

# City of Swartz Creek

## AGENDA

Regular Council Meeting, Monday, May 13, 2024, 7:00 P.M.

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

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

1. **CALL TO ORDER:**
2. **INVOCATION & PLEDGE OF ALLEGIANCE:**
3. **ROLL CALL:**
4. **MOTION TO APPROVE MINUTES:**
  - 4A. Council Meeting of April 22, 2024 MOTION Pg. 27
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.
  - 6C. Elms Park Pavilion Bid and Package Pg.
  - 6D. Springbrook East Lights Pg.
  - 6E. 2024 Special Assessments Pg.
  - 6F. No Mow May Free Press Article Pg.
  - 6G. Comcast Service Notice Pg.
  - 6H. Pat Williams Letter Pg.
  - 6I. Local Street Paving Estimates Pg.
  - 6J. Draft Fiscal Year 2025 Budget Pg.
7. **MEETING OPENED TO THE PUBLIC:**
  - 7A. General Public Comments
8. **COUNCIL BUSINESS:**
  - 8A. Fiscal Year 2025 Budget PUBLIC HEARING
  - 8B. 2024-2025 Council Calendar RESO Pg.
  - 8C. Elms Park Pavilion Bid RESO Pg.
  - 8D. Springbrook East Lights RESO Pg.
  - 8E. 2024 Special Assessments RESO Pg.
  - 8F. Local Street Rehabilitation Pricing RESO Pg.
9. **MEETING OPENED TO THE PUBLIC:**
10. **REMARKS BY COUNCILMEMBERS:**
11. **ADJOURNMENT:** MOTION Pg.

### Next Month Calendar (Public Welcome at All Meetings)

Zoning Board of Appeals:	Wednesday, May 15, 2024, 6:00 p.m., PDBMB
Fire Board:	Monday, May 20, 2024, 6:00 p.m., Station #1
Park Board:	Tuesday, May 21, 2024, 5:30 p.m. PDBMB
Metro Police Board:	Wednesday, May 22, 2024, 11:00 a.m., Metro HQ
City Council:	Tuesday, May 28, 2024, 7:00 p.m., PDBMB (One day later)
Planning Commission:	Tuesday, June 4, 2024, 7:00 p.m., PDBMB
City Council:	Monday, June 10, 2024, 7:00 p.m., PDBMB
Downtown Development Authority:	Thursday, June 13, 2024, 6:00 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, MAY 13, 2024, 7:00 P.M.**

The regular meeting of the City of Swartz Creek city council is scheduled for **May 13, 2024** starting at 7:00 p.m. and will be conducted in hybrid form. The meeting will be available virtually (online and/or by phone). Council members and staff must attend in-person. The general public may attend in-person or virtually.

To comply with the **Americans with Disabilities Act (ADA)**, any citizen requesting accommodation to attend this meeting, and/or to obtain the notice in alternate formats, please contact Renee Kraft, 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 provided below. The details include a link to **“Join via computer”** as well as phone numbers for a conference call option. It will also include the 9-digit Meeting ID.

**To join the videoconference:**

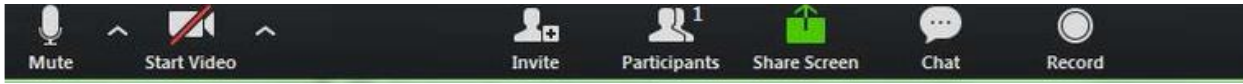
1. At the start time of your meeting, enter the link to join via computer. You may be instructed to download the Zoom application.
2. You have an opportunity to test your audio at this point by clicking on “Test Computer Audio.” Once you are satisfied that your audio works, click on “Join audio by computer.”

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

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

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

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



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

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

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

**Renee Kraft is inviting you to a scheduled Zoom meeting.**

**Topic: Swartz Creek City Council Meeting**

**Time: May 13, 2024 at 7:00 PM Eastern Time (US and Canada)**

**Join Zoom Meeting**

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

**Meeting ID: 830 9640 1128**

**One tap mobile**

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

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

**Dial by your location**

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

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

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

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

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

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

**Meeting ID: 830 9640 1128**

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

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

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

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

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

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

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

public meetings that is accessible through a prominent and conspicuous link on the website's homepage that clearly describes the meeting's purpose.

6. The City must also post on the City website an agenda of the meeting at least 2 hours before the meeting begins.
7. Members of the public may offer comment only when the Chair recognizes them and under rules established by the City.
8. Members of the public who participate in a meeting held electronically may be excluded from participation in a closed session that is convened and held in compliance with the Open Meetings Act.

## **MAINTAINING ORDER**

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

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

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

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

## **MOTIONS & RESOLUTIONS**

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

## **PUBLIC ADDRESS OF COUNCIL**

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

1. Each person who wishes to address the public body will be first recognized by the Mayor or Chair and requested to state his / her name and address. This applies to staff, petitioners, consultants, and similar participants.
2. Individuals shall seek to be recognized by raising their digital hand as appropriate on the digital application.
3. Petitioners are encouraged to appropriately identify their digital presence so they can be easily recognized during business. If you intend to call in only, please notify the clerk in advance of your phone number.

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

#### **VOTING RECORD OF PUBLIC BODIES**

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

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

**Regular Council Meeting of Monday, May 13, 2024 - 7:00 P.M.**

**TO:** *Honorable Mayor, Mayor Pro-Tem & Council Members*  
**FROM:** Adam Zettel, City Manager  
**DATE:** May 8, 2024

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**ROUTINE BUSINESS – REVISITED ISSUES / PROJECTS**

- ✓ **MICHIGAN TAX TRIBUNAL APPEALS** *(No Change of Status)*  
There were no appeals for 2023. Tax day of December 31, 2023 will set the table for assessment notification distribution in February, with appeals in March or thereafter (for commercial). We typically have an understanding of the commercial appeal potential by May or June.
  
- ✓ **STREETS** *(See Individual Category)*
  - ✓ **2020-2023 TRAFFIC IMPROVEMENT PROGRAM (TIP)** *(No Change of Status)*  
The Miller Road rehabilitation is complete, with the exception of stop bars and crosswalk striping. Weather is not conducive to the application of paint.

There are no further TIP projects planned for the current three-year cycle.

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

We have pricing for a few more segments of local streets that we can address in a timely manner. Rob believes that if we act soon, we can rehabilitate these sections without much, if any undercutting. The repairs would be similar to Grove Street, and the contractor, T.G. Priehs, is extending bid/engineer approved unit prices.

The sections are:

1. Maple (Crapo to end)	\$36,300
2. School Ingalls to end)	\$37,600
3. Raubinger (Miller to bridge)	\$31,500
Total	\$105,400

Note that Elms is included in the estimate, but this section was more advantages to have completed by the Genesee County Road Commission. We strongly support moving on these three projects this year. There is remaining money in the current budget to be used or carried over for this purpose. In addition, there may be enough to extend the School Street repair north to butt up with the most recent repair North of Ingalls. We are also exploring rehabilitation of a small stretch on Morrish (a major street) south of Miller.



Please take a look at the proposal and resolution that is included. T.G. Priehs has been good to work with, and we are looking to use allocated funds to take care of these sections, some miscellaneous patch work, and other potential add-ons that may present themselves.

Road striping could commence as early as this weekend. We expect the line striping city-wide, with the potential exception of Seymour (due to construction). We also will be getting special markings for the Miller Road bike lanes, stop bars, and crosswalks. Railroad striping will also be completed.

Concerning the special lane stencils for speed (e.g. 25 MPH), we expect to have markings throughout downtown and on Seymour Road. We need to hold off on Ingalls until there is a final school plan prepared. This will likely require a traffic control order by council first.

The Genesee County Road Commission is set to rehabilitate a small section of Elms, north of the bridge. I do not have a schedule yet.

In addition, we have ordered engineering services for Don Shenk street reconstruction, as well as Cappy Street and water main work. Note that Don Shenk does not require watermain replacement, and part of Cappy Lane is also of newer street and water main. We should have enough funds to complete this project in the 2025 construction season. If not, I will recommend use of major street fund dollars for Cappy Lane and/or short term internal borrowing.

Rob has some specifications and budget pricing together for seal coating overlays (FOG seal) for select streets that are in need of preservation, but are not yet in need of a mill and resurfacing. We are looking to propose some of these in the FY25 budget after discussion with the council. We may target a neighborhood like Otterburn or Heritage to ascertain the effectiveness of this treatment.

Street reconstruction for Winchester Village is moving forward, with project completion by the end of summer likely. This is making life very busy and inconvenient for residents in Winchester Village. We have been updating those impacted with direct mailings, door hangers, and electronic communications.

Street rehabilitation with limited drainage in Winchester Woods has commenced! The project is expected to finish before August. Letters were sent to impacted owners and occupants in the construction area. All currently improved streets are included and will either be milled and resurfaced or crushed and resurfaced. Limited drainage work in the form of ditching and culverts will be included as needed.

Note that we have added some work to this in the field, resulting in a few more ditches and culverts being graded and/or upsized. I expect this to be about \$40,000 in additional work that will help improve the current situation for many and improve the future situation for all. The idea is to set the more downstream drains at the proper elevation and size to accommodate any future improvements upstream.

Related to this, there are many residents that are unhappy with the project because it is not addressing all of the drainage and drive culvert issues. This is especially true on the south leg of Birchcrest. However, most of council probably recalls the comprehensive study that was performed for the Woods area, indicating costs in the millions for a complete and proper solution. As such, we have approached this as a road project first and foremost (as outlined in our street plan). Any additional drainage work is a bonus and not an expectation of the project as designed. Unfortunately, we simply cannot afford to correct all the issues in the Woods without severely compromising other planned projects.

Concerning the Morrish overpass, the county is going to work on the existing drain structures that are deficient. We will use our DPW to keep the guardrails and slopes in the best condition possible with our resources. A larger investment by MDOT at some future point will be required.

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

✓ **SEWER REHABILITATION PROGRAM** (*Update*)

The first three miles of cleaning and inspections (two sections of Miller, Dye, and all of Elms) are approved. This effort is part of a program to clean and inspect the entire sewer system approximately every eight years. We believe this is a prudent time frame until we can assess all lines at least once. Note that Genesee County was on a seven-year schedule, but after an experience study, they moved to a ten-year schedule. Further note that some segments (e.g. Miller and Elms) will be done more frequently due to known build-up issues.

This program will ensure proper flow of the system, but it cannot ensure elimination of all blockages. Televising of the lines will be conducted with inspection of manholes. This will provide the city with information to plan future lining, excavation, or manhole rehabilitation projects, if any. As noted previously, we believe we have addressed most, if not all, of the high-risk clay lines. The cleaning and inspection program will determine if any of the newer clay lines (1970s era) require work. With this information we can create a revised asset management plan.

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

Work continues and is ahead of schedule! All water main work for 2024 is already substantially complete! We are receiving mostly good feedback from the contractor, engineer, and residents. The project is moving along quickly and efficiently.

As of writing, we are substantially complete with all water main work. However, there was an issue with the Seymour Road installation, which resulted in some additional work on the joints in order to ensure a proper pressure test. The engineer is working with the contractor to determine if the installation will be acceptable as it is or if more work is done. The issue could be a pipe defect or installation issue.

✓ **WATER/SEWER SYSTEM MISCELLANEOUS** (*No Change of Status*)

PFAS regulations are under constant deliberation by state and federal agencies. We were informed at the last Water and Waste Advisory Meeting on April 17<sup>th</sup> that biosolids for sewer may be regulated and/or declared unsafe. This could have a huge impact on how sewer treatment is handled in the county. Though we are only a collection system,

we pay for treatment, which includes biosolid disposal to landfills and as an agricultural product. These changes could have a large cost on future disposal, and they could also make such practices a high liability.

In addition, it appears the standard for raw water sources for potable water will be determined soon and could be as low as 4 parts per trillion. The impact of this is not clear. Lake Huron water is a good source for us, and I am not aware of any PFAS findings at this time. The general thought from regulatory agencies as a whole at this point is to dispose of PFAS on the way out (sewer) and to filter PFAS out on the way in (water intakes). There is not a serious discussion about limiting production and use of PFAS in general. This seems a glaring oversight. An insight report that I am still unpacking can be read [here](#).

Concerning water affordability, the state legislation has not moved forward yet. However, with the two seats recently being filled, there is an expectation that we will see activity on this yet this year. In tandem with this, there is apparently a movement at the federal level to create a water affordability program as well. This appears to be a tax driven program, which makes more sense than the fee option that the state is considering. It is not clear if this would replace the state program or run in tandem. I will pass along more information as I get it.

GCDC, Mundy, and Gaines have bid out a new section of water main that is supposed to connect Elms/Maple to Hill, and on to Morrish. This will provide some additional redundancy for the system. However, it does not take care of our extreme west end, where we have a pronounced need for a second feed from either Clayton or Gaines. Note that this could also encourage some new development south of the city, which is common to experience when utilities are extended during strong economic periods.

As presented by the GCDC on April 12, 2022, 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.

- ✓ **HERITAGE VACANT LOTS** (*No Change of Status*)  
Another privately owned lot is having a new home built.

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

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

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

The spring newsletter is in the mail. Let me know what you think.

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

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

1. The **two out-buildings on the raceway grounds are down** and the impacted areas should be cleared. Prices are now in for the main building demolition, as well as the remaining out buildings. The owner intends to have the site razed for future use in 2024. The site is not formally for sale, nor is there a concept plan for reuse.
2. The **reuse of Mary Crapo is becoming a reality**. The school has concept plans for a varsity baseball field. They are including plans for a partnership that may allow the DDA to pursue seasonal skating and/or public art. It appears this is still part of the plan with two pickleball courts that can double as skating in the winter. It also appears that their plans may have an impact on the lane configuration for Ingalls. Reviews by county agencies are occurring. The phasing and timing of construction is not known.
3. **(Update) Street repair in 2024** is moving forward. All projects are underway and are trending towards completion prior to school returning to session in the fall. In addition, we have ordered repair by the GCRC of a small section of Elms. We hope to have prices to repave select sections of local streets, as well as for the potential to apply a FOG seal to select streets.
4. The **Brewer Condo Project** first tri-plex is complete and for sale. I am told the middle unit is now pending! The builder reached out to discuss the future phases. He said there is a lot of interest in the concept and location. However, the lack of a ground floor master bedroom is a non-starter for most buyers. He believes they can redesign the layout to accommodate this need, which might result in the future phases being multi-story duplexes. I indicated that this may be the best path forward. A site plan revision would be necessary.
5. **(Update)** The current phase of **Springbrook East is about to complete construction**. We created a punch list for the infrastructure improvements. Once complete, the plan is for the city to approve a formal street dedication soon (these streets are public). We are now in possession of a Consumers Energy lighting agreement, which is detailed below. **There was a sale of this project's future phases and real estate**. It appears JW Morgan and another partner are in control of future phases.
6. The **southwest corner of Elms & Miller** is seeing some increased activity. We met with the owner and an architect on some preliminary plans. I expect to have a site plan in 30 days. The demolition is complete.
7. **Park projects** currently includes an active grant application for Otterburn, pavilion repairs at Elms and application of more asphalt millings to all parking areas. The park board recommends interpretive signs, bike racks, and benches for the coming year. Additional projects are not planned or budgeted at this time.
8. **(Update) New Businesses**. There has not been any recent activity. Quiznos and Cottage Inn are expected by summer. The former Lorenzo's has been ordered demolished, and I have received affirmation from the insurance provider that this has been approved. There are no immediate plans to rebuild. It appears a Gordon

Food Service distribution office is moving into the old Rite Aid building (Clayton Township).

9. **(Update) Mundy Megasite/Costco.** Costco has commenced work for their new location off Hill Road by US 23. Concerning the MEGA site, the state is awarding some funds to proceed with the acquisition of some properties that are under contract. This makes the prospect of something happening here much more real, even if it is on a smaller scale. Note that there is still no movement on infrastructure strategies or investment. We are told that no improvements will be implemented without a user.
10. **(Update) Holland Square** has plans and a preliminary cost for improvement of a market-style shelter. A steering committee is expected to start working towards a final product this May, with results by fall.
11. **(Update) Wayfinding** is another project that the DDA is pursuing. It has funding support of \$20,000 from the state and \$20,000 from the DDA. A steering committee has been established for this as well. It appears the consultants can commence work on this in June.
12. The DDA is considering a **Social District**. With the potential for another tavern coming, the city has the ability to designate a commons area in the community. This was discussed by the DDA on April 11<sup>th</sup>. There was no desire to proceed at this point.
13. **(Update) The small business hub** is active. The dedicated staff member is Stephanie Norman. She is already holding appointments here and is settled in.

✓ **REDEVELOPMENT READY COMMUNITIES (Update)**

We have submitted most of the items required for renewal of the MEDC. This is due in the fall, and I do not see any issues maintaining standards.

The wayfinding program (see below) is mostly funded through this program. Thanks MEDC!

The Methodist Church project is being heavily marketed. There is a renewed interest by a hospitality business in the site. I do not have more details at this time.

There is another downtown property owner that is considering a transformational investment in their property using the RRC architectural services. Time will reveal if this bears fruit. I expect another renovation for an existing building on Miller Road to submit plans for the planning commission.

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

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

Concerning previously acquired property, the Wade Street property that the city acquired on the corner of Second Street is in the flood plain. J.W. Morgan was looking at it, but they have their hands full elsewhere, and this is a marginal site. I think we should consider looking to sell the property to a neighbor or having a home built ourselves. For the later option, I suspect we will not get our money back in the sale. However, we can take a tax exempt property with annual maintenance costs and put it on the tax rolls. Doing so would provide over \$1,000 a year to our respective local levies & assessments...forever.

The site has been cleared of personal property as requested.

✓ **CDBG (Update)**

Concerning the current cycle, we have been soliciting quotes for sidewalk on the dead ends of McLain and School Streets. Bids were due March 7<sup>th</sup> but we've received no bids. We sent the notice and/or specifications to no fewer than eight contractors, in addition to a posting. We did receive some calls from contractors regarding the CDBG requirements, which are significant. I suspect they were unwilling to adhere to standards.

I do not want to lose the funds, but we may not have options. "Recapture" of funds by the county is very common because communities find it difficult to spend the dollars. In the future, we will need to select projects that only require acquisition or sole-source construction, such as the street lighting project approved for the next cycle. As of writing, we have no interest. I will contact the county about potentially transferring these funds to the senior center unless council wishes to try for an extension and rebid the work.

The full applications for the next cycle (2025-2027) have been submitted. This includes senior services and downtown decorative lighting.

✓ **DISC GOLF (No Change of Status)**

Shattered Chains is planning to hold a tournament in May. In preparation, they have some more drainage work to complete. This is covered in more detail in the park section. They also may be working to form a charitable entity to better engage in the raising of funds. We appear to be in the final stretch to make the course playable!

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

We have great news! We met with the other communities that are receiving federal funding through Kildee's office, as well as the Genesee County Metropolitan Planning Commission, and Genesee County Parks. After discussion, it was agreed to split the \$850,000 evenly, making our share \$283,333.33. This is great news and feeds into our other grant application!

Our grant writer has submitted another application for Otterburn Park. See the March 11, 2024 packet for details. The project now includes a pavilion, restrooms, a path, bike station, gates, sign, and ADA parking. The estimated total cost is \$600,000. This concept includes all original work items, excluding the disc golf and sledding hill (now complete), as well as a secondary pavilion on the far north of the site, which is not affordable.

✓ **SPEEDING AND TRAFFIC CONTROL (No Change of Status)**

We are updated the speed signs on Morrish Road. We are also having the pavement marking company create templates to paint "Slow" "25 MPH" and "30 MPH". These are not as durable as plastic adhesive markings, but they are affordable. We believe we can add this to multiple blocks of Ingalls, Miller Road new downtown, Morrish Road, and Seymour for a few thousand dollars.

In addition to these measures and the addition of a traffic officer, we are still very interested in comprehensive traffic calming where opportunities arise (addition of street trees, narrower lanes, speed monitoring, etc.). We do expect to have Ingalls striped for parking



on the north side, with a median marker for the other two lanes. This may require a traffic control order.

✓ **FIBER INSTALLATION** *(No Change of Status)*

Fiber installation continues across the city. We have been working with Verizon on some issues related to restoration. In doing so, we have found a good contact that has been very responsive to specific issues with the fiber installation, older assets of Verizon, and general quality control. This service will provide the community with valuable high-speed service, as well as the potential for enhanced 5G.

✓ **SOLAR SYSTEM MODEL** *(No Change of Status)*

We reached our fundraising goal! The solar model should be installed by fall! At this point, we are ready to proceed with final design and ordering of the signs. As it was with the historical sign grant, this has been a design, build fundraiser project, with Signs by Crannie being the sign contract. See the April 8, 2024 council packet for more details.

✓ **CROSS CONNECTION SHUT OFFS** *(No Change of Status)*

Much progress has been made since the residential cross connection inspection program inception. However, a number of homes have not had the opportunity to comply, and some are still hesitant to comply. We have renewed the program for another two years and hope to get through most of the units by the end. Some will likely not comply without a turn off, but that is a last resort.

As previously noted, we have postponed imminent shut-offs and the related hearings before the city council. I have concerns that there are not enough inspection slots for all outstanding inspections to sign up, making the process impossible to complete for all users. We are going to consider the matter in the coming months to come up with a long term strategy that is predictable, fair, and productive as it relates to getting compliance with the residential cross connection inspections.

This is not something we wish to be pursuing, but the expectations for cross connection are objective and reasonable.

✓ **TRAIL PAYMENT** *(Update)*

Payment has been received. This section will be removed from future reports.

✓ **SENIOR CENTER ARPA WINDFALL** *(No Change of Status)*

The senior center is attempting to use their \$100,000 ARPA allocation for a garage. They are able to invest another \$30,000 as well. I am working with contractors and the senior center to assist them in realizing this. See the March 11, 2024 report for more details on this award and process.

✓ **SUPPLEMENTAL FINANCIAL SERVICES** *(No Change of Status)*

Kim is working diligently on our budget. We do not expect any changes in the form of this year's budget or budget book. The timeline may be extended a bit due to circumstances. In the meantime, we are still assessing our needs for potential on-going financial services. For the time being, we believe that transferring some of Connie's duties to Amy and Jacquie, maintaining supplemental financial services, and leaving Connie's position vacant will be the best way to proceed.

✓ **WAYFINDING PROJECT** *(Update)*

The DDA, in accordance with their planning documents, is pursuing a wayfinding and branding sign plan for the entire city. The city council formed a steering committee to proceed with engaging in professional services to plan a complete wayfinding sign scheme. The consultant should be available in June to kick things off. Any installations are likely to be phased in over many years and include DDA and city general funds.

The city council will still have final say in any signs purchased and installed on city property or in the right of way.

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

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

✓ **GROUND MOUNTED SOLAR EQUIPMENT MORATORIUM** *(No Change of Status)*

The moratorium on ground mounted solar equipment will be effective on May 2<sup>nd</sup>. This will provide the city with 180 days to draft an ordinance to accommodate such primary and accessory uses in the city. Much of the impetus for this comes from pending state legislation that will eliminate local control over large scale solar farms. See the April 8 city council packet for more details.

✓ **WATER TOWER LEASE AGREEMENT** *(No Change of Status)*

As most in the community are aware, Verizon appears to be having wireless connectivity issues in the west side of town, from about the High School to Winchester Woods. This problem was so bad for us, that we switched carriers. Verizon has been working on a solution for a couple years, including the search for space south of town for a new tower.

They have approached the city to use the water tower. I think this is a win-win. Using the city tower will greatly improve service to the community, while providing some financial resources to the city. Since the tower is used by two wireless providers currently, this request will be treated as a colocation. This means that the city will be responsible for approving the site plan at the planning commission level for a permitted use, as well as a lease for occupancy.

As of writing, there is not a site plan available, but I do have a draft lease (included in the April 8, 2024 packet). I am attempting to increase the lease amount, as well as to get a site plan to both the planning commission (for site plan review), as well as to the council (for general review) as soon as possible.

Again, I think this will shape up to be a win-win, provided the city does not need to invest in the site and the user is not installing obnoxious equipment. We will have more information related to such circumstances moving forward.



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

Our community continues to pursue a crowd funding match for a public place enhancement. The Public Places, Community Spaces opportunity is a powerful incentive and can provide up to \$50,000 towards a downtown project (perhaps as much as \$75,000 if it includes universal design)!

The DDA believes that the primary objective for such funds is to invest in Holland Square to provide built-in structures for community seating, vending, entertainment, and related activities. There are a couple examples of this already that seem to work well in public spaces. Such a concept would activate Holland Square along Miller Road by providing social interactions, market activities, and some recreation. It would also include lighting, sound systems, and some shade/weather protection. Parking would be reduced but only minimally.

Over the last year, the DDA has worked with a local architect (thanks AMA Architects for the in-kind work), and a local builder (thanks JW Morgan) to refine a design, materials, and cost. This has resulted in concept plans for a pergola style structure, with a total base installation price of about \$150,000.

The city council created a steering committee to finalize project details for review by the city. The council will have the final say in any structure constructed on city property.

✓ **WEBSITE ACCESSIBILITY (Update)**

We received notice from a resident that some of our website features are not 'accessible.' To follow up with this, we have ordered a proposal to update our website from our current website administrator, as well as another professional. We are still awaiting one of the two proposals. I will bring these back to the council when they are available.

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

✓ **MONTHLY REPORTS (Update)**

Monthly reports are included.

✓ **LIBRARY GARDEN AND VOLUNTEER LETTER (Update)**

Patricia Williams, one of our Citizen of the Year recipients, is stepping back from the care of the library garden. She is looking to help build capacity in the community by recruiting volunteers for this and similar projects. She has written a letter detailing some of these matters.

✓ **COMCAST LETTER (Update)**

Please see the attached to learn about changes coming to the Comcast channel lineup in the city.

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

✓ **PLANNING COMMISSION (Update)**

The planning commission met on May 7th. They went over the lighting ordinance, which is a bit out of date. The commission has a workable draft that will strengthen the ordinance as it relates to LED use in existing fixtures, offsite glare, and some other new technologies. The amendments to be minor but necessary. They are looking to hold a

public hearing on June 4 related to the ordinance. If recommended for approval, it will be before the council in June.

There is now a moratorium for ground based solar installations. This gives the community 180 days to consider regulations for ground based solar applications and permits. We will monitor state legislation and look to see how best to proceed this summer and into fall.

The next regular meeting is scheduled for June 4, 2024.

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

The DDA did not meet in May. Their last meeting was on April 11<sup>th</sup>. See the sections above for details on wayfinding, Holland Square and the social district.

Other business that was conducted at the meeting included the allocation of a sponsorship to the Makers Market program, which is responsible for the monthly markets at Holland Square during the warm months. The DDA also approved a recommended budget. This budget is included in the city's budget for review and approval. In short, they are continuing with their general services, live movies, facades, and incentives. In addition, they budgeted \$100,000 for the potential Holland Square investment.

As noted, the DDA is planning much for the coming year, including the Holland Square concept and a wayfinding/branding sign program.

Julie Kallas and Tammy Parenteau are recent additions to the DDA board. They have been oriented and are already very engaged! The next regular meeting is scheduled for June 13.

✓ **ZONING BOARD OF APPEALS** *(No Change of Status)*

The ZBA met on April 17<sup>th</sup> for their annual organizational meeting. They selected officers, with James Packer being Chair, John Gilbert being Vice Chair, and Ron Smith being Secretary. We also discussed current events and training. There are no variances, interpretations, or appeals in process. This group meets the third Wednesday of each month at 6pm, as needed.

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

The park board met on April 16<sup>th</sup>. During the reports section, the Park Board deliberated on the benefits of potentially installing a Flock camera (license plate reader) at the entrance to Elms Park. The board was generally very in favor of this. I am working with the camera provider, as well as Metro PD to see what our options are. It may be possible to have Metro support this with their salvage vehicle inspection fees. The council will have the final say.

Related to this, I had a discussion with the new director of the Genesee County Parks. He indicated that the Park Ranger patrols may be available to supplement our regular services for a fee of \$50/hour. This could be a great way to have some very focused and visible security in Elms Park for a few hours a weekend for about \$5,000 per year. The board was in favor of this as well. I am reaching out to see what options are. Again,

council would have the final say. As of writing, this is not an option for 2024, but we are interested in future service.

The 2024 slip and slide date is Saturday, July 27, 2024. Shattered Chains is going to run this event again.

Volunteers saw to the planting of about 80 saplings in Otterburn Park on April 19th.

The board reviewed a proposal by a local Eagle Scout candidate for Abrams Park, which council subsequently approved. Mason Burns is donating and installing a book nook near the tot lot. He proposes to construct a small shelter that will serve as an engagement point for young readers and their parents. This is something growing in popularity, and the park board fully supports it.

In related news, I am investigating a company that removes public trees and attempts to repurpose the wood for marketable timber purposes instead of simply removing and mulching the product. They may even be able to do so for our Abrams Cottonwoods. The idea is to potentially reduce the cost of removal by finding a market for the product. The practice is also more 'green' because of its benefits to repurpose a natural and limited product. The process is only invoked when it is necessary to remove trees, not as a commercial practice. I will provide more information when it is available.

The next regular meeting is scheduled for May 21, 2024.

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

The Board of Review met during the week of March 18. It was a slow year, with only ten petitions.

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

Routine duties include record management, publications, FOIA request, human resources, payroll approval and everything related to elections.

I am seeking reimbursement costs for the Presidential Primary, which cost around \$20,000.

ELECTION DATES FOR 2024:

Primary Election: August 6, 2024

General Election: November 5, 2024

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

- ❑ DPS continues to GPS water and sewer assets. This will be ongoing for most of the year as we have time available.
- ❑ All water main work and storm sewer work is completed in the village. Nearly all curb and sidewalks on Winshall are completed. Winshall is close to being ready for asphalt. About half of the curb and sidewalk on Durwood is complete. Greenleaf has about 40% of the curb and sidewalk complete.
- ❑ We have begun street sweeping and have been through most areas once already.
- ❑ Road striping will happen in the first couple weeks of May depending on weather.
- ❑ Park bathrooms are open for the season.

- DPS continues to update water meter transponders, registers and meters as needed to allow the new meter reading collectors to read meters. This will be ongoing for several months.
- ✓ **TREASURER UPDATE (Update)**  
Pre-audit data collection is beginning while work continues for the FY25 draft budget. Routine operations include, but are not limited to, processing payments for utility bills, tax bills, delinquent personal and qualified real taxes, building permits, daily/weekly/monthly journal entries, bank wires, review/approval of accounts payable invoices, issuance of building permits and rental inspection collections, processing payroll, accounting for grants and projects and other financial matters impacting the city.
- ✓ **ECONOMIC DEVELOPMENT UPDATE (Update)**  
The first Makers Market of the year is on Tuesday, May 14<sup>th</sup> from 5-8pm at Holland Square. Jeepers Creekers has a different theme for each market this year, hoping to create more diversity in vendors and attendees alike. I'm excited to see how this turns out this year.

FMN – Family Movie Nights are scheduled. I have the official schedules printed and have the calendar on the city's page updated. Schedules should be going home with elementary students soon. The webpage – [www.downtownswartzcreek.com](http://www.downtownswartzcreek.com) is also up to date with upcoming summer events. (This page is sponsored and ran by Shirt Traveler).

We hosted a small SC business breakfast on April 23<sup>rd</sup>. There was a decent crowd, and the consensus is that this event or something similar should continue.

We should know by next week if the Mi Neighborhoods grant for the Holland Square Project was approved or not.

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

- ✓ **FISCAL YEAR 2025 DRAFT BUDGET HEARING (Business Item)**  
We held our budget workshop on April 22. I have also had some one-on-ones with a few council members since. As planned, we are holding our official public hearing on the budget at our May 13 meeting. The budget included is slightly different than the one presented at the workshop. It includes a redistribution of wages away from Motor Pool and some refinement of the estimated USDA Phase II bond payments in the Water Fund. Please look at this over the weekend and call me directly with any questions so that I can research or prepare as necessary prior to meeting with the group.

Our recommendation is to hear comment at this meeting and make and final recommendations for budget adjustments as a city council. With that information, we can produce a complete budget book for review at the May 28<sup>th</sup> meeting, where we will seek approval.

As noted previously, the important take-away is that we are attempting to deliver a budget that will balance across the board, with notable exceptions for fund-balance carry-over for street projects. We believe we can comfortably get the general fund to a position of balance without diminishing essential services or reducing our contributions to deferred

maintenance. This essentially puts us in a position to sustainably continue to operate and maintain/replace our assets without hardship.

Despite showing approximately \$80,000 expenses in excess of revenues, we believe this budget will conclude close to balanced barring any additional or unforeseen expenses in the coming year. This is due to a conservative budgeting strategy (e.g. including expenses for MTT appeal costs and similar functions).

Other notable items include the purchase of two trucks from motor pool, inclusion of Don Shenk and Cappy projects for 2025, Otterburn Park, and six months of Connie and Kim working in tandem. Of course, you will notice that things are still tight. This does create some concern for future years. However, we have good levels of fund balance, low liabilities, and a relatively healthy community.

✓ **ELMS PARK PAVILION BID** (*Business Item*)

Pavilion #3 in Elms Park needs some structural work. This is the pavilion in the east end, by the cell tower. Bids were solicited, and J.W. Morgan Construction LLC., was the low bid at \$10,120. We have worked much with this local company and are very comfortable moving forward. A resolution and the bids are included.

✓ **SPRINGBROOK EAST LIGHTING AGREEMENT** (*Business Item*)

As noted, the most recent phase of Springbrook East Condominium is nearing completion. One of the items that is still outstanding is the public lighting. We have been working with Consumers Energy to have the lighting installed, and they have sent over an agreement and plans, as well as an invoice for \$300. This is very similar to the Heritage Village lighting agreement that the council just reviewed, with the exception that this installation has all of the underground conduit installed.

I recommend we proceed. The monthly lighting costs will be borne by the city under our standard agreement moving forward, but the responsibility of the lighting installation cost will be borne by the developer as a requirement of the phase construction.

✓ **PRELIMINARY SPECIAL ASSESSMENTS** (*Business Item*)

Included with the packet is the list of all current special assessments for utility bills and weeds. This year, we do not have any snow removal assessments, and there are not any miscellaneous charges for the 2024 tax roll. Note that the work performed to remediate unsafe conditions and to conduct demolitions will be placed on next year's taxes.

Letters went out notifying those with invoices of the application of these debts to the tax roll if unpaid by May 28th (cash or money order only after May 20th). Some of these will likely be paid before that time but council will need to review the initial list of items for information purposes. A resolution to move this forward is included.

✓ **NO MOW MAY** (*New*)

Many residents of our community appear to be participating in No Mow May. This is a movement that seeks to strengthen lawns, create biodiversity, and assist pollinators by leaving lawns intact until June. The obvious problem is that the overgrowth of lawn has been found to contribute to noxious weeds, rodents, and other pests, which resulted in the city ordinance that prohibits such growth. In addition, some properties are not participating in this

to promote benefits so much as they are simply unwilling to mow, resulting in even greater blight, rodents, weeds, etc.

I am including an article on the matter. As you can see, many communities are forbearing action or even participating in No Mow May. You can see Royal Oak's city page on the matter [here](#). There are obvious pros and cons. Admittedly, the cons are not as severe if the growth is limited to only a single month (rodents, blight, etc). I am including this issue in the packet so that council members can provide comment or consider an agenda item on the matter.

From the staff prospective, the city has an ordinance that is on the books, routinely enforced, and uniformly enforced. Without a directive from council, our duty is to continue with the equal and consistent enforcement of this ordinance. To date, we have only been acting on lawns that have generated complaints. We intend to enforce the ordinance actively beginning on May 14.

If any member wishes to see a resolution crafted to observe No Mow May, please let me know prior to the meeting. We could probably crate a resolution easily enough at the meeting as well. Let me know. I see this as a pretty subjective matter for the council. I have not heard enough positive or negative feedback from other communities to formulate a strong opinion one way or the other. No residents have contacted the city to advocate for or against this.

✓ **2023-2024 FISCAL YEAR COUNCIL MEETING SCHEDULE (*Business Item*)**

The meeting schedule for the 2024 fiscal year is included in a resolution. There are a number of proposed adjustments. We are postponing our first November meeting and second May meeting to accommodate Veterans Day and Memorial Day respectively. To accommodate the concert series in the community and the holidays, we are proposing to meet on the 2<sup>nd</sup> and 3<sup>rd</sup> Mondays in December instead of 1<sup>st</sup> and 2<sup>nd</sup> Mondays. In addition, the calendar proposes a 6pm start time for February 10<sup>th</sup> so that we can avoid a calendar change later on to accommodate the concert that is likely for that day. Let me know if you find any conflicts or require any amendments.

✓ **MDOT PARK AND RIDE (*New*)**

The MDOT is renewing all of their agreements for trunkline maintenance. Generally these apply to county road agencies and cities that have M-roads and interstate maintenance responsibility. For us, it also applies to the park and ride on Miller, east of I-69. We maintain this lot as it relates to snow/ice removal, waste collection, and mowing. The state pays the city up to \$5,000 for this service. We generally spend a bit more, but there is not really an alternative to keeping the area in reasonable condition. At any rate, we submitted preliminary information to the state so they can draft an agreement. I expect this to be before the council within 30 days.

✓ **GENESEE COUNTY 911 SURCHARGE (*New*)**

There is a proposal to raise the 911 surcharge from \$1.86 per month per line to \$3.00. This is the maximum any county can seek. I suspect Genesee will be the highest surcharge county by far for urbanized counties. This increase will be on the August ballot as a five year proposal. Even with this increase, a note from one of the executive members suggests funds will be insufficient to budget 911 services.

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

*Lorenzo's*: Demolition is to commence soon per the owner. Rebuilding may take quite a while.

*Utility Poles on Miller by Kroger*: These were turned into Frontier, and I observed an inspection on May 9.



**City of Swartz Creek  
RESOLUTIONS**

**Regular Council Meeting, Monday, May 13, 2024, 7:00 P.M.**

**Motion No. 240513-4A**

**MINUTES – APRIL 22, 2024**

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

**I Move** the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday, April 22, 2024, to be circulated and placed on file.

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

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

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

**Motion No. 240513-5A**

**AGENDA APPROVAL – MAY 13, 2024**

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

**I Move** the Swartz Creek City Council approve the Agenda as presented / printed / amended for the Regular Council Meeting of May 13, 2024, to be circulated and placed on file.

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

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

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

**Motion No. 240513-6A**

**CITY MANAGER’S REPORT**

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

**I Move** the Swartz Creek City Council accept the City Manager’s Report of May 13, 2024 including reports and communications, to be circulated and placed on file.

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

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

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

**Resolution No. 240513-8B**

**RESOLUTION TO SET THE 2024-2025 COUNCIL MEETING SCHEDULE**

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

**WHEREAS**, Act 261 of the Public Acts of the State of Michigan of 1968, as amended, requires a public notice of the schedule of regular meetings of the Swartz Creek City Council be given once each calendar year or fiscal year and that said notice shall show the regular dates and times for the meeting and the place at which meetings are held; and



**WHEREAS**, the Act directs that notice be posted prominently at the principle office of the City of Swartz Creek or at the public building at which meetings are held or published in the newspaper of general circulation in Swartz Creek,

**NOW, THEREFORE**, pursuant to the Act, public notice is hereby given that regular meetings for fiscal year 2024-2025 shall be held twice each month, and further, that all meetings shall be held in the Paul D. Bueche Municipal Building Council Chambers located at 8083 Civic Drive, Swartz Creek, Michigan, unless otherwise provided in advance by the City Council, and further, meetings shall commence at 7:00 P.M. on the following dates:

July 2024:	Monday – 8th Monday – 22nd	
August 2024:	Monday – 12th Monday – 26th	
September 2024:	Monday – 9th Monday – 23rd	
October 2024:	Monday – 14th Monday – 28th	
November 2024:	Tuesday – 12th Monday – 25th	One day later
December 2024:	Monday – 09th Monday – 16th	One week earlier
January 2025:	Monday – 13th Monday – 27th	
February 2025:	Monday – 10th Monday – 24th	6:00 p.m. start
March 2025:	Monday – 10th Monday – 24th	
April 2025:	Monday – 14th Monday – 28th	
May 2025:	Monday – 12th Tuesday – 27th	One day later
June 2025:	Monday – 09th Monday – 23rd	

**BE IT FURTHER RESOLVED** that the Clerk is hereby directed to post a copy of this resolution in a prominent place in the City Offices of the City of Swartz Creek.

**BE IT FURTHER RESOLVED** that the City Clerk is hereby directed to supply forthwith, upon request, a copy of this resolution to any newspaper of general circulation in the political subdivision in which the meeting will be held and/or to any radio or television station that regularly broadcasts into the City of Swartz Creek.

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

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

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

**Resolution No. 240513-8C**

**RESOLUTION TO APPROVE PAVILION THREE  
REHABILITATION AT ELMS PARK**

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

**WHEREAS**, the City of Swartz Creek owns operates and maintains a system of parks; and

**WHEREAS**, pavilion three at Elms Park has suffered structural deficiencies that require immediate and professional rehabilitation; and

**WHEREAS**, sealed bids were solicited from the public to complete this work, with J.W. Morgan Construction LLC., submitted the lowest qualifying bid.

**NOW, THEREFORE, BE IT RESOLVED**, the City of Swartz Creek City Council hereby awards the Pavilion #3 project work to J.W. Morgan Construction LLC., in the amount \$10,120 and directs the City Manager to create and execute a standard contractor agreement with J.W Morgan Construction LLC.

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

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

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

**Resolution No. 240513-8D**

**RESOLUTION TO APPROVE CONSUMERS ENERGY  
LIGHTING AGREEMENT – SPRINGBROOK EAST**

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

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

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

**WHEREAS**, CE supplies street lighting services to the city under a current standard street lighting contract which outlines specific fixture counts and types, said contract restated on November 1, 2014 and revised from time to time; and

**WHEREAS**, the City seeks additional changes to the street lighting services agreement that include the addition of lighting to a newer neighborhood and subsequent billing for such new lights; and

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

**NOW THEREFORE, BE IT RESOLVED**, it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the lighting service as provided in the Standard Lighting Contract between the Company and the City of Swartz Creek, dated November 1, 2014, modified on November 1, 2018, in accordance with the Agreement for Modifications of Electric Facilities, dated May 3, 2024 and Authorization for Change in Standard Lighting Contract, as included in the May 13, 2024 City Council Packet.

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

**BE IT FURTHER RESOLVED**, that the city agrees to the terms and conditions of form 547 as included in the city council packet of May 13, 2024 and further directs the City Clerk to execute said agreements and forms that represent the aforementioned terms and conditions.

**BE IT FURTHER RESOLVED**, that the city agrees to furnish payment to Consumers Energy in accordance with invoice #9326729498, charges totaling \$300 for furnishing and installation of lights, costs to be invoiced to the project developer.

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

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

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

**Resolution No. 240513-8E**

**RESOLUTION TO ASSESS DELINQUENT CHARGES TO THE ASSESSMENT ROLL**

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

**WHEREAS**, the city, by virtue of enforcing certain ordinances and charter provisions, incurs expenses related to the improvement, maintenance, and/or replacement of private and public property; and

**WHEREAS**, the city also provides utility services, of which some recipients of said services have outstanding and overdue balances related to the same; and

**WHEREAS**, the city's ordinances related to the provision of water and sewer services, as well as those pertaining to the maintenance of sidewalks, noxious weeds, blight and fire cost recovery provide for the collection of expenses and related fees; and

**WHEREAS**, such outstanding expenses, service charges, and fees are able to be assessed to real property per Chapter 10 of the City Charter.

**NOW, THEREFORE, BE IT RESOLVED** the City of Swartz Creek directs the Treasurer to prepare an audit of all outstanding debts owed to the City for delinquent sidewalk snow removal, utility services, blight and fire cost recovery, and further, to cause such debts to be assessed against the property owner of record, in accordance with City Ordinance and State Statute, said debts to be placed against the summer 2024 tax collection roll.

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

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

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

**Resolution No. 240513-8F**

**RESOLUTION TO EXTEND BID UNIT PRICES AND APPROVE LOCAL STREET IMPROVEMENTS**

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

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

**WHEREAS**, the city also possesses a twenty year street improvement plan that details and prioritizes street investment; and

**WHEREAS**, the DPW and engineer monitor current conditions of streets and respective repair methods in order to seize opportunities to address specific street segments; and

**WHEREAS**, T.G. Priehs was awarded a contract based on unit costs that includes the rehabilitation of asphalt surfaces; and

**WHEREAS**, the city has identified specific street segments that appear to be good candidates for similar work; and

**WHEREAS**, the city has unspent road monies in the current budget, and T.G. Priehs is willing to extend accepted unit prices to address these specific areas.

**NOW, THEREFORE, BE IT RESOLVED** the City of Swartz Creek approves the proposal by T.G. Priehs, dated April 17, 2024, with the exception of Elms Road, as included in the May 13, 2024 city council packet.

**BE IT FURTHER RESOLVED**, that the City Council authorizes and directs the Mayor to execute said proposal on behalf of the city and for the city treasurer to appropriate such construction costs to the Local Street Fund.

**BE IT FURTHER RESOLVED**, that the City Council authorizes the City Manager further engage T.G. Priehs this construction season for miscellaneous patching and street work that is already within the confines of the local and major street fund budgets.

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

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

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

**Motion No. 240513-11A**

**ADJOURN**

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

**I Move** the Swartz Creek City Council adjourn the regular council meeting of May 13, 2024.

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

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

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