

# City of Swartz Creek

## AGENDA

Regular Council Meeting, Monday, December 16, 2024, 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 & PLEDGE OF ALLEGIANCE:**
3. **ROLL CALL:**
4. **MOTION TO APPROVE MINUTES:**  
4A. Council Meeting of December 9, 2024 MOTION Pg. 25
5. **APPROVE AGENDA:**  
5A. Proposed / Amended Agenda MOTION Pg. 1
6. **REPORTS & COMMUNICATIONS:**  
6A. City Manager's Report MOTION Pg. 8  
6B. Staff Reports & Meeting Minutes None  
6C. CDBG Letter and Map Pg. 35  
6D. DNR Trust Fund Award Pg. 38
7. **MEETING OPENED TO THE PUBLIC:**  
7A. General Public Comments
8. **COUNCIL BUSINESS:**  
8A. Otterburn Park Donation PRESENTATION  
8B. Community Development Block Grant Presentation PUBLIC HEARING  
8C. Community Development Block Grant Funds Use RESO Pg. 23
9. **MEETING OPENED TO THE PUBLIC:**
10. **REMARKS BY COUNCILMEMBERS:**
11. **ADJOURNMENT:** MOTION Pg. 24

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

Park Board:	Tuesday, December 17, 2024, 5:30 p.m., PDBMB (Cancelled)
Zoning Board of Appeals:	Wednesday, December 18, 2024, 6:00 p.m., PDBMB
Metro Police Board:	Wednesday, December 18, 2024, 11:00 a.m., Metro HQ
Planning Commission:	Tuesday, January 7, 2025, 7:00 p.m., PDBMB
Downtown Development Authority:	Thursday, January 9, 2025, 6:00 p.m., PDBMB
City Council:	Monday, January 13, 2024, 7:00 p.m., PDBMB
Fire Board:	Monday, December 20, 2024, 6:00 p.m., Station #1
City Council:	Monday, January 20, 2024, 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 16, 2024, 6:00 P.M.**

The regular meeting of the City of Swartz Creek city council is scheduled for **December 16, 2024** starting at 6:00 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 (DTMF) keypad.
3. If you have already joined the meeting via computer, you will have the option to enter your participant ID to be associated with your computer.

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



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

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

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

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

**Topic: Swartz Creek City Council Meeting**

**Time: December 16, 2024 at 6:00 PM Eastern Time (US and Canada)**

**Join Zoom Meeting**

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

**Meeting ID: 830 9640 1128**

**One tap mobile**

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

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

**Dial by your location**

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

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

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

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

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

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

**Meeting ID: 830 9640 1128**

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

**If you have any further questions or concerns, please contact 810-429-2766 or email [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, December 16, 2024 - 6:00 P.M.**

**TO:** *Honorable Mayor, Mayor Pro-Tem & Council Members*  
**FROM:** Adam Zettel, City Manager  
**DATE:** December 11, 2024

**ROUTINE BUSINESS – REVISITED ISSUES / PROJECTS**

- ✓ **MICHIGAN TAX TRIBUNAL APPEALS** *(No Change of Status)*  
 There have not been any commercial appeals for 2024 as of yet. Though some commercial appeals reach the tribunal in July, I suspect there will not be any for this calendar year.
- ✓ **STREETS** *(See Individual Category)*
  - ✓ **2025-2027 TRAFFIC IMPROVEMENT PROGRAM (TIP)** *(No Change of Status)*  
 We have a preliminary ranking of streets for TIP rehabilitation funding and PASER 5 funding. I am including these for reference but they can and almost certainly will change. As of writing, we may literally see funding for ALL segments.

The concrete section of Miller Road is proposed to be funded at 80% as a rehabilitation project. However, the other three segments have PASER 5 funds, and these funds are proposed to be limited. This limit is currently set at \$55/lane foot, and funding is set to be only 80% of that, but this could change.

Summarily, the good news is that federal funds are available for all submissions. The bad news is that the local match for all projects is over \$2.1M. The breakdown is as follows:

Section	Repair Type	Beginning	End	Total Cost	Federal	Local
Miller	Concrete Repair	East Springpoint of Elms	475' East of Tallmadge	\$668,502	\$534,802	\$133,700
Elms	Asphalt Resurfacing	South City Limits	North City Limits	\$893,240	\$470,800	\$422,440
Miller	Asphalt Resurfacing	Morrish	Elms	\$1,665,506	\$747,384	\$918,122
Miller	Asphalt Resurfacing	Tallmadge	Dye	\$1,782,766	\$1,114,256	\$668,510

\$5,010,014    \$2,867,242    \$2,142,772

Based on these numbers, I do not see how we can afford to tackle all of the projects. We may need to prioritize based upon total affordability and the efficiency of the repairs. I am going to work with the engineers to see if the projects can reasonably be trimmed in scale in a manner that makes the repairs worth it. For example, creating a \$1M Miller project between Morrish and Elms might be very affordable, but if the asphalt repairs are so thin or reduced in ability to address base work, the repairs may be shorter lived than the remaining life of the road.



I will continue to report on this as the situation evolves. For now, I think we can tackle about \$750,000 to \$1M in local road expense from this TIP and stay within budget.

**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.*

Street reconstruction for Winchester Village is in the punch list phase. I will report how this goes, especially as it relates to restoration of parkways. As of writing, concrete sections have been removed and replaced. See the October 28, 2024 city manager report for details on tree complaints. Note that we intend to conduct forestry in future phases in the same manner as the existing phase.

As noted previously, there is still a claim concerning aggregate. It is substantial, at about \$375,000. Our engineer reviewed the claim and responded that they do not believe the claim is valid in any amount. Based upon the facts of the case, I stand by this assertion. A follow up meeting did not completely resolve the issue. The contractor is expected to resubmit a claim that they believe will better substantiate their position. I will report what the next steps are.

Street rehabilitation with limited drainage in Winchester Woods is complete! Paving has occurred for all areas, and the surfacing of Young, School, Maple, and Raubinger is also done! There is only one more ditching project that is slated for Oakview, on the unimproved section of road. This may yet be done this year.

Overband crack filling has been completed in two phases this fall, but we were not able to get to every street in the city. Usually, we select a small area of the city, but with conditions improving, we aspire to address the entire city on an annual basis moving forward.

Concerning FOG seal, we are looking to bid that out this winter for application in 2025, which was the soonest that the 2024 low bid could do the work anyways. See the October 14, 2024 report for details on this program.

Engineering services for Don Shenk Street reconstruction, as well as Cappy Lane and water main work are wrapping up, with reviews being conducted on the water main segments by the state. Note that Don Shenk does not require water main 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.

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

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

Sewer work for 2024 is complete, and there were no areas identified for additional sewer work, such as lining. We will continue with the second year of the eight year cleaning and televising in 2025. Rob has identified areas on Bristol, Miller, and in Heritage that amount to about 18,000 lineal feet. I will report the exact project scope when we finalize it.

In addition, we are looking to take the next step forward in GIS (our Geographic Information System or mapping system). This will greatly assist in our tracking of progress in sewer inspections, cleaning, and lining. This is probably the asset that stands to benefit most from updated GIS data because the asset is not readily observable for inspection (unlike streets or buildings). It is the asset that is scheduled for the most routine maintenance/tv cycle. Lastly, it is the asset that we appear to have the least reliable data.

Much of the sewer map has been updated by recent work by DLZ engineers. They have incorporated many of our existing plans and prior work orders for lining. However, the data is incomplete and needs constant updates (e.g. we need to incorporate the 2024 cleaning and lining findings to GIS as the formal record).

With that said, have a proposal from DLZ to manage GIS on an active basis moving forward. This includes the addition of new infrastructure that is dedicated, such as Springbrook East streets, water, sewer, etc. It also includes annual maintenance work and other physical system changes. They would be expected to update the maps AND the data fields that accompany the maps. Adding these features is crucial to having current information, and current information is required for long term planning and current decision making.

I expect to have this on the January 13 agenda.

Note that our staff will still be working on the GIS data to update routine fields, such as hydrant maintenance, and they will also be able to geolocate assets in the field from our records and for DLZ to incorporate.

The previous report follows.

The first three miles of cleaning and inspections (two sections of Miller, Dye, and all of Elms) have commenced. I expect this project to be completed very soon. We will report the findings to the city council regarding the potential for additional sewer repair work in the areas that were televised.

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** *(No Change of Status)*

All water main work is substantially complete. There is some obvious restoration to do, which will take USDA closeout into winter, but for all intents and purposes, the water main is in and we are done with this phase of USDA work.

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

Water affordability is back. There is a strong push to get this through the lame duck legislature. I strongly oppose this. I believe that water affordability via a state-wide tax is a laudable and appropriate manner to assist low-income families with bill payment (e.g. additional welfare payments or direct assistance from the state general fund). However, increasing water bills by over 2% for a typical user does not make the water more affordable or “cleaner,” as the article implies.

I think this legislation will force local units and the state to manage another complicated bureaucracy that will require further investment to redistribute wealth through the proposed fee structure. I also believe it will make shut offs and assessments problematic, forcing utilities to further increase rates and fees to customers to recover funds that are in arrears or uncollectible. I included my thoughts and related information in the October 28 packet.

The hydrant painting is likely done for the year and will commence in spring. I believe all blasted hydrants have been painted. We are not pleased with the performance so far as it relates to timing, but the work appears to be adequate.

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

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

See prior reports (May 28, 2024) for updates on PFAS. At a meeting of the WWS Advisory Committee on September 18, it was reported that the federal government has declared PFAS to be a toxic substance. The county ceased land application at this time and has been depositing waste in approved landfills. This has resulted in an additional expense that is estimated to total \$2,000,000 annually for the county.

As of writing, there is no rate increase planned, nor have there been additional restrictions on what products can possess PFAS. The latter is of concern because all water intake and distribution tests indicate that there are no traces of PFAS, but waste water from businesses and homes DOES contain PFAS. They estimate that 60% of the PFAS effluent comes from residential users that have PFAS in their homes and products.

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

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

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

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

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

The fall newsletter is out. Let me know what you think. The next newsletter is expected to go out in January.

✓ **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. Additional **demolitions have been undertaken by the owner of the raceway**. The owner intends to have the site razed for future use. The site is not formally for sale, nor is there a concept plan for reuse.
2. The **reuse of Mary Crapo is moving forward**. Construction is underway on phase one of the varsity baseball field. There will be two pickleball courts that can double as skating in the winter. Most recently, we have fielded a number of afterhours construction/noise complaints. We believe we have addressed this with the school.
3. **Street repair in 2024** is substantially complete. We are going through punch lists now, but all paving has been completed. A second round of crack filling occurred in early November. There is not a contractor available to apply a FOG seal to select streets in 2024, but we plan to bid this again over the winter.
4. **(Update)** The **Brewer Condo Project** first tri-plex is complete and all units are sold. In addition to a potential redesign that would include a first floor bedroom, the developer is expected to apply to the Genesee County Metropolitan Planning Commission Housing Impact Fund to complete the project. See the dedicated section below for details.
5. **(Update)** The current phase of **Springbrook East is substantially complete**. We created a punch list for the infrastructure improvements, which the owner has completed. The next step is to proceed with formal street dedication, which I expect to occur the second meeting in January. **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** was seeing some increased activity. We met with the owner and an architect on some preliminary plans in the spring. Neither

the designer nor our staff have heard anything since, but the property owner says this is still cooking.

7. **Park projects** currently include an active grant application for Otterburn, pavilion repairs at Elms (now complete) and application of more asphalt millings to all parking areas. The park board recommended interpretive signs, bike racks, and benches for 2024. Benches are in. Signs are awaiting availability of the historical society to furnish content. Bike racks were to be completed by others, but that donation fell through. We will look to add these ourselves. Pickleball courts are now in at Elms Park. A FLOCK camera has been installed at Elms, and fence repair is complete, with new fences to go in at Elms. Sidewalk repairs are complete.
  8. **New Businesses.** Quiznos appears to be in the final stages of opening. In addition, the Country Carriage at 9237 Miller Road is seeking a liquor license. Since this is a transfer, local approval is not required by LARA. However, the use is a conditional land use for this zoning district, which requires the principle building to be set back 100 feet from residential properties. This will require a variance, which is scheduled for December 18th. I included the notice in the November 12, 2024 packet (note that the Sunday sales and adult entertainment are NOT transferring).
  9. **Mundy Megasite.** We are hearing a lot of chatter that indicates a strong likelihood that a user may locate a large operation at the Mundy Township site. I have been communicating with staff, Mundy Township, Metro PD, Swartz Creek Area Fire Department, Swartz Creek Community Schools, and our other partners about strategies to proceed forward in the event that such an announcement occurs. If an investment is announced, I will recommend we collaborate with our partners to engage in third party assessments to ascertain area needs for housing, infrastructure, and services. I expect resources would be made available to help analyze our position and to impact needed change.
  10. **Holland Square** has updated material costs. We are integrating these costs into the plan and will be getting the committee together soon. We plan to fund this project with \$75,000 from MSHDA and matching funds from the MEDC crowdfunding program.
  11. **(Update) Wayfinding** planning is complete. We have gotten initial costs, and they are not favorable. I met with one of the sign vendors to go over options. Once complete, the DDA and council can liaise on if, when, and how to proceed with installation.
  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.
- ✓ **REDEVELOPMENT READY COMMUNITIES** *(No Change of Status)*  
The DDA completed the purchase of the Methodist Church on Morrish. They made this acquisition as a means to create more likely opportunities for the building's preservation and reuse for recreation, hospitality, or culture. We are now requesting MEDC assistance through the RRC program to create a Request for Qualifications for reuse of the site. If this is approved, the DDA will work with professionals to create a marketable request for developer/user qualifications and concepts.

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

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

✓ **CDBG (*Business Item*)**

The applications for the next cycle (2025-2027) have been submitted. This includes senior services and downtown decorative lighting. However, we were notified that the county has new maps that reflect low/moderate income areas, and the city is completely without such areas. This means that we cannot engage in the lighting or other public improvement projects within the city.

As such, we must submit application by January 13th to the county for a new, qualifying service project. I have published a notice in the paper for a public hearing on December 16th. Here are the list of eligible presumed benefit populations:

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

As noted, we have already put in an allocation for the senior center. However, we can increase this amount to 30% of our allocation, which is the maximum. I recommend we do so. For the other 70%, which is estimated to be \$24,632.30, we do not have a good option from the above list, since we are not organized to be a service provider that specializes in any of the noted populations.

However, it does appear that blight elimination is permissible anywhere within the city. We have used funds for this in the past. Though it is not quick or efficient, it does work. We were able to demolish a blighted structure on Morrish Road about ten years ago. It is possible we could set funds aside for a similar use. I am also checking to see if wages for code enforcement or similar expenses may apply.

I will have this on the agenda for December 16<sup>th</sup>.

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

Shattered Chains has completed the course as it relates to the 18 baskets and fairways. They plan to have all the tee pads installed by the end of the month, and all bridges/crossings are in and very functional! In fact, they are holding an event on October 26<sup>th</sup> as part of a Halloween/course kick off attraction.

They expect to have signs installed in early 2025 to mark the course. Once complete, a ribbon cutting will follow!

✓ **PAVILION COMMITMENT/GRANTS** *(Update)*

Our DNR Trust Fund grant application was approved by the DNR Trust Fund Board on December 11<sup>th</sup> in the amount of \$290,000! We have also signed on the sub-recipient agreement for the \$283,333.33 in funds from Kildee's office.

I am liaising with engineers on a timeline to design and bid the project for completion in 2025 or 2026. I will bring the proposal back to the city council when it is ready, provided that the grant agreement with the DNR is not required prior to any such expenditure.

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 side of the site, which is not affordable.

✓ **SPEEDING AND TRAFFIC CONTROL** *(Update)*

With markings in place and stencils being ordered for use in 2025, I will look to remove this section from future reports.

Ingalls has been marked. The double yellow was reduced to a single yellow at the recommendation of the striping company, who indicated that a double yellow would reduce the lane widths below minimums.

Some of the markings for "25 MPH" and "30 MPH" are in various locations across the city. Combined with our other efforts, we expect this will help create more awareness and help to reduce speeds.

Note that both the contractor and staff find the stencils to be a bit small. We are ordering professional stencils that we can use in perpetuity. We will apply these in other areas. If the update appears dramatic and positive, we will likely black out and paint over the existing markings.

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

Fiber installation continues across the city, and new permits are being submitted for further expansion. We are now starting to see a number of service connection requests that include boring under city streets, which are in addition to their system build-out. This service will provide the community with valuable high-speed service, as well as the potential for enhanced 5G.

✓ **SOLAR SYSTEM MODEL** *(Update)*

Local signs are marked and ready for installation. It is now just a matter of time. The New Zealand station is also on order. Wayfinding signs are on hold until the council can review the wayfinding concepts. See the April 8, 2024, council packet for more details.

✓ **CROSS CONNECTIONS** *(No Change of Status)*

See the October 28, 2024 packet for the most recent reports.

I attended a water training course in early October. Among other things, I was able to speak to the EGLE staff about residential cross connections. They indicated that there is

not a foreseeable mandate to require service termination of those residents that are not participating, yet. As such, I think our good faith model approach is appropriate. The previous report follows.

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 pursue, but the expectations for cross connection are objective and reasonable.

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

The senior center and city now have an agreement to use the \$100,000 in additional ARPA funds. They are proposing to buy a 14-passenger bus for \$120,000 to \$135,000. They are working on a final bid package and will be releasing this to the public soon. See the March 11, 2024 report for more details on this award and process.

✓ **WAYFINDING PROJECT** *(Update)*

Wayfinding planning is complete. The prices were higher than anticipated. I am now liaising with Signs By Crannie to discuss how we could apply the concept in a more affordable way, both to the proposed plans and the trail signs that have already been budgeted.

✓ **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.

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

This project continues to be delayed as we go over the new plans, costs, and timeline. However, our architect, material supplier, and builder met last week and made a lot of headway. Though this is taking longer than anticipated, we are relying on a lot of donated professional services, which can slow things down a bit. The previous report follows.

We are working to formalize the \$75,000 in MSHDA grant funds. This will make the powering of the structure, along with lighting and sound, a reality! MSHDA is asking that



we sign off on a grant agreement by September 30<sup>th</sup>. Since this is our last meeting, I am hopeful they will provide us with such an agreement prior to our meeting. As of writing, I do not have it. If it is not available prior to our meeting, I will include as much of the supporting documentation as I can and ask the council to enable myself or the Mayor to execute the agreement when it is available.

The project is still being reviewed by the committee and we await updated costs and plans for the structure and technology components. We are nearing the creation of detailed plans, which will provide more finely tuned costs and imagery for review by the city council. I seek to have this in the month of September. The previous report follows.

The Holland Square Steering Committee met on May 30<sup>th</sup>. We believe we have explored many opportunities and areas of concern to narrow in on what appears to be the most viable and desirable project. The concept remains the same, but there have been some additions relating to power, lighting, sound, and architectural style. The architect and contractor are working on renderings now.

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. With the addition of the grant, we expect the project to total around \$225,000.

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.

✓ **SPRINGBROOK STREET DEDICATION INQUIRY (Update)**

The HOA is proceeding with three cores on Crosscreek Drive to better understand the pavement cross section that is there. Once we can analyze these results, we will be in a better position to gauge what, if any changes, occur with their rehabilitation plan. We can also then discuss the potential next steps as it relates to further street cores and visual inspections.

I was scheduled to attend a meeting of the Springbrook Colony Street committee on December 12<sup>th</sup>. Due to holiday conflicts, this has been pushed to January.

See the October 14, 2024 report for all the details of this request, as well as an historical and contextual narrative.

✓ **WIRELESS TOWER UPDATES** *(No Change of Status)*

The lease reduction that was proposed by the tower operator in Elms Park was denied at the November 12, 2024 meeting. Please see that meeting packet for details. I have notified the operator. They indicate that it is likely the tower will be decommissioned.

Concerning our tower on Elms south of Miller (Verizon), we now have a formal request to secure an additional 1,000 square foot land lease for ground equipment (included in the packet). They are offering \$3,500 for the option, but they are not offering any additional rent for land subsequently leased. The option would run the entire term of the lease.

I am not asking for action from the council at this point. This is a pretty low offer for an option and the potential execution of one. Their goal is to have additional ground space available so they can lure potential co-locators to the site. I have requested an offer that includes new rent in the event that the option is exercised. I can better explain the function of options and leases at the meeting if anyone has questions.

Concerning our water tower, Verizon approached us many months back about locating a system here to correct the noted deficiencies on the west end of town. Using the city tower will greatly improve service to the community. 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, it appears Verizon put this on hold because they do not prefer water tower locations. There was a draft lease (included in the April 8, 2024 packet). This is disappointing news because Verizon used to be the primary provider in the area, and we found their service to be atrocious for municipal use, forcing a switch to a competitor.

✓ **EARNED SICK TIME ACT** *(No Change of Status)*

The ESTA will be effective in Michigan on February 21, 2025. This comes about due to a prior statewide ballot initiative, previous legislative amendments, and a full round of appellate court and supreme court rulings. Suffice it to say, it is happening.

The act requires all employers, regardless of size, to provide sick time to all employees, regardless of classification. Details are still being defined and clarified by the Michigan Department of Labor and Economic Opportunity (LEO). Legislation is also pending that may alter the requirements. As of writing, the general requirements appear to apply:

- Hours accumulate at a rate of 1 hour for every 30 hours worked (minimum)
- Hours can be front loaded by employer, but they must be tracked to ensure the minimum ratio is maintained
- Documentation for leave can only be requested by the employer for absences of three or more consecutive days; employer must compensate for any documentation charges
- Hours can accumulate (within a year ) and carry over (between years) without limits
- The smallest increment for use must match or be smaller than that used to track other time (e.g. 0.25 hours, 0.1 hours, etc)

- Only 72 hours can be taken in any defined 12 month period for 10+ employees (40 hours for >10 employees)
- Employer must keep records for three years
- No payout of unused sick time at year end or termination is required
- Applies to all employees, including PT and temps
- Payroll must be able to track and report sick time
- Requires new labor poster by 2.21.25 (LEO has one available); written notice is also required upon hiring

The implications of this are not completely solidified for our employees. The city currently offers 'vacation' time and 'absent' time. For our purposes, absent time has functioned as sick time. The city provides 96 hours of such time a year to full time employees (front loaded), with up to 72 hours being paid for unused time at year end.

The Act offers a provision for employers to offer existing and/or similar time off provisions IF those provisions match or exceed the Act. With that said, Absent time may suffice as it is currently offered or with minor adjustments. Proposed House Bill 6057 may exempt carry over for employers that front load (e.g. offer 72 hours or more at the beginning of the year). This feature, if approved, would place our existing absent time in a position to accumulate, be tracked, be used, and be paid out (in lieu of a carry over) in accordance with the Act. We will need to provide ESTA (absent time) to temporary and part time employees, which the city has done in the past.

I will be watching this closely as we approach the deadline and prepare to negotiate our labor agreements for the June 30, 2025 expiration.

✓ **FIRE TRUCK PURCHASE REQUEST (Update)**

The City Council authorized the expenditure for a new Spartan Fire Engine at their meeting on December 9, 2024. The quoted price is \$1,124,590, assuming a modern engine is needed. My understanding is that the price may be \$80,000 lower if an existing engine can be located and used. The city share, upon delivery, is to be \$562,295.

Clayton Township has yet to review the purchase. If they do not affirm participation, the engine purchase shall not commence.

✓ **ABRAMS FORESTRY GRANT (Update)**

The city has been awarded \$9,890 through the Community Forestry Grant Program to plant 38 native trees in Abrams Park. There are no strings attached here except that we are to provide an equal match. The time for performance is through fall of 2026, and there are no NEPA, Davis Bacon, or other federal requirements. I expect to bid this early in 2025.

✓ **FISCAL YEAR 2024 AUDIT (No Change of Status)**

Normally, we receive our audit and presentation from Plante Moran in November of each year. Obviously, that has not been the case. While Plante Moran believe the audit will be completed yet in December, it is unlikely they will be presenting by the 16<sup>th</sup>. This process has definitely taken longer. Much of the issue is related to the disruption in our finance department. Because Deanna was here for the first quarter of FY2024, with Amy, Kim, and Sheri (Taylor Morgan) each playing a role during the subsequent nine months and the audit

review, there is a lack of continuity. This has made response times for audit inquiries take significantly longer as the current staff attempt to discern the actions of their predecessors.

When the dust settles, I do expect we will have some adjustments and/or errors to correct for FY24. However, I think our current situation with Sheri and Amy is sustainable and will result in more accurate and timely financial processes in the future.

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

✓ **MONTHLY REPORTS** *(Update)*

Monthly reports are included.

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

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

The Planning Commission met on December 3 regarding a special land use for a Child Care Center for the interior of the Cornerstone Baptist Church. Child care is a special land use in the single family residential zoning district. However, since the site is established as a large scale church, the commission found it very suitable to convert some of the interior space into child care.

They unanimously recommended approval with one condition, which is to complete the landscaping from their 2012 site plan amendment.

Their next meeting is scheduled for January 7, 2025

✓ **DOWNTOWN DEVELOPMENT AUTHORITY** *(No Change of Status)*

The DDA closed on the purchase of the former Methodist Church on Morrish for a cost of \$125,000. The DDA is pursuing this as a means to create opportunities for the building's preservation and reuse for recreation, hospitality, or culture. More information is to follow.

The DDA did not have quorum to deliberate formally on this issue at their meeting on November 14<sup>th</sup>. In the absence of this, Greg and I will look to proceed on the advice of our MEDC contact and secure state support of development of a Request for Qualifications. The idea will be to market the site to potential users and request statements from interested parties that include a conceptual use, business plans, and qualifications. The DDA can then proceed to select one or more parties to negotiate a plan and transaction.

They did NOT hold a December meeting. Their next meeting is scheduled for January 9.

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

The ZBA is to meet on December 18<sup>th</sup> to hear a variance request to allow a conditional land use request for 9237 Miller Road (Tavern at the Country Carriage).

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

The park board held their regular monthly meeting on November 19, 2024. Things are very much calming down for the year. As such, the agenda was limited to the Christmas

decorating contest, which should proceed as normal, as well as the annual rules and reservation form review.

In other news, we received a grant of just under \$10,000 to help diversify Abrams Park with native species. I am attaching the notice!

They do not plan to meet in December. Their next scheduled meeting is for January 21, 2025.

✓ **BOARD OF REVIEW (Update)**

The Board of Review met on December 10<sup>th</sup> at 1:00pm to hear qualified errors and poverty exemptions. There were no petitioners. Their next sessions will consist of training and the March Board of Review.

✓ **CLERK'S OFFICE/ELECTION UPDATE (Kraft) (No Change of Status)**

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

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

- ❑ DPS continues to GPS water and sewer assets. This will be ongoing for most of the year as we have time available.
- ❑ Diponio has completed most of the large items on the punchlist. They completed the conduits for decorative street lighting. Consumers Energy has them scheduled for a January installation.
- ❑ 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.
- ❑ DPS has responded to 5 snow events so far this season.

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

Winter tax bills were mailed, and payments are coming in. The audit is just about wrapped up with a presentation expected in January. Routine operations include, but are not limited to, processing payments for utility bills, tax bills, delinquent personal and qualified real taxes, building permits, daily/weekly/monthly journal entries, bank wires, review/approval of accounts payable invoices, issuance of building permits and rental inspection collections, processing payroll, accounting for grants and projects and other financial matters impacting the city.

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

1. Met with MEDC to review our Redevelopment Ready Communities (RRC) certification. Our certification is good for the next 5 years.
2. Holland Sq: Sent an email to Dort Financial CU detailing the opportunity of naming rights for the proposed pergola. The email included a rendering, cost structure and the DDA's vision for the future use of Holland SQ. DDA has requested a \$50,000 would be appropriate for naming rights.
3. Methodist Church: We have initiated the Request for Qualifications through the Community Development Association of Michigan (CEDAM). We will be setting up a call to determine the scope of the project next year.

4. Attended the Michigan Economic Developers Association Fall Conference. Content included property rehabilitation, community financing and legislative updates from the Michigan Economic Development Corporation (MEDC).
5. On 11/18 we met with representatives from Genesee County along with Mayor Henry and RBF Construction to discuss the county housing incentive.
6. Sent in map of Holland Sq to Red E Charge for possible placement of EV chargers on the property. Once the map is submitted Red E Charge will send out a crew to measure traffic volume and parking to determine the best type of charger for the area along with traffic study to determine how many would be appropriate.
7. On 11/1 a total of 10 downtown businesses received information about the Match on Main grant. Information was personally delivered to them that also included the new economic developers contact information. The businesses that were contacted:
  - Jamies Place
  - Great Lakes Smoothie CO
  - Kelly & Co Nail Studio
  - Kallas Heating & Cooling
  - Blue Butterfly Gifts
  - Against the Grain Hair Studio
  - Swartz Creek Pharmacy
  - Stay Gold Art
  - Pink Florist & Boutique
  - S&K Pub

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

### ✓ **APPOINTMENTS** (*Update*)

Positions that still need to be filled are the ZBA Alternate, the Board of Review Alternate, and a Park Board Position that Angela Ritter vacated due to her relocation. There is not a resolution to fill these positions at this time.

### ✓ **OTTERBURN DONATION PRESENTATION** (*Business Item*)

Stephanie Lipa-Skinner is returning to our meeting for a check presentation. As Jentry's mother, she is representing the BeeMoreJentry charitable entity that raises funds in his memory for Otterburn, Camp Copneconic, and other worthy causes. At this time, they have some proceeds to contribute that were raised by their annual fall event. We are very lucky to have had Jentry in the community, and we continue to receive the blessings of those closest to him. I expect some folks with the group to be with Stephanie as she presents a check to the city.

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

*Orienteering Course:* I am working with Walt to replace these medallions. The medallions are likely to be fabricated over the winter, with a spring installation.

**City of Swartz Creek  
RESOLUTIONS  
Regular Council Meeting, Monday, December 16, 2024, 6:00 P.M.**

**Motion No. 241216-4A**                      **MINUTES – DECEMBER 9, 2024**

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

**I Move** the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday, December 9, 2024, to be circulated and placed on file.

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

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

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

**Motion No. 241216-5A**                      **AGENDA APPROVAL – DECEMBER 16, 2024**

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

**I Move** the Swartz Creek City Council approve the Agenda as presented / printed / amended for the Regular Council Meeting of December 16, 2024, to be circulated and placed on file.

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

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

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

**Motion No. 241216-6A**                      **CITY MANAGER’S REPORT**

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

**I Move** the Swartz Creek City Council accept the City Manager’s Report of December 16, 2024, including reports and communications, to be circulated and placed on file.

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

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

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

**Resolution No. 241216-8A**                      **RESOLUTION TO APPROVE THE CITY CDBG PRE-ALLOCATION**

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

**WHEREAS**, the City of Swartz Creek City Council receives an allocation of Community Development Block Grant Funds from Genesee County on a three year cycle, with the next allocation expected to be \$35,189; and

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

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

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

**WHEREAS**, the city council held a public hearing on December 16, 2024 to hear public comment related to the use of such funds,

**WHEREAS**, the due date for pre and full applications is January 13, 2025 at 5:00pm.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Swartz Creek City Council submit a pre-application to the Genesee County Metropolitan Planning Commission for the three-year Community Development Block Grant Distribution, an amount estimated to be \$35,189, to support all or some of the following activities:

1. Senior Center Services (30%)
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

**BE IT FURTHER RESOLVED THAT** the Swartz Creek City Council authorize the city manager to submit full applications to the Genesee County Metropolitan Planning Commission for the three-year Community Development Block Grant Distribution by the due date on January 13, 2025.

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

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

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

**Motion No. 241216-11A**

**ADJOURN**

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

**I Move** the Swartz Creek City Council adjourn the regular council meeting of December 16, 2024.

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

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

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



**CITY OF SWARTZ CREEK  
SWARTZ CREEK, MICHIGAN  
MINUTES OF THE REGULAR COUNCIL MEETING  
DATE December 9, 2024**

The meeting was called to order at 6:00 p.m. by Mayor Henry in the Swartz Creek City Council Chambers, 8083 Civic Drive.

Invocation and Pledge of Allegiance.

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

Councilmembers Absent: None.

Staff Present: City Manager Adam Zettel, Clerk Renee Kraft.

Others Present: Fire Chief Plumb, Metro PD Chief Bade, Brenda and Todd Florence, Rod Gardner, Dennis Cramer, Shanna Satkowiak.

Others Virtually Attended: Lania Rocha

**APPROVAL OF MINUTES**

**Resolution No. 241209-01**

**(Carried)**

Motion by Councilmember Spillane  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday November 25, 2024 to be circulated and placed on file.

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

**APPROVAL OF AGENDA**

**Resolution No. 241209-02**

**(Carried)**

Motion by Councilmember Krueger  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council approve the Agenda as printed for the Regular Council Meeting of December 9, 2024 to be circulated and placed on file.

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

**CITY MANAGER’S REPORT**

**Resolution No. 241209-03**

**(Carried)**

Motion by Councilmember Melen  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council accept the City Manager’s Report of December 9, 2024, including reports and communications to be circulated and placed on file.

Discussion Ensued.

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

**MEETING OPENED TO THE PUBLIC:**

None.

**COUNCIL BUSINESS:**

**RESOLUTION TO APPROVE A SITE PLAN AND SPECIAL LAND USE FOR 6273 MILLER ROAD CHILD DAYCARE CENTER (CORNERSTONE BAPTIST CHURCH)**

**Resolution No. 241209-04**

**(Carried)**

Motion by Mayor Pro Tem Hicks  
Second by Councilmember Melen

**WHEREAS**, the city received a proposal to convert existing building space of a worship center to Child Day Care on a piece of land zoned as Single Family Residential (R-1), that parcel being 6273 Miller Road, parcel ID 58-31-200-017, and;

**WHEREAS**, the project is a special land use within the R-1 zoning district and requires a site plan review, with an additional approval for the special land use, and;

**WHEREAS**, the planning commission, in reviewing the application materials and criteria in Zoning Ordinance Sections 13 & 30, among other sections, found the proposed site plan for a Child Daycare Center meets the intent of the zoning ordinance, and;

**WHEREAS**, a public comment session was offered, and input by city staff has been received, and;

**WHEREAS**, the planning commission found that the site plan in conjunction with the special land use, would meet all other general and specific standards applicable if the following conditions are met:

1. Landscaping shall be installed in accordance with the 2012 site plan.

**NOW, BE IT RESOLVED** that the Swartz Creek City Council approves the site plan, dated October 11, 2024, subject to the conditions in this resolution.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

## **RESOLUTION TO AUTHORIZE THE JOINT PURCHASE OF A NEW FIRE TRUCK FOR THE SWARTZ CREEK AREA FIRE DEPARTMENT**

**Resolution No. 241209-05**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Councilmember Krueger

**WHEREAS**, the city operates a joint fire department with Clayton Township and such department has a board that functions in accordance with the terms and conditions set in the interlocal agreement as approved pursuant to the Urban Cooperation Act of 1967, MCL 124.501 et al; and

**WHEREAS**, the board has analyzed the need for replacement of the 1991 and 1997 Pierce engines in the near future; and

**WHEREAS**, the department advocates for the purchase of a new engine that will generally match the specifications of the most recent Spartan delivery for the price of \$1,124,590, with a city share of \$562,295; and

**WHEREAS**, the equipment need has been planned for by both participating municipalities, and the delivery date of July 1, 2027 or after is in line with the city's budget projections for a new fire engine; and

**WHEREAS**, the city has been presented with the equipment needs of the fire department and concurs with the findings and recommendation of the fire board and fire chief.

**NOW, THEREFORE, BE IT RESOLVED** the City of Swartz Creek, conditioned upon equal participation of the Clayton Township Board, hereby approves payment to the Swartz Creek Area Fire Department in an amount not-to-exceed \$562,295 towards the purchase of a new Fire Truck as detailed by the SCAFD.

**BE IT FURTHER RESOLVED**, the payment for the apparatus shall be appropriated from the Fire Equipment Fund 402 in installments to be determined by the City Treasurer to be in the best financial interest of the city, upon consideration of pre-deliver discounts, interest rates, and other factors.

Discussion Ensued.

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

**RESOLUTION TO APPROVE AN AMENDED POVERTY EXEMPTION POLICY AS PART OF THE MICHIGAN STATE TAX COMMISSION AUDIT OF MINIMUM ASSESSING REQUIREMENTS**

**Resolution No. 241209-06**

**(Carried)**

Motion by Councilmember Knickerbocker  
Second by Councilmember Krueger

**WHEREAS**, the Michigan Tax Commission conducts an Audit of Minimum Assessing Requirements (AMAR) of Townships and Cities; and

**WHEREAS**, the city has adopted various policies and procedures related to these requirements, including a local Poverty Exemption Policy; and

**WHEREAS**, the State Tax Commission Policy Regarding Requests for Percentage Reductions in Taxable Value for Poverty Exemptions Under MCL 211.7u, has been updated as of November 26, 2024; and

**WHEREAS**, the city updated and affirmed written guidelines for poverty exemptions in 2023 and must continue to update and affirm specific wage thresholds for the policy.

**NOW, THEREFORE BE IT RESOLVED** that the City of Swartz Creek adopts the City of Swartz Creek Requirements of Poverty Exemption, as included in the December 9, 2024, city council packet, including the updated set income levels for exemption.

**BE IT FURTHER RESOLVED** that the City of Swartz Creek hereby waives penalties and interest that is otherwise required to be levied for failure to file a Property Transfer Affidavit under MCL 211.27b.

**CITY OF SWARTZ CREEK**  
*(An Equal Opportunity Employer)*  
**REQUIREMENTS FOR POVERTY EXEMPTION**

In order to be eligible for the poverty exemption, the claimant must do and meet all of the following requirements on an annual basis:

**REQUIREMENTS**

1. The applicant must own and occupy as a homestead the property for which the exemption is requested. The applicant must also produce a valid driver's license or other form of identification showing place of residence.
2. The applicant must file form 5737, Application for MCL 211.7u Poverty Exemption and form 5739, Affirmation of Ownership and Occupancy to Remain Exempt by Reason of Poverty, with the board of review as provided by the Swartz Creek City Assessor's Office. It must be received between January 1 of each year and the day prior to the last scheduled meeting day of the Board of Review for that year. **Note:** The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right to appeal to the Michigan Tax Tribunal.
3. Applicant must provide federal and state income tax returns for all persons residing in the homestead including any property tax credit returns. These income tax returns may be those filed in the current year or in the immediately preceding year. Any additional information regarding the poverty application must be in writing and attached to the petition form (**Note:** If an applicant is not required to file a federal or state income tax return then they must show proof of income and file the attached affidavit (Form 4988) for all persons residing in the residence who were not required to file federal or state tax returns for the current or preceding tax year.
4. Meet the asset level test, which is established to be: The claimant's and household's total assets, excluding the principal residence, do not exceed Ten Thousand dollars (\$10,000). Applicants must provide a list of all assets when applying for the poverty exemption. Assets include, but are not limited to:

A second home, land, vehicles • Recreational vehicles such as campers, motor-homes, boats and ATV's • Buildings other than the residence • Jewelry, antiques, artworks • Equipment, other personal property of value • Bank accounts (over a specified amount), stocks •

Money received from the sale of property, such as, stocks, bonds, a house or car (unless a person is in the specific business of selling such property) • Withdrawals of bank deposits and borrowed money • Gifts, loans, lump-sum inheritances, and one-time insurance payments Page 3 • Food or housing received in lieu of wages and the value of food and fuel produced and consumed on farms • Federal non-cash benefits programs such as Medicare, Medicaid, food stamps and school lunches.

5. The applicant must produce a deed, land contract or other evidence of ownership of the property for which an exemption is requested to support the information provided on the Poverty Petition.
6. An applicant must meet the federal poverty guidelines for the total household income as published in the prior calendar year in the Federal Register by the United States Department of Health and Human Services under its authority to revise the poverty line under 42 USC 9902, as attached. Income includes, but is not limited to:

Money, wages, salaries before deductions, regular contributions from persons not living in the residence • Net receipts from non-farm or farm self-employment (receipts from a person's own business, professional enterprise, or partnership, after business expense deductions) • Regular payments from social security, railroad retirement, unemployment, worker's compensation, veteran's payments, public assistance, supplemental security income (SSI) • Alimony, child support, military family allotments • Private and governmental retirement and disability pensions, regular insurance, annuity payments • College or university scholarships, grants, fellowships, assistantships • Dividends, interest, and net income from rentals, royalties, estates, trusts, gambling or lottery winnings

IMPORTANT NOTE: PA390 of 1994 states that the poverty exemption guidelines established by the governing body of the local assessing unit SHALL also include an asset level test.

7. The Poverty Exemption applicant must provide additional relevant documentation requested by the Assessor or Board of Review in order to fully investigate an application.

#### **GUIDELINES FOR GRANTING POVERTY EXEMPTIONS:**

The Board of Review can deny or grant a full exemption equal to a 100% reduction in taxable value or a partial exemption equal to a 25%, 50% or 75% reduction in taxable value.

Poverty Exemptions must be processed annually. Under no circumstances will a poverty exemption be extended for a subsequent year without renewal of the poverty petition.

**APPEAL OF POVERTY EXEMPTIONS TO THE MICHIGAN TAX TRIBUNAL:**

A property owner may appeal the March Board of Review's decision on a poverty exemption to the Michigan Tax Tribunal. This appeal must be made by June 30. A property owner may appeal the July Board of Review's decision or December Board of Review's decision to the Michigan Tax Tribunal within 35 days from the date of the decision. The assessor may also appeal a Board of Review's decision on a poverty exemption to the Michigan Tax Tribunal.

**Federal Poverty Guidelines Used in the Determination of Poverty Exemptions for 2025**

<b>Size of Family Unit</b>	<b>Poverty Guidelines</b>
<b>1</b>	<b>\$15,060</b>
<b>2</b>	<b>\$20,440</b>
<b>3</b>	<b>\$25,820</b>
<b>4</b>	<b>\$31,200</b>
<b>5</b>	<b>\$36,580</b>
<b>6</b>	<b>\$41,960</b>
<b>7</b>	<b>\$47,340</b>
<b>8</b>	<b>\$52,720</b>
<b>For each additional person</b>	<b>\$5,380</b>

Discussion Ensued.

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

NO: None. Motion Declared Carried.

**RESOLUTION TO SUPPORT THE APPLICATION OF THE BREWER TOWNHOMES PROJECT TO THE HOUSING IMPACT FUNDING PROGRAM OF GENESEE COUNTY**

**Resolution No. 241209-07**

**(Carried)**

Motion by Councilmember Spillane  
Second by Councilmember Krueger

**WHEREAS**, the City of Swartz Creek supports the submission of an application titled, Brewer Townhomes, to the Housing Impact Funding program for the completion of 8 - 12 attached housing units, as approved by the city council, located at the northwest corner of Morrish Road and Paul Fortino Drive; and

**WHEREAS**, the location of the proposed project is within the jurisdiction of the City of Swartz Creek and is within the downtown; and

**WHEREAS**, the proposed project, if completed, will benefit the community by adding households within the walkable downtown, in accordance with the city's planning efforts; and

**WHEREAS**, with this resolution of support, it is acknowledged that the City of Swartz Creek recognizes that the purpose and goal of the Housing Impact Fund is to increase the supply of decent, safe, and sanitary housing for Genesee County residents.

**NOW, THEREFORE, BE IT RESOLVED** the City of Swartz Creek hereby supports submission of a Housing Impact Fund Application for the Brewer Townhomes.

Discussion Ensued.

YES: Melen, Hicks, Krueger, Knickerbocker, Henry.  
NO: Spillane, Gilbert. Motion Declared Carried.

**RESOLUTION TO APPROVE SIGN FABRICATION FOR THE NELSON, NEW ZEALAND STATION OF COSMOS IN THE CREEK**

**Resolution No. 241209-08**

**(Carried)**

Motion by Councilmember Krueger  
Second by Councilmember Melen

**WHEREAS**, the City of Swartz Creek has collected funds to install ten sign stations that will make up the Cosmos in the Creek Solar System Model, including nine stations in Swartz Creek and one in Nelson, New Zealand; and



**WHEREAS**, the city has approved the quote for local sign fabrication for nine stations; and

**WHEREAS**, the city has been seeking quotes for sign fabrication for the station in Nelson; and

**WHEREAS**, a single quote has been received that is competitive for a single sign fabrication, however consistent communication and other barriers have made the timely acquisition of other quotes problematic; and

**WHEREAS**, the city has been seeking quotes for sign fabrication for the station in Nelson; and

**WHEREAS**, the city finds that, though this is normally a competitive product, the interests of the city are best served by proceeding with the current negotiated quote.

**NOW, THEREFORE, BE IT RESOLVED**, the City of Swartz Creek approves the quote for the New Zealand sign station as made by Speedy Signs Nelson, in the amount of \$7,742.95 New Zealand Dollars (~\$4,562.22 USD).

YES: Melen, Spillane, Hicks, Krueger, Knickerbocker, Henry.

NO: Gilbert. Motion Declared Carried.

**RESOLUTION TO APPROVE A GRANT AGREEMENT WITH THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES FOR \$9,890 OF COMMUNITY FORESTRY FUNDS**

**Resolution No. 241209-09**

**(Carried)**

Motion by Councilmember Melen

Second by Councilmember Krueger

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

**WHEREAS**, the city plans for long term improvements in said parks through its Park and Recreation Plan, which is updated and kept on file with the DNR; and

**WHEREAS**, the city is prioritizing forestry in Abrams Park to replace aging Cottonwoods with native Oak, Elm, and other species; and

**WHEREAS**, the city applied for and was awarded a Community Forestry Grant to purchase and install such trees.

**NOW, THEREFORE, BE IT RESOLVED**, the City of Swartz Creek approves the Community Forestry Grant Program agreement as included in the December 9, 2024 city council packet and authorizes and directs the City Manager to be the designated signee and contact for this grant.

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

**MEETING OPENED TO THE PUBLIC:**

Chief Plumb: Thanked council for approving the fire truck. Next meeting has a location change.

Dennis Cramer: American Legion is collecting for hurricane relief. They are sending a truck next week to Appalachia. He attended a “mega-site” meeting in Mundy Township and appreciated the transparency and public input.

Shanna Satkowiak: Stated that Applecreek has problems. She discussed mold tests and charges for utilities.

**REMARKS BY COUNCILMEMBERS:**

Councilmember Knickerbocker: The Chambers fundraiser is this Friday 7-9am at the Dort Financial Event Center.

Mayor Pro Tem Hicks: The Fireman’s Parade was fun.

Mayor Krueger: Christmas concert next Monday – tickets are \$10 each.

Mayor Henry: The tree lighting was nice.

**ADJOURNMENT**

**Resolution No. 241209-10**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Councilmember Cramer

**I Move** the Swartz Creek City Council adjourn the regular meeting at 7:19 p.m.

Unanimous Voice Vote.

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**David A. Krueger, Mayor**

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**Renee Kraft, CMC, MiPMC, City Clerk**



**GENESEE COUNTY**  
**METROPOLITAN PLANNING  
COMMISSION**

November 25, 2024

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

SUBJECT: Updated Census Low/Moderate Income Maps

Dear Mr. Zettel:

Every five years, the U.S. Department of Housing and Urban Development (HUD) releases new low/moderate income data based on the latest American Community Survey (ACS). GCMPC staff has created new maps based on this data. HUD regulations state the new projects occurring after August 1, 2024, that have not been financially obligated must use the new data to qualify projects. This data replaces the previous data collected in the 2011-2015 ACS. We regret to inform you that the following project is no longer in an income eligible CDBG low/mod area under the new data:

- 2025 Infrastructure Improvements: \$29,911 (Installation of decorative lighting)

Your 2024 CDBG projects will continue as scheduled. All other CDBG 2025-2027 projects remain unchanged. For projects impacted by these changes, there are a few actions you can take to ensure this funding stays in your community:

- An income survey may be conducted to determine area eligibility.
- You may select a new project within a low/mod area.
- If your community no longer has any low/mod areas, you will need to find another project that benefits low/mod clientele instead of an area-based project.

The low/mod maps for each municipality in Genesee County can be found here: <https://gcmpr.org/wp-content/uploads/2024/10/LUG-LowMod-Maps-2020-ACS-Data.pdf>. If you plan on applying for a new project, a public hearing, a pre-application, and a full application must be completed and entered into Neighborly by January 13th at 5PM. Staff would be happy to meet with you to provide assistance with project development. If you have any questions or would like to schedule a meeting, please do not hesitate to contact me at (810) 766-6560.

Sincerely,

**COMMUNITY DEVELOPMENT PROGRAM**

1101 Beach Street – Room 111, Flint, Michigan 48502-1470 • (810) 257-3010 • [www.gcmpr.org](http://www.gcmpr.org)





An Equal Opportunity Organization • Equal Housing Opportunity



A handwritten signature in black ink, appearing to read "Damon Fortney". The signature is written in a cursive style with a large initial "D" and "F".

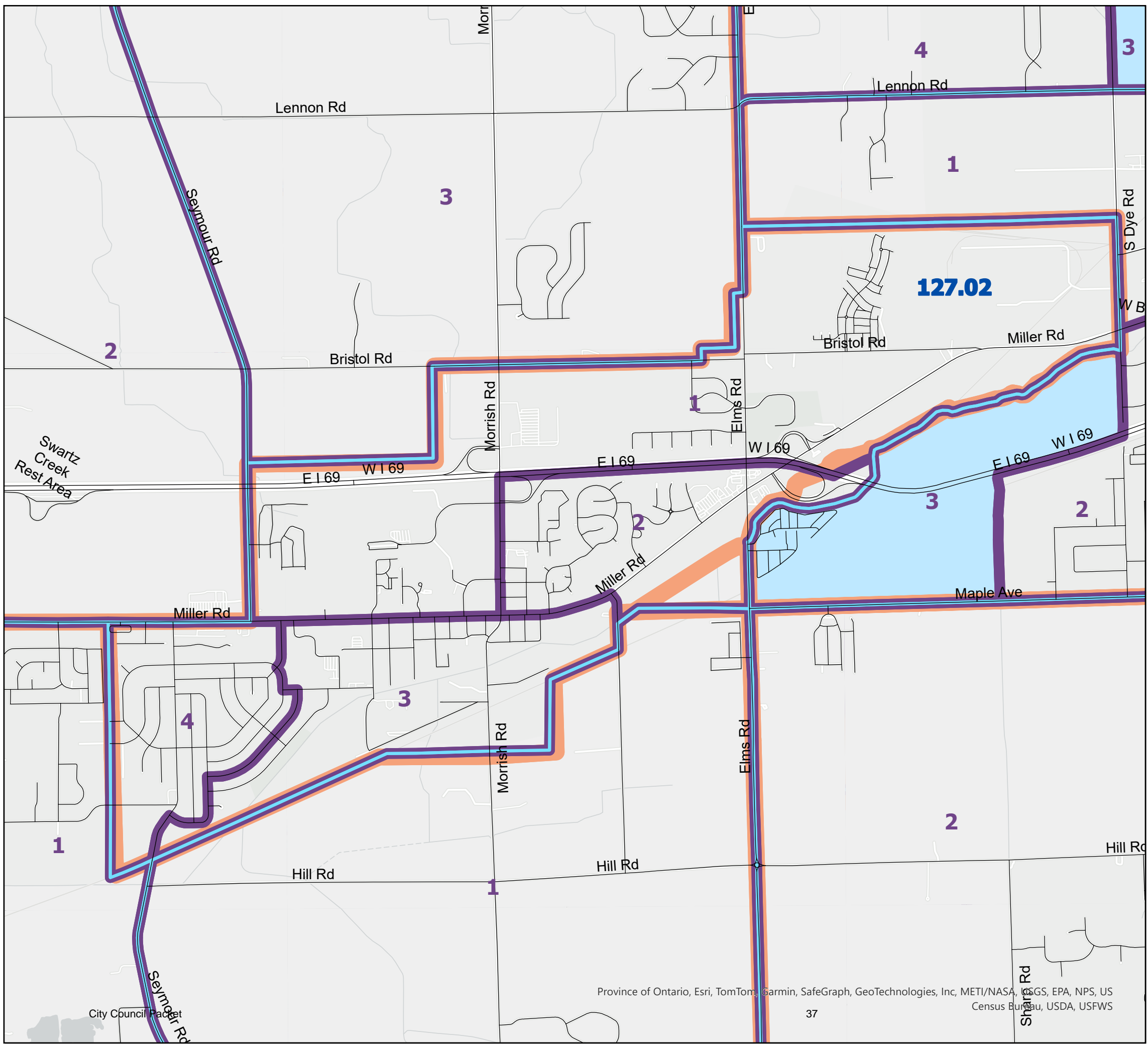
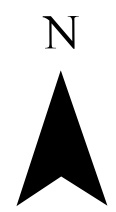
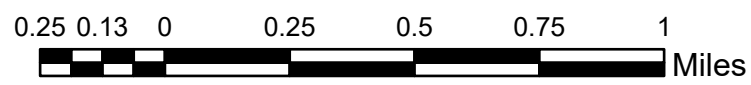
Damon Fortney, Lead Planner  
Genesee County Metropolitan Planning Commission

# CDBG - Low/MOD Income Areas City of Swartz Creek

-  Municipality Boundaries
-  Block Groups
-  2020 Census Tracts
-  2020 Low/Mod Block Groups

**133.02** Census Tract Number

**1** Block Group Number



**From:** [noreply-migrants@michigan.gov](mailto:noreply-migrants@michigan.gov)  
**To:** [Adam Zettel](#)  
**Subject:** Application Outcome for TF24-0061 - Otterburn Park Infrastructure Improvements  
**Date:** Thursday, December 12, 2024 11:31:08 AM

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City of Swartz Creek,  
TF24-0061  
Otterburn Park Infrastructure Improvements

Congratulations! On behalf of Department of Natural Resources (DNR) Director Scott Bowen, I am writing to inform you that the application noted above was among those recommended for funding by the Michigan Natural Resources Trust Fund (MNRTF) Board of Trustees to receive a grant in the amount of \$\$290,000.00.

A formal grant offer will be made in the form of a project agreement (PA) after funds are appropriated by the State Legislature. This process could take 4-6 months. When funds become available we will contact you again with information on the PA. The following steps can be done before you enter in to a PA with the DNR Grants Management Section (Grants Management) but **if for any reason your PA is not approved or fully executed, your community will be liable for any expenses incurred.**

### **Acquisition Projects**

1. Begin preparing your [legal description](#) and [boundary map](#).
2. Beginning in January, you may incur costs for [environmental due diligence](#) and [40-year title search](#).
3. Once Grants Management approves the title work and environmental due diligence you will be authorized get an [appraisal](#).

### **Development Projects**

1. Begin preparing your [legal description](#) and [boundary map](#)
2. Finalize any [easements or other land rights](#) if all or a portion of the project area is not owned by the agency receiving the grant.
3. Retain the services (internal staff or consultant) of a [prime professional](#)
4. Make sure [local matching funds](#) are in place
5. Beginning in January, you may, begin to incur costs associated with the preparation of [plans, specifications, and bid documents](#) for your project

Please refer to the project procedures booklet throughout the grant administration process. Even if you have received a MNRTF grant in recent years, you should read this booklet carefully since it provides updated information on project procedures.

Acquisition Project Procedures Booklet:

[https://www.michigan.gov/documents/dnr/IC1908\\_MNRTF\\_Acquisition\\_Procedures\\_2018\\_609808\\_7.pdf](https://www.michigan.gov/documents/dnr/IC1908_MNRTF_Acquisition_Procedures_2018_609808_7.pdf)

Development Project Procedures Booklet:

[https://www.michigan.gov/documents/dnr/IC1912\\_DevelopmentProjectProcedure\\_2018\\_609806\\_7.pdf](https://www.michigan.gov/documents/dnr/IC1912_DevelopmentProjectProcedure_2018_609806_7.pdf)

If you have any questions regarding your project or the MNRTF program, please contact your Grant Coordinator.

Sincerely,  
Grants Management Section  
Finance and Operations Division  
Michigan Department of Natural Resources