-106\)](#). The city, village, or township must approve the new redevelopment license with a recommendation for the issuance of a “new Class C* license issued under the provisions of MCL 436.1521a(1)(b)”. The resolution must specifically state the applicant’s name and the proposed licensed address. **You may substitute other license types, such as Tavern, B-Hotel, or A-Hotel licenses, as applicable.*
- **Resolution from local governmental unit establishing the development district or area which specifically references the statute under which the area was established:**
 - Part 3 of Public Act 57 of 2018 (formerly Public Act 450 of 1980) for Tax Increment Finance Authorities
 - Part 6 of Public Act 57 of 2018 (formerly Public Act 280 of 2005) for Corridor Improvement Authorities
 - Part 2 of Public Act 57 of 2018 (Formerly Public Act 197 of 1975) for Downtown Development Authorities
 - Public Act 120 of 1961 for Principal Shopping Districts

- **Affidavit from the Assessor** – The affidavit from the assessor must be certified by the city, township, or village clerk and must state the following:
 - The total amount of public and private investment in real and personal property within the development district or area over a period of the preceding five (5) years (must specifically state start and end dates for the investment, e.g. January 1, 2011 to December 31, 2015).
- **Legible map of the development district or area which clearly labels all street names.**
- **Proof of Attempt to Secure Escrowed License** – Applicants requesting new license under MCL 436.1521(a)(1)(b) must submit documentation that demonstrated they have contacted all holders of escrowed licenses within the same county and have been unable to secure a readily available escrowed license for use at their proposed location. Escrow responses must follow these guidelines:
 - MCL 436.1521a(9) requires that the individual signing the application for a license issued under MCL 436.1521a shall state and demonstrate that the applicant attempted to secure a readily available on-premises escrowed license or unissued quota license issued under Section 531 and that, to the best of his or her knowledge, an on-premises escrowed license or quota license is not readily available within the county in which the applicant proposes to operate.
 - Applicant will be provided a Licensee Listing Report from the MLCC which lists all on-premises escrowed licensee for the county. Applicant is required to contact all licensees on the report effective as of the date the application is filed with the MLCC.
 - Applicant should send certified letters of inquiry as to the availability of the license to each licensee either at the business address or escrow contact address listed on the report.
 - Applicant should submit copies of the letters sent, certified tags, signed certified return receipts, copies of any envelopes returned by the USPS, and copies of any correspondence received from the licensees.
 - Applicant should provide dates, the name of the person contacted, and a synopsis of the conversation, if escrowed licensees are contacted by telephone.
 - Applicant should provide documentation regarding the fair-market value of the license based on where the applicant will be located, if determinable, the size and scope of the proposed operation, and/or the existence of mandatory contractual restrictions or inclusion attached to the sale of the license when indicating to the MLCC that purchase of a license is not economically feasible or the license is not readily available.
 - Applicant should provide a notarized affidavit outlining all attempts and responses (or lack thereof) to secure a readily available license.
- **Property Document** – Applicants must provide documentation that demonstrates they will have control over the property that comprises the proposed licensed premises. Property documents include deeds, land contracts, and lease agreements.

- A provision to reassign the license in the event of a default on a land contract or termination of a lease agreement may be included, but may only provide for the reassignment subject to Commission approval.
- If the applicant is a company and its members or stockholders own the real estate as individuals or under another company, a lease agreement is needed.
- If the applicant is an individual and he or she owns the real estate with a spouse or someone else who will not be named on the license, a lease between the applicant and the owners of the real estate is needed.

In addition to the documents required by all applicants:

Corporations must submit the following information per Administrative Rule R 436.1109:

- Copy of current, filed Articles of Incorporation.
- Current Certificate of Good Standing from the state where incorporated and Certificate of Authority to Do Business in Michigan, if incorporated outside of this state.
- Certified copy of the minutes of a meeting of its board of directors or a statement signed by an officer of the corporation naming the persons authorized by corporate resolution to sign the application and other documents required by the Commission (or Part 3 of Form LCC-301).
- [Report of Stockholders/Members/Partners \(Form LCC-301\)](#)

Limited Liability Companies (LLC) must submit the following information pursuant to Administrative Rule R 436.1110:

- Copy of Articles of Organization and copies of any amendments to the Articles of Organization.
- Current Certificate of Authority to Do Business in Michigan, if the LLC is a non-Michigan LLC.
- Copy of Operating Agreement entered into by members.
- Copy of most recent annual statement filed with the Corporations Division, if an existing LLC.
- Statement signed by a manager of the limited liability company or by at least 1 member if management is reserved to the members naming the person authorized to sign the application and other documents required by the Commission (or Part 3 of Form LCC-301).
- [Report of Stockholders/Members/Partners \(Form LCC-301\)](#)

Partnerships must submit the following information per Administrative Rule R 436.1111:

- Partnership Agreement, if a Limited Partnership.
- [Report of Stockholders/Members/Partners \(Form LCC-301\)](#)

Licensing Process

- The Licensing Division reviews the application and corresponding documents for completeness and verifies the appropriate fees have been received. If additional documents, fees, or corrections to documents are needed, Licensing will notify the applicant.
- Once all the necessary documents have been received Licensing will submit the request to the Enforcement Division for its investigation. If an applicant has applied for and meets the requirements for a conditional license, the request will be considered by the Commission.
- The Enforcement Division will contact the applicant to schedule an interview with the applicant (and current licensee for license transfers). At this meeting an investigator will review with the applicant documents, including:
 - purchase agreement
 - financial documents
 - property documents
 - other items pertaining to the application
- After the interview, the investigator will prepare a report for the Commission regarding the investigation and submit the request back to Licensing for further processing.
- Licensing reviews the report from Enforcement and any additional documents received during the interview process. The request is prepared for the Commission to consider and placed on a docket for an upcoming licensing meeting.
- The Commission considers the request, including:
 - the liquor license operating history of the applicant (if a current or prior licensee)
 - the arrest and conviction record of the applicant
 - whether the applicant meets the requirements for a license
 - the applicant's financial information
 - opinions of the local legislative body or police department, if received.
- The Commission will approve or deny the request based on these factors. Occasionally, the Commission will request more information from the applicant before making a final decision.
- After the Commission makes a decision on the request, the file is returned to Licensing for final processing.
 - Approval orders are sent to the applicant requesting any final items before the issuance of the license.
 - Denial orders are sent to the applicant and the applicant may appeal the decision.
- When all the final items are received by Licensing, the completed request is forwarded to the Renewal Unit for the issuance of the physical license documents.

- Any changes in financial provisions at the time of closing which do not conform to the terms previously indicated and investigated may require submission of new forms and possible additional investigation.
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Churches & Schools

A new application to sell alcoholic beverages at retail may be denied if the proposed location is within 500 feet of a church or school. The Commission may waive the church/school provision if the church or school does not file an objection to the proposed license. If the church or school does file an objection, the Commission shall hold a hearing before making a decision on the issuance of the license.