

**City of Swartz Creek
AGENDA**

**Regular Council Meeting, Monday, October 22, 2018, 7:00 P.M.
Paul D. Bueche Municipal 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. Council Meeting of October 08, 2018 MOTION Pg. 19
5. **APPROVE AGENDA:**
 - 5A. Proposed / Amended Agenda MOTION Pg. 1
6. **REPORTS & COMMUNICATIONS:**
 - 6A. City Manager's Report MOTION Pg. 3
 - 6B. Monthly Reports Pg. 30
 - 6C. "Small Cell Legislation" Pg. 59
 - 6D. Medical Marijuana Update Pg. 97
 - 6E. Christmas Event Information Pg. 103
 - 6F. Traffic Improvement Program Call for Projects & Professional Service Agreement Pg. 106
 - 6G. Raceway Letters of Support & Proposed Legislation Pg. 111
 - 6H. Consumer Energy State Tax Request Pg. 122
 - 6I. Family Fun Day Event Information Pg. 131
 - 6J. Sewer Lining Plan, Projects, and Pricing Extension Pg. 136
7. **MEETING OPENED TO THE PUBLIC:**
 - 7A. General Public Comments
8. **COUNCIL BUSINESS:**
 - 8A. Christmas Event Approval RESO Pg. 13
 - 8B. Family Fun Day Event Approval RESO Pg. 14
 - 8C. Horse Raceway Support RESO Pg. 15
 - 8D. Traffic Improvement Program Application Services RESO Pg. 15
 - 8E. Sewer Rehabilitation Unit Cost Extension RESO Pg. 17
 - 8F. 2018-2019 Sewer Rehabilitation Projects RESO Pg. 17
9. **MEETING OPENED TO THE PUBLIC:**
10. **REMARKS BY COUNCILMEMBERS:**
11. **ADJOURNMENT:** MOTION

Next Month Calendar

Metro Police:	Wednesday, October 24, 2018, 10:00 a.m., Metro PD
Planning Commission:	Tuesday, November 6, 2018, 7:00 p.m., PDBMB
Park Board:	Wednesday, November 7, 2018, 5:30 p.m., PDBMB
Downtown Development Authority:	Thursday, November 8, 2018, 6:00 p.m., PDBMB
City Council:	Monday, November 12, 2018, 7:00 p.m., PDBMB
Fire Board:	Monday, November 19, 2018, 6:00 p.m., Public Safety Bldg
Zoning Board of Appeals:	Wednesday, November 21, 2018, 6:00 p.m., PDBMB
City Council:	Monday, November 26, 2018, 7:00 p.m., PDBMB

City of Swartz Creek Mission Statement

The City shall provide a full range of public services in a professional and competent manner, assuring that the needs of our constituents are met in an effective and fiscally responsible manner, thus promoting a high standard of community life.

City of Swartz Creek Values

The City of Swartz Creek's Mission Statement is guided by a set of values which serve as a common operating basis for all City employees. These values provide a common understanding of responsibilities and expectations that enable the City to achieve its overall mission. The City's values are as follows:

Honesty, Integrity and Fairness

The City expects and values trust, openness, honesty and integrity in the words and actions of its employees. All employees, officials, and elected officials are expected to interact with each other openly and honestly and display ethical behavior while performing his/her job responsibilities. Administrators and department heads shall develop and cultivate a work environment in which employees feel valued and recognize that each individual is an integral component in accomplishing the mission of the City.

Fiscal Responsibility

Budget awareness is to be exercised on a continual basis. All employees are expected to be conscientious of and adhere to mandated budgets and spending plans.

Public Service

The goal of the City is to serve the public. This responsibility includes providing a wide range of services to the community in a timely and cost-effective manner.

Embrace Employee Diversity and Employee Contribution, Development and Safety

The City is an equal opportunity employer and encourages diversity in its work force, recognizing that each employee has unlimited potential to become a productive member of the City's team. Each employee will be treated with the level of respect that will allow that individual to achieve his/her full potential as a contributing member of the City staff. The City also strives to provide a safe and secure work environment that enables employees to function at his/her peak performance level. Professional growth opportunities, as well as teamwork, are promoted through the sharing of ideas and resources. Employees are recognized for his/her dedication and commitment to excellence.

Expect Excellence

The City values and expects excellence from all employees. Just "doing the job" is not enough; rather, it is expected that employees will consistently search for more effective ways of meeting the City's goals.

Respect the Dignity of Others

Employees shall be professional and show respect to each other and to the public.

Promote Protective Thinking and Innovative Suggestions

Employees shall take the responsibility to look for and advocate new ways of continuously improving the services offered by the City. It is expected that employees will perform to the best of his/her abilities and shall be responsible for his/her behavior and for fulfilling the professional commitments they make. Administrators and department heads shall encourage proactive thinking and embrace innovative suggestions from employees.

City of Swartz Creek
CITY MANAGER'S REPORT
Regular Council Meeting of Monday, October 22, 2018 - 7:00 P.M.

TO: *Honorable Mayor, Mayor Pro-Tem & Council Members*
FROM: Adam Zettel, City Manager
DATE: October 17, 2018

ROUTINE BUSINESS – REVISITED ISSUES / PROJECTS

✓ **MICHIGAN TAX TRIBUNAL APPEALS** (*No Change of Status*)

The golf appraisal has been completed and supports the city's conclusions. It is unclear if they even submitted an appraisal for their petition. In the short run, this is good news because the value should be maintained. In the long run, this is a good example of how the MTT process places the burden of proof on the taxpayers instead of the petitioner when it comes to demonstrating value, costing thousands per year to justify frivolous claims. We intend to seek compensation from the petitioner via an order from the MTT for unwarranted defense expenditures.

The 2017 Huizinga appeal has a hearing date for November. The 2016 appeal for this office was very unusual in terms of value sought by petitioner and because of procedural abnormalities by the petitioner and MTT. These anomalies included a drastic change in the requested value days before the end of the discovery process. The MTT accepted this change but denied the city an extension to respond. Because of this, we are leery of entering into negotiations.

Heather recommends that we attempt an appraisal of this and another claim from this office park. Though the values are low, the integrity of the office valuation in the city is at stake. We are working with the professional service firm that was previously retained for other appraisal work to complete both appraisals. The cost will be \$4,500-\$5,000 for both appraisals.

✓ **STREETS** (*See Individual Category*)

✓ **2017-2020 TRAFFIC IMPROVEMENT PROGRAM (TIP)** (*Business Item*)

Preliminary engineering and design for Fairchild Street is complete, and the grade inspection with the state is complete. We are on track to bid this coming winter for 2019 construction.

A call for projects for the 2020-2023 cycle is out for the TIP. This is the program in which the county allocates federal dollars for engineering and construction of major streets to the tune of about 80%. Recent projects include the 2015 Miller Road project and the 2019 Fairchild Street project. For major street projects, this program is still a crucial component of our asset management plan. To get started, we must submit applications that require a minimum amount of engineering work (rough scoping, unit estimates, and costs).

Unfortunately, the engineer that submits these applications is prevented from working on other aspects of the project including design (PE) and observation (CE). In order to prevent such a conflict, we have opted to seek a proposal from an independent engineer that is not on the city's federal Pre-Qualified Bidders List. This will allow us to use Rowe and OHM for design and construction engineering services, should we get an award.

Such a proposal is attached. We definitely wish to get the west end of Miller Road, Seymour Road, and/or Morrish Road on the list. The applications are due on November 16th. I recommend we proceed.

✓ **STREET PROJECT UPDATES** *(No Change of Status)*

This is a standing section of the report on the status of streets as it relates to our dedicated levy, 20 year plan, ongoing projects, state funding, and committee work. Information from previous reports can be found in prior city council packets.

Consumers Energy has erected lights on Daval! It appears the 2017 project area is due for lights in November. I am not sure why they started on Daval, but at least they are doing work.

Helmsley is now in the hopper for 2019 (excluding water main, which is newer). Design engineering is to be underway soon.

✓ **WATER – SEWER ISSUES PENDING** *(See Individual Category)*

✓ **SEWER REHABILITATION PROGRAM** *(Business Item)*

We met with Rowe PSC and Liqui-Force to debrief 2018 projects and to look at future work. We have the updated project map and a scope of work available this winter's projects. There are some small connections between collectors in the Village that need to be done. Staff is also recommending that we proceed with a large collector, Durwood, and a downtown line, School Street.

The total cost of all improvements and video service on future projects is expected to be \$197,772. This is based upon previously bid unit costs that continue to be extended by Liquiforce. See their attached letter. Note that Liquiforce is expected to proceed with a name change at the close of the calendar year. I am including a resolution to proceed. We are very pleased with the quality of work and the progress of the plan in general.

This multi-year program is on schedule and budget. Based upon current rates and existing fund balance, staff may recommend expending more in the next year or two on the sewer rehabilitation plan in order to get some higher risk assets completed more quickly.

✓ **WATER MAIN REPLACEMENT** *(No Change of Status)*

We are moving forward with the USDA water main replacement project. OHM is beginning survey work and engineering. On September 13th, we met with the feds about other steps and conditions of funding. We are in a good position to benefit from the nearly \$5,000,000 grant/loan, with the understanding that we will be putting

the project out to bid in 2019, with some components to be completed in 2020 and 2021.

In addition, the Genesee County Drain Commission - Water and Waste Services Division has officially given the city notice of their intent to update the 2003 Water Master Plan. During this process, they are going to analyze the Swartz Creek area to ascertain what current and future needs are. This information will then be used by their consultant to make determinations concerning additional water feeds into the area and the sizing of the water main, including Miller Road.

Their plan is to rely less on Miller Road and more on secondary feeds that could approach the city from the north, south, and west. This would be good for us in the long run and negates the concern that Miller Road would need to be increased in size and/or used as an intercommunity transmission line.

The city has been working with the county to abandon the Dye Road water main in the vicinity of the rail line. Note that we are holding this action pending the master plan review. This line is prone to breaks, which can be very costly and dangerous near the rail spur. The intention would be to connect our customers to the other side of the street, onto the county line. It appears the transition cost would be about \$25,000. We will work with the county on this matter and report back on our findings.

Lastly, the city should probably complete full demolition on the "Brown Road" site (the old well head) and sell this property. This is not a high priority, but it is now on our radar.

✓ **POLICE SERVICE** *(Update)*

Metro PD is still evaluating long term staff needs as it engages in higher levels of school service, code enforcement, and traffic patrols. Promotions are still being resolved per the administrative plan to replace vacancies and institute an administrative sergeant.

The consolidated violations bureau which would include parking and code for both Swartz Creek and Mundy is still a work in progress. I expect an ordinance in the near future to make city nuisances a civil infraction instead of a misdemeanor. The request to increase parking fines still stands in order to enhance the deterrent effect.

✓ **HERITAGE VACANT LOTS** *(No Change of Status)*

The last of the lots acquired prior to the special assessment have been approved for sale. The city has two more lots that were acquired through the tax reversion process. If there is no objection, I will look to prepare instruments for the two units acquired in 2017 at new, negotiated pricing if requested by the buyer, JW Morgan, at some point in the future.

✓ **NEWSLETTER** *(No Change of Status)*

The newsletter is out. Let me know what you think.

✓ **HOLLAND SQUARE & STREETScape** *(Update)*

The city/DDA is proceeding with design of the streetscape and square features, with the intention of bidding the project this winter and constructing improvements in 2019. A steering committee, similar to the street project review committee, exists to look at details. The scope of work has been altered from a focus around Holland Square to a focus on the streetscape. This has made the process more routine since streetscape features offer fewer variables.

The group met on October 16th and made recommendations concerning lighting, forestry, crosswalks, materials, colors, and other features. The council will have the final say in design, award, and budget of this endeavor.

OHM is completing the design. Note that the professional service expenses will be covered by the DDA, with improvement costs to be spread among the DDA, city general fund, and the Exxon payment (now in the general fund). There is a total of \$200,000 in the DDA and city budgets for fiscal year 2019 that is related to this project. Estimates indicate the full scope of Phase I could be \$350,000, necessitating additional general fund dollars as an advance or contribution.

✓ **TRAILS** (*No Change of Status*)

The DNR grant has been scored, and we resubmitted the application to improve the application and improve that score. We believe we are well positioned to get some DNR funds.

The MDOT Enhancement grant is conditionally awarded, but I will refrain from an announcement until money is obligated! We hope this covers 65% of the investment. Work with Consumers Energy and CN Rail is positive for those project components that require their engagement. We are still working with the MTA and GM on some easements and permissions.

The DNR grant can fund up to \$300,000 of the project as well. We will be seeking an amount close to that to offset the 35% that the city must cover to match the Enhancement grant. Again, we are submitting supplemental materials now.

Note that the city will still be heavily invested in this, even if both grants are awarded. Count on a general fund outlay of \$200,000 for all engineering, construction, and inspection services. Any overages (price changes and change orders) will be locally covered as well.

The project timeline has changed based upon the engineer's recommendation in order to meet the DNR award schedule. We lose the 2018 construction season and have a new timeline as follows:

1. Plans and estimate complete March 15, 2019.
2. Grade Inspection package submitted March 29, 2019.
3. ROW certification March 29, 2019.
4. Matching funds certified March 29, 2019.
5. Project listed in approved TIP April 20, 2018- this date was not modified from the original application and I have a call into Jacob for verification.
6. Advertisement start date September 16, 2019.

7. Construction letting date November 4, 2019.
8. Construction start date January 20, 2020.
9. Construction end date September 21, 2020.

✓ **REDEVELOPMENT READY COMMUNITIES** *(Update)*

The city council has approved the first changes to the zoning ordinance. This follows the zoning ordinance technical review that was done earlier this summer. More changes are expected.

The Economic Development Strategy Committee met on the 16th and further deliberated on the prior SWOT analysis, making some findings related to community action items. There is a strong sense that downtown design, function, and events are a priority that will require a strong partnership with the city, DDA, and Chamber of Commerce. The next meeting of the Economic Development Strategy Committee will be at 10:00 a.m. on November 20th, at the Paul D. Bueche Municipal Building.

The following RRC components are also at the forefront of our improvement and certification efforts:

- Development review flowchart and checklist **(In Progress)**
- Integrated community development webpage for city/DDA processes and programs **(Complete)**
- Economic Development Strategy for the city and its partners (chamber of commerce, schools, etc.) **(In Progress)**
- Public participation plan and tracking methods **(In Progress)**
- Consolidated capital improvement plan (compiled list of street, water, sewer, park and other investment for the next six years) **(Complete)**

✓ **BRANDING** *(No Change of Status)*

New letter head is on order, and the logo/tagline is being widely used in other media. I am working with the webpage manager to revamp our online presence. There are also recommendations for additional investments such as downtown and community wayfinding signage and similar features.

The developing relationship with the Swartz Creek Area Chamber of Commerce and the Economic Development Steering Committee will help to operationalize this branding strategy across the community.

✓ **DOG PARK** *(No Change of Status)*

The scouts are still active in fundraising and plan to complete this. They will be working at a fundraising event put on by the Baptist Church on October 27th.

✓ **CONSUMERS CONSERVATION PILOT PROGRAM** *(No Change of Status)*

I am not sure how this program faired in the community. I don't believe there was ever a critical mass of engaged users, but I could be wrong. As a promotional tool, part of the program included a voter selected contribution to a community project. The votes are in and a \$15,000 donation will be made to the trail system that is proposed! Consumers will look to present the check sometime in 2019!

- ✓ **DURAND AREA INDUSTRY - PROJECT TIM** *(No Change of Status)*
This project seems cold and quiet. However, it appears there are still valid purchase agreements in place for the development, and there are state and local bureaucrats continuing work on contingency plans for utility and traffic modelling. It is anyone's guess at this point. Please see prior packets for information on the project and its evolution.
- ✓ **TAX REVERTED PROPERTY USE** *(No Change of Status)*
5157 Morrish Road has been sold. The vacant land on Wade Street has not been purchased, but the buyer says they will acquire it under approved terms.
- ✓ **8002 MILLER** *(No Change of Status)*
The ownership of Lasers has transferred and that party is now formally engaged in a lease for the lower level. The architect has drafted floor plans and has consulted the city and occupant regarding the repair and upgrades desired to accommodate the existing user and to modernize the upstairs residential unit. We do not have specifications or a price scope yet. The city council will obviously need to approve any and all bids for contractual services related to the rehabilitation.

The previous report follows:

The city opted to acquire one property this year through the county tax reversion process. The property is 8002 Miller Road, the building that houses Lasers Flower shop downtown. We do not hold the deed yet, but I intend to work with the owner on a game plan for renovation and use. We will also need a temporary lease and a potential plan for building sale.

The plan that appears most agreeable is to lease the building at a market rate to the current occupant with the understanding that all collected revenues will be put toward operations, maintenance, and renovation of the building. Since the tenant is able and willing to work with us on its use, and they are a willing buyer, I will look to bring back a renovation plan, budget, and timeline for proceeding.

The building is two levels, with an apartment on the second floor. The condition of the building is fair and functional, but there are areas in which updates and upgrades are required.

Note that the flower shop is a tenant and this foreclosure in no way reflects the status or fiscal health of that business. They do have an interest in working with the city on the condition of the building. They also have an interest in potentially taking ownership prior to or after improvements.

- ✓ **DON SHENK HOME SALE** *(Update)*
Complete. This will be removed from future reports.
- ✓ **MILLER ROAD DRAIN** *(Update)*
The contractor intends to begin repairs as weather permits, with an intended start date of October 22nd.

✓ **GROUNDWATER WITHDRAWAL ORDINANCE** *(No Change of Status)*

The groundwater withdrawal ordinance for the Holland Square project is in the final phase. As noted previously, the practical impact of this is small, since wells are no longer permitted in the city and there are no known 'grandfathered' wells in the impacted area.

The council held a public hearing at our meeting on April 23rd. ExxonMobil, the Michigan DEQ, and other representatives will now be reaching out to property owners to research if there are any well impacts. Once this is done, we should be able to proceed with the ordinance. Representatives of Exxon indicated a fall timeline for approval.

✓ **SCHOOL FACILITY PROPOSAL** *(Update)*

There is a ballot initiative now for the Swartz Creek Community Schools. They are seeking 3.9 mils in the November general election for facility improvements. We held a workshop at city hall prior to the October 8th meeting. If council members are interested in more information, please contact me or the school staff.

✓ **PAUL FORTINO PROPERTY PROPOSAL** *(No Change of Status)*

The DDA considered next steps at their meeting on September 13th. They approved the commission of a survey and architectural renderings. Please see the DDA packet for details. In short, it appears the builder is interested in proceeding with fifteen 1,600 square foot, two story condos, with garages. There are opportunities and threats, of course, but exploration is proceeding methodically.

As noted in the last communication with the builder, there may be a potential 'ask' for sewer/water tap fee waivers in order to add value to other parts of the site. Though a common practice in economic development, the city has not done this in recent history. I would be interested to know what the council thinks.

✓ **MUNICIPAL CIVIL INFRACTIONS VIOLATIONS BUREAU** *(No Change of Status)*

Metro Police, the city attorney, and staff continue to look at the transfer of the municipal infraction bureau as well, for reasons similar to the parking violations bureau. Since the police are the ones that we want enforcing violations for code, blight, and nuisances they should be maintaining the citations, records, and ability to prosecute. Doing so will require an ordinance amendment and subsequent administrative changes. I will keep the city council informed.

✓ **OTHER COMMUNICATIONS & HAPPENINGS** *(See Individual Category)*

✓ **MONTHLY REPORTS** *(Update)*

I am including the police and budget reports for your reading enjoyment.

✓ **CONSUMERS ENERGY PERSONAL PROPERTY** *(Update)*

I am including an article from Crains Detroit that outlines how CE wishes to pay less in taxes so they can reduce rates. Paying less will put more burden on taxpayers to address local needs resulting from utility infrastructure, which is evident. So, we can see the problem....

✓ **SMALL CELL LEGISLATION** *(Update)*

There is ongoing discussion occurring in the world within the technical and political realms as it relates to 'small cell' technology and its place in our communities. The newer technology (5G) offers tremendous data speeds. However, it is limited in its range and line-of-sight. As such, there is a movement to get away from large towers that service entire community geographies and begin trending towards neighborhood level or even street level equipment that is placed on existing poles to provide service.

The impact is likely to reduce reliance on large towers that have a greater impact but are less numerous, and result in more proliferated use of small receiver/transponders that are less impactful but more prevalent. The debate is transferring to state legislation that enables as-of-right right-of-way use. As proposed, the state is looking to allow smaller versions of cell towers in the right-of-ways in the same manner as traditional utility poles, circumventing the act that regulates cell towers as a zoning matter.

There are pros and cons. It seems reasonable that existing poles can host such equipment in a uniform manner that does not impede the build out of the system, strain public resources, or impact private property directly. However, they propose some pretty tall pole allowances without restriction by local governments. I am not sure where this will land. I agree that the cell tower legislation should not apply to this new technology. However, given the state of poles, wires, and outdated infrastructure in our rights-of-ways, I don't want to see new, tall poles going up all over town without any local control.

✓ **RECREATIONAL MARIJUANA (Update)**

Recreational marijuana was approved in Canada recently, as well as numerous other states. Michigan will be voting on a referendum this November. Should it pass, rules will then be promulgated by the state legislature and regulatory bodies. I am including an opinion from the city attorney on the matter. He indicates we will have time to act as a community.

✓ **BOARDS & COMMISSIONS (See Individual Category)**

✓ **PLANNING COMMISSION (Update)**

The commission began work on the zoning changes on October 2nd. These changes were approved by council on October 8th.

A site plan for a new downtown project was expected for November, but we have yet to receive anything formal.

✓ **DOWNTOWN DEVELOPMENT AUTHORITY (Update)**

The DDA met on September 13th. They are extremely busy, and their meetings are getting to be extremely well attended. The board approved two façade grants, engineering services for the streetscape, and architectural services for the townhome project. They discussed many other initiatives, including a Fall Family Fun Day on October 26th. Good things are happening!

Their October 11th meeting was indefinitely postponed because action items noted above were not yet prepared to proceed. The next regular meeting is scheduled for November 8th.

✓ **ZONING BOARD OF APPEALS** *(No Change of Status)*

There are no pending or expected variances, appeals, or interpretations at this time.

✓ **PARKS AND RECREATION COMMISSION** *(No Change of Status)*

The Park Board met on October 3rd in Elms Park. The tot lot was dedicated. Updates on the parks were given, including the potential for an aggregate loop trail in Elms Park for 2019. Abrams Park tennis courts are in disrepair and require a new purpose. Thoughts included a skate park, splash pad, and wedding venue.

The next meeting will be in Abrams Park on November 7th. Moving forward, the Christmas decorating contest judging will begin on December 9.

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

The Board of Review will meet on Tuesday, December 11 to correct qualified errors, Principal Residence Exemptions, taxable value uncapping, disabled veterans exemptions and poverty exemptions.

NEW BUSINESS / PROJECTED ISSUES & PROJECTS

✓ **CHRISTMAS TREE LIGHTING CEREMONY EVENT PERMIT** *(Business Item)*

The second annual tree lighting ceremony is proposed for Holland Square for Friday, November 30th. This event was new last year and was generally well received, with the exception of users in the Assenmacher building. Details are attached.

✓ **FALL FAMILY FUN NIGHT EVENT PERMIT** *(Business Item)*

The Swartz Creek Area Chamber of Commerce, along with the DDA, have been planning a new annual event for downtown. The event was to originally make use of existing parking for a trunk or treat. However, it has expanded to include other private and public properties. A detailed narrative and application are attached.

The event is to be Friday, October 26th in the evening. Holland Square, Civic Drive, and areas around the public safety building are most impacted. I apologize for the untimely submission of this. In the future, we will have a better handle on this and related events. Given the nature of Holland Square's versatility, I expect to have some administrative use guidelines in the future so events like this and the Christmas Tree Lighting are easier to conduct.

✓ **SPORTS CREEK RACEWAY GAMING COMMISSION** *(Business Item)*

There is a potential buyer that is attempting to get a purchase agreement on the Sports Creek Raceway property. Their intention is to use the existing facility in its current or modified configuration for thoroughbred horse racing. To that end, they have applied for race days for the 2019 calendar year from the Michigan Gaming Control Board.

They are working with the state on this application while they assess the property condition and community support for reuse of the property for thoroughbred racing

instead of harness racing. Obviously, any future use will be subject to the property undergoing and passing various inspections related to building, trades, liquor control, health, etc.

They are requesting letters of support regarding the willingness to cooperate with updating the property for use as thoroughbred racing. For preliminary purposes related to the purchase and assessment of the property, I see no reason not to support this. While other ideas have been floated for reuse, the intention here appears similarly situated for a continuation of the former use, perhaps in a manner that is more economically sustainable. I am including the letters and the proposed legislation related to thoroughbred racing.

Council Questions, Inquiries, Requests, Comments, and Notes

Election: The election is to be held on November 6th! We will have a new council at our meeting on the 12th, with a Mayoral election and appointments to follow.

**City of Swartz Creek
RESOLUTIONS
Regular Council Meeting, Monday, October 22, 2018, 7:00 P.M.**

Resolution No. 181022-4A MINUTES – October 8, 2018

Motion by Councilmember: _____

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday, October 8, 2018, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 181022-5A 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 October 22, 2018, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 181022-6A CITY MANAGER’S REPORT

Motion by Councilmember: _____

I Move the Swartz Creek City Council accept the City Manager’s Report of October 22, 2018, including reports and communications, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

**Resolution No. 181022-8A RESOLUTION TO APPROVE STREET USAGE PERMIT,
ANNUAL CHRISTMAS TREE LIGHTING CEREMONY**

Motion by Councilmember: _____

WHEREAS, the City of Swartz Creek issues street closure permits for the purposes of holding public events from time-to-time; and,

WHEREAS, the GFWC Swartz Creek Women’s Club has submitted application for such a street closure for the purposes of hosting an annual Christmas event in downtown Swartz Creek, centered at Holland Square 5012 Holland Drive; and,

WHEREAS, the Chief of Police finds the application satisfactory and the City Council finds the time, place, and manner of the event to be conducive to the health, safety, and welfare of the community.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Swartz Creek accept the Chief of Police’s recommendation and approve the Swartz Creek Women’s Club Street Usage Application to hold an annual Christmas event on Friday, November 30, 2018 from 4:00 PM to 9:00 PM, stipulations and conditions as set forth in the application packet, a copy of which is attached hereto, under the direction and control of the office of the Chief of Police.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

**Resolution No. 181022-8B RESOLUTION TO APPROVE STREET USAGE PERMIT,
FALL FAMILY FUN NIGHT**

Motion by Councilmember: _____

WHEREAS, the City of Swartz Creek issues street closure permits for the purposes of holding public events from time-to-time; and,

WHEREAS, the Swartz Creek Area Chamber of Commerce has submitted application for such a street closure for the purpose of hosting an annual Fall Family Fun Night event in downtown Swartz Creek, centered at Holland Square, 5012 Holland Drive; and,

WHEREAS, the Chief of Police finds the application satisfactory and the City Council finds the time, place, and manner of the event to be conducive to the health, safety, and welfare of the community.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Swartz Creek accept the Chief of Police’s recommendation and approve the Swartz Creek Area Chamber of Commerce Street Usage Application to hold an annual Fall Family Fun Night on Friday, October 26, 2018 from 3:00 PM to 9:00 PM, stipulations and conditions as set forth in the application packet, a copy of which is attached hereto, under the direction and control of the office of the Chief of Police.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 181022-8C

RESOLUTION TO APPROVE LETTERS OF SUPPORT FOR THOROUGHBRED RACING AT THE SPORTS CREEK RACEWAY

Motion by Councilmember: _____

WHEREAS, the Sports Creek Raceway has been an integral part of the Swartz Creek community for over thirty years, and

WHEREAS, the raceway ceased operations on December 31, 2014; and

WHEREAS, the city and community have been actively engaged in seeking to find a buyer that can use the existing site or repurpose the site for an economically viable purpose that aligns with the city’s quality of life goals; and

WHEREAS, the unique facility has not had a viable buyer for nearly four years and is showing signs of deterioration; and

WHEREAS, the State of Michigan has experienced a total elimination of the harness racing industry but is considering legislation to make thoroughbred racing viable; and

WHEREAS, there is now a prospective buyer of the raceway that has identified themselves as AmRace & Sports, LLC, that is seeking live race days from the Michigan Gaming Control Board for 2019; and

WHEREAS, AmRace & Sports, LLC is seeking letters for support that indicate a willingness on behalf of the city to cooperate on the reuse of the site for thoroughbred racing and related facility improvements; and

WHEREAS, the Swartz Creek City Council finds that the transfer and use of the Sports Creek Raceway for thoroughbred racing is a desirable use.

NOW, THEREFORE, BE IT RESOLVED that the Swartz Creek City Council hereby directs the city manager to release letters of support as included in the city council packet of October 22, 2018.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 181022-8D

RESOLUTION TO APPROVE APPLICATION TO THE TRAFFIC IMPROVEMENT PROGRAM AND RELATED PROFESSIONAL ENGINEERING SERVICES

Motion by Councilmember: _____

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

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

WHEREAS, the City of Swartz Creek has identified a need to make repairs and improvements to streets in its Major Street System and has considered the making of such repairs and improvements in open session following the review of documents and the hearing of comments on the need from the city's engineer & staff, and desires to submit applications for such repairs and improvements to the Genesee County Metropolitan Alliance Traffic Improvement Program; and

WHEREAS, the Genesee County Transportation Surface Management Committee will be creating a 2020-2023 Traffic Improvement Program (TIP) schedule to be recommended to the Technical Advisory Committee that ranks projects throughout the County, inclusive of projects submitted by the City; and

WHEREAS, the city's pre-qualified engineers cannot make application to the TIP without creating a potential conflict of interest as it relates to any future design and/or construction engineering needs for TIP projects; and

WHEREAS, after review, the City has determined that the following streets in its Major Street category are in need of, and meet, the criteria for repair:

- Miller Road: Morrish to North Seymour
- Seymour: Miller to South City Limits
- Morrish: Bristol to Miller Road

NOW, THEREFORE, BE IT RESOLVED, that the City of Swartz Creek submit applications for the repair of said streets to the Genesee County Metropolitan Planning Organization.

BE IT FURTHER RESOLVED, that the City designate source funding for all construction local match, Design Engineering and Construction Engineering fees from Major Streets Fund 202, and further, direct the City Staff to create the necessary additions to the City's accounting system upon award.

BE IT FURTHER RESOLVED, that the City of Swartz Creek appropriate an amount not to exceed \$6,900 to Johnson & Anderson, Inc, for engineering fees associated with the preparation of street repair funding applications for the 2020-2023 TIP Program, funds to be appropriated from 202 Major Streets, and further direct the Mayor to execute the agreement as included in the city council packet of October 22, 2018.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 181022-8E

RESOLUTION EXTENDING UNIT PRICES FOR SEWER INSPECTION AND LINING PROJECTS

Motion by Councilmember: _____

WHEREAS, the city selected Liqui-Force Services (USA) Inc., to perform certain sewer inspections and repairs in December 2008; and

WHEREAS, Liqui-Force Services Inc., was selected based upon a competitive request-for-proposal process that included fixed unit costs for services; and

WHEREAS, the scope of work was to span four years and terminate in December 2012, but circumstances resulted in the delay of specific work items; and

WHEREAS, Liqui-Force and the city have previously agreed to extend the unit costs through June of 2019 for the purpose of completing work on the sanitary sewer system; and

WHEREAS, Liqui-Force has offered to further extend their unit costs through June 30 of 2021; and

WHEREAS, the city finds the value, quality, and predictability of the pricing for such services to be beneficial to the city.

NOW, THEREFORE, BE IT RESOLVED the City of Swartz Creek hereby approves the extension of the unit costs and service affiliation, included other applicable terms and conditions of the original agreement for service, with Liqui-Force Services (USA) Inc., said pricing to be valid through June 30, 2021.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 181022-8F

RESOLUTION TO APPROVE 2018-2019 SEWER LINING PROJECTS

Motion by Councilmember: _____

WHEREAS, the city selected Liqui-Force Services (USA) Inc., to perform certain sewer inspections and repairs in 2008 based upon a competitive request-for-proposal process that included fixed unit costs for services; and

WHEREAS, based upon the quality and reliability of work performed, Liqui-Force has remained the city’s contractor for these specialized services past the original 2012 term of the contract; and

WHEREAS, Liqui-Force has agreed to extend their unit costs through June of 2021 for the purpose of completing work on the sanitary sewer system; and

WHEREAS, the city council agreed to extend said units prices at their regular meeting on October 22, 2018; and

WHEREAS, additional sewer rehabilitation work has been identified by staff and the city engineer based upon 2017-2018 inspections and consultation with the 20 year sewer plan.

NOW, THEREFORE, BE IT RESOLVED the City of Swartz Creek hereby approves the proposal and associated unit costs, in part, to perform rehabilitation on the sanitary sewer system as outlined for Chelmsford to Chesterfield, Chelmsford to Durwood, Durwood Interceptor, and School Street, as well as video services for Fairchild and other connectors as outlined on the updated proposal dated October 17, 2018, in the amount of \$197,722, plus a 10% contingency, funds to be appropriated to the Sewer 591 fund.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE 10/08/2018**

The meeting was called to order at 7:03 p.m. by Mayor Krueger in the Swartz Creek City Council Chambers, 8083 Civic Drive.

Invocation and Pledge of Allegiance.

Councilmembers Present: Cramer, Florence, Gilbert, Hicks, Krueger, Porath.

Councilmembers Absent: Pinkston.

Staff Present: City Manager Adam Zettel, Clerk Connie Eskew.

Others Present: Lania Rocha, Bob Plumb, Steve Shumaker, Jentery Farmer, Boots Abrams, Sandi Brill, Steve Long, Chris Dobek, Justin Sprague, Erik & Dawn Jamison, Andy Harris.

EXCUSE COUNCILMEMBER

Resolution No. 1801008-01 (Carried)

Motion by Councilmember Gilbert
Second by Councilmember Florence

I Move the Swartz Creek City Council excuse Mayor Pro Tem Pinkston.

YES: Unanimous Voice Vote.
NO: None. Motion declared carried.

APPROVAL OF MINUTES

Resolution No. 181008-02 (Carried)

Motion by Councilmember Porath
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday September 24, 2018, to be circulated and placed on file.

YES Gilbert, Hicks, Krueger, Porath, Cramer, Florence.
NO: None. Motion Declared Carried.

APPROVAL OF AGENDA

(Carried)

Resolution No. 181008-03

Motion by Councilmember Cramer
Second by Councilmember Florence

I Move the Swartz Creek City Council approve the Agenda as, printed for the Regular Council Meeting of October 8, 2018, to be circulated and placed on file.

YES: Hicks, Krueger, Porath, Cramer, Florence, .Gilbert.
NO: None. Motion Declared Carried.

MEETING OPENED TO THE PUBLIC:

Sandi Brill, GFWC Swartz Creek, request authorization to utilize the Holland Square on November 30th for the annual Christmas Tree Lighting.

CITY MANAGER’S REPORT

Resolution No. 181008-04

(Carried)

Motion by Councilmember Florence
Second by Councilmember Gilbert

I Move the Swartz Creek City Council accept the City Manager’s Report of October 8, 2018, including reports and communications as updated to be circulated and placed on file.

YES: Krueger, Porath, Cramer, Florence, Gilbert, Hicks.
NO: None. Motion Declared Carried.

COUNCIL BUSINESS:

RESOLUTION TO APPROVE THE INITIAL SALE INSTRUMENT FOR 5256 DON SHENK

Resolution No. 181008-05

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Cramer

WHEREAS, the city has acquired a residential structure located at 5256 Don Shenk Drive from the county via the tax reversion process in 2017 for the purpose of blight removal and restoration to improve neighborhood conditions; and

WHEREAS, the city restored the home, including updates to roofing, HVAC, flooring, basement finishing, landscaping, appliances, various fixtures, and other components, with said services now being complete; and

WHEREAS, the city may recover invested costs upon sale of the residence, but additional proceeds must be turned over to the appropriate county agency; and

WHEREAS, the city invited public offers for purchase in July of 2018, and after subsequent reviews by the city council and negotiations, approved a purchase agreement with a buyer on September 5, 2018 for the price of \$134,900; and

WHEREAS, the resulting purchase agreement has been available for public inspection for more than 30 days, and no comments have been received; and

WHEREAS, required inspections, underwriting, and title work are all approved and prepared for a closing between the buyer and seller.

NOW, THEREFORE, BE IT RESOLVED, the City of Swartz Creek City Council approves the final sale of 5256 Don Shenk Drive as outlined in the purchase agreement included in the October 8, 2018 city council packet.

BE IT FURTHER RESOLVED, the Swartz Creek City Council authorizes and directs the Mayor to execute any and all documents related to the sale, including the deed, disclosures, and related documents as required by the title company, state law, and related entities.

BE IT FURTHER RESOLVED, the City Treasurer shall make a final accounting of revenues and expenses related to the 5256 Don Shenk acquisition, rehabilitation, and sale, and surplus proceeds are to be paid to the Genesee County Treasurer in accordance with applicable law.

YES: Porath, Cramer, Florence, Gilbert, Hicks, Krueger.

NO: None. Motion Declared Carried.

A RESOLUTION TO APPROVE ORDINANCE 434 TO AMEND THE ZONING ORDINANCE

Resolution No. 181008-06

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Cramer

WHEREAS, the Public Act 110 of 2006, the Michigan Zoning Enabling Act, enables cities to regulate land use through the creation and enforcement of zoning maps and regulations, and

WHEREAS, the city, in pursuing certification as a Redevelopment Ready Community, performed a zoning audit that revealed the need for incremental changes to the zoning ordinance and;

WHEREAS, the planning commission, with the assistance of staff, a professional planner, and input by the public, reviewed specific changes to the zoning ordinance at their regular meeting on October 2, 2018, and;

WHEREAS, the planning commission, at a public hearing at their meeting on October 2, 2018 and in reviewing the criteria in Zoning Ordinance Section 31.04, found the proposed zoning ordinance amendments to be in the best interest of the public.

THEREFORE, I MOVE the City of Swartz Creek ordains:

ORDINANCE NO. 434

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF SWARTZ CREEK TO BRING SAID ORDINANCE INTO COMPLIANCE WITH THE MICHIGAN ZONING ENABLING ACT, ACT 110 OF THE PUBLIC ACTS OF 2006, AS AMENDED; TO AMEND THE ZONING MAP.

THE CITY OF SWARTZ CREEK ORDAINS:

Section 1. Add the following definition to Zoning: Appendix A Section 2.08.

Outdoor Dining: Outdoor dining is permitted in Swartz Creek only as accessory uses to the main use of a property as a restaurant. As such, the outdoor dining area must be adjacent to the main use, either on private property or on a public sidewalk. Outdoor cafés consist of tables and chairs, placed for the consumption of food by customers. Service may be self-service or by a waiter.

Section 2. Add the following definition to Zoning: Appendix A Section 2.09.

Restaurant, pick-up window: A standard restaurant with an additional method of operation involving the delivery of prepared food to the customer in a motor vehicle, through a pick-up window, for consumption off premises. Outdoor menu boards, ordering capabilities, speakers, and/or electronic or remote communication with restaurant staff from outside the building are not permitted. All orders shall be placed by phone or ordered on-line in advance of window pick-up.

Section 3. Add the following Principle Uses Permitted to Zoning: Appendix A Section 13.01

P. Residential dwellings

3. Upper floor residential dwellings including apartments and/or condominium units provided they meet the minimum room size requirements of Michigan Construction Code.
 - a. Ground floor use must be commercial or office use.

R. Restaurants and other establishments with open front window service or pick-up window service, and outdoor eating areas in accordance with Article 20.

S. Outdoor cafés, outdoor eating areas and open front restaurants, with annual outdoor restaurant permit.

Section 4. Repeal of Zoning: Appendix A Section 13.02E Special land Uses.

E. Outdoor cafes, outdoor eating areas and open front restaurants.

Section 5. Repeal of Zoning: Appendix A Section 13.03 and replace it with Section 13.03.

Section 13.03. - Site development requirements.

All permitted uses and special land uses are subject to the following setbacks, height, area, and lot dimensions are required as noted below:

CBD District Regulations	Requirements
Minimum Lot Area	0
Minimum Lot Width	0
Maximum Front Yard Setback	0 feet
Minimum Side Yard Setback	0 (a)
Minimum Rear Yard Setback	(a) (b)
Maximum Lot Coverage	100%
Maximum Building Height	50 feet or 4 stories

Notes:

- a) No side yards are required along the interior side lot lines, except as otherwise specified in the Building Code. A four (4) foot high obscuring wall, fence, or greenbelt strip shall be provided on those sides of property abutting land zoned for residential.
- b) Loading space shall be provided in the rear calculated as five (5) square feet per front foot of building.

Section 6. Add the following Principle Uses Permitted to Zoning: Appendix A Section 14.01

X. Restaurants and other establishments with drive-in or drive-through facilities, open front window service or pick-up window service, and outdoor eating areas in accordance with Article 20 and applicable special requirements of Article 30.

Section 7. Repeal of Zoning: Appendix A Section 26.02.A.1. and replace it with Section 26.02.A.1.

A. Location.

- 1. Proximity to building or use being served. Off-street parking for multiple-family and non-residential uses shall be located on the same lot or parcel as the building or use being served or within 500 feet of the building it is intended to serve, measured from the nearest public building entrance to the nearest parking space, except as otherwise permitted for collective use of off-street parking. Ownership shall be shown on all lots or parcels intended or used as parking by the applicant.

Section 8. Add the following to Zoning: Appendix A Section 26.03

H. Central Business District: All uses within the Central Business District shall calculate parking (residential and commercial) to require four (4) parking spaces per 1,000 square feet of gross floor area.

Section 9. Add the following to Zoning: Appendix A Section 26.04

Central Business District	
All uses (residential and commercial)	4 spaces per 1,000 square feet of floor area

Restaurant—Fast food with drive-through window	22.0 spaces per 1,000 sq. ft. of gross leasable floor area, plus 5.0 spaces between the pick-up window and the order station, plus 10.0 stacking spaces which do not conflict with access to required parking spaces per order pick-up station, plus spaces for employees of a peak shift plus at least 2.0 longer spaces designated for recreational vehicles and semi-trucks if site is within ½ mile of expressway
Restaurant—with pick-up window	22.0 spaces per 1,000 sq. ft. of gross leasable floor area, plus 3.0 stacking spaces which do not conflict with access to required parking spaces per order pick-up station, plus spaces for employees of a peak shift plus at least 2.0 longer spaces designated for recreational vehicles and semi-trucks if site is within ½ mile of expressway

Section 10. Add the following to Zoning: Appendix A Section 20.00

- G. Outdoor dining as accessory to otherwise allowed restaurants, subject to the following requirements:
- A. Within public right of way or on easements for public use. Outdoor dining is allowed by permit, between April 1 and October 31 subject to approval by the Zoning Administrator, when located outside of public rights-of-way or easements for public use and comply with the following:

1. Outdoor dining areas in the public right of way or on an easement for public use, must apply and receive an outdoor dining permit. Outdoor dining permits must be re-applied for annually.
2. Pedestrian circulation and access to the building entrance shall not be impaired. A minimum sidewalk width of five (5) feet along the curb and leading to the entrance to the establishment must be maintained free of tables, chairs, and other encumbrances. The seating in an outdoor dining area must be accessible to people with disabilities. Americans with Disabilities Act (ADA) accessibility requirements must be met within the outdoor dining area. Five percent, or at least one, of the seating spaces in the outdoor café area must be accessible to people with disabilities. An accessible route connecting the outdoor dining area, the business entrance, and the restrooms must be provided.
3. The seating area on the public sidewalk shall only be limited to the area directly in front of the permitted restaurant use to which the seating area is accessory and shall not extend into adjoining sites. Seating may also be permitted within the front, side and rear yard area of the lot.
4. The seating area shall be kept free of debris and litter. Written procedures for cleaning and trash containment and removal must be submitted.
5. Tables, chairs, umbrellas, canopies, planters, waste receptacles, and other street furniture shall be compatible with the architectural character of the principal building.
6. Outdoor dining, including any canopies or covers associated with such dining, shall be permitted within the required setback. Said canopies or covers may be affixed to the ground.
7. Except as provided above, all fixtures and furnishings in the outdoor dining area including, but not limited to, tables, chairs, bar, server stations, and sources of heat shall be portable and not affixed to the ground, building, or other permanent structures. Permanent railings or fences may be permitted only where and to the extent that the building code requires an affixed fence for safety purposes. Permanent attachment of railings must be approved by the Building Department and permit emergency egress.
8. The hours of operation of outdoor dining shall not extend past the normal operating hours of the main use, the restaurant.
9. No sound or audio or video entertainment, including but not limited to television or radio playing of music and/or sports events, may be piped into, or played so as to be visible or audible from the outdoor dining area before 9 am or after 11 pm on Fridays and Saturdays and before 9 am or after 10 pm on Sundays through Thursdays.
10. Outdoor amplification is not permitted.
11. Outdoor dining areas shall not have permanent fixtures, tables or seating.
12. Tables, seating, barriers, and other furniture may be required to be removed at the end of every business day, if identified as a condition of the outdoor dining permit.
13. Heating is permitted in outdoor dining areas. Heaters must be portable and be removed at the end of every business day.
14. Outdoor grills are not permitted in outdoor dining areas.
15. Outdoor dining areas shall follow any other applicable zoning regulations, such as signs, etc.
16. Outdoor cafés provide an alternative to sitting inside but are not intended to be permanent expansions of a restaurant's capacity.
17. Additional signage may not be permitted.
18. Lighting in the outdoor dining area must meet lighting standards as specified in Article 27.
19. Requests for outdoor dining shall include submission of a sketch plan to determine compliance with the above requirements. The request may be administratively approved by the Zoning Administrator and Building Department. At the time of approval, a performance guarantee is required that provides liability coverage in an amount determined by the City.

B. Outdoor Dining on Private Property

1. Outdoor dining is allowed by permit subject to approval by the Zoning Administrator
2. Permanent fences or barriers may be installed where safety is a concern or where such permanence is required by building code. They shall be shown on all applications and permits.
3. The hours of operation of outdoor dining shall not extend past the normal operating hours of the main use, the restaurant.

4. Outdoor dining located in side or rear yards, abutting or across from a residential district, shall not operate before 9 am or after 11 pm.
5. No sound or audio or video entertainment, including but not limited to television or radio playing of music and/or sports events, may be piped into, or played so as to be visible or audible from the outdoor dining area before 9 am or after 11 pm on Fridays and Saturdays and before 9 am or after 10 pm on Sundays through Thursdays.
6. The seating in an outdoor dining area must be accessible to people with disabilities. Americans with Disabilities Act (ADA) accessibility requirements must be met within the outdoor dining area. Five percent, or at least one, of the seating spaces in the outdoor dining area must be accessible to people with disabilities. An accessible route connecting the outdoor dining area, the business entrance, and the restrooms must be provided.

Lighting in the outdoor dining area must meet lighting standards as specified in Article 27.

Section 11. Penalties; Sanctions.

Any person who violates any provision of this Ordinance is subject to the penalties and sanctions provided for in Article 32 of the Zoning Ordinance.

Section 12. Effective Date.

This ordinance shall be effective 20 days after publication.

At a regular meeting of the City Council of the City of Swartz Creek held on October 8, 2018, adoption of the foregoing ordinance was moved by _____ and supported by _____.

Voting for:
Voting against:

The Mayor declared the ordinance adopted.

David Krueger
Mayor

CERTIFICATION

The foregoing is a true copy of Ordinance No. 434 which was enacted by the City Council of the City of Swartz Creek at a regular meeting held on October 8, 2018.

Connie Eskew, City Clerk

Publish Date: _____
Swartz Creek View

Discussion Ensued.

YES: Porath, Cramer, Florence, Gilbert, Hicks, Krueger.
NO: None. Motion Declared Carried.

RESOLUTION TO APPROVE PETITION BY TAXPAYERS AND AGENTS TO THE BOARD OF REVIEW VIA LETTER

Resolution No. 181008-07

(Carried)

Motion by Councilmember Porath
Second by Councilmember Gilbert

WHEREAS, the City of Swartz Creek has a standing practice to enable the submission of protests to the Board of Review in person or by letter, by the taxpayer or their agent, and

WHEREAS, the Michigan Compiled Laws Section 211.30 enable this procedure by ordinance or resolution of the local city; and

WHEREAS, the city wishes to continue this practice without interruption.

NOW, THEREFORE, BE IT RESOLVED that the Swartz Creek City Council hereby enables the submission of a protest to the Board of Review to be done in person or by letter, by the taxpayer or their agent.

YES: Cramer, Florence, Gilbert, Hicks, Krueger, Porath.

NO: None. Motion Declared Carried.

RESOLUTION TO APPROVE THE SUBMISSION OF THE SWARTZ CREEK PARK AND RECREATION ACTION PLAN TO GENESEE COUNTY AND TO OPT-IN TO THE COUNTY PARK PLAN

Resolution No. 181008-08

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Cramer

WHEREAS, the City of Swartz Creek continues to seek collaboration in providing recreational amenities and services to meet the future needs of area residents; and

WHEREAS, the city has a state approved five year parks and recreation master plan on file that provides for the implementation and investment strategies to enable the community's park and recreation goals, and

WHEREAS, the Genesee County Parks and Recreation Commission has offered to include recreation action plan items of the City of Swartz Creek in its five year plan, enabling future opportunities for cooperation, and

WHEREAS, the Swartz Creek Park Board recommended participation of the city at their regular meeting on October 3, 2018,

NOW, THEREFORE BE IT RESOLVED, the Swartz Creek City Council authorizes inclusion of the City of Swartz Creek in the Genesee County Parks and Recreation Commission Parks, Recreation Open Space and Greenway Plan, for submittal to the State of Michigan, said plan to be developed in calendar year 2018-2019.

Discussion Ensued.

YES: Florence, Gilbert, Hicks, Krueger, Porath, Cramer.
NO: None. Motion Declared Carried.

MEETING OPENED TO THE PUBLIC:

Sandi Brill, 5352 Greenleaf Drive, one of the GFWC Swartz Creek Women's Club members was appointed to the steering committee for the Holland Square, Tammy Parenteau. She as of date has not been contacted for a meeting and Women's Club is concerned.

Mr. Zettel responded that there hasn't been any meetings. Andy Harris commented steering committee meetings will probably start in the next couple weeks.

Chris Dobek, 5256 Don Shenk, new owner of property as of tomorrow, he wanted to thank the board and Adam for the smooth process and the beautiful home. He is excited to raise his family in Swartz Creek.

REMARKS BY COUNCILMEMBERS:

Councilmember Gilbert commented that Frontier hasn't been out and pole is still there.

Councilmember Hicks reminded everyone that the Park Board meeting is Wednesday, November 7th, @ 5:30 p.m. and is planned to be at the pavilion by the tot lot at Abrams Park.

Councilmember Florence remember to vote November 6th.

Councilmember Cramer had opportunity to attend 4 fundraisers over the weekend. He thought the last couple of town hall meetings for the school millage have been very successful.

Councilmember Porath questions why so much money is being spent on advertising for the Genesee County Health Plan.

Mayor Krueger recommended in next council meeting we add the Holland Square request for the GFWC Swartz Creek.

ADJOURNMENT

Resolution No. 181008-09

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Cramer

I Move the Swartz Creek City Council adjourn the regular meeting at 7:37 p.m.

Unanimous Voice Vote.

David A. Krueger, Mayor

Connie Eskew, City Clerk

Metro Police Authority Offense File Classes

Occurred 9/1/2018 through 9/30/2018

Offense	Case Number	Grid	Sector	Occurred On	Location	Reporting Officer
1171 - 11001 - CSC First (1st) Degree -Penetration Penis/Vagina	1865001604			9/9/2018 12:00:00 AM	Maple Park Dr	Davies, Anne
						Count: 1
1174 - 11004 - CSC Third (3rd) Degree -Penetration Oral/Anal	1865001746			9/21/2018 5:00:00 PM	W Maple	Murphy, Mike
						Count: 1
1178 - 11008 - CSC Fourth (4th) Degree - Forcible Contact	1865001774			9/30/2018 9:10:00 PM		Davies, Anne
						Count: 1
1206 - 12000 - Robbery - Street - Strong Arm	1865001648			9/14/2018 9:00:00 PM	1409 W Maple Ave	Ogle, Brian
						Count: 1
1302 - 13002 - Aggravated/Felonious Assault - Family - Other Weapon	1865001596			9/8/2018 2:22:00 AM	2134 Ray Rd	Adkins, Robert
						Count: 1
1305 - 13002 - Aggravated/Felonious Assault - Non-Family - Other Weapon	1865001646			9/13/2018 6:30:00 PM	1175 Froman	Lutz, Christine
	1865001701			9/21/2018 12:30:00 PM	2435 W Grand Blanc Rd	Ortiz, Ryan
	1865001732			9/25/2018 3:37:00 AM	7589 Miller Rd	Paul, Nicholas
						Count: 1
1313 - 13001 - Assault and Battery/Simple Assault	1865001571			9/3/2018 11:58:00 PM	5205 Gateway Ctr	Adkins, Robert
	1865001573			9/4/2018 1:00:00 PM	8006 Hayes St	Ortiz, Ryan
	1865001582			9/6/2018 11:53:00 AM	One Dragon Dr	Pizzala, Jeremy
						Count: 3

Metro Police Authority Offense File Classes

Occurred 9/1/2018 through 9/30/2018

Offense	Case Number	Grid	Sector	Occurred On	Location	Reporting Officer
1313 - 13001 - Assault and Battery/Simple Assault	1865001601			9/8/2018 4:20:00 PM	7084 Miller Rd	Davies, Anne
	1865001645			9/14/2018 2:55:00 AM	10251 Torrey Rd	Neering, Mike
	1865001688			9/20/2018 11:50:00 AM	8230 Crapo St	Pizzala, Jeremy
	1865001757			9/26/2018 12:15:00 PM	1 Dragon Dr	Pizzala, Jeremy
	1865001770			9/30/2018 2:50:00 PM	5404 Donshenk	Storms, Jeff
Count: 8						
1380 - 13003 - Telephone Used for Harassment, Threats	1865001608			9/9/2018 8:15:00 PM	4948 Schafer Dr #14	McFadden, Stephen
	1865001639			9/14/2018 10:34:59 AM	4327 Hill Rd	Pizzala, Jeremy
Count: 2						
1399 - 13002 - Assault (Other)	1865001572			9/4/2018 12:00:00 AM	6181 Miller Rd	McKenzie, Sandra
	1865001745			9/26/2018 10:30:00 AM	1409 W Maple	Murphy, Mike
Count: 2						
2302 - 23002 - Larceny - Pursesnatching - No Force	1865001634			9/13/2018 2:00:00 AM	5035 Maple Ave	McKenzie, Sandra
2305 - 23005 - Larceny - Personal Property from Vehicle	1865001568			9/2/2018 8:30:00 PM	7457 Silver Fox	Ortiz, Ryan
	1865001610			9/9/2018 11:00:00 PM	7483 Country Meadow Ln	RaCosta, Greg
	1865001744			9/26/2018 11:09:00 PM	9393 Seymour Rd	McFadden, Stephen
Count: 3						

Metro Police Authority Offense File Classes

Occurred 9/1/2018 through 9/30/2018

Offense	Case Number	Grid	Sector	Occurred On	Location	Reporting Officer
2308 - 23003 - Larceny - From Building (Includes library, office used by public, etc)	1865001689			9/19/2018 9:30:00 PM	2330 W Grand Blanc Rd	Lutz, Christine
						Count: 1
2399 - 23007 - Larceny (Other)	1865001618			9/7/2018 11:11:00 AM	5584 Maple Park Dr	Hiben, Blake
	1865001737			9/26/2018 8:15:00 AM	5351 Seymour Rd	Szmansky, Ken
						Count: 2
2408 - 24001 - Possess Stolen Vehicle	1865001651			9/15/2018 3:48:00 AM	Miller Rd/seymour Rd	Paul, Nicholas
						Count: 1
2498 - 24002 - Motor Vehicle as Stolen Property (Other)	1865001707			9/22/2018 6:36:00 AM	5121 School St	Szmansky, Ken
						Count: 1
2501 - 25000 - Forgery of Checks	1865001593			9/5/2018 4:12:00 PM	3459 Mundy Ave	Davies, Anne
						Count: 1
2603 - 26001 - Mail Fraud	1865001593			9/5/2018 4:12:00 PM	3459 Mundy Ave	Davies, Anne
						Count: 1
2605 - 26002 - Illegal Use of Credit Card	1865001689			9/19/2018 9:30:00 PM	2330 W Grand Blanc Rd	Lutz, Christine
	1865001702			9/26/2018 12:00:00 AM	2085 W Hill Rd	Davies, Anne
						Count: 2

Metro Police Authority Offense File Classes

Occurred 9/1/2018 through 9/30/2018

Offense	Case Number	Grid	Sector	Occurred On	Location	Reporting Officer
2606 - 26006 - Non-Sufficient Funds Checks	1865001740			9/26/2018 1:10:00 PM	1345 W Hill Rd	Davies, Anne
						Count: 1
2609 - 26007 - Fraud - Identity Theft	1865001644			9/14/2018 2:10:00 AM	7356 Crystal Lake Dr #6	McKenzie, Sandra
	1865001730			9/21/2018 12:00:00 AM	1081 River Ridge Cir	Storms, Jeff
	1865001723			9/24/2018 9:49:00 AM	4015 S Elms Rd	Lutz, Christine
						Count: 3
2610 - PII Obtain/Possess/Transfer with Intent to Commit Identity Theft	1865001751			9/27/2018 12:00:00 AM	1408 W Cook Rd	McKenzie, Sandra
						Count: 1
2804 - 28000 - Stolen Property - Possessing	1865001576			9/4/2018 10:22:00 PM	5044 Morish Rd	McFadden, Stephen
						Count: 1
2901 - 29000 - Damage to Property - Business Property	1865001691			9/19/2018 9:00:00 PM	8053 Miller Rd	Hiben, Blake
						Count: 1
2902 - 29000 - Damage to Property - Private Property	1865001590			9/6/2018 5:00:00 PM	5516 Maple Park Dr	Ortiz, Ryan
	1865001725			9/23/2018 10:00:00 AM	4105 W Grand Blanc Rd	Lutz, Christine
	1865001722			9/23/2018 9:45:00 PM	4141 S Morrish Rd	McFadden, Stephen
	1865001753			9/27/2018 7:40:43 PM	7404 Torrey Rd	Gilbert, Todd
	1865001765			9/28/2018 11:19:00 PM	5000 Blk Greenleaf Dr	Combs, Sarah
						Count: 1

Metro Police Authority Offense File Classes

Occurred 9/1/2018 through 9/30/2018

Offense	Case Number	Grid	Sector	Occurred On	Location	Reporting Officer
2902 - 29000 - Damage to Property - Private	1865001651			9/15/2018 3:48:00 AM	Miller Rd/seymour Rd	Count: 5 Paul, Nicholas
2998 - 29000 - Damage to Property - Destroy, Injure Property of Police or Fire Departments						Count: 1
3073 - 30002 - Retail Fraud Theft 1st Degree	1865001570			9/3/2018 4:20:00 PM	2474 W Hill Rd	Davies, Anne
3074 - 30002 - Retail Fraud Theft 2nd Degree	1865001754			9/27/2018 8:00:45 PM	2474 W Hill Rd	Count: 1 Gilbert, Todd
3076 - 30003 - Retail Fraud Refund/Exchange 2nd Degree	1865001742			9/26/2018 2:32:00 PM	1222 W Hill Rd	Count: 1 Davies, Anne
3078 - 30002 - Retail Fraud Theft 3rd Degree	1865001589			9/7/2018 3:45:00 AM	2456 W Grand Blanc Rd	Count: 1 Badal, John
3512 - 35001 - Heroin - Possess	1865001693			9/21/2018 12:29:00 AM	2000 Hill Rd	Count: 1 Badal, John
3562 - 35001 - Marijuana - Possess	1865001599			9/8/2018 11:20:00 AM	6210 Fenton Rd	Count: 1 Davies, Anne
3564 - 35001 - Marijuana - (Other)	1865001576			9/4/2018 10:22:00 PM	5044 Morish Rd	Count: 1 McFadden, Stephen
						Count: 1

Metro Police Authority Offense File Classes

Occurred 9/1/2018 through 9/30/2018

Offense	Case Number	Grid	Sector	Occurred On	Location	Reporting Officer
3601 - 11007 - Sex Offense Against Child -Fondling	1865001714			9/22/2018 2:00:00 PM	W Reid Rd	Davies, Anne
						Count: 1
4196 - 41002 - Liquor Violation - Minor in Possession - Consume or Purchase Attempts	1865001664			9/18/2018 6:30:00 AM	Hill/vanslyke Rd	Ortiz, Ryan
						Count: 1
4801 - 48000 - Resisting Officer	1865001589			9/7/2018 3:45:00 AM	2456 W Grand Blanc Rd	Badal, John
	1865001596			9/8/2018 2:22:00 AM	2134 Ray Rd	Adkins, Robert
						Count: 2
4877 - 48000 - Fleeing and Eluding (Felony)	1865001619			9/10/2018 9:55:00 PM	Winshall Park	Paul, Nicholas
	1865001651			9/15/2018 3:48:00 AM	Miller Rd/seymour Rd	Paul, Nicholas
						Count: 2
5006 - 50000 - Obstructing Justice	1865001589			9/7/2018 3:45:00 AM	2456 W Grand Blanc Rd	Badal, John
	1865001696			9/21/2018 8:10:00 AM	5152 Morrish Apt 102	Szmansky, Ken
	1865001744			9/26/2018 11:09:00 PM	9393 Seymour Rd	McFadden, Stephen
						Count: 3
5099 - 50000 - Obstruct (Other)	1865001652			9/15/2018 9:59:00 AM	Hidden Ponds Ct	Combs, Sarah
						Count: 1

Metro Police Authority Offense File Classes

Occurred 9/1/2018 through 9/30/2018

Offense	Case Number	Grid	Sector	Occurred On	Location	Reporting Officer
5295 - 52001 - Concealed Weapons - Firearm in Auto (CCW)	1865001576			9/4/2018 10:22:00 PM	5044 Morish Rd	McFadden, Stephen
						Count: 1
5308 - 53002 - False Fire Alarm	1865001683			9/19/2018 7:30:00 AM	1409 W Maple Rd	Murphy, Mike
						Count: 1
5311 - 53001 - Disorderly Conduct	1865001680			9/19/2018 3:40:00 PM	5512 Fenton Rd	Farlin, Brian
	1865001735			9/25/2018 11:40:00 AM	5512 Fenton Rd	McKenzie, Sandra
						Count: 2
5561 - 55000 - Animals at Large	1865001641			9/14/2018 6:40:00 AM	8236 Stagghorn Dr	Lutz, Christine
	1865001704			9/21/2018 6:43:00 PM	8040 Lark Ln	Gillett, Nicole
						Count: 2
5707 - 57001 - Trespass (Other)	1865001735			9/25/2018 11:40:00 AM	5512 Fenton Rd	McKenzie, Sandra
						Count: 1
7070 - 70000 - Runaway	1865001685			9/18/2018 12:00:00 AM	7086 Estate Hill Dr	McKenzie, Sandra
	1865001717			9/22/2018 9:10:00 PM	4338 Pondview Dr	Gillett, Nicole
	1865001662			9/24/2018 9:43:00 AM	25 Brookfield Dr	RaCosta, Greg
						Count: 3

Metro Police Authority Offense File Classes

Occurred 9/1/2018 through 9/30/2018

Offense	Case Number	Grid	Sector	Occurred On	Location	Reporting Officer
7399 - 73000 - Miscellaneous Arrest	1865001652			9/15/2018 9:59:00 AM	Hidden Ponds Ct	Combs, Sarah
						Count: 1
8011 - 54001 - Motor Vehicle Accident - Failed to Stop and Identify	1865001578			9/5/2018 5:59:00 PM	4237 S Elms Rd	Hiben, Blake
	1865001611			9/10/2018 9:09:00 AM	N/b Us-23	Farlin, Brian
	1865001612			9/10/2018 9:50:00 AM	10244 Torrey Rd	Farlin, Brian
	1865001650			9/14/2018 6:30:00 PM	Morrish Rd Hill Rd	Paul, Nicholas
	1865001655			9/15/2018 8:50:00 PM	Nb Us23 And Baldwin	Ogle, Brian
	1865001664			9/18/2018 6:30:00 AM	Hill/vanslyke Rd	Ortiz, Ryan
	1865001712			9/22/2018 2:50:00 AM	4237 Elms	Szmansky, Ken
	1865001713			9/22/2018 4:25:00 PM	2452 W Hill Rd	Ortiz, Ryan
	1865001767			9/29/2018 8:04:00 PM	5452 Ameno Ln	Combs, Sarah
	1865001768			9/30/2018 12:30:00 AM	2517 Baldwin Rd	Combs, Sarah
					Count: 10	
8013 - 54001 - Motor Vehicle Accident - Failed to Report Accident	1865001642			9/14/2018 12:15:00 PM	7084 Miller Rd	Storms, Jeff
						Count: 1
8027 - 54002 - Operating with Blood Alcohol Content of .17% or more	1865001597			9/8/2018 7:05:00 AM	7000 Blk. Linden Rd	Ortiz, Ryan
						Count: 1

Metro Police Authority Offense File Classes

Occurred 9/1/2018 through 9/30/2018

Offense	Case Number	Grid	Sector	Occurred On	Location	Reporting Officer
8030 - 54002 - Child Endangerment (Occupant Less Than 16)	1865001601			9/8/2018 4:20:00 PM	Miller Rd	Davies, Anne
						Count: 1
8031 - 54002 - Operating Under the Influence of Controlled Substance	1865001693			9/21/2018 12:29:00 AM	2000 Hill Rd	Badal, John
						Count: 1
8041 - 54002 - Operating Under the Influence of Intoxicating Liquor	1865001566			9/1/2018 11:54:00 PM	5409 Van Slyke Rd	Badal, John
	1865001580			9/5/2018 11:38:00 PM	E/b I-69 & Bristol Rd	Paul, Nicholas
	1865001664			9/18/2018 6:30:00 AM	Hill/vanslyke Rd	Ortiz, Ryan
						Count: 3
8052 - 54003 - Exceeded Prima Facia Speed Limit	1865001567			9/3/2018 9:55:00 AM	5300 S Linden Rd	Davies, Anne
						Count: 1
8174 - 54003 - Traffic - Furnish False Info to Police Officer	1865001651			9/15/2018 3:48:00 AM	Miller Rd/seymour Rd	Paul, Nicholas
						Count: 1
8271 - 54003 - Traffic - No Operators License	1865001567			9/3/2018 9:55:00 AM	5300 S Linden Rd	Davies, Anne
	1865001705			9/21/2018 8:57:00 PM	Maple Rd	Grocholski, Andrew
	1865001721			9/23/2018 6:53:00 PM	Fenton Rd	Grocholski, Andrew
						Count: 3

Metro Police Authority Offense File Classes

Occurred 9/1/2018 through 9/30/2018

offense	Case Number	Grid	Sector	Occurred On	Location	Reporting Officer
8273 - 54003 - Traffic - Driving on Susp/Revoked/Refused License	1865001633			9/13/2018 1:20:00 PM	Torrey Rd & Maple Ave	Hiben, Blake
	1865001638			9/13/2018 11:55:00 PM	Grand Blanc Rd & Grand Pkwy	Hiben, Blake
8910 - 89003 - Violation - Reg - Improper Use of MPSC Plate	1865001647			9/14/2018 11:14:00 PM	Nb Us-23	Grocholski, Andrew
	1865001649			9/15/2018 1:07:00 AM	W Hill Rd	Grocholski, Andrew
	1865001659			9/17/2018 11:00:00 AM	Miller / Fairchild	Szmansky, Ken
	1865001663			9/17/2018 11:38:00 PM	Nb Us-23/baldwin Rd	Gillett, Nicole
	1865001668			9/18/2018 3:20:00 PM	4095 Morrish	Szmansky, Ken
	1865001693			9/21/2018 12:29:00 AM	2000 Hill Rd	Badal, John
	1865001661			9/21/2018 8:30:00 PM	W Maple Rd	Grocholski, Andrew
	1865001706			9/21/2018 11:05:00 PM	Miller Rd & Elms Rd	Hiben, Blake
	1865001748			9/27/2018 1:16:00 PM	7300 Jennings Rd	Davies, Anne
						Count: 11
8920 - 89003 - Violation - Insurance - Fail to File PLPD Insurance	1865001690			9/20/2018 3:00:00 PM	Hill/ HI 23	McKenzie, Sandra
						Count: 1
8940 - 89004 - Warrants - Corporate Summons	1865001690			9/20/2018 3:00:00 PM	Hill/ HI 23	McKenzie, Sandra
						Count: 1
	1865001592			9/7/2018 12:00:00 AM	5100 Linden Rd	Davies, Anne
	1865001632			9/13/2018 2:46:00 AM	Eb 69	Grocholski, Andrew
	1865001635			9/13/2018 6:29:00 PM	5400 Fenton Rd	Grocholski, Andrew
	1865001720			9/23/2018 10:05:00 AM	5371 Ridgebend Dr	Ortiz, Ryan
	1865001741			9/26/2018 12:08:00 PM	Ridgebend/maple Rd	Ortiz, Ryan
1865001763			9/28/2018 5:09:00 PM	4341 W Maple Ave	Hiben, Blake	

Metro Police Authority Offense File Classes

Occurred 9/1/2018 through 9/30/2018

Offense	Case Number	Grid	Sector	Occurred On	Location	Reporting Officer
8940 - 89004 - Warrants - Corporate Summons						
9910 - 93001 - Traffic, Non-Criminal - Accident	1865001565			9/1/2018 9:40:00 AM	Fenton/maple	Combs, Sarah
	1865001569			9/3/2018 4:06:00 PM	4141 S Morrish	Grocholski, Andrew
	1865001575			9/4/2018 8:36:00 PM	Hill And Gtwy	Adkins, Robert
	1865001584			9/6/2018 3:21:00 AM	Nb 75/ HI Rs	McKenzie, Sandra
	1865001583			9/6/2018 3:10:00 PM	Nb I-75/ Maple Ave	Lutz, Christine
	1865001585			9/6/2018 3:43:00 PM	Hill Rd & Fenton Rd	Hiben, Blake
	1865001586			9/6/2018 4:06:00 PM	1100 W Hill Rd	Lutz, Christine
	1865001587			9/6/2018 9:15:00 PM	5000 Van Slyke Rd	Badal, John
	1865001594			9/7/2018 5:00:00 PM	7561 Miller	Szmansky, Ken
	1865001606			9/9/2018 10:20:00 AM	1222 Hill Rd	Szmansky, Ken
	1865001607			9/9/2018 8:43:00 PM	Elms/maple	Gillett, Nicole
	1865001613			9/10/2018 11:39:00 AM	Baldwin Rd/ Jennings Rd	Lutz, Christine
	1865001628			9/11/2018 2:00:00 PM	W/b I69 / Morrish Rd Ext	Szmansky, Ken
	1865001622			9/11/2018 2:28:00 PM	Miller Rd/fairchild St	Storms, Jeff
	1865001623			9/11/2018 6:55:00 PM	5000 Ridgebend	Ogle, Brian
	1865001629			9/12/2018 7:20:00 PM	1 Dragon Dr	McFadden, Stephen
	1865001630			9/12/2018 7:41:00 PM	Grand Blanc	Grocholski, Andrew
	1865001636			9/13/2018 9:14:00 PM	7499 Miller Rd	Adkins, Robert
	1865001643			9/14/2018 12:49:00 PM	6200 Grand Blanc Rd	Lutz, Christine
	1865001653			9/15/2018 5:40:00 PM	2400 Hill Rd	Badal, John
	1865001660			9/17/2018 2:35:00 PM	Hill Rd	Grocholski, Andrew
	1865001665			9/18/2018 12:30:00 PM	2474 W Hill Rd	Ortiz, Ryan
	1865001666			9/18/2018 2:06:00 PM	Reid Rd/sharp Rd	McKenzie, Sandra

Count: 6

Metro Police Authority Offense File Classes

Occurred 9/1/2018 through 9/30/2018

Offense	Case Number	Grid	Sector	Occurred On	Location	Reporting Officer
9910 - 93001 - Traffic, Non-Criminal - Accident	1865001681			9/19/2018 3:50:00 PM	1144 W Reid Rd	Storms, Jeff
	1865001682			9/19/2018 6:35:00 PM	Nb Us 23 Hwy	Badal, John
	1865001684			9/20/2018 9:55:00 AM	Fenton Rd/hill Rd	Storms, Jeff
	1865001687			9/20/2018 2:35:00 PM	Miller Rd	RaCosta, Greg
	1865001690			9/20/2018 3:00:00 PM	Hill/ HI 23	McKenzie, Sandra
	1865001695			9/21/2018 6:37:00 AM	1000 W Hill Rd	Davies, Anne
	1865001700			9/21/2018 12:41:00 PM	Us 23 / Hill Rd	Szmansky, Ken
	1865001706			9/21/2018 11:05:00 PM	Miller Rd & Elms Rd	Hiben, Blake
	1865001708			9/22/2018 10:50:00 AM	Morrish / I 69	Szmansky, Ken
	1865001710			9/22/2018 11:38:00 AM	1000 W Hill Rd	Davies, Anne
	1865001750			9/22/2018 4:59:00 PM	Morrish / Miller	Szmansky, Ken
	1865001715			9/22/2018 5:53:00 PM	Jennings Rd	Grocholski, Andrew
	1865001719			9/23/2018 10:25:00 AM	2300 W Grand Blanc Rd	Davies, Anne
	1865001736			9/26/2018 6:55:00 AM	Linden/reid Rd	Ortiz, Ryan
	1865001738			9/26/2018 12:57:00 PM	8021 Miller Rd	Szmansky, Ken
	1865001743			9/26/2018 5:56:00 PM	Nb Us-23/grand Blanc Rd	Gillett, Nicole
	1865001759			9/28/2018 12:37:00 PM	Miller Rd	RaCosta, Greg
	1865001800			9/29/2018 12:30:00 AM	Torrey Rd/ Grand Bland Rd	Lutz, Christine
	1865001549			9/29/2018 6:53:00 AM	Nb Us-23/w Hill Rd	Davies, Anne
						Count: 42
9911 - 93002 - Traffic, Non-Criminal - Non-Traffic Accident	1865001574			9/4/2018 4:15:00 AM	7084 Miller Rd	McKenzie, Sandra
	1865001677			9/19/2018 10:50:00 AM	2474 W Hill Rd	Farlin, Brian
	1865001724			9/24/2018 8:40:00 AM	1 Dragon Dr	Pizzala, Jeremy
	1865001739			9/26/2018 1:00:00 PM	8261 Crapo St	Pizzala, Jeremy

Metro Police Authority Offense File Classes

Occurred 9/1/2018 through 9/30/2018

offense	Case Number	Grid	Sector	Occurred On	Location	Reporting Officer
9911 - 93002 - Traffic, Non-Criminal - Non-Traffic Accident	1865001749			9/27/2018 4:25:00 PM	Torrey Rd/ Grand Blanc Rd	McKenzie, Sandra
	1865001762			9/28/2018 4:51:00 PM	2330 W Grand Blanc Rd	Lutz, Christine
	1865001769			9/30/2018 1:54:00 PM	7084 Miller	Storms, Jeff
Count: 7						
9913 - 93004 - Traffic, Non-Criminal - Parking Violations	1865001577			9/5/2018 10:12:00 AM	3028 W Cook Rd	Selvia, Courtney
	1865001625			9/12/2018 9:00:00 AM	4376 Beecher Rd	Selvia, Courtney
	1865001626			9/12/2018 9:00:00 AM	4376 Beecher Rd	Selvia, Courtney
	1865001627			9/12/2018 9:00:00 AM	4376 Beecher Rd	Selvia, Courtney
	1865001671			9/19/2018 9:44:07 AM	2511 W Grand Blanc Rd	Farlin, Brian
	1865001674			9/19/2018 9:57:57 AM	2511 W Grand Blanc Rd	Farlin, Brian
	1865001675			9/19/2018 10:00:39 AM	2511 W Grand Blanc Rd	Farlin, Brian
9941 - 98004 - Inspections/Investigations - Other Inspections	1865001676			9/19/2018 10:04:14 AM	2511 W Grand Blanc Rd	Farlin, Brian
	1865001697			9/21/2018 11:00:00 AM	4376 Beecher Rd	Selvia, Courtney
	1865001709			9/22/2018 11:55:00 AM	4437 Morrish Rd	Szmansky, Ken
	1865001733			9/25/2018 10:35:00 AM	3028 W Cook Rd	Selvia, Courtney
	Count: 11					
9942 - 98006 - Inspections/Investigations - Family Trouble	1865001672			9/19/2018 9:50:50 AM	2511 W Grand Blanc Rd	Farlin, Brian
	1865001588			9/6/2018 11:20:00 PM	9560 Woodside Cir	Ogle, Brian
	1865001731			9/24/2018 6:00:00 PM	6300 W Reid	Ogle, Brian
Count: 2						

Metro Police Authority Offense File Classes

Occurred 9/1/2018 through 9/30/2018

Offense	Case Number	Grid	Sector	Occurred On	Location	Reporting Officer
9943 - 98007 - Inspections/Investigations - Suspicious Situations	1865001591			9/7/2018 12:00:00 PM	Cook/fenton Rd	Ortiz, Ryan
	1865001654			9/15/2018 7:45:00 PM	4307 W HI	Ogle, Brian
	1865001727			9/18/2018 12:00:00 AM	4375 Bridgeman Trl	Storms, Jeff
	1865001686			9/19/2018 3:00:00 PM	4162 Hickory Ln	Selvia, Courtney
	1865001699			9/21/2018 10:08:00 AM	6209 Torrey Rd	Ortiz, Ryan
						Count: 5
9944 - 98008 - Inspections/Investigations - Lost and Found Prop	1865001621			9/11/2018 8:00:00 AM	7510 Fenton Rd	Storms, Jeff
	1865001667			9/18/2018 12:00:00 PM	9285 Jill Marie Ln	Ortiz, Ryan
	1865001716			9/22/2018 10:00:00 AM	8059 Ingalls St	McFadden, Stephen
	1865001752			9/24/2018 5:00:00 PM	5401 Winshall Dr	Diem, J.
						Count: 4
9945 - 98009 - Inspections/Investigations - Drug Overdose	1865001696			9/21/2018 8:10:00 AM	5152 Morrish Apt 102	Szmansky, Ken
9947 - 99002 - Miscellaneous - Natural Death	1865001616			9/10/2018 1:02:00 PM	51 13 Colonies	Lutz, Christine
	1865001698			9/20/2018 9:00:00 PM	4295 Maple Rd	Ortiz, Ryan
						Count: 2
9951 - 99006 - Miscellaneous - Instructional Activities	1865001614			9/10/2018 11:51:00 AM	7084 Mille	Storms, Jeff
	1865001617			9/10/2018 1:38:00 PM	2087 Hill Rd	Storms, Jeff
						Count: 2
9953 - 99008 - Miscellaneous - General Assistance	1865001581			9/1/2018 12:00:00 AM	5107 Ridgebend Dr	Lutz, Christine

Metro Police Authority Offense File Classes

Occurred 9/1/2018 through 9/30/2018

Offense	Case Number	Grid	Sector	Occurred On	Location	Reporting Officer
9953 - 99008 - Miscellaneous - General Assistance	1865001566			9/1/2018 11:54:00 PM	5409 Van Slyke Rd	Badal, John
	1865001598			9/8/2018 8:52:00 AM	Springbrook And Crosscreek	Szmansky, Ken
	1865001600			9/8/2018 1:56:00 PM	5071 Mobile Dr	Davies, Anne
	1865001620			9/11/2018 9:48:00 AM	7403 Cross Creek Dr	RaCosta, Greg
	1865001631			9/12/2018 8:16:00 PM	5186 Fenton Rd	Gillett, Nicole
	1865001640			9/14/2018 6:51:00 AM	7084 Miller Rd	Lutz, Christine
	1865001670			9/18/2018 7:02:00 PM	5490 Fenton Rd	Gillett, Nicole
	1865001692			9/20/2018 8:50:00 PM	5230 Ridgebend	Ogle, Brian
	1865001694			9/21/2018 6:21:00 AM	1099 Grand Blanc Rd	Ortiz, Ryan
	1865001711			9/22/2018 1:36:00 PM	2474 W Hill Rd	Ortiz, Ryan
	1865001718			9/23/2018 7:32:00 PM	2330 Grand Blanc Rd	Gillett, Nicole
	1865001726			9/24/2018 12:28:00 PM	2455 W Hill Rd	Lutz, Christine
	1865001734			9/25/2018 8:17:00 AM	2456 W Grand Blanc Rd	Lutz, Christine
	1865001756			9/27/2018 12:00:00 AM	6494 Linden Rd	Storms, Jeff
	1865001755			9/27/2018 5:57:00 PM	1 Dragon Dr	Adkins, Robert
	1865001758			9/28/2018 11:45:00 AM	2474 W Hill Rd	Lutz, Christine
	1865001760			9/28/2018 3:01:00 PM	6324 Taylor Dr	Hiben, Blake
	1865001761			9/28/2018 3:12:00 PM	2474 W Hill Rd	Storms, Jeff
	1865001764			9/28/2018 10:30:00 PM	5224 Durwood Dr	Hiben, Blake
	1865001766			9/29/2018 10:29:00 AM	3440 W Grand Blanc Rd	Lutz, Christine
	1865001609			9/9/2018 12:30:00 PM	7115 Yarmy Dr	Count: 21 McFadden, Stephen
9954 - 99009 - Miscellaneous - Non-Criminal						Count: 1

Metro Police Authority Offense File Classes

Occurred 9/1/2018 through 9/30/2018

Offense	Case Number	Grid	Sector	Occurred On	Location	Reporting Officer
9956 - 99008 - Miscellaneous - Assist to Other Police Agency	1865001747			9/27/2018 8:00:00 AM	1409 W Maple	Murphy, Mike
						Count: 1
						Total: 215

Metro Police Authority Offense Summary

Occurred 9/1/2018 - 9/30/2018

Offense	Total Offenses
1171 - 11001 - CSC First (1st) Degree -Penetration Penis/Vagina	1
1174 - 11004 - CSC Third (3rd) Degree -Penetration Oral/Anal	1
1178 - 11008 - CSC Fourth (4th) Degree - Forcible Contact	1
1206 - 12000 - Robbery - Street - Strong Arm	1
1302 - 13002 - Aggravated/Felonious Assault - Family - Other Weapon	1
1305 - 13002 - Aggravated/Felonious Assault - Non-Family - Other Weapon	3
1313 - 13001 - Assault and Battery/Simple Assault	8
1380 - 13003 - Telephone Used for Harassment, Threats	2
1399 - 13002 - Assault (Other)	2
2302 - 23002 - Larceny - Pursesnatching - No Force	1
2305 - 23005 - Larceny - Personal Property from Vehicle	3
2308 - 23003 - Larceny - From Building (Includes library, office used by public, etc)	1
2399 - 23007 - Larceny (Other)	2
2408 - 24001 - Possess Stolen Vehicle	1
2498 - 24002 - Motor Vehicle as Stolen Property (Other)	1
2501 - 25000 - Forgery of Checks	1
2603 - 26001 - Mail Fraud	1
2605 - 26002 - Illegal Use of Credit Card	2
2606 - 26006 - Non-Sufficient Funds Checks	1
2609 - 26007 - Fraud - Identity Theft	3
2610 - PII Obtain/Possess/Transfer with Intent to Commit Identity Theft	1
2804 - 28000 - Stolen Property - Possessing	1
2901 - 29000 - Damage to Property - Business Property	1
2902 - 29000 - Damage to Property - Private Property	5
2998 - 29000 - Damage to Property - Destroy, Injure Property of Police or Fire Departments	1
3073 - 30002 - Retail Fraud Theft 1st Degree	1
3074 - 30002 - Retail Fraud Theft 2nd Degree	1
3076 - 30003 - Retail Fraud Refund/Exchange 2nd Degree	1
3078 - 30002 - Retail Fraud Theft 3rd Degree	1
3512 - 35001 - Heroin - Possess	1
3562 - 35001 - Marijuana - Possess	1
3564 - 35001 - Marijuana - (Other)	1
3601 - 11007 - Sex Offense Against Child -Fondling	1
4196 - 41002 - Liquor Violation - Minor in Possession - Consume or Purchase Attempts	1

Metro Police Authority Offense Summary

Occurred 9/1/2018 - 9/30/2018

Offense	Total Offenses
4801 - 48000 - Resisting Officer	2
4877 - 48000 - Fleeing and Eluding (Felony)	2
5006 - 50000 - Obstructing Justice	3
5099 - 50000 - Obstruct (Other)	1
5295 - 52001 - Concealed Weapons - Firearm in Auto (CCW)	1
5308 - 53002 - False Fire Alarm	1
5311 - 53001 - Disorderly Conduct	2
5561 - 55000 - Animals at Large	2
5707 - 57001 - Trespass (Other)	1
7070 - 70000 - Runaway	3
7399 - 73000 - Miscellaneous Arrest	1
8011 - 54001 - Motor Vehicle Accident - Failed to Stop and Identify	10
8013 - 54001 - Motor Vehicle Accident - Failed to Report Accident	1
8027 - 54002 - Operating with Blood Alcohol Content of .17% or more	1
8030 - 54002 - Child Endangerment (Occupant Less Than 16)	1
8031 - 54002 - Operating Under the Influence of Controlled Substance	1
8041 - 54002 - Operating Under the Influence of Intoxicating Liquor	3
8052 - 54003 - Exceeded Prima Facia Speed Limit	1
8174 - 54003 - Traffic - Furnish False Info to Police Officer	1
8271 - 54003 - Traffic - No Operators License	3
8273 - 54003 - Traffic - Driving on Susp/Revoked/Refused License	11
8910 - 89003 - Violation - Reg - Improper Use of MPSC Plate	1
8920 - 89003 - Violation - Insurance - Fail to File PLPD Insurance	1
8940 - 89004 - Warrants - Corporate Summons	6
9910 - 93001 - Traffic, Non-Criminal - Accident	42
9911 - 93002 - Traffic, Non-Criminal - Non-Traffic Accident	7
9913 - 93004 - Traffic, Non-Criminal - Parking Violations	11
9941 - 98004 - Inspections/Investigations - Other Inspections	1
9942 - 98006 - Inspections/Investigations - Family Trouble	2
9943 - 98007 - Inspections/Investigations - Suspicious Situations	5
9944 - 98008 - Inspections/Investigations - Lost and Found Prop	4
9945 - 98009 - Inspections/Investigations - Drug Overdose	1
9947 - 99002 - Miscellaneous - Natural Death	2
9951 - 99006 - Miscellaneous - Instructional Activities	2
9953 - 99008 - Miscellaneous - General Assistance	21

Metro Police Authority Offense Summary

Occurred 9/1/2018 - 9/30/2018

Offense	Total Offenses
9954 - 99009 - Miscellaneous - Non-Criminal	1
9956 - 99008 - Miscellaneous - Assist to Other Police Agency	1
Total	215

REVENUE AND EXPENDITURE REPORT FOR CITY OF SWARTZ CREEK
PERIOD ENDING 09/30/2018

GL NUMBER	2018-19 ORIGINAL BUDGET	2018-19 AMENDED BUDGET	YTD BALANCE 09/30/2018	AVAILABLE BALANCE	% BDGT USED
Fund 101 - General Fund					
000.000 - General	2,293,643.00	2,300,843.00	1,413,547.08	887,295.92	61.44
215.000 - Administration and Clerk	75.00	75.00	11.75	63.25	15.67
253.000 - Treasurer	1,000.00	1,000.00	120.00	880.00	12.00
301.000 - Police Dept	5,400.00	5,400.00	890.00	4,510.00	16.48
345.000 - PUBLIC SAFETY BUILDING	18,200.00	18,200.00	6,514.10	11,685.90	35.79
410.000 - Building & Zoning & Planning	51,350.00	51,350.00	30,603.00	20,747.00	59.60
448.000 - Lighting	8,990.00	8,990.00	1,930.38	7,059.62	21.47
782.000 - Facilities - Abrams Park	195.00	195.00	0.00	195.00	0.00
783.000 - Facilities - Elms Rd Park	7,600.00	7,600.00	1,100.00	6,500.00	14.47
783.016 - Elms Park Brm-Trail Reno RP15	45,000.00	0.00	0.00	0.00	0.00
790.000 - Facilities-Senior Center/Libr	8,200.00	8,200.00	2,075.83	6,124.17	25.32
790.012 - CDBG Senior Center Operation	1,724.00	1,724.00	0.00	1,724.00	0.00
TOTAL REVENUES	2,441,377.00	2,403,577.00	1,456,792.14	946,784.86	
000.000 - General	1,000.00	1,000.00	0.00	1,000.00	0.00
101.000 - Council	16,708.82	16,993.58	6,825.25	10,168.33	40.16
172.000 - Executive	103,388.18	103,672.94	26,315.38	77,357.56	25.38
201.000 - Finance,Budgeting,Accounting	46,874.00	47,158.76	14,419.24	32,739.52	30.58
215.000 - Administration and Clerk	28,262.00	29,927.85	7,692.87	22,234.98	25.70
228.000 - Information Technology	16,300.00	16,300.00	6,764.11	9,535.89	41.50
247.000 - Board of Review	6,104.00	6,104.00	242.22	5,861.78	3.97

GL NUMBER	2018-19 ORIGINAL BUDGET	2018-19 AMENDED BUDGET	YTD BALANCE 09/30/2018	AVAILABLE BALANCE	% BDGT USED
253.000 - Treasurer	42,127.00	42,340.57	8,467.08	33,873.49	20.00
257.000 - Assessor	48,198.00	48,383.09	12,326.66	36,056.43	25.48
262.000 - Elections	39,358.40	40,212.68	10,545.54	29,667.14	26.22
266.000 - Legal Council	15,500.00	15,500.00	1,540.00	13,960.00	9.94
301.000 - Police Dept	0.00	0.00	124.99	(124.99)	100.00
301.851 - Retiree Employer Health Care I	24,000.00	24,000.00	4,607.94	19,392.06	19.20
334.000 - Metro Police Authority	995,200.00	995,200.00	242,731.75	752,468.25	24.39
336.000 - Fire Department	178,200.00	186,322.00	63,833.90	122,488.10	34.26
345.000 - PUBLIC SAFETY BUILDING	51,632.26	51,632.26	12,415.91	39,216.35	24.05
410.000 - Building & Zoning & Planning	81,648.24	96,790.62	17,760.40	79,030.22	18.35
410.025 - 2017 CDBG 5157 Morrish Dem	0.00	375.00	0.00	375.00	0.00
448.000 - Lighting	140,000.00	140,000.00	17,964.60	122,035.40	12.83
781.000 - Facilities - Pajtas Amphitheat	2,217.98	2,217.98	515.10	1,702.88	23.22
782.000 - Facilities - Abrams Park	41,629.78	41,700.97	11,337.54	30,363.43	27.19
783.000 - Facilities - Elms Rd Park	62,552.39	62,623.58	26,415.49	36,208.09	42.18
783.016 - Elms Park Brm-Trail Reno RP15	55,622.57	2,710.50	0.00	2,710.50	0.00
784.000 - Facilities - Bicentennial Park	1,527.00	1,527.00	715.52	811.48	46.86
786.000 - Non-Motorized Trailway	150,000.00	150,000.00	0.00	150,000.00	0.00
787.000 - Veterans Memorial Park	3,273.55	3,273.55	674.00	2,599.55	20.59
790.000 - Facilities-Senior Center/Libr	36,065.22	36,065.22	8,414.56	27,650.66	23.33
790.012 - CDBG Senior Center Operation	1,724.00	1,724.00	0.00	1,724.00	0.00
793.000 - Facilities - New City Hall	19,468.56	19,468.56	4,145.14	15,323.42	21.29

GL NUMBER	2018-19 ORIGINAL BUDGET	2018-19 AMENDED BUDGET	YTD BALANCE 09/30/2018	AVAILABLE BALANCE	% BDGT USED
794.000 - Community Promotions Progr	32,056.05	32,056.05	8,780.33	23,275.72	27.39
796.000 - Facilities - Cemetary	2,535.77	2,535.77	382.00	2,153.77	15.06
797.000 - Facilities - City Parking Lots	105,825.60	106,975.60	8,238.78	98,736.82	7.70
851.000 - Retired Employee Health Care	26,800.00	26,800.00	2,163.48	24,636.52	8.07
852.000 - Insurance Claims Assessmernt	110.00	110.00	17.20	92.80	15.64
965.000 - Transfers Out	168,730.00	278,730.00	168,730.00	110,000.00	60.05
TOTAL EXPENDITURES	2,544,639.37	2,630,432.13	695,106.98	1,935,325.15	
Fund 101 - General Fund:					
TOTAL REVENUES	2,441,377.00	2,403,577.00	1,456,792.14	946,784.86	60.61
TOTAL EXPENDITURES	2,544,639.37	2,630,432.13	695,106.98	1,935,325.15	26.43
NET OF REVENUES & EXPENDITURES	(103,262.37)	(226,855.13)	761,685.16	(988,540.29)	
Fund 202 - Major Street Fund					
000.000 - General	419,300.00	419,300.00	51,931.32	367,368.68	12.39
441.000 - Miller Rd Park & Ride	5,200.00	5,200.00	1,752.92	3,447.08	33.71
453.105 - Fairchild-Cappy to Miller TIP	230,601.00	230,601.00	0.00	230,601.00	0.00
478.000 - Snow & Ice Removal	500.00	500.00	0.00	500.00	0.00
TOTAL REVENUES	655,601.00	655,601.00	53,684.24	601,916.76	
228.000 - Information Technology	825.00	825.00	308.71	516.29	37.42
429.000 - Occupational Safety	26.91	26.91	0.00	26.91	0.00
441.000 - Miller Rd Park & Ride	6,787.80	6,787.80	1,614.74	5,173.06	23.79
449.500 - Right of Way - General	10,000.00	10,000.00	711.37	9,288.63	7.11
449.501 - Right of Way - Storms	200.00	15,920.00	0.00	15,920.00	0.00
453.105 - Fairchild-Cappy to Miller TIP	288,251.00	304,330.71	8,881.32	295,449.39	2.92
463.000 - Routine Maint - Streets	104,333.87	139,158.87	42,403.03	96,755.84	30.47

GL NUMBER	2018-19 ORIGINAL BUDGET	2018-19 AMENDED BUDGET	YTD BALANCE 09/30/2018	AVAILABLE BALANCE	% BDGT USED
463.104 - Winston Drive Reconstruction	1,200.00	1,200.00	0.00	1,200.00	0.00
473.000 - Routine Maint - Bridges	400.00	400.00	0.00	400.00	0.00
474.000 - Traffic Services	39,708.00	39,708.00	12,557.14	27,150.86	31.62
478.000 - Snow & Ice Removal	41,544.80	41,544.80	106.65	41,438.15	0.26
482.000 - Administrative	18,887.00	18,887.00	1,625.01	17,261.99	8.60
538.500 - Intercommunity storm drains	7,000.00	7,000.00	1,529.10	5,470.90	21.84
786.000 - Non-Motorized Trailway	20,000.00	20,000.00	0.00	20,000.00	0.00
965.000 - Transfers Out	85,000.00	85,000.00	85,000.00	0.00	100.00
TOTAL EXPENDITURES	624,164.38	690,789.09	154,737.07	536,052.02	
Fund 202 - Major Street Fund:					
TOTAL REVENUES	655,601.00	655,601.00	53,684.24	601,916.76	8.19
TOTAL EXPENDITURES	624,164.38	690,789.09	154,737.07	536,052.02	22.40
NET OF REVENUES & EXPENDITURES	31,436.62	(35,188.09)	(101,052.83)	65,864.74	
Fund 203 - Local Street Fund					
000.000 - General	133,125.00	133,125.00	14,038.34	119,086.66	10.55
449.000 - Right of Way Telecomm	15,000.00	15,000.00	0.00	15,000.00	0.00
463.000 - Routine Maint - Streets	475.00	475.00	0.00	475.00	0.00
478.000 - Snow & Ice Removal	300.00	300.00	0.00	300.00	0.00
931.000 - Transfers IN	596,500.00	596,500.00	596,500.00	0.00	100.00
TOTAL REVENUES	745,400.00	745,400.00	610,538.34	134,861.66	
228.000 - Information Technology	825.00	825.00	308.72	516.28	37.42
449.500 - Right of Way - General	8,800.00	8,800.00	9,932.22	(1,132.22)	112.87
449.501 - Right of Way - Storms	1,500.00	1,500.00	0.00	1,500.00	0.00
463.000 - Routine Maint - Streets	261,810.47	275,357.47	168,969.80	106,387.67	61.36

GL NUMBER	2018-19 ORIGINAL BUDGET	2018-19 AMENDED BUDGET	YTD BALANCE 09/30/2018	AVAILABLE BALANCE	% BDGT USED
463.103 - Worcester/Chesterfield Reco	1,536,996.02	0.00	0.00	0.00	0.00
463.105 - Daval Reoncstruction	96,386.78	96,386.78	6,735.00	89,651.78	6.99
463.106 - Hemsley Reconstruction	0.00	63,635.00	5,437.00	58,198.00	8.54
474.000 - Traffic Services	8,990.20	8,990.20	4,619.00	4,371.20	51.38
478.000 - Snow & Ice Removal	50,206.02	50,206.02	178.13	50,027.89	0.35
482.000 - Administrative	19,538.64	19,538.64	1,597.84	17,940.80	8.18
538.500 - Intercommunity storm drains	6,800.00	6,800.00	1,529.10	5,270.90	22.49
TOTAL EXPENDITURES	1,991,853.13	532,039.11	199,306.81	332,732.30	
Fund 203 - Local Street Fund:					
TOTAL REVENUES	745,400.00	745,400.00	610,538.34	134,861.66	81.91
TOTAL EXPENDITURES	1,991,853.13	532,039.11	199,306.81	332,732.30	37.46
NET OF REVENUES & EXPENDITURES	(1,246,453.13)	213,360.89	411,231.53	(197,870.64)	
Fund 204 - MUNICIPAL STREET FUND					
000.000 - General	628,290.00	628,290.00	601,592.46	26,697.54	95.75
TOTAL REVENUES	628,290.00	628,290.00	601,592.46	26,697.54	
905.000 - Debt Service	164,444.40	164,444.40	320.83	164,123.57	0.20
965.000 - Transfers Out	462,000.00	462,000.00	461,500.00	500.00	99.89
TOTAL EXPENDITURES	626,444.40	626,444.40	461,820.83	164,623.57	
Fund 204 - MUNICIPAL STREET FUND:					
TOTAL REVENUES	628,290.00	628,290.00	601,592.46	26,697.54	95.75
TOTAL EXPENDITURES	626,444.40	626,444.40	461,820.83	164,623.57	73.72
NET OF REVENUES & EXPENDITURES	1,845.60	1,845.60	139,771.63	(137,926.03)	
Fund 226 - Garbage Fund					
000.000 - General	393,465.00	393,465.00	369,305.21	24,159.79	93.86
TOTAL REVENUES	393,465.00	393,465.00	369,305.21	24,159.79	
000.000 - General	10,373.00	10,373.00	0.00	10,373.00	0.00

GL NUMBER	2018-19 ORIGINAL BUDGET	2018-19 AMENDED BUDGET	YTD BALANCE 09/30/2018	AVAILABLE BALANCE	% BDGT USED
101.000 - Council	5,865.88	5,865.88	1,437.93	4,427.95	24.51
172.000 - Executive	8,937.06	8,937.06	2,294.75	6,642.31	25.68
201.000 - Finance,Budgeting,Accounting	6,497.00	6,497.00	2,693.11	3,803.89	41.45
215.000 - Aministration and Clerk	4,587.00	4,871.76	783.53	4,088.23	16.08
228.000 - Information Technology	2,200.00	2,200.00	700.69	1,499.31	31.85
253.000 - Treasurer	7,993.00	8,064.19	1,574.58	6,489.61	19.53
257.000 - Assessor	3,000.00	3,000.00	0.00	3,000.00	0.00
528.000 - Sanitation Collection	282,905.90	282,905.90	47,785.46	235,120.44	16.89
530.000 - Wood Chipping	41,993.60	41,993.60	15,213.07	26,780.53	36.23
782.000 - Facilities - Abrams Park	3,366.80	3,366.80	3,326.70	40.10	98.81
783.000 - Facilities - Elms Rd Park	5,384.54	5,384.54	3,262.10	2,122.44	60.58
793.000 - Facilities - New City Hall	3,904.49	3,904.49	910.09	2,994.40	23.31
TOTAL EXPENDITURES	387,008.27	387,364.22	79,982.01	307,382.21	
Fund 226 - Garbage Fund:					
TOTAL REVENUES	393,465.00	393,465.00	369,305.21	24,159.79	93.86
TOTAL EXPENDITURES	387,008.27	387,364.22	79,982.01	307,382.21	20.65
NET OF REVENUES & EXPENDITURES	6,456.73	6,100.78	289,323.20	(283,222.42)	
Fund 248 - Downtown Development Fund					
000.000 - General	49,600.00	49,600.00	36,958.48	12,641.52	74.51
728.004 - Family Movie Night	1,000.00	1,000.00	0.00	1,000.00	0.00
TOTAL REVENUES	50,600.00	50,600.00	36,958.48	13,641.52	
173.000 - DDA Administration	3,365.00	3,365.00	2,507.06	857.94	74.50
728.000 - Economic Development	10,125.00	10,125.00	1,363.75	8,761.25	13.47
728.002 - Streetscape	101,200.00	101,200.00	0.00	101,200.00	0.00

GL NUMBER	2018-19 ORIGINAL BUDGET	2018-19 AMENDED BUDGET	YTD BALANCE 09/30/2018	AVAILABLE BALANCE	% BDGT USED
728.003 - Facade Program	10,000.00	10,000.00	0.00	10,000.00	0.00
728.004 - Family Movie Night	3,900.00	3,900.00	1,991.00	1,909.00	51.05
TOTAL EXPENDITURES	128,590.00	128,590.00	5,861.81	122,728.19	
Fund 248 - Downtown Development Fund:					
TOTAL REVENUES	50,600.00	50,600.00	36,958.48	13,641.52	73.04
TOTAL EXPENDITURES	128,590.00	128,590.00	5,861.81	122,728.19	4.56
NET OF REVENUES & EXPENDITURES	(77,990.00)	(77,990.00)	31,096.67	(109,086.67)	
Fund 350 - City Hall Debt Fund					
000.000 - General	14.50	14.50	2.07	12.43	14.28
931.000 - Transfers IN	88,730.00	88,730.00	88,730.00	0.00	100.00
TOTAL REVENUES	88,744.50	88,744.50	88,732.07	12.43	
905.000 - Debt Service	89,480.00	89,480.00	0.00	89,480.00	0.00
TOTAL EXPENDITURES	89,480.00	89,480.00	0.00	89,480.00	
Fund 350 - City Hall Debt Fund:					
TOTAL REVENUES	88,744.50	88,744.50	88,732.07	12.43	99.99
TOTAL EXPENDITURES	89,480.00	89,480.00	0.00	89,480.00	0.00
NET OF REVENUES & EXPENDITURES	(735.50)	(735.50)	88,732.07	(89,467.57)	
Fund 402 - Fire Equip Replacement Fund					
000.000 - General	70.00	70.00	(863.58)	933.58	(1,233.69)
931.000 - Transfers IN	30,000.00	140,000.00	30,000.00	110,000.00	21.43
TOTAL REVENUES	30,070.00	140,070.00	29,136.42	110,933.58	
336.000 - Fire Department	0.00	250,000.00	0.00	250,000.00	0.00
TOTAL EXPENDITURES	0.00	250,000.00	0.00	250,000.00	
Fund 402 - Fire Equip Replacement Fund:					
TOTAL REVENUES	30,070.00	140,070.00	29,136.42	110,933.58	20.80
TOTAL EXPENDITURES	0.00	250,000.00	0.00	250,000.00	0.00
NET OF REVENUES & EXPENDITURES	30,070.00	(109,930.00)	29,136.42	(139,066.42)	

GL NUMBER	2018-19 ORIGINAL BUDGET	2018-19 AMENDED BUDGET	YTD BALANCE 09/30/2018	AVAILABLE BALANCE	% BDGT USED
Fund 590 - Water Supply Fund					
000.000 - General	1,100.00	1,100.00	(6,551.86)	7,651.86	(595.62)
540.000 - Water System	2,164,550.00	2,164,550.00	509,136.75	1,655,413.25	23.52
TOTAL REVENUES	2,165,650.00	2,165,650.00	502,584.89	1,663,065.11	
000.000 - General	71,858.10	71,858.10	0.00	71,858.10	0.00
101.000 - Council	8,736.44	8,736.44	3,639.83	5,096.61	41.66
172.000 - Executive	28,347.05	28,347.05	7,750.56	20,596.49	27.34
201.000 - Finance,Budgeting,Accounting	20,581.00	20,581.00	7,598.94	12,982.06	36.92
215.000 - Aministration and Clerk	17,209.00	18,419.23	3,190.94	15,228.29	17.32
228.000 - Information Technology	6,855.00	6,855.00	2,067.92	4,787.08	30.17
253.000 - Treasurer	28,629.00	28,771.38	6,082.11	22,689.27	21.14
540.000 - Water System	1,974,615.10	1,974,615.10	218,496.55	1,756,118.55	11.07
542.000 - Read and Bill	53,243.20	53,243.20	11,281.50	41,961.70	21.19
793.000 - Facilities - New City Hall	9,588.51	9,588.51	2,269.03	7,319.48	23.66
850.000 - Other Functions	12,000.00	12,000.00	0.00	12,000.00	0.00
905.000 - Debt Service	49,115.60	49,115.60	95.83	49,019.77	0.20
TOTAL EXPENDITURES	2,280,778.00	2,282,130.61	262,473.21	2,019,657.40	
Fund 590 - Water Supply Fund:					
TOTAL REVENUES	2,165,650.00	2,165,650.00	502,584.89	1,663,065.11	23.21
TOTAL EXPENDITURES	2,280,778.00	2,282,130.61	262,473.21	2,019,657.40	11.50
NET OF REVENUES & EXPENDITURES	(115,128.00)	(116,480.61)	240,111.68	(356,592.29)	
Fund 591 - Sanitary Sewer Fund					
000.000 - General	1,080.00	1,080.00	(2,955.68)	4,035.68	(273.67)
536.000 - Sewer System	1,287,485.00	1,287,485.00	296,696.70	990,788.30	23.04
TOTAL REVENUES	1,288,565.00	1,288,565.00	293,741.02	994,823.98	

GL NUMBER	2018-19 ORIGINAL BUDGET	2018-19 AMENDED BUDGET	YTD BALANCE 09/30/2018	AVAILABLE BALANCE	% BDGT USED
000.000 - General	23,582.50	23,582.50	0.00	23,582.50	0.00
101.000 - Council	8,336.44	8,336.44	3,639.85	4,696.59	43.66
172.000 - Executive	29,315.89	29,315.89	7,750.31	21,565.58	26.44
201.000 - Finance,Budgeting,Accounting	19,646.00	19,646.00	7,598.83	12,047.17	38.68
215.000 - Aministration and Clerk	15,744.00	16,954.23	3,187.09	13,767.14	18.80
228.000 - Information Technology	6,900.00	6,900.00	2,067.92	4,832.08	29.97
253.000 - Treasurer	29,730.00	29,857.44	6,082.35	23,775.09	20.37
536.000 - Sewer System	950,565.12	950,565.12	24,283.56	926,281.56	2.55
537.000 - Sewer Lift Stations	14,257.20	14,257.20	2,311.33	11,945.87	16.21
542.000 - Read and Bill	59,561.04	59,561.04	14,030.70	45,530.34	23.56
543.401 - Flush & TV Sewers	30,904.00	30,904.00	0.00	30,904.00	0.00
543.408 - Sewer Rehab Phase 8	220,000.00	220,000.00	0.00	220,000.00	0.00
793.000 - Facilities - New City Hall	10,861.55	10,861.55	2,259.11	8,602.44	20.80
850.000 - Other Functions	10,000.00	10,000.00	0.00	10,000.00	0.00
TOTAL EXPENDITURES	1,429,403.74	1,430,741.41	73,211.05	1,357,530.36	
Fund 591 - Sanitary Sewer Fund:					
TOTAL REVENUES	1,288,565.00	1,288,565.00	293,741.02	994,823.98	22.80
TOTAL EXPENDITURES	1,429,403.74	1,430,741.41	73,211.05	1,357,530.36	5.12
NET OF REVENUES & EXPENDITURES	(140,838.74)	(142,176.41)	220,529.97	(362,706.38)	
Fund 661 - Motor Pool Fund					
000.000 - General	161,750.00	161,750.00	33,883.37	127,866.63	20.95
TOTAL REVENUES	161,750.00	161,750.00	33,883.37	127,866.63	
172.000 - Executive	11,424.12	11,424.12	9,409.30	2,014.82	82.36
201.000 - Finance,Budgeting,Accounting	7,602.00	7,602.00	1,584.67	6,017.33	20.85

GL NUMBER	2018-19 ORIGINAL BUDGET	2018-19 AMENDED BUDGET	YTD BALANCE 09/30/2018	AVAILABLE BALANCE	% BDGT USED
228.000 - Information Technology	865.00	865.00	254.59	610.41	29.43
795.000 - Facilities - City Garage	153,877.11	153,877.11	20,559.80	133,317.31	13.36
TOTAL EXPENDITURES	173,768.23	173,768.23	31,808.36	141,959.87	
Fund 661 - Motor Pool Fund:					
TOTAL REVENUES	161,750.00	161,750.00	33,883.37	127,866.63	20.95
TOTAL EXPENDITURES	173,768.23	173,768.23	31,808.36	141,959.87	18.31
NET OF REVENUES & EXPENDITURES	(12,018.23)	(12,018.23)	2,075.01	(14,093.24)	
Fund 865 - Sidewalks					
478.000 - Snow & Ice Removal	1,400.00	1,400.00	0.00	1,400.00	0.00
TOTAL REVENUES	1,400.00	1,400.00	0.00	1,400.00	
478.000 - Snow & Ice Removal	1,950.00	1,950.00	0.00	1,950.00	0.00
TOTAL EXPENDITURES	1,950.00	1,950.00	0.00	1,950.00	
Fund 865 - Sidewalks:					
TOTAL REVENUES	1,400.00	1,400.00	0.00	1,400.00	0.00
TOTAL EXPENDITURES	1,950.00	1,950.00	0.00	1,950.00	0.00
NET OF REVENUES & EXPENDITURES	(550.00)	(550.00)	0.00	(550.00)	
Fund 866 - Weed Fund					
000.000 - General	7,000.00	7,000.00	4,350.00	2,650.00	62.14
TOTAL REVENUES	7,000.00	7,000.00	4,350.00	2,650.00	
000.000 - General	1,000.00	1,000.00	1,125.00	(125.00)	112.50
TOTAL EXPENDITURES	1,000.00	1,000.00	1,125.00	(125.00)	
Fund 866 - Weed Fund:					
TOTAL REVENUES	7,000.00	7,000.00	4,350.00	2,650.00	62.14
TOTAL EXPENDITURES	1,000.00	1,000.00	1,125.00	(125.00)	112.50
NET OF REVENUES & EXPENDITURES	6,000.00	6,000.00	3,225.00	2,775.00	

House Energy Committee Passes Small Cell Legislation

Posted on **October 5, 2018** by **John LaMacchia II**

Across the country the telecommunications industry has been pursuing legislation to streamline the deployment of small cell technology. Small cells are low-powered antenna nodes that are installed to relieve congestion for wireless users. The term “small” refers to the footprint of the device but they typically are installed on their own or an existing utility or street light pole. In November of last year, **Senate Bill 637** was introduced on behalf of the Industry and the League opposed the legislation. While we don’t oppose the advancement of technology, we do want to make sure the deployment of that technology is done in a fair and balanced way.

As introduced, SB 637 had bipartisan support and likely the votes necessary to pass both chambers. It would have provided nearly free and unfettered access for the deployment of small cells both inside and outside of the right-of-way. Since introduction the League’s advocacy team has been negotiating with the Industry and the sponsor to protect municipal interests. Over the course of the negotiation, the League has worked with our members and outside counsel to identify key areas of concerns and successfully addressed many of those areas. By addressing those key areas, we switched our position from opposed to neutral to preserve the protections we fought for to be included. Had we not gone neutral, we would have run the risk that many of those key additions to the legislation would have strip out. Below is a list of key items we successfully advocated to be strengthened or included that were not in the original version of the bill.

- Hard cap on the height of utility poles at 40 feet within the right-of-way. A pole higher than 40 feet in the right-of-way or any pole outside the right-of-way would need to go through zoning.
- Separated the installation of new utility poles from the attachment to or replacement of existing utility poles.
- Created a rate structure that charges more for a new utility pole to incentivize using existing infrastructure.
- Rates and fees are more than double when compared to the introduced version.
- Includes a CPI factor for fees and rates.
- Prioritizes the use of existing infrastructure.
- Ensures that any installation cannot be done on a speculative basis and the industry needs to make the facility operational.
- Grandfathers in agreements where facilities have been installed and are operational.
- Protects areas where the under-grounding of utilities has happened or will happen.
- Protects historic districts.
- Allows for concealment measure in historic districts, downtown districts and residential districts.
- Extended time-frames to approve/deny the application.

- Strengthens denial provisions.
- Provides the ability to revoke a permit.
- Allows a municipality to suggest an alternative location for the deployment of a small cell.
- Requires a wireless to provide notice that the small cell is no longer operational and then remove that facility within 45 days.
- Allows for bonding to ensure payment, repair of the ROW and removal of abandoned infrastructure.
- Allows for insurance and indemnification.
- Ensures our ability to hire outside consultants for make-ready work and charge actual cost for those services.
- Requires all small cell facilities to be labeled with an emergency contact number and information to identify the small cell and its location

The introduced version would have left Michigan with the lowest rates and fees in the Midwest, but the version that passed out of House committee this week by a 15-4 vote has more than doubled every fee and rate throughout the bill. While the revenue component of this bill puts us on par with many in the Midwest and across the country, we believe the policy within the bill, when compared to our neighboring states and others who have faced similar legislative efforts from the wireless industry, is among the best.

We have had many partners along the way on this bill and a Chairman, Senator Nofs, who has been very helpful and open to addressing many of our key priorities. The House will likely vote on this issue before the end of the year.

John LaMacchia is the Assistant Director of State and Federal Affairs for the League handling transportation, infrastructure, energy and environment issues. He can be reached at jlamacchia@mml.org or 517-908-0303.

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**SUBSTITUTE FOR
SENATE BILL NO. 637**

A bill to provide for the regulation by state or local government authorities and municipally owned electric utilities of the activities of wireless infrastructure providers and wireless services providers and of wireless facilities, wireless support structures, and utility poles; to regulate rates and fees concerning wireless facilities, wireless support structures, communications service provider pole attachments, and utility poles charged by state or local government authorities and municipally owned electric utilities; to provide for collocation of wireless facilities and of communications service provider pole attachments; to provide for use of public rights-of-way; to regulate certain permitting processes and zoning reviews; to prohibit certain commercially discriminatory actions by state or local government

authorities and municipally owned electric utilities; to prohibit state and local government authorities from entering into exclusive arrangements with any person for the right to attach to certain utility poles; to authorize indemnification and insurance requirements; to authorize certain bonding requirements; and to provide for charges for electricity to operate small cell wireless facilities.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) This act shall be known and may be cited as the
2 "small wireless communications facilities deployment act".

3 (2) The purpose of the act is to do all of the following:

4 (a) Increase investment in wireless networks that will benefit
5 the citizens of this state by providing better access to emergency
6 services, advanced technology, and information.

7 (b) Increase investment in wireless networks that will enhance
8 the competitiveness of this state in the global economy.

9 (c) Encourage the deployment of advanced wireless services by
10 streamlining the process for the permitting, construction,
11 modification, maintenance, and operation of wireless facilities in
12 the public rights-of-way.

13 (d) Allow wireless services providers and wireless
14 infrastructure providers access to the public rights-of-way and the
15 ability to attach to poles and structures in the public rights-of-
16 way to enhance their networks and provide next generation services.

17 (e) Ensure the reasonable and fair control and management of
18 public rights-of-way by governmental authorities within this state.

19 (f) Address the timely design, engineering, permitting,

1 construction, modification, maintenance, and operation of wireless
2 facilities as matters of statewide concern and interest.

3 (g) Provide for the management of public rights-of-way in a
4 safe and reliable manner that does all of the following:

5 (i) Supports new technology.

6 (ii) Avoids interference with right-of-way use by existing
7 public utilities and cable communications providers.

8 (iii) Allows for a level playing field for competitive
9 communications service providers.

10 (iv) Protects public health, safety, and welfare.

11 (h) Increase the connectivity for autonomous and connected
12 vehicles through the deployment of small cell wireless facilities
13 with full access and compatibility for connected and autonomous
14 vehicles as determined and approved by the state transportation
15 department, county road commissions, and authorities.

16 (i) Prioritize, as provided in this act, the use of existing
17 utility poles and wireless support structures for collocation over
18 the installation of new utility poles or wireless support
19 structures.

20 Sec. 3. As used in this act:

21 (a) "Affiliated transmission company" means that term as
22 defined in section 2 of the electric transmission line
23 certification act, 1995 PA 30, MCL 460.562.

24 (b) "Antenna" means communications equipment that transmits or
25 receives electromagnetic radio frequency signals used in the
26 provision of wireless services.

27 (c) "Applicable codes" means uniform building, fire,

1 electrical, plumbing, or mechanical codes adopted under the Stille-
2 DeRossett-Hale single state construction code act, 1972 PA 230, MCL
3 125.1501 to 125.1531, or adopted by the United States Occupational
4 Safety and Health Administration or by a state or national code
5 organization, including, but not limited to, the "National
6 Electrical Safety Code" published by the Institute of Electrical
7 and Electronics Engineers.

8 (d) "Applicant" means a wireless provider that submits an
9 application described in this act.

10 (e) "Attaching entity" means a public or private party or
11 entity, other than the municipally owned electric utility, that,
12 pursuant to an agreement with the municipally owned electric
13 utility, places a wire or cable attachment on a nonauthority pole
14 or related infrastructure within the communication space. Attaching
15 entity includes, but is not limited to, both of the following:

16 (i) A telecommunication provider as that term is defined in
17 section 102 of the metropolitan extension telecommunications
18 rights-of-way oversight act, 2002 PA 48, MCL 484.3102.

19 (ii) A video service provider as that term is defined in the
20 uniform video services local franchise act, 2006 PA 480, MCL
21 484.3301.

22 (f) "Authority", unless the context implies otherwise, means
23 this state, or a county, township, city, village, district, or
24 subdivision thereof if authorized by law to make legislative,
25 quasi-judicial, or administrative decisions concerning an
26 application described in this act. Authority does not include any
27 of the following:

1 (i) A municipally owned electric utility.

2 (ii) An investor-owned utility whose rates are regulated by
3 the MPSC.

4 (iii) A state court having jurisdiction over an authority.

5 (g) "Authority pole" means a utility pole owned or operated by
6 an authority and located in the ROW.

7 Sec. 5. As used in this act:

8 (a) "Colocate" means to install, mount, maintain, modify,
9 operate, or replace wireless facilities on or adjacent to a
10 wireless support structure or utility pole. "Collocation" has a
11 corresponding meaning. Colocate does not include make-ready work or
12 the installation of a new utility pole or new wireless support
13 structure.

14 (b) "Communications facility" means the set of equipment and
15 network components, including wires, cables, antennas, and
16 associated facilities, used by a communications service provider to
17 provide communications service.

18 (c) "Communication space" means that term as defined in the
19 "National Electric Safety Code" published by the Institute of
20 Electrical and Electronics Engineers.

21 (d) "Communications service" means service provided over a
22 communications facility, including cable service as defined in 47
23 USC 522, information service as defined in 47 USC 153,
24 telecommunications service as defined in 47 USC 153, or wireless
25 service.

26 (e) "Communications service provider" means any entity that
27 provides communications services.

1 (f) "FCC" means the Federal Communications Commission.

2 (g) "Fee" means a nonrecurring charge for services.

3 (h) "Historic district" means a historic district established
4 under section 3 of the local historic districts act, 1970 PA 169,
5 MCL 399.203, or a group of buildings, properties, or sites that are
6 either listed in the National Register of Historic Places or
7 formally determined eligible for listing by the Keeper of the
8 National Register, the individual who has been delegated the
9 authority by the federal agency to list properties and determine
10 their eligibility for the National Register, in accordance with
11 Section VI.D.1.a.i-v of the Nationwide Programmatic Agreement
12 codified at 47 CFR Part 1, appendix C.

13 (i) "Independent transmission company" means that term as
14 defined in section 2 of the electric transmission line
15 certification act, 1995 PA 30, MCL 460.562.

16 Sec. 7. As used in this act:

17 (a) "Law" means federal, state, or local law, including common
18 law, a statute, a rule, a regulation, an order, or an ordinance.

19 (b) "Make-ready work" means work necessary to enable an
20 authority pole or utility pole to support collocation, which may
21 include modification or replacement of utility poles or
22 modification of lines.

23 (c) "Micro wireless facility" means a small cell wireless
24 facility that is not more than 24 inches in length, 15 inches in
25 width, and 12 inches in height and that does not have an exterior
26 antenna more than 11 inches in length.

27 (d) "MPSC" means the Michigan Public Service Commission

1 created in section 1 or 1939 PA 3, MCL 460.1.

2 (e) "Municipally owned electric utility" means a system owned
3 by a municipality or combination of municipalities to furnish power
4 or light and includes a cooperative electric utility that, on or
5 after the effective date of this act, acquired all or substantially
6 all of the assets of a municipal electric utility, when applying
7 this act to the former territory of the municipal electric utility.

8 (f) "Nonauthority pole" means a utility pole used for electric
9 delivery service and controlled by the governing body of a
10 municipally owned electric utility.

11 (g) "Person" means an individual, corporation, limited
12 liability company, partnership, association, trust, or other entity
13 or organization, including an authority.

14 (h) "Public right-of-way" or "ROW" means the area on, below,
15 or above a public roadway, highway, street, alley, bridge,
16 sidewalk, or utility easement dedicated for compatible uses. Public
17 right-of-way does not include any of the following:

18 (i) A private right-of-way.

19 (ii) A limited access highway.

20 (iii) Land owned or controlled by a railroad as defined in
21 section 109 of the railroad code of 1993, 1993 PA 354, MCL 462.109.

22 (iv) Railroad infrastructure.

23 (i) "Rate" means a recurring charge.

24 (j) "Small cell wireless facility" means a wireless facility
25 that meets both of the following requirements:

26 (i) Each antenna is located inside an enclosure of not more
27 than 6 cubic feet in volume or, in the case of an antenna that has

1 exposed elements, the antenna and all of its exposed elements would
2 fit within an imaginary enclosure of not more than 6 cubic feet.

3 (ii) All other wireless equipment associated with the facility
4 is cumulatively not more than 25 cubic feet in volume. The
5 following types of associated ancillary equipment are not included
6 in the calculation of equipment volume: electric meters,
7 concealment elements, telecommunications demarcation boxes,
8 grounding equipment, power transfer switches, cut-off switches, and
9 vertical cable runs for the connection of power and other services.

10 Sec 9. As used in this act:

11 (a) "Utility pole" means a pole or similar structure that is
12 or may be used in whole or in part for cable or wireline
13 communications service, electric distribution, lighting, traffic
14 control, signage, or a similar function, or a pole or similar
15 structure that meets the height requirements in section 13(5) and
16 is designed to support small cell wireless facilities. Utility pole
17 does not include a sign pole less than 15 feet in height above
18 ground.

19 (b) "Wireless facility" means equipment at a fixed location
20 that enables the provision of wireless services between user
21 equipment and a communications network, including, but not limited
22 to, radio transceivers, antennas, coaxial or fiber-optic cable,
23 regular and backup power supplies, and comparable equipment,
24 regardless of technological configuration. Wireless facility
25 includes a small cell wireless facility. Wireless facility does not
26 include any of the following:

27 (i) The structure or improvements on, under, or within which

Senate Bill No. 637 as amended March 14, 2018

1 the equipment is colocated.

2 (ii) A wireline backhaul facility.

3 (iii) Coaxial or fiber-optic cable between utility poles or
4 wireless support structures or that otherwise is not immediately
5 adjacent to or directly associated with a particular antenna.

6 (c) "Wireless infrastructure provider" means any person,
7 including a person authorized to provide telecommunications
8 services in this state but not including a wireless <<services>>
9 provider, that builds or installs wireless communication
10 transmission equipment, wireless facilities, or wireless support
11 structures and who, when filing an application with an authority
12 under this act, provides written authorization to perform the work
13 on behalf of a wireless services provider.

14 (d) "Wireless provider" means a wireless infrastructure
15 provider or a wireless services provider. Wireless provider does
16 not include an investor-owned utility whose rates are regulated by
17 the MPSC.

18 (e) "Wireless services" means any services, provided using
19 licensed or unlicensed spectrum, including the use of Wi-Fi,
20 whether at a fixed location or mobile.

21 (f) "Wireless services provider" means a person that provides
22 wireless services.

23 (g) "Wireless support structure" means a freestanding
24 structure designed to support or capable of supporting small cell
25 wireless facilities. Wireless support structure does not include a
26 utility pole.

27 (h) "Wireline backhaul facility" means a facility used to

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1 transport services by wire or fiber-optic cable from a wireless
2 facility to a network.

3 Sec. 11. (1) Except as provided in this act, an authority
4 shall not prohibit, regulate, or charge for the collocation of
5 small cell wireless facilities.

6 (2) The approval of a small cell wireless facility under this
7 act authorizes only the collocation of a small cell wireless
8 facility and does not authorize either of the following:

9 (a) The provision of any particular services.

10 (b) The installation, placement, modification, maintenance, or
11 operation of a wireline backhaul facility in the ROW.

12 Sec. 13. (1) This section applies only to activities of a
13 wireless provider within the public right-of-way for the deployment
14 of small cell wireless facilities and associated new or modified
15 utility poles.<<

16

17 >>

18 (2) An authority shall not enter into an exclusive arrangement
19 with any person for use of the ROW for the construction, operation,
20 or maintenance of utility poles or the collocation of small cell
21 wireless facilities.

22 (3) An authority shall not charge a wireless provider a rate
23 for each utility pole or wireless support structure in the ROW in
24 the authority's geographic jurisdiction on which the wireless
25 provider has collocated a small cell wireless facility that exceeds
26 the following:

27 (a) \$20.00 annually, unless subdivision (b) applies.

1 (b) \$125.00 annually, if the utility pole or wireless support
2 structure was erected by or on behalf of the wireless provider on
3 or after the effective date of this act. This subdivision does not
4 apply to the replacement of a utility pole that was not designed to
5 support small cell wireless facilities.

6 Every 5 years after the effective date of this act, the maximum
7 rates then authorized under subdivisions (a) and (b) are increased
8 by 10% and rounded to the nearest dollar.

9 (4) If, on the effective date of this act, an authority has a
10 rate or fee in an ordinance or in an agreement with a wireless
11 provider for the use of the ROW to colocate a small cell wireless
12 facility or to construct, install, mount, maintain, modify,
13 operate, or replace a utility pole, and the rate or fee does not
14 comply with subsection (3), the authority shall, not later than 90
15 days after the effective date of this act, revise the rate or fee
16 to comply with subsection (3). Both of the following apply:

17 (a) For installations of utility poles designed to support
18 small cell wireless facilities or collocations of small cell
19 wireless facilities installed and operational in the ROW before the
20 effective date of this act, the fees, rates, and terms of an
21 agreement or ordinance for use of the ROW remain in effect subject
22 to the termination provisions contained in the agreement or
23 ordinance.

24 (b) For installations of utility poles designed to support
25 small cell wireless facilities or collocations of small cell
26 wireless facilities installed and operational in the ROW after the
27 effective date of this act, the fees, rates, and terms of an

1 agreement or ordinance for use of the ROW shall comply with
2 subsection (3).

3 (5) A wireless provider may, as a permitted use not subject to
4 zoning review or approval, except that an application for a
5 permitted use is still subject to approval by the authority under
6 section 15, collocate small cell wireless facilities and construct,
7 maintain, modify, operate, or replace utility poles in, along,
8 across, upon, and under the ROW. Such structures and facilities
9 shall be constructed and maintained so as not to obstruct or hinder
10 the usual travel or public safety on the ROW or obstruct the legal
11 use of the authority's ROW or uses of the ROW by other utilities
12 and communications service providers. Both of the following apply:

13 (a) A utility pole in the ROW installed or modified on or
14 after the effective date of this act shall not exceed 40 feet above
15 ground level, unless a taller height is agreed to by the authority.

16 (b) A small cell wireless facility in the ROW installed or
17 modified after the effective date of this act shall not extend more
18 than 5 feet above a utility pole or wireless support structure on
19 which the small cell wireless facility is collocated.

20 (6) Subject to this section, section 17, and applicable zoning
21 regulations, a wireless provider may collocate a small cell wireless
22 facility or install, construct, maintain, modify, operate, or
23 replace a utility pole that exceeds the height limits under
24 subsection (5), or a wireless support structure, in, along, across,
25 upon, and under the ROW.

26 (7) A wireless provider shall comply with reasonable and
27 nondiscriminatory requirements otherwise provided that prohibit

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1 communications service providers from installing structures on or
 2 above ground in the ROW in an area designated solely for
 3 underground or buried cable and utility facilities if all of the
 4 following apply:

5 (a) The authority has required all cable and utility
 6 facilities<<, other than authority poles, along with any attachments,
 or poles used for street lights, traffic signals, or other attachments
 necessary for public safety,>> to be placed
 7 underground by a date that is not less than 90 days before the
 8 submission of the application.

9 (b) The authority does not prohibit the replacement of
 10 authority poles by a wireless provider in the designated area.

11 (c) The authority allows wireless providers to apply for a
 12 waiver of the undergrounding requirements for the placement of a
 13 new utility pole to support small cell wireless facilities, and the
 14 waiver applications are addressed in a nondiscriminatory manner.

15 (8) Subject to section 15(2), and except for facilities
 16 excluded from evaluation for effects on historic properties under
 17 47 CFR 1.1307(a)(4)(ii), an authority may adopt written, objective
 18 requirements for reasonable, technically feasible,
 19 nondiscriminatory, and technologically neutral design or
 20 concealment measures in a historic district, downtown district, or
 21 residential zoning district. Any such requirement shall not have
 22 the effect of prohibiting any wireless provider's technology. Any
 23 such design or concealment measures are not considered a part of
 24 the small wireless facility for purposes of the size restrictions
 25 in the definition of small wireless facility in section 7.

26 (9) An authority's administration and regulation of activities
 27 of wireless providers in the ROW shall be reasonable,

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1 nondiscriminatory, and competitively neutral and shall comply with
2 applicable law.

3 (10) An authority may require a wireless provider to repair
4 all damage to the ROW directly caused by the activities of the
5 wireless provider while occupying, constructing, installing,
6 mounting, maintaining, modifying, operating, or replacing small
7 cell wireless facilities, utility poles, or wireless support
8 structures in the ROW and to return the ROW to its functional
9 equivalent before the damage. If the wireless provider fails to
10 make the repairs required by the authority within 60 days after
11 written notice, the authority may make those repairs and charge the
12 wireless provider the reasonable, documented cost of the repairs.

13 Sec. 15. (1) This section applies to activities of a wireless
14 provider within the public right-of-way.

15 (2) Except as otherwise provided in subsection <<(5)>>, an
16 authority may require a permit to colocate a small cell wireless
17 facility or install, modify, or replace a utility pole on which a
18 small cell wireless facility will be colocated if the permit is of
19 general applicability. The processing of an application for such a
20 permit is subject to all of the following:

21 (a) The authority shall not directly or indirectly require an
22 applicant to perform services unrelated to the collocation for
23 which a permit is sought, such as reserving fiber, conduit, or pole
24 space for the authority or making other in-kind contributions to
25 the authority.

26 (b) An authority may require an applicant to provide
27 information and documentation to enable the authority to make a

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1 decision with regard to the criteria in subdivision (i). An
2 authority may also require a certificate of compliance with FCC
3 rules related to radio frequency emissions from a small cell
4 wireless facility.

5 (c) If the proposed activity will occur within a shared ROW or
6 an ROW that overlaps another ROW, a wireless provider shall
7 provide, to each affected authority to which an application for the
8 activity is not << >>submitted, notification of the
9 wireless provider's intent to locate a small cell wireless facility
10 within the ROW. An authority may require proof of other necessary
11 permits, permit applications, or easements to ensure all necessary
12 permissions for the proposed activity are obtained.

13 (d) Within 25 days after receiving an application, an
14 authority shall notify the applicant in writing whether the
15 application is complete. If the application is incomplete, the
16 notice shall clearly and specifically delineate all missing
17 documents or information. The notice tolls the running of the time
18 for approving or denying an application under subdivision (h).

19 (e) The running of time period tolled under subdivision (d)
20 resumes when the applicant makes a supplemental submission in
21 response to the authority's notice of incompleteness. If a
22 supplemental submission is inadequate, the authority shall notify
23 the applicant in writing not later than 10 days after receiving the
24 supplemental submission that the supplemental submission did not
25 provide the information identified in the original notice
26 delineating missing documents or information. The time period may
27 be tolled in the case of second or subsequent notices under the

1 procedures identified in subdivision (d). Second or subsequent
2 notices of incompleteness may not specify missing documents or
3 information that was not delineated in the original notice of
4 incompleteness.

5 (f) The authority may require an applicant to include an
6 attestation that the small cell wireless facilities will be
7 operational for use by a wireless services provider within 1 year
8 after the permit issuance date, unless the authority and the
9 applicant agree to extend this period or delay is caused by lack of
10 commercial power or communications transport facilities to the
11 site.

12 (g) The application shall be processed on a nondiscriminatory
13 basis.

14 (h) The authority shall approve or deny the application and
15 notify the applicant in writing within the following period of time
16 after the application is received:

17 (i) For an application for the collocation of small cell
18 wireless facilities on a utility pole, 60 days, subject to the
19 following adjustments:

20 (A) Add 15 days if an application from another wireless
21 provider was received within 1 week of the application in question.

22 (B) Add 15 days if, before the otherwise applicable 60-day or
23 75-day time period under this subparagraph elapses, the authority
24 notifies the applicant in writing that an extension is needed and
25 the reasons for the extension.

26 (ii) For an application for a new or replacement utility pole
27 that meets the height requirements of section 13(5)(a) and

1 associated small cell facility, 90 days, subject to the following
2 adjustments:

3 (A) Add 15 days if an application from another wireless
4 provider was received within 1 week of the application in question.

5 (B) Add 15 days if, before the otherwise applicable 90-day or
6 105-day time period under this subparagraph elapses, the authority
7 notifies the applicant in writing that an extension is needed and
8 the reasons for the extension.

9 If the authority fails to comply with this subdivision, the
10 completed application is considered to be approved subject to the
11 condition that the applicant provide the authority not less than 7
12 days' advance written notice that the applicant will be proceeding
13 with the work pursuant to this automatic approval.

14 (i) An authority may deny a completed application for a
15 proposed collocation of a small cell wireless facility or
16 installation, modification, or replacement of a utility pole that
17 meets the height requirements in section 13(5)(a) only if the
18 proposed activity would do any of the following:

19 (i) Materially interfere with the safe operation of traffic
20 control equipment.

21 (ii) Materially interfere with sight lines or clear zones for
22 transportation or pedestrians.

23 (iii) Materially interfere with compliance with the Americans
24 with Disabilities Act of 1990, Public Law 101-336, or similar
25 federal, state, or local standards regarding pedestrian access or
26 movement.

27 (iv) Materially interfere with maintenance or full

1 unobstructed use of public utility infrastructure under the
2 jurisdiction of an authority.

3 (v) With respect to drainage infrastructure under the
4 jurisdiction of an authority, either of the following:

5 (A) Materially interfere with maintenance or full unobstructed
6 use of the drainage infrastructure as it was originally designed.

7 (B) Not be located a reasonable distance from the drainage
8 infrastructure to ensure maintenance under the drain code of 1956,
9 1956 PA 40, MCL 280.1 to 280.630, and access to the drainage
10 infrastructure.

11 (vi) Fail to comply with reasonable, nondiscriminatory,
12 written spacing requirements of general applicability adopted by
13 ordinance or otherwise that apply to the location of ground-mounted
14 equipment and new utility poles and that do not prevent a wireless
15 provider from serving any location.

16 (vii) Fail to comply with applicable codes.

17 (viii) Fail to comply with section 13(7) or (8).

18 (ix) Fail to meet reasonable, objective, written stealth or
19 concealment criteria for small cell wireless facilities applicable
20 in a historic district or other designated area, as specified in an
21 ordinance or otherwise and nondiscriminatorily applied to all other
22 occupants of the ROW, including electric utilities, incumbent or
23 competitive local exchange carriers, fiber providers, cable
24 television operators, and the authority.

25 (j) If the completed application is denied, the notice under
26 subdivision (h) shall explain the reasons for the denial and, if
27 applicable, cite the specific provisions of applicable codes on

1 which the denial is based. The applicant may cure the deficiencies
2 identified by the authority and resubmit the application within 30
3 days after the denial without paying an additional application fee.
4 The authority shall approve or deny the revised application within
5 30 days. The authority shall limit its review of the revised
6 application to the deficiencies cited in the denial.

7 (k) An applicant may at the applicant's discretion file a
8 consolidated application and receive a single permit for the
9 collocation of up to 20 small cell wireless facilities within the
10 jurisdiction of a single authority or, in the case of the state
11 transportation department, a single designated control section as
12 identified on the department's website. The small cell wireless
13 facilities within a consolidated application must consist of
14 substantially similar equipment and be placed on similar types of
15 utility poles or wireless support structures. An authority may
16 approve a permit for 1 or more small cell wireless facilities
17 included in a consolidated application and deny a permit for the
18 remaining small cell facilities. An authority shall not deny a
19 permit for a small cell wireless facility included in a
20 consolidated application on the basis that a permit is being denied
21 for 1 or more other small cell facilities included in that
22 application.

23 (l) Within 1 year after a permit is granted, a wireless
24 provider shall complete collocation of a small cell wireless
25 facility that is to be operational for use by a wireless services
26 provider, unless the authority and the applicant agree to extend
27 this period or the delay is caused by the lack of commercial power

1 or communications facilities at the site. If the wireless provider
2 fails to complete the collocation within the applicable time, the
3 permit is void, and the wireless provider may reapply for a permit.

4 A permittee may voluntarily request that a permit be terminated.

5 (m) Approval of an application authorizes the wireless
6 provider to do both of the following:

7 (i) Undertake the installation or collocation.

8 (ii) Subject to relocation requirements that apply to
9 similarly situated users of the ROW and the applicant's right to
10 terminate at any time, maintain the small cell wireless facilities
11 and any associated utility poles or wireless support structures
12 covered by the permit for so long as the site is in use and in
13 compliance with the initial permit under this act.

14 (n) An authority shall not institute a moratorium on filing,
15 receiving, or processing applications or issuing permits for the
16 collocation of small cell wireless facilities or the installation,
17 modification, or replacement of utility poles on which small cell
18 wireless facilities will be colocated.

19 (o) The authority and an applicant may extend a time period
20 under this subsection by mutual agreement.

21 (3) An application fee for a permit under subsection (2) shall
22 not exceed the lesser of the following:

23 (a) \$200.00 for each small cell wireless facility alone.

24 (b) \$300.00 for each small cell wireless facility and a new
25 utility pole to which it will be attached.

26 Every 5 years after the effective date of this act, the maximum
27 fees then authorized under this subsection are increased by 10% and

1 rounded to the nearest dollar.

2 (4) An authority may revoke a permit, upon 30 days' notice and
3 an opportunity to cure, if the permitted small cell wireless
4 facilities and any associated utility pole fail to meet the
5 requirements of subsection (2)(i).

6 (5) An authority shall not require a permit or any other
7 approval or require fees or rates for any of the following:

8 (a) The replacement of a small cell wireless facility with a
9 small cell wireless facility that is not larger or heavier, in
10 compliance with applicable codes.

11 (b) Routine maintenance of a small cell wireless facility,
12 utility pole, or wireless support structure.

13 (c) The installation, placement, maintenance, operation, or
14 replacement of a micro wireless facility that is suspended on
15 cables strung between utility poles or wireless support structures
16 in compliance with applicable codes.

17 (6) An authority that receives an application to place a new
18 utility pole may propose an alternate location within the ROW or on
19 property or structures owned or controlled by an authority within
20 75 feet of the proposed location to either place the new utility
21 pole or colocate on an existing structure. The applicant shall use
22 the alternate location if, as determined by the applicant, the
23 applicant has the right to do so on reasonable terms and conditions
24 and the alternate location does not impose unreasonable technical
25 limits or significant additional costs.

26 (7) Before discontinuing its use of a small cell wireless
27 facility, utility pole, or wireless support structure, a wireless

1 provider shall notify an authority in writing. The notice shall
2 specify when and how the wireless provider intends to remove the
3 small cell wireless facility, utility pole, or wireless support
4 structure. The authority may impose reasonable and
5 nondiscriminatory requirements and specifications for the wireless
6 provider to return the property to its preinstallation condition.
7 If the wireless provider does not complete the removal within 45
8 days after the discontinuance of use, the authority may complete
9 the removal and assess the costs of removal against the wireless
10 provider. A permit under this section for a small cell wireless
11 facility expires upon removal of the small cell wireless facility.

12 (8) This section does not prohibit an authority from requiring
13 a permit for work that will unreasonably affect traffic patterns or
14 obstruct vehicular or pedestrian traffic in the ROW.

15 Sec. 17. (1) The activities set forth in section 15(5) are
16 exempt from zoning review. Subsections (2) to (4) apply to zoning
17 reviews for the following activities that are subject to zoning
18 review and approval, that are not a permitted use under section
19 13(5), and that take place within or outside the public right-of-
20 way:

21 (a) The modification of existing or installation of new small
22 cell wireless facilities.

23 (b) The modification of existing or installation of new
24 wireless support structures used for such small cell wireless
25 facilities.

26 (2) The processing of an application for a zoning approval is
27 subject to all of the following requirements:

1 (a) Within 30 days after receiving an application under this
2 section, an authority shall notify the applicant in writing whether
3 the application is complete. If the application is incomplete, the
4 notice shall clearly and specifically delineate all missing
5 documents or information. The notice tolls the running of the 30-
6 day period.

7 (b) The running of the time period tolled under subdivision
8 (a) resumes when the applicant makes a supplemental submission in
9 response to the authority's notice of incompleteness. If a
10 supplemental submission is inadequate, the authority shall notify
11 the applicant not later than 10 days after receiving the
12 supplemental submission that the supplemental submission did not
13 provide the information identified in the original notice
14 delineating missing documents or information. The time period may
15 be tolled in the case of second or subsequent notices under the
16 procedures identified in subdivision (a). Second or subsequent
17 notices of incompleteness may not specify missing documents or
18 information that was not delineated in the original notice of
19 incompleteness.

20 (c) The application shall be processed on a nondiscriminatory
21 basis.

22 (d) The authority shall approve or deny the application and
23 notify the applicant in writing within 90 days after an application
24 for a modification of a wireless support structure or installation
25 of a small cell wireless facility is received or 150 days after an
26 application for a new wireless support structure is received. The
27 time period for approval may be extended by mutual agreement

1 between the applicant and authority. If the authority fails to
2 comply with this subdivision, the application is considered to be
3 approved subject to the condition that the applicant provide the
4 authority not less than 15 days' advance written notice that the
5 applicant will be proceeding with the work pursuant to this
6 automatic approval.

7 (e) An authority shall not deny an application unless all of
8 the following apply:

9 (i) The denial is supported by substantial evidence contained
10 in a written record that is publicly released contemporaneously.

11 (ii) There is a reasonable basis for the denial.

12 (iii) The denial would not discriminate against the applicant
13 with respect to the placement of the facilities of other wireless
14 providers.

15 (3) An authority's review of an application for a zoning
16 approval is subject to all of the following requirements:

17 (a) An applicant's business decision on the type and location
18 of small cell wireless facilities, wireless support structures, or
19 technology to be used is presumed to be reasonable. This
20 presumption does not apply with respect to the height of wireless
21 facilities or wireless support structures. An authority may
22 consider the height of such structures in its zoning review, but
23 shall not discriminate between the applicant and other
24 communications service providers.

25 (b) An authority shall not evaluate or require an applicant to
26 submit information about an applicant's business decisions with
27 respect to any of the following:

1 (i) The need for a wireless support structure or small cell
2 wireless facilities.

3 (ii) The applicant's service, customer demand for the service,
4 or the quality of service.

5 (c) Any requirements regarding the appearance of facilities,
6 including those relating to materials used or arranging, screening,
7 or landscaping, shall be reasonable.

8 (d) Any spacing, setback, or fall zone requirement shall be
9 substantially similar to a spacing, setback, or fall zone
10 requirement imposed on other types of commercial structures of a
11 similar height.

12 (4) An application fee for a zoning approval shall not exceed
13 the following:

14 (a) \$1,000.00 for a new wireless support structure or
15 modification of an existing wireless support structure.

16 (b) \$500.00 for a new small cell wireless facility or
17 modification of an existing small cell wireless facility.

18 (5) Within 1 year after a zoning approval is granted, a
19 wireless provider shall commence construction of the approved
20 structure or facilities that are to be operational for use by a
21 wireless services provider, unless the authority and the applicant
22 agree to extend this period or the delay is caused by a lack of
23 commercial power or communications facilities at the site. If the
24 wireless provider fails to commence the construction of the
25 approved structure or facilities within the time required pursuant
26 to section 15(2)(I), the zoning approval is void, and the wireless
27 provider may reapply for a zoning approval. However, the wireless

1 provider may voluntarily request that the zoning approval be
2 terminated.

3 (6) An authority shall not institute a moratorium on either of
4 the following:

5 (a) Filing, receiving, or processing applications for zoning
6 approval.

7 (b) Issuing approvals for installations that are not a
8 permitted use.

9 (7) An authority may revoke a zoning approval, upon 30 days'
10 notice and an opportunity to cure, if the permitted small cell
11 wireless facilities and any associated wireless support structure
12 fail to meet the requirements of the approval, applicable codes, or
13 applicable zoning requirements.

14 Sec. 19. (1) An authority shall not enter into an exclusive
15 arrangement with any person for the right to attach to authority
16 poles. A person who purchases, controls, or otherwise acquires an
17 authority pole is subject to the requirements of this section.

18 (2) The rate for the collocation of small cell wireless
19 facilities on authority poles shall be nondiscriminatory regardless
20 of the services provided by the collocating person. The rate shall
21 not exceed \$30.00 per year per authority pole. Every 5 years after
22 the effective date of this act, the maximum rate then authorized
23 under this subsection is increased by 10% and rounded to the
24 nearest dollar. This rate for the collocation of small cell
25 wireless facilities on authority poles is in addition to any rate
26 charged for the use of the ROW under section 13.

27 (3) If, on the effective date of this act, an authority has a

1 rate, fee, or other term in an ordinance or in an agreement with a
2 wireless provider that does not comply with this section, the
3 authority shall, not later than 90 days after the effective date of
4 this act, revise the rate, fee, or term to comply with this
5 section. Both of the following apply:

6 (a) An ordinance or an agreement between an authority and a
7 wireless provider that is in effect on the effective date of this
8 act and that relates to the collocation on authority poles of small
9 cell wireless facilities installed and operational before the
10 effective date of this act remains in effect as it relates to those
11 collocations, subject to termination provisions in the ordinance or
12 agreement.

13 (b) The rates, fees, and terms established under this section
14 apply to the collocation on authority poles of small cell wireless
15 facilities that are installed and operational after the rates,
16 fees, and terms take effect.

17 (4) Within 90 days after receiving the first request to
18 collocate a small cell wireless facility on an authority pole, the
19 authority shall make available, through ordinance or otherwise, the
20 rates, fees, and terms for the collocation of small cell wireless
21 facilities on the authority poles. The rates, fees, and terms shall
22 comply with all of the following:

23 (a) The rates, fees, and terms shall be nondiscriminatory,
24 competitively neutral, and commercially reasonable and shall comply
25 with this act.

26 (b) The authority shall provide a good-faith estimate for any
27 make-ready work within 60 days after receipt of a complete

1 application. Make-ready work shall be completed within 60 days of
2 written acceptance of the good-faith estimate by the applicant.

3 (c) The person owning or controlling the authority pole shall
4 not require more make-ready work than required to comply with law
5 or industry standards.

6 (d) Fees for make-ready work shall not do any of the
7 following:

8 (i) Include costs related to preexisting or prior damage or
9 noncompliance unless the damage or noncompliance was caused by the
10 applicant.

11 (ii) Include any unreasonable consultant fees or expenses.

12 (iii) Exceed actual costs imposed on a nondiscriminatory
13 basis.

14 (5) This section does not require an authority to install or
15 maintain any specific authority pole or to continue to install or
16 maintain authority poles in any location if the authority makes a
17 nondiscriminatory decision to eliminate aboveground poles of a
18 particular type generally, such as electric utility poles, in a
19 designated area of its geographic jurisdiction. For authority poles
20 with colocated small cell wireless facilities in place when an
21 authority makes a decision to eliminate aboveground poles of a
22 particular type, the authority shall do 1 of the following:

23 (a) Continue to maintain the authority pole.

24 (b) Install and maintain a reasonable alternative pole or
25 wireless support structure for the collocation of the small cell
26 wireless facility.

27 (c) Offer to sell the pole to the wireless provider at a

1 reasonable cost.

2 (d) Allow the wireless provider to install its own utility
3 pole so it can maintain service from that location.

4 (e) Proceed as provided by an agreement between the authority
5 and the wireless provider.

6 Sec. 21. (1) The governing body of a municipally owned
7 electric utility shall not enter into an exclusive arrangement with
8 any person for the right to attach to nonauthority poles.

9 (2) The governing body of a municipally owned electric utility
10 shall allow the collocation of small cell wireless facilities on
11 nonauthority poles on a nondiscriminatory basis.

12 (3) The collocation of small cell wireless facilities on
13 nonauthority poles by a wireless provider shall comply with the
14 applicable, nondiscriminatory safety and reliability standards
15 adopted by the governing body of a municipally owned electric
16 utility and with the "National Electric Safety Code" published by
17 the Institute of Electrical and Electronics Engineers. The
18 governing body of a municipally owned electric utility may require
19 a wireless provider to execute an agreement for nonauthority pole
20 attachments if such an agreement is required of all other
21 nonauthority pole attachments.

22 (4) The governing body of a municipally owned electric utility
23 shall adopt a process for requests by wireless providers to
24 collocate small cell wireless facilities on nonauthority poles that
25 is nondiscriminatory and competitively neutral. If such a process
26 has not been adopted within 90 days after the effective date of
27 this act, the application process in section 15 applies to such

1 requests. The governing body of a municipally owned electric
2 utility shall not impose a moratorium on the processing of
3 nonauthority pole collocation requests, or require a wireless
4 provider to perform any service not directly related to the
5 collocation. The governing body of a municipally owned electric
6 utility may charge a fee not to exceed \$100.00 per nonauthority
7 pole for processing the request. The governing body of a
8 municipally owned electric utility may charge an additional fee not
9 to exceed \$100.00 per nonauthority pole for processing the request,
10 if a modification or maintenance of the collocation requires an
11 engineering analysis. Every 5 years after the effective date of
12 this act, the maximum fees then authorized under this subsection
13 are increased by 10% and rounded to the nearest dollar.

14 (5) The rate for a wireless provider to colocate on a
15 nonauthority pole in the ROW shall not exceed \$50.00 annually per
16 nonauthority pole. Every 5 years after the effective date of this
17 act, the maximum rate then authorized under this subsection is
18 increased by 10% and rounded to the nearest dollar.

19 (6) A wireless provider shall comply with the process for
20 make-ready work that the governing body of a municipally owned
21 electric utility has adopted for other parties under the same or
22 similar circumstances that attach facilities to nonauthority poles.
23 If such a process has not been adopted, the wireless provider and
24 the governing body of a municipally owned electric utility shall
25 comply with the process for make-ready work under 47 USC 224 and
26 implementing orders and regulations. A good-faith estimate
27 established by the governing body of a municipally owned electric

1 utility for any make-ready work for nonauthority poles shall
2 include pole replacement if necessary. All make-ready costs shall
3 be based on actual costs, with detailed documentation provided.

4 (7) If a wireless provider is required to relocate small cell
5 wireless facilities colocated on a nonauthority pole, it shall do
6 so in accordance with the nondiscriminatory terms adopted by the
7 governing body of a municipally owned electric utility.

8 Sec. 23. (1) An attaching entity, and all contractors or
9 parties under its control, shall comply with reliability, safety,
10 and engineering standards adopted by the governing body of a
11 municipally owned electric utility, including, but not limited to,
12 the following:

13 (a) Applicable engineering and safety standards governing
14 installation, maintenance, and operation of facilities and the
15 performance of work in or around the municipally owned electric
16 utility nonauthority poles and facilities.

17 (b) The "National Electric Safety Code" published by the
18 Institute of Electrical and Electronics Engineers.

19 (c) Regulations of the United States Occupational Safety and
20 Health Administration.

21 (d) Other reasonable safety and engineering requirements to
22 which municipally owned electric utility facilities are subject by
23 law.

24 (2) The governing body of a municipally owned electric utility
25 may require an attaching entity to execute an agreement for wire or
26 cable attachments to nonauthority poles or related infrastructure.

27 (3) The governing body of a municipally owned electric utility

1 shall not charge an attaching entity a rate for wire or cable pole
2 attachments within the communication space on a nonauthority pole
3 greater than the maximum allowable rate pursuant to 47 USC 224(d)
4 and (e) as established in Federal Communications Commission Order
5 on Reconsideration 15-151.

6 (4) Subject to section 27, an attaching entity may commence a
7 civil action for injunctive relief for a violation of this section.
8 The attaching entity shall not file an action under this subsection
9 unless the attaching entity has first provided the municipally
10 owned electric utility with a written notice of the intent to sue.
11 Within 30 days after the municipally owned electric utility
12 receives written notice of intent to sue, the municipally owned
13 electric utility and the attaching entity shall meet and make a
14 good-faith attempt to determine if there is a credible basis for
15 the action. If the parties agree that there is a credible basis for
16 the action, the governing body of the municipally owned electric
17 utility shall take all reasonable and prudent steps necessary to
18 comply with the applicable requirements of this section within 90
19 days after the meeting.

20 Sec. 25. An authority does not have jurisdiction or authority
21 over the design, engineering, construction, installation, or
22 operation of a small cell wireless facility located in an interior
23 structure or upon a campus of an institution of higher education
24 including any stadiums or athletic facilities associated with the
25 institution of higher education, a professional stadium, or a
26 professional athletic facility, other than to enforce applicable
27 codes. This act does not authorize this state or any other

Senate Bill No. 637 as amended March 14, 2018

1 authority to require wireless facility deployment or to regulate
2 wireless services.

3 Sec. 27. The circuit court has jurisdiction to determine all
4 disputes arising under this act. Venue lies in the judicial circuit
5 where the authority or municipally owned electric utility is
6 located. In addition to its right to appeal to the circuit court,
7 an applicant may elect, at its sole discretion, to appeal a
8 determination under the act to an authority, if the authority has
9 an appeal process to render a decision expeditiously.

10 Sec. 29. As part of the permit process under section 15<<, a zoning
11 approval process under section 17,>> or a
12 request process under section 21, an authority or the governing
13 body of a municipally owned electric utility may require a wireless
14 provider to do the following with respect to a small cell wireless
15 facility, a wireless support structure, or a utility pole:

16 (a) Defend, indemnify, and hold harmless the authority or the
17 governing body of a municipally owned electric utility and its
18 officers, agents, and employees against any claims, demands,
19 damages, lawsuits, judgments, costs, liens, losses, expenses, and
20 attorney fees resulting from the installation, construction,
21 repair, replacement, operation, or maintenance of any wireless
22 facilities, wireless support structures, or utility poles to the
23 extent caused by the applicant, its contractors, its
24 subcontractors, and the officers, employees, or agents of any of
25 these. A wireless provider has no obligation to defend, indemnify,
26 or hold harmless an authority or the governing body of a
27 municipally owned electric utility, or the officers, agents, or
employees of the authority or governing body against any

1 liabilities or losses due to or caused by the sole negligence of
2 the authority or the governing body of a municipally owned electric
3 utility or its officers, agents, or employees.

4 (b) Obtain insurance naming the authority or the governing
5 body of a municipally owned electric utility and its officers,
6 agents, and employees as additional insureds against any claims,
7 demands, damages, lawsuits, judgments, costs, liens, losses,
8 expenses, and attorney fees. A wireless provider may meet all or a
9 portion of the authority's insurance coverage and limit
10 requirements by self-insurance. To the extent it self-insures, a
11 wireless provider is not required to name additional insureds under
12 this section. To the extent a wireless provider elects to self-
13 insure, the wireless provider shall provide to the authority
14 evidence demonstrating, to the authority's satisfaction, the
15 wireless provider's financial ability to meet the authority's
16 insurance coverage and limit requirements.

17 Sec. 31. An authority may establish a fee or rate less than
18 the maximum specified in section 13(3), 15(3), 17(4), or 19(2),
19 subject to other requirements of this act.

20 Sec. 33. (1) As a condition of a permit described in this act,
21 an authority may adopt bonding requirements for small cell wireless
22 facilities if both of the following requirements are met:

23 (a) The authority imposes similar requirements in connection
24 with permits issued for similarly situated users of the ROW.

25 (b) The purpose of the bonds is 1 or more of the following:

26 (i) To provide for the removal of abandoned or improperly
27 maintained small cell wireless facilities, including those that an

1 authority determines should be removed to protect public health,
2 safety, or welfare.

3 (ii) To repair the ROW as provided under section 13(10).

4 (iii) To recoup rates or fees that have not been paid by a
5 wireless provider in more than 12 months, if the wireless provider
6 has received 60-day advance notice from the authority of the
7 noncompliance.

8 (2) An authority shall not require either of the following
9 under subsection (1):

10 (a) A cash bond, unless any of the following apply:

11 (i) The wireless provider has failed to obtain or maintain a
12 bond required under this section.

13 (ii) The surety has defaulted or failed to perform on a bond
14 given to the authority on behalf of the wireless provider.

15 (b) A bond in an amount exceeding \$1,000.00 per small cell
16 wireless facility.

17 Sec. 35. A small cell wireless facility for which a permit is
18 issued shall be labeled with the name of the wireless provider,
19 emergency contact telephone number, and information that identifies
20 the small cell wireless facility and its location.

21 Sec. 37. A wireless provider is responsible for arranging and
22 paying for the electricity used to operate a small cell wireless
23 facility.

24 Sec. 39. (1) This act does not add to, replace, or supersede
25 any law regarding poles or conduits, similar structures, or
26 equipment of any type owned or controlled by an investor-owned
27 utility whose rates are regulated by the MPSC, an affiliated

1 transmission company, an independent transmission company, or,
2 except as provided in section 7(e), a cooperative electric utility.

3 (2) This act does not impose or otherwise affect any rights,
4 controls, or contractual obligations of an investor-owned utility
5 whose rates are regulated by the MPSC, an affiliated transmission
6 company, an independent transmission company or, except as provided
7 in section 7(e), a cooperative electric utility with respect to its
8 poles or conduits, similar structures, or equipment of any type.

9 (3) Except for purposes of a wireless provider obtaining a
10 permit to occupy a right-of-way, this act does not affect an
11 investor-owned utility whose rates are regulated by the MPSC.
12 Notwithstanding any other provision of this act, pursuant to and
13 consistent with section 6g of 1980 PA 470, MCL 460.6g, the MPSC has
14 sole jurisdiction over attachment of wireless facilities on the
15 poles, conduits, and similar structures or equipment of any type or
16 kind owned or controlled by an investor-owned utility whose rates
17 are regulated by the MPSC.

18 Enacting section 1. This act takes effect 90 days after the
19 date it is enacted into law.

Medical Marihuana Facilities Licensing Act (MMFLA, PA 281 of 2016) compared with Proposal 1 – the Michigan Regulation and Taxation of Marihuana Act (MRTMA)

Votes required for future amendments:

- MMFLA requires a simple majority of vote of the Legislature (56 House votes and 20 Senate votes).
- Proposed MRTMA will require a 3/4 vote of the Legislature (83 House votes and 29 Senate votes).

Local Control:

- MMFLA requires municipality to OPT IN.
- Proposed MRTMA requires a municipality to OPT OUT. Municipal decision to limit the number of marihuana establishments or opt out is subject to override by the voters of that municipality through initiative petition.
- MMFLA, a state operating license may not be issued to an applicant unless the municipality in which the proposed facility will be located in has adopted an ordinance authorizing that type of license.
 - If municipality does nothing, no marihuana facilities can be licensed/operate in that municipality.
 - If municipality adopts ordinance (opts in), then it may:
 - Authorize any specific or all license types
 - Limit the number of each license type
- Proposed MRTMA, a state operating license shall be issued to operate in every municipality unless a municipality enacts an ordinance to opt out.
 - Municipality can either completely prohibit all license types, or it allows all and can limit the total number of each license type. It may not pick and choose what license types it authorizes.
 - If the municipal limit on licenses prevents the State from issuing a license to all qualifying applicants, the municipality, not the State, is required to select from the competing applicants using a competitive process intended to identify those who are best suited to operate in compliance with the Act.
- Nothing under the MMFLA nor the proposed MRTMA has direct affect on the Michigan Medical Marihuana Act (MMMA patient caregiver model).

- Proposed MRTMA broadens the prohibition on the separation of plant resin by butane extraction on residential premises under the MMMA to include methods using a substance with a flash point below 100 degrees Fahrenheit within the curtilage of a residence.
- Proposed MRMTA substantially increases the amount of marihuana that may be lawfully possessed from 2.5 ounces and 12 plants by a qualifying patient to 2.5 ounces on one's person, 10 ounces secured in one's residence, and no more than 12 plants at a time.
- While a municipality may regulate the time, place and manner of operation of marihuana establishments, the State must approve and issue a license to a proposed marihuana establishment that is not within an area exclusively zoned for residential use and is not within 1000 feet of a preexisting K-12 public or private school. A municipality may reduce this distance by ordinance.

License Types:

- MMFLA has five license types:
 1. Grower
 - Class A – 500 plant limit
 - Class B – 1,000 plant limit
 - Class C – 1,500 plant limit
 2. Processor
 3. Secure transporter
 4. Provisioning center
 5. Safety compliance facility
- Proposed MRTMA has six license types:
 1. Grower (plant limits are different than MMFLA)
 - Class A – 100 plant limit
 - Class B – 500 plant limit
 - Class C – 2,000 plant limit
 2. Processor
 3. Secure transporter
 - Provides for license, but nowhere in the language is there a requirement that marihuana must only be transported by a secure transporter.
 4. Retailer
 - MMFLA license is a provisioning center not retailer.
 5. Safety compliance facility
 6. Microbusiness
 - Person licensed to cultivate not more than 150 plants; process and package; and sell or otherwise transfer marihuana to individuals who are 21 years of age or older or to a safety compliance facility, but not to other marihuana establishments.
 - MMFLA does not have this license type.

We love where you live.



- MMFLA prohibits caregiver from grower, processor or secure transporter license types.
- Proposed MRTMA does not prohibit caregiver from holding any of the six license types.
- A person may be licensed under both the MMFLA as well as the proposed MRTMA.

Unreasonably Impracticable:

- MMFLA does not reference.
- Proposed MRTMA prohibits any administrative rule or municipal ordinance that subjects the licensee to unreasonable risk or requires such a high investment of money, time, or any other resource or asset that a reasonably prudent businessperson would not operate the marijuana establishment.
 - Any rule or ordinance could be legally challenged if a person considers it to require too much time, money, etc.

Additional information:

- Definitions are not consistent between the MMFLA and the proposed MRTMA.
- Grower license plant counts are not consistent between the MMFLA and the proposed MRTMA.
- Application process is not consistent between the MMFLA and the proposed MRTMA.
 - If the State does not begin accepting/processing MRTMA applications within one year of the effective date of the Act, applicants can submit an application to a municipality. Municipality shall issue a municipal license to applicant within 90 days. Municipal license has same force and effect as state license, but the municipal license holder is not subject to regulation or enforcement by the department during the municipal license term.
- If proposed MRTMA passes, the MMFLA requirement that a 3% tax is imposed on each provisioning center's gross retail receipts is no longer applicable. However a 10% tax will be imposed on marijuana retailers on sales price of marijuana sold or otherwise transferred to anyone other than a marijuana establishment.
- The percent of the municipal portion of the excise tax collected is reduced from 25% under the MMFLA to 15% under the MRTMA and is paid only after the State is compensated for its implementation, administration and enforcement of the Act; and until 2022 or for at least two years, \$20 million annually is provided to FDA-approved clinical trials researching the efficacy of marijuana in treating U.S. armed services veterans for medical conditions and suicide prevention.
- If proposed MRTMA passes, it goes in to effect 10 days after the election is certified.

We love where you live.



Adam Zettel

From: Michael Gildner <MGildner@sfplaw.com>
Sent: Monday, October 08, 2018 5:42 PM
To: Adam Zettel
Subject: Medical Marijuana

Relating to municipalities, the proposed text says:

“Except as provided in section 4, a municipality may completely prohibit or limit the number of marihuana establishments within its boundaries. Individuals may petition to initiate an ordinance to provide for the number of marihuana establishments allowed within a municipality or to completely prohibit marihuana establishments within a municipality, and such ordinance shall be submitted to the electors of the municipality at the next regular election when a petition is signed by qualified electors in the municipality in a number greater than 5% of the votes cast for governor by qualified electors in the municipality at the last gubernatorial election. A petition under this subsection is subject to section 488 of the Michigan election law, 1954 PA 116, MCL 168.488.

2. A municipality may adopt other ordinances that are not unreasonably impracticable and do not conflict with this act or with any rule promulgated pursuant to this act and that:

(a) establish reasonable restrictions on public signs related to marihuana establishments;

(b) regulate the time, place, and manner of operation of marihuana establishments and of the production, manufacture, sale, or display of marihuana accessories;

(c) authorize the sale of marihuana for consumption in designated areas that are not accessible to persons under 21 years of age, or at special events in limited areas and for a limited time; and

(d) designate a violation of the ordinance and provide for a penalty for that violation by a marihuana establishment, provided that such violation is a civil infraction and such penalty is a civil fine of not more than \$500.

3. A municipality may adopt an ordinance requiring a marihuana establishment with a physical location within the municipality to obtain a municipal license, but may not impose qualifications for licensure that conflict with this act or rules promulgated by the department.

4. A municipality may charge an annual fee of not more than \$5,000 to defray application, administrative, and enforcement costs associated with the operation of the marihuana establishment in the municipality.

5. A municipality may not adopt an ordinance that restricts the transportation of marihuana through the municipality or prohibits a marihuana grower, a marihuana processor, and a marihuana retailer from operating within a single facility or from operating at a location shared with a marihuana facility operating pursuant to the medical marihuana”

Elsewhere, the act says that rules should be promulgated to enforce this statute within 1 year. Also, municipalities have 90 days from the date an application is submitted to approve it.

In short, nothing will happen overnight. If it passes in November, City Council can first decide whether to permit any such facilities to open, subject to a referendum petition.

I hope this helps.

MICHAEL J. GILDNER

Member



5206 Gateway Centre Suite 200 \ Flint, MI 48507

p. 810.235.9000 \ f. 810.235.9010 \ sfplaw.com

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Proposal 18-1

A proposed initiated law to authorize and legalize possession, use and cultivation of marijuana products by individuals who are at least 21 years of age and older, and commercial sales of marijuana through state-licensed retailers

This proposal would:

- Allow individuals 21 and older to purchase, possess and use marijuana and marijuana-infused edibles, and grow up to 12 marijuana plants for personal consumption.
- Impose a 10-ounce limit for marijuana kept at residences and require amounts over 2.5 ounces be secured in locked containers.
- Create a state licensing system for marijuana businesses and allow municipalities to ban or restrict them.
- Permit retail sales of marijuana and edibles subject to a 10% tax, dedicated to implementation costs, clinical trials, schools, roads, and municipalities where marijuana businesses are located.
- Change several current violations from crimes to civil infractions.

Should this proposal be adopted?

YES

NO

WORD COUNT: 100

GFWC Swartz Creek Women’s Club request authorization to utilize the Holland Square property for our Second Annual Community Christmas Tree Lighting Ceremony, held on **Friday, November 30TH**, commencing at **6:00 p.m.** and concluding around **8:00 - 8:30 p.m.**

Set-up for the festivities held on November 30TH will begin around 4:00 p.m., with the placement of a 20'x40' tent upon the property.

Wilderness Zoo is scheduled to bring live reindeer to the property for the event around 5:45 p.m.

Entertainment will begin around 6:30 p.m. and conclude around 8:00 - 8:30 p.m., depending upon community participation.

GFWC Swartz Creek Women’s Club will remove the 20'x40' tent at the conclusion of the event and ensure that the property is free from debris.

SCHEDULE OF EVENTS:

TIME	DESCRIPTION
4:00 p.m.	Set-up begins: 20'x40' tent upon property at Holland Square
5:00 p.m.	Boy Scout Troop 122: Set up luminary display (w/battery operated flicker candles) down both sides of Miller Road from Morrish to Fortino Drive
5:45 p.m.	Wilderness Zoo: Reindeer set-up
6:00 p.m.	Winner of “Light our Community’s Christmas Tree” contest will have the honor to FLIP THE SWITCH and light our Second Annual Community’s Christmas Tree!
6:00 p.m.	Pastor Sean Kennedy, from Cornerstone Baptist Church will provide our community with prayer.
6:05 p.m.	Holly Berry Baby Princess & Prince Photo Contest 1 ST , 2 ND , & 3 RD Place Winners - Sponsored by: Barbara Robertson of Farm Bureau; Penny’s From Heaving Photography; March of Dimes Representative - Check presentation
6:30 p.m.	Entertainment provided by
ONGOING	Reindeer provided by Wilderness Zoo - sponsored by Sharp Funeral Home Face painting and Balloons by A-1 Clowns Hot Chocolate provided by Feather-N-Fin Cider and Donuts provided by Swartz Creek Chamber Kettle Corn provided by _____ Glow Necklaces and Candy Canes provided by GFWC SC Women’s Club Magic Reindeer Food Packets provided by GFWC SC Women’s Club Booth for donation tickets for drawing of Artist Peggy Abrams oil painting

CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN

STREET CLOSURE APPLICATION

DATE OF REQUEST: October 9 ^{N/A} 200 2018

SPONSOR ORGANIZATION GFWC Swartz Creek Women's Club

AUTHORIZED REPRESENTATIVE: Sandra Brill, Committee Chair

WORK ADDRESS: _____ HOME ADDRESS: 5352 Greenwood Dr.

PHONE NO: WORK () _____ HOME: () _____ CELL: (810) 449-7456

TYPE OF EVENT: _____ PARADE* (DRAW ROUTE ON ATTACHED MAP)

_____ CARNIVAL _____ CRAFT SHOW

_____ STREET DANCE _____ CONCERT

X OTHER: 1st Annual Community Christmas Tree Lighting Ceremony

DATE OF EVENT: 11 / 30 / 2018 TIME OF EVENT: FROM: 6:00 AM / (PM)
TO: 8:30 AM / (PM)

ESTIMATED NUMBER OF PARTICIPANTS: 250 ?

ROADS REQUESTED TO BE CLOSED: ** NONE / HOLLAND SQUARE

The applicant agrees, as a condition of the granting of this permit, to hold the City of Swartz Creek, it's officers, employees, and agents harmless from any liability from any injuries caused to persons or property in connection with this event. To that end, the applicant shall provide the City with evidence of insurance for such liability in an amount determined adequate by the City Attorney, but in no case less than \$1,000,000/2,000,000 aggregate and the City of Swartz Creek shall be named as an insured party on said policy. The policy shall also contain a provision providing the City with ten (10) days written notice of cancellation.

For: GFWC Swartz Creek Women's Club
(Organization)

[Signature]
(Authorized Representative)
SANDRA L. BRILL, President

APPROVED BY: _____
(Chief of Police)

N/A * The throwing of any item(s) from any vehicle during the course of a parade is strictly prohibited and violations may result in criminal prosecution and/or the denial of future permit applications.

N/A **The Chief of Police reserves the right to determine the length of time that any street(s) remain(s) closed to traffic.

THIS REQUEST AND ALL REQUIRED ASSOCIATED DOCUMENTS MUST BE SUBMITTED TO THE OFFICE OF THE CHIEF OF POLICE NO LATER THAN 30 DAYS PRIOR TO EVENT DATE

CITY OF SWARTZ CREEK PARADE REGULATIONS

The approval of a street closure request and/or a “parade permit” is based on the assumption that the event coordinator(s) fully understand and accept the following regulations regarding the event:

- N/A 1. The throwing of any object(s) from any vehicle during the course of the parade is prohibited by ordinance. Violations of this ordinance could result in prosecution and/or the denial of future permit requests.
- N/A 2. The closing of major thoroughfares entails the rerouting of thousands of motorists and the interruption of commerce. It is imperative that parades begin and end on time so as not to unnecessarily disrupt the usual course of traffic and business.
- N/A 3. Parade organizers must provide a means of direct communication between the event coordinator and the Chief of Police (or his designate) during the course of the parade in order to address any dangerous conditions that may develop during the course of the event.
- N/A 4. The practice of parade participants jumping onto or off of moving vehicles in the parade is prohibited.
- N/A 5. When determining the staging area for parade participants, organizers should ensure that the area is sufficient in size to accommodate all entries without creating traffic or pedestrian hazards.

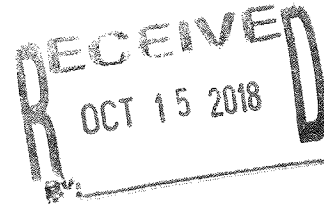
It is the responsibility of the event coordinator(s) to ensure that all parade participants are made aware of the regulations that directly affect them and by signing this document hereby acknowledge that they have received a copy of these regulations and accept said responsibility.

N/A

By: _____ For: _____
(Event Coordinator or Representative) (Organization)

October 8, 2018

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



Subject: FY 2020-2023 Transportation Improvement Program (TIP) Call for Projects

Dear Mr. Zettel:

The Genesee County Metropolitan Alliance, with staff assistance from the Genesee County Metropolitan Planning Commission (GCMPC), is requesting projects for the FY 2020-2023 Genesee County Transportation Improvement Program (TIP). All ACT-51 agencies are eligible to submit applications for improvements to federal aid eligible roads in their jurisdiction. Townships should contact the Genesee County Road Commission (GCRC) concerning potential projects in their township as GCRC must be the applicant. If a non-Act-51 agency is interested in a Transportation Alternative Program (TAP) project (non-motorized trail or Safe Routes to School project), they should contact their local Act-51 agency as the Act-51 agency must be the applicant.

Please keep in mind when developing applications for road preservation and reconstruction projects that 25% of the funding available for reconstruction/preservation projects will be allocated to reconstruction projects, 60% will be allocated to preservation projects, and 15% will be set aside for preservation projects with a PASER rating of 5.

For projects currently in the 2020 year of the FY 2017-2020 TIP: if the project has a scope change, then the project must be resubmitted; if the project scope is staying the same, but there are minor cost adjustments, just the updated costs should be submitted.

All project applications, including Congestion Mitigation Air Quality (CMAQ) applications, must be received by the Genesee County Metropolitan Planning Commission by **Friday, November 16, 2018 at 5:00 p.m.** Applications will then be ranked, evaluated and endorsed by the appropriate committees.

TIP applications and supporting information are available on our website by visiting the following link: www.gcmnpc.org.

The TIP application website includes:

- **2020-2023 TIP Policies & Procedures** – Rules and guidelines for applying for federal transportation dollars in Genesee County.
- **2020-2023 TIP Project Applications** – Five project applications are available: Preservation/Reconstruction, Roadway Expansion, Transit, Congestion Mitigation Air Quality (CMAQ)(on-line application), and Transportation Alternatives Program (TAP) (on-line application).
- **2018 Pavement Condition Rating (PASER)** – A series of maps showing 2018 PASER ratings for each jurisdiction.
- **Genesee County Congestion Management System** – A document providing information on congested road segments in Genesee County. This document should be consulted regarding roadway expansion projects.
- **Regional Traffic Safety Plan** – A document to assist local agencies in taking a proactive stance in reducing and preventing local road fatalities and injuries.
- **Intersection crash rankings for each jurisdiction.**
- **Traffic Count Website** – A link is provided on the TIP Call for Projects website to the web-based traffic count GIS system. A link to historic Traffic Flow Maps is also provided.

We look forward to hearing from you. Should you have any questions, please do not hesitate to contact Sharon Gregory at (810) 766-6545 or by e-mail at sgregory@co.genesee.mi.us.

Sincerely,



Jason Nordberg, Principal Planner
Genesee County Metropolitan Planning Commission

cc: Connie Eskew, Clerk

Draft 2020-2023 TIP Estimates Based on 2018 Allocations

TIP Application	Annual Estimated Funding by TIP Application	2020-2023 estimate by TIP Application
Preservation (PASER 5)	\$ 1,990,217	\$ 7,960,869
Preservation	\$ 4,776,521	\$ 19,106,086
Reconstruction	\$ 1,194,130	\$ 4,776,521
TAP	\$ 441,509	\$ 1,766,036
CMAQ	2021-2023 \$782,748	\$ 3,913,741
Expand	\$ 859,430	\$ 3,437,720

October 16, 2018

Mr. Tom Svrcek
City of Swartz Creek
8083 Civic Drive
Swartz Creek, Michigan 48473

RE: Proposal for FY 2020-2023 Transportation Improvement Program
City of Swartz Creek Preservation/Reconstruction Application

Dear Mr. Svrcek:

Johnson & Anderson, Inc. is pleased to submit this proposal to the City of Swartz Creek for engineering services related to the Transportation Improvement Program (TIP) Preservation/Reconstruction Applications.

The following agreement between Johnson & Anderson, Inc. (J&A) and the City of Swartz Creek (PRINCIPAL) is separate and distinct from any other agreement between J&A and PRINCIPAL.

J&A will provide the following services to PRINCIPAL in conjunction with the City of Swartz Creek Preservation/Reconstruction Applications.

I SCOPE OF SERVICES

Completion of Preservation/Reconstruction Applications for Seymour Road from Miller Road to the South City Limits; Miller Road from Morrish Road to Seymour Road; and Morrish Road from Bristol Road to Miller Road.

- 1) J&A shall provide the proposed project information;
- 2) J&A shall complete detailed project descriptions;
- 3) J&A shall prepare diagrams of the existing segments;
- 4) J&A shall prepare estimated project costs and implementation schedules;
- 5) J&A shall provide performance principles of the projects;

II SERVICES NOT INCLUDED

- i. Project design development;
- ii. Design drawings;
- iii. Topographic survey;
- iv. Construction engineering.

III GENERAL PROVISIONS

Attached to and made part of this Agreement is Exhibit A – General Provisions, detailing certain responsibilities and understandings applicable to both parties.

IV MATTERS OF UNDERSTANDING

- A. It is our understanding that the Applications need to be completed and submitted to the Genesee County Metropolitan Planning Commission by November 15, 2018.

V PROFESSIONAL FEE

- A. For our services described in **Section I SCOPE OF SERVICES**, J&A proposes to charge, and the City of Swartz Creek agrees to pay, in accordance with the attached Schedule of Fees. We estimate our total fee will not exceed \$6,900.00.
- B. Invoices will be rendered monthly based on the actual hours expended multiplied by the rate shown on the Schedule of Fees for the classification of the individual providing services to the City of Swartz Creek.

VI AUTHORIZATION TO PROCEED

This scope of professional engineering services for the City of Swartz Creek Preservation/Reconstruction Applications under the FY 2020-2023 Transportation Improvement Program is hereby submitted to the City of Swartz Creek for their concurrence.

Very truly yours,
JOHNSON & ANDERSON, INC.

Authorization to proceed issued by:
CITY OF SWARTZ CREEK

Terry Biederman, Principal, PE

Name: _____

Title: _____

Date: _____



Adam Zettel, AICP

City Manager

810.287.2147

azettel@cityofswartzcreek.org

October 18, 2018

Dan Schafer
AmRace & Sports, LLC
16105 Clinton Avenue
Macomb, MI 48042

Dear Mr. Schafer:

You have indicated that AmRace & Sports, LLC is currently engaging in the license approval process with the Michigan Gaming Control Board so that Sports Creek Raceway may be reopened for thoroughbred racing in 2019. You requested this correspondence to supplement your application with the Michigan Gaming Control Board. This will confirm that you and I have discussed AmRace & Sports LLC's willingness to get the facility in a condition such that it meets our state and local codes. I have found you to be receptive and I expect you will cooperate as we move forward through the process so that Sports Creek can once again be a thriving venue for patrons to enjoy horse racing.

At this point, I am unable to specify the updates and construction necessary at the facility. As our inspectors get their arms around various building, electrical, and fire suppression issues I expect you will continue to work off of our punch list so that these items are in order in time for the 2019 race season. We appreciate your enthusiasm and look forward to working with you so that Sports Creek can once again be known as crown jewel in our community.

Sincerely,

Adam H. Zettel, AICP
City Manager
City of Swartz Creek

8083 Civic Drive

Swartz Creek Michigan 48473

Phone: (810)-635-4464

Fax: (810)-635-2887

www.cityofswartzcreek.org

<ftp://cityofswartzcreek.org>



Adam Zettel, AICP
City Manager
810.287.2147
azettel@cityofswartzcreek.org

October 18, 2018

Dan Schafer
AmRace & Sports, LLC
16105 Clinton Avenue
Macomb, MI 48042

Dear Mr. Schafer:

You have indicated that AmRace & Sports, LLC is currently engaging in the license approval process with the Michigan Gaming Control Board so that Sports Creek Raceway may be reopened for thoroughbred racing in 2019.

The raceway facility has been an integral part of the community's economic landscape for over thirty years. Upon closing, it was unclear what the future of that facility, the land it sits upon, and the community that housed it would be. While many ideas, suggestions, and alternative uses have been discussed, the site has been vacant and deteriorating for these past three years, stressing the local government and community.

The city council and its affiliated boards, commissions, and general public have been involved in various formal and informal engagements related to this facility and its future. The application for use of the facility for thoroughbred racing has been considered by the city council at a public meeting on October 22, 2019. While many other circumstances impact the facility and our community, this prospect has been found to be a continuation of a similarly situated use that has great potential to enable prosperity of the facility in a more economically sustainable manner.

The city council supports the application for use in 2019 as indicated and looks forward to working with the operator to make this unique facility a positive contributor to the community and regional economy.

Sincerely,

Adam H. Zettel, AICP
City Manager
City of Swartz Creek

SENATE BILL No. 382

May 17, 2017, Introduced by Senator ROBERTSON and referred to the Committee on Agriculture.

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," by amending sections 2, 8, and 17 (MCL 431.302, 431.308, and 431.317), as amended by 2016 PA 271.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (a) "Affiliate" means a person who, directly or indirectly,
3 controls, is controlled by, or is under common control with; is in
4 a partnership or joint venture relationship with; or is a co-
5 shareholder of a corporation, co-member of a limited liability
6 company, or co-partner in a limited liability partnership with a
7 person who holds or applies for a race meeting or track license
8 under this act. For purposes of this subdivision, a controlling

1 interest is a pecuniary interest of more than 15%.

2 (b) "Breaks" means the cents over any multiple of 10 otherwise
3 payable to a patron on a wager of \$1.00.

4 (c) "Certified horsemen's organization" means an organization
5 that is registered with the office of racing commissioner in a
6 manner and form required by the racing commissioner and that can
7 demonstrate all of the following:

8 (i) The organization's capacity to supply horses.

9 (ii) The organization's ability to assist a race meeting
10 licensee in conducting the licensee's racing program.

11 (iii) The organization's ability to monitor and improve
12 physical conditions and controls for individuals and horses
13 participating at licensed race meetings.

14 (iv) The organization's ability to protect the financial
15 interests of the individuals participating at licensed race
16 meetings.

17 (d) "Commissioner" or "racing commissioner" means the
18 executive director of the Michigan gaming control board appointed
19 under section 4 of the Michigan gaming control and revenue act,
20 1996 IL 1, MCL 432.204, who is ordered under Executive
21 Reorganization Order No. 2009-31, MCL 324.99919, to perform all the
22 functions and exercise the powers performed and exercised by the
23 racing commissioner before that position was abolished.

24 (e) "Controlled substance" means that term as defined in
25 section 7104 of the public health code, 1978 PA 368, MCL 333.7104.

26 (f) "Day of operation" means a period of 24 hours beginning at
27 12 noon and ending at 11:59 a.m. the following day.

1 (g) "Drug" means any of the following:

2 (i) A substance intended for use in the diagnosis, cure,
3 mitigation, treatment, or prevention of disease in humans or other
4 animals.

5 (ii) A substance, other than food, intended to affect the
6 structure or condition or any function of the body of humans or
7 other animals.

8 (iii) A substance intended for use as a component of a
9 substance specified in subparagraph (i) or (ii).

10 (h) "Fair" means a county, district, or community fair or a
11 state fair.

12 (i) "Foreign substance" means a substance, or its metabolites,
13 that does not exist naturally in an untreated horse or, if natural
14 to an untreated horse, exists at an unnaturally high physiological
15 concentration as a result of having been administered to the horse.

16 (j) "Full card simulcast" means an entire simulcast racing
17 program of 1 or more race meeting licensees located in this state,
18 or an entire simulcast racing program of 1 or more races
19 simulcasted from 1 or more racetracks located outside of this
20 state.

21 (k) "Horsemen's simulcast purse account" means an account
22 maintained with a financial institution and managed by a designated
23 agent as described in section 19 to receive and distribute money as
24 provided in this act.

25 (l) "Member of the immediate family" means the spouse, child,
26 parent, or sibling.

27 (m) "Net commission" means the amount determined under section

1 17(3), after first deducting from the licensee's statutory
2 commission the applicable state tax on wagering due and payable
3 under section 22 and the actual verified fee paid by the licensee
4 to the sending host track to receive the simulcast signal.

5 (n) "Office of the racing commissioner" means the horse racing
6 section of the horse racing, audit, and gaming technology division
7 of the Michigan gaming control board created by section 4 of the
8 Michigan gaming control and revenue act, 1996 IL 1, MCL 432.204,
9 which operates under the direction of the executive director of the
10 Michigan gaming control board, to which Executive Reorganization
11 Order No. 2009-31, MCL 324.99919, transferred all of the authority,
12 powers, duties, functions, records, personnel, property, unexpended
13 balances of appropriations, allocations, or other funds of the
14 office of racing commissioner that previously existed under this
15 act and that was abolished by that executive reorganization order.

16 (o) "Pari-mutuel" and "pari-mutuel wagering" mean the form or
17 system of gambling in which the winner or winners divide the total
18 amount of money bet, after deducting the net commission.

19 (p) "Person" means an individual, firm, partnership,
20 corporation, association, or other legal entity.

21 (q) "Purse pool" means an amount of money allocated or
22 apportioned to pay prizes for horse races and from which payments
23 may be made to certified horsemen's organizations as provided in
24 this act.

25 **(R) "RACE MEETING" MEANS ACTIVITIES RELATED TO LIVE HORSE**
26 **RACING WITH THE CONDUCTING AND OVERSEEING OF PARI-MUTUEL WAGERING**
27 **ON LIVE AND SIMULCAST WAGERING BY A RACE MEETING LICENSEE.**

1 (S) ~~(r)~~ "Standardbred" means a horse registered with the
 2 United States Trotting Association that races on designated gaits
 3 of pace or trot.

4 (T) ~~(s)~~ "Thoroughbred" means a thoroughbred, quarter, paint,
 5 Arabian, or other breed horse. Thoroughbred does not include a
 6 standardbred.

7 (U) ~~(t)~~ "Veterinarian" means an individual licensed to
 8 practice veterinary medicine under part 188 of the public health
 9 code, 1978 PA 368, MCL 333.18801 to 333.18838, or under a state or
 10 federal law applicable to the individual.

11 Sec. 8. (1) The racing commissioner may issue the following
 12 general classes of licenses:

13 (a) Occupational licenses issued to individuals participating
 14 in, involved in, or otherwise having to do with horse racing, pari-
 15 mutuel wagering, or simulcasting at a licensed race meeting in this
 16 state.

17 (b) Race meeting licenses issued annually for the succeeding
 18 year to persons to conduct live horse racing, simulcasting, and
 19 pari-mutuel wagering on the results of live and simulcast horse
 20 races at a licensed race meeting in this state under this act.

21 (c) Track licenses issued to persons to maintain or operate a
 22 racetrack at which 1 or more race meeting licensees may conduct
 23 licensed race meetings in this state.

24 **(D) THIRD PARTY FACILITATOR LICENSES FOR PERSONS CONTRACTED BY**
 25 **RACE MEETING LICENSEES TO FACILITATE WAGERING ON LIVE AND SIMULCAST**
 26 **RACING. THE RACING COMMISSIONER SHALL SET THE TERMS AND CONDITIONS**
 27 **AND THE APPROPRIATE FEE FOR THE LICENSE. A LICENSE ISSUED UNDER**

1 THIS SUBDIVISION ENDS ONCE THE CONTRACT WITH THE RACE MEETING
2 LICENSEE TO FACILITATE WAGERING ON LIVE AND SIMULCAST RACING
3 ACTIVITIES TERMINATES.

4 (2) The racing commissioner shall not issue a race meeting
5 license to a person if the person is licensed to conduct a licensed
6 race meeting at another licensed racetrack in this state and the
7 person has a controlling interest in or co-ownership of the other
8 licensed racetrack.

9 Sec. 17. (1) The pari-mutuel system of wagering upon the
10 results of horse races as permitted by this act shall not be held
11 or construed to be unlawful. All forms of pari-mutuel wagering
12 conducted at a licensed race meeting shall be preapproved by the
13 racing commissioner under rule or written order of the
14 commissioner.

15 (2) A holder of a race meeting license may provide a place in
16 ~~the race meeting grounds or enclosure~~ at which he or she may
17 conduct and supervise pari-mutuel wagering on the results of horse
18 races as permitted by this act. If pari-mutuel wagering is used at
19 a race meeting, a totalisator or other device that is equal in
20 accuracy and clearness to a totalisator and approved by the racing
21 commissioner must be used. The odds display of the totalisator or
22 other device must be placed in full view of the patrons.

23 (3) Subject to section 18(3), each holder of a race meeting
24 license shall retain as his or her commission on all forms of
25 straight wagering 17% of all money wagered involving straight
26 wagers on the results of live and simulcast horse races conducted
27 at the licensee's race meetings. Subject to section 18(3), each

1 holder of a race meeting license shall retain as his or her
2 commission on all forms of multiple wagering, without the written
3 permission of the racing commissioner not more than 28% and with
4 the written permission of the racing commissioner not more than 35%
5 of all money wagered involving any form of multiple wager on the
6 results of live and simulcast horse races conducted at the
7 licensee's race meeting. Except as otherwise provided by contract,
8 50% of all commissions from wagering on the results of live racing
9 at the racetrack where the live racing was conducted shall be paid
10 to the horsemen's purse pool at the racetrack where the live racing
11 was conducted. As used in this subsection:

12 (a) "Straight wagering" means a wager made on the finishing
13 position of a single specified horse in a single specified race.

14 (b) "Multiple wagering" means a wager made on the finishing
15 positions of more than 1 horse in a specified race or the finishing
16 positions of 1 or more horses in more than 1 specified race.

17 (4) All breaks shall be retained by the race meeting licensee
18 and paid directly to the city or township in which the racetrack is
19 located as a fee for services provided under section 21.

20 (5) Payoff prices of tickets of a higher denomination must be
21 calculated as even multiples of the payoff price for a \$1.00 wager.
22 Each holder of a race meeting license shall distribute to the
23 persons holding winning tickets, as a minimum, a sum not less than
24 \$1.10 calculated on the basis of each \$1.00 deposited in a pool,
25 except that each race meeting licensee may distribute a sum of not
26 less than \$1.05 to persons holding winning tickets for each \$1.00
27 deposited in a minus pool. As used in this subsection, "minus pool"

1 means any win, place, or show pool in which the payout would exceed
2 the total value of the pool.

3 (6) A holder of a race meeting license shall not knowingly
4 permit a person less than 18 years of age to be a patron of the
5 pari-mutuel wagering conducted or supervised by the holder.

6 (7) Any act or transaction relative to pari-mutuel wagering on
7 the results of live or simulcast horse races may be conducted by a
8 race meeting licensee under this act for the race meeting licensee
9 to comply with the auditing requirements of section 23. A person
10 shall not provide messenger service for the placing of a bet for
11 another person who is not a patron. However, this subsection does
12 not prevent simulcasting or intertrack or interstate common pool
13 wagering inside or outside this state as permitted by this act or
14 the rules promulgated under this act.

15 ~~—— (8) Any form of pari-mutuel wagering on the results of live or~~
16 ~~simulcast horse races must only occur or be permitted to occur at a~~
17 ~~licensed race meeting. A person shall not participate or be a party~~
18 ~~to any act or transaction relative to placing a wager or carrying a~~
19 ~~wager for placement outside of a race meeting ground. A person~~
20 ~~shall not provide messenger service for the placing of a bet for~~
21 ~~another person who is not a patron. However, this subsection does~~
22 ~~not prevent simulcasting or intrastate or interstate common pool~~
23 ~~wagering inside or outside this state as permitted by this act or~~
24 ~~the rules promulgated under this act.~~

25 **(8) ANY FORM OF PARI-MUTUEL WAGERING ON THE RESULTS OF LIVE OR**
26 **SIMULCAST HORSE RACES MUST ONLY OCCUR OR BE PERMITTED TO OCCUR AT A**
27 **LICENSED RACE MEETING, AS DETERMINED BY THE RACING COMMISSIONER.**

1 (9) A person that does not hold a race meeting license **OR A THIRD**
2 **PARTY FACILITATOR LICENSE** that solicits or accepts wagers on the
3 results of live or simulcast horse races from individuals in this
4 state is guilty of a felony punishable by imprisonment for not more
5 than 5 years or a fine of not more than \$10,000.00, or both. Each
6 act of solicitation or wager that is accepted in violation of this
7 section is a separate offense.

8 (10) **ONLY A RACE MEETING LICENSEE MAY PROCESS, ACCEPT, OR**
9 **SOLICIT WAGERS ON THE RESULTS OF LIVE OR SIMULCAST HORSE RACES. FOR**
10 **PURPOSES OF THIS SUBSECTION ONLY, RACE MEETING LICENSEES MAY**
11 **UTILIZE A THIRD PARTY FACILITATOR LICENSEE TO ASSIST WITH WAGERING**
12 **AT A LICENSED RACETRACK.**

13 (11) ~~(10)~~As used in this section, "act or transaction
14 relative to pari-mutuel wagering on the results of live or
15 simulcast horse races" means those steps taken by a race meeting
16 licensee to accept a wager and process it within the ordinary
17 course of its business and in accordance with this act.

CRAIN'S DETROIT BUSINESS

October 07, 2018 03:18 AM

Consumers Energy seeks personal property tax cut, faces opposition

CHAD LIVENGOOD [Twitter](#) [Email](#)

Consumers Energy Co. proposes personal property taxes it pays annually be curtailed to inflationary increases

Utility had been lobbying lawmakers

Its personal property tax bill slated to double to \$400 million by 2025





DTE Energy Co.

The future of the Personal Property Tax on utility and commercial property could be the next big battle in Lansing.

The Jackson-based utility had been lobbying lawmakers to eliminate the Personal Property Tax for utility transmission assets, a proposal that was met with fierce opposition from counties, cities and school districts because it could drastically reduce their property tax revenue by an estimated \$650 million annually.

Consumers Energy Co. is proposing that the \$200 million in personal property taxes it pays annually to municipalities and schools for gas and electric transmission lines be curtailed to inflationary increases instead of wiped out completely as the utility company proposed earlier this year.

The Jackson-based utility had been lobbying lawmakers to eliminate the Personal Property Tax for utility transmission assets, a proposal that was met with fierce opposition from counties, cities and school districts because it could drastically reduce their property tax revenue by an estimated \$650 million annually.

Consumers is seeking relief from its personal property tax bill because it is slated to double to \$400 million by 2025 due to the company's planned 10-year, multibillion-dollar statewide modernization of electric power and natural gas infrastructure, said Scott McIntosh, vice president of tax for Consumers Energy.

Since Consumers' current tax bill is based on an older transmission system that has mostly depreciated in value, the proposed legislation would shield the company from a higher tax liability for new electric and gas lines, substations, transformers, utility poles and gas storage facilities throughout the state.

"What we're saying now is not only is (the tax) not going to go away, but we're guaranteeing that you're going to get an inflationary increase each year," said McIntosh, describing the company's message to municipalities and schools.

But three groups representing schools, cities and counties in Michigan remain opposed to the legislation because it would further erode local property tax bases that have not recovered from the historic collapse of property values in the Great Recession.

"Anything that jeopardizes local tax base, jeopardizes public safety, jeopardizes road funding, jeopardizes infrastructure," said Chris Hackbarth, director of state and federal affairs with the Michigan Municipal League.

Jen Smith, director of government relations for the Michigan Association of School Boards, said Consumers' counterproposal would still limit reduce the taxable value of utility property that can be a sizeable piece of the tax base in some school districts.

"No matter how you look at it, you're trying to cut off an extremely large revenue stream and the growth behind it," Smith said. "You're really harming the School Aid Fund for all districts."

Consumers' proposal to make its new and higher-value transmission system subject to the taxable value of its old, depreciated system is effectively trying to tax "ghost property," said Deena Bosworth, director of governmental affairs with

the Michigan Association of Counties.

"How do you tax something that's not there anymore?" Bosworth said. "I still can't wrap my head around that."

Based on the company's investment plans, Consumers projects its tax bill would rise by 10 percent annually for a decade without some sort of tax relief, McIntosh said.

"We recognize schools are more expensive to run each year, local governments are more to run each year, but not 10 percent more per year," he said.

The future of the Personal Property Tax on utility and commercial property could be the next big battle in Lansing over taxation of businesses after the tax was eliminated for industrial property.

Attorney General Bill Schuette, the Republican gubernatorial nominee, said last week he would make a "goal" to eliminate the PPT for utilities and commercial property if he's elected governor on Nov. 6.

"We eliminated it on the industrial side (but) we've not done that on commercial and utility. I think we need to do that as well," Schuette said in an interview with *Crain's*.

Schuette did not say how the revenue would be replaced for municipalities and schools.

But he said elimination of the PPT would be part of his larger tax plan to slash the personal income tax from 4.25 percent to 3.9 percent and make pension and retirement income exempt from the income tax again.

Schuette's proposed income tax cuts would reduce the state's \$10 billion

general fund **by an estimated \$1.3 billion**. Schuette has not identified how he would pay for that tax cut either, other than saying that state agencies are "going to have to give a little bit."

"We're going to build on the successes of Gov. Snyder and the Republican team and then we're going to go forward to drive our state – go from good to great," Schuette said. "It's an economic civil war, and we need to make sure Michigan is a state that is ready to grow."

Lobbying lawmakers

In 2014, voters approved phasing out personal property taxes on industrial equipment and eliminated the PPT on equipment for small businesses that had a cash value of less than \$80,000.

In that tax cut, Gov. Rick Snyder's administration and the Legislature got voters to approve earmarking part of the 6 percent use tax businesses pay in lieu of the sales tax to replace the loss property tax revenues for municipalities.

Municipalities and school groups mostly went along with the personal property tax cut for industrial property as proponents argued the reform was needed to retain manufacturing businesses in the state.

But on May 29, state Sen. John Proos, R-St. Joseph, introduced legislation to eliminate the personal property tax for Consumers, DTE Energy, ITC Holdings Inc. and other utility companies.

Eight days later, the Republican-controlled Senate Finance Committee quickly passed the legislation over objections from the state Treasury Department and lobbyists for school districts and municipalities.

The property tax cut did not apply to electric generation plants.

A total repeal of the PPT on utility property would reduce state education tax revenue for K-12 schools by \$76.6 million and leave local municipalities with \$576.3 million in less revenue.

Lawmakers would have to come up with \$243 million for the School Aid Fund to maintain per-pupil funding guarantees, according to the Senate Fiscal Agency.

"It would cut off that revenue stream with no replacement for it," Smith said. "It's too big of a cut."

No replacement revenue has been proposed for SB1031.

Over the summer, Proos convened a workgroup with stakeholders because of concerns over the lost tax revenue.

It's unclear what Consumers' counterproposal would do to long-term revenue prospects for schools and local units of government. No new fiscal analysis has been prepared.

But Consumers is lobbying lawmakers for passage of a Personal Property Tax bill during the post-election lame-duck session in late November and December.

"That is our goal, for this to pick up after the election in lame duck," McIntosh said.

DTE Energy Co. did not testify in favor the original legislation, but is "open to additional language changes in the bill that would lead to the best outcome for all parties," spokesman Peter Ternes said.

Proos said it's "unlikely" a full repeal of PPT for utilities could get through the

Legislature because of "legitimate concerns" from municipalities and school districts about lost tax revenue.

"It's difficult to envision a full repeal," Proos said.

Need for relief questioned

Lobbyists for municipal groups questioned why Consumers and DTE need tax relief for personal property when they can pass along their tax bills to customers with approval from the Public Service Commission.

"They're not going anywhere," Bosworth said. "And they haven't guaranteed us they're not going to have rate increases on ratepayers."

The taxes Consumers and DTE Energy pay routinely factor into the rates the utility companies charge residential, commercial and industrial customers in Michigan.

In July, the Public Service Commission approved \$270 million in electricity rate cuts for customers of both companies because of tax savings DTE and Consumers are getting from the corporate income tax cut President Donald Trump signed in December.

In the debate over eliminating the PPT for industrial equipment, business groups and the Snyder administration argued that the tax made Michigan uncompetitive with other states that don't tax the value of manufacturing machines.

"With utilities, that equipment doesn't move," Hackbarth said. "It's not like a business that can take their drill presses and move them across state lines."

Consumers needs the tax relief to contain electricity and gas rates, which will already be going up due to energy company's investment in replacing its coal-

burning generation plants with natural gas plants, McIntosh said.

"Simply put, our customers can't afford it," he said.

Since the repeal of PPT on industrial property, utility-owned property has gone from 25 percent of the tax base to 45 percent of the tax base and is projected to top 66 percent by 2025, McIntosh said.

Between 2010 and 2017, the taxable value of utility personal property grew by nearly 55 percent from \$7.7 billion to \$11.9 billion, according to the Senate Fiscal Agency.

"Unknowingly to our customers, because it's buried in their bill, they've become a very large portion of the property tax base in this state," McIntosh said.

Proos said he's pursuing the scaled-back tax relief plan Consumers proposed because he views it as a tax break for electric and gas customers rather than the utility companies themselves. He's also concerned the personal property tax could stifle new investments by DTE and Consumers in the state's electric and gas distribution systems.

"I think there's a good recognition for the need to find a new way," Proos said.

"Our tax policy is not matching well with our energy policy."

Hackbarth said gutting or curtailing taxable growth in the PPT will just add to further deterioration of services and infrastructure in cities hit hard by depleted tax bases and stagnant revenue sharing from the state.

"If my members can't even keep streets paved or have a community that's policed, how are you going to have vibrant communities to attract job providers?" he asked.

Inline Play

Source URL: <https://www.crainsdetroit.com/energy/consumers-energy-seeks-personal-property-tax-cut-faces-opposition>

CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN

STREET CLOSURE APPLICATION

DATE OF REQUEST: 10-17-2-18 200

SPONSOR ORGANIZATION Swartz Creek Area Chamber of Commerce

AUTHORIZED REPRESENTATIVE: Lania Rocha, Chamber administrator

WORK ADDRESS: 5023 Holland Drive, HOME ADDRESS: 609 E. Atherton Road, Flint

PHONE NO: WORK (989) 332-2055 HOME: () CELL: ()

TYPE OF EVENT: PARADE* (DRAW ROUTE ON ATTACHED MAP)

 CARNIVAL CRAFT SHOW

 STREET DANCE CONCERT

 X OTHER : Trunk-or-Treat, Fall Family Fun Night

DATE OF EVENT: 10 / 26 / 18 TIME OF EVENT: FROM: 3 PM AM / PM
TO: 8 PM AM / PM

ESTIMATED NUMBER OF PARTICIPANTS: 300

ROADS REQUESTED TO BE CLOSED: ** Holland Square, part of Holland Drive, part of Civic Drive

See attached narrative for full description of event

The applicant agrees, as a condition of the granting of this permit, to hold the City of Swartz Creek, it's officers, employees, and agents harmless from any liability from any injuries caused to persons or property in connection with this event. To that end, the applicant shall provide the City with evidence of insurance for such liability in an amount determined adequate by the City Attorney, but in no case less than \$1,000,000/2,000,000 aggregate and the City of Swartz Creek shall be named as an insured party on said policy. The policy shall also contain a provision providing the City with ten (10) days written notice of cancellation.

For: Swartz Creek Area Chamber of Commerce By: Lania Rocha
(Organization) (Authorized Representative)

APPROVED BY: _____
(Chief of Police)

* The throwing of any item(s) from any vehicle during the course of a parade is strictly prohibited and violations may result in criminal prosecution and/or the denial of future permit applications.

**The Chief of Police reserves the right to determine the length of time that any street(s) remain(s) closed to traffic.

THIS REQUEST AND ALL REQUIRED ASSOCIATED DOCUMENTS MUST BE SUBMITTED TO THE OFFICE OF THE CHIEF OF POLICE NO LATER THAN 30 DAYS PRIOR TO EVENT DATE

CITY OF SWARTZ CREEK PARADE REGULATIONS

The approval of a street closure request and/or a “parade permit” is based on the assumption that the event coordinator(s) fully understand and accept the following regulations regarding the event:

1. The throwing of any object(s) from any vehicle during the course of the parade is prohibited by ordinance. Violations of this ordinance could result in prosecution and/or the denial of future permit requests.
2. The closing of major thorough fares entails the rerouting of thousands of motorists and the interruption of commerce. It is imperative that parades begin and end on time so as not to unnecessarily disrupt the usual course of traffic and business.
3. Parade organizers must provide a means of direct communication between the event coordinator and the Chief of Police (or his designate) during the course of the parade in order to address any dangerous conditions that may develop during the course of the event.
4. The practice of parade participants jumping onto or off of moving vehicles in the parade is prohibited.
5. When determining the staging area for parade participants, organizers should ensure that the area is sufficient in size to accommodate all entries without creating traffic or pedestrian hazards.

It is the responsibility of the event coordinator(s) to ensure that all parade participants are made aware of the regulations that directly affect them and by signing this document hereby acknowledge that they have received a copy of these regulations and accept said responsibility.

By: _____ For: _____
(Event Coordinator or Representative) (Organization)

The Swartz Creek Area Chamber of Commerce requests permission to use Holland Square, a portion of Holland Drive and a portion of Civic Drive, as well as the Pajtas Amphitheater, for the inaugural Fall Family Fun Night from 4:30-7:30-ish Friday, Oct. 26.

We will begin parking cars and setting up for trunk-or-treat at 3 p.m. at Holland Square. We have 40 area businesses, churches and clubs that have signed up to park there and hand out candy. Because of the overwhelming positive response from the community, we have more cars than initially anticipated and we expect we will need to use some of the parking spaces on Holland Drive to accommodate everyone. We plan to have Halloween-themed music to add to the atmosphere, but we'll keep the volume within a reasonable level so as not to create a nuisance.

Participants will be crossing Miller Road to get to the Swartz Creek Area Art Guild Gallery where guild members will provide hot cocoa and face painting, and Pedro the miniature donkey will be there to greet the kids and for photo opportunities. We are working with the Metro Police Authority to provide crossing guards to ensure everyone gets across safely. We have permission from the proprietors of the Centerpiece Plaza and Fortino's Market to use their lots for visitors to park to enjoy these family-friendly activities.

Additional activities are planned for the Civic Drive campus. (We are advising visitors to cross Fortino Drive at Miller Road.) We would like to set up the food trucks (two or three at most) on Civic Drive between the fire station and the amphitheater. We plan to build a mountain of straw bales (with tunnels) for the kids to climb on and we will have a bounce house provided by Calvary Christian Church. The church also will provide children's games which we would like to set up at the fire station. (This has the blessing of the fire department). We also will have a photo booth and s'mores bar at the fire station, and the firefighters will have the fire safety trailer open.

Promotional material for this event says that it begins at 4:30 p.m. (with trunk-or-treat to end no later than 6:30 p.m.), but people are likely to start showing up before that.

We believe this event will benefit the community, the businesses and the city as it brings neighbors together for some family-friendly fun. It is exactly the type of event the city residents have been requesting of their community; it demonstrates fellowship and leadership on the part of the Chamber of Commerce, its members, other area businesses, civic organizations and churches; it will instill a sense of pride in community among the citizens and present a positive, proactive image of the city to visitors.

Sincerely,
Lania Rocha, administrator
Swartz Creek Area Chamber of Commerce



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/10/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Blackmore-Rowe Insurance P. O. Box 320407 G-6235 Corunna Road, Suite H Flint, MI 48532 Shelly Horkey	810-720-8244	CONTACT NAME: Shelly Horkey PHONE (A/C, No, Ext): 810-720-8244 FAX (A/C, No): 810-720-8238 E-MAIL ADDRESS:
INSURED Swartz Creek Area Chamber of Commerce PO Box 130 Swartz Creek, MI 48473		INSURER(S) AFFORDING COVERAGE INSURER A: Auto Owners Insurance INSURER B: USLI Company INSURER C: INSURER D: INSURER E: INSURER F:
		NAIC # 18988

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			14495318	01/01/2018	01/01/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N N/A If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
B	Directors &			NDO1064636J	01/03/2018	01/01/2019	D&O \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Family Fun Night

CERTIFICATE HOLDER CANCELLATION

CERTIFICATE HOLDER SWARTZC City of Swartz Creek 8083 Civic Dr Swartz Creek, MI 48473	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Pat Johnson</i>
---	--



October 11, 2018

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

Attn: Mr. Tom Svrcek
Re: Extension of Contract Terms

We have enjoyed working with you and the City of Swartz Creek over the past decade. Together we have overcome many challenges and have successfully met the needs of both the collection system as well as the residents of the City.

As express previously, our gratitude for the professionalism and cooperative working environment in your City. The positive environment and open lines of communication with your Department has helped our forces to be successful in meeting your objectives.

As a result of these positive experiences, we will offer to maintain our unit prices through June 30, 2021. We will continue to meet or exceed all of the conditions / requirements you have come to expect from us.

If you have any questions or require additional information please feel free to contact me directly. We appreciate the work we have done with the City and look forward to continuing to work together in the future.

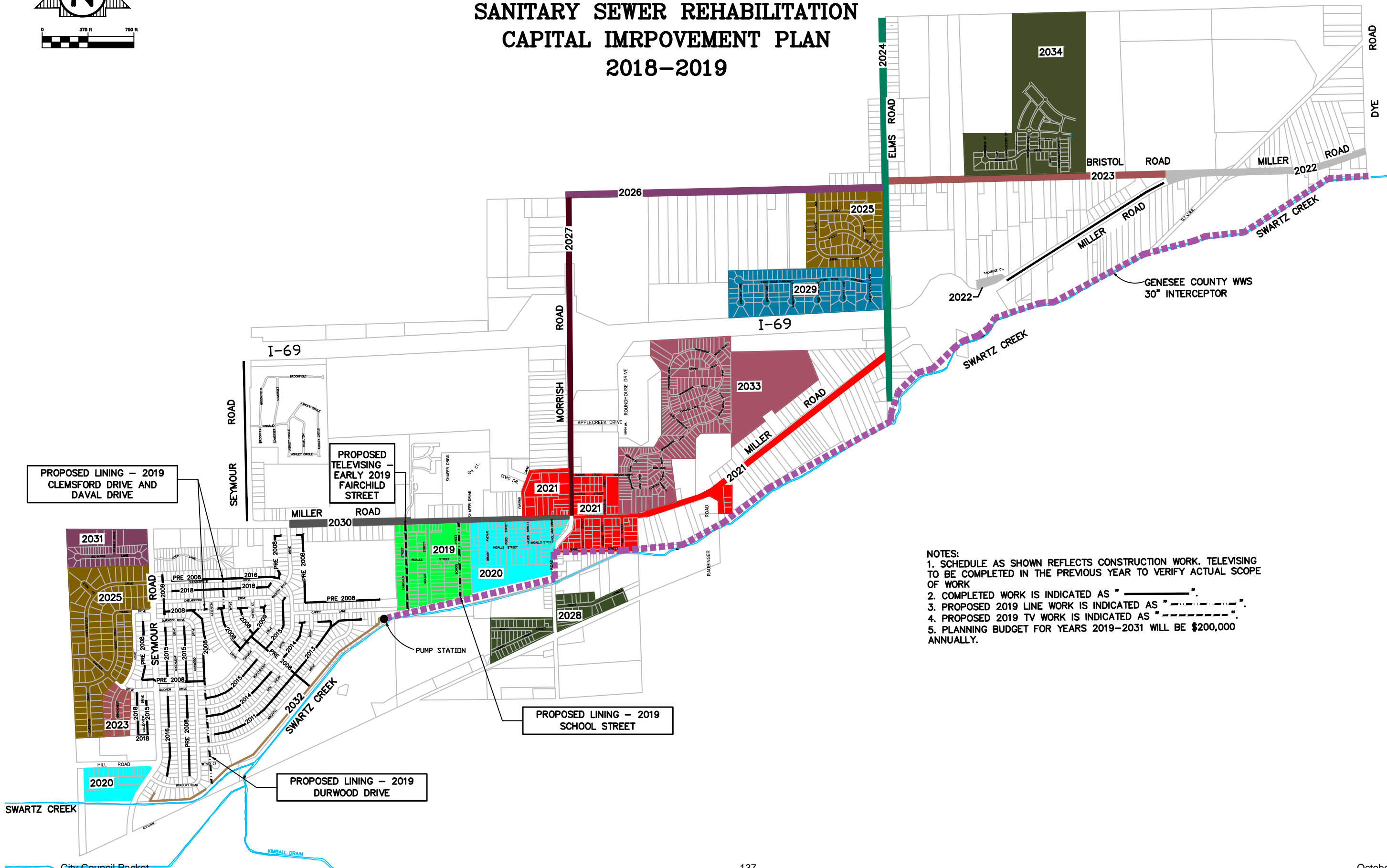
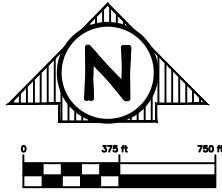
Sincerely,

John Thompson

Technical Representative

CITY OF SWARTZ CREEK

SANITARY SEWER REHABILITATION CAPITAL IMPROVEMENT PLAN 2018-2019



- NOTES:**
1. SCHEDULE AS SHOWN REFLECTS CONSTRUCTION WORK. TELEVISION TO BE COMPLETED IN THE PREVIOUS YEAR TO VERIFY ACTUAL SCOPE OF WORK
 2. COMPLETED WORK IS INDICATED AS "_____".
 3. PROPOSED 2019 LINE WORK IS INDICATED AS "-----".
 4. PROPOSED 2019 TV WORK IS INDICATED AS "-----".
 5. PLANNING BUDGET FOR YEARS 2019-2031 WILL BE \$200,000 ANNUALLY.

PLAN DATE: October, 2018
 PROJECT MGR: JTW
 REVIEWER:
 SCALE: 1" = 375'

**ROWE PROFESSIONAL
SERVICES COMPANY**



The Rowe Building
 540 S. Saginaw St., Suite 200
 Flint, MI 48502
 O: (810) 341-7500
 F: (810) 341-7573
 www.rowepscc.com

PREPARED FOR
CITY OF SWARTZ CREEK
SANITARY SEWER REHABILITATION
 CAPITAL IMPROVEMENT PLAN

REV: _____
 SHT: 1 OF 1
 JOB No: _____

**CITY OF SWARTZ CREEK
SANITARY SEWER TRENCHLESS REHABILITATION
ITEMIZED BID SHEET
2018 Project Estimate
17-Oct-18**

				1		2		3		4		5		6	
				Chelmsford to Chesterfield Cross Lot MH 179 to MH 180 to MH 188 to MH 192 - Line		Chelmsford / Durwood MH 39A to 39 - Line		Durwood Interceptor MH 32 to MH31 to MH 30 to MH 29 to MH 28 to MH 27 to MH 26 & MH 28 to MH 125 - Line		Fairchild - MH1 to MH 2 to MH 3 to MH 4 to MH 5 to MH 6 - Vido Inspection Only		School St. - MH1 to MH 2 to MH 3 to MH 4 to MH 5 to MH 6 - Line		Chelmsford / Helmsley - MH 178 to MH 177 to MH 179, MH 177 to MH 176 to MH 175 to MH 173 to MH 173 to MH 163 - Video Inspection Only	
ITEM	DESCRIPTION	UNIT	UNIT PRICE	Qty	Item	Qty	Item	Qty	Item	Qty	Item	Qty	Item	Qty	Item
PART I - Cleaning, Video Inspection & Reaming															
A	High Pressure Water Jet Cleaning, All Sizes	FT	\$ 3.25	489	\$ 1,589.25	225	\$ 731.25	1877	\$ 6,100.25	1500	\$ 4,875.00	1339	\$ 4,351.75	1152	\$ 3,744.00
B	Sanitary Sewer CCTV (Closed Circuit Television) Inspection recorded on DVD	FT	\$ 1.25	489	\$ 611.25	225	\$ 281.25	1877	\$ 2,346.25	1500	\$ 1,875.00	1339	\$ 1,673.75	1152	\$ 1,440.00
C	Sanitary Sewer Calcite Reaming														
	Light - equal or less than 20% cross sectional area loss	FT	\$ 4.00	489	\$ 1,956.00	225	\$ 900.00	1877	\$ 7,508.00		\$ -	1339	\$ 5,356.00		\$ -
	Heavy - greater than 20% cross sectional area loss	FT	\$ 6.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -
D	Sanitary Sewer Reaming/Cutting Roots with Approved														
	Light - equal or less than 20% cross sectional area loss	FT	\$ 4.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -
	Heavy - greater than 20% cross sectional area loss	FT	\$ 6.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -
E	Reaming of Protruding Lateral utilizing approved remote controlled robotic reamer with CCTV assistance	EA	\$ 500.00		\$ -		\$ -		\$ -		\$ -	2	\$ 1,000.00		\$ -
F	Lateral Reinstatement	EA	\$ 500.00	0	\$ -	5	\$ 2,500.00	5	\$ 2,500.00		\$ -		\$ -		\$ -
PART II - Structural Spot Repair as determined by Engineer															
A	Pipe point structural spot repair with Cured-In-Place pipe (inverted tube liner) as specified including: sewer cleaning, pre and post video inspection with DVD and report.				\$ -		\$ -		\$ -		\$ -		\$ -		\$ -
	8" diameter - 3' to 10' length	EA	\$ 2,500.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -
	8" diameter - additional length greater than 10'	FT	\$ 75.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -
	10" diameter - 3' to 10' length	EA	\$ 2,500.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -
	10" diameter - additional length greater than 10'	FT	\$ 100.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -
	12" diameter - 3' to 10' length	EA	\$ 2,750.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -
	12" diameter - additional length greater than 10'	FT	\$ 100.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -
	15" diameter - 3' to 10' length	EA	\$ 3,000.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -
	15" diameter - additional length greater than 10'	FT	\$ 100.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -
	18" diameter - 3' to 10' length	EA	\$ 3,500.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -
	18" diameter - additional length greater than 10'	FT	\$ 100.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -
PART III - Sanitary Sewer Lateral Cleaning and Repairs															
A	Lateral sewer CCTV (Closed Circuit Television) Inspection through mainline sewer including DVD and report.	EA	\$ 500.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -
B	Installation of 6" Diameter inverted type CIPP Lateral Liner (up to R.O.W.) from mainline sewer, including vacumm excavation and installation of a clean out to surface. Preparatory work of cleaning andn removal of debris in the lateral and temporary rest	EA	\$ 4,000.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -
PART IV - Sanitary Sewer Joint Testing and Sealing															
A	Sanitary Sewer Pipe Joint Sealing with approved Sealant including testing and removal of excess grout.														
	8" Diameter	JOINT	\$ 45.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -
	10" Diameter	JOINT	\$ 45.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -
	12" Diameter	JOINT	\$ 50.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -
	15" Diameter	JOINT	\$ 55.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -
	18" Diameter	JOINT	\$ 60.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -
PART V - Structural CIPP Lining (Fully Deteriorated)															
A	Manhole to Manhole CIPP Lining for 8" Diameter Mains	FT	\$ 36.00	489	\$ 17,604.00	225	\$ 8,100.00	226	\$ 8,136.00		\$ -	1339	\$ 48,204.00		\$ -
B	Manhole to Manhole CIPP Lining for 10" Diameter Mains	FT	\$ 38.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -
C	Manhole to Manhole CIPP Lining for 12" Diameter Mains	FT	\$ 39.00		\$ -		\$ -	1651	\$ 64,389.00		\$ -		\$ -		\$ -
D	Manhole to Manhole CIPP Lining for 15" Diameter Mains	FT	\$ 50.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -
E	Manhole to Manhole CIPP Lining for 18" Diameter Mains	FT	\$ 60.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -
F	Manhole to Manhole CIPP Lining for 24" Diameter Mains	FT	\$ 97.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -
Area Totals					\$ 21,760.50		\$ 12,512.50		\$ 90,979.50		\$ 6,750.00		\$ 60,585.50		\$ 5,184.00

Project Total \$ 197,772.00