

**City of Swartz Creek
AGENDA**

**Regular Council Meeting, Monday June 8, 2009, 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 of May 26, 2009 MOTION Pg. 7,10-16
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 Check Ledger Pg. 17-23
 - 6C. Monthly DPW Report Pg. 24-30
 - 6D. Miller & I-69 Repair Bids (Agenda Item) Pg. 31-33
 - 6E. Phase I Trail, CE Invoice (Agenda Item) Pg. 34-35
 - 6F. GM Bankruptcy, MTT Appeals, Projections, Related Data** (Agenda Item) Pg. 36-57
 - 6G. Racing Commissions Office Press Release, Racing Date Reductions Pg. 58-59
 - 6H. MTT Appeal Petition, Letavis Pg. 60-62
 - 6I. Legislative Updates Pg. 63-76
 - 6J. Comcast Ltr, Federal Digital Conversion Pg. 77
7. **MEETING OPENED TO THE PUBLIC:**
 - 7A. General Public Comments
8. **COUNCIL BUSINESS:**
 - 8A. Appropriation & Bid Award, Miller & I-69 Repairs RESO. Pg. 8,31-33
 - 8B. Appropriation, Phase I Elms Trail Construction Engineering RESO. Pg. 8,34-35
 - 8C. Set Public Hearing, Morrish Road South Project, Three Lanes RESO. Pg. 9,4
 - 8D. Budget, MTT Appeals, GM Bankruptcy DISC. Pg. 1-2,36-57
9. **MEETING OPENED TO THE PUBLIC:**
 - 9A. General Public Comments
10. **REMARKS BY COUNCILMEMBER'S:**
11. **ADJOURNMENT:** MOTION N/A

** Additional Documents Provided as Separate File on CD Disk

<p>City of Swartz Creek CITY MANAGER'S REPORT Regular Council Meeting of Monday June 8, 2009 7:00 P.M.</p>

TO: Honorable Mayor, Mayor Pro-Tem & Council Members
FROM: PAUL BUECHE // City Manager
DATE: 5-June-2009

OLD / ROUTINE BUSINESS – REVISITED ISSUES / PROJECTS

✓ **2009-2010 FISCAL BUDGET** (*Discussion*)

Schedule:

April 13 th :	Present Draft, Discussion, Set Public Hearing
May 11 th :	Public Hearing, Discussion
Special Meeting:	If Desired By Council
June 8 th :	Discussion & Review
June 22 nd :	Adopt Budget, Truth in Taxation Hearing (<i>If Needed</i>), Set Levy, Set 2009-2010 Meeting Schedule, Year End Fiscal Adjustments
June 30 th :	Fiscal Year End
September 14 th :	Review 2008-2009 Year End Postings
October 12 th :	Review First Quarter Standings
Mid-December:	Review Half-Year Standings

Action on the budget is usually taken on the last meeting in May or at the latest, the first meeting in June, which would be this one. Final adoption of the budget and subsequent actions will have to take place at the last meeting of June, being the 22nd. I will have a lot of discussion on this topic and the next two headings, as it relates.

✓ **GM-SPO MTT APPEAL & BANKRUPTCY** (*Discussion*)

All the dark and doom that we have discussed over the last 4-5 years arrived on June 1st. GM has filed two petitions with the Michigan Tax Tribunal requesting 80% reductions in taxable values, from \$48.11 million to \$9.62 million and \$1.15 million to \$231,000. We were also served with a notice of bankruptcy and an order to continue utilities. When you add the maximum exposure of GM's appeal with the pending MTT appeals, we could be out something close to \$250,000 or more in tax levy revenue. This number does not include what will happen with the taxable values of the houses we have in the City, which are plummeting by the day (we have increasing house sales that are transferring below \$20k). It also does not address what will happen with revenue sharing, the breakage pool from the racetrack and huge losses in interest income. It also does not address what the state may do in terms of rumored legislation of a property tax relief package as a trade off for increases they will need to make to reduce their deficit. The bottom line is we are in trouble. The budget that we

painstakingly drafted is obsolete before it has even been adopted. Since last Monday, we have been feverishly working on solutions. I have included documents related to MTT Appeals as well as some projections and GM's filings, for your review. They can be found in a separate folder on your disk. The budget will have to push to the meeting of the 22nd, and I will have lots of discussion for tonight's meeting.

✓ **MISCELLANEOUS MTT APPEALS** (*Discussion*)

As indicated at the last meeting, we have seen a disturbing trend with our commercial properties in the filing of MTT Tax Appeals. Some of these petitions are asking for reductions that are ridiculously low, lower than some of the residential assessments within the City. The filings are creating a precarious position for us. They can be expensive to fight; we foot the entire bill and then only get a fraction of the money. Included with tonight's packet is a list of pending appeals. I will continue to provide this list to the Council on a periodic basis.

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

As you are aware, we have two water rate increases and a sewer rate increase, passed along from the County over the last two years. We have absorbed these increases by scaling back, but cannot continue. We need to go to a ready to serve charge with a commodity purchase charge. Sewer will be charged based on water consumption. As we have discussed at past meetings, we have some models that can be very easily implemented. There is still a couple of loose ends, being irrigation systems and outside isolated faucets, as they pertain to separate meters. We are working to resolve this now. I have a tentative November date in mind for the billing system switch and implementation of the new rates. We will probably have a draft ordinance later in the summer. We are reviewing the other various fees we charge. In light of the recent downturn in economics, expect recommendations for significant increases.

✓ **PERSONNEL POLICIES & PROCEDURES** (*Status*)

Pending.

✓ **DISASTER, EMERGENCY RESPONSE POLICY COMMITTEE** (*Status*)

We should be back before the Council for discussion on this in the near future.

✓ **VETERANS MEMORIAL** (*Status*)

No new activity.

✓ **NON-RESIDENT SERVICES STUDY, RAUBINGER BRIDGE** (*Status*)

The Raubinger Bridge Project has a tentative start date of July 2009.

✓ **OVERHEAD UTILITY REORGANIZATION PROJECT, VERIZON INVOICE** (*Status*)

As we discussed, the utility companies have lobbied the passing of a number of pieces of legislation that have stripped us of virtually all control of our rights of way. In regards to the aesthetics, we have little power other than to pay for changes. The next step is to get a contractor's quote for the second round of the technical review of the poles. From here, we may have some power by filing complaints on the safety issues. REI is getting a quote together from their survey division and should be back with it shortly. My thinking is to narrow down the inventory to the downtown, Miller & Elms and Bristol Road. This will hold the cost down and we can always go back and pick up additional sections of the City. Regarding the invoice we sent to Verizon, we have someone's

attention here. I have sent data that was requested by Verizon under FOIA. I will keep the Council informed.

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

❑ **2010-2013 T.I.P. APPLICATION** (*Status*)

Pending.

❑ **MILLER & I-69 REPAIRS** (*Resolution*)

Bid returns are back for the repair of the section of Miller between Elms and Tallmadge. Six companies submitted, ranging from the low bid of \$58,024 to the high of \$86,600. As you recall, we took a swipe at this section last year at a cost of approximately \$50,000. The logic here is to keep after this concrete section until we have it manageable. Hopefully this will take care of it for a while. Staff and the City's engineer recommend accepting the low bid from "Kelcris" Construction.

❑ **TRAIL SYSTEM, PHASE I ELMS ROAD – PARK ENHANCEMENTS** (*Resolution*)

In the planning of this project, we missed one item, construction observation engineering. We felt that we needed some inspection as we had several different contractors involved. RPS (the old REI) gave us a break on the fees. I have approval for payment of an invoice in the amount of \$1,682 included with tonight's docket. Aside from this it may be a while before Phase II gets funded, given the economy and the fiscal state of the City.

❑ **MORRISH ROAD NORTH CONSTRUCTION PROJECT - MEIJER'S** (*Status*)

We have asked the County TAC-MPO to transfer the Federal Aid grant (\$368,000) over to 2010, which would also move the project to next summer. We are working with the County Road Commission to resolve the disagreements in design. We may need to update the traffic study done in 2006 before we can settle the design disputes. I'll keep the Council posted on progress.

❑ **MORRISH ROAD SOUTH CONSTRUCTION PROJECT** (*Resolution*)

Set for MDOT bid, maybe as early as July, but no later than the August bid letting date. To change this section of roadway over to three lanes, MDOT requires a public hearing, probably to avoid municipalities from changing it back under public pressure. We are sending letters to the residents and businesses along Morrish from I-69 to the south limits explaining the project as well as the changeover to three lanes. In addition to this, we'll advertise as required for public hearings. I have a resolution to set a public hearing on the matter for the Council Meeting of June 22nd.

✓ **LOCAL STREET FUND, TRAFFIC IMPROVEMENTS**

❑ **2008 REPAIR ROSTER** (*Status*)

Pending a decision as to how we wish to proceed. The bottom line is, we can repair a single block, or preserve a handful of streets from deteriorating to complete re-constructs.

✓ **SEWER REHABILITATION PROJECT, I&I, PENALTIES** (*Status*)

Phase II was approved on October 13th with a \$220,000 cap placed on the work, which included the TV and rehabilitation of Manhole #166-164 Oxford/Oakview, Manhole #172-163 Daval/Helmsley, Manhole #13-17 Greenleaf/Durwood, Manhole # 41-36 Durwood Drive. The total cost for these sections came to about \$240,000. We have gone back to the drawing board to downscale this phase. We should be back at the next meeting for a project scope adjustment to get it back in line with what we have budgeted.

- ✓ **FIRE DEPARTMENT EVALUATION, CONTRACT RENEWAL, BUDGET** *(Status)*
We have a draft contract that we are looking at. We should be back in the near future for a contract approval and discussion on cost recovery.
- ✓ **WWS INTERGOVERNMENTAL JURISDICTION SEWER ORDINANCE** *(Status)*
WWS has some changes they desire in our draft. In my opinion, they are related more to form. Discussion between the City Attorney's office and the attorney for WWS are in progress. We are on opposite ends of the spectrum on the IJA (Inter Jurisdictional Agreement). The County's position is that under Act 342 (in which the WWS Consortium is set up under), we have to sign it. Mine, supported by Mr. Figura's is we do not. If Act 342 gives them the power to do what they need to do to operate such a system, then why do we need an agreement? As of yet, we have not set a public hearing. We will do so after the text issues with the ordinance are settled.
- ✓ **SR. CENTER, LEVY, BUILDING & FUTURE FUNDING PLAN** *(Status)*
Approved. The County will make the final decision on the \$200k grant at the regular board meeting of June 9th. We still have two items to clear up, one is an addendum to the lease agreement to manage a shared parking arrangement, and the second is a documented maintenance program for the underground detention system.
- ✓ **LABOR CONTRACTS & RETIREE HEALTHCARE** *(Status)*
Mr. Kehoe still needs a basic employment agreement and the Supervisors', AFSCME and POLC Agreements are open for full negotiations. Additionally, my contract needs an evaluation. As we discussed with the presentation of the Budget, and clearly in light of recent developments with GM, wage freezes on all our labor contracts are mandatory. I will be back in the near future with a progress report on negotiations.
- ✓ **MARATHON STATION BLIGHT & NON-CONFORMING USE** *(Status)*
Patiently waiting for an open door.
- ✓ **COUNTY E.M.S. ORDINANCE, AMBULANCE SERVICE** *(Status)*
Pending.
- ✓ **SALE OF CITY PROPERTY 5129 MORRISH ROAD** *(Status)*
As the Council is aware, there has been a significant change in the status of the business we awarded the bid to. Adam recommends we let this sit until late fall. If at that time the entity is still unable to consummate the deal, then we'll have to explore another option.
- ✓ **WWS, STORM WATER MANAGEMENT AGREEMENT** *(Status)*
We are still looking at this.
- ✓ **2009 MASTER PLAN REVIEW** *(Status)*
The City's Master Plan experienced a complete overhaul in 2004. MZEA drives a review every five years. The plan is good in its current form and for the most part, will need only some tweaking. Adam is working on a review and will be back before the Council in the near future.
- ✓ **SWARTZ AMBULANCE AGREEMENT** *(Status)*
Pending.
- ✓ **NEIGHBORHOOD STABILIZATION PROGRAM** *(Status)*

Watching.

✓ **MDOT PARK & RIDE** (*Status*)

Pending an executed agreement returned back to us by MDOT.

✓ **LOCAL OFFICERS COMPENSATION COMMITTEE** (*Status*)

At the last meeting, the consensus of the Council was to take a reduction in the per-meeting compensation. Mr. Figura advises there is nothing that prohibits the LOCC from raising or lowering Council compensation. I will gather the LOCC together for a meeting and present the request to them.

✓ **HOMETOWN DAYS EVENT** (*Status*)

The event went well without any serious incidents. As always, we had a couple of complaints from nearby residents about the usual noise, parking, trespassers cutting through yards, etc. I've asked these people to put their complaints in the form of a letter and forward them to the City. If they do, I'll forward them along to the Council for information purposes.

NEW BUSINESS / PROJECTED ISSUES & PROJECTS

✓ **CITY ATTORNEYS' CORNER** (*Information*)

As a cost cutting move, Mr. Figura has suggested that for meetings where we do not anticipate legal advice or agenda items requiring such, he or his staff does not attend. He has implemented this approach in several other communities that he represents and found that it has worked flawlessly and cut legal bills significantly. In discussion with him, I agree. Most questions that arise out of discussions can wait until the next meeting. If the item requires a legal question answered, action can almost always be postponed. In the unlikely event of a question that needs answered and action cannot wait, we can always adjourn the meeting for a short time and call him. Mr. Figura advises that the Council can adopt a resolution as such wherein the Mayor and City Manager can confer and make the decision as to whether he needs to attend, several days prior to the meeting. I have no objections and support giving it a try. The savings could stack up to maybe \$10k per year. Let me know any thoughts you may have on it. If I don't hear any strong feelings in opposition, I'll get together a resolution and bring it back.

On another short note, Mr. Figura has offered to tech a short class on open meetings, electronic devises (texting, emails, etc). Another hot button item that we seem to get a lot of inquiries on as of recent is what constitutes a conflict and the procedure for managing them. Maybe we can get him to address this issue too. I'll see what I can set up for the Council and all our boards for later this summer.

Council Questions, Inquiries, Requests and Comments

- *Paperless, Credit, ACH, On-Line Utility & Tax Payments.* I am still looking at this and will be back in the near future for some discussion.
- *Mast Arm Traffic Lights, Street Sign Anchors (Silver vs. Black).* The sign bands have been ordered and should be replaced shortly. The bands that support the cross walk lights may be a bit more challenging to find. We'll take a peek at them when we get the street ones switched out.

City of Swartz Creek
RESOLUTIONS
Regular Council Meeting, Monday June 8, 2009 7:00 P.M.

Resolution No. 090608-4A MINUTES, MAY 26, 2009

Motion by Councilmember: _____

I Move the Swartz Creek City Council hereby approve the Minutes of the Regular Council Meeting held May 26, 2009, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 090608-5A 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 June 8, 2009 to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 090608-6A CITY MANAGER'S REPORT

Motion by Councilmember: _____

I Move the Swartz Creek City Council approve the City Manager's Report of June 8, 2009, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 090608-8A

**APPROPRIATION & BID AWARD, MILLER & I-69
CONCRETE REPAIRS**

Motion by Councilmember: _____

I Move the City of Swartz Creek accept the low bid of Kelcris Corporation of 3416 Corwin Road, Williamston, MI 48895, in an amount not to exceed \$58,025 plus 10% contingency, for the repair of a section of Miller Road inclusive of the saw-cut of 27 deteriorated areas of concrete and base re-building of the roadway, starting at Miller Road and ending east of Tallmadge Court, 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.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 090608-8B

**APPROPRIATION, PHASE I ELMS TRAIL
CONSTRUCTION ENGINEERING**

Motion by Councilmember: _____

WHEREAS, the City of Swartz Creek, on March 9, 2009, approved the lighting and landscaping portion of the 2009 CDBG grant program in the amount of \$38,528; and

WHEREAS, the Rowe Professional Services Company submitted a price quotation for engineering services included in this project that omitted the construction engineering costs for the project; and

WHEREAS, such construction engineering, by necessity, has been completed and invoiced to the City of Swartz Creek without prior quotation or notice in the amount of \$3,123; and

WHEREAS, in acknowledgement of the estimation error, Rowe Professional Services has offered to rescind the May invoice related to these services in the amount of \$1,441.

NOW, THEREFORE, the City of Swartz Creek hereby approves the construction engineering services portion for payment as billed by Rowe Professional Services Company in the amount of \$1,682, funds to be appropriated and booked at the direction of the Finance Director.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

**SET PUBLIC HEARING, MORRISH ROAD SOUTH
A.R.R.A. PROJECT, THREE LANE CONVERSION**

Motion by Councilmember: _____

WHEREAS, the City of Swartz Creek is a Local Governmental Unit and recognized Street Authority eligible to receive funding from the Michigan Department of Transportation and the Federal Highway Administration; and,

WHEREAS, the City of Swartz Creek is a member of the Genesee County Metropolitan Planning Alliance, an urban transportation planning cooperative charged with allocating funds to eligible street authorities in Genesee County; and

WHEREAS, the City has developed a three lane approach to its traffic management program, having implemented a three lane solution to a 2.5 mile section of Miller Road from Elms to Seymour in 2000, and further, an approved design for three lanes on Morrish from I-69 to Bristol Road, a planned commercial development district; and

WHEREAS, the City of Swartz Creek has identified a need and completed design and grade inspections, to make rehabilitative repairs to Morrish Road from the I-69 viaduct to the South City Limit, inclusive of a three lane conversion, funding as part of the American Recovery and Re-Investment Act of 2009; and

WHEREAS, the Michigan Department of Transportation requires a public hearing for all such state and federal funded projects wherein three lane conversions are requested.

NOW, THEREFORE, I Move the City of Swartz Creek hereby schedule a public hearing, to be held on Monday, June 22, 2009, 7:00 PM, or as soon thereafter as it may be heard, at the regular scheduled Council Meeting, and further, direct the staff to advertise as such in accordance with the City’s procedure for the advertisement of public hearings, and to cause a mailing to residents and businesses along Morrish between I-69 and the South City Limits advising of the rehabilitation project and related three lane conversion.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

City of Swartz Creek
Regular Council Meeting Minutes
Of the Meeting Held
Tuesday May 26, 2009 7:00 P.M.

CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE COUNCIL MEETING
DATE 05/26/2009

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, Binder, Hicks, Hurt, Krueger, Shumaker.

Councilmembers Absent: Porath.

Staff Present: City Manager Paul Bueche, City Clerk Juanita Aguilar, City Attorney Colin Lintzman, DPS Director Tom Svrcek, Assistant City Manager Adam Zettel.

Others Present: Tommy Butler, Jim Florence, Sharon Klein, Phil Bracey, Sally Creech, Dolores Pobocik, Susan Butler, Boots Abrams, Lou Fleury, Melinda Soper, Robert Morgan, Terry O'Brien.

Resolution No. 090526-01

(Carried)

Motion By Councilmember Hurt
Second by Councilmember Shumaker

I Move to excuse Councilmember Poraths absence due to work conflicts.

YES: Binder, Hicks, Hurt, Krueger, Shumaker, Abrams.

NO: None. Motion Declared Carried.

APPROVAL OF MINUTES

Resolution No. 090526-02

(Carried)

Motion by Councilmember Krueger
Second by Councilmember Hurt

I Move the Swartz Creek City Council hereby approve the Minutes for the Regular Council Meeting, held May 11, 2009, as presented, to be circulated and placed on file.

YES: Hicks, Hurt, Krueger, Shumaker, Abrams, Binder.

NO: None. Motion Declared Carried.

APPROVAL OF AGENDA

Resolution No. 090526-03

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Hurt

I Move the Swartz Creek City Council approve the Agenda, as amended, for the Regular Council Meeting of May 26, 2009 to be circulated and placed on file.

YES: Hurt, Krueger, Shumaker, Abrams, Binder, Hicks.

NO: None. Motion declared carried.

REPORTS AND COMMUNICATIONS:

City Manager's Report

Resolution No. 090526-04

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Binder

I Move the Swartz Creek City Council approve the City Manager's Report of May 26, 2009, to be circulated and placed on file.

YES: Krueger, Shumaker, Abrams, Binder, Hicks, Hurt

NO: None. Motion declared carried.

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

MEETING OPENED TO THE PUBLIC:

Robert Morgan, owner of Bob's Crossbows & Archery, spoke to the Council about a problem with the sign for his business. Mr. Morgan stated that he would like an LED sign and the City ordinance states that he can not have one. Mr. Morgan stated that he would like to see the sign policy reevaluated.

City Manager Bueche stated that he and Assistant City Manager Zettel have both spoken with Mr. Morgan previously. Mr. Bueche stated that the Zoning Board of Appeals would be the proper avenue for Mr. Morgan to pursue a variance.

COUNCIL BUSINESS:

Senior Center Addition, Final Site Plan Approval

Resolution No. 090526-05

(Carried)

Motion by Councilmember Binder
Second by Councilmember Hurt

I Move the City of Swartz Creek, upon recommendation of the Planning Commission, approve the Swartz Creek Senior Center Expansion, with site plan dated May 5, 2009 with the following conditions:

1. Waiver of the westerly fence requirement.
2. Acceptance of the collective parking agreement based upon a common calendar of events.
3. Replacement of bike racks.
4. Removal of existing sidewalk lighting.
5. Administrative review and documentation of the concerns of storm water overflow.

Discussion Took Place.

YES: Shumaker, Abrams, Binder, Hurt, Krueger.

NO: Hicks. Motion Declared Carried.

MDOT Contract, State Trunk Line Maintenance Agreement, Bay Region #2009-0387, Miller & I-69 Park & Ride

Resolution No. 090526-06

(Carried)

Motion by Councilmember Hurt
Second by Councilmember Binder

WHEREAS, the City of Swartz Creek is a Local Governmental Unit and recognized Street Authority eligible to receive funding from the Michigan Department of Transportation and the Federal Highway Administration; and,

WHEREAS, a portion of Interstate #69 runs through the City with entrance – exits at South Morrish Road and at Miller Road; and

WHEREAS, in 2006, the Michigan Department of Transportation constructed a car pool park & ride adjacent to I-69, located east of the freeway and on the south side of Miller Road, the use of which is at capacity on a daily basis; and

WHEREAS, the Michigan Department of Transportation has determined that the lot is in need of some improvements, including, but not limited to lighting, improved snow removal, salt application and garbage collection; and

WHEREAS, the City is willing to perform such services consisting of snow removal, salt application, garbage collection, lawn care services and associated lighting expenses provided that the Michigan Department of Transportation is willing to participate in a cost sharing solution and funds can be used from Major Street 202, Act 51; and

WHEREAS, the Michigan Department of Transportation has expressed a willingness to pay for lighting installation and other improvements and share costs for continued maintenance provided such expense can be limited to a maximum of \$4,000 per year; and

WHEREAS, in order to participate in a shared cost agreement, the City must enter into a State Trunk Line Maintenance Agreement, a copy of which is attached hereto.

NOW, THEREFORE, I Move the City of Swartz Creek enter into a State Trunk Line Maintenance Agreement with the Michigan Department of Transportation, Bay Region Contract #2009-0387 FY2009-2010, and further, direct the Mayor and City Clerk to execute the agreement on behalf of the City.

BE IT FURTHER RESOLVED, that the City Council direct the City Manager to cause the necessary cost center to be created in the City's financial accounting system, 202 Fund Major Streets, with corresponding revenue and expenses, and further, authorize a letter of understanding with the Michigan Department of Transportation as to the scope of the services to be provided for the park & ride.

Discussion Took Place.

YES: Shumaker, Abrams, Binder, Hicks, Hurt, Krueger.
NO: None. Motion Declared Carried.

Appropriation and Bid Award, Purchase Road Salt

Amendment to Resolution No. 090526-07

(Carried)

Motion by Councilmember Krueger
Second by Councilmember Hurt

Whereas, the City possesses the need to purchase 990 tons of rock salt for application to public rights of way during those long, cold Michigan winters; and

Whereas, the City's Purchasing Ordinance, Chapter 2, Article VI, Section 2-406 provides for and encourages cooperative government purchasing practices; and

Whereas, the Genesee County Road Commission accepts and awards bids for the purchase of rock salt for application to public rights of way during those long, cold Michigan winters; and

Whereas, a bid has been awarded to the lowest bidder, Detroit Salt Company of 12841 Sanders, Detroit, at a unit cost of \$49.72 per ton, a copy of the bid tabulation attached hereto, and a cooperative purchasing invitation has been extended to the City from the Genesee County Road Commission.

Now, Therefore, Be It Resolved, that the Swartz Creek City Council accept the Genesee County Road Commission's cooperative purchasing extension and appropriate an amount not to exceed \$49,223, plus 10% contingency, for the purchase

of rock salt from the low bidder of Detroit Salt Company, expenses to be distributed proportionate to use at the direction of the City's Finance Director.

Discussion Took Place.

YES: Abrams, Binder, Hicks, Hurt, Krueger, Shumaker.

NO: None. Motion Declared Carried.

Governor's Annual Labor Day Walk

(Discussion Topic)

Assistant City Manager Zettel spoke about the Governor's Mackinac Bridge walk on Labor Day and the City's involvement. Mr. Zettel has put together a tentative route, tentative sponsors, and plans for the event.

Critical Bridge Funding Application, Morrish Road

Resolution No. 090526-08

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Hurt

Whereas, the City Council of the City of Swartz Creek is required under provisions of the State Department of Transportation's Bridge Funding Program to actively seek funding participation in bridge replacement or rehabilitation, and

Whereas, the City of Swartz Creek's Engineering Consultants, (ROWE, Inc) have inspected the City's bridge system and found there is a need to repair the Morrish Road Bridge over the West Branch of the Swartz Creek, and

Whereas, the available funds in the City of Swartz Creek Street Funds is insufficient to fund bridge rehabilitation, replacement or repair of such a project, and

Whereas, the City of Swartz Creek is street authority responsible for road infrastructure of all major and local streets within the corporate limits, and

Whereas, residents and non-residents of the City of Swartz Creek, as well as official, emergency and commercial vehicles use the bridge on a regular basis, and

Whereas, the City of Swartz Creek still must seek ways to finance and maintain deteriorating infrastructure.

Whereas, the City made initial application for funding for the repair of the Morrish Road Bridge on June 9, 2008, such funding denied.

Now, Therefore, Be It Resolved, the City Council of the City of Swartz Creek direct the City Manager to re-apply and seek participation and funding in the State of Michigan's Department of Transportation Bridge Funding Program for the rehabilitation and repair of the Morrish Road Bridge over the West Branch of the Swartz Creek.

Be It Further Resolved, that a copy of this resolution be attached with the application for local bridge funding.

Discussion Ensued.

YES: Binder, Hicks, Hurt, Krueger, Shumaker, Abrams.

NO: None. Motion Declared Carried.

City Manager Bueche's Comments

Assistant City Manager Zettel spoke about the banners that have been placed on the street lights in the downtown area. Mr. Zettel spoke about other towns allowing that space to be used by private enterprises and non-profit organizations for advertising purposes. Mr. Zettel stated that he has recently received many calls in reference to the City following the same practice. As the City does not currently have a policy on this, Mr. Zettel brought it to the Council. Mr. Zettel stated that he has been approached by the school about putting public service messages there. The Council decided to wait until the next meeting to get more information and possibly make a decision.

MEETING OPENED TO THE PUBLIC

Tommy Butler, 40 Somerset, questioned a possible future parking area near the cemetery at Morrish and Fortino. He was advised that it was still in the long term plan. Mr. Butler asked about the code as far as the color for litter barrels at the park and ride. Mr. Butler stated that litter barrels are not supposed to be red. Mr. Butler commented on the man who lives in Gaines Township that rides his bike in the City. Mr. Butler stated that this man does more for the City picking up litter than anyone.

Jim Florence, 4296 Springbrook, spoke on behalf of the Swartz Creek Area Senior Center. Mr. Florence wanted to thank the Council and staff for the many months of listening to him and helping him with the process of the Senior Center addition. Mr. Florence stated that if all goes as planned they will break ground around the first of July.

Dolores Pobocik, 5076 McLain, came to thank the Council for their approval on the Senior Center addition as well as for the restriping on Miller Road.

REMARKS BY COUNCILMEMBERS:

Councilmember Shumaker spoke about the new black sign bands. Mr. Shumaker stated that he would appreciate it if the City Manager would check the Michigan Traffic Control Manual to ensure that the signs are at the right height for visibility. City Manager Bueche stated that he would check into it. Mr. Shumaker commented on the "standing water" in the City Hall parking lot. Mr. Shumaker stated that he has never seen standing water there. Mr. Shumaker talked about the Police Awards Banquet and stated that it was handled very well.

Councilmember Binder stated that she feels that the littering signs that have been placed around the City are ugly. Ms. Binder stated that the Air Force statue is scheduled to arrive between June 13th and June 20th.

Councilmember Hurt commented on the City pamphlets that were made. Mr. Hurt requested copies that he could distribute. Mr. Hurt reported on the Fire Board. Mr. Hurt stated that the Board now has an active personnel committee which is undertaking the annual review of the Fire Chief starting this month.

Mayor Abrams talked about a ceremony that he attended for Specialist Richard K. Trivithic who was killed 5 years ago last April.

ADJOURNMENT:

There being no objection, Mayor Abrams declared the meeting adjourned at 9:00 p.m.

Richard Abrams, Mayor

Juanita Aguilar, City Clerk

06/02/2009
03:49 pm

CHECK REGISTER FOR CITY OF SWARTZ CREEK
CHECK DATE FROM 05/01/2009 - 05/31/2009
Bank GEN

Check Date	Bank/Check #	Name	Description	Amount	Voided?
5/1/2009	GEN 31956	U. S. POST OFFICE	FIRST CLASS PRESORT 4/25-09-4/25/10	180.00	
5/4/2009	GEN 31957	UNITED METHODIST CHURCH -SW CK	RENTAL JOHNSON CTR MAY 5 2009 SCHOOL ELE	350.00	
5/7/2009	GEN 31958	ARROW UNIFORM RENTAL	UNIFORMS, MATS, SUPPLIES, ENV. MATS, SUPPLIES	93.74 26.25	
				119.99	
5/7/2009	GEN 31959	BASIC	COPAY/OFFICE VISIT/ESKEW	57.27	
5/7/2009	GEN 31960	BRADYS BUSINESS SYSTEMS	COPY MACHINE MAINT AGRMNT 4/15-5/15/07	50.36	
5/7/2009	GEN 31961	BS & A SOFTWARE	5/1/09-5/1/10 PRSNL PROP SUPPORT/SERVICE	210.00	
			5/1/09-5/1/10 ANNUAL MNTC GENERAL LEDGER	650.00	
			5/1/09-5/1/10 ANNUAL MNTC UB	790.00	
			5/1/09-5/1/10 ANNUAL MNTC/ACCTS PAYABLE	550.00	
			5/1/06-5/1/10 ANNUAL MNTC/CASH RECEIPTS	550.00	
			5/1/09-5/1/10 ANNUAL MNTC/PURCHASE ORDER	550.00	
			5/1/09-5/1/10 ANNUAL MNTC/COMPLNT TRACK	550.00	
			5/1/09-5/1/10 ANNUAL MNTC/PAYROLL	750.00	
				4,600.00	
5/7/2009	GEN 31962	CITY OF SWARTZ CREEK	1/20-4/20/09 UB 8100 CIVIC	478.54	
			1/20-4/20/09 UB 8095 CIVIC	214.46	
			1/20-4/20/09 UB 8083 CIVIC	445.46	
			1/20-4/20/09 UB 5121 MORRISH	127.25	
				1,265.71	
5/7/2009	GEN 31963	CONSUMERS ENERGY	4/1-4/30/09 ELMS PARKING LOT	25.23	
5/7/2009	GEN 31964	CONSUMERS ENERGY	4/1-4/30/09 SIRENS	20.18	
5/7/2009	GEN 31965	CONSUMERS ENERGY	4/1-4/30/09 TRAFFIC LIGHTS	328.11	

5/7/2009	GEN 31966	CONSUMERS ENERGY	4/1-4/30/09 4524 MORRISH RD	38.35
5/7/2009	GEN 31967	CONSUMERS ENERGY	4/1-4/30/09 STREET LIGHTS	8,891.84
5/7/2009	GEN 31968	CRYSTAL WATER COMPANY	RENTAL/2 JUGS	25.00
5/7/2009	GEN 31969	DEANNA KORTH	REIMB SCHOOL ELEC SUPPLIES/COUNCIL SUPPL	66.01
5/7/2009	GEN 31970	DEANNA KORTH	REIMB MILEAGE & MEALS KORTH/AGUILAR	129.95
5/7/2009	GEN 31971	DISPLAY SALES COMPANY	27" ADJ BANDING STRAP	99.00
5/7/2009	GEN 31972	ELITE BUSINESS PRODUCTS	OFFICE SUPPLIES	250.21
5/7/2009	GEN 31973	GA-REL MANUFACTURING COMPANY	AWARDS & FREIGHT	681.91
5/7/2009	GEN 31974	GILL ROYS HARDWARE	LEATHER BROWN ENAMEL	31.88
			SPONGES & VACUUM BAGS	14.57
			FLUSH TANK LEVER QTY 2	11.58
			NUTS/BOLTS/SCREWS	8.75
			FOAM EARPLUGS	12.49
			DOOR STOP/BULBS	18.37
			BRISTLE CHIP BRUSH	2.38
			WOOD FILLER	5.99
			LABOR/GALV PIPE/BLACK FLANGE	70.62
			WHITE SILICONE SEALANT	4.89
			MAGUL SODIUM BULB	20.88
			CONTROL SEC. LIGHT	9.88
			JERSEY GLOVES	6.88
			MORTAR MIX	27.48
			BATTERIES	12.88
			PAINT	80.12
			BLUE MASKING TAPIE	8.99
			PAINT/MOUNTING SQUARES/SYMBOL SIGNS	26.46
			SPRAY PAINT/FASTENERS	21.04
			CORNER IRON/BIT/FASTENERS	16.22
			RETURN FLUSH TANK LEVER	(6.49)
				<u>405.86</u>
5/7/2009	GEN 31975	INFINITE SOLUTIONS	UPDATED BIOS/ARVOY WRKSTN	75.00
5/7/2009	GEN 31976	LANG CONSTRUCTION INC	CDBG PHASE I TRAIL SYSTEM/ELMS PARK RD E	5,363.93
5/7/2009	GEN 31977	MID STATES BOLT AND SCREW CO	PIPE WRENCH 18 INCH	37.16
5/7/2009	GEN 31978	MID TOWN PRINTING	REPORT WORKSHEETS	40.00
5/7/2009	GEN 31979	MUNDY TOWNSHIP PD	ANNUAL MNTC 4/3/09-4/2/10 LIVESCAN SYSTM	1,747.50
5/7/2009	GEN 31980	MUNICIPAL SUPPLY CO.	QTY 12 COUPLINGS	415.75
5/7/2009	GEN 31981	ROWE PROFESSIONAL SERVICES CO	PAVEMENT REPAIRS/MILLER RD I-69 TO ELMS	2,832.00

5/7/2009	GEN 31982	ROWE PROFESSIONAL SERVICES CO	DESIGN ENG S. MORRISH RD I-69 S. TO RR S	10,000.00
5/7/2009	GEN 31983	SCHAEFER'S OFFICE SOURCE	TOWELS/TISSUE/LINERS	331.54
5/7/2009	GEN 31984	SUBURBAN AUTO SUPPLY	WIPER BLADES	11.98
5/7/2009	GEN 31985	UNDERGROUND SECURITY COMPANY	RECORD STORAGE FOR 2009	149.10
5/7/2009	GEN 31986	VALLEY PETROLEUM	APRIL 09 FUEL USEAGE-POLICE	1,094.65
5/7/2009	GEN 31987	VALLEY PETROLEUM	APRIL 09 FUEL USEAGE-DPW	470.32
5/7/2009	GEN 31988	VERIZON NORTH	4/25-5/25/09 635-8109	65.31
5/7/2009	GEN 31989	WEST SHORE SERVICES INC	ANNUAL PREVENTATIVE SIREN MAINT 4/21/09	1,700.00
5/7/2009	GEN 31990	WINDER POLICE EQUIPMENT	LIGHTER REPLACMNT JOTDES/NEW CAR BUILD	33.99
5/14/2009	GEN 31991	A+ SUPPLY CO INC	QUAD 13W LAMP	39.90
5/14/2009	GEN 31992	ACE ASPHALT & PAVING CO INC	OLD PATCH	1,406.30
5/14/2009	GEN 31993	ARROW UNIFORM RENTAL	MATS, SUPPLIES	26.25
			UNIFORMS, MATS, SUPPLIES, ENV.	81.88
				<u>108.13</u>
5/14/2009	GEN 31994	AT & T	5/1-5/31/09 810-R01-8443-014 3	16.40
5/14/2009	GEN 31995	AT & T	5/1-5/31/09 810-R01-7836 523 0 LEIN	59.10
5/14/2009	GEN 31996	BASIC	COPAY/OFFICE VISIT/PIROCHTA	196.73
5/14/2009	GEN 31997	CONSUMERS ENERGY	4/5-5/9/09 4125 ELMS RD PAVILION	19.60
5/14/2009	GEN 31998	CONSUMERS ENERGY	4/2-5/5/09 8059 FORTINO DR	23.46
5/14/2009	GEN 31999	CONSUMERS ENERGY	4/2-5/5/09 8100 CIVIC DR	1,228.05
5/14/2009	GEN 32000	CONSUMERS ENERGY	4/3-5/5/09 8011 MILLER RD	15.00
5/14/2009	GEN 32001	CONSUMERS ENERGY	4/3-5/4/09 4438 MORRISH	41.60
5/14/2009	GEN 32002	CONSUMERS ENERGY	4/3-5/4/09 5121 MORRISH RD	361.69
5/14/2009	GEN 32003	CONSUMERS ENERGY	4/3-5/4/09 5127 MORRISH RD	15.00
5/14/2009	GEN 32004	CONSUMERS ENERGY	4/2-5/5/09 8083 CIVIC DR	631.75
5/14/2009	GEN 32005	CONSUMERS ENERGY	4/3-5/5/09 5257 WINSHALL DR	15.00
5/14/2009	GEN 32006	CONSUMERS ENERGY	4/3-5/4/09 8301 CAPPY LN	484.68
5/14/2009	GEN 32007	CONSUMERS ENERGY	4/3-5/5/09 5361 WINSHALL DR	15.00
5/14/2009	GEN 32008	CONSUMERS ENERGY	4/2-5/5/09 8095 CIVIC DR	690.88
5/14/2009	GEN 32009	CONSUMERS ENERGY	4/3-5/4/09 9099 MILLER RD	23.57
5/14/2009	GEN 32010	CONSUMERS ENERGY	4/5-5/6/09 4125 EMLS RD	27.22
5/14/2009	GEN 32011	CONSUMERS ENERGY	4/2-5/4/09 8499 MILLER RD	15.00
5/14/2009	GEN 32012	DELTA DENTAL PLAN	MAY 09 DENTAL - RETIREES (3)	157.93
5/14/2009	GEN 32013	FICK EXCAVATING INC.	15 YD SCREENED TOPSOIL	260.00
5/14/2009	GEN 32014	FLINT JOURNAL	FARMERS MARKET AD/ANSWER BOOK	362.90
			FARMERS MARKET AD	47.88

				410.78
5/14/2009	GEN 32015	FLINT JOURNAL	PROPOSED 2009-2010 BUDGET PUBLIC HEARING	86.45
5/14/2009	GEN 32016	FLINT WELDING SUPPLY	CYLINDER COMPRESSED OXYGEN	5.00
5/14/2009	GEN 32017	GENESEE CTY DRAIN COMMISSIONER	MISS DIG NOV 08-APRIL 09	68.00
5/14/2009	GEN 32018	HYDRO DESIGNS	WATER CROSS CONNECTION CONTROL AND COI	375.00
5/14/2009	GEN 32019	JAMIE TERRELL	MILEAGE REIMB 4/13-5/8/09	33.00
5/14/2009	GEN 32020	JENNIE LYNN PLACEMATS	FARMERS MARKET/PLACEMATS (2)	200.00
5/14/2009	GEN 32021	MID MICHIGAN MANUFACTURING	DIAGNOSED ALARM SYSTEM PROBLEM	165.00
5/14/2009	GEN 32022	MITCHELL TREE REMOVAL	TREE REMOVAL	775.00
5/14/2009	GEN 32023	NEXTEL COMMUNICATIONS	APRIL 09 MONTHLY BILL	529.44
5/14/2009	GEN 32024	RIO SUPPLY MICHIGAN METER INC	SOFTWARE MAINT FOR GUNS/WATER METER	750.00
5/14/2009	GEN 32025	SCHAEFER'S OFFICE SOURCE	OFFICE SUPPLIES/PRINTER TONER	455.02
5/14/2009	GEN 32026	SIMEN FIGURA & PARKER PLC	APRIL 09 GENERAL/TRAFFIC/ORDIN	4,203.25
5/14/2009	GEN 32027	VERIZON NORTH	5/1-6/1/09 635-4401	188.72
5/21/2009	GEN 32028	AMERICAN MESSAGING	5/15-6/14/09 810-833-2563/810-833-1159	22.02
5/21/2009	GEN 32029	ARROW UNIFORM RENTAL	MATS, SUPPLIES	26.25
			UNIFORMS, MATS, SUPPLIES, ENV.	81.88
				<u>108.13</u>
5/21/2009	GEN 32030	BASIC	COPAY/OFFICE VISIT/NICHOLS/AGUILAR	70.00
5/21/2009	GEN 32031	BLUE CARE NETWORK-EAST MI	JUNE MED INS/ KELLY	600.46
			JUNE MED INS/PETRUCHA	1,381.05
			MAY 09 ADJUSTMENT/SANDFORD	180.52
				<u>2,162.03</u>
5/21/2009	GEN 32032	CITY OF SWARTZ CREEK	REIMB PETTY CASH	158.06
5/21/2009	GEN 32033	DIANE MOEN	ELMS PARK RESERVATION CANCELLED/6-20-09	50.00
5/21/2009	GEN 32034	GCGC	GCGC MEETING/6-10-09/AGUILAR/KORTH	24.00
5/21/2009	GEN 32035	GEN CTY ROAD COMMISSION	SIGNAL/MILLER@FAIRCHILD MAINTENANCE	73.52
			APRIL 09 S-MTCE/OPERATIONS	299.34
				<u>372.86</u>

5/21/2009	GEN 32036	GEN. CO. LAND BANK AUTHORITY	UB REFUND/DU10-005307-0000-01	12.73
5/21/2009	GEN 32037	INFINITE SOLUTIONS	UPDATE DDP FOR POLICE	75.00
			RESOLVE NETWORK ISSUE/POLICE	<u>75.00</u>
				150.00
5/21/2009	GEN 32038	LANG CONSTRUCTION INC	CDBG PHASE I TRAIL SYSTEM/ELMS PARK RD E	4,764.15
5/21/2009	GEN 32039	LIQUIFORCE SEWER SERVICES	RELINING OF SECTIONS OF SEWER	44,378.50
5/21/2009	GEN 32040	MICH ASSOC MUNICIPAL CLERKS	MAMC MASTER ACADEMY CLASSES/AGUILAR	75.00
5/21/2009	GEN 32041	PITNEY BOWES CREDIT CORP.	RENTAL CHARGES 2/28-5/30/09	177.00
5/21/2009	GEN 32042	RBM CONSULTING LLC	M-100 SRVC AGRMNT RENEWAL 7/1/09-6/30/10	975.00
5/21/2009	GEN 32043	RICK DESHANO	POLICE BANQ AWARDS SUPPLIES	1,228.79
5/21/2009	GEN 32044	RIO SUPPLY MICHIGAN METER INC	R900 METERS QTY-20	1,728.62
5/21/2009	GEN 32045	ROCKHURST UNIV CONT EDUC CENTE	SAFETY & OSHA COMPLIANCE/7-14-09/ARVOY	199.00
5/21/2009	GEN 32046	RWS OF MID MICHIGAN	GARBAGE/RECYCLING/YARD WASTE FY09	18,523.18
			APRIL FUEL/ENVIRO FEE	<u>134.82</u>
				18,658.00
5/21/2009	GEN 32047	RWS OF MID MICHIGAN	STREET SWEEPINGS	300.00
5/21/2009	GEN 32048	SCHAEFER'S OFFICE SOURCE	TRASH LINERS	104.90
			"CORRECTED" STAMP	25.99
			GARBAGE BAGS	<u>696.66</u>
				827.55
5/21/2009	GEN 32049	SWARTZ CREEK AREA FIRE DEPT.	APRIL 09 MONTHLY RUNS	4,747.19
5/21/2009	GEN 32050	SWARTZ CREEK SCHOOLS	10 BOXES OF COPY PAPER	287.00
5/21/2009	GEN 32051	TUCKER CHRYSLER JEEP DODGE	03 DODGE TRUCK PARTS	512.75
5/21/2009	GEN 32052	UNUM LIFE INSURANCE	JUNE 09 LIFE INS SHANNON/SNELL	12.05
5/21/2009	GEN 32053	VERIZON NORTH	5/4-6/4/09 635-4402	133.70
5/21/2009	GEN 32054	VERIZON NORTH	5/10-6/10/09 635-4464	450.90
5/28/2009	GEN 32055	ADS PLUS PRINTING LLC	STATIONARY ENVELOPES	356.06
5/28/2009	GEN 32056	ADVANCED MARKETING	LEIN PAPER	57.23
5/28/2009	GEN 32057	ALLIE BROTHERS INC	UNIFORM PANT & SHIRT/PIROCHTA	102.90

5/28/2009	GEN 32058	ARROW UNIFORM RENTAL	UNIFORMS, MATS, SUPPLIES, ENV.	73.98
			MATS, SUPPLIES	26.25
				<u>100.23</u>
5/28/2009	GEN 32059	BALDWIN ELECTRIC	REPAIR LIGHT/LIFT STATION	274.57
5/28/2009	GEN 32060	BANACOM INSTANT SIGNS	TWO BANNERS/BIKE RODEO	992.00
5/28/2009	GEN 32061	BARRYS SIGN COMPANY	VEH LETTERING 09-401	300.00
5/28/2009	GEN 32062	BASIC	COPAY/OFFICE VISIT/SVRCEK	50.00
5/28/2009	GEN 32063	BLUMERICH COMMUNICATIONS	BUILD UP OF VEHICLE 09-401	933.85
5/28/2009	GEN 32064	BRADYS BUSINESS SYSTEMS	MAINT AGRMNT COPY MACHINE 05/15-6/15/09	50.44
5/28/2009	GEN 32065	CARRIER & GABLE INC	ROAD TAPE - TRAFFIC COUNTERS	35.00
5/28/2009	GEN 32066	COMCAST BUSINESS	5/26-6/26/09 JUNE 09	165.00
5/28/2009	GEN 32067	CONSUMERS ENERGY	4/3-5/5/09 WINSHALL RESTROOMS	28.69
5/28/2009	GEN 32068	CREEK AUTO SERVICES LLC	07-375 LOF MONTHLY MAINT	28.95
			05-275 LOF MONTHLY MAINT	28.95
				<u>57.90</u>
5/28/2009	GEN 32069	DELTA VISION	JUNE 09 VISION - RETIREES (3)	13.05
5/28/2009	GEN 32070	DURAND RENTALS	2 PORTAJONS/ELMS PARK 4/3-5/1/09	150.00
5/28/2009	GEN 32071	GEN CNTY ASSOC CHIEFS POLICE	CHIEFS ASSOC ANNUAL DUES	50.00
5/28/2009	GEN 32072	JO ANNE ANDERSON	FLOWERS FOR CITY/DDA	14.61
5/28/2009	GEN 32073	KHALIL NEMER	JUNE 09 MONTHLY RENT 5438 MILLER AMB BLD	758.34
5/28/2009	GEN 32074	LANDMARK APPRAISAL CO	MAY 09 MONTHLY SERVICE	2,233.33
5/28/2009	GEN 32075	MEDLAW LLC	BLOOD DRAW KELLY ADAMS	90.00
			BLOOD DRAW - DEBBIE HOUIS	90.00
				<u>180.00</u>
5/28/2009	GEN 32076	MID TOWN PRINTING	DAILY TIME CARDS	47.50
5/28/2009	GEN 32077	MONTE MORGAN	FLOWERS FOR CITY FLOWER BOXES PLNTRS/DC	139.91
5/28/2009	GEN 32078	RWS OF MID MICHIGAN	STREET SWEEPINGS	300.00
5/28/2009	GEN 32079	S.L.C. METER SERVICE	SHIPPING ON PROBE ADVANTAGE II COMPL ARB	5.06
5/28/2009	GEN 32080	SOUPAL CLEANERS	APRIL 09 UNIFORM CLEANING	126.00
5/28/2009	GEN 32081	STATE OF MICHIGAN	12 MUNICIPAL LICENSE PLATES	156.00

5/28/2009	GEN 32082	SUBURBAN AUTO SUPPLY	AIR FILTER	39.38
			OIL/OIL FILTER/FUEL FILTER	<u>75.13</u>
				114.51
5/28/2009	GEN 32083	SWARTZ CREEK KIWANIS	DDA FARMERS MKT AD/HORSE SHOW/ART PARK	125.00
5/28/2009	GEN 32084	TCAA	USPAP TRAINING/ASSESSING COURSE/ZETTEL	28.50
5/28/2009	GEN 32085	THE SCALE PEOPLE INC	POSTAGE RATE CHART	12.45
5/28/2009	GEN 32086	THOMAS SVRCEK	PLANTER POTS	177.32
5/28/2009	GEN 32087	THOMPSON SERVICE	REPAIR BRAKE LINE	172.24
			TOWING/DISMOUNT & MT	<u>75.00</u>
				247.24
5/28/2009	GEN 32088	TUCKER CHRYSLER JEEP DODGE	TUBE OIL	34.65
5/28/2009	GEN 32089	UNITED METHODIST CHURCH -SW CK	BLDG USE FOR AWARD BANQ DONATION	100.00
5/28/2009	GEN 32090	UPS	UPS SHIPPING	12.07
5/28/2009	GEN 32091	VERIZON NORTH	5/16-6/16/09 810 TX4-1386	193.69
5/28/2009	GEN 32092	VERIZON NORTH	5/13-6/13/09 635-4495	62.35
5/28/2009	GEN 32093	WALDORF AND SONS INC	REPLACE FAUCET MENS RESTROOM	<u>293.50</u>
TOTAL OF 138 Checks:				147,713.84

Public Works
Monthly Work Orders
06/01/09

Work Order #	Location ID	Customer Name	Date Recd	Type
Work Order Status		Service Address	Date Comp	
CKME09-0018 Finished	SP10-004410-0000-01	KEENE, MOSCHELLE 4410 SPRINGBROOK DR	05/06/09 05/06/09	CHECK METER
CKME09-0019 Finished	CH20-009063-0000-01	CLIPPARD, JOHN F 9063 CHESTERFIELD DR	05/11/09 05/11/09	CHECK METER
CKME09-0020 Finished	SI10-004197-0000-01	LEONARD SCHREIER 4197 SILVER MAPLE LN	05/19/09 05/19/09	CHECK METER
CKME09-0021 Finished	MO10-005203-0000-01	SMITH, SC ELEV -L. 5203 MORRISH RD	05/19/09 05/19/09	CHECK METER
CKME09-0022 Finished	PA10-007128-0000-01	LIEBOLD, CAROLINE 7128 PARK RIDGE PKY	05/20/09 05/20/09	CHECK METER
CKME09-0023 Scheduled	AB10-007082-0000-02	HOY, LINDA 7082 ABBEY LN	05/27/09	CHECK METER
CKME09-0025 Finished	CC10-007374-0000-01	WILLIAMS, NANCY 7374 CROSSCREEK DR	05/27/09 05/27/09	CHECK METER
DAPU09-0002 Finished	MI10-008159-0000-01	CARTER, DON 8159 MILLER RD	05/13/09 05/13/09	DEAD ANIMAL PICK
ELEC09-0009 Finished	CI10-008083-0000-01	CITY OF SWARTZ CREEK 8083 CIVIC DR	05/04/09 05/04/09	ELEC SETUP/TAKEDO
ELEC09-0010 Finished	CI10-008083-0000-01	CITY OF SWARTZ CREEK 8083 CIVIC DR	05/06/09 05/06/09	ELEC SETUP/TAKEDO
FNRD09-0114 Finished	LI10-004261-0000-02	TAMMY MURPHY 4261 LINDSEY DR	05/04/09 05/04/09	FINAL READ
FNRD09-0115 CANCELLED	JE10-004194-0000-04	DAVID BOILLAT 4194 JENNIE LN	05/14/09 05/19/09	FINAL READ
FNRD09-0116 Finished	MI10-008323-0000-01	MAGUFFEE, THOMAS 8323 MILLER RD	05/18/09 05/19/09	FINAL READ
FNRD09-0117 Finished	MC10-005070-0000-01	DELISLE, RUSSELL J 5070 MC LAIN ST	05/18/09 05/19/09	FINAL READ
FNRD09-0118 Finished	WI20-005022-0000-03	CARR, JAMES 5022 WINSTON DR	05/19/09 05/19/09	FINAL READ
FNRD09-0119 Scheduled	LU10-009052-0000-01	JEFFREY M. BURKE 9052 LUEA LN	05/26/09	FINAL READ
GWO09-0073 Scheduled	CI10-008083-0000-01	CITY OF SWARTZ CREEK 8083 CIVIC DR	05/04/09	GENERIC WORK ORDE
GWO09-0074 Finished	CA10-008354-0000-01	ADMIN BLDG, SWARTZ CREEK 8354 CAPPY LN	05/12/09 05/12/09	GENERIC WORK ORDE

Work Order #	Location ID	Customer Name	Date Recd	Type
Work Order Status		Service Address	Date Comp	
GWO09-0076 Finished	MY10-004374-0000-01	KOHLER, JOSEPH 4374 MAYA LN	05/14/09 05/14/09	GENERIC WORK ORDE
GWO09-0077 Scheduled	CI10-008083-0000-01	CITY OF SWARTZ CREEK 8083 CIVIC DR	05/26/09	GENERIC WORK ORDE
GWO09-0078 Scheduled	CI10-008083-0000-01	CITY OF SWARTZ CREEK 8083 CIVIC DR	05/22/09	GENERIC WORK ORDE
GWO09-0079 Finished	CI10-008095-0000-01	PERKINS LIB-SENIOR CENTER 8095 CIVIC DR	05/26/09 05/28/09	GENERIC WORK ORDE
LNDS09-0012 Scheduled	CI10-008083-0000-01	CITY OF SWARTZ CREEK 8083 CIVIC DR	05/04/09	LANDSCAPING
LNDS09-0013 Scheduled	CI10-008083-0000-01	CITY OF SWARTZ CREEK 8083 CIVIC DR	05/04/09	LANDSCAPING
LNDS09-0014 Scheduled	CI10-008083-0000-01	CITY OF SWARTZ CREEK 8083 CIVIC DR	05/04/09	LANDSCAPING
LNDS09-0015 Scheduled	CI10-008083-0000-01	CITY OF SWARTZ CREEK 8083 CIVIC DR	05/04/09	LANDSCAPING
LNDS09-0016 Scheduled	CI10-008083-0000-01	CITY OF SWARTZ CREEK 8083 CIVIC DR	05/04/09	LANDSCAPING
LNDS09-0017 Scheduled	CI10-008083-0000-01	CITY OF SWARTZ CREEK 8083 CIVIC DR	05/04/09	LANDSCAPING
LNDS09-0018 Scheduled	CI10-008083-0000-01	CITY OF SWARTZ CREEK 8083 CIVIC DR	05/05/09	LANDSCAPING
LNDS09-0019 Finished	OA10-005211-0000-01	FLICK, LAWRENCE 5211 OAKVIEW DR	05/07/09 05/13/09	LANDSCAPING
MNT09-0012 Finished	CI10-008095-0000-01	PERKINS LIB-SENIOR CENTER 8095 CIVIC DR	05/04/09 05/04/09	BUILDING MAINTENA
MNT09-0013 Finished	CI10-008095-0000-01	PERKINS LIB-SENIOR CENTER 8095 CIVIC DR	05/07/09 05/13/09	BUILDING MAINTENA
MNT09-0014 Finished	CI10-008100-0000-01	BUILDING, PUBLIC SAFETY 8100 CIVIC DR	05/15/09 05/15/09	BUILDING MAINTENA
MTRP09-0039 Finished	MY10-004297-0000-01	BALLREICH, RICHARD 4297 MAYA LN	05/05/09 05/05/09	METER REPAIR
MTRP09-0040 Finished	CC10-007384-0000-01	RAMBERG, EVA 7384 CROSSCREEK DR	05/04/09 05/04/09	METER REPAIR
MTRP09-0041 Finished	LU10-009142-0000-01	BAILEY, PAULINE 9142 LUEA LN	05/15/09 05/15/09	METER REPAIR
MTRP09-0042 Finished	MI10-006299-0000-02	CORNERSTONE BAPTIST CHURCH 6299 MILLER RD	05/15/09 05/15/09	METER REPAIR
MTRP09-0043 Finished	MY10-004326-0000-01	MCGAFFIGAN, MICHAEL 4326 MAYA LN	05/14/09 05/14/09	METER REPAIR

Work Order #	Location ID	Customer Name	Date Recd	Type
Work Order Status		Service Address	Date Comp	
MTRP09-0044 Finished	HI10-009235-0000-02	JUSTIN MORRIS 9235 HILL RD	05/14/09 05/14/09	METER REPAIR
MTRP09-0045 Finished	SP10-004273-0000-01	HARPER, WILLIAM 4273 SPRINGBROOK DR	05/18/09 05/18/09	METER REPAIR
MTRP09-0046 Finished	GR10-005373-0000-01	ANDERSON, THEODORE 5373 GREENLEAF DR	05/19/09 05/19/09	METER REPAIR
MTRP09-0047 Finished	PA10-007221-0000-02	VAN ARSDALE, KEVIN 7221 PARK RIDGE PKY	05/22/09 05/22/09	METER REPAIR
MTRP09-0048 Finished	BI10-005203-0000-01	PLUM, PETE 5203 BIRCHCREST DR	05/20/09 05/20/09	METER REPAIR
MTRP09-0049 Finished	CC10-007369-0000-01	DEGAYNER, FELTON 7369 CROSSCREEK DR	05/19/09 05/19/09	METER REPAIR
MTRP09-0050 Finished	JI10-009293-0000-01	NIEMI, MARY 9293 JILL MARIE LN	05/19/09 05/19/09	METER REPAIR
MTRP09-0051 Finished	PA10-007034-0000-01	VANDENBERG, RON 7034 PARK RIDGE PKY	05/20/09 05/20/09	METER REPAIR
MTRP09-0052 Finished	JI10-009290-0000-01	DONOHUE, MICHAEL 9290 JILL MARIE LN	05/18/09 05/18/09	METER REPAIR
MTRP09-0053 Finished	MI10-008401-0000-01	FARVER, ORMAN 8401 MILLER RD	05/19/09 05/19/09	METER REPAIR
MTRP09-0054 Scheduled	MI10-008390-0000-01	CRITES, ROBERT M 8390 MILLER RD	05/29/09	METER REPAIR
MTRP09-0055 Scheduled	MO20-004197-0000-01	GARZA, MARIA 4197 MOUNTAIN ASH LN	05/27/09	METER REPAIR
MTRP09-0056 Scheduled	WI10-005390-0000-02	OAKMAN, DONNA 5390 WINSHALL DR	05/28/09	METER REPAIR
MTRP09-0057 Scheduled	SI10-004176-0000-01	SAMPLES, CLARENCE 4176 SILVER MAPLE LN	05/28/09	METER REPAIR
MTRP09-0058 Scheduled	PA10-007120-0000-01	PRUSSNER, GERALD 7120 PARK RIDGE PKY	05/28/09	METER REPAIR
MTRP09-0059 Scheduled	AB10-007074-0000-01	GERALD, R L 7074 ABBEY LN	05/28/09	METER REPAIR
MTRP09-0060 Finished	CH20-009341-0000-01	PINKSTON, DENNIS 9341 CHESTERFIELD DR	05/21/09 05/21/09	METER REPAIR
MTRP09-0061 Finished	HI20-004172-0000-02	SHIN, YOUNG R 4172 HICKORY LN	05/28/09 05/28/09	METER REPAIR
MTRP09-0062 Finished	MO10-005200-0000-01	SMITH, DELBERT 5200 MORRISH RD	05/22/09 05/21/09	METER REPAIR
MTRP09-0063 Finished	IN10-008126-0000-01	WILSON, SHELLY 8126 INGALLS ST	05/27/09 05/27/09	METER REPAIR

Work Order #	Location ID	Customer Name	Date Recd	Type
Work Order Status		Service Address	Date Comp	
MTRP09-0064 Scheduled	MI10-007230-0000-02	KELLY, VERA 7230 MILLER RD	05/29/09	METER REPAIR
MTRP09-0065 Scheduled	MO10-004495-0000-01	POUNDER, BONNIE 4495 MORRISH RD	05/28/09	METER REPAIR
MTRP09-0067 Finished	MI10-005446-0000-01	BAHU, GEORGE 5446 MILLER RD	05/29/09 05/29/09	METER REPAIR
READ09-0025 Finished	MO10-005052-0000-02	MCGRAIL, JENNIFER 5052 MORRISH RD	05/18/09 05/19/09	READ METER
READ09-0026 Finished	GR10-005338-0000-01	YOUNG, CYNDI 5338 GREENLEAF DR	05/21/09 05/21/09	READ METER
READ09-0027 Finished	JE10-004194-0000-04	DAVID BOILLAT 4194 JENNIE LN	05/21/09 05/21/09	READ METER
READ09-0028 Finished	BR20-007165-0000-02	NELSON, TERRY 7165 BRISTOL RD	05/26/09 05/28/09	READ METER
REPL09-0006 Finished	NE10-006740-0000-02	PETERS, JAMES 6740 NEMER CT	05/01/09 05/01/09	METER REPLACEMENT
WOFF09-0117 Finished	CH20-008523-0000-01	GRANTNER, JENNIFER 8523 CHESTERFIELD DR	05/18/09 05/18/09	WATER TURN OFF
WOFF09-0121 Finished	IN10-008037-0000-02	RUSSELL, DAVID 8037 INGALLS ST	05/05/09 05/04/09	WATER TURN OFF
WOFF09-0122 Finished	JE10-004134-0000-01	DANIELS, JOHN 4134 JENNIE LN	05/11/09 05/12/09	WATER TURN OFF
WOFF09-0123 Finished	HO10-005012-0000-01	FEDEK ENTERPRISES 5012 HOLLAND DR	05/18/09 05/18/09	WATER TURN OFF
WOFF09-0124 Finished	EL10-004354-0000-01	SMITH, JASON W 4354 ELMS RD	05/20/09 05/20/09	WATER TURN OFF
WOFF09-0125 Finished	RE10-004196-0000-01	WOLFF, FREDERICK 4196 RED OAK LN	05/20/09 05/20/09	WATER TURN OFF
WTON09-0101 Finished	SP20-007460-0000-01	RENO, RICHARD 7460 SPRINGBROOK CT	05/01/09 05/01/09	WATER TURN ON
WTON09-0102 Finished	CH10-009118-0000-01	JOY, JAMES C 9118 CHELMSFORD DR	05/13/09 05/13/09	WATER TURN ON
WTON09-0103 Finished	BR20-007297-0000-01	HORNER, JAMES 7297 BRISTOL RD	05/13/09 05/13/09	WATER TURN ON
WTON09-0104 Finished	CC10-007389-0000-01	GREGORY, RONALD 7389 CROSSCREEK DR	05/13/09 05/13/09	WATER TURN ON
WTON09-0105 Finished	CH20-008475-0000-01	BRITTON, GERALD 8475 CHESTERFIELD DR	05/14/09 05/14/09	WATER TURN ON
WTON09-0106 Finished	IN10-008037-0000-02	RUSSELL, DAVID 8037 INGALLS ST	05/13/09 05/13/09	WATER TURN ON

Work Order #	Location ID	Customer Name	Date Recd	Type
Work Order Status		Service Address	Date Comp	
WTON09-0107 Finished	MY10-004290-0000-01	MOAK, ROBERT 4290 MAYA LN	05/19/09 05/19/09	WATER TURN ON
WTON09-0108 Finished	BI10-005167-0000-01	CRAIN, NORMAN 5167 BIRCHCREST DR	05/19/09 05/19/09	WATER TURN ON
WTON09-0109 Finished	MY10-004298-0000-01	NAIL, RICHARD 4298 MAYA LN	05/20/09 05/20/09	WATER TURN ON
WTON09-0110 Finished	SE20-005218-0000-01	WRIGGLESWORTH, PAUL 5218 SEYMOUR RD	05/22/09 05/22/09	WATER TURN ON
WTON09-0111 Finished	OX10-005149-0000-02	BANK OF NEW YORK 5149 OXFORD CT	05/21/09 05/21/09	WATER TURN ON
WTON09-0112 Finished	BR20-007181-0000-02	EVANS, ROBERT 7181 BRISTOL RD	05/28/09 05/28/09	WATER TURN ON
WTON09-0113 Finished	CH40-004282-0000-01	DENNIS, RICHARD 4282 CHAPEL LN	05/29/09 05/29/09	WATER TURN ON
WTON09-0114 Finished	CH20-008523-0000-01	GRANTNER, JENNIFER 8523 CHESTERFIELD DR	05/28/09 05/28/09	WATER TURN ON
WTON09-0115 Scheduled	JE10-004134-0000-01	DANIELS, JOHN 4134 JENNIE LN	05/29/09	WATER TURN ON

Total Records: 87

DPS ACTIVITY - MAY 2009

	REG	HOL	VAC	ABSENT	OT	DT
101 GENERAL FUND						
172.0 EXECUTIVE						
253.0 TREASURER						
257.0 ASSESSOR						
262.0 ELECTIONS						
301.0 POLICE	4.00			0.21		
410.0 BLG-ADMIN-OBRIEN	56.63		1.38	0.95	0.38	
781.0 AMPHI-PARK						
782.0 WINSHALL PARK	41.66		2.25	0.65	0.04	
782.0 WINSHALL GARBAGE	13.00		0.55		3.00	3.00
783.0 ELMS PARK	43.16		2.00	0.09	0.04	
783.0 ELMS GARBAGE	19.00		1.05		3.00	3.00
784.0 BICENT. PARK						
790.0 LIBRARY/SENIOR	73.50		0.56			
792.0 P S BLDG	68.00		0.50	0.12		
793.0 CITY HALL	72.50		1.20	0.12		
794.0 COMM PROMO	11.00		0.96	0.36		
796.0 CEMETERY	1.00		0.11			
202 MAJOR STREET FUND						
429.0 SAFETY	15.36					
463.0 STREET MAIN	56.80		3.82	0.52	0.04	
474.0 TRAFFIC						
478.0 SNOW & ICE						
482.0 ADMIN	6.80					
203 LOCAL STREET FUND						
429.0 SAFETY						
463.0 STREET MAIN	155.66		11.39	2.70	0.04	
474.0 TRAFFIC	6.00		0.33	0.12		
478.0 SNOW & ICE						
482.0 ADMIN	9.18	0.68	3.40	0.34		
226 GARBAGE FUND						
528.0 COLLECT	80.50		7.04	1.44		
530.0 WOODCHIPPING	166.33		13.74	2.57	0.08	
590 WATER						
540.0 WATER SYSTEM	196.01	3.66	22.96	2.17		
540.0 WATER-ON CALL	8.00		0.88			
542.0 READ & BILL	210.95		12.19	1.38	0.44	
591 SEWER						
536.0 SEWER SYSTEM	102.01	3.66	19.46	2.08		
536.0 SEWER-ON CALL	8.00		0.88			
537.0 LIFT STATION	22.00		1.45	0.25	4.00	
542.0 READ & BILL	70.95		2.10	1.14	0.44	
661 MOTOR POOL FUND						
795.0 CITY GARAGE	56.00		4.31	0.04		
	1,574.00	8.00	114.51	17.25	11.50	6.00
HOLIDAY						
VACATION						
ABSENT						
DAILY HOURS TOTAL	1,574.0	8.0	114.5	17.3	11.5	6.0

May-09	MILES DRIVEN		GALLONS GAS PURCHASED		GALLONS DIESEL PURCHASED
#1 P/U 4WD					
#3 P/U 4WD	688		103		
07-03 P/U 4WD	52				
09-03 P/U 4WD	433				29
#2 P/U 2WD	535		54		
#6-00 BACKHOE					
#9 DUMP	5				
#10 DUMP					
#11 DUMP	72		8		
#12-02 DUMP	36				
#12-04 DUMP	84				25
#12-99 GENERATOR					
#9-02 BRUSH HOG					
#17 CASE BACKHOE					
#19 JD TRACTOR					
#06-99 BUCKET TRUCK					
#21 WOOD CHIPPER					9
#807 STREET SWEEPER	87				32
#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	576		26		
TOTAL	2568		190		95



ROWE PROFESSIONAL SERVICES COMPANY

Large Firm Resources. Personal Attention.™

May 28, 2009

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

RE: Miller Road Pavement Repairs


Dear Mr. Bueche:

Attached please find the tabulation of bids which were opened on May 6, 2009 for the above referenced project. The low bidder for the project was Kelcris Corporation with a bid price of \$58,024.50. Based on price, and professional references, we recommend the project be awarded to the Kelcris Corporation.

Upon award by the City Council, we will notify the contractor and set up the preconstruction meeting.

If you have any questions, or need additional information regarding this matter, please feel free to contact me.

Sincerely,
ROWE Professional Services Company



Louis P. Fleury, P.E.
Project Manager

Enclosure

R:\sds\Proj\09c0036\Doc\recommendation ltr.docx

ROWE Professional Services Company

Bid Tabulation Summary

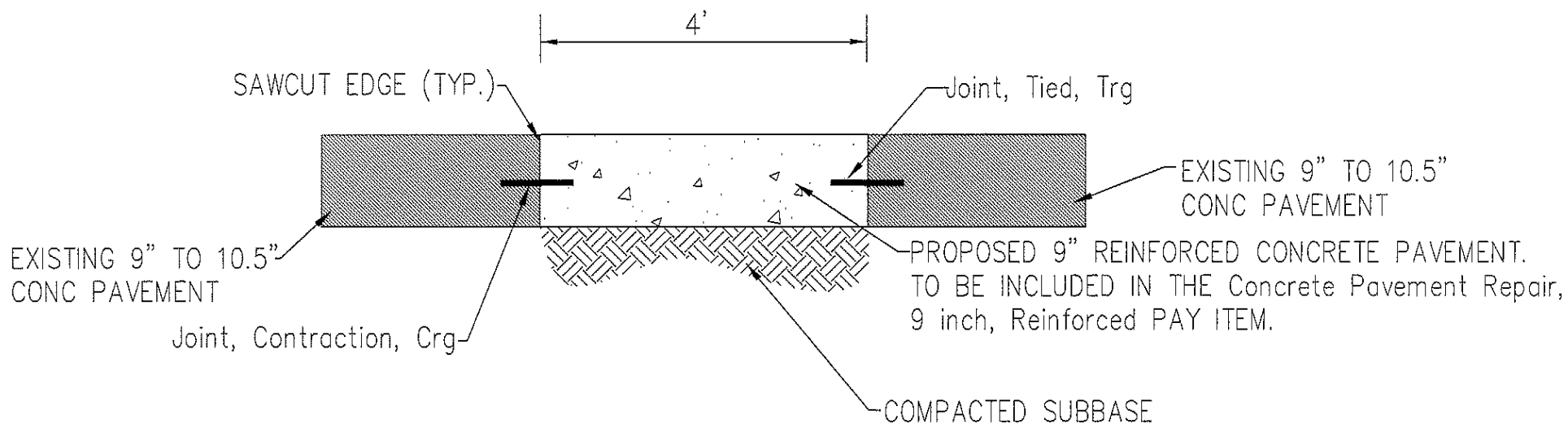
Contract ID: 09c0036
Contract Year: 2009
Description:
Location: Swartz Creek - Miller Road Pavement Repairs

Project Number: 09c0036-Miller Road
Estimate Number: Pavement Repairs
Project Type: Miscellaneous
Location: City of Swartz Creek

Project Engineer: Louis P. Fleury, P.E.
Date Created: 3/31/2009
Fed/State #:
Fed Item:
Control Section:

Description:

Rank	Vendor	Total Bid	% Over Low	% Over Est.
0	ENGINEER'S ESTIMATE	\$67,082.00	15.60%	0%
1	Kelcris Corporation	\$58,024.50	0%	-13.50%
2	Lang Construction, Inc.	\$59,734.08	2.94%	-10.95%
3	Florence Cement Company	\$71,043.00	22.43%	5.90%
4	Eastlund Concrete Construction, Inc.	\$71,864.00	23.85%	7.12%
5	C & D Hughes, Inc.	\$73,106.00	25.99%	8.98%
6	Lois Kay Contracting Co.	\$86,599.90	49.24%	29.09%



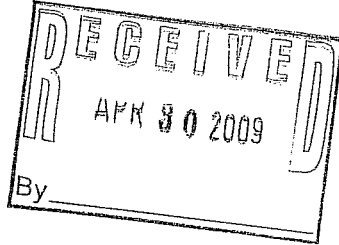


ROWE PROFESSIONAL SERVICES COMPANY

P.O. Box 3748
Flint, Michigan 48502

Phone: (810) 341-7500
Fax: (810) 341-7573
www.rowepsc.com

City of Swartz Creek
8083 Civic Drive
Swartz Creek, MI 48473-1377
USA



April 28, 2009
Project No: 05C0186
Invoice No: 0062846
Project Mgr 1: Louis Fleury

Project 05C0186 Miscellaneous Services
P.O #101-410-801

-Site Plan Review - Senior Center: \$843.00
-Construction Engineering - Elms Rd: \$1,682.00
Subtotal: \$2,525.00

Total Labor Hours: 58.5 (see attached)
Amount Billed (Nov., Dec., & Jan.): \$5,360.00
Credit: 58.5 hrs x \$88/hr = \$5,148.00
($\$5,360.00 - \$5,148.00 = \$212.00$) - *changed to Cedar Creek*
Total Invoice: $\$2,525.00 - \$212.00 = \$2,313.00$

Professional Services from March 15, 2009 to April 18, 2009.

Fee	2,313.00
Total this Invoice	\$2,313.00

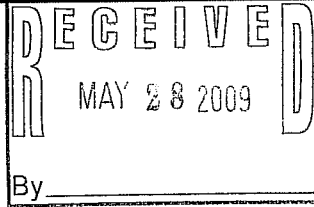


ROWE PROFESSIONAL SERVICES COMPANY

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Flint, Michigan 48502

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Fax: (810) 341-7573
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City of Swartz Creek
8083 Civic Drive
Swartz Creek, MI 48473-1377
USA



May 26, 2009
Project No: 05C0186
Invoice No: 0062998
Project Mgr 1: Louis Fleury

Project 05C0186 Miscellaneous Services
P.O #101-410-801

Construction Engineering - Elms Road CDBD Project: ~~\$1,441.00~~
-Field measure contract quantities.
-Concrete testing.
-Prepare pay applications.
-Prepare copy of bidding documents for MPO total.

Analyze North Morrish Road Issues for county Roads: **\$928.00**
-Develop concept drawing for left turn lane on Bristol.
-Update cost estimate for revised layout.

Senior Center Review: **\$1,783.50**

Review Correspondence from Liquiforce regarding sanitary sewer lining and meet with City staff: **\$232.00**

Professional Services from April 26, 2009 to May 16, 2009

Fee	4,384.50
Total this Invoice	\$4,384.50

City of Swartz Creek - Pending MTTs

SC or FT	Parcel	Owner	Year	Status	Comments	Current Taxable	Requested Taxable	Difference	
SC - Small Claims									
SC	58-35-776-065	Scofield		2007	Answer filed 3/08				
SC-PRE	58-02-503-024	Boyd		2007	Answer filed 2/08				
SC	58-35-300-006	Scofield		2007	Answer filed 12/07				
SC	58-35-200-015	Tonchen		2007	Answer filed 12/07				
SC	58-36-526-068	Carter Real Estate		2007	Answer filed 10/07				
SC	58-36-676-037	Woodside		2007	Answer filed 8/07				
SC	58-30-651-___	Woodside		2007	answer filed 8/07			Add of sub only, 46 parcels	
SC	58-01-502-112	Cheryl Jones		2008	answer filed 5/08				
SC	58-03-626-008	Hardenburg		2008	answered 8/19/08				
SC	58-02-503-083	White		2009	PRE - 2009 - answered 7/15/08				
SC	58-25-576-017	Mackey		2009	answered 5/09				
SC	58-01-502-112	Jones		2009	answered 5/09				
FT - Full Tribunal									
FT	58-02-200-023	Riverside Manor		2007	answer filed 6/5/07	MTT 334056	\$1,071,220	\$900,000	-\$171,220
				2008	added 5/08		\$1,095,858	\$900,000	-\$195,858
				2009	added 5/09		\$1,144,075	\$900,000	-\$244,075
FT	58-35-200-007	LUEA Properties		2007	answer filed 6/5/07	MTT 337582	settled @ \$500,000 taxable 2007 & 2008		
				2008	added 5/08				
FT	58-35-576-019	Battah Property (gas station on Morrish)		2007	answer filed 6/5/07	MTT 335092	\$225,300	\$151,000	-\$74,300
				2008			\$225,300	\$151,000	-\$74,300
				2009			\$223,500	\$151,000	-\$72,500
FT	58-36-576-014	Cappadon(Burger King)		2007	answer filed 6/5/07	MTT 337584	\$506,700	\$225,900	-\$280,800
				2008			\$506,700	\$225,900	-\$280,800
				2009			\$528,994	\$225,900	-\$303,094
FT	58-32-100-004	Frankel		2006	Valuation sent 10/07	MTT 324157	settled 5/09		
					Prehearing conference 12/2/08				
FT	58-35-400-001	Sports Creek		2008	answer filed 5/20/08	MTT 346358	\$3,508,081	\$1,250,000	-\$2,258,081
				2009			\$3,406,300	\$1,250,000	-\$2,156,300
FT	58-35-200-007	LUEA Properties		2009	answered 5/19/09	MTT 361985	\$525,300	\$125,000	-\$400,300
FT	58-36-300-030	Apple Creek Station		2009	answered 5/26/09	MTT 363339	\$2,856,397	\$2,784,547	-\$71,850
FT	58-35-400-014	The Pines of SC		2009		MTT 363476	\$417,704	\$250,000	-\$167,704
FT	Multiple	General Motors		2009			\$49,264,600	\$9,852,930	-\$39,411,670
					Total taxable adjustment pending:				-\$46,162,852
					Taxes Pending:				
					City Operating				-\$222,916
					Garbage				-\$80,785

General Motors Tax Tribunal Appeal 2009

Parcel #	Description	2009 Taxable	Requested Taxable	Difference	City Oper. (A)	Garbage (B)	Total Taxes (B)	admin fee
58-29-300-008	land/parking	345,300	69,070	-276,230	-\$1,334	-\$483	-\$13,482	-\$135
58-29-551-024	Dye Rd access/guard shack	96,900	19,380	-77,520	-\$374	-\$136	-\$3,784	-\$38
58-31-526-009	vacant land	9,900	1,980	-7,920	-\$38	-\$14	-\$387	-\$4
58-29-300-007	plant	26,556,100	5,311,220	-21,244,880	-\$102,589	-\$37,179	-\$1,036,914	-\$10,369
58-30-400-002	plant	11,559,500	2,311,900	-9,247,600	-\$44,656	-\$16,183	-\$451,354	-\$4,514
58-80-313-004	personal (estimate)	700,800	140,160	-560,640	-\$2,707	-\$981	-\$27,364	-\$274
58-80-322-560	personal (their statement)	9,996,100	1,999,220	-7,996,880	-\$38,616	-\$13,995	-\$390,309	-\$3,903
Total		49,264,600	9,852,930	-39,411,670	-\$190,315	-\$68,970	-\$1,923,593	-\$19,236

- (A) 2009 millage rate of 4.8289 mills for operating
- (B) 2009 millage rate of 1.75 mills for garbage
- (C) 2008 millage rate of 48.8077

Total Taxes paid by General Motors for above parcels for 2008:

City Operating	\$238,202.00
Garbage	\$86,324.82
Admin Fee	\$21,493.57
Total	\$346,020.39

2008 Personal Property Taxes paid by other vendors at GM:

City Operating	\$12,494
Garbage	\$4,528
Total	\$17,022

Water & Sewer Paid by General Motors for 4 quarters (Aug 08 - May 09)

Water	\$68,391.66
Sewer	\$53,228.62
Total	\$121,620.28



City of
Swartz
Creek

City Offices

M-F 8am-4:30pm
810.635.4464
810.635.2887 fax

Police Department

Emergency 911
M-F 8am-5pm
810.635.4401
810.635.3728 fax

Public Services Department

M-F 8am-4:30pm
810.635.4464

2-June-2009

Mr. TOM JEFFERS

C/O General Motors

GM Mail Code: 482-C27-D21

300 Renaissance Center

Detroit Michigan 48265-3000

Re: **GM-SPO Property Tax Appeal - Bankruptcy**

Dear **Mr. JEFFERS**,

I appreciate your phone call and General Motors' willingness to sit down and discuss options. Please give me a call, preferably at your earliest convenience, and we'll arrange a meeting. I can be reached at (810)-635-4464 or (810)-577-4614.

In advance, your time and attention is greatly appreciated.

Sincerely,

PAUL BUECHE

City Manager

(810)-635-4464

Copy

Mr. Richard Figura, City Attorney
Heather MacDermaid, City Assessor





For Release: 9:00 AM EDT
June 1, 2009

GM Pulls Ahead U.S. Plant Closures; Reaffirms Intent to Build Future Small Car in U.S.

14 U.S. Manufacturing Plants &
Three Service and Parts Operations Warehouses Impacted

DETROIT, Mich.-- General Motors Corp. (NYSE: GM) today announced details of its accelerated manufacturing plan to improve capacity utilization and flexibility for the New GM. GM also reaffirmed it will build a small car at one of its U.S. assembly plants on standby capacity status.

The manufacturing plan reduces GM's total number of assembly, powertrain and stamping facilities in the U.S. from 47 in 2008 to 34 by the end of 2010 and 33 by 2012. These totals reflect GM's recently announced plans to build a future small car in the U.S. Under this plan, the New GM will achieve full capacity utilization of its assembly operations in 2011, two years ahead of what was scheduled in its Feb. 17 viability plan submission. This will result in lower fixed costs per vehicle sold, and lower and more efficient capital investment.

The New GM, under agreement with the U.S. Treasury, will consist of GM's strongest operations and brands from around the world, resulting in substantially less debt and lower operating costs than GM historically has carried.

"Our manufacturing operations, which already are among the most productive in the industry, will emerge even leaner, stronger and more flexible, as part of the New GM," said Gary Cowger Group Vice President of GM Global Manufacturing and Labor Relations. "Flexible manufacturing enables us to quickly respond to consumer preferences and changing market conditions."

GM's Service and Parts Operations (SPO) announced today that it will cease operations at three Parts Distribution Centers in Boston; Columbus, Ohio; and Jacksonville, Fla. – by Dec. 31, 2009.

"As GM strengthens its aftersales business, we're aggressively pursuing strategies that allow us to continue fast parts delivery to our dealers and distributors, and improve our warehouse capacity utilization," said Kevin W. Williams, GMNA Vice President and General Manager, Service and Parts Operations.

Additionally, GM will build a future small car in the United States utilizing a UAW-GM assembly plant on standby capacity status, with major metal stampings supported from a UAW-GM U.S. stamping plant also on standby capacity. This new small car will play a vital role in GM's plans to improve the fuel efficiency of its vehicle fleet. Small cars represent one of the fastest growing segments in both the U.S. and around the world. The re-tooled assembly plant will be capable of building 160,000 cars annually. Selection of the site will be determined in the future.

The list of impacted U.S. GM plants follows:

June 1, 2009 U.S. GM Manufacturing Optimization Plan Actions

Plant	Status / Timing (date listed or sooner depending on market demand)
Assembly	
Orion, Mich.	Standby Capacity - September 2009
Pontiac, Mich.	Close - October 2009
Spring Hill, Tenn.	Standby Capacity - November 2009
Wilmington, Del.	Close - July 2009
Stamping	
Grand Rapids, Mich.	Close - June 2009 (previously announced)
Indianapolis, Ind.	Close - December 2011
Mansfield, Ohio	Close - June 2010
Pontiac, Mich.	Standby Capacity - December 2010
Powertrain	
Livonia Engine, Mich.	Close - June 2010
Flint North Components, Mich.	Close - December 2010
Willow Run Site, Mich.	Close - December 2010
Parma Components, Ohio	Close - December 2010
Fredericksburg Components, Virg.	Close - December 2010
Massena Castings, N.Y.	Closed - May 1, 2009 (previously announced)
Service & Parts Operations (SPO) Warehousing & Parts Distribution Centers	
Boston, Mass.	Close – December 31, 2009
Jacksonville, Fla.	Close – December 31, 2009
Columbus, Ohio	Close – December 31, 2009

General Motors Corp. (NYSE: GM), one of the world's largest automakers, was founded in 1908, and today manufactures cars and trucks in 34 countries. With its global headquarters in Detroit, GM employs 234,500 people in every major region of the world, and sells and services vehicles in some 140 countries. In 2008, GM sold 8.35 million cars and trucks globally under the following brands: Buick, Cadillac, Chevrolet, GMC, GM Daewoo, Holden, Hummer, Opel, Pontiac, Saab, Saturn, Vauxhall and Wuling. GM's largest national market is the United States, followed by China, Brazil, the United Kingdom, Canada, Russia and Germany. GM's OnStar subsidiary is the industry leader in vehicle safety, security and information services. More information on GM can be found at www.gm.com.

Genuine GM Parts are sold under the GM, GM Performance Parts, GM Goodwrench and ACDelco brands through GM Service & Parts Operations, which supplies GM dealerships and distributors worldwide. GM engines and transmissions are marketed through GM Powertrain.

Assembly, stamping and powertrain fact sheets are available at media.gm.com/manufacturing.

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CONTACTS:

Lynda Messina
 Manufacturing and Labor Communications
 586-986-9530
 313-378-8690 – cell
Lynda.Messina@gm.com

Chris Lee
 Manufacturing and Labor Communications
 586-986-9520
 586-899-3021 – cell
Chris.T.Lee@gm.com

Service and Parts Operations:

Pam Flores
 GM SPO Communications

810.606.3107
pamela.flores@gm.com

VIA FEDERAL EXPRESS

05/29/2009

Mr. Peter M. Kopke
Chief Clerk
Michigan Tax Tribunal
611 W. Ottawa
Lansing, MI 48913

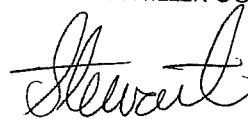
**Re: General Motors Corporation v. Swartz Creek
Parcel No(s). 58-29-300-007, 58-30-400-002, 58-80-3225-60**

Dear Mr. Kopke:

Enclosed for filing in the above-captioned matter is Petitioner's Petition and Proof of Service together with our firm's check to cover the requisite filing fee.

Very truly yours,

HONIGMAN MILLER SCHWARTZ AND COHN LLP



Stewart L. Mandell

Enclosures

cc: Via Certified Mail:
Clerk, Swartz Creek
Assessor, Swartz Creek

cc: Via Regular Mail:
Clerk, Genesee County
Director of Equalization, Genesee County
Secretary of School Board, Swartz Creek Community Schools
Secretary of School District, Genesee ISD

**Michigan Tax Tribunal
Entire Tribunal Case Information Sheet**

1 Petitioner, Address and Phone No.
 General Motors Corporation
 300 Renaissance Center
 Mail Code 482-C14-C66; P. O. Box 300
 Detroit, MI 48265-3000
 (313) 665-4019

2 Respondent, Address and Phone No.
 Swartz Creek
 8083 Civic Drive
 Swartz Creek, MI 48473-1498
 810-635-4464

3 Agent name, address and phone
 Stewart L. Mandell
 Honigman Miller Schwartz and Cohn LLP
 2290 First National Building
 Detroit Michigan 48226
 (313) 465-7420

4 Agent name and address, if known
 Unknown.

5 Filing Fee Paid:
\$270.00

6 Is a proof of service attached?
 Yes No

Column below for property Tax appeal only

A. Amount of State Equalized Value in Contention:*
\$ 21,244,880
 * For parcel with highest SEV in contention

B. Issue (designate one):
 Valuation
 Special Assessment
 Equalization

C. Reason for appeal:
 True cash value (TCV) & taxable value (TV)
 TV only
 Uncapping: Tax Year(s) at issue:
 Tax Bill: Tax Year(s) at issue:
 STC Order: Tax Year(s) at issue:
 Other

D. Type of Property:
 Real
 Personal

E. Classification of property
 Commercial
 Industrial
 Developmental
 Utility
 Residential
 Agricultural
 Timber Cutover

Column below for Non-Property Tax appeal only

A. Amount in Contention:
 Tax: _____
 Penalty: _____
 Interest: _____

B. Tax Type (designate one):
 Aircraft Fuel Priviledge
 Airport Parking Tax
 Estate Tax
 Individual Income
 Motor Carrier
 Motor Fuel
 Sales, Use, Withholding
 Severance Tax
 Single Business
 Stadia or Convention Facility Financing
 State Convention Facility Dev
 State Real Estate Transfer Tax
 Tobacco Products
 Other (please state): _____

E. Tax Year(s)
2009

F. Parcel ID No. (for parcel listed in "A" above)
58-29-300-007

C. Assessment No(s).

D. Date of Issuance

G. Are you appealing more than one parcel? YES
 If yes, how many? 3

43

**STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
MICHIGAN TAX TRIBUNAL**

General Motors Corporation,

Petitioner,

v.

MTT Docket No.

(Parcel No(s). 58-29-300-007, 58-30-400-002,
58-80-3225-60)

Swartz Creek,

Respondent.

_____ /

PETITION

General Motors Corporation ("Petitioner"), through its attorneys, HONIGMAN MILLER SCHWARTZ AND COHN LLP, says:

1. Petitioner's principal office address is 300 Renaissance Center, Mail Code 482-C14-C66; P. O. Box 300, Detroit, MI 48265-3000. Petitioner is a party in interest with respect to property taxes on tax parcel no(s). 58-29-300-007, 58-30-400-002, 58-80-3225-60 ("Petitioner's Property"), also known as GMSP0 at 6060 W. Bristol Road. If this petition includes more than one (1) property tax parcel, the tax parcels are contiguous.
2. Respondent, Swartz Creek, assesses and collects property taxes on Petitioner's Property.

3. In 2009, Respondent determined the taxable value of Petitioner's Property to be \$48,111,700 (\$26,556,100, \$11,559,500, \$9,996,100) and assessed Petitioner's Property at \$48,111,700 (\$26,556,100, \$11,559,500, \$9,996,100), which will result in a state equalized value in the same amount based upon the tentative equalization factor.

4. Petitioner's Property is classified as Industrial Personal and Industrial Real. Petitioner's Property is presently used or available for use for Industrial purposes. Petitioner believes that Petitioner's Property was originally designed to be used for Industrial purposes.

5. This matter involves issues relating to: (a) valuation, (b) assessment, (c) taxable value and (d) uniformity.

6. At this time, Petitioner believes, as it relates to taxable value, that there is a dispute relative to the value of a loss.

7. If P.A. 174 of 2006 requires a board of review protest for Petitioner's Property, a board of review protest was filed in March, 2009.

8. The 2009 assessment, including state equalized value and taxable value, imposed on Petitioner's Property, and the taxes to be levied and collected thereon, are invalid and unlawful and operate as a fraud upon the taxpayer for the reasons that:

(a) The assessment, including state equalized value and/or taxable value, exceeds the amount permitted by the Michigan Constitution and applicable statutes;

(b) The assessment, including state equalized value and/or taxable value, are at higher percentages of true cash value than permissible under the Michigan Constitution and applicable statutes;

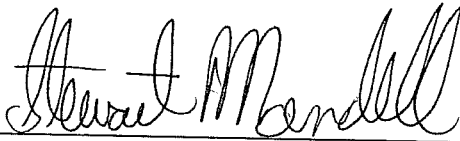
(c) The assessment, including taxable value and/or state equalized value, are based upon an erroneous determination of the true cash value of that portion of Petitioner's Property that is taxable under Michigan law, and are based upon the application of wrong principles; and,

(d) The assessment, including state equalized value and/or taxable value, and the mode of assessment adopted by Respondent, discriminate against Petitioner and deny Petitioner its constitutional rights to uniformity, equal protection and due process of law.

WHEREFORE, Petitioner requests that the Tax Tribunal enter an Order reducing the 2009 taxable value of Petitioner's Property from \$48,111,700 (\$26,556,100, \$11,559,500, \$9,996,100) to \$9,622,340 (\$5,311,220, \$2,311,900, \$1,999,220), and reducing the 2009 state equalized value of Petitioner's Property from \$48,111,700 (\$26,556,100, \$11,559,500, \$9,996,100) to \$9,622,340 (\$5,311,220, \$2,311,900, \$1,999,220), and requiring Respondent to pay Petitioner the refunds attributable to such reductions, plus interest and costs.

Respectfully submitted,

HONIGMAN MILLER SCHWARTZ AND COHN LLP
Attorney for Petitioner

By: 

Stewart L. Mandell (P33781)
2290 First National Building
660 Woodward Avenue
Detroit, MI 48226-3506
(313) 465-7420

Dated: 05/29/2009

**STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
MICHIGAN TAX TRIBUNAL**

General Motors Corporation,

Petitioner,

v.

MTT Docket No.

(Parcel No(s). 58-29-300-007, 58-30-400-002,
58-80-3225-60)

Swartz Creek,

Respondent.

PROOF OF SERVICE

STATE OF MICHIGAN)
) ss.
COUNTY OF WAYNE)

SHAWN LEZOTTE, being duly sworn, deposes and says that she is employed by HONIGMAN MILLER SCHWARTZ AND COHN LLP, attorneys for Petitioner, and that on 05/29/2009, she did serve a copy of Petitioner's Petition upon the parties named on the attached list.



Shawn Lezotte

BY CERTIFIED UNITED STATES MAIL, RETURN RECEIPT REQUESTED:

CLERK
CITY OF SWARTZ CREEK
8083 CIVIC DRIVE
SWARTZ CREEK, MI 48473-1498

ASSESSOR
CITY OF SWARTZ CREEK
8083 CIVIC DRIVE
SWARTZ CREEK, MI 48473-1498

AND BY FIRST-CLASS UNITED STATES MAIL:

CLERK
GENESSEE COUNTY
COURT HOUSE
1101 BEACH ST.
FLINT, MI 48502

DIRECTOR OF EQUALIZATION
GENESSEE COUNTY
COURT HOUSE
1101 BEACH ST.
FLINT, MI 48502

SECRETARY OF SCHOOL BOARD
SWARTZ CREEK COMMUNITY SCHOOLS
8354 CAPPY LANE
SWARTZ CREEK, MI 48473

SECRETARY OF SCHOOL DISTRICT
GENESSEE COUNTY INTERMEDIATE SCHOOL DISTRICT
2413 W. MAPLE AVE
FLINT, MI 48507

VIA FEDERAL EXPRESS

05/29/2009

Mr. Peter M. Kopke
Chief Clerk
Michigan Tax Tribunal
611 W. Ottawa
Lansing, MI 48913

**Re: General Motors Corporation v. Swartz Creek
Parcel No(s). 58-80-313-004, 58-29-300-008, 58-29-551-024, 58-31-526-009**

Dear Mr. Kopke:

Enclosed for filing in the above-captioned matter is Petitioner's Petition and Proof of Service together with our firm's check to cover the requisite filing fee.

Very truly yours,

HONIGMAN MILLER SCHWARTZ AND COHN LLP



Stewart L. Mandell

Enclosures

cc: Via Certified Mail:
Clerk, Swartz Creek
Assessor, Swartz Creek

cc: Via Regular Mail:
Clerk, Genesee County
Director of Equalization, Genesee County
Secretary of School Board, Swartz Creek Community Schools
Secretary of School District, Genesee ISD

**Michigan Tax Tribunal
Entire Tribunal Case Information Sheet**

1 Petitioner, Address and Phone No. General Motors Corporation 300 Renaissance Center Mail Code 482-C14-C66; P. O. Box 300 Detroit, MI 48265-3000 (313) 665-4019	2 Respondent, Address and Phone No. Swartz Creek 8083 Civic Drive Swartz Creek, MI 48473-1498 810-635-4464
--	---

3 Agent name, address and phone Stewart L. Mandell Honigman Miller Schwartz and Cohn LLP 2290 First National Building Detroit Michigan 48226 (313) 465-7420	4 Agent name and address, if known Unknown.
---	---

5 Filing Fee Paid: <p align="center"><u>\$280.00</u></p>	6 Is a proof of service attached? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
--	---

Column below for property Tax appeal only	Column below for Non-Property Tax appeal only
--	--

A. Amount of State Equalized Value in Contention:* <p align="center"><u>\$ 560,640</u></p> * For parcel with highest SEV in contention	A. Amount in Contention: Tax: _____ Penalty: _____ Interest: _____
--	--

B. Issue (designate one): <input checked="" type="checkbox"/> Valuation <input type="checkbox"/> Special Assessment <input type="checkbox"/> Equalization C. Reason for appeal: <input checked="" type="checkbox"/> True cash value (TCV) & taxable value (TV) <input type="checkbox"/> TV only Uncapping: Tax Year(s) at issue: Tax Bill: Tax Year(s) at issue: STC Order: Tax Year(s) at issue: <input type="checkbox"/> Other D. Type of Property: <input checked="" type="checkbox"/> Real <input type="checkbox"/> Personal E. Classification of property <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Developmental <input type="checkbox"/> Utility <input type="checkbox"/> Residential <input type="checkbox"/> Agricultural <input type="checkbox"/> Timber Cutover	B. Tax Type (designate one): <input type="checkbox"/> Aircraft Fuel Priviledge <input type="checkbox"/> Airport Parking Tax <input type="checkbox"/> Estate Tax <input type="checkbox"/> Individual Income <input type="checkbox"/> Motor Carrier <input type="checkbox"/> Motor Fuel <input type="checkbox"/> Sales, Use, Withholding <input type="checkbox"/> Severance Tax <input type="checkbox"/> Single Business <input type="checkbox"/> Stadia or Convention Facility Financing <input type="checkbox"/> State Convention Facility Dev <input type="checkbox"/> State Real Estate Transfer Tax <input type="checkbox"/> Tobacco Products Other (please state): _____
--	---

E.	F.	C. Assessment No(s).	D. Date of Issuance
Tax Year(s)	Parcel ID No. (for parcel listed in "A" above)		
2009	58-80-313-004		

G. Are you appealing more than one parcel? <u>YES</u> If yes, how many? <u>4</u>	51
--	----

**STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
MICHIGAN TAX TRIBUNAL**

General Motors Corporation,

Petitioner,

v.

MTT Docket No.

(Parcel No(s). 58-80-313-004, 58-29-300-008,
58-29-551-024, 58-31-526-009)

Swartz Creek,

Respondent.

_____ /

PETITION

General Motors Corporation ("Petitioner"), through its attorneys, HONIGMAN MILLER SCHWARTZ AND COHN LLP, says:

1. Petitioner's principal office address is 300 Renaissance Center, Mail Code 482-C14-C66; P. O. Box 300, Detroit, MI 48265-3000. Petitioner is a party in interest with respect to property taxes on tax parcel no(s). 58-80-313-004, 58-29-300-008, 58-29-551-024, 58-31-526-009 ("Petitioner's Property"), also known as GMSPO at 6060 W. Bristol Road. If this petition includes more than one (1) real property tax parcel, the tax parcels are contiguous.

2. Respondent, Swartz Creek, assesses and collects property taxes on Petitioner's Property.

3. In 2009, Respondent determined the taxable value of Petitioner's Property to be \$1,152,900 (\$345,300, \$96,900, \$9,900, \$700,800) and assessed Petitioner's Property at \$1,154,900 (\$345,300, \$96,900, \$11,900, \$700,800), which will result in a state equalized value in the same amount based upon the tentative equalization factor.

4. Petitioner's Property is classified as Industrial Real. Petitioner's Property is presently used or available for use for Industrial purposes. Petitioner believes that Petitioner's Property was originally designed to be used for Industrial purposes.

5. This matter involves issues relating to: (a) valuation, (b) assessment, (c) taxable value and (d) uniformity.

6. At this time, Petitioner believes, as it relates to taxable value, that there is a dispute relative to the value of a loss.

7. If P.A. 174 of 2006 requires a board of review protest for Petitioner's Property, a board of review protest was filed in March, 2009.

8. The 2009 assessment, including state equalized value and taxable value, imposed on Petitioner's Property, and the taxes to be levied and collected thereon, are invalid and unlawful and operate as a fraud upon the taxpayer for the reasons that:

(a) The assessment, including state equalized value and/or taxable value, exceeds the amount permitted by the Michigan Constitution and applicable statutes;

(b) The assessment, including state equalized value and/or taxable value, are at higher percentages of true cash value than permissible under the Michigan Constitution and applicable statutes;

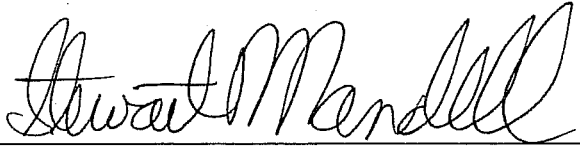
(c) The assessment, including taxable value and/or state equalized value, are based upon an erroneous determination of the true cash value of that portion of Petitioner's Property that is taxable under Michigan law, and are based upon the application of wrong principles; and,

(d) The assessment, including state equalized value and/or taxable value, and the mode of assessment adopted by Respondent, discriminate against Petitioner and deny Petitioner its constitutional rights to uniformity, equal protection and due process of law.

WHEREFORE, Petitioner requests that the Tax Tribunal enter an Order reducing the 2009 taxable value of Petitioner's Property from \$1,152,900 (\$345,300, \$96,900, \$9,900, \$700,800) to \$230,590 (\$69,070, \$19,380, \$1,980, \$140,160), and reducing the 2009 state equalized value of Petitioner's Property from \$1,154,900 (\$345,300, \$96,900, \$11,900, \$700,800) to \$230,590 (\$69,070, \$19,380, \$1,980, \$140,160), and requiring Respondent to pay Petitioner the refunds attributable to such reductions, plus interest and costs.

Respectfully submitted,

HONIGMAN MILLER SCHWARTZ AND COHN LLP
Attorney for Petitioner

By: 

Stewart L. Mandell (P33781)
2290 First National Building
660 Woodward Avenue
Detroit, MI 48226-3506
(313) 465-7420

Dated: 05/29/2009

**STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
MICHIGAN TAX TRIBUNAL**

General Motors Corporation,

Petitioner,

v.

MTT Docket No.

(Parcel No(s). 58-80-313-004, 58-29-300-008,
58-29-551-024, 58-31-526-009)

Swartz Creek,

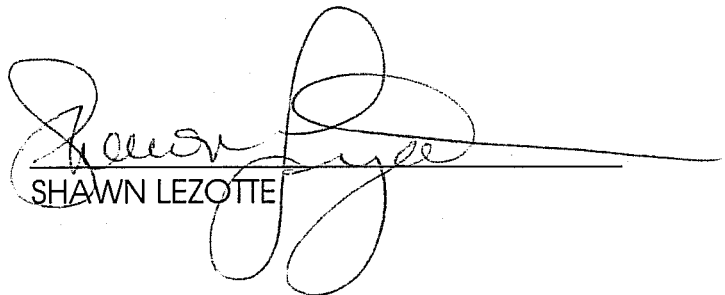
Respondent.

_____ /

PROOF OF SERVICE

STATE OF MICHIGAN)
) ss.
COUNTY OF WAYNE)

SHAWN LEZOTTE, being duly sworn, deposes and says that she is employed by HONIGMAN MILLER SCHWARTZ AND COHN LLP, attorneys for Petitioner, and that on 05/29/2009, she did serve a copy of Petitioner's Petition upon the parties named on the attached list.


SHAWN LEZOTTE

BY CERTIFIED UNITED STATES MAIL, RETURN RECEIPT REQUESTED:

CLERK
CITY OF SWARTZ CREEK
8083 CIVIC DRIVE
SWARTZ CREEK, MI 48473-1498

ASSESSOR
CITY OF SWARTZ CREEK
8083 CIVIC DRIVE
SWARTZ CREEK, MI 48473-1498

AND BY FIRST-CLASS UNITED STATES MAIL:

CLERK
GENESSEE COUNTY
COURT HOUSE
1101 BEACH ST.
FLINT, MI 48502

DIRECTOR OF EQUALIZATION
GENESSEE COUNTY
COURT HOUSE
1101 BEACH ST.
FLINT, MI 48502

SECRETARY OF SCHOOL BOARD
SWARTZ CREEK COMMUNITY SCHOOLS
8354 CAPPY LANE
SWARTZ CREEK, MI 48473

SECRETARY OF SCHOOL DISTRICT
GENESSEE COUNTY INTERMEDIATE SCHOOL DISTRICT
2413 W. MAPLE AVE
FLINT, MI 48507



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
THE OFFICE OF RACING COMMISSIONER
LANSING

CHRISTINE C. WHITE
COMMISSIONER

FOR IMMEDIATE RELEASE
June 2, 2009

Contact: Liana Bennett
517-335-1420

MICHIGAN RACING COMMISSIONER CUTS RACE DAYS

LANSING – Racing Commissioner, Christine C. White, today signed orders eliminating 101 live race dates for the remainder of the 2009 fiscal year ending September 30, 2009.

The budget for the Office of Racing Commissioner (ORC) was reduced by \$1.4 million in the Governor's Executive Order issued on May 5, 2009. The budget for the ORC during fiscal year 2009 was set at \$3.8 million and has been reduced by \$1.4 million with only four months remaining in the fiscal year.

"This was the last thing we wanted to do," Commissioner White said, "but our hands are tied. There is insufficient funding to get us through the fiscal year."

While the actual days are still in negotiation, the thoroughbred industry that includes Pinnacle Race Course will see a reduction of 42 days out of its original 82 days. Mount Pleasant Meadows will lose 18 of its 37 days. The harness industry will see reductions in two tracks. Hazel Park will lose 38 days and Northville Racing Corporation will be cut the three days scheduled for this fiscal year.

The Office of Racing Commissioner is the official state agency charged with regulating, promoting and serving the horse racing industry in Michigan. For more information about upcoming events, the five pari-mutuel horse race tracks, racing schedules, licensing and Michigan horse racing, visit www.michigan.gov/horseracing.

###

Paul Bueche

From: Liana Bennett [bennettl@michigan.gov]
Sent: Tuesday, June 02, 2009 11:45 AM
To: MDA-HorseRacing
Subject: News Release - MI Racing Commissioner Cuts Race Days

Attachments: HTML; MI Cuts Race Days.pdf



Message (7 KB)

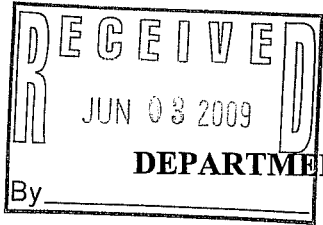


MI Cuts Race
Days.pdf (30 KB)

FOR IMMEDIATE RELEASE Contact: Liana Bennett June 2, 2009
517-335-1420 MICHIGAN RACING COMMISSIONER CUTS RACE

DAYS LANSING – Racing Commissioner, Christine C. White, today signed orders eliminating 101 live race dates for the remainder of the 2009 fiscal year ending September 30, 2009. The budget for the Office of Racing Commissioner (ORC) was reduced by \$1.4 million in the Governor’s Executive Order issued on May 5, 2009. The budget for the ORC during fiscal year 2009 was set at \$3.8 million and has been reduced by \$1.4 million with only four months remaining in the fiscal year. “This was the last thing we wanted to do,” Commissioner White said, “but our hands are tied. There is insufficient funding to get us through the fiscal year.” While the actual days are still in negotiation, the thoroughbred industry that includes Pinnacle Race Course will see a reduction of 42 days out of its original 82 days. Mount Pleasant Meadows will lose 18 of its 37 days. The harness industry will see reductions in two tracks. Hazel Park will lose 38 days and Northville Racing Corporation will be cut the three days scheduled for this fiscal year. The Office of Racing Commissioner is the official state agency charged with regulating, promoting and serving the horse racing industry in Michigan. For more information about upcoming events, the five pari-mutuel horse race tracks, racing schedules, licensing and Michigan horse racing, visit www.michigan.gov/horseracing.

COPY



**STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
MICHIGAN TAX TRIBUNAL**

EDWARD F. LETAVIS REV. TRUST,

Petitioner

v.

MTT Docket No.

CITY OF SWARTZ CREEK,

Respondent

Robert H. Bancroft (P40368)
Attorney for Petitioner
11368 Vista Drive
Fenton, MI 48430

PETITION

Edward F. Letavis Rev. Trust ("Petitioner"), through its attorney, ROBERT H. BANCROFT, says:

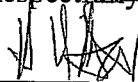
1. Petitioner's principal office address is 8478 Miller Rd., Swartz Creek, Michigan 48473. Petitioner is the party in interest with respect to property taxes on tax parcel no(s). 58-35-551-008 ("Petitioner's Property").
2. Respondent, City of Swartz Creek, assesses and collects property taxes on Petitioner's Property.
3. In, 2009, Respondent determined the taxable value of Petitioner's Property to be \$165,968 and assessed Petitioner's Property at \$256,100, which will result in a state equalized value in the same amount based upon the tentative equalization factor.
4. The Petitioner's Property is located in Genesee County and the Swartz Creek School District and the Genesee Intermediate School District.
5. Petitioner's Property is classified as 201 Commercial Improved. Petitioner's Property is presently used or available for use for car wash and oil change purposes.
6. This matter involves issues of: (a) valuation, (b) assessment, (c) taxable value, and (d) uniformity.

7. At this time, Petitioner believes, as it relates to taxable value, that there is a dispute relative to the value of the loss.
8. The 2009 assessment, including state equalized value and taxable value, imposed on Petitioner's Property, and the taxes to be levied and collected thereon, are invalid and unlawful and operate as a fraud upon the taxpayer for the reasons that:
 - a. The assessment, including state equalized value and/or taxable value, exceed the amounts permitted by the Michigan Constitution and applicable statutes;
 - b. The assessment, including state equalized value and/or taxable value, are at higher percentages of true cash value that permissible under the Michigan Constitution and applicable statutes;
 - c. The assessment, including taxable value and/or state equalized value are based upon erroneous determination of the true cash value of that portion of Petitioner's Property that is taxable under Michigan law, and are based upon the application of wrong principles.
 - d. The assessment, including state equalized value and/or taxable value, and the mode of assessment adopted by Respondent, discriminate against Petitioner and deny Petitioner its constitutional rights to uniformity, equal protection and due process of law.

WHEREFORE, Petitioner requests that the Tax Tribunal enter an Order reducing the 2009 taxable value of Petitioner's Property from \$165,968 to \$115,000, and reducing the 2009 state equalized value of Petitioner's Property from \$256,100 to \$115,000, and requiring Respondent to pay Petitioner the refunds attributable to such reductions, plus interest and costs.

Dated: 5/28/2009

Respectfully submitted,



Robert H. Bancroft (P40368)
Attorneys for Petitioner
11368 Vista Drive
Fenton, MI 48430

**STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
MICHIGAN TAX TRIBUNAL**

EDWARD F. LETAVIS REV. TRUST,

Petitioner

v.

MTT Docket No.
Parcel No. 58-35-551-008

CITY OF SWARTZ CREEK,

Respondent

Robert H. Bancroft (P40368)
Attorney for Petitioner
11368 Vista Drive
Fenton, MI 48430

The undersigned states that on 01/21/09, 2009, she mailed a copy of the Petition in the above matter by certified mail to:

Michigan Tax Tribunal
PO Box 30232
Lansing, MI 48909

Swartz Creek City Assessor
8083 Civic Drive
Swartz Creek, MI 48473

Swartz Creek City Clerk
8083 Civic Drive
Swartz Creek, MI 48473

And by first class mail to:

Swartz Creek School
District
8197 Miller Rd.
Swartz Creek, MI 48473

Genesee County Clerk
900 S. Saginaw
Flint, MI 48502

Genesee Co. Equalization
Department
1101 Beach St.
Flint, MI 48502

By affixing proper postage and mailing from a U.S. mailbox in Flint, MI.



LISA PENA

Paul Bueche

From: Michigan Municipal League [nbrown@mml.org]
Sent: Tuesday, May 26, 2009 11:46 PM
To: Paul Bueche
Subject: MML Legislative Link 5-26-09



May 26, 2009

Stimulus Funding Update

League Writes Vice-President Biden, Communities Urged to Add Their Voice – A [letter signed by League President Robin Beltramini](#) sent last week to Vice-President Biden, who President Obama has charged with overseeing implementation of the Recovery Act, asked for assistance in ensuring that states use Recovery funds in accordance with act; to help stabilize local government budgets in order to maintain essential services and prevent tax increases. Such language is actually in the act itself. The letter was sent in response to the recent cut in revenue sharing approved by the Governor and legislature. We've already received word back that the Recovery Act Coordinator is looking in to the matter. The letter led to a [good deal of press](#) which you can view at the [webpage](#) we've established. Many members have already taken action to also write the Vice-President and communities are urged to either write or pass a resolution. A [resolution](#) is available for your use. Contact: [Arnold Weinfeld](#)

\$50 Million Being Made Available for Communities Impacted by Auto Industry Restructuring

– \$50 million in stimulus funding will be made available to communities across the country that are experiencing a significant number of layoffs from plant closings or downsizings by a motor vehicle manufacturer or supplier. No specifics are yet available but communities will have to compete for the grant funds which can be used for counseling, job training and retraining workers in new energy and green technology jobs. The League will keep you informed as more information is made available. Contact: [Arnold Weinfeld](#)

Byrne Justice Grant Deadline Extended – The Department of Justice has announced that the deadline to make application for Byrne Justice Assistance Grants (JAG) under the Recovery Act has been extended to June 17, 2009. Because this is a non-competitive formula driven grant program, the extension of the deadline does not impact either

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The Buzz

[Michigan Needs to Remodel Taxes](#)
 Detroit Free Press
 5/24/09

What's New

[M.M.L. Seeks Fed Intervention to Block Revenue Sharing Cuts](#)

[Committee Takes First Step On Transportation Package By Mulling Transit](#)

[Exceptional Service Award Call for Nominations](#)
 Submit by June 30

[Leadership & Public Service Award Call for Nominations](#)
 Submit by June 30

[League's New PA 312 Webpage](#)

[May/June Michigan Municipal Review](#)

Save the Date

[2009 Asset Management Conference](#)

eligibility or funding determinations. To determine if your local government is eligible, go to the [State and Local Allocation list](#). To apply, you must [review and submit the solicitation package](#). A [list of frequently asked questions](#) is also available. The Byrne JAG Program, allows states and local governments to support a broad range of activities to prevent and control crime and improve the criminal justice system. The procedure for allocating JAG grants is based on a formula of population and violent crime statistics, in combination with a minimum allocation to ensure that each state and territory receives an appropriate share of funding. Sixty percent of the allocation is awarded to the state and 40 percent is set aside for units of local governments. Contact: [Arnold Weinfeld](#)

Other Stimulus Information – Visit the [League's Economic Stimulus webpage](#), the [Michigan's recovery website](#), or the [federal recovery website](#) frequently for information on stimulus programs of interest to Michigan communities.

State Affairs Update

Reminder: Form 4650 Due June 1 – File your Form 4650 by June 1 to the [Department of Treasury](#) to claim reimbursement if your DDAs, LDFAs, BRFA's and/or TIFAs lose tax increment revenue due to the 2007 personal property tax rate changes. Statute determines that the Form 4650 will have a June 1 deadline every year from now on (not the former June 15 deadline). Also, if a claim is filed and the authority wishes to amend it, any changes must be received by the due date as well. [Treasury](#) will send approval letters August 14 and reimbursements will be made by the municipal treasurer using SET collections. It would be helpful to inform the treasurers of the amount of the claim submitted to assist the treasurers in ensuring adequate SET revenue is retained to pay the claim prior to sending it to the county treasurer. Municipal treasurers are advised to keep a copy of all reimbursement approval letters to assist in the SET settlement with the county treasurers. Contact: [Summer Minnick](#)

Howell City Manager & League Testify Before House Transportation Committee – Howell City Manager Shea Charles and MML's Dave Worthams testified before the House Transportation Committee on a bill package that would be the next step in a comprehensive transit/economic development strategy for Michigan communities. Visit [Get Michigan Moving](#) and [Inside 208](#) for more information! Contact: [Dave Worthams](#)

Commercial/Industrial Tax Loophole Bills Pass Committee – The bills to fix the "WPW" issue regarding valuation of commercial and industrial property using occupancy passed the House Tax Policy committee. The League is supportive of these bills. A substitute was added to go back to striking the language that calls for a loss in value due to occupancy changes. However, there is no retroactivity in the bills, so they will be prospective only. We will keep League members informed on any further action through the Legislative Link and [Inside 208](#). Contact: [Summer Minnick](#)

[Form-Based Codes 301: Completing, Adopting & Administering the Code](#)
July 13-14, Lansing

[Concrete Repair Seminar](#)
June 4, Marquette

[Regional Seminars](#)
Friday's April - June,
Seven Locations
Statewide ([EOA](#))

[The League's Annual Convention](#)
Sept. 22-25, Kalamazoo

Grants & Projects

[Wood Energy Preliminary Assessment Grants](#)

[Local Bridge Programs Applications](#)
Apply by June 1

[Michigan Humanities Council Grants/Events](#)

[MI Housing Community Development Funds](#)

[Federal Brownfield Funding](#)

Related Links

[MI Legislature](#)

[MI Senate](#)

[MI House of Reps](#)

[Resources](#)

Reforming Health Care – Individual market reform legislation was introduced in both the House and Senate last week. There are differences in the House and Senate packages. House Bills [4934](#) and [4935](#) change the existing regulatory structure to mandate all carriers guarantee coverage on all products among a number of other changes. The Senate plan (SBs [579](#), [580](#), [581](#), and [582](#)) is a little different because there is no regulatory relief. The Senate package also requires an up to 1.8% surcharge on carriers that would be passed along to customers. The League is reviewing the legislation and will keep you updated and informed as this legislation moves. For more information, visit [Inside 208](#). Contact: [Samantha Harkins](#)

Transportation Dollars Could Double – Last week, during the House Transportation Committee hearing on Michigan's transportation funding crisis, MDOT Director Kirk Steudle pointed out that funds could double if the Transportation Funding Task Force Legislation package passes and is signed into law. The [list](#) of communities and dollar amounts can be found here. This money would go a long way towards addressing our transportation infrastructure problems. Beginning in FY 2011, the state will not be able to meet its federal match requirements, thus losing billions of dollars in federal aid. This will be amplified at the local level, where communities have less revenue sharing to support required matches for federal-aid projects. [Visit our action center](#) and contact their Legislators and ask that they take up the TF2 Funding Legislation today. Contact: [Dave Worthams](#)

Foreclosure Bills Signed into Law – The legislation to provide mortgage refinancing assistance to homeowners facing foreclosure has ended the long journey and was signed by Governor Jennifer Granholm last week. The bills will take effect in 45 days. As previously reported, the bills (HB [4453](#), HB [4454](#) and HB [4455](#) will now be PA 29, PA 30, PA 31) give homeowners an extra 90 days to work out a mortgage modification plan with their lenders. They also require lenders to notify homeowners in writing that the mortgage is in default and to provide information about who to contact to resolve the problem. There is also a judicial component in limited circumstances. Contact: [Andy Schor](#)

State Land Bank Going Green – The state's Land Bank Fast Track Authority is making all of its 7,000 vacant parcels available as community gardens through its [Garden for Growth program](#). The program allows communities or individuals to apply to garden a lot for \$50 for one year. Then, participants are able to apply to purchase the land. Any kind of garden is eligible -- native plants, flowers and vegetables, even a park. To see if properties are available in your community use the [Land Bank Authority's search for property feature](#). Contact: [Arnold Weinfeld](#)

Looking for Other Issues or Past Legislative Link Issues? – Check out [Inside 208](#) - the League advocacy blog - and use the search box to find past Link and Blog issues.

Federal Update

Climate Change Legislation Gets Committee

Approval – Last week, by a vote of 33-25, the House Energy and Commerce Committee approved the American Clean Energy and Security Act of 2009 (H.R. 2454). This comprehensive legislation, calls for a reduction in greenhouse gas emissions by 17 percent below 2005 levels by 2020, and 83 percent below 2005 levels by 2050. While the bill does not contain funding for the Energy Efficiency and Conservation Block Grant (EECBG) program, it does remove limits on funds received by communities through the EECBG program that can be used to fund revolving loan accounts; it also allows small communities to join with other neighboring small communities in a joint program of sufficient size to be defined as an eligible local government recipient under the EECBG program. The League thanks Michigan Congressman John Dingell for his work on the bill to ensure that all communities are able to take advantage of EECBG funds. While it is hoped that the bill will be approved before the summer recess, other committees have asked to review the bill as well. The League will continue to work with our partners in D.C. on securing ongoing funding for the EECBG program. Contact: [Arnold Weinfeld](#)

Department of Energy Announces EECBG

Webcasts – The U.S Department of Energy has scheduled webcasts on the Energy Efficiency and Conservation Block Grant program. Planning and Strategy Development webcast will be held May 29 from 1:30 p.m. to 3 p.m. E.D.T. and June 11 - 1:30 to 3 p.m. E.D.T. Innovative Energy Efficiency Financing Approaches webcast will be held June 1 from 2 p.m. to 4 p.m. E.D.T. and June 8 from 2p.m. to 4 p.m. E.D.T. [Click here](#) to register. Contact: [Arnold Weinfeld](#)

Swine Flu Information – The Centers for Disease Control has several web pages dedicated to providing information on the swine flu outbreak. You may also want to set up an email or text message [account](#) with the CDC so that you can receive the most up to date information. [General information](#) as well as [specific information on the current outbreak](#) and the [latest CDC health advisory](#) are also available. Contact: [Arnold Weinfeld](#)

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



Paul Bueche

From: Representative Lee Gonzales [leegonzales@house.mi.gov]
Sent: Monday, June 01, 2009 9:31 AM
To: Paul Bueche
Subject: Capitol Update from Rep. Gonzales



Welcome once again to my e-newsletter. I want to update you on the work I am doing in Lansing on behalf of the 49th District.

Revenue Estimating Conference

It is no secret that the biggest issue facing Michigan today is the budgetary crisis. May 15th marked the bi-annual Consensus Revenue Estimating Conference, which provided Michigan's economic outlook and revenue forecasts for fiscal year 2009 and 2010.

According to the Senate and House Fiscal Agencies and the Department of Treasury, the total general fund revenue is estimated to be \$6.95 billion. This is down 26 percent from a year ago, when state revenues were \$9.4 billion. In fact, current state revenue is at the same level as it was during the 1980's. School Aid Fund revenue is projected at \$10.56 billion, down from \$11.5 billion a year ago.

Though the state received federal stimulus money and the legislature approved \$300 million in recent Executive Order cuts, this is only a small portion of what is needed to solve the state's structural budget problems.

Indeed, this budget uncertainty is having, and will continue to have, a significant impact on our state and communities. Finding solutions to these challenges will not be easy and to address this deficit, we will need to make real reforms. This includes looking at tax loopholes and reviewing tax exemptions while investing in our people so Michigan continues to be a state where people want to live, work, do business and raise a family.

For more detailed information on the revenue estimating conference and the budget forecast for 2009-10, please visit the following links:

www.house.mi.gov/hfa/home.asp

www.senate.michigan.gov/sfa/

www.michigan.gov/documents/treasury/AdminTreasHandout_20090515_278624_7.pdf

Legislative Updates

Smoke Free Workplace (HB 4377)

My plan would make Michigan workplaces [smoke free](#), including bars and restaurants. Though the bill has limited exemptions (cigar bars, tobacco specialty retail stores, casino game room floors and collectively bargained agreements made before the bill's enactment) about 99 percent of work establishments would be smoke free. The legislation passed the House last week with a 73-31 vote and awaits Senate action.

Protecting Struggling Homeowners Avoid Foreclosure

(HB 4453, 4454 and 4455)

These bills will impose a 90-day "freeze" on the foreclosure proceedings if the homeowner requests a meeting with the lender to attempt to modify their mortgage. The borrower could elect to have a housing counselor present at the meeting, available through the Michigan State Housing Development Authority (MSHDA) or the U.S. Department of Housing and Urban Development (HUD). The bills also contain measures to get lenders to come to the table and meet with homeowners. This 90-day lifeline for struggling homeowners was signed into law last week.

Protecting Kids from Toxic Chemicals in Toys (HB 4763-4769)

This seven bill package will help parents better protect Michigan's children from toys containing toxic chemicals by requiring manufacturers to report what chemicals they use in the production of toys and other children's products sold in Michigan. Manufacturers that fail to comply with the reporting requirements will be forced to pay penalties and have their products pulled from the shelves. The Michigan Children's Safe Products Act will give parents the tools they need to protect their children from harmful chemicals. These bills passed the House and have been sent to the Senate for consideration.

Revise County Road Revenue Provisions (HB 4848)

This bill would increase from 30 percent to 50 percent the amount of state transportation tax revenues returned to counties that may be used on the county local road system, rather than on the county primary road system. It passed the House 108-0 and has been sent to the Senate Transportation Committee.

Encourage Funds for Michigan Manufacturers (HR 99)

The resolution urges the U.S. Department of Energy to give full consideration to advanced battery manufacturing grant applications from Michigan-based manufacturers. The resolution was adopted by the House.

To monitor the progress of the above bills and other current legislation please visit www.legislature.mi.gov

Free Publications

With summer quickly approaching, I want to provide you and your family with free Michigan guides and publications. Please use one of the three ways below to request FREE information:

- 1) E-mail me at leegonzales@house.mi.gov and indicate which publication you would like to receive. Please include your name, address, city & Zip code;
- 2) Contact us by phone at (517) 373-7515 or toll-free at (800) FLINT-49 (354-6849);
- 3) Print and cut out the coupon below and mail it to Rep. Lee Gonzales, P.O. Box 30014, Lansing, MI 48909-7514.

Free Michigan Publications Coupon

Michigan Lodging & Tourism Directory
 Michigan Travel Ideas: The Official State of Michigan Travel Guide
 State of Michigan Highway Map
 Paying for College in Michigan: An Educational Resource Guide
 Movin' On - Rights and Responsibilities of Young Adults
 Getting to Know Michigan Coloring Book
 Your State Capitol - A guide to Michigan's state capitol building
 Michigan Veterans Benefits & Services - Federal, State and Local Programs
 Consumer Protection Resource Guide

Name _____

Address _____

City _____ State __MI__ & Zip Code _____

Part of my job as your state representative is to keep you informed. I am happy to provide these booklets to you at no cost.

Please click on the links above to get more news about my activities here in Lansing. As always, I thank you for the opportunity to represent the 49th House District. I look forward to hearing from you.

Sincerely,

Lee Gonzales
State Representative
District 49

 EMAIL REP. GONZALES

 REP. GONZALES'S WEBSITE



MICHIGAN HOUSE DEMOCRATS

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Paul Bueche

From: Michigan Municipal League [jbruck@mml.org]
Sent: Monday, June 01, 2009 4:16 PM
To: Paul Bueche
Subject: MML 111th Annual Convention Registration Opens Today!



MML 111th Annual Convention Registration Opens Today!

Online registration is now available for the League's 111th Annual Convention in Kalamazoo, September 22-25, 2009. Register online and you could win an iPod Shuffle! [Click here](#) to register!

There has never been a more important time to be an active member of the League. As we move forward and face the mounting challenges before us, the League is working for you every day to help create a prosperous state with vibrant communities. It's the League's sole mission to help our members create desirable, thriving communities within Michigan. The Convention program in Kalamazoo is specifically designed to assist Michigan's leaders in identifying strategies that make Michigan a unique and attractive place to live. [Click here](#) for more information on the event.

Don't miss out—this year's Convention will have something for everyone!

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



Paul Bueche

From: Michigan Municipal League [nbrown@mml.org]
Sent: Tuesday, June 02, 2009 11:31 AM
To: Paul Bueche
Subject: MML Legislative Link 6-2-09



June 2, 2009

Stimulus Funding Update

League Writes Vice-President Biden, Communities Urged to Add Their Voice – A [letter signed by League President Robin Beltramini](#) sent last week to Vice-President Biden, who President Obama has charged with overseeing implementation of the Recovery Act, asked for assistance in ensuring that states use Recovery funds in accordance with act; to help stabilize local government budgets in order to maintain essential services and prevent tax increases. Such language is actually in the act itself. The letter was sent in response to the recent cut in revenue sharing approved by the Governor and legislature. We've already received word back that the Recovery Act Coordinator is looking in to the matter. The letter led to a [good deal of press](#) which you can view at the [webpage](#) we've established. Many members have already taken action to also write the Vice-President and communities are urged to either write or pass a resolution. A [resolution](#) is available for your use. Contact: [Arnold Weinfeld](#)

Byrne Justice Grant Deadline Extended – The Department of Justice has announced that the deadline to make application for Byrne Justice Assistance Grants (JAG) under the Recovery Act has been extended to June 17, 2009. Because this is a non-competitive formula driven grant program, the extension of the deadline does not impact either eligibility or funding determinations. To determine if your local government is eligible, go to the [State and Local Allocation list](#). To apply, you must [review and submit the solicitation package](#). A [list of frequently asked questions](#) is also available. The Byrne JAG Program, allows states and local governments to support a broad range of activities to prevent and control crime and improve the criminal justice system. The procedure for allocating JAG grants is based on a formula of population and violent crime statistics, in combination with a minimum allocation to ensure that each state and territory receives an appropriate share of funding. Sixty percent of the allocation is awarded to the state and 40 percent is set aside for units of local governments. Contact: [Arnold Weinfeld](#)

[Subscribe](#) to the Link.

The Buzz

[Relieve State of Discretion on Local Aid](#)
LSJ 06/02/09

What's New

[Exceptional Service Award Call for Nominations](#)
Submit by June 30

[Leadership & Public Service Award Call for Nominations](#)
Submit by June 30

[League's New PA 312 Webpage](#)

[May/June Michigan Municipal Review](#)

Save the Date

[MAM Summer Workshop](#)
August 5-7, Grand Haven

[Regional Seminars](#)
Friday's April - June,
Seven Locations
Statewide ([EOA](#))

[Form-Based Codes 301: Completing, Adopting & Administering the Code](#)
July 13-14, Lansing

Other Stimulus Information – Visit the [League's Economic Stimulus webpage](#), the [Michigan's recovery website](#), or the [federal recovery website](#) frequently for information on stimulus programs of interest to Michigan communities.

State Affairs Update

Weekly E-mails to Save Revenue Sharing – The League is looking for your help in contacting legislators to save revenue sharing. Each week, there will be an article in the Legislative Link with a link to our action center for you to send an email to your legislators dealing with the importance of revenue sharing. The letter will be different each week but will still be related to revenue sharing. Weekly emails will keep this issue on the legislator's minds as they make policy decisions that will affect their communities. [Click here](#) to send the first of the weekly e-mails! Contact: [Summer Minnick](#)

Help Educate Lawmakers on the Importance of Transportation Funding – The League has prepared a [sample resolution](#) that can be adopted by councils all around the state to show the importance of expanding funding for transportation. Legislators need to hear from you, their constituents, on what this funding could mean for your community. Visit our [action center](#) to send emails or make calls to your legislators! We need the legislature to ACT NOW on transportation funding! Visit [Inside 208](#) for additional information. Contact: [Dave Worthams](#)

Join Us at Annual Convention, Sept. 22-25 in Kalamazoo – Register Online Now! [Click here](#) to register online for the League's Annual Convention, September 22-25 in Kalamazoo, and to check out our workshops, awards, keynote speakers, pre-convention activities and more!

ARRA Reporting Requirements Released – MDOT has release more information about the collecting of information on transportation projects that have received American Recovery and Reinvestment Act (ARRA) stimulus funding. MDOT will be contacting local agencies directly to additional reporting information such as: if the project will be let or completed using the non-competitive bid process, what the city or county Data Universal Number System identifier is, planned start and completion dates, and cost spent to date. [Click here](#) for a copy of the reporting requirement memo the League has received. Visit [Inside 208](#) for more information. Contact [Rudolph Cadena](#) (MDOT Local Agency Programs Engineer) with any questions or for further information. Contact: [Dave Worthams](#)

Nominate Your Downtown for a MI Downtown Conference Award – The Michigan Downtown Conference is making a call for nominations! Nominate your downtown's best projects, collaboration, or volunteer. Award nominations fall within nine (9) downtown-focused categories and seven (7) Main Street-focused categories. Nominations

[The League's Annual Convention](#)
Sept. 22-25, Kalamazoo

[2009 Asset Management Conference](#)

Grants & Projects

[Wood Energy Preliminary Assessment Grants](#)

[Michigan Humanities Council Grants/Events](#)

[MI Housing Community Development Funds](#)

[Federal Brownfield Funding](#)

Related Links

[MI Legislature](#)

[MI Senate](#)

[MI House of Reps](#)

[Resources](#)

are due by July 1st. [Click here](#) for more details and nomination instructions.

AASHTO Mississippi Valley Conference Coming to Grand Rapids

– MDOT announces that they will be hosting this years AASHTO Conference on July 15-17 at the Amway Grand Hotel in Grand Rapids, MI. This conference consists of ten Midwestern states whose goal is to foster the development, operation, and maintenance of an integrated and balanced transportation system that properly serves the populations in those states. There will be many speakers and technical sessions that will be relevant to municipal public works employees. [Click here](#) to see the full agenda and to get more information.

Register Now for the State of MI Public

Purchasing Conference – The State of Michigan is holding its Second Annual Public Purchasing Conference on Wednesday, June 10, 2009 from 8:00 am to 3:00 pm at GVSU's DeVos Center in Grand Rapids. [Click here](#) for registration information.

Looking for Other Issues or Past Legislative Link

Issues? – Check out [Inside 208](#) - the League advocacy blog - and use the search box to find past Link and Blog issues.

Federal Update

Department of Energy Announces EECBG

Webcasts – The U.S Department of Energy has scheduled webcasts on the Energy Efficiency and Conservation Block Grant program. Planning and Strategy Development webcast will be held June 11 - 1:30 p.m. to 3 p.m. E.D.T. Innovative Energy Efficiency Financing Approaches webcast will be held June 8 from 2 p.m. to 4 p.m. E.D.T. [Click here](#) to register. Contact: [Arnold Weinfeld](#)

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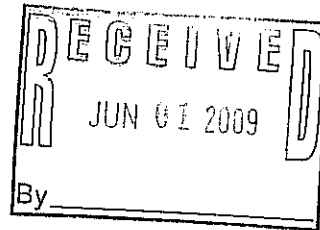
Michigan Municipal League, 1675 Green Road, Ann Arbor, MI 48105





May 29, 2009

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



Dear Mr. Bueche:

The federal digital broadcast transition (DTV) is rapidly approaching. Comcast continues to provide the information customers and non-customers need to know to continue receiving broadcast channels after June 12, 2009. This is the date by which full-power broadcast stations are required to switch to digital-only broadcasting. Consumers should take action now to get ready and get educated about their options or any anticipated issues they may experience with the broadcast stations' switch to digital.

An estimated 3.5 million households in the United States still may not be ready for the digital broadcast transition. Analog television sets in these homes are using "rabbit ears" or rooftop antennas to receive full-power broadcast channels without digital-to-analog converters. There are three ways to get ready:

- subscribe to cable or another video service provider,
- buy a new digital TV, or
- purchase a government-approved digital-to-analog TV converter box.

As the easiest solution for navigating DTV, Comcast is offering low-cost solutions, including offers of free basic cable for 12 months for new customers who sign up for at least one additional Comcast service. New customers who choose not to subscribe to an additional Comcast service can get basic cable for just \$10 a month for a full year. Current customers can add basic cable to additional TVs at no additional monthly fee. Basic cable in most areas has 20-30 channels, including broadcast (ABC, CBS, NBC, FOX, Univision, and PBS), shopping and local neighborhood public television channels. Since no antenna is needed, choosing cable eliminates the worry about potential reception problems associated with using an antenna following the transition.

Several stations have already made the switch to digital. Depending on consumers' choice of an over-the-air solution, they may experience varying levels of reception from their local broadcasters due to a variety of factors including type of antenna, broadcaster signal strength, as well as terrain (trees, tall buildings, etc). To help consumers learn more, the FCC has posted an informative and interactive tool that allows consumers to check which of their favorite local broadcast stations will be available (and at what strength) after the DTV transition. This tool can be found at: <http://www.fcc.gov/mb/engineering/maps/>.

To learn more about the digital broadcast transition visit www.comcast.com/dtv. Consumers can also call 1-800-COMCAST to talk about cable service options with a customer care representative.

Sincerely,

Gerald W. Smith
Government Affairs Manager
Comcast – Michigan Region

Add On Documents

MTT APPEALS (*Adjustments Pending as of June, 8, 2009*)

Pending MTT Tribunal (*All, Excluding GM*)

	2007	2008	2009	TOTAL BY REVN SOURCE
CITY OP	\$2,542.00	\$13,565.00	\$16,893.00	\$33,000.00
GARBAGE	\$922.00	\$4,916.00	\$6,122.00	\$11,960.00
ADMIN	\$258.00	\$367.00	\$1,709.00	\$2,334.00
W-TRAN	\$68.00			\$68.00
Sub Total	\$3,790.00	\$18,848.00	\$24,724.00	\$47,362.00

Pending MTT Tribunal (*General Motrs Only*)

	2009	TOTAL BY REVN SOURCE
CITY OP	\$190,315.00	\$190,315.00
GARBAGE	\$68,970.00	\$68,970.00
ADMIN	\$18,722.00	\$18,722.00
Sub Total	\$278,007.00	\$278,007.00

Pending MTT Tribunal (*All*)

	2007	2008	2009	TOTAL BY REVN SOURCE
CITY OP				\$223,315.00
GARBAGE				\$80,930.00
ADMIN				\$21,056.00
W-TRAN				\$68.00
TOTAL	\$3,790.00	\$18,848.00	\$302,731.00	\$325,369.00

Tables Present an Analysis of the Maximum Loss of Revenue

**Effects on Fund Balance
Fund 101
General Fund**

Fund Balance As Of June 30, 2002		1,078,725
FY 03 Actual Revenues	1,898,961	
FY 03 Actual Expenditures	<u>1,835,827</u>	
FY 03 Effect on Fund Balance		<u>63,134</u>
Fund Balance As Of June 30, 2003		1,141,859
FY 04 Actual Revenues	1,938,035	
FY 04 Actual Expenditures	<u>1,930,573</u>	
FY 04 Effect on Fund Balance		<u>7,462</u>
Fund Balance As Of June 30, 2004		1,149,321
FY 05 Actual Revenues	1,939,452	
FY 05 Actual Expenditures	<u>1,934,562</u>	
FY 05 Effect on Fund Balance		<u>4,890</u>
Fund Balance As Of June 30, 2005		1,154,211
FY 06 Actual Revenues	2,039,952	
FY 06 Actual Expenditures	<u>2,144,411</u>	
FY 06 Effect on Fund Balance		<u>(104,459)</u>
Fund Balance As Of June 30, 2006		1,049,752
FY 07 Actual Revenues	2,232,336	
FY 07 Actual Expenditures	<u>2,207,824</u>	
FY 07 Effect on Fund Balance		<u>24,512</u>
Fund Balance As Of June 30, 2007		1,074,264
FY 08 Estimated Revenues	2,154,120	
FY 08 Estimated Expenditures	<u>2,135,973</u>	
FY 08 Estimated Effect on Fund Balance		<u>18,147</u>
Estimated Fund Balance As Of June 30, 2008		1,092,411
FY 09 Estimated Revenues	2,079,709	
FY 09 Estimated Expenditures	<u>2,171,583</u>	
FY 09 Estimated Effect on Fund Balance		<u>(91,874)</u>
Estimated Fund Balance As Of June 30, 2009		1,000,537

*NET effect on
Fund Balance
AT the END of
this FY. (2008-2009)*