

**CITY OF SWARTZ CREEK  
SWARTZ CREEK, MICHIGAN  
MINUTES OF THE REGULAR COUNCIL MEETING  
DATE 08/08/2016**

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

Invocation and Pledge of Allegiance.

Councilmembers Present: Abrams, Florence, Gilbert, Hicks, Krueger, Pinkston, Porath.

Councilmembers Absent: None.

Staff Present: City Manager Adam Zettel, City Clerk Connie Eskew, Director of Public Service Tom Svrcek.

Others Present: Tommy Butler, Steve Shumaker, Sharon Shumaker, Bob Plumb, Dennis Cramer, Lania Roche, Ron Schultz, Steven Lang, Boots Abrams.

**APPROVAL OF MINUTES**

**Resolutions No. 160808-01**

**(Carried)**

Motion by Councilmember Porath  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council hereby approve the Minutes of the Regular Council Meeting held Monday July 25, 2016 to be circulated and placed on file.

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

**APPROVAL OF AGENDA**

**Resolution No. 160808-02**

**(Carried)**

Motion by Mayor Pro Tem Abrams  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council approve the Agenda as amended for the Regular Council Meeting of August 8, 2016, to be circulated and placed on file.

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

## City Manager's Report

### **Resolution No. 160808-03**

**(Carried)**

Motion by Councilmember Florence  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council accept the City Manager's Report of August 8, 2016, including reports, communications to be circulated and placed on file.

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

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

Steven Long, resident at 5356 Worchester Drive, made a request for extra patrolmen to help with the current vandalism problems.

Tommy Butler, resident at 40 Somerset Drive, commented on the lack of media during the recent water break/boil advisory in the city.

### **AMEND CITY-WIDE RATES, FEES AND CHARGES**

#### **Resolution No. 160808-04**

**(Carried)**

Motion by Councilmember Pinkston  
Second by Councilmember Porath

**WHEREAS**, the City collects rates, fees, fees for permits, charges for services, cost recovery's and cost recovery for consulting services, and;

**WHEREAS**, such rates, fees, fees for permits, charges for services, cost recovery's and cost recovery for consulting services are a necessary and essential part of the funding for the services that the City provides, and:

**WHEREAS**, the City's Code of Ordinances defines and provides for certain rates, fees, fees for permits, charges for services, cost recovery's and cost recovery for consulting services, and;

**WHEREAS**, other such rates, fees, fees for permits, charges for services, cost recovery's and cost recovery for consulting services are provided for by resolution of the City Council, statutory provision, past practice, policy and other such actions, and

**WHEREAS**, the City has amended the City's Code of Ordinances to provide for various rates, fees, fees for permits, charges for services, cost recovery's and cost recovery for consulting services to be set by resolution of the City Council, and;

**WHEREAS**, the City has need to implement additional rates, fees, fees for permits, charges for services, cost recovery's and cost recovery for consulting services to be set by resolution of the City Council, and;

**WHEREAS**, the City desires to have all such rates, fees, fees for permits, charges for services, cost recovery's and cost recovery for consulting services organized into a single resolution that can be visited periodically and adjusted accordingly.

**NOW, THEREFORE**, Be It Resolved the City of Swartz Creek hereby sets its rates, fees, fees for permits, charges for services, cost recovery's and cost recovery for consulting services in accordance with the following schedule, effective immediately or as soon as practical thereafter, table as follows:

**CITY OF SWARTZ CREEK RATES, FEES PERMITS & CHARGES FOR SERVICES**

**1. Chapter 1: Municipal Ordinance Violations Bureau (Parking Fines)**

The following parking violations shall be punishable by the fines indicated:

<u>Offense</u>	<u>Fine</u>
(a) Parking too far from curb	\$ 20.00
(b) Angle parking violations	\$ 20.00
(c) Obstructing traffic	\$ 20.00
 <u>Prohibited parking (signs un-necessary)</u>	
(d) On sidewalk	\$ 20.00
(e) In front of drive	\$ 20.00
(f) Within intersection	\$ 20.00
(g) Within 15 feet of hydrant	\$ 20.00
(h) On crosswalk	\$ 20.00
(i) Within 20 feet of crosswalk or 15 feet of corner lot lines	\$ 20.00
(j) Within 30 feet of street side traffic sign or signal	\$ 20.00
(k) Within 50 feet of railroad crossing	\$ 20.00
(l) Within 20 feet of fire station entrance	\$ 20.00
(m) Within 75 feet of fire station entrance on opposite side of street (signs required)	\$ 20.00
(n) Beside street excavation when traffic obstructed	\$ 20.00
(o) Double parking	\$ 20.00
(p) On bridge of viaduct or within tunnel	\$ 20.00
(q) Within 200 feet of accident where police in attendance	\$ 20.00
(r) In front of theater	\$ 20.00
(s) Blocking emergency exit	\$ 20.00
(t) Blocking fire escape or fire lane	\$ 50.00
(u) In a handicapped space	\$100.00
(v) In prohibited zone (signs required)	\$ 20.00
(w) In alley (signs required)	\$ 20.00
 <u>Parking for prohibited purpose</u>	
(x) Displaying vehicle for sale	\$ 20.00
(y) Working or repairing vehicle	\$ 20.00
(z) Displaying advertising	\$ 20.00
(aa) Selling merchandise	\$ 20.00
(bb) Storage over 48 hours	\$ 20.00

(cc) Wrong side boulevard roadway	\$ 20.00
(dd) Loading zone violation	\$ 20.00
(ee) Bus, parking other than bus stop	\$ 20.00
(ff) Taxicab, parking other than cab stand	\$ 20.00
(gg) Bus, taxicab stand violations	\$ 20.00
(hh) Failure to set brakes	\$ 20.00
(ii) Parked on grade wheels not turned to curb	\$ 20.00
(jj) Parked on lawn extension within right of way	\$ 20.00
(kk) Parked on front lawn	\$ 20.00

All \$20.00 violations not paid within 20 days will be assessed a \$10.00 late fee.

**2. Chapter 2: Liability for Expense of an Emergency Operation (Hazardous Materials Cleanup Cost Recovery)**

Cost shall be actual expenses inclusive of all Police & Fire Department wages, equipment and motor-pool and / or any sub-contracted actual expenses associated with hazardous materials clean-up.

**3. Chapter 2: Liability for Expense of an Emergency Response (Alcohol Related Arrests, Accidents)**

**A.** A cost of \$150 shall be assessed to each defendant convicted of O.U.I.L. – O.U.I.D or O.W.I. The cost recovery shall be collected as a part of the fines and costs set by the 67<sup>th</sup> District Court.

**B.** Actual costs shall be assessed to each defendant convicted of O.U.I.L. – O.U.I.D or O.W.I. in which a motor vehicle accident occurred. The cost recovery shall be collected as a part of the fines and costs set by the 67<sup>th</sup> District Court. In the event the court declines collection, they shall be billed direct to the defendant.

**C.** For the purpose of determining costs for extensive investigation and cleanup recovery for emergency response for alcohol related arrests and accidents, the following table shall be used:

Police Personnel	\$40	Per Hour
Police Clerical	30	Per Hour
Police Car	15	Per Hour
Fire Personnel	20	Per Hour
Fire Pumper	250	Per Hour
Fire Support Vehicles	100	Per Hour

**4. Chapter 5: Cemetery Lots - Purchase**

The cost for purchase of cemetery lots will be \$100.00 per lot.

**5. Chapter 5: Cemetery, Charges for Grave Openings, etc.**

Grave openings shall be actual costs, either as sub-contracted or performed by City Employees, plus a 15% administrative fee.

**6. Chapter 11: Park Reservation Fees**

Elms Park

Pavilion #1	\$ 70.00
Pavilion #2	\$ 120.00
Pavilion #3	\$ 70.00
Pavilion #4	\$ 120.00

Winshall Park

Pavilion #1	\$ 70.00
Pavilion #2	\$ 70.00
Pavilion #3	\$ 70.00

Deposit \$100.00

**7. Chapter 12: Peddlers and Solicitors License and Background Check**  
\$50.00

**8. Chapter 15: Permit, Sidewalk Installation**  
\$25.00

**9. Chapter 15: Permit for Excavation, Right of Way or Other City Property**  
\$100.00

**10. Chapter 19: Water System Use, Rates and Charges**

(A) Charges for water supply services to premises within the city connected with the water supply system shall be as follows:

*Rates for Quarterly Billings*

**Readiness to serve charge**

5/8", 3/4", 1"	\$51.22
1.5"	\$220.77
2"	\$353.23
3"	\$662.31
4"	\$1,103.85
6"	\$2,207.70

**Commodity charge (per 100 cubic feet of water): \$7.07**

Additional meters, connected for the exclusive purpose of registering water consumed and NOT returned to the sewer system shall be charged the commodity charge only (example: lawn sprinkler system).

(B) Any water customer may have water services temporarily shut off for any time period during which the premises, for which the water service is provided, will be unoccupied. The request for such shut off shall be made in writing on forms to be provided by the city. The written request shall specify the reason for the shut off and the date on which the water service shall be shut off.

(C) There shall be a Twenty Dollar (\$20.00) charge for shutting off the water service pursuant to such request and a Twenty Dollar (\$20.00) charge for turning the water service back on, if the shut off or turn on is performed during normal business hours. If this shut off or turn on is performed outside of normal business hours, the charge shall be One-Hundred Dollars (\$100.00). Such charges shall also apply if water is shut off or turned back on pursuant to account delinquency. The City Manager may waive shut off and turn on fees for reasonable cause.

(D) Water customers shall continue to be billed for a readiness to service charge while connected to the system.

(E) Bulk water sales shall be in accordance with the following fee schedule:

**Bulk Water Purchases**

1 cubic ft. = 7.4805  
Gallons

Gallons	Cubic ft.	Cost
3,740	499.96658	\$104.00
5,000	668.40452	\$116.00

10,000	1336.809	\$160.00
15,000	2005.2136	\$204.00
20,000	2673.6181	\$247.00

**11. Chapter 19: Water & Sewer Tap Fees**

**(A)** There shall be paid, with respect to all premises connecting to the water and sanitary sewer system of the city, a tap-in fee pursuant to the following schedules:

- (1) Single-family residence--\$1,500 each for water & sanitary sewer
- (2) Multiple-family residence--\$1,500 per unit each for water and sanitary sewer

**(B)** All other uses connecting to the water and/or sanitary sewer system of the city shall be required to pay tap-in fees at the rate of one-thousand, five hundred dollars (\$1,500) per unit factor, pursuant to the unit factor table provided for by the Genesee County Division of Water and Waste. In no case shall tap-in fees be less than one-thousand, five hundred dollars (\$1,500).

**(C)** Furthermore, for any structure used generally for more than one (1) purpose, connection fees shall be determined by applying the appropriate unit factors as set by the Genesee County Division of Water and Waste, to the various uses on any level, grade or sub-grade plane of the structure, provided that it is intended that the fees so derived shall be cumulative. Tap fees shall also apply for any additional units that may be calculated and applied by the County WWS pursuant to change in use or otherwise.

**12. Chapter 19: Sanitary Sewer Rates**

*Rates for Quarterly Billings*

Readiness to serve charge (per metered account):	\$52.50
Readiness to serve charge (non-metered accounts):	\$124.61
Commodity charge (per 100 cubic feet of water consumed):	\$2.14

A readiness to serve charge equal to the number of calculated sewer units shall be charged to all customers connected to the city's sewer system to offset fixed costs of system operation. In addition, a commodity charge shall be applied to the sewer bill in an amount equal to the above rate multiplied by the number of ccf that the accompanying water account registers. If the sewer connection is not accompanied by a water meter to register water usage, the charge shall be considered non-metered and no commodity charge shall be applied.

For the purposes of determining sanitary sewer rates, per unit sewage disposal calculations resulting in a fraction of a whole number shall be rounded up to the next highest whole number.

**13. Chapter 20: Weed Cutting Fees**

\$300 per cut

**14. Building & Trade Inspection Fees**

**A. Building Permit Fees: Appendix A 21.06**

\$50.00 for first \$1,000 value \$5.00 per \$1,000 thereafter and \$50.00 for a one-time Inspection fee.

**B. Electrical Inspection Fees**

Application Fee (non-refundable) \$50

**Service**

Through 200 Amp.	\$10
Over 200 Amp. thru 600 Amp.	\$15
Over 600 Amp. thru 800 Amp.	\$20
Over 800 Amp. thru 1200 Amp.	\$25
Over 1200 Amp. (GFI only)	\$50
Circuits	\$5
Lighting Fixtures-per 25	\$6
Dishwasher	\$5
Furnace-Unit Heater	\$5
Electrical-Heating Units (baseboard)	\$4
Power Outlets (ranges, dryers, etc.)	\$7

**Signs**

Unit	\$10
Letter	\$15
Neon-each 25 feet	\$20
Feeders-Bus Ducts, etc.-per 50'	\$6
Mobile Home Park Site	\$6
Recreational Vehicle Park Site	\$4

**K.V.A. & H.P.**

Units up to 20	\$6
Units 21 to 50 K.V.A. or H.P.	\$10
Units 51 K.V.A. or H.P. & over	\$12

**Fire Alarm Systems (excl. smoke detectors)**

Up to 10 devices	\$50
11 to 20 devices	\$100
Over 20 devices	\$5 each

**Data/Telecommunication Outlets**

1-19 devices	\$5 each
20-300 devices	\$100
Over 300 devices	\$300
Energy Retrofit-Temp. Control	\$45
Conduit only or grounding only	\$45

**Inspections**

Special/Safety Insp. (includes cert. fee)	\$50
Additional Inspection	\$50
Final Inspection	\$50
Certification Fee	\$20

**C. Mechanical Inspection Fees**

Application Fee (non-refundable)	\$50
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**Residential Heating System** (includes

duct & pipe, new building only)	\$50
Gas/Oil Burning Equipment (furnace, roof top units, generators)	\$30
Boiler	\$30
Water Heater	\$5
Damper	\$5
Solid Fuel Equip. (includes chimney)	\$30
Gas Burning Fireplace	\$30
Chimney, factory built (installed separately)	\$25
Solar; set of 3 panels-fluid transfer (includes piping)	\$20
Gas piping; each opening-new installation	

(residential)	\$5
Air Conditioning (includes split systems)	
RTU-Cooling only	\$30
Heat Pumps (complete residential)	\$30
Dryer, Bath & Kitchen Exhaust	\$5

**Tanks**

Aboveground	\$20
Aboveground Connection	\$20
Underground	\$25
Underground Connection	\$25
Humidifiers/Air Cleaners	\$10

**Piping-minimum fee \$25**

Piping	\$.05/ft
Process piping	\$.05/ft

Duct-minimum fee \$25	\$.10/ft
Heat Pumps; Commercial (pipe not included)	\$20

**Air Handlers/Heat Wheels**

Under 10,000 CFM	\$20
Over 10,000 CFM	\$60
Commercial Hoods/Exhausters	\$15
Heat Recovery Units	\$10
V.A.V. Boxes	\$10
Unit Ventilators	\$10
Unit Heaters (terminal units)	\$15

**Fire Suppression/Protection**

(includes piping) –minimum fee \$20	\$.75/head
Evaporator Coils	\$30
Refrigeration (split system)	\$30
Chiller	\$30
Cooling Towers	\$30
Compressor/Condenser	\$30

**Inspections**

Special/Safety Insp. (includes cert. fee)	\$50
Additional Inspection	\$50
Final Inspection	\$50
Certification Fee	\$20

**D. Plumbing Inspection Fees**

Application Fee (non-refundable)	\$50
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**Mobile Home Park Site**

Fixtures, floor drains, special drains,	\$5 each
Water connected appliances	\$5 each
Stacks (soil, waste, vent and conductor)	\$3 each
Sewage ejectors, sumps	\$5 each
Sub-soil drains	\$5 each

**Water Service**

Less than 2"	\$5
2" to 6"	\$25
Over 6"	\$50
Connection (bldg. drain-bldg. sewers)	\$5

**Sewers (sanitary, storm or combined)**

Less than 6"	\$5
6" and Over	\$25
Manholes, Catch Basins	\$5 each

**Water Distributing Pipe (system)**

¾" Water Distribution Pipe	\$5
1" Water Distribution Pipe	\$10
1 ¼" Water Distribution Pipe	\$15
1 ½" Water Distribution Pipe	\$20
2" Water Distribution Pipe	\$25
Over 2" Water Distribution Pipe	\$30
Reduced pressure zone back-flow preventer	\$5 each
Domestic water treatment and filtering equipment only	\$5
Medical Gas System	\$45

**Inspections**

Special/Safety Insp. (includes cert. fee)	\$50
Additional Inspection	\$50
Final Inspection	\$50
Certification Fee	\$20

**15. Appendix B: Franchises**

\$250 application fee plus actual expenses related to preparation by City Attorney.

**16. Miscellaneous Fees**

A. *Copies:*

Black & White: 10¢ for page.

Color or Mixed Color and Black & White: 25¢ per page

B. *Freedom of Information Act Requests:*

See the City of Swartz Creek Freedom of Information Act Procedures & Guidelines: adopted June 22, 2015 for details. Standard requests shall be charged 10¢ for 8.5 x 11 page (25¢ for color or mixed color) plus all actual costs for outside re-production (i.e. photo re-prints, blueprint copies, digital media storage, etc.). Extensive search requests shall have an additional per hour fee equal to wages only of the lowest paid clerical position employed with the City (\$8.15/hour with a 1.1 fringe multiplier, totaling \$8.97/hour).

C. *Police Reports:*

\$5 for copies under 6 pages, 10¢ for each page thereafter. Extensive research, reproduction costs, etc. shall be charged in accordance with F.O.I.A. requests.

D. *Gun Registrations, Permits & Safety Inspections:*

No Charge

E. *Towing & Impound Fees:*

\$100 for each vehicle towed as incidental to arrest or other civil custody. \$100 for each vehicle towed as abandoned. The Chief of Police may, at his/her discretion, waive any towing fee when in his/her opinion, special circumstance exists. A report shall be filed when any such action is taken.

F. *Weddings:*

\$50 per ceremony

G. *Fax Services:*

50¢ per page for the first 10 pages, then \$0.25 per page thereafter

- H. *Notary Services:*  
\$10.00 per item
- I. *Insufficient Funds:*  
\$25 each for any check returned unpaid for account insufficient, closed or stopped
- J. *Penalties on Outstanding Invoices/Miscellaneous Receivables:*  
\$10 penalty for unpaid miscellaneous receivables, including but not limited to: utility bills, mowing invoices, sidewalk repair, project reimbursements, charges for services, and retiree coverage contributions. This penalty shall be applied once to “past due” invoices.
- K. *Interest on Outstanding Invoices/Miscellaneous Receivables:*  
1.5% interest per month on outstanding invoices that are 30 days “past due”.

\*Payments made toward outstanding balances shall be applied in the following order: interest, penalties, principle.

**17. Chapter 13 & 16: Development Plans, Administrative Fees, Subdivision Site Plan & Review Fees**

- A. Site Plan Review:

Property Re-Zoning	\$250
Single & Multiple-Family (non-plat)	\$300 plus \$5.00 per lot
Cluster Housing Development	\$300 plus \$5.00 per unit
Mobile Home Park	\$400 plus \$5.00 per unit
Commercial Development	\$450 plus \$50.00 per acre/fraction
Industrial Development	\$400 plus \$50.00 per acre/fraction
Office Development	\$350 plus \$50.00 per acre/fraction
Institutional	\$300 plus \$50.00 per acre/fraction
Public/semi-public uses	\$300 plus \$50.00 per acre/fraction
Special Approval or Conditional Use	\$250 plus \$5.00 per acre/fraction
PUD/Mixed Use Review	\$500 plus \$50.00 per acre/fraction
Consulting Fees (All Reviews)	Actual consultant costs
Revisions	½ of original review fee
- B. Building and Zoning:

Swimming Pool Permit	\$25
Misc. Zoning Permit	\$25
Sidewalk Permit	\$25
Sign Permit	See Building Permits
Structure Movement Permit	\$95
Demolition Permit (Including ROW Permit)	\$150
Right of Way Permit	\$100
Home Occupation Permit	\$95
Variance Review	\$250 per variance
Zoning Board of Appeals: Petitioned Interpretation Review	\$150
Zoning Board of Appeals: Appeal Review	\$250
Lot Split/Combination: City Ordinance Section 16.2	\$150 plus \$5.00 per lot
Public or Private Road Plan Reviews	\$400 per mile/fraction
Consulting Fees	Actual consultant costs
Zoning Code	\$10 CD, \$25 Paper Copy
Engineering Standards Manual	\$10 CD, \$25 Paper Copy
Medical Marijuana Dispensary/Facility Review	\$500
- C. Subdivision Review

Preliminary Subdivision Review-Tentative	\$300 plus \$5.35 per lot
Preliminary Subdivision Review- Final	\$160 plus \$2.70 per lot
Final Plat Review	\$160 plus \$1.00 per lot

**18. Chapter 1: Municipal Civil Infraction Fines**

Civic Infraction Citation Fines:

First Offense	\$100
Second Offense	\$200
Third Offense	\$300

Civic Infraction Notice Fines:

First Offense	\$75
Second Offense	\$150
Third Offense	\$250

**19. Rental Inspection Program Fees**

Registration	\$75 for the first unit, plus \$20 for each additional unit on a shared premises, with common ownership and management, or within recognized apartment complexes
Follow up inspections	The initial and one follow-up inspection will be performed without additional fees. Subsequent inspections shall be charged at the rate of \$25/unit
Registration Updates/Amendments Coverage	No charge The initial fee covers the registration and first inspection and is valid until the resulting certificate of compliance expires
Pro-ration	There shall be no pro-ration of fees

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ADOPTION & REVISION HISTORY:

Resolution No. 050711-07	Dated July 11, 2005
Resolution No. 100208-06	Dated February 8, 2010
Resolution No. 101206-04	Dated December 6, 2010 (Water-Sewer-RTS)
Resolution No. 111114-05	Dated November 14, 2011 (Park Fees)
Resolution No. 110613-07	Dated June 13, 2011 (Water Fees)
Resolution No. 120611-05	Dated June 11, 2012 (Water Fees)
Resolution No. 120709-05	Dated July 9, 2012 (Bulk Water Fees)
Resolution No. 130610-09	Dated June 10, 2013 (Water Fees)
Resolution No. 130826-06	Dated August 26, 2013 (K.W.A. Water Fees)
Resolution No. 140922-07	Dated September 22, 2014 (Utility and MMD Fees)
Resolution No. 150824-05	Dated August 24, 2015 (FOIA, Rentals, Utility Fees)
Resolution No. 151214-05	Dated December 14, 2015 (Parking)
Resolution No. 160523-05	Dated May 23, 2016 (Water and Sewer)
<b>Resolution No. 160808-8A</b>	<b>Dated August 8, 2016 (Solicitation)</b>

Discussion Ensued.

YES: Krueger, Pinkston, Porath, Abrams, Florence, Gilbert, Hicks,.  
NO: Motion Declared Carried.

**STREET PROJECT REVIEW COMMITTEE**

**Resolution No. 160808-05**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Mayor Pro Tem Abrams

**WHEREAS**, under the General Operating Rules of the Council, the Mayor, with the advice and consent of Council, may appoint temporary committees whose membership may include persons not on Council; and

**WHEREAS**, such committees must be temporary in nature, have a specific purpose, and include a specific time frame for their activities; and

**WHEREAS**, the city has a 20 year street maintenance plan on file that is funded, in part, by a 20 year street levy; and

**WHEREAS**, the city has a 5 year master plan on file that includes the consideration of improvements to the Winchester Woods plat; and

**WHEREAS**, the council desires to enable a committee of residents, councilmembers, and staff to further deliberate on the particulars relating to the borrowing related to 2017 projects, as well as design particulars related to sidewalks, lighting, and potential change orders; and

**WHEREAS**, the council further desires the committee to consider the Winchester Woods plat as it relates to its suitability to accommodate uses-as-of-right, including single family homes.

**NOW, THEREFORE, BE IT RESOLVED**, the City of Swartz Creek City Council hereby creates a temporary committee, to be referred to as the "Street Project Review Committee," for the purpose of reviewing and making recommendations relating to the 2017 street project particulars and the Winchester Woods Plat.

**BE IT FURTHER RESOLVED**, the Street Project Review Committee shall endeavor to deliver such findings at or before the regular meeting on September 26, 2016 and be subsequently dissolved unless otherwise engaged in further reviews at the direction of the city council.

**BE IT FURTHER RESOLVED**, the membership of the Street Project Review Committee shall be composed of the following individuals:

Mayor Krueger  
Councilmember Hicks  
Councilmember Pinkston  
Steve Shumaker  
Steve Long  
Dennis Cramer  
Lou Fleury – Consultant Engineer (non-voting)  
Adam Zettel – Staff Member (non-voting)

Discussion Ensued.

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

## **O'REILLY AUTO PARTS APPEAL APPORTIONMENT**

**Resolution No. 160808-06**

**(Carried)**

Motion by Councilmember Hicks  
Second by Mayor Pro Tem Abrams

I Move the City of Swartz Creek amend the budget to allocate \$4,500 of unencumbered, unreserved general fund monies to the assessing department for the purpose of contesting the tax appeals by O'Reilly Auto Parts, parcel 58-31-551-006, costs to include an appraisal, legal services, and other related expenses to be provided by the city's legal counsel and an appraisal firm, Cook, Pray, Rexroth & Associates, as selected by the city manager with the authority of the city council under Section 2-402(a)(2) of the city ordinances.

Discussion Ensued.

YES: Porath, Abrams, Florence, Gilbert, Hicks, Krueger, Pinkston.

NO: None. Motion Declared Carried.

## **TOPVALCO INC. APPEAL APPORTIONMENT**

**Resolution No. 160808-07**

**(Carried)**

Motion by Councilmember Porath  
Second by Mayor Pro Tem Abrams

**I Move** the City of Swartz Creek amend the budget to allocate \$12,000 of unencumbered, unreserved general fund monies to the assessing department for the purpose of contesting the tax appeal by Topvalco Inc., parcel 58-36-576-012, costs to include an appraisal, legal services, and other related expenses to be provided by the city's legal counsel and an appraisal firm, Cook, Pray, Rexroth & Associates, as selected by the city manager with the authority of the city council under Section 2-402(a)(2) of the city ordinances.

Discussion Ensued.

YES Abrams, Florence, Gilbert, Hicks, Krueger, Pinkston, Porath.

NO: None. Motion Declared Carried.

## **CONCRETE STREET REPAIR CHANGE ORDER**

**Resolution No. 160808-08**

**(Carried)**

Motion by Mayor Pro Tem Abrams  
Second by Councilmember Porath

**WHEREAS**, the City of Swartz Creek owns operates and maintains a system of streets; and

**WHEREAS**, certain, limited sections of the street network are composed of concrete and require more specialization in their repair; and

**WHEREAS**, Performance Roads of Mt. Clemens was awarded the bid award for the application of an epoxy-aggregate blend to the concrete sections of Miller Road and Natalie Drive at a cost of \$25,400; and,

**WHEREAS**, the Director of Public Services, after evaluating the year-end budget status, opted to extend the contract scope to include acceleration/deceleration lanes for both I-69 ramps, an additional 1/10<sup>th</sup> mile of Miller Road (east of ITT), and enhanced traffic control devices for highway safety; and,

**WHEREAS**, the bid award was a fixed price award that requires a change order to be approved by staff and/or the city council as appropriate; and

**WHEREAS**, the Swartz Creek staff and City Council finds these repairs to be in the best interest of the immediate street function and long term asset management interests of the community.

**NOW, THEREFORE, BE IT RESOLVED**, the Swartz Creek City Council hereby approves payment to Performance Roads LLC for additional work performed on Miller Road in accordance with the bid previously accepted on April 25, 2016, in the amount of \$12,000, said additional work.

Discussion Ensued.

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

## **MEETING OPENED TO THE PUBLIC**

Dennis Cramer resident at 5299 Worchester Drive, thanked the city on behalf of the Friends of the Library for letting them use the council chambers for their book sales.

## **REMARKS BY COUNCILMEMBERS:**

Councilmember Porath thanked all the volunteers for the watering of all the flowers in downtown.

Councilmember Florence also commented on the flowers.

Councilmember Hicks suggested the use of the newsletter for emergency procedures for residents to follow in case of water issues.

Councilmember Gilbert commented we need rain.

Councilmember Pinkston is pleased with the assisted living project in process. He also remarked about the Miller/Winston road construction.

Mayor Pro Tem Abrams questioned the deadline of the Miller/Winston road construction. Mr. Svrcek responded it should be done before school starts.

Mayor Krueger commented that the boil advisory was a safety precaution.

**Adjournment**

**Resolution No. 160808-09**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Councilmember Hicks

**I Move** the Swartz Creek City Council adjourn the regular meeting at 8:18 pm.

Unanimous Voice Vote.

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**David A. Krueger, Mayor**

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**Connie Eskew, City Clerk**