

**City of Swartz Creek  
AGENDA**

**Regular Council Meeting, Monday March 12, 2012 7:00 P.M.  
City Hall Building, 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 February 27, 2012 MOTION Pg. 9, 13-17
5. **APPROVE AGENDA**
  - 5A. Proposed / Amended Agenda MOTION Pg. 9
6. **REPORTS & COMMUNICATIONS:**
  - 6A. [City Manager's Report](#) (Agenda Item) MOTION Pg. 9, 2-8
  - 6B. Monthly [Police, DPW & Check Ledger](#) Pg. 29, 33
  - 6C. CDBG Civic Lighting Project (Agenda Item) Pg. 36-44
  - 6D. Progressive Proposal, Meijer Traffic Services (Agenda Item) Pg. 45-53
  - 6E. Commercial Gas Energy Purchases (Agenda Item) Pg. 54-82
  - 6F. REI Report, Meijer Sewer Capacity Pg. 83-86
  - 6G. Bear Creek Sewer Extension Pg. 87
  - 6H. DDA Meeting Notice Pg. 88
  - 6I. Misteguay Drain Notices Pg. 89-90
  - 6J. Comcast Notices, XFinity & Channels Pg. 91-92
  - 6K. Fair Housing Seminar Notice Pg. 93-95
  - 6L. 2011-2014 TIP Projects CD
  - 6M. MPO 2012 Action Plan CD
7. **MEETING OPENED TO THE PUBLIC:**
  - 7A. General Public Comments
8. **COUNCIL BUSINESS:**
  - 8A. 2009-2012 CDBG Project, Civic Area Street Lighting RESO. Pg. 10, 36-44
  - 8B. Fire Agreement, Appoint Swing Position DISC - RESO. Pg. 11, 4
  - 8C. Appropriation, Progressive AE: PE-CE, Data, Signals, Meijer RESO. Pg. 12, 45-53
  - 8B. Natural Gas Energy Use DISC. Pg. 54-82
9. **MEETING OPENED TO THE PUBLIC:**
  - 9A. General Public Comments
10. **REMARKS BY COUNCILMEMBERS:**
11. **ADJOURNMENT:** MOTION TABLE

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

**Regular Council Meeting of Monday March 12, 2012 7:00 P.M.**

**TO:** Honorable Mayor, Mayor Pro-Tem & Council Members  
**FROM:** PAUL BUCHE // City Manager  
**DATE:** 9-March-2012

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

- ✓ **MAJOR STREET FUND, TRAFFIC IMPROVEMENTS** (*See Individual Category*)
  - ☐ **2011-2014 T.I.P. APPLICATION** (*Status*)

Here is a schedule of City projects that are funded or in the queue (shaded).

*2011-2014 TIP, PENDING PROJECTS FUNDED & QUEUED (shaded)*

Project	Year	Grant	City Match	P.E.	C.E.	Total
Bristol Road @ GM-SPO	2013	\$54,912	\$13,728	\$8,000	\$16,000	<b>\$92,640</b>
Morrish Road Bridge Deck Over Creek	2013	\$584,000	\$132,000*	\$30,000	\$60,000	<b>\$806,000</b>
Miller Between Tallmadge & Dye	Unfunded	\$951,602	\$237,901	\$76,000	\$120,000	<b>\$1,385,503</b>
Miller Between Seymour & Elms	Unfunded	\$1,635,357	\$408,839	\$100,000	\$160,000	<b>\$2,304,196</b>
<b>Totals:</b>		<b>\$3,225,871</b>	<b>\$792,468</b>	<b>\$214,000</b>	<b>\$356,000</b>	<b>\$4,588,339</b>

\*Includes Enhancements, Walk-Way & Lighting

We will begin design this spring on the Morrish Road Bridge Project, including the pedestrian walk and lighting enhancements with construction anticipated in 2013. Included. One additional project that we are working towards getting the numbers together on is the traffic light at Westbound I-69 & Morrish, being the south entrance to Meijer. I may have something on this as early as the next meeting.

- ✓ **2012-2013 FISCAL BUDGET** (*Status*)

We are in the process of creating a draft for review. This year's cycle will probably be a near carbon copy of the current budget. We have talked about multiple year projected budgets, but until we decide exactly what we're looking to do with shared services, multiple years would be a toss of the dice. I suspect we'll have much clearer direction for shared services in the early part of the summer. Once we know our direction, we can create an amended budget for the 2012-2013 FY plus either a three year or five year projection. Here is a tentative schedule:

March:	Discussion, Direction
April 9 <sup>th</sup> :	Present Draft, Discussion, Set Public Hearing
May 14 <sup>th</sup> :	Public Hearing, Discussion
Middle May	Special Meeting, If Desired By Council
May 29 <sup>th</sup> :	Adopt Budget, Truth in Taxation Hearing (If Needed), Set Levy, Set 2012-2013 Meeting Schedule, Year End Fiscal Adjustments
June 11 <sup>th</sup> & 25 <sup>th</sup> :	Buffer Dates, If Needed
June 30 <sup>th</sup> :	Fiscal Year End

✓ **COUNTY WWS ISSUES PENDING** (See Individual Category)

❑ **KAREGNONDI WATER AUTHORITY** (Status)

Pending.

❑ **SEWER I&I PENALTIES, REHABILITATION** (Status)

We approved Phase IV of the sewer rehabilitation project (Winshall Drive) at the meeting of July 25<sup>th</sup>, the cost being \$82,492.50. The TV work has revealed we have one for sure, and possibly a second that will need to be excavated to repair. The first is a broken line that's off-set and the second is a "top down" lead into the main that the connection at the main is crushed. The second may be able to be lined but we must be prepared to excavate if the process fails. We've left the deteriorated areas for now until the ground dries up a bit, in towards summer. This work may get expensive as the mains are in the backyards, which will require the removal of fences and the like in order to get to the problem. To further complicate the matter, one of the problem areas has a garage in our easement, very close to where we have to dig. At any rate, we need to get together a very specific bid package that includes a survey to identify easement lines and encroachments. We also will need to factor in maximum costs for property we may damage, prepare grading permits and waivers of liability. We approved light design engineering, survey and bid package preparation in the amount of \$6,847 at the meeting of February 27<sup>th</sup>. We'll be back for review and decision as soon as we get the bids back.

❑ **BEAR CREEK SANITARY SEWER AGREEMENT** (Status)

Pending the outcome of the Morrish Road Bridge Project. Attached is a copy of the term extension.

✓ **MARATHON REDEVELOPMENT PROJECT** (Status)

The Council selected the Biggby Project at the Special Meeting of February 20<sup>th</sup>. Here is the schedule:

RFP Issued	September 8, 2011
Pre-Bid Meeting	September 29, 2011 @ 4:00 p.m.
RFP Response Deadline	November 1, 2011 @ 4:00 p.m.
Presentations by Invitation:	February 2, 2012
Council Selection:	February 20, 2012
Purchase Agreement:	March, 2012
Planning Commission Site Plan:	March-April, 2012
Final Site Plan Approval, Develop	
Agreement Approval:	April-May, 2012
Commence Construction:	Spring-Early Summer, 2012

I'll keep the Council posted on developments.

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

Pending.

✓ **CITY PROPERTIES 5129 & 4438 MORRISH ROAD** (Status)

We'll look at a disposition for the house at 4438 Morrish in the spring. The old Blacksmith Shop at 5129 Morrish is gone.

✓ **LABOR CONTRACTS, BUILDING DEPARTMENT** (Status)

As a short re-cap, all our labor contracts are frozen. The POLC agreement has been frozen since January 2009, AFSCME since July 2008, the Supervisor's since July 2007 and the City Manager's since December 2004. All our union contracts expire on June 30, 2012. As we all know, there are significant changes to labor law that will impact

these contracts, if not sooner than later. For the time being, we've opted out of SB #7, the 80% - 20% medical split. We've set a series of meetings with our health care broker, MMERS Representative and state union stewards to search for solutions.

We have two other "at will" classifications, being our part time police officers and our building inspector. The part time police have been frozen since March 2004 with a change in November 2009 to allow time and a half on holidays. The building inspector is part time, hired in October 2006 when the position was established to replace the full time assessor / building inspector. We increased the hours and compensation in anticipation of the Meijer Project. I'll be back shortly with an employment agreement for the Building / Code Inspector. Contracted positions are the assessor and trade inspector's, being electrical, plumbing and mechanical. Mr. Zettel remains as a contracted employee handling planning, DDA and assorted related items. We have a few bugs to work out yet, but I think we'll be good with it

✓ **FIRE DEPARTMENT: BOARD, CONTRACT & COST RECOVERY** (*Resolution*)

Clayton Township has elected not to participate in a fire controlled CIP find. They will handle funds collected within their finances and any operational funds left over at the end of the Fire Departments Fiscal Year are to be equally divided and returned back to the City and the Township. CIP Funds currently being held by the Fire Department are to be equally divided and returned to the City and Township. Other than this section, the contract is acceptable. I still need to chat with their attorney and work out the details of the language. I should have it ready for the next meeting. I recommend we accept and move forward. On another matter, Clayton's swing position on the Fire Board expires March 31<sup>st</sup>. The City needs to appoint a replacement. Boots Abrams has graciously agreed to sit for another year and the Mayor seems cautiously willing to loan her out for a couple of hours a month. A resolution to this effect is included with tonight's agenda.

✓ **SPRINGBROOK EAST & HERITAGE ASSOCIATION S.A.D.** (*Status*)

The cost per unit in Springbrook East is \$2,135.50 (64 units) for a total of \$136,672 (\$12,077 under budget). Heritage Village total reconciliation is \$1,311.86 (115 units) for a total of \$150,864 (\$6,817 under budget). Invoices have been mailed out giving residents an option to pay in full prior to April 2<sup>nd</sup>. After this, there will be five equal assessments of \$262.37 for Heritage and \$427.10 for Springbrook, added to the summer tax bill through 2016. Sometime after the April 2<sup>nd</sup> deadline for full payment, we'll be back to the Council to spread the final fund distribution across the books.

Here is an updated schedule:

- |                                      |                                                                                                                                                                                                                                                             |
|--------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>June 27<sup>th</sup> Meeting:</b> | Heritage & Springbrook Resolutions Directing Staff to Prepare Reports & Documents<br>Heritage & Springbrook Resolutions to Accept Findings, Reports, Boundaries & Documents, Place Findings in Clerks Office, Set Public Hearing for July 11, 2011 7:00 PM. |
| <b>June 28<sup>th</sup>:</b>         | Public Hearing Notices Mailed to Property Owners, Ad Scheduled in Newspaper                                                                                                                                                                                 |
| <b>July 11<sup>th</sup> Meeting:</b> | Public Hearing.<br>Heritage & Springbrook Resolutions Approving Profiles, Plans & Specifications, Formal Establishment of Special Assessment District, Direct Assessor to Prepare Special Assessment Tax Roll and Report to Council.                        |

	Heritage & Springbrook Special Assessment District Roll Received by Council, Resolution of Acceptance, Order of Filing With Clerks Office, Order of Availability for Public Inspection, Set Public Hearing for July 25, 2011 7:00 PM.
<b>July 12<sup>th</sup>:</b>	Public Hearing Notices Mailed to Property Owners, Ad Scheduled in Newspaper
<b>July 25<sup>th</sup> Meeting:</b>	Public Hearing. Council Confirms Special Assessment Roll, Order Roll Placed on File, Directs Assessor to Post the Assessment Roll, and Directs Treasurer to Collect As Specified. City Clerk must attach warrant to the Special Assessment roll within 10 days. Resolute & Sign Construction Contract
<b>Aug 29<sup>th</sup> - Oct 1<sup>st</sup>:</b>	Construction
<b>Late October:</b>	Final Expense Reconciliations, Determine per Unit Cost Adjustments (cannot Exceed Maximum Amount Approved).
<b>January:</b>	Invoice Property Owners,
<b>April 2, 2012:</b>	Payment Due Monday April 2, 2012.
<b>April 15, 2012:</b>	Develop and Adopt Cost Distributions Throughout Funds
<b>June, 2012:</b>	Year One of Five Year Cycle for Assessment Against Tax Roll
<b>June, 2016:</b>	Last (5 <sup>th</sup> ) Installment Due

The City now owns 12 vacant lots in Springbrook and 5 vacant lots in Heritage. All that is owed on them is the assessments as listed above. The deeds (warranty) have been recorded with the County Registrar's Office and placed as tax exempt for the year of 2012. We have a strong interest in just about all of these vacant lots. I am developing a plan as to how we should dispose of them and will be back in the near future to discuss it. We have a couple of housekeeping items left, one being easements for drainage and the second, street dedications to the City's PA Act 51 system. The street dedications are turning out to be a big deal. The City has never had to incorporate a street from a Condo Association. Everything we've done in the past has been from a platted subdivision. This process requires a letter from the associations' attorneys that identifies the association authority to dedicate, followed by a board resolution of dedication. We in turn then have to pass a resolution of acceptance followed by individual resolutions for each street (total of 16) with legal descriptions. We then set them to a map and send it all off to the state and pray they're satisfied. We're working on it.

- ✓ **SIGN ORDINANCE** (*Status*)  
Pending draft changes from the meeting of February 2<sup>nd</sup>.
- ✓ **SHARED SERVICES INITIATIVE** (*Status*)  
We voted this unanimously at the February 13<sup>th</sup> meeting. Mundy Township voted it the same night with a 6-1 positive vote. Flint Township voted it February 21, unanimous. Not a bad show of support... 20 out of 21. Mr. Nottley has begun work with completion expected in as early as 90 days. I'll keep the Council posted on developments.
- ✓ **SCHOOL PERFORMING ARTS CENTER** (*Status*)  
Construction is set to begin.
- ✓ **STREET RE-STRIPING & SYMBOLS** (*Status*)  
We are going to take the winter to review everything, inclusive of the cold plastic symbols, create a bid, and look to do the work when the weather breaks. The plastic symbols, although desirable and longer lasting, are expensive and the number we have seems to be growing by the year. Having said this, we're going to look at the cost-

benefit of buying the heat application equipment to do the symbol's work in-house. We're also going to contact the high traffic volume drives, such as Kroger, with costs to stripe and add Turn Arrows. The logic is to do everything in the early part of the summer which will go a long way in dressing up the appearance of the City.

✓ **MEIJER SITE PLAN ADDENDUM** (*Resolution*)

The Council approved an amended site plan allowing for the construction of a gross square foot store of 192,214 along with related changes to parking, traffic circulation, lighting, landscaping, and signage, all of which have been deemed by the City's staff as minor and within the general concept of the original site plan approval. We are in the process of re-negotiating the development agreement with Meijer. On paid-in capital, Meijer funded improvements capped at \$1,500,000. To date, they have paid \$1,095,000. They owe the City \$52,873, which when invoiced and paid, will put their contribution, to date, for the Morrish project at \$1,147,873. This leaves \$352,127 left to fund traffic lights that *may or will* be needed at the Morrish Road I-69 ramp and at Bristol and Morrish intersection. We've had a series of intense meetings to coordinate the volumes of sub-contractors and utility revisions that the store will need. Construction is scheduled to begin as soon as the weather permits with a planned opening about a year from start.

Included with tonight's packet is a proposal from Progressive AE for design and construction engineering for a traffic signal at the Westbound Morrish I-69 loop extension into the proposed Meijer's. After much review, I believe we need to look at everything one more time to be certain that all traffic concerns are covered. We looked at everything in 2006, but for safety matters, we need to update the findings. As you may recall, the Morrish Road – I-69 exit met the requirements for a signal. Assuming this, the north Meijer Drive (near Cage) and Bristol – Morrish intersection did not. We need to be absolutely sure on this as the Bristol – Morrish intersection has always teetered close to being dangerous. In the planning phase of the I-69 signal, I have asked Mr. LaMourie to update data for the north Meijer Drive and Bristol – Morrish Intersection. I have also asked for warrant analysis for these intersections to be certain that signals will not be needed. In addition MDOT also requires that new data be collected and the numbers reviewed for warrants at the Morrish I-69 loop. To continue, we have asked that Mr. LaMourie design for Mast Arm Signals. As we discovered with the other two sets we have... they cost more than the box style strain poles. For the I-69 Morrish signal, the cost will add about \$50k to the cost. I would recommend that if possible, we construct Mast Arm Signals. There's no comparison in the added aesthetic value. We have a unique opportunity here as we're developing a "green field" and will be setting the appearance for the area for the next 50 or more years. At any rate, the PE, CE, Data Collections, Signal Warrants, MDOT Requirements (soil bores, over designed specifications, etc.), have made for a rather steep proposal... \$29,582. I don't believe that Meijer will have any problem with using funds that they had earmarked for these improvements, although, I have yet to discuss in detail this work as I've been waiting for this proposal before addressing an updated Development Agreement with them. As indicated above, there is still \$352k left in the street improvement contribution. A rough shot on the total cost of the work outlined in the proposal along with the construction of a signal at Morrish & I-69 is \$145k - \$175k. I have a resolution to proceed included with tonight's agenda.

- ✓ **FIVE-YEAR PARKS & RECREATION PLAN, ELMS PARK PROJECT** (*Status*)  
Pending.

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

- ✓ **CDBG CIVIC STREET-LIGHTING PROJECT** (*Resolution*)

As you may recall, we looked at a number of potential projects for the use of CDBG funds. We settled on street lighting improvements along Miller west of Elms. In trying to make this work, we discovered that we would have to leave the overhead lighting on as the decorative lighting was not high enough or bright enough to provide adequate illumination for the wide expanse of Miller Road. In addition, boring service lines across driveways in the area was more expensive than there is dollars, which would mean general fund contributions. We asked for, and received an extension to allow time to find another suitable project. After looking at the original list, we found that the Civic area is both a qualifying neighborhood and in need of lighting. It took time to get Consumer's in for an evaluation and quote, which depicts two projects. The drawing and quote is included with tonight's package. Project number one is the installation of decorative lighting along the west side of Morrish and along the north side of Fortino to roughly the Veterans Memorial. The second project is the installation of decorative lighting on both sides of Fortino Drive from Morrish to roughly the Veterans Memorial. In conferring with Tom Svrcek, he recommends we go with project two, lighting along both sides of Fortino. I agree. Estimated costs are \$24,383. We have somewhere between \$26,716 and \$29,129 available to spend. Included with tonight's program is a resolution to change the project from Miller – Elms to Civic

- ✓ **CITY COMMERCIAL GAS ENERGY USE** (*Discussion*)

I'm not sure to what degree the Council may be informed on de-regulation of the natural gas energy industry, but I'll try and give a brief on it. We currently purchase gas from Consumer's for whatever they set the price at. Recent de-regulation of this industry allows other companies to drop natural gas into the system and then sell through brokers. They pay the utility companies, such as Consumers, a lease fee. The end result is that there can be pricing cheaper than Consumer's. The backside is that there are pirates in the business who will broker gas at a cheap price... for awhile... and then recover losses by raising prices after the agreement period. They bank that larger users, such as us, will not pay close attention to market prices. At any rate, I've provided some documents on CD for review and would like to chat about this for a couple of minutes tonight.

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

- *Traffic Lights, Bristol-Miller, GM-SPO.* Pending the direction that GM takes. New traffic counts as to warrants would need to be taken.
- *Deteriorated Retaining Walls & Planters at City Buildings.* The wall along the north side of the building has been repaired. We are looking at options on some of the other repairs around the site.
- *Youth Programs in Park.* Looking into this. This item is something that might best be suited for the City's School Liaison Officer. The matter has been referred to the Police Department for review and recommendation.

- *Veterans Park Memorial, Street Signs.* Pricing has been presented to the committee. They are in the process of evaluating it.
- *Relocate – Remove Drop Boxes, Kroger & Morrish Road Real Estate Office.* We have made calls on these with promises to remove them. The one at the abandoned real estate office on Morrish is gone. We're still working on Kroger's.
- *Water / Sewer Charges, Car Wash.* Pending a Report.
- *Deteriorated Building, Morrish at CNA Crossing.* Pending.

**City of Swartz Creek  
RESOLUTIONS**

**Regular Council Meeting, Monday March 12, 2012 7:00 P.M.**

**Resolution No. 120312-4A            MINUTES – February 7, 2012**

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

**I Move** the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held February 27, 2012 to be circulated and placed on file.

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

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

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

**Resolution No. 120312-5A            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 March 12, 2012, to be circulated and placed on file.

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

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

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

**Resolution No. 120312-6A            CITY MANAGER’S REPORT**

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

**I Move** the Swartz Creek City Council approve the City Manager’s Report of March 12, 2012, to be circulated and placed on file.

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

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

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

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

**WHEREAS**, the City has been allocated a three year Community Development Block Grant allotment in the amount of \$26,716, with an expenditure deadline of April 30, 2012, extended under approval to July 31, 2012; and

**WHEREAS**, the City held a Public Needs Hearing on November 23, 2009 to hear comments from the public and to identify qualifying projects and priorities, findings as follows:

11-23-2009 Public Needs Hearing-CDBG Allocation

(Public Hearing)

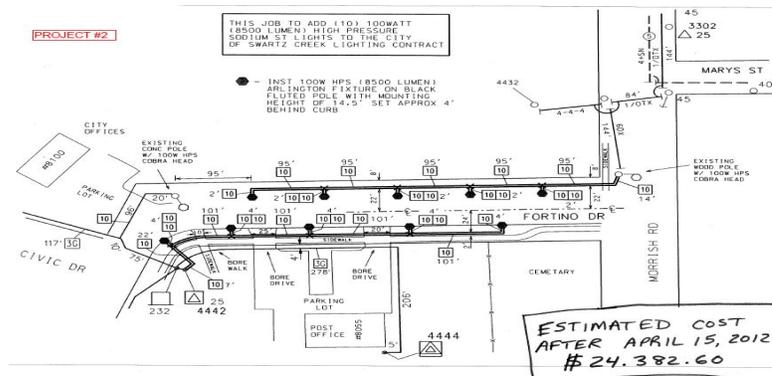
Assistant City Manager Adam Zettel made a brief presentation. Items discussed during the Public Hearing include:

- Demolition of Sunoco Station, Marathon Station, 5129 Morrish Rd. (blacksmith shop), or City-owned parcel on Morrish Road near Fortino.
- Elms to Heritage Trail.
- Public street lighting/streetscapes on Miller or Elms.
- Downtown streetscapes or entryway signage.
- Capital improvements of Senior Center/Library or Public Safety Building.
- Farmers Market improvements.
- Sidewalk improvements or additions.
- Street improvements, local streets or Miller Road.
- Tree plantings.
- Concealment of overhead utility wires downtown.
- Senior Center operating (15%).
- Improvements to the retaining walls and signs throughout the civic campus area.
- Restriping of the Senior Center parking lot.
- Business Incubator
- Art Guild

**WHEREAS**, the City chose to place decorative lighting along Miller Road west of Elms, however in design and planning, discovered that the cost benefit is limited due to labor intensity; and

**WHEREAS**, a similar decorative street-lighting project is needed within the City’s Civic Area along Fortino Drive, the area having been identified within the City’s qualifying public needs review process; and

**WHEREAS**, the City has obtained engineered drawings and cost estimates from Consumer’s Energy for the installation of ten decorative lights along the north and south sides of Fortino Drive extending westerly from Morrish Road, as follows:



**WHEREAS**, cost estimate from Consumer's Energy is \$24,383 with no need for design or construction engineering, and further, the City finds that Consumer's Energy is a public utility company doing work within the right of way and within the City's street-light agreement dated January 1, 1973 and therefore, not subject to competitive bid.

**NOW, THEREFORE, I Move** the City of Swartz Creek approve the Consumer's Energy Civic Area Street-Lighting Project as drawn and submitted, a copy of the proposal included within, and further, appropriate an amount not to exceed \$24,383, plus 20% contingency, for the installation of ten 100 watt HPS (8500 Lumen) 14.5' Arlington Fixture Black Fluted Poles (4' curb set back).

**BE IT FURTHER RESOLVED**, that the City authorize and approve an amendment to the City's Street-Lighting Contract with Consumer's Energy consistent with the improvements identified within, and further, direct the Mayor and City Clerk to execute any documents associated with the amendment.

**BE IT FURTHER RESOLVED** that the staff is authorized and directed to make necessary changes to the City's General Ledger to reflect the C.D.B.G. Civic Area Street-Lighting Project with appropriate revenue and expense accounts, and further, make notification to the Genesee County Metropolitan Planning Commission of the project changes.

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

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

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

**Resolution No. 120312-8B**

**BOARDS & COMMISSIONS, APPOINT CITY FIRE BOARD REPRESENTATIVE SWING POSITION**

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

**I Move** the City of Swartz Creek concur with the Mayor's appointment of Boots Abrams, of 5352 Greenleaf Drive, to the Swartz Creek Area Fire Board, City Swing Position, term to run April 1, 2012 expiring March 31, 2013.

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

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

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

**Resolution No. 120312-8C**

**APPROPRIATION, PROGRESSIVE AE: MORRISH ROAD  
MEIJER TRAFFIC SIGNALS, DATA COLLECTION,  
WARRANTS**

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

**I Move** the City of Swartz Creek appropriate an amount not to exceed \$29,582 plus 10% contingency, to the City's Traffic Engineering Firm Progressive AE of Grand Rapids Michigan, for traffic safety and engineering services on Morrish Road from I-69 to Bristol Road, consummate to the development of a Meijer Retail Outlet at 4141 Morrish (Main Store) and 4155 Morrish (Convenience Store), in accordance with the specifications in the proposal dated March 9, 2012, and further, direct the City Staff to make necessary adjustments to the City's accounting system reflect revenues and expenses related to the project.

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

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

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

**City of Swartz Creek**  
**Regular Council Meeting Minutes**  
*Of the Meeting Held*  
**Monday February 27, 2012 7:00 P.M.**

**CITY OF SWARTZ CREEK**  
**SWARTZ CREEK, MICHIGAN**  
**MINUTES OF THE COUNCIL MEETING**  
**DATE 02/27/2012**

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, Hurt, Krueger, Porath, Shumaker.

Councilmembers Absent: Hicks.

Staff Present: City Manager Paul Bueche, City Clerk Juanita Aguilar, DPS Director Tom Svrcek.

Others Present: Bob Plumb, Tommy Butler, Sharon Shumaker, Bud Grimes.

**Resolution No. 120227-01**

**(Carried)**

Motion by Councilmember Hurt  
Second by Councilmember Shumaker

**I Move** the Swartz Creek City Council hereby excuse Councilmember Hicks due to illness.

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

**APPROVAL OF MINUTES**

**Resolution No. 120227-02**

**(Carried)**

Motion by Councilmember Porath  
Second by Councilmember Hurt

**I Move** the Swartz Creek City Council hereby approve the Minutes of the Regular Council Meeting, held February 13, 2012, to be circulated and placed on file.

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

**Resolution No. 120227-03**

**(Carried)**

Motion by Mayor Pro-Tem Krueger  
Second by Councilmember Binder

**I Move** the Swartz Creek City Council hereby approve the Minutes of the Special Council Meeting held February 20, 2012 to be circulated and placed on file.

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

**APPROVAL OF AGENDA**

**Resolution No. 120227-04**

**(Carried)**

Motion by Councilmember Shumaker  
Second by Councilmember Hurt

**I Move** the Swartz Creek City Council approve the Agenda, as printed, for the Regular Council Meeting of February 27, 2012, to be circulated and placed on file.

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

**REPORTS AND COMMUNICATIONS:**

**City Manager's Report**

**Resolution No. 120227-05**

**(Carried)**

Motion by Councilmember Binder  
Second by Councilmember Hurt

**I Move** the Swartz Creek City Council approve the City Manager's Report of February 27, 2012, to be circulated and placed on file.

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

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

**MEETING OPENED TO THE PUBLIC:**

Tommy Butler, 40 Somerset, questioned if the City has an ordinance to condemn buildings. Mr. Butler spoke about the condition of the Swartz Creek Elevator. Mr. Butler spoke about the Biggby Coffee franchise and stated that he didn't feel by their presentation that they were ready to take over the Marathon property.

Tom Svrcek, Public Service Director, thanked the Council, City staff, and residents for their kind wishes and cards during his illness.

**COUNCIL BUSINESS:**

**Design Engineering Appropriation, Winshall Sewer Repair Project**

**Resolution No. 120227-06**

**(Carried)**

Motion by Councilmember Hurt  
Second by Councilmember Binder

**I Move** the City of Swartz Creek appropriate an amount not to exceed \$6,847 to the City's Engineer, REI-RPSC, for survey, design engineering, preparation of bid specifications, bid, and bid tabulation, for work associated with the repair of sanitary sewer lines along the backyards of the 5200 block of Winshall Drive, and further, bring results of the returns back to the Council for review and decision.

Discussion Ensued.

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

**Boards & Commissions, Appoint GAIN Delegate & Alternate**

**Resolution No. 120227-07**

**(Carried)**

Motion by Councilmember Porath  
Second by Councilmember Binder

**I Move** the City of Swartz Creek appoint Councilmember Hurt as the City's delegate to the GAIN Cooperative Auto Theft Unit and Chief Rick Clolinger as the Alternate.

Discussion Ensued.

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

**Appropriation-Bid Award, Purchase Road Salt**

**Resolution No. 120227-08**

**(Carried)**

Motion by Mayor Pro-Tem Krueger  
Second by Councilmember Hurt

**WHEREAS**, the City would much rather bask in the sunshine of the summer, but it finds it cannot ignore the stark reality that winter will come and with it, the need to purchase 1,000 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**, the County Road Commission awarded a bid 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, the City awarding the bid and appropriation on May 26, 2009; and

**WHEREAS**, based on market conditions and pricing, the County Road Commission negotiated an extension to the 2009-2010 contract arriving at a 10% increase to the 2010-2011 contract, price being \$54.69 per ton, and further, negotiated another extension for the 2011-2012 and the 2012-2013 contract, without change to the cost, and extended such pricing to all Genesee County Street Authorities; and

**WHEREAS**, the City finds that the per ton cost of \$54.69 cannot be matched if attempts were made to bid on the open market or through private sources.

**NOW, THEREFORE, I MOVE** the City of Swartz Creek City accept the Genesee County Road Commission's cooperative purchasing extension and appropriate an amount not to exceed \$54,690, plus 10% contingency, for the purchase of rock salt from the Detroit Salt Company, expenses to be distributed proportionate to use at the direction of the City's Finance Director.

Discussion Took Place.

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

**MEETING OPENED TO THE PUBLIC:**

None.

**REMARKS BY COUNCILMEMBERS:**

Councilmember Hurt thanked the Mayor for his kind remarks about Mr. Hurt's involvement in GAIN. Mr. Hurt questioned why the City is not signed into the Michigan Emergency Management Assistance Compact. City Manager Bueche advised that the City is involved in it.

Councilmember Binder spoke about problems with the City's website; both the problems with using the site and outdated material on the site. Ms. Binder spoke about visiting a boy scout troop.

Councilmember Shumaker spoke about the Yellow Pages he recently received and the fact that the City offices were not listed. Mr. Shumaker spoke about a newspaper article about tax payments that be brought in to the City office recently.

Councilmember Porath spoke about the Zoning Board of Appeals, stating that he thinks it is handled very well.

Mayor Pro-Tem Krueger thanked Councilmember Hurt for the time and effort he has put into the Fire Board and GAIN. Mr. Krueger stated that he talked to Mr. Atkinson about Biggby Coffee and stated that they are ready to start the project this week.

### **Adjournment**

**Resolution No. 120227-09**

**(Carried)**

Motion by Councilmember Shumaker  
Second by Councilmember Hurt

**I Move** the City of Swartz Creek adjourn the Regular Session of the City Council meeting at 7:50 p.m.

YES: Unanimous Voice Vote.  
NO: None. Motion Declared Carried.

**Richard Abrams, Mayor**

**Juanita Aguilar, City Clerk**

**SWARTZ CREEK POLICE DEPARTMENT  
MOTOR POOL RENTAL HOURS  
MARCH 2012**

	<u>101-301-941</u>	<u>101-302-941</u>	<u>101-303-941</u>	<u>101-304-941</u>
#05-168	17	0	0	0
#05-649	41	0	0	0
#07-375	26	1	0	0
#05-275	83	8	0	3
#09-401	0	0	106	0
#09-226	60	7	0	0
#10-161	392	9	0	0
<b>TOTAL</b>	<b>619</b>	<b>25</b>	<b>106</b>	<b>3</b>

# SWARTZ CREEK POLICE DEPT

Total Account Hours Summary Report

From: 02/01/2012 to 02/29/2012

Department Account	Description	Regular Hours	Other Hours	Regular Hours YTD	Other Hours YTD
<b>ADMINISTRATIVE</b>					
101 301 702.001	SUPERVISOR	252.000	6.500	489.500	10.500
101 301 702.002	CLERICAL	133.000	0.000	262.000	0.000
<b>PROTECTION</b>					
101 301 702.003	UNIFORMED	505.750	34.500	1,062.750	90.000
101 301 702.004	NON-UNIFORMED	2.500	0.000	9.500	0.000
101 301 702.005	TRAFFIC ENFORCEMENT	181.250	7.000	364.500	25.250
<b>COMPLAINTS</b>					
101 301 702.006	INVESTIGATIONS	91.500	0.000	191.500	1.500
101 301 702.007	COURT	2.000	2.000	6.000	4.000
<b>TRAINING</b>					
101 301 702.008	TRAINING	8.000	0.000	116.000	8.000
<b>VACATION</b>					
101 301 702.010	VACATION	8.000	0.000	8.000	0.000
<b>HOLIDAY</b>					
101 301 702.011	HOLIDAY	52.000	0.000	156.000	0.000
<b>ABSENT</b>					
101 301 702.012	ABSENT	32.000	0.000	84.000	0.000
<b>TRACK ADMINISTRATIVE</b>					
101 302 702.001	SUPERVISOR	32.000	0.000	61.000	0.000
101 302 702.002	CLERICAL	19.000	0.000	38.000	0.000
<b>TRACK PROTECTION</b>					
101 302 702.003	UNIFORMED	27.750	1.000	50.250	4.250
101 302 702.004	NON-UNIFORMED	0.000	0.000	1.000	0.000
<b>SCHOOL PROTECTION</b>					
101 303 702.003	UNIFORMED	136.000	15.500	283.500	30.250

Department Account	Description	Regular Hours	Other Hours	Regular Hours YTD	Other Hours YTD
SCHOOL TRAINING					
101 303 702.008	TRAINING	0.000	0.000	8.000	0.000
PROTECTION					
101 304 702.003	UNIFORMED	2.250	1.000	4.000	1.500
TRAINING					
101 304 702.008	TRAINING	12.000	0.000	24.000	0.000
OTHER					
101 304 702.009	SPECIAL EVENTS	4.000	0.000	4.000	0.000
PROTECTION					
265 333 702.004	NON-UNIFORMED	160.000	8.000	328.000	16.000
COMPLAINTS					
265 333 702.006	INVESTIGATIONS	0.000	48.000	0.000	98.500
265 333 702.007	COURT	0.000	0.000	0.000	2.000
NON-PRODUCTIVE					
265 333 702.011	HOLIDAY	8.000	0.000	24.000	0.000
	TOTAL ALL HOURS	1,669.000	123.500	3,515.500	291.750

# SWARTZ CREEK POLICE DEPT

Total Function Count

Month Ending: 02/29/2012

Account	Description	MTD Functions	YTD Functions
101 301 001.000	TRAFFIC VIOLATIONS	0	0
101 301 002.000	PARKING VIOLATIONS	0	12
101 301 003.000	VERBAL WARNINGS	80	140
101 301 004.000	WRITTEN WARNINGS	9	24
101 301 005.000	FELONY ARRESTS	0	0
101 301 006.000	MISDEMEANOR ARRESTS	12	33
101 301 007.000	CALLS RECEIVED	227	486
101 301 008.000	TRAFF INJ ACCIDENTS	0	1
101 301 009.000	PROP DAMAG ACCIDENTS	13	25
101 301 010.000	SERVICE REQUESTS	0	0
101 301 011.000	MEETINGS	0	5
101 301 012.000	CONFERENCES	0	0
101 301 013.000	INITIATED CALLS	432	924
101 301 014.000	DESK ASSIGNMENTS	58	155
101 301 015.000	BUSINESS CHECKS	1766	3657
101 301 016.000	VACATION CHECKS	431	962
101 301 017.000	SUSP PERS CHECKED	12	27
<b>TOTAL FUNCTIONS</b>		<b>3040</b>	<b>6451</b>
101 302 002.000	PARKING VIOLATIONS	0	0
101 302 003.000	VERBAL WARNINGS	0	0
101 302 004.000	WRITTEN WARNINGS	0	0
101 302 005.000	FELONY ARRESTS	0	0
101 302 006.000	MISDEMEANOR ARRESTS	0	0
101 302 007.000	CALLS RECEIVED	14	24
101 302 010.000	SERVICE REQUESTS	0	0
101 302 011.000	MEETINGS	0	0
101 302 012.000	CONFERENCES	0	0
101 302 013.000	INITIATED CALL	4	4
101 302 014.000	DESK ASSIGNMENTS	0	0
101 302 015.000	BUSINESS CHECKS	18	27
101 302 016.000	VACATION CHECKS	0	2
101 302 017.000	SUSP PERS CHECKED	0	0
<b>TOTAL FUNCTIONS</b>		<b>36</b>	<b>57</b>
101 303 002.000	PARKING VIOLATIONS	0	0
101 303 003.000	VERBAL WARNINGS	1	1
101 303 004.000	WRITTEN WARNINGS	0	0
101 303 005.000	FELONY ARRESTS	1	1
101 303 006.000	MISDEMEANOR ARRESTS	15	15
101 303 007.000	CALLS RECEIVED	14	19
101 303 010.000	SERVICE REQUESTS	0	0
101 303 011.000	MEETINGS	23	43
101 303 012.000	CONFERENCES	1	1

Account	Description	MTD Functions	YTD Functions
101 303 013.000	INITIATED CALL	93	194
101 303 014.000	DESK ASSIGNMENTS	0	3
101 303 015.000	BUSINESS CHECKS	0	0
101 303 016.000	VACATION CHECKS	0	0
101 303 017.000	SUS PERS CHECKED	0	0
<b>TOTAL FUNCTIONS</b>		<b>148</b>	<b>277</b>
101 304 001.000	TRAFFIC VIOLATIONS	0	0
101 304 001.003	DESK ASSIGNMENTS	0	0
101 304 002.000	PARKING VIOLATIONS	0	0
101 304 003.000	VERBAL WARNINGS	0	0
101 304 004.000	WRITTEN WARNINGS	0	0
101 304 005.000	FELONY ARRESTS	2	2
101 304 006.000	MISDEMEANOR ARRESTS	0	0
101 304 007.000	CALLS RECEIVED	3	7
101 304 010.000	SERVICE REQUESTS	0	0
101 304 011.000	MEETINGS	0	0
101 304 012.000	CONFERENCES	0	0
101 304 013.000	INITIATED CALL	2	3
101 304 014.000	DESK ASSIGNMENTS	0	0
101 304 015.000	BUSINESS CHECKS	0	0
101 304 016.000	VACATION CHECKS	0	0
101 304 017.000	SUS PERS CHECKED	0	0
101 304 018.000	BUILDING SEARCHES	1	1
101 304 019.000	VEHICLE SEARCHES	2	4
101 304 020.000	NARCOTIC SEARCHES	0	0
101 304 021.000	CURRENCY SEIZED	0	0
101 304 022.000	FORFEITURES	0	0
101 304 023.000	POSITIVE TRACKS	1	3
101 304 024.000	NEGATIVE TRACKS	1	1
101 304 025.000	AGENCY ASSISTS	0	0
101 304 026.000	DEMONSTRATIONS	0	0
101 304 027.000	AREA SEARCHES	0	1
<b>TOTAL FUNCTIONS</b>		<b>12</b>	<b>22</b>
<b>TOTAL ALL FUNCTIONS</b>		<b>3236</b>	<b>6807</b>

## Ticket Ledger Report

**Report Criteria:**

Ticket Type	Officer	Start Date	End Date			
Traffic	All	02/01/2012	02/29/2012			
Number	Name	Date	Location	Description	Officer	Fine
T-1212517		02/01/12	MILLER NEAR BRADY	SEAT BELT DRIVER/PASSENGER		
T-1212519		02/01/12	MILLER AT FAIRCHILD	HEADLIGHTS		
T-1212520		02/01/12	MORRISH AT MARY	EXCEEDED POSTED SPEED LIMIT		
T-1212521		02/02/12	WB I-69 NEAR MORRISH	EXCEEDED POSTED SPEED LIMIT		
T-1183990		02/02/12	FAIRCHILD NEAR CAPPY	CARELESS DRIVING		
T-1212522		02/02/12	MILLER NEAR HAYES	HEADLIGHTS		
T-1212523		02/02/12	I-69 WB AT MILLER	FAILED TO STOP AT STOP SIGN NO PLATE/FAIL TO DISPLAY/EXPII		
T-1212524		02/02/12	MILLER AT HAYES	SEAT BELT DRIVER/PASSENGER		
T-1212732-A		02/02/12	ELMS NEAR BRISTOL	SUSP/REVOKED/NEVER APPL.		
T-1212732-B		02/02/12	ELMS NEAR BRISTOL	NO PLATE/FAIL TO DISPLAY/EXPII		
T-1212732-C		02/02/12	ELMS NEAR BRISTOL	NO PROOF INSURANCE/POSSESE		
T-1212525		02/03/12	I-69 NEAR MORRISH	EXCEEDED POSTED SPEED LIMIT		
T-1212551-A		02/03/12	ELMS AT YARMY	SUSP/REVOKED/NEVER APPL.		
T-1212551-B		02/03/12	ELMS AT YARMY	EXCEEDED POSTED SPEED LIMIT		
T-1212797		02/04/12	I-69 NEAR MORRISH	EXCEEDED POSTED SPEED LIMIT		
T-1212798		02/04/12	I-69 NEAR MORRISH	EXCEEDED POSTED SPEED LIMIT		
T-1212733-A		02/04/12	MILLER NEAR MORRISH	HEADLIGHTS		
T-1212733-B		02/04/12	MILLER NEAR MORRISH	NO TAIL/BRAKE LIGHTS		
T-1212799		02/05/12	ELMS NEAR YARMY	EXCEEDED POSTED SPEED LIMIT		
T-1212800		02/05/12	MILLER NEAR FAIRCHILD	NO TAIL/BRAKE LIGHTS		
T-1212601		02/05/12	MILLER NEAR BRISTOL	EXCEEDED POSTED SPEED LIMIT		
T-1212552		02/06/12	MORRISH NEAR MARY ST	NO PLATE/FAIL TO DISPLAY/EXPII		
T-1212554		02/10/12	MILLER NEAR SEYMOUR	NO PLATE/FAIL TO DISPLAY/EXPII		
T-1212555		02/10/12	MILLER NEAR BRISTOL	NO TAIL/BRAKE LIGHTS		
T-1212298-A		02/11/12	MILLER NEAR RAUBINGER	SUSP/REVOKED/NEVER APPL.		
T-1212298-B		02/11/12	MILLER NEAR RAUBINGER	EXCEEDED POSTED SPEED LIMIT		
T-1212298-C		02/11/12	MILLER NEAR RAUBINGER	NO PROOF INSURANCE/POSSESE		
T-1212556		02/12/12	MILLER NEAR HAYES	HEADLIGHTS		
T-1212557		02/12/12	MILLER NEAR HOLLAND	SEAT BELT DRIVER/PASSENGER		
T-1212558		02/12/12	MORRISH NEAR MARY ST	EXCEEDED POSTED SPEED LIMIT		
T-1212602		02/13/12	MORRISH NEAR APPLE CREEK	EXCEEDED POSTED SPEED LIMIT		
T-1212603		02/13/12	MORRISH NEAR APPLE CREEK	EXCEEDED POSTED SPEED LIMIT		
T-1212604		02/13/12	MORRISH NEAR APPLE CREEK	EXCEEDED POSTED SPEED LIMIT		
T-1212605		02/14/12	MORRISH NEAR I-69	EXCEEDED POSTED SPEED LIMIT		
T-1212606		02/14/12	BRISTOL AT MILLER	TINTED WINDOWS/NO WINDSHIEI		
T-1212526-A		02/14/12	BRISTOL NEAR ELMS	NO PROOF INSURANCE/POSSESE		
T-1212526-B		02/14/12	BRISTOL NEAR ELMS	FAILED TO MAINTAIN EQUIPMENT		
T-1212559		02/15/12	MILLER NEAR SEYMOUR	SEAT BELT DRIVER/PASSENGER		
T-1212560		02/15/12	MORRISH NEAR MARY ST	EXCEEDED POSTED SPEED LIMIT		
T-1212561		02/15/12	MORRISH NEAR MARY ST	EXCEEDED POSTED SPEED LIMIT		
T-1212562		02/16/12	MORRISH NEAR MARY ST	EXCEEDED POSTED SPEED LIMIT		
T-1212563		02/16/12	MORRISH NEAR MARY ST	EXCEEDED POSTED SPEED LIMIT		
T-1212607		02/18/12	MILLER NEAR ELMS	DISREGARDED TRAFFIC SIGNAL/		
T-1212527-A		02/18/12	MORRISH NEAR I-69	EXCEEDED POSTED SPEED LIMIT		
T-1212527-B		02/18/12	MORRISH NEAR I-69	NO PROOF INSURANCE/POSSESE		
Tickets so far: 45		Charges so far: 46		Fines Subtotal:	0.00	

## Ticket Ledger Report

**Report Criteria:**

Ticket Type	Officer	Start Date	End Date
Traffic	All	02/01/2012	02/29/2012

Number	Name	Date	Location	Description	Officer	Fine
T-1212527-C		02/18/12	MORRISH NEAR I-69	FAILED TO MAINTAIN EQUIPMENT		
T-1212608		02/19/12	MORRISH NEAR APPLE CREEK	EXCEEDED POSTED SPEED LIMIT		
T-1212565		02/19/12	MILLER NEAR RAUBINGER	NO PROOF INSURANCE/POSSESE		
T-1212528-A		02/19/12	BRISTOL NEAR CANTERBURY	EXCEEDED POSTED SPEED LIMIT		
T-1212528-B		02/19/12	BRISTOL NEAR CANTERBURY	FAIL TO CHANGE ADDRESS		
T-1212299		02/20/12	I-69 NEAR MORRISH	EXCEEDED POSTED SPEED LIMIT		
T-1212300		02/20/12	MORRISH NEAR MARY ST	EXCEEDED POSTED SPEED LIMIT		
T-1212626		02/21/12	MILLER NEAR BRISTOL	NO PROOF INSURANCE/POSSESE		
T-1212566		02/21/12	MORRISH NEAR MARY ST	EXCEEDED POSTED SPEED LIMIT		
T-1212567-A		02/21/12	MORRISH NEAR MARY ST	EXCEEDED POSTED SPEED LIMIT		
T-1212568		02/21/12	MORRISH NEAR I-69	HEADLIGHTS		
T-1212627		02/22/12	I-69 NEAR MORRISH	EXCEEDED POSTED SPEED LIMIT		
T-1212569		02/23/12	ELMS NEAR YARMY	SEAT BELT DRIVER/PASSENGER		
T-1212570		02/23/12	MORRISH NEAR MARY ST	NO OPS IN POSSESSION		
T-1212571		02/24/12	MORRISH NEAR MARY ST	NO PROOF INSURANCE/POSSESE		
T-1212572-A		02/25/12	MILLER AT WINSTON	VIOLATION INSTRUCTORS PERMIT		
T-1212572-B		02/25/12	MILLER AT WINSTON	SEAT BELT DRIVER/PASSENGER		
T-1212573		02/25/12	BRISTOL NEAR CANTERBURY	EXCEEDED POSTED SPEED LIMIT		
T-1212574		02/26/12	I-69 NEAR MILLER	EXCEEDED POSTED SPEED LIMIT		
T-1212351		02/26/12	I-69 NEAR MILLER	EXCEEDED POSTED SPEED LIMIT		
T-1212352-A		02/26/12	I-69 NEAR MORRISH	NO OPS IN POSSESSION		
T-1212352-B		02/26/12	I-69 NEAR MORRISH	EXCEEDED POSTED SPEED LIMIT		
T-1212353		02/26/12	BRISTOL NEAR HERITAGE	EXCEEDED POSTED SPEED LIMIT		
T-1212354		02/26/12	BRISTOL NEAR HERITAGE	EXCEEDED POSTED SPEED LIMIT		
T-1055102		02/26/12	BRISTOL NEAR CANTERBURY	EXCEEDED POSTED SPEED LIMIT		
T-1212628		02/27/12	MORRISH AT MILLER	IMPROPER LANE USE IN TURN/U-		
T-1212609		02/28/12	MORRISH AT RAMP 001A	UNABLE TO STOP IN ASSURED CI		
T-1212575		02/28/12	I-69 NEAR MILLER	EXCEEDED POSTED SPEED LIMIT		
T-1212529		02/28/12	MORRISH AT I-69	EXCEEDED POSTED SPEED LIMIT		

Tickets Total: 74	Charges Total: 75	Fines Total: 0.00
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## Uniform Crime Report

**Report Criteria:**

**Start File Class      End File Class      Print Zeros?**

0100-0                      9900-9                      Yes

Class	Description	FEB 2011	FEB 2012	YR TO DATE
0100-0	Sovereignty	0	0	0
0200-0	Military	0	0	0
0300-0	Immigration	0	0	0
0900-1	Murder/Non-negligent Manslaughter (Voluntary)	0	0	0
0900-2	Negligent Homicide/Manslaughter (Involuntary)	0	0	0
0900-3	Negligent Homicide - Vehicle/Boat/Snowmobile/ORV	0	0	0
0900-4	Justifiable Homicide	0	0	0
1000-1	Kidnapping/Abduction	0	0	0
1000-2	Parental Kidnapping	0	0	0
1100-1	Sexual Penetration Penis/Vagina - CSC 1st Degree	0	0	0
1100-2	Sexual Penetration Penis/Vagina - CSC 3rd Degree	0	0	0
1100-3	Sexual Penetration Oral/Anal - CSC 1st Degree	0	0	0
1100-4	Sexual Penetration Oral/Anal - CSC 3rd Degree	0	0	0
1100-5	Sexual Penetration Object - CSC 1st Degree	0	0	0
1100-6	Sexual Penetration Object - CSC 3rd Degree	0	0	0
1100-7	Sexual Contact Forcible - CSC 2nd Degree	0	0	0
1100-8	Sexual Contact Forcible - CSC 4th Degree	0	0	0
1200-0	Robbery	0	0	0
1300-1	Non-Aggravated Assault	0	4	7
1300-2	Aggravated/Felonious Assault	0	0	0
1300-3	Intimidation/Stalking	0	0	1
1400-0	Abortion	0	0	0
2000-0	Arson	0	0	0
2100-0	Extortion	0	0	0
2200-1	Burglary - Forced Entry	0	2	5
2200-2	Burglary - Entry Without Force (Intent to Commit)	0	0	0
2200-3	Burglary - Entry Without Authority With or Without Force (No Intent)	0	0	0
2200-4	Possession of Burglary Tools	0	0	0
2300-1	Larceny - Pocketpicking	0	0	0
2300-2	Larceny - Purse Snatching	0	0	0
2300-3	Larceny - Theft from Building	0	0	0
2300-4	Larceny - Theft from Coin-Operated Machine/Device	0	0	0
2300-5	Larceny - Theft from Motor Vehicle	0	1	1
2300-6	Larceny - Theft of Motor Vehicle Parts/Accessories	0	0	0
2300-7	Larceny - Other	0	4	5
2400-1	Motor Vehicle Theft	0	0	0
2400-2	Motor Vehicle as Stolen Property	0	0	0
2400-3	Motor Vehicle Fraud	0	0	0
2500-0	Forgery/Counterfeiting	0	0	0
2600-1	Fraud - False Pretense/Swindle/Confidence Game	0	3	3
2600-2	Fraud - Credit Card/Automatic Teller Machine	0	1	2
2600-3	Fraud - Impersonation	0	0	1
2600-4	Fraud - Welfare Fraud	0	0	0
2600-5	Fraud - Wire Fraud	0	0	0
2600-6	Fraud - Bad Checks	0	0	0
2700-0	Embezzlement	0	0	0
2800-0	Stolen Property	0	0	0

## Uniform Crime Report

**Report Criteria:**

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

Class	Description	FEB 2011	FEB 2012	YR TO DATE
2900-0	Damage to Property	0	3	7
3000-1	Retail Fraud - Misrepresentation	0	0	0
3000-2	Retail Fraud - Theft	0	0	0
3000-3	Retail Fraud - Refund/Exchange	0	0	0
3500-1	Violation of Controlled Substance - Act	0	3	3
3500-2	Narcotic Equipment Violations	0	1	1
3600-1	Sexual Penetration Non-forcible - Blood/Affinity (CSC 1st/3rd Degr)	0	0	0
3600-2	Sexual Penetration Non-forcible - Other (CSC 1st and 3rd Degree)	0	0	0
3600-3	Peeping Tom	0	0	0
3600-4	Sex Offense - Other	0	0	0
3700-0	Obscenity	0	0	0
3800-1	Family - Abuse/Neglect Nonviolent	0	0	0
3800-2	Family - Non-Support	0	0	0
3800-3	Family - Other	0	0	1
3900-1	Gambling - Betting/Wagering	0	0	0
3900-2	Gambling - Operating/Promoting/Assisting	0	0	0
3900-3	Gambling - Equipment Violations	0	0	0
3900-4	Gambling - Sports Tampering	0	0	0
4000-1	Commercialized Sex - Prostitution	0	0	0
4000-2	Commercialized Sex- Assisting/Promoting Prostitution	0	0	0
4100-1	Liquor License - Establishment	0	0	0
4100-2	Liquor Violations - Other	0	0	0
4200-0	Drunkenness - Except OUIL	0	0	0
4800-0	Obstructing Police	0	0	0
4900-0	Escape/Flight	0	0	0
5000-0	Obstructing Justice	0	0	4
5100-0	Bribery	0	0	0
5200-1	Weapons Offense - Concealed	0	0	0
5200-2	Weapons Offense - Explosives	0	0	0
5200-3	Weapons Offense - Other	0	1	1
5300-1	Disorderly Conduct	0	0	0
5300-2	Public Peace - Other	0	1	1
5400-1	Hit & Run Motor Vehicle Accident	1	4	5
5400-2	Operating Under the Influence of Liquor or Drugs (OUIL or OUID)	0	0	1
5400-3	Driving Law Violations	0	5	12
5500-0	Health and Safety	0	0	0
5600-0	Civil Rights	0	0	0
5700-1	Trespass	0	2	2
5700-2	Invasion of Privacy - Other	0	0	0
5800-0	Smuggling	0	0	0
5900-0	Election Laws	0	0	0
6000-0	Antitrust	0	0	0
6100-0	Tax/Revenue	0	0	0
6200-0	Conservation	0	0	0
6300-0	Vagrancy	0	0	0
7000-0	Juvenile Runaway	0	0	0
7300-0	Miscellaneous Criminal Offense	0	0	0

## Uniform Crime Report

**Report Criteria:**

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

Class	Description	FEB 2011	FEB 2012	YR TO DATE
7500-0	Solicitation (All Crimes Except Prostitution)	0	0	0
7700-0	Conspiracy	0	0	0
8900-1	SERVICE OF COMMISSION PAPERS	0	0	0
8900-2	UNAUTHORIZED TRANSPORTATION	0	0	0
8900-3	VIOLATION OF RULES/REGISTRATION	0	0	0
8900-4	WARRANTS	0	0	0
8900-5	MOTOR CARRIER SAFETY RULES	0	0	0
8900-6	INSPECTIONS OF HOMES TO BE MOVED	0	0	0
8900-7	MIGRANT AGRICULTURE WORKERS TRANSP	0	0	0
8900-9	ALL OTHER MOTOR CARRIER VIOLATIONS	0	0	0
9100-1	DELINQUENT MINOR	0	0	0
9100-2	RUNAWAYS	0	0	0
9200-1	DIVORCE AND SUPPORT	0	0	0
9200-2	INCAPACITATION	0	0	0
9200-3	WALK-AWAY - MENTAL INSTITUTIONS ETC	0	1	1
9200-4	ORDER FOR PICKUP AND EXAMINATION	0	0	0
9200-5	CIVIL INFRACTION - ALCOHOL POSSES.	0	0	0
9300-1	Property Damage Accident/Personal Injury	1	7	20
9300-2	NON-TRAFFIC PDA	0	2	6
9300-3	TRAFFIC VIOLATIONS/CIVIL INFRACTION	0	0	0
9300-4	TOWED VEHICLE	0	0	0
9300-5	TRAFFIC HAZARD/ABANDONED VEHICLE	0	0	0
9300-6	TRAFFIC POLICING	0	0	0
9400-1	FALSE ALARM ACTIVATION	0	0	0
9400-2	VALID ALARM ACTIVATION	0	0	0
9400-3	REST AREA/ROADSIDE PARK VIOLATIONS	0	0	0
9500-1	ACCIDENTAL FIRE	0	0	0
9500-2	ACCIDENTAL EXPLOSION	0	0	0
9500-4	OPEN BURNING	0	0	0
9500-6	FIRE-HAZARDOUS CONDITIONS	0	0	0
9700-0	ACCIDENTAL SHOOTING	0	0	0
9700-5	ACCIDENTAL DEATH-WATER	0	0	0
9700-6	ACCIDENT - ALL OTHER	0	0	0
9800-2	RECOVERED PROPERTY	0	0	0
9800-3	PROPERTY INSPECTION	0	0	0
9800-4	OTHER INSPECTIONS/WEAPONS	0	2	7
9800-5	ALARMS	0	0	0
9800-6	CIVIL	0	1	3
9800-7	SUSPICIOUS SITUATION	0	2	3
9800-8	LOST AND FOUND PROPERTY	0	1	1
9800-9	OVERDOSE	0	0	1
9900-1	SUICIDE	1	1	1
9900-2	DOA - NATURAL	0	1	2
9900-3	MISSING PERSON	0	0	0
9900-7	SAFEKEEPING	0	0	0
9900-8	DEPARTMENTAL ASSIST	0	0	1
9900-9	GENERAL - NON CRIMINAL	1	2	5

## Uniform Crime Report

**Report Criteria:**

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

Class	Description	FEB 2011	FEB 2012	YR TO DATE
Totals:		4	55	114

**Public Works**  
**Monthly Work Orders**  
03/02/12

Work Order #	Location ID	Customer Name	Date Recd	Type
Work Order Status		Service Address	Date Comp	
BXRP12-0050 COMPLETED	GR10-005326-0000-02	PITTMAN, JAMES 5326 GREENLEAF DR	02/01/12 02/01/12	CURB BOX REPAIR
BXRP12-0051 COMPLETED	CH10-009044-0000-01	BISTRICKY, DAVID 9044 CHELMSFORD DR	02/07/12 02/09/12	CURB BOX REPAIR
CKME12-0175 COMPLETED	DY10-003286-0000-01	SMITH, MICHAEL 3286 DYE RD	02/09/12 02/09/12	CHECK METER
ELEC12-0026 COMPLETED	CI10-008083-0000-01	CITY OF SWARTZ CREEK 8083 CIVIC DR	02/27/12 02/27/12	ELEC SETUP/TAKEDO
ELEC12-0027 COMPLETED	CI10-008083-0000-01	CITY OF SWARTZ CREEK 8083 CIVIC DR	02/29/12 02/29/12	ELEC SETUP/TAKEDO
FNRD12-0376 COMPLETED	LI10-004265-0000-01	WOODSIDE 4265 LINDSEY DR	02/01/12 02/01/12	FINAL READ
FNRD12-0378 COMPLETED	CC10-007438-0000-02	MCCLURE, GLEN 7438 CROSSCREEK DR	02/03/12 02/01/12	FINAL READ
FNRD12-0383 COMPLETED	DO10-005321-0000-06	POUSH, JANICE 5321 DON SHENK DR	02/01/12 02/01/12	FINAL READ
FNRD12-0384 COMPLETED	BR20-007133-0000-04	WRIGHT, KIMBERLY 7133 BRISTOL RD	02/03/12 02/03/12	FINAL READ
FNRD12-0385 COMPLETED	FA10-005111-0000-11	OBERT, RYAN 5111 FAIRCHILD ST	02/13/12 02/14/12	FINAL READ
FNRD12-0386 COMPLETED	SC20-005079-0000-02	POBOCIK, MATT 5079 SCHOOL ST	02/21/12 02/22/12	FINAL READ
FNRD12-0388 COMPLETED	JI10-009275-0000-02	REO SERVICES LLC 9275 JILL MARIE LN	02/27/12 02/27/12	FINAL READ
FNRD12-0389	YA10-007115-0000-06	SPALDING, JODI 7115 YARMY DR	02/28/12	FINAL READ
FNRD12-0390	BR20-006383-0000-01	LAUER, MARY F 6383 BRISTOL RD	02/29/12	FINAL READ
GWO12-0211 COMPLETED	CI10-008095-0000-01	PERKINS LIBRARY 8095 CIVIC DR	02/01/12 02/01/12	GENERIC WORK ORDE
GWO12-0212 COMPLETED	CA10-008461-0000-01	MC CLURE, TERRY 8461 CAPPY LN	02/22/12 02/22/12	GENERIC WORK ORDE
MNT12-0091 COMPLETED	CI10-008100-0000-01	PUBLIC SAFETY BUILDING 8100 CIVIC DR	02/01/12 02/02/12	BUILDING MAINTENA
MNT12-0092 COMPLETED	CI10-008100-0000-01	PUBLIC SAFETY BUILDING 8100 CIVIC DR	02/22/12 02/23/12	BUILDING MAINTENA
MTRP12-0338 COMPLETED	WI10-005274-0000-02	ROGERS, CLINT 5274 WINSHALL DR	02/14/12 02/14/12	METER REPAIR
READ12-0225 COMPLETED	WA10-007435-0000-02	MACAULEY, DAVID 7435 WADE ST	02/01/12 02/01/12	READ METER

Work Order #	Location ID	Customer Name	Date Recd	Type
Work Order Status		Service Address	Date Comp	
READ12-0226 COMPLETED	EL10-004056-0000-08	VSETULA, PAULA 4056 ELMS RD	02/03/12 02/03/12	READ METER
READ12-0227 COMPLETED	WI10-005116-0000-02	WRUBEL, BETH 5116 WINSHALL DR	02/10/12 02/10/12	READ METER
WMBK12-0016 COMPLETED	CH10-009044-0000-01	BISTRICKY, DAVID 9044 CHELMSFORD DR	02/13/12 02/13/12	WATER MAIN BREAK
WOFF12-0645 CANCELLED	GR10-005159-0000-03	KLORRES, ALICIA 5159 GREENLEAF DR	02/13/12 02/13/12	WATER TURN OFF
WOFF12-0646 COMPLETED	JI10-009190-0000-06	WASHINGTON, CAROLYN 9190 JILL MARIE LN	02/13/12 02/14/12	WATER TURN OFF
WOFF12-0647 COMPLETED	CH20-008493-0000-04	WOODELL, TROY 8493 CHESTERFIELD DR	02/29/12 02/29/12	WATER TURN OFF
WOFF12-0648 COMPLETED	MI10-008231-0000-01	PARKER, MARC 8231 MILLER RD	02/29/12 02/29/12	WATER TURN OFF
WOFF12-0649 COMPLETED	IN10-008129-0000-01	WISE, JENNIFER 8129 INGALLS ST	02/29/12 02/29/12	WATER TURN OFF
WTON12-0440 COMPLETED	MI10-005454-0000-01	JOHNSON, SHANE 5454 MILLER RD	02/01/12 02/01/12	WATER TURN ON
WTON12-0441 COMPLETED	CH20-008481-0000-04	HUD 8481 CHESTERFIELD DR	02/29/12 02/29/12	WATER TURN ON
WTON12-0442 COMPLETED	CH20-008493-0000-04	WOODELL, TROY 8493 CHESTERFIELD DR	02/29/12 02/29/12	WATER TURN ON

Total Records: 31

DPS ACTIVITY - FEBRUARY 2012

	<u>REG</u>	<u>HOL</u>	<u>VAC</u>	<u>ABSENT</u>	<u>OT</u>	<u>DT</u>
<b>101 GENERAL FUND</b>						
262.0 ELECTIONS	1.00		0.04	0.11		
781.0 AMPHI-PARK						
782.0 WINSHALL PARK						
783.0 ELMS PARK						
784.0 BICENT. PARK						
790.0 SENIOR CENTER/LIBRARY	28.00	1.99	1.00	0.02		
792.0 P S BLDG	25.00	1.60	0.93	0.15		
793.0 CITY HALL	3.25	0.20	0.09	0.03		
794.0 COMM PROMO						
796.0 CEMETERY						
<b>202 MAJOR STREET FUND</b>						
429.0 SAFETY	8.00		0.45	0.33		
441.0 PARK & RIDE GARBAGE						
463.0 STREET MAIN	20.00	1.88	0.16	0.45		
474.0 TRAFFIC						
478.0 SNOW & ICE	14.00	2.15	0.08	0.23	26.50	7.00
482.0 ADMIN	4.18	0.22				
<b>203 LOCAL STREET FUND</b>						
429.0 SAFETY	3.00					
463.0 STREET MAIN	48.00	1.44	2.01	1.21		
474.0 TRAFFIC						
478.0 SNOW & ICE	26.00	2.86	0.68	0.33	10.50	6.00
482.0 ADMIN	4.18	0.22				
<b>226 GARBAGE FUND</b>						
528.0 COLLECT	1.50		0.06			
530.0 WOODCHIPPING	7.60	0.40				
782.0 WINSHALL PARK GARBAGE						
783.0 ELMS PARK GARBAGE	2.00	0.11	0.11			
793.0 CITY HALL	3.25	0.20	0.09	0.03		
<b>590 WATER</b>						
540.0 WATER SYSTEM	105.52	6.60	0.91	0.82	2.00	2.00
540.0 WATER-ON CALL	4.00	0.21	0.08	0.23		
542.0 READ & BILL	22.25	2.23	0.06	0.28		
793.0 CITY HALL	3.25	0.21	0.09	0.03		
<b>591 SEWER</b>						
536.0 SEWER SYSTEM	93.02	4.37	0.79	0.89		
536.0 SEWER-ON CALL	4.00	0.21	0.08	0.21		
537.0 LIFT STATION	16.00	1.65	0.37	0.12		2.00
542.0 READ & BILL	22.25	2.23	0.06	0.29		
793.0 CITY HALL	3.25	0.21	0.09	0.03		
<b>661 MOTOR POOL FUND</b>						
795.0 CITY GARAGE	116.00	8.81	2.77	2.71		
<b>DAILY HOURS TOTAL</b>	<b>588.50</b>	<b>40.00</b>	<b>11.00</b>	<b>8.50</b>	<b>39.00</b>	<b>17.00</b>

February 2012	<u>MILES DRIVEN</u>	<u>GALLONS GAS PURCHASED</u>	<u>GALLONS DIESEL PURCHASED</u>
#1 P/U 4WD			
#3 P/U 4WD	249	27	
07-03 P/U 4WD	200		51
09-03 P/U 4WD	442	39	
#2 P/U 2WD	303	19	
#6-00 BACKHOE			
#9 DUMP			
#10 DUMP			
#11 DUMP	29		
#12-02 DUMP	164		41.2
#12-04 DUMP	233		67
#12-99 GENERATOR			
#9-02 BRUSH HOG			
#17 CASE BACKHOE			17.2
#19 JD TRACTOR			
#06-99 BUCKET TRUCK			
#21 WOOD CHIPPER			
#807 STREET SWEEPER	6		
#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	13	208	
<b>TOTAL</b>	<b>1639</b>	<b>293</b>	<b>176.4</b>

03/02/2012

CHECK REGISTER FOR CITY OF SWARTZ CREEK  
CHECK DATE FROM 02/01/2012 - 02/29/2012

Check Date	Check	Vendor Name	Description	Amount
Bank GEN CONSOLIDATED ACCOUNT				
02/02/2012	35741	ARROW UNIFORM RENTAL	UNIFORMS, MATS, SUPPLIES, ENV. MATS, SUPPLIES	78.59 27.31
				105.90
02/02/2012	35742	COMCAST BUSINESS	2/1-2/29/12 PUBLIC SAFETY BLDG	141.85
02/02/2012	35743	CUMMINS BRIDGEWAY	REPAIR CAPPY LIFT STATION	317.04
02/02/2012	35744	DETROIT SALT COMPANY	ROAD SALT AT \$54.69 PER TON	2,752.55
02/02/2012	35745	DONALD KORTH	RESOLVE MAIL SERVER ISSUE	75.00
02/02/2012	35746	GENESEE CTY DRAIN COMMISSIONER	11/30-12/28/11 WATER COMM/READY TO SERVE	64,360.34
02/02/2012	35747	GENESEE CTY DRAIN COMMISSIONER	SEWER NOV-DEC 2011	89,491.41
02/02/2012	35748	GENESEE CTY DRAIN COMMISSIONER	4162 HICKORY LANE WATER	1,000.00
02/02/2012	35749	HYDRO DESIGNS	WATER CROSS CONNECTION CONTROL AND C	300.00
02/02/2012	35750	PURCHASE POWER	POSTAGE/REFILL TRANS FEE	2,525.00
02/02/2012	35751	RWS OF MID MICHIGAN	STREET SWEEPINGS	348.57
02/02/2012	35752	RWS OF MID MICHIGAN	GARBAGE/RECYCLING/YARD WASTE FY12	19,949.44
02/02/2012	35753	SCHAEFER'S OFFICE SOURCE	OFFICE SUPPLIES	130.10
			OFFICE SUPPLIES	243.17
			JUMBO PAPER CLIPS	6.29
			CREDIT FOR RETURNED PAPER CLIPS	(1.99)
				377.57
02/02/2012	35754	SELF SERVE LUMBER CO.	LUMBER FOR PARKS	198.82
02/02/2012	35755	STATE OF MICHIGAN DEPT TRANS	FINAL PMT - ELMS BRIDGE	1,003.58
02/02/2012	35756	SUBURBAN AUTO SUPPLY	HEADLAMP	7.99
02/02/2012	35757	VALLEY PETROLEUM	1/6-1/31/12 FUEL USAGE - POLICE	947.14
02/02/2012	35758	VALLEY PETROLEUM	1/16-1/31/12 FUEL USAGE - DPW	796.30
02/09/2012	35759	ADAM H ZETTEL	CONSULTING SERVICES	747.50
02/09/2012	35760	ADS PLUS PRINTING LLC	3000 WINDOW ENVELOPES	207.90
02/09/2012	35761	ARROW UNIFORM RENTAL	UNIFORMS, MATS, SUPPLIES, ENV. MATS, SUPPLIES	91.66 27.25
				118.91
02/09/2012	35762	BELL EQUIPMENT CO	BROOM SET/STREET SWEEPER	250.20
02/09/2012	35763	BRADYS BUSINESS SYSTEMS	COPY MACH MAINT AGREEMENT 1/15-2/15-12	53.24
02/09/2012	35764	CITY OF SWARTZ CREEK	REIMB PETTY CASH	44.70
02/09/2012	35765	CITY OF SWARTZ CREEK	REIMBURSE PETTY CASH	130.76
02/09/2012	35766	CONSUMERS ENERGY	1/1-1/31/12 4524 MORRISH RD	48.39
02/09/2012	35767	CONSUMERS ENERGY	1/1-1/31/12 ELMS PARKING LOT	32.24
02/09/2012	35768	CONSUMERS ENERGY	1/1-1/31/12 STREET LIGHTS	11,038.40
02/09/2012	35769	CONSUMERS ENERGY	1/1-1/31/12 SIRENS	28.91
02/09/2012	35770	CONSUMERS ENERGY	1/1-1/31/12 TRAFFIC LIGHTS	416.85
02/09/2012	35771	CREEK AUTO SERVICES LLC	ABS CONTROL MODULE 07-375	604.00
02/09/2012	35772	DETROIT SALT COMPANY	ROAD SALT AT \$54.69 PER TON	2,722.47
02/09/2012	35773	ELITE BUSINESS PRODUCTS	OFFICE SUPPLIES	82.85
02/09/2012	35774	FAMILY FARM AND HOME INC	5 GAL PAINT TAIL LIGHT KIT	62.99 31.68
				94.67
02/09/2012	35775	FLINT WELDING SUPPLY	CYLINDER COMPRESSED OXYGEN	5.00
02/09/2012	35776	GILL ROYS HARDWARE	MINI TUBE CUTTER	10.69
			CHENILLE WASH PAD	5.99
			55 GAL TRASH BAGS	15.99
			SINGLE CUT KEY (2)	3.58
			175 W METAL HALIDE BULB	32.99
			RETURN 175 W METAL HALIDE BULB	(32.99)
			NUTS/BOLTS/SCREWS	0.90
			NUTS/BOLTS/SCREWS	0.50
			(6) KEYS DOORS TO A/C ALARM CODE BOXES	10.74
			1 BOX SCREWS	20.99
			HAND SOAP	7.96
			NUTS/BOLTS/SCREWS/ANTIBACTERIAL SOAP	15.46
			2 X 4 JOIST HANGER (8)	7.12

			SCREW EYE/TIE-OUT CHAIN	6.58
			JANUARY 2012 DISCOUNT	(7.67)
				98.83
02/09/2012	35777	GUNTHERS LOCKSMITH SERVICE	REPAIR FRONT DOOR	150.00
02/09/2012	35778	MATT BELMONTI	CLEAR CITY LOTS & WALKS 1/21-1/29/12	1,146.00
02/09/2012	35779	MICHIGAN TASER DISTRIBUTING	(10) TASER HELSTERS/S & H	608.49
			(1) TASER HOLSTER/S & H	67.45
				675.94
02/09/2012	35780	NORTHEAST WISCONSIN TECH COLLEGE	TASER INSTRUCTOR TRAINING/SZMANSKY	175.00
02/09/2012	35781	RICHARD ABRAMS	SMALL CITIES MTG DINNER/MILEAGE	49.97
02/09/2012	35782	SCHAEFER'S OFFICE SOURCE	TISSUES/55 GAL LINERS	167.93
			PAPER TOWELS	61.78
				229.71
02/09/2012	35783	SLINGERLAND CHRYSLER DODGE	2012 DODGE CHARGER 12-144	21,385.00
02/09/2012	35784	STATE OF MICHIGAN-DEQ WTR	MUNICIPAL SW ANNUAL PERMIT FEE MS-4	2,000.00
02/09/2012	35785	SUBURBAN AUTO SUPPLY	WINDSHIELD WIPERS 10-161	11.98
			3/8" LOOM (2)/LOOM & TIES (1)	13.97
				25.95
02/09/2012	35786	THE SCALE PEOPLE INC	POSTAL RATE CHART/S & H	12.90
02/09/2012	35787	THOMAS SVRCEK	AWWA MTG 2/7/12 MILEAGE/PARKING/LUNCH	73.34
02/09/2012	35788	UNITED METHODIST CHURCH -SW CK	2/28/12 PRESIDENTIAL PRIMARY	700.00
02/09/2012	35789	UPS	UPS SHIPPING	11.00
02/09/2012	35790	VIEW NEWSPAPER GROUP	ZBA PUBLIC HEARING	189.00
02/09/2012	35791	WINDER POLICE EQUIPMENT	HINGES FOR CAR COMPUTER/S & H	136.47
			CLAMP-RATCHET FOR COMPUTER/S & H	32.00
				168.47
02/16/2012	35792	AMERAPLAN INC	MEDICAL BILLING FOR MARCH 2012	254.25
02/16/2012	35793	ARROW UNIFORM RENTAL	UNIFORMS, MATS, SUPPLIES, ENV	79.00
			MATS, SUPPLIES	27.25
				106.25
02/16/2012	35794	BELL EQUIPMENT CO	PARTS FOR STREET SWEEPER	80.12
02/16/2012	35795	BLUE CARE NETWORK-EAST MI	MARCH 2012 RETIREE MED INS	2,448.26
			MI CLAIM ASSESSMENT TAX MARCH 2012	153.46
				2,601.72
02/16/2012	35796	C & H CONSTRUCTION CO INC	WATERMAIN REPAIR--GREENLEAF	1,519.00
02/16/2012	35797	CLARK FIRE & SAFETY INC	FIRE EXT MAINTENANCE	336.50
02/16/2012	35798	CONSUMERS ENERGY	1/7/12-2/6/12 A	17.20
02/16/2012	35799	CONSUMERS ENERGY	1/10/12-2/8/12 E	75.49
02/16/2012	35800	CONSUMERS ENERGY	1/10/12-2/7/12 A	18.93
02/16/2012	35801	CONSUMERS ENERGY	1/5-2/3/12 A	17.20
02/16/2012	35802	CONSUMERS ENERGY	1/5-2/3/12 A	17.20
02/16/2012	35803	CONSUMERS ENERGY	1/5-2/3/12 A	17.81
02/16/2012	35804	CONSUMERS ENERGY	1/7-2/3/12 A	42.91
02/16/2012	35805	CONSUMERS ENERGY	1/6-2/3/12 A	977.81
02/16/2012	35806	CONSUMERS ENERGY	1/6-2/6/12 A	364.03
02/16/2012	35807	CONSUMERS ENERGY	1/6-2/6/12 A	19.04
02/16/2012	35808	CONSUMERS ENERGY	1/6-2/4/12 A	29.56
02/16/2012	35809	CONSUMERS ENERGY	1/7-2/6/12 A	708.82
02/16/2012	35810	CONSUMERS ENERGY	1/6-2/3/12 A	843.18
02/16/2012	35811	CONSUMERS ENERGY	1/7-2/3/12 A	1,254.84
02/16/2012	35812	COOKS DIESEL RV & TRUCK REPAIR	REPL BALL JOINTS/TIE ROD ENDS/STABILIZER	1,735.88
02/16/2012	35813	ELITE BUSINESS PRODUCTS	PRINTER & FAX CARTRIDGE	115.56
02/16/2012	35814	GENESEE COUNTY TREASURER	ASSESSMENT NOTICES	65.09
02/16/2012	35815	GUNTHERS LOCKSMITH SERVICE	REPAIR FRONT DOOR--BAL OF ORIG INVOICE	100.00

02/16/2012	35816	KENDALL PRINTING	OFFICER'S POCKET NOTEPADS	278.00
			IMPRINTING OF OUR ENVELOPES	55.00
				333.00
02/16/2012	35817	LIQUIFORCE SEWER SERVICES	RELINING/CLEAN/VIDEO OF SECTIONS OF SEW	17,038.50
02/16/2012	35818	MATT BELMONTI	SNOWPLOWING 2/11/12	443.00
02/16/2012	35819	NEXTEL COMMUNICATIONS	1/7-2/6/12	478.10
02/16/2012	35820	SCHAEFER'S OFFICE SOURCE	FUSER FOR HP4610 PRINTER	348.00
02/16/2012	35821	SWARTZ CREEK AREA FIRE DEPT.	FIRE SERVICE JAN 2012	1,499.50
02/17/2012	35822	BREWSTER, SCOTT	REFUND W/S OVRPMT 8247 MILLER	530.22
02/17/2012	35823	SAGELINK	REFUND INVOICED & PAID TWICE	966.89
02/23/2012	35824	AMERICAN MESSAGING	2/15-3/14/12 8108332563/8108331159	22.38
02/23/2012	35825	ARROW UNIFORM RENTAL	UNIFORMS, MATS, SUPPLIES, ENV.	78.41
			MATS, SUPPLIES	27.25
				105.66
02/23/2012	35826	BRADYS BUSINESS SYSTEMS	REPAIR HP9000 PRINTER	122.50
02/23/2012	35827	C & H CONSTRUCTION CO INC	WATERMAIN REPAIR DAVAL DR	730.50
02/23/2012	35828	COMCAST BUSINESS	2/26-3/25/12 CITY HALL	275.80
02/23/2012	35829	DELTA DENTAL PLAN	MARCH 2012 DENTAL - RETIREES (4)/EST TAX	285.57
02/23/2012	35830	DETROIT SALT COMPANY	ROAD SALT AT \$54.69 PER TON	2,783.72
02/23/2012	35831	GCGC	MARCH MTG AGUILAR/KORTH	30.00
02/23/2012	35832	GEN CTY ROAD COMMISSION	SIGNAL MILLER @ FAIRCHILD	302.85
			JAN 2012 S-MTCE & OPERATIONS	406.09
				708.94
02/23/2012	35833	GENESEE CTY DRAIN COMMISSIONER	SPECIAL ASSESSMENTS 2011 DRAIN REPAIRS	560.00
02/23/2012	35834	GENESEE CTY DRAIN COMMISSIONER	SEWER CCIF FOR 4162 HICKORY LANE	1,000.00
02/23/2012	35835	GOV'T FINANCE OFFICERS ASSOC.	ATTEND BEST PRAC IN BUDG & FISCAL POL	85.00
02/23/2012	35836	GRAINGER	FLASHLIGHT/BATTERIES	54.24
			RECHARGEABLE BATTERY	30.60
			RECHARGEABLE BATTERIES	139.86
				224.70
02/23/2012	35837	LANDMARK APPRAISAL CO	ASSESSOR SERVICES NOV 1, 2011-OCT 31, 20	2,233.33
02/23/2012	35838	MGFOA	ADV ACCT FINANCIAL REPT 3/7/12 CLARK	100.00
02/23/2012	35839	PARISEAU'S PRINTING INC	FINAL INSPECTION STICKERS QTY 100	34.50
02/23/2012	35840	PITNEY BOWES INC.	RENTAL CHARGES 11/30/11-2/28/12	150.00
02/23/2012	35841	SCHAEFER'S OFFICE SOURCE	PTR CARTRG ASSESS/CD COUNCIL	103.94
02/23/2012	35842	SELF SERVE LUMBER CO.	LUMBER/SCREWS	73.58
02/23/2012	35843	SIMEN FIGURA & PARKER PLC	JAN 2012 GEN'L/TRAFFIC/ORDIN	2,534.50
02/23/2012	35844	STATE OF MICHIGAN DEPT TRANS	LCL PROG BILL #4 MILLER/ELMS E TALLMADGE	7,838.14
02/23/2012	35845	SUBURBAN AUTO SUPPLY	SCREWDRIVER SET	14.99
			AIR FILTER	7.99
			HEADLAMP	13.99
				36.97
02/23/2012	35846	SW CREEK AREA CHAMBER OF COMMERCE	CHAMBER ANNUAL MEMBERSHIP	150.00
02/23/2012	35847	UNUM LIFE INSURANCE	MARCH 2012 LIFE INS SHANNON/SNELL	12.05
02/23/2012	35848	VALLEY PETROLEUM	2/1-2/15/12 FUEL USAGE - DPW	405.11
02/23/2012	35849	VALLEY PETROLEUM	2/1-2/15/12 FUEL USAGE - POLICE	993.93
02/23/2012	35850	VIVIAN P BROPHY	CLEANED 10 CHAIRS/LIBRARY	50.00
GEN TOTALS:				

Total of 110 Disbursements:

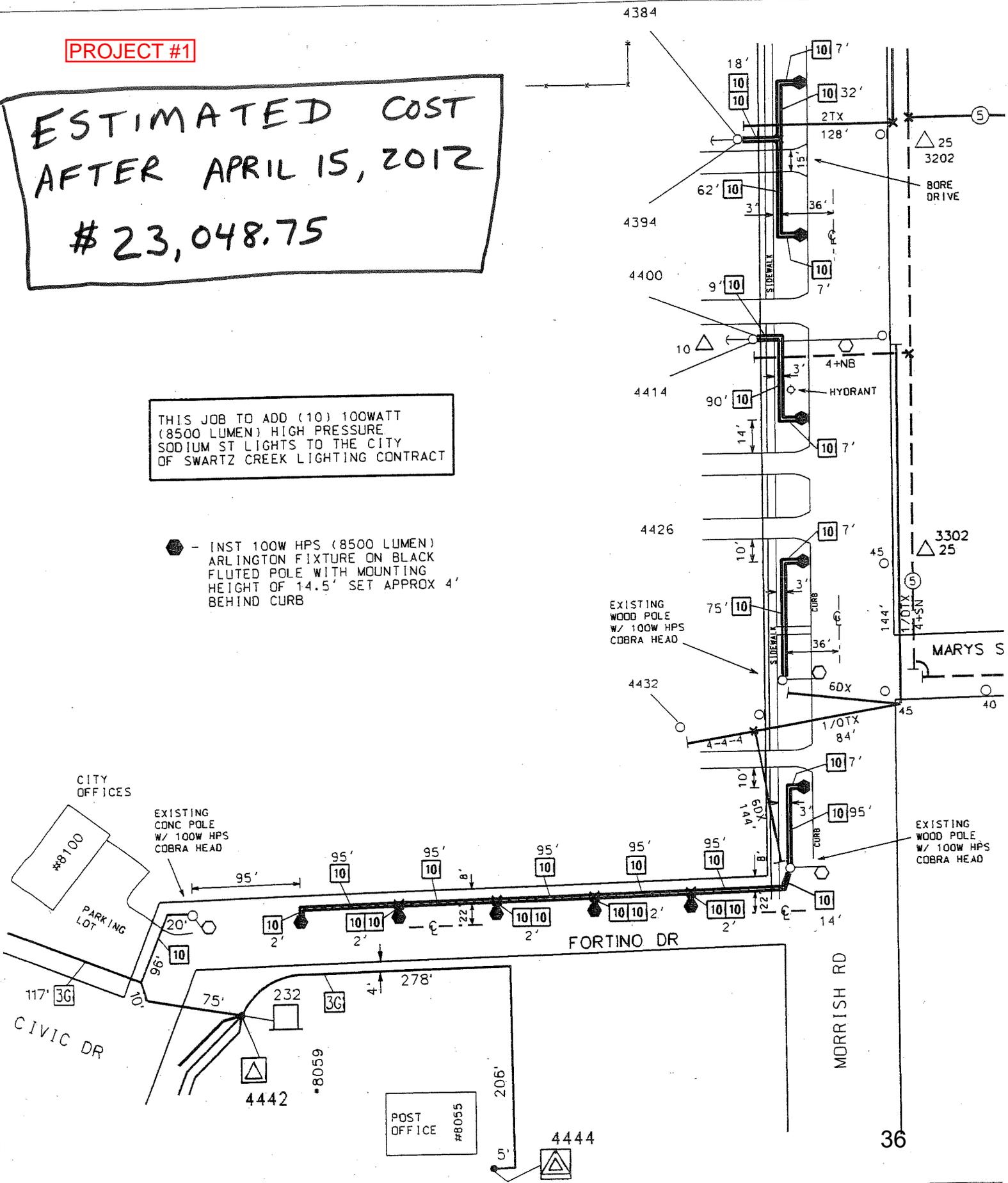
283,023.02

**PROJECT #1**

**ESTIMATED COST  
AFTER APRIL 15, 2012  
\$ 23,048.75**

THIS JOB TO ADD (10) 100WATT  
(8500 LUMEN) HIGH PRESSURE  
SODIUM ST LIGHTS TO THE CITY  
OF SWARTZ CREEK LIGHTING CONTRACT

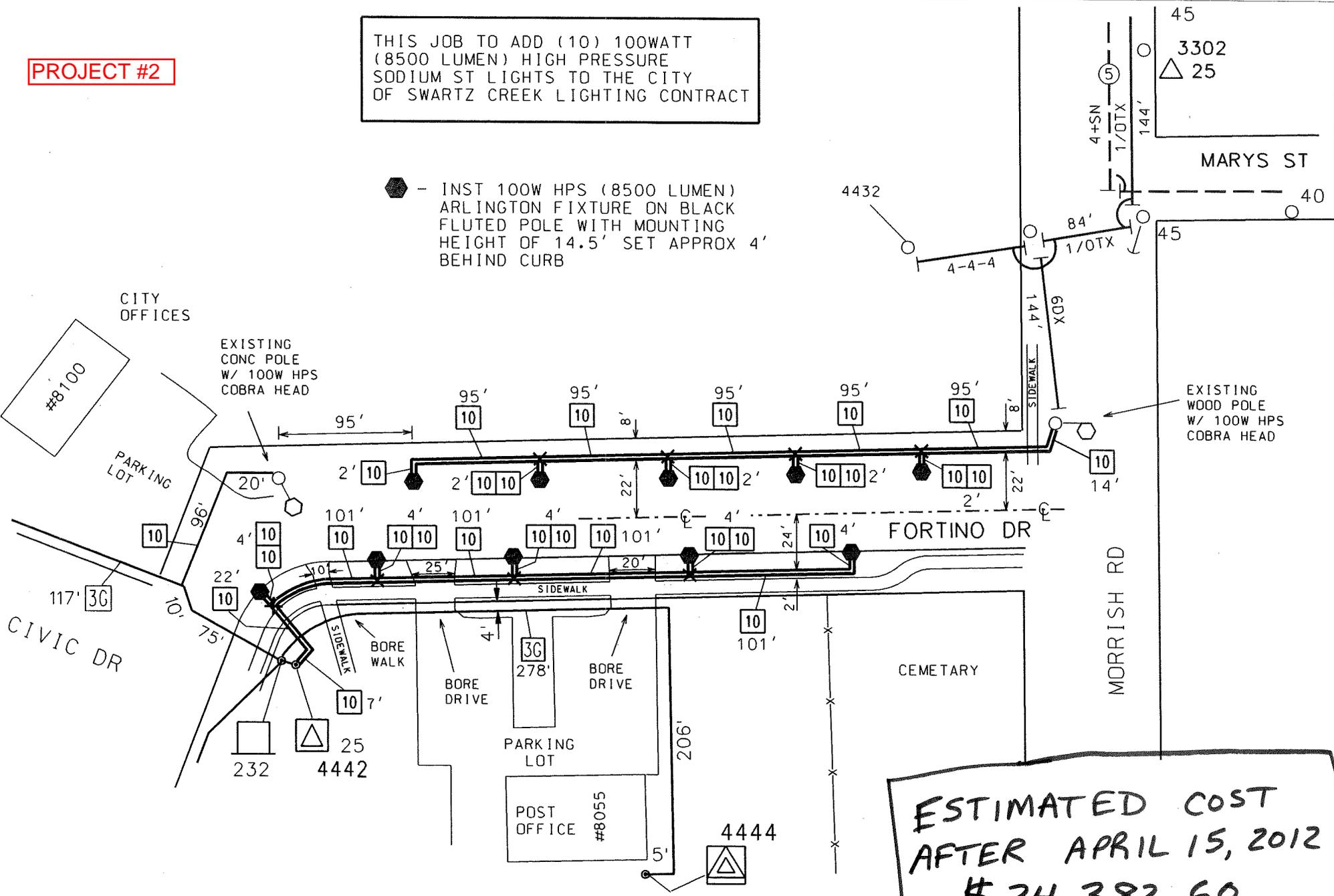
- - INST 100W HPS (8500 LUMEN) ARLINGTON FIXTURE ON BLACK FLUTED POLE WITH MOUNTING HEIGHT OF 14.5' SET APPROX 4' BEHIND CURB



**PROJECT #2**

THIS JOB TO ADD (10) 100WATT (8500 LUMEN) HIGH PRESSURE SODIUM ST LIGHTS TO THE CITY OF SWARTZ CREEK LIGHTING CONTRACT

● - INST 100W HPS (8500 LUMEN) ARLINGTON FIXTURE ON BLACK FLUTED POLE WITH MOUNTING HEIGHT OF 14.5' SET APPROX 4' BEHIND CURB



**ESTIMATED COST  
AFTER APRIL 15, 2012  
\$ 24,382.60**

CDBG Project #1,  
10 Decorative HPS  
Lights: \$23,049



Copyright ©2009 Pictometry International Corp.

CDBG Project #2.  
10 decorative HPS  
Lights: \$24,383



Copyright ©2009 Pictometry International Corp.



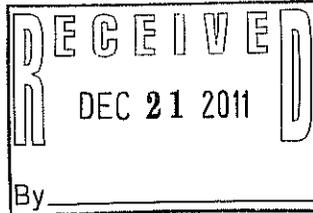
# COMMUNITY DEVELOPMENT PROGRAM

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

TELEPHONE (810) 257-3010  
FAX (810) 257-3105  
**JULIE A. HINTERMAN**  
INTERIM DIRECTOR-COORDINATOR

December 19, 2011

Juanita Aguilar, Clerk  
City of Swartz Creek  
8083 Civic Drive  
Swartz Creek, MI 48473-1498



**Subject: Timeliness - Community Development Block Grant (CDBG) Program Funds**

Dear Ms. Aguilar:

Genesee County Community Development staff would like to remind you that Community Development Block Grant (CDBG) Subrecipient Contracts with Genesee County have deadlines for expenditures. Project performance/status reports must be submitted, along with requests for reimbursement, on a regular, preferably monthly, basis.

Some of the activities currently under contract with Genesee County have unspent balances. A review of our records indicates that your community has the following CDBG project fund balances and has listed them by CDBG Program Years (PY). **Please note that access to 2010 PY funds will end April 30, 2012, and 2011 PY funds will end April 30, 2013. All requests for transferring 2010 PY funds must be submitted, with a Resolution from your governing Board by February 28, 2012.**

CDBG PY	Activity Number	Activity Name	Contract Award	Balance
2010	1809	Street Lighting Improvements	\$29,129.05	\$ 29,129.05
2011	1876	Senior Center Operations	\$ 6,066.00	\$ 6,066.00

At this time, staff requests that at minimum, you submit a project status report by **January 5, 2012** for each of the above contracts. If you have any questions, please feel free to contact Ms. Katie Bennett of my staff at (810) 257-3010.

Sincerely,

Christine Durgan, Principal Planner  
Genesee County Metropolitan Planning Commission  
Community Development Program

cc: Paul Bueche, City Manager

CD:SA;pc



**C.D.B.G. Three Year Funding Distributions**

**Resolution No. 091207-05**

**(Carried)**

Motion by Councilmember Binder  
Second by Councilmember Hurt

I **Move** the City of Swartz Creek accept the three year Community Development Block Grant Distribution in the total amount of \$31,431, and authorize these funds to be allocated as follows: 15% to the Swartz Creek Senior Citizens Operations in the amount of \$4714.65, and the remaining 85% to the Miller and Elms street lighting project in the amount of \$26,716.35.

Discussion Ensued.

YES: Porath, Abrams, Binder, Hicks, Hurt, Krueger.  
NO: Shumaker. Motion Declared Carried.

**AMENDMENT TO SUBRECIPIENT AGREEMENT BETWEEN  
The County of Genesee  
AND  
The City of Swartz Creek**

THIS AGREEMENT amendment, made as of the 27 day of January, 2012 between the County of Genesee, acting by and through the:

Genesee County Community Development Program  
Room 223, 1101 Beach Street, Genesee County Administration Building  
Flint, Michigan 48502

Hereinafter referred to as the "Grantee", and the

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

Hereinafter referred to as the "Subrecipient", and

WHEREAS, the Grantee has applied for and received funds from the United States Government under Title I of the Housing and Community Development Act of 1974, as amended (HCD Act), Public Law 93-383; and

WHEREAS, the Grantee wishes to engage the Subrecipient to assist the Grantee in utilizing Community Development Block Grant (CDBG) funds; and

WHEREAS, the parties wish to amend the 2010 Subrecipient Agreement for the City of Swartz Creek 2010 Street Lighting Improvements, for the purpose of extending the time of performance.

NOW, THEREFORE, the parties agree to amend the Subrecipient Agreement as follows:

**II. TIME OF PERFORMANCE**

The first sentence of the first paragraph is deleted and replaced as follows:

**Services of the Subrecipient shall start on the 1<sup>st</sup> day of May, 2010 and end on the 31<sup>st</sup> day of July, 2012.**

All other terms and conditions of the Subrecipient Agreement shall remain the same.

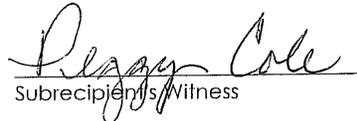
**CERTIFICATION**

In witness whereof, the foregoing provisions to this Agreement have been examined by the undersigned and the parties have caused this Contract to be executed by their duly authorized agents.

  
County's Authorized Representative

  
Subrecipient's Authorized Representative

  
County's Witness

  
Subrecipient's Witness

1-27-2012  
Date

1-27-2012  
Date



# Adam Zettel

Assistant City Manager/Zoning Administrator  
[azettel@cityofswartzcreek.org](mailto:azettel@cityofswartzcreek.org)

Date: December 4, 2009

**To: Honorable Mayor, City Council**  
**From: Adam Zettel, Assistant Manager/Zoning Administrator**  
**Subject: Community Development Block Grant Application**

Based upon the comments at the public hearing and subsequent feedback from the Genesee County Metropolitan Planning Commission, the following list of items has been compiled with comments:

- Demolition of Sunoco Station, Marathon Station, 5129 Morrish Rd. (blacksmith), or city-owned parcel on Morrish Road near Fortino Dr. **(Eligible conditioned on property control & blight).**
- Elms to Heritage Trail. **(Not eligible).**
- Public street lighting/streetscapes on Miller or Elms. **(Eligible & Recommended).**
- Downtown streetscapes or entryway signage. **(Eligible & within DDA, not recommended).**
- Capital improvements of Senior Center/Library or Public Safety Building. **(Not eligible).**
- Farmers Market improvements. **(Eligible & within DDA, not recommended).**
- Sidewalk improvements or additions. **(Eligible in low/mod district, not recommended).**
- Street improvements, local streets or Miller Road. **(Eligibility uncertain per GCMPC).**
- Tree plantings. **(Eligible within right-of-ways but not recommended).**
- Concealment of overhead wires downtown. **(Eligible but not practical or recommended).**
- Senior Center operating (15%). **(Eligible & Recommended).**
- Improvements to the retaining walls and signs throughout the civic campus area. **(Not Eligible).**
- Restriping of the Senior Center parking lot. **(Not Eligible).**
- Business Incubator **(Eligibility uncertain).**
- Art Guild **(Eligibility uncertain).**

As you can see, the higher priorities that were identified at the last meeting are not eligible. As such, I recommend that the City approve a construction project that qualifies and is outside of the DDA. Since the DDA intends to expend a large amount of money in the DDA district, I recommend those projects be put aside. With that said, in conjunction with the 15% allocation to the Senior Center, I think decorative street lighting continuing along Elms or Miller Roads would be a good idea.

Sincerely,

Adam H. Zettel, AICP  
Assistant City Manager

---

8083 Civic Drive  
Swartz Creek Michigan 48473  
Phone: (810)-635-4464 Fax: (810)-635-2887

[www.cityofswartzcreek.org](http://www.cityofswartzcreek.org)

<ftp://cityofswartzcreek.org>

*(Excerpts From 11-23-2009 Regular Meeting)*

**Public Needs Hearing-CDBG Allocation**

**(Public Hearing)**

Assistant City Manager Adam Zettel made a brief presentation. Items discussed during the Public Hearing include:

- Demolition of Sunoco Station, Marathon Station, 5129 Morrish Rd. (blacksmith shop), or City-owned parcel on Morrish Road near Fortino.
- Elms to Heritage Trail.
- Public street lighting/streetscapes on Miller or Elms.
- Downtown streetscapes or entryway signage.
- Capital improvements of Senior Center/Library or Public Safety Building.
- Farmers Market improvements.
- Sidewalk improvements or additions.
- Street improvements, local streets or Miller Road.
- Tree plantings.
- Concealment of overhead utility wires downtown.
- Senior Center operating (15%).
- Improvements to the retaining walls and signs throughout the civic campus area.
- Restriping of the Senior Center parking lot.
- Business Incubator
- Art Guild

Discussion Took Place.

March 9, 2012

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

Re: Proposal for Professional Engineering Design and Construction Services  
Traffic Signal Design and Construction Administration for I-69 WB Ramps at Morrish Road

Dear Mr. Bueche:

Progressive AE is pleased to submit this cost proposal for engineering services related to the traffic signal warrant, design, and construction administration project at the I-69 WB Ramps and Morrish Road intersection in the City of Swartz Creek. Our understanding of the scope of services for this project is based upon our knowledge of the intersection, conversations with you, as well as additional information that has been provided.

Progressive AE has prepared this proposal including the scope of work, project assumptions, compensation, and any related contract provisions for the City of Swartz Creek only. We request that it be treated as strictly confidential and not copied or distributed for any reason other than evaluation for hire. Our overall proposed budget for this project to provide warrant analysis, signal design, and construction administration services is \$29,582.00 (twenty-nine thousand, five hundred eighty-two dollars), and is detailed on the following pages.

The enclosed scope of services, schedule for completion, fee for services and our standard agreement provisions shall remain in effect for 60 days. If the overall proposal is acceptable to you, please have both originals executed in the space provided and return one executed original to our office for our records.

We thank you for the chance to submit this proposal, and look forward to the opportunity to work with you and your staff at the City again. Should you have any questions regarding anything in the enclosed documents, please don't hesitate to contact us here at our office.

Sincerely,

PROGRESSIVE ARCHITECTURE ENGINEERING

  
SigPlus1 Signed Pages 1 - 4  
Fri Mar 2012 09:12:12-12:57

Ryan Minkus, PE  
Civil Engineer



Peter C. LaMourie PE, PTOE  
Transportation Engineering Practice Leader

ACCEPTED: Paul Bueche, City Manager  
City of Swartz Creek

BY: \_\_\_\_\_

POSITION: \_\_\_\_\_

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

RXM/msg  
01200104/005  
Proposal  
Enclosures

cc: Progressive AE – Laura Hill, Jon Parrish, Cheryl Scales  
X:\WMAJ1\01200104\005-Transportation\2012\pl0309\_p.docx

## Scope of Services, Schedule and Fee

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### Project Understanding

As development north of the City continues, additional improvements to the current infrastructure continue to be needed. Currently the Meijer store is planned adjacent to Morrish Road as part of a larger site, with an access drive directly opposite of the I-69 WB exit ramp intersection. As a part of the development, this intersection may require signalization once the Meijer store is open. Since this intersection is a part of the interstate roadway system, the Michigan Department of Transportation (MDOT) will have primary jurisdiction over the signal installed at this location. Prior to the design tasks, MDOT is requiring an updated signal warrant analysis be completed to confirm past findings that a signal will be warranted at this location with the addition of Meijer traffic.

As a fully prequalified traffic signal design consultant for MDOT, Progressive AE is prepared to produce design plans for a mast arm design to MDOT and Federal Highway Administration (FHWA) standards and guidelines. The design plans will be packaged as a stand-alone set for bidding. Once bids are received, construction administration services for this project will commence and are also included as a part of this proposal.

In addition to the key Morrish/I-69 westbound ramps intersection noted above, the City is also in need of updated analyses that will help identify the potential need for future traffic signal control at two other locations along this part of Morrish Road. Those locations are at the Morrish Road/Bristol Road intersection and the Morrish Road/Meijer "northern" drive intersection.

The following paragraphs outline in more detail the steps we propose to complete this work on behalf of the City.

### Scope of Work

#### *Task 1 – Signal Warrant Analyses*

##### A. Morrish Road at I-69 westbound ramps

A predictive traffic signal warrant analysis is required by MDOT to further confirm that Meijer traffic will allow the intersection to meet one or more of the current eight signal warrants defined by the Michigan Manual of Traffic Control Devices (MMUTCD). The subtasks that will be completed for this effort will include;

- Coordination with MDOT staff regarding specific warrant input data needs;
- Collection of crash data from the Davison TSC staff;
- Completion of 24-hour traffic counts on the three existing intersection approaches;
- Completion of 8-hour turning movement counts at the intersection;
- Completion/updating of projected Meijer traffic at the intersection over a full weekday;
- Comparison of projected weekday volumes versus primary volume warrants; and
- Submittal of a written report to MDOT and the City that summarizes the findings of the analysis.

## Scope of Services, Schedule and Fee

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### B. Morrish Road @ Bristol Road & Meijer north drive

Like Subtask A, predictive traffic signal warrant analyses will be completed to help determine if Meijer traffic, future "Phase 2" traffic, and other traffic will result in levels that will warrant a signal at either one of these locations in the near-term future. The tasks that will be completed for this effort will include;

- Complete of 24-hour traffic counts on the four Morrish/Bristol intersection approaches;
- Review past Phase 2 traffic projections and update if needed;
- Discuss potential uses/density that could occur on the west side of Morrish Road that would access Morrish opposite the Meijer "northern" drive;
- Complete trip generation/distribution analyses for those potential long term west side uses;
- Completion/updating of projected Meijer traffic along the Morrish Road corridor in this area (except ramps intersection done in Subtask A);
- Comparison of projected weekday volumes versus primary volume warrants;
- Review posted speeds on Morrish for current applicability; and
- Submittal of a written report the City that summarizes the findings of the analysis (this would be a separate document from the Subtask A summary sent to MDOT).

### *Task 2 – Design Documentation*

In order to provide the most complete and thorough design, existing survey or as-built information will be acquired from the City. It is our understanding that a recent roadway improvement project occurred along Morrish Road, and obtaining CAD versions of that survey and as-built information will help eliminate the need for a new survey at this intersection. A site visit and project kick-off meeting with staff will occur as a part of this task. The site visit will allow for verification of the information provided assisting in minimizing the need for changes during the construction of the project. Key features at the intersection will be picked up as a part of this visit will include visible utility information, overhead obstructions, and existing guardrail interferences. The City has a history of using mast arm installations when modernizing or installing new traffic signals, and this location will be no exception. MDOT requires a geotechnical analysis of the soil conditions to a depth of 25-feet at the location of each foundation to be used for a mast arm installation. Four soil borings of the specified depth will be collected for this intersection, and a report of the findings will be used to design the foundations for this project.

Since this is an MDOT intersection, the final bid package will have to meet the requirements for a MDOT design. Based upon the results from Task 1 – Subtask A, Progressive AE will develop a set of design plans, specifications, and cost estimate for this intersection. City staff will be provided a preliminary plan set for review prior to a submittal to MDOT's Lansing Signals Unit for review and approval. The Progressive AE will schedule a Grade Inspection meeting and invite MDOT and local utility companies to review and comment on the proposed design. All notes and comments will be documented and summarized by Progressive AE for distribution after the meeting. All comments from the Grade Inspection meeting will be incorporated into the plan set and a final bid package will provided to the City for letting.

**Scope of Services, Schedule and Fee**

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*Task 3 - Construction Services*

As the project heads into the construction phase, Progressive AE, as project engineer, will lead the construction administration activities for the project. Once the project bids have been collected, Progressive AE will summarize the bid information for the project and provide this information to City staff for review and approval. With a low bidder identified, Progressive AE will coordinate and manage the preconstruction meeting with the low bid contractor, City, MDOT staff, and the local utility companies. As the contract begins to move forward, Progressive AE will setup and manage all construction engineering activities as well as perform up to eight (8) site visits during the six week construction period that is anticipated for the project. Finally, a walkthrough and acceptance meeting will also be coordinated with the low bid contractor, MDOT, and City staff at the completion of the project.

**Schedule and Budget**

*Schedule*

The signal warrant analysis (through submittal of the summary report to MDOT) will be completed within 3 weeks of authorization to proceed. Progressive AE can start the design portion of the project within 14 days of the receipt of the CAD survey or as-built information and MDOT approval of the warrant study findings. Project design would take an additional 14 days. At this point, a review set and Grade Inspection meeting will be scheduled with the intent on holding that meeting within 14 days. MDOT reviews can vary depending on staff workloads, but would be anticipated to occur within the 14 days prior to the Grade Inspection meeting. Final plans for approval will be completed within 7 days after the Grade Inspection meeting. From start to finish, it is anticipated to take 6 weeks to complete the design bidding documents.

Given that MDOT typically does not allow these types of signal to be installed until just prior to adjacent development opening for business, the installation of this signal will largely be determined by the adjacent site construction schedule. Regardless of when the construction actually occurs, construction on this project is anticipated to last six weeks. Once the construction schedule is set, Progressive AE will make available the qualified staff necessary to meet this timeframe.

*Budget*

The cost for completion of Task 1 through Task 3 as outlined above for this project will be \$29,582.00 (twenty-nine thousand, five hundred eighty-two dollars). We have broken this cost down into the individual tasks as noted earlier as follows:

- Task 1 – Signal Warrant Analyses (3 locations)                      \$6,870.00
- Task 2 – Construction Documentation                                      \$12,242.00
- Task 3 – Construction Services                                              \$10,470.00

Progressive AE can provide additional services (such as additional meetings, on-site inspection or analysis) on a time and expense basis. Any substantial changes in scope will require the submittal of a Change in Services (CSR) request form for approval prior to beginning any work on the additional tasks. The CSR will outline the changes in the scope, schedule, and budget for the additional services to be performed.

**Scope of Services, Schedule and Fee**

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We are pleased to submit this information and look forward to the opportunity to work with you and your staff at the City again. Please let us know if you have any questions regarding the information contained within this proposal, or should you desire additional information regarding Progressive AE's extensive traffic signal design experience on MDOT roadways.

The parties to this agreement, Progressive AE, Grand Rapids, Michigan, USA, hereinafter called the ENGINEER and the City of Swartz Creek, hereinafter called the OWNER, hereby agree to the following conditions:

- A. Limit of Scope: The services provided by the ENGINEER shall be limited to those described in the attached proposal dated March 9, 2012.
- B. Changed Conditions: If, during the term of this Agreement, circumstances or conditions that were not originally contemplated by or known to the ENGINEER are revealed, to the extent that they affect the scope of services, compensations, schedule, allocation of risks or other material terms of this Agreement, the ENGINEER may call for re-negotiation of appropriate portions of the Agreement. The ENGINEER shall notify the OWNER of the changed conditions necessitating re-negotiation, and the ENGINEER and the OWNER shall promptly and in good faith enter into re-negotiation of this Agreement to address the changed conditions. If terms cannot be agreed to, the parties agree that either party has the absolute right to terminate this Agreement.
- C. Additional Services: Additional services not specifically identified in the Scope of Services shall be paid for by the OWNER in addition to the fees previously stated, provided the OWNER authorizes such services in writing. Special services will be billed monthly as work progresses and invoices are due upon receipt.
- D. Standard of Care: Professional Services provided by the ENGINEER will be conducted in a manner consistent with that level of care ordinarily and normally exercised by licensed engineers practicing in the State of Michigan. The ENGINEER shall put forth reasonable professional care to comply with laws, codes, and regulations in effect as of the date of the execution of this Agreement.
- E. Opinions of Probable Construction Cost: In providing opinions of probable construction cost, the OWNER understands that the ENGINEER has no control over the cost or availability of labor, equipment or materials, or over market conditions or the Contractor's method of pricing, and that the ENGINEER's opinions of probable construction costs are made on the basis of the ENGINEER's professional judgment and experience. The ENGINEER makes no warranty, express or implied that the bids or the negotiated cost of the work will not vary from the ENGINEER's opinion of probable construction cost.
- F. Schedule for Rendering Services: The ENGINEER shall prepare and submit for OWNER approval a schedule for the performance of the ENGINEER's services. This schedule shall include reasonable allowances for review and approval times required by the OWNER, performance of services by the OWNER's consultants, and review and approval times required by public authorities having jurisdiction over the project. This schedule shall be equitably adjusted as the project progresses, allowing for changes in scope, character or size of the project requested by the OWNER, or for delays or other causes beyond the ENGINEER's reasonable control.

- G. Ownership of Reports, Drawings and Other Materials: The OWNER agrees that all reports, drawings, letters, work sheets, plans, preliminary material tables, supportive data, documents and other materials produced by the ENGINEER in the course of and for the purpose of meeting this contract are the property of the ENGINEER, and shall remain in the possession of the ENGINEER. The OWNER shall have access to the above named material during normal business hours of the ENGINEER during and after completion of this contract. The OWNER may obtain copies of any of the above named material. Copies of electronic media may be obtained by the OWNER via execution of this Agreement. (See Alteration and Reuse of CAD Information provision of this Agreement.)
- H. Alteration and Reuse of CAD Information: Because computer aided design/drafting (CAD) information stored in electronic form can be modified by other parties, intentionally or otherwise, without notice or indication of said modifications, the ENGINEER reserves the right to remove all indications of its ownership and/or involvement in the material from each electronic medium not held in its possession. The OWNER may retain copies of the work performed by the ENGINEER in CAD form. Copies shall be for information and used by the OWNER for the specific purpose for which the ENGINEER was engaged. Said material shall not be used by the OWNER, or transferred to any other party, for use in other projects, additions to the current project, or any other purpose for which the material was not strictly intended without the ENGINEER's express written permission. Any unauthorized modification or reuse of the materials shall be at the OWNER's sole risk, and the OWNER agrees to defend, indemnify, and hold the ENGINEER harmless, from all claims, injuries, damages, losses, expenses, and attorneys' fees arising out of the unauthorized use or modification of these materials.
- I. Payment Terms: Invoices will be submitted by the ENGINEER monthly, are due upon presentation and shall be considered past due if not paid within thirty (30) calendar days of the date of the invoice. Invoices past due shall accrue interest at one percent (1%) per month from the original invoice date.
- J. Disputed Invoices: If the OWNER objects to any portion of an invoice, the OWNER shall so notify the ENGINEER in writing within ten (10) calendar days of receipt of the invoice. The OWNER shall identify in writing the specific cause of the disagreement and the amount in dispute and shall pay that portion of the invoice not in dispute in accordance with other payment terms of this Agreement. Any dispute over invoiced amounts due which cannot be resolved within ten (10) calendar days after presentation of invoice by direct negotiation between the parties shall be resolved within thirty (30) calendar days in accordance with the Dispute Resolution provision of this Agreement. Interest at one percent (1%) per month shall be paid by the OWNER on all disputed invoice amounts that are subsequently resolved in the ENGINEER's favor and shall be calculated on the unpaid balance from the due date of the invoice.
- K. Abandonment of Work: If any work is abandoned or suspended, the ENGINEER shall be paid for services performed prior to receipt of written notice from the OWNER of abandonment or suspension.

- L. Errors and Omissions Insurance: The ENGINEER maintains an errors and omissions insurance policy as part of normal business practice. The OWNER agrees to limit the ENGINEER's liability to the OWNER and to all Construction Contractors and Subcontractors on the project due to the ENGINEER's negligent acts, errors, or omissions, such that the total aggregate liability of the ENGINEER to all those named shall not exceed the amount of the ENGINEER's compensation for the services provided.
- M. Indemnification: The ENGINEER agrees to the fullest extent permitted by law, to indemnify and hold harmless the OWNER against damages, liabilities and costs arising from the negligent acts of the ENGINEER in the performance of professional services under this Agreement, to the extent that the ENGINEER is responsible for such damages, liabilities and costs on a comparative basis of fault and responsibility between the ENGINEER and the OWNER. The ENGINEER shall not be obligated to indemnify the OWNER for the OWNER's own negligence.
- N. Consequential Damages: Notwithstanding any other provision of this Agreement, and to the fullest extent permitted by law, neither the OWNER nor the ENGINEER, their respective officers, directors, partners, employees, contractors or sub-consultants shall be liable to the other or shall make any claim for any incidental, indirect or consequential damages arising out of or connected in any way to the project or to this Agreement. This mutual waiver of consequential damages shall include, but is not limited to, loss of use, loss of profit, loss of business, loss of income, loss of reputation or any other consequential damages that either party may have incurred from any cause of action including negligence, strict liability, breach of contract and breach of strict or implied warranty. Both the OWNER and the ENGINEER shall require similar waivers of consequential damages protecting all the entities or persons named herein in all contracts and subcontracts with others involved in this project.
- O. Dispute Resolution: Prior to mediation, in an effort to resolve any conflict, the duly authorized representatives of each party will meet together in good faith in an attempt to resolve the conflict. The OWNER agrees that all claims, disputes, and other matters in question between the parties arising out of or relating to this Agreement or breach thereof first shall be submitted for non-binding mediation to any one of the following, as agreed to by the parties: American Arbitration Association, American Intermediation Service, Americord, Dispute Resolution, Inc., Endispute, or Judicate. Any party hereto may initiate mediation within the time allowed for filing for arbitration as set forth below and the parties hereto agree to fully cooperate and participate in good faith to resolve the dispute(s). The cost of mediation shall be shared equally by the parties hereto. Any time expended in mediation shall not be included in calculating the time for filing arbitration.

If mediation fails to resolve the claim or dispute, the matter shall be submitted to arbitration with the American Arbitration Association under the Construction Industry rules, unless the parties agree otherwise or unless a plaintiff not a party hereto institutes litigation in a court of competent jurisdiction and said court takes personal jurisdiction over one of the parties hereto regarding the same subject matter as in dispute between the parties hereto.

No arbitration arising out of or relating to this Agreement shall include, by consolidation, joinder, or in any other manner, any additional person not a party to this Agreement except by written consent of the parties and such consent to arbitration involving an additional person(s) shall not constitute consent to arbitration of any dispute not described therein. This Agreement to arbitrate and any agreement to arbitrate with an additional person(s) shall be specifically enforceable under the prevailing arbitration law.

The demand for arbitration shall be made within one (1) year of the date the claimant knew or should have known of the existence of the claim, dispute, or other matter but in no event later than 3 years after the date of substantial completion of the project. If the demand for arbitration is not effectuated within one (1) year, the claim, dispute, or other matter shall be forever barred.

The decision rendered by the arbitrators shall be final, and judgment may be entered upon it in accordance with applicable law in any court having jurisdiction thereof. In the event either party makes a claim or brings action against the other party for any act arising out of the performance of the services hereunder, and the claimant fails to prove such claim or action, then the claimant shall pay all legal and other costs (including attorneys' fees) incurred by the other party in defense of such claim or action.

- P. Hiring of Personnel: Owner may not directly hire any employee of the Engineer. Owner agrees that it shall not, directly or indirectly solicit any employee of the Engineer from accepting employment with Owner, affiliate companies, or competitors of Engineer.

**Paul Bueche**

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**From:** Paul Bueche [PBueche@cityofswartzcreek.org]  
**Sent:** Thursday, March 08, 2012 7:39 PM  
**To:** paulbueche@comcast.net  
**Subject:** FW: Consumer Energy Options, LLC (CEO) - Consumers Energy Account Switching to Integrys Energy Services, Inc. (AGS) Contract  
**Attachments:** City\_of\_Swartz\_Creek\_Integrys\_Energy\_Services,\_Inc.\_(AGS)\_Contract\_030820122012\_03\_08\_18\_46\_29.pdf; City\_of\_Swartz\_Creek\_Most\_Recent\_Gas\_Bills\_03082012\_2012\_03\_08\_18\_50\_31.pdf; Consumers\_Energy\_Jan\_2012\_01162012\_2012\_01\_16\_16\_20\_33.pdf

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**From:** [jbernar637@aol.com](mailto:jbernar637@aol.com) [<mailto:jbernar637@aol.com>]  
**Sent:** Thursday, March 08, 2012 7:00 PM  
**To:** Paul Bueche  
**Subject:** Consumer Energy Options, LLC (CEO) - Consumers Energy Account Switching to Integrys Energy Services, Inc. (AGS) Contract

Good Evening Paul:

This letter will confirm our telephone conversation this afternoon relative to the subject matter.

The following information is submitted for your reference, review, consideration and record.

1. Reference **Consumers Energy**: For the Period: February 2011 - January 2012 The Average Monthly Price per Mcf **\$6.324**. The **City of Swartz Creek** Gas Energy usage for the 1 Year Period was **908.20** Mcf's (1000 cubic feet gas = 1 Mcf).

Therefore, **908.20** Mcf's X's **\$6.324** represents the 2011 annual Gas Energy cost of **\$5,743.46**  
See Attached Consumers Energy 18-month review of the Gas Cost Recovery Charges per Mcf (1000 cubic feet of Gas = 1 Mcf).

2. The promotional price for **Integrys Energy Services (AGS) "Large Commercial Gas Customer Choice Contract"** through **Energy Options, LLC (CEO)** is **\$4.45** per Mcf "Guaranteed" for a 24-Month Term. Therefore, **908.20** per Mcf X's **\$4.10** represents the **projected cost** for your Gas Energy for the coming year or **\$3,723.62**.

3. This represents a "**Cost Savings**" of **\$2,019.84** or **35.20%** (\$5,743.48 minus \$3,723.62).

4. Attached please find the completed **Integrys Energy Services, Inc. (AGS) "Large Commercial Gas Customer Choice Contract"**. In addition we have Attached the **4 most recent** Gas Energy bills for your reference and record. All you have to do is look the Contract over and assuming you will approve it as submitted then sign it as the City Manager. Send a **fully executed copy** of the Contract direct to me via Fax No. **810-694-5816** Upon receipt we will forward it to **CEO** and they will process your new account immediately and you **do not** have to do anything.

If you have any further questions do not hesitate to let me know. We look forward to a establishing a long-term working relationship with the **City of Swartz Creek** as an Energy Consultant. Thank you for your cooperation and courtesies extended.

Sincerely,

John R. Bernard, Jr. ("JB")  
National Sales Director  
Consumer Energy Options, LLC (CEO)  
(Bus. Ph. 81-694-1409, Fax No. 810-694-5816,  
Cell No. 586-536-1091)

IntegrYS Energy Services – Natural Gas, LLC. (“Seller”) and Account Holder or legally authorized person (“Buyer” or “you”) (individually referred to as “Party” and collectively as “Parties”) agree to the following terms and conditions (“Contract”), as of the date signed by Buyer (the “Effective Date”): **CITY OF SWARTZ CREEK**

**1. Term:** This Contract shall become binding on the Effective Date, however, the obligation of Seller to sell and Buyer to purchase natural gas is contingent upon: (a) successful enrollment by the utility identified on the Enrollment Form (the “Utility”) and (c) if applicable, the availability of the Specific Price selected on the Enrollment Form. Successful enrollment by the Utility is dependent upon (i) the eligibility of Buyer as determined by the Utility including, but not limited to, past payment history, price availability based on the active rates provided by Seller to the Utility and historical annual usage, and (ii) the accuracy and completeness of the information submitted on the Enrollment Form. Service shall not commence until the first meter read date for which the Utility confirms enrollment with Seller and shall remain in effect through the end of the Initial Term identified on the Enrollment Form, unless terminated pursuant to the terms of this Contract.

**2. Renewal:** After the Initial Term, service shall continue on a billing cycle-to-billing cycle basis, cancelable at anytime without penalty, subject to the Utility’s processes and practices, at a monthly variable rate determined by Seller. If Buyer has chosen a Rate with a Specific Price, at least sixty (60) days prior to the end of the Initial Term, Seller shall provide Buyer notice of the change to a monthly variable rate determined by Seller.

**3. Seller’s and Utility’s Role:** Seller agrees to sell to Buyer and deliver to the Utility, and Buyer agrees to purchase from Seller and receive from the Utility, Buyer’s full requirements of natural gas for the accounts listed on the Enrollment Form (“Accounts”). The Utility will deliver the natural gas to the Accounts and shall invoice and collect Seller’s charges. The Utility’s billing and payment procedures shall apply in accordance with the applicable tariff, including but not limited to, the Utility’s right to assess late payment fees. The Utility or Seller may terminate your service under this Contract for non-payment. Seller may cause the Utility to correct previous invoices in the event of invoicing errors. Buyer should contact the Utility in the event of a natural gas emergency.

**4. Rate:** For the Initial Term Buyer shall pay in accordance with the Rate Plan selected by Buyer on the Enrollment Form. ‘Market Price’ when used in this section means the Henry Hub natural gas futures contract price for the relevant period (as published by the New York Mercantile Exchange “NYMEX”).

RATE PLAN	DESCRIPTION
Monthly Variable Rate <sup>2</sup>	Buyer’s natural gas supply price will vary monthly based upon the Market Price as determined upon the settlement price of the natural gas futures contract as traded at the NYMEX on the 18th day of the month prior to delivery of the applicable futures contract plus Basis plus a maximum adder. “Basis” means the Michigan Consolidated Gas Company’s (“MichCon”) natural gas basis swap futures settlement for the 18th day of the month prior to delivery of the applicable futures contract. If the 18th does not fall on a business day, then the settlement price (for both Market Price and Basis) on the first preceding business day shall be used. As an example for illustrative purposes only, if the NYMEX settles at \$5.00 per Mcf, the Basis price settles at \$.17 per Mcf, and the maximum adder is \$1.30 per Mcf your price would be \$6.47 per Mcf. Prices will be converted to Ccf for MichCon customers, meaning the \$6.47 per Mcf would be converted to \$0.647 per Ccf.
Annual Fixed Rate <sup>1,2</sup>	The natural gas supply price will remain fixed for the Initial Term as indicated on the Enrollment Form.

<sup>1</sup>**Specific Price:** Rate Plans marked with a <sup>1</sup> indicate plans for which Buyer may indicate a Specific Price on the Enrollment Form. A Specific Price may not be available to Buyer if (i) Buyer is a current customer on a Rate Plan other than the Monthly Variable Rate, (ii) the Market Price defined above has increased, or (iii) there is an error on

the Enrollment Form because the Specific Price (a) applies to a different Term, (b) is not available to Buyer based on Buyer's forecasted use, or (c) it was never available from Seller for the Term set forth on the Enrollment Form. If a Specific Price selection is not available, this Contract is void and Seller will inform Buyer and provide Buyer with the opportunity to enroll under the terms of then-available Rate Plans. For a Specific Price to be available, it must be a valid and current Specific Price as determined by Seller in its sole discretion.

<sup>2</sup>**Other Charges:** The prices under all Rate Plans include all gas supply costs to the Utility and some pass-through charges from the Utility to the burnertip, including, but not limited to, btu factor and distribution fuel. If the pass-through charges from the Utility increase or if new charges are approved by a governmental agency with jurisdiction and passed through, existing tariff charges are administered differently and the pass-through charges from the Utility increase, Buyer's price will increase accordingly. The Rate Plans do not include Taxes (as defined in Section 5) or Utility distribution charges.

**5. Taxes:** Buyer is responsible for all state and local sales, use, revenue, gross receipts, commercial activity, excise and/or ad valorem tax (collectively, "Taxes") and shall reimburse Seller if Seller is required to remit such Taxes in connection with this Contract.

**6. Termination; Remedies:**

(a) This Contract will automatically terminate or Buyer may terminate the Contract without penalty if (i) the requested service location is not served by the Utility or (ii) Buyer moves outside the Utility service area or to an area not served by Seller.

(b) This Contract will terminate upon written notice, but without penalty to Buyer if, (i) the Choice program is no longer available due to a change in regulation, tariff, or law, or (ii) Seller defaults, which includes, an excused failure to deliver natural gas under the terms of this Contract.

(c) Buyer may terminate service with Seller to any or all account(s) at any time, provided however, an "Early Termination" shall occur (i) with respect to the Contract and all accounts if Buyer selects a different price or Rate Plan after the Rescission Period (if not waived), defined in Section 13, but prior to the end of the Initial Term or any renewal term, or for any other reason other than those listed in (a) and (b) above, or (ii) with respect to the Contract and all accounts if Seller terminates this Contract due to Buyer's default, which includes a failure to pay or (iii) with respect to the affected accounts only if there is an unexcused failure of Buyer to receive natural gas under the terms of this Contract. If an Early Termination occurs, Buyer shall pay an Early Termination fee with respect to the affected accounts as described in the table below. The Early Termination fee will be applied to each account listed on the Enrollment Form and/or Attachment A separately at the account level.

<b>Estimated annual usage of the affected account individually in Mcf (as provided to Seller by Utility at enrollment)</b>	<b>Early Termination fee for each affected account if greater than or equal to 12 months remain in the Initial Term and Buyer is on a Rate with a Specific Price</b>	<b>Early Termination fee for each affected account if greater than or equal to 6 months but less than 12 months remain in the Initial Term and Buyer is on a Rate with a Specific Price</b>	<b>Early Termination fee for each affected account if 0 months to less than 6 months remain in the Initial Term and Buyer is on a Rate with a Specific Price</b>	<b>Early Termination fee for each affected account if Buyer is (i) on the Monthly Variable Rate.</b>
<b>500-1000</b>	\$500	\$325	\$160	\$100
<b>1000-2500</b>	\$1000	\$650	\$260	\$200
<b>2500-5000</b>	\$2000	\$1300	\$640	\$400
<b>5000-10000</b>	\$4000	\$2600	\$1280	\$800

Buyer agrees to pay Seller the Early Termination fee(s) within ten (10) calendar days of the invoice date to the payment address noted on the invoice, or as otherwise agreed upon by Buyer and Seller.

**7. Waiver: IF BUYER HAS CHOSEN A RATE PLAN WITH A SPECIFIC PRICE, BUYER HEREBY AGREES TO WAIVE ITS 14 DAY UNCONDITIONAL RIGHT TO CANCEL THIS CONTRACT.**

**8. Limitations: ALL NATURAL GAS SOLD HEREUNDER IS PROVIDED "AS IS", AND SELLER EXPRESSLY DISCLAIMS ALL OTHER WARRANTIES, WHETHER EXPRESS OR IMPLIED, INCLUDING**

BUT NOT LIMITED TO ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR PARTICULAR PURPOSE. IN NO EVENT WILL EITHER PARTY BE LIABLE UNDER THIS CONTRACT, WHETHER IN CONTRACT, IN TORT (INCLUDING NEGLIGENCE AND STRICT LIABILITY), OR OTHERWISE, FOR INCIDENTAL, CONSEQUENTIAL, SPECIAL, OR PUNITIVE DAMAGES.

**9. Switching:** Switching fees may be charged by the Utility when service is established with Seller, but Buyer will not be charged a separate switching fee by Seller. If Buyer returns to the Utility, Buyer must remain with the utility for twelve (12) months.

**10. Force Majeure:** Except for Buyer's obligation to pay Seller timely, neither Party shall be liable to the other for failure to perform an obligation if such failure was caused by any event beyond the reasonable control of the non-performing party, that could not be remedied by the exercise of due diligence and that was not reasonably foreseeable, including without limitation, acts of God, interruption of utility service, terrorist acts or wars, force majeure events of the Utility. Seller may return Buyer to Utility service upon notification of a Force Majeure event preventing performance.

**11. Questions, Complaints and Concerns:** Buyer may contact Seller (i) by calling 24 hours per day, 7 days per week at 1-800-544-9551, by visiting [www.integrysenergy.com](http://www.integrysenergy.com); or (ii) by writing us at 2211 Old Earhart Rd, Suite 175, Ann Arbor, MI 48105. Seller will attempt to resolve all customer complaints in a timely manner. If Buyer's complaint is not resolved after Buyer has called Seller, or for general utility information, residential and business customers may contact the Michigan Public Service Commission ("MPSC") for assistance at 800-292-9555 from 8:30am to 4:30pm weekdays or visit the MPSC website at [www.michigan.gov/mpsc](http://www.michigan.gov/mpsc) or as otherwise specified by MPSC.

**12. Miscellaneous:** This Contract shall be governed by and construed in accordance with the laws of the State of Michigan. This Contract may be assigned by Seller to any third party who is a MPSC-approved supplier of the program offered by the Utility. Buyer may assign this Contract with Seller's written consent and Utility approval of the assignee as a participant in the program. This Contract (including the Enrollment Form and if indicated by Buyer, Attachment 1) constitutes the entire agreement between the Parties, superseding all verbal and written understandings. This Contract shall only be amended in a writing signed by both Parties and with notice from Seller for a renewal term as described under Section 2 of this Contract. The undersigned warrants that he or she is authorized to enter into this Contract on behalf of Buyer.

**13. I acknowledge that I am the account holder or legally authorized person to execute a contract and legally bind the business in this contract. I understand that by signing this contract, I am switching the gas Supplier for this commercial account to Integrys Energy Services – Natural Gas, LLC. I understand that gas purchased for this commercial account by Integrys Energy Services – Natural Gas, LLC. will be delivered through the Utility's delivery system. The legally authorized person to execute a contract and legally bind the business in this contract has 14-days after today to cancel this contract for any reason through written or verbal notification to Integrys Energy Services – Natural Gas, LLC ("Rescission Period"). I may waive this right of cancellation by affirmatively agreeing to this waiver on the contract. If you terminated your contract today, and if the unconditional cancellation period did not apply, based on your historical usage, a good faith estimate of your termination fee would be as described in Section 6. This termination fee is subject to change as your usage of gas fluctuates.**

### ENROLLMENT FORM

This Enrollment Form forms a part of and is attached to the Large Commercial Gas Customer Choice Contract.

Buyer's Name: PAUL BIECHE

Service Address: CITY OF SWARTZ CREEK 8095 CIVIC DR  City, State, Zip: SWARTZ CREEK MI 48473-1838	<b>Initial Term Rate Plan:</b> <input checked="" type="checkbox"/> Annual Fixed Rate <input type="checkbox"/> Monthly Variable Rate = Market Price + Basis + \$ per Mcf	<b>Specific Price:</b> \$4.45 FIXED PRICE PER MCF None N/A per MCF Annual Fixed Rate GUARANTEED FOR A 24-MONTH TERM
---------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------

Billing Address if different from Service Address:  (SAME AS ABOVE)  Phone Number: (810) 635-4464	<input checked="" type="checkbox"/> By checking this box, I request the Specific Price above that corresponds with my selected Rate Plan and understand that it may not be available to me. If that happens I will be informed that my enrollment is not successful. To increase the likelihood of a Specific Price being available, I am waiving my 14 day unconditional right to cancellation of this Contract pursuant to Section 7 by initialing this line _____ .
---------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Utility: CONSUMERS ENERGY POD#: 0000002209995 Utility Account Number: 1000 2119 8054	Initial Term: Start of service estimated to be your meter read in <u>04/2012</u> through the last meter read date for the billing month of <u>03/2014</u> Utility Meter Number: 40233091
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#### MULTIPLE ACCOUNT INFORMATION

Account Number and Meter Number	Service Address	Billing Address (if different from Service)
#2 0000002209993 1000 2119 9011 22490537	CITY OF SWARTZ CREEK 8083 CIVIC DR SWARTZ CREEK MI 48473-1377	(SAME AS SERVICE ADDRESS)
#3 000000220998 1000 2127 0515 8705182	CITY OF SWARTZ CREEK 8100 CIVIC DR SWARTZ CREEK MI 48473-1590	(SAME AS SERVICE ADDRESS)
#4 0000002214331 1000 2119 9524 5390362	CITY OF SWARTZ CREEK 5121 MORRISH RD SWARTZ CREEK MI 48473-0000	(SAME AS SERVICE ADDRESS)

By checking this box, Buyer supplements the Accounts identified above with those listed on Attachment 1.

**IN WITNESS WHEREOF, Buyer has duly executed this Contract on the date set forth below. By completing and signing below, Buyer requests to change its natural gas supplier to Integrys Energy Services – Natural Gas, LLC. I, Buyer, have read and agree to the terms and conditions** (version #514LCMIWR09-2011).

Seller: Integrys Energy Services – Natural Gas, LLC.\*

\*Integrys Energy Services – Natural Gas, LLC. agrees to be bound to the terms of this printed form with the pre-printed name above constituting its signature, provided the form is altered only with respect to completing the Buyer information in the spaces above and the signature box to the right and submitted by a current agent of Integrys Energy Services – Natural Gas, LLC. Any marks that modify the terms of this printed form shall render the Contract void.

Buyer:  \_\_\_\_\_  
 Name: Paul Bueche  
 Title: City Manager  
 Date: March 8, 2012

FOR CURRENT AGENT USE ONLY: Initials of current agent  \_\_\_\_\_

Detail of Current Charges

FEB 09 2012

Summary of Charges

**Elec Gen Sec Rate GS Com**

Rate: 1100

Meter Number: 32957763  
 Meter Begin Read: 66543  
 Read Type: actual  
 Differential: 571 Constant: 10

POD: 0000002209994  
 Meter End Read: 67114

Total Metered Energy Use: 5710 kWh

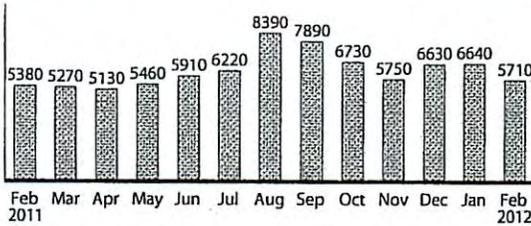
**Electric Power Supply Charges**

Energy	5710 @ 0.076628	\$437.55
PSCR	5710 @ 0.002390	\$13.65
Renewable Energy		\$8.00

**Electric Delivery Charges**

System Access		\$15.00
Distribution	5710 @ 0.035730	\$204.02
Energy Optimization		\$40.89
Securitization	5710 @ 0.001767	\$10.09
Securitization Tax	5710 @ 0.000761	\$4.35
Residual Balance Surcharge	5710 @ 0.000005-	\$0.03-
Interim Rate Increase	5710 @ 0.002914	\$16.64
Stranded Costs	5710 @ 0.000900	\$5.14

**Total Electric \$755.30**



Mar 2011 - Feb 2012 Usage 75730 kWh  
 February electric use 5710 kWh  
 Electric use per day 197 kWh  
 Electric cost per day \$26.04

**Gas Gen Serv Rate GS-1 - Com**

Rate: 261

Meter Number: 40233091  
 Meter Begin Read: 3570  
 Read Type: actual  
 Differential: 248 Constant: 0.1

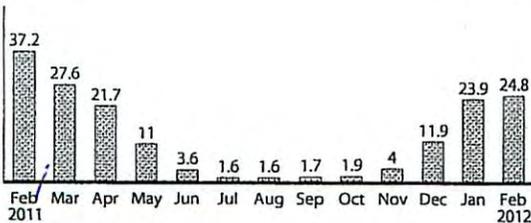
POD: 0000002209995  
 Meter End Read: 3818  
 Correction factor: 1.00000

Total Metered Energy Use: 24.8 Mcf

**Gas Charges**

Customer Charge		\$11.65
Gas Distribution	24.8 @ 2.144100	\$53.17
Energy Optimization	24.8 @ 0.121900	\$3.03
Gas Cost Recovery	24.8 @ 6.236300	\$154.66

**Total Gas \$222.51**



Mar 2011 - Feb 2012 Usage 135.3 Mcf  
 February gas use 24.8 Mcf  
 Gas use per day 0.855 Mcf  
 Gas cost per day \$7.67

Account Number: 1000 2119 8054

**Service:**

CITY OF SWARTZ CREEK  
 8095 CIVIC DR  
 SWARTZ CREEK MI 48473-1838

Last Month's Account Balance \$1,078.14  
 Payment 01/20/12 - Thank You \$1,078.14-  
**Balance Forward \$0.00**

Payments applied after Feb 06, 2012 are not included.

Total Electric \$755.30  
 Total Gas \$222.51  
**Total Energy Charges \$977.81**

**Total Amount Due \$977.81**

Billing Period 01/06/12 - 02/03/12  
 Bill Month February  
 Days Billed 29  
 Invoice 203760730094



Your next scheduled meter read date is on or around 03/02/2012.

Your payment for the February bill is due on 02/03/12. After the due date, the unpaid balance is subject to a 2% late payment charge.

**News You Can Use**

**Questions about your bill?** Get an explanation of all charges and learn more about the sections of your bill at [www.ConsumersEnergy.com/business](http://www.ConsumersEnergy.com/business). You also may e-mail [businesscenter@consumersenergy.com](mailto:businesscenter@consumersenergy.com) or call us toll-free at (800) 805-0490.

**Free facility energy assessment online.** Spend a few minutes with our Online Facility Assessment Wizard and uncover a wealth of information that can lower your energy costs, increase efficiency and improve your bottom line. Visit [www.ConsumersEnergy.com/eeprograms](http://www.ConsumersEnergy.com/eeprograms). Choose "Business" tab, then "Evaluation Tools."

**Sign up for our valuable eNewsletter:** Learn smart ways other businesses are saving every month in Business Solutions. The eNewsletter covers energy saving tips, rebate incentive updates and much more. Visit [www.ConsumersEnergy.com/eeprograms](http://www.ConsumersEnergy.com/eeprograms). Choose "Business" tab, then "Evaluation Tools."

**Doing Business with Consumers Energy:** We offer all qualified suppliers an opportunity to join our vendor base. Through 2015, we'll increase our spending with Michigan-based suppliers by \$250 million, or \$50 million a year. Visit [www.ConsumersEnergy.com/puremichigan](http://www.ConsumersEnergy.com/puremichigan).



Count on Us

Visit: [www.ConsumersEnergy.com](http://www.ConsumersEnergy.com)

Call us: (800) 477-8000

### Detail of Current Charges

#### Elec Gen Sec Rate GSD Com

Rate: 1120  
 Billing Demand: 17.0 Historical Max kW: 28.0  
 Power Factor: 0.85  
**Meter Number: 15002823** POD: 0000002209992  
 Meter Begin Read: 1614 Meter End Read: 2121  
 Read Type: actual  
 Differential: 507 Constant: 10  
 Total Metered Energy Use: 5070 kWh

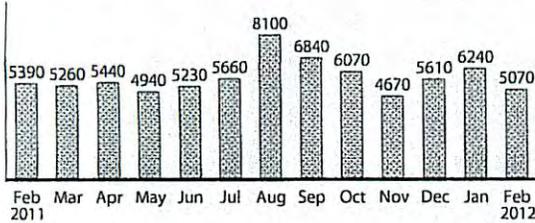
#### Electric Power Supply Charges

Capacity kW	17 @ 9.380000	\$159.46
Energy	5070 @ 0.043651	\$221.31
PSCR	5070 @ 0.002390	\$12.12
Renewable Energy		\$8.00

#### Electric Delivery Charges

System Access		\$25.00
Capacity kW	17 @ 1.380000	\$23.46
Distribution	5070 @ 0.021132	\$107.14
Energy Optimization		\$40.89
Securitization	5070 @ 0.001767	\$8.96
Securitization Tax	5070 @ 0.000761	\$3.86
Residual Balance Surcharge	5070 @ 0.000284	\$1.44
Interim Rate Increase	5070 @ 0.004974	\$25.22
Stranded Costs	5070 @ 0.000900	\$4.56

**Total Electric \$638.54**



Mar 2011 - Feb 2012 Usage 69130 kWh  
 February electric use 5070 kWh  
 Electric use per day 175 kWh  
 Electric cost per day \$22.02

#### Gas Gen Serv Rate GS-1 - Com

Rate: 261  
**Meter Number: 22490537** POD: 0000002209993  
 Meter Begin Read: 4449 Meter End Read: 4676  
 Read Type: actual  
 Differential: 227 Constant: 0.1 Correction factor: 1.00000  
 Total Metered Energy Use: 22.7 Mcf

#### Gas Charges

Customer Charge		\$11.65
Gas Distribution	22.7 @ 2.144100	\$48.67
Energy Optimization	22.7 @ 0.121900	\$2.76
<b>Gas Cost Recovery</b>	<b>22.7 @ 6.236300</b>	<b>\$141.56</b>

**Total Gas \$204.64**

### Summary of Charges

**Account Number: 1000 2119 9011**

**Service:**  
 CITY OF SWARTZ CREEK  
 8083 CIVIC DR  
 SWARTZ CREEK MI 48473-1377

Last Month's Account Balance \$935.20  
 Payment 01/20/12 - Thank You \$935.20-  
**Balance Forward \$0.00**

Payments applied after Feb 06, 2012 are not included.

Total Electric \$638.54  
 Total Gas \$204.64  
**Total Energy Charges \$843.18**

**Total Amount Due \$843.18**

Billing Period 01/06/12 - 02/03/12  
 Bill Month February  
 Days Billed 29  
 Invoice 203760730098

Your next scheduled meter read date is on or around 03/02/2012.

Your payment is due February 29, 2012. After the due date, the unpaid balance is subject to a 2% late payment charge.

### News You Can Use

**Questions about your bill?** Get an explanation of all charges and learn more about the sections of your bill at [www.ConsumersEnergy.com/business](http://www.ConsumersEnergy.com/business). You also may e-mail [businesscenter@consumersenergy.com](mailto:businesscenter@consumersenergy.com) or call us toll-free at (800) 805-0490.



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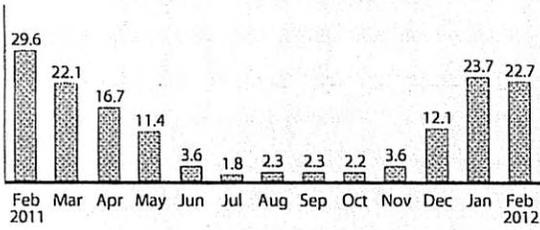
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Visit: [www.ConsumersEnergy.com](http://www.ConsumersEnergy.com)  
 Call us: (800) 477-5050

~~Print, detach and mail top portion with payment. Make check payable to Consumers Energy.~~

**PAID**



Mar 2011 - Feb 2012 Usage	124.5 Mcf
February gas use	22.7 Mcf
Gas use per day	0.783 Mcf
Gas cost per day	\$7.06



**Detail of Current Charges**

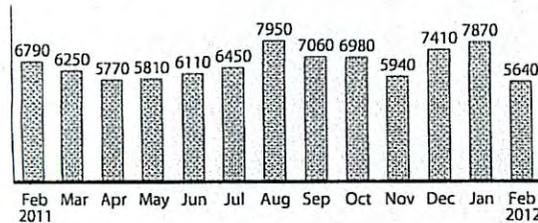
**Elec Gen Sec Rate GSD Com**

Rate: 1120  
 Billing Demand: 15.0 Historical Max kW: 23.0  
 Power Factor: 0.85  
**Meter Number: 62238304** POD: 0000002209997  
 Meter Begin Read: 28893 Meter End Read: 29457  
 Read Type: actual  
 Differential: 564 Constant: 10  
 Total Metered Energy Use: 5640 kWh

Electric Power Supply Charges		
Capacity kW	15 @ 9.380000	\$140.70
Energy	5640 @ 0.043651	\$246.19
PSCR	5640 @ 0.002390	\$13.48
Renewable Energy		\$8.00

Electric Delivery Charges		
System Access		\$25.00
Capacity kW	15 @ 1.380000	\$20.70
Distribution	5640 @ 0.021132	\$119.18
Energy Optimization		\$40.89
Securitization	5640 @ 0.001767	\$9.97
Securitization Tax	5640 @ 0.000761	\$4.29
Residual Balance Surcharge	5640 @ 0.000284	\$1.60
Interim Rate Increase	5640 @ 0.004974	\$28.05
Stranded Costs	5640 @ 0.000900	\$5.08

**Total Electric \$659.93**



Mar 2011 - Feb 2012 Usage: 79246 kWh  
 February electric use: 5640 kWh  
 Electric use per day: 201  
 Electric cost per day: 3.57



**Gas Gen Serv Rate GS-2 - Com**

Rate: 262  
**Meter Number: 8705182** POD: 0000002209998  
 Meter Begin Read: 37141 Meter End Read: 37836  
 Read Type: actual  
 Differential: 695 Constant: 0.1 Correction factor: 1.00000  
 Total Metered Energy Use: 69.5 Mcf

Gas Charges		
Customer Charge		\$18.20
Gas Distribution	69.5 @ 1.939800	\$134.82
Energy Optimization	69.5 @ 0.121900	\$8.47
<b>Gas Cost Recovery</b>	<b>69.5 @ 6.236300</b>	<b>\$433.42</b>
<b>Total Gas</b>		<b>\$594.91</b>

**Summary of Charges**

**Account Number: 1000 2127 0515**

**Service:**  
 CITY OF SWARTZ CREEK  
 8100 CIVIC DR  
 SWARTZ CREEK MI 48473-1590

Last Month's Account Balance: \$1,519.74  
 Payment 01/20/12 - Thank You: \$1,519.74-  
**Balance Forward \$0.00**

Payments applied after Feb 06, 2012 are not included.

Total Electric: \$659.93  
 Total Gas: \$594.91  
**Total Energy Charges \$1,254.84**

**Total Amount Due \$1,254.84**

Billing Period: 01/07/12 - 02/03/12  
 Bill Month: February  
 Days Billed: 28  
 Invoice: 207142398260

Your next scheduled meter read date is on or around 03/02/2012.

Your payment is due February 29, 2012. After the due date, the unpaid balance is subject to a 2% late payment charge.

**News You Can Use**

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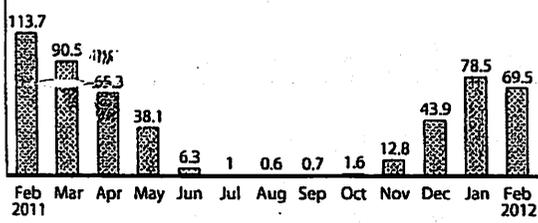
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 Call us: (800) 477-5050

For details and mail top portion with payment. Make check payable to Consumers Energy.



Mar 2011 - Feb 2012 Usage	408.8 Mcf
February gas use	69.5 Mcf
Gas use per day	2.482 Mcf
Gas cost per day	\$21.25



**Detail of Current Charges**

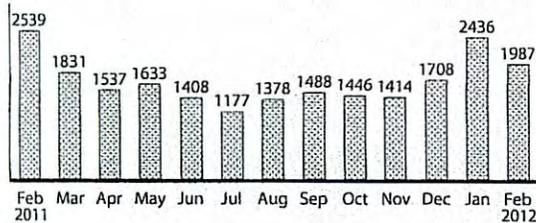
**Elec Gen Sec Rate GSD Com**

Rate: 1120  
 Billing Demand: 9.0 Historical Max kW: 12.0  
 Power Factor: 0.85  
**Meter Number: 82607496** POD: 0000002214330  
 Meter Begin Read: 37285 Meter End Read: 39272  
 Read Type: actual  
 Total Metered Energy Use: 1987 kWh

Electric Power Supply Charges		
Capacity kW	9 @ 9.380000	\$84.42
Energy	1987 @ 0.043651	\$86.73
PSCR	1987 @ 0.002390	\$4.75
Renewable Energy		\$4.00

Electric Delivery Charges		
System Access		\$25.00
Capacity kW	9 @ 1.380000	\$12.42
Distribution	1987 @ 0.021132	\$41.99
Energy Optimization		\$6.82
Securitization	1987 @ 0.001767	\$3.51
Securitization Tax	1987 @ 0.000761	\$1.51
Residual Balance Surcharge	1987 @ 0.000284	\$0.56
Interim Rate Increase	1987 @ 0.004974	\$9.88
Stranded Costs	1987 @ 0.000900	\$1.79

**Total Electric \$282.26**



Mar 2011 - Feb 2012 Usage 19443 kWh  
 February electric use 1987 kWh  
 Electric use per day 64 kWh  
 Electric cost per day \$9.11

**Gas Gen Serv Rate GS-1 - Com**

Rate: 261  
**Meter Number: 5390362** POD: 0000002214331  
 Meter Begin Read: 1175 Meter End Read: 1665  
 Read Type: actual  
 Differential: 488 Constant: 0.1 Correction factor: 1.0000  
 Total Metered Energy Use: 48.8 Mcf

Gas Charges		
Customer Charge		\$11.65
Gas Distribution	48.8 @ 2.144100	\$104.63
Energy Optimization	48.8 @ 0.121900	\$5.95
Gas Cost Recovery	48.8 @ 6.236300	\$304.33
<b>Total Gas</b>		<b>\$426.56</b>

**Summary of Charges**

**Account Number: 1000 2119 9524**

**Service:**  
 CITY OF SWARTZ CREEK  
 5121 MORRISH RD  
 SWARTZ CREEK MI 48473-0000

Last Month's Account Balance \$687.79  
 Payment 01/20/12 - Thank You \$687.79-  
**Balance Forward \$0.00**

Payments applied after Feb 06, 2012 are not included.

Total Electric \$282.26  
 Total Gas \$426.56  
**Total Energy Charges \$708.82**

**Total Amount Due \$708.82**

Billing Period 01/07/12 - 02/06/12  
 Bill Month February  
 Days Billed 31  
 Invoice 203760730099

Your next scheduled meter read date is on or around 03/02/2012.

Your payment is due February 29, 2012. After the due date, the unpaid balance is subject to a 2% late payment charge.

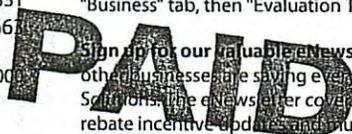
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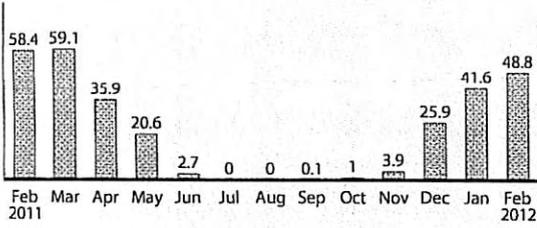
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**PAID**



Mar 2011 - Feb 2012 Usage           239.6 Mcf  
 February gas use                    48.8 Mcf  
 Gas use per day                    1.574 Mcf  
 Gas cost per day                    \$13.76



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 Call us: (800) 477-5050

## Paul Bueche

---

**From:** Paul Bueche [PBueche@cityofswartzcreek.org]  
**Sent:** Thursday, March 08, 2012 7:38 PM  
**To:** paulbueche@comcast.net  
**Subject:** FW: Consumer Energy Options, LLC (CEO) - Integrys Energy Services, Inc. (AES) "Limited Agency Authorization To Apply For Competitive Supply Service (Limited Authorization) Enrollment Application"  
**Attachments:** City\_of\_Swartz\_Creek,\_MI\_Electricity\_%22Queue\_Line%22\_Application\_02262012.pdf; City\_of\_Swartz\_Creek,\_MI\_Electricity\_Bills\_02262012\_2012\_02\_26\_12\_46\_59.pdf; Consumers\_Energy\_&\_DTE\_Cap\_Tracking\_Enrollments\_In\_%22Queue\_Line%2202122012\_2012\_02\_12\_18\_23\_04.pdf; Consumers\_Energy\_to\_Recoup\_Costs\_For\_Cancelled\_Coal\_Plant\_021520122012\_02\_15\_21\_45\_14.pdf; Customer\_Choice\_Coalition\_02262012\_2012\_02\_26\_12\_56\_01.pdf

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**From:** [jbernar637@aol.com](mailto:jbernar637@aol.com) [<mailto:jbernar637@aol.com>]  
**Sent:** Thursday, March 08, 2012 7:16 PM  
**To:** Paul Bueche  
**Subject:** Fwd: Consumer Energy Options, LLC (CEO) - Integrys Energy Services, Inc. (AES) "Limited Agency Authorization To Apply For Competitive Supply Service (Limited Authorization) Enrollment Application"

Hello Paul:

Here is the original information we sent you relative to the subject matter. It is important that the **City of Swartz Creek** enroll in the "Queue Line" for Michigan. All you have to do is sign the Enrollment Form and cross out the date and put in the current date. Then Fax it to my attention and upon receipt it will be submitted to CEO for processing.

Best regards,

"JB"

-----Original Message-----

**From:** jbernar637 <[jbernar637@aol.com](mailto:jbernar637@aol.com)>  
**To:** pbueche <[pbueche@cityofswartzcreek.org](mailto:pbueche@cityofswartzcreek.org)>  
**Sent:** Sun, Feb 26, 2012 1:09 pm  
**Subject:** Consumer Energy Options, LLC (CEO) - Integrys Energy Services, Inc. (AES) "Limited Agency Authorization To Apply For Competitive Supply Service (Limited Authorization) Enrollment Application"

Good Afternoon Paul:

This e-mail will confirm our discussion at the City of Swartz Creek office on Tuesday afternoon February 14, 2012 relative to the subject matter.

The following information is presented for your reference, review, consideration and record.

1. As we discussed, it looks like additional Electricity Deregulation in Michigan will take place within the next few months. There is a "Queue Line" in Michigan with Enrollments. As of February 12, 2012 and February 10, 2012 respectively there was a **Total** of **7,024** Enrollments (DTE Energy 3,023 and Consumers Energy 4,001

- See Attached Verification). The minimum requirement is 250,000 Kwh's annually in order to enroll. However, the City of Swartz Creek has Annual Kwh's of 243,543.00. Therefore, we believe they will accept your Enrollment Application.

2. Attached please find a completed copy of the City of Swartz Creek "Limited Agency Authorization To Apply For Competitive Supply Service (Limited Authorization) for your reference and record. In addition we have Attached the four (4) most recent Electricity bills for your reference and record. We highly recommend the Enrollment of the City of Swartz Creek in the Electricity "Queue Line" in Michigan.

3. All you have to do is look the Enrollment Form over and assuming you will approve it as submitted then sign it as the City Manager. Send a fully executed copy of the form direct to me via Fax No. 810-694-5816. Upon receipt we will forward it to CEO who will then send it to Integrus Energy Services, Inc. (AES) for processing. There is no charge to get into the "Queue Line" in Michigan. You do not have to do anything.

If the Michigan Legislature approves additional Deregulation for Electricity in Michigan the Cost Savings will be substantial. You should find the Attachments very interesting. The pressure is on the politicians to lower the cost of Electricity in Michigan because we have the highest Electricity cost in the Midwest States. 90% of the Electricity is controlled by the two biggest monopolies Consumers Energy and DTE Energy Services (MichCon). This is why a lot of companies have left Michigan to do business in competitive surrounding states.

If you have any further questions do not hesitate to let us know. Thank you for your cooperation and the courtesies extended.

Sincerely,

John R. Bernard, Jr. ("JB")  
National Sales Director  
Consumer Energy Options, LLC (CEO)  
(Bus. Ph. 810-694-1409, Fax No. 810-694-5816,  
Cell Ph. 586-536-1091)

# Natural Gas Charges

Consumers Energy's typical residential customer uses about 112 thousand cubic feet (Mcf) of natural gas each year. About 80 percent of that gas — some 97.6 thousand cubic feet — is used for heating. Individual bills will vary depending on the weather and energy use habits.

[How natural gas gets to your home](#)  
[Natural gas operations statistics](#)

Typically there are three charges for natural gas on a Consumers Energy residential customer bill.

- **Gas Cost Recovery** covers the cost of the natural gas per Mcf. This charge (see table below) may change each month to reflect market conditions. Under state law, Consumers Energy can't make any profit on the natural gas, so it charges customers only what it pays for the gas. The utility buys most of the gas customers will need in the upcoming winter during the summer when prices are generally lower and stores it in underground storage fields.
- **Distribution Charge** includes recovery of operations and maintenance expenses (i.e. maintaining pipelines, new pipelines, storage well reliability, etc.). The monthly charge, which varies by rate class, is about \$2.50 per Mcf for most residential customers.
- **Customer Charge** includes recovery of customer-related activities (i.e. meter costs, customer accounting, customer billing, etc.). The fixed charge is \$10.50 per month.

The following is an 18-month review of the Gas Cost Recovery charges, including our current month price per Mcf.

**NOTE: FOR THE PERIOD: FEBRUARY 2010 - JANUARY 2012  
 AVERAGE MONTHLY PRICE PER MCF \$6.324**

Month/Year	Price per Mcf Gas Cost Recovery
January 2012	\$6.1448
December 2011	\$6.1587
November 2011	\$6.1559
October 2011	\$6.1663
September 2011	\$6.2778
August 2011	\$6.3036
July 2011	\$6.3851
June 2011	\$6.3656
May 2011	\$6.3630
April 2011	\$6.3474
March 2011	\$6.4338
February 2011	\$6.7877
January 2011	\$6.9264
December 2010	\$6.9113
November 2010	\$6.9346
October 2010	\$6.9934
September 2010	\$6.9934
August 2010	\$6.9934



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**LIMITED AGENCY AUTHORIZATION TO APPLY FOR COMPETITIVE SUPPLY SERVICE**  
**(Limited Authorization)**

[Applicant company name] ("Applicant") hereby requests and authorizes Integrys Energy Services, Inc. ("Integrys") to apply for competitive supply service for the electric utility account numbers on the attached invoice ("Accounts"). CITY OF SWARTZ CREEK ("Applicant")

Applicant understands that Consumers ("Utility") has a fluctuating cap on the number of customers that can take advantage of competitive supply service (the "Program"). Applicant understands that the cap has been met as of the date of this Limited Authorization. Applicant understands that although the limit is already met, there may be the opportunity to join the Program if other enrolled accounts leave the Program. The Utility makes the opportunities available on a first-come first-served basis and requires that certain action be taken by those interested in joining the Program.

This Limited Authorization only authorizes Integrys to put the Accounts into the queue with the Utility, such that should cap space open in the Program, the Accounts may be selected by the Utility on a first-come first-served basis to join the Program, provided certain other requirements are met. If the Program becomes available to the Accounts listed above, Integrys will notify Applicant as set forth below, and identify a deadline ("Deadline") by which (a) the facility(ies) must be site-ready with regard to equipment and phone lines and (b) a Power Sale Agreement, including the applicable Regional Rider, and Confirmation (Agreement) for service, must be executed by both parties. In consideration for Integrys' placement of the Accounts into the queue, Integrys shall have the right of first refusal to match any offer to sell power to the Accounts from the time Integrys notifies that Program space is available through the Deadline. If Customer receives a firm, executable offer from another alternative supplier, then Applicant shall promptly provide Integrys with notice thereof. Such notice shall provide Integrys all the commercial terms of such offer, and any other information Integrys reasonably requests in order to evaluate such offer. If Integrys fails to meet or exceed the commercial terms of such offer by the Deadline, then Applicant may, at its sole option, purchase electricity for the Accounts from another alternative supplier. ***This Limited Authorization is not a contract for the sale of power to the Accounts.*** Applicant understands that its enrollment for service with Integrys is subject to Integrys' credit approval, as well as a mutually agreed-upon and fully executed Agreement. In the event an Agreement is not reached and/or Applicant is not site-ready by the deadline, Integrys will not schedule the Accounts for service, the cap space will be released, and Applicant would be put at the end of the queue. In addition, Applicant understands that Integrys accepts no responsibility, liability or obligation to make the facilities site-ready. The coordination, costs, expenses, obligations and liabilities with respect to site-readiness are Applicant's sole obligation. The individual signing below represents and warrants that he/she has the authority to grant this authorization.

<b>APPLICANT CONTACT INFORMATION:</b>	
Company Name:	CITY OF SWARTZ CREEK
Address:	8083 CIVIC DR SWARTZ CREEK MI 48473-1377
Attn:	Paul Bueche, City Manager
Phone:	(810) 635-4464
Fax:	(810) 635-2887
Email:	

pbueche@cityofswartzcreek.org

**This Limited Authorization shall be effective as of the date set forth below.**

By:       X        
Name:       Paul Bueche        
Title:       City Manager        
Date:       February 26, 2012

[Customer's Letterhead]

February 24, 2012

(Date)

BUSINESS CENTER  
CONSUMERS ENERGY  
4000 CLAY AVENUE SW  
PO BOX 201  
GRAND RAPIDS MI 49501-0201  
**businesscenter@cmsenergy.com**



**CITY OF  
SWARTZ CREEK**

8083 CIVIC DRIVE  
SWARTZ CREEK, MI 48473-1377  
810.635.4464  
810.635.2887 fax  
pbueche@cityofswartzcreek.org

**PAUL BUECHE, City Manager**

Please consider this letter as a formal request to have Integrys Energy Services, Inc.  
(Supplier/Energy Manager Agent)  
listed as an Authorized Agent for CITY OF SWARTZ CREEK  
(Company/Corporation)

Effective immediately Integrys Energy Services (Agent) is authorized to access any consumption,

billing, tariff or Interval metering data they may solicit on our behalf. I understand that some information requests are available on a per fee basis and acknowledge that my initial free copy may be sent to the above-mentioned party.  
**Please e-mail interval/historical data to the e-mail address noted below.**

This authorization is valid for a term of 12 months and expires on 03/2013  
(up to one year) (Date)

**Release of Information:**

Please provide 12 months of consumption history for the following account(s) to:

Michelle McCoy of Integrys Energy Services  
(Agent Name) (Agent)  
2211 Old Earhart Road, Suite 175 E-Mail: AMMI@integrysenergy.com  
(Mailing Address)  
Ann Arbor MI 48105 800-230-1856 920-272-4173  
(City, State, Zip) (Telephone Number) (FAX number)

	Service Address	Account Number	POD NO.	Meter No.
1.	CITY OF SWARTZ CREEK 8095 CIVIC DR SWARTZ CREEK MI 48473-1838	1000 2119 8054	0000002209994	32957763
2.	CITY OF SWARTZ CREEK 8083 CIVIC DR SWARTZ CREEK MI 48473-1377	1000 2119 9011	0000002209992	15002823
3.	CITY OF SWARTZ CREEK 8100 CIVIC DR SWARTZ CREEK MI 48473-1590	1000 2127 0515	0000002209997	62238304

If any further information is required, please contact me at (810) 635-4464  
(Telephone Number)

X  
Paul Bueche(Name)  
City Manager  
(Title)

LIMITED AGENCY AUTHORIZATION TO APPLY FOR COMPETITIVE SUPPLY SERVICE  
(Limited Authorization)



CITY OF SWARTZ CREEK

~~Attachment 1 to the Large Commercial Gas Customer Choice Contract~~

3/8/11

LDC Account	POD Number	Service Address	Billing Address
Consumers Energy (Account No.) (Meter No. )	0000002214330 1000 2119 9524 82607496	CITY OF SWARTZ CREEK 5121 MORRISH RD SWARTZ CREEK MI 48473-0000	(SAME AS SERVICE ADDRESS)
			(TOTAL ANNUAL KWH'S) <u>243,543.00</u>

Buyer supplements the Large Commercial Gas Customer Choice Contract (the "Agreement") with the Accounts listed above. *By signing below, Buyer requests to change its natural gas supplier to Integrus Energy Services, Inc. I, Buyer, have read and agree to the terms and conditions refe*

Buyer: CITY OF SWARTZ CREEK Date Signed: February 26, 2012  
Name: Paul Bueche Title: City Manager  
Original Account Number from Agreement:

Detail of Current Charges

FEB 09 2012

Summary of Charges

**Elec Gen Sec Rate GS Com**

Rate: 1100

**Meter Number: 32957763**

POD: 0000002209994

Meter Begin Read: 66543

Meter End Read: 67114

Read Type: actual

Differential: 571 Constant: 10

Total Metered Energy Use: 5710 kWh

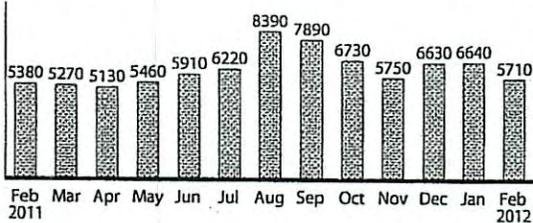
**Electric Power Supply Charges**

Energy	5710 @ 0.076628	\$437.55
PSCR	5710 @ 0.002390	\$13.65
Renewable Energy		\$8.00

**Electric Delivery Charges**

System Access		\$15.00
Distribution	5710 @ 0.035730	\$204.02
Energy Optimization		\$40.89
Securitization	5710 @ 0.001767	\$10.09
Securitization Tax	5710 @ 0.000761	\$4.35
Residual Balance Surcharge	5710 @ 0.000005-	\$0.03-
Interim Rate Increase	5710 @ 0.002914	\$16.64
Stranded Costs	5710 @ 0.000900	\$5.14

**Total Electric \$755.30**



**Mar 2011 - Feb 2012 Usage 75730 kWh**

February electric use	5710 kWh
Electric use per day	197 kWh
Electric cost per day	\$26.04

**Gas Gen Serv Rate GS-1 - Com**

Rate: 261

**Meter Number: 40233091**

POD: 0000002209995

Meter Begin Read: 3570

Meter End Read: 3818

Read Type: actual

Differential: 248 Constant: 0.1

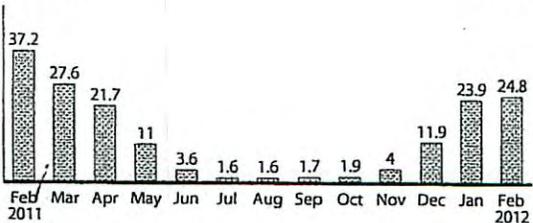
Correction factor: 1.00000

Total Metered Energy Use: 24.8 Mcf

**Gas Charges**

Customer Charge		\$11.65
Gas Distribution	24.8 @ 2.144100	\$53.17
Energy Optimization	24.8 @ 0.121900	\$3.03
Gas Cost Recovery	24.8 @ 6.236300	\$154.66

**Total Gas \$222.51**



**Mar 2011 - Feb 2012 Usage 135.3 Mcf**

February gas use	24.8 Mcf
Gas use per day	0.855 Mcf
Gas cost per day	\$7.67

**Account Number: 1000 2119 8054**

**Service:**

CITY OF SWARTZ CREEK  
8095 CIVIC DR  
SWARTZ CREEK MI 48473-1838

Last Month's Account Balance	\$1,078.14
Payment 01/20/12 - Thank You	\$1,078.14-
<b>Balance Forward</b>	<b>\$0.00</b>

Payments applied after Feb 06, 2012 are not included.

Total Electric	\$755.30
Total Gas	\$222.51
<b>Total Energy Charges</b>	<b>\$977.81</b>

**Total Amount Due \$977.81**

Billing Period	01/06/12 - 02/03/12
Bill Month	February
Days Billed	29
Invoice	203760730094

**PAID**

Your next scheduled meter read date is on or around 03/02/2012.

After the due date, the unpaid balance is subject to a 2% late payment charge.

**News You Can Use**

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### Detail of Current Charges

#### Elec Gen Sec Rate GSD Com

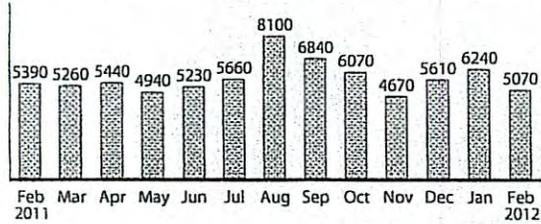
Rate: 1120  
 Billing Demand: 17.0 Historical Max kW: 28.0  
 Power Factor: 0.85

**Meter Number: 15002823** POD: 0000002209992  
 Meter Begin Read: 1614 Meter End Read: 2121  
 Read Type: actual  
 Differential: 507 Constant: 10  
 Total Metered Energy Use: 5070 kWh

Electric Power Supply Charges		
Capacity kW	17 @ 9.380000	\$159.46
Energy	5070 @ 0.043651	\$221.31
PSCR	5070 @ 0.002390	\$12.12
Renewable Energy		\$8.00

Electric Delivery Charges		
System Access		\$25.00
Capacity kW	17 @ 1.380000	\$23.46
Distribution	5070 @ 0.021132	\$107.14
Energy Optimization		\$40.89
Securitization	5070 @ 0.001767	\$8.96
Securitization Tax	5070 @ 0.000761	\$3.86
Residual Balance Surcharge	5070 @ 0.000284	\$1.44
Interim Rate Increase	5070 @ 0.004974	\$25.22
Stranded Costs	5070 @ 0.000900	\$4.56

**Total Electric \$638.54**



**Mar 2011 - Feb 2012 Usage** 69130 kWh  
 February electric use 5070 kWh  
 Electric use per day 175 kWh  
 Electric cost per day \$22.02

#### Gas Gen Serv Rate GS-1 - Com

Rate: 261  
**Meter Number: 22490537** POD: 0000002209993  
 Meter Begin Read: 4449 Meter End Read: 4676  
 Read Type: actual  
 Differential: 227 Constant: 0.1 Correction factor: 1.00000  
 Total Metered Energy Use: 22.7 Mcf

Gas Charges		
Customer Charge		\$11.65
Gas Distribution	22.7 @ 2.144100	\$48.67
Energy Optimization	22.7 @ 0.121900	\$2.76
Gas Cost Recovery	22.7 @ 6.236300	\$141.56

**Total Gas \$204.64**

### Summary of Charges

**Account Number: 1000 2119 9011**

**Service:**  
 CITY OF SWARTZ CREEK  
 8083 CIVIC DR  
 SWARTZ CREEK MI 48473-1377

Last Month's Account Balance \$935.20  
 Payment 01/20/12 - Thank You \$935.20  
**Balance Forward \$0.00**

Payments applied after Feb 06, 2012 are not included.

Total Electric \$638.54  
 Total Gas \$204.64  
**Total Energy Charges \$843.18**

**Total Amount Due \$843.18**

Billing Period 01/06/12 - 02/03/12  
 Bill Month February  
 Days Billed 29  
 Invoice 203760730098

Your next scheduled meter read date is on or around 03/02/2012.

Your payment is due February 29, 2012. After the due date, the unpaid balance is subject to a 2% late payment charge.

### News You Can Use

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**Detail of Current Charges**

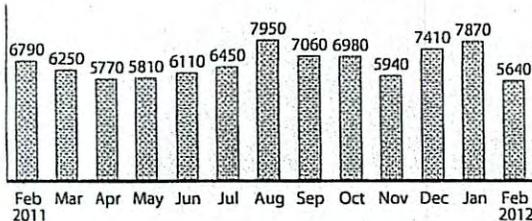
**Elec Gen Sec Rate GSD Com**

Rate: 1120  
 Billing Demand: 15.0 Historical Max kW: 23.0  
 Power Factor: 0.85  
**Meter Number: 62238304** POD: 0000002209997  
 Meter Begin Read: 28893 Meter End Read: 29457  
 Read Type: actual  
 Differential: 564 Constant: 10  
 Total Metered Energy Use: 5640 kWh

Electric Power Supply Charges		
Capacity kW	15 @ 9.380000	\$140.70
Energy	5640 @ 0.043651	\$246.19
PSCR	5640 @ 0.002390	\$13.48
Renewable Energy		\$8.00

Electric Delivery Charges		
System Access		\$25.00
Capacity kW	15 @ 1.380000	\$20.70
Distribution	5640 @ 0.021132	\$119.18
Energy Optimization		\$40.89
Securitization	5640 @ 0.001767	\$9.97
Securitization Tax	5640 @ 0.000761	\$4.29
Residual Balance Surcharge	5640 @ 0.000284	\$1.60
Interim Rate Increase	5640 @ 0.004974	\$28.05
Stranded Costs	5640 @ 0.000900	\$5.08

**Total Electric \$659.93**



Mar 2011 - Feb 2012 Usage  
 February electric use  
 Electric use per day  
 Electric cost per day

79248 kWh  
 5640 kWh  
 20.1 kWh/day  
 \$3.57



**Gas Gen Serv Rate GS-2 - Com**

Rate: 262  
**Meter Number: 8705182** POD: 0000002209998  
 Meter Begin Read: 37141 Meter End Read: 37836  
 Read Type: actual  
 Differential: 695 Constant: 0.1 Correction factor: 1.00000  
 Total Metered Energy Use: 69.5 Mcf

Gas Charges		
Customer Charge		\$18.20
Gas Distribution	69.5 @ 1.939800	\$134.82
Energy Optimization	69.5 @ 0.121900	\$8.47
Gas Cost Recovery	69.5 @ 6.236300	\$433.42

**Total Gas \$594.91**

**Summary of Charges**

**Account Number: 1000 2127 0515**

**Service:**  
 CITY OF SWARTZ CREEK  
 8100 CIVIC DR  
 SWARTZ CREEK MI 48473-1590

Last Month's Account Balance \$1,519.74  
 Payment 01/20/12 - Thank You \$1,519.74-  
**Balance Forward \$0.00**

Payments applied after Feb 06, 2012 are not included.

Total Electric \$659.93  
 Total Gas \$594.91  
**Total Energy Charges \$1,254.84**

**Total Amount Due \$1,254.84**

Billing Period 01/07/12 - 02/03/12  
 Bill Month February  
 Days Billed 28  
 Invoice 207142398260

Your next scheduled meter read date is on or around 03/02/2012.

Your payment is due February 29, 2012. After the due date, the unpaid balance is subject to a 2% late payment charge.

**News You Can Use**

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 Call us: (800) 477-5050

### Detail of Current Charges

#### Elec Gen Sec Rate GSD Com

Rate: 1120  
 Billing Demand: 9.0 Historical Max kW: 12.0  
 Power Factor: 0.85

Meter Number: **82607496** POD: 0000002214330  
 Meter Begin Read: 37285 Meter End Read: 39272  
 Read Type: actual

Total Metered Energy Use: 1987 kWh

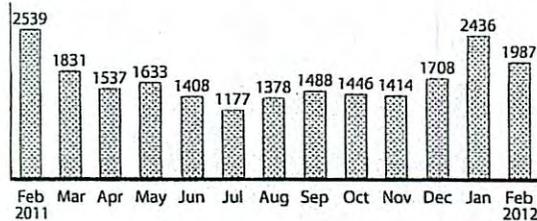
#### Electric Power Supply Charges

Capacity kW	9 @ 9.380000	\$84.42
Energy	1987 @ 0.043651	\$86.73
PSCR	1987 @ 0.002390	\$4.75
Renewable Energy		\$4.00

#### Electric Delivery Charges

System Access		\$25.00
Capacity kW	9 @ 1.380000	\$12.42
Distribution	1987 @ 0.021132	\$41.99
Energy Optimization		\$6.82
Securitization	1987 @ 0.001767	\$3.51
Securitization Tax	1987 @ 0.000761	\$1.51
Residual Balance Surcharge	1987 @ 0.000284	\$0.56
Interim Rate Increase	1987 @ 0.004974	\$9.88
Stranded Costs	1987 @ 0.000900	\$1.79

**Total Electric \$282.26**



Mar 2011 - Feb 2012 Usage: **19443 kWh**  
 February electric use: 1987 kWh  
 Electric use per day: 64 kWh  
 Electric cost per day: \$9.11

#### Gas Gen Serv Rate GS-1 - Com

Rate: 261  
 Meter Number: **5390362** POD: 0000002214331  
 Meter Begin Read: 1175 Meter End Read: 166  
 Read Type: actual  
 Differential: 488 Constant: 0.1 Correction factor: 1.0000

Total Metered Energy Use: 48.8 Mcf

#### Gas Charges

Customer Charge		\$11.65
Gas Distribution	48.8 @ 2.144100	\$104.63
Energy Optimization	48.8 @ 0.121900	\$5.95
Gas Cost Recovery	48.8 @ 6.236300	\$304.33

**Total Gas \$426.56**

### Summary of Charges

Account Number: **1000 2119 9524**

#### Service:

CITY OF SWARTZ CREEK  
 5121 MORRISH RD  
 SWARTZ CREEK MI 48473-0000

Last Month's Account Balance: \$687.79  
 Payment 01/20/12 - Thank You: \$687.79  
**Balance Forward \$0.00**

Payments applied after Feb 06, 2012 are not included.

Total Electric: \$282.26  
 Total Gas: \$426.56  
**Total Energy Charges \$708.82**

**Total Amount Due \$708.82**

Billing Period: 01/07/12 - 02/06/12  
 Bill Month: February  
 Days Billed: 31  
 Invoice: 203760730099

Your next scheduled meter read date is on or around 03/02/2012.

Your payment is due February 29, 2012. After the due date, the unpaid balance is subject to a 2% late payment charge.

### News You Can Use

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# Retail Open Access

Consumers Energy's electric Retail Open Access program (also known as Electric Customer Choice) participation is limited to no more than 10% of the company's previous calendar year's weather adjusted sales. Information on the current status of the program is shown below in megawatt-hours (MWh):

## ROA 10% Cap Tracking system (CTS) Report

Updated as of February 10, 2012

Consumers Energy 2011 Calendar Year Sales	37,503,544 MWh
Consumers Energy 2011 Weather Adjusted Retail Sales	36,992,295 MWh
Consumers Energy 2012 ROA Cap	3,699,230 MWh
Current Choice Participation Level ( <b>enrolled and active at 100%</b> )	3,910,835 MWh
2011 Available Energy Allotments in MWh	0 MWh
Customers in Queue	4001
Total Load in Queue	3,386,065 MWh

### Contact the Consumers Energy Business Center

Phone: (800) 805-0490

email: [ecc@cmsenergy.com](mailto:ecc@cmsenergy.com)

To find out information on Consumers Energy Year to Date Sales, see the [45 Day report](#).



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Electric Choice - Cap Tracking System

Current as of : 02/10/2012

Total 2011 Retail Sales (MWh)	2011 Weather Adjusted Retail Sales (MWh)	2012 10% Cap (MWh)
48,205,483	47,093,408	4,709,341

<b>Current Participation</b>	5,336,043 MWh	11.33 %
<b>Energy Allotment Available</b>	0 MWh	0.00 %

<b>Allotments in Queue (MWh)</b>	<b>Enrollments in Queue</b>
2,254,101	3,023

Refer to the [Appendix to the Power Supply Cost Recovery \(PSCR\) 45-Day Report](#) for the most recent monthly and year-to-date summary of retail sales.

If you have any questions, please contact the Electric Choice Support Team at 1-888-830-2170 or [suppliers@DTEEnergy.com](mailto:suppliers@DTEEnergy.com)

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**From:** CEO ENERGY <consumerenergyoptions@gmail.com>  
**To:** jbernar637 <jbernar637@aol.com>  
**Subject:** Consumers Energy Trying To Recoup Costs from the Public - Unbelievable!  
**Date:** Fri, Dec 9, 2011 1:20 pm

---



Team CEO,

Nice read that highlights how the big, monopoly Consumers Energy wants to take it's customers money to pay for its bad decisions! Every business and residential customer deserves better. CEO Agents to the Rescue!!

**Consumers Looking To Recoup Costs For Cancelled Coal Plant** Consumers Energy is asking the Public Service Commission to raise customer rates by **\$22 million** to recoup its expenses on its failed plans to build a new coal plant.

On Friday, it announced it was scrapping its plans to build its first new coal plant in three decades, a \$2 billion, 830-megawatt coal plant near Bay City.

In testimony filed with the PSC later that day, the utility said the money it spent was reasonable and prudent during the four years the plant was in the planning stages.

"Recovering costs for exploring future energy supplies is a normal practice," Consumers Energy spokesperson Dan Bishop said. "It's part of our obligation to provide reliable service to our customers."

Dave Waymire, spokesperson for the Customer Choice Coalition, said the utility proposed a plant that wasn't needed and that then-Governor Jennifer Granholm made clear the state didn't want.

"Now Consumers wants Michigan's families and businesses to reimburse its shareholders for miscalculations made by its management," Mr. Waymire said. "Michigan can't afford to bail out the corporation for this kind of mistake. If we had a competitive electric system, we wouldn't even be discussing this matter - another reason for Michigan to return to competition and free markets to ensure we get the lowest cost power for our state."

**CONSUMERS ENERGY RATES TO RISE:** The Public Service Commission announced Tuesday it found good cause to lower the rate increase Consumers Energy planned to self-implement on its customers from \$147 million to \$118 million.

In case No. U-16794, the utility originally had requested a \$195 million rate increase, and then lowered it last month.  
**DETROIT EDISON RATES GOING UP:** A settlement agreement was settled Tuesday regarding Detroit Edison's 2010 choice incentive mechanism, and will result in a typical residential customer seeing a \$1.65 increase on their monthly bill.

The surcharge included in case No. U-16756 will begin in January and continue for the rest of 2012.

**CONSUMERS TO RECEIVE REWARD FOR ENERGY SAVINGS EFFORTS:** As a reward for succeeding in getting its customers to use less energy, the Public Service Commission will allow Consumers Energy to receive a bonus payment totaling about \$8.5 million, to be paid for by instituting a 12-month surcharge on its customers. A typical residential electric customer will see an increase of 2 cents per month and a residential natural gas customer will see an increase of 4 cents on their monthly bill. The surcharge included in case No. U-16303 will begin in June and last for 12 months.

Have a great weekend,

Fred / Tom

From: jbernar637 <jbernar637@aol.com>  
 To: jbernar637 <jbernar637@aol.com>  
 Date: Sun, Feb 26, 2012 12:54 pm



TEAM CEO

I just spent 30 minutes on the phone, talking to 2 aids in Gov. Snyder's office, and then left a 10 minute message on Valerie Brader's voice mail.

You must do the same.

You must ask business owners to do this too.

Tom Maher

----- Forwarded message -----

From: **Maureen McNulty Saxton** <[PR-Edge@comcast.net](mailto:PR-Edge@comcast.net)>

Date: Fri, Feb 24, 2012 at 7:05 AM

Subject: Competition=Win/Win for DTE; Lose/Lose for MI customers

To: [info@ecnmichigan.com](mailto:info@ecnmichigan.com)

Hello ECN members,

I'm piggybacking off of a recent email – simply so that you Michigan's Legislator and Governor contact info. remains handy.

On Wednesday, ECN and CCC released the following news release. It also went to every state legislator.

The upshot: DTE thinks competition is great – but just for other states. And they like to compete in other states, like Ohio, where they offer lower rates to customers than they do to MI customers.

It would be very helpful if you echoed this fact to our legislators and Governor's office. Keep those letters and calls rolling in – the time to strike is now.

If you are willing, please feel free to send me/Energy Choice Now a copy of your letter; it will also help us in our daily advocacy efforts by knowing what lawmakers are receiving feedback.

Description: Description: Description: cccecn.jpg

Thanks.

For Immediate Release  
 February 22, 2012

For More Information Contact  
 Maureen McNulty Saxton: [517-899-5513](tel:517-899-5513)  
 David Waymire: [517-485-6600](tel:517-485-6600)

## While fighting to keep competition out of Michigan, DTE Energy competes for business in other states

DTE Energy Trading, the competitive arm of Michigan's DTE Energy, was a very big winner in recent "auctions" to provide competitively-supplied electric power and energy in competitive wholesale procurements conducted in Ohio and New Jersey. In Ohio, the price DTE bid to sell power and energy that is ultimately delivered to residential customers is far less than the price it charges Michigan families for electricity.

"It's difficult to understand how a company can come to Lansing and argue against competition – then turn around and sell electricity in the competitive markets in Ohio and New Jersey," said Wayne Kuipers, executive director of Energy Choice Now, a large coalition of Michigan businesses and energy suppliers who support bringing competitive electricity to Michigan by removing the current 10 percent cap on competition.

"DTE Michigan customers are essentially subsidizing Ohio customers by paying DTE more for their electricity than Ohio consumers are paying DTE for electricity. And with the 10 percent cap in place, DTE won't allow its Michigan customers to shop for lower prices that are readily available in the market. Many Michigan customers are outraged by DTE's rate hikes. This is adding insult to injury."

Data released on February 16, 2012 by the Public Utilities Commission of Ohio, show that DTE bid to provide power in Toledo and other areas of Ohio for the equivalent of about a 5.10 cents per kilowatt hour average rate. In Detroit, the equivalent average rate just for electricity, excluding distribution and basic service charges, is about 7.00 cents per kilowatt hour -- an increase of 37 percent for Michigan customers!

Ohio has a competitive electric market and relies upon competitive wholesale and retail markets to meet their energy needs. Michigan's law restricts competition to 10 percent of the electric market – an amount that has been totally filled since 2009. Today, more than 7,000

companies are in line trying to get away from DTE and Consumers Energy, the other major utility in the state, both of whom were granted monopoly status in 2008. In just 18 months, the line of Michigan companies wanting relief from utility rate hikes has exploded by 600 percent. Yet in recent testimony before the Legislature, DTE officials argued that competition would be bad for customers.

In Ohio, DTE is choosing to participate in a competitive electric market – and contrary to DTE statements in Lansing, Ohio customers are reaping the benefits. Residential customers have increasingly enjoyed lower electric rates – while Michigan’s families have been seeing rates skyrocket. In Toledo, according to the Public Utility Commission of Ohio, the average family using 750 kilowatt hours of power saw its bill decrease 4.8 percent from \$102.37 in July 2008 to \$97.43 in November, 2011 – an annual savings of \$59.28.

Meanwhile, frugal Detroit families using 250 kwh/month have seen their rates increase by **62.6 percent since DTE fought to eliminate competition in Michigan (2008.)**

As a result of their annual electricity auction, the New Jersey Board of Public Utilities proudly points to reduced electricity prices across all sectors of the state, from residents to businesses. For NJ residents, electric competition is expected to reduce the costs ranging from 6.4% to 1%. And DTE helped make that happen.

“Lawmakers need to take a close look at what Michigan’s utilities tell them about competition and what the facts show,” Kuipers said. “DTE clearly supports competition and participates in the competitive markets outside of Michigan but opposes competition in Michigan to the detriment of Michigan residents and the Michigan economy.”

DTE electric rate increases from 2008 to today:

	Price, August 1, 2008	Feb. 1, 2012	Increase July 08 to Feb. 2012
DTE 250 kwh/month	26.82	43.61	62.6 %
500	53.64	78.21	45.8
1000	114.18	154.01	34.9

Prices in cents per kilowatt hour

For more about Energy Choice Now visit [www.ECNMichigan.com](http://www.ECNMichigan.com). For more information about the Customer Choice Coalition visit [www.customerchoicecoalition.com](http://www.customerchoicecoalition.com).

###

**From:** Maureen McNulty Saxton [<mailto:PR-Edge@comcast.net>]

**Sent:** Thursday, February 09, 2012 10:00 AM

**To:** [info@ecnmichigan.com](mailto:info@ecnmichigan.com)

**Subject:** FW: ECN Members: Action Needed; Media Update

**Hello ECN Coalition team members,**

*“Today Michigan business and government customers are paying \$1 billion more for electricity than if our electric rates were at the regional average, hindering the retention and creation of jobs in Michigan.” – ECN/Customer Choice Coalition news release, Feb. 3, 2012*

ECN welcomes 2012 as the year that Michigan’s 10% cap on electric competition will be eliminated. The issue is gaining traction in Lansing and we hope to have legislation introduced very soon.

But eliminating the 10% cap won’t happen without your help. Michigan legislators and policy makers have made it very clear: unless they hear from Michigan businesses about how damaging the 10% cap is to YOUR bottom line, they are far less inclined to take on this fight.

Please contact your legislators and Governor Snyder today. Tell them the arbitrary 10% cap is bad for you, bad for business, bad for Michigan. It needs to go. Remind legislators that YOU are a Michigan business, you create jobs, you support your local community and you are not protected from competition and never-ending price-hikes by Consumers Energy and DTE Energy.

They are surely hearing daily from Consumers, DTE and their surrogates.

There are now 7,000 Michigan business, some or perhaps many of you on this email, languishing in the queue to get your electric supply from a competitive supplier but prohibited from doing so by state law. When ECN launched 17 months ago, there were just under 1,000. In the last month alone (Dec. ‘11– Jan ‘12), the queue grew by approximately 1,000.

Governor Snyder announced in his 2012 State of the State message that he would make a major energy announcement this fall. Therefore, the Governor and his senior energy policy advisor need to hear from you today, letting them know that you want to restore competition and you want customer choice to be part of MI’s energy policy.

It’s never been easier to contact your lawmakers:

Governor Snyder and Senior Strategy (Energy) Advisor Valerie Brader:

<https://sombgovweb.state.mi.us/GovRelations/ShareOpinion.aspx>

PHONE: (517) 373-3400 PHONE: (517) 335-7858 - Constituent Services FAX: (517) 335-6863	Governor Rick Snyder P.O. Box 30013 Lansing, Michigan 48909
----------------------------------------------------------------------------------------------	-------------------------------------------------------------------

If you prefer to mail your lawmaker(s), feel free to use the enclosed letter as a sample/framework. It would be most effective if you would please put your comments on your company letterhead.

For the House of Representatives, you can find the addresses (both physical and email) here: <http://www.house.mi.gov/mhrpublic/>

For the State Senate, you can find the addresses (both physical and email) here: <http://www.senate.michigan.gov/FindYourSenator/byaddress.htm>





February 28, 2012

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

RE: Proposed Meijers – Sanitary Sewer Capacity Review

Dear Mr. Bueche:

At the request of the City of Swartz Creek, ROWE Professional Services Company has completed a sanitary sewer capacity review for the proposed Meijers development. The subject area consists of approximately 58 acres and is zoned Commercial. The project is situated near the north city limits north of I-69 and has public frontage on Morrish and Bristol Roads. Our review was based on the peak proposed sanitary sewer flow of 84 gallons/minutes (gpm) provided from the developer’s engineer.

The developer is proposing to tie into the existing 10-inch sanitary sewer line along the east side of Morrish Road. The capacity of the existing 10-inch sanitary sewer line at the assumed minimum ten state standards slope of 0.28% is 1.16 cubic feet/second (cfs). The total estimated peak sanitary sewer flow with the proposed development flows was estimated to be 0.33 cfs. Therefore, the existing 10-inch sanitary line has sufficient capacity to support the proposed development. Detailed calculations and a sanitary sewer capacity map are attached for your reference.

If you have any questions or require additional information, please contact our corporate office at (810) 341-7500.

Sincerely,  
ROWE Professional Services Company

  
Louis P. Fleury, P.E.  
Project Manager

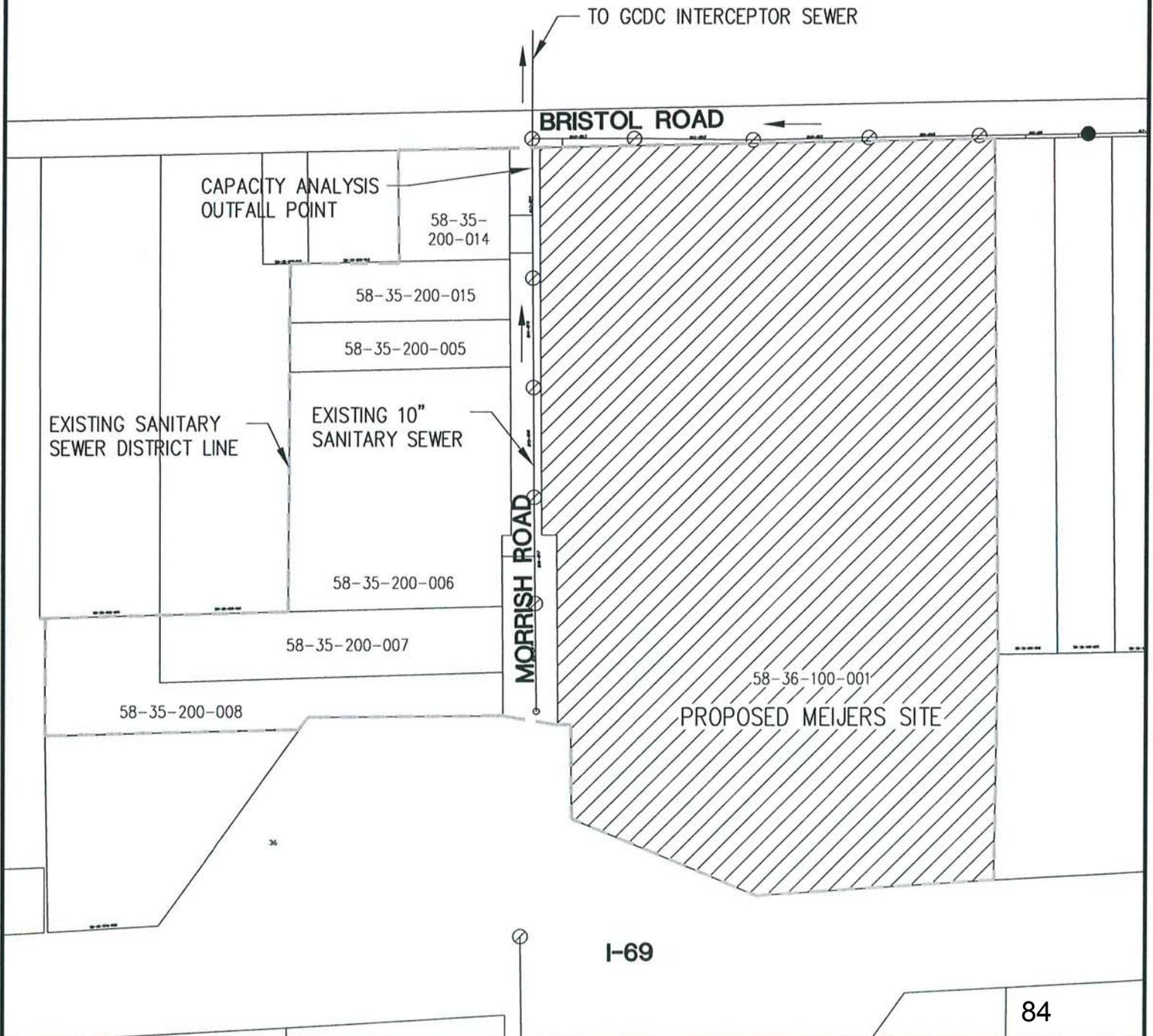
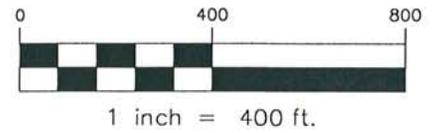
  
Daniel W. Bartlett, P.E., CFM  
Project Engineer

Attachments: (1) Sanitary Sewer Capacity Map  
(1) Sanitary Sewer Capacity Analysis

cc: File

R:\Projects\12C0031\Docs\Design\Water and Sewer Capacity Analysis\SS Capacity Letter.doc

# CITY OF SWARTZ CREEK SANITARY SEWER CAPACITY MAP



# Sanitary Sewer Capacity Analysis for Proposed Meijer Site

Client: City of Swartz Creek



ROWE PROFESSIONAL  
SERVICES COMPANY

Rowe Job #12c0031

Project Manager: LPF  
Analysis: DWB

Date: 2/28/2012  
Revised Date:

## Existing Sanitary Sewer Flow Calculations

**Assumptions**      Average Daily Flow per Capita =            100            gpd  
                                  Capita per Residential Unit =            3.5  
                                  Residential Equivalent Unit =            350            gpd (Average Daily Flow)  
                                  Ten States Standards Peaking Factor =  $(18+P^{.5})/(4+P^{.5})$ , P in thousands

## Existing Outfall Point Flows

Tax ID Number	Address	Classification	REU's	Assumed Population (For Peaking Factor)	Notes
58-35-200-014	8023 Bristol Road	Residential	1	3.5	
58-35-200-015	4048 Morrish Road	Residential	1	3.5	
58-35-200-005	4062 Morrish Road	Residential	1	3.5	
58-35-200-006	4110 Morrish Road	Commercial (The Cage)	56.25	196.9	
58-35-200-007	4140 Morrish Road	Commercial (Aardvark Mini Storage)	1	3.5	
58-35-200-008	Morrish Road	Commercial (GCRC Yard)	2	7.0	
58-36-100-001	4013 Morrish Road	Commercial (Proposed Meijer Site)	0	0.0	See proposed Calc
<b>Totals</b>			<b>62.25</b>	<b>218</b>	
<b>Average Daily Flow =</b>			21,788	gpd =	0.034 cfs
<b>Peaking Factor =</b>			4.1		
<b>Peak Flow =</b>			90,075	gpd =	0.139 cfs

Note: Commercial Classification flows were based on REU tables

## Proposed Meijer Water and Sewer Demands

Use	Demands					
	Average		Max Day		Instant Peak	
	gpd	gpm	gpd	gpm	gpd	gpm
Meijer Store	5,000	3.5	25,000	17.4	57,500	39.9
Meijer Garden Center Irrigation	5,000	3.5	25,000	17.4	57,500	39.9
Gas Station	500	0.3	2,500	1.7	5,750	4.0
Site Irrigation	7,012	4.9	35,061	24.3	80,640	56.0
<b>Water Total</b>	<b>17,512</b>	<b>12</b>	<b>87,561</b>	<b>61</b>	<b>201,390</b>	<b>140</b>
<b>Sewer Total (no site irrigation)</b>	<b>10,500</b>	<b>7</b>	<b>52,500</b>	<b>36</b>	<b>120,750</b>	<b>84</b>

Maximum Day Pea            5            times average day demand  
 Instant Peak Facto        11.5        times average day demand

### Notes:

1. Demands and Peak Factors were provided by Progressive AE on February 22, 2012

**Existing Sanitary Sewer Capacity Calculations (Mannings Equation)**

Pipe Run	Existing Sanitary Sewer Diameter (inches)	Area (Sft)	Perimeter (ft)	Hydraulic Radius	n	Assumed Minimum Slope (ft/ft)	Full Flow Sewer Capacity (cfs)	Estimated Peak Sanitary District Flow (cfs)	Estimated Available Sanitary Sewer Capacity (cfs)
Existing	10	0.55	2.62	0.21	0.013	0.0028	1.16	0.14	1.02
Proposed Site								0.19	
Combined							1.16	0.33	0.84

**AGREEMENT TO EXTEND TERM  
of the  
BEAR CREEK SEWER CONNECTION AGREEMENT**

**County of Genesee, Township of Gaines, City of Swartz Creek**

---

**WHEREAS**, the City of Swartz Creek ("City"), the Township of Gaines ("Township"), and the County of Genesee, through its Drain Commissioner as "County Agency", are parties to that certain agreement dated March 18, 2005 ("Connection Agreement"), by which the City agreed to allow the Township to connect a sanitary sewer force main to the City's sanitary sewer line on Morrish Road in order to transport sewage from the Township's force main to the County Interceptor at Morrish Road and Wade Street in the City; and

**WHEREAS**, the Connection Agreement expired on December 31, 2011 by which time the Township was required to disconnect the sanitary force main from the City's sewer line, but the parties wish to extend the expiration date of the Connection Agreement to December 31, 2012.

**NOW, THEREFORE, IT IS AGREED** by the parties hereto, acting by and through their duly authorized agents, as follows:

1. The expiration date of December 31, 2011 as set forth in paragraph 6 of the Connection Agreement be amended and extended to December 31, 2012.
2. All other terms and conditions of the Connection Agreement remain in full force and effect.

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**TOWNSHIP OF GAINES**

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Paul Fortino, Supervisor

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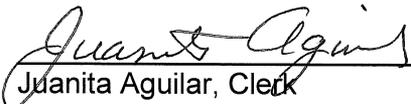
Michael Dowler, Clerk

**CITY OF SWARTZ CREEK**



---

Richard Abrams, Mayor



---

Juanita Aguilar, Clerk

**COUNTY OF GENESEE**

---

Jeff Wright, Drain Commissioner



Swartz Creek DDA  
Swartz Creek City Offices Fax:  
8083 Civic Dr.  
Swartz Creek, MI 48473

Phone: 810-635-4464  
810-635-2887

Date: March 1, 2012

To: DDA Board Members  
From: Adam Zettel  
RE: March 8, 2012 DDA Board Meeting

Hello everyone,

There will **NOT** be a DDA meeting Thursday, March 8, 2012. There have been some delays on the budget work so we will look to get to this in April.

In the mean time, I expect to begin work on the Family Movie Night. If you wish to hit up the sponsors that we had for this last year, please do so! Once we get things going on the budget, we will have more to talk about.

That is all for now. If you have anything you want to discuss, let Mark or myself know, and we can convene for the March meeting.

Sincerely,

A handwritten signature in black ink that reads "Adam Zettel". The signature is written in a cursive, flowing style.

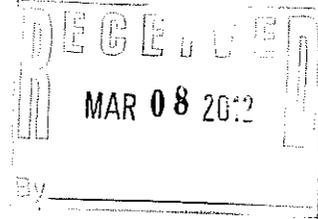
**Adam Zettel, AICP**  
*Zoning Administrator*  
(810)-287-2147  
azettel@cityofswartzcreek.org



JEFFREY WRIGHT  
COMMISSIONER

## Genesee County Drain Commissioner's Office

-DIVISION OF  
SURFACE WATER MANAGEMENT  
G-4608 BEECHER ROAD, FLINT, MI 48532  
PHONE (810) 732-1590 FAX (810) 732-1474



March 5, 2012

### **RE: Hearing of Necessity - Misteguay Creek Intercounty Drain - CANCELLED**

Please be advised that the Misteguay Creek Intercounty Drain Drainage Board has **cancelled** the Necessity Hearing scheduled for March 13, 2012. This is in response to an order issued March 2, 2012 by the Court of Appeals that prohibits further proceedings involving the drain.

The stay order was issued at the request of Maple Grove Twp, et al, who are challenging the drain petition filed on behalf of Saginaw County's Albee Township. A necessity hearing will not be rescheduled until the Court of Appeals finds resolution of the appeal or orders the Drainage Board to proceed.

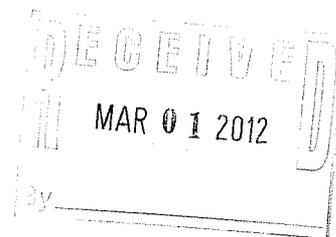
If you have any further questions or comments, please feel free to contact this office at 732-1590.

Jeff Wright Drain Commissioner  
County of Genesee

STATE OF MICHIGAN

DEPARTMENT OF AGRICULTURE  
AND RURAL DEVELOPMENT  
Environmental Stewardship Division

Notice of Drainage Board Meeting  
To Determine the Necessity  
Of Maintenance and Improvement and  
Adding Lands to the Drainage District  
(In accordance with P.A. 40, of 1956, as amended)



MISTEGUAY CREEK INTERCOUNTY DRAIN

**Notice is hereby given**, that on April 13, 2010, a petition was filed with James Koski, then Saginaw County Public Works Commissioner, praying for the cleaning out, relocating, widening, deepening, straightening, tiling, extending or relocating along a highway, adding branches, and/or installing, maintaining or repairing structures or mechanical devices to the drain known and designated as the Misteguay Creek Intercounty Drain, and further, to determine whether it is necessary to add lands to the Drainage District pursuant to Section 197 of Act No. 40. P.A. 1956, as amended; and

**Whereas**, the Drainage District for the Misteguay Creek Intercounty Drain includes lands within the following counties and their respective municipalities: Genesee County: Clayton Charter, Flushing Charter, and Montrose Charter Townships, and City of Montrose and City of Swartz Creek; Saginaw County: Albee, James, Maple Grove, Spaulding, St. Charles, and Taymouth Townships; Shiawassee County: Caledonia Charter, Hazelton, New Haven, and Venice Townships, Village of Lennon, and Village of New Lothrop; and

**Whereas**, due notice of the filing of said petition and copy thereof was served upon Jeffrey Wright, Genesee County Drain Commissioner; Anthony Newman, Shiawassee County Drain Commissioner and Don Koivisto, then Director of the Michigan Department of Agriculture; by James Koski, then Saginaw County Public Works Commissioner.

**Now therefore**, in accordance with P.A. 40, of 1956, as amended, a Drainage Board meeting of the Misteguay Creek Intercounty Drain will be held on **March 13, 2012 at 4:00 p.m.**, at the **Birch Run Expo Center, 11600 North Beyer Road**, in the City of Birch Run, Saginaw County, State of Michigan, to determine if maintenance and improvement to the drain is necessary for the good of the public health, convenience, or welfare and to determine the necessity of adding lands to the Misteguay Creek Intercounty Drainage District.

The Drain Code (P.A. 40, of 1956, as amended) provides that any person feeling aggrieved by the determination of the Intercounty Drainage Board may institute an action in the Circuit Court in the county in which they reside for a determination of necessity. This action must be filed within 10 days after the determination of necessity or no necessity by the Intercounty Drainage Board.

**Now therefore**, all persons owning lands liable to an assessment for benefits, or whose lands will be crossed by said drain, or any municipality affected, are requested to be present at said meeting, if they so desire. Public comment will be received at the meeting. If anyone wishes to submit written comments **prior** to the date of the meeting, or has any questions regarding this notice, they may contact the following County Drain/Public Works Commissioners' offices.

Persons with disabilities needing accommodations for effective participation in the meeting should contact the Drain/Public Works Commissioner in the county which they reside at the numbers noted below (voice) at least one week in advance of the meeting to request mobility, visual, hearing, or other assistance.

Jeffrey Wright  
Genesee County  
Drain Commissioner  
G-4608 Beecher Road  
Flint, MI 48532  
810.732.1590

Matthew Rappley  
Saginaw County  
Public Works Commissioner  
111 South Michigan Avenue  
Saginaw, MI 48602  
989.790.5258

John Bush for  
Anthony Newman  
Shiawassee County  
Drain Commissioner  
149 Corunna Avenue, L-1  
Corunna, MI 48817  
989.743.2398

Dated at Lansing, Michigan, February 3, 2012.

Keith Creagh  
Director of Agriculture and Rural Development

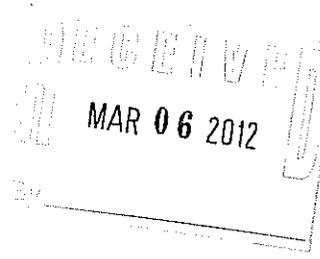
A handwritten signature in cursive script that reads "Michael R. Gregg".

By: Michael R. Gregg  
Deputy for the Director  
P.O. Box 30017  
Lansing, MI 48909  
517-335-4497



March 2, 2012

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



Re: XFINITY Signature Support

Dear Mr. Bueche:

I am pleased to let you know that Comcast customers in your community will soon receive notice of enhancements to XFINITY Signature Support, which provides expanded tech support for computers, home networks and connected devices along with affordable warranty protection plans for home electronic equipment such as computers, laptops, tablets, flat-panel televisions and home phones.

Starting March 21, Comcast customers in your community will have the option of purchasing *Triple Play Protection*, which provides protection for computers, flat-panel televisions and home phones under one warranty for just \$19.95 a month. Customers may also choose *Computer Protection Plus*, which provides protection for computers, laptops and tablets for just \$9.95 a month. Both plans also include our home wiring protection service, the *Service Protection Plan*, at no additional cost. Comcast subscribers who currently purchase XFINITY Signature Support will have the option of retaining their current plans or moving to one of our new plans.

Please let me know if I can provide any additional information about XFINITY Signature Support or any of Comcast's services. I can be reached at 586-883-7075. Information about XFINITY Signature Support is also available online at <https://signaturesupport.xfinity.com>.

Sincerely,

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



March 2, 2012

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

Dear Mr. Bueche:

As part of Comcast's commitment to keep you informed about important developments that affect our customers in your community, I am writing to notify you of some changes to our channel lineup effective April 15, 2012. Customers are being notified of these changes via bill message.

Spike TV (Ch. 37), will no longer be available on Digital Economy or Digital Economy HD. Spike TV will still be available on Digital Starter and Digital Preferred.

H2 (Ch. 116), formerly History International, will be added to Digital Economy and Digital Economy HD.

As always, feel free to contact me directly at 586-883-7075 with any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Gerald W. Smith". The signature is stylized and cursive.

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



# LEGAL SERVICES OF EASTERN MICHIGAN

Presents



## LEGAL ISSUES/FAIR HOUSING SUMMIT

- Increase your awareness of how to ensure equal housing for all regardless of race, sex, age, color, religion, national origin, familial, marital, or disability status.
- Increase your knowledge of how to access free legal help for the poor.

### To Be Held On:

March 16<sup>th</sup> – at Delta Community College

OR

March 23<sup>rd</sup> – at University of Michigan-Flint

OR

March 30<sup>th</sup> – at St. Clair Community College

### CO-SPONSORS INCLUDE:



Departments of Political Science and  
Master of Public Administration



CHEMICAL  
BANK  
MEMBER FDIC



DELTA COLLEGE



COMMUNITY FOUNDATION OF GREATER FLINT

## **YOU SHOULD ATTEND IF**

- **YOU** are a Landlord who seeks to ensure that everyone's right to choose where they live is protected, and that accessible housing is available.
- **YOU** are a Realtor who wants to affirmatively further fair housing.
- **YOU** are a Builder who wants to learn about universal design and visibility standards in new buildings and remodeling projects to help increase the amount of accessible housing in your community.
- **YOU** are a Lender who wants to further equity in home ownership.
- **YOU** are a Non-Profit Agency that wants to help the poor access free legal assistance, and learn to develop strategic partnerships to help create affordable, accessible housing.
- **YOU** are a Government Official who wants to help create a more diverse community.

**Introduction:** What is Legal Services of Eastern Michigan?  
Executive Director, Edward J. Hoort

**Keynote Speech:** How disability acts as a barrier to fair housing  
Judge Duncan Beagle

**Afternoon:** Breakout Sessions

**Time:** 9:00 am – 9:30 am – Registration & Breakfast  
9:30 am – 4:30 pm – Summit

**Fee:** \$20.00 – Continental Breakfast & Lunch Included

Leave with best practices and materials that can help strengthen your capacity to understand the legal issues affecting housing and proactively partner in helping the poor seek free legal assistance, and promote fair housing in your community.

*\*Attendees Who Complete The Day Long Summit Will Earn A Certificate.\**

## Registration Form

NAME: \_\_\_\_\_ AGENCY: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_ CELL: \_\_\_\_\_ EMAIL: \_\_\_\_\_

### Mark Session You Will Attend:

\_\_\_\_ March 16<sup>th</sup> – at Delta Community College – 1961 Delta Rd, Bay City; G Wing – Rm. G-160

\_\_\_\_ March 23<sup>rd</sup> – at University of Michigan-Flint – 509 N. Harrison St., Flint; White Bldg. Rm. 1205

\_\_\_\_ March 30<sup>th</sup> – at St. Clair Community College - 323 Erie St., Port Huron; M-Tec Bldg. Rm. 150

*For directions go to College website or use address to access MapQuest!*

*All locations are barrier free, but if other accommodations, i.e. a sign language interpreter, are needed,*

*PLEASE INDICATE: \_\_\_\_\_.*

### Mark Two Breakout Sessions:

\_\_\_\_ A. How to increase the amount of accessible housing stock - Overview of newly issued Design and Construction Regulations, effective March 15, 2011, regarding accessibility as it relates to residential housing. Also included will be Fair Housing Act compliance requirements and new parking regulations.

\_\_\_\_ B. How to increase equality in rental/shelter accommodations – Overview of the Fair Housing Act including what rental housing it covers, what rental practices it prohibits, and what special protections it affords renters with disabilities. A description of the HUD complaint process as it relates to claims of individual right violation is also included.

\_\_\_\_ C. How to help increase equality in home ownership opportunities - Discussion will include the foreclosure crisis, its causes and remedies, and fair housing violations and remedies as related to lenders and realtors.

**FEE: \$20.00 - checks payable to Legal Services of Eastern Michigan.** Registration **not** confirmed without payment.

MAIL TO: Legal Services of Eastern Michigan  
436 S. Saginaw St., Suite 101  
Flint, Michigan 48502  
ATTENTION: Ms. Lynda Clegg, Controller

**REGISTRATION DEADLINE: One week before session** for which you register.

**You may also register on-line at: [www.lsem-mi.org](http://www.lsem-mi.org).**

**However registration will not be confirmed until your payment is received.**