

**City of Swartz Creek
AGENDA**

**Regular Council Meeting, Monday, November 28, 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 & PLEDGE OF ALLEGIANCE:**
3. **ROLL CALL:**
4. **MOTION TO APPROVE MINUTES:**
4A. Council Meeting of November 14, 2022 MOTION Pg. 29
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. 48
6C. Draft Fund Balance Policy Pg. 57
6D. State Data Sharing Agreement Pg. 60
6E. CIB Planning Professional Service Proposal Pg. 76
6F. Internet Service Provider Update Pg. 79
6G. Drinking Water State Revolving Loan Fund Meeting Notes Pg. 81
7. **MEETING OPENED TO THE PUBLIC:**
7A. General Public Comments
8. **COUNCIL BUSINESS:**
8A. Appointments RESO Pg. 23
8B. Fund Balance Policy RESO Pg. 25
8C. State Data Sharing Agreement RESO Pg. 26
8D. CIB Planning Professional Services RESO Pg. 27
8E. Fire Department Medical Runs RESO Pg. 27
8F. Fire Department Equipment Outlook DISCUSSION
9. **MEETING OPENED TO THE PUBLIC:**
10. **REMARKS BY COUNCILMEMBERS:**
11. **ADJOURNMENT:** MOTION Pg. 28

Next Month Calendar

City Council	Monday, December 5, 2022, 7:00 p.m., PDBMB
Planning Commission:	Tuesday, December 6, 2022, 7:00 p.m., PDBMB
Downtown Development Authority:	Thursday, December 8, 2022, 6:00 p.m., PDBMB
City Council:	Monday, December 12, 2022, 6:00 p.m. , PDBMB
Fire Board:	Monday, December 19, 2022, 6:00 p.m., Station #2
Park Board:	Tuesday, December 20, 2022, 5:30 p.m. PDBMB
Zoning Board of Appeals:	Wednesday, December 21, 2022, 6:00 p.m., PDBMB
Metro Police Board:	Wednesday, December 21, 2022, 11:00 a.m., Metro HQ

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, NOVEMBER 28, 2022, 7:00 P.M.**

The regular virtual meeting of the City of Swartz Creek city council is scheduled for **November 28, 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:

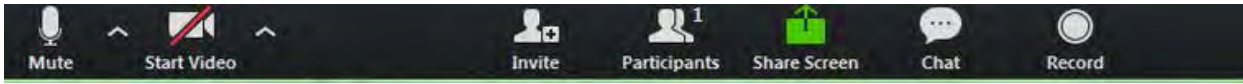
1. At the start time of your meeting, enter the link to join via computer. You may be instructed to download the Zoom application.
2. You have an opportunity to test your audio at this point by clicking on “Test Computer Audio.” Once you are satisfied that your audio works, click on “Join audio by computer.”

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: November 28, 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, November 28, 2022 - 7:00 P.M.

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

FROM: Adam Zettel, City Manager

DATE: November 22, 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.

We have an agreement with the MDOT for the Miller Road buyout, which might make funds available for 2023. The federal award for this project is \$1,054,959 for the \$1.32M project. At 90%, this will be \$949,463 of less restricted road money.

The bad news is that the prices for road building are increasing quickly and substantially. I had the engineers run the numbers, and we will be lucky to do the project as projected, even with fewer restrictions. The good news is that there might be some additional funds we can try to get through the same program. We have submitted a request for unclaimed funds due to costs increases. If things go well, we may see about \$170,000.

If bids are low, funds 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 has modeled an option for this segment with on street parking. I am including their letter, which includes a practical narrative, layout, and much technical data. In short, we can accommodate the parking, but it is not as extensive as most would like. As previously noted, it will certainly have the mixed impact of slowing traffic, as well as the obvious increase to parking spaces, an increased buffer for sidewalk uses. The study was in the November 14, 2022 council packet. We will need to decide if we wish to pursue this prior to having the roadwork commence.

The DDA discussed this matter at their meeting on November 10th. There was support and opposition, with no recommendation.

✓ **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** *(No Change of Status)*

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** *(No Change of Status)*

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** *(No Change of Status)*

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 have sent notice to apply. 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 site license agreement for use of the tower on Elms Road has been executed. We await component delivery for installation. 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** *(No Change of Status)*

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. **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. **(Update)** The **raceway owner is still considering racing**. I have a meeting with the owner after Thanksgiving. It sounds like the owner will be looking to repurpose the site moving forward. For now, they have a temporary zoning permit to store surplus vehicles for GM. See details below.
3. The **demolition of Mary Crapo is underway**. 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. Road pavement markings continue to be applied, mostly on weekends. Crack filling on Elms is complete, with the contractor to complete Bristol and Morrish (Miller to city limits), if time permits.
6. The **Brewer Condo Project** is nearing completion of the first tri-plex. We can affirm 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.
7. 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.
8. 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)**

Work on the Genesee Valley Trail Extension is underway again. 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). Concrete work is to be complete this week. Some work will need to wait until spring at this point, especially restoration.

Concerning the greenbelt, we are proceeding with applying grass anywhere 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).

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** (*Update*)

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 have an executed Kincaid easement. We await approval by MDOT for all easements.

✓ **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!

The DDA is taking the lead on this. At their meeting on the 10th of November, they initiated a search for statue and metal working artists. Their intention is to scale a project in the downtown that includes some sort of arch/gateway into Holland Square that includes dragons. This could include a separate dragon statute or it could be integrated. They are also going to price some options to further enhance placemaking through the addition of interpretive signage and/or and ice skating rink.

I expect more on this in December, but a live crowdfunding activity by the end of the year or early 2023!

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** *(No Change of Status)*

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** *(No Change of Status)*

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. See the additional section below on the SPARK grant.

✓ **RACEWAY** *(Update)*

I am to meet with ownership after Thanksgiving. They are looking to proceed with reuse of the site, probably in the industrial realm. The likelihood of thoroughbred racing is very small.

✓ **PAVILION COMMITMENT/SPARK GRANT** *(Update)*

In addition to pursuing a 2023 federal legislative appropriation for this project, we will be seeking a Spark grant from the DNR. The application was just released, with a December deadline. Linda and I will meet to commence putting this together. She is all over it! To that end, we are having a concept plan put together by Rowe, along with pricing (see the November 14, 2022 council packet).

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.

For the Spark grant, we are being aggressive in scale because of the funds being made available. If the grant is not awarded, there is no commitment to this plan.

✓ **INGALLS STREET REPORT-SPEEDING** *(No Change of Status)*

OHM has delivered a memo regarding a striping option for Ingalls Street. This is in the November 14, 2022 council packet. Since this memo outlines a traffic calming solution

based on new markings, there is nothing we can act on at this time that will result in action due to the lateness of the season.

In short, council could eliminate on street parking on Ingalls, which is little used. This would enable a center double yellow marking and edge lines which could constitute bike lanes. In combination with other pavement markings within lanes, as well as some strategic forestry, we could see some meaningful traffic calming on this corridor.

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

Mundy is posting this position as a full time, exempt employee. I believe they will fill this on or about January 1 to coincide with their calendar year. I will look to communicate with them this month on the matter, but I still expect they will reach out to engage the city on the potential for cost-sharing this position. The previous report follows:

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** *(No Change of Status)*

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** *(Update)*

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.

I am including notes from EGLE that result from a meeting we held with their Drinking Water State Revolving Loan Fund staff. This is an alternate funding source that we have been considering lately because there has been a large influx of infrastructure money to this program. The thought was that this increased budget for the program could result in lower interest rates or grants for our water main components of our project.

During our meeting, it became apparent that this option will not likely result in any benefit for us. We learned that they have over 280 water main applicants in the current cycle, with projects totaling over \$2.2 Billion. This is an exponential increase over prior years and far exceeds their budget of \$450 Million. EGLE staff were pretty open about the competitive scoring favoring communities with lead lines, storage tanks, and system upgrades. Unfortunately, we do not have any known lead, active storage, or proposed system loops/upgrades.

As such, we do not see the city benefiting from the potential grant or lower rates. In fact, the staff indicated that their rates (though currently lower than USDA) are very likely to increase for the future rounds of funding. This is no surprise. In addition to the reduced financial opportunities, it appears their timeline for review and approval would put us back a whole construction season (especially with such a high volume of potential applicants).

With that said, I recommend that we proceed with the USDA funding. We can keep an eye on the DWSRF in case circumstances present themselves fortuitously in the next few months (reduced applicant volume, lower rates, funding increases, etc). If there are changes, we can revisit this program since we did submit a letter of interest this year.

The previous report follows:

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. In the near future, the council will be asked to release a notice of intent to borrow funds (for water and streets). I expect this to occur in December of 2022.

✓ **FUND BALANCE POLICY (*Business Item*)**

With the explanation and acceptance of the audit, as well as the seating of a new council now behind us, I am bringing back the draft fund balance policy for review. Deanna will be available to field any questions. I am hopeful that council will affirm the policy, which we will integrate into our budget book. Note that this is not an ordinance, governmental requirement, or accounting best practice. It stands as a guide to the current and future councils/administrations to budget in accordance with established guidelines that account for emergencies, cash flow, and capital improvements.

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.

- ✓ **OTHER COMMUNICATIONS & HAPPENINGS** *(See Individual Category)*
 - ✓ **MONTHLY REPORTS** *(Update)*
We have routine departmental reports for review.
 - ✓ **INTERNET SERVICE PROVIDER NOTICE** *(Update)*
They are raising their prices. Though the amounts appear nominal, the percentage increase for most categories far exceeds inflation.
- ✓ **BOARDS & COMMISSIONS** *(See Individual Category)*
 - ✓ **PLANNING COMMISSION** *(No Change of Status)*
The November 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 December 6. The PC is expected to be reviewing changes to the Downtown Planned Unit Development District in accordance with the most recent master plan. This will involve integrating the downtown design guidelines and build-out plan into the zoning code.

In addition, we have a new strategy for training. With many of the trainings requiring travel again, as well as some members not having much comfort with online learning, we have decided to bring training to us. This will come with a cost, but it is cheaper than sending folks to conferences (such as the Michigan Association Planning Conference on Mackinaw Island).

By hosting professional training during regular meeting times, we should be able to maximize attendance and save folks the hassle of registration, travel, time-off, etc. We are working with MAP and CIB Planning to set up sessions that will benefit the PC and DDA. We may look to invite nearby communities to reduce our costs and increase networking. If this model is successful, we may do up to four such sessions a year. Stay tuned, as these trainings would be valuable to council members, PC members, DDA members, and ZBA members.
 - ✓ **DOWNTOWN DEVELOPMENT AUTHORITY** *(No Change of Status)*
The DDA met on November 10th. They considered an addition to the downtown Christmas Tree, crowdfunding opportunities as a Redevelopment Ready Community,

on street parking for Miller Road, and a new incentive policy for the DDA. Concerning the tree, they approved purchase of a 3 foot extension. This is in line with the original purchase of the 14 foot tree. See the section above for specifics on the crowdfunding initiative. In short, they are looking to pursue some arch/statue features of a dragon to enhance downtown. Concerning parking on Miller, there was not any agreement or decision. There is certainly a lot of apprehension. It is not obvious to me where the DDA will stand on this matter. We will look to revisit this in December.

This last item is a result of the pending DDA plan adjustment that allows for certain developments to benefit from tax reimbursement. This is something that our planner, CIB, will address with the DDA and council as a professional service. Their next regular meeting is scheduled for December 8, 2022.

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

The ZBA did not meet in November. However, I did get a request for a variance application for a downtown sign, so there might yet be a December or January meeting. If not, we will certainly look to host a training event for our boards and commission during one of the regular planning commission meetings.

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

The Park Board met on November 15th. In addition to the routine reports and initiation of their annual holiday decorating contest, they conducted a thorough review of the park draft plan. This was a page-by-page review with the consultant. I expect a finer tune draft to be presented in December or January, with council review soon after.

Their next regular meeting will be December 20th.

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

December Board of Review will be December 13 at 3:00. At that meeting the BOR can do clerical errors, poverty exemptions and disabled veterans' exemptions. The BOR can no longer do Principle Residency Exemptions

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

We still haven't heard back from the County Board of Canvassers on certification of the election. I will probably hear from them by the end of the week. Then it goes onto the Board of State Canvassers. My election assistant, Callie Fox has been organizing all our supplies used at the November election, so they are in order for future elections. She has been a great help with both the August & November elections along with the entire office staff. Everyone helps during elections, and we work as a team. I am so thankful for all of them.

DEPARTMENT OF COMMUNITY SERVICES UPDATE (Update)

- Mr. Rod Gardner is retiring at the end of the year! He has had a long and impactful career with the city. He has applied many skills and talents within the Department of Public Works. His dedication and knowledge will be sorely missed. We have posted his job, but it will be many years before we see someone be able to fill his shoes. The loss of such experienced employees will be felt by everyone. We wish Rod a happy and healthy retirement.

- ❑ DPS has all trucks changed to winter trim. We are still waiting on our last large plow truck to come back from repair. It is having a cold start issue.
- ❑ DPS has provided salting and or plowing for 3 events already this winter.
- ❑ DPS has started on its Christmas decorations for the Christmas season. Parade and Christmas tree lighting are December 3.

✓ **TREASURER UPDATE** *(Update)*

The post audit reports for the Michigan Department of Treasury and Michigan Department of Transportation are being completed and filed. We await the certification of the election results and signing of the revised Genesee County L-4029. Once completed winter tax bills will go to the printer. Routine operations include, but are not limited to, processing payments for utility bills, tax bills, delinquent personal and qualified real taxes, building permits, daily/weekly/monthly journal entries, bank wires, review/approval of accounts payable invoices, issuance of building permits and rental inspection collections, processing payroll, accounting for grants and projects and other financial matters impacting the city.

NEW BUSINESS / PROJECTED ISSUES & PROJECTS

✓ **APPOINTMENTS** *(Business Item)*

As expected following an election, there are numerous appointments to make on a number of city boards and commissions. All of these expire on November 28th in accordance with mayoral appointments made after the last council was seated. The mayor is recommending appoints as indicated in the resolution, with near universal retention by current appointees. In addition, we still have the vacancies for ZBA, Metro Alliance, and DDA.

✓ **MICHIGAN DEPARTMENT OF STATE AGREEMENT** *(Business Item)*

The City of Swartz Creek belongs to a subscription service through the State of Michigan to ensure that our employees that operate municipal vehicles maintain their licenses, endorsements, and safety expectations. The state sends periodic reports to the city clerk that include employees' license, endorsement (CDL) status, and any new traffic violations. This is a necessary part of managing a safe crew on the streets.

The state is now requiring a Data Sharing Agreement between the Michigan Department of State and the City of Swartz Creek for Subscription Service. This is a very boiler plate agreement, and it is necessary to execute such an agreement to continue to have access to necessary updates. I am including the agreement and a resolution to approve it.

✓ **PROFESSIONAL PLANNING AND TRAINING SERVICES** *(Business Item)*

As noted in the report, we have some follow-up planning services that are required. The master plan and DDA plan updates necessitate incorporation of the design guidelines, proposed development patterns, and incentives into the zoning code and incentive guidelines that the city council approves. This is a part of the plan to make our downtown development resources and expectations predictable, worthwhile, and fair for downtown landowners.

In addition, we have struggled to get folks trained that are on the planning commission, ZBA, and DDA since COVID. This is compounded by the fact that we have so many new members. As such, we find that we can educate more officials at a lower cost if we bring the

training to them on standard meeting days instead of asking officials to perform independent travel or online programming.

To meet these needs, I have solicited a proposal from the city's planning firm, CIB Planning. Note that this is the firm that has completed much of our RRC updates, prior zoning amendments, master plan update, and DDA plan amendment. We have leaned on them more heavily in the past few years because they are a preferred planning firm for the MEDC RRC program. They are also based in Fenton and their principals have much experience in our neck of the woods.

There is not a legal mandate or requirement to proceed with these services. We also have the option of other providers. However, I hope the council agrees that CIB has done a good job for us, and I think it is prudent to have them complete the work for continuity purposes. Their proposal and a resolution are included in the packet.

✓ **FIRE DEPARTMENT MEDICAL RUN SERVICE (*Business Item*)**

The fire department has been conducting medical runs for about one full calendar year. The department expanded into this service, with the approval of the city and township, to fill a void in the regional private ambulance responses that was very apparent at that time. The transition required a new job description and small change to the bylaws.

The chief has been operating a program that was to restrict medical responses to one or two fire personnel per run. Vehicles and equipment have been put into service for this purpose. Supplemental training and pay have also been budgeted. The department plan was to license two vehicles only. Initial estimates for this service were thought to result in a yearly increase of about \$1,500 a year per municipality.

Since this program was implemented, the city has engaged in an exclusive agreement with a private ambulance company to be the primary service provider. The results for the city, as well as other municipalities, have been a notable reduction in response times. As such, most of the FD runs have been for lift assists.

Per the council approval from 2021, the chief is returning to debrief on the experience and to make a recommendation on future medical run services. I do not have any data, reports, or details to pass along at this point. I will do so if I receive any communications prior to the meeting. Should a vote be requested on this matter, I am including a resolution that is written in the affirmative.

✓ **FIRE EQUIPMENT UPDATE (*Business Item*)**

As noted in previous communications and reports, some of the older fire trucks are giving the department fits. Equipment has been failing, resulting in the accumulation of much out-of-service time and financial resources. The Fire Chief is going to address the city council and township board about the acquisition of a new apparatus to replace one of the aging units.

We have known that this was coming for some time. With the large delay in truck deliveries (perhaps 18 months or more), we may need to start looking at this sooner than later. I do not have details on any equipment specifics, but I will pass those along if received prior to

the meeting. Otherwise, we can expect a verbal update on equipment status and some discussion on conceptual options to improve our service.

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.

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.

Parking on Sidewalk: As noted, there were many concerns about citations with parking on the sidewalk. This resulted in some inquiries about allowing on street parking or nighttime sidewalk parking. After discussing enforcement with the chief of Metro, I think we can move forward with our existing ordinances and more balanced enforcement.

Brewer Townhomes: I spoke to the owner regarding the rumored sale of the project. He indicated that there is not any pending or potential sale, nor do they seek or anticipate any sale. They indicated that the only partnership they might consider is allowing other general contractors to participate in building units.

**City of Swartz Creek
RESOLUTIONS
Regular Council Meeting, Monday, November 28, 2022, 7:00 P.M.**

Motion No. 221128-4A **MINUTES – NOVEMBER 14, 2022**

Motion by Councilmember: _____

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday, November 14, 2022, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Motion No. 221128-5A **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 November 28, 2022, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Motion No. 221128-6A **CITY MANAGER’S REPORT**

Motion by Councilmember: _____

I Move the Swartz Creek City Council accept the City Manager’s Report of November 28, 2022, including reports and communications, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 221128-8A **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:

- #221128-8A1** **MAYOR APPOINTMENT:** **John Gilbert**
Genesee County Metropolitan Alliance – Delegate
Two year term, expiring November 25, 2024
- #221128-8A2** **MAYOR APPOINTMENT:** **Charles Campbell**
Genesee County Metropolitan Alliance – Citizen Rep
Two year term, expiring November 25, 2024
- #221128-8A3** **MAYOR APPOINTMENT:** **Nate Henry**
Genesee County Metropolitan Alliance – Alternate
Two year term, expiring November 25, 2024
- #221128-8A4** **MAYOR APPOINTMENT:** **Autumn Jesme**
Downtown Development Authority - Resident
Remainder of four year term, expiring March 31, 2026
- #221128-8A5** **MAYOR APPOINTMENT:** **Rae Lynn Hicks**
Swartz Creek Area Fire Board – Council Rep
Two year term, expiring November 25, 2024
- #221128-8A6** **MAYOR APPOINTMENT:** **John Gilbert**
Swartz Creek Area Fire Board – Council Rep
Two year term, expiring November 25, 2024
- #221128-8A7** **MAYOR APPOINTMENT:** **John Knickerbocker**
Swartz Creek Area Fire Board – Citizen Rep
Two term, expiring November 25, 2024
- #221128-8A8** **MAYOR APPOINTMENT:** **Michael Treiger**
Swartz Creek Area Fire Board – Citizen Rep – Swing Seat
Remainder of one year term, expiring March 31, 2023
- #221128-8A9** **MAYOR APPOINTMENT:** **Nate Henry**
Small Cities – Council Rep
Four year term, expiring November 25, 2024
- #221128-8A10** **MAYOR APPOINTMENT:** **Dave Krueger**
Small Cities – Council Rep Alternate
Four year term, expiring November 25, 2024
- #221128-8A11** **MAYOR APPOINTMENT:** **John Gilbert**
GAIN Auto Theft Unit – Council Rep
Two year term, expiring November 25, 2024
- #221128-8A12** **MAYOR APPOINTMENT:** **Dennis Cramer**
GAIN Auto Theft Unit – Alternate

Two year term, expiring November 25, 2024

#221128-8A13 **MAYOR APPOINTMENT:** **Dennis Cramer**
Flint Area Narcotics Group – Council Rep
Two year term, expiring November 25, 2024

#221128-8A14 **MAYOR APPOINTMENT:** **John Gilbert**
Flint Area Narcotics Group – Alternate
Two year term, expiring November 25, 2024

#221128-8A15 **MAYOR APPOINTMENT:** **Nate Henry**
Planning Commission – Council Rep
Two year term, expiring November 25, 2024

#221128-8A16 **MAYOR APPOINTMENT:** **John Gilbert**
Zoning Board of Appeals – Council Rep
Two year term, expiring November 25, 2024

#221128-8A17 **MAYOR APPOINTMENT:** **Walt Melen**
ZBA Alternate
Remainder of Three year term, expiring June 30, 2025

#221128-8A18 **MAYOR APPOINTMENT:** **Robert Bincsik**
Water/Waste Services – Staff Delegate
Two year term, expiring November 25, 2024

#221128-8A19 **MAYOR APPOINTMENT:** **Adam Zettel**
Water/Waste Services – Staff Delegate Alternate
Two year term, expiring November 25, 2024

#221128-8A20 **MAYOR APPOINTMENT:** **Robert Bincsik**
Street Administrator – Staff Delegate
Two year term, expiring November 25, 2024

#221128-8A21 **MAYOR APPOINTMENT:** **Adam Zettel**
Street Administrator – Staff Delegate Alternate
Two year term, expiring November 25, 2024

#221128-8A22 **MAYOR APPOINTMENT:** **Adam Zettel**
911 Consortium – Staff Delegate
Two year term, expiring November 25, 2024

#221128-8A23 **MAYOR APPOINTMENT:** **Dave Krueger**
911 Consortium – Alternate
Two year term, expiring November 25, 2024

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 221128-8B

RESOLUTION TO APPROVE A FUND BALANCE POLICY FOR THE CITY OF SWARTZ CREEK BUDGET PROCESS

Motion by Councilmember: _____

WHEREAS, the Swartz Creek City Council is required to approve a budget in accordance with the General Appropriations Act and Uniform Budgeting and Accounting Act; and

WHEREAS, it is advisable that the existing fund balances for budgeted funds be reviewed to ensure that the collection and expenditure of funds is sufficient to account for cash flows, emergencies, and capital outlays; and

WHEREAS, the city auditors and bonding underwriters further advise the adoption of a fund balance policy; and

WHEREAS, the Swartz Creek City Council has been observing various fund balance policies in prior budget and desires to formalize such practices in a fund balance policy.

THEREFORE BE IT RESOLVED, the Swartz Creek City Council hereby approve Fund Balance and Reserve Policy as included in the November 28, 2022 city council packet.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 221128-8C

RESOLUTION TO APPROVE A DATA SHARING AGREEMENT WITH THE STATE OF MICHIGAN DEPARTMENT OF STATE

Motion by Councilmember: _____

WHEREAS, the City of Swartz Creek employs staff that are required to maintain a valid Michigan Commercial Drivers License (Class B) in order to operate specific city-owned vehicles in the routine execution of essential services; and,

WHEREAS, the City must ensure that such employees continue to hold their license, endorsements, and safe driving records in order to protect the public and to effectively deliver services; and,

WHEREAS, the State of Michigan Department of State offers a subscription services to regularly provide such information to the city, upon execution of standard agreement.

NOW THEREFORE, BE IT RESOLVED that the Swartz Creek City Council hereby approves the Data Sharing Agreement between the Michigan Department of State and the City of Swartz Creek for Subscription Service and authorizes and directs the City Clerk to execute said agreement on behalf of the city.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 221128-8D

RESOLUTION TO APPROVE PROFESSIONAL SERVICES RELATED TO ZONING, COMMUNITY DEVELOPMENT, AND TRAINING

Motion by Councilmember: _____

WHEREAS, the City of Swartz Creek is a certified Redevelopment Ready Community under the guidelines and expectations of the Michigan Economic Development Corporation; and

WHEREAS, the MEDC has supplied the city with resources to update its master plan, zoning, and economic development plans, provided that the city maintains best practices of the RRC program; and

WHEREAS, the City has completed a master plan update in 2022 and expects to approve its DDA plan in December of 2022; and.

WHEREAS, the updated planning documents include proposed zoning changes, design guidelines, and incentives that need to be formalized in various zoning ordinances, incentive policies, and guidance documents; and.

WHEREAS, the training of planning commissioners, ZBA members, and DDA members has been more challenging since the onset of COVID.

NOW, THEREFORE BE IT RESOLVED, the Swartz Creek City Council hereby approves the professional services as outlined by CIB Planning in their letter dated November 9, 2022 and included in the November 28 city council meeting.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 221128-8E

RESOLUTION TO EXTEND BUDGETING FOR MEDICAL RUNS BY THE SWARTZ CREEK AREA FIRE DEPARTMENT

Motion by Councilmember: _____

WHEREAS, the City of Swartz Creek and Clayton Township operate a joint fire department pursuant to the provision of MSA 5.2640(6), in which a joint board has been established to operate the fire department; and

WHEREAS, The Swartz Creek Area Fire Board oversees the operation of the joint department under the applicable interlocal agreement, bylaws, and budget that are adopted by the two municipalities; and

WHEREAS, the municipalities consenting to the addition of medical run services by the Board for calendar year 2022; and

WHEREAS, the Board Chief desires to debrief on the first year of service and deliberate the merits of continuing such service; and

WHEREAS, the Swartz Creek City Council finds it to be in the best interest to continue to budget medical runs by the Swartz Creek Area Fire Department.

NOW, THEREFORE, BE IT RESOLVED the Swartz Creek City Council hereby approves and affirms the operation of medical runs by the Swartz Creek Area Fire Department, as budgeted.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Motion No. 221128-11A

ADJOURN

Motion by Councilmember: _____

I Move the Swartz Creek City Council adjourn the regular council meeting of November 28, 2022.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE 11/14/2022**

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, Spillane, Gilbert, Hicks, Krueger, Pinkston, Henry.

Councilmembers Absent: None.

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

Others Present: Bud Grimes, M. McLanahan, Lisa Spillane, Ken Brill, Ryan Spillane, Rob Merinsky.

Others Virtually Attended: Lania Rocha.

NOMINATIONS & ELECT MAYOR

Resolution No. 221114-01 **(Carried)**

Nomination of Councilmember Krueger by Councilmember Krueger for the office of Mayor.

Vote to elect Mayor

Councilmember	Spillane:	Krueger
Councilmember	Gilbert:	Krueger
Councilmember	Hicks:	Krueger
Councilmember	Krueger:	Krueger
Councilmember	Pinkston:	Krueger
Councilmember	Henry:	Krueger
Councilmember	Cramer:	Krueger

Elected (*Minimum 4 Votes Needed*): Krueger

NOMINATIONS & ELECT MAYOR PRO-TEM

Resolution No. 221114-02 **(Carried)**

Nomination of Councilmember Hicks by Councilmember Krueger for the office of Mayor Pro-Tem.

Vote to elect Mayor Pro-Tem

Councilmember	Gilbert:	Hicks
Councilmember	Hicks:	Hicks
Councilmember	Krueger:	Hicks
Councilmember	Pinkston:	Hicks
Councilmember	Henry:	Hicks
Councilmember	Cramer:	Hicks
Councilmember	Spillane:	Hicks

Elected (*Minimum 4 Votes Needed*): Hicks

APPROVAL OF MINUTES

Resolution No. 221114-03

(Carried)

Motion by Councilmember Spillane
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday October 24, 2022, to be circulated and placed on file.

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

APPROVAL OF AGENDA

Resolution No. 221114-04

(Carried)

Motion by Councilmember Henry
Second by Mayor Pro-Tem Hicks

I Move the Swartz Creek City Council approve the Agenda as, amended for the Regular Council Meeting of November 14, 2022, to be circulated and placed on file.

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

CITY MANAGER'S REPORT

Resolution No. 221114-05

(Carried)

Motion by Councilmember Cramer
Second by Councilmember Spillane

I Move the Swartz Creek City Council accept the City Manager's Report of November 14, 2022, including reports and communications to be circulated and placed on file.

Discussion Ensued.

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

MEETING OPENED TO THE PUBLIC:

None.

COUNCIL BUSINESS:

RESOLUTION TO AMEND AND RESTATE CITY-WIDE RATES, FEES, AND CHARGES

Resolution No. 221114-06

(Carried)

Motion by Mayor Pro-Tem Hicks
Second by Councilmember Henry

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

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

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

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

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

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

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

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

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

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

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

<u>Offense</u>	<u>Fine</u>
(a) Parking too far from curb	\$ 40.00
(b) Angle parking violations	\$ 40.00
(c) Obstructing traffic	\$ 40.00

Prohibited parking (signs un-necessary)

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

Parking for prohibited purpose

(x) Displaying vehicle for sale	\$ 40.00
(y) Working or repairing vehicle	\$ 40.00
(z) Displaying advertising	\$ 40.00
(aa) Selling merchandise	\$ 40.00
(bb) Storage over 48 hours	\$ 40.00
(cc) Wrong side boulevard roadway	\$ 40.00
(dd) Loading zone violation	\$ 40.00
(ee) Bus, parking other than bus stop	\$ 40.00

(ff) Taxicab, parking other than cab stand	\$ 40.00
(gg) Bus, taxicab stand violations	\$ 40.00
(hh) Failure to set brakes	\$ 40.00
(ii) Parked on grade wheels not turned to curb	\$ 40.00
(jj) Parked on lawn extension within right of way	\$ 40.00
(kk) Parked on front lawn	\$ 40.00

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

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

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

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

A. A cost of \$150 shall be assessed to each defendant convicted of O.U.I.L. – O.U.I.D or O.W.I. The cost recovery shall be collected as a part of the fines and costs set by the 67th District Court.

B. Actual costs shall be assessed to each defendant convicted of O.U.I.L. – O.U.I.D or O.W.I. in which a motor vehicle accident occurred. The cost recovery shall be collected as a part of the fines and costs set by the 67th District Court. In the event the court declines collection, they shall be billed direct to the defendant.

C. For the purpose of determining costs for extensive investigation and cleanup recovery for emergency response for alcohol related arrests and accidents, the following table shall be used:

Fire

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

Police

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

4. Chapter 5: Cemetery Lots - Purchase

The cost for purchase of cemetery lots will be \$600.00 per lot.

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

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

6. Chapter 11: Park Reservation Fees

Elms Park	
Pavilion #1	\$80.00(\$200.00 non-resident)
Pavilion #2	\$100.00(\$240.00 non-resident)
Pavilion #3	\$50.00(\$140.00 non-resident)
Pavilion #4	\$80.00(\$200.00 non-resident)

Abrams Park	
Pavilion #1	\$50.00(\$140.00 non-resident)
Pavilion #2	\$50.00(\$140.00 non-resident)
Pavilion #3	\$40.00(\$120.00 non-resident)

Deposit \$200.00*

*Deposit to be forfeited with any validated park rule or ordinance violation attributed to the reserving entity.

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

\$50.00

8. Chapter 15: Permit, Sidewalk Installation

\$25.00

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

\$100.00

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

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

Rates for Quarterly Billings

Readiness to serve charge

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

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

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

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

(C) There shall be a Twenty Dollar (\$20.00) charge for shutting off the water service pursuant to such request and a Twenty Dollar (\$20.00) charge for turning the water service back on, if the shut off or turn on is performed during normal business hours. If this shut off or turn on is performed outside of normal business hours, the charge shall be One-Hundred Dollars (\$100.00).

If water is shut off and/or turned back on pursuant to account delinquency, the fee shall be Forty Dollars (\$40.00) per turn off and Forty Dollars (\$40.00) per turn on. This fee shall be applied upon deployment of the field crew for water shut off. Requests for after-hours turn on shall cost One-Hundred Dollars (\$100.00). The City Manager may waive shut off and turn on fees for reasonable cause.

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

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

Bulk Water Purchases

1 cubic ft. = 7.4805
Gallons

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

11. Chapter 19: Water & Sewer Tap Fees

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

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

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

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

12. Chapter 19: Sanitary Sewer Rates

Rates for Quarterly Billings

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

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

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

13. Chapter 20: Weed Cutting Fees

\$300 per cut

14. Building & Trade Inspection Fees

A. Building Permit Fees:

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

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

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

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

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

Siding permits are based upon the project cost.

Commercial roofing is to be based upon the project cost.

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

All work not involving a sq. foot computation:

Plan review and administration base fee (plus \$50.00 for each inspection)	\$75
Additional inspections	\$75
Certificate of Occupancy	\$50
Work Commencing Before Permit Issuance	\$75
B. Electrical Inspection Fees	
Application Fee (non-refundable)	\$65
Work Commencing Before Permit Issuance	\$75
<u>New Residential Electrical System</u>	
Up to 1,500.00 sq. foot	\$80.00
1,501 to 3,500 sq. foot	\$130.00
Over 3,500 sq. foot	\$180.00
<u>Service</u>	
Through 200 Amp.	\$10
Over 200 Amp. thru 600 Amp.	\$15
Over 600 Amp. thru 800 Amp.	\$20
Over 800 Amp. thru 1200 Amp.	\$50
Over 1200 Amp. (GFI only)	\$75
Circuits	\$5
Lighting Fixtures-per 25	\$5
Dishwasher	\$5
Furnace-Unit Heater	\$5
Electrical-Heating Units (baseboard)	\$4
Power Outlets (ranges, dryers, etc.)	\$7
<u>Signs</u>	
Unit	\$6
Letter	\$10
Neon-each 25 feet	\$20
Feeders-Bus Ducts, etc.-per 50'	\$6
Mobile Home Park Site	\$5
Recreational Vehicle Park Site	\$5
<u>K.V.A. & H.P.</u>	
Units up to 20	\$4
Units 21 to 50 K.V.A. or H.P.	\$6
Units 51 K.V.A. or H.P. & over	\$10
<u>Fire Alarm Systems (excl. smoke detectors)</u>	
Up to 10 devices	\$50
11 to 20 devices	\$100
Over 20 devices	\$5 each
Low voltage - Per opening (devices)	\$5 each
Energy Retrofit-Temp. Control	\$45

Conduit only or grounding only \$45

Inspections

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

C. Mechanical Inspection Fees

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

Residential Heating System

(Includes duct & pipe)
Up to 1,500 sq. feet \$80
1,501 to 3,500 sq. feet \$130
Over 3,500 sq. feet \$180
Gas/Oil Burning Equipment Under 400,000 In \$30
Gas/Oil Burning Equipment Under 400,000 In \$40
Boiler \$30
Water Heater \$5
Damper/Flue \$5
Solid Fuel Equip. (includes chimney) \$30
Gas Burning Fireplace \$30
Chimney, factory built (installed separately) \$25
Solar; set of 3 panels-fluid transfer
(includes piping) \$20
Gas piping; each opening-new installation
(residential) \$5
Air Conditioning (includes split systems)
1.5hp to 15 hp \$30
Over 15 hp \$50
Heat Pumps (complete residential) \$30
Dryer, Bath & Kitchen Exhaust \$5

Tanks

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

Piping

Piping-minimum fee \$25 \$.05/ft
Process piping \$.05/ft

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

Air Handlers/Heat Wheels

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

Fire Suppression/Protection/Other

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

Inspections

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

D. Plumbing Inspection Fees

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

New Residential Plumbing System

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

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

Water Service

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

Sewers (sanitary, storm or combined)

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

Water Distributing Pipe (system)

¾" Water Distribution Pipe	\$5
1" Water Distribution Pipe	\$10
1 ¼" Water Distribution Pipe	\$15
1 ½" Water Distribution Pipe	\$20
2" Water Distribution Pipe	\$25
Over 2" Water Distribution Pipe	\$30

Reduced pressure zone back-flow preventer	\$5 each
Domestic water treatment and filtering equipment only	\$5
Medical Gas System	\$45

Inspections

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

15. Chapter 22: General Emergency Response Fees

Fire

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

Police

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

16. Appendix B: Franchises

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

17. Miscellaneous Fees

A. *Copies:*

Black & White: 10¢ for page.

Color or Mixed Color and Black & White: 25¢ per page

B. *Freedom of Information Act Requests:*

See the City of Swartz Creek Freedom of Information Act Procedures & Guidelines: adopted June 22, 2015 for details. Standard requests shall be charged 10¢ for 8.5 x 11 page (25¢ for color or mixed color) plus all actual costs for outside re-production (i.e. photo re-prints, blueprint copies, digital media storage, etc.). Extensive search requests shall have an additional per hour fee equal to wages only of the lowest paid clerical position employed with the City (\$8.15/hour with a 1.1 fringe multiplier, totaling \$8.97/hour).

C. *Weddings:*

\$50 per ceremony

D. *Fax Services:*

50¢ per page for the first 10 pages, then \$0.25 per page thereafter

E. *Notary Services:*

\$10.00 per item

- F. *Insufficient Funds:*
\$25 each for any check returned unpaid for account insufficient, closed or stopped
- G. *Penalties on Outstanding Invoices/Miscellaneous Receivables:*
\$10 penalty for unpaid miscellaneous receivables, including but not limited to: utility bills, mowing invoices, sidewalk repair, project reimbursements, charges for services, and retiree coverage contributions. This penalty shall be applied once to “past due” invoices.
- H. *Interest on Outstanding Invoices/Miscellaneous Receivables:*
1.5% interest per month on outstanding invoices that are 30 days “past due”.

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

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

- A. Site Plan Review:

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

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

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

19. Chapter 1: Municipal Civil Infraction Fines

Civic Infraction Citation Fines:

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

Civic Infraction Notice Fines:

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

20. Rental Inspection Program Fees

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

ADOPTION & REVISION HISTORY:

Resolution No. 050711-07	Dated July 11, 2005
Resolution No. 100208-06	Dated February 8, 2010
Resolution No. 101206-04	Dated December 6, 2010 (Water-Sewer-RTS)
Resolution No. 111114-05	Dated November 14, 2011 (Park Fees)
Resolution No. 110613-07	Dated June 13, 2011 (Water Fees)
Resolution No. 120611-05	Dated June 11, 2012 (Water Fees)
Resolution No. 120709-05	Dated July 9, 2012 (Bulk Water Fees)
Resolution No. 130610-09	Dated June 10, 2013 (Water Fees)
Resolution No. 130826-06	Dated August 26, 2013 (K.W.A. Water Fees)
Resolution No. 140922-07	Dated September 22, 2014 (Utility and MMD
Fees)	
Resolution No. 150824-05	Dated August 24, 2015 (FOIA, Rentals, Utility
Fees)	
Resolution No. 151214-05	Dated December 14, 2015 (Parking)
Resolution No. 160523-05	Dated May 23, 2016 (Water and Sewer)
Resolution No. 160808-04	Dated August 8, 2016 (Solicitation)
Resolution No. 171023-07	Dated October 23, 2017 (Building; Police
Removal)	
Resolution No. 180312-06	Dated March 12, 2018 (Building Penalty)
Resolution No. 181126-07	Dated November 26, 2018 (Parking)
Resolution No. 190325-09	Dated March 25, 2019 (Water)
Resolution No. 201109-06	Dated November 9, 2020 (Water Rates - Cross
Connection)	

Resolution No. 210927-06 Right of Way)	Dated September 27, 2021 (Cost Recovery &
Resolution No. 211213-04 Rates)	Dated December 13, 2021 (Water and Sewer
Resolution No. 220613-05 Deposit)	Dated June 13, 2022 (UB Turn On/Off & Park
Resolution No. 221114-__	Dated November 14, 2022 (Park Reservations)

Discussion Ensued.

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

NO: None. Motion Declared Carried.

RESOLUTION TO APPROVE MILLER ROAD FEDERAL RESURFACING PROJECT FOR MDOT BUYOUT EXCHANGE

Resolution No. 221114-07 (Carried)

Motion by Councilmember Gilbert
Second by Councilmember Henry

WHEREAS, the City of Swartz Creek submitted Miller Road to the Genesee County Metropolitan Planning Commission, the federally recognized Metropolitan Planning Organization (MPO), for federal funding to support a road rehabilitation project; and

WHEREAS, the GCMPC has included Miller Road in the 2023 Traffic Improvement Program (TIP) in the amount of \$1,318,699 with federal funding in the amount of \$1,054,959; and

WHEREAS, the State of Michigan has enabled legislation that will enable the MDOT to buyout federal road awards under specific terms and conditions, including payment at 90% of benefit (\$949,463); and

WHEREAS, the City has applied for and been approved for buyout under the terms and conditions of the program, conditioned upon execution of the Federal Aid Buyout Program Exchange Form (MDOT Form 2926); and

WHEREAS, the Swartz Creek City Council finds the benefits of the buyout to outweigh the costs.

THEREFORE BE IT RESOLVED, the Swartz Creek City Council hereby approves and authorizes the program and directs the city manager to execute and submit the form and all other related documentation and instruments necessary for the project.

Discussion Ensued.

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

RESOLUTION TO AUTHORIZE SUBMISSION OF A SPARK GRANT TO THE MICHIGAN DNR FOR OTTERBURN PARK IMPROVEMENTS

Resolution No. 221114-08

(Carried)

Motion by Councilmember Pinkston
Second by Councilmember Cramer

WHEREAS, the City of Swartz Creek supports the submission of an application titled, "Otterburn Park Improvements" to the Spark grant program for pavilion construction, bathroom construction, parking improvements, forestry, essential infrastructure, and signage at Otterburn Park; and,

WHEREAS, the City of Swartz Creek is hereby making a financial commitment to the project in the amount of \$50,000 matching funds, in cash and/or force account; and,

WHEREAS, if the grant is awarded the applicant commits its local match and donated amounts from the following sources:

Bee More Jentery, LLC	\$50,000
Shattered Chains	\$10,000
Total	\$60,000

NOW THEREFORE, BE IT RESOLVED that the Swartz Creek City Council hereby authorizes submission of a Spark grant Application for \$865,860, and further resolves to make available a local match through financial commitment and donation(s) of \$110,000 (12.7%) of the total \$865,860 project cost, during the 2023 and 2024 fiscal years.

Discussion Ensued.

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

MILLER AND INGALLS TRAFFIC REVIEW

DISCUSSION

Mr. Zettel stated both projects do involve active traffic calming. The engineer recommended a traffic control order removing on-street parking and remarking road with

edge lines and double yellow striping on Ingalls and signage. Unfortunately, this is something we cannot engage in immediately because we wouldn't be able to sign or mark the street until next year. For Miller Road we have an opportunity during our resurfacing to consider on street parking spaces downtown by eliminating most of the left-hand turn lane between Hayes & Morrish. This would slow traffic and create sidewalk security. The engineer feels this is workable. DDA considered the Miller Rd. on street parking at their last meeting and there were lots of concerns. We have time to go over this and no decision is expected to be made tonight, but he wants to make the council aware, so the council has time to talk to constituents and businesses in that area to see if something like this makes sense. He commented that Clarkston is a good example that it can work.

RESOLUTION TO AMEND THE 2022-2023 COUNCIL MEETING SCHEDULE

Resolution No. 221114-09

(Carried)

Motion by Councilmember Spillane
Second by Councilmember Henry

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

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

WHEREAS, the city council adopted a schedule for the 2023 fiscal year on May 23, 2022 but now finds it desirous to alter the start time of the December 12, 2022 and February 13, 2023 meetings.

NOW, THEREFORE, pursuant to the Act, public notice is hereby given that regular meeting of December 12, 2022 and February 13, 2023 shall be held in the Paul D. Bueche Municipal Building Council Chambers located at 8083 Civic Drive, Swartz Creek, Michigan, 6:00 P.M.

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

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

Discussion Ensued.

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

OVERNIGHT PARKING ON SIDEWALKS

DISCUSSION

Mr. Zettel is working with Metro PD on the issue and the city's expectations. He doesn't feel we need to change any parking provisions currently. Councilmembers also feel there should be no changes made.

MEETING OPENED TO THE PUBLIC:

Mary McLanahan 5070 McLain Street would like some signs on Ingalls regarding speeding in school zone. She also requests we ask Metro PD to spend 1 hour per week on Ingalls during either drop off or pickup enforcing the speed limit . She feels their presence will make a difference.

REMARKS BY COUNCILMEMBERS:

Councilmember Pinkston commented it is nice to see one of the townhouses occupied.

Councilmember Gilbert congratulated the new members. He wanted to know if anyone heard about RBF selling the Brewer Project. Mr. Zettel replied he hasn't heard anything.

Mayor Pro Tem Hicks reminded everyone about the business Christmas decoration contest is happening again this year. The Park Board is judging residential Christmas decorations as in the past. She recommended a notification be on the front door of city hall indicating the new park rules/fees starting in 2023.

Councilmember Cramer wanted everyone to know that the mayor was honored and awarded at the Swartz Creek Masonic Temple for his commitment to the community. Reminder that the United Methodist Church is selling pasties Tuesday @ 11am he has a meeting with Representative John Cherry at Fireside Coffee so let him know if you have any concerns to bring up to Mr. Cherry. Happy Thanksgiving to everyone.

Councilmember Henry hasn't heard anything about RBF selling the Brewer Condo Project. He asked if the new park hours are in effect yet. Mr. Zettel responded they won't be until the signs go up.

Councilmember Spillane looks forward to the opportunity to serve the community in this capacity. The Edmund Fitzgerald presentation was an overwhelming success and well attended.

Mayor Krueger wishes everyone a very happy Thanksgiving!

ADJOURNMENT

Resolution No. 221114-10

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Cramer

I Move the Swartz Creek City Council adjourn the regular council meeting of November 14, 2022, at 8:37 p.m.

Unanimous Voice Vote.

David A. Krueger, Mayor

Connie Olger, City Clerk

REVENUE AND EXPENDITURE REPORT FOR CITY OF SWARTZ CREEK
PERIOD ENDING 10/31/2022

GL NUMBER	2022-23 ORIGINAL BUDGET	2022-23 AMENDED BUDGET	YTD BALANCE 10/31/2022	AVAILABLE BALANCE	% BDGT USED
Fund 101 - General Fund					
Revenue					
000.000 - General	2,697,088.00	2,697,088.00	1,829,883.52	867,204.48	67.85
301.000 - Police Dept	4,500.00	4,500.00	5,090.80	(590.80)	113.13
345.000 - PUBLIC SAFETY BUILDING	23,700.00	23,700.00	5,975.72	17,724.28	25.21
371.000 - Building/Zoning/Planning	53,500.00	53,500.00	20,345.75	33,154.25	38.03
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	2,573.84	6,647.68	27.91
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	1,939.44	8,069.46	19.38
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	270,000.00	430,000.00	38.57
790.000 - Facilities-Senior Center/Libr	5,300.00	5,300.00	1,279.15	4,020.85	24.13
794.000 - Community Promotions Program	0.00	0.00	130.00	(130.00)	100.00
TOTAL REVENUES	3,618,644.92	3,618,644.92	2,183,718.22	1,434,926.70	60.35
Expense					
000.000 - General	13,580.00	13,580.00	4,506.20	9,073.80	33.18
101.000 - Council	23,484.73	23,484.73	9,524.12	13,960.61	40.55
172.000 - Executive	161,084.00	161,084.00	51,268.01	109,815.99	31.83
215.000 - Administration and Clerk	31,156.00	31,156.00	9,346.48	21,809.52	30.00

GL NUMBER	2022-23	2022-23	YTD BALANCE 10/31/2022	AVAILABLE BALANCE	% BDGT USED
	ORIGINAL BUDGET	AMENDED BUDGET			
228.000 - Information Technology	20,080.00	20,080.00	12,751.90	7,328.10	63.51
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	36,761.33	70,950.67	34.13
257.000 - Assessor	58,507.00	58,507.00	11,660.09	46,846.91	19.93
262.000 - Elections	42,625.00	42,625.00	25,438.67	17,186.33	59.68
265.000 - Facilities - City Hall	49,785.00	49,785.00	4,564.78	45,220.22	9.17
266.000 - Legal Council	18,500.00	18,500.00	2,777.50	15,722.50	15.01
301.000 - Police Dept	7,900.00	7,900.00	11,800.18	(3,900.18)	149.37
301.266 - Legal Council PSFY	24,000.00	24,000.00	5,222.00	18,778.00	21.76
301.851 - Retiree Employer Health Care PSFY	28,004.30	28,004.30	10,984.02	17,020.28	39.22
334.000 - Metro Police Authority	1,126,733.00	1,126,733.00	552,320.50	574,412.50	49.02
336.000 - Fire Department	177,712.00	180,877.00	69,077.82	111,799.18	38.19
345.000 - PUBLIC SAFETY BUILDING	50,878.30	50,878.30	9,367.20	41,511.10	18.41
371.000 - Building/Zoning/Planning	118,653.00	118,653.00	17,121.32	101,531.68	14.43
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	22,936.22	83,063.78	21.64
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	2,515.55	(1,570.39)	266.15
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	7,305.36	12,141.41	37.57
780.500 - Mundy Twp Park Services	9,138.00	9,138.00	1,989.64	7,148.36	21.77

GL NUMBER	2022-23	2022-23	YTD BALANCE 10/31/2022	AVAILABLE BALANCE	% BDGT USED
	ORIGINAL BUDGET	AMENDED BUDGET			
782.000 - Facilities - Abrams Park	98,420.82	98,420.82	10,433.20	87,987.62	10.60
783.000 - Facilities - Elms Rd Park	239,933.00	185,433.00	42,397.48	143,035.52	22.86
786.000 - Non-Motorized Trailway	909,488.00	916,249.00	298,526.17	617,722.83	32.58
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	9,022.98	25,350.60	26.25
794.000 - Community Promotions Program	52,814.00	52,814.00	16,769.81	36,044.19	31.75
797.000 - Facilities - City Parking Lots	11,715.00	66,215.00	516.10	65,698.90	0.78
851.000 - Retired Employee Health Care	26,550.00	26,550.00	3,788.28	22,761.72	14.27
965.000 - Transfers Out	155,000.00	155,000.00	155,000.00	0.00	100.00
TOTAL EXPENDITURES	3,808,808.16	3,833,849.16	1,416,774.72	2,417,074.44	36.95
Fund 101 - General Fund:					
TOTAL REVENUES	3,618,644.92	3,618,644.92	2,183,718.22	1,434,926.70	
TOTAL EXPENDITURES	3,808,808.16	3,833,849.16	1,416,774.72	2,417,074.44	
NET OF REVENUES & EXPENDITURES	(190,163.24)	(215,204.24)	766,943.50	(982,147.74)	356.38
Fund 202 - Major Street Fund					
Revenue					
000.000 - General	553,070.00	553,570.00	359,947.43	193,622.57	65.02
441.000 - Miller Rd Park & Ride	5,000.00	5,000.00	661.88	4,338.12	13.24
454.000 - Major Streets Projects	89,134.83	89,134.83	7,397.56	81,737.27	8.30
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	380,631.87	269,172.96	58.58
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	147.20	(147.20)	100.00
441.000 - Miller Rd Park & Ride	5,822.00	5,822.00	1,060.31	4,761.69	18.21
448.000 - Lighting	0.00	6,014.00	6,014.00	0.00	100.00

GL NUMBER	2022-23	2022-23	YTD BALANCE 10/31/2022	AVAILABLE BALANCE	% BDGT USED
	ORIGINAL BUDGET	AMENDED BUDGET			
449.500 - Right of Way - General	15,000.00	15,000.00	125.48	14,874.52	0.84
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	3,307.50	128,797.50	2.50
454.000 - Major Streets Projects	317,842.00	317,842.00	26,174.04	291,667.96	8.23
463.000 - Routine Maint - Streets	389,213.00	638,713.00	274,919.17	363,793.83	43.04
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	16,216.44	22,996.56	41.35
478.000 - Snow & Ice Removal	53,515.00	53,515.00	847.91	52,667.09	1.58
482.000 - Administrative	15,382.00	15,382.00	4,579.85	10,802.15	29.77
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	1,282,761.00	336,363.00	946,398.00	26.22
Fund 202 - Major Street Fund:					
TOTAL REVENUES	649,304.83	649,804.83	380,631.87	269,172.96	
TOTAL EXPENDITURES	1,019,192.00	1,282,761.00	336,363.00	946,398.00	
NET OF REVENUES & EXPENDITURES	(369,887.17)	(632,956.17)	44,268.87	(677,225.04)	6.99
Fund 203 - Local Street Fund					
Revenue					
000.000 - General	173,525.00	302,525.00	160,462.23	142,062.77	53.04
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	160,462.23	458,462.77	25.93
Expense					
228.000 - Information Technology	850.00	850.00	619.94	230.06	72.93
429.000 - Occupational Safety	0.00	0.00	24.24	(24.24)	100.00
449.500 - Right of Way - General	14,000.00	14,000.00	3,256.97	10,743.03	23.26

GL NUMBER	2022-23	2022-23	YTD BALANCE 10/31/2022	AVAILABLE BALANCE	% BDGT USED
	ORIGINAL BUDGET	AMENDED BUDGET			
449.501 - Right of Way - Storms	1,500.00	1,500.00	268.56	1,231.44	17.90
455.000 - Local Street Projects	340,990.00	340,990.00	27,087.50	313,902.50	7.94
463.000 - Routine Maint - Streets	167,771.00	296,771.00	150,568.04	146,202.96	50.74
474.000 - Traffic Services	18,559.00	18,559.00	6,257.64	12,301.36	33.72
478.000 - Snow & Ice Removal	39,561.00	39,561.00	714.95	38,846.05	1.81
482.000 - Administrative	11,535.00	11,535.00	3,434.81	8,100.19	29.78
538.500 - Intercommunity storm drains	14,000.00	17,055.00	2,351.16	14,703.84	13.79
TOTAL EXPENDITURES	608,766.00	740,821.00	194,583.81	546,237.19	26.27
Fund 203 - Local Street Fund:					
TOTAL REVENUES	489,925.00	618,925.00	160,462.23	458,462.77	
TOTAL EXPENDITURES	608,766.00	740,821.00	194,583.81	546,237.19	
NET OF REVENUES & EXPENDITURES	(118,841.00)	(121,896.00)	(34,121.58)	(87,774.42)	27.99
Fund 204 - MUNICIPAL STREET FUND					
Revenue					
000.000 - General	720,548.00	720,548.00	720,595.51	(47.51)	100.01
TOTAL REVENUES	720,548.00	720,548.00	720,595.51	(47.51)	100.01
Expense					
905.000 - Debt Service	170,402.00	170,402.00	10,256.72	160,145.28	6.02
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	10,256.72	460,145.28	2.18
Fund 204 - MUNICIPAL STREET FUND:					
TOTAL REVENUES	720,548.00	720,548.00	720,595.51	(47.51)	
TOTAL EXPENDITURES	470,402.00	470,402.00	10,256.72	460,145.28	
NET OF REVENUES & EXPENDITURES	250,146.00	250,146.00	710,338.79	(460,192.79)	283.97
Fund 226 - Garbage Fund					
Revenue					
000.000 - General	445,285.00	445,285.00	453,052.78	(7,767.78)	101.74
TOTAL REVENUES	445,285.00	445,285.00	453,052.78	(7,767.78)	101.74
Expense					
101.000 - Council	3,898.13	3,898.13	1,771.11	2,127.02	45.43

GL NUMBER	2022-23 ORIGINAL BUDGET	2022-23 AMENDED BUDGET	YTD BALANCE 10/31/2022	AVAILABLE BALANCE	% BDGT USED
172.000 - Executive	9,158.50	9,158.50	3,633.05	5,525.45	39.67
215.000 - Administration and Clerk	2,159.00	2,159.00	701.96	1,457.04	32.51
228.000 - Information Technology	2,180.00	2,180.00	1,525.28	654.72	69.97
253.000 - Treasurer	19,355.60	19,355.60	5,477.40	13,878.20	28.30
265.000 - Facilities - City Hall	4,963.00	4,963.00	1,088.35	3,874.65	21.93
528.000 - Sanitation Collection	324,619.00	324,619.00	79,936.67	244,682.33	24.62
530.000 - Wood Chipping	68,107.50	68,107.50	24,020.18	44,087.32	35.27
782.000 - Facilities - Abrams Park	12,645.00	12,645.00	7,113.49	5,531.51	56.26
783.000 - Facilities - Elms Rd Park	17,281.00	17,281.00	7,794.98	9,486.02	45.11
TOTAL EXPENDITURES	464,366.73	464,366.73	133,062.47	331,304.26	28.65
Fund 226 - Garbage Fund:					
TOTAL REVENUES	445,285.00	445,285.00	453,052.78	(7,767.78)	
TOTAL EXPENDITURES	464,366.73	464,366.73	133,062.47	331,304.26	
NET OF REVENUES & EXPENDITURES	(19,081.73)	(19,081.73)	319,990.31	(339,072.04)	1,676.95
Fund 248 - Downtown Development Fund					
Revenue					
000.000 - General	100,004.00	100,004.00	72,410.32	27,593.68	72.41
TOTAL REVENUES	100,004.00	100,004.00	72,410.32	27,593.68	72.41
Expense					
173.000 - DDA Administration	2,804.00	4,504.00	3,502.85	1,001.15	77.77
728.000 - Economic Development	20,000.00	20,000.00	1,402.58	18,597.42	7.01
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	85,964.00	54,875.43	31,088.57	63.84
Fund 248 - Downtown Development Fund:					
TOTAL REVENUES	100,004.00	100,004.00	72,410.32	27,593.68	
TOTAL EXPENDITURES	84,264.00	85,964.00	54,875.43	31,088.57	

GL NUMBER	2022-23	2022-23	YTD BALANCE 10/31/2022	AVAILABLE BALANCE	% BDGT USED
	ORIGINAL BUDGET	AMENDED BUDGET			
NET OF REVENUES & EXPENDITURES	15,740.00	14,040.00	17,534.89	(3,494.89)	124.89
Fund 402 - Fire Equip Replacement Fund					
Revenue					
000.000 - General	75.00	75.00	(144.85)	219.85	(193.13)
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	154,855.15	219.85	99.86
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)	100.00
Fund 402 - Fire Equip Replacement Fund:					
TOTAL REVENUES	155,075.00	155,075.00	154,855.15	219.85	
TOTAL EXPENDITURES	0.00	0.00	32,000.00	(32,000.00)	
NET OF REVENUES & EXPENDITURES	155,075.00	155,075.00	122,855.15	32,219.85	79.22
Fund 590 - Sanitary Sewer Fund					
Revenue					
000.000 - General	600.00	600.00	1,724.84	(1,124.84)	287.47
536.000 - Sewer System	1,301,140.00	1,301,140.00	328,359.81	972,780.19	25.24
TOTAL REVENUES	1,301,740.00	1,301,740.00	330,084.65	971,655.35	25.36
Expense					
101.000 - Council	13,195.82	13,195.82	4,448.75	8,747.07	33.71
172.000 - Executive	34,242.00	34,242.00	13,646.96	20,595.04	39.85
215.000 - Administration and Clerk	10,082.50	10,082.50	3,284.01	6,798.49	32.57
228.000 - Information Technology	8,290.00	8,290.00	4,436.61	3,853.39	53.52
253.000 - Treasurer	63,194.00	63,194.00	24,569.97	38,624.03	38.88
265.000 - Facilities - City Hall	9,013.00	9,013.00	2,689.97	6,323.03	29.85
536.000 - Sewer System	1,151,619.59	1,151,619.59	39,850.76	1,111,768.83	3.46
537.000 - Sewer Lift Stations	13,098.00	13,098.00	1,956.63	11,141.37	14.94
542.000 - Read and Bill	48,097.00	48,097.00	19,824.43	28,272.57	41.22
543.310 - Sewer District Rehabilitation	0.00	0.00	161.00	(161.00)	100.00

GL NUMBER	2022-23 ORIGINAL BUDGET	2022-23 AMENDED BUDGET	YTD BALANCE 10/31/2022	AVAILABLE BALANCE	% BDGT USED
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
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	114,869.09	1,893,962.82	5.72
Fund 590 - Sanitary Sewer Fund:					
TOTAL REVENUES	1,301,740.00	1,301,740.00	330,084.65	971,655.35	
TOTAL EXPENDITURES	2,008,831.91	2,008,831.91	114,869.09	1,893,962.82	
NET OF REVENUES & EXPENDITURES	(707,091.91)	(707,091.91)	215,215.56	(922,307.47)	30.44
Fund 591 - Water Supply Fund					
Revenue					
000.000 - General	1,100.00	1,100.00	4,385.03	(3,285.03)	398.64
540.000 - Water System	2,265,370.00	2,265,370.00	571,854.19	1,693,515.81	25.24
543.230 - Water Main Repair USDA Grant	0.00	511,988.48	(39,180.61)	551,169.09	(7.65)
TOTAL REVENUES	2,266,470.00	2,778,458.48	537,058.61	2,241,399.87	19.33
Expense					
101.000 - Council	13,195.82	13,195.82	4,453.39	8,742.43	33.75
172.000 - Executive	34,344.00	34,344.00	13,855.43	20,488.57	40.34
215.000 - Administration and Clerk	10,007.50	10,007.50	3,284.01	6,723.49	32.82
228.000 - Information Technology	5,800.00	5,800.00	4,436.61	1,363.39	76.49
253.000 - Treasurer	82,499.50	82,499.50	21,012.91	61,486.59	25.47
265.000 - Facilities - City Hall	8,739.00	8,739.00	2,797.10	5,941.90	32.01
540.000 - Water System	2,397,276.40	2,397,276.40	380,626.13	2,016,650.27	15.88
542.000 - Read and Bill	50,310.00	50,310.00	11,804.50	38,505.50	23.46
543.230 - Water Main Repair USDA Grant	20,000.00	393,995.18	24,412.50	369,582.68	6.20
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	12,967.86	28,845.14	31.01

GL NUMBER	2022-23	2022-23	YTD BALANCE 10/31/2022	AVAILABLE BALANCE	% BDGT USED
	ORIGINAL BUDGET	AMENDED BUDGET			
TOTAL EXPENDITURES	2,673,985.22	3,047,980.40	479,650.44	2,568,329.96	15.74

Fund 591 - Water Supply Fund:					
TOTAL REVENUES	2,266,470.00	2,778,458.48	537,058.61	2,241,399.87	
TOTAL EXPENDITURES	2,673,985.22	3,047,980.40	479,650.44	2,568,329.96	
NET OF REVENUES & EXPENDITURES	(407,515.22)	(269,521.92)	57,408.17	(326,930.09)	21.30

Fund 661 - Motor Pool Fund					
Revenue					
000.000 - General	167,355.00	167,355.00	51,275.53	116,079.47	30.64
TOTAL REVENUES	167,355.00	167,355.00	51,275.53	116,079.47	30.64
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	785.16	1,539.84	33.77
265.100 - Facilities - City Garage	335,386.00	455,840.54	218,643.76	237,196.78	47.96
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	230,121.54	244,044.00	48.53

Fund 661 - Motor Pool Fund:					
TOTAL REVENUES	167,355.00	167,355.00	51,275.53	116,079.47	
TOTAL EXPENDITURES	353,711.00	474,165.54	230,121.54	244,044.00	
NET OF REVENUES & EXPENDITURES	(186,356.00)	(306,810.54)	(178,846.01)	(127,964.53)	58.29

City of Swartz Creek
Fund Balance & Reserve Policy
November 28, 2022

I. Scope

The Governmental Accounting Standard Board (GASB) Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*, establishes classifications to provide consistency in fund balance reporting and greater transparency in the governmental sector. This fund balance/reserve policy defines those classifications, establishes appropriate levels of fund balance/reserves by various fund types, and the spending hierarchy associated with use and replenishment of reserves.

II. General Objectives

This policy serves as a measure of financial resources available in governmental and proprietary funds to mitigate current and future risks. Establishing a fund balance/reserve policy is the most responsible way to ensure against unanticipated events which would adversely affect the financial condition of the City and jeopardize the continuation of necessary public services.

A fund balance/reserve policy will ensure the City maintains adequate reserves in various operating funds and provides the capacity to: (1) meet daily cash flow financial needs, (2) secure and maintain investment grade bond ratings, (3) offset significant economic downturns or revenue shortfalls, and (4) provide funds for unforeseen expenditures related to emergencies. The information derived from consistent reporting will identify available resources to repay long-term debt, reduce property taxes, add new governmental programs, expand existing programs, or enhance financial position.

III. Governmental Fund Classifications

The procedures for reporting certain categories of fund balance within the annual financial statements for the City's governmental funds are classified in one of the following categories:

Nonspendable – amounts that cannot be spent because they are either (a) not in spendable form, such as prepaid items, inventories, or long-term notes receivable; or (b) legally or contractually required to be maintained intact, such as the principal portion of an endowment.

Restricted – amounts that can be spent only for specific purposes stipulated by (a) external resource providers, such as creditors, grantors, contributors, or laws or regulations of other governmental entities; or (b) imposed by law through constitutional provisions or enabling legislation that creates the revenue source and restricts its use.

Committed – amounts that can be used only for the specific purposes determined by formal action (resolution) of the City Council, the City's highest level of decision-making authority. Commitments are binding unless removed by the City Council's formal action. Any formal action should occur prior to the end of the fiscal year.

Assigned – amounts approved by the City Manager intended to be used for specific purposes that are not restricted or committed.

Unassigned – the remaining portion of fund balance that does not fall into another category; applies to the General Fund only.

IV. Description of Funds

Governmental Funds

General Fund – This fund has various classifications and is the only governmental fund that has unassigned fund balance. The target unassigned reserve is in addition to all other reserves or designation of fund balance which have expenditure authority limited to a specific purpose.

Special Revenue Funds – These funds are created with an underlying legal authority as an individual fund to account for proceeds from a specific revenue source that is legally restricted to expenditures for a specified purpose. Therefore, the residual balance at year end are reported as restricted.

Debt Service Fund – These funds are subject to certain restrictions associated with the issuance of bonds. This policy does not create any specific reservation within the debt service fund, but rather reports the end-of-the-year balances as restricted.

Enterprise Funds

The City has two enterprise funds to account for the following utility services: water supply and sanitary sewer. These utility funds should maintain a fund balance level to provide adequate cash reserves to provide a good financial management plan. The water/sewer rate study recommends four months of expenditures.

Internal Service Funds

Motor Pool Fund – This fund is designated to cover the cost to purchase future vehicle and equipment replacement. With a funded vehicle replacement policy in place the City is able to provide a financially cost-effective and efficient Motor Pool Fund.

V. Target Level

The fund balance/reserve levels established by this policy shall be in addition to all other reservations, including but not limited to amount reserved for debt service or renewal and replacement of long-lived assets.

The City will establish a fund balance target level to maintain adequate cash flow and reduce the demand for short-term borrowing. The unassigned fund balance is the residual amount available that has not been restricted, committed, or assigned to a specific purpose.

General Fund - This fund shall strive to maintain at least 35% of operating revenues, which excludes resources that have been committed or assigned to a special purpose (e.g recreation grants).

Special Revenue Funds (Streets) – These funds will have no minimum reserve required. These funds can be spent to zero. The City strives to maintain a minimum fund balance of 25% of the MDOT apportioned Act 51 annual revenues for the Major and Local Street Funds.

Debt Service Funds – These funds shall maintain a minimum balance as outlined in bond covenants. If there are no specific requirements, the fund shall maintain a balance at year end equal to 50% of the debt service payments for the next fiscal year.

Enterprise Funds - The enterprise operating funds shall strive to maintain at least 35% of operating revenues.

Motor Pool Fund – The City strives to maintain a minimum fund balance of at least 50% of operating revenues, which excludes resources that have been committed or assigned to some other purpose.

Garbage Fund – The City strives to maintain a minimum fund balance of at least 50% of operating revenues, which excludes resources that have been committed or assigned to some other purpose.

Fire Equipment Fund – These funds will have no minimum reserve required. These funds can be spent to zero.

DDA Fund – The City strives to maintain a minimum fund balance of at least 25% of operating revenues or 50% of the annual debt service, whichever is more. This excludes resources that have been committed or assigned to some other purpose.

The City shall maintain at least \$500,000 in each of the following three funds: general fund, water supply fund and sanitary sewer fund to be committed to emergency expenses related to disaster recovery. These funds will be used to cover the costs associated with mitigating and recovering from a disaster. If funds are used, they should be replenished over a three-year period.

All other governmental funds have different objectives, cash flow patterns; therefore, the appropriate level of fund balance is determined on a case-by-case basis.

VI. Spending Hierarchy

The City shall spend restricted amounts first unless there are legal documents that prohibit this practice. Prior to the use of unassigned/unrestricted fund balance amounts, the City shall use committed funds first, followed by assigned amounts, provided those classifications could be used. In the event the unassigned fund balance exceeds the target level, the excess may be utilized for any lawful purpose within the fund, preferably one-time expenditures which are not recurring operating costs. Appropriation from unassigned fund balance shall require City Council approval.

In the event the unassigned fund balance falls below the target level prescribed, the City Manager shall present a solid plan to replenish the fund balance/reserve within three years.

VII. Annual Review

During the annual budget adoption process, the Treasurer shall review the unassigned fund balance from the most recent annual audit for compliance with the provisions of this policy. An estimated fund balance calculation of the current adopted budget is used to determine the amount of fund balance available at the beginning of the period for which the budget is being prepared.

**DATA SHARING AGREEMENT
BETWEEN
MICHIGAN DEPARTMENT OF STATE
AND
CITY OF SWARTZ CREEK
FOR
SUBSCRIPTION SERVICE**

1. Introduction

This Data Sharing Agreement (DSA) is between the Michigan Department of State (MDOS) and the City of Swartz Creek (Receiving Entity). MDOS and Receiving Entity are collectively referred to as the parties.

MDOS is the party that is disclosing data under this DSA. The Receiving Entity is the party that is receiving data from MDOS under this DSA.

This DSA establishes the conditions under which MDOS agrees to disclose the selected data to the Receiving Entity and it provides for the protection of that data. It also identifies the responsibilities of each party and establishes terms governing the use, disclosure, and disposition of the data.

2. Purpose

The data will be used by the Receiving Entity only as is expressly stated below and agreed to by the parties under this DSA. Access to the data by any party or for any purpose not identified in this DSA is strictly forbidden. Data provided by MDOS remains the property of MDOS.

Receiving Entity will use the data to ensure proper licensing, credentialing, and safety history for employees operating municipal vehicles.

3. Data To Be Shared

MDOS will provide Receiving Entity with the data described in **Schedule A**. The Data provided by MDOS remains the sole and exclusive property of the MDOS. Furthermore, the MDOS covenants that required notice, consents, and authorizations have been and will continue to be obtained from the individuals and entities the data concerns.

4. Service(s) Requested (check all that apply)

- Direct Access
- Subscription Service
- Delayed Lookups
- List Sales/Bulk Information
 - Driver/Personal ID
 - Vehicle
 - Lienholder
 - Watercraft
 - Snowmobile
 - Mobile Home
 - Plate Match
- Government Research
- Special Statutory Law
- Other: (describe) _____

5. Method of Transfer

The data will be shared by the following means (select as applicable):

Online Access

- Other: (describe) _____

MDOS policy requires that all data should be encrypted at rest and in transit in compliance with DTMB standards.

6. Frequency of Transfer

The data to be shared under this DSA will be transferred only at a frequency and for a period of time as is necessary to meet the purpose stated in §2 above. The frequency is expected to be Weekly.

7. Availability of Data

MDOS reserves the right to schedule the time and duration of the availability of electronic access to the data. MDOS does not guarantee continuous availability during scheduled times, but will use reasonable efforts to make the data available as agreed under this DSA.

8. Legal Authority

MDOS. MDOS shall adhere to all federal and state laws and regulations pertaining to sharing the requested data, including but not limited to: the Federal Driver Privacy Protection Act of 1994 (DPPA), 18 U.S. Code § 2721; Michigan Driver Protection Act, MCL §257.208c; the Michigan Identity Theft Protection Act, MCL § 445.61 *et. seq.*, Fair Credit Reporting Act, 15 U.S. Code § 1681 *et seq.*, and the Michigan Social Security Number Privacy Act, MCL § 445.81 *et. seq.*

Receiving Entity. The authority for Receiving Entity to obtain the data is with the federal Driver Privacy Protection Act of 1994, as amended (18 USC §2721-2725 *et seq.*) and related Michigan driver privacy protection laws (e.g., MCL 28.292, 257.208c, 257.232, 257.307, 257.310, 324.80130c, 324.80315c, 324.81114c, and 324.82156c). **Specifically, Agency Functions - For use by a federal, state, or local government agency in carrying out the agency's functions.**

If Other, please insert statutory citation and relevant language here:

If a Private Investigator or Detective, please include your occupational license number here: _____

Receiving Entity shall also adhere to the Federal Driver Privacy Protection Act, Michigan Identity Theft Protection Act, Fair Credit Reporting Act, and the Michigan Social Security Number Privacy Act, as applicable.

9. Notices and Consents

To the extent required by law, regulations, or rules, MDOS covenants that appropriate notices, consents, and authorizations have been and will continue to be obtained from the individuals and entities the data concerns.

10. Data Classification

The MDOS has classified the data using State of Michigan Technical Standard No. [1340.00.150.02 Data Classification Standard \(sharepoint.com\)](#).

The data classification level for the data shared under this DSA is **confidential**.

The security categorization is **moderate**.

The minimum security controls and control enhancements derive from the [National Institute of Standards and Technology \(NIST\) SP 800-53, *Recommended Security Controls for Federal Information Systems*](#). The minimum baseline security controls are the starting point for the security control selection process, and are the basis from which controls and control enhancements may be removed, added or customized to achieve the level of security protection required for the data or information system.

Additional security controls that are not addressed in the NIST SP 800-53 Security Controls may be required based on regulatory compliance or by contractual obligation. The MDOS considers all non-publicly available data to be considered a minimal classification of confidential with a potential moderate data impact level. The additional security controls associated with the data include: _____.

11. MDOS' Responsibilities

MDOS must:

- a. Provide Receiving Entity with access to the data consistent with law, regulations, rules, and contractual obligations, and the terms and conditions of this DSA.
- b. If necessary, work with Receiving Entity and the Department of Technology, Management, and Budget (DTMB) to facilitate the sharing of data under this DSA.
- c. Perform access reviews to ensure that Receiving Entity has established and uses adequate administrative, technical, and physical safeguards to protect data from unauthorized disclosure.
- d. Perform annual reviews to ensure each person with access to MDOS' data: (1) needs and uses the data in connection with their State work duties and (2) understands their responsibility in protecting the data. MDOS may perform onsite inspections of Receiving Entity's premises to ensure compliance with this DSA.

12. Receiving Entity's Responsibilities

Receiving Entity must:

- a. **Protect the data.** Receiving Entity must establish and use appropriate administrative, technical, and physical safeguards to protect the data from being accessed, used, disclosed, or stored in a manner other than as provided in this DSA, and must be listed in **Schedule C**. Protocols must be in writing and provided to the MDOS upon request.
 - i. **Administrative safeguards** include policies, procedures, training, and other measures designed to carry out security requirements. For example, appointing a security officer or implementing an incident response plan.
 - ii. **Physical safeguards** include limitation of access to physical areas of information systems. For example, implementing a clean-desk policy, requiring locked file cabinets, or use of identification cards to access certain areas.
 - iii. **Technical safeguards** include automated processes used to protect and control access to data on information systems. Examples include encryption, use of passwords, and data loss prevention tools.
- b. **Create a security policy pertaining to the data.** A security policy is a written document describing the system in terms of categories of data processed, users allowed access, and access rules between the users and the data. It describes procedures to prevent unauthorized access by clearing all protected data on storage objects before they are allocated or reallocated out of or into each system. Further security protocols using password protection and authentication must be provided where the computer system contains information for more than one program, project, office, or Entity so that personnel do not have unauthorized or unlimited access. Receiving Entity must provide MDOS with a copy of the security policy upon request.
- c. **Maintain a log of the data received from MDOS.** The log must contain the data requested; purpose of request; date data received; name of Entity/division/unit/employee making the request; name of other employees who may have access; date destroyed; and method of destruction. MDOS may require Receiving Entity to include categories of information in addition to those listed in this subsection. The log must be retained by the Receiving Entity for 8 years from the date this Agreement is executed. Receiving Entity must provide MDOS with a copy of the log upon request.
- d. **Use the data only for the stated purpose.** Receiving Entity will use the data provided under this DSA solely for the purpose identified in §2 above.

- e. **Limit access** to the data provided under this DSA to those specifically listed in **Schedule B**.
- f. **Limit access** to the data provided under this DSA to the agents, contractors, and subcontractors who require access to the data to perform the intended activities on behalf of Receiving Entity, upon review and written permission by MDOS. Agents, contractors, and subcontractors must agree in writing to the same or more stringent terms and conditions of this DSA and must be listed in **Schedule D**. The Receiving Entity must provide a copy of the written agreements referenced here upon the request of MDOS.
- g. **Minimize data requests, usage, and disclosures.** Receiving Entity will request, use, and disclose only the minimum amount of data necessary to fulfill the purposes of this DSA.
- h. **Not disclose the data except as expressly permitted in this DSA or as required by law.** Except as otherwise provided in this DSA, Receiving Entity will not disclose the data to others.
- i. **Exempt data from disclosure under FOIA when permitted.** Receiving Entity will not disclose the data in response to a request under the Freedom of Information Act (FOIA), MCL 15.231, *et seq.* unless the law requires (and not merely permits) disclosure. Receiving Party must exempt the data from disclosure under FOIA when permitted by law.]. If Receiving Entity determines the law requires disclosure of the data under FOIA, Receiving Entity will notify MDOS prior to making any disclosures of data not intended under this DSA. Exceptions to this subsection include:
 - i. data that was already in Receiving Entity’s possession without an obligation of confidentiality;
 - ii. data that was developed independently by the Receiving Entity;
 - iii. data that was obtained from a source other than MDOS without an obligation of confidentiality; or
 - iv. data that was or is publicly available when received, or thereafter became publicly available (other than through any unauthorized disclosure by the Receiving Entity).
- j. **Comply with retention and disposal schedules.** Receiving Entity’s must destroy the data, including copies of the data, upon completion of the purpose stated in §2, consistent with applicable law and State record retention and

disposal schedules. Receiving Entity must provide written certification of data destruction if requested by MDOS.

13. Training

By executing this DSA, Receiving Entity certifies that the driver, and vehicle, and related records obtained by Receiving Entity will be used in compliance with the federal Driver Privacy Protection Act and related Michigan driver privacy legislation. Receiving Entity understands that the willful, unauthorized use or improper re-disclosure of personal information or highly restricted personal information obtained under this DSA could subject an individual to criminal penalties imposed by law. DOS will provide, and Receiving Entity will mandate, Driver Privacy Protection Act training to all persons that will access DOS data. Failure to comply with this section is a material breach and grounds for termination of this DSA.

14. Costs and Damages

Government Entity: A surety bond is not required.

Commercial or non-profit customer: A commercial or non-profit ORGANIZATION agrees to furnish and maintain an Information Purchaser's Surety Bond in the amount of \$25,000. A surety bond company licensed to do business in Michigan shall execute the bond. The bond shall indemnify or reimburse the department or any person whose personal information is accessed or obtained under this agreement for any damage caused by the use of that personal information in a manner contrary to this agreement or federal or Michigan law.

The ORGANIZATION agrees to indemnify or reimburse the department or any person whose personal information is accessed or obtained whether the improper use was made by the ORGANIZATION, by a subsidiary, affiliate agent, employee, or subcontractor of the ORGANIZATION, or by a person who acquired the information through the ORGANIZATION. The bond shall also indemnify or reimburse the department for any payment due the DEPARTMENT for information obtained under this agreement.

Subscription Service Only Customers: The requirement for a surety bond is waived for customers who are only enrolled in the Subscription Service Program.

Receiving Entity agrees to reimburse MDOS for all documented costs incurred to implement this DSA, including but not limited to, hardware, storage, and communication charges, as well as DTMB staff costs. Receiving Entity will be charged for necessary programming changes at the applicable DTMB rates.

Receiving Entity further agrees that they shall be responsible for all database administration functions, including database backup, and that they shall pay all costs related to operating and maintaining the data supplied by MDOS. Receiving Entity further agrees that they will not impose, or seek to impose, any audit requirement or audit cost upon MDOS as a result of this DSA.

15. Security Breach Notification

Receiving Entity must adhere to the State of Michigan Technical Procedure No. [1340.00.090.01.01 How to Handle a Security Breach Procedure \(sharepoint.com\)](http://www.sharepoint.com). Receiving Entity must implement internal policies and procedures for reporting data security incidents and provide MDOS a copy upon request. Receiving Entity's internal policies and procedures for data security incidents must be as stringent as or more stringent than MDOS's.

Notwithstanding any internal policy to the contrary, if Receiving Entity discovers any "suspected or actual" use or disclosure of MDOS's data not provided for under this DSA, the Receiving Entity must report it to MDOS within one business day of the breach or suspected breach being identified. The parties will cooperate with one another to investigate, mitigate, and remedy unauthorized access, use, or disclosure of the data.

Receiving Entity must identify through audits or other available means entities or persons who improperly access, use, or disclose the data.

If any act, error, omission, negligence, misconduct, or breach by Receiving Entity or its contractor compromises the security, confidentiality, or integrity of the data, Receiving Entity will take all reasonable actions required to comply with applicable law as a result of such security incident and assumes full responsibility for any associated costs and duties, including notification of affected individuals and entities, and if requested by MDOS, will provide credit and identity monitoring services for 24 months to affected individuals.

16. Accuracy

MDOS will use reasonable efforts to ensure the completeness, accuracy, and timeliness of the data provided under this DSA. However, MDOS cannot guarantee data accuracy and will therefore not be held responsible for any damage to Receiving Entity resulting from the disclosure or use of data that is inaccurate, incomplete, or outdated.

17. Cooperation; Execution of Additional Agreements

The parties will execute such documents as may be necessary to realize the intentions of this DSA or comply with law. The parties will also require third

parties to execute such documents as may be necessary to realize the intentions of this DSA or comply with law, prior to granting the third-party access to the data. Examples include business associate and non-disclosure agreements.

18. Issue Resolution

The parties will work collectively to resolve system issues relative to Receiving Entity's access to the data. Additionally, upon the request of either party, the parties will convene as reasonably necessary for the purpose of resolving problems that may arise in the administration or enforcement of this DSA. The parties will exchange documentation as reasonably necessary to identify and explain issues and positions. Any portion of this DSA that may be subject to interpretation will be addressed at these meetings.

19. Notices

Notices and other written communications must be addressed to the individuals below or their successors. Parties may amend contact information by providing written notice of the change to the other party. Notices or other written communications required or related to this DSA must be in writing and delivered in person or by email.

<p>For MDOS: Melissa Smiley, Chief of Staff Michigan Department of State 430 W. Allegan St. Lansing, MI 48918 SmileyM1@michigan.gov</p> <p>With copy to: Michael J. Brady, Chief Legal Director Michigan Department of State 430 W. Allegan St. Lansing, MI 48918 bradym@michigan.gov 517-599-7343</p>	<p>For Receiving Entity: Connie Olger, Clerk City of Swartz Creek 8083 Civic Dr. Swartz Creek, MI 48473 810.635.4464 colger@cityofswartzcreek.org</p>
---	--

20. Compliance Monitoring

On at least an annual basis, the parties will review the practices and procedures outlined in this DSA to ensure compliance with the terms of the DSA and the law. The parties will provide the results of such reviews to the other party upon written request. The parties will also ensure that they take appropriate measures to ensure that information about the DSA is kept up-to-date. The parties have designated the individuals listed in §18 above as responsible for this section.

The parties also recognize that this DSA is subject to compliance audits, investigations, and reviews as provided by law. Primary point of contact for this agreement is: **MDOS:** Dawn VanAken, Director

RECEIVING ENTITY: Connie Olger, Clerk

21. Amendments

This DSA may be amended by written agreement of the parties. If amendment to this DSA is required to comply with federal or State laws, rules, or regulations, the parties will promptly enter into negotiations to meet those legal requirements.

22. Effective Date and Term

This DSA is effective when signed by both parties. The effective date is the latest of the two that accompany the signatures. Unless terminated under §22, this DSA will expire five (5) years from effective date. The DSA may be renewed for additional terms by amending the DSA. Parties will meet no less than **90** days prior to the end of this term to begin renewal process.

23. Termination

This DSA may be terminated for any reason by either party upon 30 days prior written notice to the other party.

24. Survival

The rights, obligations, and conditions set forth in §10, MDOS's Responsibilities; §11, Receiving Entity's Responsibilities; and any right, obligation, or condition that, by its express terms or nature and context is intended to survive the termination or expiration of this DSA, survives any such termination or expiration.

25. Entire Agreement

This DSA replaces and supersedes all prior agreements between the parties relating to the subject matter of this DSA.

26. Execution

This DSA may be executed in counterparts, each of which is deemed to be an original, and all of which taken together constitutes one and the same instrument. The signature of any party transmitted by email is binding.

27. Successors; Assignment

This DSA insures to the benefit of and is binding upon the parties, their respective successors-in-interest by way of reorganization, operation of law, or otherwise, and their permitted assigns. Neither party may assign this DSA to any other party without the prior approval of the other party.

28. No Third-Party Beneficiaries

This DSA does not confer any rights or remedies upon any person or entity other than the parties and their respective successors-in-interest by way of reorganization, operation of law, or otherwise, and their permitted assigns.

29. Authority to Bind

Each person signing this DSA represents that he or she is duly authorized to execute this DSA on behalf of the responsible Entity.

For MDOS:

Dawn VanAken, Director
Office of Business and Internal Services,
Michigan Department of State

Date

For Receiving Entity:

Connie Olger, Clerk
City of Swartz Creek

Date

Schedule A
Data To Be Shared and File Formats of the Data

- **Driving Record**
- Request
 - **Search Criteria (DLN or Name/DOB)**
 - DLN
 - First Name
 - Last Name
 - DOB
- Response
 - **Driver Information**
 - DLN
 - Full Name
 - Date of Birth
 - Sex
 - Eye Color
 - Height
 - Weight
 - **Addresses**
 - Residential
 - Mailing Address
 - Previous/AKA Names
 - Previous/AKA DLNs
 - **License**
 - Original License Issued
 - Original CDL Issues
 - GDL Level
 - Credential
 - License
 - CDL
 - Issued
 - Issue Type
 - Real ID
 - Expire
 - Cancelled
 - Cancel Reason
 - Endorsement
 - Restrictions
 - **TSA Background Check**
 - Status
 - Expire
 - **Self-certification**
 - Certification Type

- **Medical Certification (if applicable)**
 - Medical Status
 - Issue
 - Expire
 - Examiner Name
 - Examiner Type
 - Examiner Phone
 - Licensing jurisdiction
 - License Number
 - Registry Number
 - Medical Restrictions

- **Standings**
 - Non-Commercial License
 - Non-Commercial License Permit
 - State ID
 - Commercial License
 - Commercial License Permit
- **Status**
- **Record**
 - Convictions
 - Suspensions
 - Violations
 - Accidents
 - Points
 - Verdict
 - TSA Background Check

**Schedule B
Individuals with Data Access Privileges**

Penalties for Misuse: Under Michigan law, a person who makes a false representation or a false certification to obtain personal information or who uses personal information for a purpose other than a permissible purpose identified in law is guilty of a felony, which may be punishable by imprisonment for up to 5 years and/or a fine of up to \$5,000. Subsequent convictions may result in imprisonment for up to 15 years and/or a fine of up to \$15,000.

Please provide a listing of individuals with their title who will have access to Michigan Department of State Data.

Schedule C
Security Procedures for Receiving Entity

I certify that the information and statements made with this account are true, correct, and comply with the provisions of state and federal laws. I certify that I am the individual registered under this account. I certify that I am authorized to perform required tasks associated with information that is accessible via this account. I understand that the willful unauthorized disclosure of information obtained by accessing this account for a purpose other than what is permitted usage related to this account, or the sale or other redisclosure of personal information to a person or organization not identified in this request, is prohibited and may result in criminal and civil penalties imposed under the provisions of state and federal laws. I understand that I am accessing a State of Michigan information system and that usage may be monitored, recorded and subject to audit. Use of the system indicates consent to monitoring and recording.

Schedule D
Third-Party with Data Access Privileges

Please list any third parties that will receive data through or from your organization. If none exist leave blank.



November 9, 2022

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

Subject: **Swartz Creek Miscellaneous DDA & Planning Projects Proposal**

Dear Adam:

It was great meeting with you last week to discuss planning projects and implementation of the project-specific tax increment financing tool that we included in the recent update of the City of Swartz Creek DDA Plan. We have included in this letter proposal three (3) projects that can be commenced immediately. The first is program setup for the above-mentioned project-specific tax increment financing tool, working with the existing tax abatement process you already established. The second is to take information prepared in the Master Plan update to create a Preliminary PUD Plan and associated design standards/guidelines for Downtown Swartz Creek. They will be adopted by City Council to create the Downtown Planned Unit Development (PUD), after review and recommendation by the Planning Commission and DDA Board. The third project will be a site plan review training session for the Planning Commission and other invitees, possibly from Mundy Township. The following is a list of tasks to be undertaken with this proposal and the associated fees:

PROJECT 1. DDA PROJECT-SPECIFIC TAX INCREMENT FINANCING IMPLEMENTATION

Task 1. Prioritize DDA Plan Projects

The consulting team will work with the City Manager and DDA Board to prioritize projects identified in the updated DDA Plan. These were intentionally written broadly to cover a wide range of projects that may be identified. As a result, the Proposed Improvements list in the DDA Plan details projects that will compete for the Board’s time and energy. While they are all important to development in the City, some will be more long-term while others more immediate as the Board works toward implementation. The projects identified in the Improvements list of the DDA Plan will therefore be prioritized, along with more detailed sub-projects, deciding which ones should be tackled first.

Task 2. Create Project Request Evaluation/Rating Process

One of the key improvements listed in the DDA Plan is the ability of the City, at its own discretion, to commit project-specific future tax increment capture back to private projects, for a specified period of time. It is important for the DDA Board to have a mechanism in place to evaluate and rate each request. The consulting team will work with the DDA Board to create an evaluation and rating process for funding requests, using the above project prioritization as a basis. This will help ensure a fair process and assist in determining the amount and length of tax capture needed for each project.

Task 3. Funding Request Application Preparation

The consulting team will create a funding request application packet for use by the City and DDA Board that describes the program and includes: 1) funding request evaluation criteria; 2) an application form and a list of required information; 3) a sample pro-forma to assist applicants; and 4) any other information deemed important by the DDA in its review process. This information will be recommended for approval to City Council by the DDA Board.

Task 4. City Council Approval

Since all funding requests will have to be approved by the City Council, the DDA Board, staff, and consulting team will meet with the City Council to present and review the above program and materials. This will help ensure that the City Council and DDA Board have the same understanding and expectations for the project. City Council approval is anticipated, contingent upon any minor revisions, and the packet will be available for distribution to applicants.

Meetings: 1 DDA Board meeting and 1 City Council meeting.

Proposed Fee: \$5,000.00

PROJECT 2. PRELIMINARY PUD PLAN AND ASSOCIATED DESIGN STANDARDS/GUIDELINES FOR DOWNTOWN SWARTZ CREEK

Utilizing the Planned Unit Development (PUD) Article in the zoning ordinance, CIB Planning will prepare a Preliminary PUD Plan Map and associated Design Guidelines/Standards using information assembled as part of the Master Plan update. These will be adopted by City Council, upon a positive recommendation from the Planning Commission, and can be provided to potential applicants as handouts or part of a development guide.

Meetings: 1 Planning Commission meeting and 1 City Council meeting.

Proposed Fee: \$3,200.00

PROJECT 3. PLANNING COMMISSION SITE PLAN REVIEW TRAINING

Using a program prepared by the Michigan Association of Planning (MAP) and associated handout materials, CIB Planning will conduct a site plan review training session for the Planning Commission and any other boards that may be invited. The estimated number of participants was set at 30 and used as the basis for the cost of the MAP program and handouts.

Meetings: 1 Planning Commission meeting.

Proposed Fee: \$1,800.00 (MAP \$1,235.00)

TOTAL FEE: \$10,000.00

CIB Planning
2022 Public Fee Schedule

<i>President</i>	<i>\$150.00</i>
<i>Vice President</i>	<i>\$138.00</i>
<i>Director</i>	<i>\$132.00</i>
<i>Planning Manager</i>	<i>\$128.00</i>
<i>Senior Planner</i>	<i>\$107.00</i>
<i>Project Planner II</i>	<i>\$83.00</i>
<i>Project Planner I</i>	<i>\$76.00</i>
<i>Assistant Planner</i>	<i>\$68.00</i>
<i>Administrative</i>	<i>\$46.00</i>

Professional Classification

Carmine P. Avantini, AICP, President

Justin Sprague, Vice President

Elena Moeller-Younger, Director of Marketing & Strategic Planning

Kelly McIntyre, Director of Planning

Hannah Smith, Project Planner II

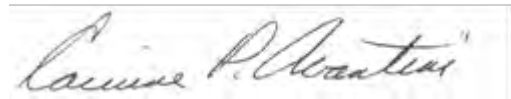
Sandy Avantini, Business Manager

** Hourly rates are subject to increase of up to 3% on an annual basis January 1st.*

We look forward to starting these projects and if you have any questions, please contact me at 810-335-3800.

Sincerely,

CIB PLANNING



Carmine P. Avantini, AICP
President



November 16, 2022

City Clerk
City of Swartz Creek
8083 Civic Dr.
Swartz Creek, MI 48473

RE: Important Information—Price Changes

Dear City Clerk:

At Comcast, we are always committed to delivering the entertainment and services that matter most to our customers in Swartz Creek, as well as exciting experiences they won't find anywhere else. We are also focused on making our network stronger in order to meet our customers' current needs and future demands. As we continue to invest in our network, products, and services, the cost of doing business rises. Rising programming costs, most notably for broadcast TV and sports, continue to be the biggest factors driving price increases. While we absorb some of these costs, these fee increases affect service pricing. As a result, starting December 18, 2022, prices for certain services and fees will be increasing, including the Broadcast TV Fee and the Regional Sports Network Fee. Please see the enclosed Customer Notice for more information.

We know you may have questions about these changes. If I can be of any further assistance, please contact me at 734-359-2077.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Miller".

Benjamin Miller
Director, External Affairs
Comcast, Heartland Region
1401 E. Miller Rd.
Lansing, MI 48911

Enclosure

Important information regarding your Xfinity services and pricing

Effective December 18, 2022

Xfinity TV	Current	New
Choice TV Select	\$32.50	\$37.50
Choice TV Select - with TV Box (Flex upgrade)	\$41.00	\$47.50
Digital Starter	\$65.45	\$68.45
Broadcast TV Fee	\$17.55	\$20.85
Regional Sports Fee	\$9.50	\$10.15
Service to Additional TV	\$8.50	\$10.00

Pay-Per-View and On Demand Subscription Services	Current	New
Acorn TV On Demand	\$5.99	\$6.99

Xfinity Internet	Current	New
Connect	\$59.00	\$62.00
Connect More	\$79.00	\$82.00
Fast	\$89.00	\$92.00
Superfast	\$99.00	\$102.00
Gigabit	\$109.00	\$112.00
Gigabit Extra	\$119.00	\$122.00

Xfinity Equipment	Current	New
TV Box	\$8.50	\$10.00
TV Box + Remote	\$8.50	\$10.00
Internet/Voice Equipment Rental	\$14.00	\$15.00

Atlas Township, Burton, Clayton Township, Clio, Davison, Davison Township, Flint, Flint Township, Flushing, Flushing Township, Gaines Township, Genesee Township, Grand Blanc City, Grand Blanc Township, Mt. Morris Township, Mundy Township, Richfield Township, Swartz Creek, Vienna Township

85291000 (0010,0020,0030,0040,0050,0060,0070,0080,0090,0100,0110,0120,0130,0140,0150,0190,0200,0210,2660,2700,2770,4030,5000,5090,5100,5110)

P158AH23

City of Swartz Creek DWSRF ITA Meeting Agenda Fiscal Year 2024 (FY24)

November 22, 2022

Attendees: Jessica Ferris (EGLE), Aaron Tytschkowski (EGLE), Adam Zettel (City Manager) Deanna Korth (City of Treasurer), Rob Merinsky (OHM), Robert Bincsik (City), Andy Harris (OHM)

- Introductions
- System Needs:
 - Trying to replace aging water mains, replace 6 inch with 8 inch. Valves and hydrants. Residential areas
 - Extension of the system in one location – details on this
 - Proposed, looked into, would require work outside of city limits. Brings it down to 12k lineal feet.
 - To include water service leads, valves and hydrants.
 - Any LSLR – No LSLR expected. Been doing replacements for the last 6-7 years and haven't come across any at all.
- Project Plan Specifics:
 - Estimated costs: \$6,583,000 – a little lower due to the removal of the extension
 - Will the entire project be financed with one loan in FY24? Or will the planning documents include work for future years' loans as well? Yes
 - Target construction date: June 2023
 - Future year costs? They have been considering a couple of extensions for looping, but they don't have a cost or timeframe for that right now. Pressure relief, automatic flushing equipment to improve water quality. Not as high of a priority.
- FY24 New SRF Legislation:
 - Project Plan changing to Planning Document – will notify as soon as guidance is available
 - You can use elements from previously completed planning documents (CIP, AMP, Master Plan etc.) the idea being that it isn't as cumbersome as putting together the "Project Plan"
 - Must include, among other things:
 - Demonstration of need
 - Alternatives analysis
 - Project cost estimates and repayment plan
 - Evaluation of feasible alternatives
 - Public meeting changes
 - The meeting should be held at a time/date that is conducive to maximizing public input.
 - Meeting notification for DWSRF is now 10 days prior to the meeting/hearing and in whatever form of local media is used as general circulation in the community. No longer HAS to be in the newspaper.
 - Public meeting summary – Do not need a recording or verbatim transcript, instead a summary is required. This should include a copy of

the presentation, summary of comments received, and responses to the comments/questions. A write up of what was presented can also be provided.

- Presentation needs to be made if the public is present and council members, reporters, etc are considered members of the public.

- Scoring Criteria Changes – updates available on our website
 - [Public hearing](#) held on September 8, 2022
 - More information available on [State Revolving Fund - Overburdened Community Definition and Scoring Criteria Development Webpage](#)
- Disadvantaged changing to overburdened – worksheet will be available in Feb 2023
 - [Public hearing](#) held on September 8, 2022
 - More information available on [State Revolving Fund - Overburdened Community Definition and Scoring Criteria Development Webpage](#)
 - Going forward communities will not be able to submit forms until after the first of the year. Numbers will be updated every year. And once everything is figured out everyone who has submitted an ITA will be invited to submit an overburden form.

- **What does "Overburdened Communities" mean?**

Final Definition:

(1) "Overburdened community" means a municipality in which all of the following conditions are met:

(a) Users within the area served by a proposed drinking water project, sewage treatment works project, or stormwater treatment project are directly assessed for the costs of construction.

(b) The median household income of the area served by a proposed drinking water, sewage treatment works project or stormwater treatment project does not exceed 100% of the statewide median annual household income for this state.

(c) The municipality demonstrates at least one of the following:

(i) The taxable value per capita of the area served by a project falls into the communities representing the lowest 20% of Michigan's population within that category. (In 2021, the value is \$22,920 per capita)

(ii) The annual user costs for the corresponding portion of the water system (sewage and stormwater treatment or drinking water) exceed 1% of the median annual household income of the area served by the proposed project.

(2) A community which qualifies as a significantly overburdened community would also be considered an overburdened community. However, any potential benefits may only be applied under one designation or the other.

- **What does "Significantly Overburdened Communities" mean?**

Final Definition:

(3) "Significantly overburdened community" means a municipality in which all of the following conditions are met:

(a) Users within the area served by a proposed drinking water project, sewage treatment works project, or stormwater treatment project are directly assessed for the costs of construction.

(b) The municipality demonstrates at least one of the following:

(i) The median annual household income of the area served by a proposed project is less than 125% of the federal poverty guidelines for a family of four in the 48 contiguous United States. In determining the median annual household income of the area served by the proposed sewage treatment works project or stormwater treatment project under this subparagraph, the municipality shall utilize the most recently published statistics from the United States Census Bureau, updated to reflect current dollars, for the community that most closely approximates the area being served by the project. As used in this subparagraph, "federal poverty guidelines" means the poverty guidelines published annually in the Federal Register by the United States Department of Health and Human Services under its authority to revise the poverty line under 42 U.S.C. 9902. (For 2022, the 125% level would be an annual household income of less than \$34,687.)

(ii) The taxable value per capita of the area served by a project falls into the communities representing the lowest 10% of Michigan's population within that category. (In 2021, that value is less than \$15,170 per capita.)

- **Overview of DWSRF Loan Program:**

- Loan term options:
 - 20-year
 - 30-year
 - 40-year – Overburdened only
- Interest rates for FY23:
 - 1.875% for 20-year loans or any loan terms for overburdened communities
 - 2.125% for 30-year loans
- FY24 interest rates are currently unknown will likely increase

- **SRF Federal Funding Information:**

- FY24 may look similar to FY23
- We suggest reviewing [DWSRF/FY2023-IUP-Final-Amended](#)
- Several funding sources
 - Regular loan dollars
 - ARPA (American Rescue Plan Act) funds are only available for FY23 & FY24
 - Principal Forgiveness
 - BIL (Bipartisan Infrastructure Law) funds reauthorized for 5 years beginning FY23

- Any project receiving BIL funds will be equivalent projects.
 - Every year the SRF program receives federal grants and we need to have a total dollar amount that adds up to the amount of that grant. The projects used to get to that total are called equivalency projects. So any LSLR project is automatically in this category.
 - No QBS for DWSRF
 - Federal cross cutters, Disadvantaged Business Enterprise (DBE) and Build America, Buy America (BABA) are all needed, but can take place after we know if the projects are fundable.
- Timelines for DWSRF Process:
 - **Final planning document due June 1, 2023 for DWSRF**
 - Communities are encouraged to submit draft planning documents earlier for preliminary review
 - Project Priority List (PPL) Development
 - Draft PPL usually published in summer
 - Final PPL usually published in September
 - Changes between draft and final PPL are possible
 - FY23 Finance Schedule is now available – should be similar for FY24
 - **FY23 Finance Schedule ends at Quarter 4 – Quarter 4.5 is not available**
 - Since this is a loan program, bond counsel and financial advisor is recommended early in the process – will work with the Michigan Finance Authority
- District Comments:
 - Looping planned? No, remove and replace what is there. Upsizing from 6 to 8 inch.
 - Creating a full project plan can be costly, there were a lot of projects put into the hopper for ITAs. Just keep that in mind.
- Questions and Comments:
 - Will the city ever feel like they will be able to get funded with just WM work? Aaron – For wholesale communities it is hard to add ways to get into the scorable ranges when the only work that they can put into the planning document is water main work.
 - Discussion about how far into the process the City can get without knowing they are funded.
 - Talked about timeline of the DWSRF timeline and what it includes
 - Risks associated with putting together planning documents without knowing they are funding. Cost, time etc. Less with the new planning document as opposed to the project plan since you can pull from already existing documents.
 - Aaron – Scoring system changed, but the scoring sheets are online now. You could run through them and see what you think you would score.
 - Send links to the webinars. Talked about office hours.