

**City of Swartz Creek  
AGENDA**

**Regular Council Meeting, Monday July 28, 2008 7:00 P.M.  
City Hall 8083 Civic Drive, Swartz Creek Michigan 48473**

1. **CALL TO ORDER:**
2. **INVOCATION AND PLEDGE OF ALLEGIANCE:**
3. **ROLL CALL:**
4. **MOTION TO APPROVE MINUTES:**
  - 4A. Regular Council Meeting, July 14, 2008 MOTION Pg. 8, 17-24
5. **APPROVE AGENDA**
  - 5A. Proposed / Amended Agenda MOTION Pg. 8
6. **REPORTS & COMMUNICATIONS:**
  - 6A. [City Manager's Report](#) (Agenda Item) MOTION Pg. 8, 2-7
  - 6B. Monthly Fire Report\*\* Pg. 25-41
  - 6C. Engineering Bids, Q.B.S. Process (Agenda Item) Pg. 42-74
  - 6D. Phase I Trail System, Estimates & Map (Agenda Item) Pg. 75-76
  - 6E. Local Street Project, Survey's (Agenda Item) Pg. 77-95
  - 6F. Topvalco (Kroger) Dev Agreement (Agenda Item) Pg. 96-102
  - 6G. Cummings Harley Agreement, Police Motorcycle (Agenda Item) Pg. 103-107
  - 6H. City Property Sale, 5129 Morrish, R.F.P. (Agenda Item) Pg. 108-111
  - 6I. Comcast Letter, Channel Changes Pg. 112
  - 6J. City Attorney Zoning Class Info Pg. 113-114
  - 6K. City Attorney Letter, Soliciting Pg. 115
  - 6L. Flint Twp. Miller Road Project Update Pg. 116
  - 6M. Flint River Watershed Update Pg. 117-124
7. **MEETING OPENED TO THE PUBLIC:**
  - 7A. General Public Comments
8. **COUNCIL BUSINESS:**
  - 8A. Engineering Services, Q.B.S. Bid Award RESO. Pg. 9,42-74
  - 8B. Construct Phase I, Non-Motorized Trail System RESO. Pg. 12,75-76
  - 8C. Local Street Projects DISC. Pg. 77-95
  - 8D. Addendum, Topvalco (Kroger) Agreement RESO. Pg. 13,96-102
  - 8E. Lease Extension, Police Motorcycle, Cummings Harley RESO. Pg. 15,103-107
  - 8F. Sale of City Property, 5129 Morrish DISC. Pg. 108-111
9. **MEETING OPENED TO THE PUBLIC:**
  - 9A. General Public Comments
10. **REMARKS BY COUNCILMEMBER'S:**
11. **ADJOURNMENT:**

*\*\*Personnel correspondence removed from this report. If desired, please see Fire Chief.*

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

Regular Council Meeting of Monday July 28, 2008 7:00 P.M.

**TO:** Honorable Mayor, Mayor Pro-Tem & Council Members  
**FROM:** PAUL BUECHE // City Manager  
**DATE:** 25-July-2008

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## **OLD / ROUTINE BUSINESS – REVISITED ISSUES / PROJECTS**

- ✓ **PERSONNEL POLICIES & PROCEDURES** (*Status*)  
The staff met a second time with Mr. Nottley and after review, sent him back with a handful of revisions. When we get this draft back, it should be close to a final draft.
- ✓ **DISASTER, EMERGENCY RESPONSE POLICY COMMITTEE** (*Status*)  
We are back meeting and have a draft for review. We should be back before the Council for discussion on this in the near future.
- ✓ **VETERANS MEMORIAL** (*Status*)  
Nothing New.
- ✓ **NON-RESIDENT SERVICES STUDY, RAUBINGER BRIDGE** (*Status*)  
Pending.
- ✓ **OVERHEAD UTILITY REORGANIZATION PROJECT** (*Status*)  
We are trying to get a contractor's quote for the second round of the technical review of the poles. REI has expressed an interest in the project; however, we need to select the City's engineering firm via the Q.B.S. process before proceeding with this. The Q.B.S. Selection is set for tonight's agenda.
- ✓ **ENGINEERING SERVICES, QUALIFICATION BASED SELECTION** (*Resolution*)  
Bids for Engineering Services have been tabulated, reviewed and logged (due to volume, I did not include any of the bids. If anyone desires to see them, give me a call). Thirteen companies submitted. They are as follows:  
Hubble, Roth & Clark, Howell: Lapham & Associates, Clare: Gould Engineering, Flint: Kraft Engineering, Flint: Wilcox Engineering, Saginaw: Rowe Engineering, Flint: Trans Environmental Engineering, Flint: CHMP, Grand Blanc: Flint Surveying & Engineering, Swartz Creek: Wade-Trim, Flint: Spicer Group, Saginaw: Williams & Works, Grand Rapids: Workhorse Civil Design, Howell. Scoring was done by Mr. Zettel, Mr. Svrcek and myself (copies of the scoring templates are included). All three of the evaluators agree on the top three firms, being Wilcox, Wade-Trim and Rowe. Scoring totals are as follows:

Firm	Zettel	Bueche	Svrcek	Average
Hubbell, Roth & Clark	85	80	83	82.66
Lapham & Associates	69	69	67	68.33
Gould Engineering	81	84	81	82.00
Wade-Trim	87	88	84	86.33*
Spicer	85	83	83	83.66
Williams & Works	81	81	79	80.33
Kraft Engineering	78	80	78	78.66
Wilcox Engineering	87	87	84	86.00*
Rowe Engineering	87	87	88	87.33*
Trans Environmental Engineering	77	71	74	74.00
C.H.M.P.	79	73	73	75.00
Flint Surveying & Engineering	78	80	79	79.00
Workhorse Civil Design	71	66	61	66.00
*Denotes Top Three in Bid Placement 90 Total Points Possible				

The three top selections, as indicated above, were asked to submit a price list. The submittals are as follows:

	ROWE INC.	WILCOX	WADE-TRIM
Project Manager	\$ 116.00	\$ 110.00	\$ 110.00
Project Engineer	\$ 99.00	\$ 90.00	\$ 90.00
Graduate Engineer	\$ 88.00	--	\$ 75.00
Engineer Technician	\$ 77.00	--	\$ 65.00
Sr. Const. Observer	\$ 88.00	\$ 80.00	\$ 85.00
Construction Observer	\$ 83.00	\$ 60.00	\$ 75.00
Project Surveyor	\$ 94.00	--	\$ 85.00
Survey Crew (2 Person)	\$ 142.00	\$ 140.00	--
Survey Office Technician	\$ 82.00	\$60 - \$90	\$ 60.00
<b>POINTS (10 Total Possible):</b>	<b>9</b>	<b>10</b>	<b>10</b>
** Partial Price List. See Firms' Submittals For Entire Price List **Personnel Title's Vary, Comparatives Are Approximates. See Firms' Submittals For Details.			

The total maximum points, inclusive of Qualification and Rates, is 100. The following top three candidate firms are ranked as follows:

	ROWE INC.	WILCOX	WADE-TRIM
<b>Total Points, Qualifications/Rates</b>	<b>96.33</b>	<b>96.00</b>	<b>96.33</b>

In review, the top three firms finished very close. REI landed slightly higher in rates and originally set their prices as good only through April 2009. I spoke with Jack Wheatley and discussed pricing. He agreed to extend the rates through April 2011. I did not contact the other two finalists, Wilcox and Wade-Trim, on the effective dates. The staff

recommends we continue with REI. They have done very good work for the City at a reasonable cost. Regarding billing, REI gives a quote for a job that is all-inclusive. The work never exceeds the quoted price unless we initiate a change order. They will also look to use their construction inspectors in dual roles for multiple jobs at a single price, wherever they can. We have had trouble with consulting firms in the past that give us a quote and then “side fee” us to death. I fear that we run this risk if we switch.

✓ **MAJOR STREET FUND, TRAFFIC IMPROVEMENTS** (*See Individual Category*)

❑ **BRISTOL ROAD T.I.P. PROJECT, BRISTOL EXTENSION** (*Status*)

The contractor is looking for an additional \$50k on this project. They claim additional engineering, change orders, and additional work, some of which is related to the Verizon poles. MDOT has a grievance procedure in which the contractor has initiated. Two steps have been completed with a recommendation for an additional \$15k. The ball is in the contractor’s court as to whether they desire to move to the next process. We will see where it heads.

❑ **SEYMOUR RE-SURFACING PROJECT** (*Status*)

Complete, with the exception of the installation of signage, which should be soon.

❑ **ELMS ROAD RE-SURFACING PROJECT** (*Status*)

Construction began on Monday June 16<sup>th</sup> and is progressing nicely and ahead of schedule. It should be completed by late August. Our match for this project is **\$294,477**. The County has budgeted \$21,000 for their half of the 1,300’ border section and have given us a verbal approval for participation. We have been unable to get them to proceed with the written agreement. At this point, I guess we trust them for their share.

❑ **MORRISH ROAD RE-CONSTRUCTION PROJECT / MEIJER’S** (*Status*)

Meijer’s has informed us that they have placed this project on their early 2009 construction schedule. Although not yet certain, they advise they may be asking for a revised site plan later this summer that will downsize the store a bit, to around 160,000 sf. They are reviewing the development agreement and will be back shortly with a decision on how they wish to handle the road construction (private or via the TIP).

❑ **GM-SPO ISLAND CUTS** (*Status*)

This project remains in the 2009 TIP. We are still evaluation the cost vs. benefit ratio.

❑ **MILLER ROAD REPAIRS** (*Status*)

The repair work has been completed. We will be looking at a 10-year repair fix this summer for all of Miller Road.

✓ **LOCAL STREET FUND, TRAFFIC IMPROVEMENTS**

❑ **2008 REPAIR ROSTER** (*Discussion*)

Bids are back for the following streets: Chesterfield from Seymour to Winston, Jennie Lane, Worchester from Winston to Daval (a portion of this is a Major Street, eligible for 202 funding) and Daval from Oakview to Winshall. The low bidder is Lois Kay at \$398,154. After we pay our \$75,000 share of the Raubinger Road Bridge, we will have about \$150,000 - \$200,000 to spend. We sent a survey to the residents of these streets to get a feel for a special assessment to help stretch the dollars. Results have been booked and are included along with comments related to assessment and general services. I have set this for a discussion to talk about the results and explore options.

- ✓ **FIRE DEPARTMENT EVALUATION, 2008 CONTRACT RENEWAL** (*Status*)  
I have met several times with Mr. Shumaker regarding the contract. We have identified a handful of areas that need addressing. Mr. Figura has provided a draft and we are reviewing it. I will be back for some additional conversation in the future.
- ✓ **SEWER REHABILITATION PROJECT, I&I, PENALTIES** (*Status*)  
At a past meeting, we awarded the bid to Liqui-Force based on unit prices. We will be back before the Council shortly with a contract for Phase II of the program.
- ✓ **WWS INTERGOVERNMENTAL JURISDICTION ORDINANCE** (*Status*)  
The County has turned up the pressure to adopt both the ordinance and the agreement that transfer enforcement (and probably anything else they deem fit) over to them. We are working with Mr. Figura evaluating our options.
- ✓ **NON-MOTORIZED TRAIL SYSTEM, PHASE I** (*Resolution*)  
As we have discussed recently, we would like to begin Phase I of our trail system. As you recall, we have looked to use both the 10 year 1% Act 51 requirement in conjunction with CDBG funds for the project. There are two sections to Phase I, one is the widening of the existing sidewalk from 5' to 10' and the second is the enhancements, being lighting, stamped concrete "bump-out" rest areas with benches. The Phase I section of the trail will run from the corner of Miller and Elms, north in front of McDonalds, under the overpass and stop at the main entrance of Elms Road Park. As you recall, we approved the City's sidewalk repair bid at the last meeting. The awardee was Badgley Construction at an eye-opening low bid of \$4.25 per square foot, finished and graded. In discussions with the staff and our engineer, we can save a lot of money if we use this bid for the Phase I concrete portion. In discussion with the contractor, he will honor his costs for the project, with a little help from us in borrowing barricades for pedestrian control and providing sand. The original engineer's estimate for the concrete portion of this work is \$56,400. Using the Badgley bid price of \$4.25 per SFT at 5,700 SFT, the cost for this work is \$24,225. Once we get project clearance from the County MPO, we will look to bid the enhancement portion, estimated to be \$42,000. I have a resolution to proceed with the concrete portion included with tonight's agenda.
- ✓ **SR. CENTER, LEVY, BUILDING & FUTURE FUNDING PLAN** (*Status*)  
Pending.
- ✓ **SPRINGBROOK, HERITAGE STREET-LIGHTING** (*Status*)  
We need to talk on a number of issues similar to this. I am working on a recommendation and a policy in handling our condominium associations in an effort to treat them all the same. I will be back at a near future meeting for discussion and the adoption of a policy.
- ✓ **LABOR CONTRACTS** (*Status*)  
Mr. Kehoe still needs a basic employment agreement and the Supervisor's contract has a wage re-opener. I will look to meet with them very shortly.

On my contract, it probably needs visiting for update purposes. I would like to take a pass on any rate increases for another year or two and until we are on better financial ground. I am not sure how the Council desires to handle an evaluation. As you recall, a couple of years ago I created a list of accomplishments and shortfalls as I saw them. I

could bring the list up to date and then bring it back to the Council for discussion and review. Unless the Council has strong input one way or the other, I will do this and set it for a discussion item, hopefully soon. We can then go from here.

✓ **RETIREE HEALTH CARE** (*Status*)

Nearly everyone whom we have on retirement is now Medicaid-Medicare eligible. It may not be necessary to do individual agreements. This topic may be better covered in the City's personnel policy manual. We will be discussing this within the next couple of meetings.

✓ **MARATHON STATION BLIGHT & NON-CONFORMING USE** (*Status*)

The pylon sign and the canopy have been removed by the owner. The building remains. We are awaiting the executed order, which is waiting for affidavits of service before the judge will endorse it. As you recall from previous discussions, we have a third party of interest here, being the bank. Earlier information we had received was that the bank was going to move for default foreclosure in August. The property owner was pushing for a quick sale to recover some of their losses. It does not appear that this may happen, foreclosure being likely. I'm unsure what the bank's position will be if, and when we move to raze the building. We are working with them to get this question answered. I do believe that they may be easier to work with than the current owner. I will keep the Council posted.

✓ **GENERAL LEDGER & ACCOUNTING SOFTWARE** (*Status*)

Software installation is complete. We are still working on the customization of some of the modules.

✓ **COUNTY E.M.S. ORDINANCE, AMBULANCE SERVICE** (*Status*)

Pending.

✓ **FEES, RATES & SERVICE CHARGES** (*Status*)

We are still reviewing the best method for the installation of the new rate structure. As an afterthought, it appears that we will be getting another rate increase from Detroit... about 16%. We have not received official notice, but the Detroit and Local Newspapers are reporting this. Although we do need to visit water and sewer, as we have discussed, I would like to wait a bit, into the late summer or fall before we make a decision on this, as well as other fees.

✓ **SALE OF CITY PROPERTY 5129 MORRISH ROAD** (*Discussion*)

We have a baseline environmental report back. I did not include a copy due to its volume. Anyone who desires to see it, please give me a call and I will get it to you. There are no surprises in it. The study identifies owner and uses dating back to the 1940's, none of which appear to create any environmental concerns. The study does recommend proceeding to soil bore analysis to be certain. I do not believe we need to proceed at this point. I think we can sell the property along with the study and stipulate that the purchaser proceed to the next level, depending on the intended use. Adam has prepared an R.F.P. for review. I have a short discussion to make sure everyone is on the same page before we go to market with the R.F.P.

✓ **ZONING ENABLING CLASS** (*Status*)

I have included a copy of the attendance roster. Mr. Figura put on a very informative class on MZEA and the MPEA. If you missed it, please get with me and I can get you Mr. Figura's reference material for review.

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

✓ **ADDENDUM, KROGER DEVELOPMENT AGREEMENT** (*Resolution*)

As you may recall, we approved an addition to the Kroger store on January 14, 2008. We need to tack down a couple of items via an addendum to the original development agreement with Kroger (Topvalco). Included with tonight's packet is a copy of the original agreement.

✓ **LEASE EXTENSION, POLICE MOTORCYCLE** (*Resolution*)

Included with tonight's agenda is a 12-month lease extension with Cummings Harley Davidson for the Police Road King Motorcycle. Cummings decided to extend the price for an additional 12 months and instead of issuing a new cycle, leave the existing ones with the agencies. This is a far better deal, in that we do not have the costs of mounting radios and other electronics. This is a budgeted item. A resolution to extend is included with tonight's agenda.

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

- *Z.B.A. Compensation.* Pending.
- *Signs, Blackmore & Rowe (in right of way?).* It is. Upon checking, a small piece of our curb may be on private property also. We have had some activity on the sale and development of this property. We will take care of all these problems when the property develops
- *Mast Arm Traffic Lights, Street Sign Anchors (Silver vs. Black).* We are looking into this.
- *Legal Opinion, Soliciting.* I checked on what we had on file here. All we have is an opinion from Mr. Gildner (to a challenger) dated March 2006 that addresses the City's authority to set reasonable time, place and manner restrictions. A copy is included.



**City of Swartz Creek**  
**RESOLUTIONS**  
**Regular Council Meeting, Monday July 28, 2008 7:00 P.M.**

**Resolution No. 080728-4A**      **MINUTES, JULY 14, 2008**

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

**I Move** the Swartz Creek City Council hereby approve the Minutes of the Regular Council Meeting held July 14, 2008, to be circulated and placed on file.

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

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

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

**Resolution No. 080728-5A**      **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 July 28, 2008 to be circulated and placed on file.

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

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

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

**Resolution No. 080728-6A**      **CITY MANAGER'S REPORT**

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

**I Move** the Swartz Creek City Council approve the City Manager's Report of July 28, 2008, to be circulated and placed on file.

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

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

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



**ENGINEERING SERVICES, QUALIFICATION BASED  
SELECTION BID AWARD**

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

**WHEREAS**, it is the duty of the City of Swartz Creek to provide for the safety of its citizens and, in so doing provide for the safely designed, engineered, and constructed public roads, highways, bridges, drainage systems, and improvements of all kinds to real property; and

**WHEREAS**, it is in the best interest of the city to protect people by demanding and insuring that qualified engineers and land surveyors, also known as design professionals, render services which will assist in making any construction project safer for public use; and

**WHEREAS**, selection based upon the qualifications of the design professional to perform the required services rather than selection merely upon price, even though price may be important, is more likely to produce a better and safer result; and

**WHEREAS**, the City of Swartz Creek desires to comply with federal and state requirements and guidelines with respect to selection of design professionals; and

**WHEREAS**, the City developed a comprehensive policy / process which, when fully executed to the extent of selection of a design professional, shall eliminate, for a period of three (3) years, at the option of the city, the need to engage in additional selection processes on a project by project basis; and

**WHEREAS**, the City's Staff consulted with the Genesee County Metropolitan Planning Commission and the Michigan Department of Transportation and obtained and implemented engineering services bid guidelines and requirements by Federal and State funding sources for the use of C.D.B.G, Brooks Act, FHA and gas and weight tax funds; and

**WHEREAS**, the Swartz Creek City Council adopted a comprehensive process for qualification based selection of a design professional, at a regular meeting held on January 28, 2008; and

**WHEREAS**, the City received thirteen submittals, which were reviewed and rated in accordance with the terms as set forth in the R.F.P., the top three qualified firms being Wade-Trim, Rowe Engineering Incorporated and Wilcox Engineering, with the Staff recommendation that the City continue with Rowe Engineering; and

**WHEREAS**, a proposed contract with Rowe Engineering is as follows:

**AGREEMENT FOR CONSULTING SERVICES  
BETWEEN THE  
CITY OF SWARTZ CREEK, MICHIGAN  
AND  
ROWE INCORPORATED,  
A PROFESSIONAL ENGINEERING FIRM**

**THIS AGREEMENT**, made as of the 28<sup>th</sup> day of July, A.D., 2008, by and between the **City of Swartz Creek, Michigan**, a Michigan Municipal Corporation, hereinafter called the “**City**”, and Rowe Incorporated, a professional engineering firm, hereinafter called the “**Engineer**”.

**WHEREAS**, **City** desires to employ an **Engineer** for a period of three years upon execution of this agreement to render professional engineering services for consultation, reports, specification preparation, designs or representations in connection with additions to and/or extensions of the municipal utilities systems or other public work assignments, community development or government operations.

**NOW, THEREFORE**, **City** and **Engineer** in consideration of their mutual covenants herein agree in respect of the performance of professional engineering services by **Engineer** and the payment for those services by **City**, as set forth below.

### **SECTION 1 BASIC SERVICES OF THE ENGINEER**

The **Engineer** shall:

- 1.1 Serve as **Engineer** and advise **City** on various matters when so required.
- 1.2 Consult with **City** to determine **City’s** requirements for an authorized project and review available data.
- 1.3 Perform specific studies, grant applications, planning, or design project(s) upon written authorization from **City** and serve as **City’s Engineering** representative for the project(s), program(s) or service(s) authorized.
- 1.4 Secure and maintain such insurance as will protect the **City** from claims under the Workers Compensation Acts and from claims for bodily injury, death, or property damage, which may arise from the performance of the services under this Agreement.
- 1.5 Designate a person to act as **Engineer’s** representative, with respect to an authorized project. This person shall have the authority to make decisions and bind the **Engineer**.
- 1.6 Assist **City** in securing rights of entry upon public and private lands as required for **Engineer** to perform authorized work.
- 1.7 **Engineer** agrees to refrain from private work within the **City**.

### **SECTION 2 CITY’S RESPONSIBILITIES**

The **City** shall:

- 2.1 Provide **Engineer** with complete information concerning the background and requirements of the authorized project(s), program(s), or service(s).
- 2.2 Give thorough consideration of all reports, sketches, estimates, drawings, specifications, proposals, and other documents as presented by **Engineer** and inform **Engineer** of all decisions within a reasonable time as not to delay the work of **Engineer**.
- 2.3 Provide prompt notification to the **Engineer** of any defects or suspected defects in the **Engineer’s** services of which the **City** becomes aware.

- 2.4 Designate the City Manager, or other individual, to act as **City's** representative with complete authority to transmit instructions, receive information, interpret and define **City's** policies and decisions with respect to the authorized work.

**SECTION 3 PAYMENT**

- 3.1 For services rendered by **Engineer** under the terms of this Agreement, **City** shall pay **Engineer** on an agreed upon basis per project or assignment. Included with this Agreement is a listing of hourly rates. Such rates shall be utilized by the **Engineer**, commencing on the effective date of the Agreement through April, 2011. Annually thereafter, hourly rates shall be negotiated between the parties.

**Rates:**

<b>Project Manager</b>	\$ 116.00
<b>Project Engineer</b>	\$ 99.00
<b>Graduate Engineer</b>	\$ 88.00
<b>Engineer Technician</b>	\$ 77.00
<b>Sr. Const. Observer</b>	\$ 88.00
<b>Construction Observer</b>	\$ 83.00
<b>Project Surveyor</b>	\$ 94.00
<b>Survey Crew (2 Person)</b>	\$ 142.00
<b>Survey Office Technician</b>	\$ 82.00

- 3.2 Payment for services rendered and properly invoiced shall be made within 30 days following presentation thereof.

**SECTION 4 MISCELLANEOUS**

- 4.1 Opinions of probable construction cost, financial evaluations, feasibility studies, economic analysis of alternate solutions and utilitarian consideration of operations and maintenance costs prepared by **Engineer** hereunder will be made on the basis of **Engineer's** experience and qualifications, and represent **Engineer's** best judgment as an experienced and qualified design professional. It is recognized, however, that **Engineer** does not have control over the cost of labor, material, equipment or services furnished by others or over market conditions or contractor's methods or determining their prices, and, therefore, **Engineer** does not guarantee that proposals, bids or actual costs will not vary from opinions, evaluations or studies submitted by **Engineer** to **City** hereunder.
- 4.2 The **Engineer** shall furnish to the **City** the final engineering drawings of the facility that is being constructed on a medium as selected by the **City**. The original shall remain the property of the **Engineer**. They are not intended or represented to be suitable for reuse by **City** or others in extensions of the facility beyond that now contemplated or on any other facility. Any reuse by **City** without written verification or adaptation by **Engineer** for the specific purpose intended will be at **City's** sole risk and without liability or legal expense to **Engineer**.
- 4.3 This contract may be terminated by (a) **City** with or without cause upon seven (7) days written notice to **Engineer**; and (b) **Engineer** upon thirty (30) days written notice to **City**. In the event of any termination, **Engineer** will be paid for all services and reimbursable expenses rendered to the date of termination. Further, **Engineer** shall be required to complete any ongoing projects should **City** require same.
- 4.4 **City** and **Engineer**, and their representative partners, successors, executors, administrators, assigns and legal representative of each are bound by this Agreement to the other party to this Agreement and to the partners, successors, administrators, assigns and legal representative of such other party in respect of all covenants, agreements and obligations of this Agreement.

4.5 Nothing herein shall be construed to give any rights or benefits hereunder to anyone other than **City or Engineer**.

**IN WITNESS WHEREOF**, the parties hereto have made and executed this Agreement as of the day and year first above written.

**CITY OF SWARTZ CREEK, MICHIGAN**

**ROWE INCORPORATED**

\_\_\_\_\_  
RICHARD B. ABRAMS, Mayor

\_\_\_\_\_  
It's

\_\_\_\_\_  
JUANITA AGUILAR, City Clerk

\_\_\_\_\_  
It's

\_\_\_\_\_  
Witness:

\_\_\_\_\_  
Witness:

**NOW, THEREFORE, BE IT RESOLVED** that the City of Swartz Creek Council accepts the recommendation of the City Manager and Staff, and appoint Rowe Engineering Incorporated as the City's Engineer and Engineering Consulting Firm within the terms as set forth within, and further, directs the Mayor and City Clerk to execute and endorse the agreement in behalf of the City.

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

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

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

**Resolution No. 080728-8B**

**CONSTRUCT NON-MOTORIZED TRAIL SYSTEM, PHASE ONE**

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

**WHEREAS**, it is in the best interest of the public's health, safety, and welfare to create a viable non-motorized transportation network, locally and regionally, to provide residents with safe alternatives to driving, recreational opportunities, and opportunities to connect communities and the natural environment; and

**WHEREAS**, the City of Swartz Creek has adopted a non-motorized trail-way plan that has also been included into the Genesee County Regional Trail Plan; and

**WHEREAS**, Section 10K of Act 51 requires that 1% (~\$30,000) of the City's Act 51 allocation be spent on non-motorized engineering or construction over a ten year period; and

**WHEREAS**, the Elms Road corridor and Elms Park are crucial links in the City's and the County's trail-way system; and

**WHEREAS**, the City has accepted the lowest bidder, Badgley Construction, to perform all sidewalk work on the City's behalf for the 2008 construction season at a rate of \$4.25 per square foot (4") and will extend this price to the construction of Phase I of the City's Non-Motorized Trail Way System.

**NOW, THEREFORE, BE IT RESOLVED** that the Swartz Creek City Council approve the construction of Elms Road sidewalk expansion from Miller to the main park entrance to be completed by Badgley Construction at a cost of \$24,225 (5700 square feet) plus a 15% contingency and the cost of sand; funds to be allotted from the Major Street Fund.

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

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

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

**Resolution No. 080728-8D**

**ADDENDUM, TOPVALCO (KROGER) DEVELOPMENT AGREEMENT**

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

**I Move** the City of Swartz Creek enter into an addendum agreement with Topvalco and direct the Mayor and City Clerk to execute the agreement, as follows:

**ADDENDUM TO PLANNED DEVELOPMENT AGREEMENT  
Between the  
CITY OF SWARTZ CREEK  
And  
TOPVALCO, INC.**

This Addendum to Planned Development Agreement (the "Addendum") is made this \_\_\_ day of August, 2008 by and between the City of Swartz Creek, a Michigan municipal corporation with principal offices at 8083 Civic Drive, Swartz Creek, Michigan 48473 ("City") and TOPVALCO, Inc., an Ohio corporation with principal offices at 150-C 39810 Grand River Avenue, Novi, Michigan 48151 ("Developer").

**WHEREAS**, Developer was approved to construct a supermarket, commercial building, and gas kiosk ("Project") at 7114 Miller Road in accordance with the City Council approvals of November 26, 2001, the PDD site plan dated November 15, 2001, and the subsequent Planned Development Agreement signed February 11, 2002 ("Agreement"); and

**WHEREAS**, the City has adopted a Planned Development District that master plans the Project as it relates to Miller and Elms Roads as well as the surrounding parcels; and

**WHEREAS**, the Developer has completed construction of the Project, as approved, except for a small segment of service drive in the northwest corner of the Project that is to service adjacent parcels (“Drive”); and

**WHEREAS**, the Developer and City desire the Drive to be complete at such a time when future development of the Miller/Elms Planned Development District can benefit from this connection; and

**WHEREAS**, this Addendum adds to and becomes a part of the previous Agreement;

**NOW, THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledge, the City and Developer hereby AGREE AS FOLLOWS:

**1. Access Improvement.**

Developer shall construct or otherwise fund the construction of the Drive as shown in the approved site plans.

**2. Timing.**

Developer shall commence work on the Drive at a time chosen by the City. Until such time, Developer shall be relieved of the burden of construction of the Drive; however, such obligation shall be enforce when the specific needs of the Miller/Elms PDD are determined.

**3. Deviations from Plans**

In an effort to efficiently and safely connect sites and users within the Miller/Elms PDD, the Developer and City acknowledge that rational and reasonable deviations from the Drive’s original design may be required. The Developer agrees to construct the Drive in such a manner that grading, location, width, and similar elements are conducive to the on-going build-out of the Miller/Elms PDD providing that the relative and proportionate cost, as adjusted by any inflation, remains the same to the Developer. The Developer shall permit the City or its subordinates to substantially modify the design of the Drive, if necessary to meet grades, standards, or other needs, as long as additional costs are borne by a third party beneficiary.

**4. Construction by City of Swartz Creek**

In the event that the Developer is unwilling to construct the Drive, or if the Developer so desires, the City shall construct or cause to be constructed the Drive and charge all costs incurred back to the Developer. Such charge shall be a lien on the real property in the form of a special Assessment and shall be collected in the same manner as property taxes. Developer shall provide all easements necessary to the City and its designees.

**5. Continued Validity of Planned Development Agreement.**

Except as modified by this Addendum, all of the terms and provisions of the Agreement remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Addendum to the Planned Unit Development Agreement as of the date first above written.

**CITY OF SWARTZ CREEK**

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Richard Abrams, Mayor

\_\_\_\_\_  
Juanita Aguilar, Clerk

\_\_\_\_\_  
Date

**TOPVALCO, INC., an Ohio Corporation**

\_\_\_\_\_  
Witness

By: \_\_\_\_\_

Name: \_\_\_\_\_

Its: \_\_\_\_\_

\_\_\_\_\_  
Date

Approved as to form:

\_\_\_\_\_  
Richard J. Figura, City Attorney

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

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

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

**Resolution No. 080728-6E**

**POLICE MOTORCYCLE LEASE RENEWAL, CUMMINGS HARLEY DAVIDSON**

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

**I Move** the City of Swartz Creek approve a 12 month extension of a lease with Cummings Harley-Davidson of Burton, Michigan, for one (1) HD Road King police motorcycle under the terms and conditions as set forth in the Lease Agreement, a copy



of which is attached hereto, and direct the Mayor and City Clerk to execute the agreement on behalf of the City of Swartz Creek.

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

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

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

**City of Swartz Creek**  
**Regular Council Meeting Minutes**  
*Of the Meeting Held*  
**Monday July 14, 2008 7:00 P.M.**

**CITY OF SWARTZ CREEK**  
**SWARTZ CREEK, MICHIGAN**  
**MINUTES OF THE COUNCIL MEETING**  
**DATE 07/14/2008**

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

Invocation and Pledge of Allegiance to the Flag.

Councilmembers Present: Mayor Abrams, Adams, Mayor Pro-Tem Christie, Hicks, Hurt, Shumaker.

Councilmembers Absent: Porath.

Staff Present: City Manager Bueche, City Attorney Mike Gildner, Assistant City Manager Zettel, City Clerk Juanita Aguilar.

Others Present: Boots Abrams, Tommy Butler, John Gilbert, David Krueger, Jim Florence, Betty Binder, Laura Angus, Kal Nemer, John Czarnecki, Brian Scott, David Nemer, Walter Melen.

Mayor Abrams questioned City Manager Bueche about the absence of Councilmember Porath. Mr. Bueche stated that on Friday Mr. Porath advised him that he may miss the Council meeting. Mr. Bueche stated that they would excuse the absence at the next meeting.

**APPROVAL OF MINUTES**

**Resolution No. 080714-01**

**(Carried)**

Motion by Mayor Pro-Tem Christie  
Second by Councilmember Adams

**I Move** the Swartz Creek City Council hereby approve the Minutes of the Regular Council Meeting, held June 23, 2008, to be circulated and placed on file.

YES: Adams, Christie, Hicks, Hurt, Shumaker, Abrams.  
NO: None. Motion Declared Carried.

**APPROVAL OF AGENDA**

**Resolution No. 080714-02**

**(Carried )**

Motion by Councilmember Shumaker  
Second by Councilmember Hurt

**I Move** the Swartz Creek City Council approve the Agenda as amended for the Regular Council Meeting of July 14, 2008 to be circulated and placed on file.

YES: Christie, Hicks, Hurt, Shumaker, Abrams, Adams.  
NO: None. Motion declared carried.

Commissioner Lockwood made a brief presentation reference updates on what the County is working on at this time.

## **REPORTS AND COMMUNICATIONS:**

### **City Manager's Report**

#### **Resolution No. 080714-03**

**(Carried)**

Motion by Councilmember Hicks  
Second by Mayor Pro-Tem Christie

**I Move** the Swartz Creek City Council approve the City Manager's Report of July 14, 2008, to be circulated and placed on file.

Discussion Ensued.

YES: Hicks, Hurt, Shumaker, Abrams, Adams, Christie.  
NO: None. Motion declared carried.

All other reports and communications were accepted and placed on file.

## **MEETING OPENED TO THE PUBLIC:**

Jim Florence, 4296 Springbrook, spoke about Project Fresh. He stated that there are certain requirements to being eligible for the vouchers and that anyone interested could contact the Senior Center for details.

David Krueger, 7399 Miller Road, spoke about the City paying for an ad in the Flint Journal about the Farmer's Market. Mr. Krueger mentioned that the Entertainer section in the Flint Journal has an ad for Durand's Farmer's Market, but not Swartz Creek. He stated that he believes that it is a free listing and that someone should contact them. Mr. Krueger also spoke about the local street fund and the change in the funding. He stated that maybe the entire City should be assessed to cover the costs of repairs instead of just the residents of the streets in question.

John Gilbert, 7459 Miller Road, questioned an item on page 41 of the Council packet; the price of the Movie in the Park sign. City Manager Bueche stated that the price of \$1000 was for all of the Movie in the Park sandwich signs, not just one. Mr. Gilbert also questioned the

purchase of t-shirts on page 44 of the packet. He was advised that they were Camp 911 shirts.

Assistant City Manager Zettel stated that the DDA paid for the Farmer's Market ads. He stated that he just became aware of the free ad in the Flint Journal and plans to use it.

**COUNCIL BUSINESS:**

**Special Land Use Permit, Assisted Living Facility, Woodside Builders, Parcel #58-36-400-003, 7276 Miller Road**

**Resolution No. 080714-04**

**(Carried)**

Motion by Councilmember Adams  
Second by Councilmember Hurt

Whereas, the City of Swartz Creek Council has reviewed and approved a Planned Unit Development Site Plan for Springbrook East and,

Whereas, the Planned Unit Development satisfies the eligibility criteria of Section 11.01 of the City of Swartz Creek Zoning Ordinance; and,

Whereas, the Planned Unit Development District included senior housing on the site at the location illustrated in the site plans attached hereto; and,

Whereas, the Swartz Creek Planning Commission received application for and conducted a public hearing wherein comments from the public were heard on the proposed nursing convalescent home special land use; and.

Whereas, the Special Land Use is designed and constructed in a manner harmonious with the character of adjacent property and surrounding areas; and,

Whereas, the Special Land Use is adequately served by essential public facilities and services, such as roads, pedestrian or bicycle facilities, police and fire protection, drainage systems, water supply, and sewage facilities; and,

Whereas, the Special Land Use does not have an unacceptable significant adverse effect on the quality of the natural environment in comparison to the impacts associated with a conventional development; and,

Whereas, the Special Land Use application for a nursing & convalescent home satisfies all general and specific standards for review.

Now Therefore, the Swartz Creek City Council approves of the Special Land Use for a nursing & convalescent home to be constructed at, 7276 Miller Rd, Tax ID No. 58-36-400-003, applicant Woodside Builders, subject to the following conditions and stipulations:

- 1) Final site plan approval by the City Council.

- 2) Identified waivers in the staff SLU review letter dated June 24, 2008 are approved by the City Council.
- 3) Housing for the elderly shall not be converted to any other use without complying with the provisions of the zoning ordinance in effect.

Discussion Took Place.

YES: Hurt, Shumaker, Abrams, Adams, Christie, Hicks.

NO: None. Motion Declared Carried.

**Final Site Plan Approval, Assisted Living Facility, Woodside Builders, Parcel #58-36-400-003, 7626 Miller Road**

**Resolution No. 080714-05**

**(Carried)**

Motion by Councilmember Hurt

Second by Councilmember Adams

I Move the Swartz Creek City Council hereby approve the Final Site Plan for a nursing & convalescent home to be constructed at 7276 Miller Road, Tax ID No. 58-36-400-003, applicant Woodside Builders, subject to the following conditions and stipulations:

- 1) Approval by City Council of the special land use application dated May 27, 2008 (nursing and convalescent home).
- 2) The completion of the water main loop and installation of a second hydrant per the SPR staff letter dated June 24, 2008.
- 3) Addition of face stone to the east entrance elevation as noted in the SPR letter dated June 24, 2008.
- 4) The addition of one (1) canopy or deciduous tree to the site plan, per administrative approval.
- 5) The relocation and addition of sidewalks per administrative approval.
- 6) Administrative approval of exterior building lighting and parking lighting.
- 7) Addition of decorative street lighting along Kroger Drive, per administrative approval.
- 8) The acceptance and incorporation or waiver of review comments of all other consultants, departments, and review agencies; specifically the staff SPR and SLU letters dated June 24, 2008, and the Rowe, Inc, letter dated June 24, 2008.
- 9) Housing for the elderly shall not be converted to any other use without complying with the provisions of the zoning ordinance in effect.
- 10) The use of a screening fence between the four-plex and assisted living facility shall be subject to administrative approval.
- 11) The assisted living facility shall provide exactly 25 rooms for dementia assisted living and 26 rooms for assisted living.

YES: Shumaker, Abrams, Adams, Christie, Hicks, Hurt.

NO: None. Motion Declared Carried.

**Public Hearing, Special Needs, C.D.B.G. Project Amendment**

Assistant City Manager Zettel gave a brief presentation on the Community Development Block Grant.

Tommy Butler, 40 Somerset, asked Mr. Zettel to clarify the area he was speaking about in reference to using the grant money. Mr. Butler stated that he is pleased with the progress on Elms Road. Mr. Butler talked about the Swartz Creek sign on the corner of Morrish and Miller Roads. He believes that money could be spent repainting that sign.

Jim Florence, 4296 Springbrook, talked about possibly using some of the grant money to expand on the Senior Center. Mr. Bueche advised that the money had to be used by the end of April and the plans for the Senior Center are not far enough along for that to happen. Re-captured CDBG pool would be a better source for building.

**C.D.B.G. Three-Year Project Amendments**

**Resolution No. 080714-06  
(Carried)**

Motion by Mayor Pro-Tem Christie  
Second by Councilmember Hurt

**WHEREAS**, the City Council held a public needs hearing on October 23, 2006 to hear public comments for the use and distribution of Community Development Block Grant Funds allocated to the City for the three year funding cycle; and

**WHEREAS**, at a Special Meeting held on October 30, 2006, the following resolution was passed by a quorum of members of the City Council:

*Resolution No. 061030-02 (Carried)*

*Motion by Councilmember Plumb,  
Second by Councilmember Shumaker,*

*The Swartz Creek City Council accepts the three-year Community Development Block Grant Distribution in the total amount of \$37,672, and authorizes these funds to be allocated as follows: 15% to the Swartz Creek Area Senior Citizens, Inc. in the amount of \$5,650.08, and the remaining 85% to the Downtown Sidewalk Enhancement Program continuation project in the amount of \$32,021.02.*

*YES: Abrams, Christie, Hurt, Plumb, Porath, Shumaker.  
NO: None. Motion declared carried.*

**WHEREAS**, the City Council, upon recommendation of its Staff and the hearing of comments from the public, considered the following potential projects that are eligible for CDBG Funds:

- 1) Demolitions on Dye Road or Marathon

- 2) Elms Road Enhancements
- 3) Downtown Streetscape
- 4) Elms Park improvements
- 5) Improvements to City owned land on the east side of Raubinger
- 6) New sidewalk construction
- 7) Improvements to Civic Area
- 8) Construction of a Water Park

**WHEREAS**, the City Council finds it feasible and in the best interest of the residents to amend the three year Community Development Block Grant Funding Plan.

**NOW, THEREFORE, I Move** the City of Swartz Creek amend the three-year Community Development Block Grant Distribution, total amount of \$37,672, and authorize these funds to be allocated as follows: 15% to the Swartz Creek Senior Citizens Operations in the amount of \$5,650.08, and the remaining 85% to: the Elms Road Enhancement Project, in the amount of \$32,021.02.

Discussion Took Place.

YES: Shumaker, Abrams, Adams, Christie, Hicks, Hurt.  
 NO: None. Motion Declared Carried.

**Bid Returns, Local Street Repairs**

**(Discussion Topic)**

City Manager Bueche presented the bids that were received for the Local Street repairs, and the options associated with them.

Discussion Ensued.

**Park Fee Waiver Request, Genesee County Deputy Sheriff's Association**

**Resolution No. 080714-07**

**(Carried)**

Motion by Councilmember Shumaker  
 Second by Councilmember Hicks

**I Move** the City of Swartz Creek waive fees associated with the use of Elms Road Park Pavilion #4, for the Genesee County Deputy Sheriff's Association, a not for profit organization, on Saturday August 16, 2008, from 10:00 AM to 7:00 PM, for their annual picnic.

Discussion Took Place.

YES: Abrams, Adams, Christie, Hicks, Hurt, Shumaker.  
 NO: None. Motion Declared Carried.

**Appropriation, Bid Award, Sidewalk Repair**



**Resolution No. 080714-08**  
**(Carried)**

Motion by Councilmember Hicks  
Second by Councilmember Hurt

**I Move** the City of Swartz Creek accept the low bid of Badgley Construction, Swartz Creek Michigan, for the repair of deteriorated sidewalk sections as designated by the City, costs of \$4.25 per S.F. 4" and \$5.15 per S.F. 6", and in accordance with the specification as set forth in the bid documents.

Discussion Ensued.

YES: Adams, Christie, Hicks, Hurt, Shumaker, Abrams.  
NO: None. Motion Declared Carried.

**Gain Report**

**(Discussion Topic)**

Councilmember Hurt asked for an update on GAIN. Mayor Abrams advised that no updated reports have come forth as to the status of the GAIN unit.

**FANG Report**

**(Discussion Topic)**

Councilmember Adams gave a brief presentation about the status of the FANG unit.

Discussion Took Place.

**MEETING OPENED TO THE PUBLIC**

Tommy Butler, 40 Somerset, remarked on the C.D.B.G. grant money. Mr. Butler suggested that the City use some of the money to build a football field for the youth football league. Mr. Butler also commented on the use of the funds for the local street fund. He suggested that ideas should come from the residents who live on the streets that are to be fixed.

David Krueger, 7399 Miller Road, talked about the MML passing a 2% increase in state revenue sharing. Mr. Krueger mentioned a link to his church website from the City website. He stated that a good portion of people visiting his site come from the City site. He encouraged other business owners to establish a link to the City website.

**REMARKS BY COUNCILMEMBERS:**

Councilmember Shumaker responded to Jim Florence's question on solicitation. Mr. Shumaker referred to the City's ordinance. Mr. Shumaker spoke about the work done on Seymour Road and suggested that a letter be sent to the company expressing the City's satisfaction with their work.

Councilmember Hicks mentioned a letter from a Swartz Creek resident that was included in the Council packet.

Councilmember Adams spoke about the new black and white street signs. Mr. Adams spoke about a round-a-bout he came upon in Bridgeport. He felt that it worked very well, even at a high traffic time. Mr. Adams responded to Mr. Butler's comments about how to use the local street fund.

Mayor Abrams spoke about political signs being in the right of way and wondered if anyone was checking on the problem. City Manager Bueche stated that it is being monitored.

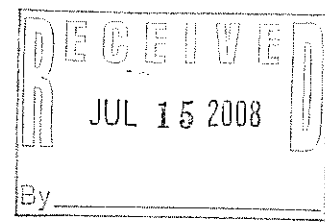
**ADJOURNMENT:**

There being no objection, Mayor Abrams declared the meeting adjourned at 9:17p.m.

Richard Abrams, Mayor

Juanita Aguilar, City Clerk

DATE: JULY 21, 2008  
TIME: 7:00 PM  
LOCATION: STATION 2  
SUBJECT: SWARTZ CREEK AREA FIREBOARD AGENDA



- I. CALL TO ORDER
  - A. PLEDGE OF ALLEGIANCE
  - B. ROLL CALL
  - C. ADDITIONS/CHANGES/DELETIONS AND AGENDA APPROVAL:
  - D. SPECIAL PRESENTATIONS/ANNOUNCEMENTS:
    - 1. Roy, Noye and Associates Audit Report (Unable to attend June meeting due to prior commitments. Each Fireboard member was provided a copy of the audit with the May packet.)
    - 2. Rachel Carter, Invisible Fence Brand EMI, presentation of two (2) Pet Oxygen Recovery kits for stations 1 & 2.
  
- II. APPROVAL OF MINUTES
  - A. JUNE 16, 2008 MEETING:
  
- III. CORRESPONDENCE:
  - A. JUNE INCIDENT SUMMARY REPORT:
  
- IV. PROFESSIONAL SERVICE REPORTS:
  - A. JUNE FINANCIAL REPORT:
  - B. JUNE BILLS LIST:
  
- V. COMMITTEE REPORTS:
  - A. BY-LAWS COMMITTEE - Chairman Mike Messer, Boots Abrams, Richard Derby, Bill Cavanaugh and Brent Cole:
    - 1. Attached is a new policy table of contents and number 120. Copies of the table of contents and document were sent to City Manager Bueche and Supervisor Shumaker July 14, 2008.
  
  - B. MIOSHA, FIREFIGHTER RIGHT TO KNOW (RTK) COMMITTEE: (Chairman Michael Messer, Richard Derby, Rick Clolinger and Brent Cole)
    - 1. HEALTH AND SAFETY SUBCOMMITTEE: Chairman Michael Messer (Members Chief Cole, Assistant Chief Merriam, Captain Tabit, Lieut. Jones & FF VanArsdale)
  
  - C. FIRE CHIEF PERFORMANCE EVALUATION FORM: (Chairman Ray Thornton, Richard Derby and Boots Abrams)
  
- VI. OLD BUSINESS:
  - A. APPARATUS UPDATE from Battalion Chief Jack King-
    - 1. Monthly apparatus status report attached

B. SCBA VENDOR DEMONSTRATION:

Attached is the bid specification for Fireboard approval. Date determination:

C.

VII. NEW BUSINESS:

A. NEW MEMBERS FOR PLACEMENT ON PROBATION: none

B. MEMBERS ELIGIBLE TO COME OFF PROBATION: none

C. MEMBERS RESIGNING/TERMINATING:

1. Firefighter Donald Adams, originally rehired on November 11, 2002, pursuant to the Swartz Creek Area Fire Department By Laws, section L, under Requirements for Membership, has voluntarily resigned. Attached are four (4) letters of correspondence since May 1, 2008.

**Chief Cole recommends accepting Donald Adams voluntary resignation, pursuant to By Laws section L, under Requirements for Membership effective July 3, 2008.**

D. MEMBERS ELIGIBLE FOR REINSTATEMENT: none

E. EXTRICATION EQUIPMENT ANNUAL MAINTENANCE: Attached is a quote from West Shore Fire in the amount of \$1,242.20. All of the SCAFD extrication equipment is Amkus brand, that can only be serviced by the authorized vendor for this area, that being West Shore Fire. To insure proper functionality, a yearly maintenance is recommended and budgeted for annually. The amount budgeted for 2008 was \$1,200.00. The amount quoted does not include those repair parts needed as applicable.

**Chief Cole requests permission to proceed with the annual extrication equipment maintenance through West Shore Fire in the amount of \$1,242.00, plus repair parts, if applicable, after an analysis by the Fire Chief.**

F.

G.

VIII. GENERAL INFORMATION:

A. MUNICIPAL BILLINGS for June.

B. The flower fund balance is currently \$10.00.

C. SCAFD organizational chart effective July 21, 2008

D.

E.

IX. OPEN TO THE PUBLIC:

X. COMMENTS OF FIRE DEPARTMENT PERSONNEL (THROUGH THE CHIEF AND/OR HIS DESIGNATE:

XI. CHAIN OF COMMAND APPEAL TO THE FIREBOARD:

XII. COMMENTS FROM FIREBOARD MEMBERS:

XIII. MEETING ADJOURNMENT:

# REGULAR MEETING

JUNE 16, 2008

## SWARTZ CREEK AREA FIRE DEPARTMENT

The regular scheduled meeting of the Swartz Creek Area Fire Board was held at Station #1, June 16, 2008. Chairman, Jason Christie, called the meeting to order at 7:00p.m.

### I. CALL TO ORDER:

- A. PLEDGE OF ALLEGIANCE
- B. ROLL CALL

### Board Members Present:

- Chairman, Jason Christie
- Vice Chairman, Mike Messer
- Secretary/Treasurer, Boots Abrams
- Clayton Representative, Richard Derby
- City Representative, Ray Thornton
- City Representative, Rick Clolinger

### Board Members Absent:

- Clayton Representative, Rod Shumaker

### Staff Present:

- Fire Chief, Brent Cole
- Acct./Clerical, Kim Borse
- Asst. Chief, Eric Merriam
- Attorney, Bill Cavanaugh

### Staff Absent:

### Others Present:

- Jack King, Batt. Chief
- Bob Plumb, Firefighter
- Karen Merriam, Firefighter
- Dave Plumb, Captain
- Joe Yambrick, Firefighter
- Dave Jones, Lieutenant
- Jerrud Howard, City of Swartz Creek
- Katie Merriam, Clayton Twp
- Mark Merriam, Clayton Twp
- Greg Baker, Clayton Twp
- Rich Castano, City of Swartz Creek

### C. AGENDA: ADDITIONS/CHANGES/DELETIONS/APPROVAL:

- **Resolution 061608-01**  
Motion by Mike Messer  
Second by Rick Derby

The SCAFD Board does hereby approve the additions of VII.A.6&7 New Members for Placement on Probation to the agenda and approve the agenda as amended.

YES: Abrams, Clolinger, Derby, Messer, Thornton, Christie  
NO: None Motion declared carried

### D. SPECIAL PRESENTATIONS: NONE

### II. APPROVAL OF MINUTES

#### A. MARCH 17, 2008 BOARD MEETING

- **Resolution 061608-02**  
Motion by Boots Abrams  
Second by Ray Thornton

The SCAFD Board does hereby approve the minutes of the March 17, 2008 board meeting, as presented.

YES: Abrams, Clolinger, Derby, Messer, Thornton, Christie  
NO: None Motion declared carried

#### B. APRIL 21, 2008 BOARD MEETING

- **Resolution 061608-03**  
Motion by Rick Derby  
Second by Boots Abrams

The SCAFD Board does hereby approve the minutes of the April 21, 2008 board meeting, as presented.

YES: Abrams, Clolinger, Derby, Messer, Thornton, Christie  
NO: None Motion declared carried

III. CORRESPONDENCE:

A. APRIL INCIDENT SUMMARY REPORT:

- Resolution 061608-04

Motion by Mike Messer

Second by Ray Thornton

The SCAFD Board does hereby accept the April 2008 Incident Summary, as presented

YES: Abrams, Clolinger, Derby, Messer, Thornton, Christie

NO: None Motion declared carried

B. APRIL INCIDENT SUMMARY REPORT:

- Resolution 061608-05

Motion by Rick Derby

Second by Mike Messer

The SCAFD Board does hereby accept the May 2008 Incident Summary, as presented

YES: Abrams, Clolinger, Derby, Messer, Thornton, Christie

NO: None Motion declared carried

IV. PROFESSIONAL SERVICE REPORTS:

A. APRIL FINANCIAL STATEMENT:

- Resolution 061608-06

Motion by Boots Abrams

Second by Rick Derby

The SCAFD Board does hereby approve the April 2008 financial statement, as presented

YES: Abrams, Clolinger, Derby, Messer, Thornton, Christie

NO: None Motion declared carried

B. MAY FINANCIAL STATEMENT:

- Resolution 061608-07

Motion by Rick Derby

Second by Mike Messer

The SCAFD Board does hereby approve the May 2008 financial statement, as presented

YES: Abrams, Clolinger, Derby, Messer, Thornton, Christie

NO: None Motion declared carried

C. APRIL BILLS LIST:

- Resolution 061608-08

Motion by Rick Derby

Second by Boots Abrams

The SCAFD Board does hereby approve the April 2008 bills list, as presented.

YES: Abrams, Clolinger, Derby, Messer, Thornton, Christie

NO: None Motion declared carried

D. MAY BILLS LIST:

- Resolution 061608-09

Motion by Ray Thornton

Second by Mike Messer

The SCAFD Board does hereby approve the May 2008 bills list, as presented.

YES: Abrams, Clolinger, Derby, Messer, Thornton, Christie

NO: None Motion declared carried

V. COMMITTEE REPORTS:

A. BY-LAWS COMMITTEE MEETING:

- Resolution 061608-10

Motion by Mike Messer

Second by Boots Abrams

The SCAFD Board does hereby approve the purchasing policy with additions of the Exception to the purchase policy part 4 and the wording change to Acceptance of proposed bids part C.

- Resolution 061608-11

Motion by Mike Messer

Second by Rick Clolinger

The SCAFD Board does hereby adopt the purchasing policy as a policy of the SCAFB and direct the Chief to forward it to the municipalities

YES: Abrams, Clolinger, Derby, Messer, Thornton, Christie

NO: None Motion declared carried

YES: Abrams, Clolinger, Derby, Messer, Thornton, Christie

NO: None Motion declared carried



- B. MIOSHA, RIGHT TO KNOW COMMITTEE: NONE
  - 1. HEALTH & SAFETY SUBCOMMITTEE: NONE

**VI. OLD BUSINESS**

**A. APPARATUS UPDATE:**

- 1. Monthly report from Batt. Chief King
- 2. SCBA FEMA grant status:
  - **Resolution 061608-12**

Motion by Mike Messer  
 Second by Ray Thornton

The SCAFD Board does hereby direct the Chief to schedule the 3 vendors to present their bids and demonstrate their SCBA equipment at a special fire board meeting where no other business will be discussed.

YES: Abrams, Clolinger, Derby, Messer, Thornton, Christie  
 NO: None Motion declared carried

Atty Cavanaugh advised the specifications for the SCBA need to be approved by the Fire Board before the Chief sends out bid packets. B. Abrams requested the Chief to bring the specifications to the July meeting for approval.

**VII. NEW BUSINESS**

**A. NEW MEMBER(S) TO BE PLACED ON PROBATION: R. Castano Jr, K. Bacon, S. Webster, J. Howard, G. Baker, J. Bowers, M. Merriam**

- **Resolution 061608-13**  
 Motion by Mike Messer  
 Second by Rick Clolinger

The SCAFD Board does hereby place Rich Castano Jr, Kevin Bacon, Steve Webster, Jerrud Howard, Greg Baker, James Bowers, and Mark Merriam on twelve months probation with the SCAFD.

YES: Abrams, Clolinger, Derby, Messer, Thornton, Christie  
 NO: None Motion declared carried

**B. MEMBER TO COME OFF PROBATION: NONE**

**C. MEMBERS RESIGNING/TERMINATING: D. Montgomery, A. Simpson**

- **Resolution 061608-14**  
 Motion by Mike Messer  
 Second by Boots Abrams

The SCAFD Board does hereby accept the resignation of Doug Montgomery effective April 30, 2008.

YES: Abrams, Clolinger, Derby, Messer, Thornton, Christie  
 NO: None Motion declared carried

- **Resolution 061608-15**  
 Motion by Mike Messer  
 Second by Ray Thornton

The SCAFD Board does hereby accept the resignation of Anthony Simpson effective May 22, 2008.

YES: Abrams, Clolinger, Derby, Messer, Thornton, Christie  
 NO: None Motion declared carried

**D. MEMBERS ELIGIBLE FOR REINSTATEMENT: None**

**E. ANNUAL PUMP MAINTENANCE AND TESTING:**

- **Resolution 061608-16**  
 Motion by Boots Abrams  
 Second by Mike Messer

The SCAFD Board does hereby approve a once a year maintenance and pump test schedule with Front Line Services in the amount of \$1676.00, plus amounts associated with repairs.

YES: Abrams, Clolinger, Derby, Messer, Thornton, Christie  
 NO: None Motion declared carried

**F. HUNDRED CLUB OF FLINT GRANT APPROVAL:**

- **Resolution 061608-17**  
 Motion by Ray Thornton  
 Second by Mike Messer

The SCAFD Board does hereby accept the Hundred Club of Flint Grant and approves the purchase of 6 Paul Conway helmets from Douglass Safety in the amount of \$852.00, plus shipping.

YES: Abrams, Clolinger, Derby, Messer, Thornton, Christie  
 NO: None Motion declared carried

**G. FIRE CHIEF PERFORMANCE DISCUSSION: Progress reported on by Chairman, Ray Thornton**

**VIII. GENERAL INFORMATION**

- A. MUNICIPAL BILLINGS
- B. FLOWER FUND IS CURRENTLY \$10.00
- C. SCAFD ORGANIZATIONAL CHART

**IX. OPEN TO THE PUBLIC:**

**X. COMMENTS OF FIRE DEPARTMENT PERSONNEL, THROUGH THE CHIEF: NONE**

**XI. CHAIN OF COMMAND APPEAL TO THE FIRE BOARD: NONE**

**XII. COMMENTS OF THE FIREBOARD:**

Thornton: Impressed at all the new firefighters, very pleased they are joining  
Abrams: Thank you to new FFs for joining  
Messer: Welcome to new FFs  
Derby: Welcome to new FFs and thanks for willingness to serve  
Clolinger: Welcome to new FFs  
Christie: Welcome to new FFs

**XIII. ADJOURNMENT OF MEETING:**

Meeting adjourned at 8:35 p.m.

The next regular meeting will be 07/21/2008 at Station 2 at 7:00 pm

*JASON CHRISTIE  
CHAIRMAN  
SWARTZ CREEK AREA FIRE BOARD*

*KIM BORSE  
ACCOUNTING/CLERICAL SPECIALIST  
SWARTZ CREEK AREA FIRE DEPT.*

SWARTZ CREEK AREA FIRE DEPT, SWARTZ CREEK MICHIGAN 48473

Incident Log for 06/01/2008 through 06/30/2008

Printed: 07/14/2008

Inc. No. - Exp. Date	Disp. Time	Sta. Incident Type	No. Resp Prop. Loss	Disp. to Enrte. Min.	Resp. Min. Cont. Loss	Total Hr:Min:Sec
Location		Owner Name		Officer in Charge		
0000078-000 06/01/2008 4525 Raubinger RD	11:46	1 445 Arcing Wires (Down power lines)	15 \$ 0	0.00	8.00 \$ 0	0:33:00
				KING, JACK L - BATT CHIEF		
0000079-000 06/01/2008 7080 Calkins RD MR Richard Baumgart	17:00	2 151 Trash fire; demo of trailer	13 \$ 0	0.00	6.00 \$ 0	0:25:00
		MR Richard Baumgart		COLE, BRENT D - CHIEF		
0000080-000 06/06/2008 7255 MILLER RD MR Robert Bensch	16:19	1 440 Refrig plug smoking; no fire	16 \$ 500	7.00	9.00 \$ 1,000	0:33:00
		MR Robert Bensch		KING, JACK L - BATT CHIEF		
0000081-000 06/06/2008 9109 Chelmsford DR MR Brent Sands	17:23	1 444 Power line down	16 \$ 0	6.00	9.00 \$ 0	0:59:00
				KING, JACK L - BATT CHIEF		
0000082-000 06/06/2008 8100 Civic DR	18:53	12 815 Tornado watch stand by	4 \$ 0	0.00	0.00 \$ 0	0:54:00
				KING, JACK L - BATT CHIEF		
0000083-000 06/08/2008 8114 Lennon RD MR Jonathan H Betakas	10:55	2 744 Detector activation, no fire -	12 \$ 0	0.00	6.00 \$ 0	0:17:00
		MR Jonathan H Betakas		KING, JACK L - BATT CHIEF		
0000084-000 06/08/2008 8100 Civic DR	16:26	12 815 Tornado warning	20 \$ 0	0.00	4.00 \$ 0	0:55:00
0000085-000 06/08/2008 4534 Raubinger RD	17:21	1 444 Power line down	18 \$ 0	5.00	7.00 \$ 0	0:54:00
				KING, JACK L - BATT CHIEF		
0000086-000 06/08/2008 2258 N Duffield RD MS Lawanda Coopeer	18:33	2 111 Building fire	25 \$ 50,000	0.00	12.00 \$ 50,000	2:47:00
		MS Jennifer Atwell		MERRIAM, ERIC M - ASSISTANT		
0000087-000 06/10/2008 8169 Miller RD	08:55	1 444 Power line down	11 \$ 0	0.00	9.00 \$ 0	0:25:00
				KING, JACK L - BATT CHIEF		
0000088-000 06/11/2008 8365 Beers RD	03:23	12 111 AMA to Gaines Twp; structure	20 \$ 0	0.00	15.00 \$ 0	3:07:00
0000089-000 06/14/2008 1189 Nanbru LN	18:44	12 111 Mutual aid to Flint Twp	13 \$ 0	0.00	19.00 \$ 0	1:31:00
0000090-000 06/15/2008 1139 N McKinley RD MRS Alisa Waitman	14:17	2 143 Grass fire-result of burned	11 \$ 0	0.00	9.00 \$ 0	0:30:00
		MRS Alisa Waitman		KING, JACK L - BATT CHIEF		

Incident Log for 06/01/2008 through 06/30/2008

Inc. No. - Exp. Date	Disp. Time	Sta. Incident Type	No. Resp Prop. Loss	Disp. to Enrte. Min.	Resp. Min. Cont. Loss	Total Hr:Min:Sec		
Location		Owner Name		Officer in Charge				
0000091-000 06/19/2008 16:32		1 445 Arcing, shorted electrical	18	0.00	8.00	0:28:00		
Adjacent to 7445 Wade ST			\$ 0		\$ 0			
				KING, JACK L - BATT CHIEF				
0000092-000 06/22/2008 06:40		1 444 Power line down	16	7.00	8.00	0:34:00		
In front of 5020 Second			\$ 0		\$ 0			
				KING, JACK L - BATT CHIEF				
0000093-000 06/23/2008 12:29		2 444 Cable3 line down; mistaken for	13	0.00	11.00	0:23:00		
In front of 8122 Beecher RD			\$ 0		\$ 0			
MS Rozanne Inman				MERRIAM, ERIC M - ASSISTANT				
0000094-000 06/23/2008 21:58		2 561 Unauthorized burning	25	0.00	6.00	0:24:00		
2458 Plainview DR			\$ 0		\$ 0			
MR brain bowden		MR brain bowden		Jones, David A - LIEUTENANT				
0000095-000 06/27/2008 14:21		12 251 Excessive heat, scorch burns with	13	0.00	7.00	0:28:00		
4494 S Morrish RD			\$ 0		\$ 0			
Joyce Seaton-Lotter (Manager)				KING, JACK L - BATT CHIEF				
0000096-000 06/28/2008 05:34		2 445 Transformer arc, power outage	18	0.00	3.00	0:14:00		
Adjacent to 1358 Houston DR			\$ 0		\$ 0			
				COLE, BRENT D - CHIEF				
0000097-000 06/30/2008 20:05		1 745 Alarm system activation, false	13	0.00	9.00	0:24:00		
9061 Lennon RD			\$ 0		\$ 0			
Fritz Henke		Fritz Henke		KING, JACK L - BATT CHIEF				
0000098-000 06/30/2008 23:05		2 622 No incident found on arrival at	18	0.00	6.00	0:25:00		
Calkins and Calkins and Elms			\$ 0		\$ 0			
MR John J Hallwood				MERRIAM, ERIC M - ASSISTANT				
Incidents by Shift Including Exposures								
No. Resp.	Total Hr:Min	Prop. Loss	Cont. Loss	0	1	2	3	4
Totals: 328	17:10:00	\$ 50,500	\$ 51,000	0	6	12	3	0

The total number of incidents, including exposure fires is 21.

The number of exposure fires is 0.

SWARTZ CREEK AREA FIRE DEPARTMENT  
Income/Expense Report  
For the Six Months Ending June 30, 2008

	Description	Current Mth	Y-T-D	Budget	Remain.Budget	% Budget
<b>Revenues</b>						
3582	OPERATING CONTRIBU	6,764.79	120,835.89	252,350.00	131,514.11	(0.48)
3583	EQUIPMENT CONTRIBU	0.00	22,675.00	45,350.00	22,675.00	(0.50)
3628	MISC. INCOME (SUNDR	5.00	17.00	0.00	(17.00)	0.00
3664	INVESTMENT INCOME	0.38	76.79	300.00	223.21	(0.26)
3673	SALE OF FIXED ASSETS	0.00	0.00	0.00	0.00	0.00
	<b>Total Revenues</b>	<b>6,770.17</b>	<b>143,604.68</b>	<b>298,000.00</b>	<b>154,395.32</b>	<b>(0.48)</b>
<b>Expenses</b>						
4703	SOCIAL SECURITY	944.81	5,751.15	12,000.00	6,248.85	0.48
4704	STAFF SALARIES	3,219.93	19,592.62	45,000.00	25,407.38	0.44
4705	MAIN/TRAIN-SALARIES	1,115.79	5,033.35	14,100.00	9,066.65	0.36
4706	OFFICER SALARIES	1,250.00	6,250.00	15,000.00	8,750.00	0.42
4707	FIREFIGHTERS SALARY	6,764.84	31,746.61	74,000.00	42,253.39	0.43
4708	DEFERRED COMPENSA	311.50	1,243.50	3,450.00	2,206.50	0.36
4709	MEDICAL-FIREFIGHTER	0.00	4,484.00	6,650.00	2,166.00	0.67
4727	OFFICE SUPPLIES	24.53	460.92	2,900.00	2,439.08	0.16
4728	BUILDING SUPPLIES	0.00	173.36	900.00	726.64	0.19
4740	OPERATING SUPPLIES	0.00	0.00	0.00	0.00	0.00
4741	EQUIPMENT SUPPLIES	459.25	2,702.75	9,500.00	6,797.25	0.28
4801	CONTRACT SERVICES	95.00	4,562.42	8,000.00	3,437.58	0.57
4820	80th Anniversary	0.00	0.00	0.00	0.00	0.00
4850	COMMUNICATIONS	287.83	1,485.93	4,650.00	3,164.07	0.32
4910	INSURANCE	0.00	25,720.00	29,900.00	4,180.00	0.86
4920	UTILITIES	1,146.45	7,828.26	16,000.00	8,171.74	0.49
4960	EDUCATION & TRAININ	304.41	3,681.75	11,200.00	7,518.25	0.33
4970	OFFICE EQUIPMENT	0.00	0.00	240.00	240.00	0.00
4976	FIRE EQUIPMENT	30.00	220.00	15,060.00	14,840.00	0.01
4978	FIRE EQUIP.-MAINT/REP	243.25	4,090.39	17,725.00	13,634.61	0.23
4979	FIRE EQUIPMENT-UPGR	0.00	0.00	10,275.00	10,275.00	0.00
4981	APPARATUS	0.00	0.00	0.00	0.00	0.00
4982	Loose Equip. New Apparatu	0.00	0.00	0.00	0.00	0.00
4983	Misc. Upgrades	0.00	0.00	0.00	0.00	0.00
4984	COMPUTER EQUIPMEN	68.00	73.99	900.00	826.01	0.08
4988	COMPUTER SOFTWARE/	0.00	300.00	550.00	250.00	0.55
4999	RESERVE	0.00	0.00	0.00	0.00	0.00
	<b>Total Expenses</b>	<b>16,265.59</b>	<b>125,401.00</b>	<b>298,000.00</b>	<b>172,599.00</b>	<b>0.42</b>
	Net Income/<Loss>	(9,495.42)	18,203.68	0.00		
3400	FUND BALANCE-Beginni	0.00	11,272.98	0.00		
	Fund Balance-End of Year	(9,495.42)	29,476.66	0.00		

**SWARTZ CREEK AREA FIRE DEPARTMENT  
BILLS PAID LIST**

					30-Jun-08
DATE:	CHECKS	PAYEE:	AMT	ACCT	TRANSACTION DESCRIPTION
6/2/2008	14721	CITY OF SWARTZ CREEK	\$780.61	4920	GAS/ELE & SEWER
6/2/2008	14722	CLAYTON TWP	\$28.06	4920	SEWER-STA 2 04/08
6/2/2008	14723	HALT FIRE	\$193.14	4741	ANODE, GALVOROD
			\$6.80	4727	SHIPPING
6/2/2008	14724	ICMA	\$69.42	22023	DF COMP EE PORTION
6/2/2008	14725	LION APPAREL	\$243.25	4978	TURN OUT GEAR REPAIR
			\$56.86	4727	SHIPPING
6/2/2008	14726	TRUDY ONORE	\$45.00	4801	CLEAN STA 2
6/2/2008	14727	CAREY ONORE	\$50.00	4801	CLEAN STA 1
6/2/2008	14728	PAYROLL	\$1,051.76	1002	PAYROLL-STAFF
6/2/2008	14729	RDJ SPECIALTIES	\$270.00	4960	FIRE PREVENTION MATERIALS
			\$23.85	4727	SHIPPING
6/2/2008	14730	VERIZON	\$275.83	4850	PHONE STA 1 & 2
6/9/2008	14731	CHASE BANK	\$2,827.21	22021	05/08 SOC SEC
6/9/2008	14732	CONSUMERS ENERGY	\$337.78	4920	GAS/ELE-STA 2 05/08
6/9/2008	14733	SCAFA	\$429.00	22024	ASSOC DUES
			\$66.00	22025	ASSOC PAGERS
6/9/2008	14734	FRIEND OF THE COURT	\$47.64	22026	FRIEND OF THE COURT
6/9/2008	14735	GILL ROYS	\$11.96	4741	MISC EQUIPMENT SUPPLIES
6/9/2008	14736	ICMA	\$440.51	22023	DF COMP EE PORTION
		(INTERNTL CITY/COUNTY MGT ASSOC.)	\$311.50	4708	DF COMP ER PORTION
6/9/2008	14737	PAYROLL	\$6,805.76	1002	PAYROLL-FF & STAFF
6/9/2008	14738	STATE OF MICHIGAN	408.47	22022	05/08 STATE TAX
6/9/2008	14739	SUBURBAN AUTO	\$66.47	4741	PORTA TANK PATCHES, LIGHT, SWITCH
6/9/2008	14740	VALLEY PETROLEUM	\$187.68	4741	FUEL
6/16/2008	14741	ICMA	\$69.42	22023	DF COMP EE PORTION
6/16/2008	14742	PAYROLL	\$1,078.93	1002	PAYROLL-STAFF
6/16/2008	14743	SCAFA	\$12.00	4850	CHIEFS' PAGERS
6/16/2008	14744	VISA	\$34.41	4960	PICTURES/REHAB SUPPLIES
			\$30.00	4976	BOOTS
			\$31.93	4727	SHIPPING
			\$68.00	4984	BATTERY BACKUP
			(\$2,827.21)	22021	05/08 SOC SEC
			(\$408.47)	22022	05/08 STATE TAX
			\$2,829.16	22021	06/08 SOC SEC PAYABLE
			\$407.77	22022	06/08 STATE TAX PAYABLE
		OFFICEMAX	(\$84.11)	4727	CREDIT
		BRENT COLE	(\$10.80)	4727	SHIPPING REIMBURSEMENT
		TOTAL	\$16,265.59		

VOID CHECKS:

AS OF: July 14, 2008  
TO: Swartz Creek Area Fireboard  
RECORDED BY: Fire Chief Brent Cole  
SUBJECT: Current Apparatus Readiness Status

Unit	Type	Assignment	Status
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11	98 Pumper	Station 1	In service.
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12	91 Pumper	Station 2	<b>Out of service.</b>
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**June 25:** Contacted Precision Fleet for progress report. Unit is currently at CSI Emergency in Grayling. They had a difficult time getting all the parts needed from Pierce because of the age. Most are here so they are hoping will be ready for return by next week.

Called CSI. They advised the whole pump assembly, due to damage, was replaced. The housing seems to be OK, but won't know until it's pump tested. Connections to the tank were also replaced. They will pump test it and provide a test certificate to us. They hope things will come together this week some time for return to Precision Fleet for body work completion.

**July 3:** Received call from Precision Fleet indicating CSI did an evaluation on the valves and to repair them would cost an additional \$3,467.39 not covered by insurance. I indicated that I was leery about having a quote to replace valve parts being that high. I asked Precision to contact CSI to determine if the pump could pass certification testing without the valves being repaired. A fax was received from Precision Fleet, which in turn was scanned and sent to Chairman Christie for analysis.

16	91 Squad	Station 1	In service.
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**June 25:** Battalion Chief King took the unit to Precision Auto Repair as one of batteries, replaced 1 ½ years ago was not providing sufficient amperage out put. The battery was replaced under warranty.

17	79 Grass Rig	Station 1	In service.
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**July 14:** BC King indicated a leak has been discovered in the plumbing. Further investigation pending.

21	99 Pumper	Station 2	In service.
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23	92 Tanker	Station 2	In service.
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26	93 Squad	Station 2	In service.
----	----------	-----------	-------------

27	79 Grass Rig	Station 2	In service.
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**June 24:** Assistant Chief Merriam advised that the front end started shaking during alarm #94. Permission given to take the unit in for a front end analysis to determine why it shakes, but not on a constant basis.

**June 25:** Unit taken to Mr. Front End for an evaluation. Front tires balanced.



Swartz Creek Area Fire Department (SCAFD) Self Contained Breathing Apparatus (SCBA) amount request statement

Information for consideration of your demonstration and the providing of costs is:

1. to provide a base line amount for our municipalities to determine how much they will be required to allocate for funding, in the event our FEMA grant application is denied,
2. to compare brands of SCBA to determine the most cost effective product while at the same time insuring the unit is the safest product for our firefighters,
3. to provide an un-bias specification that makes as equal a comparison between SCBA as possible.
4. be aware that the SCAFD currently has Avon ISI SCBA. Part of the ownership includes the Bio-Systems PosiCheck SCBA testing software and hardware. In addition, the SCAFD has 2 ISI rapid intervention team (RIT) bags with 4,500 PSI 60 SCBA bottles.
5. a FEMA grant has been submitted. The number of personnel, since that time, has increased that requires additional face masks to be purchased. Since FEMA doesn't allow for spare face masks, in case of malfunction, the number of face masks listed as your cost will include these extras.
6. not all brands of SCBA are designed identically. Therefore, two (2) separate amounts will be provided, to insure as fair a comparison between manufacturers as possible.

### Specifications and Requirements

SCBA:

1. All SCBA shall be NFPA September 2007 (or most current version) 1981 and 1982 compliant.
2. Air bottles shall be carbon fiber 2216 psi 30 minute type.
3. All units shall be equipped with voice amplification hardware.
4. Two (2) separate amounts will be provided with the first associated with the regulator remaining as part of the air pack harness, the second with the regulator remaining as part of the face mask.
  - A. For the regulator to remain attached to the air park harness.
  - B. For the regulator to remain with the face mask, each air pack will have a corresponding quick disconnect coupling for attachment.
5. Provide any documentation or studies indicating, one way or another, the potential for transmitting, between individuals, any contaminant when sharing the air pack regulator when circumstances do not permit cleaning of the unit before or during emergency operations.
6. The weight of your complete SCBA shall be provided.
7. The types and numbers of batteries required to operate your SCBA, along with a demonstration on how to replace them is required.
8. All SCBA units shall have a "buddy breather" system, which shall be demonstrated.
9. A demonstration of the method by which the SCBA unit should be cleaned and dried (especially the face mask) is required. The recommended type of cleaning solution

shall be provided.

10. If special cleaning solution is required, your cost amount will include the amounts in various quantities.
11. Your cost amount shall be for twenty six (26) SCBA air packs, Twenty six (26) spare air bottles and fifty (50) total face masks. Separate complete cost amounts will be provided for air packs, spare bottles and face mask configurations that indicate the regulator stays attached to the air pack in one cost amount and the one that indicates the regulator remains with the face mask with quick disconnect from the air pack.

Training and Etc.:

1. The SCAFD provides maintenance and re-certification for all SCBA. To continue this process, four (4) SCAFD personnel shall be trained by your company. If applicable, list all costs that would NOT be paid for by your company or the manufacturer, that would be financially born by the SCAFD. Included in your cost, indicate the location our personnel would have to travel to for this training, any specific date restrictions and the length of time the training will take.
2. The SCAFD owns the Bio-Systems PosiCheck SCBA testing hardware. Provide the cost of the software upgrade, if applicable, for your brand of SCBA. If no upgrade is required, indicate that.
3. Currently, the SCAFD owns ISI SCBA air packs and face masks. Indicate the amount your company would pay the SCAFD for trade in of this equipment. If your company does not take ISI trade ins, indicate such.
4. Currently the SCAFD owns two (2) ISI RIT 4,500 psi, 60 minute, carbon fiber bags. Provide a cost amount to convert these RIT bags so they are compliant with your brand of SCBA. If your company can not upgrade our current RIT bags, indicate such and prove costs for like RIT bags by your company.

Disclaimer:

1. This request for your company to provide cost amounts does not constitute an intent to purchase. The intent of this request is to provide costs to the Charter Township of Clayton and the City of Swartz Creek, that will enable them to formulate a financial plan to provide the funding for our SCBA related needs.
2. Each cost amount presented shall be sealed, addressed to the SCAFD and on the outside of the envelope be marked either:
  - A. SCBA with air pack regulator or
  - B. SCBA with face mask regulator.
3. A mandatory vendor attendance special meeting of the Swartz Creek Area Fireboard will be held on \_\_\_\_\_, 2008 for each of manufacturers to demonstrate their SCBA and present their cost amounts. If a vendor does not attend this meeting, they will not be considered for this particular consideration of SCBA products.

# WEST SHORE FIRE



6620 Lake Michigan Drive  
 P.O. Box 188  
 Allendale, MI 49401  
 (616)895-1347

WHERE SALES SERVICE COME TOGETHER

West Shore Fire Inc.  
 6620 Lake Michigan Dr.  
 PO Box 188  
 Allendale MI 49401  
 Phone: 616-895-4347  
 Watts: 800-632-6184  
 Fax: 616-895-7158

[www.westshorefire.com](http://www.westshorefire.com)

ROB SHEPARD  
 EXT# 126 262-0640  
[rshepard@westshorefire.com](mailto:rshepard@westshorefire.com)

## QUOTATION

\*\*\*\*\*

Bill to	SWARTZ CREEK FIRE DEPT	PO #	
Address	8100-B CIVIC DR. SWARTZ CREEK, MI 48473-1590	Ship Via	Best Way
		F.O.B.	+ Freight
		Taxable no	
Shipping Address		Date	7/8/2008
Phone #	1-810-635-2300		
Fax #			

price valid unti 45 DAYS

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL PRICE
1	POWER UNIT SERVICE	\$250.00	\$250.00
4	SPREADER/CUTTER SERVICE (EACH)	\$75.00	\$300.00
1	COMBI TOOLS	\$75.00	\$75.00
2	RAMS (EACH)	\$25.00	\$50.00
6	AMKUS OIL 2 GALLONS PER POWER UNIT	\$28.20	\$169.20
2	FOLLOW UP POWER UNIT SERVICE	\$200.00	\$400.00
	LABOR COST FOR ADDITIONAL REPAIRS		\$ 72.00 HOUR
		MILEAGE	.85 MILE

TOTAL \$1,242.20

- \*gaskets and o-rings are not included in prices above
- \*labor assesed for repairs beyond normal service
- \*each power unit beyond first is reduced to \$200.00
- \*mileage is divide by number of jobs in your area

Please feel free to call if you have any further questions.  
 Hope you have a wonderful day!  
 Rob

SWARTZ CREEK AREA FIRE DEPARTMENT  
 8100 B CIVIC DRIVE  
 SWARTZ CREEK, MI 48473

Voice: 810/835-2300  
 Fax: 810/835-7481

# INVOICE

Invoice Number: 2008-018  
 Invoice Date: Jul 14, 2008  
 Page: 1  
 Duplicate

CITY OF SWARTZ CREEK 8083 CIVIC DRIVE SWARTZ CREEK, MI 48473	
--	--

CITY01	Due at end of Month
Courier	7/31/08

Quantity	Item Description	Unit Price	Total
282.13	FIRE02 FIRE SERVICE 06/08	12.48	3,255.35

Subtotal	3,255.35
Sales Tax	
Total Invoice Amount	3,255.35
Payment/Credit Applied	
<b>TOTAL DUE</b>	<b>3,255.35</b>

Check/Credit Memo No:

SWARTZ CREEK AREA FIRE DEPARTMENT  
 8100 B CIVIC DRIVE  
 SWARTZ CREEK, MI 48473

Voice: 810/835-2300  
 Fax: 810/835-7481

# INVOICE

Invoice Number: 2008-019  
 Invoice Date: Jul 14, 2008  
 Page: 1  
 Duplicate

CLAYTON TOWNSHIP 2011 MORRISH ROAD SWARTZ CREEK, MI 48473
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CLAY01	Due at end of Month
Courier	7/31/08

Quantity	Item Description	Unit Price	Total
337.13	FIRE02 FIRE SERVICE 06/08	12.30	4,145.06

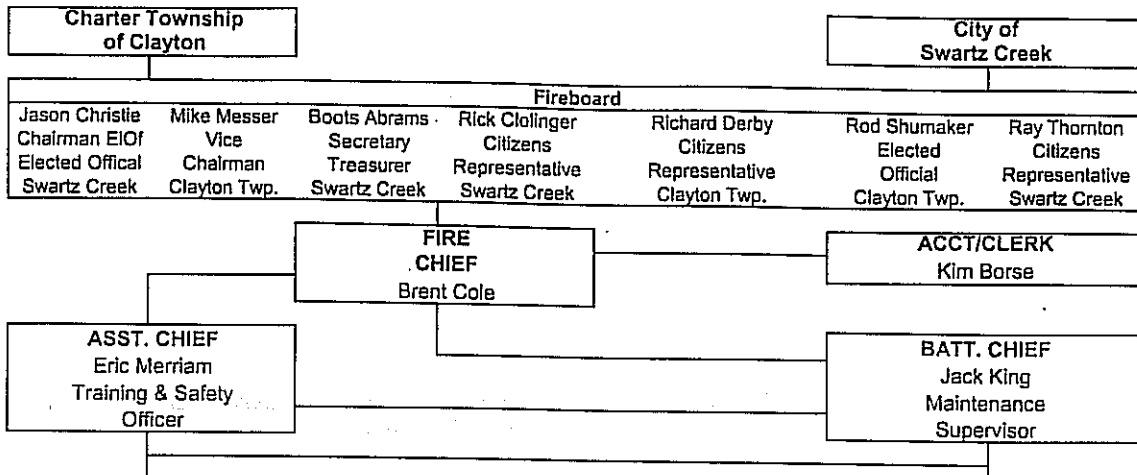
Subtotal	4,145.06
Sales Tax	
Total Invoice Amount	4,145.06
Payment/Credit Applied	
<b>TOTAL DUE</b>	<b>4,145.06</b>

Check/Credit Memo No:

17

# Swartz Creek Area Fire Department

## Organization Chart



STATION 1				STATION 2			
Capt. Steve Tabit - Quarter Master & Coordinator				Capt. Dave Plumb - Asst. Qtrmstr, Coordinator, Run % Monitor			
Lt. Mike Treiger - Fire Prevention & Station 1 Assignments				Lt. Dave Jones - Vehicle Inspections & Station 2 Assignments			
Lt. Brendt Cole - Medical & Rehab Supplies				Lt. Rich Tesner - Uniforms			
	Leave Expires	Dir. Res. Start	Off Prob.		Leave Expires	Dir. Res. Start	Off Prob.
FF Rod Armstrong				FF Greg Baker			06/16/09
FF James Bowers			06/16/09	FF James Barr II			
FF Rick Castano			06/16/09	FF Robert Brandt		06/11/01	
FF Tiffany Forbes				FF Jarrad Brooks		07/16/07	
FF Jerrud Howard			06/16/09	FF Ann Christofferson			
FF Jeffery Jarrad				FF Anthony Davis		01/18/05	
FF Jeffrey Kelley				<del>FF David Derby</del>	8/26/2008		
FF Todd Kimbrue				FF Lori McKerracher		05/31/01	
FF Corey Leisure			04/21/09	FF Tim McKnight			04/21/09
FF Angela Martin				FF Karen Merriam			
FF Scott Martin				FF Mark Merriam			06/16/09
FF Walter Melen				FF Bill Samida			
<del>FF Brian Scott</del>	10/1/2008			FF Steve Webster			06/16/09
FF Todd Sherrill				FF Joe Yambrick			04/21/08
FF Brian Sipes							
FF Ryan Spillane							
FF Kevin VanArsdale		04/15/04					
FF Brian VanWormer			11/01/08				
FF Bryan Wistuba			04/21/09				
FS Joe Edgerton							
FS Bob Plumb							
RO Valerie Dow							
RO Rebecca Tabit							
On personal leave/Medical=		1		On personal leave/Medical=		1	
Suspended=		0		Suspended=		0	
Non-Probationary Total =		12		Non- Probationary =		8	
Probationary Total =		6		Probationary =		5	
Firefighter Subtotal =		19		Firefighter Subtotal =		14	
Radio Operators =		2		Radio Operators =		0	
Support =		2		Support =		0	
Station Personnel Total =		23		Station Personnel Total =		14	

\*Placed on probation June 18, 2007. Extended due to none FD injury accident June 25, 2007

Total Officers =	9
Total Firefighters=	33
Support	2
Radio Operators =	2
Total active =	<u>46</u>

Name in italics = probationary status

Font = Suspension

Font = Leave of absence or sick leave

Firefighters with run direct status= 16 (9 Officers & 6 Firefighters)

Updated: 7/7/2008

Officers =	9
Active non-probationary =	20
Active probationary =	11
Active Radio Operators =	2
Support	2
Suspended=	0
Medical or extended leave =	2
Total dept. force =	<u>46</u>

Opened by:

*M Jo Clark*

*YOW by engineering  
Services*

DATE: *7/1/00*  
TIME: *2:00 pm*  
OPENED AT:

Witness:

*[Signature]*

BID TABULATION SHEET

*City Hall*

NAME AND ADDRESS OF BIDDER

BID AMOUNT

REMARKS

*Hubbell, Roth & Clark, Inc.  
3399 E. Grand River  
Howell, MI 48843*

*Lapham Associates  
515 E. 5th PO Box 33  
Clare MI 48617*

*Gould Engineering  
2040 E. Maple Ave  
Flint, MI 48507*

*Kraft Engineering  
409 W. Seventh St.  
Flint, MI 48502*

*Wilcox Engineering  
5859 Sherman Rd  
Saginaw MI 48604*

*Rowe Engineering  
540 S. Saginaw Ste 200  
Flint MI 48502*

*Trans Environmental Engineers  
5466 N. Geneva Unit B  
Flint MI 48506*

*CHMP  
5198 Territorial Rd  
Grand Blanc, MI 48439*

*FSE Survey Engineering  
5370 Miller Rd Ste 130  
Swartz Creek 48473*



# Qualified Bidding Selection Evaluation: Professional Engineering Services 2008

Evaluator: Adam Ziffel

Date: 03/17/2008

## Disqualification

Evidence of collusion among applicants:  
 Lack of competency, incomplete submittal:  
 Misrepresentation:  
 Fraud or fraudulent statements:

		Firms				
		Hubbell, Roth, & Clark	Lapham & Associates	Gould Engineering		
Yes	<u>No</u>	<del>Yes</del>	<del>No</del>	Yes	<u>No</u>	
Yes	<u>No</u>	<del>Yes</del>	<del>No</del>	Yes	<u>No</u>	
Yes	<u>No</u>	<del>Yes</del>	<del>No</del>	Yes	<u>No</u>	
Yes	<u>No</u>	<del>Yes</del>	<del>No</del>	Yes	<u>No</u>	

Explanation of disqualification:

## Submission Criteria Fulfillment

Letter of transmittal:  
 Firm profile:

<u>Yes</u>	No	<del>Yes</del>	<del>No</del>	<u>Yes</u>	No
<u>Yes</u>	No	<del>Yes</del>	<del>No</del>	<u>Yes</u>	No

Sample Project

Explanation of any missing data:

## Firm Evaluation

Firm experience and qualifications: 20 pts.  
 Project manager: 15 pts.  
 Staff: 15 pts.  
 References, quality assurance: 15 pts.  
 Capacity: 5 pts.  
 Location, accessibility: 20 pts.

<u>16</u>	<del>16</del>	17
<u>15</u>	<del>13</del>	13
<u>15</u>	<del>12</del>	13
<u>15</u>	<del>12</del>	15
<u>5</u>	<del>3</del>	3
<u>17</u>	<del>15</del>	20
<u>85</u>	<del>69</del>	81

## Total Points (Max 90)

Additional comments and/or notes: HRC - dedicated Principle & Assu; stated strong municipal exp.; Strong communication emphasis and exp w/ Gen Co officers; onsite testing lab; Howell; I/I & <sup>Fenton & maximum exp</sup> LA - Close office (Frankomath assignment home office); SOBs max prof liability; No GC exp; small staff  
 GE - GD Imp loc; Private clients abound; GC exp; less exp w/ planning, rec., traffic, etc.; downtown GB  
 Strong on storm water & sewer



# Qualified Bidding Selection Evaluation: Professional Engineering Services 2008

Evaluator: Adam Zaffel

Date: 03/17/2008

## Disqualification

Evidence of collusion among applicants:  
 Lack of competency, incomplete submittal:  
 Misrepresentation:  
 Fraud or fraudulent statements:

	Firms		
	Kraft Engineering	Wilcox Engineering	Rowe Engineering
Yes	<u>No</u>	<del>Yes</del> <u>No</u>	Yes <u>No</u>
Yes	<u>No</u>	<del>Yes</del> <u>No</u>	Yes <u>No</u>
Yes	<u>No</u>	<del>Yes</del> <u>No</u>	Yes <u>No</u>
Yes	<u>No</u>	<del>Yes</del> <u>No</u>	Yes <u>No</u>

Explanation of disqualification:

## Submission Criteria Fulfillment

Letter of transmittal:  
 Firm profile:

<u>Yes</u>	No	<del>Yes</del> <u>No</u>	<u>Yes</u>	No
<u>Yes</u>	No	<del>Yes</del> <u>No</u>	<u>Yes</u>	No

Explanation of any missing data:

## Firm Evaluation

Firm experience and qualifications: 20 pts.  
 Project manager: 15 pts.  
 Staff: 15 pts.  
 References, quality assurance: 15 pts.  
 Capacity: 5 pts.  
 Location, accessibility: 20 pts.

17	<del>15</del>	18
13	<del>15</del>	15
12	<del>15</del>	14
13	<del>15</del>	15
3	<del>5</del>	5
20	<del>19</del>	20
<b>78</b>	<del><b>67</b></del>	<b>87</b>

## Total Points (Max 90)

Additional comments and/or notes: KE - small firm w/ GC exp; private work strong; CIVIC projects are few; sheets 13-17 missing; strong on streets and site review  
WE - 4 copies; S. Warren @ FNT office; CIVIC/municipal focus; well rounded firm  
RE - Low En FNT; 23 yrs exp w/ GC; well rounded firm

# Qualified Bidding Selection Evaluation: Professional Engineering Services 2008

Evaluator: Adam Ziffel Date: 03/17/2008

## Disqualification

Evidence of collusion among applicants:  
 Lack of competency, incomplete submittal:  
 Misrepresentation:  
 Fraud or fraudulent statements:

		Firms					
		Trans Environmental Engineering		CHMP Engineering		Flint Surveying & Engineering	
Yes	<u>No</u>	Yes	<u>No</u>	Yes	<u>No</u>	Yes	<u>No</u>
Yes	<u>No</u>	Yes	<u>No</u>	Yes	<u>No</u>	Yes	<u>No</u>
Yes	<u>No</u>	Yes	<u>No</u>	Yes	<u>No</u>	Yes	<u>No</u>
Yes	<u>No</u>	Yes	<u>No</u>	Yes	<u>No</u>	Yes	<u>No</u>

Explanation of disqualification:

## Submission Criteria Fulfillment

Letter of transmittal:  
 Firm profile:

<u>Yes</u>	No	<u>Yes</u>	No	<u>Yes</u>	No
<u>Yes</u>	No	<u>Yes</u>	No	<u>Yes</u>	No

Explanation of any missing data:

## Firm Evaluation

Firm experience and qualifications: 20 pts.  
 Project manager: 15 pts.  
 Staff: 15 pts.  
 References, quality assurance: 15 pts.  
 Capacity: 5 pts.  
 Location, accessibility: 20 pts.

16	<del>16</del>	17
14	<del>14</del>	15
14	<del>14</del>	13
12	<del>12</del>	11
2	<del>3</del>	2
19	<del>19</del>	20
77	<del>79</del>	78

## Total Points (Max 90)

Additional comments and/or notes: TEB - Private rep us strong; RNT office; GCRC projects; RRA sub-consultant (Minority owned); company staff or consultants?; Most works out of Detroit?  
CHMP - lots of private work; 3 subs; 1 int civil eng; strong Architecture firm; no subs or pg # is prop  
FSE - 35% pub/65% private; km C.; limited staff resources w/ no subs; no committed municipal clients?; SC firm

# Qualified Bidding Selection Evaluation: Professional Engineering Services 2008

Evaluator: Adam Zeffel

Date: ~~03/10/2008~~  
03/16/2008 Firms

## Disqualification

Evidence of collusion among applicants:  
Lack of competency, incomplete submittal:  
Misrepresentation:  
Fraud or fraudulent statements:

	Wade Trim	Spicer	Williams & Works
Yes	<u>No</u>	<del>Yes</del> <u>No</u>	Yes <u>No</u>
Yes	<u>No</u>	<del>Yes</del> <u>No</u>	Yes <u>No</u>
Yes	<u>No</u>	<del>Yes</del> <u>No</u>	Yes <u>No</u>
Yes	<u>No</u>	<del>Yes</del> <u>No</u>	Yes <u>No</u>

Explanation of disqualification:

## Submission Criteria Fulfillment

Letter of transmittal:  
Firm profile:

<u>Yes</u>	No	<u>Yes</u>	<del>No</del>	<u>Yes</u>	No
<u>Yes</u>	No	<u>Yes</u>	<del>No</del>	<u>Yes</u>	No

Explanation of any missing data:

## Firm Evaluation

Firm experience and qualifications: 20 pts.  
Project manager: 15 pts.  
Staff: 15 pts.  
References, quality assurance: 15 pts.  
Capacity: 5 pts.  
Location, accessibility: 20 pts.

19	<del>15</del>	17
14	<del>15</del>	14
14	<del>17</del>	14
15	<del>15</del>	14
5	<del>5</del>	5
20	<del>15</del>	17

## Total Points (Max 90)

87	<del>85</del>	81
----	---------------	----

Additional comments and/or notes: WT - Most impressive submission so far; exemplary sample project & review letter; lots of GC exp; bid highly reflective of SC; well rounded firm  
Spicer - Class act firm; large project exp strong; planning; grants; little/no GC exp; Sag office; good review letter & works prol; organization of paper-works cloudy.  
WW - GR firm w/ MI food office; no clients pub/private in GC; claims strong innovation & com skills; LA services subbed; review letters on cd

# Qualified Bidding Selection Evaluation: Professional Engineering Services 2008

Evaluator: Adam Zettel

Date: 03/18/2008

## Firms

### Disqualification

- Evidence of collusion among applicants:
- Lack of competency, incomplete submittal:
- Misrepresentation:
- Fraud or fraudulent statements:

Workhorse Civil  
Design

Yes	<input checked="" type="radio"/> No	Yes	No	Yes	No
Yes	<input checked="" type="radio"/> No	Yes	No	Yes	No
Yes	<input checked="" type="radio"/> No	Yes	No	Yes	No
Yes	<input checked="" type="radio"/> No	Yes	No	Yes	No

Explanation of disqualification:

### Submission Criteria Fulfillment

- Letter of transmittal:
- Firm profile:

<input checked="" type="radio"/> Yes	No	Yes	No	Yes	No
<input checked="" type="radio"/> Yes	No	Yes	No	Yes	No

Explanation of any missing data:

### Firm Evaluation

- Firm experience and qualifications: 20 pts.
- Project manager: 15 pts.
- Staff: 15 pts.
- References, quality assurance: 15 pts.
- Capacity: 5 pts.
- Location, accessibility: 20 pts.

16		
13		
? 10 ?		
? 13 ?		
? 1 ?		
18		

### Total Points (Max 90)

71		
----	--	--

Additional comments and/or notes: Work horse - office @ 23/59; surveying work by sub; # of employees?  
Company appears to be a sole proprietor; capacity?; staff?; firm exp?

**Qualified Bidding Selection Evaluation: Professional Engineering Services 2008**

*Jon Sisco*  
*4/08*

Evaluator: \_\_\_\_\_ Date: \_\_\_\_\_

**Disqualification**

Evidence of collusion among applicants:  
Lack of competency, incomplete submittal:  
Misrepresentation:  
Fraud or fraudulent statements:

		Firms					
		Hubbell, Roth, & Clark		Lapham & Associates		Gould Engineering	
Yes	<input checked="" type="radio"/> No	Yes	<input checked="" type="radio"/> No	Yes	<input checked="" type="radio"/> No	Yes	<input checked="" type="radio"/> No
Yes	<input checked="" type="radio"/> No	Yes	<input checked="" type="radio"/> No	Yes	<input checked="" type="radio"/> No	Yes	<input checked="" type="radio"/> No
Yes	<input checked="" type="radio"/> No	Yes	<input checked="" type="radio"/> No	Yes	<input checked="" type="radio"/> No	Yes	<input checked="" type="radio"/> No
Yes	<input checked="" type="radio"/> No	Yes	<input checked="" type="radio"/> No	Yes	<input checked="" type="radio"/> No	Yes	<input checked="" type="radio"/> No

Explanation of disqualification: \_\_\_\_\_

**Submission Criteria Fulfillment**

Letter of transmittal:  
Firm profile:

<input checked="" type="radio"/> Yes	No	<input checked="" type="radio"/> Yes	No	<input checked="" type="radio"/> Yes	No
<input checked="" type="radio"/> Yes	No	<input checked="" type="radio"/> Yes	No	<input checked="" type="radio"/> Yes	No

Explanation of any missing data: \_\_\_\_\_

**Firm Evaluation**

Firm experience and qualifications: 20 pts.  
Project manager: 15 pts.  
Staff: 15 pts.  
References, quality assurance: 15 pts.  
Capacity: 5 pts.  
Location, accessibility: 20 pts.

<i>18</i>	<i>15</i>	<i>18</i>
<i>15</i>	<i>12</i>	<i>13</i>
<i>15</i>	<i>12</i>	<i>13</i>
<i>15</i>	<i>12</i>	<i>14</i>
<i>4</i>	<i>3</i>	<i>3</i>
<i>16</i>	<i>13</i>	<i>20</i>

**Total Points (Max 90)**

<i>83</i>	<i>67</i>	<i>81</i>
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Additional comments and/or notes: *HRC - Strong in Municipal Gov.*  
*Gould - works for private companies - not much in Planning.*

# Qualified Bidding Selection Evaluation: Professional Engineering Services 2008

Evaluator: \_\_\_\_\_ Date: \_\_\_\_\_

## Disqualification

Evidence of collusion among applicants:  
 Lack of competency, incomplete submittal:  
 Misrepresentation:  
 Fraud or fraudulent statements:

		Firms			
		Wilcox		Rowe	
		Kraft Engineering	Engineering	Engineering	
Yes	<del>No</del>	Yes	<del>No</del>	Yes	<del>No</del>
Yes	<del>No</del>	Yes	<del>No</del>	Yes	<del>No</del>
Yes	<del>No</del>	Yes	<del>No</del>	Yes	<del>No</del>
Yes	<del>No</del>	Yes	<del>No</del>	Yes	<del>No</del>

Explanation of disqualification: \_\_\_\_\_

## Submission Criteria Fulfillment

Letter of transmittal:  
 Firm profile:

<del>Yes</del>	No	<del>Yes</del>	No	<del>Yes</del>	No
<del>Yes</del>	No	<del>Yes</del>	No	<del>Yes</del>	No

Explanation of any missing data: \_\_\_\_\_

## Firm Evaluation

Firm experience and qualifications: 20 pts.  
 Project manager: 15 pts.  
 Staff: 15 pts.  
 References, quality assurance: 15 pts.  
 Capacity: 5 pts.  
 Location, accessibility: 20 pts.

17	17	19
14	15	15
12	14	14
12	15	15
3	5	5
20	18	20

## Total Points (Max 90)

<del>88</del> 18	<del>88</del> 84	<del>88</del> 88
------------------	------------------	------------------

Additional comments and/or notes:

*Kraft - Small - Not much on Streets*  
*Rowe - Been City's Eng for long time Good working relat.*  
*Wilcox - Not too bad But not sure about (Location) Future*

# Qualified Bidding Selection Evaluation: Professional Engineering Services 2008

Evaluator: \_\_\_\_\_ Date: \_\_\_\_\_

## Disqualification

Evidence of collusion among applicants:  
 Lack of competency, incomplete submittal:  
 Misrepresentation:  
 Fraud or fraudulent statements:

Firms					
Trans Environmental Engineering		CHMP Engineering		Flint Surveying & Engineering	
Yes	<del>No</del>	Yes	<del>No</del>	Yes	<del>No</del>
Yes	<del>No</del>	Yes	<del>No</del>	Yes	<del>No</del>
Yes	<del>No</del>	Yes	<del>No</del>	Yes	<del>No</del>
Yes	<del>No</del>	Yes	<del>No</del>	Yes	<del>No</del>

Explanation of disqualification: \_\_\_\_\_

## Submission Criteria Fulfillment

Letter of transmittal:  
 Firm profile:

<del>Yes</del>	No	<del>Yes</del>	No	<del>Yes</del>	No
<del>Yes</del>	No	<del>Yes</del>	No	<del>Yes</del>	No

Explanation of any missing data: \_\_\_\_\_

## Firm Evaluation

Firm experience and qualifications: 20 pts.  
 Project manager: 15 pts.  
 Staff: 15 pts.  
 References, quality assurance: 15 pts.  
 Capacity: 5 pts.  
 Location, accessibility: 20 pts.

15	15	18
14	12	15
13	12	12
12	13	11
2	3	3
18	18	20

**Total Points (Max 90)**

74	73	<del>79</del>
----	----	---------------

Additional comments and/or notes:

*FSE - mostly Private work Local Developers*  
*TE-E Used By GCRC - some -*  
*CHMP Lots of Private work.*

# Qualified Bidding Selection Evaluation: Professional Engineering Services 2008

Evaluator: SVR lek

Date: \_\_\_\_\_

## Firms

### Disqualification

- Evidence of collusion among applicants:
- Lack of competency, incomplete submittal:
- Misrepresentation:
- Fraud or fraudulent statements:

	Wade Trim	Spicer	Williams & Works
Yes	(No)	Yes (No)	Yes (No)
Yes	(No)	Yes (No)	Yes (No)
Yes	(No)	Yes (No)	Yes (No)
Yes	(No)	Yes (No)	Yes (No)

Explanation of disqualification: \_\_\_\_\_

### Submission Criteria Fulfillment

- Letter of transmittal:
- Firm profile:

(Yes)	No	(Yes)	No	(Yes)	No
(Yes)	No	(Yes)	No	(Yes)	No

Explanation of any missing data: \_\_\_\_\_

### Firm Evaluation

- Firm experience and qualifications: 20 pts.
- Project manager: 15 pts.
- Staff: 15 pts.
- References, quality assurance: 15 pts.
- Capacity: 5 pts.
- Location, accessibility: 20 pts.

18	18	17
14	14	14
14	14	13
15	15	<del>15</del>
5	5	5
18	17	15

### Total Points (Max 90)

84	83	<del>79</del>
----	----	---------------

Additional comments and/or notes: Wade trim - Lot of exp well rounded Company.  
look Good in all areas - Spicers - Planning exp General exp in water/sewer  
isnt look strong. Williams/works General Services look like they  
have exp in water sewer - Surveys and C engineering



# Qualified Bidding Selection Evaluation: Professional Engineering Services 2008

Evaluator: \_\_\_\_\_

Date: \_\_\_\_\_

## Firms

### Disqualification

Evidence of collusion among applicants:  
 Lack of competency, incomplete submittal:  
 Misrepresentation:  
 Fraud or fraudulent statements:

*Workhorse Civil  
 Design*

Yes	<del>No</del>	Yes	<del>No</del>	Yes	No
Yes	<del>No</del>	Yes	<del>No</del>	Yes	No
Yes	<del>No</del>	Yes	<del>No</del>	Yes	No
Yes	<del>No</del>	Yes	<del>No</del>	Yes	No

Explanation of disqualification: \_\_\_\_\_

### Submission Criteria Fulfillment

Letter of transmittal:  
 Firm profile:

<del>Yes</del>	No	<del>Yes</del>	<del>No</del>	Yes	No
<del>Yes</del>	No	<del>Yes</del>	<del>No</del>	Yes	No

Explanation of any missing data: \_\_\_\_\_

### Firm Evaluation

Firm experience and qualifications: 20 pts.  
 Project manager: 15 pts.  
 Staff: 15 pts.  
 References, quality assurance: 15 pts.  
 Capacity: 5 pts.  
 Location, accessibility: 20 pts.

12		
12		
9		
12		
0-1		
15		

**Total Points (Max 90)**

60		
----	--	--

Additional comments and/or notes:

*(Not sure worth rating)*

# Qualified Bidding Selection Evaluation: Professional Engineering Services 2008

Evaluator: PAUL BOECHM

Date: 16 April 2008

1 of 5

## Disqualification

Evidence of collusion among applicants:  
 Lack of competency, incomplete submittal:  
 Misrepresentation:  
 Fraud or fraudulent statements:

		Firms				
		Hubbell, Roth, & Clark	Lapham & Associates	Gould Engineering		
Yes	<u>No</u>	Yes	<u>No</u>	Yes	<u>No</u>	
Yes	<u>No</u>	Yes	<u>No</u>	Yes	<u>No</u>	
Yes	<u>No</u>	Yes	<u>No</u>	Yes	<u>No</u>	
Yes	<u>No</u>	Yes	<u>No</u>	Yes	<u>No</u>	

Explanation of disqualification:

## Submission Criteria Fulfillment

Letter of transmittal:  
 Firm profile:

<u>Yes</u>	No	<u>Yes</u>	No	<u>Yes</u>	No
<u>Yes</u>	No	<u>Yes</u>	No	<u>Yes</u>	No

Explanation of any missing data:

## Firm Evaluation

Firm experience and qualifications: 20 pts.  
 Project manager: 15 pts.  
 Staff: 15 pts.  
 References, quality assurance: 15 pts.  
 Capacity: 5 pts.  
 Location, accessibility: 20 pts.

<u>15</u>	<u>14</u>	<u>17</u>
<u>15</u>	<u>15</u>	<u>15</u>
<u>15</u>	<u>10</u>	<u>14</u>
<u>15</u>	<u>14</u>	<u>14</u>
<u>15</u>	<u>4</u>	<u>4</u>
<u>15</u>	<u>12</u>	<u>20</u>
<u>80</u>	<u>69</u>	<u>84</u>

Total Points (Max 90)

Additional comments and/or notes:

H.R.C. + 2+A does not have local office

# Qualified Bidding Selection Evaluation: Professional Engineering Services 2008

Evaluator: PAUL BOECHE

Date: 16 April 2008

2 of 5

## Disqualification

- Evidence of collusion among applicants:
- Lack of competency, incomplete submittal:
- Misrepresentation:
- Fraud or fraudulent statements:

		Firms			
		Wilcox		Rowe	
		kraft Engineering	Engineering	Engineering	
Yes	<u>No</u>	Yes	<u>No</u>	Yes	<u>No</u>
Yes	<u>No</u>	Yes	<u>No</u>	Yes	<u>No</u>
Yes	<u>No</u>	Yes	<u>No</u>	Yes	<u>No</u>
Yes	<u>No</u>	Yes	<u>No</u>	Yes	<u>No</u>

Explanation of disqualification:

## Submission Criteria Fulfillment

- Letter of transmittal:
- Firm profile:

<u>Yes</u>	No	<u>Yes</u>	No	<u>Yes</u>	No
<u>Yes</u>	No	<u>Yes</u>	No	<u>Yes</u>	No

Explanation of any missing data:

## Firm Evaluation

- Firm experience and qualifications: 20 pts.
- Project manager: 15 pts.
- Staff: 15 pts.
- References, quality assurance: 15 pts.
- Capacity: 5 pts.
- Location, accessibility: 20 pts.

16	19	17
14	15	15
12	15	15
14	15	15
4	5	5
20	18	20
80	87	87

## Total Points (Max 90)

Additional comments and/or notes:

Wilcox HAS Part-time local office

# Qualified Bidding Selection Evaluation: Professional Engineering Services 2008

3 of 5

Evaluator: PA01 Bueche

Date: 16 April 2008

## Firms

### Disqualification

Evidence of collusion among applicants:  
 Lack of competency, incomplete submittal:  
 Misrepresentation:  
 Fraud or fraudulent statements:

	Trans Environmental Engineering	CHMP Engineering	Flint Surveying & Engineering
Yes	<input checked="" type="radio"/> No	<input checked="" type="radio"/> No	Yes <input checked="" type="radio"/> No
Yes	<input checked="" type="radio"/> No	<input checked="" type="radio"/> No	Yes <input checked="" type="radio"/> No
Yes	<input checked="" type="radio"/> No	<input checked="" type="radio"/> No	Yes <input checked="" type="radio"/> No
Yes	<input checked="" type="radio"/> No	<input checked="" type="radio"/> No	Yes <input checked="" type="radio"/> No

Explanation of disqualification:

### Submission Criteria Fulfillment

Letter of transmittal:  
 Firm profile:

<input checked="" type="radio"/> Yes	No	<input checked="" type="radio"/> Yes	No	<input checked="" type="radio"/> Yes	No
<input checked="" type="radio"/> Yes	No	<input checked="" type="radio"/> Yes	No	<input checked="" type="radio"/> Yes	No

Explanation of any missing data:

### Firm Evaluation

Firm experience and qualifications: 20 pts.  
 Project manager: 15 pts.  
 Staff: 15 pts.  
 References, quality assurance: 15 pts.  
 Capacity: 5 pts.  
 Location, accessibility: 20 pts.

110	15	19
12	12	14
12	10	12
14	14	12
1	2	3
16	20	20
71	73	80

**Total Points (Max 90)**

Additional comments and/or notes:

T.E.E. Appears to subcontract - not clear in Proposal - office location unclear  
CHMP seems to be primarily an Architect Firm

# Qualified Bidding Selection Evaluation: Professional Engineering Services 2008

Evaluator: PAUL BOECHZ

Date: 16 April 2008

4 of 5

## Firms

### Disqualification

- Evidence of collusion among applicants:
- Lack of competency, incomplete submittal:
- Misrepresentation:
- Fraud or fraudulent statements:

	Wade-Trim	Spicer	Williams & Works
Yes	<u>No</u>	Yes <u>No</u>	Yes <u>No</u>
Yes	<u>No</u>	Yes <u>No</u>	Yes <u>No</u>
Yes	<u>No</u>	Yes <u>No</u>	Yes <u>No</u>
Yes	<u>No</u>	Yes <u>No</u>	Yes <u>No</u>

Explanation of disqualification:

### Submission Criteria Fulfillment

- Letter of transmittal:
- Firm profile:

<u>Yes</u>	No	<u>Yes</u>	No	<u>Yes</u>	No
<u>Yes</u>	No	<u>Yes</u>	No	<u>Yes</u>	No

Explanation of any missing data:

### Firm Evaluation

- Firm experience and qualifications: 20 pts.
- Project manager: 15 pts.
- Staff: 15 pts.
- References, quality assurance: 15 pts.
- Capacity: 5 pts.
- Location, accessibility: 20 pts.

<u>20</u>	<u>20</u>	<u>18</u>
<u>14</u>	<u>15</u>	<u>14</u>
<u>15</u>	<u>14</u>	<u>14</u>
<u>14</u>	<u>14</u>	<u>15</u>
<u>5</u>	<u>5</u>	<u>5</u>
<u>20</u>	<u>15</u>	<u>15</u>
<u>88</u>	<u>83</u>	<u>81</u>

Total Points (Max 90)

Additional comments and/or notes:

Spicer + W-W does not have local office

# Qualified Bidding Selection Evaluation: Professional Engineering Services 2008

Evaluator: PAUL BOECKE

Date: 16-APRIL-2008

5 of 5

## Firms

### Disqualification

Evidence of collusion among applicants:  
 Lack of competency, incomplete submittal:  
 Misrepresentation:  
 Fraud or fraudulent statements:

Workhorse Civil		Design		Yes	No
Yes	<u>No</u>	Yes	No	Yes	No
Yes	<u>No</u>	Yes	No	Yes	No
Yes	<u>No</u>	Yes	No	Yes	No
Yes	<u>No</u>	Yes	No	Yes	No

Explanation of disqualification:

### Submission Criteria Fulfillment

Letter of transmittal:  
 Firm profile:

<u>Yes</u>	No	Yes	No	Yes	No
<u>Yes</u>	No	Yes	No	Yes	No

Explanation of any missing data:

### Firm Evaluation

Firm experience and qualifications: 20 pts.  
 Project manager: 15 pts.  
 Staff: 15 pts.  
 References, quality assurance: 15 pts.  
 Capacity: 5 pts.  
 Location, accessibility: 20 pts.

<u>17</u>		
<u>12</u>		
<u>8</u>		
<u>12</u>		
<u>2</u>		
<u>15</u>		
<u>60</u>		

### Total Points (Max 90)

Additional comments and/or notes:

Workhorse - Small operation. Subcontractors work. No local office

## Paul Bueche

---

**From:** Lou Fleury [LFleury@roweincorp.com]  
**Sent:** Friday, July 18, 2008 11:31 AM  
**To:** Paul Bueche  
**Cc:** Adam Zettel  
**Subject:** Billing Rates

**Attachments:** rates



rates

Paul,

Please see our billing rates attached. For any pending proposals that were submitted with the old rates (such as Morrish Road), we would provide our services at that old rate versus using our new rates.

Give me a call with any questions  
thanks

Lou Fleury, P.E.  
Project Manager

Rowe Incorporated  
540 S. Saginaw St., Suite 200  
Flint, MI 48502

Phone: 810-341-7500  
Fax: 810-341-7573

# Hourly Rates

---

<b>Category</b>	<b>Billing Rate</b>
Project Manager.....	\$116
Project Engineer .....	\$99
Graduate Engineer .....	\$88
Engineering Technician.....	\$77
Senior Construction Observer .....	\$88
Construction Observer.....	\$83
Project Surveyor .....	\$94
Survey Crew (2 person) .....	\$142
Survey Office Technician.....	\$82

- \* The above rates are valid through April 7, 2009. Rowe Incorporated adjusts billing rates every April. The new rates will be forwarded to our clients at that time.
- \*\* Reimbursable expenses, such as travel, meals, equipment and reproduction are included in the above rates.
- \*\*\* Subconsultant/third party services - We encourage clients to allow us to coordinate these services, but the client is welcome to contract directly with the subconsultant. However, if the subconsultant is hired by ROWE, we will invoice the client at 1.1x the actual cost for those services provided by the subconsultant.



## Paul Bueche

---

**From:** Lou Fleury [LFleury@roweincorp.com]  
**Sent:** Wednesday, July 23, 2008 11:31 AM  
**To:** Paul Bueche  
**Subject:** Fwd: billing rates 2008 Rowe.doc

**Attachments:** billing rates 2008 Rowe.doc



billing rates 2008  
Rowe.doc

Paul,

Thanks for giving us an opportunity to revisit this, please see attached.

As we discussed, billing rates pertain more to "T&M" fees; as you are aware we provide a letter proposal for each project with a "not to exceed" price that typically falls within or below industry average for compensation based on the project construction cost.

thanks again

Lou Fleury, P.E.  
Project Manager

Rowe Incorporated  
540 S. Saginaw St., Suite 200  
Flint, MI 48502

Phone: 810-341-7500  
Fax: 810-341-7573

# Hourly Rates

---

<b>Category</b>	<b>Billing Rate</b>
Project Manager.....	\$116
Project Engineer .....	\$99
Graduate Engineer .....	\$88
Engineering Technician.....	\$77
Senior Construction Observer .....	\$88
Construction Observer.....	\$83
Project Surveyor .....	\$94
Survey Crew (2 person) .....	\$142
Survey Office Technician.....	\$82

**The above rates will be valid until April 2011.**

**The rates above include all normal business expenses such as travel, phone, equipment, printing, etc.**

**Staff attendance at council meetings is not billed to our clients.**



## FAX Transmission

Attention: Adam Zettel, Ass't City Manager  
Firm: City of Swartz Creek  
Fax No.: 810.635.2887  
From: Jason Kenyon, Vice-President  
Date: July 21, 2008  
Re: Wade Trim Billing Rates

3

Total number of  
pages including  
this page

Adam-  
Our current hourly rate schedule, as requested. You can reach me on my cell at 810.252.7010  
should you have any questions.

-Jason

601 North Saginaw Street 810.235.2555  
Suite 2A 800.841.0342  
Flint, MI 48502 810.235.4975 fax  
www.wadetrिम.com

**Wade Trim Billing Rate Schedule**  
**Municipal Services for City of Swartz Creek, MI**  
*Effective January 2008 - December 2008*

<u>Title</u>	<u>Rate Per Hour</u>
<b><u>Engineering Services</u></b>	
Market Segment Manager	\$160.00
Practice Manager	\$145.00
Senior Project Manager	\$125.00
Project Manager	\$110.00
Senior Engineer	\$115.00
Engineer	\$90.00
Graduate Engineer	\$75.00
Senior Engineering Technician	\$80.00
Engineering Technician	\$65.00
Professional Landscape Architect	\$125.00
Landscape Architect	\$85.00
GIS Specialist	\$135.00
GIS Technician	\$70.00
<b><u>Survey and Construction Services</u></b>	
Market Segment Manager	\$150.00
Practice Manager	\$125.00
Project Manager	\$100.00
Office Technician	\$75.00
Survey Crew Chief	\$85.00
Graduate Surveyor	\$75.00
Survey Technician	\$60.00
Construction Administrator	\$90.00
Senior Construction Inspector	\$85.00
Construction Inspector	\$75.00
<b><u>Administrative</u></b>	
Senior Principal	\$185.00
Principal	\$170.00
Administrative Supervisor	\$90.00
Administration - Clerical	\$55.00
Administration - Accounting	\$55.00
Administrative Assistant	\$48.00

**Wade Trim Billing Rate Schedule**  
**Municipal Services for City of Swartz Creek, MI**  
*Effective January 2008 - December 2008*

<u>Direct Costs</u>	<u>Unit Rate</u>
Photocopies	\$0.10/copy
Color Copies	\$0.25/copy
OCE Printer (24"x36" sheets)	\$1.40/sheet
Travel	\$0.51/mile
Survey Equipment	\$6.00/hour
Survey Van	\$0.63/mile
GPS Equipment	\$20.00/hour
3-D Laser Scanner	\$40.00/hour
Snowmobile	\$5.50/hour
4 Wheel Individual Off Road/All Terrain Vehicle	\$5.00/hour
Traxler Nuclear Densimeter	\$5.50/hour
Cylinder Breaking	\$12.00/cylinder
Concrete Testing Equipment	\$5.00/hour
Noise Meter	\$9.50/hour
Flow Meter	\$3.00/hour
Hydration Flow Testing	\$30.00/hour
Flow Meter (monthly)	\$500.00
Rain Gauge (monthly)	\$150.00
Recorder (monthly)	\$100.00
SSES - Includes Van and Standard Equipment	\$14.75/hour
SSES - Equipment (Van and Miscellaneous)	\$8.50/hour

Outside expenses and subconsultants at cost times 1.10 for City of Swartz Creek.

Special billing rates will apply in matters requiring expert witnesses or other consulting as it relates to legal matters.

**Reviewed and Revised Annually**

**1. Wilcox Labor Costs**

<u>Category</u>	<u>Billing Rate/Hour</u>
Project Principal/Manager	\$125.00 to \$150.00
Project Professionals (Licensed)	\$90.00 to \$110.00
Staff Professionals (non-licensed)	\$60.00 to \$90.00
Technicians	\$40.00 to \$60.00

Specific Personnel proposed to work on City of Swartz Creek projects as shown on the organizational chart provided is as follows:

<u>Employee/Role</u>	<u>Billing Rate/Hour</u>
Steve Warren, P.E. / Project Manager	\$110.00
Steve Luoma, P.E. / QA/QC	\$95.00
Andrew Harris, P.E. / Project Engineer	\$90.00
Brent Barringer / Staff Professional	\$80.00
Survey 2 person Crew	\$140.00
Vanessa Warren, ASLA / Landscape Architect	\$80.00
Ryan Berquist, Construction Technician	\$60.00



## COMMUNITY DEVELOPMENT PROGRAM

ROOM 223 – 1101 BEACH STREET  
FLINT, MICHIGAN 48502-1470

TELEPHONE (810) 257-3010  
FAX (810) 257-3185

**JULIE A. HINTERMAN**  
DIRECTOR-COORDINATOR

January 22, 2008

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

**SUBJECT: Review of RFQ for Engineering Services**

Dear Mr. Zettel:

Per your request, staff has completed a review of the Notice of Solicitation of Qualifications for Engineering Services. The review was completed to ensure compliance with federal program requirements relating to the procurement of professional services. Overall, the information provided met the requirements, however, staff does have some recommendations that you should consider. We feel these recommendations will make the City's proposal stronger.

- The "Disqualification of Applicant" section should include an additional provision that the firm must be in good standing with HUD and not included on the Debarment and Suspension List.
- Page 2 indicates that a "two-tiered" sealed process will be utilized by the City. Staff recommends that a better explanation of that process be included in the proposal. For example, our office completed a successful "two-tiered" process, through MDOT, by selecting the top three firms based on qualifications in tier one and assigning points to the top three firms based on costs for tier two. The lowest priced firms, of the three, received ten points, the middle firm received five and, the highest priced firm received zero points for tier two.
- Page 2 under the "General Scope of Required Services", #1, indicates that the services will be limited to projects such as street construction (local and TEA-21). For clarification purposes, TEA-21 is the old transportation legislation, it is now called SAFETEA-LU. However, we would recommend that you indicate "local, state, and federal" under that section, rather than limiting it to a specific source.

If you have any questions or need further information, please contact myself or Mr. Jason Nordberg at (810) 257-3010.

Sincerely,

Christine A. Kiesling, Principal Planner  
Genesee County Metropolitan Planning Commission

CK  
K:\cd\cdplan\2008\City of Swartz Creek RFQ review

**Adam Zettel**

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**From:** Kelly Villarreal [villarrealk@michigan.gov]  
**Sent:** Tuesday, January 22, 2008 11:16 AM  
**To:** Adam Zettel  
**Cc:** Carol R. Rademacher; Wayne E Roe JR  
**Subject:** Re: SC QBS

Hi Adam -

Thanks for allowing me the opportunity to review your process for completing a qualifications-based selection for the City of Swartz Creek. I would first like to point out that you are under no obligation to follow the guidelines and rules in place by the Michigan Department of Transportation, so I offer you my suggestions and observations only. I believe, however, that you are under obligation to follow the rules and regulations in place by the Federal Highway Administration, specifically the Brooks Act.

The RFP itself looked really good and it appears that you are evaluating and requesting the same type of criteria that MDOT does. I am not sure what your estimate is on this project, but if you are estimating that it will be over \$100,000, then the Brooks Act would govern and you cannot include price as a consideration in the selection process.

I also reviewed the Resolution that you sent me and it appears that the City Council has resolved to first evaluate the consultants based on qualifications and then negotiate a price with the highest qualified firm. This would be the appropriate selection process to follow in order to comply with the Brooks Act. When MDOT has selections that fall under the Brooks Act, then we do not have consultants submit any bids at the time they submit their proposals. The proposals are simply evaluated based on qualifications and then negotiations start with the most qualified consultant.

I also noticed when reviewing the RFP that you have put a page limitation on "other information;" however, I did not see a page limitation for the entire proposal. MDOT has page limitations based on the level of work. Resumes are not counted in this page limitation, but it just limits how large the proposals are that you get from consultants.

The other suggestion that I would make would be on the Notice of Solicitation of Qualifications, I would suggest changing the word "bids" to "proposals."

Again, thank you for providing me the opportunity to give you some suggestions on your selection process. If you need any further assistance or clarification, please do not hesitate to contact me.

Kelly E. Villarreal, Selections Specialist  
Selections Unit  
Contract Services Division  
425 W. Ottawa Street  
Van Wagoner/Transportation Bldg, 4th Floor  
Lansing, Michigan 48933



517.335.6730  
517.335.7446 (facsimile)  
[villarreak@michigan.gov](mailto:villarreak@michigan.gov)

>>> "Adam Zettel" <AZettel@cityofswartzcreek.org> 1/18/2008 9:24AM >>>  
Hi Kelly,

Our QBS RFP, procedure, and notices are attached. Thanks a lot for agreeing to give this a once-over. We really appreciate it.

Let me know what you think!

Have a good weekend too!

*Adam Zettel*

Assistant City Manager/Zoning Administrator  
City of Swartz Creek  
8083 Civic Drive  
Swartz Creek, MI 48473  
Phone: 810-635-4464  
Fax: 810-635-2887

Notice of Solicitation of Qualifications  
Professional Engineering Services

CITY OF SWARTZ CREEK, MICHIGAN

The City of Swartz Creek (pop. 5,300), in compliance with the qualified bidding selection process and the Brooks Act, is accepting sealed statements of qualifications from qualified firms to perform general engineering, surveying and landscape architecture services for the community. The City's selection of a qualified professional engineering firm will be for a period of three (3) years.

Specifications are available online at [www.cityofswartzcreek.org](http://www.cityofswartzcreek.org) or may be picked up at the City Hall, 8083 Civic Drive, Swartz Creek Michigan, Monday-Friday, 8:30 a.m. to 4:30 p.m. **Proposals shall be accepted at City Hall till Friday, March 14, 2008 at 4:00 p.m., opening and tabulation to follow.**

The City of Swartz Creek has the right to accept or reject any and all proposals. The City of Swartz Creek is an Equal Opportunity Employer.

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PUBLISH : THURSDAY, JANUARY 31, 2008

PROOF REQUIRED

The Michigan Roads and Construction

PUBLISH : SUNDAY, FEBRUARY 10, 2008

PROOF REQUIRED

The Flint Journal

Please bill the:           City of Swartz Creek  
                                  8083 Civic Dr.  
                                  Swartz Creek MI 48473

**Notice of Solicitation of Qualifications  
Professional Engineering Services  
City of Swartz Creek Michigan**

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**GENERAL STATEMENT**

The **City of Swartz Creek**, in compliance with the qualified bidding selection process and the Brooks Act, is accepting sealed statements of qualifications from qualified firms to perform general engineering, surveying and landscape architecture services for the community. The City's selection of a qualified professional engineering firm will be for a period of three (3) years from the date of successful award.

**DESCRIPTION OF THE COMMUNITY**

Swartz Creek (population ~5,300) is a municipal corporate suburb of the City of Flint, located in Genesee County, Michigan. Swartz Creek is a 'home rule' city with a council-manager form of government. The city is about five (5) square miles and is currently experiencing relatively stable housing and commercial growth. The community is a full services government operating within a stable financial, political, and professional context. The City is in various stages of planning and implementation concerning sewer and water infrastructure improvements, trail-way design and construction, recreation planning, streetscape improvements, drainage, survey, and numerous street projects.

**SUBMISSION OF PROPOSALS**

All firms desiring to be considered as the City's engineering firm and who are registered to practice in the State of Michigan, are invited to submit proposals in accordance with the terms as set forth within. Each firm submitting a proposal shall make themselves familiar with all conditions as described within. The City of Swartz Creek shall consider all applicants fully informed, unless the City is specifically notified in writing of all factors that would affect their proposal. All proposals shall be submitted in full detail, and all entries legibly made. An authorized corporate officer must sign the proposal. Statements of qualification along with any additional information the firms wish to submit will be accepted until **4:00 p.m., Friday March 14, 2008, at the Swartz Creek City Office, 8083 Civic Drive, Swartz Creek, MI 48473**. At the aforementioned due date, time and location, proposals will be opened and tabulated as to their reception only. Awards shall be made after review as set forth within. Firms applying for consideration shall prepare and submit a single copy of the proposal to:

**PAUL BUCHE, CITY MANAGER  
CITY OF SWARTZ CREEK  
8083 CIVIC DRIVE  
SWARTZ CREEK, MICHIGAN 48473**

Submission of a proposal will be construed as conclusive presumption that the applicant is thoroughly familiar with the proposal and specifications, and that the applicant understands and agrees to abide by each and all of the stipulations and requirements

contained therein. Proposals can be delivered in person or sent via mail or similar courier, as addressed above. The outside of the entire package shall be clearly marked **“PROFESSIONAL ENGINEERING SERVICES PROPOSAL”**

Proposals will not be accepted after the time designated for the opening of the proposals (***Friday, March 14, 2008 4:00 P.M.***). The applicant shall assume full responsibility for delivery of proposals prior to the appointed hour for opening same, and shall assume the risk of late delivery or non-delivery regardless of the manner the applicant employs for the transmission thereof. The City of Swartz Creek shall accept proposals only during normal business hours, said hours being 8:30 A.M. to 4:30 P.M., Monday through Friday, legal holidays excepted.

### **RIGHT TO REJECT**

The City of Swartz Creek reserves the right to reject any or all proposals, or any part of the same, to waive any irregularities or informalities, and to make the award in part or entirety as may appear to the City of Swartz Creek to be in the best interest of the of the City.

### **DISQUALIFICATION OF APPLICANT**

Although not intended to be an exhaustive list of causes for disqualification, any one or more of the following events, among others, may be considered sufficient for the disqualification of an applicant and the rejection of the applicant's proposal:

- A. Evidence of collusion among applicants.
- B. Lack of competency, incomplete submittals.
- C. Misrepresentation.
- D. Fraud or fraudulent statements.
- E. Not in good standing with HUD; included on the Debarment and Suspension List

### **GENERAL SCOPE OF REQUIRED SERVICES**

The City desires to retain a qualified professional engineering firm to provide general services for the following, typical local, state, and federally funded projects:

- 1) Design engineering services to include, but not necessarily limited to, projects such as: street construction both new and re-construction; bridges; sidewalks; parks and park facilities, such as restrooms, trails and parking lots; storm water lines, structures and drainage studies; water and sanitary sewer mains, structures and facilities.
- 2) Construction engineering including construction staking and inspection/observation.

- 3) Property surveys and legal description services.
- 4) Review of development site plans to determine appropriate street construction design quality, utility/storm water design, detention capacity, traffic flow, and compliance issues regarding community policy and ordinance requirements.
- 5) Project experience with respect to Genesee County CDBG projects.
- 6) Provide continuing assistance with respect to state and federal grant opportunities; provide general assistance to city administrative and elected officials.
- 7) Provide rational and creative leadership to staff and officials concerning all areas relating to the office of engineer.

### **SUBMISSION CRITERIA**

The statement of qualifications shall, at a minimum, include the following information:

- 1) A letter of transmittal containing the following information:
  - a) A brief discussion outlining the firm's understanding of the requested services.
  - b) The name, title, address, telephone and fax number of the person authorized to represent the firm.
- 2) The firm's profile, including:
  - a) Organization, size, Michigan office location(s).
  - b) The office location where work associated with this proposal will be performed, including the number of professional staff by classification.
  - c) Identify the person directly responsible for managing and supervising projects and relationships with City staff and elected officials. Submit resumes of all professionals likely to be assigned to community projects.
  - d) Submit a list of municipal clients, including at least five of which are similar in character to the City of Swartz Creek for whom you have performed general engineering services for at least two years. Submit the name and telephone number of the local contact person.
  - e) Submit a proposed contract for the services discussed in this proposal.
  - f) Submit a single example of a work product, for work similar to projects discussed in this proposal.

- g) Submit a “real life example” of an engineering review of a proposed site development.
- h) Submit a communication plan addressing how the firm/project manager will communicate with the City.
- i) Provide any other information considered important, not discussed in the RFP, limited to one (1) page, which may help the city better understand the firm.
- j) R.F.P.’s must be sealed. The outside of the entire package shall be clearly marked “PROFESSIONAL ENGINEERING SERVICES PROPOSAL”.

**SUBMISSION EVALUATION**

The City will review the proposals independent of rate schedules. After evaluation and ranking of proposals, negotiations will be commenced by the City Manager with the leading qualifier. Subsequent negotiations may be commenced with the next most qualified firm if an agreement on rates is not reached.

The evaluation is based on the following criteria:

Ability to provide the service required, qualifications of personnel assigned, the quality of the communication plan, location of the office that will serve the community, compatibility of submission with respect to the RFQ requirements, reference analysis from other communities, work product submission, past experience of the firm with the community.

The evaluation will be scored using the following relative weights:

<u>Criteria</u>	<u>Number of points</u>
Firm Experience and Qualifications:	20
Project Manager:	15
Staff:	15
References, Quality Assurance:	15
Capacity:	5
Location, Accessibility:	20
Rates:	10
Maximum	100 points

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***The City of Swartz Creek is an Equal Opportunity Employer***

**CITY OF SWARTZ CREEK  
PROPOSED TRAILWAY**



Rowe Incorporated  
6211 Taylor Drive  
Flint, MI 48507

**PRELIMINARY COST ESTIMATE**  
7/10/2008

DESCRIPTION:

STREETSCAPE IMPROVEMENTS FROM ELMS PARK TO MILLER ROAD (APPROX. 1300 LF).  
IMPROVEMENTS INCLUDE CONCRETE PAVEMENT, ORNAMENTAL LIGHTING,  
PRESSED COLORED CONCRETE, AND SITE FURNISHINGS.

WORK DESCRIPTION	Quantity	Unit	Unit Price	Total
<b>SIDEWALK ITEMS</b>				
Machine Grading	13	STA	\$800.00	\$10,400.00
Concrete Pavement	5700	SFT	\$5.00	\$28,500.00
Soil Erosion Control Measures	1	LSUM	\$5,000.00	\$5,000.00
Cleanup and Restoration	1	LSUM	\$5,000.00	\$5,000.00
Traffic Control	1	LSUM	\$7,500.00	\$7,500.00
<b>SUBTOTAL SIDEWALK</b>				<b>\$56,400.00</b>
<b>LANDSCAPING ITEMS</b>				
Electrical Supply	1	LSUM	\$15,000.00	\$15,000.00
Ornamental Light	7	EA	\$3,000.00	\$21,000.00
Pressed Colored Concrete	300	SFT	\$15.00	\$4,500.00
Bench / Trash Receptacle	1	LSUM	\$1,500.00	\$1,500.00
<b>SUBTOTAL LANDSCAPING</b>				<b>\$42,000.00</b>
<b>CONSTRUCTION TOTAL</b>				<b>\$98,400.00</b>

# ELMS PARK TRAIL

## CONCEPTUAL DRAWING

Jan 2008



ROWE INCORPORATED



<b>Total</b>						
--------------	--	--	--	--	--	--

<b>Please Rate the Importance you place on YOUR Street's Infrastructure</b>						
	5	4	3	2	1	NA
Street maintenance (snow removal)	54	25	7	1	0	1
Street maintenance (repair)	34	17	14	8	13	2
Sidewalks (snow removal)	15	9	15	6	10	32
Sidewalks (repair)	22	17	19	9	4	16
Street trees	22	27	14	5	10	8
Street signs	44	26	11	0	2	4
Street storm water management	40	25	12	2	2	5

<b>Please Rate the Condition of YOUR Street's Infrastructure</b>						
	5	4	3	2	1	NA
Street maintenance (snow removal)	43	28	11	0	3	1
Street maintenance (repair)	2	5	21	17	42	0
Sidewalks (snow removal)	3	5	20	2	14	39
Sidewalks (repair)	3	10	33	7	11	20
Street trees	8	20	19	10	12	17
Street signs	23	32	19	0	2	10
Street storm water management	14	31	19	4	6	12

<b>Will you be living in/owning this property 5 years from now?</b>						
	Yes	No	Unsure			
	66	4	23			

<b>Do you feel your street is in need of street repair?</b>						
	Yes	No	Unsure			
	76	1	3			

<b>If so, what level of repair do you think is appropriate?</b>						
	Light	Medium	Heavy			
	3	47	35			

<b>Would you be willing to pay for a portion of "light repairs" over 5 years?</b>						
	Yes	No	Unsure			
	17	49	15			

<b>If so, how much would you be willing to pay EACH year?</b>						
	\$50	\$100	\$150	\$200	\$250+	
	5	15	3	4	1	

<b>Would you be willing to pay for a portion of "medium repairs" over 5 years?</b>						
	Yes	No	Unsure			
	25	46	14			

<b>If so, how much would you be willing to pay EACH year?</b>						
	\$100	\$200	\$300	\$400	\$500+	
	13	11	6	2	1	

<b>Would you be willing to pay for a portion of "heavy repairs" over 5 years?</b>						
	Yes	No	Unsure			
	17	53	16			
<b>If so, how much would you be willing to pay EACH year?</b>						
	\$250	\$300	\$500	\$750	\$1000+	
	11	6	1	1	0	
<b>Would you be willing to attend an informal public hearing with staff, neighbors, and electors to further discuss street repair?</b>						
	Yes	No	Unsure			
	61	8	18			
<b>If so, what general time-frame would work best for you?</b>						
	9am-12:pm	12pm-3pm	3pm-6pm	6pm-9pm		
	14	11	9	54		
<b>Willing to Pay something</b>						
	Yes	No	Unsure			
	40	38	13			

*(Note: comments include grammatical and spelling errors as written by survey participants)*

### **Comments concerning your street (parking, widths, speeds, trees, other)**

Jennie Lane: “-Just certain small area need either light or medium repairs. “Under-cutting” is the method I would suggest; remove asphalt and dig out base, and sub-base, and punkic material to a inspected depth and replace with appropriate fill get (2) pave that evacuated area. (3) then pave “1/2” or so all street.

Cars run stop signs on the corner of Chesterfield and Daval all the time. Trees are not trimmed on the city side

I have lived in Chesterfield Dr for over 20 years and it is heavily traveled and most cars/vehicles, including school buses exceed the 25 mph speed limit. In over 20 years I have never seen anyone ticketed for speeding on Chesterfield Dr.

Good neighborhood

I would like to have 2 cars pass each other without one stopping to allow the other pass. – width-

I would like the speed to be posted and enforced on chesterfield dr.

The streets are in need of heavy repairs but there are 3 foreclosures on my street alone. Who picks up those property taxes for street repairs?

We need a slow – children playing sign. People drive way too fast.

Chesterfield Dr is hilly. Good street storm water management is very important. Any repair needs to consider that heavier vehicles (i.e. school buses) do use our street.

The city dug up two sections of sidewalk in front of our house in order to repair a water shut off valve. That was in May. The workers covered the walkway with gravel and said they would come back and pour concrete to repair the sidewalk. This has not happened. Now there is a sunken place in the walkway/sidewalk (possibly hazardous to foot traffic at night) and needs fixing. When?

Speed on Worchester, trash disobeying stop sign on Cappy and Worchester, 4 way stop at Winston and Worchester.

Pine trees hanging over sidewalks need trimming

We were hearing that work on Chesterfield was going to start in July. Just a lot of abandon houses make some yards, pools (backyards we kept up, including the ones that are owned Chesterfield on the North side between Seymour Rd and Daval Rd

(Never mind, It was finally taken care of!!!

There has been a HOLE in front of my driveway for 4 years now! Every attempt to fix it has been very poorly done and it is destroying my driveway. PLEASE! FIX IT! FIX IT RIGHT!

I'm a widow, and I don't like surveys. I'm God's will.

We pay enough taxes already. Street repair should already be covered.

Several trees have dead branches within them, a few are completely dead. Worcester needs immediate attention. It ranks at the top of the worst roads in Genessee County. It is only a matter of time when someone is severely hurt whether walking, running, biking or driving when they hit the bad areas or try to avoid them and the cars parked on the road.

Because Chesterfield gets heavy bus traffic the level of road maintenance is higher than usual. Heavier vehicles = more damage until you slow the buses down to 25 mph instead of the 45-50 mph speeds they currently run unhindered, road repair will be required at a greater level than normal no matter what type of repairs you perform.

No. That's why I pay taxes

It's inconvenient to have parking only on one side of streets. Post speed limit. Since we are so close to school. The kids treat our streets like an expressway. It would be nice to have the "speed machine" on our street.

We've lived here 24 yrs. The streets were bad when we moved here, after all the taxes we have paid they are still bad.

Chesterfield dr. is a disaster, the spot repairs are ineffective and wasteful.

Just do the repair work and pull some maintenance and I think the entire street will be happy. Forget the request for more money we are paying far too much already.

I have been paying for road maintenance/repair for 40 years at this address and have had only a bumpy and potholed road all those years.

Speed limits are not enforced enough. Catch basin is directly in front of my house and is continuously plugged with leaves or debris, because the city fails to enforce ordinances regarding people placing fallen leaves, cut grass, trash, in the gutters. During rains, the road floods. Sometimes city crew will clean the catchbasin grill during a rain by shoveling the junk onto my lawn leaving it for me to clean up. This makes me very angry. Fine residents that allow leaves/grass/etc. to accumulate in their gutters.

#3 is unfair – how am I to know what needs to be done to fix my road. – I am not a road maintenance person. This what I do know – by the stop sign on Jennie – at Yarmy BAD. At the curb – other end BAD. Seems like some areas are Medium & some are light.

I am happy with the present speed limits. The 30 mph is predominately every where and I am satisfied with it. There are still foolish speeders, but this includes both sexes, young people and many middle aged people. In spite of this, there has been more attention paid to the speed limits. I am happy with the police department.

Large tree branch falling from front yard tree. Dangerous to children.

- More speed limit signs
- Little wider streets to allow for better parking on roads

Our street is so bad, when the snow plow goes through we get chunks of pavement in our driveway, then they go through our snow blower costing us money in repair.

Worcester is in horrible condition! It is sandwiched by nicely paved roads and ours is HORRIBLE! It is the most in need of repairs street of whole sub. Please, please repave us! It's our turn! Also trees need to be cut if too high and branches falling off! I've called 4 times in 2 years to have trimming done on tree but it never gets done. The branches fall on our cars, property, bikes, etc.

We have a continual problem of speeders. I have personally offered our garage to the police department. I can assure you there will be a day when a child gets injured that could have been prevented. Hagstrom 635-3740

I think we have a beautiful neighborhood and would like to see it maintained.

How ever it is done we need to repair these streets. Streets around us get repair but not ours. Their has to be some way to get this done.

Chelmsford in bad need of repair as well.

My tree need to be cut down. It has a disease and is dying. Was tagged in the spring to be cut down but as of today hasn't been cut down. Thank you

Property taxes

I've paid house taxes for over 20 years and so has everyone else. There should be plenty saved up in your accts. to repair our roads.

- \* More speed limit signs throughout the village streets.
- \* Nicer school xing signs for the kids and car drivers to see
- \* Bus driver warning signs so they don't speed – to many close calls of hitting a child because they don't like to go "slow".
- \* Parking signs that really determines violations and true meaning
- \* Something posted about "Loud Music" in residence area

The trees in front of my house need to be replaced!

I've asked for the last 5 years.

The streets have been patched enough now its time to really fix them

People speed down street with loud music playing at all times of day and night. Streets are very potholed for bike riding which is very important nowadays!

Any money we pay towards repairs needs to be tax deductible from both state and federal levels.

My ash tree in front of my house is obviously dying – probably ash-borers.

1. The tree in front of my house is bad and needs to be remove.
2. The strom drain get blocked all the time will leafes, ice, and other things.
3. The road is making my driveway crack by the road.

I would consider paying some for med – street repairs, but not the listed above.

Satisfied with street other than is need of medium repairs.

Speeding seems to have become a real problem in the Village. It is especially bad during the school year when the high school lets out for the day. This really bothers me since I have two small children as well as many neighbor children that like to play outside.

2 hour parking on all streets. People are using streets for parking lots. There should be no parking on the grass by winshall park.

I think the city is doing a good job with what they have to work with.

Out of town will be there late August.

I am generally happy (living on Chesterfield) except the street is in poor repair. Also, I have asked for trees to be planted between the sidewalk and street 2 different times. Each year I am told the trees will be planted in the fall and the trees have never been planted.

Taxes have been paid for over 35 years – Taxes, in my opinion, should be used to replace the worn out streets. Drivers, to include school bus drivers, seem to

ignore the speed limit most of the time. Sidewalks are marked for repair, then the repair seems to take forever to complete.

There are trees marked to come since last year. There are also trees that are deader that are not marked for coming down parking is fine.

1. These cost should be covered by all, it should come out of property taxes.
2. The majority of repairs have been caused by the buses!
3. There needs to be more effort by our elected officials to insure the roads by safe

Happy with our street but needs to be resurfaced.

I think the no parking signs should be on the mail box side of the street.

Should be total city problem not just selected area to pay.  
Your wasting our time and yours. We pay taxes, you choose what to spend.  
People work to pay taxes.  
Beautification projects seem to have been chosen before street maintenance.  
Request of residents to pay for their street repairs is not good management of city council.

I see no value in sending patching crews around to throw a pile of asphalt in the potholes only to have worthless patching torn up by the street sweeper. In my opinion, the street sweeper is a noisy, destructive nuisance and the patching crews are a waste of money when the roads get as bad as they are in the village. Also, the city needs a PLAN for regular SEALING and MAINTENACE of new streets instead of paving and then forgetting about them for the next 10-15 years.

Please replant trees that were removed.

I do not at this time feel that we should be charged such rates to have our street pave. Our taxes keep going up while the assessment goes down. There is no justice in this method.

### **Other comments (anything related to government)**

Taxes have already gone up. In a time when the economy is so bad, it is ridiculous to add more taxes when the streets should have been maintained all along. Crime is up in S Creek and streets are full of foreclosed houses. Who pays for their streets in front of their houses?

- I would like to applaud the snow removal service and tree service departments. They do a great job.

- I realize that patrolling Chesterfield for speeders would be different but I sure wish people would slow down. – Especially school buses. Thank you

Why have you waited so long to do any Repairs? Streets could have been repaired 10 years ago. If you had not waited so long it may not have cost as much.

Thank you Mr. Beuche for taking time to speak with me on street repairs. Also thank you for cutting down the trees near the street that were the cause of some of our sewage backups to our basement. We no longer have the backups with those two trees removed. I hope no trees are planted in their places.

Thank you for the survey

The downtown area is unsightly. There are so many wires hanging every where. There is no other city of our size that haven't fixed this problem. Even the little town of Vernon has fixed theirs!

I always brag to my friends, co-workers and family about the Swartz Creek Community and how good the services are, except when it comes to the hole in the street! 625-1620 – feel free to call

No more low income housing projects. Why do you want to bring more crime and drugs to S.C. (eg. Berkshire)

Change local ordinance of parking in street to winter only

I feel it has slipped since I've been living here on this st. The road has not been fix since I have moved into the neighborhood over 37 years ago. And government doesn't seem too concerned. I will vote for a chance of government on Aug 6. Thank you. P.S. the taxes are high enough now.

Most people don't shovel their sidewalks in a timely manner, or some not at all.

Enforce the parking laws during the yearly garage/yard sale in Winchester Village. Offenders make it very difficult to safely travel the roads. Demolish the old gas station building at Miller & Elms roads. No more trailer parks or low income apartment complexes – we have more crime today than we had before they were built. Fortino's store is a downtown eyesore.

Seems a little much to ask us. Like on the roads to pay for the repair even part of the repair. Last time I checked we all we required to pay taxes. I realize you are only talking 5. = To a month but I pay my taxes along with all my other expenses. Everything is expensive these days. Going no support for me when it comes to paying for road improvement. This is the city's responsibility. I have to



find a way to fix my home repairs, and additionally increase in expenses. Also does the city need to do this?

We need a “children at play – slow down” sign on Jennie as their has a # of small children riding bikes in the street!

There is a candidate for Council position who wants “change.” He almost sounds like a “poor” man’s Obama. I am satisfied with our Council structured Government.

I am a Senior Citizen who is on a fixed income, I have not realized a pension increase for many years, so taxes are beginning to be a major concern.

We in the city should be able to park in the street, our driveways on Jennie In. are very short we have kids with cars and we need a better place to park. It works in surrounding towns and I don’t see any problems. I also don’t know why we can’t park our boats in our driveway. Looks better than on side of house.

Please repave worchester! Besides the road, this is a great place to live!

Please repave Worchester! Besides the road, this is a great place to live!

We had a very good response on Christmas Eve due to a water main break. Hagstrom 635-3740

I am almost 80 years old, a widow living on a pension. It’s very true the streets in the village need repairing, but it would be a hardship for me to pay any amount at the present time.

Branches put out to the Rd. takes forever to get picked up by whomever hauls them away. Up to 3 weeks or more making our front yards look bad.

The city workers don’t fill the pot holes properly.

They fill it when its either too cold out or its just rained and they never stamp the loose piles down into the holes. This is a waste of our money.

Modification of current overnight parking citations on streets in front of homes. Many homes in the village do not have adequate driveway space. There are no options for overnight guest for parking without being fined. City should provides residents with alternative options on these occasions. Possible parking pass or permit obtained in advance might be an option.

Local government is becoming very slow at getting anything that needs to be done completed in a timely fashion!

Repair of roads is far more important than expanding the senior center.

Keep up the good work.

Our road needs to be done. I've seen a lot of kids get hurt because of the bad road conditions.

My road is so bad its hard to keep clean of ice, snow and leafs and stuff.  
So please help us with the road thanks for your time.

My family loves the Farmer's Market and all the other community activities.

I feel I have paid more than adequate taxes for those services.

I was told that Jennie Lane was supposed to be done over 3 years ago: I have been disappointed with repair service. But I'm happy with snow removal.

Why do I pay taxes?

Parking is relaxed for home town days (one week) but never for village garage sale (1 day only) why is one event more important than the other?

The people in city offices should have knowledge of what's happening about yard waste starts and ends; when clipping is done.

Is it done on a 1 wk-2wk ect baces

They know what's going oin with most everything else

Re #7A if meeting held in fall before snow birds fly South might have better response.

7B. Late afternoon – early evening

With the taxes that I pay on this property – I don't think that paying extra for general maintenance is necessary.

Four employees to remove brush, driving two vehicles. Poor use of manpower  
More waste of city money

What have you done with our tax dollars? Why is there no money for roads? Of all the things we pay taxes for, road construction and maintenance has to be among the most important. What other lower-priority (even frivolous) things has the city been allocating money for that has left us without an appropriate amount for street repairs? Finally, I would like to know whether the residents along Seymour and Miller roads were asked to chip in for the resurfacing of those streets, or is it just folks in the Village who have to pay for their own street repairs?

Most people in this subdivision pay close to 2000 a year in property taxes. The roads in this subdivision should be in better shape then they are.

Winston, Worchester, Cappy, and Fairchild are the most traveled in the subdivision because of the school and should have been kept up better than they have been.

We need more signs that say (slow down children at play) etc. Cars speed around Daval and Chelmsford all the time its dangerous! We have a lot of children around this corner!

Chelmsford Dr. needs (medium repair) towads Seymour pot holes!

<b>Chesterfield</b>						
<b>Please Rate the Importance you place on YOUR Street's Infrastructure</b>						
	5	4	3	2	1	NA
Street maintenance (snow removal)	19	5	2			1
Street maintenance (repair)	12	4	3	3	4	1
Sidewalks (snow removal)	9	3	3	1	4	7
Sidewalks (repair)	10	7	5	3		2
Street trees	9	9	4	1	4	
Street signs	14	8	3		2	
Street storm water management	15	6	3	1	2	
<b>Please Rate the Condition of YOUR Street's Infrastructure</b>						
	5	4	3	2	1	NA
Street maintenance (snow removal)	15	9	1		1	1
Street maintenance (repair)	2	2	5	7	11	
Sidewalks (snow removal)	2	2	5	1	5	12
Sidewalks (repair)	3	3	13	1	1	6
Street trees	4	6	7	2	3	5
Street signs	8	11	4			4
Street storm water management	5	9	6		3	4
<b>Will you be living in/owning this property 5 years from now?</b>						
	Yes	No	Unsure			
	23	0	5			
<b>Do you feel your street is in need of street repair?</b>						
	Yes	No	Unsure			
	16	0	1			
<b>If so, what level of repair do you think is appropriate?</b>						
	Light	Medium	Heavy			
	0	11	15			
<b>Would you be willing to pay for a portion of "light repairs" over 5 years?</b>						
	Yes	No	Unsure			
	1	17	6			
<b>If so, how much would you be willing to pay EACH year?</b>						
	\$50	\$100	\$150	\$200	\$250+	
	3	2	1	1	0	
<b>Would you be willing to pay for a portion of "medium repairs" over 5 years?</b>						
	Yes	No	Unsure			
	5	15	5			
<b>If so, how much would you be willing to pay EACH year?</b>						
	\$100	\$200	\$300	\$400	\$500+	
	5	1	2	0	0	

<b>Would you be willing to pay for a portion of "heavy repairs" over 5 years?</b>						
	Yes	No	Unsure			
	7	13	7			
<b>If so, how much would you be willing to pay EACH year?</b>						
	\$250	\$300	\$500	\$750	\$1000+	
	5	2	0	0	0	
<b>Would you be willing to attend an informal public hearing with staff, neighbors, and electors to further discuss street repair?</b>						
	Yes	No	Unsure			
	21	2	4			
<b>If so, what general time-frame would work best for you?</b>						
	9am-12:pm	12pm-3pm	3pm-6pm	6pm-9pm		
	6	2	5	17		
<b>Willing to Pay something</b>						
	Yes	No	Unsure			
	13	9	6			

**Daval**

**Please Rate the Importance you place on YOUR Street's Infrastructure**

	5	4	3	2	1	NA
Street maintenance (snow removal)	9	4		1		
Street maintenance (repair)	5	5	1	2	1	1
Sidewalks (snow removal)	3	4	3	2	1	2
Sidewalks (repair)	3	4	5	1	1	1
Street trees	4	4	2	1	3	1
Street signs	8	4	2			1
Street storm water management	8	4	1			1

**Please Rate the Condition of YOUR Street's Infrastructure**

	5	4	3	2	1	NA
Street maintenance (snow removal)	6	5	2		1	
Street maintenance (repair)		1	4	4	6	
Sidewalks (snow removal)	1	3	5	1	3	2
Sidewalks (repair)		4	7	1	2	
Street trees	1	3	4	3	4	
Street signs	3	6	4			2
Street storm water management	2	5	3	2	1	2

**Will you be living in/owning this property 5 years from now?**

	Yes	No	Unsure			
	12	1	3			

**Do you feel your street is in need of street repair?**

	Yes	No	Unsure			
	14	1	0			

**If so, what level of repair do you think is appropriate?**

	Light	Medium	Heavy			
	1	10	3			

**Would you be willing to pay for a portion of "light repairs" over 5 years?**

	Yes	No	Unsure			
	4	10	2			

**If so, how much would you be willing to pay EACH year?**

	\$50	\$100	\$150	\$200	\$250+	
	1	3	0	0	1	

**Would you be willing to pay for a portion of "medium repairs" over 5 years?**

	Yes	No	Unsure			
	6	8	2			

**If so, how much would you be willing to pay EACH year?**

	\$100	\$200	\$300	\$400	\$500+	
	2	2	1	1	1	

<b>Would you be willing to pay for a portion of "heavy repairs" over 5 years?</b>						
	Yes	No	Unsure			
	2	12	2			

<b>If so, how much would you be willing to pay EACH year?</b>						
	\$250	\$300	\$500	\$750	\$1000+	
	1	0	0	1	0	

<b>Would you be willing to attend an informal public hearing with staff, neighbors, and electors to further discuss street repair?</b>						
	Yes	No	Unsure			
	12	1	2			

<b>If so, what general time-frame would work best for you?</b>						
	9am-12:pm	12pm-3pm	3pm-6pm	6pm-9pm		
	1	1	1	9		

<b>Willing to Pay something</b>						
	Yes	No	Unsure			
	8	7	1			

**Jennie**

**Please Rate the Importance you place on YOUR Street's Infrastructure**

	5	4	3	2	1	NA
Street maintenance (snow removal)	7	5	1			
Street maintenance (repair)	6	3		1	2	
Sidewalks (snow removal)		1			2	9
Sidewalks (repair)	1			1		9
Street trees	1	2	3	1		3
Street signs	6	3	2			
Street storm water management	6	4	1			

**Please Rate the Condition of YOUR Street's Infrastructure**

	5	4	3	2	1	NA
Street maintenance (snow removal)	9	2	1			
Street maintenance (repair)		1	3		8	
Sidewalks (snow removal)						11
Sidewalks (repair)				1		10
Street trees	2	1	2			7
Street signs	4	2	4		1	
Street storm water management	3	6	1			1

**Will you be living in/owning this property 5 years from now?**

	Yes	No	Unsure			
	8	1	5			

**Do you feel your street is in need of street repair?**

	Yes	No	Unsure			
	13	0	0			

**If so, what level of repair do you think is appropriate?**

	Light	Medium	Heavy			
	0	10	2			

**Would you be willing to pay for a portion of "light repairs" over 5 years?**

	Yes	No	Unsure			
	5	7	0			

**If so, how much would you be willing to pay EACH year?**

	\$50	\$100	\$150	\$200	\$250+	
	0	2	1	2	0	

**Would you be willing to pay for a portion of "medium repairs" over 5 years?**

	Yes	No	Unsure			
	4	7	1			

**If so, how much would you be willing to pay EACH year?**

	\$100	\$200	\$300	\$400	\$500+	
	0	3	1	0	0	



<b>Would you be willing to pay for a portion of "heavy repairs" over 5 years?</b>						
	Yes	No	Unsure			
	3	8	1			

<b>If so, how much would you be willing to pay EACH year?</b>						
	\$250	\$300	\$500	\$750	\$1000+	
	1	2	0	0	0	

<b>Would you be willing to attend an informal public hearing with staff, neighbors, and electors to further discuss street repair?</b>						
	Yes	No	Unsure			
	8	0	3			

<b>If so, what general time-frame would work best for you?</b>						
	9am-12:pm	12pm-3pm	3pm-6pm	6pm-9pm		
	2	2	2	8		

<b>Willing to Pay something</b>						
	Yes	No	Unsure			
	5	7	1			

Worcester						
<b>Please Rate the Importance you place on YOUR Street's Infrastructure</b>						
	5	4	3	2	1	NA
Street maintenance (snow removal)	19	11	4			
Street maintenance (repair)	11	5	10	2	6	
Sidewalks (snow removal)	3	1	9	3	3	14
Sidewalks (repair)	8	6	9	4	3	4
Street trees	8	12	5	2	3	4
Street signs	16	11	4			3
Street storm water management	11	11	7	1		4
<b>Please Rate the Condition of YOUR Street's Infrastructure</b>						
	5	4	3	2	1	NA
Street maintenance (snow removal)	13	12	7		1	
Street maintenance (repair)		1	9	6	17	
Sidewalks (snow removal)			10		6	14
Sidewalks (repair)		3	13	4	8	4
Street trees	1	10	6	5	5	5
Street signs	8	13	7		1	4
Street storm water management	4	11	9	2	2	5
<b>Will you be living in/owning this property 5 years from now?</b>						
	Yes	No	Unsure			
	23	2	10			
<b>Do you feel your street is in need of street repair?</b>						
	Yes	No	Unsure			
	33	0	2			
<b>If so, what level of repair do you think is appropriate?</b>						
	Light	Medium	Heavy			
	2	16	15			
<b>Would you be willing to pay for a portion of "light repairs" over 5 years?</b>						
	Yes	No	Unsure			
	7	15	7			
<b>If so, how much would you be willing to pay EACH year?</b>						
	\$50	\$100	\$150	\$200	\$250+	
	1	8	1	1	0	
<b>Would you be willing to pay for a portion of "medium repairs" over 5 years?</b>						
	Yes	No	Unsure			
	10	16	6			
<b>If so, how much would you be willing to pay EACH year?</b>						
	\$100	\$200	\$300	\$400	\$500+	
	6	5	2	1	0	

<b>Would you be willing to pay for a portion of "heavy repairs" over 5 years?</b>						
	Yes	No	Unsure			
	5	20	6			
<b>If so, how much would you be willing to pay EACH year?</b>						
	\$250	\$300	\$500	\$750	\$1000+	
	4	2	1	0	0	
<b>Would you be willing to attend an informal public hearing with staff, neighbors, and electors to further discuss street repair?</b>						
	Yes	No	Unsure			
	20	5	9			
<b>If so, what general time-frame would work best for you?</b>						
	9am-12	12pm-3	3pm-6pm	6pm-9pm		
	5	6	1	20		
<b>Willing to Pay something</b>						
	Yes	No	Unsure			
	14	15	5			

**PLANNED DEVELOPMENT AGREEMENT  
BETWEEN  
THE CITY OF SWARTZ CREEK  
AND  
TOPVALCO, INC.**

THIS AGREEMENT is made this 11<sup>th</sup> day of February, 2002, by and between the CITY OF SWARTZ CREEK, a Michigan municipal corporation with principal office at 8083 Civic Drive, Swartz Creek, MI 48473 ("City") and TOPVALCO, INC., an Ohio Corporation with principal office at 18334 Park Drive North, Livonia, MI 48151 ("Developer").

WHEREAS, THE Developer has proposed to develop a supermarket, a commercial building and a gas kiosk ("Project") upon certain property within the City located at Miller Road and Elms Road and which is legally described in Exhibit A attached hereto ("Site"); and

WHEREAS, the Site is part of an area for which the City has adopted a Conceptual Site Plan for a Business Planned Development District pursuant to Article VIII of the City's zoning ordinance, which Planned Development District is known as the Miller/Elms Road Business Planned Development District and is described in Exhibit B attached hereto; and

WHEREAS, the Developer has submitted an application for a Final Site Plan for the part of the Business Planned Development District consisting of the Site and the Project, and the said Final Site Plan has been reviewed by the Planning Commission and approved by the City Council; and

WHEREAS, prior to the issuance of a building permit for the Development, section 8.08 of the zoning ordinance of the City requires a written agreement be executed by the City and the Developer setting forth the conditions upon which the PDD Final Site Plan approval was based, including a specific list of any approved deviations from the standards of the zoning ordinance; and

WHEREAS, this agreement is entered into by the City and the Developer in fulfillment of the requirements of section 8.08 of the City zoning ordinance;

NOW, THEREFORE, the City and the Developer, acting by and through their duly authorized representatives, HEREBY AGREE AS FOLLOWS:

**1 Definitions.**

- a. "Project" means the development of a supermarket, a commercial building and a gas kiosk on the Site as set forth in and as described in the Project Plans.
- b. "Project Plans" means the site plan, surveys, other drawings and any other written or graphic documentation submitted by the Developer to the city and which were the basis for the zoning and other approvals given by the City for the Project and which were approved by the City, together with the conditions upon which any City approval was based. Said plans, surveys, drawings, written or graphic documentation and conditions are attached hereto as Exhibit C.
- c. "Public Improvement" means public streets, alleys, sidewalks and trails, sanitary sewer lines, municipal water lines, storm sewers and drainage facilities, street lighting, public recreational facilities, parkland and all easements and rights of way associated therewith.

## **2. Rezoning of Site.**

The Developer acknowledges that the City has rezoned a larger area of which the Site is a part to Business Planned Development District as an overlay zoning classification, and that the City has rezoned the underlying zoning of the Site from its prior zoning classification of RA-1 One Family Residential District to B-3 General Business District.

## **3. Approval of Conceptual Site Plan.**

The Developer acknowledges that, concurrently with the rezoning of the larger area of which the Site is a part to Business Planned Development District, the City has approved a Conceptual Site Plan for the Miller/Elms Road Business Planned Development District, and that the Site and Development are a part of the Miller/Elms Road Business Planned Development District Conceptual Site Plan.

## **4. The Project**

- a. The Project consists of the following private improvements:
  - 1) a supermarket store;
  - 2) a commercial building of approximately 10,880 square feet to be used for any of the uses permitted within the City's B-3 General Business zoning district;
  - 3) a gas kiosk and associated gasoline islands;
  - 4) a storm water detention facility;
  - 5) parking and loading facilities;
  - 6) landscaping;
  - 7) signage;

- 8) two (2) service roads; and
  - 9) lighting facilities
- b. A more detailed representation of the private improvements is presented in the Project Plans. If constructed, all such private improvements shall be constructed in compliance with the Project Plans, City ordinance, and the other requirements of law.
  - c. The commercial building may be occupied for any use permitted within the City's B-3 General Business zoning district, subject to all conditions for such use provided for in the City's zoning ordinance, including minimum parking requirements.

**5. Conditions and Acknowledgments.**

Site plan approval for the Project as a part of the Miller/Elms Road Business Planned Development District is subject to the following conditions and acknowledgments:

- a. The Site shall be developed solely in the manner set forth in the approved Final PDD Site Plan dated 11/15/01 and submitted by the Developer to the City as said Plan has been modified by the action of the City of Swartz Creek Planning Commission and the City of Swartz Creek City Council. The Developer shall not engage in, participate in, or assist in any activity to develop the Site in any manner different from or contrary to that described in the approved Final PDD Site Plan.
- b. The Site and the Project, with the modifications approved and/or established by the Planning Commission and the City Council, meet the standards of Section 8.11 of the zoning ordinance of the City of Swartz Creek.
- c. The Final Site Plan for the Site and the Project, as approved with modifications, is deemed to be consistent with the existing Design Guidelines for the Miller/Elms Road Business Planned Development District Conceptual Site Plan, and, except as otherwise provided in the Final Site Plan for the Site and the Project, the Site shall at all times be subject to said Design Guidelines as presently established. Any future changes or additions to the Site and any future Site Plan shall comply with said Design Guidelines as may be in effect at the time of said future change or addition.
- d. As a condition of receiving a driveway permit for access to Miller Road, the Developer agrees to pay for a traffic study for the intersection created by said driveway. The study will be conducted at a time, in the manner, and by such party, the City shall decide.

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- e. At any time the City determines that the intersection created by the driveway providing access to and from Miller Road meets the warrants for a signalized intersection under the Uniform Manual for Traffic Control Devices, the City shall present the Developer with the plans and costs for the design, purchase and installation of a traffic signal at such intersection for the Developer's review. If the costs of such design, purchase and installation are commercially reasonable, the Developer shall pay for 100% of the costs of such design, purchase and installation. Such determination by the City need not be concurrent with the traffic study paid for by the Developer.
- f. If, between the time of execution of this agreement and the time the City decides the intersection created by the driveway providing access to and from Miller Road meets the warrants for a signalized intersection under the Uniform Manual for Traffic Control Devices, another development within the Miller/Elms Road Business Planned Development District, is presented to the City for zoning approval, the City shall, to the extent permitted by law, require, as a condition of such zoning approval, such development to share in the cost of the design, purchase and installation of said traffic signal on a pro-rata basis with the Developer. Cost sharing will be determined based on the ratio of each project's gross square footage of land divided by 2,254,255 square feet.
- g. To the extent permitted by law, the City shall require, as a condition of site plan approval for any project in the Miller/Elms Planned Development District presented to it for zoning approval after the installation of said traffic signal, that the developer of such project reimburse the Developer and any other party providing funds for said traffic signal under subsection f, above, of a proportional share of the cost paid by the Developer or such other party for said traffic signal. Cost sharing will be determined based on the ratio of each project's gross square footage of land divided by 2,254,255 square feet.
- h. The City will use its best efforts to obtain reimbursement of traffic signal construction costs for the Developer; however, it is mutually agreed that under no circumstances will the City be responsible to reimburse the Developer for any cost associated with the design, purchase and installation of the traffic signal, including legal or collection expenses. Specifically, the City's failure or inability to place a reimbursement condition on any site plan approval or the failure of any entity to reimburse the Developer for their proportional share of the signalization expense shall not be cause to seek redress from the City.
- i. The Developer further agrees to cooperate with the City in the placement and construction of the traffic signal as may be required, including a grant of any temporary or permanent easements necessary for its construction.

- j. The Developer shall insure that clear, unfettered vehicular and pedestrian access for the public exists into, from and across all internal drives, roadways and parking areas of the Project in order to connect the Project to other developments in the Miller/Elms Planned Development District. To that end, as a condition precedent to the final approval of the Site Plan for the Project, the Developer shall provide the City with such easements on or over the Site as shall be reasonably necessary for such purposes.
- k. The project may be constructed in two phases. The first phase constructed (Phase 1) shall be the supermarket, related parking and loading facilities, two service roads, storm water detention facility and related landscaping, signage and lighting. Phase 1 may included the gas kiosk. The second phase constructed (Phase 2) will be the commercial building and the gas kiosk if not constructed as part of Phase 1.

#### **6. Approved Deviations From Ordinance Standards.**

- a. A 198.4 square foot wall sign is permitted on the south wall of the building and a 212.6 square foot wall sign is permitted on the north wall of the building where wall signs not larger than 125 square feet are allowed.
- b. A wall sign is permitted on the north wall of the building.
- c. Two (2) wall signs are permitted on the south wall of the building.
- d. The supermarket is permitted, at rear of supermarket, to have three (3) loading spaces when four (4) spaces are usually required by the zoning ordinance.
- e. The monument sign to be located along the Miller Road frontage is permitted to have a height of 12 feet when such signs are usually required to have a maximum height of 5 feet.

#### **7. Time for Performance**

- a. The Developer shall not commence work on the Project until all approvals of the City and any other governmental or regulatory agency required for completion of the Project have been obtained, and no work on the construction of any structure shall begin until a building permit therefore has been issued; provided, however, that the construction of each phase may, with the permission of the City, which permission will not be unreasonably withheld, proceed in steps using a "fast Track" approach so long as the Developer obtains any necessary permits for each step. For example, the Developer could be permitted to proceed with demolition



And grading of the Site prior to issuance of a building permit for the Project. The Developer shall pay a penalty equal to the amount of the building permit for work on any structure begun prior to issuance of a building permit by the City. This does not preempt the City from taking other appropriate actions in response to this violation of City ordinances.

- b. The Developer shall complete Phase 1 of the Project by June 30, 2003, and Phase 2 by June 30, 2005.

**8. Effect and Term of Agreement.**

This agreement shall run with land and shall be binding on the Developer and its successors in title. This agreement shall continue in effect for so long as the Site and the Development are in existence or until modified or terminated by the written agreement of the City and the Developer or the Developer's successor in title and interest.

**9. Applicable Law.**

This agreement shall be governed by, interpreted, construed, and enforced pursuant to and in accordance with the laws of the State of Michigan.

**10. Enforceability.**

If any provision of this agreement is held to be unenforceable for any reason, the unenforceability thereof shall not affect the remainder of this agreement which shall remain in full force and effect and enforceable in accordance with its terms.

**11. Entire agreement.**

This agreement supersedes all contemporaneous or previous negotiations and/or agreements and constitutes the entire agreement between the parties with respect to its subject matter. No verbal statements or prior written materials not specifically incorporated in this agreement have been relied upon by the parties in entering into this agreement.

**12. Binding effect.**

This agreement shall be binding upon and inure to the benefit of the parties and their respective successors and assigns.


**13. Recording.**

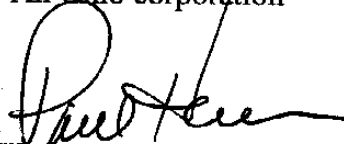
A copy of this agreement shall be recorded with the Genesee County Register of Deeds.

IN WITNESS WHEREOF, THE City and the Developer, acting by and through their duty authorized representatives, have executed this agreement as of the date first written above.

**THE CITY OF SWARTZ CREEK**  
A Michigan municipal corporation

**TOPVALCO, INC.**  
An Ohio corporation

  
\_\_\_\_\_  
Dennis Allen, Mayor

By:   
\_\_\_\_\_  
By: Paul W. Heldman  
Vice President

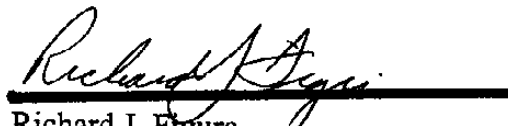


Date 4-8-02

  
\_\_\_\_\_  
Mary Jo Clark, City Clerk

Date 4-8-02

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Richard J. Figura  
City Attorney

Date 4-8-02

# City of Swartz Creek

## Department of Police

Chief **RICK CLOLINGER**

8100-A Civic Drive

Swartz Creek, Michigan 48473

Phone: **(810) 635-4401**

Fax: **(810) 635-3728**

July 23, 2008

Paul Bueche, City Manager  
City of Swartz Creek

Re: Harley Davidson Police Motorcycle Lease Agreement

Sir,

R/O was notified by Ron Lonsway of Cummings Harley Davidson in reference to a second-year lease on our currently held 2007 Harley Davidson police motorcycle. He states that the ownership at Cummings Harley Davidson decided that rather than issue a new motorcycle with a new lease for 2008-09, they would extend and sign a second lease agreement for the 2007 Harley Davidson motorcycle this department currently has in its possession. The contract for the lease agreement is dated June 5, 2008 and would be valid for twelve months from this date.

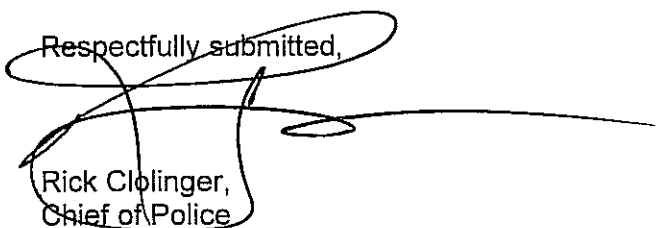
As you are aware, this department had a lease from June 1, 2007 through June 1, 2008. The second lease is submitted with this report for approval on the 2007 Harley Davidson motorcycle, VIN #1HD1FHM147Y715555.

It is beneficial for the Swartz Creek Police Department to carry the same motorcycle into a second year lease as this Department will not have to re-stripe a new motorcycle or transfer equipment, thus a savings of approximately \$500-700 would be realized.

The lease agreement for the 2008-09 season is \$1500. This money has been budgeted for within the Swartz Creek Police Department under line item #661-301-941.

It is requested by R/O to have this agreement authorized by resolution of the Swartz Creek City Council for approval. R/O will then submit payment for the one-year lease.

Respectfully submitted,



Rick Clolinger,  
Chief of Police

RC/jl

# HARLEY-DAVIDSON POLICE MOTORCYCLE LEASE AGREEMENT

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This Agreement made and entered into between CUMMINGS HARLEY-DAVIDSON designated as the Lessor, and CITY OF SWARTZ CREEK , designated as the Lessee, made this 5th day of June 2008 , for the purpose of leasing to the Lessee 1 Harley-Davidson police motorcycles, under the following terms and conditions:

## 1. EQUIPMENT

1 year 2007 Harley-Davidson police solo motorcycles with windshield, pursuit lamps, strobe light and siren. VIN 1HD1FHM147Y715555 .

## 2. AGREEMENT TERM

This Agreement shall be effective as of the date of execution for a period of 12 months. Motorcycles leased under this Agreement are to be used for Police and related activities only.

## 3. PAYMENT PERIOD

The Lease agreement will be for the amount of \$1500.00 each . The Lessee shall pay one yearly payment in the amount of \$1500.00. Payments include the cost of the equipment, payment of interest, and administrative costs less the residual value of the motorcycles.

## 4. INSURANCE

At its own expense, the Lessee shall carry Casualty Insurance with respect to the motorcycles and shall carry Public Liability and Property Damage insurance sufficient to protect the full value of the equipment and to protect the Lessor from liability in all events. The Lessee shall carry Workman's Compensation Insurance covering all employees working on, in, near, or about the motorcycles and shall require any other person working on, in, near, or about the motorcycles to carry such coverage. The Lessee shall furnish to the Lessor certificates or other satisfactory evidences of all the insurance coverages described above as required by the terms

and conditions of this Agreement.

**5. INDEMNITY**

The Lessee shall and does hereby indemnify and save the Lessor harmless from any and all liability arising out of the leasing, renting, operation, control, use, delivery and/or return of the motorcycles including, but not limited to injuries causing personal injury, property damage and/or death, but shall be credited with any amounts received by the Lessor with respect thereto from liability insurance secured by the Lessee. That indemnification shall include all costs and expenses including attorney's fees incurred by the Lessor in connection with any suits or actions resulting from any special liability.

**6. LIENS**

The Lessee shall not directly or indirectly create, incur, assume or suffer to exist any mortgage, pledge, lien, charge, encumbrance or claim on or with respect to the equipment, except with respect to the respective rights of the Lessor as herein provided. Lessee shall promptly, at its own expense, take such actions as may be necessary to duly discharge any such mortgage, pledge, lien, charge, encumbrance or claim not excepted above if the same shall arise at any time.

**7. TAXES**

The Lessee shall comply with all laws and shall pay all taxes, if any, including but not limited to Sales and Use Taxes, Excise Taxes, Personal Property Taxes and Assessments and Penalties, Licenses, Registration Fees, Freight and Transportation Charges, Permits and any similar charges imposed on the ownership, possession or use of the motorcycles during the term of this Agreement.

**8. CARE AND USE OF EQUIPMENT**

The Lessee at its own cost and expense shall maintain the motorcycles in good operating condition, repair and appearance, and protect them from deterioration other than normal wear and tear; shall use the motorcycles for police and related activities only, without abuse, and in a

manner contemplated by Cummings Harley-Davidson, shall not make modifications, alterations or additions to the motorcycles (other than normal operating accessories or controls) without the written consent of Cummings Harley-Davidson, which shall not be unreasonably withheld.

Cummings Harley-Davidson, shall have the right during normal hours to enter upon the premises where the motorcycles are located in order to inspect, observe or otherwise protect their interest and the Lessee shall cooperate in affording them the opportunity to do the same.

The Lessee agrees to maintain the motorcycles pursuant to the Manufacturer's Standard Preventative Maintenance Contract and/or Recommendations.

**9. DAMAGE OR DETERIORATION OF EQUIPMENT**

In the event the equipment is partially damaged or destroyed prior to the end of the Agreement Terms, the Lessee will promptly have the equipment repaired and restored to its original condition and working order for the purposes intended.

**10. EVENTS OF DEFAULT AND REMEDIES**

Lessee shall be deemed to be in default hereunder upon the happening of any of the following events of default:

- a. Lessee shall fail to make any periodic payment, or to pay any other payment required to be paid hereunder, or
- b. Lessee shall fail to keep any such other term, covenant or condition contained herein.

Upon the occurrence of an event of default as specified above, the Lessee shall fail to remedy such event of default with all reasonable dispatch within a period of thirty (30) days, Lessor or its assigns shall have the right, at its option without any further demand or notice, to pursue any one or more of the following remedies:

- a. by written notice to Lessee, declare an amount equal to all payments due during the Agreement Term to be immediately due and payable as liquidated damages and not as a penalty, whereupon the same shall become immediately due and payable.
- b. re-enter and take possession of the equipment enforcing this Agreement or terminating this Agreement, and repossess the equipment and sell or lease the equipment for the account of

Lessee, holding Lessee liable for all payments up to the effective date of such leasing or selling and for the difference in the purchase price, rental and other amounts paid by the Lessee or purchaser pursuant to such lease or sale and the amounts payable by Lessee hereunder, and

- c. take whatever action at law or in equity may appear necessary or desirable to collect the payments then due and thereafter to become due, or to enforce performance and observance of any obligation, Agreement or covenant of Lessee under this Agreement.

**11. DISPOSITION OF EQUIPMENT**

Upon termination of this Leasing Agreement at the end of the rental period, the City of Swartz Creek will have the option of purchasing the Harley-Davidson Motorcycle covered by this Agreement for \$17,500.00 each from Cummings Harley-Davidson. This price does not include windshield, pursuit lamps, strobe light or siren. Said disposition will be determined immediately prior to the end of the Lease Agreement period.

The above terms and conditions are acceptable.

Lessor: Cummings Harley-Davidson

Lessee: City of Swartz Creek

By:  \_\_\_\_\_

By: \_\_\_\_\_

Its: Owner/Managing Member

Its: \_\_\_\_\_

Date: June 5, 2008

Date: June 5, 2008

**REQUEST FOR PROPOSALS  
OLD CITY HALL PROPERTIES:  
CITY OF SWARTZ CREEK**

July 29, 2008

**Overview**

The City of Swartz Creek, Michigan is seeking proposals for the purchase and redevelopment of a single property located at 5129 Morrish Road; between Miller Road and Grove Street. The City of Swartz Creek owns the parcel, including the cinderblock storage structure. The structure has the potential to be renovated or may be demolished. The City would like lot property developed into a use conducive the downtown area (central business district zoning).

The site is currently used for public use (storage). A Phase One environmental study has revealed NO contamination on the site; however, residential proposals are discouraged. Non-residential uses such as office shall be preferred over residential proposals. Industrial uses shall not be permitted. Innovative uses for the site are encouraged.

**Background on the City of Swartz Creek:**

The City of Swartz Creek is located approximately 7 miles West of Downtown Flint, Michigan, near the western edge of Genesee County. Swartz Creek has two (2) interchanges on I-69, at Morrish and Miller Roads. I-69 is an east-west highway that connects with I-75 to the immediate east, providing a north-south connection through the entire state. Miller Road is the primary east-west route through the city and provides access to the larger commercial areas in Flint Township to the east.

**General Information**

The property is a platted parcel, measuring approximately 130' x 96', located at 5129 Morrish Road in downtown Swartz Creek. The parcel is adjacent to one single family home to the north and one office building on Morrish Road to the south. It also abuts the Swartz Creek City Department of Public Service Building to the east and an additional single family home to the east, on Grove Street.

The structure on the property is a cinderblock building currently used by the City for storage of miscellaneous equipment and infrastructure components. This building roof is rapidly deteriorating, but is otherwise suitable for rehabilitation. The property has access to water, sewer, cable, phone, and gas utilities.

Historical use of the structure is not fully documented. The Phase One environmental and other records indicate the site was used as a blacksmith shop, a single family home with garage, and as storage for the City. No contamination was discovered, but a BEA is recommended.

Further information can be requested from the city staff.

**Coordinating Office**

All questions and additional information concerning this request for proposals should be directed to:

Mr. Paul Bueche, City Manager



City of Swartz Creek  
8083 Civic Drive  
Swartz Creek, MI 48473-1498  
(810) 635-4464

### **Deadline for Submission**

All proposals must be submitted to City Hall on or before 4:00 PM, Wednesday August 27, 2008 at the above address.

### **Project Development Guidelines**

The proposals for development must incorporate the following guidelines:

1. The City will allow development on the platted lot, meeting the dimensional and use requirements of the Zoning Ordinance for the Central Business District.
2. If a new residential unit is proposed, the design must match the units in the neighborhood (1½ or 2 story structure complimenting the common era of construction). Garage doors must be side entry or recessed, if feasible.
3. If a new residential unit is proposed, a Baseline Environmental Assessment shall be completed by the Developer.
4. The exterior/facade of any new or rehabilitated structure shall have a quality appearance consistent with new residential or commercial construction and the design guidelines observed in the City's Planned Unit Development Districts.
6. Access and parking (if proposed) must be clearly identified in the proposal.
7. Landscaping, pedestrian amenities, and other features are encouraged and must be identified.
8. Rehabilitation of the existing structure will be considered.
9. Combination with any adjacent parcel for use as an accessory use or open space shall also be considered.

### **Evaluation Criteria**

All proposals will be reviewed and ranked by the City Administrative Staff with final approval by the City Council. The basis of the evaluation criteria and development objectives set forth below:

1. Achievement of site goals and proposal guidelines.
2. Capacity to complete project; commence construction in 2008 or 2009.
4. Demonstrate and provide financial capacity to undertake project.
5. Anticipated sale price of project (if applicable).
6. Experience with similar development projects.
7. Creativity of design and use of the land.
8. Purchase price of property (selection will NOT be based solely upon price).

### **Selection Process**

All proposals will be reviewed and ranked by the City administration. A written evaluation will then be forwarded to the Council rating each of the proposals and providing comments. The City reserves the right to ask any or all applicants to make a formal public presentation. The City may request additional proposal or financial information to further clarify or support the submission. The Council will then consider the proposals based on the above evaluation criteria and select a preferred developer.

A purchase/development agreement will then be negotiated with the developer prior to final approval by the City Council. This agreement will contain the purchase price and any conditions related to development of the sites. If a purchase/development agreement is not concluded in a timely fashion, the City Council, at its option, may choose to initiate negotiations with the next highest ranked applicant. The City reserves the right to reject any or all proposals, to waive irregularities and/or informalities in any proposal, and to make the award in any manner deemed in the best interest of the City of Swartz Creek.

### **Proposal Content and Format**

Three (3) copies of the proposal shall be submitted to the City and shall be formatted in the order outlined below. Each section of the proposal must be clearly identified with the appropriate headings. Brevity in response to the application is appreciated and the proposal need not exceed ten (10) pages in length. Additional copies may be requested if necessary.

### **Proposal Format**

1. Project Description- provide written and/or graphic materials portraying the developer's proposal for how the lot will be used and/or developed.
2. Plans/Elevations - Provide a sketch plan of any new or rehabilitated structure; any proposed driveway, parking, or garage locations; and elevations or sample renderings/photos of the building exterior.
3. Organization - State the full name and address of the organization. Indicate whether it operates as an individual, partnership corporation or limited liability company. Include copies of licenses to operate in the State of Michigan, certificate of insurance, and other pertinent legal documentation. Please indicate whether the organization or its principals has ever conducted business under any other name. This information shall be provided for all organizations participating in the development of the property.
4. Prior Experience - Provide a description of other projects completed (as developer or as the contractor of the developer).
5. Project Financing - Provide a description of the financial resources for completion of the project including time schedule required to assemble needed financial commitments.
6. Schedule - Include a project completion schedule including starting and completion dates and other key dates as identified for action (i.e. breaking ground, initiation of rehabilitation, project completion).
7. Purchase Offer - indicate the amount offered for the property and any contingencies proposed.
8. Authorized Negotiator - Include the name, signature and telephone number of the person(s) in your organization authorized to negotiate an agreement with the City of Swartz Creek.

### **Disclosure and Cost Liability**

All information in an applicant's proposal is subject to disclosure under the provisions of Public Act No. 442 of 1976, known as the "Freedom of Information Act" except the description of financial resources if confidentiality is requested. This act also provides for the complete disclosure of contracts and attachments thereto.

The City of Swartz Creek assumes no responsibility or liability for costs incurred by the applicant. Total liability of the City of Swartz Creek is limited to the terms and conditions as stated in the RFP and any subsequent agreement with the City.

**Indemnification:**

The successful bidder agrees to defend, indemnify and hold harmless the City of Swartz Creek, its officers and members, and its respective employees and agents, from and against all claims, lawsuits, losses and expenses including attorney's fees arising out of or resulting from the performance of this award.

**Pre-Bid Meeting:**

A pre-bid meeting for all interested applicants will be held at 2:00 p.m. on Wednesday, August 13, 2008 at the Swartz Creek Council Chambers, 8083 Civic Drive, Swartz Creek, MI 48473-1498. Members of the administration will be available to answer any questions about the site and proposal. The meeting may adjourn to the site for inspection of the property. If, as a result of the questions raised at the meeting, the RFP is revised or additional information is provided, this information will be sent to all interested parties.

**Schedule:**

The following dates have been established, but are subject to change at the City's option. The City of Swartz Creek reserves the right to invite a presentation of the proposals.

RFP Issued July, 2008

Pre-Bid Meeting August 13, 2008 at 2:00 p.m.

RFP Response Deadline August 27, 2008 at 4:00 p.m.

Presentations by Invitation To Be Announced

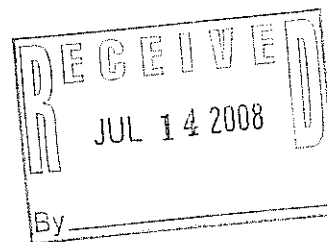
Council Selection Tentative, September 2008

Agreement Negotiated/Approved Within 30 Days of Selection

Commence Construction Spring, 2009

**Non Refundable Deposit:**

As a good faith commitment to proceed, a mutually agreeable, non-refundable deposit will be required upon the signing of a purchase agreement with the City. This money will be applied to the purchase price upon closing. If, however, the agreement is breached by the Developer, voided or rescinded, the deposit will be forfeited to the City.



July 11, 2008

Paul Bueche, City Manager  
City of Swartz Creek  
8083 Civic Dr.  
Swartz Creek, MI 48473

Dear Mr. Bueche:

As part of Comcast's commitment to keep you informed about important developments that affect our customers in your community, I am writing to notify you of changes in the channel lineup. Our customers will be notified of these changes by newspaper notice.

Effective July 31, 2008, Music Choice channels 401-448 will be available with Limited Basic and a digital receiver.

The following changes will take place on August 15, 2008:

	<u>Current Channel</u>	<u>New Channel</u>
G4	65	73
Hallmark	56 (Standard Basic)	137 (Digital Starter)

Also, we are pleased to announce the addition of the Big Ten Network to Standard Basic channels 65 and 255 and Big Ten Network HD to Digital Starter channel 256. ReelzChannel will be added to Digital Classic channel 161. A free preview of ReelzChannel will be available to Digital Classic customers beginning on July 15, 2008.

At the same time, the following West Coast Feeds will no longer be available; Flix channel 171, HBO2 channel 307, HBO Signature channel 308, HBO Family channel 309, HBO Latino channel 312, More Max channel 323, ActionMax channel 326, Showtime channel 343, Showtime Too channel 344, Showtime Showcase channel 345, Showtime Extreme channel 348, Showtime Beyond channel 349, TMC channel 351, TMC 2 channel 353, Starz channel 376 and Starz Cinema channel 380. These west coast feeds duplicate programming which will continue to be available from the east coast feed of these programmers.

Please direct any customer calls about Comcast products, services and prices to 1-888-COMCAST. Our Customer Account Executives are available 24 hours a day, 7 days a week. As always, feel free to contact me directly at [redacted] with any questions you may have.

Sincerely,

Gerald W. Smith  
Government Affairs Manager  
Comcast, Michigan Region  
36250 Van Dyke Ave.  
Sterling Heights, MI 48312

NAME	GOVERNMENTAL UNIT
Sandra Kleven	Village of Holly
Jeff Wren	Village of Holly
Juanita Agiza	City of Sout Cree
Dennis H. Montague	Richfield Twpsh
5 Gerald Masters	Richfield Twpsh.
DENNIS J TOAD	Village of Holly
John Hemingway	Richfield Twp.
DOOG STEPHENS	<del>PL</del> SWARTZ CREEK
John GilBERT	Swartz Creek
10 Raelyn Hells	Swartz Creek
William P. Kuyk, Sr.	VILLAGE OF HOLLY, MI.
Mike Shumaker	City of Swartz Creek
Connie Eskew	City of Swartz Creek
GARY OKONSKI	VILLAGE OF HOLLY
15 Bud Grimes	City of S.C.
Kathy Ridley	" Pl. Commissic
Richard Abrams	City of S.C.
Rox Smith	City of S.C.
20 THOMAS E. CLARK	Holly Village
PAUL BOECKE	City of S.C.
Eric Olson	Village of Holly
Jim Florence	City of Swartz Creek
ROCKEHOE	City S/C
25 Tim Packer	ZBA
26 Connie Church	Richfield Twp

ZONING CLASS

6:30 - 8:30

- X ✓ PAUL BUECKE
- X ✓ ADAM ZETTEL
- ✓ TOM SYRCEK
- X ✓ RAE-LYN HICKS
- X ROB KEHOE
- X ✓ JUANITA AGUILAR
- X ✓ CONNIE ESKEW
- X ✓ MIKE SHUMAKER
- X ✓ JIM FLORENCE
- X ✓ RICHARD ABRAMS
- ✓ DAVE KRUEGER 4692 - will not attend
- X ✓ JOHN GILBERT 635-9762
- X ✓ KATHY RIDLEY
- X ✓ RON SMITH
- X ✓ JIM PACKER
- X ✓ DOUG STEPHENS
- X ✓ BUD GRIMES

LAW OFFICES  
OF  
**SIMEN, FIGURA & PARKER, P.L.C.**

SANDER H. SIMEN, P.C.  
RICHARD J. FIGURA, P.C.  
PATRIC PARKER, P.C.

STEPHEN W. WALTON  
PETER T. MOONEY, P.C.  
MICHAEL J. GILDNER  
KARI E. BURBA  
WILLIAM E. DELZER

*of counsel:*

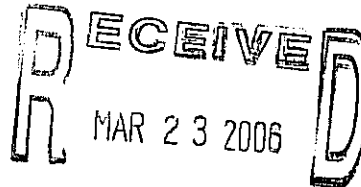
ALLAN L. PARKER  
ROBERT H. BANCROFT, P.C.  
JOHN R. MOYNIHAN, P.L.C.

GATEWAY FINANCIAL CENTRE, SUITE 200  
5206 GATEWAY CENTRE  
FLINT, MICHIGAN 48507

TELEPHONE  
(810) 235-9000

FACSIMILE  
(810) 235-9010

E-MAIL  
=@sfplaw.com



TRAVERSE CITY AREA OFFICE:

11470 S. LEELANAU HWY.  
SUITE 105 - P.O. BOX 447  
EMPIRE, MICHIGAN 49630  
Telephone: (231) 326-2072  
Facsimile: (231) 326-2074

March 22, 2006

Clean Water Action  
Attn: Sarah Grutza  
1200 Michigan Avenue, Ste. A  
East Lansing, Michigan 48823

**Re: Door-to-Door Canvassing in City of Swartz Creek**

Dear Ms. Grutza:

Thank you for the 1978 Attorney General's opinion.

The City's Ordinance does not impose any of the requirements that the Attorney General found to be unconstitutional. There is abundant case law that local government can impose reasonable time, place and manner restrictions on the exercise of First Amendment speech. I believe the City's ordinance limiting the time during which door-to-door canvassing can occur would be upheld, if challenged, as a reasonable restriction.

I believe, therefore, that the City can impose the time requirements of its ordinance on your organization's activities.

Sincerely,

SIMEN, FIGURA & PARKER, PLC

A handwritten signature in black ink, appearing to read "Michael J. Gildner". The signature is fluid and cursive, with a large loop at the end.

Michael J. Gildner

cc: Paul Bueche, City Manager  
Mary Jo Clark, City Clerk  
MJG/ksd





# Miller Road Reconstruction Weekly Update

Issue 11

July 18, 2008

## Synopsis of work done

### Phases 2 and 3 continue

- ✓ **Intersection of Miller/Ballenger:**
  - Paving of SE quadrant of Miller/ Ballenger intersection completed Thursday and Friday.
  - Grading, storm sewers and curbs complete.
- ✓ **Ballenger from Miller to Swartz Creek bridge:**
  - Pavement repair and resurfacing is complete.
  - Guardrail nearly complete.
- ✓ **Miller from Linden to Best Buy:**
  - Aggregate base installation is complete.
  - Curb lines 90% complete.
- ✓ **Miller from I-75 to Ballenger**
  - Cold milling of asphalt complete.
  - A portion of the storm sewer is complete.

## What to expect next week

### ***Ballenger/Miller intersection open to traffic!***

- **Crews will work this weekend.**
- **SE quadrant of Miller/Ballenger intersection completed.**
- **Ballenger from Miller to Swartz Creek Bridge:**
  - Guardrail finished.
  - Final pavement markings complete.
  - This section opened to traffic!
- **Miller Road from I-75 to Ballenger**
  - Pavement removal complete.
  - Storm sewer work complete.
  - storm sewer construction, and grading and aggregate base placement will be started.
- **Miller Road from Linden to Best Buy**
  - curb lines to be completed.
  - Driveways to be completed.
  - Paving on main roadway underway.
- ***As always, driveway access and all businesses are open throughout the project!***

## We still have no choice...

During the first part of Phase 3, (July 8 to approximately August 1), as we reconstruct the south half of Miller between I-75 and Ballenger, we will be able to maintain only 2 lanes of traffic in that area. The existing narrow configuration simply won't accommodate a left turn lane. ***Left turns are discouraged in that area during this time.***

## What the Bloggers are saying:

*"I was on Miller Road last week, it is looking very good, will be so much better when it is done, probably just in time for the holidays. I think they are being smart in the way they have set up the rebuild, small sections at a time."*

*Posted by twoguysmom on Mlive.com 07/02/08 at 12:22PM as a comment to the Flint Journal article regarding completion of Phase 1.*

We designed this project in sections specifically to maximize accessibility to businesses and minimize the inevitable impact the project would have on motorists and Miller Road merchants given the volume of traffic there.

## Important Reminders!

- ❖ **Merchants, especially those on the north side of Miller Road:** Please remove any sprinklers and decorative landscaping on the road side of the stakes by July 25<sup>th</sup> for an August 1<sup>st</sup> construction start!
- ❖ **Mailboxes will be relocated.** Boxes not meeting US Postal standards will be removed. Contact Mike Steiner at the Cody Branch of the US Post Office for more information. His number is (810) 234-8342. **This is especially important as we move into the more confined area of Phase 3, with only 2 lanes open.**
- ❖ **Observe the 25 MPH speed limit!** We have experienced one accident, and that's one too many.

**Your ideas, suggestions or comments are welcome.** Contact Construction Manager John Plamondon at **767-4920 ext 232**, or by email at [jplamondon@gcrc.org](mailto:jplamondon@gcrc.org). Visit Miller Road Page on [www.gcrc.org](http://www.gcrc.org) for the most current information and automatic updates.



# SPRING STREAM MONITORING

*Dennis I. Zicha: Monitoring Committee Chairman*

Once again this spring our semi-annual stream-monitoring project was a success. Monitoring was conducted on Saturday, April 26 and the following Wednesday, April 30. Volunteers at some Lapeer County sites participated on other days due to scheduling conflicts.

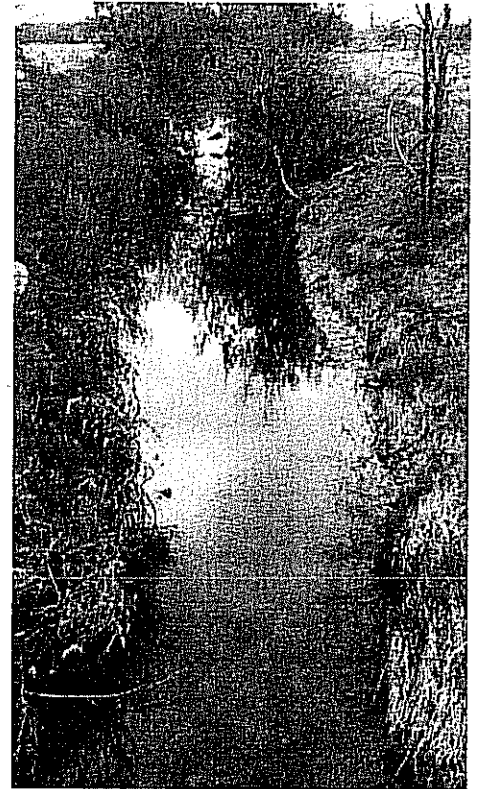
We sampled 22 of our 30 total sites



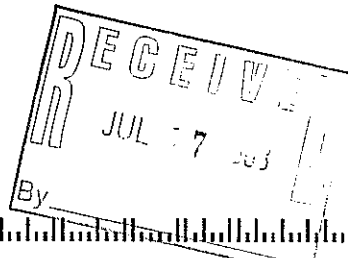
(73%), 15 of 16 in Genesee County and 7 of 10 in Lapeer County. A total of 43 volunteers participated with 5 people participating for the first time. Six teams went out on Saturday and ten teams on Wednesday.

The overall stream quality rating (Poor, Fair, Good, Excellent) for sites sampled County) and declined for five streams (four of the five were in Lapeer County). Thirteen locations remained the same as last spring.

Rebecca and Sue deserve special thanks as they monitored three sites together and two others locations with different partners. Sara McDonnell and Carol Clemons also monitored two sites, both on the same day! Brad Hill and his partners at the Flint Water Pollution Control Department also did their usual two sites on Butternut Creek.



432 N. Saginaw Street  
Suite 238  
Flint, MI 48502



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City of Swartz Creek  
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Swartz Creek MI 48473-1498

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## Lapeer Happenings *Dave Wolfenden*

**Wed, 6/11,** I took a kayak ride from Millville Landing to Norway Lake Rd. in the early evening. It was a very comfortable evening with a slight breeze and no rain. The water level was very high, so I decided to see how much damage the high water and wind had done.

As I got in my kayak at Millville, I was joined by a small frog. I didn't want didn't want to share my beer with him so I left him at the bridge. The DNR cleared a very large tree from the property just downstream from Millville a few weeks ago so the river is clear up to the area that Rotary is still working on off Stonegate Rd. We cut out a pathway on the left side of the big

jam and it was no problem getting through with the high water, but we need to do more work on it and another obstruction just downstream.

For now, there is an adequate opening at the left side and I got through easily, but the strong current took my kayak into a leaning tree just beyond the blockage. That tree has to go. Continuing on to Flint River Rd. I noticed many trees leaning into the water which weren't there a month ago, but none of them pose a navigation problem at this time, and for now, they provide habitat.

It was such a beautiful evening I continued past Flint River Road into the State Game Area. There is a very large blockage at the Bush property near the

oxbow which has been forming for several years. I was able to fight my way through it from the water, but it would have been easier and faster to have gotten out and gone around it and I wouldn't have had a boat full of spiders. Further downstream I encountered two more blockages and I did have to get out and go around one of them.

Late afternoon/early evening is a very good time to observe wildlife all along the river. I was able to get close to deer, musk rats, several great blue herons, a few kingfishers and lots of ducks. When the river is high like it is this week, the time from Millville to Norway Lake Rd. is only about two hours.

### CALENDAR OF EVENTS

JULY		AUGUST		SEPTEMBER	
July	No Flint River Watershed Coalition board of directors, Lapeer Chapter, or DONT meetings in July.	August TBA	FRWC Canoe Trip, Flint River Trail from Mitsen Landing to Downtown Flushing. Contact: FRWC	September TBA	FRWC River Walk: Montrose Barber Memorial Park. Contact FRWC
July 12	Bike Ride: Rochester Area, Contact FFRT for more information.	August TBA	FRWC Canoe Rally, Flint River from Downtown Flushing to Montrose. Contact: FRWC	September TBA	FRWC River Walk: Richfield Park. Contact FRWC
July 13	Ice Cream Ride. Meet at Flint's Farmers Market at 2:00pm. Contact FFRT.	August 9	Bike Ride: Bay City (including State Park). Contact FFRT	September 16	Lapeer Chapter Meeting of the Flint River Watershed Coalition. 7 PM.
July 31	FRWC River Walk: Flushing River Trail. Meet at Bueche's parking lot for an interpretive walk from the Flushing City Park to Flushing County Park. Contact: FRWC	August 10	Ice Cream Ride. Meet at Flint's Farmers Market at 2:00 pm. Contact FFRT	September 19	Flint River Watershed Coalition board of directors meeting, Genesee Room of the Prah Center. 8:30 AM.
July TBA	FRWC River Walk: Holloway Reservoir. Contact FRWC	August 15	Flint River Watershed Coalition board of directors meeting, Genesee Room of the Prah Center. 8:30 AM.	<b>CONTACT INFORMATION:</b> FFRT=Friends of the Flint River Trail, Jack Minore @ (810) 235-1490; Bruce Nieuwenhuis @ bnbaton@gmail.com FRWC: Flint River Watershed Coalition, (810) 767-6490.	
July TBA	FRWC River Walk: Stepping Stone Falls. Contact FRWC	August 19	Lapeer Chapter Meeting of the Flint River Watershed Coalition. 7 PM.		
		August TBA	FRWC River Walk: Clio Park. Contact FRWC		
		August TBA	FRWC River Walk: George Atkins, Jr. Recreational Trail. Contact FRWC		

# Tip #7: Choose Earth Friendly Landscaping



There are many simple and easy things you can do today that will help the FRWC in our mission to protect, preserve, and improve the Flint River Watershed. The Genesee County Community Water Quality Consortium has consolidated these ideas into seven tips that focus on simple changes that can make a big difference! Today, we've focused on tip #7: Choose Earth-Friendly Landscaping

**Mow high** Make your lawn cheaper and easier to maintain by mowing high (three inches is recommended). Taller grass requires less water, promotes root growth, and shades out weeds. And fewer mowings require less of that ever more expensive gasoline!

**Use mulch** Place a thick layer of mulch (e.g., four inches) around trees and plants. This helps retain water, reduce weeds, and minimize the need for pesticides.

**Go native** Select plants native to Michigan. Native plants are better equipped to tolerate Michigan's climate, require less fertilizing, and are more disease resistant. A good resource for native plants is [www.epa.gov/glnpo/greenacres/](http://www.epa.gov/glnpo/greenacres/) or just type "Michigan Native Plants" into GoodSearch or your favorite web search engine.

**Variety is the spice of life** Using a wide variety of plants helps control pests and minimizes the need for pesticides

**Water wisely** Generally, your lawn needs about an inch of water a week. Over-watering lawns results in shallow-rooted plants that are less tolerant of heat and drought, and more prone to disease. Avoid over-watering by using a rain gauge and watering only when necessary, instead of on a fixed schedule.

**Use less for pests** Pesticides and herbicides can be harmful to our kids, pets, and the environment. So, use pesticides and herbicides sparingly. Limit applications to problem areas instead of applying to the entire area (e.g., weed and feed).

**Rake it or leave it** Follow the guidelines in your community for leaf pick-up. Never rake leaves into or near storm drains, ditches, or streams. Decaying leaves use up the water's oxygen, harming fish and the aquatic insects that fish depend on to survive. Better yet, mow leaves into your lawn. Leaves and grass clippings are good fertilizers for your lawn.

**Buffer** Create buffers of plants between waterways and hard surface areas to help filter out pollutants.

**For more information on all seven tips, please visit the Genesee County Community Water Quality Consortium at [www.ClearGeneseeWater.org](http://www.ClearGeneseeWater.org)**

## MEMBERSHIP

The programs and membership activities sponsored by the Flint River Watershed Coalition this spring proved successful and rewarding. We continued to grow our membership, and to retain past supporters and volunteers. As always, we want to acknowledge those who became new members, or renewed their affiliation with our organization.

### **New members of the Flint River Watershed Coalition are:**

- Shane Connors
- Patrick Erwin
- David and Suzanne Lossing
- Brittany Pillarski
- Michael Stemm

### **Renewing members are:**

- Linda Johnson Barnes
- Bob and Chris Carlyon
- Leo and Genevieve Dorr
- Wanda Dowdall
- Kenneth and Amy Elwert
- Susanne Kubic
- Lois Robbins
- Paul Roetter
- Michael and Peggy Supernault
- Dayne and Carrie Walling
- Paul Wenstrom

## 10 Questions With...Brent Nickola, FRWC board member

1) Why are you a member of/work for/volunteer for the FRWC?

- *To stay informed and provide input on one of the greatest assets in our community.*

2) What FRWC programs do you participate in?

- *I have coordinated several cleanup sites and chaired the strategic planning committee.*

3) When did you first get involved in the FRWC?

- *2002*

4) What's your favorite part of the watershed?

- *That one fishing hole that always produces! Sorry, I can't be any more specific.*

5) What is the most interesting thing you have seen in the watershed (wildlife, garbage, someone doing something unexpected, etc.)

- *The changing attitude of our community towards our river.*

6) What's your favorite river (any river) memory?

- *As a kid, building little dams and knocking them down on the small creek behind my house.*

7) What worries you most about the watershed?

- *That people drive over small creeks near their home and don't know that they are part of the Flint River.*

8) What gives you the most hope?

- *Rivers ability to inspire people.*

9) If you could change one thing to help improve the watershed, what would it be?

- *Take everyone out in a canoe and show them all the life in the river.*

10) Who is your river/watershed/environmental/conservation hero?

- *Former Poet Laureat, Robert Hass. He once took a classroom of underprivileged children into the United States Senate to do a presentation on the combined sewers that service Capitol Hill. The children showed everyone how the senator's crap literally ended up in the children's neighborhood.*

# Governor Signs Great Lakes Water Compact

—from the National Wildlife Federation

The Great Lakes states took an historic step toward protecting the lakes from water diversions on July 9, 2008, when Michigan Gov. Jennifer Granholm signed the Great Lakes-St. Lawrence River Basin Water Resources Compact.

With Granholm's signature, all eight Great Lakes states— Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania and Wisconsin— have now passed the Great Lakes Compact, a regional water management agreement to protect the lakes from water diversions outside the region and to promote water conservation within the region.

The Compact now heads to the U.S. Congress. For it to become law, Congress must consent to the water agreement.

"There were times that I thought this day would never come," said Andy Buchsbaum, regional executive director of the National Wildlife Federation's Great Lakes office and veteran of many Great Lakes Compact workgroups. "To think that all eight Great Lakes states have passed the exact same law to protect the lakes... and that the law they passed is so visionary and effective. It's taken almost ten years from beginning to end, but the results are worth it. This is a remarkable, once in a lifetime achievement. And it's due to the hard work, dedication and vision of Great Lakes state leaders like Michigan's Governor Granholm, Senator



Michigan's Governor Granholm, Senator Patty Birkholz (left), and Representative Rebekah Warren

Patty Birkholz, and Representative Rebekah Warren."

Buchsbaum cautioned, "But we're not done. Now it's Congress's turn. To complete the process, Congress needs to approve what the Great Lakes states have created. Our state leaders have showed their mettle; now we look forward to our Congressional leaders stepping up. Our U.S. Representatives and Senators need to act with the same urgency that united the region to protect this national treasure from water diversion so that people, businesses and communities can depend on Great Lakes water now and generations to come."

The Great Lakes Compact is the culmination of a multi-year process of negotiations among the eight Great Lakes States.

The Great Lakes contain 95 percent of the fresh surface water of the United States. Although seemingly abundant, less than 1 percent of the Great Lakes water is renewed each year, leaving the lakes vulnerable to degradation and depletion.

The Compact will ensure that clean and plentiful water remains available to provide critical drinking water for citizens, power for the economy, affordable and efficient transportation for commerce, and numerous recreational opportunities for the region's residents and tourists alike.

## Good Water Quality in Gilkey Creek

Brad Hill

Water quality in Gilkey Creek is generally good. The Flint River Watershed Coalition started monitoring water quality in Gilkey Creek near its mouth at Flint Kearsley Park last July (see "Vegetation Flourishing in Gilkey Creek Rehabilitation Project").

Gilkey Creek starts in Grand Blanc Township and flows through Burton and Flint into the Flint River in northeastern Flint (near Hamilton Avenue). Almost all of the land that drains into the creek (its watershed) is urbanized. Because of this, the creek receives rainfall runoff (stormwater) that flows into it from roofs, driveways, roads, parking lots and other paved areas through storm sewers. This

runoff carries pollution washed from these surfaces, such as dirt, animal droppings, yard wastes, lawn fertilizer and pesticides, automobile fluid leakage, and litter. Because of the polluted runoff, the suspended solids concentration in the creek was as high as 308 parts per million in Kearsley Park after heavy rainfall last month (the average concentration for the last 12 months is 25 parts per million).

Monitoring is being done for the Ruth Mott Foundation to assess the impact on water quality in the creek resulting from a project at the Mott Applewood Estate, near the Flint Cultural Center, to prevent flooding and enhance water quality and wildlife habitat in it. Water quality scores are being calculated based on the numbers of biological indicator organisms collected in the creek and also on water sample test results for dissolved

oxygen, pH, total solids, turbidity, phosphates, nitrate, and temperature.

The water quality score determined by biological analysis (bio-monitoring) was 27 last fall and 39 this spring. A bio-monitoring based water quality score of 19 – 33.9 represents fair water quality score determined by biological analysis (bio-monitoring) was 27 last fall and 39 this spring. A bio-monitoring based water quality score of 19 – 33.9 represents fair water quality and a score of 34 – 48 represents good water quality. The average water quality score determined by water testing was in 77 in 2007 and 78 this spring. A testing based score of 70 to 90 represents good water quality. These findings indicate that the water quality was generally good, despite the impact of stormwater pollution.

## Vegetation Flourishing at Gilkey Creek Rehabilitation Project

Brad Hill

Now that summer has arrived, newly established vegetation is flourishing in the Gilkey Creek streambed and floodplain constructed last year at the Mott Applewood Estate, near the Flint Cultural Center. The roots of the vegetation will hold soil in place when it rains or when the flow of water in the creek is fast to prevent water pollution caused by soil erosion.

Gilkey Creek starts in Grand Blanc Township and flows through Burton and Flint into the Flint River in northeastern Flint (near Hamilton Avenue). Almost all of the land that drains into the creek (its watershed) is urbanized. Because of this, the creek receives rainfall runoff (stormwater) that flows into it from roofs, driveways, roads, parking lots and other paved areas through storm sewers. This runoff carries pollution washed from these surfaces, such as dirt, animal droppings, yard wastes, lawn fertilizer and pesticides, automobile fluid leakage, and litter.

Flooding was exacerbated at Applewood by recent upstream commercial and residential development, mostly in Burton, which increased the area of upstream impervious surfaces (roofs, roads, parking lots, etc.) and volume of stormwater captured by them. Upstream stormwater is rapidly directed to Gilkey Creek through enclosed storm sewers and open drains. New upstream development now includes the use of retention basins to lower stormwater flow to prevent flooding.

During the summer and fall of 2007, a project to protect Applewood from flooding as well as enhance water quality and wildlife habitat in Gilkey Creek was carried out in the reach encompassed by the estate. This stream rehabilitation project involved excavating a new stream bed and contouring stream banks and the flood plain to correct hydrological problems caused by channelization. A stormwater detention pond and wetland were constructed next to the creek, and rapids, dams, pools and other types of aquatic habitat were created in the new

## Lapeer Chapter Receives Award

The Lapeer Chapter of the FRWC has won the Clean Waters Award from the Michigan Outdoor Writers Association, a professional organization of more than 200 outdoor writers and photographers. The Lapeer County Chapter's hard work and dedication was recognized during the association's summer conference on Beaver Island. Diane Peplinski had the arduous task of traveling to the island to accept the award on the Chapter's behalf.

We are so proud of all the great work of the Lapeer Chapter, and couldn't be more pleased that they are receiving this type of broader recognition from the public. The Chapter was nominated for the award by Mark Sak, a professional tournament angler and outdoor writer.

Congratulations to every volunteer in the Lapeer Chapter!!



Diane Peplinski receives MOWA award from Carol Swienhart

channel. An in-stream sedimentation basin was also created for intercepting suspended solids. Soil erosion and sedimentation control measures were carefully employed throughout construction to prevent water pollution in the creek.

The Flint River Watershed Coalition studied the impact of the stream rehabilitation project on water quality while it was under construction. Samples were collected from the creek upstream and downstream of the project, and water quality index scores were calculated from sample test results.

This was done during periods of dry and wet weather to evaluate the impact of stormwater runoff and stream bank erosion during high flows on water quality. A biological survey was also done upstream and downstream of the project for assessing longer term water quality.

No substantial degradation in water quality was observed downstream of the project, and no correlation between rainfall amount and water quality was found.

The upstream and downstream water quality was good, as measured by chemical and physical testing, and fair, as measured by biological analysis.

For more detailed information on the testing results, see **Good Water Quality** on page 5.

## FRWC on the Web

In the next month or so, you will be seeing a major overhaul to the FRWC website [www.FlintRiver.org](http://www.FlintRiver.org). We'll have a new look, but don't worry, we'll still have all the features you've come to love on our current site. Plus, we'll be adding new features, such as an interactive map of our monitoring sites, individual pages for each of our four chapters, online donation and activity signup, and more! Come check us out. In addition to our new site, the FRWC has become active on two social networking sites. We now will be housing our photos at [www.flickr.com/photos/frwc](http://www.flickr.com/photos/frwc). Come browse the sights and activities of the watershed. We'll slowly be adding photos over the summer, and if you have pictures you would like to add, please email them to me at [rfedewa@flintriver.org](mailto:rfedewa@flintriver.org). And if you have a page on FaceBook, please consider adding the Flint River Watershed Coalition as a "group" in your profile. And tell all your friends!!

# Land use, planning & zoning, and the high cost of gasoline...

Chairman's Update: Jack Minore

What, one might ask, connects those three items? Perhaps a walk through recent history will help. When I was a kid, growing up on the near north side of Flint, the neighborhood was comprehensive and self-contained.



Jack Minore

In a 6-7 block walk from my house, I had my choice of three grocery stores, three locally owned pharmacies, two bars, one restaurant, two barbershops,

dentist and physician offices, two drycleaners and a half dozen other commercial businesses. We could – and did – walk to fill virtually all of our service needs. My Dad rode the bus to work at “Chevy in the Hole” and many of our neighbors walked the mile+ to the Buick Factory. We rarely used the one car in the family – except on weekends. The houses were modest and mostly sat on 50 foot lots. Growing up in the forties and fifties, my life was pretty typical of other city dwellers. We didn’t use much gasoline!

In the sixties, however, land use changed (along with a lot of other things!). People began to move out to the suburbs, build larger homes, and drive everywhere. Soon, families began to “need” two or more cars. And kids could no longer walk to school. Gasoline consumption doubled and tripled, at least.

Later the houses got bigger, the suburbs further from the cities, box

stores replaced the neighborhood stores, schools got built on large plots ever further from the student homes – and gasoline consumption continued to rise.

Later still, the 3,200 square foot house with the attached and heated three car garage became the “norm” – in contrast to the 900 square foot home in which my parents and three siblings were comfortable. Every step, our own land use policies have made us more dependent on oil – and has required so much more of it on a daily basis – in spite of substantially increased fuel efficiency.

Of course there is a much greater concern for water resources in this history. As we paved more and more miles of pavement, drive ways, and parking lots – and as we built ever bigger roofs over those new houses and big stores – we eliminated hundreds of thousands of acres of permeable land, creating huge run-off problems for every creek and drain within our developed lands, and we’ve destroyed natural wetlands in the process. Development accounts for much of the increased problem with run-off pollution in our streams and lakes.

The moral of this history, of course, is to stress my firm belief that land use and issues of planning and zoning influence far more than just the new development site and its neighbors. Land use affects us all! I encourage you to consider how you can help influence better land use planning in your community.

## Brandon Township Holds Planning Fair

Lois B. Robbins

Embarking on revisions to its master plan a year before they are required to do so, the Brandon Township Planning Commission is to be commended for its decision to seek as much public participation in the process as possible. As a result, a Planning Fair was held on June 10. Around 25 people attended, including several Middle School students brought by Science teacher, Dave Green. Most of the people in attendance are members of Defending Our Natural Treasures, a chapter of the Flint River Watershed Coalition.

Doug Lewan, the township’s Planning Consultant with Carlisle Wortman Associates, gave a brief PowerPoint presentation, explaining the purpose and limitations of a master plan as a guide for future zoning adjustments and ordinances. He then invited residents to visit any or all of the following topic stations to let their desires be known to the planning commissioner staffing each of the following stations: Residential Development, Commercial Development, Transportation, Natural Areas, Community Services, and others. At each station, a Planning Commissioner listened to residents’ concerns and noted them on a chart pad. Comments from each station were then summarized in a plenary session to conclude the event.

At the Planning Commission’s follow-up meeting on June 24, the Commissioners reviewed the results of the June 10 event. By far the Natural Areas was the most active station, with special concern for Kearsley Creek, a headwaters to the Flint River. Commissioners decided to schedule a second Planning Fair with better publicity, hoping for expanded citizen input. The Commission’s goal is to have a draft of the Master Plan revisions by Christmas of this year.

It’s clear that the Brandon Township Planning Commission desires to create a document that will honor the desires of Brandon residents to protect our cool jewel, Kearsley Creek, and the wetlands, woodlands and open spaces that give our township...

### GoodSearch

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Here’s a new easy way to raise money for the Flint River Watershed Coalition. Just start using GoodSearch.com as your search engine and online shopping mall. Every time you search the Internet or make an online purchase at one of their partner merchants, GoodSearch makes a donation to the FRWC and it’s powered by Yahoo! so you get great search results!

What if the FRWC had a penny for every time you searched the Internet?





432 N. Saginaw St. Ste. 238  
 Flint MI 48502  
 810-767-6490  
[www.flintriver.org](http://www.flintriver.org)

*The Watershed Reporter* is published quarterly by the Flint River Watershed Coalition. The Coalition is dedicated to promoting the importance of protecting our natural resources. It works closely with the public and with private agencies and citizens' groups in carrying out its mission.

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FRWC Board meetings are held the third Friday of the month at Mott Community College in the Genesee Room of the the Prah Conference Center.

## Genesee GREEN Completes 20th Year

Bill Welch

Genesee GREEN, the student water monitoring program, has just completed the 2008 season. This completes the 20th year that Flint River Watershed students have participated, and the 4th year under the leadership of FRWC. GREEN in Genesee County is funded by General Motors and the Genesee County Drain office.

GREEN, *Global Rivers Environmental Education Network*, was designed for schools to learn about watersheds and water monitoring. The mission for students is to determine water quality in their watershed. Schools in Genesee County have volunteered to participate and have added their data to a Global Rivers database. School participation has increased yearly, and for 2008 there were 893 students



Senator John Gleason works with students at Whittier Middle School

in the field sampling the Flint River and its tributaries. Quality of the Flint River water has been found generally to be good or very good. Current and past data can be found on the Genesee GREEN website at [www.geneseegreen.org](http://www.geneseegreen.org).

The FRWC goal for GREEN is to introduce and support watershed education in every school district in the Watershed. Currently 81% of school districts in Genesee County participate. Future plans are being discussed to include school districts outside of Genesee County that are part of the Flint River Watershed.

On May 16, FRWC held a GREEN/Watershed celebration at Mott Community College. At the celebration, called the Student Water Summit, student teams presented their water quality data and listened to environmental professionals discuss various aspects of watersheds. The student presentations were impressive and showed a thoughtful understanding of watersheds and the necessary part they play in our environment.

The Flint River Watershed Coalition would like to thank all the student participants for 2008. Our appreciation also goes out to all of the teachers that participated as well as General Motors and the Genesee County Drain office for their financial contributions. Other sponsors we would like to thank are Mott Community College and Genesee Intermediate School District. We would also like to thank our many environmental professionals that volunteer their time to mentor in classrooms.

The 21st year for Genesee GREEN will begin next fall. Teachers and mentors will be trained to lead their students in the assessment of water quality. In the spring, look for hundreds of students 'getting wet' in our watershed streams.

Partnering to protect  
our natural resources



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Summer 2008

# The Watershed Reporter

## From The Executive Director

Rebecca Fedewa

The Green Arts Project of the Center for Applied Environmental Research recently hosted an invigorating two day event featuring Peter Forbes from the Center for Whole Communities. Mr. Forbes spoke



Rebecca Fedewa

not just what we are about, but who we are for.

These are all very powerful notions and a great challenge to the FRWC as we move into the next ten years of operation. If you are getting this newsletter, you likely already have a story about your connection to the river and why you care about partnering to protect, preserve, and improve the watershed. We want to hear that story, as well as provide opportunities to introduce the river to new friends, and help them create their story.

As for the FRWC board and staff, we like to

say that the FRWC is serving as the Voice of the river. For me, that notion has meant that we speak out for a resource that can not speak for itself. After listening to Mr. Forbes, I realize this Voice can be even more. We can be a community voice speaking to the joy we find in, on, and around the river. We can be the voice that tells our friends, neighbors, and decision makers why we should protect our river. And we can be a

collective voice that pulls all of our stories together to define why we care so much about the Flint River Watershed, who we are working so hard to protect it for, and how we're going to accomplish our goals.

To have that kind of voice, we need all kinds of members. We have steadily built the membership base of the FRWC over the years. But this year is especially exciting because we have a challenge from our funders to reach 400 members by December 31st. We're making great progress on that goal, but we could definitely use your help. When you are done with this newsletter, I hope you can take it to your friend or neighbor and tell them YOUR story of the watershed and why this organization is important to you. And as I mentioned above, we would love to hear your story, too.

Tell us what the Flint River or one of its tributaries means to you and why you feel it should be protected for future generations. We'll be collecting your stories to inspire us in our work, and if you let us, publishing some in future newsletters to inspire the rest of the FRWC community.

Finally, I wanted to add an additional thought about what we can accomplish when we work as a

community. Inside this newsletter, you'll find an update on the passage of the Great Lakes Compact. This is a momentous achievement for the conservation community not just in Michigan, but across the Great Lakes basin. Several years of hard work went into this effort, and it will be some time more before we see the Compact fully implemented at the federal level. But we likely never would have gotten this far or had the promise

## River Clean-up Thank you!

Susanne Kubie

I'm very thankful this year on how the river cleanup went. I want to thank our great sponsors who donated cash and services and our wonderful volunteers who gave up a Saturday morning to come out and pick up trash. I am also thankful that we could not have had better weather if we planned it.

A challenge was issued to our new Outreach & Education Coordinator, Sue Lossing, that if she got us more volunteers, I would get us the sites for those people. Sue rose to the challenge and we added 3 more sites this year.

Also, the FRWC partnered to hold simultaneous clean ups off the river. Often trash on the ground ends up in the river either from wind



or rain, so the trash picked up at the community cleanups is trash that won't end up in the river. I'm happy to report that 270 volunteers from Genesee and Lapeer Counties removed the equivalent of 246 bags of garbage equaling over 1,700 cubic feet of trash. In addition, we removed several bikes, shopping carts, and TVs, 22 tires, a freezer, and a rusted out bed frame from the river.

I want to thank again all the people that took the time to help. I can't help but get excited for next year, because there are over a half a million potential volunteers in the Flint River Watershed and Sue will have almost a year to prepare...I think I need to start scouting for new sites now. *Have a wonderful summer!*

of such an exciting outcome if we hadn't pulled together as a community to speak for our freshwater natural resources.

So congratulations to all of us, and keep up the good work!!