

**City of Swartz Creek
AGENDA**

**Regular Council Meeting, Monday, March 24, 2014 7:00 P.M.
City Hall Building, 8083 Civic Drive Swartz Creek, Michigan 48473**

1. **CALL TO ORDER:**
2. **INVOCATION AND PLEDGE OF ALLEGIANCE:**
3. **ROLL CALL:**
4. **MOTION TO APPROVE MINUTES:**
4A. Regular Council Meeting of March 10, 2014 MOTION Pg. 14
5. **APPROVE AGENDA**
5A. Proposed / Amended Agenda MOTION Pg. 1
6. **REPORTS & COMMUNICATIONS:**
6A. City Manager's Report (Agenda Item) MOTION Pg. 2
6B. PEA Ordinance Amendment RESO. Pg. 12
6C. Solicitation Notice/Response DISC. Pg. 25
6D. Road Salt Bidding Notice REPORT Pg. 35
6E. MDOT Road Fund Allocations REPORT Pg. 36
7. **MEETING OPENED TO THE PUBLIC:**
7A. General Public Comments
8. **COUNCIL BUSINESS:**
8A. Eddie Eagle Presentation NA
8B. Planning Ordinance Amendment RESO Pg. 12
8C. Solicitation Response DISC Pg. 25
8D. Closed Session (Collective Bargaining Agreement) RESO Pg. 13
9. **MEETING OPENED TO THE PUBLIC:**
10. **REMARKS BY COUNCILMEMBERS:**
11. **ADJOURNMENT:** MOTION

City of Swartz Creek
CITY MANAGER'S REPORT
Regular Council Meeting of Monday, March 24, 2014 - 7:00 P.M.

TO: *Honorable Mayor, Mayor Pro-Tem & Council Members*
FROM: Adam Zettel, City Manager
DATE: March 17, 2014

OLD / ROUTINE BUSINESS – REVISITED ISSUES / PROJECTS

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

MORRISH ROAD BRIDGE PROJECT *(No Change of Status)*

The disagreement over the payment due, if any, for the bridge railing feature continues. The city is refusing \$16,000 in payment because the work quality is terrible, out of specification, and likely to be a financial hardship in the future for maintenance purposes. The contractor is disputing the complete withholding of payment, and they indicated they would make one last final-and-best offer. As of writing, no such offer has been received. Instead, they have submitted another claim letter to the MDOT, seeking a regional hearing. The 5% offer is at stake since any decision made at the regional level is binding, but I stand by the prior decision of the city council in this regard. Moving forward is the right thing to do.

MILLER ROAD RESURFACING PROJECT *(No Change of Status)*

OHM is going to begin working on design engineering for Miller Road between Morrish and Dye. When preliminary work is completed, we will be back to discuss design options and costs. What follows is the background as written in the initial report.

Miller Road is in bad shape east of Morrish. The county Traffic Improvement Program (TIP) has scheduled funding to assist with these repairs for the summer of 2015 (we may do this over two years to better fund the project). The repairs would include milling of asphalt and resurfacing. No reconstruction is proposed.

The section from Morrish to Elms would be redone as it is currently configured. The section from Tallmadge Court to Dye Road is proposed to be done as three lanes with bike lanes, to match what is done elsewhere on Miller. This configuration could pose some issues, but there may be opportunities here as well.

The road is extremely wide east of Tallmadge Court. This section has shoulders and ditching heading east until the Heritage Plaza area, where the road is curbed. The road width for these distances exceeds 70 feet in some areas, and only 48 feet are needed for the three lane concept. This poses some obvious questions.

One possible solution is to perform a road diet in which the curb (likely the south side only) is brought in a lane width or two to meet modern needs. The reasons this may be a good idea include:

1. Traffic counts are much lower now with SPO operations and the extra lanes are simply not required.
2. Some yards on the south side of Miller are virtually non-existent. An extra 20 feet of yard could add much use value to the homes and future potential commercial.
3. Shrinking the road will shrink on-going maintenance costs and future repair costs substantially.
4. Shrinking the road would also lower speeds to match what is observed to the east in Flint Township and to the west.
5. A realigned curb would allow for an off-street path that would connect Swartz Creek to the Genesee Valley Trail (I am looking into grant funding for this).

Another option is to provide fewer lanes on the road and use hatch marks to eliminate travel near the shoulders. This is not recommended. It would not provide the benefits listed above, and it would look downright stupid.

The last option is to mark the road to match the current configuration. The benefits noted above would not present themselves, but the status quo would be maintained.

Cost estimates are as follows:

Morrish to Elms			
	Federal Funds	Local Match	Total Cost
Preliminary Engineering	\$71,553.00	\$17,888.00	\$89,441.00
Construction Engineering			\$0.00
Construction	\$814,272.00	\$203,568.00	\$1,017,840.00
Total Project Cost	\$885,825.00	\$221,456.00	\$1,107,281.00
Tallmadge to Dye			
	Federal Funds	Local Match	Total Cost
Preliminary Engineering	\$71,865.00	\$17,966.00	\$89,831.00
Construction Engineering			\$0.00
Construction	\$817,825.00	\$204,456.00	\$1,022,281.00
Total Project Cost	\$889,690.00	\$222,422.00	\$1,112,112.00

Note: Construction engineering is included in the construction cost total, equating to about \$130,000 per project.

✓ **2013-2014 FY BUDGET (Update)**

We have set a tentative schedule as follows to discuss the budget:

April 7th special meeting – 6pm master plan review and city tour, followed by fund specific budget discussion.

April 14th – 6pm special budget workshop, followed by the regular meeting at 7pm.

April 28th – 6pm special budget workshop, followed by the regular meeting at 7pm.

These extra sessions should give the council enough time and information to connect the dots between the city’s goals and what its resources can provide. The trick is

integrating this with the fund system of budgeting that the city uses. I know that this is a system that council members work with only once a year in a detailed fashion so I hope the budgeting format is something everyone is comfortable with. With that said, feel free to call me or stop in (at your convenience) to discuss how the city accounts for its funds.

- ✓ **MI-DEQ SCRAP TIRE GRANT PROJECT #1, PARKING LOTS** *(No Change of Status)*
We've received a notice of award for \$136,904 from the MI-DEQ Scrap Tire Grant Program. We applied for a couple of our parking lots, being Public Safety Building and the north alley lot behind Hank & Don's.

The estimated total project costs have changed, along with some of the revenues. The changes include the water main addition, the alley hardscape, and the Meijer sidewalk. The breakdown on fund allocation is listed. The current budget includes approximately \$170,000 of general fund money for this purpose. The additional funds are not yet budgeted. We will look to bring this up for the FY 2015 budget. The new estimates are as follows:

Project Costs

Public Safety/Civic Drive	\$190,000
Sidewalk	\$30,000
Downtown Alley/Parking	\$65,000
Alley Enhancement (includes lighting, landscaping, retaining wall, railing, and colored concrete)	\$65,000
Water main Loop (for ductile iron water main)	\$80,000
Design/Construction Engineering	\$71,350
Total Project Cost	\$501,350

Fund Sources

Scrap Tire Grant	\$136,000
Meijer Contribution	\$10,000
Local Match	\$354,446

Fund Impact

Total Cost	\$501,350
Scrap Tire Grant	\$136,904
Meijer	\$10,000
CDBG (Pending)	\$29,000
Water Fund	\$103,158
General Fund	\$222,288

This proposal will likely change again! We met with the engineer and some of the property owners downtown. Recent revelations based upon the survey and owner preferences indicate that the water main work will not be practical or desirable at this time. This means that the alley resurfacing may not be in the cards either. However, this will allow the city to focus on resurfacing Civic Drive or to add additional features

to the public parking area downtown, such as landscaping or a dumpster enclosure for the users in the Hank and Don's building. We may be able to free up a 3-4 parking spots while we are at it. More updates will follow as a more final engineering scope and estimate is prepared.

✓ **WINCHESTER STREETS** *(No Status Change)*

The streets in the village could be the next 'big thing' for the community. There will be a number of options here, but it will take some time to research these. I hope to bring this up during the budget and begin engaging the city council and/or public after the new fiscal year starts.

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

REHABILITATION PROGRAM *(No Change of Status)*

We will begin work on the approved lining and inspection projects as soon as possible. A plan for the next five years will be forthcoming.

BEAR CREEK SANITARY SEWER AGREEMENT *(No Change of Status)*

WWS advises that now that we have cleared the sanitary sewer concerns as it relates to the main that crosses the creek at the bridge, they'll begin preparing agreements for transfer of the main to the County. As soon as I get a draft of the agreement, I'll set the matter up for discussion on the terms.

KWA *(No Change of Status)*

The city enacted a pass-along increase beginning after the first of the year for the first phase of the debt retirement for the KWA. Costs for future service are very uncertain and will undoubtedly rise much. Despite that, I believe that we need to look at local increases to support a local capital improvement program for aging infrastructure. This may not amount to much, but we need to start somewhere. If we simply pass along increase from the other authorities, we will not even be able to keep up with inflationary increases for operating.

On the bright side, those continuing to purchase Detroit water may find rates tripling! This could encourage Oakland County to join the KWA or make rates in Genesee County even more competitive. I have attached an interesting Free Press Article on the matter.

STORM SEWER *(No Change of Status)*

Mr. Svrcek has been working with the Michigan Department of Environmental Equality on some permitting issues that every city in the urban area of the county is dealing with. We are not thrilled with the expectations. What appears to be the heavy hand of the DEQ may put us out of the business of providing many basic services, or at least radically changing the way we do business. This could result in many new ordinances and expenses regulating a variety of practices including how we store road salt, where we can dump street sweepings, and how residents can discharge a pool. We will likely be addressing this in mid-summer, but we want to take our time due to the wide reaching effect that this could have on the community.

✓ **PERSONNEL: POLICIES & PROCEDURES** *(No Change of Status)*

I expect to make some changes here. There is not an existing set of policies outside of the police department and union contracts. I may enact a very skeleton set of policies, and begin the process of adding to it. I may also have a couple separate policies enabled in the near future based on need, such as a technology use policy or other flex/compensation time policies.

✓ **CITY PROPERTY, 4438 MORRISH ROAD** *(No Change of Status)*

I have a couple community development ideas for the property that the planning commission and city council should consider. I will revisit the demolition potential with Mr. Svrcek soon since the building's days are certainly numbered. This is something we may look at this summer.

✓ **LABOR CONTRACTS, SHARED SERVICES, BUILDING DEPARTMENT** *(Update)*

I have been working with staff and the supervisor's union in an official capacity to assess what to do with the vacant finance director position. I am comfortable at this point that we will look to allocate a large share of these duties among our existing staff. If we continue down this road, the council can expect to see at least one revised job description and accompanying compensation package. Contracting out some duties may still be required.

✓ **FIRE DEPARTMENT: COST RECOVERY & APPARATUS** *(No Change of Status)*

Fire department staff are working with the board on specifications for a new apparatus. I expect bids will be received and deliberated upon within two months. If the board is interested in any of the bids, the council may be reviewing a recommendation to purchase a new fire truck by late spring. I can speak more about this if the council has questions, but I believe this process will run its course and apparatus and pricing information will be presented to the council relatively quickly.

✓ **SPRINGBROOK EAST & HERITAGE S.A.D. – VACANT LOTS** *(No Change of Status)*

Following are issues pending for the three Associations:

SPRINGBROOK COLONY	SPRINGBROOK EAST	HERITAGE VILLAGE
<i>Transfer Water, Sanitary Sewer, Storm Sewer to City.</i>	<i>Seek Solution for 12 Vacant Lots Owned by City.</i>	<i>Transfer Water, Sanitary Sewer, Storm Sewer, Streets to City. Seek Solution for 5 Vacant Lots Owned by City.</i>

We are live with maintenance of utilities in Springbrook.

I will work on a land sale policy in the near future. A very rough draft is done, but this can probably wait till we finish our budget.

Heritage Village utility and street transfers are in the works again. I will keep the council posted.

✓ **MEIJER COMMUNITY DONATION** *(Status)*

Regarding the Meijer Community Donation, we are still looking at several options for consideration, one of which is a sidewalk segment that would accompany the parking lot tire grant work we are looking to do. The costs for this may be a burden. I will be looking at options with Mr. Svrcek and bouncing those off the council and Meijer.

✓ **EVIP COMPETITIVE GRANT ASSISTANCE PROGRAM** *(No Change of Status)*

The EVIP Category II report was submitted and received by the State of Michigan. Other reports will follow.

Last year, the city was are looking at a grant source for the development of the Bristol Road property into a sports complex, with the schools. Lou has advised Rowe can do the application for \$1,200. We're going to proceed forward on the outside chance that funds may be available. I'll keep the Council posted on developments.

✓ **MDOT CALL FOR SAFETY PROJECTS** (*Status*)

We've re-submitted the Morrish – Fortino Intersection reconstruction for consideration. Chances are slim the project will qualify as it lacks accident data statistics. The application is pending MDOT review. I'll keep the Council posted on results.

✓ **WINCHESTER WOODS LOTS** (*No Change of Status*)

I suggest we delay any sales or negotiations until and land sale policy is adopted. Prior to the last meeting, staff notified the interested parties that a sale will not be forthcoming anytime soon. They do not appear to be in a hurry and will await the council's decision.

I want to take a harder look at the development of this area. Previously, the city considered an assessment that would provide drainage, curbs, gutters, road construction, street lights and sidewalks. The price per lot was absurd. I think the goal should be to make these lots buildable for quality homes. The city could probably achieve this with less intensive ditching and surfacing of the roads, sans the underground drainage system, lights, curbs, and sidewalks. This would drastically reduce the scope of the project.

A sale of lots to an adjacent property owner could compromise the success of any special assessment for improvements and the ability to use these lots for single family homes.

✓ **ANNUAL TAX FORECLOSED REVERTED PROPERTY** (*Update*)

The city is now the proud owner of 5017 Third Street. This is a problem property based upon the condition of the house. We will look to determine whether an emergency demolition is needed based upon any apparent hazards. If not, I recommend we follow the land sale policy (if/when it is adopted) to plot a course of action.

This is the house immediately south of Woods Collision. I am told that the house is in very poor condition, but the garage is in good shape. The parcel abuts the west side of the parking lot of Jan's Bar.

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

Due to costs, we are thinking that we can handle a summer and winter edition newsletter. This is a pretty common practice for cities since it is pretty effective at communicating seasonal information, while keeping costs down. We are thinking that April and October would be good publication months. We will keep you posted.

✓ **SEWER RATES** (*No Change of Status*)

They are going up. I suggest we look at increasing ours to cover our costs and any projected deficit that is apparent. Unless there is such an objection, staff will plan to do so as the anticipated budget progresses.

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

The city received a written request from Topvalco to withdraw their appeal. I credit the council decision to order an appraisal with their decision. Heather was able to cancel the appraisal before costs were incurred as well.

✓ **RENTAL REGISTRATOIN AND INSPECTIONS** (*No Change of Status*)

We have begun preparing for a rental registration program. One of the first steps will be to adopt the property maintenance code. Now that this is done, I will be working with Mr. Johnson and the council to begin developing a program that is compatible with our community goals.

✓ **WINSHALL PAVILION** (*No Change of Status*)

Meadowbrook sent an adjuster out and received a subsequent quote from one of their approved contractors. They will cover the cost to clear the damage and replace the metal roof, less the deductible of \$500. The estimate for the contracted portion is approximately \$3,000. Since Meadowbrook is paying for the service, I will go ahead and order the repairs done using the preapproved contract as long as there are no objections from the city council.

✓ **OTHER COMMUNICATIONS & HAPPENINGS** (*Update*)

This is a pretty light agenda. I am hopeful that this trend continues through April and May, allowing us to focus on the budget. For this meeting, Tom has included a notice that indicates our participation in the road salt bidding process. We do this each year, and the council will be asked to approve a low responsible bid at some future point this summer.

I also included a breakdown of emergency road funds that the state intends to distribute based upon our unusually hard winter. I included the complete list in case council members were curious about other community allocations. The city share is \$23,203.04. This allocation is based upon the standard Public Act 51 formula which uses road miles and population to determine a final amount.

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

❑ **PLANNING COMMISSION** (*Update*)

The planning commission is not expected to meet in March. However, there is a special land use request in for the April meeting. A petitioner is requesting to use the vacant space in the Kroger plaza for an urgent care facility. Their next meeting is scheduled for April 1, 2014 at 7pm in the city council chambers. They will also be discussing the land sale policy at this meeting.

❑ **DOWNTOWN DEVELOPMENT AUTHORITY** (*Update*)

The DDA met on March 13, 2014 and approved a budget for council review. They are offering to contribute \$20,000 to the parking improvements downtown. In addition, the authority would like to fund the façade program with \$5,000 and support Family Movie Night. They are doing so because of the potential for

revenues this year. Taxable values in the DDA district may have risen enough to produce \$85,000 in increment revenue. However, I am suggesting the exercise of caution because much of this increment is in personal property, and there is always the chance for appeals.

If revenues are realized, this group will likely begin to assess the potential use of the land the city owns at Fortino and Morrish Roads, including the vacant house on Morrish and the house on Third Street. Their annual meeting is scheduled for June. Cliff Hull, the vice-chair of the authority, resigned due to personal issues and needs a replacement. His years of service and insight as an architect will be missed.

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

The ZBA is not up to much lately. Their annual meeting was held on March 19, 2014. All officers were reinstated.

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

This commission is very active recently. They met on February 26th at 6pm at city hall to discuss a number of issues. Though there is not much of a budget, they will continue to work on one, if not two, tree grants as they have in years past. They are also working with some school groups for some spring volunteer clean up opportunities. Ultimately, they are hoping that there could be some funds available for rehabilitation work this summer. I indicated that the city could apply for a Department of Natural Resources Recreation Passport Grant and match any such funds with up to \$30,000 in state funds. The downside is that such a grant would be for the 2015 season. They feel this may still be the way to proceed. The work could include sprucing up Elms park bathrooms, ball diamonds, forestry, trails, and related work.

NEW BUSINESS / PROJECTED ISSUES & PROJECTS

✓ **EDDY THE EAGLE** (*Presentation*)

Officer Szmansky wrote a grant to the National Rifle Association to acquire and Eddy Eagle outfit and program. The application was successful in the amount of \$3,000, and the police department has received the costume. Ofc. Szmansky and a volunteer will be in attendance Monday to show the council Eddy and to explain his purpose.

✓ **PLANNING COMMISSION ORDINANCE** (*Resolution*)

At the last meeting, direction was given to Mr. Gildner to draft an ordinance amendment that would bring our local ordinance into compliance with the planning enabling act. A draft of such an ordinance is pending, and I hope to have it distributed in time for the meeting. The original report follows:

Sec. 13-23. - Composition, terms of office, compensation of planning, states that:

- (a) *The planning commission shall be composed of the mayor, a member of the council chosen annually by the council, an administrative officer of the city, and six registered electors of the city. The administrative officer of the city and the six electors shall be appointed by the mayor, subject to confirmation by the council.*

Such officers are defined in the charter as: a City Manager, a City Attorney, a Clerk, a Treasurer, a Finance Officer, if there be one, an Assessor, a Health Officer, a Chief of Police, a Fire Chief, a City Engineer, a Building Inspector and a Constable.

There is a conflict with this provision as it relates to the Planning Enabling Act (PEA). This conflict was realized when staff and the Mayor began to consider options for Mr. Bueche's potential retirement. As the staff planner, it is a conflict for myself to serve on the commission in the role of an administrative officer. The ordinance permits another administrative officer to serve, but this is not in sync with the PEA, which permits any designee of the CAO to serve.

The PEA states that the membership of the commission should be as follows:

In a city, village, or county, the chief administrative official or a person designated by the chief administrative official, if any, the chief elected official, 1 or more members of the legislative body, or any combination thereof, may be appointed to the planning commission, as ex officio members, unless prohibited by charter.

To clear up this issue and ensure all existing and future appointments are lawful, I suggest we change the ordinance to permit the CAO or his/her designee to serve on the commission, instead of limiting it to "an administrative officer of the city."

✓ **SOLICITATION ORDINANCE OPINION (*Discussion*)**

The city received a letter from an attorney in Ohio. The letter indicates that our solicitation ordinance is unconstitutional based upon case law that pertains to solicitation as a form of commercial free speech. I have forwarded the letter to city attorney Gildner for an opinion. My understanding is that this same letter went to many Michigan cities and changes are probably needed.

Mr. Gildner has a very rough draft of an amended solicitation ordinance for us to review. He intends to have some commentary for us at the meeting as well.

✓ **CLOSED SESSION (*Discussion*)**

There is an issue involving one of the city's collective bargaining agreements that I would like to discuss with the city council.

Council Questions, Inquiries, Requests and Comments

- *Additional Lighting, Miller – Fairchild Intersection.* We are back trying to get a review by Consumers Energy.
- *Parkridge Parkway "No Parking Signs".* They are missing in the back phase near Hickory Lane. We are working to replace them, but it will likely be when the ground thaws.
- *Open Meetings Act & Freedom of Information Act.* I distributed some materials last week on these topics. If you did not receive these or you want hard copies, let me know. There may be some training opportunities for council members in the future. I will do my best to offer these up for interested persons.

City of Swartz Creek
RESOLUTIONS
Regular Council Meeting, Monday, March 24, 2014 7:00 P.M.

Resolution No. 140324-4A **MINUTES – MARCH 10, 2014**

Motion by Councilmember: _____

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday March 10, 2014, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 140324-5A **AGENDA APPROVAL**

Motion by Councilmember: _____

I Move the Swartz Creek City Council approve the Agenda as presented / printed / amended for the Regular Council Meeting of March 24, 2014, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 140324-6A **CITY MANAGER’S REPORT**

Motion by Councilmember: _____

I Move the Swartz Creek City Council approve the City Manager’s Report of March 24, 2014, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 140324-8B **PLANNING ORDINANCE AMENDMENT**

Motion by Councilmember: _____

CITY OF SWARTZ CREEK

ORDINANCE NO. _____

An ordinance to amend sections 13-22 and 13-23 of Article II of Chapter 13 of the Code of Ordinances of the City of Swartz Creek to bring those sections concerning the Planning Commission into compliance with state law.

THE CITY OF SWARTZ CREEK ORDAINS:

Section 1. Amendment of Section 13-22 of Article II of Chapter 13 of the Code of Ordinances of the City of Swartz Creek.

Section 13-22 of Article II of Chapter 13 of the Code of Ordinances of the City of Swartz Creek is hereby amended to read as follows:

Sec. 13-22. Powers and duties of planning commission.

The planning commission shall have the powers and duties prescribed for a planning commission in Act No. 33 of the Public Acts of Michigan of 2008 (MCL 125.3801, et seq.), as amended.

Section 2. Amendment of Section 13-23 of Article II of Chapter 13 of the Code of Ordinances of the City of Swartz Creek.

Section 13-23 of Article II of Chapter 13 of the Code of Ordinances of the City of Swartz Creek is hereby amended to read as follows:

Sec. 13-23. Composition, terms of office, compensation.

- (a) The planning commission shall be composed of the mayor, the city manager or a person designated by the manager, a member of the council appointed by the mayor, and six (6) qualified electors of the city appointed by the mayor and confirmed by a majority vote of the council. The mayor, manager or manager's designee, and member of the council shall serve as ex officio members of the planning commission.
- (b) The term of the mayor shall correspond to his or her term as mayor. The term of the city manager or manager's designee shall expire with the term of the mayor. The term of the member of the council shall expire with his or her term on the council.
- (c) The terms of members who are qualified electors shall be for three (3) years. Of those members first appointed, a number shall be appointed to 1-year or 2-year terms such that, as nearly as possible, the terms of 1/3 of all the planning commission members will expire each year.
- (d) If a vacancy occurs on a planning commission, the vacancy shall be filled for the unexpired term in the same manner as provided for an original appointment. A member shall hold office until his or her successor is

appointed.

Section 3. Effective Date.

This Ordinance shall take effect on May 1, 2014.

At a regular meeting of the City Council of Swartz Creek held on the _____ day of _____, 2014, _____ moved for adoption of the foregoing ordinance and _____ supported the motion.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 140324-8D

CLOSED SESSION TO DISCUSS A COLLECTIVE BARGAINING AGREEMENT ITEM (ROLL CALL VOTE)

Motion by Councilmember: _____

I MOVE the City of Swartz Creek City Council exit the regular session of the city council and enter into a closed session for the purpose of discussing a collective bargaining agreement item.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE COUNCIL MEETING
DATE 3/10/2014**

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 to the Flag.

Councilmembers Present: Abrams, Gilbert, Hicks, Hurt, Krueger, Porath, Shumaker.

Councilmembers Absent: None.

Staff Present: City Manager Adam Zettel, Public Services Director Tom Svrcek, City Clerk Juanita Aguilar.

Others Present: Tommy Butler, Jim Florence, Boots Abrams, Bob Plumb, Ron Schultz, Sharon Shumaker, Joel McRee, Betty Binder, Bud Grimes, Peg & Richard Mattson.

APPROVAL OF MINUTES

Resolution No. 140310-01 **(Carried)**

Motion Councilmember Porath
Second by Councilmember Hurt

I Move the Swartz Creek City Council hereby approve the Minutes of the Regular Council Meeting, held Monday, February 24, 2014 to be circulated and placed on file.

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

APPROVAL OF AGENDA

Resolution No. 140310-02 **(Carried)**

Motion by Mayor Pro-Tem Abrams
Second by Councilmember Hurt

I Move the Swartz Creek City Council approve the Agenda as amended, for the Regular Council Meeting of March 10, 2014, to be circulated and placed on file.

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

REPORTS AND COMMUNICATIONS:

City Manager’s Report

Resolution No. 140310-03

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the City Manager’s Report of March 10, 2014, to be circulated and placed on file.

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

Discussion Ensued.

MEETING OPENED TO THE PUBLIC

Joel McRee, 5063 Brady, spoke about the sidewalk ordinance. Mr. McRee mentioned areas that need to be addressed, such as the cemetery area on Morrish Road.

Gary Hicks, Republic Services, stopped by to check in with the Council and make sure there were no problems with the garbage/recycling in the City. Councilmember Shumaker asked Mr. Hicks to bring in a tutorial on how the recycling is processed at the facility.

COUNCIL BUSINESS

Liqui-Force Sewer System Improvements

(Discussion)

Liqui-Force made a brief presentation on upcoming improvements.

Land Sale Policy

(Discussion)

City Manager Zettel discussed how the land sales will be handled in the future.

Sidewalk Ordinance

Resolution No. 140310-04

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Hurt

I Move the City of Swartz Creek ordain:

CITY OF SWARTZ CREEK

ORDINANCE NO. 412

AN ORDINANCE TO REPEAL SECTIONS 15-21 and 15-22 OF THE CODE OF ORDINANCES OF THE CITY OF SWARTZ CREEK AND TO ADOPT A NEW SECTION 15-21 TO ALLOW THE CITY TO REMOVE ENCUMBERANCES FROM PUBLIC SIDEWALKS AND ASSESS A FEE AGAINST PROPERTY OWNER.

THE CITY OF SWARTZ CREEK ORDAINS:

Section 1. Repeal of Sections 15-21 and 15-22 of Chapter 15 of the Code of Ordinances of the City of Swartz Creek.

Sections 15-21 and 15-22 of Chapter 15 of the Code of Ordinances of the City of Swartz Creek are hereby repealed in their entirety.

Section 2. Adoption of New Section 15-21 of Chapter 15 of the Code of Ordinances of the City of Swartz Creek.

The City hereby adopts a new Section 15-21 of Chapter 15 of the Code of Ordinances to read as follows:

Sec. 15-21. Duty to remove snow, ice, rubbish, excessive dirt, or other encumbrances.

- (a) The occupant of any premises or the owner of any unoccupied premises within the city shall keep, or cause to be kept, the sidewalks in front of or adjacent to such premises free, so far as is practicable and reasonable, from snow, ice, rubbish, excessive dirt, or any other encumbrance.
- (b) Whenever any snow or ice has fallen or accumulated, it shall be cleared within 48 hours of the time it fell or accumulated. Rubbish, excessive dirt, or any other encumbrance shall likewise be cleared within 48 hours of the time it appeared.
- (c) Improved sidewalks, paths, and trails that measure 60 inches or less in width shall be cleared of ice and snow in their entirety. Improved sidewalks, paths, and trails with a width greater than 60 inches need only clear 60 inches of such sidewalk.
- (d) The City Clerk shall notify the owner of any parcel of land, or the agent of the owner, to keep the property clear of snow, ice, rubbish, excessive dirt or other encumbrances. Such notice shall be given by publishing notice in a newspaper circulating in the city during the month of September. That notice shall state that (i) snow, ice, rubbish, excessive dirt or any other encumbrance must be removed within 48 hours of the time it fell or accumulated; (ii) failure to do so constitutes a violation of this ordinance; (iii) the city may cause the sidewalk to be cleared where violations are found to exist; and (iv) the City's expenses of clearing the encumbrances shall

become a debt to the City, a lien against the property and collected as delinquent property taxes.

- (e) A person who violates this Section shall be responsible for a municipal civil infraction punishable by a civil fine of \$50.00, plus costs and other sanctions, for each violation.

Section 2. Effective Date.

This ordinance shall be effective on the 1st day of May, 2014.

At a regular meeting of the City Council of the City of Swartz Creek held on March 10, 2014, adoption of the foregoing ordinance was moved by Councilmember Hicks and supported by Councilmember Hurt.

Voting for: Krueger, Porath, Shumaker, Gilbert, Hicks, Hurt.

Voting against: Abrams.

The Mayor declared the ordinance adopted.

David A. Krueger
Mayor

CERTIFICATION

The foregoing is a true copy of Ordinance No. 412, which was enacted by the City Council of the City of Swartz Creek at a regular meeting held on March 10, 2014.

Juanita Aguilar, City Clerk

Discussion Ensued.

YES: Krueger, Porath, Shumaker, Gilbert, Hicks, Hurt.

NO: Abrams. Motion Declared Carried.

Property Maintenance Code Adoption

Resolution No. 140310-05

(Carried)

Motion by Councilmember Gilbert

Second by Councilmember Hurt

I Move the City of Swartz Creek ordain:

CITY OF SWARTZ CREEK

ORDINANCE NO. 413

An ordinance to amend Chapter 4 of the Code of Ordinances to add thereto Article III concerning the Property Maintenance Code.

THE CITY OF SWARTZ CREEK ORDAINS:

Section 1. Amendment of Chapter 4 of the Code of Ordinances of the City of Swartz Creek.

Chapter 4 of the Code of Ordinances of the City of Swartz Creek is hereby amended to add thereto a new Article III entitled "Property Maintenance Code" to read as follows:

ARTICLE III. PROPERTY MAINTENANCE CODE

Sec. 4-31. Adoption of Property Maintenance Code.

The City hereby adopts the *International Property Maintenance Code*, 2012 edition, as published by the International Code Council.

Sec. 4-32. Definitions.

- a. Code Official shall mean the City Building Official, or any designee of the City Building Official.
- b. Jurisdiction or City shall mean the City of Swartz Creek.
- c. Structure shall mean any building or structure for which a permit must be obtained for construction under any ordinance or code of the City.

Sec. 4-33. Modifications and Amendments to Code.

The following sections and subsections of the International Property Maintenance Code are deleted and replaced with the following:

101.1 Title. These regulations shall be known as the Property Maintenance Code of the City of Swartz Creek, referred to as the Code.

101.2 Scope. The provisions of the Code shall apply to all existing and future structures in the City and shall constitute minimum requirements and standards for such premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance, the responsibility of owners, operators and occupants, the occupancy of existing structures and premises, and for administration, enforcement and penalties.

102.3 Application of Other Codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be in accordance with the procedures and provisions of the *Michigan Residential, Building, Plumbing, and Mechanical Code, the State Electrical Code, and the International Fire Code*. Nothing in this Code shall be construed to cancel, modify or set aside any provision of the *City Zoning Ordinance*.

103.5 Fees and Fines. The fees for activities and services performed by the department in carrying out its responsibilities under this Code and the fines charged for failure to comply with this Code shall be those adopted by resolution of the City Council and may be amended from time to time by the City Council.

302.4 Weeds. This section is deleted. See Article II of Chapter 20 of the Code of Ordinances of the City of Swartz Creek for provisions regarding weeds, grasses and brush.

304.14 Screens. Insert May 1 through September 30.

602.3 Heat Supply. Insert October 1 through April 30.

602.4 Occupiable Work Space. Insert October 1 through 30.

Section 2. Effective Date.

This ordinance shall be effective on the 1st day of May, 2014.

At a regular meeting of the City Council of the City of Swartz Creek held on March 10, 2014, adoption of the foregoing ordinance was moved by Councilmember Gilbert and supported by Councilmember Hurt.

Voting for: Porath, Shumaker, Abrams, Gilbert, Hicks, Hurt, Krueger.

Voting against: None.

The Mayor declared the ordinance adopted.

David A. Krueger
Mayor

CERTIFICATION

The foregoing is a true copy of Ordinance No. 413, which was enacted by the City Council of the City of Swartz Creek at a regular meeting held on March 10, 2014.

Juanita Aguilar, City Clerk

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

Fireboard Appointment

Resolution No. 140310-06 (Carried)

Motion by Councilmember Hurt
Second by Councilmember Hicks

I Move the City of Swartz Creek concur with the Mayor’s appointment of Joel McRee, of 5063 Brady Street, to the Swartz Creek Area Fire Board, City Swing Position, term to run April 1, 2014 expiring March 31, 2015.

Discussion Took Place.

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

Complete Streets Support

Resolution No. 140310-07 (Carried)

Motion by Councilmember Porath
Second by Councilmember Hurt

WHEREAS, the Federal Highway Administration (FHWA) Guidance (2000) stated bicycling and walking facilities may be incorporated into some transportation projects; and,

WHEREAS, creation and maintenance of facilities that effectively accommodate non-motorized travel can reduce the risk of injury by up to 30%; and,

WHEREAS, “Complete Streets” is an inclusive context sensitive design framework and infrastructure that enables safe and convenient access for transportation users of all ages and disabilities, including pedestrians, bicyclists, transit riders, and motor vehicle drivers; and,

WHEREAS, “Complete Streets” are achieved when transportation agencies routinely plan, design, construct, re-construct, operate, and maintain the transportation network to improve travel conditions for bicyclists, pedestrians, transit, and freight in a manner consistent with, and supportive of, the surrounding community; and,

WHEREAS, there are cases where there is less demand for wide roads and a study conducted by the Genesee County Metropolitan Planning Commission (MPO) showed reducing 4 lanes to 3 lanes (known as a “road diet”) and adding pedestrian and bicycle facilities reduced traffic crashes; and,

WHEREAS, development of pedestrian, bicycle, and transit infrastructure offers long term cost savings and opportunities to create safe and convenient non-motorized travel; and,

WHEREAS, streets that support and invite multiple uses, including safe, active, and ample space for pedestrians, bicycles, and transit are more conducive to the public life and efficient movement of people than streets designed primarily to move automobiles; and,

WHEREAS, increasing active transportation (e.g., walking, bicycling, and using public transportation) offers the potential for improved public health, economic development, a cleaner environment, reduced transportation costs, enhanced community connections, social equity, and more livable communities; and,

WHEREAS, roadways designed with “Complete Streets” principles complement and enhance ongoing active living and community planning efforts by the City of Swartz Creek, Safe and Active Genesee for Everyone, and numerous other community groups as well as education initiatives such as Safe Routes to School and Confident Cycling; and,

WHEREAS, “Complete Streets” principles have been and continue to be adopted nationwide at state, county, MPO, and municipal levels in the interest of proactive planning and adherence to federal regulation that guide transportation planning organizations to promote multi-modal transportation options and accessibility for all users; and,

WHEREAS, the Michigan Legislature has passed “Complete Streets” legislation through Public Acts 134 and 135 of 2010, that requires the Michigan Department of Transportation to consider all users in transportation related projects and work with locals, MPOs, township, cities, and villages to include planning for “Complete Streets” in their transportation programming; and,

WHEREAS, we encourage the Genesee County Road Commission, the MDOT, local road agencies, and other contracted agents in the county with the construction or reconstruction of transportation facilities to do so in accordance with “Complete Streets” Context Sensitive Solutions, and Safe Routes to School principles.

NOW, THEREFORE, BE IT RESOLVED, the City of Swartz Creek hereby declares its general support of “Complete Streets” principles and practices and supports efforts to make the City’s transportation network more accommodating to walkers, bicyclists, and those using assisted devices for transportation.

Discussion Took Place.

YES: Abrams, Gilbert, Hicks, Hurt, Krueger, Porath, Shumaker.

NO: None. Motion Declared Carried.

Budget Planning/Update

(Discussion)

City Manager Zettel went through the status of the budget planning.

MEETING OPEN TO PUBLIC:

Jim Florence, 4296 Springbrook, stated that the Senior Center would allow the City Council to use their bus if needed. Mr. Florence spoke about the property sale policy in reference to Springbrook East lot sales.

REMARKS BY COUNCILMEMBERS:

Councilmember Porath spoke about the Morrish Road overpass being dangerous.

Councilmember Shumaker spoke about a misprint in the City Manager’s Report. Mr. Shumaker asked how permit inspections are being handled now. He was advised that everything goes through Marty Johnson from Mundy Township. Mr. Shumaker asked about the date for the hazardous waste collection.

Mayor Pro-Tem Abrams spoke about a Michigan Municipal League magazine article that referenced the “Great Michigan Revenue Sharing Heist”. Mr. Abrams talked about a presentation at the Small Cities Meeting that was about Senators wanting to do away with DDA’s.

Adjournment

Resolution No. 140310-08

(Carried)

Motion by Councilmember Hurt
Second by Councilmember Gilbert

I Move the City of Swartz Creek adjourn the Regular Session of the City Council meeting at 10:05 p.m.

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

David A. Krueger, Mayor

Juanita Aguilar, City Clerk

CITY OF SWARTZ CREEK

ORDINANCE NO. _____

An ordinance to amend sections 13-22 and 13-23 of Article II of Chapter 13 of the Code of Ordinances of the City of Swartz Creek to bring those sections concerning the Planning Commission into compliance with state law.

THE CITY OF SWARTZ CREEK ORDAINS:

Section 1. Amendment of Section 13-22 of Article II of Chapter 13 of the Code of Ordinances of the City of Swartz Creek.

Section 13-22 of Article II of Chapter 13 of the Code of Ordinances of the City of Swartz Creek is hereby amended to read as follows:

Sec. 13-22. Powers and duties of planning commission.

The planning commission shall have the powers and duties prescribed for a planning commission in Act No. 33 of the Public Acts of Michigan of 2008 (MCL 125.3801, et seq.), as amended.

Section 2. Amendment of Section 13-23 of Article II of Chapter 13 of the Code of Ordinances of the City of Swartz Creek.

Section 13-23 of Article II of Chapter 13 of the Code of Ordinances of the City of Swartz Creek is hereby amended to read as follows:

Sec. 13-23. Composition, terms of office, compensation.

- (a) The planning commission shall be composed of the mayor, the city manager or a person designated by the manager, a member of the council appointed by the mayor, and six (6) qualified electors of the city appointed by the mayor and confirmed by a majority vote of the council. The mayor, manager or manager's designee, and member of the council shall serve as ex officio members of the planning commission.
- (b) The term of the mayor shall correspond to his or her term as mayor. The term of the manager or manager's designee shall expire with the term of the mayor. The term of the member of the council shall expire with his or her term on the council.
- (c) The terms of members who are qualified electors shall be for three (3) years. Of those members first appointed, a number shall be appointed to 1-year or 2-year terms such that, as nearly as possible, the terms of 1/3 of all the planning commission members will expire each year.

- (d) If a vacancy occurs on a planning commission, the vacancy shall be filled for the unexpired term in the same manner as provided for an original appointment. A member shall hold office until his or her successor is appointed.

Section 3. Effective Date.

This Ordinance shall take effect 30 days following publication.

At a regular meeting of the City Council of Swartz Creek held on the _____ day of _____, 2014, _____ moved for adoption of the foregoing ordinance and _____ supported the motion.

Voting for:

Voting against:

The Mayor declared the ordinance adopted.

David Krueger
Mayor

Juanita Aguilar
City Clerk

CERTIFICATION

The foregoing is a true copy of Ordinance No. _____ which was enacted by the Swartz Creek City Council at a regular meeting held on the _____ day of _____, 2014.

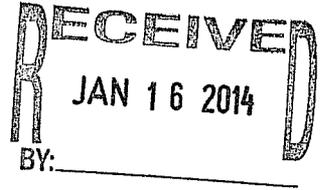
Juanita Aguilar
City Clerk

Richard E. Herthneck Co., L.P.A.

ATTORNEY AND COUNSELOR AT LAW
304 PLAZA WEST BUILDING
20220 CENTER RIDGE ROAD
ROCKY RIVER, OHIO 44116
FACSIMILE (440) 356-6090

(440) 331-4660

January 14, 2014



Attn: Juanita Aguilar
City Clerk
Swartz Creek, MI
8083 Civic Drive
Swartz Creek, MI 48473

Re: City of Swartz Creek Municipal Chapter 12, Sec. 12-1: "Prior Invitation Required"

Dear Ms. Aguilar:

I act as general counsel for independent distributors of Kirby home cleaning systems across the country.

Kirby home cleaning systems are retailed by independent dealers associated with authorized distributors of the product to consumer end-users through in-home demonstrations.

Distributors of the product (i.e., my clients) are not itinerant in that they are corporations with statutory agents; persons retailing the products to the consumer end-users (i.e, dealers) are background checked; the product itself is warranted by the manufacturer in keeping with terms of the manufacturer's limited warranty; the product has a lifetime rebuilding option performed by the manufacturer; and dealers have identification as to their name and association with the distributor whose name and address is also provided to the consumer.

As you know, this form of activity (i.e., door-to-door sales) is deemed to be commercial speech protected by the First Amendment to the U.S. Constitution.

Our understandings are that Swartz Creek's Municipal Code Chapter 12, Sec 12-1 prohibits uninvited door-to-door solicitation.

The type of activity which Swartz Creek attempts to prohibit has been determined to be "commercial speech" (Board of Trustees of State University of New York v. Fox, (1989) 109 S. Ct. 3028). Commercial speech is entitled to protection under the First Amendment of the United States Constitution (Virginia Pharmacy Board v. Virginia Citizens Consumer Council, Inc., (1976) 425 U.S. 748). Following the rulings in Virginia Pharmacy, every Federal Court decision has held that the First Amendment "commercial speech" Protection is to be accorded to door-to-door solicitation (Association of Community Organizations v. Municipality of Golden, CO., 10th Cir. (1984) 744 Fed. 2d, 739 and Watseska v. Illinois Public Action Council, 7th Cir. (1986) 796 Fed 2d, 1547). In fact,

commercial speech is protected in a similar manner as non commercial speech (44 Liquormart, Inc., et al. v. Rhode Island, et al., No. 94-1140 Supreme Court, 1996 U.S. LEXIS 3020).

The standards which have been established for the regulation by governmental authorities for commercial speech are set forth in Central Hudson Gas & Electric Corp. v. Public Service Commission, 447 U.S. 557 (1980); 100 S. Ct. 2343. The four part test established in Central Hudson and affirmed by Project 80's requires that:

1. A speech concerned as lawful and not misleading or deceptive;
2. The government interest must be substantial, such as the need to (i) protect privacy, (ii) prevent crime, and/or (iii) for consumer protection;
3. That the governmental interest must be directly advanced by the regulation;
4. A City's Ordinance cannot be "more extensive than is necessary to serve" the City's possessive interest.

As concerns point two above, the Court in Central Hudson noted that privacy could easily be served by residents posting signs at the home advising against solicitation and/or registering with a City official indicating that no solicitation was desired. Crime could be regulated by licensing, registering and other normal enforcement methods. Consumer protection is served by the various state and federal cooling-off periods for recission purposes.

I also suggest you look at Zauderer v. Office of Disciplinary Counsel of Supreme Court of Ohio, 471 U.S. 626 which establishes that the burden of justifying a governmental restriction against an Ordinance lies with the City which must further demonstrate a "reasonable fit" between the two.

Additionally, in State of Missouri, ex rel. Jeremiah W. (Jay) Nixon, Attorney General, Plaintiff v. American Blast Fax, Inc., et al. cited as 2002 WL 508330(e.d.MO), the United States District Court for the Eastern District of Missouri held in a ruling dated March 13, 2002 that the "Central Hudson test" applied to unsolicited telefaxes to consumers at their homes which practice had been prohibited by the Federal Telephone Consumer Protection Act and also by the Missouri Merchandising Practices Act all of which prohibitions were held to be unconstitutional.

The Supreme Court of the United States, in its Opinion decided June 17, 2002 in Watchtower Bible & Tract Society of New York, Inc., et al. v. Village of Stratton, et al. (No. 00-1737), held that the free speech rights under the First Amendment for Jehovah witnesses were violated by a requirement that they first obtain a permit and where a badge prior to unsolicited door-to-door canvassing. The Court went on to say that where the exchange of funds may occur, as is the case here, some form of regulation may be valid. However, any such ordinance would still have to be "tailored" to the municipality's interest in protecting the privacy of its resident and preventing fraud.

I ask that you review the most recent 10th Circuit Decision In Re Pacific Frontier, et al. v. Pleasant Grove City, its Mayor, Police Chief, City Manager, Council Members, reported at 2005 WL 1625238 (10th Cir., Utah) holding absolute bans involving those activities and even a restrictive ordinance to be unconstitutional subjecting municipal employees to personal liability resulting in a

negotiated ordinance allowing uninvited door-to-door solicitation as well as attorneys fees being paid by insurance carriers on behalf of the Defendants in excess of \$2.2 million dollars.

Furthermore, in addition to First Amendment implications, denying my clients the ability to canvass on an uninvited basis creates other Constitutional issues such as restrictions on Interstate Commerce, Due Process, and Equal Protection.

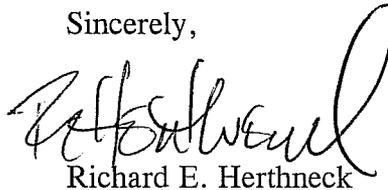
Finally, I'd like to call to your attention the fact that Green River, WY has recently revised their ordinance regarding uninvited door-to-door solicitations due to threats of numerous lawsuits citing the above legal authority. Green River had previously placed an absolute ban on uninvited door-to-door solicitations but now allows these activities per registration. Fort Collins, CO has also revised their ordinance regarding uninvited door-to-door solicitations per registration due to threats of litigation.

If my clients are being denied the ability to engage in door-to-door canvassing because of prior conduct or complaints from residents, please provide supporting documentation of same.

In summary, Swartz Creek's ordinance and actions in denying my client the ability to canvas on an uninvited basis are illegal and subjects Swartz Creek and its officials to damages, including attorney's fees, under 42 U.S.C. §1983.

If my understandings are correct, I look forward to your prompt response on our position that my client be issued a permit to solicit in Swartz Creek on an uninvited basis.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard E. Herthneck", written in a cursive style.

Richard E. Herthneck

CITY OF SWARTZ CREEK

ORDINANCE NO. ___

AN ORDINANCE TO AMEND CHAPTER 12 OF THE CODE OF ORDINANCES OF THE CITY OF SWARTZ CREEK TO REGULATE PEDDLERS AND SOLICITORS.

THE CITY OF SWARTZ CREEK ORDAINS:

Section 1. Amendment of Section 12 of the Code of Ordinances of the City of Swartz Creek.

Section 12 of the Code of Ordinances of the City of Swartz Creek, Michigan is hereby amended to read as follows:

Section 12-1. Definitions.

Commercial Solicitor shall mean any person, whether as volunteer, owner, agent, consignee or employee, who engages in door-to-door commercial solicitation, or who engages in selling or dispensing a product or service from a motorized or non-motorized vehicle.

Door-to-Door Commercial Solicitation shall mean attempting to make personal contact with any person at his or her residence, without prior invitation by or appointment with the resident, for the primary purpose of:

- a. Attempting to sell, for present or future delivery, any goods, wares or merchandise, newspaper or magazine subscriptions, or any services to be performed immediately or in the future, whether or not the person has, carries or exposes a sample of such goods, wares or merchandise, and whether or not he is collecting advance payments for such sales and services;
- b. Seeking or attempting to obtain contributions of money or any other thing of value for the benefit of any association, organization, corporation, or program, excluding those defined under door-to-door non-commercial solicitation;
- c. Personally delivering to the resident a handbill or flyer advertising a commercial event, activity, good or service that is offered to the resident for purchase at a location away from the residence or at a future time.
- d. Seeking or asking for a gift or donation for a public entity or nonprofit organization exempt from federal income tax under 26 U.S.C. 501(c);
- e. Soliciting the sale of goods, wares or merchandise for present or future delivery, or the sale of services to be performed immediately or in the future,

with the entire proceeds of such sale to be paid directly to, or used exclusively for the benefit of, a public entity or nonprofit organization exempt from federal income tax under 26 U.S.C. 501(c);

- f. Personally delivering to the resident a handbill or flyer advertising a future not-for-profit event, activity, good or service;
- g. Distribution of religious tracts and information on behalf of a religious organization;
- h. Door-to-door canvassing and pamphleteering as a vehicle for the dissemination of ideas, or views or opinions by one engaged in political activities as a candidate or on behalf of a candidate in a recognized federal, state or local election, or on behalf of an issue on an upcoming ballot.

Door-to-Door Solicitation Permit shall mean a document issued by the City of Swartz Creek authorizing a commercial solicitor to engage in door-to-door commercial solicitation.

Employer shall mean any person, company, corporation, business, partnership, organization, or any other entity on behalf of whom a person is acting.

Mobile Solicitation shall mean selling or dispensing a product or service from a motorized or non-motorized vehicle.

Mobile Solicitation Permit shall mean a document issued by the City of Swartz Creek authorizing a commercial solicitor to engage in mobile commercial solicitation.

“No Commercial Solicitors” or “No Commercial Solicitation” Sign shall mean a prominently displayed sign that is exhibited on or near the main entrance to the premises or on or near the main door to any residence, stating “No Commercial Solicitors” or “No Commercial Solicitation” and applies only to commercial solicitation.

“No Solicitors” or “No Solicitation” Sign shall mean a prominently displayed sign that is exhibited on or near the main entrance to the premises or on or near the main door to any residence, stating “No Solicitors” or “No Solicitation” and applies to all form of solicitation.

Non-Commercial Solicitor shall mean any person, whether as volunteer, owner, agent, consignee or employee, who engages in door-to-door non-commercial solicitation.

Permit Holder shall mean any person to whom a permit has been issued under the provisions of this Chapter.

Public Entity shall mean the state, county, municipality, school district, special improvement district, and any other kind of district, agency, instrumentality, or political subdivision thereof organized pursuant to law and any separate entity created by intergovernmental contract or cooperation only between or among the state, county, municipality, school district, special improvement district, and every other kind of district, agency, instrumentality, or political subdivision thereof.

Residence shall mean a private residence in the City, including but not limited to condominium units and apartments, and shall include the yards, grounds or hallways, thereof.

Section 12-2. Solicitation prohibited.

- a. No person shall engage in commercial solicitation upon any premises without prior invitation from the occupant thereof if such premises is posted with a notice prominently displayed upon which is printed “No Commercial Solicitors” or “No Commercial Solicitation.” For the purposes of this subsection, a dwelling house or apartment or other residence will be deemed to be posted against solicitation if the above notice is exhibited on or near the main entrance to the premises or on or near the main door to any residence located thereon.
- b. No person shall engage in any form of solicitation upon any premises without prior invitation from the occupant thereof if such premises is posted with a notice prominently displayed upon which is printed “No Solicitors” or “No Solicitation.” For the purposes of this subsection, a dwelling house or apartment or other residence will be deemed to be posted against solicitation if the above notice is exhibited on or near the main entrance to the premises or on or near the main door to any residence located thereon. This provision shall apply to all solicitation including, but not limited to commercial, religious, charitable, non-profit, or political.

Section 12-3. Commercial Solicitation Permit required.

- a. It shall be unlawful for any person to engage in door-to-door commercial solicitation activities within the City without first obtaining a Door-to-Door Solicitation Permit issued by the City of Swartz Creek. Unless authorized or permitted pursuant to the terms and provisions of this Chapter, the practice of being in and upon private residential property within the City by solicitors for the purpose of commercial solicitation is prohibited.
- b. It shall be unlawful for any person to engage in mobile solicitation activities within the City without first obtaining a Mobile Vendor’s Permit issued by the City of Swartz Creek. Unless authorized or permitted pursuant to the terms and provisions of this Chapter, the practice of being in and upon private residential property within the City by solicitors for the purpose of commercial solicitation is prohibited.

Section 12-4. Exemptions.

- a. Any solicitor previously invited by the owner or occupant of the private residential property is exempt from the prohibitions under §§ 12-2 and 12-3. Such invitation shall not relieve the commercial solicitor from complying with all other terms and provisions of this Chapter including the requirement to obtain a Door-to-Door Solicitation Permit.
- b. Those persons engaged in non-commercial solicitation as defined herein, are not required to obtain a Door-to-Door Solicitation Permit.

Section 12-5. Possession and display of permit.

Every Permit Holder must at all times possess and display their Door-to-Door Solicitation Permit or Mobile Vendor's Permit in a conspicuous place while soliciting, and shall produce the same whenever requested to do so by a police officer or other person.

Section 12-6. Door-to-door solicitation restrictions.

- a. No person will engage in solicitation upon any residential premises after having been asked by the owner or occupant thereof to leave such premises or residence.
- b. There will be no solicitation upon any residential premises, other than upon prior invitation by the occupant, prior to 10:00 a.m. or after 7:00 p.m. or sunset, whichever is earlier.
- c. Not more than two individuals will engage in solicitation upon any residential premises at the same time for the same goods or merchandise, services, or for religious or charitable purposes. Each individual member of a group engaged in solicitation in violation of this Chapter will be deemed to have violated such provision.
- d. Every person engaged in solicitation shall, at the time of initial contact with a prospective customer or donor, immediately identify himself and truthfully state the purpose of the solicitation.

Section 12-7. Mobile Solicitation restrictions.

There will be no mobile solicitation prior to 10:00 a.m. or after 7:00 p.m. or sunset, whichever is earlier.

Section 12-10. Application contents; fees.

- a. Each person applying for a Door-to-Door Solicitation Permit or Mobile Vendor's Permit shall submit a written application on forms provided by the City of the Swartz Creek with payment of the permit fee. The applicant shall state upon oath or affirmation that the information contained in the application is truthfully provided to the best of his or her knowledge and belief.

Section 12-11. Commercial Permit holder responsibilities.

- a. Any person seeking to engage in door-to-door commercial solicitation must obtain a Door-to-Door Solicitation Permit from the City of Swartz Creek and pay the permit fee as provided in this Chapter before commencing any such solicitation.
- b. Any person seeking to engage in mobile commercial solicitation must obtain a Mobile Vendor's Permit from the City of Swartz Creek and pay the permit fee as provided in this Chapter before commencing any such solicitation.
- c. All Door-to-Door Solicitation Permits or Mobile Vendor's Permits shall be issued in the name of the applicant. Upon issuance of each permit, the City of Swartz Creek shall create and maintain a list of all persons authorized to engage in commercial solicitation under the permit. It shall be the sole responsibility of the permit holder to:
 1. Provide a copy of the permit to each person authorized to engage in solicitation under the permit;
 2. Ensure that each person authorized to solicit under the permit complies with the terms and conditions of the permit and with the provisions of this Chapter; and
 3. Notify the City of Swartz Creek in writing of any persons added to or deleted from the list of authorized solicitors.
- d. The City of Swartz Creek shall, within five (5) business days of the City's receipt of a complete application for a permit under this Chapter, issue such permit, together with a list of all persons authorized to engage in door-to-door or mobile commercial solicitation under the permit, unless the City of Swartz Creek determines that the permit application is denied under the criteria stated in § 12-13.

Section 12-12. Persons prohibited.

A person shall not be eligible for issuance of a permit nor be authorized under a permit under this Chapter if a permit previously issued to such person by the City of Swartz Creek under Section 12-11 has been revoked by the City of Swartz Creek under Section 12-13.

Section 12-13. Denial or Revocation of a Permit.

The City of Swartz Creek shall deny an application for a permit, refuse to renew a permit or revoke a permit issued under this Chapter if the City of Swartz Creek determines that the applicant has:

- a. Made any material misrepresentation or false statement in the application for the permit;
- b. Failed to notify the City of Swartz Creek if any person authorized to solicit under the permit, including the applicant, becomes a prohibited person as outlined in Section 12-12 of this Chapter, after the issuance of the permit.
- c. Failed to obtain necessary licenses as required by the City, including but not limited to a sales and use tax license, or an Occupational Tax license;
- d. Failed to conduct and/or supervise solicitation activities under the permit so as to reasonably ensure that such solicitation is in compliance with the terms of the permit and with the provisions of this Chapter; or,
- e. Authorized, condoned or knowingly tolerated any unlawful solicitation or any solicitation conducted in such a manner as to constitute a menace to the health, safety, or general welfare of the public.

Section 12-14. Permit term.

Unless otherwise revoked under Section 12-13, a permit under this Chapter shall expire within ninety (90) days of the date of issuance.

Section 12-30. Violations and penalties.

A violation of this Chapter shall be punishable as a misdemeanor, punishable by imprisonment for 90 days, payment of \$500 fee, or both.

Section 2. Effective Date.

This Ordinance shall take effect 30 days following publication..

At a regular meeting of the City Council of Swartz Creek held on the _____ day of _____, 2014, _____ moved for adoption of the foregoing ordinance and _____ supported the motion.

Voting for:

Voting against:

The Mayor declared the ordinance adopted.

David Krueger
Mayor

Juanita Aguilar
City Clerk

CERTIFICATION

The foregoing is a true copy of Ordinance No. _____ which was enacted by the Swartz Creek City Council at a regular meeting held on the _____ day of _____, 2014.

Juanita Aguilar
City Clerk



**Purchasing Division
ITEM #32—BULK ROCK SALT
2014 – 2015 SALT PARTICIPATION**

March 7, 2014

Subject: 2014-2015 Winter Season – Bulk Rock Salt

This correspondence is to inform you that the Genesee County Road Commission will be taking bids for Salt for the 2014-2015 Winter Season.

Below is a form for you to fill out with your company information and the requested quantity/tons you would like to purchase.

It is very important that we receive this form by Tuesday, March 11, 2014 by 10:00 am. Please email (jmcclane@gcrc.org) or fax (810-767-4405) this form to the attention of Joyce A. McClane, Purchasing Manager.

If you have any questions, please contact Joyce McClane in the Purchasing Office at (810) 767-4920, ext. #282 or email: jmcclane@gcrc.org

Sincerely,
Joyce McClane
Purchasing Manager

Date: 3-7-14

Company Name: City of SWARTZ Creek

Address: 8083 Civic DR

City: S.C State: Mt Zip code: 48473

Telephone #(area code): 810 635 4464 Fax: 810 635 2887

Email: TSwartz@CityofSwartzCreek.org

TOTAL QUANTITY/TONS OF SALT FOR 2014-2015:

1000 TONS

Distribution of \$100 Million Supplemental under Senate Bill 608 (S-3) by City & Village

<u>City/Village Name</u>	<u>Distribution under SB 608 (S-3)</u>
Addison	\$3,368.11
Adrian	\$81,945.08
Ahmeek	\$1,000.51
Akron	\$2,421.02
Alanson	\$3,912.29
Albion	\$37,411.20
Algonac	\$16,132.18
Allegan	\$22,723.74
Allen	\$662.75
Allen Park	\$107,845.05
Alma	\$39,013.08
Almont	\$9,874.62
Alpena	\$50,255.16
Alpha	\$1,924.16
Ann Arbor	\$461,171.49
Applegate	\$2,065.39
Armada	\$6,525.86
Ashley	\$3,207.00
Athens	\$4,794.75
Au Gres	\$5,036.90
Auburn	\$8,987.43
Auburn Hills	\$85,255.96
Augusta	\$4,546.21
Bad Axe	\$13,457.31
Baldwin	\$6,917.90
Bancroft	\$3,273.55
Bangor	\$9,560.05
Baraga	\$9,091.54
Baroda	\$3,879.84
Barryton	\$1,756.91
Barton Hills	\$748.12
Battle Creek	\$301,288.60
Bay City	\$163,744.30
Bear Lake	\$1,600.16
Beaverton	\$5,108.44
Belding	\$27,270.83
Bellaire	\$5,230.86
Belleville	\$13,413.12
Bellevue	\$5,928.32
Benton Harbor	\$45,048.40
Benzonia	\$3,459.48
Berkley	\$53,685.52

Berrien Springs	\$7,662.48
Bessemer	\$17,491.26
Beulah	\$3,686.84
Beverly Hills	\$39,846.96
Big Rapids	\$40,261.96
Bingham Farms	\$4,046.88
Birch Run	\$7,229.02
Birmingham	\$76,023.35
Blissfield	\$14,276.90
Bloomfield Hills	\$18,817.74
Bloomington	\$3,093.51
Boyne City	\$24,022.36
Boyne Falls	\$2,364.40
Breckenridge	\$6,663.55
Breedsville	\$2,086.46
Bridgman	\$10,560.08
Brighton	\$28,472.43
Britton	\$2,514.18
Bronson	\$10,674.34
Brooklyn	\$5,834.27
Brown City	\$5,947.18
Buchanan	\$20,872.02
Buckley	\$4,211.52
Burlington	\$1,345.99
Burr Oak	\$4,523.18
Burton	\$152,377.40
Byron	\$3,040.97
Cadillac	\$47,865.75
Caledonia	\$6,111.77
Calumet	\$7,030.00
Camden	\$2,666.54
Capac	\$7,476.35
Carleton	\$7,676.26
Carney	\$1,926.48
Caro	\$17,704.57
Carson City	\$5,958.83
Carsonville	\$2,836.35
Caseville	\$4,316.86
Casnovia	\$2,239.58
Caspian	\$8,024.19
Cass City	\$11,777.35
Cassopolis	\$8,344.42
Cedar Springs	\$13,344.87
Cement City	\$2,879.24
Center Line	\$27,834.54
Central Lake	\$4,913.97
Centreville	\$6,245.81

Charlevoix	\$15,410.13
Charlotte	\$34,217.68
Chatham	\$2,589.59
Cheboygan	\$26,615.31
Chelsea	\$19,609.53
Chesaning	\$11,760.67
Clare	\$14,164.31
Clarkston	\$3,347.77
Clarksville	\$2,191.78
Clawson	\$40,796.57
Clayton	\$2,246.43
Clifford	\$2,833.08
Climax	\$3,610.59
Clinton	\$8,966.96
Clio	\$9,870.58
Coldwater	\$49,213.39
Coleman	\$7,005.75
Coloma	\$7,311.64
Colon	\$6,038.81
Columbiaville	\$4,094.39
Concord	\$5,787.36
Constantine	\$9,939.37
Coopersville	\$17,732.88
Copemish	\$2,312.99
Copper City	\$1,135.88
Corunna	\$14,841.35
Croswell	\$12,246.55
Crystal Falls	\$11,231.91
Custer	\$2,308.01
Daggett	\$2,467.86
Dansville	\$2,398.34
Davison	\$18,661.41
DeWitt	\$17,592.65
Dearborn	\$399,382.24
Dearborn Heights	\$206,083.84
Decatur	\$8,817.81
Deckerville	\$5,172.94
Deerfield	\$4,395.82
Detour	\$4,325.70
Detroit	\$3,298,154.38
Dexter	\$15,571.93
Dimondale	\$5,151.86
Douglas	\$8,238.62
Dowagiac	\$27,162.67
Dryden	\$4,080.78
Dundee	\$17,883.91
Durand	\$13,949.68

Eagle	\$800.72
East Grand Rapids	\$49,586.67
East Jordan	\$12,568.24
East Lansing	\$167,343.76
East Tawas	\$16,610.34
Eastlake	\$3,572.43
Eastpointe	\$114,910.19
Eaton Rapids	\$22,099.54
Eau Claire	\$3,284.30
Ecorse	\$33,682.87
Edmore	\$6,243.54
Edwardsburg	\$4,981.55
Elberta	\$3,658.02
Elk Rapids	\$11,472.07
Elkton	\$3,629.93
Ellsworth	\$3,695.97
Elsie	\$4,792.24
Emmett	\$2,221.48
Empire	\$2,748.60
Escanaba	\$58,809.31
Essexville	\$14,450.61
Estral Beach	\$2,938.52
Ewart	\$10,449.60
Fairgrove	\$2,636.08
Farmington	\$35,066.18
Farmington Hills	\$329,548.55
Farwell	\$5,379.46
Fennville	\$5,789.51
Fenton	\$50,865.44
Ferndale	\$72,394.08
Ferrysburg	\$14,227.56
Fife Lake	\$3,143.54
Flat Rock	\$33,321.42
Flint	\$530,457.46
Flushing	\$33,022.29
Forestville	\$1,590.26
Fountain	\$2,104.79
Fowler	\$4,755.86
Fowlerville	\$12,543.32
Frankenmuth	\$20,927.48
Frankfort	\$7,406.16
Franklin	\$14,135.09
Fraser	\$47,211.66
Freeport	\$3,230.82
Freesoil	\$1,755.67
Fremont	\$20,781.99
Fruitport	\$6,208.69

Gaastra	\$4,010.50
Gagetown	\$2,805.00
Gaines	\$2,619.38
Galesburg	\$7,818.26
Galien	\$3,040.73
Garden	\$1,168.42
Garden City	\$101,498.62
Gaylord	\$18,986.11
Gibraltar	\$17,314.78
Gladstone	\$27,502.22
Gladwin	\$14,807.72
Gobles	\$4,182.55
Goodrich	\$7,299.75
Grand Beach	\$3,998.66
Grand Blanc	\$30,792.03
Grand Haven	\$46,697.10
Grand Ledge	\$28,183.64
Grand Rapids	\$836,577.04
Grandville	\$61,219.87
Grant	\$4,508.67
Grass Lake	\$5,837.13
Grayling	\$8,750.08
Greenville	\$38,904.94
Grosse Pointe	\$19,749.36
Grosse Pointe Farms	\$34,851.36
Grosse Pointe Park	\$40,790.98
Grosse Pointe Shores	\$11,210.43
Grosse Pointe Woods	\$56,169.11
Hamtramck	\$72,543.70
Hancock	\$25,423.58
Hanover	\$2,757.85
Harbor Beach	\$7,828.09
Harbor Springs	\$8,144.07
Harper Woods	\$47,825.80
Harrietta	\$1,639.15
Harrison	\$10,588.58
Harrisville	\$2,693.31
Hart	\$9,422.70
Hartford	\$11,611.48
Hastings	\$32,418.07
Hazel Park	\$59,367.31
Hersey	\$2,620.72
Hesperia	\$5,445.02
Highland Park	\$49,367.99
Hillman	\$4,483.63
Hillsdale	\$36,373.59
Holland	\$163,429.96

Holly	\$22,009.81
Homer	\$7,486.03
Honor	\$2,161.08
Hopkins	\$3,182.64
Houghton	\$37,322.67
Howard City	\$10,182.36
Howell	\$35,264.98
Hubbardston	\$3,033.40
Hudson	\$10,820.87
Hudsonville	\$29,723.15
Huntington Woods	\$22,685.09
Imlay City	\$16,133.74
Inkster	\$90,717.24
Ionia	\$37,332.74
Iron Mountain	\$41,462.55
Iron River	\$25,745.30
Ironwood	\$34,227.75
Ishpeming	\$38,191.62
Ithaca	\$15,579.17
Jackson	\$154,509.73
Jonesville	\$10,782.26
Kalamazoo	\$324,454.37
Kaleva	\$4,305.39
Kalkaska	\$12,123.16
Keego Harbor	\$9,738.62
Kent City	\$4,803.19
Kentwood	\$189,797.95
Kinde	\$2,592.92
Kingsford	\$27,946.03
Kingsley	\$6,819.47
Kingston	\$2,049.76
L'Anse	\$11,595.54
Laingsburg	\$6,411.99
Lake Angelus	\$737.93
Lake Ann	\$2,295.69
Lake City	\$4,967.48
Lake Isabella	\$11,286.71
Lake Linden	\$7,909.98
Lake Odessa	\$9,206.70
Lake Orion	\$10,516.29
Lakeview	\$6,388.61
Lakewood Club	\$7,356.93
Lansing	\$516,438.31
Lapeer	\$39,447.77
Lathrup Village	\$17,984.50
Laurium	\$13,910.34
Lawrence	\$6,312.24

Lawton	\$9,808.26
Lennon	\$2,173.91
Leonard	\$2,529.37
Leroy	\$2,838.11
Leslie	\$8,635.64
Lexington	\$4,567.37
Lincoln	\$3,428.49
Lincoln Park	\$143,235.40
Linden	\$14,786.22
Litchfield	\$6,660.99
Livonia	\$389,319.14
Lowell	\$15,893.47
Ludington	\$36,057.22
Luna Pier	\$6,255.63
Luther	\$3,832.80
Lyons	\$4,794.39
Mackinac Island	\$2,814.66
Mackinaw City	\$9,917.68
Madison Heights	\$107,400.21
Mancelona	\$6,734.57
Manchester	\$10,116.68
Manistee	\$34,184.89
Manistique	\$15,133.28
Manton	\$7,273.67
Maple Rapids	\$3,122.57
Marcellus	\$4,842.45
Marine City	\$16,593.50
Marion	\$5,623.77
Marlette	\$8,987.53
Marquette	\$97,413.30
Marshall	\$30,525.54
Martin	\$2,675.30
Marysville	\$40,099.78
Mason	\$31,226.61
Mattawan	\$12,083.14
Maybee	\$3,350.54
Mayville	\$4,757.60
McBain	\$3,938.44
McBride	\$1,134.44
Mecosta	\$2,802.81
Melvin	\$1,829.87
Melvindale	\$35,042.04
Memphis	\$5,111.94
Mendon	\$4,904.30
Menominee	\$41,088.87
Merrill	\$3,866.53
Mesick	\$2,885.36

Metamora	\$2,717.05
Michiana	\$2,891.77
Middleville	\$13,886.21
Midland	\$228,777.84
Milan	\$23,326.28
Milford	\$22,689.44
Millersburg	\$2,143.29
Millington	\$4,409.93
Minden City	\$1,722.93
Monroe	\$84,602.72
Montague	\$13,870.50
Montgomery	\$3,014.64
Montrose	\$6,903.22
Morenci	\$10,217.07
Morley	\$2,828.53
Morrice	\$4,823.99
Mount Clemens	\$58,168.80
Mt. Morris	\$12,393.73
Mt. Pleasant	\$98,106.74
Muir	\$3,145.50
Mulliken	\$2,715.78
Munising	\$16,471.93
Muskegon	\$189,743.25
Muskegon Heights	\$51,349.37
Nashville	\$7,687.48
Negaunee	\$27,218.51
New Baltimore	\$39,734.98
New Buffalo	\$11,425.21
New Era	\$4,219.63
New Haven	\$16,375.52
New Lothrop	\$3,009.73
Newaygo	\$11,697.86
Newberry	\$10,171.35
Niles	\$49,016.48
North Adams	\$2,470.32
North Branch	\$4,676.62
North Muskegon	\$17,291.68
Northport	\$4,215.84
Northville	\$21,740.47
Norton Shores	\$112,568.39
Norway	\$19,355.11
Novi	\$212,344.94
Oak Park	\$100,634.59
Oakley	\$2,135.23
Olivet	\$6,908.59
Omer	\$1,987.81
Onaway	\$5,438.55

Onekama	\$2,419.43
Onsted	\$4,303.16
Ontonagon	\$11,119.43
Orchard Lake	\$9,322.58
Ortonville	\$6,007.02
Otisville	\$3,910.42
Otsego	\$17,149.59
Otter Lake	\$2,721.36
Ovid	\$6,908.66
Owendale	\$2,155.10
Owosso	\$61,896.96
Oxford	\$13,782.44
Parchment	\$7,868.80
Parma	\$3,482.33
Paw Paw	\$15,026.85
Peck	\$2,548.75
Pellston	\$4,947.07
Pentwater	\$5,800.47
Perrinton	\$2,358.32
Perry	\$8,425.98
Petersburg	\$5,447.55
Petoskey	\$28,608.89
Pewamo	\$3,127.73
Pierson	\$1,463.17
Pigeon	\$5,545.07
Pinckney	\$9,220.29
Pinconning	\$6,269.98
Plainwell	\$16,074.25
Pleasant Ridge	\$9,391.86
Plymouth	\$32,079.25
Pontiac	\$261,215.23
Port Austin	\$3,513.27
Port Hope	\$1,808.28
Port Huron	\$139,149.59
Port Sanilac	\$3,101.36
Portage	\$220,859.59
Portland	\$19,460.65
Posen	\$1,742.88
Pottersville	\$9,433.26
Powers	\$2,970.31
Prescott	\$2,893.44
Quincy	\$6,852.80
Ravenna	\$7,187.27
Reading	\$4,830.40
Reed City	\$12,233.27
Reese	\$6,853.96
Richland	\$2,881.51

Richmond	\$19,818.66
River Rouge	\$28,077.19
Riverview	\$39,910.66
Rochester	\$42,959.92
Rochester Hills	\$278,902.82
Rockford	\$20,268.53
Rockwood	\$10,964.38
Rogers City	\$15,587.26
Romeo	\$11,677.46
Romulus	\$100,222.29
Roosevelt Park	\$13,869.97
Roscommon	\$5,641.96
Rose City	\$4,047.05
Rosebush	\$2,208.24
Roseville	\$177,193.64
Rothbury	\$2,797.71
Royal Oak	\$236,243.85
Saginaw	\$274,164.65
Saline	\$33,639.79
Sand Lake	\$3,099.79
Sandusky	\$12,364.15
Sanford	\$4,564.91
Saranac	\$5,919.36
Saugatuck	\$6,258.59
Sault Ste. Marie	\$74,320.44
Schoolcraft	\$7,823.47
Scottville	\$6,585.94
Sebewaing	\$8,609.25
Shelby	\$12,606.82
Shepherd	\$6,610.81
Sheridan	\$3,523.45
Sherwood	\$2,253.94
Shoreham	\$2,852.09
South Haven	\$23,460.99
South Lyon	\$35,138.54
South Range	\$5,115.42
South Rockwood	\$7,971.66
Southfield	\$312,585.38
Southgate	\$104,058.67
Sparta	\$15,633.46
Spring Lake	\$11,701.46
Springfield	\$25,180.22
Springport	\$3,185.23
St. Charles	\$10,020.81
St. Clair	\$22,399.23
St. Clair Shores	\$214,222.24
St. Ignace	\$13,255.34

St. Johns	\$32,764.86
St. Joseph	\$33,569.80
St. Louis	\$25,985.68
Standish	\$7,735.86
Stanton	\$6,346.06
Stanwood	\$1,132.71
Stephenson	\$5,390.64
Sterling	\$4,180.39
Sterling Heights	\$459,519.82
Stevensville	\$6,471.18
Stockbridge	\$4,818.98
Sturgis	\$45,407.17
Sunfield	\$2,813.13
Suttons Bay	\$5,844.78
Swartz Creek	\$23,203.04
Sylvan Lake	\$6,697.71
Tawas City	\$9,780.80
Taylor	\$239,809.98
Tecumseh	\$35,924.26
Tekonsha	\$4,997.15
Thompsonville	\$3,721.95
Three Oaks	\$7,583.94
Three Rivers	\$32,884.91
Traverse City	\$64,452.62
Trenton	\$62,808.42
Troy	\$319,404.18
Turner	\$1,592.51
Tustin	\$1,634.43
Twining	\$1,388.99
Ubly	\$4,276.94
Union City	\$7,832.31
Unionville	\$2,608.67
Utica	\$16,608.13
Vandalia	\$2,106.70
Vanderbilt	\$4,182.12
Vassar	\$12,689.13
Vermontville	\$4,156.12
Vernon	\$4,106.63
Vicksburg	\$13,903.02
Wakefield	\$18,647.27
Waldron	\$3,226.21
Walker	\$102,278.79
Walkerville	\$2,419.84
Walled Lake	\$22,909.22
Warren	\$524,461.55
Watervliet	\$7,776.71
Wayland	\$16,993.93

Wayne	\$60,944.49
Webberville	\$5,666.56
West Branch	\$10,282.32
Westland	\$291,778.34
Westphalia	\$4,174.68
White Cloud	\$7,286.60
White Pigeon	\$6,783.74
Whitehall	\$15,974.96
Whittemore	\$2,247.79
Williamston	\$14,652.36
Wixom	\$46,650.69
Wolverine	\$3,067.25
Wolverine Lake	\$15,508.01
Woodhaven	\$39,400.73
Woodland	\$1,925.14
Wyandotte	\$96,682.30
Wyoming	\$304,371.94
Yale	\$7,581.81
Ypsilanti	\$68,251.08
Zeeland	\$25,383.61
Zilwaukee	\$8,032.38

TOTAL: \$21,800,000.00