

# City of Swartz Creek

## AGENDA

Regular Council Meeting, Monday May 12, 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, April 28, 2008 MOTION Pg. 7, 17-22
5. **APPROVE AGENDA**
  - 5A. Proposed / Amended Agenda MOTION Pg. 7
6. **REPORTS & COMMUNICATIONS:**
  - 6A. [City Manager's Report](#) (Agenda Item) MOTION Pg. 7, 2-6
  - 6B. Monthly [Police, DPW](#) Report Pg. 23-39
  - 6C. Miller Road Project, Contract Change Order (Agenda Item) Pg. 40-45
  - 6D. Cedar Creek Revised Site Plan (Agenda Item) Pg. 46-87
  - 6E. Elms Park Fee Waiver Request (Agenda Item) Pg. 88-89
  - 6F. Boards & Commissions (Agenda Item) Pg. 90-92
  - 6G. Draft Meijer Development Agreement, Cost Estimates Pg. 93-106
  - 6H. Proposed GAIN Budget Pg. 107-124
  - 6I. Legislative Updates Pg. 125-130
  - 6J. Detroit News Article, Race Track Litigation Pg. 131-132
7. **MEETING OPENED TO THE PUBLIC:**
  - 7A. PUBLIC HEARING, 2008-2009 Fiscal Year Budget PUBLIC HEARING
  - 7B. General Public Comments
8. **COUNCIL BUSINESS:**
  - 8A-G. Hometown Days Permits RESO. Pg. 8-11
  - 8H. Miller Road Project, Change Order #1 RESO. Pg. 11, 40-45
  - 8I. Final Site Plan Approval, Cedar Creek, Parcel #58-03-200-011 RESO. Pg. 12, 46-87
  - 8J. Park Fee Waiver, Elms, Scout Troop 122 RESO. Pg. 13, 88-89
  - 8K. Board of Review Re-Appointment, Joseph Edgerton RESO. Pg. 13, 90-92
  - 8L. Planning Commission Re-Appointment, Carl Connor RESO. Pg. 14, 90-92
  - 8M. Planning Commission Re-Appointment, Douglas Stephens RESO. Pg. 14, 90-92
  - 8N. Zoning Board of Appeals Re-Appointment, Douglas Stephens RESO. Pg. 14, 90-92
  - 8O. Zoning Board of Appeals Re-Appointment, Ronald Smith RESO. Pg. 15, 90-92
  - 8P. Zoning Board of Appeals Re-Appointment, Alternate, Kenneth Keyes RESO. Pg. 15, 90-92
  - 8Q. Zoning Board of Appeals Re-Appointment, Alternate, James Florence RESO. Pg. 15, 90-92
  - 8R. DDA Re-Appointment, Richard Mattson RESO. Pg. 16, 90-92
  - 8S. DDA Re-Appointment, Mark Nemer RESO. Pg. 16, 90-92
9. **MEETING OPENED TO THE PUBLIC:**
  - 9A. General Public Comments
10. **REMARKS BY COUNCILMEMBER'S:**
11. **ADJOURNMENT:**

**City of Swartz Creek**  
**CITY MANAGER'S REPORT**  
Regular Council Meeting of Monday May 12, 2008 7:00 P.M.

**TO:** Honorable Mayor, Mayor Pro-Tem & Council Members  
**FROM:** PAUL BUECHE // City Manager  
**DATE:** 9-May-2008

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

- ✓ **PERSONNEL POLICIES & PROCEDURES** (*Status*)  
Awaiting a draft. When we have this document, we will do an administrative review and be back for some conversation.
- ✓ **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 and is working on a price. I qualify this with we are in the bid process for engineering services. This probably needs to be settled first. I will keep the Council posted.
- ✓ **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*)  
Underway. I will keep the Council posted on issues and developments.
  - ❑ **ELMS ROAD RE-SURFACING PROJECT** (*Status*)  
The Contractor is Ace Asphalt of Flint. Assuming that the County Road Commission will participate in a 50% contribution of the local match for the 1,300' section that borders the City and the Township (County jurisdiction), our total cost for this project, inclusive of Construction, Design Engineering, Construction Engineering and Interest on the Jobs Today Pull Ahead, is **\$294,477**. We are still negotiating with the County for participation on the local match of the border portion. The project is slated for a mid June start date. I will keep the Council informed on the progression of the border section.

- ❑ **MORRISH ROAD RE-CONSTRUCTION PROJECT / MEIJER'S** (*Status*)  
Mr. Figura has completed a draft and Meijer's is reviewing it. I have included a copy for the Council to look at. Please keep in mind that at this point, it is a draft only and very preliminary.
- ❑ **GM-SPO ISLAND CUTS** (*Status*)  
We will be back to discuss this project as soon as we get some long-term road revenues and expenses calculated for this fund.
- ❑ **MILLER ROAD REPAIRS** (*Resolution*)  
This work is underway and expected to last about 4 weeks. We took the liberty to get a price for shaving the asphalt humps along Miller east of I-69. The cost provided by the Miller Road Contractor (Lois Kay) is \$11,898. This work is not consistent with the saw-cut, peg and concrete flatwork specifications. Mr. Fluery believes the price to be competitive and in the final analysis, cheaper as the traffic control measures and labor power will already be present. Additionally, if it is formally bid, engineering costs for bid preparation will be needed. He advises us to take the offer and treat it as a change order. The City's Purchasing Ordinance, #2-402 (a)(2) allows for deviation from the sealed bid process under certain circumstances. This should qualify. I have a resolution included with tonight's agenda... Council decision. On another related matter, there are a number of other concrete deteriorations in the area where we are currently saw cutting and re-pouring the concrete. We chose the very worst ones, but a hard winter has caused other areas to break up. We are evaluating whether it's feasible to add on to this project. We will be back at the next meeting for further discussion.
- ✓ **LOCAL STREET FUND, TRAFFIC IMPROVEMENTS** (*Status*)
  - ❑ **2008 REPAIR ROSTER** (*Status*)  
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. Lou wants to wait and compare the Seymour prices with the Elms prices and do what is most advantageous to us. As soon as MDOT awards the Elms Contract, we will be back with a recommendation.
  - ❑ **NEIGHBORHOOD IMPROVEMENT - T.I.F. DISTRICT** (*Status*)  
Adam is looking into this. We will be back for additional discussion in the near future.
- ✓ **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 is working on a draft.
- ✓ **SEWER REHABILITATION PROJECT, I&I, PENALTIES** (*Status*)  
At a recent 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.
- ✓ **HERITAGE PARK & NON-MOTORIZED TRAIL SYSTEM** (*Status*)  
Pending.

✓ **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*)

I have had little time to work on these items due to financial season coupled with regular business. I will try to clear these matters after we get a draft budget in the market. On Mr. Kehoe, he is currently a payroll employee and needs an employment agreement. I will look to get something together and back before the Council soon. Additionally, the Police have a wage re-opener for the July 1, 2008 through June 30, 2009 segment of their contract. I have begun negotiations with them and will be back as soon as I have something concrete.

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*)

Again, I have had little time to work on these items due to financial season coupled with regular business. I will try to clear these matters after we get a draft budget in the market. Mr. Gildner has prepared a base agreement that leaves only the specifics to be filled in by the staff. I am working on tailoring them in line with specific contracts to which the specific employee went out on. I should have them back soon for Council review.

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

This matter is set for trial on May 30<sup>th</sup>. The property owner is in financial trouble and is looking to do a quick sale to cover the commercial loan before the bank forecloses. They have asked for additional time, until August, to allow them to attempt to accomplish this. Short of this, they say they will walk away and leave the problem to the bank. They advise they have hired a contractor to remove the pylon sign and the canopy for salvage costs and are on a short waiting list for the work to be done. Mr. Gildner would prefer to get an unconditional judgment now and elect to not enforce it, using it as advantage, as opposed to trust them. I agree. I will keep the Council informed on developments.

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

Software installation and data conversion are in the process. So far, no real problems. I will keep the Council informed and give a sample of potential reports as soon as we have the system fully on line.

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

We are watching it.

✓ **2008-2009 BUDGET** (*Public Hearing*)

To save trees, I have included the budget as a separate file on your disk. Here is a schedule:

April 14 <sup>th</sup> :	Set Public Hearing
April 28:	Presentation & Discussion
May 12 <sup>th</sup> :	Public Hearing, Discussion
Special Meeting:	If Desired By Council
May 26 <sup>th</sup> :	Adopt Budget
June 9 <sup>th</sup> :	Truth in Taxation Hearing, Set Levy, Set 2008-2009 Meeting Schedule, Year End Fiscal Adjustments, Review City-Wide Fees and Charges for Services
June 30 <sup>th</sup> :	Fiscal Year End

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

We are still reviewing the best method for the installation of the new rate structure. I will have a plan for the Council in the near future. As an afterthought, it appears that we will be getting another rate increase from Detroit... about 8.5%. We have not received official notice, but the Detroit Newspapers are reporting this. I will keep the Council informed.

✓ **2007-2008 FY AUDIT** (*Status*)

We are out for solicitation of bids for this year's audit. Due to time constraints, we have invited eight companies to bid with an anticipated opening later this month. We will be back with the returns, probably at the next meeting.

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

✓ **HOMETOWN DAYS PERMITS & APPROVALS** (*Resolution*)

The Hometown Days Committee looks to hold the annual event on May 28<sup>th</sup> through June 2<sup>nd</sup> (Wednesday through Monday). The event is closely similar to last years. As of yet, all paperwork has not been completed, being insurance certificates, written permissions and final review by Rick for traffic control and other similar compliancy. I recommend approval with the stipulations. I'll get a full packet of the application and paperwork at the next meeting for Council review.

✓ **REVISED FINAL SITE PLAN APPROVAL, CEDAR CREEK** (*Resolution*)

Included with tonight's agenda is a revised final site plan approval for Cedar Creek. The Council heard the original site plan in December 2006. Adam has reviewed the matter and feels the changes with this submittal are for the better. The Planning Commission concurred and recommends approval. I have included the Planning Commission packet, Council Minute excerpts from December 2006 and draft minutes from the Planning Commission meeting of May 6<sup>th</sup>.

- ✓ **PARK FEE WAIVER REQUEST, ELMS** (*Resolution*)  
We have a request for the waiver of fees associated with Elms Park for May 17<sup>th</sup>, Cub Scout pack 122. Two email requests are included with tonight's packet.
- ✓ **APPOINTMENTS, BOARDS & COMMISSIONS** (*Resolution*)  
We have some housekeeping matters in terms of re-appointments. One Board of review, Two Planning Commission, Two Zoning Board of Appeals, Two Alternate Zoning Board of Appeals and Two DDA positions need filled. In conversation with the Mayor, he recommends continuing the terms of the incumbents. Resolutions to this effect are included with tonight's agenda.
- ✓ **MILLER – SEYMOUR TRAFFIC SIGNAL** (*Information*)  
The County Signal Engineer inquired as to the City's position on the removal of the signal in front of the plaza at Miller & Seymour. We currently pay 25% of all the costs associated with the signal. The plaza pays 25% and the County pays 50% and the County collects all of the Act 51 distributions for the road. The signal is out-dated and needs either removal or upgrading. For the time being, the County has set the signal to flash. I am not interested in continuing to pay our match. I informed the County that we would not oppose its removal. They advise they will crunch the numbers and see how far it is from meeting the warrant criteria before deciding on how they wish to proceed. If Council has any comments, now would be the time to air them.

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

- ❑ *Park & Ride Improvements, Miller & I-69.* Pending
- ❑ *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 will begin the process of trying to have it removed. My guess is that it will not be without some resistance though.
- ❑ *Sunoco, 5012 Holland, Yellow Drop Box.* It has been relocated.

**City of Swartz Creek**  
**RESOLUTIONS**  
Regular Council Meeting, Monday May 12, 2008 7:00 P.M.

**Resolution No. 080512-4A**      **MINUTES, APRIL 28, 2008**

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

**I Move** the Swartz Creek City Council hereby approve the Minutes of the Regular Council Meeting held April 28, 2008, to be circulated and placed on file.

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

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

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

**Resolution No. 080512-5A**      **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 May 12, 2008 to be circulated and placed on file.

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

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

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

**Resolution No. 080512-6A**      **CITY MANAGER'S REPORT**

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

**I Move** the Swartz Creek City Council approve the City Manager's Report of May 12, 2008, to be circulated and placed on file.

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

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

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

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**Resolution No. 080512-8A-8G HOMETOWN DAYS PERMITS, MASTER RESOLUTION**

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

**I Move** the City of Swartz Creek approve Resolutions 080512-8A through 080512-8G, allowing for the various permits relative to the annual Swartz Creek Hometown Days events, to be held beginning Wednesday May 28, 2008, and concluding on Monday June 2, 2008, inclusive of all stipulations and conditions as specified and listed within.

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

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

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

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**Resolution No. 080512-8A HOMETOWN DAYS, STREET CARNIVAL, GENERAL STREET & PROPERTY USE PERMITS**

**I Move** the City of Swartz Creek approve and authorize the Swartz Creek Hometown Days Committees' application for street closing and City property use permits for the following locations:

- A. Morrish between Miller and Ingalls-Wade, Carnival Midway.
- B. Holland between Miller and Ingalls, Vendor – Carnival.
- C. City Lot located at the southwest corner of Miller and Morrish, Carnival – Midway.
- D. Ingalls at Holland and Park Land located to the North and Northwest of the intersection of Morrish and Ingalls, Carnival & Midway.
- E. City owned property located along the North side of Fortino West of South Morrish Road, Car Show and Radio D.J., general parking.
- F. Dead end of Civic Drive west of Fortino Drive (Friday May 30<sup>th</sup>, 3-8 PM, Saturday May 31<sup>st</sup>, 10 AM to 8 PM and Sunday June 1<sup>st</sup> 10 AM to 8 PM), Helicopter Rides.
- G. City owned property and residential dwelling, 4438 South Morrish Road.
- H. City owned property, 4505 Fortino.

Street and City property use, unless otherwise indicated, begins Wednesday, May 28, 2008 at 9:00 a.m. until Monday June 2, 2008 at 9:00 A.M., for the purpose of, and authorization to conduct a carnival, vendor/display area, car show and or other similar events under the following stipulations:

- 1. Insurance certificate naming the City as insured in the amount not less than \$1,000,000.00 (One-Million Dollars)



2. Written permission from deed holders of any private properties to be used and appropriate insurance certificates naming such parties as additional insured.
3. Sufficient number of portable bathrooms placed and located, and liter control program in accordance and under the approval of Director of Community Services.
4. General approval of the Chief of Police. Traffic control and pedestrian safety plan in accordance with and under the approval of office of Chief of Police.

**Resolution No. 080512-8B                    HOMETOWN DAYS, AMPLIFIED CONCERT MUSIC PERMIT**

**I Move** the Swartz Creek City Council approve and authorize the Swartz Creek Hometown Days Committee application to conduct an outdoor concert to be held at the outdoor football stadium of the Swartz Creek High School on Friday, May 30, 2008 between 4:30 p.m. and 10:00 p.m., under the following stipulations:

1. Insurance certificate naming the City as insured in the amount not less than \$1,000,000.00 (One-Million Dollars)
2. Written authorization from the School District Superintendent along with acceptable insurance certificates naming the School District as an additional insured, minimum amount not less than \$1,000,000 (One Million Dollars)
3. General approval of the Chief of Police. Traffic control and pedestrian safety plan in accordance with and under the approval of office of Chief of Police.
4. Music to end no later than 10:00 p.m.

**Resolution No. 080512-8C                    HOMETOWN DAYS, STREET USAGE PERMIT, MOTOR AND PEDESTRIAN PARADE**

**I Move** the Swartz Creek City Council approve and authorize the Swartz Creek Hometown Days Committees' application for street closing / usage permit for Saturday, May 31, 2008 from 11:00 a.m. until 1:30 p.m. for purposes of conducting a parade, streets used to be Fairchild Street, Miller Rd, and Frederick St under the following stipulations:

1. Insurance certificate naming the City as an additional insured party in the amount not less than \$1,000,000.00 (One Million Dollars).
2. No candy or other objects be thrown or handed from, to or at any vehicle, trailer, float, or similar, and further, that the Hometown Days Committee establish and maintain a list of all participants and/or entries in the parade that identifies a contact person, such contact to be informed by the Hometown Days Committee of the stipulation and motor vehicle code enforcement actions for violations thereof.
3. General approval, and under the direction and control of the Office of the Chief of Police.

**Resolution No. 080512-8D**

**HOMETOWN DAYS PERMIT, AERIAL FIREWORKS DISPLAY**

**I Move** the Swartz Creek City Council approve and authorize the Swartz Creek Hometown Days Committee's application for one fireworks aerial display to be held on Friday, May 30, 2008, at or shortly after dusk, with a cancellation date of Saturday, May 31, 2008, at or shortly after dusk, to be launched from properties directly west of the Swartz Creek Middle School structure, said properties owned by the Swartz Creek School District and Mr. Scott Hoover, under the following stipulations and conditions:

1. Insurance certificate naming the City as insured in an amount to be determined adequate by the City Manager.
2. Written permission from the aforementioned parcel owners along with acceptable insurance certificates naming said parcel owners as additional insured parties, in an amount to be determined adequate by the City Manager.
3. Traffic Control Plan and administration by the Offices of Chief of Police and Director of Community Services.
4. Detailed Plan submitted to and approved by the Fire Chief.
5. All decisions concerning the event and cancellation thereof, if needed, under the direction and control of the Fire Chief.

**Resolution No. 080512-8E**

**HOMETOWN DAYS PERMIT, OPERATE BEER TENT**

**I Move** the Swartz Creek City Council approve and authorize the Swartz Creek Hometown Days Committee application to operate a beer tent for the sale of beer and wine on the premises, along with live entertainment to be held on Parcel No. 58-02-200-014, owned by Scott Kincaid and located 5086 Morrish Road, south of Wade Street, beginning Thursday, May 29, 2008 until Sunday, June 1, 2008, under the following stipulations:

1. Michigan Liquor Control Commission Approved Application with appropriate insurance in accordance with the rules of the L.C.C. and naming the City and all other property owners as additional insured parties, in an amount not less than \$1,000,000 (One Million Dollars).
2. Portable bathrooms placed and located and litter control program in accordance and under the approval of Director of Community Services.
3. Traffic control and pedestrian safety plan in accordance with and under the approval of Office of Chief of Police.
4. Adherence to all L.C.C. stipulations and regulations, state and local laws.
5. No music after 11:00 p.m. Thursday, May 29, 2008 and 1:00 a.m. Friday, May 30, 2008 (Saturday Morning), and Saturday May 31, 2008 (Sunday morning).
6. A Christian Concert, without alcohol sales, will be permitted within the tent on Sunday, June 1, 2008 between 5:00 PM and 9:30 PM.
7. Adequate security as approved by the Chief of Police.
8. Adherence to and under the direction of control from the Office of the Chief of Police.

**Resolution No. 080512-8F**

**HOMETOWN DAYS PERMIT, CEREMONIAL DISCHARGE OF A FIREARM**

**I Move** the Swartz Creek City Council, pursuant to section 10-212(3) of the Code of Ordinances, approve and authorize the Swartz Creek Hometown Days Committee to discharge weapons as a part of a military concert and ceremonial military honor guard, to be held at the Swartz Creek High School’s outdoor football stadium, on Friday, May 30, 2008, at approximately 9:00 p.m., in conjunction with a concert and aerial fireworks display, under the following stipulations and conditions:

1. Insurance certificate naming the City as an additional insured party in an amount not less than \$1,000,000.00 (One Million Dollars).
2. The party(ies) discharging the weapon(s) must be a practicing military honor guard trained and capable in the handling of firearms.

**Resolution No. 080512-8G**

**HOMETOWN DAYS PERMIT, CEREMONIAL DISCHARGE OF A FIREARM**

**I Move** the Swartz Creek City Council, pursuant to section 10-212(3) of the Code of Ordinances, approve and authorize the Swartz Creek Hometown Days Committee to discharge weapons in conjunction with a Parade and as a ceremonial military honor guard, to be held along Miller Road on Saturday, May 31, 2008, at approximately 12:00 noon, under the following stipulations and conditions:

1. Insurance certificate naming the City as an additional insured party in an amount not less than \$1,000,000.00 (One Million Dollars).
2. The party(ies) discharging the weapon(s) must be a practicing military honor guard trained and capable in the handling of firearms.

**Resolution No. 080512-8H**

**MILLER ROAD PROJECT, CHANGE ORDER #1**

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

**WHEREAS**, the City of Swartz Creek let for bid and awarded a contract to the low bidder, Lois Kay Contracting of Saginaw Michigan, for the saw-cut, peg and concrete flatwork of sections of Miller Road at I-69, in reference to City Resolution #071126-04; and

**WHEREAS**, the need for additional work east of this location to a point west of Dye Road has been identified by the City’s staff and Engineer and discussed in open meetings of the City Council at the time that the bid was awarded to Lois Kay Contracting, such work consisting of the milling of several dozen lateral heaved asphalt “bumps” that presents hazards and poor ride quality to motorists; and

**WHEREAS**, the milling of such sections was not specified within the bid process awarded to Lois Kay Contracting, however, the contractor is capable of such work and

is on location with the proper and appropriate labor, equipment and traffic control devices to accomplish such a task and do so in an efficient and cost effective manner that would likely be less than specification and bid award to a company that would need to procure these items at additional expense; and

**WHEREAS**, the City’s Engineer has reviewed the cost estimate of \$11,898 submitted by Lois Kay Contracting and states the pricing is competitive and recommends the City proceed with the work; and

**WHEREAS**, the City’s purchasing ordinance provides for competitive bids in such work, however, allows for deviation from the bid process under certain circumstances under section #2-402 (a)(2), stating “...Due to circumstances beyond the control of the city, the market for such product, material or service is not competitive even though such product, material or service is normally competitive in nature...”;

**NOW THEREFORE, BE IT RESOLVED** that the City approve a work change order to the contract with Lois Kay Contracting of Saginaw Michigan, to award the maintenance work of milling heaved asphalt along eastbound and westbound Miller Road between Dye and I-69, and further, appropriate an amount not to exceed \$11,898 plus 10% contingency, from the City’s Major Street Fund #202.

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

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

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

**Resolution No. 080512-8I**                      **FINAL SITE PLAN APPROVAL, CEDAR CREEK, PARCEL #58-03-200-011**

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

**I Move** the City of Swartz Creek accept the recommendation of the Planning Commission and approve the final site plan revision, dated April 7, 2008, with elevations dated March 26, 2008, for parcel 9279 Miller Road 58-03-200-011 (Cedar Creek) subject to the following conditions:

- 1). Applicant shall include a provision for lighting in the final site plan that must meet administrative approvals.
- 2). Applicant shall provide adequate ground cover and landscaping for ac units and building surroundings that must meet administrative approvals.
- 3). Applicant shall narrow road widths per the city staff’s recommendations to a 22’ width from the front of the curb while maintaining proper turn radii and shall also install ‘one-way’ and ‘no parking’ signs per staff recommendations.
- 4). Applicant shall work with staff to ensure adequate screening along the sides and rear prior to construction.
- 5). Applicant shall submit and obtain a sign permit prior to construction.

- 6). Applicant shall obtain all local, county, state, and/or other necessary permits, insurance, review and licensing prior to construction, including but not limited to: construction plan review, architectural review, soil erosion permitting, approval of master deed and condo by-laws, and completion of a development agreement.
- 7). Applicant shall include a provision to extend the sidewalk to the western property line and shall move the proposed internal sidewalk off of the proposed curb by no less than four (4) feet.

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

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

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

**Resolution No. 080512-8J      PARK FEE WAIVER REQUEST, ELMS, SCOUT TROOP #122**

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

**I Move** the City of Swartz Creek waive fees associated with the use of Elms Road Park Pavilion #2, for Cub Scout Troop #122, on Saturday May 17, 2008, from 10:00 AM to 7:00 PM, for their annual cross over event.

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

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

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

**Resolution No. 080512-8K      BOARDS & COMMISSIONS, REAPPOINTMENT, TAX BOARD OF REVIEW**

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

**I Move** the City of Swartz Creek Council reappoint Joseph Edgerton, of 9127 Chesterfield Drive, to the Swartz Creek Tax Board of Review, term running from July 1, 2008, expiring June 30, 2011.

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

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

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

**Resolution No. 080512-8L**

**BOARDS & COMMISSIONS, REAPPOINTMENT,  
PLANNING COMMISSION**

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

**I Move** the City of Swartz Creek Council concur with the Mayor’s reappointment of Carl Connor, of 4061 South Elms Road, to the Swartz Creek Planning Commission, term running from July 1, 2008, expiring June 30, 2011.

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

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

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

**Resolution No. 080512-8M**

**BOARDS & COMMISSIONS, REAPPOINTMENT,  
PLANNING COMMISSION**

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

**I Move** the City of Swartz Creek Council concur with the Mayor’s reappointment of Douglas Stephens, of 5250 Birchcrest Drive, to the Swartz Creek Planning Commission, term running from July 1, 2008, expiring June 30, 2011.

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

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

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

**Resolution No. 080512-8N**

**BOARDS & COMMISSIONS, REAPPOINTMENT, ZONING  
BOARD OF APPEALS**

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

**I Move** the City of Swartz Creek Council reappoint Douglas Stephens, of 5250 Birchcrest Drive, to the Swartz Creek Zoning Board of Appeals, term running from July 1, 2008, expiring June 30, 2011.

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

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

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

**Resolution No. 080512-8O**

**BOARDS & COMMISSIONS, REAPPOINTMENT, ZONING BOARD OF APPEALS**

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

**I Move** the City of Swartz Creek Council reappoint Ronald Smith, of 9194 Chesterfield Drive, to the Swartz Creek Zoning Board of Appeals, term running from July 1, 2008, expiring June 30, 2011.

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

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

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

**Resolution No. 080512-8P**

**BOARDS & COMMISSIONS, REAPPOINTMENT, ZONING BOARD OF APPEALS, ALTERNATE**

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

**I Move** the City of Swartz Creek Council reappoint Kenneth Keyes, of 5296 Greenleaf Drive, to the Swartz Creek Zoning Board of Appeals, Alternate, term running from July 1, 2008, expiring June 30, 2011.

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

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

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

**Resolution No. 080512-8Q**

**BOARDS & COMMISSIONS, REAPPOINTMENT, ZONING BOARD OF APPEALS, ALTERNATE**

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

**I Move** the City of Swartz Creek Council reappoint James Florence, of 4296 Springbrook Drive, to the Swartz Creek Zoning Board of Appeals, Alternate, term running from July 1, 2008, expiring June 30, 2011.

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

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

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

**Resolution No. 080512-8R**

**BOARDS & COMMISSIONS, REAPPOINTMENT,  
DOWNTOWN DEVELOPMENT AUTHORITY**

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

**I Move** the City of Swartz Creek Council concur with the Mayor’s reappointment of Richard Mattson, of 9251 West Hill Road, to the Swartz Creek Downtown Development Authority, term running from April 1, 2008, expiring March 31, 2012.

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

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

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

**Resolution No. 080512-8S**

**BOARDS & COMMISSIONS, REAPPOINTMENT,  
DOWNTOWN DEVELOPMENT AUTHORITY**

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

**I Move** the City of Swartz Creek Council concur with the Mayor’s reappointment of Mark Nemer, of 8122 West Hill Road, to the Swartz Creek Downtown Development Authority, term running from April 1, 2008, expiring March 31, 2012.

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

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

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



**City of Swartz Creek**  
**Regular Council Meeting Minutes**  
*Of the Meeting Held*  
**Monday April 28, 2008 7:00 P.M.**

**CITY OF SWARTZ CREEK**  
**SWARTZ CREEK, MICHIGAN**  
**MINUTES OF THE COUNCIL MEETING**  
**DATE 04/28/2008**

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: Abrams, Adams, Hicks, Hurt, Porath, Shumaker.

Councilmembers Absent: Mayor Pro-Tem Christie.

Staff Present: City Manager Bueche, Assistant City Manager Zettel, City Attorney Michael Gildner, Deputy City Clerk/Financial Officer Mary Jo Clark, City Clerk Juanita Aguilar, DPS Director Tom Svrcek.

Others Present: Boots Abrams, Bob Plumb, Tommy Butler, Ron Shultz, Jim Florence, John Gilbert, David Krueger, Pat Lockwood.

**Resolution No. 080428-01**

**(Carried)**

Motion by Councilmember Hurt  
Second by Councilmember Shumaker

The Swartz Creek City Council excuses the absence of Mayor Pro-Tem Christie due to his wife being in the hospital for an appendectomy.

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

**APPROVAL OF MINUTES**

**Resolution No. 080428-02**

**(Carried)**

Motion by Councilmember Porath  
Second by Councilmember Hurt

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

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

## **APPROVAL OF AGENDA**

### **Resolution No. 080428-03**

**(Carried )**

Motion by Councilmember Shumaker  
Second by Councilmember Hurt

**I Move** the Swartz Creek City Council approve the Agenda as presented for the Regular Council Meeting of April 28, 2008 to be circulated and placed on file.

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

## **REPORTS AND COMMUNICATIONS:**

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

#### **Resolution No. 080428-04**

**(Carried)**

Motion by Councilmember Hicks  
Second by Councilmember Hurt

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

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

Discussion Took Place.

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

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

John Green, from Diane Green Photography, owner of property on the corner of Grove Street and Morrish Road, talked to the City Council about the possibility of acquiring the property that connects to his which is known as the "Old Blacksmith's Shop". He was advised by Mayor Abrams and City Manager Bueche as to the process that he would have to go through to acquire the property.

Jim Florence, 4296 Springbrook Drive, spoke on behalf of the Senior Center. Mr. Florence talked about a meeting scheduled for 11:00am Wednesday, April 30, 2008 with County Commissioner Pat Lockwood.

**COUNCIL BUSINESS:**

**Wal-Mart Donation, Summer Police Youth Programs**

**Resolution No. 080428-05**

**(Carried)**

Motion by Councilmember Adams  
Second by Councilmember Hurt

**I Move** the City of Swartz Creek, with appreciation, approve acceptance of \$1,000 from Wal-Mart of Bentonville, Arkansas, to be used for the Police Department's Summer Youth Programs, including the annual Camp 911 and the Bicycle Rodeo.

Discussion Ensued.

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

**Project Fresh, Farmer's Market**

**Resolution No. 080428-06**

**(Carried)**

Motion by Councilmember Hurt  
Second by Councilmember Hicks

**WHEREAS**, the State of Michigan enacted Project Fresh on July 2, 1992 as Public Law 102-314 for the purpose of providing an authorized source from which qualifying participants can obtain locally grown, eligible fresh, nutritious, unprepared fruits and vegetables in accordance with the Farmers' Market Nutrition Program rules and regulations and to expand the awareness and use of farmers' markets, as well as increase sales at such markets, and

**WHEREAS**, Project Fresh accomplishes the above by allocating vouchers to WIC eligible participants and senior citizens for use at pre-certified farmers' markets; and

**WHEREAS**, the City of Swartz Creek and Swartz Creek Downtown Development Authority operate a successful farmers' market that qualifies to offer Project Fresh; and

**WHEREAS**, Project Fresh would likely increase patronage at the local market and offer a local venue for seniors and other participants to acquire eligible produce.

**NOW, THEREFORE, BE IT RESOLVED** that the Swartz Creek City Council approves that the Swartz Creek Farmers' Market seek certification for Project FRESH and further directs Mr. Zettel, as a city employee and as DDA staff, to perform the functions of "Market Master" as required by the Project Fresh Program and to enter into such agreements and to seek training as necessary.

**BE IT FURTHER RESOLVED** that City Council authorizes and directs City and DDA staff to set up a revenue and expense account in the DDA Fund for Project Fresh, and further, allow for a petty cash fund not to exceed \$100, to reimburse vendors that accept vouchers, as well as accept subsequent reimbursement from the State of Michigan in accordance with the terms of the program.

Discussion Took Place.

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

NO: None. Motion Declared Carried.

### **County G.I.S. Pictometry License Renewal**

**Resolution No. 080428-07**

**(Carried)**

Motion by Councilmember Porath  
Second by Councilmember Shumaker

**WHEREAS**, the City participates in the Genesee County Orthoimagery Program, a program that provides for computerized and mapped arial photographs, such photographs used in planning, traffic, law-enforcement, assessing, storm and surface water management, water and sewer; and

**WHEREAS**, on July 25, 2005, the City appropriated funding and entered into an agreement that expires on May 31, 2008, resolution as follows:

#### **Agreement, Appropriation – County Pictometry – Orthoimagery Program**

**Resolution No. 050725-05 (Carried)**

*Motion by Councilmember Adams,  
Second by Mayor Pro Tem Christie,*

*The City of Swartz Creek enters into an agreement with the County of Genesee to participate in the G.I.S. Pictometry – Orthoimagery Project, as defined in the attached intergovernmental agreement, inclusive of vendor contracts, and directs the Mayor and City Clerk to execute the agreement on behalf of the City, and further, directs the City Manager to appoint a project representative and technical representative in accordance with the terms of the agreement. The City of Swartz Creek appropriates an amount not to exceed \$1,650.28, plus 10% contingency, payable to the Genesee County Controller's Office, payment for the City's two year participation in the project.*

*Discussion took place.*

YES: Abrams, Adams, Christie, Hurt, Plumb, Porath, Shumaker.

NO: None. Motion declared carried.

**And WHEREAS**, the County has elected not to upgrade its photo data base for another year, however, the license extension must be passed in order to continue the use of the program; and

**WHEREAS**, the City, through its staff, has determined that the program is a valuable tool and recommends its continuation.

**NOW, THEREFORE, BE IT RESOLVED**, that the City elects to continue its licensing and participation in the Genesee County Orthoimagery Program, at a cost of \$146, and further, directs the Mayor and City Clerk to execute the addendum on behalf of the City.

Discussion Ensued.

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

**2008-2009 Budget Presentation, Water Sewer Rates, Fees** (Discussion Topic)

City Manager Bueche talked about the 2008-2009 Budget.

Discussion Ensued.

**2007-2008 FY Audit** (Discussion Topic)

City Manager Bueche made a brief presentation reference the 2007-2008 FY Audit.

Discussion Took Place.

**MEETING OPENED TO THE PUBLIC:**

David Krueger, 7399 Miller Rd, questioned the City Council reference the pictometry agreement with the county. Mr. Krueger also questioned whether the City Council would consider offering a 50% co-pay for residents putting in an irrigation meter. Mr. Krueger questioned who was in charge of maintaining the playground area at the parks. He stated that there were some issues with the Playscape at Elms Park.

**REMARKS BY COUNCILMEMBERS:**

Councilmember Porath commented about the budget.

Councilmember Shumaker talked about an Eagle Scout presentation that he attended for Rodney Crowe. Mr. Shumaker talked about the property that the City owns on Morrish Road. He questioned the status of the house, whether it was rentable or not.

Councilmember Adams questioned City Manager Bueche about the Fire Department Agreement, wondering what the status is at this time. City Manager Bueche stated that City Attorney Figura has the information and should have a draft available soon.

Councilmember Hurt talked about the current wood chipping schedule. He was advised that it was the same week as recycling.

Councilmember Porath asked for a second call and spoke about the Fire Department Agreement.

Mayor Abrams talked about the GAIN meeting that he, Councilmember Hurt, and Chief Clolinger attended on April 28, 2008. He talked about GAIN's budget emergency.

**ADJOURNMENT:**

There being no objection, Mayor Abrams declared the meeting adjourned at 9:37p.m.

Richard Abrams, Mayor

Juanita Aguilar, City Clerk

**SWARTZ CREEK POLICE DEPARTMENT  
MOTOR POOL RENTAL HOURS  
APRIL 2008**

	<u>101-301-941</u>	<u>101-302-941</u>	<u>101-303-941</u>	<u>101-304-941</u>
#06-112	167	3	0	0
#05-168	17	0	0	0
#05-649	97	0	0	0
#05-346	72	1	109	0
#07-375	336	4	0	0
#05-275	77	3	0	6
#07-386 motorcycle	5	0	0	0
<b>TOTAL</b>	<b>771</b>	<b>11</b>	<b>109</b>	<b>6</b>

**SWARTZ CREEK POLICE DEPT**

Total Account Hours Summary Report

From: 04/01/2008 to 04/30/2008

<b>Department Account</b>	<b>Description</b>	<b>Regular Hours</b>	<b>Other Hours</b>	<b>Regular Hours YTD</b>	<b>Other Hours YTD</b>
<b>ADMINISTRATIVE</b>					
101 301 702.001	SUPERVISOR	243.500	3.000	943.250	27.000
101 301 702.002	CLERICAL	174.000	0.000	703.750	0.000
<b>PROTECTION</b>					
101 301 702.003	UNIFORMED	565.500	25.000	2,291.500	116.750
101 301 702.004	NON-UNIFORMED	6.000	0.000	7.250	0.000
101 301 702.005	TRAFFIC ENFORCEMENT	253.500	1.000	1,049.500	19.500
<b>COMPLAINTS</b>					
101 301 702.006	INVESTIGATIONS	192.250	1.000	727.000	24.500
101 301 702.007	COURT	9.500	9.500	47.000	16.000
<b>TRAINING</b>					
101 301 702.008	TRAINING	0.000	0.000	6.000	13.500
<b>LEAVE TIME</b>					
101 301 702.010	VACATION	72.000	0.000	228.000	0.000
101 301 702.011	HOLIDAY	0.000	0.000	280.000	0.000
101 301 702.012	PERSONAL LEAVE	38.000	0.000	115.500	0.000
101 301 702.013	FUNERAL LEAVE	0.000	0.000	28.500	0.000
<b>TRACK ADMINISTRATIVE</b>					
101 302 702.001	SUPERVISOR	17.000	0.000	47.500	0.000
101 302 702.002	CLERICAL	13.000	0.000	37.000	0.000
<b>TRACK PROTECTION</b>					
101 302 702.003	UNIFORMED	13.000	0.000	55.750	0.000
<b>TRACK COMPLAINTS</b>					
101 302 702.006	INVESTIGATIONS	0.000	0.000	0.250	0.000
<b>SCHOOL PROTECTION</b>					
101 303 702.003	UNIFORMED	68.500	3.000	244.750	40.000
101 303 702.005	TRAFFIC ENFORCEMENT	0.000	0.000	10.500	0.000



Department Account	Description	Regular Hours	Other Hours	Regular Hours YTD	Other Hours YTD
SCHOOL COMPLAINTS					
101 303 702.006	INVESTIGATIONS	80.500	3.000	354.750	16.500
PROTECTION					
101 304 702.003	UNIFORMED	6.750	0.000	35.500	4.500
TRAINING					
101 304 702.008	TRAINING	4.000	9.000	8.000	36.000
PROTECTION					
265 333 702.004	NON-UNIFORMED	176.000	6.500	632.000	54.000
COMPLAINTS					
265 333 702.006	INVESTIGATIONS	0.000	20.000	0.000	70.000
265 333 702.007	COURT	0.000	6.000	0.000	19.000
NON-PRODUCTIVE					
265 333 702.010	VACATION	0.000	0.000	24.000	0.000
265 333 702.011	HOLIDAY	0.000	0.000	40.000	0.000
	TOTAL ALL HOURS	1,933.000	87.000	7,917.250	457.250

**SWARTZ CREEK POLICE DEPT**

Total Function Count

Month Ending: 04/30/2008

<b>Account</b>	<b>Description</b>	<b>MTD Functions</b>	<b>YTD Functions</b>
101 301 001.000	TRAFFIC VIOLATIONS	0	0
101 301 002.000	PARKING VIOLATIONS	2	21
101 301 003.000	VERBAL WARNINGS	136	511
101 301 004.000	WRITTEN WARNINGS	30	95
101 301 005.000	FELONY ARRESTS	4	13
101 301 006.000	MISDEMEANOR ARRESTS	24	113
101 301 007.000	CALLS RECEIVED	286	1074
101 301 008.000	TRAFF INJ ACCIDENTS	1	5
101 301 009.000	PROP DAMAG ACCIDENTS	9	48
101 301 010.000	SERVICE REQUESTS	0	22
101 301 011.000	MEETINGS	0	5
101 301 012.000	CONFERENCES	0	0
101 301 013.000	INITIATED CALLS	668	2573
101 301 014.000	DESK ASSIGNMENTS	153	570
101 301 015.000	BUSINESS CHECKS	831	3994
101 301 016.000	VACATION CHECKS	762	3893
101 301 017.000	SUSP PERS CHECKED	20	119
<b>TOTAL FUNCTIONS</b>		<b>2926</b>	<b>13056</b>
101 302 002.000	PARKING VIOLATIONS	0	0
101 302 003.000	VERBAL WARNINGS	0	0
101 302 004.000	WRITTEN WARNINGS	0	0
101 302 005.000	FELONY ARRESTS	0	0
101 302 006.000	MISDEMEANOR ARRESTS	0	0
101 302 007.000	CALLS RECEIVED	8	34
101 302 010.000	SERVICE REQUESTS	0	0
101 302 011.000	MEETINGS	0	1
101 302 012.000	CONFERENCES	0	0
101 302 013.000	INITIATED CALL	0	0
101 302 014.000	DESK ASSIGNMENTS	0	0
101 302 015.000	BUSINESS CHECKS	0	1
101 302 016.000	VACATION CHECKS	0	0
101 302 017.000	SUSP PERS CHECKED	0	0
<b>TOTAL FUNCTIONS</b>		<b>8</b>	<b>36</b>
101 303 002.000	PARKING VIOLATIONS	0	0
101 303 003.000	VERBAL WARNINGS	0	1
101 303 004.000	WRITTEN WARNINGS	0	0
101 303 005.000	FELONY ARRESTS	0	0
101 303 006.000	MISDEMEANOR ARRESTS	4	20
101 303 007.000	CALLS RECEIVED	2	7
101 303 010.000	SERVICE REQUESTS	0	0
101 303 011.000	MEETINGS	27	102
101 303 012.000	CONFERENCES	3	5

Account	Description	MTD Functions	YTD Functions
101 303 013.000	INITIATED CALL	156	526
101 303 014.000	DESK ASSIGNMENTS	0	1
101 303 015.000	BUSINESS CHECKS	0	0
101 303 016.000	VACATION CHECKS	0	0
101 303 017.000	SUS PERS CHECKED	2	2
<b>TOTAL FUNCTIONS</b>		<b>194</b>	<b>664</b>
101 304 001.000	TRAFFIC VIOLATIONS	0	0
101 304 001.003	DESK ASSIGNMENTS	0	0
101 304 002.000	PARKING VIOLATIONS	0	0
101 304 003.000	VERBAL WARNINGS	0	0
101 304 004.000	WRITTEN WARNINGS	0	0
101 304 005.000	FELONY ARRESTS	0	1
101 304 006.000	MISDEMEANOR ARRESTS	0	4
101 304 007.000	CALLS RECEIVED	5	20
101 304 010.000	SERVICE REQUESTS	0	0
101 304 011.000	MEETINGS	0	0
101 304 012.000	CONFERENCES	0	0
101 304 013.000	INITIATED CALL	6	25
101 304 014.000	DESK ASSIGNMENTS	1	1
101 304 015.000	BUSINESS CHECKS	0	0
101 304 016.000	VACATION CHECKS	0	0
101 304 017.000	SUS PERS CHECKED	0	0
101 304 018.000	BUILDING SEARCHES	2	7
101 304 019.000	VEHICLE SEARCHES	6	35
101 304 020.000	NARCOTIC SEARCHES	1	6
101 304 021.000	CURRENCY SEIZED	0	0
101 304 022.000	FORFEITURES	0	1
101 304 023.000	POSITIVE TRACKS	1	1
101 304 024.000	NEGATIVE TRACKS	1	7
101 304 025.000	AGENCY ASSISTS	1	8
101 304 026.000	DEMONSTRATIONS	1	1
101 304 027.000	AREA SEARCHES	1	1
<b>TOTAL FUNCTIONS</b>		<b>26</b>	<b>118</b>
<b>TOTAL ALL FUNCTIONS</b>		<b>3154</b>	<b>13874</b>

## Ticket Ledger Report

**Report Criteria:**

Ticket Type	Officer	Start Date	End Date
Traffic	All	04/01/2008	04/30/2008

Number	Name	Date	Location	Description	Officer	Fine
T-1013239-A		04/01/08	MILLER NEAR FAIRCHILD	EXPIRED PLATE		
T-1013239-B		04/01/08	MILLER NEAR FAIRCHILD	NO PROOF INSURANCE/POSSESE		
T-1013213		04/01/08	MILLER NEAR SCHOOL	EXCEEDED POSTED SPEED LIMIT		
T-978523		04/01/08	MILLER NEAR MORRISH	NO PROOF INSURANCE/POSSESE		
T-978524		04/01/08	MILLER NEAR MORRISH	EXCEEDED POSTED SPEED LIMIT		
T-1013029-A		04/02/08	MORRISH NEAR BRISTOL	EXCEEDED POSTED SPEED LIMIT		
T-1013029-B		04/02/08	MORRISH NEAR BRISTOL	TINTED WINDOWS/NO WINDSHIEI		
T-1013030-B		04/02/08	INGALLS NEAR BRADY	NO PROOF INSURANCE/POSSESE		
T-1013031-A		04/03/08	MILLER NEAR ELMS	SEAT BELT DRIVER/PASSENGER		
T-1013031-B		04/03/08	MILLER NEAR ELMS	NO PROOF INSURANCE/POSSESE		
T-1013032		04/03/08	ELMS NEAR MILLER	EXCEEDED POSTED SPEED LIMIT		
T-1013030-A		04/03/08	INGALLS NEAR BRADY	SEAT BELT DRIVER/PASSENGER		
T-1013253		04/04/08	MORRISH NEAR FORTINO	EXCEEDED POSTED SPEED LIMIT		
T-1013192		04/04/08	MILLER NEAR ELMS	HEADLIGHTS		
T-1013436		04/06/08	BRISTOL NEAR ELMS	EXCEEDED POSTED SPEED LIMIT		
T-1013214		04/07/08	MORRISH NEAR APPLECREEK	EXCEEDED POSTED SPEED LIMIT		
T-1013215		04/07/08	MILLER NEAR MORRISH	NO TAIL/BRAKE LIGHTS		
T-1055203		04/08/08	MILLER NEAR ELMS	HEADLIGHTS		
T-1013033-A		04/09/08	ELMS NEAR BRISTOL	EXCEEDED POSTED SPEED LIMIT		
T-1013003-B		04/09/08	ELMS NEAR BRISTOL	SEAT BELT DRIVER/PASSENGER		
T-1013034		04/09/08	MORRISH NEAR MAPLE	EXCEEDED POSTED SPEED LIMIT		
T-1013036		04/10/08	INGALLS NEAR MORRISH	SEAT BELT DRIVER/PASSENGER		
T-978525		04/11/08	MORRISH NEAR APPLECREEK	EXCEEDED POSTED SPEED LIMIT		
T-1013037-A		04/11/08	MILLER AT FAIRCHILD	UNABLE TO STOP IN ASSURED CI		
T-1055204		04/11/08	MILLER NEAR MORRISH	NO PROOF INSURANCE/POSSESE		
T-1055205		04/11/08	MILLER NEAR ELMS	EXCEEDED POSTED SPEED LIMIT		
T-1055206		04/11/08	ELMS NEAR MILLER	NO PROOF INSURANCE/POSSESE		
T-1013038		04/12/08	MILLER NEAR ELMS	FAIL TO STOP BEFORE ENTERINC		
T-1055276-A		04/12/08	MILLER NEAR ELMS	FAIL TO STOP/REPORT PIA		
T-1055276-B		04/12/08	MILLER NEAR ELMS	RECKLESS DRIVING		
T-1013243		04/12/08	MILLER AT ELMS	SEAT BELT DRIVER/PASSENGER		
T-1013242-A		04/12/08	MILLER AT ELMS	FAIL TO STOP/REPORT PIA		
T-1013242-B		04/12/08	MILLER AT ELMS	RECKLESS DRIVING		
T-1013217-A		04/13/08	MILLER NEAR FREDRICK	EXCEEDED POSTED SPEED LIMIT		
T-1013217-B		04/13/08	MILLER NEAR FREDRICK	NO PROOF INSURANCE/POSSESE		
T-1013216		04/13/08		VOID		
T-1013218		04/13/08	MORRISH NEAR APPLECREEK	EXCEEDED POSTED SPEED LIMIT		
T-1013219		04/14/08	MORRISH NEAR APPLECREEK	EXCEEDED POSTED SPEED LIMIT		
T-1013240		04/14/08	MILLER AT FORD	SUSP/REVOKED/NEVER APPL.		
T-1013241		04/14/08	I-69 NEAR MORRISH	EXCEEDED POSTED SPEED LIMIT		
T-1013220-A		04/15/08	ELMS AT MILLER	DISREGARDED TRAFFIC SIGNAL/		
T-1013220-B		04/15/08	ELMS AT MILLER	NO PROOF INSURANCE/POSSESE		
T-1013039		04/16/08	BRISTOL NEAR HERITAGE	EXCEEDED POSTED SPEED LIMIT		
T-1013040		04/16/08	MILLER NEAR SCHOOL	EXCEEDED POSTED SPEED LIMIT		
T-1013041		04/16/08	MORRISH NEAR MAPLE	SEAT BELT DRIVER/PASSENGER		
T-1055126		04/16/08	MILLER NEAR RAUBINGER	NO PROOF INSURANCE/POSSESE		

Ticket Charges Subtotal: 46

Fines Subtotal:

## Ticket Ledger Report

**Report Criteria:**

Ticket Type	Officer	Start Date	End Date
Traffic	All	04/01/2008	04/30/2008

Number	Name	Date	Location	Description	Officer	Fine
T-1055127		04/16/08	MORRISH NEAR APPLECREEK	EXCEEDED POSTED SPEED LIMIT		
T-1013042-A		04/17/08	ELMS AT MILLER	SEAT BELT DRIVER/PASSENGER		
T-1013042-B		04/17/08	ELMS AT MILLER	NO PROOF INSURANCE/POSSESE		
T-1013043-A		04/17/08	SEYMOUR AT HILL	SEAT BELT DRIVER/PASSENGER		
T-1055227		04/18/08	MORRISH NEAR I69	EXCEEDED POSTED SPEED LIMIT		
T-1055208-A		04/18/08	MILLER NEAR ELMS	SEAT BELT DRIVER/PASSENGER		
T-1055208-B		04/18/08	MILLER NEAR ELMS	NO PROOF INSURANCE/POSSESE		
T-1013193		04/19/08	ELMS NEAR BRISTOL	NO PROOF INSURANCE/POSSESE		
T-1013194		04/19/08	MORRISH NEAR APPLECREEK	NO PROOF INSURANCE/POSSESE		
T-1055228		04/20/08	I-69 NEAR MORRISH	EXCEEDED POSTED SPEED LIMIT		
T-1013221		04/20/08	MORRISH NEAR APPLE CREEK	NO PROOF INSURANCE/POSSESE		
T-1013244		04/20/08	I-69 RAMP W/B AT MORRISH	EXCEEDED POSTED SPEED LIMIT		
T-1013245		04/20/08	MORRISH NEAR MARY ST	EXCEEDED POSTED SPEED LIMIT		
T-1013222		04/21/08	MILLER AT SEYMOUR	NO PROOF INSURANCE/POSSESE		
T-1013223		04/22/08	MILLER NEAR BRADY	EXCEEDED POSTED SPEED LIMIT		
T-1013224		04/22/08	SEYMOUR NEAR OAKVIEW	SEAT BELT DRIVER/PASSENGER		
T-1013044		04/23/08	MILLER NEAR FAIRCHILD	SEAT BELT DRIVER/PASSENGER		
T-1012830-A		04/23/08	MILLER NEAR BRISTOL	SUSP/REVOKED/NEVER APPL.		
T-1012830-B		04/23/08	MILLER NEAR BRISTOL	TAIL LIGHTS (DEFECTIVE, IMPROI		
T-1013256		04/24/08	MILLER AT FAIRCHILD	DISREGARDED TRAFFIC SIGNAL/A		
T-1013045		04/24/08	MILLER NEAR MORRISH	SEAT BELT DRIVER/PASSENGER		
T-1055229		04/24/08	SEYMOUR NEAR MILLER	SEAT BELT DRIVER/PASSENGER		
T-1055230		04/24/08	MORRISH NEAR FORTINO	EXCEEDED POSTED SPEED LIMIT		
T-1055231		04/24/08	MILLER NEAR FORTINO	EXCEEDED POSTED SPEED LIMIT		
T-1013046		04/25/08	WINCHESTER VILLAGE -- DON SHEI	RIGHT OF WAY AT INTERSECTION		
T-1013047		04/25/08	WINCHESTER VILLAGE -- WINSHALI	SEAT BELT DRIVER/PASSENGER		
T-1013048		04/25/08	MILLER NEAR BRISTOL	SEAT BELT DRIVER/PASSENGER		
T-1055232-A		04/25/08	I-69 NEAR MORRISH	EXCEEDED POSTED SPEED LIMIT		
T-1055232-B		04/25/08	I-69 NEAR MORRISH	NO PROOF INSURANCE/POSSESE		
T-1013049-A		04/26/08	MILLER NEAR FAIRCHILD	SEAT BELT DRIVER/PASSENGER		
T-1013049-B		04/26/08	MILLER NEAR FAIRCHILD	SEAT BELT 4-16 YR. OLD		
T-1013050		04/26/08	MORRISH NEAR FORTINO	EXCEEDED POSTED SPEED LIMIT		
T-1013195		04/26/08	MORRISH NEAR MARY ST	NO PROOF INSURANCE/POSSESE		
T-1013196		04/26/08	BRISTOL NEAR HERITAGE	NO PROOF INSURANCE/POSSESE		
T-1013197		04/26/08	BRISTOL NEAR ELMS	NO PROOF INSURANCE/POSSESE		
T-1013198		04/26/08	MORRISH NEAR MARY ST	NO PROOF INSURANCE/POSSESE		
T-1013199		04/26/08	BRISTOL NEAR ELMS	NO PROOF INSURANCE/POSSESE		
T-1013200		04/26/08	MORRISH NEAR MARY ST	NO PROOF INSURANCE/POSSESE		
T-1055235		04/27/08	I-69 NEAR MILLER	EXCEEDED POSTED SPEED LIMIT		
T-1013247-A		04/27/08	MILLER NEAR ELMS	IMPROPER LANE USE IN TURN/U-		
T-1013247-B		04/27/08	MILLER NEAR ELMS	NO PROOF INSURANCE/POSSESE		
T-1013225		04/27/08	I-69 NEAR MORRISH	NO PROOF INSURANCE/POSSESE		
T-1055301		04/27/08	MORRISH NEAR APPLECREEK	EXCEEDED POSTED SPEED LIMIT		
T-1055302		04/27/08	MILLER NEAR MCLAIN	EXCEEDED POSTED SPEED LIMIT		
T-1013248		04/27/08	MORRISH NEAR MILLER	NO PROOF INSURANCE/POSSESE		
T-1013249		04/28/08	MILLER NEAR I-69	TAIL LIGHTS (DEFECTIVE, IMPROI		

Ticket Charges Subtotal: 92

Fines Subtotal:

## Ticket Ledger Report

**Report Criteria:**

Ticket Type	Officer	Start Date	End Date			
Traffic	All	04/01/2008	04/30/2008			

Number	Name	Date	Location	Description	Officer	Fine
T-1055303		04/28/08	MORRISH NEAR APPLECREEK	EXCEEDED POSTED SPEED LIMIT		
T-1013250-A		04/28/08	MILLER AT ELMS	NO PROOF INSURANCE/POSSESE		
T-1013250-B		04/28/08	MILLER AT ELMS	IMPROPER PLATE DISPLAY		
T-1055277		04/29/08	MORRISH NEAR MARY ST	EXCEEDED POSTED SPEED LIMIT		
T-1055278		04/29/08	MILLER NEAR I-69	SUSP/REVOKED/NEVER APPL.		
T-1013051		04/30/08	MILLER NEAR RAUBINGER	SEAT BELT DRIVER/PASSENGER		
T-1013052		04/30/08	OAKVIEW AT DURWOOD	RECKLESS DRIVING		
T-1055237		04/30/08	MILLER NEAR FAIRCHILD	EXCEEDED POSTED SPEED LIMIT		

Ticket Charges Total: 100

Fines Total:

## Uniform Crime Report

**Report Criteria:**

Start File Class	End File Class	Print Zeros?			
0100-0	9900-9	Yes			
Class	Description	APR 2007	APR 2000	YR TO DATE	
0100-0	SOVEREIGNTY	0	0	0	
0200-0	MILITARY	0	0	0	
0300-0	IMMIGRATION	0	0	0	
0900-1	MURDER/NON-NEGLIGENT MANSLAUGHTER	0	0	0	
0900-2	NEGLIGENT HOMICIDE/MANSLAUGHTER	0	0	0	
0900-3	NEG. HOMICIDE - VEHICLE/BOAT/SNOWM.	0	0	0	
0900-4	JUSTIFIABLE HOMICIDE	0	0	0	
1000-1	KIDNAPPING/ABDUCTION	1	0	0	
1000-2	PARENTAL KIDNAPPING	0	0	0	
1100-1	SEXUAL PENETR'N PENIS/VAGINA CSC1	0	0	0	
1100-2	SEXUAL PENETR'N PENIS/VAGINA CSC3	0	0	0	
1100-3	SEXUAL PENETRATION ORAL/ANAL CSC1	0	0	0	
1100-4	SEXUAL PENETRATION ORAL/ANAL CSC3	0	0	0	
1100-5	SEXUAL PENETRATION OBJECT CSC1	0	0	0	
1100-6	SEXUAL PENETRATION OBJECT CSC3	0	0	0	
1100-7	SEXUAL CONTACT FORCIBLE CSC2	0	0	0	
1100-8	SEXUAL CONTACT FORCIBLE CSC4	0	0	0	
1200-0	ROBBERY	0	0	0	
1300-1	NONAGGRAVATED ASSAULT	3	4	17	
1300-2	AGGRAVATED/FELONIOUS ASSAULT	0	1	3	
1300-3	INTIMIDATION/STALKING	3	0	5	
1400-0	ABORTION	0	0	0	
2000-0	ARSON	1	1	1	
2100-0	EXTORTION	0	0	0	
2200-1	BURGLARY - FORCED ENTRY	1	1	15	
2200-2	BURGLARY - ENTRY W/OUT FORCE(INTENT	0	0	1	
2200-3	BURGLARY - UNLAWFUL ENTRY(NO INTENT	0	0	0	
2200-4	POSSESSION OF BURGLARY TOOLS	0	0	0	
2300-1	LARCENY - POCKETPICKING	0	0	0	
2300-2	LARCENY - PURSE SNATCHING	0	0	1	
2300-3	LARCENY - THEFT FROM BUILDING	2	1	8	
2300-4	LARCENY - THEFT FROM COIN OPERATED	0	0	0	
2300-5	LARCENY - THEFT FROM MOTOR VEHICLE	1	6	9	
2300-6	LARCENY - THEFT OF M. VEHICLE PARTS	0	0	2	
2300-7	LARCENY - OTHER	8	2	7	
2400-1	MOTOR VEHICLE THEFT	0	2	3	
2400-2	MOTOR VEHICLE AS STOLEN PROPERTY	0	0	0	
2400-3	MOTOR VEHICLE FRAUD	0	0	0	
2500-0	FORGERY/COUNTERFEITING	0	0	0	
2600-1	FRAUD - FALSE PRETENSE/SWINDLE/CONF	2	0	0	
2600-2	FRAUD - CREDIT CARD/ATM	0	1	3	
2600-3	FRAUD - IMPERSONATION	0	1	2	
2600-4	FRAUD - WELFARE	0	0	0	
2600-5	FRAUD - WIRE	0	0	0	
2600-6	FRAUD - BAD CHECKS	1	0	0	
2700-0	EMBEZZLEMENT	0	0	0	
2800-0	STOLEN PROPERTY	0	0	0	

## Uniform Crime Report

**Report Criteria:**

Start File Class	End File Class	Print Zeros?			
0100-0	9900-9	Yes			
Class	Description	APR 2007	APR 2000	YR TO DATE	
2900-0	DAMAGE TO PROPERTY	0	4	17	
3000-1	RETAIL FRAUD - MISREPRESENTATION	0	0	0	
3000-2	RETAIL FRAUD - THEFT	0	1	3	
3000-3	RETAIL FRAUD - REFUND/EXCHANGE	0	0	0	
3500-1	VIOLATION OF CONTROLLED SUBSTANCE	3	1	17	
3500-2	NARCOTIC EQUIPMENT VIOLATIONS	0	0	0	
3600-1	SEXUAL PENETR'N NONFORCIBLE BLOOD/A	0	0	0	
3600-2	SEXUAL PENETR'N NONFORCIBLE OTHER	0	0	0	
3600-3	PEEPING TOM	0	0	0	
3600-4	SEX OFFENSE - OTHER	0	0	0	
3700-0	OBSCENITY	0	0	0	
3800-1	FAMILY - ABUSE/NEGLECT NONVIOLENT	1	0	1	
3800-2	FAMILY - NONSUPPORT	0	0	0	
3800-3	FAMILY - OTHER	0	0	0	
3900-1	GAMBLING - BETTING/WAGERING	0	0	0	
3900-2	GAMBLING - OPERATING/PROMOTING/ASSI	0	0	0	
3900-3	GAMBLING - EQUIPMENT VIOLATIONS	0	0	0	
3900-4	GAMBLING - SPORTS TAMPERING	0	0	0	
4000-1	COMMERCIALIZED SEX - PROSTITUTION	0	0	0	
4000-2	COMMERCIALIZED SEX- ASSISTING/PROMO	0	0	0	
4100-1	LIQUOR LICENSE - ESTABLISHMENT	0	0	0	
4100-2	LIQUOR VIOLATIONS - OTHER	1	0	5	
4200-0	DRUNKENNESS	0	0	0	
4800-0	OBSTRUCTING POLICE	1	0	1	
4900-0	ESCAPE/FLIGHT	0	0	0	
5000-0	OBSTRUCTING JUSTICE	3	2	7	
5100-0	BRIBERY	0	0	0	
5200-1	WEAPONS OFFENSE - CONCEALED	0	0	2	
5200-2	WEAPONS OFFENSE - EXPLOSIVES	0	0	0	
5200-3	WEAPONS OFFENSE - OTHER	0	0	0	
5300-1	DISORDERLY CONDUCT	0	0	1	
5300-2	PUBLIC PEACE - OTHER	0	0	1	
5400-1	HIT & RUN MOTOR VEHICLE ACCIDENT	4	2	9	
5400-2	OUIL OR OUID	5	0	9	
5400-3	DRIVING LAW VIOLATIONS	10	3	31	
5500-0	HEALTH AND SAFETY	3	3	16	
5600-0	CIVIL RIGHTS	0	0	0	
5700-1	TRESPASS	0	0	0	
5700-2	INVASION OF PRIVACY - OTHER	0	0	0	
5800-0	SMUGGLING	0	0	0	
5900-0	ELECTION LAWS	0	0	0	
6000-0	ANTITRUST	0	0	0	
6100-0	TAX/REVENUE	0	0	0	
6200-0	CONSERVATION	0	0	0	
6300-0	VAGRANCY	0	0	0	
7000-0	JUVENILE RUNAWAY	0	0	2	
7300-0	MISCELLANEOUS CRIMINAL OFFENSE	0	0	0	



## Uniform Crime Report

**Report Criteria:**

Start File Class	End File Class	Print Zeros?			
0100-0	9900-9	Yes			
Class	Description	APR 2007	APR 2000	YR TO DATE	
7500-0	SOLICITATION	0	0	0	
7700-0	CONSPIRACY	0	0	0	
8900-1	SERVICE OF COMMISSION PAPERS	0	0	0	
8900-2	UNAUTHORIZED TRANSPORTATION	0	0	0	
8900-3	VIOLATION OF RULES/REGISTRATION	0	0	0	
8900-4	WARRANTS	0	0	0	
8900-5	MOTOR CARRIER SAFETY RULES	0	0	0	
8900-6	INSPECTIONS OF HOMES TO BE MOVED	0	0	0	
8900-7	MIGRANT AGRICULTURE WORKERS TRANSP	0	0	0	
8900-9	ALL OTHER MOTOR CARRIER VIOLATIONS	0	0	0	
9100-1	DELINQUENT MINOR	0	0	0	
9100-2	RUNAWAYS	0	0	0	
9200-1	DIVORCE AND SUPPORT	0	0	0	
9200-2	INCAPACITATION	0	0	0	
9200-3	WALK-AWAY - MENTAL INSTITUTIONS ETC	0	0	0	
9200-4	ORDER FOR PICKUP AND EXAMINATION	0	0	0	
9200-5	CIVIL INFRACTION - ALCOHOL POSSES.	0	0	0	
9300-1	PROPERTY DAMAGE ACCIDENT/PI	15	8	38	
9300-2	NON-TRAFFIC PDA	4	7	22	
9300-3	TRAFFIC VIOLATIONS/CIVIL INFRACTION	0	0	0	
9300-4	TOWED VEHICLE	4	2	9	
9300-5	TRAFFIC HAZARD/ABANDONED VEHICLE	0	0	0	
9300-6	TRAFFIC POLICING	0	0	0	
9400-1	FALSE ALARM ACTIVATION	0	0	0	
9400-2	VALID ALARM ACTIVATION	0	0	0	
9400-3	REST AREA/ROADSIDE PARK VIOLATIONS	0	0	0	
9500-1	ACCIDENTAL FIRE	0	0	0	
9500-2	ACCIDENTAL EXPLOSION	0	0	0	
9500-4	OPEN BURNING	0	0	0	
9500-6	FIRE-HAZARDOUS CONDITIONS	0	0	0	
9700-0	ACCIDENTAL SHOOTING	0	0	0	
9700-5	ACCIDENTAL DEATH-WATER	0	0	0	
9700-6	ACCIDENT - ALL OTHER	0	0	0	
9800-2	RECOVERED PROPERTY	2	0	0	
9800-3	PROPERTY INSPECTION	0	0	0	
9800-4	OTHER INSPECTIONS/WEAPONS	3	7	27	
9800-5	ALARMS	0	0	0	
9800-6	CIVIL	2	3	13	
9800-7	SUSPICIOUS SITUATION	0	1	10	
9800-8	LOST AND FOUND PROPERTY	0	4	8	
9800-9	OVERDOSE	0	0	2	
9900-1	SUICIDE	0	0	5	
9900-2	DOA - NATURAL	1	0	3	
9900-3	MISSING PERSON	0	1	1	
9900-7	SAFEKEEPING	0	0	0	
9900-8	DEPARTMENTAL ASSIST	0	2	10	
9900-9	GENERAL - NON CRIMINAL	7	11	33	

## Uniform Crime Report

Report Criteria:

Start File Class	End File Class	Print Zeros?
0100-0	9900-9	Yes

Class	Description	APR 2007	APR 2000	YR TO DATE
Totals:		92	82	380

WORK ORDER REPORT - SUMMARY  
 April 2008

Date: 05/05/08  
 Time: 1:02pm  
 Page: 1

City of Swartz Creek

Work Order Number	Status	Location ID Cycle Section	Customer Name Service Address	Date Recd Date Comp	Work Order Type 1 Work Order Type 2	Hours Fees
1777	C	DO10-005243-0000-01 CC1 002	MICHAEL OLIVO 5243 DON SHENK DRIVE	04/01/2008 04/02/2008	GWO	0 0.00
1778	C	OA10-005203-0000-01 CC1 001	THOMAS CALL 5203 OAKVIEW DRIVE	04/01/2008 04/04/2008	W-TURN ON	0 0.00
1779	C	CH10-006523-0000-01 CC1 002	DAVID SUTTON 8523 CHELMSFORD DRIVE	04/01/2008 04/04/2008	GWO	0 0.00
1780	C	DU10-005194-0000-02 CC1 001	KELEE HOLMES 5194 DURWOOD DRIVE	04/02/2008 04/03/2008		0 0.00
1781	C	MO10-005044-0000-01 CC1 004	BARBARA BOXELL 5044 MORRISH ROAD	04/02/2008 04/02/2008	GWO	0 0.00
1782	C	MY10-004289-0000-02 CC1 017	AMERICAN ASSOC INC 4289 MAYA LN	04/02/2008 04/02/2008	Read	0 0.00
1783	C	MP10-007252-0000-01 CC1 017	BOBBY HIGDON 7252 MAPLE CREST CIR	04/02/2008 04/02/2008	W-TURN ON	0 0.00
1784	X	DU10-005299-0000-03 F F	MELISSA HAMILTON 5299 DURWOOD DRIVE	04/03/2008 00/00/0000	W-TURN OFF	0 0.00
1785	C	CH20-009056-0000-02 CC1 002	JAYNA RHOADS 9056 CHESTERFIELD DRIVE	04/03/2008 04/04/2008		0 0.00
1786	X	CH10-008523-0000-01 CC1 002	DAVID SUTTON 8523 CHELMSFORD DRIVE	04/03/2008 00/00/0000	W-TURN OFF	0 0.00
1787	C	DU10-005299-0000-04 CC1 001	W DARYL FORTINBERRY 5299 DURWOOD DRIVE	04/03/2008 04/07/2008		0 0.00
1788	C	J110-009219-0000-01 CC1 004	WILSON MILLER 9219 JILL MARIE LN	04/04/2008 04/21/2008	W-TURN ON	0 0.00
1789	C	NE10-006735-0000-02 CC1 011	STEVEN & SALLY SCHAEFFER 6735 NEMER CT	04/04/2008 04/09/2008	W-TURN ON	0 0.00
1790	C	NO10-009151-0000-03 CC1 002	ANDREA RIEDEL 9151 NORBURY DRIVE	04/07/2008 04/08/2008	GWO	0 0.00
1791	C	CA10-008347-0000-01 CC1 001	DOROTHY ALLMAN 8347 CAPPY LANE	04/08/2008 04/08/2008	W-TURN ON	0 0.00
1792	C	BR20-006169-0000-01 CC1 004	S H WISCHMEYER 6169 BRISTOL ROAD	04/08/2008 04/11/2008	W-TURN ON	0 0.00
1793	C	GA10-004517-0000-03 CC1 004	KIRK YOUNG 4517 GATEWAY BLVD	04/08/2008 04/09/2008	GWO	0 0.00
1794	C	LU10-009130-0000-01 F F	KATHLEEN ROBINSON 9130 LUEA LN	04/09/2008 04/22/2008	W-TURN ON	0 0.00
1795	C	CO10-004464-0000-01 CC1 010	ALMA TANNER 4464 COLONY COURT	04/09/2008 04/10/2008	GWO	0 0.00
1796	C	BK10-008216-DET1-01 CC1 004	FORE BURKSHIRE PT LTD 8216 BURKESHIRE CR CIR #DET1	04/10/2008 04/10/2008	Meter	0 0.00
1797	C	WI10-005108-0000-01 CC1 001	MARK SOCIA 5108 WINSHALL DRIVE	04/10/2008 04/10/2008	SEWER	0 0.00
1798	C	CC10-007352-0000-01 CC1 011	DARLENE WARD 7352 CROSSCREEK DR	04/10/2008 04/14/2008	W-TURN ON	0 0.00
1799	C	KI10-000055-0000-02 CC1 003	RICKY SAMPSON 55 KINGSLEY DR	04/10/2008 04/10/2008	Read	0 0.00

35 0.00

City of Swartz Creek

Work Order Number	Status	Location ID Cycle Section	Customer Name Service Address	Date Recd Date Comp	Work Order Type 1 Work Order Type 2	Hours Fees
1800	C	WO10-005142-0000-01 FNL FNL	DAVID HUMPHREY 5142 WORCHESTER DRIVE	04/10/2008 04/10/2008	W-TURN ON	0 0.00
1801	C	CH20-009278-0000-01 CC1 014	MARK BUCHOWSKI 9278 CHESTERFIELD DR	04/11/2008 04/11/2008	FINAL READ	0 0.00
1802	C	CO20-007483-0000-02 CC1 010	RAHUL PINTO 7483 COUNTRY MEADOW DRIVE	04/11/2008 04/14/2008	GWO	0 0.00
1803	P	CI10-008083-0000-01 CC1 004	CITY OF SWARTZ CREEK 8083 CIVIC DR	04/11/2008 00/00/0000	GWO	0 0.00
1804	C	CI10-008083-0000-01 CC1 004	CITY OF SWARTZ CREEK 8083 CIVIC DR	04/11/2008 04/14/2008	GWO	0 0.00
1805	P	CI10-008095-0000-01 CC1 001	PERKINS LIB-SENIOR CENTER 8095 CIVIC DRIVE	04/11/2008 00/00/0000	GWO	0 0.00
1806	C	CC10-007353-0000-01 CC1 011	DELBERT GAUTHIER 7353 CROSSCREEK DR	04/14/2008 04/14/2008	W-TURN ON	0 0.00
1807	C	MO10-004384-0000-01 FNL FNL	HERMAN T POWERS 4384 MORRISH ROAD	04/14/2008 04/22/2008	W-TURN ON	0 0.00
1808	C	CC10-007376-0000-01 CC1 011	WILLIAM KLEINEDLER 7376 CROSSCREEK DR	04/15/2008 04/16/2008	W-TURN ON	0 0.00
1809	C	SP10-004407-0000-01 CC1 010	DALLAS PERRY 4407 SPRINGBROOK DRIVE	04/15/2008 04/15/2008		0 0.00
1810	C	CH10-008480-0000-02 CC1 001	NANCY GALANT 8480 CHELMSFORD DRIVE	04/16/2008 04/16/2008	GWO	0 0.00
1811	C	CI10-008100-0000-01 CC1 001	PUBLIC SAFETY BUILDING 8100 CIVIC DRIVE	04/17/2008 04/17/2008	GWO	0 0.00
1812	C	FO20-008059-0000-00 CC1 001	CITY OF SWARTZ CREEK 8059 PAUL FORTINO DR	04/17/2008 04/18/2008	W-TURN ON	0 0.00
1813	P	WO10-005197-0000-02 CC1 002	CHRISTOPHER SAMPSON 5197 WORCHESTER DRIVE	04/18/2008 00/00/0000	FINAL READ	0 0.00
1814	C	MI10-007543-0000-01 FNL FNL	RICHARD RAFFAELLI 7543 MILLER RD	04/18/2008 04/18/2008	W-TURN ON	0 0.00
1815	P	LA10-004269-0000-02 F F	BILL HARRISON 4269 LATIFEE CT	04/21/2008 00/00/0000	W-TURN ON	0 0.00
1816	C	MI10-008089-0000-02 CC1 004	TOD JOHNSON 8089 MILLER RD	04/21/2008 04/22/2008	W-TURN OFF	0 0.00
1817	C	CH40-004292-0000-01 FNL FNL	WARREN LESLIE 4292 CHAPEL LANE	04/21/2008 04/21/2008	W-TURN ON	0 0.00
1818	P	SP10-004430-0000-01 CC1 010	CHARLES HEIDTKE 4430 SPRINGBROOK DRIVE	04/21/2008 00/00/0000	W-TURN ON	0 0.00
1819	P	BI10-005176-0000-01 CC1 014	PHILLIP N BEITO 5176 BIRCHCREST DRIVE	04/21/2008 00/00/0000	W-TURN ON	0 0.00
1820	C	BI10-005176-0000-01 CC1 014	PHILLIP N BEITO 5176 BIRCHCREST DRIVE	04/21/2008 04/22/2008		0 0.00
1821	C	BI10-005167-0000-01 FIN FIN	NORMAN CRAIN 5167 BIRCHCREST DRIVE	04/22/2008 04/23/2008	W-TURN ON	0 0.00
1822	C	EL10-004125-0000-01 CC1 004	CITY OF SWARTZ CREEK 4125 ELMS ROAD	04/23/2008 04/23/2008	W-TURN OFF	0 0.00

City of Swartz Creek

Work Order Number	Status	Location ID Cycle Section	Customer Name Service Address	Date Recd Date Comp	Work Order Type 1 Work Order Type 2	Hours Fees
1823	C	WI10-005363-0000-01 CC1 002	CITY OF SWARTZ CREEK 5363 WINSHALL DRIVE	04/23/2008 04/23/2008	W-TURN ON	0 0.00
1824	C	SI10-004176-0000-01 CC1 004	CLARENCE SAMPLES 4176 SILVER MAPLE LN	04/24/2008 04/24/2008	GWO	0 0.00
1825	P	DO10-005190-0000-01 CC1 001	MARVIN CARROLL 5190 DON SHENK DRIVE	04/28/2008 00/00/0000	W-TURN ON	0 0.00
1826	C	GR10-005332-0000-01 CC1 002	J WAYNE CROSS 5332 GREENLEAF DRIVE	04/28/2008 00/00/0000	W-TURN ON	0 0.00
1827	C	SP20-007460-0000-01 CC1 010	RICHARD RENO 7460 SPRINGBROOK COURT	04/29/2008 00/00/0000	W-TURN ON	0 0.00
1828	P	CI10-008083-0000-01 CC1 004	CITY OF SWARTZ CREEK 8083 CIVIC DR	04/30/2008 00/00/0000	GWO	0 0.00
1829	P	CA10-008354-0000-01 CC1 001	SWARTZ CREEK ADMIN BLDG 8354 CAPPY LANE	04/30/2008 00/00/0000	GWO	0 0.00

DPS ACTIVITY - APRIL 2008

EMPLOYEE	REG	HOL	VAC	ABSENT	OT	DT
<b>101 GENERAL FUND</b>						
172.0 EXECUTIVE						
253.0 TREASURER						
257.0 ASSESSOR						
262.0 ELECTIONS						
410.0 BLG-ADMIN-OBRIEN	74.50	4.00		1.50		0.50
781.0 AMPHI-PARK						
782.0 WINSHALL PARK	1.00					
783.0 WINSHALL GARBAGE	2.00		0.05	0.11		
783.0 ELMS PARK	118.00	14.48	4.11			
783.0 ELMS GARBAGE	2.00			0.22		
784.0 BICENT. PARK						
790.0 LIBRARY/SENIOR	49.00	0.69	0.20			2.00
792.0 P S BLDG	41.00	0.99	0.40			
793.0 CITY HALL	36.50	0.11				
794.0 COMM PROMO	2.00		0.05			
796.0 CEMETERY	10.00		0.05			
<b>202 MAJOR STREET FUND</b>						
429.0 SAFETY						
463.0 STREET MAIN	63.00	3.25	3.01	1.33		
474.0 TRAFFIC	1.00	0.11				
478.0 SNOW & ICE					3.00	2.00
482.0 ADMIN						
<b>203 LOCAL STREET FUND</b>						
429.0 SAFETY						
463.0 STREET MAIN	128.00	2.76	1.13	3.57		
474.0 TRAFFIC	5.00	0.25		0.22		
478.0 SNOW & ICE	2.00	0.27	0.40		4.00	
482.0 ADMIN	12.58	0.68		0.34		
<b>226 GARBAGE FUND</b>						
528.0 COLLECT	89.00	8.34	7.15			
530.0 WOODCHIPPING						
<b>590 WATER</b>						
540.0 WATER SYSTEM	130.71	4.53	1.02	3.72		
540.0 WATER-ON CALL	2.00					
542.0 READ & BILL	117.25	5.80	2.65	0.75		0.25
<b>591 SEWER</b>						
536.0 SEWER SYSTEM	78.71	4.64	0.85	2.05	2.00	
536.0 SEWER-ON CALL	2.00					
537.0 LIFT STATION	19.00	1.79	1.71	0.22		
542.0 READ & BILL	42.25	2.22		0.75		0.25
<b>661 MOTOR POOL FUND</b>						
795.0 CITY GARAGE	40.00	1.09	1.22	0.22		
	1,068.50	56.00	24.00	15.00	9.00	5.00
HOLIDAY						
VACATION						
ABSENT						
<b>DAILY HOURS TOTAL</b>	<b>1,068.5</b>	<b>56.0</b>	<b>24.0</b>	<b>15.0</b>	<b>9.0</b>	<b>5.0</b>

Apr-08	<u>MILES DRIVEN</u>	<u>GALLONS GAS PURCHASED</u>	<u>GALLONS DIESEL PURCHASED</u>
#1 P/U 4WD			
#3 P/U 4WD	394	22	
07-03 P/U 4WD	397		43
09-03 P/U 4WD	674		59
#2 P/U 2WD	317	56	
#6-00 BACKHOE			
#9 DUMP			
#10 DUMP			
#11 DUMP	152	23	
#12-02 DUMP			
#12-04 DUMP	73		
#12-99 GENERATOR			
#9-02 BRUSH HOG			
#17 CASE BACKHOE			20
#19 JD TRACTOR			
#06-99 BUCKET TRUCK			
#21 WOOD CHIPPER			32
#807 STREET SWEEPER	108		97
#42 ASPHALT HEATER			
#37 TRAIL ARROW			
#10-98 3" PUMP			
#28A 3" PUMP			
3" PUMP			
#30 4" PUMP			
#31 4" PUMP			
#32 4" PUMP			
1" PUMP			
S-10	476	26	
<b>TOTAL</b>	<b>2591</b>	<b>127</b>	<b>251</b>

## CHANGE ORDER

NO. One

PROJECT: Miller Road Pavement Repairs

OWNER: City of Swartz Creek

CONTRACT NO: 07C0235

DATE OF ISSUANCE: 5/5/2008

CONTRACTOR: Lois Kay Contracting Co.

ENGINEER: Rowe Incorporated

You are directed to make the following changes in the contract documents:

Description: Lump sum price for additional asphalt milling

Reason for change order: Profile mill humps on Miller Road from I-69 exchange to Railroad crossing

Attachments: (List documents supporting change):

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original contract price: <u>\$49,176.80</u>	Original contract times: _____
	Substantial completion: _____
	Ready for final payment: _____
Net change from previous change orders: <u>\$0.00</u>	Net change from previous change orders: _____
Contract price prior to this change order: <u>\$49,176.80</u>	Contract times prior to this change order: _____
Net increase/decrease of this change order: <u>\$11,898.00</u>	Net increase/decrease of this change order: _____
Contract price with all <u>\$61,074.80</u>	Contract times with all approved change orders: _____
	Substantial completion: _____
	Ready for final payment: _____

RECOMMENDED: \_\_\_\_\_

  
ROWE INCORPORATED


5/5/08  
DATE

APPROVED: \_\_\_\_\_

CITY OF SWARTZ CREEK

DATE

ACCEPTED: \_\_\_\_\_

  
LOIS KAY CONTRACTING CO.

5/5/08  
DATE



**Bid Award & Appropriation, Miller Road Repairs**

**Resolution No. 071126-04**

**(Carried)**

Motion by Councilmember Hicks  
Second by Councilmember Hurt

**I Move** the City of Swartz Creek accept the low bid of Lois Kay Contracting of Saginaw Michigan, not to exceed \$49,177 plus 10% contingency, for the repair of a section of Miller Road inclusive of saw-cut of 15 deteriorated areas of concrete and base re-building of the roadway, starting just west of the eastbound ramps and continuing to just east of the westbound ramps, in accordance with the bid specifications as set forth by the City's Engineer, funds to be appropriated from Major Street 202, with necessary budget adjustments and transfers to be made by the City's Finance Director.

Discussion ensued.

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

## ARTICLE VI. PURCHASING

### DIVISION 1. GENERALLY

Secs. 2-381--2-400. Reserved.

### DIVISION 2. PURCHASING DEFINITIONS

#### Sec. 2-401. Definitions.

As used in this article:

- (1) *Purchasing agent* or *agent* means the city manager.
- (2) *Contract* includes contracts for services, subject to the exclusions mentioned in this division, and shall include any type of service; lease for grounds, buildings, offices, or maintenance of equipment, machinery, and other city-owned personal property. The term "contract" shall not include professional and other contract services which may be unique and not subject to competition.

(Ord. No. 351, § 1, 2-14-00)

### DIVISION 3. PURCHASING

#### Sec. 2-402. General purchasing policy.

(a) It is the intent of this policy to provide for competitive pricing involved in all purchases and contracts, except as specifically provided for in this division. The purchasing agent shall prepare rules concerning purchasing for the city.

- (1) *Transactions less than \$5,000.00.* The purchasing agent, subject to budgetary appropriations, is authorized to make purchases of materials and equipment and contract for labor or materials in an amount not to exceed \$5,000.00, without further approval of the city council.

Except for those situations requiring the need for sealed bids, the purchasing agent, shall consider all circumstances surrounding the purchase to be made or the service to be provided. If it is in the best interest of the city, the purchasing agent shall deal with sources within the city.

- a. *Quotations.* The purchasing agent shall secure or cause to be secured quotations from no less than two sources in all transactions involving expenditures of \$2,500.00 or more and less than \$5,000.00. The purchasing agent shall maintain a written record of the quotations received.
- b. *Other.* Transactions involving expenditures less than \$2,500.00 may be authorized by the purchasing agent in such manner and from such source as the purchasing agent may determine.

(2) *Transactions of \$5,000.00 or more.* The purchasing agent shall secure sealed bids in all transactions involving an expenditure of \$5,000.00 or more.

a. Sealed bids shall not be required in the following instances:

1. Where the subject of the purchase or contract is other than a public work or improvement and the product or material to be transacted for is not competitive in nature, provided that in no instance shall such product or material be transacted for without prior council approval.

2. The city council may, at the request of the city manager, authorize the city manager to negotiate a contract for the purchase of any product, material or service with a provider of such product, material or service without regard to the requirements of this section relative to purchases where the city council finds:

i. Due to circumstances beyond the control of the city, the market for such product, material or service is not competitive even though such product, material or service is normally competitive in nature; and

ii. The economic interests of the city are best served by negotiating a contract with a provider of the product, material or service without requesting sealed bids.

3. In the employment of professional services, provided that in no instance shall such professional service be contracted for without prior council approval.

4. If the city elects to use city personnel.

(b) *Sealed bid requirements.*

(1) Sealed bids shall be required by the purchasing agent by mailing a copy of the specifications or requirements to such qualified vendors as may be known to the purchasing agent or the agent's designee, and by filing a copy of the request with the office of the city clerk.

(2) Unless fixed by the council, the purchasing agent shall prescribe the amount of any security to be deposited with any bid and, in the case of construction contracts, the amounts of labor and materials or performance bond to be required of the successful bidder. Such security shall be in the form of a certified or cashier's check or bond written by a surety company authorized to do business in the state.

(3) Bids shall be opened in public at the time and place designated in the bid notice. Bids shall be opened by either the purchasing agent, the city clerk or their designee and at least one other city employee. Immediately following the opening, the bids shall be examined, tabulated, and made available for public inspection.

(4) The tabulation of the bids shall be submitted to the council at the next regular council meeting. The council in its discretion may accept the lowest bid, reject any or all bids, or determine the lowest bid to be unsatisfactory and award to the next lowest competent bidder. In determining the lowest bid, the council shall consider the bona fide business location of the bidder. If the lowest bidder is not located within the city limits, (and the lowest bid of the bidders located within the city limits does not exceed that of the otherwise lowest bidder by more than five percent), then the council may award the contract to such local bidder.

(5) If in the council's discretion, the award is not made to the lowest bidder, the resolution awarding the contract shall state the reasons for not accepting the low bid.

(6) After the opening of bids, such bids may not be withdrawn without forfeiture of the bid deposit. Deposits of security accompanying bids shall be retained until the contract is awarded and signed, excepting that deposits from bidders not awarded the contract within 72 hours following council action. If any successful bidder fails or refuses to enter into the contract awarded within ten days after being notified of such award, or should they file any bond required within the same time, the deposit accompanying their bid shall be forfeited to the city and the council may, in its discretion, award the contract to the next lowest competent bidder.

(Ord. No. 351, § 1, 2-14-00)

### **Sec. 2-403. Prohibitions.**

- (a) No contract or purchase shall be subdivided to avoid the requirements of this division.
- (b) Employees of the city are expressly prohibited from accepting, directly or indirectly, from any person, business or organization any gift (including money, tangible or intangible personal property, food, beverage, loan, promise, service, or entertainment) for the benefit of personnel or the city, if it may reasonably be inferred that the person, business or organization:
  - (1) Seeks to influence action of an official nature or seeks to affect the performance or nonperformance of an official duty, or
  - (2) Has an interest that may be substantially affected directly or indirectly by the performance or nonperformance of an official duty.

(Ord. No. 351, § 1, 2-14-00)

### **Sec. 2-404. Inspection of material.**

The responsibility for the inspection and acceptance of all materials, supplies, and equipment shall rest with the purchasing agent, unless such responsibility has been delegated to a department head.

(Ord. No. 351, § 1, 2-14-00)

### **Sec. 2-405. Emergency purchases.**

If an emergency or an apparent emergency endangering the public peace, health and/or safety of the city should arise, and the delay of established purchasing procedures would vitally affect the welfare of the city, the purchasing agent, finance officer, or any department head may purchase directly any supplies, materials, or equipment that the department head deems to be immediately necessary. Within three working days from the time of purchase, the purchaser shall file in writing with the purchasing agent a detailed explanation of the necessity for any purchases, in addition to a request for such purchases. If the emergency transaction is \$5,000.00 or more, the purchasing agent shall submit the statement to the council no later than its next regular meeting before payment thereof may be authorized.

(Ord. No. 351, § 1, 2-14-00)

### **Sec. 2-406. Cooperative purchases.**

The use of bulk purchasing programs such as the state's extended purchasing program and

joining together with area municipalities to secure bids or quotations for goods or services is encouraged. The use of any such source, which conducted a bona fide price competition, will be exempt from the requirements of this ordinance with respect to soliciting bids or quotes. Bids as above mentioned in section 2-402(a)(2) will be presented for council approval.

(Ord. No. 351, § 1, 2-14-00)

**Sec. 2-407. Sale of property.**

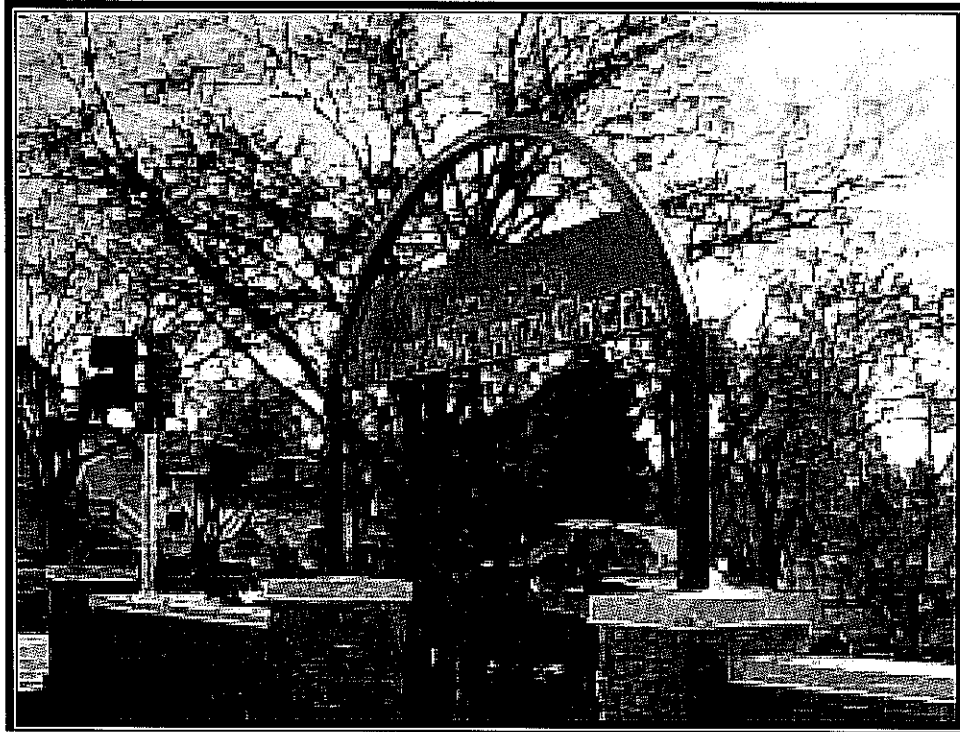
Whenever any city property, real or personal, is no longer needed for corporate or public purposes, the same may be offered for sale in accordance with the restrictions established by section 13.3 of the Charter, provided that utility plants and property may be disposed of only in accordance with section 15.8 of the Charter.

(Ord. No. 351, § 1, 2-14-00)

Secs. 2-408--2-500. Reserved.

# *CITY OF SWARTZ CREEK*

## Planning Commission



Meeting of May 06, 2008

7pm in the Swartz Creek City Council Chambers

**CITY OF SWARTZ CREEK  
SWARTZ CREEK, MICHIGAN  
PLANNING COMMISSION  
AGENDA  
TUESDAY, MAY 06, 2008  
7:00 P.M.**

1. **CALL TO ORDER:**
2. **PLEDGE OF ALLEGIANCE:**
3. **ROLL CALL:** Abrams, Bueche, Conner, Florine, Grimes, Hurt, Kolhoff, Ridley, Stephens.
4. **APPROVAL OF AGENDA:** PAGE NO.
5. **APPROVAL OF MINUTE:**
6. **CORRESPONDENCE:**
  - A. Resolutions 02-03
  - B. Minutes April 01, 2008 04-06
  - C. Meeting Staff Letter 07-09
  - D. Cedar Creek Correspondence 10-24
  - E. April 14, 2008 City Council Minutes 25-34
  - F. Cedar Creek Site Plan & Elevation (Attached)
7. **MEETING OPENED TO PUBLIC (NON-PUBLIC HEARING ITEMS):**
8. **BUSINESS:**
  - A. Cedar Creek final site plan review
9. **MEETING OPENED TO THE PUBLIC:**
10. **REMARKS BY PLANNING COMMISSION MEMBERS:**
11. **ADJOURNMENT:**

**CITY OF SWARTZ CREEK  
SWARTZ CREEK, MICHIGAN  
PLANNING COMMISSION  
RESOLUTIONS  
TUESDAY, MAY 06, 2008  
7:00 P.M.**

**Resolution No. 060508-\_\_**

**(Carried/Denied)**

Motion by Commissioner \_\_\_\_\_, support by Commissioner \_\_\_\_\_, the Swartz Creek Planning Commission approves the agenda for the May 06, 2008 Planning Commission meeting.

YES: \_\_\_\_\_.

NO: \_\_\_\_\_. Motion declared carried/denied.

**Resolution No. 060508-\_\_**

**(Carried/Denied)**

Motion by Commissioner \_\_\_\_\_, support by Commissioner \_\_\_\_\_, the Swartz Creek Planning Commission approves the Minutes for the April 01, 2008 Planning Commission meeting.

YES: \_\_\_\_\_.

NO: \_\_\_\_\_. Motion declared carried/denied.

**Resolution No. 060508-\_\_**

**(Carried/Denied)**

Motion by Boardmember \_\_\_\_\_, support by Boardmember \_\_\_\_\_, the Swartz Creek Planning Commission recommend the Swartz Creek City Council approve the final site plan revision (dated 4-7-08, with elevations dated 3-26-08) for parcel 9279 Miller Road 58-03-200-011 (Cedar Creek) subject to the following conditions:

- 1). Applicant shall include a provision for lighting in the final site plan that must meet administrative approvals.
- 2). Applicant shall provide adequate ground cover and landscaping for ac units and building surroundings that must meet administrative approvals.
- 3). Applicant shall narrow road widths per the city staff's recommendations to a 22' width from the front of the curb while maintaining proper turn radii.
- 4). Applicant shall work with staff to ensure adequate screening along the sides and rear prior to construction.
- 5). Applicant shall submit and obtain a sign permit prior to construction.



- 6). Applicant shall obtain all local, county, state, and/or other necessary permits, insurance, review and licensing prior to construction, including but not limited to: construction plan review, architectural review, soil erosion permitting, approval of master deed and condo by-laws, and completion of a development agreement.
- 7). Applicant shall include a provision to extend the sidewalk to the western property line and shall move the proposed internal sidewalk off of the proposed curb by no less than four (4) feet.

YES: \_\_\_\_\_.

NO: \_\_\_\_\_. Motion declared carried/denied.

**Resolution No. 060508-\_\_**

**(Carried/Denied)**

Motion by Commissioner \_\_\_\_\_, support by Commissioner \_\_\_\_\_, the Swartz Creek Planning Commission adjourns the May 06, 2008 Planning Commission meeting.

YES: \_\_\_\_\_.

NO: \_\_\_\_\_. Motion declared carried/denied.



**City Offices**  
M-F 8am -5pm  
810.635.4464  
810.635.2887fax

**City Manager's Office**  
M-F 8am-5pm  
810.635.3600

**Police Department**  
Emerg. 911  
810.635.4401  
810.635.3728 fax

**Public Services Department**  
M-F-8am-4:30pm  
810.635.4495

Date: May 2, 2008

To: **Swartz Creek Planning Commissioners**  
From: **Adam Zettel**  
RE: **Cedar Creek Final Site Plan – Second Proposal – FSE 24013 4-7-2008**

Greetings All,

**We will be holding a regularly scheduled meeting this Tuesday, May 06, 2008 in the City Council Chambers, at 7:00pm.** There is only one agenda item to discuss at this meeting and that is a second review of the Cedar Creek Condominium Planned Unit Development final site plan. Mr. Danny Nemer is seeking approval to construct the townhouses as illustrated in the attached site plan.

This final site plan is a substantial revision of the Cedar Creek project approved in the fall of 2006. As such, there is an existing conditional zoning approval still in place (RM-1 with a PUD overlay). Therefore, the project is not seeking a rezone at this time. Note that rezoning condition shall expire upon two years of its approval if a building permit is not approved for construction as approved on a valid site plan.

**I am recommending approval of the final site plan considering the following notes and with the following conditions.**

- The site plan meets all standard height, bulk, and use requirements of the zoning code for sections RM-1 and Planned Unit Development district that are not otherwise mentioned below.
- The townhomes are configured in blocks of five instead of six and were reduced from 24 to 15 units. **Basically, the site is less dense, less congested, and more simplified.** To that end, the need to include an onsite watermain is eliminated, setbacks are larger, and the location of leads and drainage is less problematic in relation to other conflicts. **The detention pond location has also improved and now includes some underground storage.**
- The configuration of the roadway concept has changed much. **Instead of cul-de-sacs, the current internal circulation is proposed to be one-way, with on-street parking at the front.** Though I am uncomfortable with the one-way configuration (due solely to its novelty), I have been reassured by the City's traffic

engineer that the flow and widths shall be adequate for quality function. **I am recommending a width of 22' for the portion of the drive that does not allow on-street parking; assuming adequate turning radii are maintained.**

- Concerning landscaping, the site plan proposes to substitute more durable, larger, and longer living vegetation for smaller, decorative vegetation. This will have the effect of placing more vegetation on the site that is lower maintenance and better for screening purposes. In most basic terms, the applicant wants to trade shrubs for trees. I think the proposal is suitable, and Planning Commission has the ability to allow for this tradeoff if they see fit. Ultimately, substantial screening must be provided to the rear and sides, and this is not provided with proposed plantings alone. Details on the amount of vegetation to be *retained* on the back and sides are unclear at this time and will not be available till the construction phase.

Summarily, the plan requires 84 trees with adequate spacing and 284 shrubs. The plan illustrates 103 trees without adequate spacing and ~76 shrubs. **Approval of the site plan must be contingent upon the existing landscaping providing additional screening in the rear of the site and around the buildings and future condenser units.**

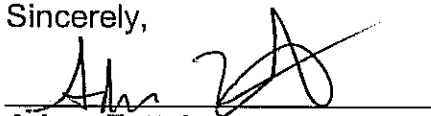
- The building facades for this type of housing are to be constructed with durable materials (e.g. brick) as the 'predominant' material used. **The elevations dated 3-26-2008 appear to meet this requirement.** As always, the more surface area covered with a durable material, the better. **Also, staff recommends use of a brown or red brick color and black shingles on the roof.**
- Street lighting is not illustrated in the current plan, however a lighting scheme was proposed in the previous final site plan. **A decorative, effective lighting scheme should be provided in front of the townhomes that meets or exceeds the quality of the original site plan (2-4 lamps should suffice).**
- The concept does not show details on the entrance signage for the development. **Approval of this site plan must be contingent upon submission of a sign permit and subsequent approval of the signs in accordance with the zoning ordinance.**
- Though on-site pedestrian facilities are provided, there are two issues that should be addressed. **First, the applicant and/or its successors should be required to continue access to the western property line when/if development occurs to the west. This should be a requirement in the development agreement. Second, the sidewalk along the internal drive should be moved off of the curb by 4-5ft to allow for placement of snow and to provide a buffer for pedestrians.**
- Utilities, drainage, grading, and other technical requirements have been approved by Rowe Engineering as evidenced in their final letter dated April

16, 2008. Note that final construction drawings shall have to be reviewed and approved by the City Engineer and Building Official before a building permit can be granted.

- The site plan has been reviewed and commented upon by the Swartz Creek Area Fire Chief. All comments have been addressed adequately by the applicant in my opinion.
  
- Note that the project, in accordance with applicable state law and local ordinance, is a condominium project and will also be required to submit a master deed, condominium association by-laws, a development/maintenance agreement to the city for review and approval prior to construction.

If you have any questions or comments I am available at City Hall at (810) 635-4464.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam Zettel', is written over a horizontal line. The signature is stylized and includes a large, sweeping flourish that extends upwards and to the right.

**Adam Zettel**  
Zoning Administrator  
(810)-635-4464

**CITY OF SWARTZ CREEK  
SWARTZ CREEK, MICHIGAN  
MINUTES OF PLANNING COMMISSION MEETING  
APRIL 1, 2008**

Meeting called to order at 7:03 p.m. by Chairperson Stephens.

Pledge of Allegiance.

**ROLL CALL:**

Commissioners present: Abrams, Bueche, Conner, Florine, Grimes, Stephens.

Commissioners absent: Hurt, Kolhoff, Ridley.

Staff present: Adam Zettel, Zoning Administrator.

Others present: Trina Turner, Carl Carlson, Danny Nemer.

**APPROVAL OF AGENDA:**

**Resolution No. 080401-01**

**(Carried as amended)**

Motion by Commissioner Florine, support by Commissioner Conner, to approve the agenda for the April 1, 2008, meeting of the Planning Commission as amended to add item 8B 'Conceptual Plan Approval of Cedar Creek'.

Unanimous voice vote.

Motion declared carried as amended.

**APPROVAL OF MINUTES:**

**Resolution No. 080401-02**

**(Carried)**

Motion by Commissioner Abrams, support by Commissioner Florine, to approve the minutes of the January 8, 2008, meeting of the Planning Commission.

Unanimous voice vote.

Motion declared carried.

**MEETING OPENED TO THE PUBLIC (NON-PUBLIC HEARING ITEMS):** None.

**OLD BUSINESS:** None.

**NEW BUSINESS:**

**Cedar Creek Planned Unit Development project**

Adam Zettel stated there is a Conceptual Plan revision from the fall of 2006 to decrease density, allow better access and lighting, different building materials, and landscaping changes. Carl Carlson, one of the Engineers on record for the project, and Danny Nemer, the developer, were there to answer any questions. Trina Turner had a question regarding drainage. It was decided that it should not be an issue. There was a discussion.

**Resolution No. 080401-03**

**(Carried)**

Motion by Commissioner Abrams, support by Commissioner Grimes, the Swartz Creek Planning Commission recommend the Swartz Creek City Council approve PUD concept plan revision for parcel 9279 Miller Road 58-03-200-011 (Cedar Creek) subject to the following condition:

- 1) Applicant shall include provision for lighting in the final site plan.

YES: Florine, Grimes, Abrams, Bueche, Conner.

ABSTAIN: Stephens.

Motion declared carried.

A special Planning Commission meeting is to be held Tuesday, April 22, 2008, for final site plan review. There was no objection.

**MEETING OPENED TO THE PUBLIC:**

**REMARKS BY PLANNING COMMISSION MEMBERS:**

Commissioner Conner stated he would like to attend the class on April 30, 2008, at Mott Community College Regional Technology Center at 7:00.

Commissioner Abrams stated he would like to attend the seminar and asked about the Meijer project.

Commissioner Stephens stated he would like to sign up for class.

Commissioner Florine stated there was a sign in at the Marathon station regarding legal proceedings. He would like to attend the class as well.

Commissioner Bueche discussed the Zoning Enabling Act, the Township Planning Act, and the Municipal Planning Act regarding changes to the makeup and the seating of it.

**ADJOURNMENT:**

**Resolution No. 080401-04**

**(Carried)**

Motion by Commissioner Florine, support by Commissioner Conner the Swartz Creek Planning Commission adjourn the April 1, 2008 Planning Commission meeting.

Unanimous voice vote.

Meeting adjourned at 7:56 pm.

---

Paul Bueche,  
Secretary

# APPLICATION FOR SITE PLAN REVIEW

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

Date: 3/15/08

File No: \_\_\_\_\_

Fee Received: \$1000.00 \* Receipt No: \_\_\_\_\_

## NOTICE TO APPLICANT:

Regular meetings of the Swartz Creek Planning commission are held on the first Tuesday of each month at 7:00 PM, at the City Hall, 8083 Civic Dr. Application for site plan review shall be filed at least twenty (20) days before the scheduled meeting date.

*Applicant should be familiar with all aspects of the City's Zoning Appendix A pertinent to the site plan application, including but not limited to: the appropriate level of site plan review, the site plan process, review standards, performance guarantees, use restrictions, landscaping, parking, design standards, fees, and enforcement.*

## TO THE PLANNING COMMISSION:

I, (We), the undersigned, do hereby respectfully make application and petition the Planning Commission to recommend approval of the attached site plan as hereinafter requested, and in support of this application, the following facts are shown.

*Furthermore, I (We) have attached proof of ownership, information regarding the number of peak employees anticipated to accompany the site plan uses, and the names, addresses, and telephone/fax numbers of any and all engineers, attorneys, architects, and other professionals associated with this project.*

The property is located and described, as follows:

Assessment Roll Description No. 58- 03-200-011,

Address: 9279 Miller rd

Other description: VACANT LAND

It has a frontage of: 500 feet and a depth of: 300 feet. Total acreage is: 3.5

PRESENT ZONING: Commercial



If the property is in acreage, and is not therefore a part of a recorded plat: The subject property is located and described as follows: (indicate total acreage also).

Assessment Roll Description No. 58-\_\_\_\_-\_\_\_\_-\_\_\_\_,

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SITE PLAN APPLICANT INFORMATION:

Name: Sandy Nemer  
Address: 5333 Chin Maya Dr S.C.  
Phone Number: 810-577-6848

SUBJECT PROPERTY IS OWNED BY:

Name: SAME AS ABOVE  
Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

It is proposed that the property will be put to the following use:

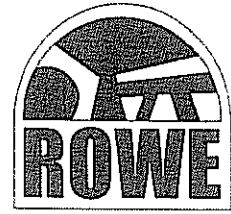
Condos  
\_\_\_\_\_  
\_\_\_\_\_

It is proposed that the following building(s) will be constructed (note gross sq. ft of each):

15 units 1300 sq ft each.  
\_\_\_\_\_

Sandy Nemer  
Signature of Applicant Phone Number: 8105776848

Sandy Nemer  
Signature of Owner Phone Number: \_\_\_\_\_



www.roweincorp.com

ROWE INCORPORATED  
THE ROWE BUILDING  
540 S. SAGINAW ST., STE 200  
POST OFFICE BOX 3748  
FLINT, MICHIGAN 48502

phone (810) 341-7500  
fax (810) 341-7573

March 10, 2008

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

RE: Cedar Creek Condominium Site Plan Review  
Plan dated 2/23/08

ENGINEERING

LAND  
SURVEYING

AERIAL  
SURVEYING

PLANNING

LANDSCAPE  
ARCHITECTURE

LAND  
DEVELOPMENT  
SERVICES

Dear Mr. Zettel:

At the request of the City, Rowe Incorporated has reviewed the revised site plan for Cedar Creek Condominium. The plans consist of nine sheets created by FSE and three Genesee County Drain Commissioner's Office – Water and Waste Services (GCDC-WWS) standard construction sheets. The site plan layout and overall design has been completely redesigned from the previously submitted versions of the site plan. The subject area consists of approximately 3.5 acres and is zoned Neighborhood Business District, NBD. The proposed parcel rezoning is Multiple-Family Residential District, RM-1 with a Planned Development District, PDD overlay. The project is situated on the south side of Miller Road between Van Vleet Road and Seymour Road. We offer the following comments:

General

- 1) Storm sewer and storm water detention calculations were not provided for review. The developer's engineer should submit calculations showing that the proposed storm water detention and storm sewer have been designed to meet the Genesee County Drain Commissioner's Office – Surface Water Management division requirements.
- 2) The site plan should clearly state which utilities are proposed to be public and which utilities are proposed to be private. It appears the project has proposed public sanitary sewer, public water main, private storm sewer, and private roadways. The site plan should show proposed easements for all public utilities. The site plan should also show any proposed public easements needed for utilities such as gas, electric, telephone, and television.
- 3) The site plan should include the proposed sidewalk ramp details. The proposed sidewalk ramps should be designed per ADA standards including detectable warning strips and maximum ADA slopes.

OFFICES:  
FLINT  
LAPEER  
MT. PLEASANT

SUBSIDIARIES:  
AIR-LAND SURVEYS  
FLINT, MI

MYERS LAND SURVEY CO.  
GRAYLING, MI

Mr. Adam Zettel  
March 10, 2008  
Page 2 of 3

- 4) Turning templates indicate that school busses and garbage trucks may not be able maneuver through the Miller Road entrance. The developer's engineer should review the proposed site geometrics to assure that all possible vehicles that will be accessing the site can maneuver through the proposed approach. In addition, the revised layout should be reviewed by the fire chief for emergency vehicle access and maneuverability

#### Sheet 1 of 9: Site Plan

- 1) The existing contours and proposed contours are difficult to read. The proposed contours should be labeled and the existing contours should be darker to improve legibility on all applicable sheets.

#### Sheet 4 of 9: Grading Plan

- 1) It should be noted that many of the proposed points of vertical intersection (PVI) in the roadway have algebraic differences greater than one percent. According to AASHTO, vertical curves should be used for these PVI's. This issue can be addressed with the construction plan profile development.
- 2) It appears there may be proposed grading which extends beyond the southeast property corner of the site. The developer's engineer should verify if a proposed grading easement will be necessary for work in this area.

#### Sheet 5 of 9: Utility Plan

- 1) Many of the proposed structure rim elevations indicate an elevation of "XXXX". The site plan should be revised to include all the proposed rim elevations.
- 2) The proposed connection to the existing sanitary sewer should reference GCDC-WWS standard details SD-10 and state the proposed method of connecting to the existing sewer. GCDC-WWS standard detail SD-8 should also be referenced for the proposed drop connection.
- 3) The proposed detention area has a proposed highwater elevation of 807.6 and a proposed one foot freeboard elevation of 808.6. The freeboard elevation should be based on the storm water volume that can be maintained within the detention pond. Several of the proposed catch basins have proposed rim elevations lower than 808.6 which means that storm water would surcharge out of the catch basins before the proposed freeboard elevation is reached in the detention pond.
- 4) Ten state standards maximum spacing between manholes for sewer less than 15-inch is four hundred (400) feet. The proposed maximum manhole spacing exceeds ten state standards.
- 5) It doesn't appear that a four foot diameter manhole will be large enough for storm structure number nine; the developer's engineer should review the manhole sizing.
- 6) It doesn't appear that there is sufficient room to construct the proposed sanitary sewer along the easterly property line without affecting the adjacent property owner. The proposed sanitary sewer should be a minimum distance of 10 feet off the property line to allow sufficient room for maintenance and construction.

Mr. Adam Zettel  
March 10, 2008  
Page 3 of 3

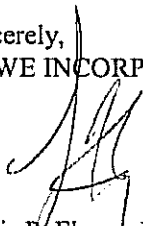
Sheet 7 of 9: Storm Sewer Details

- 1) The proposed sanitary lead clean-out detail is not needed since the standard GCDC-WWS detail SD-3: Riser and Service Lead is provided and needs to be used.
- 2) The developer's engineer should consider revising the "trench details" title to "storm sewer trench details" for clarification. GCDC-WWS standard sanitary sewer and pressure pipe trench details need to be used for the proposed sanitary sewer and water main construction.

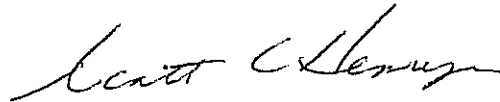
Our plan review is for conformance with the city's submittal requirements and Standard Engineering Practices for the city's use in deciding whether to approve the site plan. The developer and designer shall be responsible for the accuracy and validity of the information presented on the plan. Regulatory and other governmental agencies with jurisdiction may have additional comments or requirements. The developer and designer remain responsible for the design, construction, and any resulting impacts of the project.

If you have any questions or require additional information, please contact our corporate office.

Sincerely,  
ROWE INCORPORATED

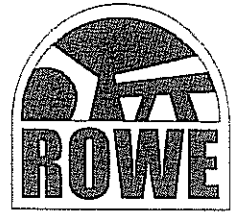


Louis R. Fleury, P.E.  
Project Manager



Scott C. Hemeyer, P.E.  
Assistant Project Engineer

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www.roweincorp.com

ROWE INCORPORATED  
THE ROWE BUILDING  
540 S. SAGINAW ST., STE 200  
POST OFFICE BOX 3748  
FLINT, MICHIGAN 48502

April 3, 2008

phone (810) 341-7500  
fax (810) 341-7573

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

RE: Cedar Creek Condominium Site Plan Review  
Plan dated 3/25/08

ENGINEERING

LAND  
SURVEYING

Dear Mr. Zettel:

AERIAL  
SURVEYING

At the request of the City, Rowe Incorporated has reviewed the revised site plan for Cedar Creek Condominium. The plans consist of nine sheets created by FSE and three Genesee County Drain Commissioner's Office – Water and Waste Services (GCDC-WWS) standard construction sheets.

PLANNING

The subject area consists of approximately 3.5 acres and is zoned Neighborhood Business District, NBD. The proposed parcel rezoning is Multiple-Family Residential District, RM-1 with a Planned Development District, PDD overlay. The project is situated on the south side of Miller Road between Van Vleet Road and Seymour Road. We offer the following comments:

LANDSCAPE  
ARCHITECTURE

LAND  
DEVELOPMENT  
SERVICES

Storm Water Detention Calculations

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LAPEER  
MT. PLEASANT

1) The required storage volume was determined using an allowable discharge rate of 0.97 cfs based on a 2-year storm event for an undeveloped site condition. The City requires Genesee County Drain Commissioner's Office – Surface Water Management (GCDC-SWM) standards be met for storm water detention. GCDC-SWM typically holds a maximum restricted outlet rate of 0.2 cfs/acre which would yield a restricted outlet rate of 0.56 cfs. It appears that there may not be sufficient detention volume provided to meet GCDC-SWM standards.

SUBSIDIARIES:  
AIR-LAND SURVEYS  
FLINT, MI

2) There appears to be some discrepancies on the Open Detention Pond Volume Area calculation sheet. The total pond volume is stated at 8,993 cubic feet and the pond high water elevation is stated at 807.00. It appears that the proposed high water elevation is 807.6 and the volume provided is 13,663 cubic feet. The plans and calculations should be reviewed for consistency.

MYERS LAND SURVEY CO.  
GRAYLING, MI

3) The Proposed Standpipe Calculations indicate that two (2) 1" holes are proposed in the standpipe where the plans indicate that six (6) 0.5" holes are proposed. The plans and calculations should be reviewed for consistency.

- 4) Restrictor pipe calculations should be included with the detention calculations to show that the proposed 6" restrictor pipe will restrict the flow from the detention area to the allowable discharge rate.
- 5) It appears that underground detention is proposed along the south property line. It could not be determined where the underground detention volume is accounted for in the detention volume calculations.
- 6) Storm sewer capacity calculations were not provided for review. It can not be determined if the proposed storm sewer was sufficiently designed per GCDC-SWM standards at this time. This can be reviewed during construction plan development.

#### General

- 1) The Miller Road entrance was revised to provide better maneuverability for larger vehicles. Turning templates show that a garbage truck will be able to adequately maneuver through the proposed entrance. Turning templates also show that a school bus will not be able to maneuver through the proposed entrance without riding on the proposed curb.
- 2) The site plan should show the proposed easements and easement widths for the proposed public sanitary sewer and watermain.
- 3) According to the City of Swartz Creek Design Standards and Construction Specifications, detention basins shall become publicly owned with an agreement with the property owner that the property owner shall maintain the detention basin at the property owner's cost. An agreement should be made with the developer and the site plan should note this and show the proposed public easement around the detention area and detention area outlet.
- 4) We recommend that cast in place or grouted detectable warning strips be provided on the ADA sidewalk ramps.

#### Sheet 1 of 9: Site Plan

- 1) The detention pond proposed high water elevation is stated at 807.6 where sheets 4 and 5 of the site plan state the proposed high water elevation at 807.0. The plans and calculations should be reviewed for consistency.
- 2) The proposed underground detention system should be shown on the site plan.
- 3) Has the revised site plan layout been submitted to the Genesee County Drain Commissioner's Office for review? A plan submittal log on the cover sheet would be helpful to determine if and when the plans have been reviewed by the appropriate agencies.

Mr. Adam Zettel  
April 3, 2008  
Page 3 of 3

Sheet 5 of 9: Utility Plan

- 1) The public/private utility notes state the detention pond is to be a private system. Please see General Comment number 3.


Sheet 7 of 9: Storm Sewer & Detention Pond Details

- 1) Details should be provided showing the proposed underground detention system including proposed bedding, risers, spacing, cover over pipe, etc.


Our plan review is for conformance with the city's submittal requirements and Standard Engineering Practices for the city's use in deciding whether to approve the site plan. The developer and designer shall be responsible for the accuracy and validity of the information presented on the plan. Regulatory and other governmental agencies with jurisdiction may have additional comments or requirements. The developer and designer remain responsible for the design, construction, and any resulting impacts of the project.

If you have any questions or require additional information, please contact our corporate office.

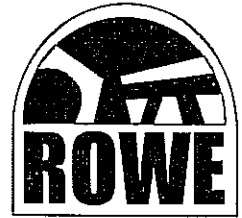
Sincerely,  
ROWE INCORPORATED



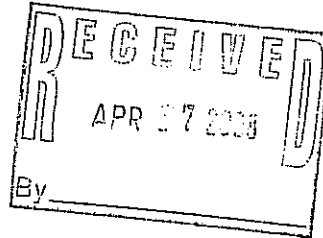
Louis P. Fleury, P.E.  
Project Manager



Scott C. Hemeyer, P.E.  
Assistant Project Engineer



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ROWE INCORPORATED  
THE ROWE BUILDING  
540 S. SAGINAW ST., STE 200  
POST OFFICE BOX 3748  
FLINT, MICHIGAN 48502

April 16, 2008

phone (810) 341-7500  
fax (810) 341-7573

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

RE: Cedar Creek Condominium Site Plan Review  
Plans revised dated 4/11/08  
ENGINEERING

LAND  
SURVEYING

Dear Mr. Zettel:

AERIAL  
SURVEYING

At the request of the City, Rowe Incorporated has reviewed the revised site plan for Cedar Creek Condominium. The plans consist of nine sheets created by FSE and three Genesee County Drain Commissioner's Office - Water and Waste Services (GCDC-WWS) standard construction sheets. The subject area consists of approximately 3.5 acres and is zoned Neighborhood Business District, NBD. The proposed parcel rezoning is Multiple-Family Residential District, RM-1 with a Planned Development District, PDD overlay. The project is situated on the south side of Miller Road between Van Vleet Road and Seymour Road. The developer's engineer has adequately addressed the previous comments from our latest review letter dated April 3, 2008 and therefore we have no comments to offer at this time.

PLANNING

LANDSCAPE  
ARCHITECTURE

LAND  
DEVELOPMENT  
SERVICES

Our plan review is for conformance with the city's submittal requirements and Standard Engineering Practices for the city's use in deciding whether to approve the site plan. The developer and designer shall be responsible for the accuracy and validity of the information presented on the plan. Regulatory and other governmental agencies with jurisdiction may have additional comments or requirements. The developer and designer remain responsible for the design, construction, and any resulting impacts of the project.

OFFICES:  
FLINT  
LAPEER  
MT. PLEASANT

If you have any questions or require additional information, please contact our corporate office.

SUBSIDIARIES:  
AIR-LAND SURVEYS  
FLINT, MI

Sincerely,  
ROWE INCORPORATED

MYERS LAND SURVEY CO.  
GRAYLING, MI

Louis P. Fleury, P.E.  
Project Manager

Scott C. Hemeyer, P.E.  
Assistant Project Engineer

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Adam; From: ~~Pete LaMourie~~ [lamourie@progressiveae.com]  
Sent: Thursday, March 13, 2008 2:31 PM  
To: Adam Zettel  
Subject: RE: Swartz Creek Cedar Creek

Traffic Eng

Adam;

Here are our comments regarding access and circulation.

1. Valid concern by Rowe - turning templates indicate that the current entrance design will not provide adequate ingress or egress for standard fire truck vehicles (length/design of such vehicles vary). Assuming the island will stay to help direct the one-way flow, the internal driveway radii on each side will need to be enlarged (with a possible loss of one parallel parking space on each side). The need for directional signage on the island appears to preclude the use of rolled curb on the island as a potential option for a wider truck path.
2. The signpost on that entry island facing Miller Road should also include a Keep Right sign. The need for the second sign/post on that island (facing east) is not clear and would not appear offhand to serve a viable function (as an internal WB driver is allowed to go straight or turn right).
3. The 30-foot wide drive along the front of the buildings is okay (22 feet for driving, 8 feet for parking) but still a little wide. The 25-foot width along the remaining 3 sides is significantly more than is needed for a one-way operation and will likely promote additional on-street parking and potential two-way use. Although that width may be okay in the corners (for fire/truck turning), it should be narrowed to 18-20 feet along other areas, especially the long southern east/west section.
4. To further define the one-way operation, the city may want to consider requiring Do Not Enter/Wrong Way signs on both sides of the "street" at two locations; just east of the island (facing west), and at the southwest corner of the site (facing east).
5. Pavement markings on the driveway will be needed; a yellow line to define the two directions of the entry drive, and a stop bar (with sign) on the exit lane located at the appropriate location.

Typically it is (or should be) required that site plans show where other existing/planned driveways are located adjacent to the site and on the opposite side of the street. That way we can provide additional input to the city regarding the appropriateness of the proposed driveway location (to note improper spacing or poor offsets that can affect

safety). I don't recall that there are any driveways currently on the north side of Miller in this area, but that may be an issue (individual single family driveways are not a problem).

Let me know if you have any questions on the above comments.

From: Adam Zettel [mailto:AZettel@cityofswartzcreek.org]  
Sent: Thursday, March 13, 2008 3:24 PM  
To: Pete LaMourie  
Subject: RE: Swartz Creek Cedar Creek

Thanks Pete,

Is the 18' minimum for the normal circulation sufficient to allow flow if there is a 'break down?' What width do you recommend for the section with parallel parking? I am certain that the applicant will make these as narrow as allowable. I want to make sure we are not wasting the applicants money on the width, however, I do not want to compromise safety.

Also, what turning radius do I request on the entrance way? Is the ingress/egress lanes on Miller Road OK?

Adam Zettel  
Assistant City Manager/Zoning Administrator  
City of Swartz Creek

---

Adam; From: Pete LaMourie [lamourie@progressiveae.com]  
Sent: Thursday, March 13, 2008 4:45 PM  
To: Adam Zettel  
Subject: RE: Swartz Creek Cedar Creek

*Traffic Eng*

Adam;

· 18-20 feet should be fine even if a breakdown occurs since this is a low speed/low volume area.

· In the front, I would just reduce that from 30 feet to 28 feet.

· I don't want to do the engineering for the applicant, but it appears that a 30-foot radius on the inside radii (radii to Miller are already shown at 30 feet) would work instead of the 20-foot radii, and the island should also be located about 5 feet further south (okay to narrow-up the WB "thru" lane).

· Other than the markings I noted earlier, the driveway design (accel/decel tapers) appear okay to me as long as they meet any standards that the city may have created.

Pete

From: Chief Brent Cole [bdcole4101@scafd.com]  
Sent: Friday, January 11, 2008 1:31 PM  
To: Adam Zettel  
Subject: Nemer Development

Adam,

Just got done meeting with Danny Nemer. We came up with the following:

1. It is his intention to provided a looped water main in the development. Mr. Nemer indicated he has decided not to individually tap into main on Miller for each unit. The size, determined by the city, should be at least 6". I would prefer 8", but will accept 6", since the main on Miller road is 12" and not very far from the structures.

2. If the entrance triangle is removed, 1 hydrant can be substituted for 2 and be located in front of the center building. By removing the triangle, a fire truck can tap into the hydrant and go either direction around the development, and at the same time, keep free the opposite direction for additional fire apparatus.

3. If the triangle remains, 2 hydrants will be required and positioned between the buildings on the street edge.

4. Because of the potential for difficult apparatus access, it not recommended that the access drive to the east were used. It is preferred the current entry plan proposed be utilized.

5. The size of the road around the complex should be sufficient for apparatus to pass in the event a disabled vehicle were in the way. If the were road were to include a modified curb system, that would still allow for passage by 2 vehicles, that would acceptable, provided the specifications are acceptable to Swartz Creek.

If you have any questions, I will be in my office Monday. Have a good weekend.

Sincerely,

Brent

From: Chief Brent Cole [bdcole4101@scafd.com]  
Sent: Friday, March 14, 2008 8:31 AM  
To: Adam Zettel  
Subject: Cedar Creek Review

Dear Adam,

My review of the Cedar Creek development on Wednesday, March 12, as resulted in the following conclusion:

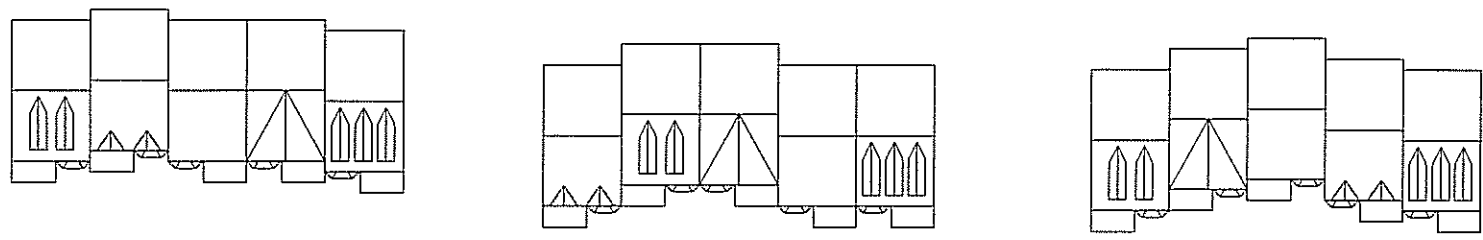
Mr. Nemer indicates on his site plan that the existing hydrants on Miller Road be moved south onto his property. I recommend the existing hydrants remain where they are. New hydrants should be installed at the locations he has designated. Those hydrants should be twin 4 ½" in configuration.

If you have any further questions, please do not hesitate to contact me.

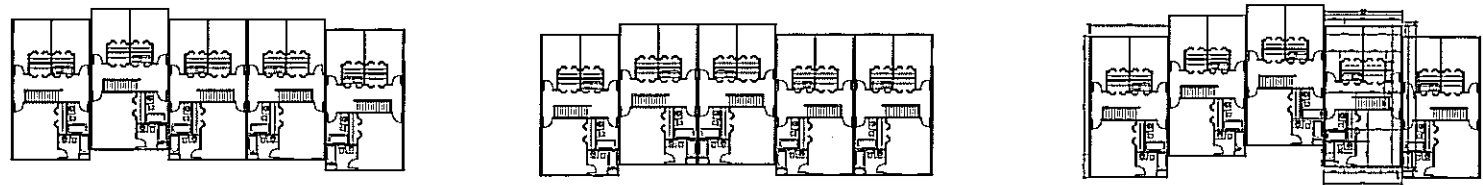
Sincerely,

Chief Brent Cole

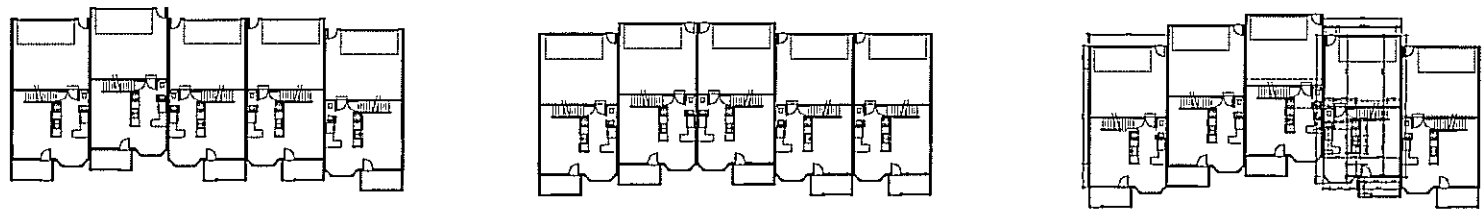
ROOF PLAN



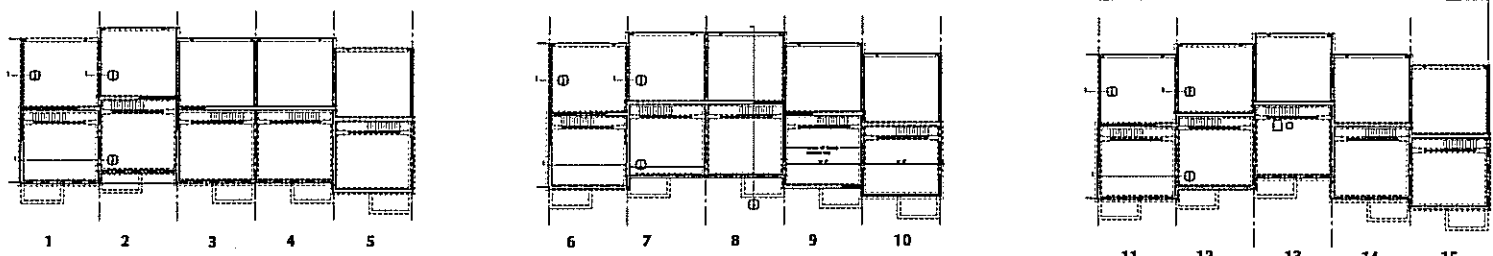
UPPER FLOOR



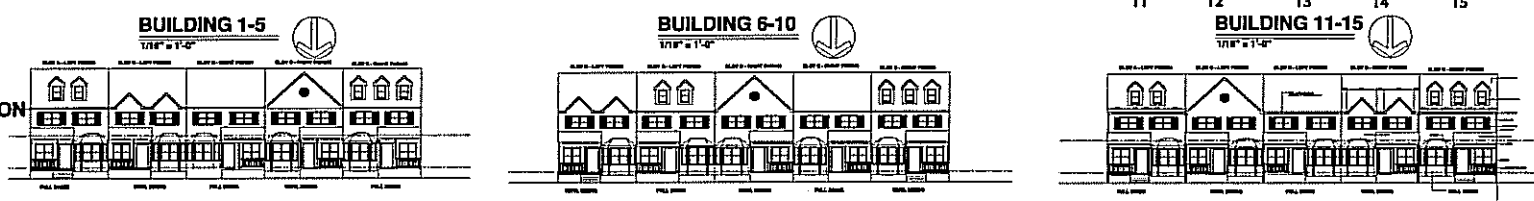
MAIN FLOOR



BASEMENT / FOUNDATION



NORTH ELEVATION



NEW FACILITY FOR

**CEDAR CREEK CONDOMINIUM**

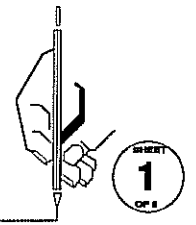
34220 ROAD  
 BIRMINGHAM, AL 35244  
 2011-03-20

ALL LIMITS

DATE	BY	FOR
11 08 07	RENEW	
11 14 07	FINAL	

**DRAWING INDEX**

DWT NO.	DWT TITLE
1	ALL LIMITS
2	TYPICAL PLEACH PLAN
3	FOUNDATION PLANS
4	TYPICAL FRAMING PLANS
5	ELEVATIONS
6	BUILDING SECTION
7	ELEVATIONS & STAIR SEC.
8	SPECIFICATIONS



**CITY OF SWARTZ CREEK  
SWARTZ CREEK, MICHIGAN  
MINUTES OF THE COUNCIL MEETING  
DATE 04/14/2008**

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

Invocation and Pledge of Allegiance to the Flag.

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

Councilmembers Absent: Mayor Abrams.

Staff Present: City Manager Bueche, Assistant City Manager Zettel, City Attorney Richard Figura, City Clerk Juanita Aguilar, DPS Director Tom Svrcek.

Others Present: Lou Fleury, Tommy Butler, Bob Plumb, Jim Florence, Ron Schultz, Brent Cole, Lee Gonzales, Jack Minore, John Gilbert.

**Resolution No. 080414-01**

Motion by Councilmember Hurt  
Second by Councilmember Shumaker

The Swartz Creek City Council excuses the absence of Mayor Abrams due to being on vacation.

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

**APPROVAL OF MINUTES**

**Resolution No. 080414-02**

**(Carried)**

Motion by Councilmember Porath  
Second by Councilmember Adams

**I Move** the Swartz Creek City Council hereby approve the Minutes of the Regular Council Meeting held March 24, 2008, to be circulated and placed on file.

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

NO: None. Motion Declared Carried.

## **APPROVAL OF AGENDA**

### **Resolution No. 0800414-03**

**(Carried )**

Motion by Councilmember Shumaker  
Second by Councilmember Hurt

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

Discussion took Place.

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

## **REPORTS AND COMMUNICATIONS:**

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

#### **Resolution No. 080414-04**

**(Carried)**

Motion by Councilmember Hicks  
Second by Councilmember Hurt

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

Discussion Ensued.

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

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

A new report was added to the agenda: The Smart Commute Week, presented by former State Representative Jack Minore.

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

Mayor Pro-Tem Christie recognized State Representative Lee Gonzales, who was present to observe.

Jack Minore, a Flint resident, spoke on behalf of the "Smart Commute" group. Mr. Minore made a short presentation about this event, which is a week set aside to encourage people to look at alternative ways of commuting to work, to shop, and so on.



**COUNCIL BUSINESS:**

**Resolution of Support, National Bike to Work Week and Smart Commute Week**

**Resolution No. 080414-05**

**(Carried)**

Motion by Councilmember Adams  
Second by Councilmember Hicks

**WHEREAS**, in 2007, physical inactivity was projected to cost Michigan \$12.65 billion; and

**WHEREAS**, the Surgeon General recommends at least 30 minutes of moderate physical activity 5 days a week, but only about half of the population meets this goal; and

**WHEREAS**, employers bear a sizeable portion of the direct and indirect health care costs for employees in poor health, but can lower health care expenditures by encouraging employees to increase their overall fitness levels by Smart Commuting (e.g., walking and bicycling) throughout the workday; and

**WHEREAS**, walking, riding a bicycle, or using public transportation (i.e., smart commuting) can reduce air and water pollution to make a cleaner community, which is more livable for future generations; and

**WHEREAS**, communities that cultivate a walking and bicycling culture experience businesses growth, increased real-estate values, and improved overall quality of life; and

**WHEREAS**, the League of American Bicyclists, the League of Michigan Bicyclists, The Michigan Trails and Greenways Alliance, the Governor's Council on Physical Fitness, Genesee County Metropolitan Planning Commission, and the independent cyclists throughout our state are promoting greater public awareness of bicycle operation and safety education in an effort to reduce accidents, injuries, and fatalities for all.

**NOW, THEREFORE, BE IT RESOLVED**, that we the undersigned, attest to our endorsement of and proclaim May 12 through 16, 2008 as SMART COMMUTE WEEK in the City of Swartz Creek and encourage all citizens to recognize the importance of bicycle safety, physical fitness, and alternate forms of transportation and further, to notify motorists to exercise caution and awareness of cyclists on our streets and highways.

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

**Elms Road Project, Appropriation for Construction Engineering Fees**

**Resolution No. 080414-06**

**(Carried)**

Motion by Councilmember Hurt  
Second by Councilmember Shumaker

**WHEREAS**, the City applied for, and was awarded funding through the Genesee County MPO Traffic Improvement Program and accepted by MDOT, for curb, gutters, drainage, crush, mill, reshaping, resurfacing, crack and joint repair of South Elms Road between the I-69 Viaduct and the North City Limit; and

**WHEREAS**, the Elms Road project is a Traffic Improvement Program Jobs Today Pull Ahead Project the MDOT has obliged funds for construction, such construction to be let for bid in April 2008, construction to be performed and completed in the summer of 2008; and

**WHEREAS**, the City bid for engineering services using the Qualification Based Selection Process and appointed the firm of ROWE, Inc., to a three year contract on June 13, 2005, as its Professional Engineering Consultant; and

**WHEREAS**, design plans have been drafted by the City's engineering firm, Rowe Incorporated, for the installation of curb, gutters, drainage, crush, mill, reshaping, resurfacing, crack and joint repair of South Elms Road between the I-69 Viaduct and the North City Limit, design plans having been accepted by MDOT; and

**WHEREAS**, total project costs are estimated as follows:

	<i>Federal &amp; MDOT</i>	<i>City Match</i>	<i>Sub-Total</i>
<b>Construction</b>	<b>\$ 581,250</b>	<b>\$ 331,450</b>	<b>\$ 912,700</b>
<b>Design Engineering</b>	<b>-0-</b>	<b>\$ 30,000</b>	<b>\$ 30,000</b>
<b>Const Engineering</b>	<b>-0-</b>	<b>\$ 75,000</b>	<b>\$ 75,000</b>
<b>Jobs Today Loan Interest (4%, 26 Months, \$465,000)</b>	<b>-0-</b>	<b>\$ 40,300</b>	<b>\$ 40,300</b>
<b>TOTALS</b>	<b>\$ 581,250</b>	<b>\$ 476,750</b>	<b>\$ 1,058,000</b>

**WHEREAS**, the City's contracted engineering firm, Rowe, Incorporated has submitted a proposal for construction engineering, testing and inspection services associated with the design, a copy of the proposal attached hereto, amount of such services calculated on a time and materials basis, at \$74,968.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Swartz Creek accept the proposal of Rowe, Inc., and appropriate funding in the amount of \$74,968, plus 5% contingency, for all associated and necessary costs related to construction engineering, testing and inspection services, and further, authorize the Mayor and City Clerk to execute any and all Third Party Agreements that may be required by MDOT, funding to be allocated from Major Street 202 Elms Road T.I.P. Project.

Discussion Took Place.

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

**Young Marines Volunteer Program, Elms Park Play-Scape**

**Resolution No. 080414-07**

**(Carried)**

Motion by Councilmember Porath  
Second by Councilmember Hurt

**I Move** the City of Swartz Creek permit the use of the Elms Road Park on Saturday April 26<sup>th</sup>, July 19<sup>th</sup> and August 30<sup>th</sup>, to the Genesee County Chapter of the Young Marines, without charge, and further allow for parental and chaperoned volunteer cleanup and play-scape mulch replacement, materials to be purchased and provided by the City.

Short Presentation by Bob Borka, the commanding officer for the Genesee County Young Marines.

Discussion Ensued.

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

**Appropriation, Design Engineering, Morrish Road Re-Construction**

Originally Resolution No. 080414-8L, changed to discussion topic.

City Manager Bueche made a brief presentation.

**(Discussion Topic)**

Discussion Took Place.

**Elms Park Waiver Request, Swartz Creek Area Fire Department**

**Resolution No. 080414-08**

**(Carried)**

Motion by Councilmember Shumaker  
Second by Councilmember Adams

**I Move** the City of Swartz Creek approve the waiver of all fees for the use of Elms Road Park Pavilion #4 on Saturday, August 2, 2008, between 10:00 AM and 8:00 PM, for the Swartz Creek Area Fire Departments' annual Department Picnic, a governmental non for profit organization.

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

NO: None. Motion Declared Carried.

**Labor Rate Increase, Summer Intern Program**

**Resolution No. 080414-09**

**(Carried)**

Motion by Councilmember Hicks  
Second by Councilmember Hurt

**I Move** the City of Swartz Creek continue the position of Summer College Intern, extending through September 2008, with added duties of assisting with the Summer Family Movie Program and the Farmer's Market, not to exceed 24 hours per week, and further, approve an hourly compensation rate of \$15.00.

Discussion Took Place.

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

**City Phone Carrier**

**Resolution No. 080414-10**

**(Carried)**

Motion by Councilmember Adams  
Second by Councilmember Hurt

**I Move** the City of Swartz Creek authorize the City Manager to negotiate the City's phone carrier and service packages between the current telecommunications and data providers, Verizon and Comcast, and select the appropriate carrier considering cost and service quality, and further, report the selection and associated costs back to the Council.

Discussion Ensued.

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

**Appropriation & Bid Award, Purchase Police Vehicle**

**Resolution No. 080414-11**

**(Carried)**

Motion by Councilmaker Hurt  
Second by Councilmember Porath

**WHEREAS**, the City of Swartz Creek Purchasing Ordinance encourages the use of cooperative extended purchasing programs, and;

**WHEREAS**, the City of Swartz Creek desires to purchase a 2008 Dodge Charger

police package vehicle and by virtue of the size of the City, we cannot purchase such vehicles in a sufficient quantity to allow for a maximum discounted price, and;

**WHEREAS**, the County of Macomb has an extended cooperative purchasing program that is open for use by any governmental agency and has let for bid for the specified vehicle under their purchasing number 12-07, said bid awarded to Slingerland Chrysler – Dodge, 3640 East M-21, Corunna Michigan, base price of \$19,916.85, and;

**WHEREAS**, with options and delivery, the total cost of the vehicle is \$20,501.76.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Swartz Creek recognize Macomb County's Extended Purchasing Program and accept the bid award of Slingerland Chrysler – Dodge, 3640 East M-21, Corunna Michigan and appropriate an amount not to exceed \$20,502 for the purchase of a 2008 Dodge Charger Police Package Vehicle, funds to be appropriated from 661 Motor Pool.

Discussion Took Place.

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

NO: None. Motion Declared Carried.

**Appropriation & Bid Award, Fire Department Floor Drains**

**Resolution No. 080414-12**

**(Carried)**

Motion by Councilmember Porath  
Second by Councilmember Hurt

**I Move** the City of Swartz Creek accept the low bid of Curbcoco Parking Lot Contractors, P.O. Box 70, Swartz Creek, in the amount of \$9,821.57, plus 10% contingency, for a total of \$10,804, for the repair of three floor trench drains in the Public Safety Building, Fire Department section, in accordance with the bid specifications, funds to be taken from Fund Balance #101-402, and further, authorize the City Finance Director to make all necessary budget adjustments in accomplishment of the transaction.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

**Street Use Permit, 5K Road Race, River-Bend Striders & Swartz Creek Cross Country Team**

**Resolution No. 080414-13**

**(Carried)**

Motion by Councilmember Shumaker

Second by Councilmember Hurt

**I Move** the City of Swartz Creek approve the application for a street usage permit to conduct a 5 kilometer foot road race on Thursday, May 29, 2008, 6:30 PM – 7:30 PM, applicant: the River-Bend Striders - Swartz Creek Cross Country Team, Mr. Ron Wiens, race to be held in Winchester Village Subdivision, in accordance with the application submitted, under the direction and control of the Chief of Police.

Discussion Took Place.

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

NO: None. Motion Declared Carried.

### **Set Public Hearing, 2008-2009 Fiscal Budget**

**Resolution No. 080414-14**

**(Carried)**

Motion by Councilmember Hicks  
Second by Councilmember Hurt

**I Move** the City of Swartz Creek set a Public Hearing, to be held on Monday, May 12, 2008 at 7:00 PM, at the regularly scheduled City Council Meeting, to hear public comments and needs regarding the Proposed 2008-2009 Fiscal Year Budget, and further, to make a copy of the proposed budget available at City Hall for public inspection during normal business hours, in accordance with provisions as set forth in the City Charter.

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

NO: None. Motion Declared Carried.

### **Set Special Council Meeting, 2008-2009 Fiscal Budget**

There will be no special meeting. This item will be incorporated into the regular City Council Meeting on April 28, 2008.

### **Delinquent Payments, Water, Sewer, Mowing & Sidewalk Repair, Certification**

**Resolution No. 080414-15**

**(Carried)**

Motion by Councilmember Hicks  
Second by Councilmember Hurt

**I Move** the City of Swartz Creek direct the Treasurer to prepare an audit of all outstanding debts owed to the City for delinquent water, sewer, mowing & sidewalk repairs, and further, to cause such debts to be assessed against the property owner of record, in accordance with City Ordinance and state statute, said debts to be placed against the summer 2008 tax collection roll.

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

**Budget Adjustment, D.D.A.**

**Resolution No. 080414-16**

**(Carried)**

Motion by Councilmember Adams  
Second by Councilmember Hurt

**I Move** the City of Swartz Creek concur with the DDA and approve budget amendments for the farmers market as follows:

1. Under Department 173.000, Administration, the DDA Administration recommended sum is \$1700, transferring out \$2000.
2. Under Department 728.000, Economic Development, recommended sum is \$2000, transferring out \$1000.
3. Under Department 728.001, Farmers' Market, changed from \$3000 to \$6,000.
4. All other line items to be adjusted accordingly.

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

**MEETING OPENED TO THE PUBLIC:**

Jack Minore thanked the City Council for their support on the resolution for National Bike Week.

Jim Florence talked about their computer problems and reported that Don Korth has updated all of their computer systems and there will be no more problems with SPAM mail. He stated that the senior center has tentatively locked Commissioner Lockwood into a meeting on April 30, 2008 at 10:00am. Mr. Florence stated that the senior center has appointed a "Green Team" of two trustees to look into ways of saving energy and/or money.

**REMARKS BY COUNCILMEMBERS:**

Councilmember Adams commented on the fire agreement. Mr. Adams stated that he wanted to make sure that the City Council does not let this agreement get through without some sort of language that binds both the City and Clayton Township, to make sure that if the Fire Department is to be cooperatively run, it will be cooperatively funded.

Councilmember Hicks talked about the MML Capital Conference that she recently attended. Ms. Hicks stated that it was very interesting to listen to the politicians. Ms. Hicks commented about a conversation that she had with one of her constituents reference the Senior Center. It was suggested that a senior night could be arranged at the library.

Councilmember Shumaker spoke about Morrish Road. He questioned whether there would be space for a bicycle path. City Manager Bueche stated that no bicycle path is in the plans at this time. Mr. Shumaker talked about the small cities meeting and the ambulance and EMS service.

Councilmember Porath talked about the recent newspaper article about the Public Library inspections. He questioned whether or not the library could be taken away from the city if it did not pass the inspection.

**ADJOURNMENT:**

There being no objection, Mayor Pro-Tem Christie declared the meeting adjourned at 8:24 p.m.

Jason Christie, Mayor Pro-Tem

Juanita Aguilar, City Clerk



**CITY OF SWARTZ CREEK  
SWARTZ CREEK, MICHIGAN  
MINUTES OF PLANNING COMMISSION MEETING  
MAY 6, 2008**

Meeting called to order at 7:02 p.m. by Chairperson Stephens.

Pledge of Allegiance.

**ROLL CALL:**

Commissioners present: Abrams, Bueche, Conner, Grimes, Hurt, Kolhoff, Ridley, Stephens.

Commissioners absent: Florine.

Staff present: Adam Zettel, Zoning Administrator.

Others present: Kal Nemer, Carl Carlson, Danny Nemer.

**APPROVAL OF AGENDA:**

**Resolution No. 060508-01**

**(Carried)**

Motion by Commissioner Conner, support by Commissioner Hurt, the Swartz Creek Planning Commission approves the agenda for the May 06, 2008 Planning Commission meeting.

Unanimous voice vote.

Motion declared carried as amended.

**APPROVAL OF MINUTES:**

**Resolution No. 060508-02**

**(Carried)**

Motion by Commissioner Hurt, support by Commissioner Conner, the Swartz Creek Planning Commission approves the Minutes for the April 01, 2008 Planning Commission meeting.

Unanimous voice vote.

Motion declared carried.

**MEETING OPENED TO THE PUBLIC (NON-PUBLIC HEARING ITEMS):** None.

**OLD BUSINESS:** None.

**NEW BUSINESS:**

**Cedar Creek Planned Unit Development project**

Adam Zettel stated that the final site plan is mostly in line with the Conceptual Plan that was approved at the last meeting. He noted areas of the plan that required further additions or revision by the Planning Commission or from a staff perspective before construction could begin. Such areas included the provision of lighting, some landscaping additions, road widths, and changes to the sidewalk plan. He also stated that the traffic and physical engineers all approved of the plan as it is set forth. He also said that the Fire Chief's recommendations have been followed as much as possible. Summarily, Mr. Zettel recommended approval of the project with the above mentioned changes.

Mr. Danny Nemer stated that the project could accommodate those changes.

Mr. Abrams asked about the location and numbering of hydrants. He wanted to know if they were in line with the Fire Department's needs. Mr. Nemer confirmed that they were.

Mr. Abrams also sought clarification on the western pedestrian connection. Mr. Zettel explained that he was seeking a sidewalk continuation to the western property line.

The location of drives that currently exist across the street was brought up. The Planning Commission desired to know if the church drive across the street would have a negative impact as aligned with the current proposal. Mr. Zettel said that this could be investigated further, but the uses would be largely compatible.

Mr. Zettel also recommended use of a red or brown brick with black roof shingles. He said this was not a requirement of the zoning code but was an aesthetic recommendation of his.

**Resolution No. 060508-03**

**(Carried)**

Motion by Boardmember Conner, support by Boardmember Hurt, the Swartz Creek Planning Commission recommend the Swartz Creek City Council approve the final site plan revision (dated 4-7-08, with elevations dated 3-26-08) for parcel 9279 Miller Road 58-03-200-011 (Cedar Creek) subject to the following conditions:

- 1). Applicant shall include a provision for lighting in the final site plan that must meet administrative approvals.
- 2). Applicant shall provide adequate ground cover and landscaping for ac units and building surroundings that must meet administrative approvals.
- 3). Applicant shall narrow road widths per the city staff's recommendations to a 22' width from the front of the curb while maintaining proper turn radii and shall also install 'one-way' and 'no parking' signs per staff recommendations.
- 4). Applicant shall work with staff to ensure adequate screening along the sides and rear prior to construction.
- 5). Applicant shall submit and obtain a sign permit prior to construction.
- 6). Applicant shall obtain all local, county, state, and/or other necessary permits, insurance, review and licensing prior to construction, including but not limited to: construction plan review, architectural review, soil erosion permitting, approval of master deed and condo by-laws, and completion of a development agreement.
- 7). Applicant shall include a provision to extend the sidewalk to the western property line and shall move the proposed internal sidewalk off of the proposed curb by no less than four (4) feet.

YES: Grimes, Kolhoff, Ridley, Abrams, Bueche, Conner, Hurt.

ABSTAIN: Stephens.

Motion declared carried.

The Cedar Creek final site plan is scheduled to go before the City Council on May 12, 2008.

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

Mr. Kal Nemer said that he would have something 'big' for Planning Commission to look at within the next month or so.

#### **REMARKS BY PLANNING COMMISSION MEMBERS:**

Commissioner Ridley inquired when the resurfacing of Elms Road would begin. Mr. Bueche stated that it should begin in mid-June and would include some curb and gutter work.

Commissioner Abrams stated he attended the free Rowe spring training that covered the changes to the planning and zoning enabling acts. He thought there was some interesting topics covered.

Commissioner Conner wanted to commend Mr. Danny Nemer for his project. He thinks it is a good project.

**ADJOURNMENT:**

**Resolution No. 060508-04**

**(Carried)**

Motion by Commissioner Conner, support by Commissioner Hurt, the Swartz Creek Planning Commission adjourns the May 06, 2008 Planning Commission meeting.

Unanimous voice vote.

Meeting adjourned at 7:43 pm.

---

Paul Bueche,  
Secretary

\*\*\*Note that the sound system was not activated. Therefore, the recorder was not able to record the proceedings of the meeting on cassette.

**Cedar Creek, Planned Unit Development (PUD) Approval, Tax ID No. 58-03-200-011, 9279 Miller Road**

Assistant Manager Adam Zettel gave a presentation regarding the condominium townhouse project proposed by Danny Nemer at the far western edge of the City. He outlined the intent of the developer regarding the proposed project and negotiations between administrative staff and the developer. Mr. Zettel noted there had been concern expressed at the Planning Commission's public hearing regarding impact on residents, but this appeared to be a good transition between existing residences and neighborhood business. Mr. Zettel went over concerns expressed by the Planning Commission as well as his letter dated December 8, 2006. It was noted the Planning Commission is recommending City Council grant preliminary approval of the Cedar Creek PUD, an urban housing project.

**12366**

Danny Nemer, the developer, described the proposed project and answered questions from Council.

**Resolution No. 061211-06**

**(Carried)**

Motion by Councilmember Hurt,  
Second by Councilmember Adams,

The City of Swartz Creek hereby grants preliminary approval of the Cedar Creek Planned Unit Development for 9279 Miller Road, Tax ID No. 58-03-200-011, subject to rezoning and final site plan approval.

Discussion ensued.

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

**Rezoning Approval, Cedar Creek Planned Unit Development, Tax ID No. 58-03-200-011, 9279 Miller Road**

**Resolution No. 061211-07**

**(Carried)**

Motion by Councilmember Porath,  
Second by Councilmember Hurt,

The City of Swartz Creek hereby approves the Rezoning Request application for 9279 Miller Road, Tax ID No. 58-03-200-011, to rezone said parcel from Neighborhood Business District (NBD) to Multiple Family (M-1) with a Planned Unit Development (PUD) overlay district, subject to final site plan approval.

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

**Final Site Plan Approval, Cedar Creek Planned Unit Development, Condominium Project, Tax ID No. 58-03-200-011, 9279 Miller Road**

**Resolution No. 061211-08**

**(amended by 061211-09)**

Motion by Mayor Pro-Tem Christie,  
Second by Councilmember Hurt,

The City of Swartz Creek hereby approves the site plan for 9279 Miller Road, Tax ID No. 58-03-200-011, dated October 27, 2006, revised November 21, 2006, subject to the following conditions:

1. Approval by the staff and the City Attorney of the PUD agreement and condominium association documents.
2. Approval of the site street lighting as completed by Consumers Energy.
3. Approval of all items in the ROWE letter addressed November 2, 2006.

**12367**

4. Approval of all required construction documents, performance bonds, other governmental permitting, and any and all items required by the zoning ordinance, the engineering standards manual, and the condo association public act not otherwise waived.
5. Conditioned upon approval of waivers in staff letter dated December 8, 2006.
6. Addition of privacy fence – height to be approved by staff.
7. Addition of basements as on foundation.
8. Private storm sewers.

Considerable discussion took place.

**Resolution No. 061211-09**

**(Carried)**

Motion by Councilmember Adams,  
Second by Councilmember Hurt,

The City of Swartz Creek hereby amends the above Resolution No. 061211-08 by the deletion of condition #6, *Addition of privacy fence – height to be approved by staff.*

YES: Adams, Hicks, Hurt, Porath, Shumaker.

NO: Abrams, Christie. Motion declared carried.

**Resolution No. 061211-08**

**(Carried as amended by 061211-09)**

Motion by Mayor Pro-Tem Christie,  
Second by Councilmember Hurt,

The City of Swartz Creek hereby approves the site plan for 9279 Miller Road, Tax ID No. 58-03-200-011, dated October 27, 2006, revised November 21, 2006, subject to the following conditions:

1. Approval by the staff and the City Attorney of the PUD agreement and condominium association documents.
2. Approval of the site street lighting as completed by Consumers Energy.
3. Approval of all items in the ROWE letter addressed November 2, 2006.
4. Approval of all required construction documents, performance bonds, other governmental permitting, and any and all items required by the zoning ordinance, the engineering standards manual, and the condo association public act not otherwise waived.
5. Conditioned upon approval of waivers in staff letter dated December 8, 2006.
6. Addition of basements as on foundation.
7. Private storm sewers.

Additional discussion ensued.

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

NO: None. Motion declared carried.

## Paul Bueche

---

**From:** Bjbinder536@aol.com  
**Sent:** Thursday, May 08, 2008 12:31 PM  
**To:** Paul Bueche  
**Subject:** request for waiver of fee for Pack 122

Paul Bueche

Please accept this written request to have the fee waived for our upcoming Cub Scout Event to be held in pavilion #2 at Elms Park on Saturday, May 17. The reservation is in the name of Beth Adams of Cub Scout Pack 122. We ask that you consider waiving the fee due to our nonprofit status. Thank you for your time and consideration.

Sincerely,

Beth Adams

---

Wondering what's for Dinner Tonight? Get new twists on family favorites at AOL Food  
<<http://food.aol.com/dinner-tonight?NCID=aolfod00030000000001>> .



## Paul Bueche

---

**From:** Jeff Jarrad [familyjawal@yahoo.com]  
**Sent:** Thursday, May 08, 2008 9:45 AM  
**To:** Paul Bueche  
**Subject:** rental May 17th

Dear Mr. Bueche,

I am writing you to request that the fee for the rental of the pavillion at the Elms Road Park be waviied due to the fact that we are a non profit organization. We will be using it for our annual cross over for Cub Scouts on May 17, 2008.

Thank you for your consideration in this matter.

Respectfully submitted,

Jeff Jarrad

Cubmaster Pack 122

Elms and Dieck Elementary

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\_ylt=Ahu06i62sR8HDtDypao8Wcj9tAcJ>

**CITY OF SWARTZ CREEK**  
**BOARDS AND COMMISSIONS (Rev 12-05-2006)**

BOARD/COMMISSION		ADDRESS	HOME	OFFICE	START	APPOINT	END	MISC
<b>CITY COUNCIL</b>								
C. David Hurt	1st	9214 Chesterfield	635-7706		03/08/99	11/07/06	11/02/10	4 Yr.
Richard B. Abrams	At-Large	5352 Greenleaf	635-9224		11/06/84	11/02/04	11/04/08	4 Yr.
Rae Lynn Hicks	2nd	8373 Miller	635-3569	C=444-8229	11/07/06	11/07/06	11/02/10	4 Yr.
Donald Adams	At-Large	7192 Parkridge Pkwy	397-7551	342-2540	11/07/00	11/02/04	11/04/08	4 Yr.
Curtis Porath	3rd	4485 Frederick St.	635-4398	w=989-792-2455	11/05/02	11/07/06	11/02/10	4 Yr.
Jason Christie	At-Large	6315 Saint Charles Pass	496-3721	C=397-5168	11/07/00	11/02/04	11/04/08	4 Yr.
Michael Shumaker	4th	4084 Jennie Lane	635-3107	C=429-3068	11/05/02	11/07/06	11/02/10	4 Yr.
<b>AUTO THEFT COUNCIL (GAIN)</b>								
David Hurt	Delegate	9214 Chesterfield	635-7706		11/25/02	11/27/06	11/04/08	2 Yr.
Michael Shumaker	Alternate	4084 Jennie Lane	635-3107	C=429-3068	11/27/06	11/27/06	11/04/08	2 Yr.
<b>BOARD OF REVIEW</b>								
John Gilmore		7515 Elizabeth	635-9057			07/01/06	06/30/09	3 Yr.
Joseph J. Edgerton		9127 Chesterfield	635-9832	635-9513		11/25/02	06/30/08	3 Yr.
Thomas MacGillivray		5052 Fairchild	635-4057	C=869-1443		06/30/07	06/30/10	3 Yr.
<b>FIRE BOARD</b>								
Richard L. Derby	Clayton	9230 Corunna	635-4056		??	??		
Michael Messer	Clayton	2060 S. Morrish	635-3476		??	??		
Rod Shumaker	Clayton	7077 Lou Mac	635-2543		??	??		
Ray Thornton	-City Swing Postion	5367 Greenleaf	635-9205		04/01/08	04/01/08	03/31/09	1 Yr.
Rick Clolinger	City Citizen Rep	8100-A Civic	635-4401		12/04/06	12/04/06	11/04/08	2 Yr.
Jason Christie	Council Rep	6315 Saint Charles Pass	496-3721		11/25/02	11/04/08	11/04/08	2 Yr.
A. Boots Abrams	City Citizen Rep	5352 Greenleaf	635-9224			11/27/06	11/04/08	2 Yr.
<b>GENESEE COUNTY METRO ALL</b>								
Michael Shumaker	Delegate	4084 Jennie Lane	635-3107	C=429-3068	11/25/02	11/27/06	11/04/08	2 Yr.
Ronald Schultz	Citizens	4279 Springbrook Dr	635-8575	732-1574	07/01/04	11/27/06	11/04/08	2 Yr.
<b>GEN COUNTY NARC CONTROL</b>								
Donald Adams	Delegate	7192 Parkridge Pkwy	397-7551		11/25/02	11/27/06	11/04/08	2 Yr.
Jason Christie	Alternate	6315 Saint Charles Pass	496-3721		11/25/02	11/27/06	11/04/08	2 Yr.
<b>GEN COUNTY SMALL CITIES</b>								
Jason Christie	Delegate	6315 Saint Charles Pass	496-3721		11/25/02	11/27/06	11/04/08	2 Yr.
Richard Abrams	Alternate	5352 Greenleaf	635-9224		11/25/02	11/27/06	11/04/08	2 Yr.
<b>LOCAL OFF COMP COMM</b>								
Monte R. Morgan		5388 Greenleaf	635-4395			09/30/07	09/30/10	3 Yr.
Theodore Anderson		5373 Greenleaf	635-9305			11/27/06	09/30/09	3 Yr.
Patricia Maksymiu		7188 Miller	635-3814			11/27/06	09/30/10	4 Yr.
Ronald Schultz		4279 Springbrook	635-8575	732-1574		11/25/02	09/30/08	3 Yr.
David Alexander		5346 Greenleaf Dr.	635-2321			09/30/07	09/30/11	4 Yr.
<b>PARK AND REC ADV BOARD</b>								
Korene Kelly		7281 Bristol Rd.	635-4389			01/01/06	12/31/09	3 Yr.
Rodney Gardner		5024 Brady	635-9101		11/22/99	01/01/06	12/31/09	3 Yr.
Michael Shumaker		4084 Jennie	635-3107	C=429-3068	11/22/99	01/01/06	12/31/09	3 Yr.
Rick Henry		6353 Bristol	635-7509			01/01/06	12/31/09	3 Yr.
Bradley Stiff (Chair)		9040 Chesterfield Dr.	252-3174		10/24/06	10/04/06	12/31/09	3 Yr.
Kenneth Keyes		5296 Greenleaf Dr.	635-0947	606-3447	11/02/04	01/01/06	12/31/09	3 Yr.
Rae Lynn Hicks (Vice)		8373 Miller	635-3569		04/10/01	01/01/06	12/31/09	3 Yr.

**CITY OF SWARTZ CREEK**  
**BOARDS AND COMMISSIONS (Rev 12-05-2006)**

BOARD/COMMISSION	ADDRESS	HOME	OFFICE	START	APPOINT	END	MISC
Ray Thornton	5367 Greenleaf Dr.	635-9205		11/09/03	01/01/06	12/31/09	3 Yr.
James Florence (Sec)	4296 Springbrook	635-2772	C=444-2002	11/25/02	01/01/06	12/31/09	3 Yr.
<b>PLANNING COMMISSION</b>							
Robert Florine	5914 Cross Creek	635-8764		07/01/03	07/01/03	06/30/09	3 Yr.
Tom Kohloff	5338 Durwood Drive	635-0638	517-335-6270	11/01/03	07/01/03	06/30/09	3 Yr.
Kathy Ridley	3414 Elms	635-3168		09/17/02	07/01/04	06/30/10	3 Yr.
Carl Conner	4061 Elms	635-9024	238-5200, Pgr:88	10/25/99	07/01/02	06/30/08	3 Yr.
Douglas Stephens (Chairperson)	5250 Birchcrest	635-2134	635-4090	06/26/89	07/01/02	06/30/08	3 Yr.
Bud Grimes	5171 Oakview Drive	635-7284		07/01/04	07/01/04	06/30/10	3 Yr.
C. David Hurt	9214 Chesterfield	635-7706		11/30/03	11/27/06	11/04/08	2 Yr.
Paul Bueche	8083 Civic Dr	635-4464		11/09/98	11/27/06	11/04/08	2 Yr.
Richard Abrams	5352 Greenleaf Dr	635-9224		11/12/02	11/27/06	11/04/08	2 Yr.
<b>W.W.S. ADV COMM</b>							
Tom Svrcek, Delegate	8083 Civic	635-4464			11/27/06	11/04/08	2 Yr.
Paul Bueche, Alternate	8083 Civic	635-4464			11/27/06	11/04/08	2 Yr.
<b>ZONING BOARD OF APPEALS</b>							
Douglas Stephens	5250 Birchcrest	635-2134	635-4090	10/25/99		06/30/08	3 Yr.
Ronald Smith, Secretary	9194 Chesterfield	635-9619		07/10/95		06/30/08	3 Yr.
Curt Porath Council Rep	4485 Frederick St.	635-3079		11/11/02	11/27/06	11/04/08	2 Yr.
Ronald Schultz, Chairperson	4279 Springbrook	635-8575	732-1574	11/08/04	11/06/07	11/03/10	3 Yr.
James Packer, Vice Chairperson	7216 Miller Rd.	635-3724			11/06/07	11/03/10	3 Yr.
Kenneth Keyes (Alternate)	5296 Greenleaf Dr.	635-0947	606-3447	11/08/04	11/08/04	06/30/08	3 Yr.
Jim Florence (Alternate)	4296 Springbrook Dr.	635-2772			11/08/04	06/30/08	3 Yr.
<b>CONSTR. BOARD OF APPEALS</b>							
Douglas Stephens	5250 Birchcrest Dr.	635-2134	635-4090	06/09/03	11/27/06	11/04/08	2 Yr.
Michael Shumaker	4084 Jennie	635-3107	C=429-3068	06/09/03	11/27/06	11/04/08	2 Yr.
Ronald Schultz	4279 Springbrook	635-8575	732-1574	06/09/03	11/27/06	11/04/08	2 Yr.
<b>911 CONSORTIUM</b>							
Paul Bueche	8083 Civic	635-4464			11/27/06	11/04/08	2 Yr.
<b>STREET ADMINISTRATOR</b>							
Tom Svrcek Delegate	8083 Civic Dr.	635-4464			11/27/06	11/04/08	2 Yr.
Adam Zettel Alternate	5152-12 Morrish Rd	287-2147	635-4464	11/27/06	11/27/06	11/04/08	2 Yr.
<b>DDA</b>							
Richard Abrams (Mayor)	5352 Greenleaf Dr.	635-9224		09/27/04	11/27/06	11/04/08	2 Yr.
Richard Mattson	9251 W. Hill Rd.	635-4490	449-3030	10/22/07	10/22/07	03/31/08	4 Yr. / 4Yr
Paul Bueche	8083 Civic Dr.		635-4464	09/27/04	12/01/05	11/30/09	1 Yr. / 4Yr
Rodney Gardner	5024 Brady St.	635-9109	C= 625-7626	09/27/04	10/24/06	03/31/10	4Yr
Cliff Hull	6200 Reid Rd. Sw. Cr.	655-3714	635-4090	09/27/04	04/01/06	03/31/10	4Yr
Steve Mardlin	5340 Chin Maya Dr. Sw. Cr.	635-3869	635-9010	09/27/04	04/23/07	03/31/11	4Yr
Mark Nemer	8122 W. Hill Sw. Cr.	635-2041	635-2227	09/27/04	09/27/04	03/31/08	4 Yr. / 4Yr
Ernie Eckerdt	5019 Brady, PO Box 4	635-8790		01/28/08	01/28/08	11/30/09	4 Yr.
Sandy Raffaelli	8098 Miller Rd	635-4262	635-4655	09/27/04	04/23/07	03/31/11	4Yr
<b>DDA CITIZEN ADVISORY BOARD</b>							
Ernest Eckerdt	PO Box 4	635-8790		08/22/05	11/27/06	11/04/08	2 Yr.
Juliet Stephens-Kijek	8103 Miller Rd	630-0847		08/22/05	11/27/06	11/04/08	2 Yr.
Betty Binder	8079 W. Bristol Rd.	635-4930		08/22/05	11/27/06	11/04/08	2 Yr.

**CITY OF SWARTZ CREEK**  
**BOARDS AND COMMISSIONS** (Rev 12-05-2006)

BOARD/COMMISSION	ADDRESS	HOME	OFFICE	START	APPOINT	END	MISC
Fred Pajtas	7580 Church St.			08/22/05	11/27/06	11/04/08	2 Yr.
Jennie Moench	5030 First St.	630-0577		08/22/05	11/27/06	11/04/08	2 Yr.
Shelly Wilson	8126 Ingalls St.	625-2555		08/22/05	11/27/06	11/04/08	2 Yr.
Jeff Litwin	7506 Grove	635-9440	C= 240-0996	08/22/05	11/27/06	11/04/08	2 Yr.
Peggy Burnham	8104 Miller Rd.	630-8156		08/22/05	11/27/06	11/04/08	2 Yr.
Becky Tabit	5027 Brady	635-0441		08/22/05	11/27/06	11/04/08	2 Yr.
<b>Sr. Center</b>							
Julie Swartz, Director	3005 Cheyenne Ave, Fl	635-4122	810-814-3128				
Melinda Soper, Assit Director	5442 Mancelona, Gr Bl		394-2360				
Jim Florence, President	4296 Springbrook	635-2772				06/01/09	
Roger Bloss, Vice President	8370 Reid Rd.	635-3788	397-6635			06/01/08	
Dennis Johnson, Treasurer	4284 Springbrook	635-9330				06/01/09	
Sally Creech, Sevretary	3496 Seymour Rd	635-7703				06/01/08	
Richard Abrams	5352 Greenleaf Dr	635-9224				06/01/08	
Phillip Bracey	4449 Lindewood Dr	733-3353				06/01/09	
Ann Knight	4935-321 Ida Ct.	635-7342				06/01/08	
Pat McLeod	9319 Elaine Dr.	635-4954				06/01/08	
Dorothy White	7284 Grandwood Dr	655-8416				06/01/08	
<b>Disaster Policy Committee</b>							
Paul Bueche	8083 Civic Dr.	635-4795		04/10/06	11/27/06	11/04/08	2 Yr.
Boots Abrams	5352 Greenleaf	635-9224		04/10/06	11/27/06	11/04/08	2 Yr.
Rae Lynn Hicks	8373 Miller	635-3569	W= 342-2199	04/10/06	11/27/06	11/04/08	2 Yr.
David Plumb	29 Brookfield	635-3742	C= 625-6921	04/10/06	11/27/06	11/04/08	2 Yr.
Rick Clolinger	8100-A Civic Dr.	635-4401		04/10/06	11/27/06	11/04/08	2 Yr.
Brent Cole	8100-B Civic Dr.	635-2300		04/10/06	11/27/06	11/04/08	2 Yr.
Donald Adams	7192 Parkridge Pkwy	397-7551	342-2540	11/27/06	11/27/06	11/04/08	2 Yr.
<b>Infrastructure Review Committee</b>							
Paul Bueche	8083 Civic Dr.	635-4795		01/23/06	11/27/06	11/04/08	
C. David Hurt	9214 Chesterfield	635-7706		01/23/06	11/27/06	11/04/08	
Richard B. Abrams	5352 Greenleaf	635-9224		01/23/06	11/27/06	11/04/08	
Jason Christie	6315 Saint Charles Pass	496-3721		01/23/06	11/27/06	11/04/08	
Carl Conner	4061 Elms	635-9024		01/23/06	11/27/06	11/04/08	
<b>Interested Parties</b>							
Brad Hissong		W-629-2261					

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May 1, 2008

**DEVELOPMENT AGREEMENT**  
**Between**  
**THE CITY OF SWARTZ CREEK**  
**and**  
**MEIJER INC.**

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**THIS AGREEMENT** Is made this \_\_\_\_ day of \_\_\_\_\_, 2008, by and between the CITY OF SWARTZ CREEK, a Michigan Municipal Corporation, with principal offices at 8083 Civic Drive, Swartz Creek, MI 48473 (“City”) and Meijer Inc, a Michigan Domestic Profit Corporation, with principal offices at 2929 Walker Avenue NW, Grand Rapids, Michigan 49544 (“Developer”).

**WHEREAS**, the Developer has proposed to develop a commercial retail development in a Planned Unit Development in two phases (“Project”) upon certain vacant property located within the City, legally described in attached Exhibit A (“Property”); and

**WHEREAS**, the Property is part of an area for which the City has adopted a Conceptual Site Plan for a Planned Unit Development District pursuant to Article XI of the City’s zoning ordinance, which Planned Unit Development District is known as the North Morrish Road Planned Unit Development, dated August 14, 2006, and is more fully described in attached Exhibit B; and

**WHEREAS**, the Developer has secured all of the zoning approvals and other approvals required by law for its plans to develop the Project on the Property, including, without limitation, site plan, special land use, planned unit development or other approvals; and

**WHEREAS**, said approvals of the City are conditioned, in whole or in part, upon various agreements of and commitments made by the Developer in connection with the plans for the development of the Project; and

**WHEREAS**, the City and the Developer wish to set forth in this agreement all of the duties and responsibilities of both parties in connection with the Project, as well as the remedies for failure of a party to comply with said duties and/or responsibilities.

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

**1. Definitions.**

**DRAFT**  
May 1, 2008

- A) "City" means the City of Swartz Creek, a Michigan Municipal Corporation with principal offices at 8083 Civic Drive, Swartz Creek, Michigan 48473.
- B) "Developer" means Meijer, Inc., a Michigan Corporation, with principal offices at 2929 Walker Avenue NW, Grand Rapids, Michigan 49544.
- C) "Project" means the development in two phases of a commercial retail development in a Planned Unit Development on the Property as set forth and as described in the Project Plans, as approved by the Swartz Creek City Council on August 14, 2006.
- D) "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.
- E) "Property" means that certain property within the City which is legally described in Exhibit A attached hereto.
- F) "Public Improvements" mean public streets, alleys, sidewalks, 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. The Project.**

The Project consists of the development in two phase of a Meijer's retail store, gas station and unrelated commercial businesses on the Property in accordance with and as provided for in the Project Plans and will consist of the following private and public improvements:

A) Private Improvements.

The following private improvements will be constructed by the Developer:

- a) a super market store of approximately 207,000 square feet;
- b) a gas station and convenience store;
- c) a storm water detention facility;
- d) parking and loading facilities;
- e) landscaping;
- f) signage (internal circulation and identification);
- g) two (2) service roads;
- h) lighting facilities;
- i) pedestrian access facilities.

**DRAFT**  
May 1, 2008

All such private improvements shall be constructed in compliance with the Project Plans, all ordinances and construction standards of the City and other requirements of law.

**B) Public Improvements.**

The following public improvements will be constructed by the City and will be paid for, in advance of construction, by the Developer:

A. Road improvements to Morrish Road, including, but not limited to, curbs, curb cuts, lane widening, repaving, signals, signage, pedestrian access, lighting, drainage and ditching with cost distribution and construction in accordance with Appendix A attached hereto.

b) The developer shall deposit a sum equal to one-million, five-hundred thousand dollars (\$1,500,000.00) with the City, said funds to be used for construction of the improvements as described above.

**3. Conditions and Acknowledgments.**

Site plan approval for the Project, as a part of the North Morrish Road Planned Unit Development, is subject to the following conditions and acknowledgments:

A) The Site shall be developed solely in the manner set forth in the approved PUD Site Plan dated August 14, 2006 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 PUD Site Plan unless appropriate changes are approved by the city administration or City Council in accordance with the procedures set forth in the City's Zoning Ordinance.

B) The Site and the Project, with the modifications and waivers approved and/or established by the Planning Commission and the City Council, meet the standards of Section XI (PUD standards) and all other relevant sections of the zoning ordinance of the City of Swartz Creek.

C) The Final Site Plan for the Property and the Project, as approved with modifications, is deemed to be consistent with the existing Design Guidelines for the North Morrish Road Planned Unit Development Concept Plan, and, except as otherwise provided in the Final Site Plan for the Property and the Project, the Property shall at all times be subject to said Design Guidelines as presently established. Any future changes or additions to the Property 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.

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May 1, 2008

- D) As a condition of receiving driveway (curb cut) permits for access to Morrish Road, the Developer agrees to pay for public improvements to Morrish Road as described in 2.B. above at a time, in the manner, and by such party as the City shall decide.  
*[We need to decide how we wish to proceed on the road... who designs, constructs, funds, etc ]*
- E) Any time the City determines that an intersection created by any driveway access to and from the site to Morrish 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 cost of such design, purchase and installation are commercially reasonable, the Developer shall pay for 100% of the costs of the 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 project's driveway access to and from Morrish Road meets the warrants for an additional signalized intersection under the Uniform Manual of Traffic Control Devices, another development within the North Morrish Road Planned Unit Development 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 4,039,546 square feet.
- G) To the extent permitted by law, the City shall require, as a condition of the site plan approval for any project in the North Morrish Road Planned Unit Development presented to it for zoning and/or site plan approval after the installation of said public improvements as described in section 2.B. above, or after installation of said traffic signal, the developer of such project to reimburse the Developer and any other party providing funds for said traffic signal under subsection 6, 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 4,039,546 square feet.
- H) The City will use its best efforts to obtain pro-rata reimbursement for the costs of public improvements as described in section 2.B. above, and of any traffic signal construction costs incurred by 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. *[Are there other public improvements...?]* Specifically,



**DRAFT**  
May 1, 2008

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 any and all public improvements, including any traffic signals 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 North Morrish Road Planned Unit Development. 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.

**4. Time for Performance.**

The Developer shall not commence work on the Project until all approvals of the City and any other governmental or regulatory agency required for the Project have been obtained and no work on the construction of any structure shall begin until a building permit therefor has been issued. 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 such, or any other, violation of City ordinances.

As the Project is to be constructed in phases, the Developer shall complete construction of each phase by the following dates:

Completion of Phase One by \_\_\_\_\_ *[Need description of and completion date for Phase 1]*

Completion of Phase Two by \_\_\_\_\_ *[Need description of and completion date for Phase 2]*

**5. Survey(s).**

The Developer shall provide to the City a survey prepared and certified by a registered land surveyor clearly designating the boundaries of the Property. Such survey shall be supplied to the City prior to the commencement of any construction work on the Project.

In addition, where lots or condominium sites are created as part of the Project,

**DRAFT**  
May 1, 2008

the Developer shall provide to the City a survey prepared and certified by a registered land surveyor clearly designating the boundaries of each lot or condominium site so created. Such surveys shall be supplied to the City prior to the issuance of a building permit for the construction of a structure on such lot or condominium site.

**6. Permits, Approvals and Variance.**

The following permits, approvals and variances of the City and any other governmental or regulatory agency have been issued:

- A. City approval for rezoning of the Property;
- B. Special Land Use Permits;
- C. Approval of Planned Unit Development Agreement; and
- D. Preliminary and Final Site Plan Approval.

The Developer shall not commence work on the Project, and no building permit shall be issued in connection therewith, until the following approvals and variances of the City and any other governmental or regulatory agency have been obtained or recording requirements have been met:

- A. Approval of the Project Plans by the City Engineer;
- B. All easements and dedications required for the Project are obtained and recorded;
- C. Issuance of a grading permit by the City, if required;
- D. Certification by the City Engineer that the public improvements required for commencement of the Project are substantially complete and all road rights-of-way, easements and other public dedications are recorded.
- E. If the Project includes a platted subdivision, approval of the plat by all required approving authorities and recordation of the plat with the Genesee County Register of Deeds;
- F. If the Project includes a condominium, approval of the master deed and all condominium documents by the State of Michigan as may be required by law and recordation of the master deed with the Genesee County Register of Deeds.

**7. Development Activities.**

**A) Inspection and approval of work on public improvements by City Engineer.**

All work on public improvements is subject to inspection and approval by the City Engineer, or his/her representative. The City reserves the right to reject any materials or supplies not meeting the City's standards, and the City may require the removal and replacement, at no expense to the City, of any public improvement which fails to comply with established standards and specifications of the City, which fails to comply with the Project plans, or which was constructed without inspection by the City

**DRAFT**  
May 1, 2008

Engineer or his/her representative.

**B) Street work and signage.**

If the Project includes the construction or modification of any public street or private road, or otherwise requires the addition or alteration of any street signage, the City Engineer will prepare a signage plan for the Project, and the City will provide and erect the necessary signage. The Developer shall pay for the cost of said signage including the cost of the installation thereof, plus 10% for the City Engineer's time in preparing the plan. The Developer agrees to install signage consistent with the design standards that are established by the Swartz Creek Downtown Development Authority at the time of construction.

**C) Street lighting.**

The Developer, at its sole expense, shall provide street lighting, as needed, in accordance with a plan prepared by the Developer and approved by the City Engineer. The Developer agrees to install lighting consistent with the design standards that are established by the Swartz Creek Downtown Development Authority at the time of construction.

**D) Erosion control.**

The Developer will provide for erosion control as required and shall obtain any permits therefor required by any governmental or other regulatory agency.

**E) Dust control.**

The Developer will provide dust control on the Property as necessary through the application of water, dust control chemicals, mulch, or other method approved by the City Engineer.

**F) Maintenance of public improvements.**

With the exception of Morrish Road, the Developer will remain responsible for the maintenance and operation of all public improvements constructed as part of the development until they are accepted by the City Council. This includes snow plowing of streets.

**G) Maintenance of off-site public streets, sidewalks or rights-of-way.**

The Developer shall conduct all of its activities in connection with the construction of the Project so as not to cause sand, gravel, dirt, clay, mud or construction materials of any kind to be deposited on any public street, sidewalk or right-of-way. The Developer shall remove any sand, gravel, dirt, clay, mud or construction materials of any kind which it may have caused to be deposited on any public street, sidewalk or right-of-way. If the developer fails to do so within 24 hours,

**DRAFT**  
May 1, 2008

the City may remove such sand, gravel, dirt, clay, mud or construction materials and the Developer shall pay the cost incurred by the City in doing so.

**H) Environmental safety.**

The Developer shall conduct all of its activities in connection with the construction of the Project so as not to cause any environmental contamination and shall comply with all environmental requirements of local, state and federal law. The Developer shall be responsible to and shall reimburse the City for any costs incurred by it in the cleanup and remediation of any environmental contamination caused by the Developer's activities in connection with the construction of the Project.

**I) Public safety.**

The Developer, whether on or off the Project Site, shall conduct all construction covered by this Agreement in a safe manner so as not to cause any threat to the health and safety of the public.

**J) Worker Safety.**

The Developer shall conduct all of its activities in connection with the construction of the Project in compliance with OSHA, MIOSHA and any other laws or regulations intended to provide for worker safety.

**K) Toilet facilities.**

The Developer will provide on-site toilet facilities as required by law for use by workers for the duration of the Project.

**8. Ongoing Maintenance.**

Whenever this agreement or the Project Plans impose a duty or obligation upon the Developer for the maintenance of any improvement on public property, or where this Agreement, the Project Plans, deed covenants, or other document provides for the maintenance and preservation of areas or facilities open to the public but which are not dedicated to and accepted by the City for public use, the Developer shall be responsible for the ongoing maintenance of such improvement, area or facility and shall cause any transferee of the Developer's interest in the Project or the Property to assume said obligation.

**9. Construction of public improvements; guarantee; warranty.**

If the Developer is to construct any public improvements in connection with the development of the Project, it shall provide the City with an irrevocable letter of credit in an amount not less than 125% of the expected cost of the public improvements being constructed by the Developer. The Developer shall also warrant the public improvements so constructed for a period of one year from the date of acceptance of same by the City

**DRAFT**  
May 1, 2008

and shall, at its sole expense, repair or replace, at the City's sole discretion, any public improvements which fail during the one-year period following its acceptance by the City Council. The escrow may be reduced as the City accepts the public improvements, by the value of the work accepted, but the additional 25% shall remain in effect for the duration of the one-year warranty period.

**10. Construction of public improvements; indemnification; insurance.**

The Developer agrees to indemnify and hold the City harmless for any liability, including court costs and attorneys' fees, for damages to property or persons resulting from the Developer's construction of the public improvements. To that end, the Developer shall maintain in full force and effect a policy of public liability insurance in such amounts as is required by the City for public construction contracts and shall list the City as an additional insured party under said policy or policies. The Developer shall provide the City with written evidence of such policy or policies and that the City is named as an insured thereunder. If any such liability policy provides coverage on a "claims made" basis, such coverage shall be maintained in effect for three years after any work on the Project is completed.

**11. Escrow fund.**

The Developer shall deposit with the City a sum, the amount of which is to be determined by the City, which shall be sufficient to establish an escrow fund which, upon investment by the City, will generate a sum each year sufficient to cover the City's expenses in administering this agreement, including the cost of any inspections.

**12. City responsibilities.**

In connection with the development of the Project, the City shall do the following:

- A.
- B.
- C.

**13. Default.**

If the Developer is in default of any of the terms of this agreement or the Project Plans, the City may issue a stop work order to the Developer and, upon receipt thereof, the Developer shall immediately stop all work on the Project. In addition, the City may exercise any other remedy it may have under law or equity for the Developer's default.

**14. Gender.**

Use of the words "it" or "its" when referring to the developer is for convenience only and shall have the same meaning as "he," "she," "his" or "her" if the Developer is a person.

**DRAFT**  
May 1, 2008

**15. “Developer” is all inclusive.**

Whenever a duty or obligation is imposed upon the Developer by this agreement or the Project Plans, or the Developer is prohibited from taking any action under this agreement or the Project Plans, such duty, obligation or prohibition shall equally apply to any contractor, subcontractor, officer, agent, employee, assignee or successor in interest or any other person or entity performing activities on the project under the direction and control of, at the request of, under contract with, or in succession of the Developer.

**16. Notices.**

Any notice, demand, or communication required, permitted, or desired to be given under this agreement shall be deemed effectively given when personally delivered or mailed by certified mail addressed as follows:

If to the City:  
City of Swartz Creek  
8083 Civic Drive  
Swartz Creek, MI 48473  
Attention: City Manager

If to the Developer:

Meijer Inc.  
2929 Walker Avenue NW  
Grand Rapids, MI 49544  
Att:

The parties hereto may, by notice given hereunder, designate any further or different address to which subsequent notices, demands, or communications may be given.

**17. Term.**

This agreement shall commence on the \_\_\_ day of \_\_\_\_\_, 2008 and the agreement and any and all City permits and approvals shall be renewable in one year increments beginning August 14, 2008 for a period of three (3) years. After three years, the agreement and all City permits and approvals associated with the Project shall permanently expire unless Developer has begun construction of the Project. The agreement shall also terminate upon completion of the Project, with the exception of the ongoing maintenance obligations of sections 7 and 8, which obligations shall continue in effect for the life of the public and private improvements, common areas or shared use facilities provided for therein, and the warranty obligations of section 8, which shall continue in effect for the warranty period provided for therein.

**18. Applicable law.**

**DRAFT**  
May 1, 2008

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

**19. Severability.**

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.

**20. Entire agreement.**

This agreement supersedes all previous or contemporaneous negotiations and/or agreements and constitutes the entire agreement between the parties with respect to the Project. 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.

**IN WITNESS WHEREOF**, the parties hereto have executed this agreement as of the date first above written.

**CITY OF SWARTZ CREEK**

\_\_\_\_\_  
Witness

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

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

**MEIJER INC.**

\_\_\_\_\_  
Witness

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

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

Approved as to form:  
  
\_\_\_\_\_

DRAFT  
May 1, 2008

Michael J. Gildner,  
Assistant City Attorney



**CITY OF SWARTZ CREEK**  
**MORRISH ROAD BUDGET**  
March, 2008

FUNDING BREAKDOWN (Based on approved TIP list)

A. Project Cost Breakdown-  
Total Project                      \$2,050,000

B. TIP Funding Breakdown-

Federal Portion                      \$368,000  
City Portion                              \$182,000  
Meijer Portion                          \$1,500,000

# 2008-2011 Genesee County Transportation Improvement Program

County	Jurisdiction	Project Name	Limits	Length	Primary Work Type	Phase	Advance Construct	Federal Costs (\$1000s)	Federal Fund Source	State Costs (1000s)	State Fund Source	Local Costs (1000s)	Local Fund Source	Total Costs (1000s)	MDOT Job No.	Local ID No.
<b>2009</b>																
Genesee	City of Davison	Flint St	State Rd, 500 feet West	0.10	Resurface	CON	ACC 2009	246	STU	0		77	CITY	323		841
Genesee	City of Fenton	Walnut Street	E Ellen Street to E Silver Lake Road	0.10	Resurface	CON		74	STU	0		23	CITY	98		1216
Genesee	City of Flint	Pierson Rd	Clio to Fleming Road	0.50	Reconstruct	CON	ACC 2009	1335	STU	0		417	CITY	1752		843
Genesee	City of Swartz Creek	Morrish Road	I-69 Overpass to Bristol Road	0.40	Widen-Minor (Add turn lane)	CON		368	STU	0		1806	PRVT	2174		1133
Genesee	GCRC	Belsay Rd	Perry Road to Hill Road	1.00	Resurface	CON	ACC 2009	520	STU	0		162	CNTY	682		818
Genesee	GCRC	Belsay Rd	Hill Road to Maple Ave	1.00	Resurface	CON	ACC 2009	508	STU	0		159	CNTY	666		820
Genesee	GCRC	Clio Rd	Stanley Road to Mt. Morris Road	1.00	Resurface	CON	ACC 2009	490	STU	0		162	CNTY	652		822



# Office of Genesee County Sheriff

Robert J. Pickell - Sheriff  
James Gage - Undersheriff  
1002 S. Saginaw, Flint, MI 48502  
(810) 257-3406  
(810) 257-3077 FAX

May 5, 2008

## MEMORANDUM

TO: GAIN Advisory Board & Participating Agencies

FROM: Captain Christopher Swanson 

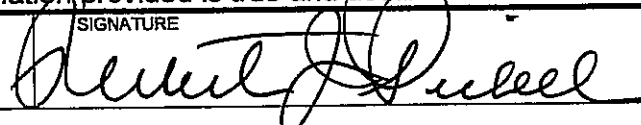
SUBJECT: 2008/2009 BUDGET

As previously stated, the proposed GAIN 2008/2009 Budget is in need of revision. Currently, the budget has an estimated \$115,000.00 shortage. I supplied examples of nine different proposals that include personnel cuts, assessment increases, or both. We have a meeting scheduled for Thursday, May 8, 2008 at 2:00 p.m. at Mt. Morris Township Police Department to discuss these proposals or other options.

<b>FOR ATPA USE ONLY</b>
PROJECT NUMBER

**ATPA GRANT APPLICATION – PAGE 1**

Read instructions first before completing form.  
Attach extra pages when more space is needed.

1. NAME OF APPLICANT ORGANIZATION GENESEE COUNTY SHERIFF DEPARTMENT		2. FEDERAL ID NUMBER 38-6004849	
3. MAILING ADDRESS 1002 S. SAGINAW ST. FLINT, MI 48502			
4. NAME OF GOVERNMENT UNIT (if Applicable) GENESEE COUNTY		5. TYPE OF GOVERNMENT UNIT <input type="checkbox"/> State <input type="checkbox"/> City <input checked="" type="checkbox"/> County <input type="checkbox"/> Other:	
6. ADDRESS 1002 S. SAGINAW ST. FLINT, MI 48502			
7. PROJECT TITLE GENESEE AUTO THEFT INVEST. NETWORK		8. BEGINNING DATE OF GRANT October 1, 2008	9. ENDING DATE OF GRANT September 30, 2009
10. PROJECT AREA (City/Township/County) GENESEE COUNTY			
11. ALL AGENCIES PARTICIPATING IN THE PROJECT (if Cooperative Effort)			
1. GENESEE COUNTY SHERIFF DEPARTMENT 2. FLINT CITY POLICE DEPARTMENT 3. FLINT TOWNSHIP POLICE DEPARTMENT 4. GENESEE TOWNSHIP POLICE DEPARTMENT 5. MT. MORRIS TOWNSHIP POLICE DEPARTMENT 6. MUNDY TOWNSHIP POLICE DEPARTMENT			
The undersigned understand and agree that a grant received as a result of this application is subject to 1992 PA 174, the policies of the Automobile Theft Prevention Authority, and the grant conditions as outlined on pages 5 through 7. We certify that all information provided is true and accurate.			
12. TYPED NAME AND TITLE OF PROJECT DIRECTOR ROBERT J. PICKELL, SHERIFF		SIGNATURE 	
BUSINESS ADDRESS 1002 S. SAGINAW ST. FLINT, MI 48502			
PHONE NUMBER ( ) (810) 257-3406	FAX NUMBER ( ) (810) 257-3077	E-MAIL ADDRESS	DATE SIGNED 4-28-08

Submit an original and three copies of application (pages 1 - 7) and all required documentation to:

**AUTOMOBILE THEFT PREVENTION AUTHORITY**  
714 S. HARRISON ROAD  
EAST LANSING, MICHIGAN 48823  
For assistance, call (517) 336-6197

<b>AUTHORITY:</b> 1992 PA 174
<b>COMPLIANCE:</b> Voluntary, but a grant will not be approved unless complete form is submitted.

## ATPA GRANT APPLICATION – PAGE 2

### 13. DESCRIPTION OF PROJECT (Briefly Describe The Problems And The Procedures To Be Implemented)

The agencies listed above have established a six person cooperative law enforcement unit, with the necessary support staff to process and investigate complaints, involving stolen automobiles and the marketing of stolen vehicle parts. The City of Flint and other Genesee County jurisdictions along the I-75 corridor currently is in need of additional auto theft enforcement. The unit is governed by a Board of Directors (local elected officials) and an Operation Board (local police chiefs).

There is a marked increase in identity thefts being used to obtain vehicles illegally in Genesee County. These crimes involve Computer usage and Out of State financing. Officers are spending an increasing amount of time tracking fraudulent deals requiring an increased amount of knowledge in Computer, Internet and Financial institution Transaction tracking.

Special Hi-Tech training is being sought to aid the Officers in this area of expertise to reduce man hours involved.

There has been a marked increase in insurance fraud due to economic conditions of the area, including arsons and VIN switching to disguise the identity of leased vehicles. Investigation of these has also increased man hours investigating this type of complaint.

The six Gain officers are working with the other Genesee County agencies, and have established working relationships with them and other auto theft units throughout the State and Out of State. This type of cooperation is necessary to combat a mobile crime, such as auto theft.

In order to continue to reduce theft rates, and the subsequent loss of money to the insurance companies and the general public, it is absolutely necessary to have a specialized unit of experienced auto theft investigators, such as GAIN. The GAIN Auto Theft Unit, since it's history has and continues to be effective in combating Auto Theft in Genesee County.

## ATPA GRANT APPLICATION – PAGE 3

### 14. MEASURABLE OBJECTIVES

1. Increase the prosecution for economic auto theft by making at least 15 motor vehicle related arrests per ATPA funded officer, and by focusing on the high point value arrests in the ATPA arrest ranking system.

2. Reduce the economic gain associated with auto theft by recovering at least 22 stolen vehicles or parts/equipment incidents per ATPA funded officer, and by constantly identifying possible insurance frauds.

3. Achieve a high rate of return on the investment of ATPA grant monies by, at a minimum, recovering more in stolen vehicles/parts/equipment value than the ATPA's total approved budget for the project.

4. Comply with all ATPA guidelines/policies/conditions, and those of the Uniform Crime Reporting System.

5. Maintain clear and reliable documentation for project's performance activity and financial expenditures.

6. Report dollar amount deposited into forfeiture account following auction.

7. Act as prevention/apprehension training resource for project area agencies.

8. Attend regular meetings for area detectives and insurance investigators.

15. EVALUATION CRITERIA (What Data Will Be Supplied To The ATPA?)

1. # 14 point MVT related arrests
2. # 12 point MVT related arrests
3. # 10 point MVT related arrests
4. # 8 point MVT related arrests
5. # 6 point MVT related arrests
6. # 4 point MVT related arrests
7. # 2 point MVT related arrests
8. # passenger vehicles recovered
9. \$ value of passenger vehicles recovered
10. # other vehicles recovered
11. \$ value other vehicles recovered
12. # parts recovery incidentsw
13. \$ value of recovered parts/equipment
14. # deposited into forfeiture account following auction
15. # auto theft training sessions presented

16. BUDGET		
<b>A. TOTAL COST FOR SWORN EMPLOYEES</b>		\$ 584,168.00
(Attach Detailed Listing Of Costs—See Attached Sample Documentation)		
<b>B. TOTAL COST FOR OTHER EMPLOYEES</b>		\$ 69,315.00
(See Attached Sample Documentation)		
<b>C. TOTAL COST FOR VEHICLES</b>		\$ 45,000.00
(See Attached Sample Documentation)		
<b>D. TOTAL COST FOR OFFICE OPERATIONS</b>		\$ 16,600.00
(See Attached Sample Documentation)		
<b>E. TOTAL COST FOR FIELD OPERATIONS</b>		\$ 2,600.00
(See Attached Sample Documentation)		
<b>F. TOTAL COST FOR OTHER EXPENSES</b>		\$
(See Attached Sample Documentation)		
<b>TOTAL BUDGET</b>		\$ 717,683.00
	<b>ATPA SHARE 60%</b>	\$ 430,610.00
	<b>*NON-ATPA SHARE 40%</b>	\$ 287,073.00
*NON-PROFIT AGENCIES DO NOT REQUIRE MATCHING FUNDS		



**MICHIGAN AUTOMOBILE THEFT PREVENTION AUTHORITY  
PROPOSED 2008/2009 BUDGET**

**SWORN EMPLOYEES**

**SALARIES & WAGES**

Police Officers	360,646
Premium	475
Longevity	8,692
Overtime	25,943

**FRINGE BENEFITS**

Social Security	27,226
Medical Insurance	83,482
Dental Insurance	5,309
Optical Insurance	196
Life/Health Insurance	1,789
Life Insurance	758
Retirement	44,598
Workers Comp	13,537
Sick/Accident Insurance	1,857
Unemployment	8,121
Severance	0
Post-Retirement Benefits	0
Personal Time (if unused)	1,538
Gun/Clothing Allowance	0

**TOTAL SWORN EMPLOYEES** 584,168

**OTHER EMPLOYEE**

**SALARIES & WAGES**

Secretary	45,316
Longevity	0

**FRINGE BENEFITS**

Social Security	3,467
Medical Insurance	16,738
Dental Insurance	0
Optical Insurance	0
Life/Health Insurance	215
Retirement	3,131
Workers Comp	159
Unemployment	0
Sick/Accident	289

**TOTAL OTHER EMPLOYEE** 69,315

**VEHICLES USAGE**

(6) Vehicles at \$0.43/mile 45,000

**FIELD OPERATIONS**

Camera, Film and Processing	200
Investigative Expense	1,000
Pager Rental and Repair	400
Towing, Hoist and Misc.	1,000

**TOTAL FIELD OPERATIONS** 2,600

**OFFICE OPERATIONS**

Telephone	3,600
Office Supplies	1,000
Office Rent	12,000

**TOTAL OFFICE OPERATIONS** 16,600

**GRAND TOTAL**

717,683

60% ATPA SHARE 430,610

40% COUNTY SHARE 287,073

ATTACHMENT A  
GENESEE AUTO INTERFACE NETWORK  
PROPOSED 2008/2009 BUDGET  
SWORN EMPLOYEES

	<u>Genesee County</u> <u>Chief</u> <u>Investigator</u>	<u>City of</u> <u>Flint</u> <u>Sergeant</u>	<u>Mundy</u> <u>Township</u> <u>Officer</u>	<u>Genesee</u> <u>Township</u> <u>Detective</u>	<u>Mt. Morris</u> <u>Township</u> <u>Officer</u>	<u>Flint</u> <u>Township</u> <u>Officer</u>	<u>TOTAL</u> <u>SWORN</u> <u>EMPLOYEES</u>
Salary Permanent	66,931	63,132	55,129	62,400	59,740	53,314	360,646
Salary Premium	0	0	0	0	0	475	475
Longevity	6,693	0	0	0	0	1,999	8,692
Cost of Living Allowance	0	0	0	0	0	0	0
<b>Total Sworn Emp. Salaries</b>	<b>73,624</b>	<b>63,132</b>	<b>55,129</b>	<b>62,400</b>	<b>59,740</b>	<b>55,788</b>	<b>369,813</b>
<b>Salary Overtime</b>		<b>7,102</b>	<b>4,117</b>	<b>6,640</b>	<b>5,200</b>	<b>2,884</b>	<b>25,943</b>
Social Security	5,632	1,018	5,682	5,320	4,968	4,606	27,226
Medical Insurance	14,670	6,729	11,136	16,910	17,000	17,037	83,482
Dental Insurance	1,069	898	1,522	970	850	0	5,309
Optical Insurance	116	80	0	0	0	0	196
Life/Health Insurance	1,351	438	0	0	0	0	1,789
Life Insurance	0	0	50	150	300	258	758
Retirement	7,362	3,111	0	15,650	13,000	5,475	44,598
Workers Comp	1,877	962	1,479	3,870	1,500	3,849	13,537
Sick/Accident Insurance	0	0	856	600	0	401	1,857
Unemployment	736	457	6,718	210	0	0	8,121
Severance	0	0	0	0	0	0	0
Post-Retirement Benefits	0	0	0	0	0	0	0
Self Insurance	0	0	0	0	0	0	0
Insurance Pay	0	0	0	0	0	0	0
Personal Time (If unused)	0	0	0	0	0	1,538	1,538
Gun/Clothing Allowance	0	0	0	0	0	0	0
<b>Total Sworn Fringes</b>	<b>32,813</b>	<b>20,796</b>	<b>31,560</b>	<b>50,320</b>	<b>42,818</b>	<b>36,048</b>	<b>214,355</b>
<b>Total Sworn Employees Personnel Cost</b>	<b>106,437</b>	<b>83,928</b>	<b>86,689</b>	<b>112,720</b>	<b>102,558</b>	<b>91,836</b>	<b>584,168</b>

ATTACHMENT B  
 GENESEE AUTO INTERFACE NETWORK  
 PROPOSED 2008/2009 BUDGET DETAIL  
 OTHER EMPLOYEE

	Flint Township <u>Secretary</u>
Salary Permanent	45,316
Salary Premium	0
Longevity	0
	45,316
<b>Total Other Employees Salary</b>	<b>45,316</b>
Salary Overtime	0
Social Security	3,467
Medical Insurance	16,738
Optical Insurance	0
Dental Insurance	0
Life Health Insurance	215
Retirement	3,131
Workers Compensation	159
Unemployment	0
Sick/Accident	289
	23,999
<b>Total other Employee Fringe Benefits</b>	<b>23,999</b>
<b>Total Cost Other Employee Personnel</b>	<b>69,315</b>

ASSESEMNT INCREASE  
70%

	ORIGINAL ASSESSMENT AMOUNT	70% INCREASE	ASSESSMENT AMOUNT
CITY OF FLINT	\$62,000.00	\$43,400.00	\$105,400.00
GENESEE COUNTY	62,000.00	\$43,400.00	\$105,400.00
MT. MORRIS TOWNSHIP	8,000.00	\$5,600.00	\$13,600.00
FLINT TOWNSHIP	8,000.00	\$5,600.00	\$13,600.00
GENESEE TOWNSHIP	8,000.00	\$5,600.00	\$13,600.00
MUNDY TOWNSHIP	8,000.00	\$5,600.00	\$13,600.00
GRAND BLANC TOWNSHIP	2,000.00	\$1,400.00	\$3,400.00
CITY OF BURTON	2,000.00	\$1,400.00	\$3,400.00
CITY OF FENTON	1,000.00	\$700.00	\$1,700.00
DAVISON TOWNSHIP	1,000.00	\$700.00	\$1,700.00
RICHFIELD TOWNSHIP	500.00	\$350.00	\$850.00
CITY OF CLIO	500.00	\$350.00	\$850.00
CITY OF DAVISON	500.00	\$350.00	\$850.00
CITY OF LINDEN	500.00	\$350.00	\$850.00
CITY OF MT MORRIS	500.00	\$350.00	\$850.00
CITY OF GRAND BLANC	500.00	\$350.00	\$850.00
CITY OF SWARTZ CREEK	500.00	\$350.00	\$850.00
	<u>\$165,500.00</u>	<u>\$115,850.00</u>	<u>\$281,350.00</u>

04/21/08 BALANCE	
TRUST ACCOUNT	113,089.00
O/S ASSESSMENTS	8,250.00
MATCH NEEDED FOR Y/E 9/30/08*	-93,740.00
	\$308,949.00
NON-COVERED EXPENSES 08/09**	\$38,000.00
MATCH NEEDED FOR 08/09	<u>270,906.04</u>
EXCESS IN TRUST FUND	42.96

\*MATCH NEEDED FOR 09/30/08

MATCH-	68740
PRB-	9000
M/P CHARGES	12000
EXTRA	4000

\*\* NON-COVERED EXPENSES FOR 08/09

PRB-	18046
M/P CHARGES	15000
EXTRA	5000

PROPOSED CUTS:

OVERTIME	25943.00
SHIFT PREMIUM	475.00
RENT	12000.00
FIELD OPERATION:	<u>2000.00</u>
	40418.00

SECRETARY AND 3 SWORN CUT

ASSESSMENTS

CITY OF FLINT	\$62,000.00
GENESEE COUNTY	62,000.00
MT. MORRIS TOWNSHIP	8,000.00
FLINT TOWNSHIP	8,000.00
GENESEE TOWNSHIP	8,000.00
MUNDY TOWNSHIP	8,000.00
GRAND BLANC TOWNSHIP	2,000.00
CITY OF BURTON	2,000.00
CITY OF FENTON	1,000.00
DAVISON TOWNSHIP	1,000.00
RICHFIELD TOWNSHIP	500.00
CITY OF CLIO	500.00
CITY OF DAVISON	500.00
CITY OF LINDEN	500.00
CITY OF MT MORRIS	500.00
CITY OF GRAND BLANC	500.00
CITY OF SWARTZ CREEK	500.00

\$165,500.00  
 -18000.00 difference in assessment fees  
\$147,500.00

04/21/08 BALANCE  
 TRUST ACCOUNT 113,089.00

O/S ASSESSMENTS 8,250.00

MATCH NEEDED FOR Y/E 9/30/08 -93,740.00

NON-COVERED EXPENSES 08/09 \$175,099.00  
 MATCH NEEDED FOR 08/09 \$38,000.00  
128,153.73

8,945.27

\*MATCH NEEDED FOR 09/30/08  
 MATCH- 68740  
 PRB- 9000  
 M/P CHARGES 12000  
 EXTRA 4000

\*\* NON-COVERED EXPENSES FOR 08/09  
 PRB- 18046  
 M/P CHARGES 15000  
 EXTRA 5000

**PROPOSED CUTS:**

3 SWORN CUT	278874.00
SECRETARY	69315.00
OVERTIME	25943.00
SHIFT PREMIUM	475.00
RENT	12000.00
FIELD OPERATIONS	2000.00
	<u>388607.00</u>

ATTACHMENT C  
ASSESSMENT INCREASE  
60%- CUT SECRETARY AND 1 POSITION

	<u>ORIGINAL ASSESSMENT AMOUNT</u>	<u>60% INCREASE</u>	<u>ASSESSMENT AMOUNT</u>
CITY OF FLINT	\$62,000.00	\$37,200.00	\$99,200.00
GENESEE COUNTY	62,000.00	\$37,200.00	\$99,200.00
MT. MORRIS TOWNSHIP	8,000.00	\$4,800.00	\$12,800.00
FLINT TOWNSHIP	8,000.00	\$4,800.00	\$12,800.00
GENESEE TOWNSHIP	8,000.00	\$4,800.00	\$12,800.00
MUNDY TOWNSHIP	8,000.00	\$4,800.00	\$12,800.00
GRAND BLANC TOWNSHIP	2,000.00	\$1,200.00	\$3,200.00
CITY OF BURTON	2,000.00	\$1,200.00	\$3,200.00
CITY OF FENTON	1,000.00	\$600.00	\$1,600.00
DAVISON TOWNSHIP	1,000.00	\$600.00	\$1,600.00
RICHFIELD TOWNSHIP	500.00	\$300.00	\$800.00
CITY OF CLIO	500.00	\$300.00	\$800.00
CITY OF DAVISON	500.00	\$300.00	\$800.00
CITY OF LINDEN	500.00	\$300.00	\$800.00
CITY OF MT MORRIS	500.00	\$300.00	\$800.00
CITY OF GRAND BLANC	500.00	\$300.00	\$800.00
CITY OF SWARTZ CREEK	<u>500.00</u>	<u>\$300.00</u>	<u>\$800.00</u>
	<u>\$165,500.00</u>	<u>\$99,300.00</u>	<u>\$264,800.00</u>
			-9600.00 difference in assessment fees
			\$255,200.00
 04/21/08 BALANCE TRUST ACCOUNT	 113,089.00		
 O/S ASSESSMENTS	 8,250.00		
 MATCH NEEDED FOR Y/E 9/30/08*	 -93,740.00		
	\$282,799.00		
NON-COVERED EXPENSES 08/09**	\$38,000.00		
MATCH NEEDED FOR 08/09	<u>205,996.84</u>		
	38,802.16		
 *MATCH NEEDED FOR 09/30/08			
MATCH-	68740.00		
PRB-	9000.00		
M/P CHARGES	12000.00		
EXTRA	4000.00		
 ** NON-COVERED EXPENSES FOR 08/09			
PRB-	18046.00		
M/P CHARGES	15000.00		
EXTRA	5000.00		
 <u>PROPOSED CUTS</u>			
1 POSITION	92958.00		
SECRETARY	69315.00		
OVERTIME	25943.00		
SHIFT PREMIUM	475.00		
RENT	12000.00		
FIELD OPERATION!	<u>2000.00</u>		
	<u>202,691.00</u>		

ASSESSMENT INCREASE  
55% AND  
CUT SECRETARY AND 1 POSITION

	<u>ORIGINAL ASSESSMENT AMOUNT</u>	<u>55% INCREASE</u>	<u>ASSESSMENT AMOUNT</u>
CITY OF FLINT	\$62,000.00	\$34,100.00	\$96,100.00
GENESEE COUNTY	62,000.00	\$34,100.00	\$96,100.00
MT. MORRIS TOWNSHIP	8,000.00	\$4,400.00	\$12,400.00
FLINT TOWNSHIP	8,000.00	\$4,400.00	\$12,400.00
GENESEE TOWNSHIP	8,000.00	\$4,400.00	\$12,400.00
MUNDY TOWNSHIP	8,000.00	\$4,400.00	\$12,400.00
GRAND BLANC TOWNSHIP	2,000.00	\$1,100.00	\$3,100.00
CITY OF BURTON	2,000.00	\$1,100.00	\$3,100.00
CITY OF FENTON	1,000.00	\$550.00	\$1,550.00
DAVISON TOWNSHIP	1,000.00	\$550.00	\$1,550.00
RICHFIELD TOWNSHIP	500.00	\$275.00	\$775.00
CITY OF CLIO	500.00	\$275.00	\$775.00
CITY OF DAVISON	500.00	\$275.00	\$775.00
CITY OF LINDEN	500.00	\$275.00	\$775.00
CITY OF MT MORRIS	500.00	\$275.00	\$775.00
CITY OF GRAND BLANC	500.00	\$275.00	\$775.00
CITY OF SWARTZ CREEK	500.00	\$275.00	\$775.00
	<u>\$165,500.00</u>	<u>\$91,025.00</u>	<u>\$256,525.00</u>
			-9300.00
			<u>\$247,225.00</u>

04/21/08 BALANCE	
TRUST ACCOUNT	113,089.00
O/S ASSESSMENTS	8,250.00
MATCH NEEDED FOR Y/E 9/30/08*	-93,740.00
	\$274,824.00
NON-COVERED EXPENSES 08/09**	\$38,000.00
MATCH NEEDED FOR 08/09	<u>205,996.84</u>
	30,827.16

\*MATCH NEEDED FOR 09/30/08

MATCH-	68740.00
PRB-	9000.00
M/P CHARGES	12000.00
EXTRA	4000.00

\*\* NON-COVERED EXPENSES FOR 08/09

PRB-	18046.00
M/P CHARGES	15000.00
EXTRA	5000.00

PROPOSED CUTS

1 POSITION	92958.00
SECRETARY	69315.00
OVERTIME	25943.00
SHIFT PREMIUM	475.00
RENT	12000.00
FIELD OPERATION:	<u>2000.00</u>
	<u>202,691.00</u>

ASSESSMENT INCREASE  
50% AND  
CUT SECRETARY AND 1 POSITION

	<u>ORIGINAL ASSESSMENT AMOUNT</u>	<u>50% INCREASE</u>	<u>ASSESSMENT AMOUNT</u>
CITY OF FLINT	\$62,000.00	\$31,000.00	\$93,000.00
GENESEE COUNTY	62,000.00	\$31,000.00	\$93,000.00
MT. MORRIS TOWNSHIP	8,000.00	\$4,000.00	\$12,000.00
FLINT TOWNSHIP	8,000.00	\$4,000.00	\$12,000.00
GENESEE TOWNSHIP	8,000.00	\$4,000.00	\$12,000.00
MUNDY TOWNSHIP	8,000.00	\$4,000.00	\$12,000.00
GRAND BLANC TOWNSHIP	2,000.00	\$1,000.00	\$3,000.00
CITY OF BURTON	2,000.00	\$1,000.00	\$3,000.00
CITY OF FENTON	1,000.00	\$500.00	\$1,500.00
DAVISON TOWNSHIP	1,000.00	\$500.00	\$1,500.00
RICHFIELD TOWNSHIP	500.00	\$250.00	\$750.00
CITY OF CLIO	500.00	\$250.00	\$750.00
CITY OF DAVISON	500.00	\$250.00	\$750.00
CITY OF LINDEN	500.00	\$250.00	\$750.00
CITY OF MT MORRIS	500.00	\$250.00	\$750.00
CITY OF GRAND BLANC	500.00	\$250.00	\$750.00
CITY OF SWARTZ CREEK	500.00	\$250.00	\$750.00
	<u>\$165,500.00</u>	<u>\$82,750.00</u>	<u>\$248,250.00</u>
			-9000.00 difference in assessment fees
			\$239,250.00

04/21/08 BALANCE	
TRUST ACCOUNT	113,089.00
O/S ASSESSMENTS	8,250.00
MATCH NEEDED FOR Y/E 9/30/08*	-93,740.00
	\$266,849.00
NON-COVERED EXPENSES 08/09**	\$38,000.00
MATCH NEEDED FOR 08/09	<u>205,996.84</u>
	22,852.16

*MATCH NEEDED FOR 09/30/08	
MATCH-	68740.00
PRB-	9000.00
M/P CHARGES	12000.00
EXTRA	4000.00

** NON-COVERED EXPENSES FOR 08/09	
PRB-	18046.00
M/P CHARGES	15000.00
EXTRA	5000.00

<u>PROPOSED CUTS</u>	
1 POSITION	92958.00
SECRETARY	69315.00
OVERTIME	25943.00
SHIFT PREMIUM	475.00
RENT	12000.00
FIELD OPERATION!	<u>2000.00</u>
	202,691.00



ASSESSMENT INCREASE  
50% AND  
CUT SECRETARY POSITION

	<u>ORIGINAL ASSESSMENT AMOUNT</u>	<u>50% INCREASE</u>	<u>ASSESSMENT AMOUNT</u>
CITY OF FLINT	\$62,000.00	\$31,000.00	\$93,000.00
GENESEE COUNTY	62,000.00	\$31,000.00	\$93,000.00
MT. MORRIS TOWNSHIP	8,000.00	\$4,000.00	\$12,000.00
FLINT TOWNSHIP	8,000.00	\$4,000.00	\$12,000.00
GENESEE TOWNSHIP	8,000.00	\$4,000.00	\$12,000.00
MUNDY TOWNSHIP	8,000.00	\$4,000.00	\$12,000.00
GRAND BLANC TOWNSHIP	2,000.00	\$1,000.00	\$3,000.00
CITY OF BURTON	2,000.00	\$1,000.00	\$3,000.00
CITY OF FENTON	1,000.00	\$500.00	\$1,500.00
DAVISON TOWNSHIP	1,000.00	\$500.00	\$1,500.00
RICHFIELD TOWNSHIP	500.00	\$250.00	\$750.00
CITY OF CLIO	500.00	\$250.00	\$750.00
CITY OF DAVISON	500.00	\$250.00	\$750.00
CITY OF LINDEN	500.00	\$250.00	\$750.00
CITY OF MT MORRIS	500.00	\$250.00	\$750.00
CITY OF GRAND BLANC	500.00	\$250.00	\$750.00
CITY OF SWARTZ CREEK	500.00	\$250.00	\$750.00
	<u>\$165,500.00</u>	<u>\$82,750.00</u>	<u>\$248,250.00</u>
			\$248,250.00

04/21/08 BALANCE	
TRUST ACCOUNT	113,089.00
O/S ASSESSMENTS	8,250.00
MATCH NEEDED FOR Y/E 9/30/08*	-93,740.00
	\$275,849.00
NON-COVERED EXPENSES 08/09**	\$38,000.00
MATCH NEEDED FOR 08/09	<u>243,180.04</u>
	-5,331.04

\*MATCH NEEDED FOR 09/30/08

MATCH-	68740.00
PRB-	9000.00
M/P CHARGES	12000.00
EXTRA	4000.00

\*\* NON-COVERED EXPENSES FOR 08/09

PRB-	18046.00
M/P CHARGES	15000.00
EXTRA	5000.00

PROPOSED CUTS

SECRETARY	69315.00
OVERTIME	25943.00
SHIFT PREMIUM	475.00
RENT	12000.00
FIELD OPERATION!	<u>2000.00</u>
	109,733.00

ASSESSMENT INCREASE  
55% AND  
CUT SECRETARY POSITION

	ORIGINAL ASSESSMENT AMOUNT	55% INCREASE	ASSESSMENT AMOUNT
CITY OF FLINT	\$62,000.00	\$34,100.00	\$96,100.00
GENESEE COUNTY	62,000.00	\$34,100.00	\$96,100.00
MT. MORRIS TOWNSHIP	8,000.00	\$4,400.00	\$12,400.00
FLINT TOWNSHIP	8,000.00	\$4,400.00	\$12,400.00
GENESEE TOWNSHIP	8,000.00	\$4,400.00	\$12,400.00
MUNDY TOWNSHIP	8,000.00	\$4,400.00	\$12,400.00
GRAND BLANC TOWNSHIP	2,000.00	\$1,100.00	\$3,100.00
CITY OF BURTON	2,000.00	\$1,100.00	\$3,100.00
CITY OF FENTON	1,000.00	\$550.00	\$1,550.00
DAVISON TOWNSHIP	1,000.00	\$550.00	\$1,550.00
RICHFIELD TOWNSHIP	500.00	\$275.00	\$775.00
CITY OF CLIO	500.00	\$275.00	\$775.00
CITY OF DAVISON	500.00	\$275.00	\$775.00
CITY OF LINDEN	500.00	\$275.00	\$775.00
CITY OF MT MORRIS	500.00	\$275.00	\$775.00
CITY OF GRAND BLANC	500.00	\$275.00	\$775.00
CITY OF SWARTZ CREEK	500.00	\$275.00	\$775.00
	<u>\$165,500.00</u>	<u>\$91,025.00</u>	<u>\$256,525.00</u>
			\$256,525.00

04/21/08 BALANCE TRUST ACCOUNT	113,089.00
O/S ASSESSMENTS	8,250.00
MATCH NEEDED FOR Y/E 9/30/08*	-93,740.00
	\$284,124.00
NON-COVERED EXPENSES 08/09**	\$38,000.00
MATCH NEEDED FOR 08/09	<u>243,180.04</u>
	2,943.96

\*MATCH NEEDED FOR 09/30/08

MATCH-	68740.00
PRB-	9000.00
M/P CHARGES	12000.00
EXTRA	4000.00

\*\* NON-COVERED EXPENSES FOR 08/09

PRB-	18046.00
M/P CHARGES	15000.00
EXTRA	5000.00

PROPOSED CUTS

SECRETARY	69315.00
OVERTIME	25943.00
SHIFT PREMIUM	475.00
RENT	12000.00
FIELD OPERATION:	<u>2000.00</u>
	109,733.00

ATTACHMENT C  
ASSESSMENT INCREASE  
60%- CUT SECRETARY POSITION

	<u>ORIGINAL ASSESSMENT AMOUNT</u>	<u>60% INCREASE</u>	<u>ASSESSMENT AMOUNT</u>
CITY OF FLINT	\$62,000.00	\$37,200.00	\$99,200.00
GENESEE COUNTY	62,000.00	\$37,200.00	\$99,200.00
MT. MORRIS TOWNSHIP	8,000.00	\$4,800.00	\$12,800.00
FLINT TOWNSHIP	8,000.00	\$4,800.00	\$12,800.00
GENESEE TOWNSHIP	8,000.00	\$4,800.00	\$12,800.00
MUNDY TOWNSHIP	8,000.00	\$4,800.00	\$12,800.00
GRAND BLANC TOWNSHIP	2,000.00	\$1,200.00	\$3,200.00
CITY OF BURTON	2,000.00	\$1,200.00	\$3,200.00
CITY OF FENTON	1,000.00	\$600.00	\$1,600.00
DAVISON TOWNSHIP	1,000.00	\$600.00	\$1,600.00
RICHFIELD TOWNSHIP	500.00	\$300.00	\$800.00
CITY OF CLIO	500.00	\$300.00	\$800.00
CITY OF DAVISON	500.00	\$300.00	\$800.00
CITY OF LINDEN	500.00	\$300.00	\$800.00
CITY OF MT MORRIS	500.00	\$300.00	\$800.00
CITY OF GRAND BLANC	500.00	\$300.00	\$800.00
CITY OF SWARTZ CREEK	500.00	\$300.00	\$800.00
	<u>\$165,500.00</u>	<u>\$99,300.00</u>	<u>\$264,800.00</u>
			\$264,800.00

04/21/08 BALANCE TRUST ACCOUNT	113,089.00
O/S ASSESSMENTS	8,250.00
MATCH NEEDED FOR Y/E 9/30/08*	-93,740.00
	\$292,399.00
NON-COVERED EXPENSES 08/09**	\$38,000.00
MATCH NEEDED FOR 08/09	<u>243,180.04</u>
	11,218.96

*MATCH NEEDED FOR 09/30/08	
MATCH-	68740.00
PRB-	9000.00
M/P CHARGES	12000.00
EXTRA	4000.00

** NON-COVERED EXPENSES FOR 08/09	
PRB-	18046.00
M/P CHARGES	15000.00
EXTRA	5000.00

PROPOSED CUTS

SECRETARY	69315.00
OVERTIME	25943.00
SHIFT PREMIUM	475.00
RENT	12000.00
FIELD OPERATION:	<u>2000.00</u>
	109,733.00

	ASSESSMENT AMOUNT	40%	
CITY OF FLINT	\$20,000.00	30,730.00	50,730.00
GENESEE COUNTY	20,000.00	42,575.00	62,575.00
MT. MORRIS TOWNSHIP	20,000.00	38,943.20	58,943.20
FLINT TOWNSHIP	20,000.00	35,580.80	55,580.80
GENESEE TOWNSHIP	20,000.00	42,432.00	62,432.00
MUNDY TOWNSHIP	20,000.00	33,028.80	53,028.80
GRAND BLANC TOWNSHIP	2,000.00		2,000.00
CITY OF BURTON	2,000.00		2,000.00
CITY OF FENTON	1,000.00		1,000.00
DAVISON TOWNSHIP	1,000.00		1,000.00
RICHFIELD TOWNSHIP	500.00		500.00
CITY OF CLIO	500.00		500.00
CITY OF DAVISON	500.00		500.00
CITY OF LINDEN	500.00		500.00
CITY OF MT MORRIS	500.00		500.00
CITY OF GRAND BLANC	500.00		500.00
CITY OF SWARTZ CREEK	500.00		500.00
	<u>\$129,500.00</u>	<u>\$149,984.80</u>	<u>\$279,484.80</u>

04/21/08 BALANCE	
TRUST ACCOUNT	113,089.00
O/S ASSESSMENTS	8,250.00
MATCH NEEDED FOR Y/E 9/30/08*	-93,740.00
	\$307,083.80
NON-COVERED EXPENSES 08/09**	\$38,000.00
MATCH NEEDED FOR 08/09	<u>270,906.04</u>
EXCESS IN TRUST FUND	-1,822.24

\*MATCH NEEDED FOR 09/30/08

MATCH-	68740
PRB-	9000
M/P CHARGES	12000
EXTRA	4000

\*\* NON-COVERED EXPENSES FOR 08/09

PRB-	18046
M/P CHARGES	15000
EXTRA	5000

**PROPOSED CUTS:**

OVERTIME	25943.00
SHIFT PREMIUM	475.00
RENT	12000.00
FIELD OPERATION:	<u>2000.00</u>
	40418.00

## Paul Bueche

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**From:** Representative Lee Gonzales [leegonzales@house.mi.gov]  
**Sent:** Friday, April 25, 2008 1:16 PM  
**To:** Paul Bueche  
**Subject:** Capitol Update from Rep. Gonzales



Dear Friends,

Welcome to my e-newsletter. This month I introduced two important pieces of legislation that I would like to share with you.

The first bill I introduced will make it easier for school districts to purchase food from local farmers for school lunch programs. [HB 5967](#) will streamline the bidding process for school food administrators by increasing the schools' small purchase threshold (SPT) for food procurement to \$100,000, up from the current limit of \$19,650.

Michigan's current SPT has proven a barrier for school food authorities who want to increase fresh and local food because food purchases over the SPT require lengthy and complicated bidding procedures. This farm to school effort will not only provide children more opportunities to eat and learn about nutritious foods, but it will expand market opportunities for Michigan farmers and keep more dollars in our state.

The second bill I introduced, [HB 5953](#), is one of a pair of bills that will strengthen Michigan's identity theft laws by providing law enforcement with new tools for pursuing identity thieves. The bills will expand Michigan's racketeering statute to include identity theft and computer crime, and will create a forfeiture statute for identity theft using the same model currently in place for narcotics trafficking.

Identity theft is a complex crime most often involving several individuals. By adding identity theft to Michigan's racketeering statute, we empower law enforcement to pursue the entire organization behind these crimes, rather than only picking off the low-hanging fruit.

Please mark your calendar! On Friday, May 9, I will be holding my first of four [Walks and Talks](#) – an active approach to office hours. Come walk with me and talk about important issues that face our state and community.

The event will begin *inside* the Genesee Valley Mall at the Macy's entrance, located at 4600 Miller Road, Flint Township. Please meet promptly at 9:00 a.m. and we will walk until 10:00 a.m. The event is free and families are encouraged to attend.

Also, on Saturday, May 17, there will be a Household Hazardous Waste Collection Day from 10:00 a.m. to 2:00 p.m.

- Things you *should* bring are aerosol cans, batteries, corrosives, household pesticides, herbicides, mercury, motor oil, oil-based paint, old prescriptions, paint thinners, solvents and tires (you may bring up to seven tires off the rim; tractor and semi tires will not be accepted).
- Things you *should not* bring are commercial waste, explosive material, industrial waste, latex paint, medical waste and radioactive material.

For more information please call 810-244-8524 or 810-257-3603.

Please click on the links above to get more news about my activities here in Lansing. I look forward to hearing from you. Let's keep in touch!

Sincerely,

Lee Gonzales

State Representative

District 49

 EMAIL REP. GONZALES

 REP. GONZALES'S WEBSITE



MICHIGAN HOUSE DEMOCRATS

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## Paul Bueche

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**From:** Michigan Municipal League [amessinger@mml.org]  
**Sent:** Monday, May 05, 2008 5:00 PM  
**To:** Paul Bueche  
**Subject:** MML Link - 5/05/2008



May 5, 2008

### State Affairs Report

**Senate Committee Hears Testimony on Revenue Sharing** – Last week, the Senate General Government Appropriations Committee took testimony from the League and League members on revenue sharing. The League advocated for the Senate to retain the governor's proposed 4-percent increase to statutory revenue sharing which was passed by the House ([read the League's testimony](#)). The committee is not expected to pass the budget bill until its meeting on May 13. Contact: [Summer Minnick](#)

**Senate Committee Supports Bills to Reimburse Locals for Lost TIF Capture** – The Senate Commerce Committee voted last week on HBs 5539-42, which provide a process for locals to capture revenue that they lost when the Michigan Business Tax exempted personal property taxes. The bills are still expected to see some additional amendments on the floor of the Senate. It looks like the bills will not be passed on the Senate floor until next week; therefore, members will have a very short period of time to prepare their data for submission to Treasury by June 1. Contact: [Summer Minnick](#)

**Last Chance to Take the League's Quick Online Survey on Unfunded Mandates** – What are the most burdensome unfunded mandates the state places on local units of government? [Please share your thoughts by taking a quick online survey](#). Today is the last day! Public Act 98 of 2007 created a new state legislative committee to identifying these mandates and reporting requirements. The League is assisting the committee by providing a "Top 10" list of most burdensome mandates or reporting requirements being placed on local governments by the state. We need to hear from you! Contact: [Summer Minnick](#)

### The Buzz

[President/CEO of the League Foundation, George Goodman, named Starr Commonwealth Trustee Emeritus](#)

### Save the Date

[MML Region 3 Seminar](#)  
May 9, Cedar Springs

[Preserving History, Conserving Energy Annual Statewide Preservation Conference](#)  
May 8-10, Dearborn

[Sustainable Strategies for Southeast MI: THE PLATINUM STANDARD II](#)  
May 9, FREE! *RSVP by May 2*

[MML Region 5 Seminar](#)  
May 16, Algonac

[Michigan Transportation Asset Management Conference](#)  
May 21, Marquette

[MAM Capitol Reception Luncheon](#)  
May 22, State Capitol Bldg.

[Sustainable Energy Project Development Workshop](#)  
May 22, Rochester

[29 Workshops Statewide: New](#)

### Downtown Legislation Hearings Continue –

The Senate Commerce Committee last week took testimony on two more bills in the Downtown Package: SBs [975](#) (Kahn, R-Saginaw) and [976](#) (Gilbert, R-Algonac) amend the Neighborhood Enterprise Zone Act to allow its use parcel-by-parcel instead of area wide in downtowns for apartments and other residential structures. The bills would also allow the Act being used to renovate or build hotels to attract visitors to downtown areas. The League testified in support, with a few minor recommended changes. Contact: [Andy Schor](#)

### Housing and Community Development Fund Bills Move –

The House last week passed HBs [4657](#) and [4658](#) (Tobocman, D-Detroit), which would add downtown improvements to uses of the Housing and Community Development Fund. The Senate Economic Development Committee also passed [SB 1273](#) (Olshove, D-Warren), which makes similar changes to the Fund and would change the Michigan State Housing Development Authority to the *Michigan Community and Housing Development Authority*. Contact: [Andy Schor](#)

### U.S. Senate Moves on Aviation Bill: Highway Trust Fund Solvency Measure Included –

The League has received word that the U.S. Senate is starting to debate legislation that will reauthorize the federal aviation program and ensure federal highway investments are delivered. The Senate aviation bill will fill a projected \$3.7 billion shortfall in FY 2009. Failure to address this situation would result in nearly \$14 billion cut from the federal transportation program next year. Members are urged to contact our U.S. Sens. [Carl Levin](#) and [Debbie Stabenow](#) and ask them to support full federal transportation funding. Contact: [Dave Worthams](#) / [Arnold Weinfeld](#)

### MML Community Excellence Award Race for the Cup, 4 Regions Still to Compete –

Join the Community Excellence Award winners circle! Members in Regions 3, 5, 6 and 7 still have a shot at taking home the Cup! Attend your [Regional Education Seminar](#) and present a local success story to the attendees in your region. Your peers will vote; there will be one winner from each of the seven MML regions. Each regional winner will then compete at the League's fall Annual Convention for the Community Excellence Award Cup. One community will take home the Cup for a year. Congratulations to the following regional finalists: the [city of Oak Park for its Blight-Prevention Project](#) (Region 1); the [city of Jackson for its Armory Arts Village](#) (Region 2) and; the [city of Au Gres for its Community Library/Cultural Arts Center](#) (Region 4).

### House Passes Bill to Give More Communities Money under Metro Act –

The House voted unanimously last week to pass [SB 108](#) (Basham, D-Taylor) which would revise eligibility dates to receive funds

### [Planning Enabling Act & Updated Zoning Enabling Acts](#)

May 27 - June 26

### [MAM Summer Workshop](#)

August 6-8, Sterling Heights  
*Register by July 9 to Save!*

### Grants & Projects

#### [MDOT Soliciting Local Bridge Program Project Applications](#)

*Apply by June 2*

#### [Community Energy Project Grants](#)

*Apply by July 15*

### What's New

["Keep the Promise" Campaign Update: See what your legislators will get from us this week...](#)

League Guest Blogger, Terri Lynn Land, on Customer Service – "As an elected official, there's no more rewarding feeling than having helped people." [Read more...](#)

#### [Last Chance to Take Online Unfunded Mandates Survey](#)

[Streaming Audio: The League Asks House Republican Leader about Revenue Sharing](#)

#### [Sample Resolutions: Governmental Cooperation Act](#)

#### [NLC Federal Relations Update](#)

[Sample Resolution: Great Lakes Compact and Water Withdrawal Tool](#)

### Related Links

[Michigan Legislature](#)

[Michigan Senate](#)

[House of Representatives](#)



under the METRO Act. The bill would allow municipalities who adopted resolutions after the distribution of METRO payments for 2007 to be eligible to receive those funds. The amount is \$75,920.44; [click here](#) for the complete list of 19 communities eligible for payment under this legislation. Contact: [Samantha Jones](#)

[Links to Resources](#)

### **May is Preservation Month: This Place**

**Matters!** – The National Trust for Historic Preservation is commemorating its fourth annual National Preservation Month in May with the theme *This Place Matters*. Communities are encouraged to participate by highlighting the historical assets of your hometown, either through a press release or proclamation. Visit the [website](#) to share photos of historic places in your community.

### **MAM Capitol Reception Luncheon, May 22 –**

Members of the Michigan Association of Mayors (MAM), the [Annual MAM Capitol Reception Luncheon](#) will be May 22, from 11:00 am to 1:00 pm at the State Capitol Building. Come talk with your legislators and enjoy the company of fellow MAM members. To RSVP or to become a member of MAM contact [Nikole Brown](#).

## **Federal Update**

### **Ask U.S. Sens. to Oppose Federalized Collective Bargaining**

– Please ask U.S. Sens. [Carl Levin](#) and [Debbie Stabenow](#) to oppose HR 980 and S 2123. These bills would federalize collective bargaining among municipalities and their public safety employees, regardless of state and local laws. The League opposes legislation that would put the federal government in charge of the collective bargaining process and the rules governing salaries, hours, benefits and conditions of employment at the local level. Let Sens. Levin and Stabenow know the federal government should not interfere with the local collective bargaining process. [Click here](#) for more information. Contact: [Arnold Weinfeld](#)

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Michigan Municipal League, 1675 Green Road, Ann Arbor, MI 48105





Thursday, May 1, 2008

## Casinos are killing state's race track industry, lawsuit alleges

Paul Egan / The Detroit News

**DETROIT** -- Northville Downs and other Michigan horse racing interests filed a federal lawsuit Thursday against the governor and state attorney general, alleging state lotteries and casinos are killing their industry and state restrictions on installing video lottery terminals and other forms of gambling at Michigan horse tracks violate the U.S. Constitution.

Betting on horse racing plunged 45 percent from \$474.6 million in 1997, before three Detroit casinos opened, to about \$261 million last year, the lawsuit alleges.

It cites the 2005 closure of a harness racing track in Saginaw, the 2007 closure of Great Lakes Downs, the state's last thoroughbred track, and Magna Entertainment Corp.'s recent decision to abandon plans for a new thoroughbred track in Romulus as evidence of an industry in a death spiral.

"Without legislative relief, you will see the end of horse racing in Michigan within three years," said attorney Phillip Maxwell of Oxford, who represents the plaintiffs along with attorney Edward Drugalis of Clawson. "It's very serious."

Targeted in the lawsuit is an amendment to Michigan's Constitution passed as a result of a 2004 ballot initiative which the horse racing interests allege was largely financed by the state's casinos.

The state provision requires both a statewide and a local referendum before any new gambling can occur. Exempted from the provision are the casinos.

The law prevents tracks such as Northville Downs from installing VLTs and benefiting from innovations such as telephone wagering and theater wagering at restaurants, the lawsuit alleges.

Because the state constitutional amendment essentially protects the casinos, it violates the equal protection, due process and commerce clauses of the U.S. Constitution, Maxwell said. He wants the court to declare the provision invalid.

Spokespersons for Gov. Jennifer Granholm and Atty. Gen. Mike Cox had no immediate

comment.

Although Magna in 2007 abandoned its plans for a track in Romulus, plans are proceeding for a new Pinnacle Race Course thoroughbred track in Huron Township, near Detroit Metropolitan Airport.

Maxwell said getting a statewide ballot initiative passed is too difficult in the face of well-financed opposition from the casinos.

Still, Hazel Park has not joined the lawsuit because its owners are planning to attempt a ballot initiative, he said.

The other plaintiffs are Mount Pleasant Meadows and the Great Lakes Quarterhorse Association, which represents horsemen at Mount Pleasant.

The case is assigned to U.S. District Judge Avern Cohn.

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