

**City of Swartz Creek
AGENDA**

**Regular Council Meeting, Monday, October 24, 2022, 7:00 P.M.
Paul D. Bueche Municipal Building, 8083 Civic Drive Swartz Creek, Michigan 48473
THIS WILL BE A HYBRID MEETING, WITH IN PERSON ATTENDANCE BY COUNCIL MEMBERS.**

- 1. **CALL TO ORDER:**
- 2. **INVOCATION:**
- 3. **ROLL CALL:**
- 4. **MOTION TO APPROVE MINUTES:**
 - 4A. Council Meeting of October 10, 2022 MOTION Pg. 26
- 5. **APPROVE AGENDA:**
 - 5A. Proposed / Amended Agenda MOTION Pg. 1
- 6. **REPORTS & COMMUNICATIONS:**
 - 6A. City Manager's Report MOTION Pg. 8
 - 6B. Staff Reports & Meeting Minutes Pg. 32
 - 6C. Christmas Parade Permit Pg. 42
 - 6D. Park Rules, Reservation Form, & Rental Agreement Drafts Pg. 45
 - 6E. DWSRF Notice to Apply Pg. 52
 - 6F. MML Press Release Pg. 54
 - 6G. Audit Draft LINK 1. LINK 2. LINK 3.
- 7. **MEETING OPENED TO THE PUBLIC:**
 - 7A. General Public Comments
- 8. **COUNCIL BUSINESS:**
 - 8A. Audit Presentation PRESENTATION
 - 8B. Audit Acceptance RESO Pg. 22
 - 8C. Christmas Parade Permit RESO Pg. 23
 - 8D. Park Rules, Reservation Form, and Rental Agreement RESO Pg. 24
 - 8E. Appointments RESO Pg. 24
- 9. **MEETING OPENED TO THE PUBLIC:**
- 10. **REMARKS BY COUNCILMEMBERS:**
- 11. **ADJOURNMENT:** MOTION Pg. 25

Next Month Calendar

Metro Police Board:	Wednesday, October 26, 2022, 11:00 a.m., Metro HQ
Planning Commission:	Tuesday, November 1, 2022, 7:00 p.m., PDBMB
Downtown Development Authority:	Thursday, November 10, 2022, 6:00 p.m., PDBMB
City Council	Monday, November 14, 2022, 7:00 p.m., PDBMB
Park Board:	Tuesday, November 15, 2022, 5:30 p.m. PDBMB
Zoning Board of Appeals:	Wednesday, November 16, 2022, 6:00 p.m., PDBMB
Fire Board:	Monday, November 21, 2022, 6:00 p.m., Public Safety Building
City Council:	Monday, November 28, 2022, 7:00 p.m., PDBMB

City of Swartz Creek Mission Statement

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

City of Swartz Creek Values

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

Honesty, Integrity and Fairness

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

Fiscal Responsibility

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

Public Service

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

Embrace Employee Diversity and Employee Contribution, Development and Safety

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

Expect Excellence

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

Respect the Dignity of Others

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

Promote Protective Thinking and Innovative Suggestions

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

**CITY OF SWARTZ CREEK
VIRTUAL REGULAR CITY COUNCIL MEETING ACCESS INSTRUCTIONS
MONDAY, OCTOBER 24, 2022, 7:00 P.M.**

The regular virtual meeting of the City of Swartz Creek city council is scheduled for **October 24, 2022** starting at 7:00 p.m. and will be conducted virtually (online and/or by phone), due to health concerns surrounding Coronavirus/COVID-19 and rules promulgated by the Michigan Department of Health and Human Services.

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

Zoom Instructions for Participants

To join the conference by phone:

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

Before a videoconference:

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

To join the videoconference:

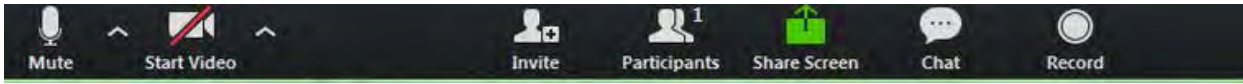
1. At the start time of your meeting, enter the link to join via computer. You may be instructed to download the Zoom application.
2. You have an opportunity to test your audio at this point by clicking on “Test Computer Audio.” Once you are satisfied that your audio works, click on “Join audio by computer.”

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

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

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

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



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

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

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

Connie Olger is inviting you to a scheduled Zoom meeting.

Topic: Swartz Creek City Council Meeting

Time: October 24, 2022 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

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

Meeting ID: 830 9640 1128

One tap mobile

+13017158592,,83096401128# US (Washington DC)

+13126266799,,83096401128# US (Chicago)

Dial by your location

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

Meeting ID: 830 9640 1128

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

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

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

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

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

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

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

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

MAINTAINING ORDER

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

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

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

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

MOTIONS & RESOLUTIONS

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

PUBLIC ADDRESS OF COUNCIL

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

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

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

VOTING RECORD OF PUBLIC BODIES

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

City of Swartz Creek
CITY MANAGER'S REPORT
Regular Council Meeting of Monday, October 24, 2022 - 6:00 P.M.

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

FROM: Adam Zettel, City Manager

DATE: October 19, 2022

ROUTINE BUSINESS – REVISITED ISSUES / PROJECTS

- ✓ **MICHIGAN TAX TRIBUNAL APPEALS** *(No Change of Status)*
We only have one pending tax appeal for 2022, and that is O'Reilly's. Our assessor believes we may be able to cooperate with Frankenmuth City on an appraisal and strategy. Frankenmuth uses the same assessor and legal counsel as the city.

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

- ✓ **2020-2023 TRAFFIC IMPROVEMENT PROGRAM (TIP)** *(Update)*

The Morrish Road project is fully open to traffic and substantially complete. There is a bit more work on the mid-block crossing. This project should be behind us very shortly. Like everything else, we have some supply issues with the final markings and traffic control devices.

I had a meeting with MDOT and the MPO on October 12 to go over the funding agreement for the Miller Road buyout. This is a bit behind schedule on their end. They intend to send an agreement in November, which might make funds available for 2023. If so, I will have it before the council asap.

The federal award for this project is \$1,054,959 for the \$1.33M project. At 90%, this will be \$949,463 of less restricted road money. If we use these funds to locally bid the project, as we have recently done with Seymour, I expect we can get the project done for under \$949,463.

What is even better, is that the funds that remain, if any, can be spent to expand the project scope as we see fit. This might include some striping or lane change configurations downtown if the city wishes to explore on-street parking on Miller from Morrish to Hayes.

With that said, OHM is working to model some options for this segment and see what we might be able to do with on street parking. Initial findings are looking good.

- ✓ **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.

All street work for 2022 is substantially complete. Road paint has been completed on Bristol, Seymour, and Hill. However, there are still some missing stop bars and specialty markings (approved at the September 12 meeting). Note that Seymour now

has a double yellow line centered on the street, with edge lines included to provide for shoulders on both sides. The lane width is at 10.5'. This should result in traffic calming and provide a safer space for bikers.

OHM is preparing preliminary engineering for the remainder of Winchester Village and Winchester Woods. This is a very large scope of work. As observed with the recent streets in the Village, the water main that is in place is 70-year-old cast iron, with failing joints. As such, it is imperative to replace water main for those streets that have original pipe (note that this excludes Don Shenk, which has ~20 year old water main, with a corresponding top coat of asphalt).

In order to tackle such a large scope of water main, we intent to bond with the USDA for another phase. This means that the water main work must be completed in two construction seasons. The removal of the street and existing main further necessitates that the streets be completed in the same timeline. As such, a street bond is prudent.

We are currently finalizing the USDA borrowing process and should be ready to bid the water main and streets this winter. The USDA and street bond processes will be conducted concurrently, but they are separate and distinct. Because of the importance and complexity. I am adding a new section to the packet to cover the borrow process specifically.

✓ **BRIDGE WORK (Update)**

This project has been pushed back to spring of 2023. The previous report follows.

We are cooperatively bidding work for the Elms Road bridge with the Genesee County Road Commission. The work required consists of an epoxy overlay on the Elms Road bridge. This work was called for during the last bridge inspection. The proposal from the GCRC indicates that the total cost is expected to be \$25,000. Because this is being bid with sixteen other county bridges, we expect the cost to be lower.

The county indicates that traffic will be maintained and no detours will be required.

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

✓ **SEWER REHABILITATION PROGRAM (Update)**

We are working with the contractor to map all lining projects done to date, as well as recent cleaning and televising. Once complete, we will use this information to compare to our 20-year lining program and make recommendations for 2023 lining work. We will also be putting together a more formal five-year city-wide cleaning program, based upon this information. I hope to have this in front of the council in January.

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

Phase I of the USDA water main work is substantially complete. We have only a few punch list items left to cover, and we are prepared to issue final payment.

The USDA application is complete. We are looking at about \$270,000 in annual loan installments to pay for phase II (see the attached loan documents). No grant funds were included this round. We are working with our financial advisor and bond counsel

to formalize a package for the council to review (this will include future street work as well).

See the new borrowing section below. In addition to the USDA lending, we are considering an application to the Michigan Drinking Water State Revolving Fund. Previously, application to this program was not as attractive. In fact, there is still a big downside, since funds would not be available until 2024. However, given the potential for a 50 week wait on ductile iron, we might be able to see if this program offers a better interest rate and/or some grant on the project. Our engineer indicates that the rates are currently below USDA, with the DWSRF at 1.875% and USDA quoting 2.65%.

We plan to submit a notice to apply (attached). There is absolutely no harm in exploring this, and there is no commitment. We will continue to monitor the situation as things evolve.

This water project, regardless of the funding source, will help us afford the remainder of the Winchester Village Streets:

- Greenleaf
- Winshall
- Durwood
- Norbury
- Whitney
- Seymour (partial section only)

If we can bid in late 2022 or early 2023, then 2023 and 2024 could see the total completion of all Village water main and streets. Note that water main pipe is reportedly 50 weeks delayed. We are also experiencing a concrete shortage. Such delays could have significant impacts on the complete project timeline, pricing, and applied interest rate. See the new section in the packet related to the borrowing for the USDA Phase II and road projects.

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

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

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

✓ **COMMERCIAL METERS AND TRANSPONDERS** *(Update)*

The city council approved the purchase of omni antennas for real-time reading of the city's utility customers. We finally have a draft lease for use of the tower at 4355 Elms Road, which does not include any lease fees. The council approved this on October 10th. Once the attorney has reviewed the instrument, we will execute it and be one step closer to real time reads.

We appear to be delayed on the equipment availability. I will keep the council informed on the timeline for product availability, installation, and use. See the report from August 11, 2022 for details on this program.

✓ **STORM WATER MANAGEMENT** (*No Change of Status*)

The city has a template stormwater management practices maintenance agreement. This is the instrument that the state is requiring municipalities to enter into with private land developer in order to ensure their private storm water systems function as designed for perpetuity. We are seeking input on the instrument from EGLE prior to entering into such agreements. An example in which one is needed is the new Brewer Townhome site, which has surface and underground stormwater assets that drain to the public system.

Concerning our routine review, we have submitted a response to EGLE that we believe is reasonable. This should address all aspects of the notice that required a response. Note that the city has funded training, policy development, public education, testing, and reporting. The one item that may continue to be a problem is the construction composition and location of the city's salt barn. See the report from August 11, 2022, for details. We will obviously keep the council informed on the status of the notice of violation and our efforts to improve water quality.

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

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

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

✓ **NEWSLETTER** (*Update*)

The fall newsletter is out. Let me know what you think and if you have any future content.

✓ **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. (*Update*) **The Genesee Valley Trail Extension construction is underway and almost done!** We also had a loop installed in Elms Park with left over millings. We may have budget to expand this or add one at Abrams. As of writing the SRTS

project appears to be a 2023 project. Concerning the greenbelt, we are proceeding with applying grass anywhere where there is 18" or more of space.

2. The **raceway owner is still considering racing**. The state has more bills in the works. We should know something soon. As a backup plan, the owner will be looking to repurpose the site and cooperate with our master plan process. For now, they have a temporary zoning permit to store surplus vehicles for GM. See details below.
3. The **crews are mobilizing to demolish Mary Crapo**. My understanding is that the school has some unmet playing field or recreational needs, and they may be looking to locate some facilities or courts to this site. While the demolition of the school denies the community a contributing historic structure, I do not see a viable and predictable way to reuse the site.
4. The **school bond** will exceed \$50 million in district wide improvements over two to three years. The improvements so far are very impressive, especially what is occurring at the middle and high schools. The project is now including a new access to Cappy Lane for the high school. The school is also adding a walking path on their high school campus that should be integrated with other pedestrian features. The removal of trees in this area is not without some heartache for adjacent residents.
5. **Street repair in 2022** is nearly complete. The last item for Morrish Road will be the completion of the traffic refuge island. The other streets require striping.
6. **(Update)** The **Apple Creek Station** development appears to be a no-go. Enough time has elapsed that any construction will require a new site plan. I will remove this from future reports. The develop was to be 48 townhomes ranging in size from 1,389 to 1,630 square feet, with garages. Construction was to occur on vacant land in the back of the development, by Springbrook Colony. Site engineering plans have just been submitted by the owner. Rents were expected to be about \$1.00 per square foot (~ \$1,600 a month) which matches rents in Winchester Village.
7. **(Update)** The **Brewer Condo Project** is nearing completion of the first tri-plex. I am told that a unit has sold! The project includes 15 townhome condos off Morrish Road in downtown. They are approximately 1,750 square feet, with two car garages and basements. Not everyone is a fan, but we believe it will be a positive addition to the downtown in the long run. The builder is not certain when future phases will continue. There are obvious concerns about supplies, pricing, interest rates, and the value of homes.
8. The next **Springbrook East** phase is under construction. **There appears to be a sale of this project occurring**. Nothing is official yet, but it is likely that there will be a new builder for future phases.
9. The **southwest corner of Elms & Miller** is seeing some increased activity. This is likely due to the consolidation of two more properties at a recent auction, greatly expanding the available footprint.

✓ **TAP/DNR TRAIL (Update)**

The Genesee Valley Trail Extension construction is to recommence on October 26th. GM has wired money to cover the added costs of their reconfiguration and mobilization of the contractor. There has been an obvious delay in construction finalization while GM worked with us and the contractor to modify their driveway (at the expense of GM).

Concerning the greenbelt, we are proceeding with applying grass anywhere where there is 18" or more of space. Note that some features will be billed separate from the main contract, but they are required to meet grantor standards (such as the inclusion of benches and signage).

There has been a recent issue with some technical requirements for the trail at the rail crossing. Some adjustments may be made. At this point, the city will not be responsible for these costs, as the non-compliance was caused by other parties. I do not expect this issue to result in additional delays.

In other news, there is some interest from the community to conduct a ribbon cutting event for this expansion. There is a tentative event planned for May, which will focus on Elms Park, include a trail walk/ride to the Flint Township Veterans Memorial and back, and keynote speakers. It would be good to involve our officials and local businesses in a public event.

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

OHM is preparing all documents for final obligation of funds. This should enable us to bid this winter and complete the project in 2023.

This is a substantial grant for another \$650,000+ for trails and walkways in the community! This will enable installation of paths near the middle school, Elms, and Syring for student safety. These connections will also enhance our trail network. Note that inflation is going to be a big concern with this project, since funds are capped, and the scope of work is fixed. It is highly unlikely that the original budget is going to be adequate.

As of writing, we are still having issues with the Kincaid easement, as verbalized at the September 12 meeting. Our attorney has a solution, but it may take a dozen hours of legal services and about three months of procedural time to complete.

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

Our community needs to find specific projects to exercise a crowd funding match for a public place enhancement. This is a big deal and can provide up to \$50,000 towards a downtown project! I am told that the Otterburn pavilion may qualify! There was also an idea presented at the DDA to crowdfund a dragon statue for downtown. Thoughts?

A link to this program is [here](#).

Burrito Bros, 8013 Miller, is applying for the Development District Liquor License, which the council supported. This process is taking longer than anticipated, but there is progress. As of mid-August, background checks have been completed.

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

The Wade Street property 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.

✓ **CDBG** (*No Change of Status*)

Applications were submitted for the 2022-2024 cycle which will go towards senior services and new downtown residential neighborhood sidewalks. We signed updated agreements to receive and use these funds on September 2nd. However, though funds will be available in 2023 for the sidewalks, this will not be until late fall. As such, this project is slated for 2024.

✓ **GIS MAPS** (*Update*)

Crews are now using GIS for applications such as hydrant inspections/winterization. The system now hosts nearly all the underground data that we possess for water, sanitary sewer, and storm sewer. We are working with our sewer restoration company to update the historical data on sanitary sewer.

✓ **DISC GOLF** (*Update*)

Shatter Chains has installed and begun use of nine baskets! We also met onsite with the disc golf folks and Glaeser Dawes in September. We are arranging the final restoration, which should leave us with a usable parking area, grass restoration, and a disc golf course. The disc golf group (Shattered Chains) will continue to work on establishing their course, launch pads, and baskets. As far as I know, all equipment is available.

I am curious to see if the slopes on the sledding hill will actually work for sledding...

Note that this site is the focus of the city grant writer and our efforts to secure funding at a large scale to construct the pavilion/bathrooms.

✓ **RACEWAY** (*No Change of Status*)

I met with ownership a few months back. They are looking to proceed with reuse of the site, probably in the industrial realm. The likelihood of thoroughbred racing is very small. There may be a desire to test the waters of the community concerning the acceptance of industrial cannabis operations. We may see a concept plan for reuse this summer.

✓ **PAVILION COMMITMENT** (*Update*)

I met with the grant writer again on September 19th. In addition to pursuing a 2023 federal legislative appropriation for this project, she will be seeking a Spark grant from the DNR. The application was just released, with a December deadline. Linda and I will be meeting this coming week to put this together. She is all over it! To that end, we are having a concept plan put together by Rowe, along with pricing. This is substantially complete as of October 19th.

I had a meeting with the Farmer family on September 23rd. They are still very much on board with supporting this and raising funds, aggressively. They are also good with our timeline for a 2023 or 2024 construction. Previous notes follow.

The city council has committed to installing a pavilion at Otterburn Park, including a commitment of \$20,000. I have reached out to four area builders about the creation of a concept and pricing thereof. A large pavilion with bathrooms and power will run at least \$150,000, plus site work and utilities. We expect this to be much higher now. Site improvements will cost even more.

As noted previously, this project also appears to be eligible for a crowd funding match for a public place enhancement. This is a big deal and can provide up to \$50,000 towards the Otterburn pavilion! This is another wonderful RRC perk.

A link to this program is [here](#).

✓ **FIRE DEPARTMENT AGREEMENT (Update)**

The fire department agreement has been approved by the city and Clayton Township. That will take effect on November 1, 2022.

✓ **INGALLS STREET REPORT-SPEEDING (Update)**

OHM is working on solutions for traffic calming for all of Ingalls Street. The previous report follows.

There continues to be an initiative to add a stop sign on Ingalls Street. I am including an opinion from Metro PD on the matter soon. Their report indicates that there are no pressing safety concerns. Keep in mind that all streets and intersections pose a danger. However, their findings do not indicate that the intersection of McLain nor the speeds on Ingalls are noteworthy nor is speed or safety likely be improved by any reasonable means.

That being said, we continue to pursue an inviting community, including walkable neighborhoods, safe streets, and quiet environments. As such we have been engaging in traffic calming measures and the additional walkways wherever we can. This presents an opportunity. After street resurfacing is completed this summer, we will be striping the streets with standard pavement markings. We believe there are two opportunities to engage in traffic calming by narrowing the road widths using the markings. We believe that marking Seymour Road in this way (instead of the wide north bound lane) and marking Ingalls in this way will help with speeds.

Seymour used to accommodate on street parking, but MDOT disallowed this during the last federal paving job. However, the wide lane remains. Ingalls still offers on street parking, but it is almost never used. If the council is agreeable, we can enact a traffic control order to remove on street parking on Ingalls and remark it. Note that on street parking is not very viable because there are exclusions on overnight parking and parking during school start and stop times.

The image below captures how markings can further define and visually narrow lanes, reducing speeds. Currently, there are no markings on Ingalls, so adding center and edge lines should help. We also have the option to place 'slow' markings in select areas as part of a comprehensive program.

✓ **ECONOMIC DEVELOPMENT PARTNERSHIP (No Change of Status)**

One of the areas that I consider a weak spot in our community service offerings is in business attraction and the telling of our story. This includes putting forth a positive community brand that promotes our successes in recreation, downtown, and infrastructure. It also includes marketing of our events, business opportunities, and general economic development offerings.

Our partner in police, building services, and DPW services (Mundy Township) indicates that they are experiencing the same deficiency. This has sparked some conversation with Mundy about the possibility of cooperating to develop a strategy for providing professional economic development services. Initial conversations have uncovered some common ground about the need to operate our TIF districts (DDA and Corridor Improvement Authorities), as well as to provide the services noted above.

At this time, it appears Mundy may proceed with the hiring of a professional staff member or consultant to address this concern. If it is not disagreeable, I think we should entertain the possibility of another joint department or service that allows both entities to benefit from the economies of scale.

✓ **CIVIC PARKING LOT SCOPE CHANGE** *(No Change of Status)*

The city council has approved a bid by Ace Saginaw Paving Company to resurface the civic parking lot. In addition, the council has approved a work scope change to double the thickness. We have agreeable prices from the prior USDA unit costs to do some necessary concrete work prior to paving. This includes some areas of broken curbing of the landscape islands, as well as failing sidewalk.

The big problem that we are having is the supply chain disruption to concrete. We are being informed by multiple sources, including our engineers and contractors, that concrete is being rationed to high priority and large-scale projects. It appears that the parking lot will not be completed this year. However, the contractor for the concrete indicates that he will hold his price for a spring installation. We seek the same assurance from Ace.

Note that we intend to remove the elevated concrete sidewalk that is in the middle of the parking lot. This will be replaced with asphalt, at grade, which we will mark for pedestrian use. This should improve accessibility, maintenance, and affordability. The senior center desires this as well, so they can locate ADA spaces to the center.

✓ **FIBER INSTALLATION** *(Update)*

OHM is reviewing the right of way permits for Frontier. Based upon a cursory review by myself, this appears necessary to avoid some conflicts in the right of way with their new 'flower pot' utility boxes. This process will take a few weeks and will cost the petitioner about \$5,000. The previous report follows.

Frontier is planning to expand the fiber communications network to the entire city. In the next 12-24 months, we should see buildout of the primary fiber network, which will enable nearly every commercial and residential user to have access.

In short, the network will follow the existing copper lines. If the lines are buried, the fiber will be bored into the same 'trench'. If they are aerial, the fiber will be wrapped into place on the existing lines. (Copper lines are required to remain in place because they function on their own battery backup system and provide an essential service during power outages).

We do not expect any new utility conflict issues, nor do we expect any of our right of ways to experience unreasonable disturbances or pavement breaks. We also talked at length

about the need to clean up the current overhead wires in cases where there is superfluous cable/wire, sagging lines, stub poles, etc. They indicate this is a big part of the investment.

✓ **USDA AND ROAD BORROWING** (*No Change of Status*)

I am creating a separate section for the borrowing process that is related to the USDA water main project and the separate, but related, road projects. This will make the process of borrowing more streamlined in our discussions.

The USDA bonding process is very predictable and direct. The revenue bonds are sole sourced through the USDA under their terms, conditions, and established interest rate. However, the public actions of the council must obviously follow established protocols. This includes notice of our intent to borrow and related resolutions and legal instruments of the city council that enable the acquisition of debt.

The road bonds are proposed to take the form of general obligation bonds that are sold in the marketplace at prevailing interest rates. This will require an underwriting process, as well as the standard notice of intent and affirming resolutions/legal instruments.

In both cases, the city has engaged bond council and financial advisors. They will be working with us in the coming months to prepare for the bidding, underwriting, and borrowing of the projects. With that said, there is much uncertainty we must contend with. Part of this uncertainty is related to supply chain issues, which could be severe enough to delay the project a full year and result in radically different lending prices and project timeline management (ductile water main is estimated to be a 50-week lead time project as I write this). This delay comes with its own set of problems in attempting to manage construction costs and contractor availability for the road work that is to coincide with the water main installation.

We also have the obvious concerns with the volatile and increasing interest rates and near-record high inflation. Lastly, since the general obligation bonds are to be supported by the street tax, we have the concern of falling taxable values that could result from a downturn in the real estate market.

Any one of these concerns is enough to cause some restless nights. That we have all of them to contend with makes the likelihood of a predictable project and borrowing period a very dubious proposition, especially for roads. However, the work must be carried out. With that said, I am including some financials from our financial advisor. He has worked our scenarios for borrowing using certain assumptions. These include a 1% taxable value increase on an annual basis, conservative (higher than anticipated) construction costs, and conservative (higher than current) interest rates.

With these assumptions, we have some models for how the city could finance road work for the Winchester Village streets (excluding Cappy and Don Shenk), which is estimated to total \$4.9 million. There is also an expanded option that includes an additional \$1.5 million for rehabilitation of the streets in Winchester Woods. In short, things look very tight, but doable. I will go over these in a discussion with the council at our meeting. In the near future, the council will be asked to release a notice of intent to borrow funds (for water and streets). To do so, we must have a realistic ceiling on how much to borrow. This discussion will take us in that direction.

✓ **FUND BALANCE POLICY (Update)**

After explanation and acceptance of the audit, as well as the seating of a new council, I plan to bring back the draft fund balance policy for review. The previous report follows:

We have had an informal fund balance policy for the better part of a decade. However, in speaking to the bond underwriters, Deanna and I believe a formal policy is in our best interest. As such, Deanna provided a model policy that we can adapt to our needs. She and I have worked to flesh out the core saving and spending thresholds in the document. I am including a draft for the council to consider. In the near future, I will recommend the city adopt a formal policy along these lines that will be included in future budget books.

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

✓ **MONTHLY REPORTS (Update)**

We have routine departmental reports, including the Metro PPU report, for review.

✓ **RESIDENTIAL TREATMENT PROGRAMS BILL (Update)**

The state legislature, despite their claimed desire to maintain local control, is seeking to pass another bill that overrides local zoning. House Bill 5981 (MML press release attached) will allow qualified residential treatment programs serving up to ten individuals to operate out of single family homes without any local regulations. This level of occupancy is very high, and we already see the issues of high occupancy on small parcels.

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

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

The October meeting was cancelled due to a lack of business. We have two new members though, which I will look to orient in the next month. The next regular meeting is scheduled for November 1st.

✓ **DOWNTOWN DEVELOPMENT AUTHORITY (Update)**

We cancelled the regular October meeting and directed folks to attend our October 10 council meeting for the public hearing on the DDA plan. The November meeting is scheduled for the 10th.

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

The ZBA has not been active since March, which included their annual meeting and training. I am hopeful that we can find another training event to tackle during the fall or winter months. I do not like having such a long stretch between meetings, but there simply is not the business to call them together.

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

The Park Board met on October 18th. In addition to the routine reports, and a cursory review of some park plan materials, they conducted a thorough review of the park rules, rental agreement, and reservation form.

The goal is to make expectations for park use very clear to users and very enforceable to the police/park staff. The ultimate goal is to lessen the impact of users at Elms Park.

Use in the past couple years has been very high, with large groups (churches, companies, families, etc.). This has led to undesirably higher prevalence of trash, alcohol consumption, illegal parking, and damage. The board hopes enforceable and clear guidelines, with higher fees/deposits will help. Drafts were recommended for approval. See the section on this below.

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

The Board of Review met on July 19th at 3:00 p.m. The meeting was only for correction of qualified agricultural exemption, taxable value uncapping, the qualified start-up business exemption, the disabled veteran's exemption, and the poverty exemption. The board reviewed 4 petitions.

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

Counting down to election day. I got all my election workers trained and my worker schedule is completed. Thanks to everyone who recruited some new workers. As of 10/20/22 we have mailed out 1200 absentee ballots and we have received 490 back (41%). We still have a lot out and we continue to get requests daily for absentee ballots.

DEPARTMENT OF COMMUNITY SERVICES UPDATE (Update)

- Dave Wright has completed 53 years of service to the city of Swartz Creek on 10/22/2022. Dave has proven to be an integral part of Swartz Creek DPS for over 5 decades. Stop and think about that for a minute (5 decades). If you see Dave congratulate him for all the years he has worked for the city and continues to work helping provide quality services to the residents.
- Hydrant winterization and flushing is ongoing throughout the city as we continue to work towards completion. This may cause some dirty water events as we work through the city. Flushing is necessary to both test the operation of the hydrant and maintain water quality throughout the water system. Winterization ensures the hydrant will work in cold weather months should it be needed.
- Still waiting on the service for Cappy Lane lift station Kennedy had an emergency in another municipality requiring their tech to be sent there delaying the servicing of our lift station.
- DPS continues to get equipment changed over to winter duties as winter approaches.

✓ **TREASURER UPDATE (Update)**

Work has begun on the state performance dashboard required forms. Routine operations include, but are not limited to, processing payments for tax bills, delinquent personal and qualified real taxes, park reservations, 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.

NEW BUSINESS / PROJECTED ISSUES & PROJECTS

✓ **APPOINTMENTS (Business Item)**

The council took care of a couple key appointments at the last meeting. We still have a few vacancies. We will see if we can get candidates prior to the meeting.

✓ **FISCAL YEAR 2022 AUDIT (*Business Item*)**

Copies of the Fiscal Year 2022 audit are available digitally and will be supplied in hardcopy at the meeting. We will be joined at our meeting by our auditor for a presentation of the audit.

I can tell you that findings for the city's processes and fiscal performance are outstanding and include an 'unmodified' opinion. This means that the city is maintaining solid practices related to our processes, transparency, accuracy, checks/balances, and security.

In addition, our funds continue to meet expectations related to maintaining positive operational cash flows. In fact, we saw another increase in the general fund reserves (see the report on fund balance policy). The auditor will be going over this and other funds. There are no surprises, concerns, or notable trends. However, with the federal audit occurring due to the USDA project, the auditors did note that the input of our fixed asset amounts needed to be modified to include all contributions towards the asset, including unreceipted federal dollars. I am certain they will go over this.

With that said, I expect the council should feel comfortable accepting the audit. Feel free to contact us before the meeting or to raise questions, comments, or concerns to the auditor or staff at the meeting.

I have included a resolution to accept the audit.

✓ **PARK RULES, RENTAL AGREEMENT, AND RESERVATION FORM (*Business Item*)**

The park board reviewed the reservation form and park rules at their September and October meetings. As previously noted, the parks, specifically Elms, have experienced a dramatic uptick in use the last couple years. This includes substantially larger gatherings that have stressed the limits of the park in terms of parking, noise, waste, and observed infractions. As such, the park board directed special attention to crafting rules, a reservation form, and a rental agreement that will set more clear expectations on park/pavilion use.

The documents included reflect these efforts. The reservation form is largely the same. However, capacities are limited on pavilions, and prices have been altered. Since park operations are covered largely through local tax dollars, not grants, the board felt user fees for residents should be reduced. Fees for non-residents are now higher. The board also recommends raising the deposit to better encourage users to clean up after themselves. Lastly, the board modeled a user agreement from a couple other Genesee County communities, with the intention of further setting expectations and consequences for use of the parks.

I fully support these changes, which the board has been contemplating for months. The review of rates and rules is generally an annual practice. With some of the more intense use issues we have been experiencing, it appears necessary to take the extra step with the agreement. Note that the rules recommended for alternation include prohibitions on sound amplification and inflatables, as well as a change in hours to dusk (instead of 10pm).

The park board recommends adoption by the council. I have included a resolution. When and if the council establishes new rates, I will need to present the city's complete rate and fee schedule for amendment at the next meeting.

✓ **CHRISTMAS PARADE & TREE LIGHTING PERMITS (*Business Item*)**

We have a request from the Swartz Creek Area Fire Fighters Association to conduct the annual Christmas Parade and tree lighting. This year's event will be scheduled for Saturday December 3, 2022. I think we will be limited to a parade and related tree lighting only this year. No groups have shown interest in a winter market.

Last year, there was use of Holland Square for the entire day (8:00 AM to 10:00 PM). There was a winter market in the square during the day, followed by the tree lighting event after the parade. I played the Grinch...poorly. I am not ever doing that again. I could not see a thing through that mask and nearly tramped a toddler.

As in prior years, the parade is expected to start at 6:00 PM (closure starting after 5pm). The starting point is now the High School. The route then follows Miller east to Morrish Road, where it will pause and remain for the tree lighting event. At this point, Fairchild will open, and Miller (Fairchild to Hayes) will also open. Miller from Hayes to Morrish will remain closed with Holland Square until 7 pm or. This route was started a few years back in order to engage the downtown businesses. It is workable but definitely more stressful to traffic. Given the desire to expand Christmas offerings in town, it is doable.

Council Questions, Inquiries, Requests, Comments, and Notes

Ember Arrestor: A resident has an issue with his neighbor's fire pit creating smoke and embers. Open recreational fires are allowed in the city. He recommends that the city be more restrictive on recreational fires by requiring an ember arrestor, which will also limit fire sizes.

DNR Forestry Grant: We are seeking about \$10,000 in grant funds to help kickstart forestry plantings at Abrams Park.

Trunk or Treat: The SC Chamber is hosting a car show/trunk or treat on Sunday, October 31st, from noon to 3pm.

City Boundary: There is a discrepancy in the municipal boundary between what is in our charter and what was filed with the state in 1958. This is reflected as a difference between the boundary we use for all intents and purposes with that of the census map that is utilized by the state. We are making corrections now. This will result in more accurate (increased) population counts, road miles, and GIS information.

**City of Swartz Creek
RESOLUTIONS
Regular Council Meeting, Monday, October 24, 2022, 7:00 P.M.**

Motion No. 221024-4A **MINUTES – OCTOBER 10, 2022**

Motion by Councilmember: _____

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday, October 10, 2022, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Motion No. 221024-5A **AGENDA APPROVAL**

Motion by Councilmember: _____

I Move the Swartz Creek City Council approve the Agenda as presented / printed / amended for the Regular Council Meeting of October 24, 2022, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Motion No. 221024-6A **CITY MANAGER’S REPORT**

Motion by Councilmember: _____

I Move the Swartz Creek City Council accept the City Manager’s Report of October 24, 2022, including reports and communications, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 221024-8B **RESOLUTION TO ACCEPT THE 2021-2022 FISCAL YEAR
AUDIT BY INDEPENDENT AUDITOR PLANTE-MORAN**

Motion by Councilmember: _____

WHEREAS, Section 8.13 of the City Charter requires an audit of all accounts of the city government; and

WHEREAS, independent auditors, retained by the city per a qualified bidding selection process, have completed said audit for the most recent fiscal year, 2022; and

WHEREAS, said audit contains financials for related public utilities, enterprise accounts, and the Downtown Development Authority; and

WHEREAS, the audit, as presented to the city council on October 24, 2022, has been found to meet generally accepted accounting standards and required reporting provisions of state and local law.

NOW, THEREFORE, BE IT RESOLVED, the City of Swartz Creek approve the 2021-2022 Fiscal Audit Report prepared by Plante-Moran, a copy of which is attached hereto, and further, direct such to be published, distributed, circulated and placed on file in a manner prescribed by law.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 221024-8C RESOLUTION TO APPROVE STREET USAGE PERMIT FOR THE ANNUAL FIRE DEPARTMENT CHRISTMAS PARADE

Motion by Councilmember: _____

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

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

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

NOW, THEREFORE, BE IT RESOLVED THAT the City of Swartz Creek accept the Chief of Police's recommendation and approve the Swartz Creek Area Fire Fighters Association's Street Usage Application to hold an annual Christmas Parade on Saturday, December 3, 2022 from 5:00 PM to 7:00 PM (Miller from Hayes to Morrish), route, stipulations and conditions as set forth in the application packet, a copy of which is attached hereto, under the direction and control of the office of the Chief of Police.

BE IT FURTHER RESOLVED THAT the City of Swartz Creek City Council hereby approves the Swartz Creek Area Fire Fighters Association's Municipal Property Reservation form to hold an annual tree lighting event on Saturday, December 3, 2022 from 5:00 PM to 7:00 PM, with lot closure and conditions as set forth in the application

packet, a copy of which is attached hereto, under the direction and control of the office of the Director of Public and Community Services.

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

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 221024-8D RESOLUTION TO AMEND THE PARK RULES, RESERVATION FORM, AND RENTAL AGREEMENT

Motion by Councilmember: _____

WHEREAS, the City of Swartz Creek owns, operates, and maintains public park and recreation facilities and desires to promote safe and equitable use of those facilities; and

WHEREAS, the city regulates use of city parks through the adoption of “Park Rules and Regulations” as enabled and enforceable under City Ordinance Section 11-47, Park Rules and Regulations, which reads as follows: the City Council may by resolution adopt rules and regulations governing the use of parks, including prohibitions or restrictions on uses and acts within parks; and

WHEREAS, the city park and recreation commission recommends amending of the attached Park Rules and Regulations, Reservation Form (inclusive of rates), and Rental Agreement.

NOW, THEREFORE, BE IT RESOLVED, the Swartz Creek City Council hereby approve the amended park rules, reservation form, and rental agreement as attached.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 221024-8E RESOLUTION TO APPROVE COMMISSION APPOINTMENTS

Motion by Councilmember: _____

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

WHEREAS, there exist vacancies in such positions; and

WHEREAS, said appointments are a Mayoral appointment, subject to affirmation of the City Council.

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

#221024-8E1 **MAYOR APPOINTMENT:** _____
ZBA Alternate
Remainder of Three year term, expiring June 30, 2025

#221024-8E2 **MAYOR APPOINTMENT:** _____
Genesee County Metropolitan Alliance
Remainder of two year term, expiring November 22, 2022

#221024-8E3 **MAYOR APPOINTMENT:** _____
Downtown Development Authority
Remainder of four year term, expiring March 31, 2026

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Motion No. 221024-11A **ADJOURN**

Motion by Councilmember: _____

I Move the Swartz Creek City Council adjourn the regular council meeting of October 24, 2022.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE 10/10/2022**

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

Invocation and Pledge of Allegiance.

Councilmembers Present: Cramer, Florence, Gilbert, Hicks, Krueger, Pinkston, Henry.

Councilmembers Absent: None.

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

Others Present: Lania Rocha, Douglas Ford, Jared Oginsky, Jason Dover, David Spillane, M. McLanahan, Mark Branoff.

Others Virtually Attended: None.

APPROVAL OF MINUTES

Resolution No. 221010-01 **(Carried)**

Motion by Councilmember Florence
Second by Councilmember Henry

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday September 26, 2022, to be circulated and placed on file.

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

APPROVAL OF AGENDA

Resolution No. 221010-02 **(Carried)**

Motion by Councilmember Henry
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Agenda as, presented for the Regular Council Meeting of October 10, 2022, to be circulated and placed on file.

YES: Gilbert, Hicks, Krueger, Pinkston, Henry, Cramer, Florence.

NO: None. Motion Declared Carried.

CITY MANAGER’S REPORT

Resolution No. 221010-03

(Carried)

Motion by Councilmember Cramer
Second by Councilmember Gilbert

I Move the Swartz Creek City Council accept the City Manager’s Report of October 10, 2022, including reports and communications to be circulated and placed on file.

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

MEETING OPENED TO THE PUBLIC:

None.

COUNCIL BUSINESS:

DDA PLAN AMENDMENT

PUBLIC HEARING

Open 7:07 p.m.

Mr. Zettel explained that we are at the procedural point of the process now. The DDA approved the plan at the September meeting and now we are having the public hearing tonight at council. September 12th notices were sent, and the plan distributed . Mayor Krueger asked the council if there was anyone who wanted to discuss the plan now is the time.

David Spillane wanted to know if there was a plan for a grow facility in the plan. Mr. Zettel responded that the city has actively said no to all marihuana options. He has had conversations with the owner of the racetrack, and it has been about an industrial park. Councilmember Cramer remarked that we did have a representative from the marihuana industry come to a council meeting and council let them know the city has opted out of that industry. Mr. Zettel commented that the racetrack owner has a good relationship with the city and is willing to work in the community’s best interest on something that compliments downtown.

Closed 7:14 p.m.

RESOLUTION TO APPROVE A SITE LICENSE AGREEMENT TO INSTALL AND OPERATE WIRELESS UTILITY METER READING EQUIPMENT

Resolution No. 221010-04

(Carried)

Motion by Mayor Pro Tem Hicks
Second by Councilmember Florence

WHEREAS, the City of Swartz Creek owns, operates, and maintains water distribution and sewer collection systems; and

WHEREAS, the City is pursuing technological improvements to enable ~~make~~ real time reading of such meters practical, providing for leak detection, immediate final reads, and efficient quarterly billing; and

WHEREAS, the equipment will be installed on a private tower on city property located at 4355 Elms Road; and

WHEREAS, the owner of said tower has reviewed the city’s equipment and use parameters and has permitted said use, conditioned upon a site license agreement.

NOW, THEREFORE, BE IT RESOLVED the City of Swartz Creek approves the site license agreement as included in the October 10, 2022 city council packet and further authorizes and directs the Mayor to execute said license on behalf of the city, conditioned upon review of the city attorney. -

Discussion Ensued.

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

RESOLUTION TO APPROVE THE SWARTZ CREEK AREA CHAMBER OF COMMERCE TRUNK OR TREAT GENERAL STREET & PROPERTY USE PERMITS

Resolution No. 221010-05

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Henry

I Move the City of Swartz Creek approve and authorize the Swartz Creek Area Chamber of Commerce’s application for street closing and City property use permits for the following locations:

1. 5012 Holland Drive
2. Holland between Miller and Ingalls

Street and City property use subject to the following stipulations:

1. Insurance certificate naming the City as insured in the amount not less than \$1,000,000.00 (One-Million Dollars)
2. Sufficient number of portable bathrooms placed and located, and litter control program in accordance and under the approval of Director of Community Services.
3. Approval by the Chief of Police. Traffic control and pedestrian safety plan in accordance with and under the approval of office of Chief of Police.

SWARTZ CREEK CHAMBER, HOLLAND SQUARE USAGE PERMIT

I Move the Swartz Creek City Council approve and authorize the Swartz Creek Area Chamber of Commerce, Inc’s application for use of Holland Square from 11:30am to 3:30pm on Sunday, October 30, 2022 under the following stipulations:

1. Insurance certificate naming the City as an additional insured party in the amount not less than \$1,000,000.00 (One Million Dollars).
2. General approval, and under the direction and control of the Office of the Chief of Police.
3. Adherence to the city’s event and public plaza usage procedures

SWARTZ CREEK CHAMBER, STREET USAGE PERMIT

I Move the Swartz Creek City Council approve and authorize the Swartz Creek Area Chamber of Commerce, Inc’s application for street closing / usage permit for Holland Drive, from 11:30am to 3:30pm on Sunday, October 30, 2022, under the following stipulations:

1. Insurance certificate naming the City as an additional insured party in the amount not less than \$1,000,000.00 (One Million Dollars).
2. General approval, and under the direction and control of the Office of the Chief of Police.
3. Adherence to the city’s street closure and usage procedures.

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

ROAD AND USDA BORROWING

DISCUSSION

Mr. Zettel discussed some of the challenges we are facing and ones we likely could face. We are now entering Phase II of the watermain replacement. The USDA process is very objective and predictable. We already have a general obligation letter from USDA which indicates they will fund our Phase II estimated expenses to replace that watermain at an interest rate of 2.625% with an estimated annual debt service of \$279,000 and some change. The scope of street work we are proposing to do is necessary to bond for that as

well. The USDA construction is necessary to be completed in a 2-year period. So, if we are going to do the street work with the USDA construction, we must borrow street funds. We are finalizing the engineering and next a financial advisor will attend a council meeting and request council engage for the resolution of intent to borrow.

FUND BALANCE POLICY

DISCUSSION

Mr. Zettel noted we have been practicing a sound fund balance policy with our budget for years. We need a fund balance written policy. He would like the council to review the draft that is in the packet . His intent is to bring it back to the council after the audit meeting sometime in November.

MEETING OPENED TO THE PUBLIC:

David Spillane 6498 Bristol Road questioned if we carry over any pluses to the next fiscal year. Mr. Zettel responded we zero out, but some things can be encumbered.

REMARKS BY COUNCILMEMBERS:

Councilmember Gilbert questioned why there was silk fencing along Heritage. Mr. Zettel responded that the project is not complete, and restoration probably won't be done until spring.

Mayor Pro Tem Hicks passed out a pamphlet and a ribbon for domestic violence awareness.

Councilmember Cramer commented the fundraiser on Oct. 1st for Officer Storms was very successful and they raised over \$5000. Back the Badge signs are for sale if anyone is interested in one.

Councilmember Henry remarked the Jeepers Creekers event well. Mundy Twp. is having a park event October 22nd, Euchre at St. Mary's October 21st @ 6:30 pm. The parade was nice and congrats to the football team for the homecoming game win.

Councilmember Florence is pleased with the weather we have had the last couple of days.

Mayor Krueger remarked the Jeepers Creekers events went well. Lania responded they had over 1000 kids come through the trunk or treat. Mayor commented that the new barricades were blowing over because they were light. He thanked everyone for coming to the meeting tonight.

ADJOURNMENT

Resolution No. 221010-06

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Cramer

I Move the Swartz Creek City Council adjourn the regular meeting of October 10, 2022
at 8:15 p.m.

Unanimous Voice Vote.

David A. Krueger, Mayor

Connie Olger, City Clerk

REVENUE AND EXPENDITURE REPORT FOR CITY OF SWARTZ CREEK
PERIOD ENDING 09/30/2022

GL NUMBER	2022-23 ORIGINAL BUDGET	2022-23 AMENDED BUDGET	YTD BALANCE 09/30/2022	AVAILABLE BALANCE	% BDGT USED
Fund 101 - General Fund					
Revenue					
000.000 - General	2,697,088.00	2,697,088.00	1,682,892.13	1,014,195.87	62.40
301.000 - Police Dept	4,500.00	4,500.00	3,735.29	764.71	83.01
345.000 - PUBLIC SAFETY BUILDING	23,700.00	23,700.00	4,532.54	19,167.46	19.12
371.000 - Building/Zoning/Planning	53,500.00	53,500.00	13,466.75	40,033.25	25.17
444.000 - Sidewalks	3,500.00	3,500.00	0.00	3,500.00	0.00
448.000 - Lighting	9,221.52	9,221.52	1,930.38	7,291.14	20.93
523.000 - Grass, Brush & Weeds	5,000.00	5,000.00	2,600.00	2,400.00	52.00
694.000 - Community Development Block Grant	54,756.50	54,756.50	0.00	54,756.50	0.00
728.005 - Holland Square Streetscape	40,000.00	40,000.00	40,000.00	0.00	100.00
780.500 - Mundy Twp Park Services	10,008.90	10,008.90	1,267.65	8,741.25	12.67
782.000 - Facilities - Abrams Park	70.00	70.00	210.00	(140.00)	300.00
783.000 - Facilities - Elms Rd Park	12,000.00	12,000.00	3,690.00	8,310.00	30.75
786.000 - Non-Motorized Trailway	700,000.00	700,000.00	77,593.27	622,406.73	11.08
790.000 - Facilities-Senior Center/Libr	5,300.00	5,300.00	865.85	4,434.15	16.34
TOTAL REVENUES	3,618,644.92	3,618,644.92	1,832,783.86	1,785,861.06	
Expense					
000.000 - General	13,580.00	13,580.00	3,379.65	10,200.35	24.89
101.000 - Council	23,484.73	23,484.73	8,060.90	15,423.83	34.32
172.000 - Executive	161,084.00	161,084.00	40,560.51	120,523.49	25.18
215.000 - Administration and Clerk	31,156.00	31,156.00	8,403.73	22,752.27	26.97
228.000 - Information Technology	20,080.00	20,080.00	11,183.40	8,896.60	55.69

GL NUMBER	2022-23 ORIGINAL BUDGET	2022-23 AMENDED BUDGET	YTD BALANCE 09/30/2022	AVAILABLE BALANCE	% BDGT USED
247.000 - Board of Review	3,163.00	3,163.00	339.09	2,823.91	10.72
253.000 - Treasurer	107,712.00	107,712.00	30,249.73	77,462.27	28.08
257.000 - Assessor	58,507.00	58,507.00	8,795.47	49,711.53	15.03
262.000 - Elections	42,625.00	42,625.00	19,438.87	23,186.13	45.60
265.000 - Facilities - City Hall	49,785.00	49,785.00	3,358.63	46,426.37	6.75
266.000 - Legal Council	18,500.00	18,500.00	1,778.00	16,722.00	9.61
301.000 - Police Dept	7,900.00	7,900.00	3,949.58	3,950.42	49.99
301.266 - Legal Council PSFY	24,000.00	24,000.00	3,346.00	20,654.00	13.94
301.851 - Retiree Employer Health Care PSFY	28,004.30	28,004.30	5,875.95	22,128.35	20.98
334.000 - Metro Police Authority	1,126,733.00	1,126,733.00	276,160.25	850,572.75	24.51
336.000 - Fire Department	177,712.00	180,877.00	69,048.04	111,828.96	38.17
345.000 - PUBLIC SAFETY BUILDING	50,878.30	50,878.30	7,509.75	43,368.55	14.76
371.000 - Building/Zoning/Planning	118,653.00	118,653.00	13,961.47	104,691.53	11.77
444.000 - Sidewalks	6,200.00	8,125.00	0.00	8,125.00	0.00
448.000 - Lighting	106,000.00	106,000.00	15,308.55	90,691.45	14.44
463.000 - Routine Maint - Streets	0.00	0.00	642.72	(642.72)	100.00
523.000 - Grass, Brush & Weeds	2,000.00	2,000.00	100.00	1,900.00	5.00
567.000 - Facilities - Cemetery	945.16	945.16	2,435.55	(1,490.39)	257.69
694.000 - Community Development Block Grant	54,766.50	54,766.50	0.00	54,766.50	0.00
728.000 - Economic Development	650.00	650.00	0.00	650.00	0.00
780.000 - Parks & Recreation	6,256.77	19,446.77	6,123.18	13,323.59	31.49
780.500 - Mundy Twp Park Services	9,138.00	9,138.00	1,594.76	7,543.24	17.45
782.000 - Facilities - Abrams Park	98,420.82	98,420.82	7,749.67	90,671.15	7.87

GL NUMBER	2022-23 ORIGINAL BUDGET	2022-23 AMENDED BUDGET	YTD BALANCE 09/30/2022	AVAILABLE BALANCE	% BDGT USED
783.000 - Facilities - Elms Rd Park	239,933.00	185,433.00	35,498.62	149,934.38	19.14
786.000 - Non-Motorized Trailway	909,488.00	909,488.00	297,927.17	611,560.83	32.76
788.000 - Otterburn Disc Golf Park	31,000.00	31,000.00	0.00	31,000.00	0.00
790.000 - Facilities-Senior Center/Libr	34,373.58	34,373.58	6,813.90	27,559.68	19.82
794.000 - Community Promotions Program	52,814.00	52,814.00	12,224.82	40,589.18	23.15
797.000 - Facilities - City Parking Lots	11,715.00	66,215.00	301.54	65,913.46	0.46
851.000 - Retired Employee Health Care	26,550.00	26,550.00	2,373.84	24,176.16	8.94
965.000 - Transfers Out	155,000.00	155,000.00	155,000.00	0.00	100.00
TOTAL EXPENDITURES	3,808,808.16	3,827,088.16	1,059,493.34	2,767,594.82	
Fund 101 - General Fund:					
TOTAL REVENUES	3,618,644.92	3,618,644.92	1,832,783.86	1,785,861.06	50.65
TOTAL EXPENDITURES	3,808,808.16	3,827,088.16	1,059,493.34	2,767,594.82	27.68
NET OF REVENUES & EXPENDITURES	(190,163.24)	(208,443.24)	773,290.52	(981,733.76)	
Fund 202 - Major Street Fund					
Revenue					
000.000 - General	553,070.00	553,570.00	314,634.71	238,935.29	56.84
441.000 - Miller Rd Park & Ride	5,000.00	5,000.00	0.00	5,000.00	0.00
454.000 - Major Streets Projects	89,134.83	89,134.83	19,791.17	69,343.66	22.20
474.000 - Traffic Services	0.00	0.00	12,625.00	(12,625.00)	100.00
478.000 - Snow & Ice Removal	2,100.00	2,100.00	0.00	2,100.00	0.00
TOTAL REVENUES	649,304.83	649,804.83	347,050.88	302,753.95	
Expense					
228.000 - Information Technology	1,100.00	1,100.00	619.94	480.06	56.36
429.000 - Occupational Safety	0.00	0.00	98.71	(98.71)	100.00
441.000 - Miller Rd Park & Ride	5,822.00	5,822.00	767.56	5,054.44	13.18
448.000 - Lighting	0.00	0.00	6,014.00	(6,014.00)	100.00
449.500 - Right of Way - General	15,000.00	15,000.00	116.99	14,883.01	0.78

GL NUMBER	2022-23 ORIGINAL BUDGET	2022-23 AMENDED BUDGET	YTD BALANCE 09/30/2022	AVAILABLE BALANCE	% BDGT USED
449.501 - Right of Way - Storms	15,000.00	15,000.00	0.00	15,000.00	0.00
452.100 - Safe Routes to School Grant	132,105.00	132,105.00	0.00	132,105.00	0.00
454.000 - Major Streets Projects	317,842.00	317,842.00	24,961.38	292,880.62	7.85
463.000 - Routine Maint - Streets	389,213.00	389,213.00	268,764.85	120,448.15	69.05
463.307 - Oakview - Seymour to Chelmsford	29,000.00	29,000.00	0.00	29,000.00	0.00
474.000 - Traffic Services	34,213.00	39,213.00	15,157.30	24,055.70	38.65
478.000 - Snow & Ice Removal	53,515.00	53,515.00	748.78	52,766.22	1.40
482.000 - Administrative	15,382.00	15,382.00	3,447.58	11,934.42	22.41
538.500 - Intercommunity storm drains	11,000.00	14,055.00	2,351.16	11,703.84	16.73
TOTAL EXPENDITURES	1,019,192.00	1,027,247.00	323,048.25	704,198.75	
Fund 202 - Major Street Fund:					
TOTAL REVENUES	649,304.83	649,804.83	347,050.88	302,753.95	53.41
TOTAL EXPENDITURES	1,019,192.00	1,027,247.00	323,048.25	704,198.75	31.45
NET OF REVENUES & EXPENDITURES	(369,887.17)	(377,442.17)	24,002.63	(401,444.80)	
Fund 203 - Local Street Fund					
Revenue					
000.000 - General	173,525.00	302,525.00	146,031.72	156,493.28	48.27
449.000 - Right of Way Telecomm	15,000.00	15,000.00	0.00	15,000.00	0.00
478.000 - Snow & Ice Removal	1,400.00	1,400.00	0.00	1,400.00	0.00
931.000 - Transfers IN	300,000.00	300,000.00	0.00	300,000.00	0.00
TOTAL REVENUES	489,925.00	618,925.00	146,031.72	472,893.28	
Expense					
228.000 - Information Technology	850.00	850.00	619.94	230.06	72.93
449.500 - Right of Way - General	14,000.00	14,000.00	3,256.97	10,743.03	23.26
449.501 - Right of Way - Storms	1,500.00	1,500.00	0.00	1,500.00	0.00
455.000 - Local Street Projects	340,990.00	340,990.00	18,807.50	322,182.50	5.52

GL NUMBER	2022-23 ORIGINAL BUDGET	2022-23 AMENDED BUDGET	YTD BALANCE 09/30/2022	AVAILABLE BALANCE	% BDGT USED
463.000 - Routine Maint - Streets	167,771.00	167,771.00	148,327.87	19,443.13	88.41
474.000 - Traffic Services	18,559.00	18,559.00	6,174.80	12,384.20	33.27
478.000 - Snow & Ice Removal	39,561.00	39,561.00	635.60	38,925.40	1.61
482.000 - Administrative	11,535.00	11,535.00	2,585.61	8,949.39	22.42
538.500 - Intercommunity storm drains	14,000.00	17,055.00	2,351.16	14,703.84	13.79
TOTAL EXPENDITURES	608,766.00	611,821.00	182,759.45	429,061.55	
Fund 203 - Local Street Fund:					
TOTAL REVENUES	489,925.00	618,925.00	146,031.72	472,893.28	23.59
TOTAL EXPENDITURES	608,766.00	611,821.00	182,759.45	429,061.55	29.87
NET OF REVENUES & EXPENDITURES	(118,841.00)	7,104.00	(36,727.73)	43,831.73	
Fund 204 - MUNICIPAL STREET FUND					
Revenue					
000.000 - General	720,548.00	720,548.00	710,768.98	9,779.02	98.64
TOTAL REVENUES	720,548.00	720,548.00	710,768.98	9,779.02	
Expense					
905.000 - Debt Service	170,402.00	170,402.00	320.83	170,081.17	0.19
965.000 - Transfers Out	300,000.00	300,000.00	0.00	300,000.00	0.00
TOTAL EXPENDITURES	470,402.00	470,402.00	320.83	470,081.17	
Fund 204 - MUNICIPAL STREET FUND:					
TOTAL REVENUES	720,548.00	720,548.00	710,768.98	9,779.02	98.64
TOTAL EXPENDITURES	470,402.00	470,402.00	320.83	470,081.17	0.07
NET OF REVENUES & EXPENDITURES	250,146.00	250,146.00	710,448.15	(460,302.15)	
Fund 226 - Garbage Fund					
Revenue					
000.000 - General	445,285.00	445,285.00	446,186.48	(901.48)	100.20
TOTAL REVENUES	445,285.00	445,285.00	446,186.48	(901.48)	
Expense					
101.000 - Council	3,898.13	3,898.13	1,548.80	2,349.33	39.73
172.000 - Executive	9,158.50	9,158.50	3,049.75	6,108.75	33.30
215.000 - Administration and Clerk	2,159.00	2,159.00	560.16	1,598.84	25.95

GL NUMBER	2022-23 ORIGINAL BUDGET	2022-23 AMENDED BUDGET	YTD BALANCE 09/30/2022	AVAILABLE BALANCE	% BDGT USED
228.000 - Information Technology	2,180.00	2,180.00	1,304.88	875.12	59.86
253.000 - Treasurer	19,355.60	19,355.60	4,754.34	14,601.26	24.56
265.000 - Facilities - City Hall	4,963.00	4,963.00	802.51	4,160.49	16.17
528.000 - Sanitation Collection	324,619.00	324,619.00	54,397.86	270,221.14	16.76
530.000 - Wood Chipping	68,107.50	68,107.50	19,031.24	49,076.26	27.94
782.000 - Facilities - Abrams Park	12,645.00	12,645.00	5,374.96	7,270.04	42.51
783.000 - Facilities - Elms Rd Park	17,281.00	17,281.00	6,047.89	11,233.11	35.00
TOTAL EXPENDITURES	464,366.73	464,366.73	96,872.39	367,494.34	
Fund 226 - Garbage Fund:					
TOTAL REVENUES	445,285.00	445,285.00	446,186.48	(901.48)	100.20
TOTAL EXPENDITURES	464,366.73	464,366.73	96,872.39	367,494.34	20.86
NET OF REVENUES & EXPENDITURES	(19,081.73)	(19,081.73)	349,314.09	(368,395.82)	
Fund 248 - Downtown Development Fund					
Revenue					
000.000 - General	100,004.00	100,004.00	72,409.35	27,594.65	72.41
TOTAL REVENUES	100,004.00	100,004.00	72,409.35	27,594.65	
Expense					
173.000 - DDA Administration	2,804.00	3,504.00	2,502.85	1,001.15	71.43
728.000 - Economic Development	20,000.00	20,000.00	282.58	19,717.42	1.41
728.002 - Streetscape	42,000.00	42,000.00	40,000.00	2,000.00	95.24
728.003 - Facade Program	12,500.00	12,500.00	9,475.00	3,025.00	75.80
728.004 - Family Movie Night	6,960.00	6,960.00	495.00	6,465.00	7.11
TOTAL EXPENDITURES	84,264.00	84,964.00	52,755.43	32,208.57	
Fund 248 - Downtown Development Fund:					
TOTAL REVENUES	100,004.00	100,004.00	72,409.35	27,594.65	72.41
TOTAL EXPENDITURES	84,264.00	84,964.00	52,755.43	32,208.57	62.09
NET OF REVENUES & EXPENDITURES	15,740.00	15,040.00	19,653.92	(4,613.92)	
Fund 402 - Fire Equip Replacement Fund					
Revenue					

GL NUMBER	2022-23 ORIGINAL BUDGET	2022-23 AMENDED BUDGET	YTD BALANCE 09/30/2022	AVAILABLE BALANCE	% BDGT USED
000.000 - General	75.00	75.00	(145.35)	220.35	(193.80)
931.000 - Transfers IN	155,000.00	155,000.00	155,000.00	0.00	100.00
TOTAL REVENUES	155,075.00	155,075.00	154,854.65	220.35	
Expense					
336.000 - Fire Department	0.00	0.00	32,000.00	(32,000.00)	100.00
TOTAL EXPENDITURES	0.00	0.00	32,000.00	(32,000.00)	
Fund 402 - Fire Equip Replacement Fund:					
TOTAL REVENUES	155,075.00	155,075.00	154,854.65	220.35	99.86
TOTAL EXPENDITURES	0.00	0.00	32,000.00	(32,000.00)	100.00
NET OF REVENUES & EXPENDITURES	155,075.00	155,075.00	122,854.65	32,220.35	
Fund 590 - Sanitary Sewer Fund					
Revenue					
000.000 - General	600.00	600.00	863.97	(263.97)	144.00
536.000 - Sewer System	1,301,140.00	1,301,140.00	323,383.20	977,756.80	24.85
TOTAL REVENUES	1,301,740.00	1,301,740.00	324,247.17	977,492.83	
Expense					
101.000 - Council	13,195.82	13,195.82	3,893.27	9,302.55	29.50
172.000 - Executive	34,242.00	34,242.00	11,288.38	22,953.62	32.97
215.000 - Administration and Clerk	10,082.50	10,082.50	2,370.83	7,711.67	23.51
228.000 - Information Technology	8,290.00	8,290.00	4,409.06	3,880.94	53.19
253.000 - Treasurer	63,194.00	63,194.00	19,997.89	43,196.11	31.65
265.000 - Facilities - City Hall	9,013.00	9,013.00	1,982.08	7,030.92	21.99
536.000 - Sewer System	1,151,619.59	1,151,619.59	28,772.72	1,122,846.87	2.50
537.000 - Sewer Lift Stations	13,098.00	13,098.00	1,484.09	11,613.91	11.33
542.000 - Read and Bill	48,097.00	48,097.00	15,318.13	32,778.87	31.85
543.310 - Sewer District Rehabilitation	0.00	0.00	161.00	(161.00)	100.00
543.400 - Reline Existing Sewers	400,000.00	400,000.00	0.00	400,000.00	0.00
543.401 - Flush & TV Sewers	250,000.00	250,000.00	0.00	250,000.00	0.00

GL NUMBER	2022-23 ORIGINAL BUDGET	2022-23 AMENDED BUDGET	YTD BALANCE 09/30/2022	AVAILABLE BALANCE	% BDGT USED
850.000 - Other Functions	8,000.00	8,000.00	0.00	8,000.00	0.00
TOTAL EXPENDITURES	2,008,831.91	2,008,831.91	89,677.45	1,919,154.46	
Fund 590 - Sanitary Sewer Fund:					
TOTAL REVENUES	1,301,740.00	1,301,740.00	324,247.17	977,492.83	24.91
TOTAL EXPENDITURES	2,008,831.91	2,008,831.91	89,677.45	1,919,154.46	4.46
NET OF REVENUES & EXPENDITURES	(707,091.91)	(707,091.91)	234,569.72	(941,661.63)	
Fund 591 - Water Supply Fund					
Revenue					
000.000 - General	1,100.00	1,100.00	2,842.35	(1,742.35)	258.40
540.000 - Water System	2,265,370.00	2,265,370.00	558,255.05	1,707,114.95	24.64
543.230 - Water Main Repair USDA Grant	0.00	0.00	(39,180.61)	39,180.61	100.00
TOTAL REVENUES	2,266,470.00	2,266,470.00	521,916.79	1,744,553.21	
Expense					
101.000 - Council	13,195.82	13,195.82	3,897.93	9,297.89	29.54
172.000 - Executive	34,344.00	34,344.00	11,482.25	22,861.75	33.43
215.000 - Administration and Clerk	10,007.50	10,007.50	2,752.70	7,254.80	27.51
228.000 - Information Technology	5,800.00	5,800.00	4,409.06	1,390.94	76.02
253.000 - Treasurer	82,499.50	82,499.50	17,375.19	65,124.31	21.06
265.000 - Facilities - City Hall	8,739.00	8,739.00	2,085.69	6,653.31	23.87
540.000 - Water System	2,397,276.40	2,397,276.40	363,637.31	2,033,639.09	15.17
542.000 - Read and Bill	50,310.00	50,310.00	8,909.46	41,400.54	17.71
543.230 - Water Main Repair USDA Grant	20,000.00	27,575.00	15,825.50	11,749.50	57.39
850.000 - Other Functions	10,000.00	10,000.00	0.00	10,000.00	0.00
905.000 - Debt Service	41,813.00	41,813.00	10,000.00	31,813.00	23.92
TOTAL EXPENDITURES	2,673,985.22	2,681,560.22	440,375.09	2,241,185.13	
Fund 591 - Water Supply Fund:					
TOTAL REVENUES	2,266,470.00	2,266,470.00	521,916.79	1,744,553.21	23.03

GL NUMBER	2022-23 ORIGINAL BUDGET	2022-23 AMENDED BUDGET	YTD BALANCE 09/30/2022	AVAILABLE BALANCE	% BDGT USED
TOTAL EXPENDITURES	2,673,985.22	2,681,560.22	440,375.09	2,241,185.13	16.42
NET OF REVENUES & EXPENDITURES	(407,515.22)	(415,090.22)	81,541.70	(496,631.92)	
Fund 661 - Motor Pool Fund					
Revenue					
000.000 - General	167,355.00	167,355.00	40,848.82	126,506.18	24.41
TOTAL REVENUES	167,355.00	167,355.00	40,848.82	126,506.18	
Expense					
172.000 - Executive	11,240.00	11,240.00	9,955.36	1,284.64	88.57
228.000 - Information Technology	760.00	760.00	737.26	22.74	97.01
253.000 - Treasurer	2,325.00	2,325.00	610.64	1,714.36	26.26
265.100 - Facilities - City Garage	335,386.00	455,840.54	212,220.35	243,620.19	46.56
850.000 - Other Functions	4,000.00	4,000.00	0.00	4,000.00	0.00
TOTAL EXPENDITURES	353,711.00	474,165.54	223,523.61	250,641.93	
Fund 661 - Motor Pool Fund:					
TOTAL REVENUES	167,355.00	167,355.00	40,848.82	126,506.18	24.41
TOTAL EXPENDITURES	353,711.00	474,165.54	223,523.61	250,641.93	47.14
NET OF REVENUES & EXPENDITURES	(186,356.00)	(306,810.54)	(182,674.79)	(124,135.75)	

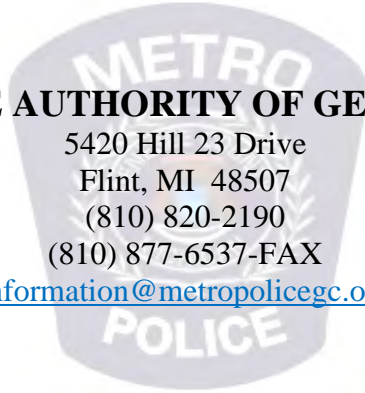
Board Chair
David Krueger

Chief of Police
Matthew Bade

Lieutenant
Michael Murphy

METRO POLICE AUTHORITY OF GENESEE COUNTY

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



Board Members

Cory Bostwick
Dennis Cramer
Rae Lynn Hicks
Tonya Ketzler
Vane King
David Witter

Metro Police Authority Police Protection Unit Report- Q2 2022

The Swartz Creek Police Protection Unit calculation for Q2, 2022 is as follows:

2847 (hours/PPUs) / 13 weeks = 219 (hours/PPUs) averaged per week.



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

DATE OF REQUEST: 12-5-22

SPONSOR ORGANIZATION: Swartz Creek Firefighters

AUTHORIZED REPRESENTATIVE: Dave Plumb

WORK ADDRESS: 8100-B Civic Dr Swartz Creek

HOME ADDRESS: 5227 Cedar Creek Ct Swartz Creek

PHONE NO: WORK (810) 635-2300 HOME: (800) 630-6623 CELL: (810) 965-4573

EMAIL ADDRESS: firechief@swartz-creek.com

TYPE OF EVENT: (check box)

PARADE ** (Draw Route on Attached Map)

CARNIVAL

FOOT/BIKE RACE

CRAFT SHOW

CONCERT

OTHER: _____

DATE OF EVENT: 12/15/22

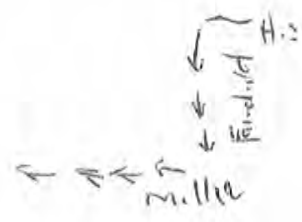
TIME OF EVENT: FROM: 5 AM/PM TO: 7 AM/PM

ESTIMATED NUMBER OF PARTICIPANTS: 20-40

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

Christmas Parade w/ Truck Lightly Faded to morning ending @ Holland Square:

(close McLean, School Bandy Ford, Hayes, Holland, morning @ Miller)



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

FOR: Swartz Creek Firefighters
(Organization)

BY: [Signature]
(Authorized Representative)

APPROVED BY: _____
(Chief of Police)

(Street Administrator)

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

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

CITY OF SWARTZ CREEK PARADE REGULATIONS

The approval of a street closure request and/or a “parade permit” is based on the assumption that the event coordinator(s) fully understand and accept the following regulations regarding the event:

1. The throwing of any object(s) from any vehicle during the course of the parade is prohibited by ordinance. Violations of this ordinance could result in prosecution and/or the denial of future permit requests.
2. The closing of major thoroughfares entails the rerouting of thousands of motorists and the interruption of commerce. It is imperative that parades begin and end on time so as not to unnecessarily disrupt the usual course of traffic and business.
3. Parade organizers must provide a means of direct communication between the event coordinator and the Chief of Police (or his designate) during the course of the parade in order to address any dangerous conditions that may develop during the course of the event.
4. The practice of parade participants jumping onto or off of moving vehicles in the parade is prohibited.
5. When determining the staging area for parade participants, organizers should ensure that the area is sufficient in size to accommodate all entries without creating traffic or pedestrian hazards.

It is the responsibility of the event coordinator(s) to ensure that all parade participants are made aware of the regulations that directly affect them and by signing this document hereby acknowledge that they have received a copy of these regulations and accept said responsibility.

By: 
(Event Coordinator or Representative)


For Swartz Creek Firefighters
(Organization)

City of Swartz Creek
Parade & Street Closure Policies & Regulations

The approval of a street closure request and/or a "parade permit" is based on the assumption that the event coordinator(s) fully understand and accept the following regulations regarding the event:

1. All special events must be approved by the city council.
2. The throwing of any object(s) from any vehicle during the course of the parade is prohibited by ordinance. Violations of this ordinance could result in prosecution and/or the denial of future permit requests.
3. The closing of major thoroughfares entails the rerouting of thousands of motorists and the interruption of commerce. It is imperative that parades and related activities begin and end on time so as not to unnecessarily disrupt the usual course of traffic and business.
4. Parade organizers must provide a means of direct communication between the event coordinator and the Chief of Police (or a designee) and the Director of the Department of Public Services (or a designee) during the course of the event in order to address any dangerous conditions that may develop during the course of the event.
5. The practice of parade participants jumping onto or off of moving vehicles in the parade is prohibited.
6. When determining the staging area for parade participants, organizers should ensure that the area is sufficient in size to accommodate all entries without creating traffic or pedestrian hazards.
7. Additional waste management, security, outhouse facilities, and related services shall be the responsibility of the event coordinator.
8. All entertainment, loudspeakers, vendors, events, staging areas, and related ancillary features of the parade must be explicitly approved or otherwise conform to all federal, state, and local laws and regulations.

It is the responsibility of the event coordinator(s) to ensure that all parade participants are made aware of the regulations that directly affect them and by signing this document hereby acknowledge that they have received a copy of these regulations and accept said responsibility.

By: 
Event Coordinator/Representative

For: Swartz Creek Fire Fighters
Organization

Phone: (810) 635-4464

City of Swartz Creek Proof of Pavilion Reservation

Fax: (810) 635-2887

Non-Reservable: Playscapes, Restrooms, Play Equipment, Tennis Courts, Volleyball Courts and Basketball Courts. Ball fields may be requested during the week by submitting a schedule to the City Offices, including dates, times, field location and group requesting the reservation; all of which will be reviewed and scheduled administratively.

All monies, including a \$200 refundable security deposit, must be paid at time of reservation. Only Cash payments will be accepted for a rental date of five (5) days or less. Any cancellations must be made two (2) weeks prior to event date. **All cancellations are subject to a \$20.00 Cancellation Fee. ABSOLUTELY NO REFUNDS DUE TO WEATHER.**

Park Fees Apply on Fridays, Saturdays, Sundays and Holidays. Fees Charged May through October.

Elms Park- 4125 Elms Rd

- #1 \$80.00 (\$200.00 non-resident)
60 People Electricity
- #2 \$100.00 (240.00 non-resident)
75 People Electricity
- #3 \$50.00 (\$140.00 non-resident)
25 People
- #4 \$80.00 (\$200.00 non-resident)
60 People Electricity
- Ball Field
- Soccer Field

Abrams Park- 5225 Winshall Dr.

- #1 \$50.00 (\$154.00 non-resident)
50 People
- #2 \$50.00 (\$154.00 non-resident)
60 People
- #3 \$40.00 (\$120.00 non-resident)
35 People
- Ball Field

Date of Reservation _____

Name of Responsible Party _____

Address _____ Phone: _____

City _____ Zip _____

Number of Guests _____ Nature of Activity _____

Responsible Party Signature _____

E-Mail Address _____

Deposits can be expected to be returned within 30 days of reservation date.

CASH



CHECK#



Receipt #

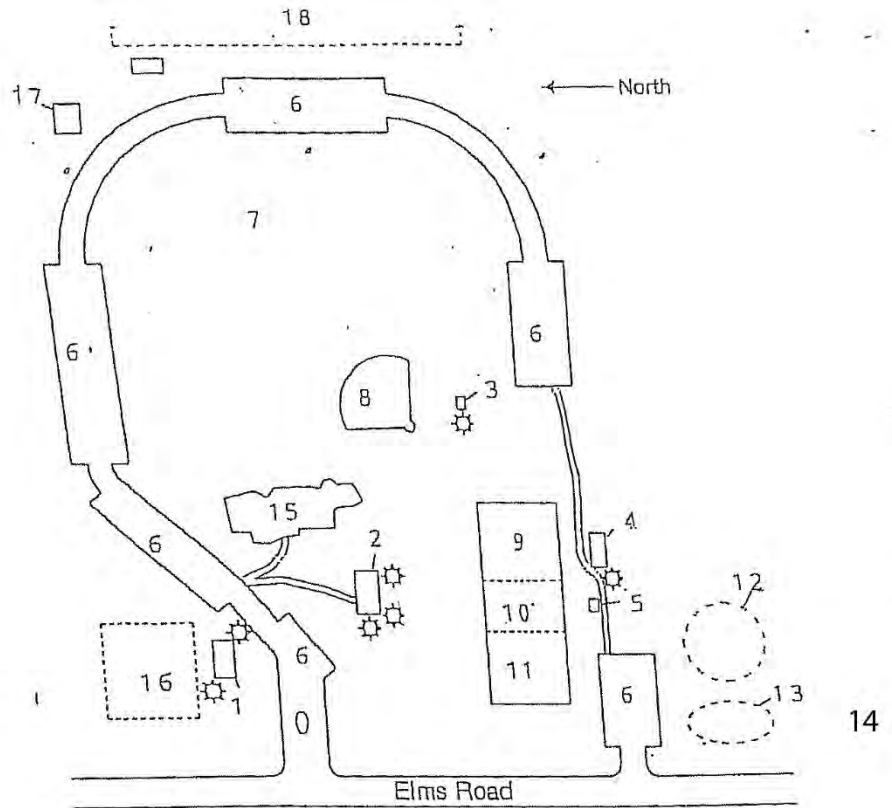
Area restrooms are attended during the early morning hours in the summertime. Due to high park volume and vandalism, you are strongly encouraged to bring your own paper products and soap or sanitizer for restroom use.

IF THERE ARE PROBLEMS AT THE PARK CONTACT 911.

City Official _____ **Date** _____

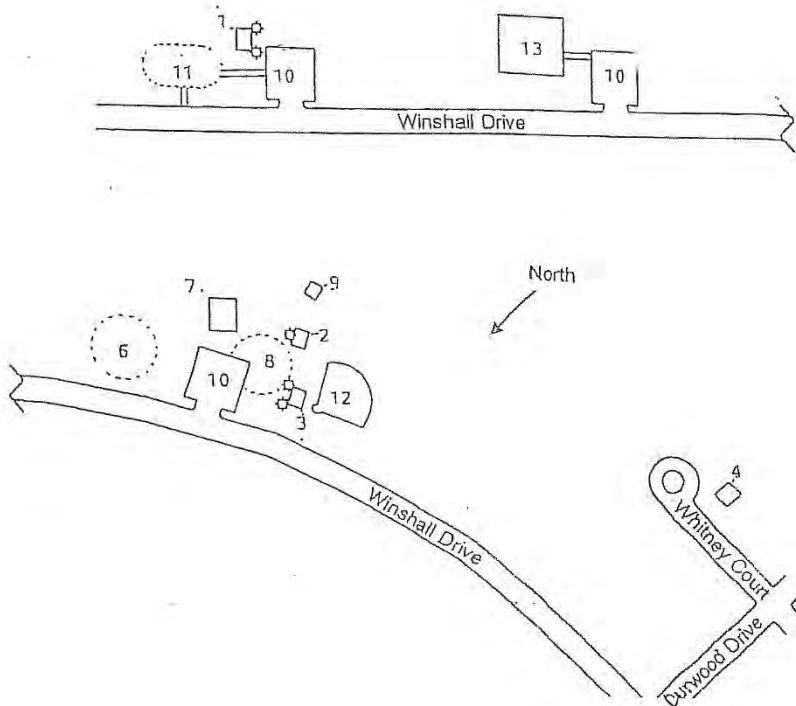
Elms Park

1. Pavilion #1 (60 people)
2. Pavilion #2 (75 people)
Restrooms attached; not reservable
3. Pavilion #3 (25 people)
4. Pavilion #4 (60 people)
5. Pavilion #5 (cannot be reserved)
6. Parking
7. Soccer Field
8. Ball Field
9. Basketball Courts
10. Open Area
11. Tennis Courts
12. Sledding Hill
13. Skating Area
14. Dog Park
15. Dragon Area Playscape
16. Playground Area
17. Volleyball with net
18. Football/Soccer Field
- ☀ Grill



Abrams Park

1. Pavilion #1 (50 people)
2. Pavilion #2 (60 people)
3. Pavilion #3 (35 people)
4. Pavilion #4 (Cannot be reserved)
5. Vacant
6. Sledding Hill
7. Basketball
8. Playground
9. Rest Rooms
10. Parking
11. Playground
12. Ball Diamond
13. Tennis Courts
- ☀ Grill



CITY OF SWARTZ CREEK
PARK RULES AND REGULATIONS

AUTHORITY. These rules are approved by the city council and enforceable pursuant to the provisions of Section 11 of the Code of Ordinances of the City of Swartz Creek, Michigan.

ORDINANCE NO. 453

Any person in violation of the park rules and regulations adopted by the city council, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of \$100 for the first offense, \$250 for the second offense, and \$500.00 for additional offenses or by imprisonment for not more than 90 days or by both fines and imprisonment at the discretion of the court.

APPLICABILITY. These rules apply to City of Swartz Creek parks, play fields, and other recreational public grounds, hereafter called parks.

1. **HOURS.** City parks shall be open to the public, daily, between the hours of 8:00 a.m. to dusk and, excepting as provided in this article, it shall be unlawful to occupy or be present in any public park during such hours when it is not open to the public. Seasonal park provisions, including water, bathroom facilities, and waste collection will be offered May through October or as directed by the city manager.

Exceptions to use of or presence in park after hours.

- 1) It shall not be unlawful for city employees, while on city business, to remain in or on public parks during such times as the park shall be closed to the public.
 - 2) It shall not be unlawful for persons other than city employees to be on or in park property after hours, provided that they have the prior approval and written permission of the city manager and that such approval shall not be granted except in pursuance of and when related to city business.
 - 3) Non-motorized paths and sidewalks, within and outside of the right of way, may be used twenty four hours a day, 365 days a year for permitted non-motorized transportation and recreation.
2. **CREEK ACCESS AND FLOOD STAGE WATER.** Creek access is permitted in Abrams Park at the risk of the user. Swimming and the use of any boat, canoe, or other floatation device within a city park during a flood event is prohibited except by emergency personnel.
 3. **SMOKING.** Smoking, including (tobacco, cannabis, e-cig, or e-cigarettes), personal vaporizers (PV) or electronic nicotine delivery systems (ENDS), is prohibited in all city parks.
 4. **PROHIBITED USES AND ACTS.** No person in any park owned or operated by the city shall:
 - 1) *Drunkenness, alcoholic liquors.* No person shall enter, be in or remain on park property while under the influence of intoxicants or under the influence of unlawful drugs or controlled substances. It shall be unlawful to bring into or use alcohol or drugs of any kind upon park property.
 - 2) *Injuring, removing property.* Willfully mark, deface, disfigure, cut, injure, tamper with, break, displace, or remove any buildings, cables, benches, tables, fireplaces, grills, light poles, fountains, tennis nets, trees, playground equipment, public utilities or parts of appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, flag poles, stakes, posts, fences or other boundary markers, or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.
 - 3) *Kindling fires.* No person shall kindle or build or cause to be kindled or built a fire in any park except in designated places. In those areas where fires are permissible, such fires must be contained in a receptacle designed for the purpose of holding a fire and must be attended at all times. No person shall set fire to trash, garbage or the contents of trash receptacles at any time.
 - 4) *Pets, animals.* No person shall bring in, cause, or allow any dog, cat or other pets or animals which he owns or has permission to control to be brought within the confines of any park unless such animal be attached to a leash not to exceed eight feet in length; such leash is to be of sufficient strength to hold such animal in constant check. Disposal of animal waste is required. See Dog Park Regulations.
 - 5) *Hindering employees.* No person shall interfere with or in any manner hinder any employee of the city while engaged in constructing, maintaining, repairing or caring for any park property.
 - 6) *Restricted sections of park.* No person shall enter upon any area of the park system where persons are prohibited from going, as indicated by signs, notices or where secured by fences and gates.
 - 7) *Firearms, bow and arrows, fireworks and devices.* No person shall discharge a firearm or firework of any description while in or on park property, provided that such prohibition shall not apply to any peace officer while in the exercise of his official duties. No person shall shoot any arrow by the use of a bow, excepting in such areas as shall be specifically designated as areas for the use of bows and arrows. Crossbows, bolts, and similar weapons are also prohibited.

- 8) *Peace, disorderly conduct.* No person shall make or excite any disturbance or contention on any public grounds or park. (No person shall use any indecent or obscene language).
 - 9) *Drinking fountains.* No person shall throw, discharge or otherwise place in the waters or any fountain, wash basin or toilets any substance, liquid or solid, which may result in water pollution or create a health hazard to the public.
 - 10) *Sleeping in parks.* No person shall sleep, whether in a vehicle, trailer, tent, hammock or other manner, on park property during the hours the park is closed, excepting in such areas as shall be specifically designated for such use. Furthermore, such use in such areas shall require the written approval and authorization of the city manager, and such approval and authorization shall clearly designate the time period within which such use may be made.
 - 11) *Dumping articles in parks.* No person shall deposit any rubbish, garbage or refuse matter, break glass or bottles in or upon any part of the park system other than such refuse accumulated from organized and acceptable activities within the park, and such refuse must be deposited in receptacles provided for that purpose. No hazardous materials are permitted to be in the park.
 - 12) *Posted signs, rules and regulations.* No person shall willfully disregard posted signs which regulate the days, hours for various activities, or any other signs installed, posted or attached for control, maintenance, safety or any other purpose within the park system.
 - 13) *Public meetings, parades.* No person, organization, club or group shall hold or participate in any parade, drill, exhibition, political meeting, religious meeting, concert, lecture or public entertainment of any kind within the park system without the express consent and written approval of the city manager.
 - 14) *Advertisements.* No person shall post, stencil or otherwise affix any placard, advertisement or notice of any kind upon or to any park property without prior written approval.
 - 15) *Offering articles for sale.* No person shall carry on any trade or business or sell or display any goods, wares or merchandise in the park system without permission from the city manager.
 - 16) *Inflatable play equipment.* Inflatable play equipment is prohibited.
 - 17) *Non-Motorized Paths.* No person shall obstruct, occupy, or otherwise use the non-motorized paths in a way that prohibits or unreasonably hinders use of the paths by others.
 - 18) *The use of nails, staples, or other permanent fasteners on park structures, equipment or tables is prohibited.*
 - 19) *The use of non-biodegradable confetti, streamers, water balloons, and similar party favors or debris is prohibited.*
 - 20) *Sound amplification systems:* The use of any amplified sound system or speaker, including DJ's, for the purpose of projecting music and related audio/visual entertainment is prohibited.
 - 21) *Animal attractions:* Petting zoos and other animal attractions are prohibited, unless part of an authorized public educational event.
5. **PARK POLICE AND EMPLOYEES.** No person shall resist any police officer or city employee exercising his duty within the park area, or fail or refuse to obey any lawful command of any such police officer or park employee, or in any way interfere with, hinder or prevent any such police officer or park employee from discharging his duty, or in any manner assist or give aid to any person in custody to escape or to attempt to escape from custody, or to rescue or attempt to rescue any person when in such custody.
6. **MOTOR VEHICLES.** The operation of motor vehicles in any park is prohibited, except in that area laid out and appropriated as driving lanes, parking area, or for motor vehicles by the city. No motor vehicle shall be driven or operated on a driving lane at a speed greater than ten miles per hour.
- 1) No person shall stop, stand or park a motor vehicle except in such areas as may be laid out and designated as a parking area by the city.
 - 2) No person shall operate a motor vehicle on any lane or service drive, whether posted or not, which is laid out as a means of access for maintenance employees to the various sections of the park system.
 - 3) No person shall park or store any motor vehicle during the hours the park is closed in any park, parking area or driving lane owned or operated by the city. Members of the police department are hereby authorized to remove any vehicles so parked or stored.
 - 4) It shall be unlawful for any person, whether a pedestrian or operating a motor vehicle of any type, to fail to obey any such applicable traffic control sign, signal, lane marking or other device, whether permanent or temporary, unless otherwise directed by a police officer or city personnel conducting city business.
7. **FEES.** Fees for pavilion and other facility rentals shall be set by resolution of the city council. Fees may be waived in full if reservations by a non-profit are found to result in a public benefit directly or if proceeds from the reserved event are found to be a benefit to the city. Monies must be paid at the time of reservation. Cancellations must be made two (2) weeks or more prior to event date and all cancellations are subject to a \$20 fee.

Deposits, in an amount set by resolution of the city council, shall also be collected for pavilion rentals. Said deposit shall be forfeited for damage to park facilities, failure to properly clean facilities, or violations of park rules that are found in connection to the rental.

8. **PAVILION RESERVATIONS.** Picnic pavilions shall be available to persons 18 years of age and older on a first-come, first-served basis. Reservations will be taken beginning on the first business day of each calendar year for city residents and the first business day of March for resident and non-resident applications. Fees and exclusive reservations are for weekends (Friday, Saturday, & Sunday) and holidays only.

9. **LIMITED USE FACILITY RESERVATIONS.** Any club, school, association, organization or recognized group desiring the use of specific areas of any park, such as picnic areas, athletic fields or ice rinks, shall file an application with the city manager and shall not use the park or area until the permit is granted.
 - 1) All permits shall require the permittee to clean up the park area after activity has terminated. All applications for permits must give the name, address and phone number of the permittee or the person responsible for the necessary policing thereof.
 - 2) All persons shall honor any special permits issued by the city, for certain areas, days and times, to clubs, organizations, teams or any other groups, including, but not limited to, picnic grounds, ball fields, skating rinks, stadiums, provided that such permit is on official forms when presented.
 - 3) Reservations will be given on a first come, first served basis beginning the first business day of each calendar year. Priority in the use of ball fields, soccer fields and similar athletic facilities in city parks shall be given to organizations scheduling regular games or matches. The city manager shall have the authority to designate organizations to provide for scheduling and oversight of use of athletic fields. Such organizations shall schedule use of the fields in a way that accommodates use by all interested organizations to the greatest extent feasible and to provide for compliance by these rules and regulations by all organizations using the athletic facilities.
 - 4) The city manager shall have the authority to restrict use of athletic fields to avoid excessive wear and tear on facilities.
 - 5) Organizations using athletic fields for scheduled games, matches and practices shall be responsible for removing litter from the areas used for their activities. In addition, organizations shall be responsible for removing and storing any equipment used in their activities. Installation of bleachers or similar facilities must be authorized by the city manager or his/her designee.
 - 6) The city will provide refuse disposal and the maintenance of athletic fields in coordination with the needs and schedules of organizations using the fields. Organizations using athletic fields that undertake specific activities uniquely required for their particular use of the fields such as the installation of bases or nets, the painting of lines on fields, etc. require prior approval.
 - 7) Playscapes, restrooms, play equipment are not available for reservation.

10. **EXPANDED PARK USE AND RESERVATIONS.** Swartz Creek-based organizations (defined as non-profit organizations or institutions with a principle office or auxiliary presence within the Swartz Creek school district) may be permitted the use of designated areas of city parks, including control during hours the parks are closed to the public, subject to the following conditions:
 - 1) Use must be pre-approved by the city council.
 - 2) The organizations' use of the park area shall not violate any local or state law nor unreasonably interfere with the use and enjoyment of adjacent park areas by others.
 - 3) The organizations shall hold the city harmless from liability for incidents arising out of the organizations' use of the park area and shall provide evidence of insurance coverage.
 - 4) The city reserves the right to direct where organizations' structures are installed and activities conducted to minimize damage to park property and facilities and to limit interference with the use of adjacent areas of the park.
 - 5) Fees shall equal the cost of all pavilion rentals for the park in use on a daily basis. Additional fees may be charged for services requested of the city and negotiated in advance, including use of barricades, additional utilities, port-a-johns, etc.
 - 6) In no case will use result in a charge for or prohibition on general access to the park by the public, by vehicle or other means.
 - 7) Reservations for this category can be granted by the city council beginning December 1 of the previous calendar year.

- 11) **VENDING.** Vending, including food trucks, is permitted on a limited basis after application to the city manager and under the administrative rules that may be set by the city, including a background check and administrative fee.

- 12) **DOG PARK REGULATIONS.** Within the designated dog park area in Elms Park, dogs are permitted under the following regulations. Elsewhere in the city, the city code applies.
 - 1) All dogs must be leashed when not in the designated and enclosed dog park facility, including the adjacent parking lot.
 - 2) Any person bringing a dog or dogs to the dog exercise area must have one leash per dog.
 - 3) There shall be no more than three dogs per person allowed in the dog exercise area. Any person bringing a dog or dogs to the dog exercise area must have at least one dog feces waste bag per dog in his or her possession

- and must remove any feces deposited by the dog(s) in their care.
- 4) Persons under sixteen years of age visiting the dog exercise area must be accompanied and supervised by a parent or guardian or other responsible adult with permission of the parent or guardian.
 - 5) Each dog shall always be under visual and voice control of the owner or other responsible person at least 16 years of age.
 - 6) All dogs must have current vaccinations and licenses and shall wear a collar.
 - 7) Aggressive dogs, as defined below, are not permitted in or around the dog exercise area, including but not limited to, the parking lot. Owners or other responsible persons will be held legally responsible for any injury caused by a dog that they bring in or around the dog exercise area.

An aggressive dog means:

- i. A dog that bites a person. However, a dog shall not be considered aggressive if the dog bites a person wrongfully assaulting the dog or the dog's owner, or if the dog bites a person after being provoked by that person.
 - ii. A dog that injures or kills another domestic animal without provocation.
- 8) Female dogs in heat are not permitted in or around the dog exercise area including, but not limited to, the parking lot.
 - 9) Dog owners or other responsible persons shall provide dogs with drinking water while visiting the dog exercise area when weather conditions require.
 - 10) Dog owners or other responsible persons shall not keep dogs enclosed in a vehicle during hot weather which may cause injury to the dog.
 - 11) Any person having knowledge of a dog having bitten, scratched, or injured a person or other animal within the dog exercise area, including but not limited to the parking lot, shall report the incident to the police department by calling 911.
- 12) **PUBLIC NOTICE.** The public shall be deemed to have been properly notified of the provisions of these rules and regulations upon their publication in a newspaper of general circulation in the city. Signs may be posted to insure substantial compliance with the provisions of these rules and regulations.

City Council Approval: November 8, 2021

Draft: October 19, 2022

CITY OF SWARTZ CREEK PARK & PAVILION RENTAL AGREEMENT

The Renter Agrees:

1. To abide by and enforce all rules and policies as described in this Rental Agreement and the City of Swartz Creek Park Rules and Regulations.
2. The pavilions and grounds are under the supervision of the Metro Police, the City, and its employees/representatives, who shall have the authority to restrict the use of the pavilion and grounds when it is deemed such as well be detrimental to the operation of the facilities or in violation of the Rental Agreement and the City of Swartz Creek Park Rules and Regulations.
3. The pavilions and grounds shall be subject to inspection at any time.
4. Metro Police, the City, and its employees/representatives reserve the right to halt any function that is deemed to be in violation of the city's ordinances, park rules, or this agreement.
5. That they are 18 years of age or older.
6. To indemnify the City of Swartz Creek and its employees or agents for all liability to persons or property on the premises.
7. To reimburse the City of Swartz Creek for any damages to the premises, buildings, landscaping, and equipment.
- 8. To forfeit their deposit for any observed violations to this Rental Agreement and the City of Swartz Creek Park Rules and Regulations.**
9. To accept the premises in its present condition and return it in like or better condition.
10. To vacate & clean the premises prior to park closure (pictures demonstrating rental clean up and restoration are recommended).
11. There shall not be any use of nails, staples, or other fasteners on tables or structures (tape is acceptable).
12. There shall not be use of confetti, streamers, water balloons, and similar party favors that create debris.
13. To clean all tables, remove and dispose of all trash and debris, clean tables, and remove and dispose of all decorations.
14. Not to leave personal property on the premises other than during the rental period.
- 15. There will not be any alcohol consumption within the park.**
- 16. There will not be any inflatables, petting zoos, amplified sound (including DJ's) within the park.**
- 17. All cars are to park in designated areas. At no time are vehicles allowed in grassy areas near pavilions.**
18. To be responsible for cleanup of tables and extinguish all fires in grills. Please do not put coals in garbage.
19. To forfeit payment if cancellation occurs within two weeks prior to rental date, and to pay \$20 for any cancellation. Inclement weather does not negate the cancellation policy stated above.

Applicant Signature: _____ Date: _____



MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY
 FINANCE DIVISION
 CLEAN WATER AND DRINKING WATER STATE REVOLVING FUND/
 STRATEGIC WATER QUALITY INITIATIVES FUND

INTENT TO APPLY FORM

This form should be submitted by all applicants seeking funding in the next five years. Applicants participating in the ITA process receive early indication of the funding outlook for their project(s).

DATE: October 17, 2022

PROJECT(S) NAME (Brief Identifier): City of Swartz Creek Water Main Replacement

PROJECT(S) PURPOSE (Including general location and public health or water quality issue being addressed): The proposed improvements under this intent notice include replacement of aging water main infrastructure, as well as an extension of the existing system in one location, including water service leads, valves and hydrants, all within the City of Swartz Creek right of way or owned easement. Approximately 12,850 LF of new water main is being proposed to be installed.

Applicant Legal Name: City of Swartz Creek

Applicant Contact Name: Adam Zettel Title: City Manager

Mailing Address (street, city, state, zip+4): 8083 Civic Drive, Swartz Creek, MI 48507

Phone No.: 810-635-4464

Email: AZettel@cityofswartzcreek.org

Consulting Engineer Name* (if applicable): Rob Merinsky Firm: OHM Advisors

Mailing Address (street, city, state, zip+4): G3101 W Bristol Road, Flint, MI 48507

Phone No.: 810-396-4015

Email: rob.merinsky@ohm-advisors.com

PROJECT INFORMATION

Applicant Population: 5,855 Population Served by Project: 800

Treatment Facility Name (if applicable): NA

Estimated Total Project Cost:

Year 1 Costs: \$6,583,000

Estimated Year 1 Costs Financed Through SRF: \$6,583,000

Future Year Costs (if applicable): \$0

Estimated Future Costs Financed Through SRF: \$0

Other Funding Sources (check all that apply): MDOT MEDC USDA Rural Development
Other Financing/Funding Agency: [Click here to enter text.](#)

Proposed Construction Start Date (mm/yyyy): 06/2023

Completed Project-Related Planning Documents (check all that apply; do not need to submit at this time):
Capital Improvements Plan Asset Management Plan Preliminary Engineering Report
Environmental Report Project Plan Infiltration & Inflow Study Sanitary Sewer Evaluation Study
NASSCO Report Watershed Management Plan Master Plan Reliability Study Other: [Click here to enter text.](#)

ADDITIONAL INFORMATION

Disadvantaged Community (as determined by EGLE)? Yes No Unknown

For a preliminary determination from EGLE, complete and attach the [Disadvantaged Community Status Determination Worksheet](#). MAHI is \$52,699. Annual water user bill is \$674.88; or 1.3% of MAHI.

Does the proposed project include any green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities? Yes No Unknown

If yes, please describe: Repairs and maintenance have been high in recent years due to a large amount of water main breaks in areas of high traffic and along major roads. Frequent repairs have been required along Miller Rd. and within the subdivisions along Seymour Rd. The City of Swartz Creek does not complete repairs with their own forces and must contract this work. The material costs and contractor costs continue to rise which accounts for the added repair costs.

Without the completion of the proposed improvements, there will continue to be a high risk for water main breaks which will interrupt service to the water customers. The improvements are intended to ensure the integrity and continued safe and efficient operation of the public water system, and in so doing will protect public health.

The project also includes a redundant connection through the Heritage Community and the upgrades will positively impact anyone who previously would be rendered out-of-service due to a break in the main. The redundancy will benefit the entire City of Swartz Creek

Deadlines: The ITA form may be submitted at any time, but is due on or before November 1, to allow for sufficient time for the pre-application meeting and to be placed on the DWSRF or CWSRF/SWQIF Project Priority List (PPL). **Please note:** Applicants for CWSRF funding must use a Qualifications-based Selection (QBS) process to select and hire an architectural and engineering firm in order for those costs to be eligible for CWSRF funding. This includes planning, design engineering and construction engineering services.

Pre-Application Meeting: The applicant will be contacted by an assigned Water Infrastructure Financing Section (WIFS) project manager within 14 days of receipt of this ITA form to schedule a pre-application discussion. This meeting can help to identify project funding opportunities and challenges earlier in the planning stage to better guide the efforts of the applicant and their consulting engineer. Suggested attendees would include the WIFS project manager, EGLE district engineer, applicant representative(s), and any other applicable attendees.

Questions: Please visit our website at Michigan.gov/CWSRF or Michigan.gov/DWSRF or call 517-284-5433.

Please submit this form by email to EGLE-WIFS@Michigan.gov.

For information or assistance on this publication, please contact the (program), through EGLE Environmental Assistance Center at 800-662-9278. This publication is available in alternative formats upon request.

EGLE does not discriminate on the basis of race, sex, religion, age, national origin, color, marital status, disability, political beliefs, height, weight, genetic information, or sexual orientation in the administration of any of its programs or activities, and prohibits intimidation and retaliation, as required by applicable laws and regulations.

This form and its contents are subject to the Freedom of Information Act and may be released to the public.

Senate Passes House Bill 5981 (Qualified Residential Treatment Programs Preemption)

Posted on **September 21, 2022** by **Jennifer Rigterink**

****UPDATE – The House took up HB 5981 the same day it was returned from the Senate for a concurrence vote. It overwhelmingly passed 90-18. The bill now heads to the Governor. If signed into law, municipalities will be preempted, and qualified residential treatment programs (QRTP) housing 10 individuals or less will be a permitted use in all residential zones, not subject to any special use or conditional use permit.**

Thank you for answering the **call to engage** yesterday and contacting your state Senator! Unfortunately, we were not successful in holding off passage of House Bill 5981. It now heads to the House for a concurrence vote. Please talk to your **state**

Representative

about why they should oppose HB 5981 even if they supported it previously.

The legislation is part of a multi-bill package prioritizing the placement of children under the care of relatives

and close family friends as well as other foster care reform measures. HB 5981 is not that and it is not tie-barred to any of the other bills. It was tucked in with the package to provide cover. It is not being done because of any federal requirements, nor is it necessary because there aren't enough qualified residential treatment programs (QRTP) in our state. **HB 5981 is about one entity refusing to go through its local government process.**



An amendment was adopted yesterday limiting the number of children in a QRTP to 10. This is inconsistent with existing state law that states six or fewer (for example, adult foster care facilities in residential), so the League opposed the amendment. Having a requirement of 10 individuals for some facilities and six for other licensed facilities will cause confusion and possibly unintended discrepancies in practical application.

A big thank you to Sens. Betty Jean Alexander, Jon Bumstead, Jeff Irwin, Jeremy Moss, Jim Runestad, Lana Theis, Paul Wojno, Doug Wozniak and Dale Zorn for standing strong with local government and understanding this bill is not like the others.

Jennifer Rigterink is the League's assistant director of state and federal affairs handling economic development, land use and municipal services issues. She can be reached at jrigterink@mml.org or 517-908-0305.

SHARE THIS:



This entry was posted in **Uncategorized** by **Jennifer Rigterink**. Bookmark the **permalink** [<http://blogs.mml.org/wp/inside208/2022/09/21/senate-passes-house-bill-5981-qualified-residential-treatment-programs-preemption/>].