

**City of Swartz Creek  
AGENDA**

**Regular Council Meeting, Monday, May 12, 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. Council Meeting of April 28, 2014 MOTION Pg. 25
5. **APPROVE AGENDA**  
5A. Proposed / Amended Agenda MOTION Pg. 1
6. **REPORTS & COMMUNICATIONS:**  
6A. City Manager's Report (Agenda Item) MOTION Pg. 2  
6B. Hometown Days Information Pg. 41  
6C. Scrap Tire Bids Pg. 54  
6D. Assessing Policy Draft Pg. 56  
6E. O'Reilly's Auto Parts Site Plan Materials Pg. 57  
6F. General Motors Site Plan Materials Pg. 72  
6G. Fire Apparatus Documentation Pg. 79  
6H. AT&T Term Sheet Pg. 82  
6I. BSA Invoice Pg. 87  
6J. DPS Monthly Report Pg. 89  
6K. Springbrook Letters Pg. 95  
6L. April Check Register Pg. 97  
6M. Planning Commission Minutes of April 1, 2014 Pg. 101  
6N. Letter from Jack Belzer (Heritage lot sale) Pg. 104  
6O. Police Department Monthly Pg. 105  
6P. AT&T METRO Act Extension Pg. 114  
6Q. April FANG Report Pg. 115
7. **MEETING OPENED TO THE PUBLIC:**  
7A. General Public Comments
8. **COUNCIL BUSINESS:**  
8A. MTA Presentation PRES. NA  
8B. Hometown Days Permits RESO Pg. 10  
8C. Budget Hearing Meeting Date RESO Pg. 14  
8D. Scrap Tire Bids RESO Pg. 14  
8E. Assessing Policy RESO Pg. 15  
8F. O'Reilly's Site Plan RESO Pg. 16  
8G. General Motors Site Plan Amendment RESO Pg. 16  
8H. Fire Apparatus DISC. NA  
8I. AT&T Amended Terms DISC. NA  
8J. BS&A Invoice RESO Pg. 17  
8K. Fiscal Year 2014 Amendments RESO Pg. 17  
8L. Springbrook East Lots DISC NA
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, May 12, 2014 - 7:00 P.M.**

**TO:** *Honorable Mayor, Mayor Pro-Tem & Council Members*  
**FROM:** Adam Zettel, City Manager  
**DATE:** May 6, 2014

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

- ✓ **MAJOR STREET FUND, TRAFFIC IMPROVEMENTS** *(See Individual Category)*
  - MORRISH ROAD BRIDGE PROJECT** *(Update)*

The contractor has withdrawn their appeal. There will be no cost to the city for disputed work, save for costs incurred already for preparing the appeal defense. This is the best case scenario.
  - MILLER ROAD RESURFACING PROJECT** *(Update)*

OHM started 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.
  - MORRISH ROAD RAIL CROSSING** *(Update)*

CN has informed us that they will be repairing the rail crossing on Morrish Road. Details of what level of repair is being proposed are unknown, but they intend to perform this work on May 19 and 20. The road will be closed during that time.
- ✓ **WINCHESTER STREETS** *(Update)*

Tom and I have been working with the engineer on some very conceptual numbers for a range of fixes to streets in the village. Once we can present something to the council that outlines what we are looking at, we can move forward with a plan to explain the situation to the residents this summer.
- ✓ **WATER – SEWER ISSUES PENDING** *(See Individual Category)*
  - SEWER REHABILITATION PROGRAM** *(Update)*

Liqui Force is working the village as we speak.
  - 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 have a couple templates that I am looking at with some of the supervisors. The police department has an extensive handbook that is updated regularly. We expect to adopt a similar (but different) set of policies to cover all other employees.

✓ **CITY PROPERTY, 4438 MORRISH ROAD & THIRD STREET (Update)**

The tentative DDA budget includes some funds for demolition of these structures. Tom and I are looking at prices, unless there is an objection from the council. The city council will need to approve any demolition actions and costs. If and when this is completed, the city can begin planning for potential uses on these properties.

Hazardous material testing has been completed so a proper demolition bid can be created.

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

We are operating with a reduction of clerical staff. The city has been functioning with four such positions, down substantially compared to prior years. With the temporary leave of the staff position at the public safety building, the inefficiencies of operating two offices with three staff were problematic. The clerical duties of the police have been moved to city hall as indicated in the last report. We will report on how this works out as time goes on.

✓ **SPRINGBROOK EAST & HERITAGE S.A.D. – VACANT LOTS (Update)**

Following are issues pending for the three Associations:

SPRINGBROOK COLONY	SPRINGBROOK EAST	HERITAGE VILLAGE
<i>No outstanding issues</i>	<i>Seek method of sale for 12 lots owned by the city</i>	<i>Transfer water, sanitary sewer, storm sewer, streets to city and seek solution for 5 vacant lots owned by city.</i>

The home owners association in Springbrook East drafted a letter to the city regarding the sale of the 12 lots the city owns. I find their position to be well stated, but I am not

sure what the complete history and intent of lot ownership is. For that reason, I have placed this on the agenda for discussion. For my part, it seems reasonable that the city be made whole and additional lot sale revenues be used to assist the home owners association in some form. This appeared to be the intent back in October of 2013.

There is quite a buzz going on around town concerning these lots. There is strong interest to buy them by interested home owners, investors, and builders. This is exemplified by an additional letter received on the matter by James Realty. Please read this as well. I don't know exactly how the city should dispose of these lots, but it should happen soon.

In other news, I have contacted the legal counsel of Heritage Village to work out a dedication. It is not moving quickly.

✓ **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*)

A state senate committee is proposing to do away with EVIP and increase revenue sharing. This would certainly be a step in the right direction. As I indicated in an email this week, the increase will likely generate \$10,000-\$20,000 for the city. However, the MML indicates that our city is short \$220,000 this year due to changes to revenue sharing disbursements, and we have lost about \$1.6 million over the last 12 years. So, forgive me if I am not jumping for joy at this apparent change of direction.

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

I suggest we delay any sales or negotiations until a 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.

✓ **NEWSLETTER** (*Update*)

The newsletter has been mailed. The next is scheduled for November or late October.

- ✓ **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.
- ✓ **RENTAL REGISTRATION 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** *(Update)*  
The contractor that received the low bid by the insurance carrier was not responsive. We have moved ahead with the next lowest bidder and hope for better results. Costs will still be covered by Meadowbrook above the city's deductible.
- ✓ **OTHER COMMUNICATIONS & HAPPENINGS** *(Update)*  
Most of the non-business communications are routine and I see no issues. The letter from Mr. Belzer was not unexpected. He informed me a while back that he was looking at different condominium options. It appears he has found another home in the city that is to his liking.

The request under the METRO Act to extend the at&t permit is more routine than one might think. Under City Ordinance Appendix B, Article 6, Section 5a, I intend to administrative approve this extension (with the required name change to "Swartz Creek"). If there are objections, we can take a closer look, but I do not see any good coming from delay. Back in 2002, when the METRO Act passed, all of the municipalities lost their minds with the broad sweeping rights that were given up without much financial consideration. We slammed tables and shook our fists for quite a while, but ultimately there was not much we could do. It is pretty much required that we approve these within 45 days...or else.

- ✓ **BOARDS & COMMISSIONS** *(See Individual Category)*
  - ❑ **PLANNING COMMISSION** *(Update)*  
The planning commission reviewed site plans for O'Reilly's Auto Parts and General Motors. Recommendations for approval were made in both cases.
  - ❑ **DOWNTOWN DEVELOPMENT AUTHORITY** *(No Change of Status)*  
The DDA met again in April. It appears there will be over \$100,000 of revenues in the DDA budget this year. This amount is unprecedented. In fact, they have not had any tax revenues in about five years. With the new revenues looking more secure, the board amended their budget to include an additional contribution to the public safety parking lot and potential demolitions of houses on city owned property downtown. Details are in the city budget.
  - ❑ **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** *(Update)*

A successful cleanup was completed on May 3, 2014 by service groups. There have also been volunteers working to spruce up play equipment at Winshall Park. There are still hopes to renovate the bathrooms at Elms Park with a Recreation Passport Grant. I will work with the commission to this end.

**NEW BUSINESS / PROJECTED ISSUES & PROJECTS**

✓ **MTA PRESENTATION** *(Presentation)*

Mr. Messer would like to present a status report to the city council regarding the Mass Transportation Authority. This authority has a set of four-year levies that apply to city tax payers, such levies are renewable in stagger, two year terms. The MTA owns and operates a center on Dye Road in the city, including Your Ride services. There are no fixed routes within the city at this time.

✓ **HOMETOWN DAYS FESTIVAL** *(Resolutions)*

Included with tonight’s program are the permits related to the Hometown Days festival. Also included with the HTD grouping of permits are requests for the a 5k foot race and a street closure by the fire department for a water-ball contest. The entire permit package is available, but at 71 pages, I did not include it here. I have included the cover letter from the chief and their new disaster policy. If you wish to see the applications, insurance documents, or property permission slips I can get those to you printed or via email.

✓ **BUDGET HEARING** *(Resolution)*

The council needs to set a public hearing on the budget. This is routine.

✓ **MI-DEQ SCRAP TIRE GRANT PROJECT, PARKING LOTS** *(Resolution)*

Bids have been received for all paving work. Note that the alley and streetscape enhancements are to be bid separately since these are funding by CDBG funds. We should know what those costs will be soon. The new estimates are as follows:

**Project Costs**

Public Safety/Civic Drive/Morrish Parking	\$236,061
Sidewalk	\$23,459
Alley Enhancement (includes lighting, landscaping, retaining wall, railing, and colored concrete)*	\$40,000
Design/Construction Engineering	\$52,527
<b>Total Project Cost</b>	<b>\$352,047</b>

\*This item has yet to be bid.

**Fund Sources**

Scrap Tire Grant	\$129,760
Meijer Contribution	\$10,000
CDBG Allocation	\$29,100
DDA Contribution	\$42,000
General Fund	\$141,187

Rowe Professional Services has reviewed the bids, and they find that the lowest bid qualifies. They recommend that L & M Landshaping be approved in the amount of \$259,520. Staff concurs. This company has done similar work in the past with good results. They are currently working on the county contract for Miller Road between Linden and Dye.

✓ **ASSESSING POLICY** (*Resolution*)

The State of Michigan is auditing the assessing and equalization departments of all municipal governments in the state. This is known as the 14 point review. Among other requirements, they are requesting a policy for review copying of documents. Our assessor feels this is a weak spot in our policy that we need to remedy. Existing Freedom of Information Act policies have not been accepted in other municipalities. We found a similar template that the state recommends for similar situations that we believe will work. The requirements and impact of the instrument are pretty well outlined. We would like approval of this so we can move on.

✓ **O'Reilly Auto Parts Site Plan** (*Resolution*)

The city council is required to approve all site plans in the city. O'Reilly's has petitioned the city to build a new retail store where the old party store was located on the corner of Miller and Elms. Staff and the planning commission have reviewed this plan and recommend approval. Site plan details, the staff review, and the planning commission findings are included in the packet.

✓ **GENERAL MOTORS SITE PLAN AMENDMENT** (*Resolution*)

General Motors has petitioned the city to amend their site plan that was approved for demolition and site alterations late last calendar year. Staff and the planning commission have reviewed this plan recommend approval. Site plan details, the staff review, and the planning commission findings are included in the packet.

✓ **FIRE DEPARTMENT: COST RECOVERY & APPARATUS** (*Discussion*)

The fire board is at the end of their bidding process for a new piece of equipment. At this point, the council will be asked to support such a purchase. The official request is for \$170,000. Based upon the tentative budget, the city could use the balance of the fire equipment fund, as well as additional installments of about \$20,000 annually for 5 years to pay off this purchase. As was discussed on April 28<sup>th</sup>, there is a need to plan for ongoing equipment purchases, thereby requiring the city to contribute something each year in the form of a depreciation expense, equipment rental, or an equipment fund allocation.

The council should make a decision on this purchase and ongoing funding sometime in the month of May. If there are no objections, we will get final purchasing information from the fire department and plan to structure a purchase and payment resolution for inclusion on the meeting agenda of May 27, 2014.

✓ **AT&T AMENDED TERMS** (*Discussion*)

AT&T is really pushing for a negotiation concerning the lease space on the cell tower on Elms Road, north of the creek. This is the same topic that was noted in the last city manager report. At that time, they were pursuing a large rent reduction, a decrease in

the inflationary escalator during renewal times, and some adjustments to the lease language to ensure use rights. I have included the term sheet.

I informed them that the city was not inclined to renegotiate this contract, and they responded with new terms. They concede that a rent reduction is not merited, but they still are requesting consideration of the other terms. They believe the use terms and the escalator change are essential to keeping this site active in their portfolio.

As I noted previously, this is a question of balancing risk and reward. At any time, cellular providers could consolidate or discover new technology that makes these leases obsolete or much less desirable. It is also possible to have lease terms that make some arrangements marginal given alternatives in the market place.

I think it would be prudent of the city council to consider the use terms. This ensures some site flexibility and should keep us off any black list. The rent is a non-issue, but the escalator is still in question. Currently, we are looking at an annualized escalator of about 3.72% (20% every 5 years). They are proposing 1.92% (10% every 5 years. The national average for the last one hundred years or so is about 3.22%. The current rate is a bit high and the proposed rate is low. Given the value of real estate and the state of the local economy, their request is not unreasonable. It is probably something we can manage.

If the council is interested, I can get a revised term sheet. If not, I will relay the information and see if/how they respond. Either way, I still have issues with the provisions on taxes, sublease rights, and removal/restoration. We can discuss this at the meeting in more detail. In summary, we can probably work with them to provide some different terms, but I would need the ability to negotiate these in more detail.

✓ **BS&A SOFTWARE SERVICE CHARGES** (*Resolutions*)

The city uses BS&A software as a platform for nearly all of the city's financial and data tracking needs. This integrated software package tracks all properties and cases across all services, including assessing, utility billing, building, and permits. It also is used to coordinate and track all of the city's finances, including modules for general ledger, accounts payable, cash receipts, payroll, and tax.

There is an annual fee associated with ongoing updates, service, and support. This has typically been under the \$5,000 charge that requires city council approval, but due to added modules and inflation that is no longer the case.

Staff is very pleased with this software package, and we definitely rely on regular updates and support. We request the council approve the annual fee for these services.

✓ **FISCAL YEAR 2014 AMENDMENTS** (*Resolutions*)

The city council has requested more details on end-of-year adjustments for past budgets. I believe Juanita and Deanna will be able to deliver on those expectations this year. As in the past, there are some adjustments needed to accurately reflect the realities of revenue collection and appropriations in the fiscal year, including tax appeal losses, fees collected and similar revenues. There are also some adjustments on the expense side.

To keep things simple, we are planning on visiting a couple funds each meeting between now and the end of the fiscal year. This will give the council a chance to look at all of the proposed changes and ask questions. At this meeting, we have proposed adjustments to the Motor Pool, Local Street Fund and Downtown Development Authority Funds. The changes are highlighted.

✓ **SPRINGBROOK EAST LOTS** (*Discussion*)

As noted in the city manager's report, there is a general expectation that the city sell these lots. There is also an expectation within the Springbrook East homeowners association to 'make them whole.' If it were up to me alone, I would prepare and request for proposals to sell the lots to a single buyer with conditions to develop them in conformance with site plan expectations and architectural continuity. There is certainly an indication that any sale funds received by the city in excess of the city's cost to acquire and handle the lots be a benefit to the HOA. Thoughts?

**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.

**City of Swartz Creek  
RESOLUTIONS  
Regular Council Meeting, Monday, May 12, 2014, 7:00 P.M.**

**Resolution No. 140512-4A                    MINUTES – APRIL 28, 2014**

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

**I Move** the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday April 28, 2014, to be circulated and placed on file.

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

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

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

**Resolution No. 140512-5A                    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 May 12, 2014, to be circulated and placed on file.

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

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

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

**Resolution No. 140512-6A                    CITY MANAGER’S REPORT**

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

**I Move** the Swartz Creek City Council approve the City Manager’s Report of May 12, 2014, to be circulated and placed on file.

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

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

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

**\*\*\*\*\*Master Resolution\*\*\*\*\***

**Resolution No. 140512–8B                    MASTER RESOLUTIONS:                    HOMETOWN DAYS  
PERMITS, FIRE DEPARTMENT PERMIT, RIVERBEND  
STRIDERS – CROSS COUNTRY PERMIT**

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

**I Move** the City of Swartz Creek approve Resolutions 140512-8A through 140512-8N, allowing for the various permits relative to the annual Swartz Creek Hometown Days events, Swartz Creek Area Fire Department and Riverbend Striders – Cross Country, to be held beginning Tuesday May 27, 2014 and concluding on Monday June 2, 2014, inclusive of all stipulations and conditions as specified and listed within.

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

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

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

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**Resolution No. 140512-8B1**

**HOMETOWN DAYS, STREET CARNIVAL, GENERAL STREET & PROPERTY USE PERMITS**

**I Move** the City of Swartz Creek approve and authorize the Swartz Creek Hometown Days Committees' application for street closing and City property use permits for the following locations:

- A. Morrish between Miller and Ingalls-Wade, Carnival Midway.
- B. Holland between Miller and Ingalls, Vendor – Carnival.
- C. City Lot located at the southwest corner of Miller and Morrish, Carnival – Midway.
- D. Ingalls at Holland and Park Land located to the North and Northwest of the intersection of Morrish and Ingalls, Carnival & Midway.
- E. City owned property located along the North side of Fortino, West of South Morrish Road, Car Show and Radio D.J., general parking.
- F. City owned property, 4438 South Morrish Road.
- G. City owned property, 4505 Fortino.
- H. Fire Hall out lot properties.
- I. Use of DPW Yard and Generator.

Street and City property use, unless otherwise indicated, begins Tuesday, May 27, 2014 at 9:00 a.m. until Monday June 2, 2014 at 9:00 A.M., for the purpose of, and authorization to conduct a carnival, vendor/display areas, car show and or other similar events under the following stipulations:

- 1. Insurance certificate naming the City as insured in the amount not less than \$1,000,000.00 (One-Million Dollars)
- 2. Written permission from deed holders of any private properties to be used and appropriate insurance certificates naming such parties as additional insured: City of Swartz Creek, Chase JPM Bank 4459 Fortino Drive, John Alexander DBA J&J Services 5280 Morrish Road, Branoff Trusts Fortino Drive 58-35-576-032: William Kincaid 5086 South Morrish: St. Mary's Catholic Church 4413 Morrish Road: Pentecostal Church of God / Family Worship Center 4494 Morrish Road: Mark O'Brien 5099 South Morrish; Swartz Creek Acquisitions (Race Track) 4290 South Morrish; Swartz Creek Schools 8354 Cappy (High School Middle School); Scott Hoover 8280 Crapo.
- 3. Sufficient number of portable bathrooms placed and located, and liter control program in accordance and under the approval of Director of Community Services.
- 4. General approval of the Chief of Police. Traffic control and pedestrian safety plan in accordance with and under the approval of office of Chief of Police.

**Resolution No. 140512-8B2**

**HOMETOWN DAYS, AMPLIFIED CONCERT MUSIC PERMIT**

**I Move** the Swartz Creek City Council approve and authorize the Swartz Creek Hometown Days Committee application to conduct an outdoor concert to be held at the outdoor football stadium of the Swartz Creek High School on Friday, May 30, 2014 between 4:30 p.m. and 10:00 p.m., under the following stipulations:

1. Insurance certificate naming the City as insured in the amount not less than \$1,000,000.00 (One-Million Dollars)
2. Written authorization from the School District Superintendent along with acceptable insurance certificates naming the School District as an additional insured, minimum amount not less than \$1,000,000 (One Million Dollars)
3. General approval of the Chief of Police. Traffic control and pedestrian safety plan in accordance with and under the approval of office of Chief of Police.
4. Music to end no later than 10:00 p.m.

**Resolution No. 140512-8B3**

**HOMETOWN DAYS, STREET USAGE PERMIT, MOTOR AND PEDESTRIAN PARADE**

**I Move** the Swartz Creek City Council approve and authorize the Swartz Creek Hometown Days Committees' application for street closing / usage permit for Saturday, May 31, 2014 from 9:00 a.m. until 12:30 p.m. for purposes of conducting a parade, streets used to be the high school performing arts center entrance, Miller Rd, and Frederick St under the following stipulations:

1. Insurance certificate naming the City as an additional insured party in the amount not less than \$1,000,000.00 (One Million Dollars).
  2. No candy or other objects be thrown or handed from, to or at any vehicle, trailer, float, or similar, and further, that the Hometown Days Committee establish and maintain a list of all participants and/or entries in the parade that identifies a contact person, such contact to be informed by the Hometown Days Committee of the stipulation and motor vehicle code enforcement actions for violations thereof.
  3. General approval, and under the direction and control of the Office of the Chief of Police.

**Resolution No. 140512-8B4**

**HOMETOWN DAYS PERMIT, AERIAL FIREWORKS DISPLAY**

**I Move** the Swartz Creek City Council approve and authorize the Swartz Creek Hometown Days Committee's application for one fireworks aerial display to be held on Friday, May 30, 2014, at or shortly after dusk, with a cancellation date of Saturday, May 31, 2014, at or shortly after dusk, to be launched from properties directly west of the Swartz Creek Middle School Building, said properties owned by the Swartz Creek School District and Mr. Scott Hoover, under the following stipulations and conditions:

1. Insurance certificate naming the City as insured in an amount to be determined adequate by the City Manager.
2. Written permission from the aforementioned parcel owners along with acceptable insurance certificates naming said parcel owners as additional insured parties, in an amount to be determined adequate by the City Manager.
3. Traffic Control Plan and administration by the Offices of Chief of Police and Director of Community Services.
4. Detailed Plan submitted to and approved by the Fire Chief.
5. All decisions concerning the event and cancellation thereof, if needed, under the direction and control of the Fire Chief.

**Resolution No. 140512-8B5**

**HOMETOWN DAYS PERMIT, OPERATE ENTERTAINMENT TENT**

**I Move** the Swartz Creek City Council approve and authorize the Swartz Creek Hometown Days Committee application to operate an entertainment tent with the sale of beer and wine for consumption on the premises, along with live entertainment, to be held on Parcel No. 58-02-200-014, owned by William Kincaid and located 5086 Morrish Road, south of Wade Street, beginning Thursday, May 29, 2014 12:00 PM through Sunday, June 1, 2014, 9:30 PM, under the following stipulations:

1. Michigan Liquor Control Commission Approved Application with appropriate insurance in accordance with the rules of the L.C.C. and naming the City and all other property owners as additional insured parties, in an amount not less than \$1,000,000 (One Million Dollars).
2. Portable bathrooms appropriately located and litter control program in accordance and under the approval of Director of Community Services.

3. Traffic control and pedestrian safety plan in accordance with and under the approval of Office of Chief of Police.
4. Adherence to all L.C.C. stipulations and regulations, state and local laws.
5. No music after 11:00 p.m. Thursday, May 29, 2014 and after 1:30 a.m. on Friday, May 30, 2014 (Saturday Morning), and Saturday May 31, 2014 (Sunday Morning), and Sunday June 1, 2014, 9:30 PM.
6. Adequate security as approved by the Chief of Police.
7. Adherence to and under the direction and control of the Office of the Chief of Police.

**Resolution No. 140512-8B6**

**HOMETOWN DAYS PERMIT, CEREMONIAL DISCHARGE OF A FIREARM**

**I Move** the Swartz Creek City Council, pursuant to section 10-212(3) of the Code of Ordinances, approve and authorize the Swartz Creek Hometown Days Committee to discharge weapons as a part of a military concert and ceremonial military honor guard, to be held at the Swartz Creek High School's outdoor football stadium, on Friday, May 30, 2014, at approximately 9:00 p.m., in conjunction with a concert and aerial fireworks display, with a backup rain date of Saturday, May 31, 2014 at approximately 9:00 p.m. under the following stipulations and conditions:

1. Insurance certificate naming the City as an additional insured party in an amount not less than \$1,000,000.00 (One Million Dollars).
2. The party(ies) discharging the weapon(s) must be a practicing military honor guard trained and capable in the handling of firearms.

**Resolution No. 140512-8B7**

**HOMETOWN DAYS PERMIT, CEREMONIAL DISCHARGE OF A FIREARM**

**I Move** the Swartz Creek City Council, pursuant to section 10-212(3) of the Code of Ordinances, approve and authorize the Swartz Creek Hometown Days Committee to discharge weapons in conjunction with a Parade and as a ceremonial military honor guard, to be held along Miller Road on Saturday, May 31, 2014, at approximately 10:00 A.M., under the following stipulations and conditions:

1. Insurance certificate naming the City as an additional insured party in an amount not less than \$1,000,000.00 (One Million Dollars).
2. The party(ies) discharging the weapon(s) must be a practicing military honor guard trained and capable in the handling of firearms.

**Resolution No. 140512-8B8**

**AMPLIFIED OUTDOOR MUSIC, FEATHER & FIN**

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

**I Move** the City of Swartz Creek approve the use of an outdoor music / DJ amplification system at Feather & Finn Ice Cream, 7543 Miller Road, in conjunction with the Swartz Creek Hometown Days Festival, permit for Saturday, May 31, 2014 from 2:00 p.m. until 10:00 p.m., only.

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

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

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

**Resolution No. 140512-8B9**

**WAIVER OF INSPECTION FEE, HOMETOWN DAYS COMMITTEE**

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

**I Move** the City of Swartz Creek waive the electrical permit inspection fees for the Swartz Creek Hometown Days Committee, in the estimated amount of \$70, for the repair / upgrade of a drop service panel located at 5043 & 5045 Morrish Road.

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

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

**Resolution No. 140512-8B10**                      **STREET CLOSURE PERMIT, FIRE DEPARTMENT WATER-BALL CONTEST**

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

**I Move** the City of Swartz Creek permit the closure of the dead end of Civic Drive on Saturday, May 31, 2014 from 2:00 PM to 6:00 PM for the Swartz Creek Area Fire Department, purpose being to hold a water-ball contest in conjunction with the Swart Creek Hometown Days Festival

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

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

**Resolution No. 140512-8B11**                      **STREET USE PERMIT, ANNUAL 5K ROAD RACE, SWARTZ CREEK CROSS COUNTRY – RIVERBEND STRIDERS**

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

**I Move** the City of Swartz Creek approve the application for a street usage permit to conduct a 5 kilometer foot road race on Thursday, May 29, 2014, 5:00 PM – 7:00 PM, applicant: the River-Bend Striders - Swartz Creek Cross Country Team, in the care of Mr. Rob Schwerin, race to be held in Winchester Village Subdivision, in accordance with the application submitted, under the direction and control of the Chief of Police.

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

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

**Resolution No. 140512-8C**                      **2014-2015 FY BUDGET, SET PUBLIC HEARING**

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

**I Move** the City of Swartz Creek set a Public Hearing, to be held on Tuesday, May 27, 2014 at 7:00 PM, at the regularly scheduled City Council Meeting, or as soon thereafter as this matter can be heard, to hear public comments and needs regarding the Proposed 2014-2015 Fiscal Year Budget, and further, post a notice of the public hearing in the View News, with a copy of the proposed budget to be available in the Clerk's Office beginning May 13, 2014.

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

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

**Resolution No. 140512-8D**                      **Scrap Tire Bids**

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

**WHEREAS**, the City of Swartz Creek is the recipient of a 50% matching grant through the state Department of Environmental Quality for the purpose of using new technology to pave driving and parking services, and

**WHEREAS**, the city opted to use this newer process, which incorporates the use of recycled tire material, to resurface two public parking areas and Civic Drive in the downtown, and

**WHEREAS**, the city opted to use this newer process, which incorporates the use of recycled tire material, to resurface two public parking areas and Civic Drive in the downtown, and

**WHEREAS**, bid specifications were released by the city's engineer, and the lowest bid for the scope of work was submitted by L & M Landshaping in the amount of \$259,519.78, with the engineering finding this contractor and bid to be in good standing.

**NOW, THEREFORE, BE IT RESOLVED** that the Swartz Creek City Council approves the bid by L & M Landshaping in the amount of \$259,519.78 and directs the city manager to execute the engineer's standard contract for the scope and terms of work with L & M Landshaping.

**Be it further resolved** that the City Council direct the staff to independently account for and recover expenses related to this project through the DEQ, and to encumber and allocate further costs as outlined in the chart below, for the fiscal year 2015 budget:

**Project Costs**

Public Safety/Civic Drive/Morrish Parking	\$236,061
Sidewalk	\$23,459
Design/Construction Engineering	\$48,192
Total Project Cost	\$307,712

**Fund Sources**

Scrap Tire Grant Reimbursement	\$129,760
Meijer Contribution	\$10,000
DDA Contribution	\$22,000
General Fund	\$145,952

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

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

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

**Resolution No. 140512-8E      ASSESSING POLICY**

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

**WHEREAS**, the State of Michigan is conducting 14 point reviews of municipal assessing departments, and

**WHEREAS**, a policy is expected to be retained by such municipalities to provide for the inspection and copying of public documents, in addition to the Freedom of Information Act.

**NOW, THEREFORE, BE IT RESOLVED** that the Swartz Creek City Council approve the attached policy regarding the inspection and copying of public documents, to be effective immediately.

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

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

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

**Resolution No. 140512-8F                      O'REILLYS AUTO PARTS, TAX ID #58-31-551-006**

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

**I Move** the City of Swartz Creek accept the recommendation of the Swartz Creek Planning Commission and approve the final site plan for the construction of a retail store, as applied for and illustrated in plans submitted to the city and dated May 7, 2014, for parcel number 58-31-551-006, with the following conditions:

1. Approval of plans by the city's engineer
2. Additional plantings are required on the east side of the building for screening purposes (six or more alberta spruce or similar plantings)

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

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

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

**Resolution No. 140512-8G                      GENERAL MOTORS, AMENDED FINAL SITE PLAN APPROVAL, TAX ID #58-32-300-007; 58-32-300-008; 58-32-400-002**

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

**I Move** the City of Swartz Creek accept the recommendation of the Swartz Creek Planning Commission and approve the amended final site plan for General Motors, including pre-cast, dyed brick exterior, as applied for and illustrated in plans submitted to the City and dated April 15, 2014, as attached.

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

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

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

**Resolution No. 140512-8J**

**BS&A INVOICE**

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

**I Move** the City of Swartz Creek, finding the services offered by BS&A to be professional services that do not require a sealed bid procurement, subject to council approval, hereby approves payment of the invoice in the amount of \$5,035 for the purchase of annual software services and further directs the finance director to appropriate costs to funds in a manner reflective of fund use.

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

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

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

**Resolution No. 140512-8K**

**2013-2014 YEAR END FISCAL ADJUSTMENTS**

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

**WHEREAS**, Act 621 of P.A. 1978 provides for a uniform budgeting system for local units of government; and

**WHEREAS**, Act 275 of P.A. of 1980 further prohibits deficit spending by local units of government; and

**WHEREAS**, the City Council has reviewed the City’s 2013 - 2014 Fiscal Year Budget and comparative year-to-date balance sheet of expenses and revenues, and finds that it is not in deficit; however, certain department activity line items may be in deficit.

**THEREFORE BE IT RESOLVED**, the Swartz Creek City Council hereby authorizes and directs the city manager to make all necessary year-end budget adjustment amendments to Fund 661 (Motor Pool), Fund 203 (Local Streets), and Fund 248 (Downtown Development Authority) in accordance with the following:

GL NUMBER	DESCRIPTION	2013-14		
		AMENDED BUDGET	Adjustments to be made	Amended Budget
<b>Fund 661 - Motor Pool Fund</b>				
Revenues				
Dept 000.000-General				
661-000.000-664.000	Interest Income	260.00	(4.75)	255.25
661-000.000-667.000	Equipment Rental Income	144,500.00		144,500.00
661-000.000-673.000	Sale of Assets	2,000.00	(2000.00)	0.00
661-000.000-675.000	Misc.	500.00	(500.00)	0.00
661-000.000-690.000	Insurance Refunds	0.00	2,504.75	2,504.75
<b>TOTAL Revenues</b>		<b>147,260.00</b>		<b>147,260.00</b>

**Expenditures**

Dept 172.000-Executive				
661-172.000-910.100	Property Insurance	9,000.00	(250.00)	8,750.00
Total Dept 172.000-Executive		9,000.00		8,750.00
Dept 201.000-Finance,Budgeting,Accounting				
661-201.000-702.000	Wages	7,700.00		7,700.00
661-201.000-704.100	FICA - Employer's Share	477.00		477.00
661-201.000-704.200	Medicare - Employer's Share	112.00		112.00
661-201.000-705.000	Medical Insurance - ER	869.00		869.00
661-201.000-705.100	Vision Benefits	17.00		17.00
661-201.000-705.200	Dental Benefits	220.00		220.00
661-201.000-706.000	Life Insurance - ER cost	40.00		40.00
661-201.000-707.000	Retirement Contributions-ER	498.00		498.00
661-201.000-708.000	Sick & Accident Premiums-ER	130.00		130.00
Total Dept 201.000-Finance,Budgeting,Accounting		10,063.00		10,063.00
Dept 228.000-Information Technology				
661-228.000-726.000	Supplies	100.00	(100.00)	0.00
661-228.000-801.000	Contractual Services	400.00	(300.00)	100.00
661-228.000-960.000	Education and Training	0.00		0.00
661-228.000-976.000	Equipment	0.00	650.00	650.00
Total Dept 228.000-Information Technology		500.00		750.00
<b>General Governmental Activities</b>				<b>19,563.00</b>
Dept 301.000-Police Dept				
661-301.000-750.000	Equip - NonDepreciable	2,500.00		2,500.00
661-301.000-920.500	Utilities - Fuel	26,000.00		26,000.00
661-301.000-930.000	Repairs and Maintenance	12,000.00		12,000.00
661-301.000-941.000	Equipment Rental	0.00		0.00
661-301.000-968.000	Depreciation Expense	0.00		0.00
661-301.000-976.000	Equipment	35,000.00		35,000.00
Total Dept 301.000-Police Dept		75,500.00		75,500.00
Dept 302.000-Public Safety - Track				
661-302.000-750.000	Equip - NonDepreciable	100.00		100.00
661-302.000-920.500	Utilities - Fuel	500.00		500.00
661-302.000-930.000	Repairs and Maintenance	500.00	(159.04)	340.96
Total Dept 302.000-Public Safety - Track		1,100.00		940.96
Dept 303.000-Public Safety - Schools				
661-303.000-750.000	Equip - NonDepreciable	500.00		500.00
661-303.000-920.500	Utilities - Fuel	500.00		500.00
661-303.000-930.000	Repairs and Maintenance	500.00	(150.00)	350.00
Total Dept 303.000-Public Safety - Schools		1,500.00		1,350.00

Dept 304.000-Canine Program			
661-304.000-930.000	Repairs and Maintenance	0.00	309.04
661-304.000-976.000	Equipment	<u>2,000.00</u>	<u>2,000.00</u>
Total Dept 304.000-Canine Program		2,000.00	2,000.00
<b>Public Safety Activities</b>			<b>79,790.96</b>
Dept 795.000-Facilities - City Garage			
661-795.000-702.000	Wages	11,803.00	11,803.00
661-795.000-704.100	FICA - Employer's Share	732.00	732.00
661-795.000-704.200	Medicare - Employer's Share	171.00	171.00
661-795.000-705.000	Medical Insurance - ER	4,218.00	4,218.00
661-795.000-705.100	Vision Benefits	29.00	29.00
661-795.000-705.200	Dental Benefits	428.00	428.00
661-795.000-706.000	Life Insurance - ER cost	31.00	31.00
661-795.000-707.000	Retirement Contributions-ER	1,561.00	1,561.00
661-795.000-708.000	Sick & Accident Premiums-ER	199.00	199.00
661-795.000-726.000	Supplies	4,000.00	4,000.00
661-795.000-801.000	Contractual Services	25.00	73.16 98.16
661-795.000-910.100	Property Insurance	750.00	37.18 787.18
661-795.000-910.500	Workers Comp Insurance	564.00	(186.90) 377.10
661-795.000-920.000	Utilities	7,650.00	1200.00 8,850.00
661-795.000-920.500	Utilities - Fuel	21,000.00	(1123.44) 19,876.56
661-795.000-930.000	Repairs and Maintenance	34,000.00	34,000.00
661-795.000-976.000	Equipment	<u>30,000.00</u>	<u>30,000.00</u>
<b>Total Dept 795.000-Facilities - City Garage</b>		<b>117,161.00</b>	<b>117,161.00</b>
TOTAL Expenditures		<u>216,824.00</u>	<u>0.00 216,514.96</u>

<b>Fund 661 - Motor Pool Fund:</b>			
<b>TOTAL REVENUES</b>		147,260.00	147,260.00
<b>TOTAL EXPENDITURES</b>		<u>216,824.00</u>	216,514.96
<b>NET OF REVENUES &amp; EXPENDITURES</b>		<b>(69,564.00)</b>	<b>(69,254.96)</b>

GL NUMBER	DESCRIPTION	2013-14 AMENDED BUDGET	Adjustments to be made	Amended Budget
<b>Fund 203 - Local Street Fund</b>				
<b>Revenues</b>				
Dept 000.000-General				
203-000.000-569.000	Act 51 Revenues	82,000.00	0.00	82,000.00
203-000.000-664.000	Interest Income	45.00	0.00	45.00
203-000.000-699.202	Transfer IN from Major St Fd	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Total Dept 000.000-General		82,045.00	0.00	82,045.00

Dept 449.000-Right of Way Telecomm				
203-449.000-546.000	Right of Way Telecomm	16,000.00	0.00	16,000.00
203-449.000-546.100	ROW Telecomm Permits	0.00	0.00	0.00
Total Dept 449.000-Right of Way Telecomm		16,000.00	0.00	16,000.00
Dept 478.000-Snow & Ice Removal				
203-478.000-677.000	Reimbursements	900.00	1,312.98	2,212.98
Total Dept 478.000-Snow & Ice Removal		900.00		2,212.98
Dept 931.000-Transfers IN				
203-931.000-699.101	Transfer In from Genl Fund	0.00	0.00	0.00
203-931.000-699.101-463.503	Transfer In from Genl Fund	0.00	0.00	0.00
203-931.000-699.202	Transfer IN from Major St Fd	0.00	0.00	0.00
203-931.000-699.226	Transfer IN from Garbage Fund	0.00	0.00	0.00
203-931.000-699.226-463.503	Transfer IN from Garbage Fund	0.00	0.00	0.00
Total Dept 931.000-Transfers IN		0.00	0.00	0.00
<b>TOTAL Revenues</b>		<b>98,945.00</b>	<b>1,312.98</b>	<b>100,257.98</b>
<b>Expenditures</b>				
Dept 228.000-Information Technology				
203-228.000-726.000	Supplies	100.00	(100.00)	0.00
203-228.000-801.000	Contractual Services	400.00	(350.00)	50.00
203-228.000-960.000	Education and Training	0.00		0.00
203-228.000-976.000	Equipment	0.00	665.27	665.27
Total Dept 228.000-Information Technology		500.00		715.27
Dept 429.000-Occupational Safety				
203-429.000-702.000	Wages	200.00	(50.00)	150.00
203-429.000-704.100	FICA - Employer's Share	0.00	10.00	10.00
203-429.000-704.200	Medicare - Employer's Share	0.00	3.00	3.00
203-429.000-705.000	Medical Insurance - ER	0.00		0.00
203-429.000-705.100	Vision Benefits	0.00		0.00
203-429.000-705.200	Dental Benefits	0.00		0.00
203-429.000-706.000	Life Insurance - ER cost	0.00		0.00
203-429.000-707.000	Retirement Contributions-ER	0.00	25.00	25.00
203-429.000-708.000	Sick & Accident Premiums-ER	0.00		0.00
203-429.000-726.000	Supplies	0.00		0.00
203-429.000-941.000	Equipment Rental	0.00		0.00
203-429.000-960.000	Education and Training	150.00		150.00
Total Dept 429.000-Occupational Safety		350.00		338.00
Dept 449.000-Right of Way Telecomm				
203-449.000-801.000	Contractual Services	12,000.00		12,000.00

203-449.000-930.000	Repairs and Maintenance	1,500.00		1,500.00
Total Dept 449.000-Right of Way Telecomm		13,500.00		13,500.00
Dept 449.500-Right of Way - General				
203-449.500-702.000	Wages	0.00		0.00
203-449.500-704.100	FICA - Employer's Share	0.00		0.00
203-449.500-704.200	Medicare - Employer's Share	0.00		0.00
203-449.500-801.000	Contractual Services	1,000.00		1,000.00
203-449.500-930.000	Repairs and Maintenance	8,000.00		8,000.00
Total Dept 449.500-Right of Way - General		9,000.00		9,000.00
Dept 449.501-Right of Way - Storms				
203-449.501-801.000	Contractual Services	500.00	(500.00)	0.00
203-449.501-930.000	Repairs and Maintenance	8,000.00	4,330.60	12,330.60
Total Dept 449.501-Right of Way - Storms		8,500.00		12,330.60
Dept 463.000-Routine Maint - Streets				
203-463.000-702.000	Wages	9,976.00		9,976.00
203-463.000-704.100	FICA - Employer's Share	619.00		619.00
203-463.000-704.200	Medicare - Employer's Share	145.00		145.00
203-463.000-705.000	Medical Insurance - ER	3,548.00		3,548.00
203-463.000-705.100	Vision Benefits	24.00		24.00
203-463.000-705.200	Dental Benefits	348.00		348.00
203-463.000-706.000	Life Insurance - ER cost	27.00		27.00
203-463.000-707.000	Retirement Contributions-ER	1,256.00		1,256.00
203-463.000-708.000	Sick & Accident Premiums-ER	168.00		168.00
203-463.000-726.000	Supplies	300.00	(150.00)	150.00
203-463.000-801.000	Contractual Services	3,000.00	(1,500.00)	1,500.00
203-463.000-801.000-463.306	Contractual Services	7,484.00		7,484.00
203-463.000-910.500	Workers Comp Insurance	3,206.00	(730.00)	2,476.00
203-463.000-930.000	Repairs and Maintenance	15,000.00	(1,200.00)	13,800.00
203-463.000-941.000	Equipment Rental	3,000.00	(1,800.00)	1,200.00
203-463.000-960.000	Education and Training	20.00	0.00	20.00
Total Dept 463.000-Routine Maint - Streets		48,121.00		42,741.00
Dept 463.503-Local Streets Rehab				
203-463.503-801.000	Contractual Services	0.00		0.00
203-463.503-801.000-463.503	Contractual Services	0.00		0.00
203-463.503-930.000-463.503	Repairs and Maintenance	20,000.00	(20,000.00)	0.00
Total Dept 463.503-Local Streets Rehab		20,000.00		0.00
Dept 474.000-Traffic Services				
203-474.000-702.000	Wages	975.00	1,950.00	2,925.00
203-474.000-704.100	FICA - Employer's Share	60.00	120.00	180.00
203-474.000-704.200	Medicare - Employer's Share	14.00	8.00	22.00

203-474.000-705.000	Medical Insurance - ER	363.00	100.00	463.00
203-474.000-705.100	Vision Benefits	3.00	2.00	5.00
203-474.000-705.200	Dental Benefits	38.00	22.00	60.00
203-474.000-706.000	Life Insurance - ER cost	3.00	2.00	5.00
203-474.000-707.000	Retirement Contributions-ER	113.00	150.00	263.00
203-474.000-708.000	Sick & Accident Premiums-ER	16.00	4.00	20.00
203-474.000-726.000	Supplies	2,500.00	(500.00)	2,000.00
203-474.000-801.000	Contractual Services	3,000.00	(1,000.00)	2,000.00
203-474.000-941.000	Equipment Rental	1,100.00	(450.00)	650.00
Total Dept 474.000-Traffic Services		8,185.00		8,593.00

Dept 478.000-Snow & Ice Removal

203-478.000-702.000	Wages	2,998.00	9,957.44	12,955.44
203-478.000-704.100	FICA - Employer's Share	186.00	617.25	803.25
203-478.000-704.200	Medicare - Employer's Share	43.00	144.84	187.84
203-478.000-705.000	Medical Insurance - ER	1,090.00	1,658.42	2,748.42
203-478.000-705.100	Vision Benefits	7.00	11.34	18.34
203-478.000-705.200	Dental Benefits	110.00	155.53	265.53
203-478.000-706.000	Life Insurance - ER cost	8.00	14.97	22.97
203-478.000-707.000	Retirement Contributions-ER	364.00	805.58	1,169.58
203-478.000-708.000	Sick & Accident Premiums-ER	50.00	83.89	133.89
203-478.000-726.000	Supplies	21,000.00	281.48	21,281.48
203-478.000-801.000	Contractual Services	1,000.00	177.50	1,177.50
203-478.000-941.000	Equipment Rental	4,000.00	9,965.96	13,965.96
Total Dept 478.000-Snow & Ice Removal		30,856.00		54,730.20

Dept 482.000-Administrative

203-482.000-702.000	Wages	1,647.00		1,647.00
203-482.000-704.100	FICA - Employer's Share	102.00		102.00
203-482.000-704.200	Medicare - Employer's Share	24.00		24.00
203-482.000-705.000	Medical Insurance - ER	454.00		454.00
203-482.000-705.100	Vision Benefits	3.00		3.00
203-482.000-705.200	Dental Benefits	33.00		33.00
203-482.000-706.000	Life Insurance - ER cost	9.00		9.00
203-482.000-707.000	Retirement Contributions-ER	115.00		115.00
203-482.000-708.000	Sick & Accident Premiums-ER	28.00		28.00
203-482.000-726.000	Supplies	0.00		0.00
203-482.000-801.000	Contractual Services	0.00		0.00
203-482.000-941.000	Equipment Rental	400.00		400.00
203-482.000-976.000	Equipment	0.00	63.93	63.93
Total Dept 482.000-Administrative		2,815.00		2,878.93

Dept 538.500-Intercommunity storm drains

203-538.500-801.000	Contractual Services	500.00	(500.00)	0.00
203-538.500-801.700	Storm/Wtr Shed Permit Fees	8,500.00	(2,500.00)	6,000.00

203-538.500-803.000	Drain Repairs	2,700.00	2,700.00
Total Dept 538.500-Intercommunity storm drains		11,700.00	8,700.00

TOTAL Expenditures		153,527.00	0.00	153,527.00
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**Fund 203 - Local Street Fund:**

<b>TOTAL REVENUES - Slight increase in Revenues</b>		98,945.00	100,257.98
<b>TOTAL EXPENDITURES</b>		153,527.00	153,527.00
<b>NET OF REVENUES &amp; EXPENDITURES</b>		(54,582.00)	(53,269.02)

GL NUMBER	DESCRIPTION	2013-14 AMENDED BUDGET	Adjustments to be made	Amended Budget
<b>Fund 248 - Downtown Development Fund</b>				
Revenues				
Dept 000.000-General				
248-000.000-402.000	Current Tax Revenue	0.00		0.00
248-000.000-412.000	Delinquent Tax Revenue	0.00		0.00
248-000.000-664.000	Interest Income	80.00	(10.00)	70.00
Total Dept 000.000-General		80.00		70.00
Dept 173.000-DDA Administration				
248-173.000-677.000	Reimbursements	0.00		0.00
Total Dept 173.000-DDA Administration		0.00		0.00
Dept 728.001-Farmers Market				
248-728.001-550.000-728.001	PROJECT FRESH	0.00		0.00
248-728.001-642.001-728.001	SALE OF FARMERS MARKET BAG	0.00	10.00	10.00
248-728.001-665.000-728.001	Land/Bldg Rental Income	0.00		0.00
Total Dept 728.001-Farmers Market		0.00		10.00
Dept 728.002-Streetscape				
248-728.002-597.000	Grants from Private Entities	0.00		0.00
248-728.002-677.000	Reimbursements	0.00		0.00
Total Dept 728.002-Streetscape		0.00		0.00
Dept 728.004-Family Movie Night				
248-728.004-597.000	Grants from Private Entities	1,200.00		1,200.00
Total Dept 728.004-Family Movie Night		1,200.00		1,200.00
<b>TOTAL Revenues</b>		<b>1,280.00</b>		<b>1,280.00</b>
Expenditures				
Dept 173.000-DDA Administration				
248-173.000-726.000	Supplies	250.00		250.00

248-173.000-745.000	Postage	50.00		50.00
248-173.000-801.000	Contractual Services	0.00		0.00
248-173.000-805.000	Bank Fees	100.00		100.00
248-173.000-825.000	Admin Services	2,500.00		2,500.00
248-173.000-900.000	Printing and Publishing	100.00		100.00
248-173.000-960.000	Education and Training	250.00		250.00
248-173.000-961.000	Miscellaneous	100.00		100.00
	<b>Total Dept 173.000-DDA Administration</b>	<b>3,350.00</b>		<b>3,350.00</b>
Dept 728.000-Economic Development				
248-728.000-801.000	Contractual Services	0.00		0.00
248-728.000-961.000	Miscellaneous	0.00	1,800.00	1,800.00
	<b>Total Dept 728.000-Economic Development</b>	<b>0.00</b>		<b>1,800.00</b>
Dept 728.003-Facade Program				
248-728.003-726.000	Supplies	0.00		0.00
248-728.003-801.000	Contractual Services	0.00	5,000.00	5,000.00
	<b>Total Dept 728.003-Facade Program</b>	<b>0.00</b>		<b>5,000.00</b>
Dept 728.004-Family Movie Night				
248-728.004-726.000	Supplies	500.00		500.00
248-728.004-801.000	Contractual Services	2,400.00		2,400.00
248-728.004-900.000	Printing and Publishing	500.00		500.00
	<b>Total Dept 728.004-Family Movie Night</b>	<b>3,400.00</b>		<b>3,400.00</b>
	<b>TOTAL Expenditures</b>	<b>6,750.00</b>		<b>13,550.00</b>
Fund 248 - Downtown Development Fund:				
	TOTAL REVENUES	1,280.00		1,280.00
	TOTAL EXPENDITURES	6,750.00	6,800.00	13,550.00
	<b>NET OF REVENUES &amp; EXPENDITURES</b>	<b>(5,470.00)</b>		<b>(12,270.00)</b>

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

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

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

**CITY OF SWARTZ CREEK  
SWARTZ CREEK, MICHIGAN  
MINUTES OF THE SPECIAL COUNCIL MEETING  
DATE 4/28/2014**

The meeting was called to order at 6:00 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, Hurt, Krueger, Porath, Shumaker.

Councilmembers Absent: Hicks. (Arrived at 6:05pm)

Staff Present: City Manager Adam Zettel, Deputy City Clerk Deanna Korth, Engineer Lou Fleury, Attorney Mike Gildner.

Others Present: Tommy Butler, Sharon Shumaker, Denny & Caran Pinkston, Bob & Trudy Plumb, Dennis Cramer, Ron Schultz, Dennis Novak.

**APPROVAL OF MINUTES**

**Resolution No. 140428-01**

**(Carried)**

Motion Councilmember Porath  
Second by Councilmember Hurt

**I Move** the Swartz Creek City Council hereby approve the Minutes of the Special Council Meeting, held Monday, April 14, 2014 to be circulated and placed on file.

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

NO: None. Motion Declared Carried.

**APPROVAL OF AGENDA**

**Resolution No. 140428-02**

**(Carried)**

Motion by Mayor Pro-Tem Abrams  
Second by Councilmember Hurt

**I Move** the Swartz Creek City Council approve the Agenda as presented, for the Special Council Meeting of April 28, 2014, to be circulated and placed on file.

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

NO: None. Motion Declared Carried.

**REPORTS AND COMMUNICATIONS:**

**City Manager's Report**

**Resolution No. 140428-03**

**(Carried)**

Motion by Councilmember Shumaker  
Second by Councilmember Hurt

**I Move** the Swartz Creek City Council approve the City Manager's Report of April 28, 2014, to be circulated and placed on file.

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

Discussion Ensued.

**MEETING OPENED TO THE PUBLIC**

Amy Rouleau, 2 Brookfield, spoke about the possibility of setting up a benefit concert during Hometown Days. Ms. Rouleau spoke about the difficulty she has had dealing with the Fine Arts Council in reference to using the Pajtas Theater for the concert. Councilmember Porath, being on the Fine Arts Board, advised Ms. Rouleau to call him on Tuesday and he would help her get something worked out.

**COUNCIL BUSINESS**

**Land Sale Policy**

**Resolution No. 140428-04**

Motion by Councilmember Gilbert  
Second by Councilmember Hurt

**I Move** the City of Swartz Creek City Council approve the land sale policy as included herein for use by the city staff and council.

Discussion Took Place.

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

**Solicitation Ordinance Amendment**

**Resolution No. 140428-05a**

**(Tabled)**

Motion by Councilmember Hicks  
Second by Councilmember Hurt

**I Move** the City of Swartz Creek ordain:

**CITY OF SWARTZ CREEK**

**ORDINANCE NO. 414**

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.** The City hereby amends Section 12 of the Code of Ordinances of the City of Swartz Creek to read as follows:

**Sec. 12-1. Definitions.**

*Person.* An individual, organization, group, association, partnership, corporation, trust, business entity or any combination of the above.

*Commercial solicitation.* Direct and personal communication in the course of a trade or business reasonably intended to result in a sale.

*Sale.* An activity creating an obligation to transfer property or services for a valuable consideration.

*Solicitor.*

- (1) A person who engages in commercial solicitation when traveling either by foot, automobile, motor truck, or other means of conveyance from place to place, from house to house or from street to street.
- (2) The word solicitor shall include but not be limited to the words canvassers, peddler, and hawker.

**Sec. 12-2. License required.**

No person shall be a solicitor and/or solicit in the City of Swartz Creek without first obtaining a license therefor. An application for a license shall be made to the City Clerk. In the event that the application is made by an organization, group, association, partnership, corporation, trust, business entity or any combination of the above, an application must be made for each agent or employee who will be engaging in the act of soliciting.

**Sec. 12-3. Exceptions to license.**

The following activities are exempt from this chapter:

- (1) Solicitations made to a congregation or group in attendance at one location and made by the person or organization inviting the individuals composing the congregation or group;
- (2) Solicitations made over the radio, television or telephone;

- (3) Any communication by an organization soliciting contributions solely from persons who are members of the organization at the time of the solicitation;
- (4) Any solicitation pursuant to a political candidacy or ballot issue qualified pursuant to "The Michigan Election Law" or "The School Code of 1976" as they are amended from time to time;
- (5) Any peddler traveling on an established route at the request, express or implied, of their customers;
- (6) Salespersons calling on clients, customers or business establishments with whom they have established business relationships at the time of the solicitation;
- (7) The distribution of handbills or leaflets where the individual distributing them does not seek or accept payments, orders or contributions;
- (8) A person handling vegetables, fruits or perishable farm products at any established city farmers' market;
- (9) A person who is not a business or merchant, but who engages in a garage sale whereby they are selling their own items from their household.

**Sec. 12-4. License Application.**

A license application filed hereunder shall furnish the following information:

- (1) Name and description of the applicant.
- (2) Permanent home address and full local address of the applicant.
- (3) A brief description of the nature of the solicitation contemplated.
- (4) If the applicant is an employee, the name and address of the employer, together with the credentials establishing the exact employer/employee relationship.
- (5) The length of time the applicant intends to solicit.
- (6) The place where the wares, merchandise, services, items of personal property or real property are located, manufactured or produced and the proposed method of delivery.
- (7) One photograph of the applicant, it being from the applicant's driver's license or identification card.
- (8) The applicant's social security number.
- (9) A statement as to whether or not the applicant has been convicted of any felony, misdemeanor or violation of any municipal ordinance, the nature of the offense and the punishment or penalty assessed therefor. This statement shall be accompanied by a release allowing the City, including the City police department to conduct a criminal background check.

**Sec. 12-5. Administrative fee and/or license fee.**

An applicant shall pay a reasonable administrative processing fee and/or license fee set by resolution of the City Council when submitting his or her license application.

**Sec. 12-6. Issuance, possession, and presentation of license.**

Upon approval of the license application, the City Clerk shall issue a license and license identification card including the name, address, and photo of the licensed person. The licensed person shall visibly display on their person at all times the license identification card when conducting activities permitted by the license.

**Sec. 12-7. License revocation.**

The City may suspend or revoke a license for violation of this article after reasonable notice and opportunity to be heard. The City may suspend on an emergency basis, without hearing, any license issued to the solicitor when it specifies in the notice of emergency suspension, the reasons and grounds indicating the violation of this article which constitutes the emergency. The notice shall set forth that within 48 hours, at a designated time and place, a hearing shall be held on whether the license shall be permanently suspended or revoked.

**Sec. 12-8. Prohibited activities.**

The following acts or activities shall be prohibited:

- (1) *Prohibited areas.* No solicitor shall obstruct any street, alley, sidewalk or driveway.
- (2) *Litter.* No solicitor shall litter any street, alley, sidewalk, driveway, or private property in the City.
- (3) *Curb service prohibited.* No solicitor shall operate or maintain any stand, vehicle, store or place of solicitation on or near any highway. No solicitor shall be permitted to use the streets, alleys, lanes or public places of the City for soliciting or to use any stands, stores or other places of transaction in any manner that requires the person wishing to participate in a transaction, when engaged in the transaction, to stand within the limits of the streets, highways, alleys or public places of the City.
- (4) *Prohibition of entry upon private property expressly requesting no solicitation.* No solicitor shall enter upon and/or call upon a place of residence or business within the City of Swartz Creek after having been expressly notified by the occupant of the place of residence or business that no solicitation is desired, or if the place of residence or business visibly displays on its property and/or premises a sign indicating "no soliciting", "no solicitation" and/or other language specifically conveying the message that no soliciting is desired.
- (5) *Prohibition of creation of nuisance.* No solicitor shall threaten or annoy any resident of the City in the course of their solicitation or in any way engage in any conduct which is or would tend to create a nuisance.

**Sec. 12-9. Hours of operation.**

Soliciting may take place within the City between the hours of 9:00 a.m. and 8:00 p.m. or sunset, whichever occurs earlier.

**Sec. 12-10. Penalty.**

Any person or persons violating any of the provisions of this article shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than \$500.00 plus costs of prosecution or by imprisonment for not more than 90 days or by both fine and costs and imprisonment in the discretion of the court.

**Section 3. Effective date.**

This Ordinance shall become effective thirty (30) days after publication.

At a regular meeting of the City Council of Swartz Creek held on the 28th day of April, 2014, Councilmember Hicks moved for adoption of the foregoing ordinance and Councilmember Hurt 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

Discussion Took Place.

**Resolution No. 140428-05b**

**(Carried)**

Motion by Councilmember Hurt  
Second by Mayor Pro-Tem Abrams

**I Move** the Swartz Creek City Council table discussion on the Solicitation Ordinance until Attorney Gildner arrives.

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

NO: None. Motion Declared Carried.

**CDBG Engineering**

**Resolution No. 140428-06**

**(Carried)**

Motion by Councilmember Hurt  
Second by Councilmember Gilbert

**I Move** the City of Swartz Creek enter into an agreement with Rowe Professional Services of Flint, Michigan for design and construction engineering services related to the CDBG funded portion of the public alley/streetscape project on Morrish Road, in an amount not to exceed \$4,335 plus 15% contingency, work to be performed in accordance with the professional service scope letter attached and requirements of the Genesee County Metropolitan Planning Commission CDBG program and further, direct the mayor and city clerk to execute any and all necessary documents on behalf of the city, funds to be appropriated from the appropriate department of the General Fund (101) as required for grant purposes.

**Be it further resolved** that the City Council direct the staff to independently account for and recover potential expenses related to this project through the GCMPC CDBG program, and amount programmed to be \$29,100.

Discussion Ensued.

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

**Solicitation Ordinance Amendment**

**Resolution No. 140428-07**

**(Carried)**

Motion by Councilmember Hicks  
Second by Councilmember Hurt

**I Move** the City of Swartz Creek ordain:

**CITY OF SWARTZ CREEK**

**ORDINANCE NO. 414**

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.** The City hereby amends Section 12 of the Code of Ordinances of the City of Swartz Creek to read as follows:

**Sec. 12-1. Definitions.**

*Person.* An individual, organization, group, association, partnership, corporation, trust, business entity or any combination of the above.

*Commercial solicitation.* Direct and personal communication in the course of a trade or business reasonably intended to result in a sale.

*Sale.* An activity creating an obligation to transfer property or services for a valuable consideration.

*Solicitor.*

- (1) A person who engages in commercial solicitation when traveling either by foot, automobile, motor truck, or other means of conveyance from place to place, from house to house or from street to street.
- (2) The word solicitor shall include but not be limited to the words canvassers, peddler, and hawker.

**Sec. 12-2. License required.**

No person shall be a solicitor and/or solicit in the City of Swartz Creek without first obtaining a license therefor. An application for a license shall be made to the City Clerk. In the event that the application is made by an organization, group, association, partnership, corporation, trust, business entity or any combination of the above, an application must be made for each agent or employee who will be engaging in the act of soliciting.

**Sec. 12-3. Exceptions to license.**

The following activities are exempt from this chapter:

- (1) Solicitations made to a congregation or group in attendance at one location and made by the person or organization inviting the individuals composing the congregation or group;
- (2) Solicitations made over the radio, television or telephone;
- (3) Any communication by an organization soliciting contributions solely from persons who are members of the organization at the time of the solicitation;
- (4) Any solicitation pursuant to a political candidacy or ballot issue qualified pursuant to "The Michigan Election Law" or "The School Code of 1976" as they are amended from time to time;
- (5) Any peddler traveling on an established route at the request, express or implied, of their customers;
- (6) Salespersons calling on clients, customers or business establishments with whom they have established business relationships at the time of the solicitation;
- (7) The distribution of handbills or leaflets where the individual distributing them does not seek or accept payments, orders or contributions;
- (8) A person handling vegetables, fruits or perishable farm products at any established city farmers'

market;

- (9) A person who is not a business or merchant, but who engages in a garage sale whereby they are selling their own items from their household.

**Sec. 12-4. License Application.**

A license application filed hereunder shall furnish the following information:

- (1) Name and description of the applicant.
- (2) Permanent home address and full local address of the applicant.
- (3) A brief description of the nature of the solicitation contemplated.
- (4) If the applicant is an employee, the name and address of the employer, together with the credentials establishing the exact employer/employee relationship.
- (5) The length of time the applicant intends to solicit.
- (6) The place where the wares, merchandise, services, items of personal property or real property are located, manufactured or produced and the proposed method of delivery.
- (7) One photograph of the applicant, it being from the applicant's driver's license or identification card.
- (8) The applicant's social security number.
- (9) A statement as to whether or not the applicant has been convicted of any felony, misdemeanor or violation of any municipal ordinance, the nature of the offense and the punishment or penalty assessed therefor. This statement shall be accompanied by a release allowing the City, including the City police department to conduct a criminal background check.

**Sec. 12-5. Administrative fee and/or license fee.**

An applicant shall pay a reasonable administrative processing fee and/or license fee set by resolution of the City Council when submitting his or her license application.

**Sec. 12-6. Issuance, possession, and presentation of license.**

Upon approval of the license application, the City Clerk shall issue a license and license identification card including the name, address, and photo of the licensed person. The licensed person shall visibly display on their person at all times the license identification card when conducting activities permitted by the license.

**Sec. 12-7. License revocation.**

The City may suspend or revoke a license for violation of this article after reasonable notice and opportunity to be heard. The City may suspend on an emergency basis, without hearing, any license issued to the solicitor when it specifies in the notice of emergency suspension, the reasons and grounds indicating the violation of this article which constitutes the emergency. The notice shall set

forth that within 48 hours, at a designated time and place, a hearing shall be held on whether the license shall be permanently suspended or revoked.

**Sec. 12-8. Prohibited activities.**

The following acts or activities shall be prohibited:

- (1) *Prohibited areas.* No solicitor shall obstruct any street, alley, sidewalk or driveway.
- (2) *Litter.* No solicitor shall litter any street, alley, sidewalk, driveway, or private property in the City.
- (3) *Curb service prohibited.* No solicitor shall operate or maintain any stand, vehicle, store or place of solicitation on or near any highway. No solicitor shall be permitted to use the streets, alleys, lanes or public places of the City for soliciting or to use any stands, stores or other places of transaction in any manner that requires the person wishing to participate in a transaction, when engaged in the transaction, to stand within the limits of the streets, highways, alleys or public places of the City.
- (4) *Prohibition of entry upon private property expressly requesting no solicitation.* No solicitor shall enter upon and/or call upon a place of residence or business within the City of Swartz Creek after having been expressly notified by the occupant of the place of residence or business that no solicitation is desired, or if the place of residence or business visibly displays on its property and/or premises a sign indicating "no soliciting", "no solicitation" and/or other language specifically conveying the message that no soliciting is desired.
- (5) *Prohibition of creation of nuisance.* No solicitor shall threaten or annoy any resident of the City in the course of their solicitation or in any way engage in any conduct which is or would tend to create a nuisance.

**Sec. 12-9. Hours of operation.**

Soliciting may take place within the City between the hours of 9:00 a.m. and 8:00 p.m. or sunset, whichever occurs earlier.

**Sec. 12-10. Penalty.**

Any person or persons violating any of the provisions of this article shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than \$500.00 plus costs of prosecution or by imprisonment for not more than 90 days or by both fine and costs and imprisonment in the discretion of the court.

**Section 3. Effective date.**

This Ordinance shall become effective thirty (30) days after publication.

At a special meeting of the City Council of Swartz Creek held on the 28th day of April, 2014, Councilmember Hicks moved for adoption of the foregoing ordinance and Councilmember Hurt supported the motion.

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

Voting against: None.

The Mayor declared the ordinance adopted.

---

David Krueger  
Mayor

---

Juanita Aguilar  
City Clerk

#### **CERTIFICATION**

The foregoing is a true copy of Ordinance No. 414, which was enacted by the Swartz Creek City Council at a special meeting held on the 28th day of April, 2014.

---

Juanita Aguilar  
City Clerk

Discussion Took Place.

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

#### **Art Fair Request for Elms Park**

##### **Resolution No. 140428-08a**

Motion by Councilmember Porath  
Second by Councilmember Hurt

**WHEREAS**, the Swartz Creek Area Art Guild, a local not-for-profit organization, desires to hold an art fair in Swartz Creek for the purpose of raising funds to support the non-profit's activities, and

**WHEREAS**, the previous location for a similar outdoor event is Elms Park; and

**WHEREAS**, the event would consist of a set-up day on Friday, September 12<sup>th</sup> and artist vending activities Saturday, September 13<sup>th</sup> and Sunday the 14<sup>th</sup>. The event will include approximately fifty artists, a food vendor, pavilion use, vendor and patron parking, and overnight camping by the boy scouts (security); and

**WHEREAS**, the city may allow exclusive use (Ord. 11-50), as well as overnight 'sleeping' within a city park (City Ordinances 11-49) with the written permission of the city manager.

**NOW, THEREFORE, BE IT RESOLVED** that the Swartz Creek City Council approve the exclusive use of Elms Park for an art fair on September 12-14, 2014,

conditional upon the Swartz Creek Area Art Guild providing insurance for the event naming the city and the event as additional insured parties.

**BE IT FURTHER RESOLVED** that the park fees for the use of park pavilions shall be waived.

Discussion Took Place.

**Resolution No. 140428-08b**

**(Carried)**

Motion by Councilmember Hurt  
Second by Councilmember Porath

**I Move** the Swartz Creek City Council strike the word “security” from the Art Fair Request resolution.

Discussion Took Place.

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

**Resolution No. 140428-08c**

**(Carried)**

Motion by Councilmember Hurt  
Second by Mayor Pro-Tem Abrams

**I Move** to add a further resolve to have a moratorium placed on exclusive use, overnight stays and waivers of fees for Elms Park until a policy can be developed for such use.

Discussion Ensued.

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

**Resolution No. 140428-08d**

**(Failed)**

Motion by Councilmember Hicks  
Second by Councilmember Porath

**I Move** to strike overnight camping by the Boy Scout Troop for the Art Fair.

Discussion Took Place.

YES: Krueger, Porath, Hicks.  
NO: Hurt, Shumaker, Abrams, Gilbert. Motion Failed.





NO: Shumaker, Abrams, Gilbert, Hicks, Hurt, Krueger, Porath.

**Assessments: Delinquent Water-Sewer-Weeds-Specials**

**Resolution No. 140428-11**

**(Carried)**

Motion by Councilmember Hicks  
Second by Councilmember Hurt

**I Move** the City of Swartz Creek direct the Treasurer to prepare an audit of all outstanding debts owed to the City for delinquent water, sewer, mowing, sidewalk repairs and special assessments related to Heritage Village and Springbrook East Condominium Associations and further, to cause such debts to be assessed against the property owner of record, in accordance with City Ordinance and State Statute, said debts to be placed against the summer 2014 tax collection roll.

Discussion Took Place.

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

**Budget Workshop**

City Manager Zettel went through the draft budget.

**MEETING OPEN TO PUBLIC:**

Dennis Novak, 5282 Greenleaf, spoke about wood chipping, giving other possible options to save money. Mr. Novak spoke about the bad road conditions in the Winchester Village.

Tommy Butler, 40 Somerset, asked why the Park Board doesn't have a manual on how to run the park. Mr. Butler spoke about paying for garbage on his taxes but Swartz Creek Estates having a separate garbage contract from the City. Mr. Butler stated that he believes that the State relies too much on property taxes to sustain itself.

Dennis Cramer, 5299 Worchester, asked for clarification on the recycled tire grant.

**REMARKS BY COUNCILMEMBERS:**

Councilmember Hurt stated that he was impressed with the audience participation.

Councilmember Gilbert spoke about Consumer's Energy digging up the road at Miller and Maya. Mr. Gilbert stated that they dumped asphalt in the hole and it looks like they just drove over it with their truck.

Councilmember Hicks stated that she still thinks that having the Boy Scouts in the park for overnight camping is not a good idea. Ms. Hicks stated that she hopes the Art Guild

reconsiders their plan to have that happen. Ms. Hicks spoke about the Park Board not having a policy before now because one was never needed before.

Councilmember Shumaker stated that the Park Board will consider policy issues.

Councilmember Porath spoke about updating the precinct maps. Mr. Porath spoke about the number of nonregistered voters in the City.

Mayor Pro-Tem Abrams complimented the City Manager on the work that he did on the budget. Mr. Abrams spoke about the rules for the Park Board coming from staff, with the Board having input. Mr. Abrams spoke about Councilmember Hurt leaving.

Mayor Krueger thanked the council for getting petitions done on such short notice. Mr. Krueger suggested the Park Board consider fund raisers for park improvements. Mr. Krueger reminded everyone that the “techniques for updating zoning ordinances” presentation will be held at the ROWE building. Mr. Krueger spoke about a highway exit cleanup and asked for help with the Miller Road exit. Mr. Krueger spoke about his daughter graduating from the University of Michigan with the Maze and Blue award.

### **Adjournment**

**Resolution No. 140428-12**

**(Carried)**

Motion by Councilmember Shumaker  
Second by Mayor Pro-Tem Abrams

**I Move** the City of Swartz Creek adjourn the Special Session of the City Council meeting at 9:18 p.m.

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

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**David A. Krueger, Mayor**

---

**Deanna Korth, Deputy City Clerk**

# **City of Swartz Creek**

## **Department of Police**

**Chief RICK CLOLINGER**

8100-A Civic Drive

Swartz Creek, Michigan 48473

Phone: (810)-635-4401

Fax: (810)-635-3728

**TO: Adam Zettel, City Manager**  
**FROM: Rick Clolinger, Chief of Police**

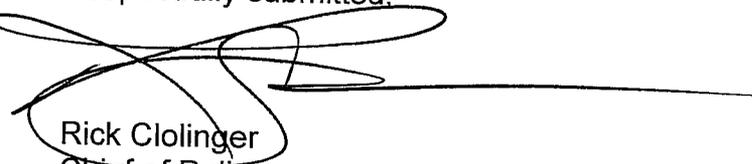
**REF: HOMETOWN DAYS ACTIVITIES**  
**DATE: May 8, 2014**

Sir,

This letter is to advise you that I have received all required permits from the Swartz Creek Hometown Days committee, pursuant to Swartz Creek City Council Resolutions for the upcoming Hometown Days festivities from May 27, 2014 through June 2, 2014.

I have authorized all required permits submitted by this committee.

Respectfully submitted,



Rick Clolinger  
Chief of Police

## Swartz Creek Hometown Days

APPROVED  
Chief Rick Clolinger  
City of Swartz Creek

### Emergency Operations Plan

This plan is designed to address the major types of emergency incidents which may impact the Swartz Creek Hometown Days festival. It provides primary operating guidelines which will meet the needs of the majority of occurrences which may be encountered. It does not replace the need to evaluate each situation and make the proper value judgements as to how to proceed to mitigate injury and/or damage and bring an incident to a successful conclusion.

## Festival Grounds

The Swartz Creek Hometown Days grounds are located at 5086 S. Morrish Rd, south of Miller Rd. on the west side. The grounds are closed to civilian motor vehicles and only allow designated marked vehicles and/or vendor, emergency vehicles and Arnold Amusement employees. There is 1 entrance and 1 exit on and off the grounds.

Important locations for emergency response personnel:

- **The Festival Office/Information Center** - is located on the north side of the grounds midway between the front and back. This office serves as the administrative hub for the Festival Board. Festival Board staff will be present at this location and throughout the grounds for all types of situations. This office has radio/cell phone communication

capabilities and the means to operate the sound system throughout the festival grounds. This office also serves as the information center. Lost and found individuals will be handled at the information center.

- **First aid** – There will be an ambulance posted at the front of the grounds on the north side of the entrance road. The ambulance will be staffed by 2 personnel from the Swartz Ambulance Company.
- **The Swartz Creek Police/Fire Department** is located at 8100 B Civic Dr. located across from the Chase Bank on Fortino Dr. which is north off of Miller Rd. west of Morrish Rd.

### Lost and Missing Persons:

All lost/missing persons will be reported to the Information Center or to any Festival Grounds Staff member. The person/persons reporting the lost or missing will be escorted to the Festival Office/Information Center. The Festival Office staff will take the information regarding the incident, including a complete description and where the individual was last seen. They will then evaluate the steps needed to address the situation.

Options available include:

1. Announcing lost/missing person over public address system for an older child or adult to meet their party at the Festival Office/Information Center.
2. Announcing over the public address system for patrons to be aware that an individual is lost/missing and needs to be directed/escorted to the Festival Office/Information Center.
3. Advise all Festival Staff and volunteers to be on the lookout for the individual and take them to the Festival Office/Information Center if located.
4. In the event the lost/missing individual is a young child, mentally handicapped, or has special needs, call 911 and have police meet Festival Staff at the Festival Office/Information Center to discuss the missing person with the person making the report to determine further steps that may need to be taken.
5. The Festival Staff will advise the person making the report to remain at the Festival Office/Information Center with them in the event that more information is needed and to have a location for the individual being sought can be brought when they are found.
6. Once the lost/missing individual has been located and returned to the Festival Office/Information Center and positively identified by the reporting individual, the staff member will advise all searching parties to cancel their search. The search will only cease when it is **confirmed** the individual has been located.

### Criminal Activity/Traffic Control:

All criminal activity will be dealt with by the Swartz Creek Police Department via 911. The individual making the report will contact 911 and provide the following information, exact location, name of complainant, telephone number, and description of the activity taking place, along with descriptions of individuals involved. If the complainant reports such activity to a Festival Grounds Staff member, the Staff member will take the same steps mentioned above and remain with the complainant until Police arrive. Traffic Control on the Festival Grounds will be handled by the Mundy Township Volunteer Peace officers and Festival Grounds Staff members. In the event that they are unable to handle any situation involving traffic, the Swartz Creek Police Department will be contacted via 911 for assistance and the Festival Grounds ERT team leader will be advised

## Fire:

All fires, regardless of size or items involved, are to be turned over to the Swartz Creek Area Fire Department via 911. Local attempts to extinguish should not be attempted without proper apparatus i.e. fire extinguisher etc. unless properly trained. Persons reporting fires should advise the exact location, what is burning, the extent of the fire, and if anyone is injured. Upon receipt of a fire report, Festival Staff team leader will be notified of the incident.

## **Medical Emergencies:**

**Minor Medical Incidents** such as minor cuts, abrasions, sunburn, etc. will be handled by the Swartz Ambulance Crew located on the Festival grounds near the north east entrance. Any individuals seeking medical assistance for non-serious injuries or illness should be directed to the ambulance crew or escorted if applicable where they can be evaluated and treated.

**Major Medical Incidents** which involve serious and/or life threatening illnesses and injuries are to be immediately reported to 911 and the Festival Grounds ERT team leader. The individual making the report will provide the exact location and nature of the problem. The reporting individual should maintain contact with the patient until emergency services arrive.

**Mass Casualty Incidents** where a number of patients are present may occur. This may be the result of a ride malfunction, structural collapse, multi-vehicle collision, inclement weather, fire, etc. Mass casualty incidents will be defined as any incident with 5 or more patients. The proper trained emergency responders will be notified via 911. The exact location of the incident will be given, and the nature of the incident. All Festival Committee Staff members will be notified via 2 way radio/cell phone. Based on the type of event and the number of casualties, emergency responder staff members along with Festival staff members will convene in the Festival Office/Information Center to coordinate actions and bring the event to a positive and timely conclusion. The Festival Directors of different areas on the festival grounds will direct members to their respective areas to respond to the incident while maintaining some coverage for the remainder of the festival. The incident will be handled using the command structure of the emergency responders i.e. Police, Fire, EMS. A team effort will be needed for crowd control for access and egress to and from and around the scene of the incident. Volunteer peace officers/festival volunteers, and amusement employees will be useful for any types of these incidents.

## Bomb Threats:

Any bomb threat will be reported to 911. The ERT team leader will also be notified via 2 way radio/cell phone. The appropriate emergency responders will respond for the incident. All ERT team members will refrain from using the term “Bomb Threat” or “Explosive”, and any similar descriptive terms will not be used on the radios or public announcement system which may be overheard by the public with the intent not to alarm the festival patrons. There should be a “code word” used to describe this type of incident that all Festival Staff/Committee members will be made aware of.

## **Adverse Weather:**

Adverse weather will include heavy rain, lightning, high winds, thunderstorms, and tornadoes. Protection from adverse weather should include these options: Evacuation and shelters in place. The presence of a large number of people in a relatively small area with limited parking near the festival grounds makes evacuation an option, but only with well advanced warning, but typical summer thunderstorm buildups do not provide sufficient warning to enable patrons to evacuate in a timely manner. Festival Staff/Committee Members/Arnold Amusement Staff Management will monitor the weather using all available resources which include internet sites such as NOAA, Wunderground, Weatherbug, television stations, etc. In the event there is the possibility of adverse weather, such as the building of thunderstorms or the approach of a line of weather, the Festival Committee/ERT will advise the Festival Chairman/2<sup>nd</sup> Chair to respond to the Festival Office/Information Center along with Arnold Amusement Management to review the weather situation and establish an alternative plan of action. Police, Fire, EMS, and Peace officer volunteers may also be involved to assist. Festival patrons will be notified of such weather using the public announcement system.

**Rain**, unless unusually heavy, will not adversely affect festival operations. However, steady rain over an extended period of time will discourage attendance and cause patrons to leave the grounds. During periods of heavy rain, patrons will seek shelter in commercial/exhibit tents and or buildings. This may cause a problem such as slip and fall hazards due to slick ground surfaces. Use medical protocol instructions if a medical arises due to a slip and fall during the rain.

**Lightning** can pose a significant threat to patrons. Lightning will also be closely monitored using the resources mentioned above and will also be monitored by Festival Staff/Committee Members/Arnold Amusement Staff. In the event that lightning is detected 6 miles out or less, the Festival Chairman/2<sup>nd</sup> Chair/Arnold Amusement Management will convene in the Festival Office/Information Center to discuss closing all high rides and to have patrons seek shelter. Depending on the storm intensity, all rides may have to be shut down until the storm passes and the weather is no longer a threat. Festival patrons will be notified of such weather using the public announcement system.

**High Straight Line Winds** can pose hazards to festival patrons due to flying debris, collapse of tents, etc. Patrons will be advised to take shelter but refrain from entering any tent on the ground due to the collapse hazard. The announcement will be made using the public announcement system.

**Hail**, except in its smallest sizes, can be harmful to humans and animals, and can cause considerable damage to tents, vehicles, rides, etc. When hail is imminent or occurs, festival patrons will be advised to seek shelter in permanent structures and not in tents or other temporary enclosures.

**Tornadoes** pose the most serious weather hazard. If a tornado is imminent, there are no good alternatives for Festival Committee members or patrons. For this reason, the Festival Staff and all emergency service personnel must be especially aware of the potential for tornadoes and take the appropriate measures, including closing the festival if there is a strong probability for tornadoes. When a tornado watch is issued for Genesee County or the surrounding counties, the Festival Staff/Committee Members/Arnold Amusement Staff will meet in the Festival Office/Information Center to evaluate weather conditions and alternatives. Meetings with **ALL** Festival Personnel should convene every 30 to 45 min throughout the period the tornado watch is in effect. If a tornado warning is issued for Genesee County or surrounding Counties, a public announcement will be made via the public announcement system to advise festival patrons, staff members, volunteers, vendors, carnival employees, etc. to seek shelter in low areas i.e. , creeks, ditches, basements **if** available. There will also be shelter available at the Swartz Creek Middle School and the local DPW. Any persons seeking shelter in creeks or ditches should lie down and cover their heads with their hands and arms.

## **Festival Grounds Public Announcement System**

The Swartz Creek Hometown Days Festival contains a public announcement system located in the center of the grounds. Messages concerning events, festival activities, weather emergencies, and other public service announcements are routinely broadcast over the system.

### **Emergency Messages**

#### **Announce Twice**

#### **Repeat as Needed**

#### **1. Lightning:**

##### **High Rides Only**

The Swartz Creek Hometown Days Festival has an important announcement for all patrons. Lightning is occurring in the immediate area of the festival. We are requesting the high rides be shut down at this time. They will be reopened as soon as the threat of lightning has passed. Thank you for your understanding that this is for your safety.

##### **All Rides**

The Swartz Creek Hometown Days Festival has an important announcement for all patrons. Lightning is occurring in the immediate area of the festival. We are requesting all rides to be shut down at this time. They will be reopened as soon as the threat of lightning has passed. Thank you for your understanding that this is for your safety.

#### **2. High Winds**

##### **High Rides Only**

The Swartz Creek Hometown Days Festival has an important announcement for all patrons. High winds are occurring in the immediate area of the festival. We are requesting the high rides to be shut down at this time. They will be reopened as soon as the threat of high winds has passed. Thank you for your understanding that this is for your safety.

### All Rides

The Swartz Creek Hometown Days Festival has an important announcement for all patrons. High winds are occurring in the immediate area of the festival. We are requesting all rides to be shut down at this time. They will reopen as soon as the threat of high winds has passed. Thank you for your understanding that this is for your safety.

### 3. Hail

#### High Rides

The Swartz Creek Hometown Days Festival has an important announcement for all patrons. Hail is occurring in the immediate area of the festival. We are requesting all the high rides to be shut down at this time. They will reopen when the treat of hail has passed. Thank you for your understanding that this is for your safety.

#### All Rides

The Swartz Creek Hometown Days Festival has an important announcement for all patrons. Hail is occurring in the immediate area of the festival. We are requesting all rides be shut down at this time. They will reopen as soon as the threat of hail has passed. Thank you for your understanding that this is for your safety.

### 4. Tornado – Repeat Multiple Times

Attention all patrons. This is a tornado alert. A tornado warning has been issued for the area including the festival grounds. All rides and exhibits will be immediately closed. Please seek shelter in a secure location, if you are unable to find a secure location, go to a creek or ditch or other low area, remain low and cover your head with your arms and hands.

### 5. Severe weather - Evacuate the Grounds

Attention all patrons. Severe weather is approaching the festival grounds. This weather is expected in the area at approximately \_\_\_\_\_ "state time". For your safety we are closing the festival. Please exit the grounds in an orderly manner. Festival Staff and Emergency Personnel will assist you in exiting. We are sorry for the inconvenience but this is for your safety.

Obtain maps of the grounds which should include commercial tents, ride placement, vendor kiosks, etc.



# ROWE PROFESSIONAL SERVICES COMPANY

*Large Firm Resources. Personal Attention. <sup>sm</sup>*

May 6, 2014

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

RE: Local Paving Project

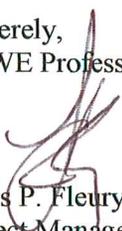
Dear Mr. Zettel:

Enclosed please find a copy of the bid summary for the above referenced project. All bids opened and read at the bid opening on April 22, 2014 have been reviewed and audited. L&M Landshaping, Inc. was the low bidder with a bid amount of \$259,519.78.

ROWE Professional Services Company has worked satisfactorily with this contractor in the past; it is our recommendation to award the local street paving project to L&M Landshaping, Inc.

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

Sincerely,  
ROWE Professional Services Company

  
Louis P. Fleury, P.E.  
Project Manager

Enclosure

R:\Projects\13C0120\Docs\recommendation ltr.docx

# Bid Comparison

**Contract ID:** 13C0120  
**Contract Year:** 2013  
**Description:** City of Swartz Creek Local Paving Project  
**Location:** Public Safety Parking Lot, Civic Dr, Downtown Parking Lot  
**Project(s):** City of Swartz Creek Local Paving Project

Rank	Bidder	Total Bid	% Over Low	% Over Est.
0	ENGINEER'S ESTIMATE	\$291,755.50	12.42%	0.00%
1	(_01234) L & M Landshaping, Inc.	\$259,519.78	0.00%	-11.04%
2	(02730) Perrin Construction Co., Inc.	\$264,145.55	1.78%	-9.46%
55	(03727) Pyramid Paving and Contracting Co.	\$298,539.03	15.03%	2.32%
4	(00441) Fessler & Bowman, Inc.	\$306,844.00	18.23%	5.17%
5	(01682) C & D Hughes, Inc.	\$329,501.70	0.00%	*** Incomplete ***
6	(_04231) Mike and Son Asphalt, Inc.	\$345,340.50	33.06%	18.36%
7	(_04551) Oak Construction Corporation	\$392,727.00	51.32%	34.60%
8	(02985) Zito Construction	\$401,466.00	54.69%	37.60%

**CITY OF SWARTZ CREEK POLICY FOR  
PUBLIC INSPECTION AND COPYING OF PUBLIC RECORDS**

**PURPOSE AND INTENT**

The City of Swartz Creek intends to be compliant with the Freedom of Information Act and has a FOIA policy on file. It is also the intent of the city to encourage the dissemination of information and transparency of government under less formal and cumbersome conditions. With the understanding that many routine records, maps, plans, and other documents are requested by the public on a regular basis, including assessing records, utility records, and building records, the city hereby adopts a policy to accommodate such requests.

1. Requests for public inspection and copying of public records may be made verbally and/or in writing, including emails to a specific, active email address.
2. Said requests may be directed to the city clerk or other authorized individual responsible for said public record.
3. Any requests made pursuant to the Michigan Freedom of Information Act, shall be made to the FOIA officer of the city and be subject to the city policy and statutory requirements of the FOIA.
4. If verbal request is made, the responding city official or his/her designee shall prepare a checklist of records requested to be copied and/or inspected. Said listing shall be presented to the requesting party on the date set for inspection and/or copying. A receipt for record copies or purchase, as well as a responding cover letter, email attachments, or similar instrument may also suffice.
5. The responding city official may require the requesting party to counter sign the check list to indicate compliance with the verbal request.
6. The responding city official shall be responsible for the production of the requested copies.
7. The requesting party shall be billed for the copies and preparation time, if applicable, pursuant to the schedule of charges established by resolution of the city council.
8. If the request is for inspection of public record, the responding city official shall respond in a timely manner, not to exceed five (5) business days, from the date of said request. Said response shall indicate the date, time, and place when the public inspection of the requested record shall take place.
9. The establishment of the date and time of the public inspection of the requested public records shall be in the discretion of the responding city official. The place designated for the requested inspection shall be the city offices or a location where the public records are officially retained.
10. The responding city official shall allow such inspection between the hours of 8:00 AM and 12:00 PM and 1:00 PM to 4:30 PM, Monday through Friday, on regular business days, unless mutually agreed to by the responding city official and the requesting party.
11. Inspection and copies are subject to direct supervision of the city official or his/her designee, and the removal of original documents from the official place of retention is prohibited.
12. Requests that cannot be accommodated by this process due to time constraints, complexity, cost, or similar reasons will be advanced to the FOIA policy process at the request of the requesting party or the responding city official or the city's FOIA officer.

# APPLICATION FOR SITE PLAN REVIEW

City of Swartz Creek  
8083 Civic Drive  
Swartz Creek, MI 48473  
810-635-4464

Date: 4 / 2 / 14 File No: \_\_\_\_\_  
Fee Received: \$550.00 Receipt No: \_\_\_\_\_

## NOTICE TO APPLICANT:

Regular meetings of the Swartz Creek Planning commission are held on the first Tuesday of each month at 7:00 PM, at the City Hall, 8083 Civic Dr. Application for site plan review shall be filed at least twenty (20) days before the scheduled meeting date.

*Applicant should be familiar with all aspects of the City's Zoning Appendix A pertinent to the site plan application, including but not limited to: the appropriate level of site plan review, the site plan process, review standards, performance guarantees, use restrictions, landscaping, parking, design standards, fees, and enforcement.*

## TO THE PLANNING COMMISSION:

I, (We), the undersigned, do hereby respectfully make application and petition the Planning Commission to recommend approval of the attached site plan as hereinafter requested, and in support of this application, the following facts are shown.

*Furthermore, I (We) have attached proof of ownership, information regarding the number of peak employees anticipated to accompany the site plan uses, and the names, addresses, and telephone/fax numbers of any and all engineers, attorneys, architects, and other professionals associated with this project.*

The property is located and described, as follows:

Assessment Roll Description No. 58-31 - 551 - 004,

Address: 4301 ELMS ROAD

Other description: (SEE ATTACHED SURVEY)

It has a frontage of: 140 feet and a depth of: 450 feet. Total acreage is: 2.079

PRESENT ZONING: \_\_\_\_\_

If the property is in acreage, and is not therefore a part of a recorded plat: The subject property is located and described as follows: (indicate total acreage also).

Assessment Roll Description No. 58- \_\_\_\_\_

SITE PLAN APPLICANT INFORMATION:

Name: STEPHEN BEUR

Address: 3057 E. CAIRO ; SPRINGFIELD, MO 65802

Phone Number: 417.877.1385

SUBJECT PROPERTY IS OWNED BY:

Name: O'BELLY AUTOMOTIVE STORES, INC.

Address: 233 S. PATTERSON ; SPRINGFIELD, MO 65802

Phone Number: 417.862.2674

It is proposed that the property will be put to the following use:

M-MERCANTILE USE - SALE OF AUTO PARTS (RETAIL)

It is proposed that the following building(s) will be constructed (note gross sq. ft of each):

7,453 SQ. FT. (M.U. (BLOCK) BUILDING WITH

ARCHITECTURAL DETAIL AND FEATURES.

  
Signature of Applicant

Phone Number: 417.877.1385

  
Signature of Owner

Phone Number: 417-862-3333

Level of review required (Circle one):                      Full    Limited    Administrative

A. Action Taken by the Planning Commission:

1. Date application: \_\_\_\_/\_\_\_\_/\_\_\_\_
2. Date of Public Hearing: \_\_\_\_/\_\_\_\_/\_\_\_\_
3. Findings of Planning Commission:

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4. Recommendation:

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B. Action Taken by the City Council:

1. Date of Public Hearing: \_\_\_\_/\_\_\_\_/\_\_\_\_
2. Findings of the City Council:

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3. Action of the City Council:

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By: \_\_\_\_\_  
City Clerk

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

**CITY OF SWARTZ CREEK**

Receipt: 154541

04/02/14

8083 CIVIC DR  
SWARTZ CREEK, MI 48473

Cashier: SARvoy  
Received Of: Buddy Webb & Company Inc

810-635-4464

3057 East Cairo  
Springfield MO 65802

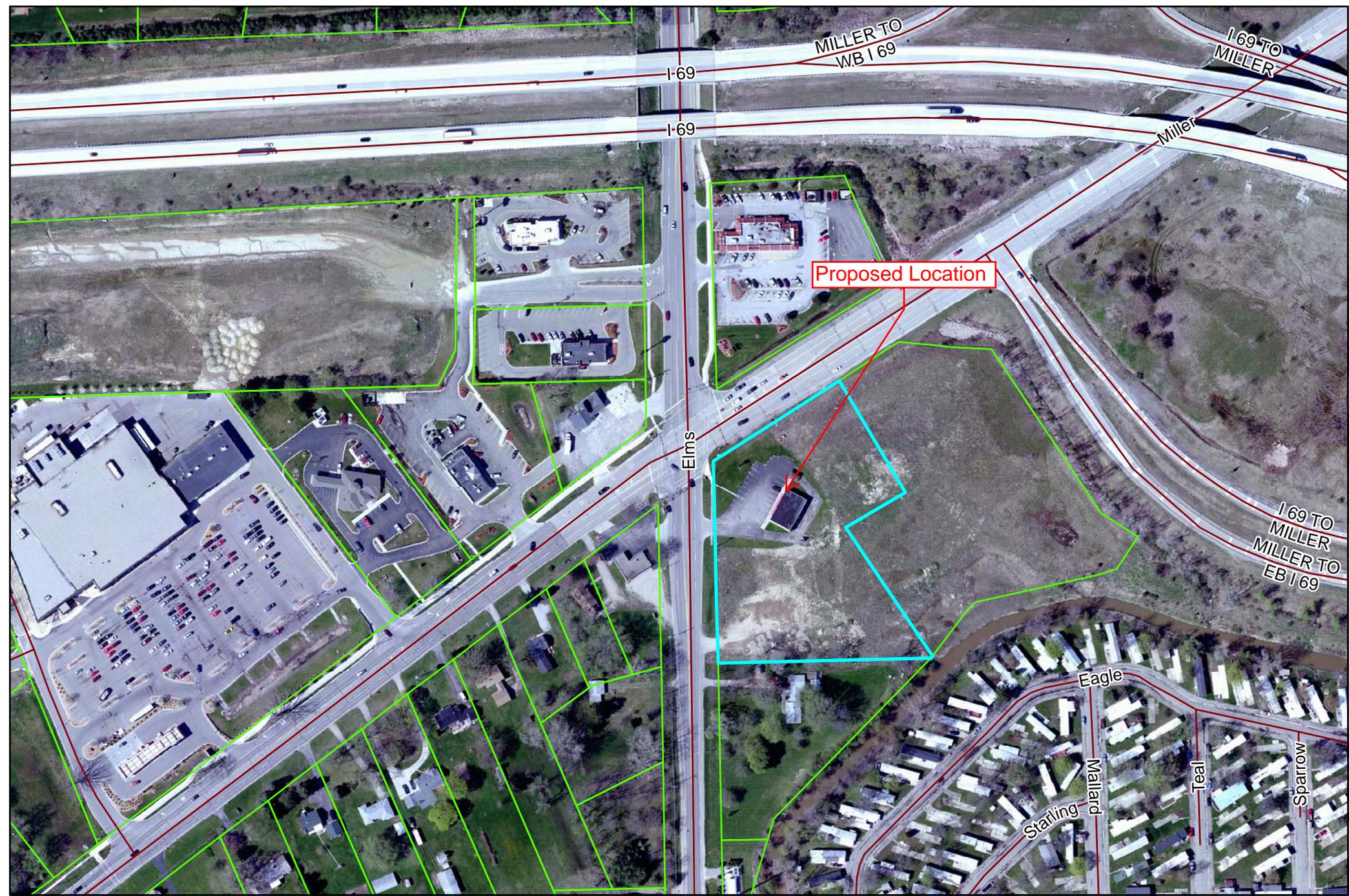
Site Plan Review43

The sum of: 550.00

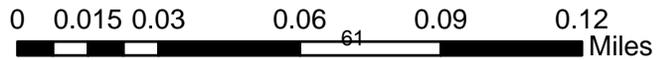
OTHPM 550.00

Total 550.00

TENDERED: Check 16452 550.00



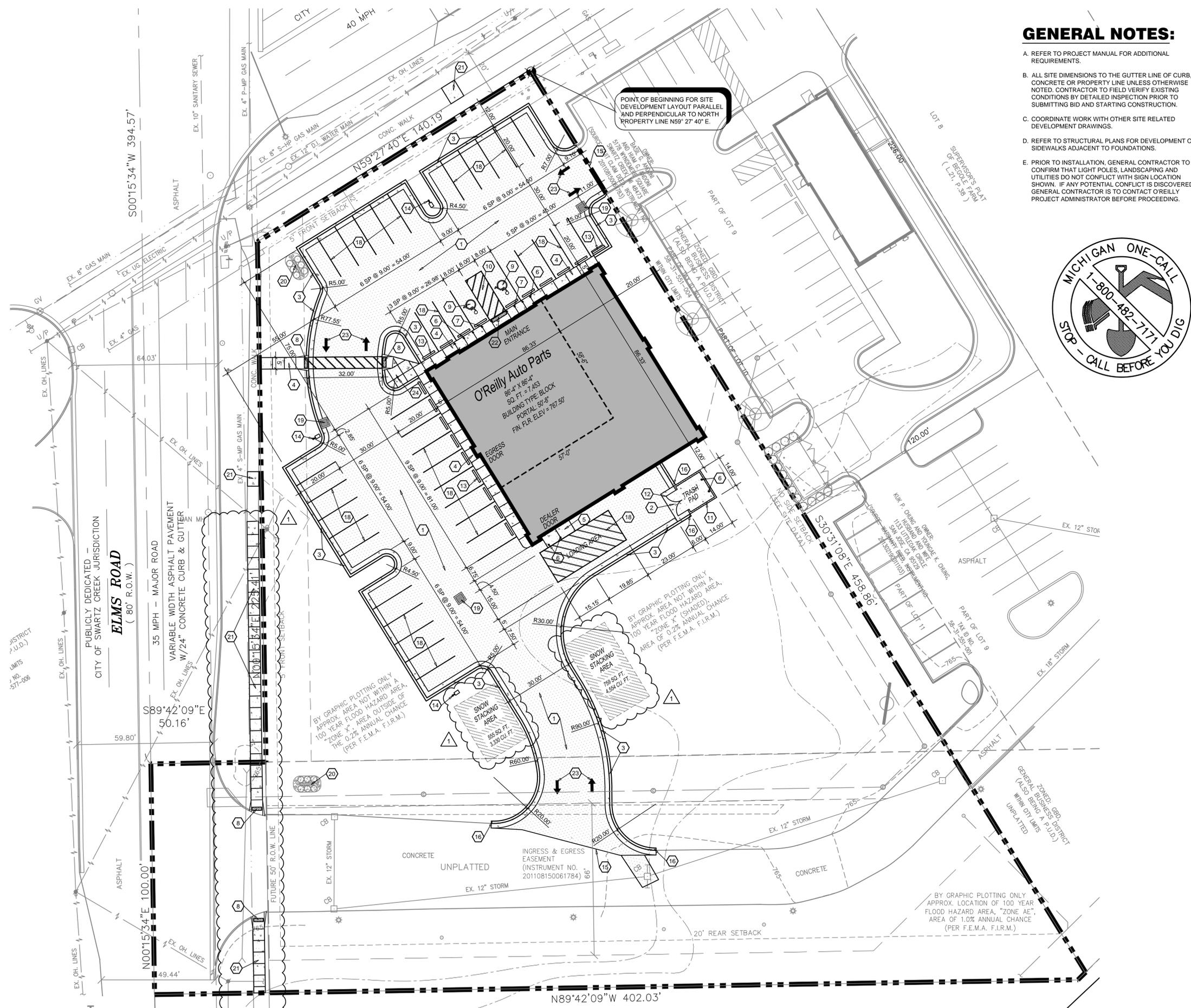
City of Swartz Creek  
O'Reilly's Auto Parts



May 12, 2014







**GENERAL NOTES:**

- A. REFER TO PROJECT MANUAL FOR ADDITIONAL REQUIREMENTS.
- B. ALL SITE DIMENSIONS TO THE GUTTER LINE OF CURB, CONCRETE OR PROPERTY LINE UNLESS OTHERWISE NOTED. CONTRACTOR TO FIELD VERIFY EXISTING CONDITIONS BY DETAILED INSPECTION PRIOR TO SUBMITTING BID AND STARTING CONSTRUCTION.
- C. COORDINATE WORK WITH OTHER SITE RELATED DEVELOPMENT DRAWINGS.
- D. REFER TO STRUCTURAL PLANS FOR DEVELOPMENT OF SIDEWALKS ADJACENT TO FOUNDATIONS.
- E. PRIOR TO INSTALLATION, GENERAL CONTRACTOR TO CONFIRM THAT LIGHT POLES, LANDSCAPING AND UTILITIES DO NOT CONFLICT WITH SIGN LOCATION SHOWN. IF ANY POTENTIAL CONFLICT IS DISCOVERED, GENERAL CONTRACTOR IS TO CONTACT O'REILLY PROJECT ADMINISTRATOR BEFORE PROCEEDING.

**KEY NOTES:**

- 1 CONCRETE PAVING: REFER TO DETAIL 1/C3.
- ALTERNATE #1: ASPHALT PAVING REFER TO DETAIL 2/C3. REFER TO PROJECT MANUAL.
- 2 CONCRETE PAVING: REFER TO DETAIL 1/C3.
- 3 CONCRETE CURB: REFER TO DETAIL 3/C3.
- 4 CONCRETE SIDEWALK: REFER TO DETAIL 4/C3.
- 5 CONCRETE DOOR LANDING: REFER TO DETAIL 4/C3 AND STRUCTURAL DETAILS. RAMP PAVING AS INDICATED. LANDING CAN BE POURED MONOLITHIC IF CONCRETE PAVING IS USED.
- 6 STEEL BOLLARD: REFER TO DETAIL 6/C3. PROVIDE (2) AT TRASH PAD AND OVERHEAD DOOR, PROVIDE (9) AT SIDEWALK. REFER TO STRUCTURAL PLAN FOR LOCATION.
- 7 HANDICAP PARKING SIGN: REFER TO DETAIL 7/C3.
- 8 CONCRETE HANDICAP RAMP: REFER TO DETAIL 9/C3.
- 9 HANDICAP PARKING SYMBOL: REFER TO DETAIL 5/C3.
- 10 HANDICAP ACCESS UNLOADING ZONE: SLOPE 2% MAX. EACH WAY (ADA COMPLIANT) AND STRIPE AS SHOWN.
- 11 SCREEN FENCE: REFER TO DETAIL 12/C3.
- 12 SCREEN FENCE GATES: REFER TO DETAIL 11/C3.
- 13 CONCRETE BUMPER BLOCK: 8" W x 5" H x 6'-0" LONG CONCRETE. ANCHOR TO PAVING WITH (2) 1"-6" LONG #4 REBAR.
- 14 PARKING LOT LIGHTING: REFER TO SITE UTILITIES PLAN FOR LOCATION AND TYPE.
- 15 LIMITS OF NEW PAVING: MATCH EXISTING ELEVATIONS. PROVIDE EXPANSION JOINT WITH FILLER SEALANT.
- 16 ROLL DOWN CURB: TERMINATE AND ROLL DOWN NEW CURB WHERE INDICATED. ROLL DOWN AT 1:2.
- 17 (NOT USED)
- 18 STRIPING: PROVIDE 4" WIDE PARKING LOT STRIPING AS SHOWN. USE HIGHWAY MARKING PAINT - YELLOW (2 COATS)
- 19 CONCRETE STORM WATER CONTROL SYSTEM: REFER TO SHEET C1.
- 20 EXISTING MONUMENT SIGN LOCATION: REFER TO SITE UTILITIES PLAN FOR DETAILS.
- 21 CONCRETE SIDEWALK: PER CITY/STATE DESIGN STANDARDS. IF NO STANDARDS, PROVIDE CONSTRUCTION PER DETAIL 4/C3.
- 22 TACTILE WARNING SURFACE: REFER TO DETAIL 8/C3.
- 23 DIRECTIONAL ARROWS: PROVIDE PAINTED DIRECTIONAL ARROWS AS SHOWN USE HIGHWAY MARKING PAINT - YELLOW (2 COATS)
- 24 BICYCLE RACK: OWNER FURNISHED, CONTRACTOR INSTALLED. REFER TO DETAIL 13/C3.



**SYMBOLS LEGEND**

REFER TO SURVEY FOR EXISTING CONDITION SYMBOLS LEGEND	
	NEW BUILDING CONSTRUCTION
	AREA OF CONCRETE
	AREA OF PAVING
	NEW POLE SIGN LOCATION
	NEW CONCRETE PAVING BLOCK
	NEW LIGHT POLE LOCATION
	NEW FENCE CONSTRUCTION

**1 SITE DEVELOPMENT PLAN**  
**C2** SCALE: 1" = 20'



**REVISIONS:**

ADDENDUM #1 (04/03/14)

SHEETS BEARING THIS SEAL ARE AUTHENTICATED RESPONSIBLY FOR ALL OTHER PLANS. SPECIFICATIONS OR INSTRUMENTS ARE DISCLAIMED.

**Buddy D. Webb**  
**Architect - Consultant**  
 3057 East Cairo  
 Springfield, Missouri 65802  
 (417) 877-1385  
 (417) 877-9736 (FAX)

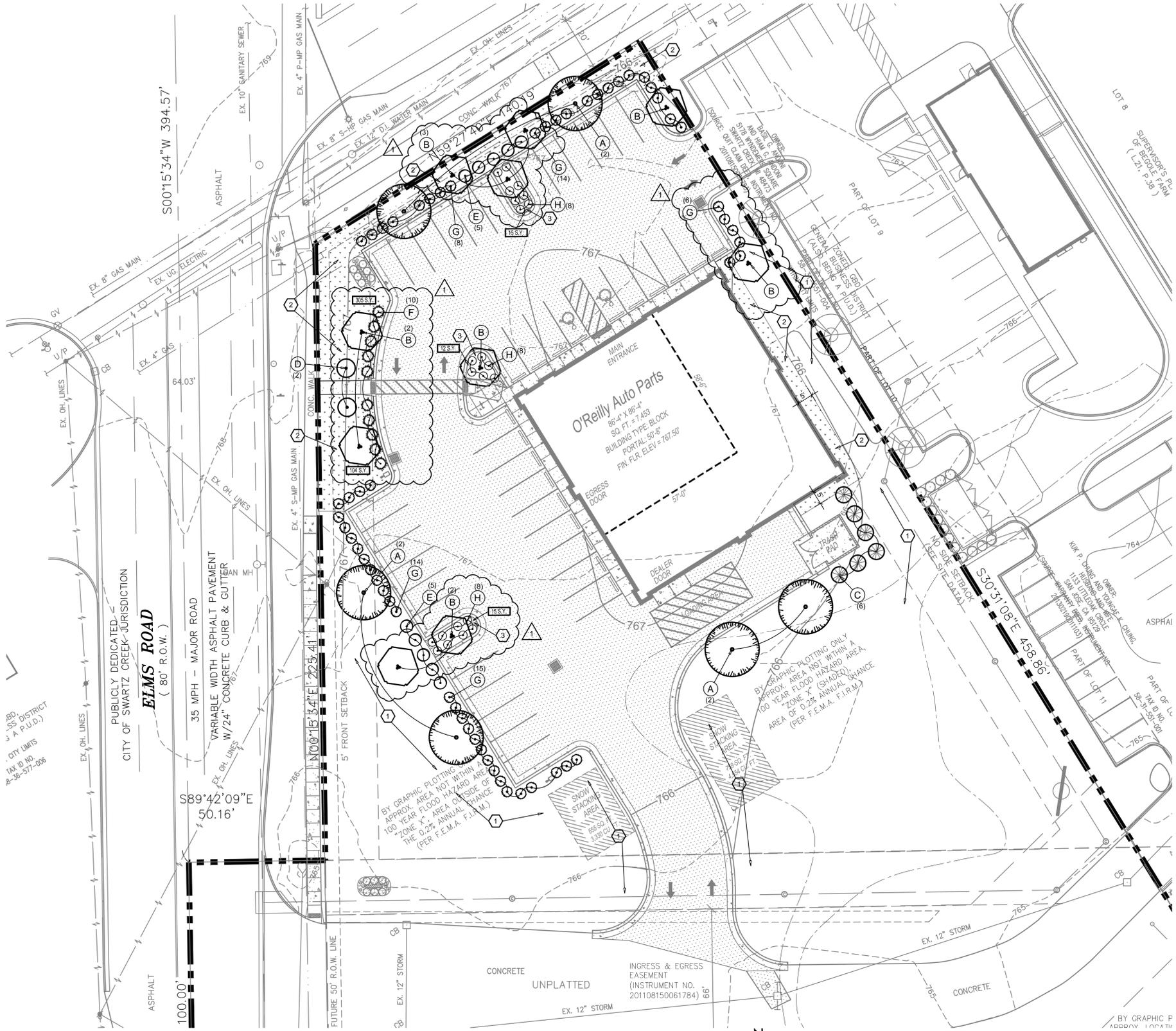
**O'Reilly AUTO PARTS**  
 PROJECT:  
**NEW O'REILLY AUTO PARTS STORE**  
**4301 ELMs ROAD**  
**SWARTZ CREEK, MICHIGAN**

233 South Patterson  
 Springfield, MO 65802  
 Phone: (417) 862-2674

DRAWN: SB  
 CHECKED: BDW  
 DATE: 03/26/14  
 JOB NO.: SWC  
 SHEET:

**C2**  
 SHEET 2 OF 3

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**1 LANDSCAPE PLAN**  
 L1 SCALE: 1" = 20'

PLANTING SCHEDULE						
REFER TO PROJECT MANUAL FOR ADDITIONAL REQUIREMENTS						
ALL PLANTINGS MAY BE SUBSTITUTED DUE TO REGION OR LOCAL REQUIREMENTS IF NECESSARY						
MARK	COMMON NAME	BOTANICAL NAME	QUANTITY	SIZE	DETAIL	NOTES
(A)	OCTOBER GLORY RED MAPLE	ACER RUBRUM 'OCTOBER GLORY'	6	2 1/2" CALIPER MIN.	3/L2	WELL BRANCHED, FULL HEAD, 10' HEIGHT MIN., B & B
(B)	AMERICAN HOPHORNBEAM	Ostrya virginiana	10	1 1/2" CALIPER MIN.	3/L2	WELL BRANCHED, FULL HEAD, 8' HEIGHT MIN., B & B
(C)	DWARF ALBERTA SPRUCE	PICEA GLAUCA 'CONICA'	6	5 GALLON MIX	4/L2	FULL PLANT
(D)	RED CHOKEBERRY	ARONIA ARBUTIFOLIA 'ERECTA'	2	5 GALLON MIX	4/L2	FULL PLANT
(E)	PURPLE LEAF SAND CHERRY	PRUNUS X CISTENA	10	5 GALLON MIX	4/L2	FULL PLANT
(F)	DWARF BUSH HONEYSUCKLE	DIERVILLA LONICERA	10	3 GALLON MIX	4/L2	FULL PLANT
(G)	GREEN VELVET BOXWOOD	BUXUS 'GREEN VELVET'	57	3 GALLON MIX	4/L2	FULL PLANT
(H)	NEW JERSEY TEA	CEANOTHUS AMERICANUS	22	3 GALLON MIX	4/L2	FULL PLANT

**GENERAL NOTES:**

- A. REFER TO PROJECT MANUAL FOR ADDITIONAL REQUIREMENTS.
- B. SITE CONDITIONS BASED UPON SURVEY PROVIDED BY OWNER. CONTRACTOR TO FIELD VERIFY EXISTING CONDITIONS BY DETAILED INSPECTION PRIOR TO SUBMITTING BID AND BEGINNING CONSTRUCTION.
- C. REFER TO CIVIL DRAWINGS FOR ADDITIONAL REQUIREMENTS.
- D. ALL PLANTING TYPES SHALL COMPLY WITH LOCAL GOVERNING CODES AND REGULATIONS. CONFORM TO REQUIREMENTS OF PLANT LIST AND TO THE AMERICAN ASSOCIATION OF NURSERYMEN 'AMERICAN STANDARD OF NURSERY STOCK' AND 'HORTICULTURAL STANDARDS' AS TO SPECIES, AGE, SIZE, AND PLANTING RECOMMENDATIONS.
- E. NO MATERIAL SUBSTITUTIONS SHALL BE MADE WITHOUT THE ARCHITECT'S PRIOR WRITTEN APPROVAL. ALTERNATE MATERIALS OF SIMILAR SIZE AND CHARACTER MAY BE CONSIDERED IF SPECIFIED PLANT MATERIALS CANNOT BE OBTAINED.
- F. PLANT LOCATIONS ARE APPROXIMATE. ADJUST AS NECESSARY TO AVOID CONFLICTS.
- G. QUANTITIES OF MATERIALS SHOWN ON LANDSCAPING PLAN TAKE PRECEDENCE OVER QUANTITIES SHOWN ON PLANTING SCHEDULE. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL QUANTITIES ON LANDSCAPING PLAN.
- H. PROVIDE 4" TOPSOIL AT ALL SOD, SEED AND PLANTING AREAS. GRADE SHALL BE ADJUSTED FOR SOD THICKNESS. REFER TO CIVIL SITE GRADING PLAN FOR SLOPE REQUIREMENTS.
- I. WHEN CLAY SOIL IS ENCOUNTERED IN THE ESTABLISHED OF THE LAWN OR THE INSTALLATION OF PLANT MATERIAL IT SHALL BE IMPROVED IN ACCORDANCE WITH STANDARD TRADE PRACTICE.
- J. RE-ESTABLISH TURF IN AREAS DISTURBED BY GRADING OR UTILITY TRENCHING IN THE RIGHT-OF-WAY.
- K. COORDINATE WORK WITH OTHER SITE RELATED DEVELOPMENT DRAWINGS.
- L. PRIOR TO INSTALLATION, GENERAL CONTRACTOR TO CONFIRM THAT LIGHT POLES, LANDSCAPING AND UTILITIES DO NOT CONFLICT WITH SIGN LOCATION SHOWN. IF ANY POTENTIAL CONFLICT IS DISCOVERED, GENERAL CONTRACTOR IS TO CONTACT O'REILLY PROJECT ADMINISTRATOR BEFORE PROCEEDING.

**KEY NOTES:**

- 1 HYDRO MULCH / SEED AND STRAW: (UNLESS NOTED OTHERWISE) ALL AREAS DISTURBED BY CONSTRUCTION ARE FIRST TO BE FINE GRADED AND THEN FOLLOWED BY HYDRO MULCH OR SEED AND STRAW OVER MIN. 4" TOPSOIL STOCKPILED FROM SITE OR HAULED IN AS REQUIRED.
- 2 AREA OF SOD: REFER TO DETAIL 1/L2.
- 3 CREEK GRAVEL: REFER TO DETAIL 2/L2.

**LANDSCAPE SYMBOLS LEGEND**

REFER TO SURVEY FOR EXISTING CONDITION SYMBOLS LEGEND	
[Solid Grey Box]	NEW BUILDING CONSTRUCTION
[Dotted Box]	AREA OF CONCRETE
[Cross-hatched Box]	AREA OF PAVING
[Stippled Box]	AREA OF GRAVEL
[Circle with Dashed Line]	NEW POLE SIGN LOCATION
[Rectangle with Dashed Line]	NEW CONCRETE PAVING BLOCK
[Circle with Arrow]	NEW LIGHT POLE LOCATION
[X-X Symbol]	NEW FENCE CONSTRUCTION
[Circle with Dotted Line]	AREA OF SOD WHICH EXCEEDS 25% SLOPE TO BE PROVIDED WITH SOD. REFER TO GRADING PLAN
[Circle with Tree Symbol]	AREA OF NEW TREE REFER TO PLANTING SCHEDULE FOR SIZE AND TYPE
[Circle with Shrub Symbol]	AREA OF NEW SHRUB REFER TO PLANTING LEGEND FOR SIZE AND TYPE
[Square with 'S.F.']	AREA OF SOD OR MULCH IN SQUARE FOOTAGE



REVISIONS:  
 ADDENDUM #1 (04/03/14)

**Buddy D. Webb**  
 Architect - Consultant  
 3057 East Cairo  
 Springfield, Missouri 65802  
 (417) 877-1385  
 (417) 877-9736 (FAX)

**O'Reilly AUTO PARTS**

PROJECT:  
 NEW O'REILLY AUTO PARTS STORE  
 4301 ELMs ROAD  
 SWARTZ CREEK, MICHIGAN

233 South Patterson  
 Springfield, MO 65802  
 Phone: (417) 862-2674

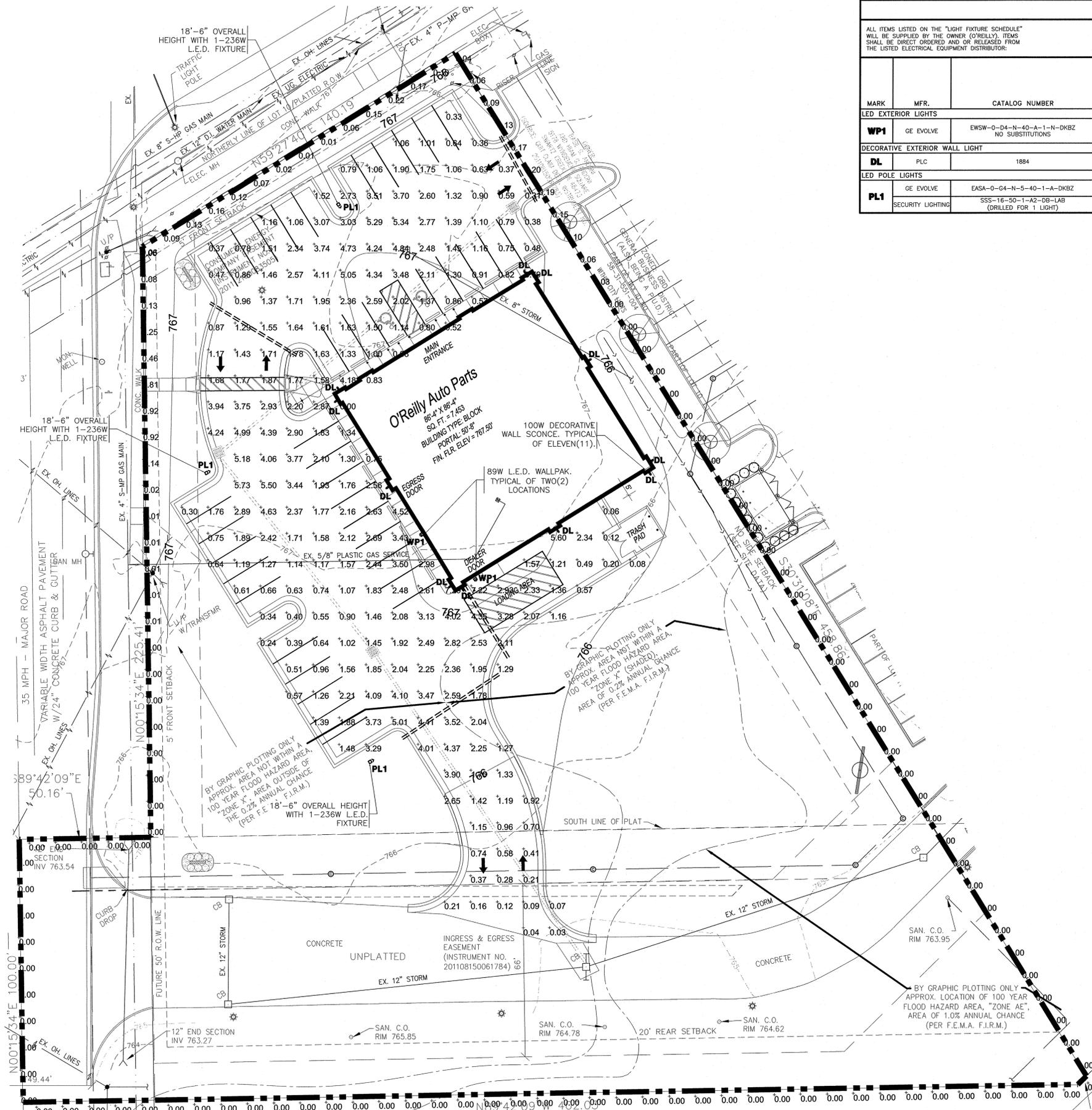
DRAWN: SB  
 CHECKED: BDW  
 DATE: 03/28/14  
 JOB NO.: SWC  
 SHEET: **L1**

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LANDSCAPE PLAN

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**SITE LIGHTING PHOTOMETRICS**  
SCALE: 1"=20'

### LIGHT FIXTURE SCHEDULE

ALL ITEMS LISTED ON THE "LIGHT FIXTURE SCHEDULE" WILL BE SUPPLIED BY THE OWNER (O'REILLY). ITEMS SHALL BE DIRECT ORDERED AND OR RELEASED FROM THE LISTED ELECTRICAL EQUIPMENT DISTRIBUTOR:

GRAYBAR ELECTRIC CO., INC.  
11805 LACKLAND ROAD  
ST. LOUIS, MO. 63146

ATTN: SANDI YOUNG - DIRECT LINE: 1 (314) 573-2082  
OR SAM CAST - DIRECT LINE: 1 (314) 573-2091  
sandy.young@graybar.com or sam.cast@graybar.com  
TOLL FREE = 1-800-289-5254  
TOLL FREE FAX = 1-888-280-0128

MARK	MFR.	CATALOG NUMBER	SUPPLY VOLTAGE	FINISH	MTG. FINISH	LAMP TYPE	QUANTITY	(General Electric) LAMP CATALOG NUMBER / TYPE	WATTAGE	DESCRIPTION OF ACCESSORIES	NOTES
<b>LED EXTERIOR LIGHTS</b>											
WP1	GE EVOLVE	EWSW-0-04-N-40-A-1-N-DKBZ	120	DARK BRONZE	X	X	1	---	89	---	MOUNT 12'-0" A.F.F. TO CENTERLINE OF FIXTURE.
<b>DECORATIVE EXTERIOR WALL LIGHT</b>											
DL	PLC	1884	120	DARK BRONZE	X	X	2	GE (FLE20H3/2/827)	100	---	MOUNT 10'-2" A.F.F. TO CENTERLINE OF FIXTURE.
<b>LED POLE LIGHTS</b>											
PL1	GE EVOLVE	EASA-0-04-N-5-40-1-A-DKBZ	120	DARK BRONZE	X	X	1	---	236	---	16' POLE LENGTH, ADVANCE BALLASTS, NO SUBSTITUTIONS
	SECURITY LIGHTING	SSS-16-50-1-A2-DB-LAB (DRILLED FOR 1 LIGHT)									ANCHOR BOLTS W/ HARDWARE & TEMPLATE

#### Ordering Number Logic

Wall Pack (EWSW)

**EWSW-0-04-N-40-A-1-N-DKBZ**

PROD. ID	VOLTAGE	OPTICAL CODE	DISTRIBUTION ORIENTATION	LED COLOR TEMP.	LENS TYPE	PE FUNCTION	HOUSING	COLOR	OPTIONS
E - Evolve	0 = 120V 1 = 208V 2 = 240V	0 = 120° 1 = 150° 2 = 200° 3 = 240°	N = Not applicable	40 = 4000K 50 = 5000K 57 = 5700K	A = Acrylic I = None	1 = None	N = Not Applicable	BLK = Black DBZ = Dark Bronze	D = Dimmable 0-10V Volt Input F = Fusing XXX = Special Options *Contact factory for availability.

**Applications**

- Wall mounted, single module site, area, and general lighting utilizing advanced LED optical system providing high uniformity, excellent vertical light distribution, reduced off-site visibility, reduced on-site glare and effective security light levels.

OPTICAL CODE	TYPE	TYPICAL INITIAL LUMENS		TYPICAL SYSTEM WATTAGE		DISTRIBUTION ORIENTATION AVAILABLE		BUS RATINGS		IES FILE NUMBER			
		4000K	5700K	4000K	5700K	0°	5°	10°	15°	4000K	5700K		
AA	Asymmetric Forward	3130	3400	50	53	N	1	2	1	1	2	454394	454395
BA	Asymmetric Forward	4050	4400	63	66	N	1	2	2	1	2	454397	454398
CA	Asymmetric Forward	4970	5400	76	80	N	1	2	2	1	2	454400	454401
DA	Asymmetric Forward	5890	6400	89	94	N	1	2	2	1	3	454403	454404
EA	Asymmetric Forward	6810	7400	101	106	N	1	3	2	2	3	454406	454407
A3	Asymmetric Wide	3130	3400	50	53	N	1	1	1	1	1	454421	454422
B3	Asymmetric Wide	4050	4400	63	66	N	1	1	1	1	1	454424	454425
C3	Asymmetric Wide	4970	5400	76	80	N	1	1	1	1	1	454427	454428
D3	Asymmetric Wide	5890	6400	89	94	N	1	1	2	1	1	454430	454431
E3	Asymmetric Wide	6810	7400	101	106	N	1	1	2	1	1	454433	454434

#### Ordering Number Logic

Evolve™ LED Scalable Area Light (EASA)

**EASA-0-04-N-5-40-1-A-DKBZ**

PROD. ID	VOLTAGE	OPTICAL CODE	DISTRIBUTION ORIENTATION	DRIVE	LED COLOR TEMP.	PE FUNCTION	HOUSING	COLOR	OPTIONS
E - Evolve	0 = 120V 1 = 208V 2 = 240V	0 = 120° 1 = 150° 2 = 200° 3 = 240°	N = Not applicable	S = S25mA	40 = 4000K 57 = 5700K	1 = None 2 = PE Rec. 3 = PE Rec. with Shorting Cap 4 = PE Rec. with Control # 7 = Dimming PE Rec. with Shorting Cap #1 9 = Dimming PE Rec. with Shorting Cap #1 (UL only)	A = 10' Arm for Square Pole B = 10' Arm for Round Pole C = 10' Arm for Round Pole with leads D = 10' Arm for Round Pole with leads	BLK = Black DBZ = Dark Bronze	D = Dimmable 0-10V Volt Input F = Fusing * = Extra Surge Protection XXX = Special Options *Contact manufacturer for option availability.

**Light system thrown in direction specified in relation to Pole and Fixture.**

OPTICAL CODE	TYPE	TYPICAL INITIAL LUMENS		TYPICAL SYSTEM WATTAGE		DISTRIBUTION ORIENTATION AVAILABLE		BUS RATINGS		IES FILE NUMBER			
		4000K	5700K	4000K	5700K	0°	5°	10°	15°	4000K	5700K		
DS	Symmetric Medium	9,400	10,200	120	120	N	3	0	2	3	0	455198	455199
ES	Symmetric Medium	12,400	13,400	162	162	N	4	0	2	4	0	455197	455198
FS	Symmetric Medium	15,300	16,500	199	199	N	4	0	2	4	0	455196	455197
GS	Symmetric Medium	18,100	19,600	236	236	N	4	0	2	4	0	455195	455196
HS	Symmetric Medium	21,800	23,600	285	285	N	5	0	3	5	0	455194	455195
NS	Symmetric Short	10,200	11,000	120	120	N	3	0	1	3	0	455211	455212
PS	Symmetric Short	13,300	14,400	162	162	N	3	0	2	3	0	455210	455211
CS	Symmetric Short	16,500	17,800	199	199	N	4	0	2	4	0	455209	455210
RS	Symmetric Short	19,500	21,100	236	236	N	4	0	2	4	0	455208	455209
SS	Symmetric Short	23,600	25,500	285	285	N	4	0	2	4	0	455207	455208
AA	Asymmetric Forward	4,800	5,200	63	67	F.L.R.	1	0	2	1	0	455206	455207
BA	Asymmetric Forward	6,300	6,800	82	82	F.L.R.	1	0	2	1	0	455205	455206
CA	Asymmetric Forward	7,800	8,400	101	101	F.L.R.	1	0	2	1	0	455204	455205
DA	Asymmetric Forward	9,300	10,000	120	120	F.L.R.	2	0	2	2	0	455203	455204
EA	Asymmetric Forward	11,200	12,100	145	145	F.L.R.	2	0	2	2	0	455202	455203
FA	Asymmetric Forward	13,300	14,400	162	162	F.L.R.	2	0	3	2	0	455201	455202
GA	Asymmetric Forward	15,300	16,500	199	199	F.L.R.	3	0	3	3	0	455200	455201
HA	Asymmetric Forward	18,100	19,600	236	236	F.L.R.	3	0	4	3	0	455199	455200
IA	Asymmetric Forward	21,800	23,600	285	285	F.L.R.	3	0	4	3	0	455198	455199

**Statistics**

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min	Avg/Max
parking lot	+	1.96 fc	7.29 fc	0.00 fc	N/A	N/A	0.3:1
propertyline	+	0.05 fc	0.92 fc	0.00 fc	N/A	N/A	0.1:1

**REVISIONS:**

**STATE OF MICHIGAN**  
NORMAN GOETH  
ENGINEER  
No. 6201055006  
Professional Seal

3855 S. JEFFERSON AVE.  
SPRINGFIELD, MO 65807  
P: 417-882-2200  
F: 417-882-1188  
WWW.PHOTOMETRICS.COM

**SGE**  
SOUTH GETH ENGINEERS, INC.

**SITE LIGHTING PHOTOMETRICS**

**O'Reilly = AUTO PARTS**

PROJECT:  
**NEW O'REILLY AUTO PARTS STORE**  
**4301 ELMS ROAD**  
**SWARTZ CREEK, MICHIGAN**

233 South Patterson  
Springfield, MO 65802  
Phone: (417) 862-2674

DRAWN: CEV  
CHECKED: NEG  
DATE: 04/02/14  
JOB NO.: SWC  
SHEET:

**SP1**  
SHEET 1 OF 1

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Date: May 1, 2014

**Attention:** Swartz Creek Planning Commission

**Subject: O'Reilly Auto Parts Site Plan**  
Property identified as part of 58-31-551-006  
See attached site plan dated 03/18/2014, amended 04/03/2014

Dear Chairman and Commissioners:

I have reviewed the above site plan review request submitted Mo Anderson Engineering, on behalf of O'Reilly Auto Parts, to develop a retail sales store on the corner of Miller and Elms Roads. The property is zoned GBD (General Business District) with a PUD overlay, which permits retail sales as of right. The plan includes a 7,453 square foot building, underground utilities, parking, landscaping, lighting, and related features.

This development is part of a larger Planned Unit Development that was conceptualized for the Family Farm and Home development, and subsequently amended during the Taco Bell development. The PUD includes a master sign plan, shared drainage, integrated internal traffic circulation plans, and related features. No PUD amendment is requested at this time.

The site plan for this project is substantially complete for review and does not require any special land uses or variances. The site plan is composed of two separate submissions. The large print editions are dated 3/18/2014. However, there are revisions dated 4/3/2014 that were submitted electronically, and these are included in your packet on 8.5x11 sheets. These pages replaced/added to sheets C1, C2, L1, & SP1 of the original submission to clarify details on sidewalks, lighting, and similar features.

**1. GBD Standards.**

**Finding: In compliance**

The use meets the intent of the master plan, PUD in effect, and GBD zoning. The proposal also appears to meet layout intent of the ordinance. No setback or other bulk, height, or density conflicts are noted.

**GBD Dimension Standards**

<b>RM-1</b>	<b>Required</b>	<b>Proposed</b>	<b>Comments</b>
<b>Minimum lot area</b>	0 ft.	90,573.65 sq. ft.	In compliance
<b>Minimum lot width</b>	0 ft.	325 ft.	In compliance
<b>Minimum front yard setback</b>	5 ft.	71 ft.	In compliance
<b>Minimum side yard setback</b>	0 ft.	87 ft.	In compliance
<b>Minimum rear yard setback</b>	20 ft.	20 ft.	In compliance
<b>Maximum lot coverage for all buildings</b>	0%	8.23%	In compliance
<b>Maximum building height</b>	2 stories; 30 ft	1 story; 20'2"	In compliance

**2. Site Plan and Structures-Generally.**

**Finding: In compliance subject to reviews by engineering, safety, and traffic consultants**

The elevations meet the ordinance design guidelines. The location of mechanical equipment (HVAC) is unknown. This should be confirmed to be screen on the roof or otherwise screened in accordance with the ordinance. A bike rack is included near the public entrances.

Drainage, underground utilities, traffic circulation, and public safety review are still pending. Approval can be made subject to approval of such features by the city's engineer.

**3. Landscaping and screening.**

**Finding: Not in compliance; recommendations**

Staff reviewed the landscape plan in accordance with the requirements in Section 28.02. Since the development is part of a PUD, additional landscaping beyond that required by the zoning ordinance is suggested where appropriate.

<b>GBD</b>	<b>Required</b>	<b>Proposed</b>	<b>Comments</b>
<b>Parking lot landscaping</b>	one (1) canopy tree for every eight (8) spaces; <b>6 trees</b>	6	In compliance
<b>Frontage Trees</b>	One (1) canopy tree per 40 ft; <b>10 trees</b>	10	In compliance
<b>Dumpster &amp; mechanical screening</b>	Per ordinance	varies	In compliance
<b>Additional shrubbery</b>	None	varies	In compliance

For the parking lot, there should be 6 trees, two of which are to be within the confines of the lot. This requirement appears to be met. Based upon linear feet of road frontage, there should be an additional 10 trees (one for every 40'). The plans show exactly that.

Additional plantings in the form of dwarf trees and shrubs are proposed. Additional conifer trees in the available open space would be welcome. Overall, there is a lot of open area and parking. Some additional tree plantings would be desirable, perhaps in lieu of some of the shrubs. The ordinance also calls for landscaping adjacent to the building, in this case that would be along the east side, which is highly visible. Additional alberta spruces would suffice.

The applicant is advised to locate the proposed canopy tree further from the dumpster, assuming overhead collection.

The dumpster is screened with split face block to match the building.

#### **4. Parking and Loading.**

**Finding: Subject to commission findings; recommended for approval**

There should be a space for every 150 sq. ft. of leasable area. With 43 spaces, this pub's leasable area at about 6,450 square feet (there is 7,453 net square feet proposed). Note that parking can reflect a lower number (which the city prefers) based

upon the demonstrated needs of the applicant. The widths are fine, however, the city's preference is to limit as much impervious surface and asphalt as possible. 24' aisles are recommended instead of 30', and shorter stalls are acceptable as well (18').

The maintenance and location of shrubs should be considered against the backdrop of our recent Michigan winters, which require the deposit of much snow. Hardy, low maintenance shrubs should be considered and spaced so as not to be compromised by snow removal. Snow stacking areas have been shown to address this problem. An additional traffic island would be welcome at the south end of the structure.

*“Parking lot deferment: Where the property owner can demonstrate or the planning commission finds that the required amount of parking is excessive, the planning commission may approve a smaller parking area, provided that the area of sufficient size to meet the parking space requirements of this article is retained as open space, and the owner agrees to construct the additional parking at the direction of the planning commission based on observed usage within six months of being informed of such request in writing by the planning commission.”*

Parking	Required	Proposed	Comments
General Retail	1 spaces per each 150 sq. ft. of gross leasable floor area <b>(50 max spaces)</b>	43	Subject to findings
Barrier-Free Spaces	-	2*	In compliance
Space Dimensions	9' x 18'	9' x 20'	In compliance
Aisle Dimensions	24'	30'	In compliance

\*Barrier-free spaces count toward the total parking lot space count.

An adequate loading and unloading area is provided.

## 5. Lighting.

### **Finding: In compliance subject to confirmation of building fixtures**

A photometric plan is included, as well as spec sheets on lighting type. Fixtures, poles, and intensity meet the ordinance. Fixtures are 100% horizontal cut-off to eliminate glare. A specification on the decorative accent lighting is not provided. Staff will affirm that these are anti-glare fixtures upon submission of a building permit.

## 6. Signs.

**Finding: No findings; subject to administrative approvals**

The site signs appear to conform to the existing signs permitted under the planned unit development plan. Building signs must conform to ordinance and can be approved any time with a sign permit. Details on area of the wall signs were not provided so I did not guess at conformity. The sign ordinance controls for area and number. Area for wall signs is 1.2 square feet for every lineal foot of frontage, up to 200 square feet. The existing pole sign for the vacant store must be removed.

**7. Vehicular and Pedestrian Circulation.**

**Finding: In compliance**

Ingress, egress, and service drive connections look adequate. The walk connecting to Elms Road and the walks along the north and west sides of the building look good and should stay. They applicant as added sidewalk construction along the entirety of the Miller and Elms Road frontages. An easement exists to ensure site connectivity to the property to the east.

**8. Natural Features**

**Finding: In compliance**

No significant natural features have been identified.

**Summary and Recommendation**

This submission objectively meets the requirements of the ordinance with only a couple exceptions. The commission is recommended to make findings to allow a reduced number of spaces based upon petitioner needs, and there is a minor need for some additional landscaping. As a planned unit development, the commission is still encouraged to scrutinize the plan to ensure it meets the intent of the master plan and zoning ordinance. Subject to that review, I recommend approval subject to compliance with the following provisions:

1. Approval of plans by the city's engineer
2. Additional plantings to screen the east elevation, including no less than six (60) alberta spruce or similar screening trees.

Please contact me directly if you have any comments or inquiries on the matter. I am happy to receive comments in person, in writing, over the phone, or via e-mail.

Sincerely,

A handwritten signature in blue ink that reads "Adam Zettel". The signature is fluid and cursive, with the first name "Adam" and the last name "Zettel" clearly distinguishable.

Adam H. Zettel, AICP  
City of Swartz Creek  
810.287.2147  
[azettel@cityofswartzcreek.org](mailto:azettel@cityofswartzcreek.org)

# APPLICATION FOR SITE PLAN REVIEW

City of Swartz Creek  
8083 Civic Drive  
Swartz Creek, MI 48473  
810-635-4464

Date: 4 / 29 / 14

File No: \_\_\_\_\_

Fee Received: \$200.00

Receipt No: 156420

## NOTICE TO APPLICANT:

Regular meetings of the Swartz Creek Planning commission are held on the first Tuesday of each month at 7:00 PM, at the City Hall, 8083 Civic Dr. Application for site plan review shall be filed at least twenty (20) days before the scheduled meeting date.

*Applicant should be familiar with all aspects of the City's Zoning Appendix A pertinent to the site plan application, including but not limited to: the appropriate level of site plan review, the site plan process, review standards, performance guarantees, use restrictions, landscaping, parking, design standards, fees, and enforcement.*

## TO THE PLANNING COMMISSION:

I, (We), the undersigned, do hereby respectfully make application and petition the Planning Commission to recommend approval of the attached site plan as hereinafter requested, and in support of this application, the following facts are shown.

*Furthermore, I (We) have attached proof of ownership, information regarding the number of peak employees anticipated to accompany the site plan uses, and the names, addresses, and telephone/fax numbers of any and all engineers, attorneys, architects, and other professionals associated with this project.*

The property is located and described, as follows:

Assessment Roll Description No. 58-\_\_\_\_-\_\_\_\_-\_\_\_\_,

Address: 6060 W. BRISTOL RD

Other description: GM CCA 1

It has a frontage of: ± 600 feet and a depth of: N/A feet. Total acreage is: N/A

PRESENT ZONING: \_\_\_\_\_

Level of review required (Circle one):

Full    Limited

Administrative

A. Action Taken by the Planning Commission:

1. Date application: \_\_\_\_/\_\_\_\_/\_\_\_\_
2. Date of Public Hearing: \_\_\_\_/\_\_\_\_/\_\_\_\_
3. Findings of Planning Commission:

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4. Recommendation:

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B. Action Taken by the City Council:

1. Date of Public Hearing: \_\_\_\_/\_\_\_\_/\_\_\_\_
2. Findings of the City Council:

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3. Action of the City Council:

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By: \_\_\_\_\_  
City Clerk

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

**CITY OF SWARTZ CREEK**

Receipt: 156420

04/29/14

8083 CIVIC DR  
SWARTZ CREEK, MI 48473

Cashier: SARvoy  
Received Of: Adamo

810-635-4464

Site Plan Review *Rev*

The sum of: 200.00

OTHPM 6060 Bristol

200.00

Total 200.00

TENDERED:

Check

68004

200.00

Signed: \_\_\_\_\_





Date: May 1, 2014

**Attention:** Swartz Creek Planning Commission

**Subject: 6060 Bristol Road Site Plan Amendment**  
Property identified as 58-32-300-007; 58-32-300-008; 58-32-400-002  
See attached site plan 11/23/2013

Dear Chairman and Commissioners:

City staff has reviewed the site plan amendment request submitted by SSOE on behalf of General Motors Corporation, to apply an alternate façade material to the south elevation. This is a change to the original submission to demolish the office structure and parking lot on the south side of the Service Parts Operations facility. The original plan included a new parking area, building residing, and landscaping. All other site elements approved in December of 2013 remain the same. The property is zoned I-2.

The review is limited exclusively to the change in the façade as proposed.

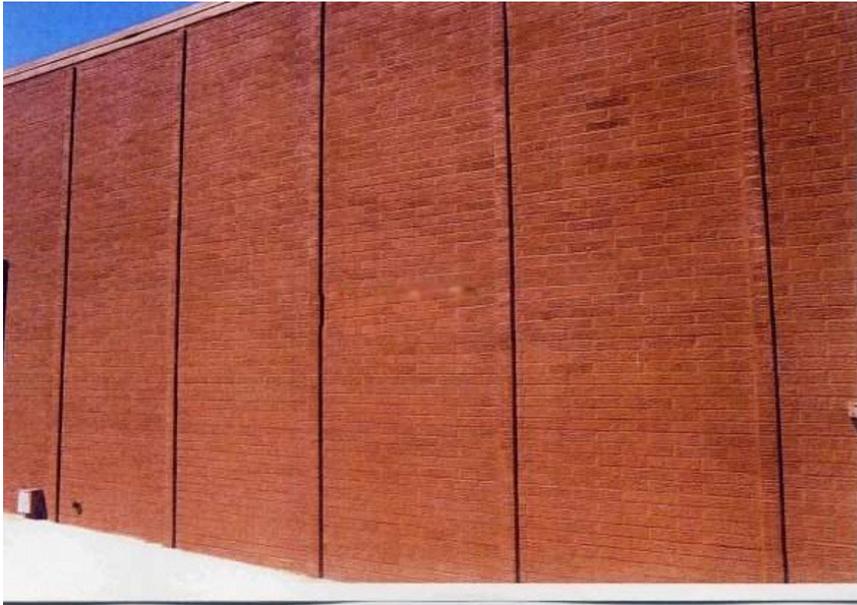
**Site Plan and Structures-Generally.**

**Finding: In compliance**

Pre-cast concrete is does not satisfy the durable material requirement of the ordinance in my opinion. However, this is not a commercial structure, nor is it in a commercial district. Lastly, the structure is existing, non-conforming and this material is superior to the existing metal panels that are used on all other elevations. As such, I believe the planning commission has the ability to use their discretion on this issue.

For industrial property, this could probably be an administrative change order. However, the scale of this building is massive, and the site is extremely visible. I want to be sure the planning commission has a say in this alteration. This finish will definitely not appear to be brick, but it is probably as close as can be expected for a warehouse. I have attached photos that best represent what I believe the finished product will look like. I think the color and texture will match what you see in the first image, and the

seams will appear as they do in the second image. I believe this will work in the I-2 district given the quality of the material that is being removed and replaced.



### Summary and Recommendation

Staff recommends approval of the site plan as proposed. Please contact me directly if you have any comments or inquiries on the matter. I am happy to receive comments in person, in writing, over the phone, or via e-mail.

Sincerely,

A handwritten signature in blue ink that reads "Adam Zettel".

Adam H. Zettel, AICP  
City of Swartz Creek  
810.287.2147  
[azettel@cityofswartzcreek.org](mailto:azettel@cityofswartzcreek.org)

# PROPOSAL FOR FURNISHING FIRE APPARATUS

March 13, 2014

Swartz Creek Area Fire Department  
8100-B Civic Drive  
Swartz Creek, Michigan 48473

The undersigned is prepared to manufacture for you, upon an order being placed by you, for final acceptance by Pierce Manufacturing, Inc., at its home office in Appleton, Wisconsin, the apparatus and equipment herein named and for the following prices:

One (1) Pierce Manufacturing PUC pumper mounted on a Pierce Mfg. Saber custom cab and chassis as stated in the enclosed proposal	\$ 508,524.00
Less group bidding discount *	(14,500.00)
Less 100% upfront prepayment discount	(18,848.00)
Less 2010 engine option **	(5,000.00)
* Note: Group discount is valid for 90 days from the time the bids are due	
** Note: 2010 engine discount is based on a award of contract by April 17, 2014	
Total	\$ 470,176.00

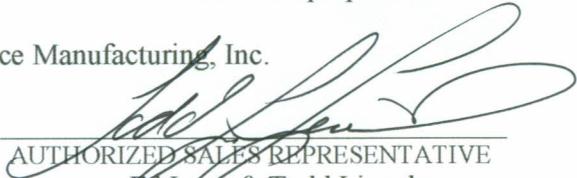
Said apparatus and equipment are to be built and shipped in accordance with the specifications hereto attached, delays due to strikes, war, or intentional conflict, failures to obtain chassis, materials, or other causes beyond our control not preventing, within about 290 working days after receipt of this order and the acceptance thereof at our office at Appleton, Wisconsin, and to be delivered to you at Swartz Creek, Michigan.

The specifications herein contained shall form a part of the final contract, and are subject to changes desired by the purchaser, provided such alterations are interlined prior to the acceptance by the company of the order to purchase, and provided such alterations do not materially affect the cost of the construction of the apparatus.

The proposal for fire apparatus conforms with all Federal Department of Transportation (DOT) rules and regulations in effect at the time of bid, and with all National Fire Protection Association (NFPA) Guidelines for Automotive Fire Apparatus as published at the time of bid, except as modified by customer specifications. Any increased costs incurred by first party because of future changes in or additions to said DOT or NFPA standards will be passed along to the customers as an addition to the price set forth above.

Unless accepted within 90 days from date, the right is reserved to withdraw this proposition.

Pierce Manufacturing, Inc.

By: 

AUTHORIZED SALES REPRESENTATIVE  
Ed Levy & Todd Lincoln



PERFORM. LIKE NO OTHER.

QSD1397

Revised: 09/28/2011

RFP Comparison Results

	Pierce	KME	E-One (1)	
Before Discounts Amount	508,524.00	549,695.00	587,832.00	492,640.00
Group Bid Discount	14,500.00	N/A	N/A	N/A
100% upfront prepaid discount	18,848.00	N/A	N/A	N/A
2010 Engine discount expires 04/17/14	5,000.00	N/A	N/A	N/A
RFP Quote	470,176.00	549,695.00	587,832.00	492,640.00

(1) on April 14, 2014, an original RFP amount was submitted followed by an updated reduced price.

## Financial Breakdown April 9, 2014

Purchase amount	470,176.00
CIFP	129,609.00
Balance	340,567.00
50/50 split	170,283.50
3 year w/o interest	56,761.17
Pierce RFP Rate	2.27%
3 yr annual payment based on no CIFP contribution	165,636.80



December 18, 2013

Tom Svrcet  
8083 CIVIC DRIVE  
SWARTZ CREEK, MI 48473-1498

Re: Communications Facility located at 4355 SOUTH ELMS ROAD, SWARTZ CREEK, MI 48473

Contract #: 68991 FA#: 10076378

City of Swartz Creek,

As you are aware, AT&T Mobility (“AT&T”) has partnered with Md7 to work with you to facilitate certain modifications to the cell site lease on your property. These modifications will allow AT&T to meet current business requirements and enhance your site’s value to the network.

**Changes in the Wireless Industry**

Recent industry developments are changing how wireless telecommunications carriers operate. In the past, carriers focused on rapidly building out their networks in order to provide the best coverage. Today, while consumers are enjoying greater services and better coverage than ever before, operating costs continue to escalate. As a result, the wireless industry is also focusing on operating networks as efficiently as possible.

**Eliminating Risk and Increasing Value**

AT&T is addressing this shift by reviewing its cell site portfolio. AT&T has partnered with Md7 to offer selected landlords like you the opportunity to minimize the business risks associated with industry uncertainties and to increase the value of your cell site lease.

**Criteria for Cellular Site Retention/Rent Guarantee Period**

AT&T is willing to offer the following option to secure a longer-term lease with you:

- **\$1,000.00** per month, commencing **March 01, 2014**
- **10 %** rent increase every 5 years, commencing **March 01, 2019**
- Extension of Lease through **February 29, 2044**

AT&T will modify its termination rights under the lease to guarantee your rental income in the amount of **\$36,000.00** for the next **36** months.

Current Amount of Guaranteed Rent (with terms of the current lease, Section):

**Or**

Md7 will provide a one-time lump sum payment of **\$128,520**. In return, you will grant a ninety-nine (99) year easement on your property and assign the lease rights and rental income under your lease with AT&T to Md7 or an affiliate of Md7. It is important for you to know that the **\$128,520** pre-payment does not change the ownership or control of the rest of your property in any manner.

In order to maintain its long-term flexibility, AT&T will also require the following lease provisions to address future technological and network changes:

- Expansion of Permitted Use

“Lessee, its personnel, invitees, contractors, agents, sublessees, or its authorized sublessees, or assigns may use the Premises, at no additional cost or expense, for the transmission and reception of any and all communications signals and to modify, supplement, replace, upgrade, expand, including but not limited to the number and type(s) of antennas, or refurbish the equipment and/or improvements thereon, or relocate the same within the Premises at any time during the term of this Lease for any reason, or in order to be in compliance with any current or future federal, state or local mandated application, including but not limited to emergency 911 communication services or for any other reason. Lessor shall reasonably cooperate in obtaining governmental and other use permits or approvals necessary or desirable for the foregoing permitted use. If Lessor does not comply with the terms of this section, in addition to any other rights it may have at law, Lessee may terminate this Lease and shall have no further liability to Lessor. If Lessor does not comply with the terms of this section, Lessee will have the right to exercise any and all rights available to it under law and equity, including the right to cure Lessor’s default and to deduct the costs of such cure from any monies due to Lessor from Lessee.”

- Expansion of the Premises

“Lessor grants, to the extent practicable and on a space available basis, at no additional cost or expense, the Lessee the right to enlarge the Premises or the Lessor shall make space available on the Property for Lessee so that Lessee or its authorized sublessees may implement any necessary modifications, supplements, replacements, refurbishments, or expansions to the Communications Facility or to any equipment related thereto, or for any other reasons, as determined by Lessee in its sole discretion.”

- 24/7 Access

“Lessor hereby grants to Lessee, its authorized sublessees, and to any public or private utility serving Lessee’s Communications Facility or related equipment, access to the Premises and to and over the Property twenty-four hours per day, seven days per week (24/7), including but not limited to, access from an accessible, open and maintained public road to the Premises, for the installation, maintenance, repair, modification, alteration, or refurbishment of the Communications Facility or any equipment related to such Communications Facility as such access is deemed necessary by Lessee, in its sole discretion, without the requirement of notice by Lessee to Lessor. In the event that any public or private utility serving Lessee’s Communications Facility is unable to use the access provided to Lessee, the Lessor hereby agrees to grant additional access to Lessee or to such public or private utility, for the benefit of Lessee, at no cost to Lessee and pursuant to the same terms and conditions as noted above. The terms and conditions regarding access in the Agreement remain in full force and effect, except as modified by this paragraph.”

■ Sale of Property

- (a) "Lessor shall not be prohibited from the selling, leasing or use of any of the Property or the Surrounding Property except as provided below.
- (b) If Lessor, at any time during the Term of this Agreement, decides to rezone or sell, subdivide or otherwise transfer all or any part of the Premises, or all or any part of the Property or Surrounding Property, to a purchaser other than Lessee, Lessor shall promptly notify Lessee in writing, and such rezoning, sale, subdivision or transfer shall be subject to this Agreement and Lessee's rights hereunder. In the event of a change in ownership, transfer or sale of the Property, within ten (10) days of such transfer, Lessor or its successor shall send the documents listed below in this subsection (b) to Lessee. Until Lessee receives all such documents, Lessee shall not be responsible for any failure to make payments under this Agreement and reserves the right to hold payments due under this Agreement.
  - i. Old deed to Property
  - ii. New deed to Property
  - iii. Copy of current Tax Bill
  - iv. New IRS Form W-9
  - v. Completed and Signed AT&T Payment Direction Form
  - vi. Full contact information for new Lessor including phone number(s)
- (c) Lessor agrees not to sell, lease or use any areas of the Property or Surrounding Property for the installation, operation or maintenance of other wireless communications facilities if such installation, operation or maintenance would interfere with Lessee's Permitted Use or communications equipment as determined by radio propagation tests performed by Lessee in its sole discretion. Lessor or Lessor's prospective purchaser shall reimburse Lessee for any costs and expenses of such testing. If the radio frequency propagation tests demonstrate levels of interference unacceptable to Lessee, Lessor shall be prohibited from selling, leasing or using any areas of the Property or the Surrounding Property for purposes of any installation, operation or maintenance of any other wireless communications facility or equipment.
- (d) The provisions of this Section shall in no way limit or impair the obligations of Lessor under this Agreement, including interference and access obligations."

■ Rental Stream Offer

"If at any time after the date of this Agreement, Lessor receives a bona fide written offer from a third party seeking an assignment or transfer of the Rent payments associated with this Agreement ("**Rental Stream Offer**"), Lessor shall immediately furnish Lessee with a copy of the Rental Stream Offer. Lessee shall have the right within ninety (90) days after it receives such copy to match the Rental Stream Offer and agree in writing to match the terms of the Rental Stream Offer. Such writing shall be in the form of a contract substantially similar to the Rental Stream Offer. If Lessee chooses not to exercise this right or fails to provide written notice to Lessor within the ninety (90) day period, Lessor may assign the right to receive Rent payments pursuant to the Rental Stream Offer, subject to the terms of this Agreement. If Lessor attempts to assign or transfer Rent payments without complying with this Section, the assignment or transfer shall be void. Lessee shall not be responsible for any failure to make payments under this Agreement and reserves the right to hold payments due under this Agreement until Lessor complies with this Section."

- Taxes

“Lessor shall be responsible for the payment of all real property taxes and assessments levied against the Premises and for any increases in such taxes and assessments that may be due to Lessee’s Communication Facility or to Lessee’s use of the Premises and shall not seek reimbursement from Lessee for any or any portion of such taxes or assessments.”

- Sublease Rights

"Lessee may sublease all or any portion of the Premises to any person or entity licensed by the FCC to operate wireless communications services (hereinafter, a “Sublessee”) upon such terms and conditions as Lessee and Sublessee shall agree (each such agreement a “Sublease”), upon notice to Lessor. From and after the Effective Date hereof, provided a Sublease is subject to the terms and conditions of the Agreement as amended hereby and in consideration of the amended terms herein, Lessor’s consent to a Sublessee or Sublease will not be required. Notwithstanding any terms in the Agreement to the contrary, no revenue sharing from sublessees shall be due to Lessor nor shall Lessor be responsible to review plans from Lessee or its sublessees."

- Removal/Restoration

“In addition to the terms set forth in the Lease, Lessor agrees that the Communications Facility and any related equipment brought to the Premises by Lessee, its agents, contractors, predecessors-in-interest or sublessees, shall be and remain Lessee’s personal property or the personal property of its sublessee(s), as the case may be. Lessor waives any and all rights it may have, including any rights it may have in its capacity as Lessor under the Lease to assert any liens, encumbrances or adverse claims, statutory or otherwise, related to or in connection with the Communications Facility or any portion thereof. Lessee, in its sole discretion, may remove the Communications Facility or any portion of the Communications Facility at any time during the Term of the Lease, without notice to Lessor and without Lessor’s consent. Notwithstanding any terms to contrary, Lessee will not be responsible for the replacement of any trees, shrubs or other vegetation, nor will Lessee be required to remove from the Premises or the Property any foundations or underground utilities. Lessee, may, in its sole discretion, transfer any improvements or alterations to the Premises to Lessor at any time during the Term of the Agreement without notice to the Lessor and without the Lessor’s consent.”

This letter of understanding is subject in all respects to the preparation, execution and delivery of a definitive amendment in form and substance mutually agreeable to each of us. This letter will not be legally binding between us with respect to the proposed business relationship, but instead serves as a statement of our mutual intent to work toward entering into such an amendment.

AT&T values its affiliation with you and hopes to continue a long and mutually profitable relationship in the years to come. After having reviewed these options, please contact me prior to **January 3, 2013**. Thank you for your consideration.

Sincerely,

**Maurice Samuels**

**Md7** | Lease Consultant  
10590 West Ocean Air Dr.  
San Diego, CA 92130  
o (858) 964-0289  
f (858) 724-1476  
msamuels@md7.com

**Authorized Agent for AT&T Mobility**

cc: Gregory D. Ohmer  
*Area Manager Real Estate Transaction, AT&T Mobility*





**RECEIVED**  
 APR 28 2014  
 BY: \_\_\_\_\_

# INVOICE

Invoice Number: 096320  
 Invoice Date: May 1, 2014  
 Page: 1

14965 Abbey Lane  
 Bath, MI 48808  
 Voice: 517-641-8900  
 Fax: 517-641-8960

**Bill To:**  
 CITY OF SWARTZ CREEK  
 8083 CIVIC DRIVE  
 SWARTS CREEK, MI 48473  
 GENESEE

Customer ID	Customer PO	Payment Terms	
SWARCTYGENE	2		
Sales Rep ID	Shipping Method	Ship Date	Due Date
			5/31/14

Quantity	Description	Unit Price	Amount
1.00	Delinquent Personal Property System - annual service/support fee per contract for the coverage dates of May 1st, 2014-May 1st, 2015	224.00	✓ 224.00
1.00	Complaint Tracking System - annual service/support fee per contract for the coverage dates of May 1st, 2014-May 1st, 2015	610.00	✓ 610.00
1.00	General Ledger/Budgeting System - annual service/support fee per contract for the coverage dates of May 1st, 2014-May 1st, 2015	691.00	✓ 691.00
1.00	Accounts Payable System - annual service/support fee per contract for the coverage dates of May 1st, 2014-May 1st, 2015	589.00	✓ 589.00
1.00	Purchase Order System- annual service/support fee per contract for the coverage dates of May 1st, 2014-May 1st, 2015	589.00	✓ 589.00
1.00	Cash Receipting System - annual service/support fee per contract for the coverage dates of May 1st, 2014-May 1st, 2015	589.00	✓ 589.00
1.00	Payroll System - annual service/support fee per contract for the coverage dates of May 1st, 2014-May 1st, 2015	798.00	✓ 798.00
1.00	Utility Billing System - annual service/support fee per contract	945.00	✓ 945.00

Subtotal	Continued
Sales Tax	Continued
Total Invoice Amount	Continued
Payment/Credit Applied	
<b>TOTAL</b>	<b>Continued</b>

Check/Credit Memo No:

# INVOICE

Invoice Number: 096320  
 Invoice Date: May 1, 2014  
 Page: 2

14965 Abbey Lane  
 Bath, MI 48808

Voice: 517-641-8900

Fax: 517-641-8960

**RECEIVED**  
 APR 28 2014  
 BY: \_\_\_\_\_

**Bill To:**  
 CITY OF SWARTZ CREEK  
 8083 CIVIC DRIVE  
 SWARTS CREEK, MI 48473  
 GENESEE

Customer ID	Customer PO	Payment Terms	
SWARCTYGENE	2		
Sales Rep ID	Shipping Method	Ship Date	Due Date
			5/31/14

Quantity	Description	Unit Price	Amount
	for the coverage dates of May 1st, 2014-May 1st, 2015		

Subtotal	5,035.00
Sales Tax	
Total Invoice Amount	5,035.00
Payment/Credit Applied	
<b>TOTAL</b>	<b>5,035.00</b>

Check/Credit Memo No:

## DPS ACTIVITY APRIL 2014

	REGULAR	HOLIDAY	VACATION	ABSENT	OT	DT
<b>101 GENERAL FUND</b>						
262.0 ELECTIONS						
781.0 AMPHI-PARK						
782.0 WINSHALL PARK	15.00	1.78	1.11	0.05		
783.0 ELMS PARK	1.00	0.11				
784.0 BICENT. PARK						
790.0 SENIOR CENTER/LIBRARY	20.50	1.90	1.17	0.06		
792.0 P S BLDG	11.00	0.77	0.65	0.02		
793.0 CITY HALL	2.12	0.07	0.11			
794.0 COMM PROMO						
796.0 CEMETERY						
<b>202 MAJOR STREET FUND</b>						
429.0 SAFETY						
441.0 PARK & RIDE	4.00	0.47	0.25	0.02		
463.0 STREET MAIN	43.00	2.61	1.80	0.03		
474.0 TRAFFIC	2.00	0.24	0.24			
478.0 SNOW & ICE	4.00					
482.0 ADMIN	3.96	0.22		0.22		
<b>203 LOCAL STREET FUND</b>						
429.0 SAFETY						
463.0 STREET MAIN	69.00	4.81	3.31	0.07		
474.0 TRAFFIC					2.00	
478.0 SNOW & ICE	1.00					
482.0 ADMIN	3.96	0.22		0.22		
<b>226 GARBAGE FUND</b>						
528.0 COLLECT	2.00					
530.0 WOODCHIPPING	73.20	8.22	5.25	0.60		
782.0 WINSHALL PARK GARBAGE	2.00	0.24	0.24			
783.0 ELMS PARK GARBAGE	3.00	0.37	0.37	0.01		
793.0 CITY HALL	2.12	0.07	0.11			
<b>590 WATER</b>						
540.0 WATER SYSTEM	146.94	9.20	4.01	3.60	4.00	4.00
540.0 WATER-ON CALL	3.00	0.24	0.35			
542.0 READ & BILL	24.00	1.33	1.16			
793.0 CITY HALL	2.13	0.07	0.11			
<b>591 SEWER</b>						
536.0 SEWER SYSTEM	78.44	4.40	0.70	3.60	5.50	
536.0 SEWER-ON CALL	3.00	0.24	0.35			
537.0 LIFT STATION	8.00	0.56	0.34			
542.0 READ & BILL	24.00	1.33	1.16			
793.0 CITY HALL	2.13	0.07	0.11			
<b>661 MOTOR POOL FUND</b>						
795.0 CITY GARAGE	19.00	0.46	1.10			
<b>DAILY HOURS TOTAL</b>	<b>573.50</b>	<b>40.00</b>	<b>24.00</b>	<b>8.50</b>	<b>11.50</b>	<b>4.00</b>

**Public Works  
Monthly Work Orders**

05/01/14

Work Order # Work Order Status	Location ID	Customer Name Service Address	Date Recd Date Comp	Type
13-000009	CI10-008083-0000-01	CITY OF SWARTZ CREEK 8083 CIVIC DR	04/30/14	JET SEWER
14-000010 COMPLETED	OA10-005165-0000-01	STORMS, JEFF 5165 OAKVIEW DR	04/17/14 04/17/14	JET SEWER
14-000011 COMPLETED	OA10-005315-0000-02	KEELER, JENNIFER 5315 OAKVIEW DR	04/17/14 04/17/14	JET SEWER
BXRP14-0084 COMPLETED	CC10-005927-0000-02	JACOBY, DANIEL F. 5927 CROSSCREEK DR	04/15/14 04/15/14	CURB BOX REPAIR
BXRP14-0085	LU10-009042-0000-03	JURD, DOROTHY & JAMES 9042 LUEA LN	04/22/14	CURB BOX REPAIR
BXRP14-0086	SC20-005021-0000-07	HALL, AMANDA 5021 SCHOOL ST	04/30/14	CURB BOX REPAIR
CKME14-0231 COMPLETED	LU10-009052-0000-07	HATFIELD, TRACIE 9052 LUEA LN	04/04/14 04/04/14	CHECK METER
CKME14-0232 COMPLETED	DU10-005326-0000-01	WYATT, DONALD 5326 DURWOOD DR	04/04/14 04/04/14	CHECK METER
CKME14-0233 COMPLETED	DU10-005289-0000-01	SMITH, JIMMIE 5289 DURWOOD DR	04/08/14 04/08/14	CHECK METER
CKME14-0234 COMPLETED	DU10-005248-0000-01	PETERSON, WILLIAM J 5248 DURWOOD DR	04/21/14 04/21/14	CHECK METER
CKME14-0235 COMPLETED	HE10-005176-0000-02	STEWART, ESTHER 5176 HELMSLEY DR	04/11/14 04/09/14	CHECK METER
CKME14-0236 COMPLETED	DU10-005377-0000-02	REBEAUD, SASHAR 5377 DURWOOD DR	04/17/14 04/17/14	CHECK METER
DRAN14-0024 COMPLETED	BR20-007197-0000-01	BLEVINS, TODD 7197 BRISTOL RD	04/04/14 04/04/14	STORM DRAINS
DRAN14-0025 COMPLETED	HE10-005142-0000-01	FERGUSON, KIM 5142 HELMSLEY DR	04/24/14 04/24/14	STORM DRAINS
ELEC14-0038 COMPLETED	CI10-008083-0000-01	CITY OF SWARTZ CREEK 8083 CIVIC DR	04/10/14 04/10/14	ELEC SETUP/TAKEDO
FNRD14-0660 COMPLETED	JE10-004057-0000-03	TRIPLE R INVESTMENTS, LLC 4057 JENNIE LN	04/01/14 04/02/14	FINAL READ
FNRD14-0661 COMPLETED	CE10-009287-0000-03	MORISSETTE, KELLY 9287 CEDAR CREEK CT	04/10/14 04/14/14	FINAL READ
FNRD14-0662 COMPLETED	VI10-004480-0000-01	PRAY, STEPHANIE 4480 VIRGINIA CT	04/09/14 04/09/14	FINAL READ
FNRD14-0663	SE20-005276-0000-01	COCHRAN, C D 5276 SEYMOUR RD	04/09/14	FINAL READ
FNRD14-0664 COMPLETED City Council Packet	CC10-007408-0000-01	SIMMS, RUSSELL 7408 CROSSCREEK DR	04/21/14 04/22/14	FINAL READ May 12, 2014

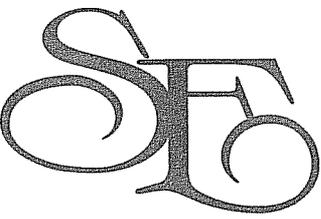
Work Order # Work Order Status	Location ID	Customer Name Service Address	Date Recd Date Comp	Type
FNRD14-0665 CANCELLED	ST10-006287-0000-00	SKINNER, JAMES A 6287 ST CHARLES PASS	04/22/14	FINAL READ
FNRD14-0666 COMPLETED	VI10-004480-0000-02	ERB, JOANNE 4480 VIRGINIA CT	04/25/14 04/28/14	FINAL READ
FNRD14-0667 COMPLETED	LU10-009160-0000-02	LOUGHEED, KELLIE 9160 LUEA LN	04/25/14 04/25/14	FINAL READ
FNRD14-0668 COMPLETED	CH30-007550-0000-08	ASSENMACHER, MATT 7550 CHURCH ST	04/25/14 04/25/14	FINAL READ
FNRD14-0669 COMPLETED	AS10-000114-0000-02	AURINO-COPE, ANDREA 114 ASHLEY CIR	04/28/14 04/28/14	FINAL READ
FNRD14-0672	MI10-005428-0000-04	IVEY, JIM 5428 MILLER RD	04/30/14	FINAL READ
FNRD14-0673	MC10-005122-0000-02	TUCKER, BILLY D 5122 MC LAIN ST	04/30/14	FINAL READ
FNRD14-0674	SP10-004298-0000-02	FLORENCE, ELMA JEAN 4298 SPRINGBROOK DR	04/30/14	FINAL READ
GWO14-0296 COMPLETED	WI10-005429-0000-01	CRIST, LINDA 5429 WINSHALL DR	04/02/14 04/04/14	GENERIC WORK ORDE
GWO14-0297 COMPLETED	MI10-008006-0000-01	HANK & DON'S TAVERN 8006 MILLER RD	04/02/14 04/02/14	GENERIC WORK ORDE
GWO14-0298	TH10-005017-0000-03	GENESEE COUNTY TREASURER 5017 THIRD ST	04/17/14	GENERIC WORK ORDE
LNDS14-0087	CH40-004284-0000-01	BOYER, WARD 4284 CHAPEL LN	04/21/14	LANDSCAPING
MNT14-0169	EL10-004125-0000-01	ELMS PARK 4125 ELMS RD	04/21/14	BUILDING MAINTENA
MTRP14-0418 COMPLETED	OA10-005131-0000-01	LINK, ROLAND 5131 OAKVIEW DR	04/04/14 04/04/14	METER REPAIR
MTRP14-0419 COMPLETED	CH20-009064-0000-02	MOORE, ZACHARY 9064 CHESTERFIELD DR	04/07/14 04/07/14	METER REPAIR
MTRP14-0420 COMPLETED	SP10-004415-0000-02	CANNON, GERALD 4415 SPRINGBROOK DR	04/07/14 04/07/14	METER REPAIR
MTRP14-0421 COMPLETED	WI10-005185-0000-07	LEMARBE, MEGAN 5185 WINSHALL DR	04/07/14 04/07/14	METER REPAIR
MTRP14-0422 COMPLETED	CC10-005930-0000-02	MUELLER, MARYETTA W 5930 CROSSCREEK DR	04/04/14 04/04/14	METER REPAIR
MTRP14-0423 COMPLETED	SP10-004291-0000-01	SMYTH, MAXINE 4291 SPRINGBROOK DR	04/09/14 04/09/14	METER REPAIR
MTRP14-0424 COMPLETED	LU10-009052-0000-07	HATFIELD, TRACIE 9052 LUEA LN	04/08/14 04/08/14	METER REPAIR
MTRP14-0425 COMPLETED	SP10-004381-0000-02	GROSHEK, RICHARD 4381 SPRINGBROOK DR	04/15/14 04/15/14	METER REPAIR
MTRP14-0426	DO10-005373-0000-03	WILDMAN, JENNIFER	04/17/14	METER REPAIR

Work Order #	Location ID	Customer Name	Date Recd	Type
Work Order Status		Service Address	Date Comp	
COMPLETED		5373 DON SHENK DR	04/17/14	
MTRP14-0427	SP10-004397-0000-02	SPRINGER, DIANE	04/15/14	METER REPAIR
COMPLETED		4397 SPRINGBROOK DR	04/15/14	
MTRP14-0428	CO10-004464-0000-01	TANNER, ALMA	04/28/14	METER REPAIR
COMPLETED		4464 COLONY CT	04/28/14	
READ14-0362	DU10-005377-0000-02	REBEAUD, SASHAR	04/24/14	READ METER
COMPLETED		5377 DURWOOD DR	04/28/14	
RPLR14-0011	DA10-005154-0000-02	STEVENS, GINA	04/21/14	REPLACE READER
COMPLETED		5154 DAVAL DR	04/22/14	
STRT14-0052	MC10-005109-0000-02	TURBEVILLE, JUSTIN	04/09/14	STREET REPAIR
COMPLETED		5109 MC LAIN ST	04/15/14	
STRT14-0053	MO10-005151-0000-01	VOZAR, MICHAEL	04/16/14	STREET REPAIR
COMPLETED		5151 MORRISH RD	04/16/14	
STRT14-0054	CI10-008083-0000-01	CITY OF SWARTZ CREEK	04/29/14	STREET REPAIR
		8083 CIVIC DR		
SWR14-0038	OA10-005315-0000-02	KEELER, JENNIFER	04/16/14	SEWER DRAIN PROBL
COMPLETED		5315 OAKVIEW DR	04/17/14	
SWR14-0039	WO10-005348-0000-01	TURNER, JAMES	04/16/14	SEWER DRAIN PROBL
COMPLETED		5348 WORCHESTER DR	04/17/14	
WOFF14-1100	HE10-005155-0000-02	WACHOVIA BANK	04/17/14	WATER TURN OFF
COMPLETED		5155 HELMSLEY DR	04/16/14	
WOFF14-1101	IN10-008090-0000-02	BREWER, FAYE	04/16/14	WATER TURN OFF
COMPLETED		8090 INGALLS ST	04/16/14	
WOFF14-1102	HT10-003432-0000-04	BEEBE, KRISTIN	04/14/14	WATER TURN OFF
COMPLETED		3432 HERITAGE BLVD	04/14/14	
WOFF14-1103	DU10-005213-0000-06	CASSETTY, HARRY & JULIE LAGU	04/24/14	WATER TURN OFF
CANCELLED		5213 DURWOOD DR		
WOFF14-1104	JE10-004029-0000-04	MURTO, RYAN	04/24/14	WATER TURN OFF
CANCELLED		4029 JENNIE LN		
WOFF14-1105	LI10-004261-0000-08	SIMMONS, ANGELINE	04/24/14	WATER TURN OFF
COMPLETED		4261 LINDSEY DR	04/28/14	
WOFF14-1106	MI10-005482-0000-03	MOORE, TIM	04/24/14	WATER TURN OFF
CANCELLED		5482 MILLER RD		
WOFF14-1107	WI10-005212-0000-03	FORSTNER, DARLENE	04/24/14	WATER TURN OFF
COMPLETED		5212 WINSHALL DR	04/28/14	
WOFF14-1108	MO10-005116-0000-09	KRAUSE, TERA	04/25/14	WATER TURN OFF
CANCELLED		5116 MORRISH RD		
WOFF14-1109	SC20-005021-0000-07	HALL, AMANDA	04/25/14	WATER TURN OFF
		5021 SCHOOL ST		
WOFF14-1111	OA10-005154-0000-01	HATFIELD, TRACIE	04/30/14	WATER TURN OFF
		5154 OAKVIEW DR		
WPRESS14-000002	EL10-003355-0000-01	MILLER, MILES E	04/14/14	WATER PRESSURE
CANCELLED		3355 ELMS RD	04/10/14	

Work Order #	Location ID	Customer Name	Date Recd	Type
Work Order Status		Service Address	Date Comp	
WREP14-0051 COMPLETED	DA10-005178-0000-01	NORTH, KATHLEEN 5178 DAVAL DR	04/14/14 04/14/14	WATER REPAIRS
WTON14-0708 COMPLETED	HE10-005155-0000-02	WACHOVIA BANK 5155 HELMSLEY DR	04/07/14 04/07/14	WATER TURN ON
WTON14-0709 COMPLETED	CA10-008347-0000-01	ALLMAN, DOROTHY 8347 CAPPY LN	04/08/14 04/08/14	WATER TURN ON
WTON14-0710 COMPLETED	SC20-005074-0000-04	BANK OF AMERICA 5074 SCHOOL ST	04/10/14 04/10/14	WATER TURN ON
WTON14-0711 COMPLETED	WI10-005348-0000-02	VASH INVESTMENT GROUP 5348 WINSHALL DR	04/09/14 04/09/14	WATER TURN ON
WTON14-0712 COMPLETED	IN10-008090-0000-02	BREWER, FAYE 8090 INGALLS ST	04/10/14 04/10/14	WATER TURN ON
WTON14-0713 COMPLETED	MO10-004384-0000-01	POWERS, HERMAN T 4384 MORRISH RD	04/16/14 04/16/14	WATER TURN ON
WTON14-0714 COMPLETED	HT10-003432-0000-04	BEEBE, KRISTIN 3432 HERITAGE BLVD	04/14/14 04/14/14	WATER TURN ON
WTON14-0715 COMPLETED	CH40-004284-0000-01	BOYER, WARD 4284 CHAPEL LN	04/21/14 04/21/14	WATER TURN ON
WTON14-0716 COMPLETED	EL10-003441-0000-02	HUD 3441 ELMS RD	04/24/14 04/24/14	WATER TURN ON
WTON14-0717	WI10-005182-0000-01	ALEXANDER, LINDA J 5182 WINSHALL DR	04/30/14	WATER TURN ON
WTON14-0718 COMPLETED	LI10-004261-0000-08	SIMMONS, ANGELINE 4261 LINDSEY DR	04/28/14 04/28/14	WATER TURN ON
WTON14-0719 COMPLETED	SE20-005218-0000-01	WRIGGLESWORTH, PAUL 5218 SEYMOUR RD	04/30/14 04/30/14	WATER TURN ON

Total Records: 76

April 2014	<u>MILES DRIVEN</u>	<u>GALLONS GAS PURCHASED</u>	<u>GALLONS DIESEL PURCHASED</u>
<u>#1 P/U 4WD</u>			
<u>#3 P/U 4WD</u>	697	46	
<u>07-03 P/U 4WD</u>	174		24
<u>09-03 P/U 4WD</u>	379		32
<u>#2 P/U 2WD</u>	339	66	
<u>#6-00 BACKHOE</u>			25
<u>#9 DUMP</u>			
<u>#10 DUMP</u>			
<u>#11 DUMP</u>	177	51	
<u>#12-02 DUMP</u>	69		
<u>#12-04 DUMP</u>			
<u>#12-99 GENERATOR</u>			
<u>#9-02 BRUSH HOG</u>			
<u>#17 CASE BACKHOE</u>			18
<u>#19 JD TRACTOR</u>			
<u>#06-99 BUCKET TRUCK</u>			
<u>#21 WOOD CHIPPER</u>			76
<u>#807 STREET SWEEPER</u>	24		
<u>#42 ASPHALT HEATER</u>			4
<u>#37 TRAIL ARROW</u>			
<u>#10-98 3" PUMP</u>			
<u>#28A 3" PUMP</u>			
<u>3" PUMP</u>			
<u>#30 4" PUMP</u>			
<u>#31 4" PUMP</u>			
<u>#32 4" PUMP</u>			
<u>1" PUMP</u>			
<u>S-10</u>	173	13	
<b>TOTAL</b>	<b>2032</b>	<b>176</b>	<b>179</b>



Springbrook East  
Condominium Association  
P.O. Box 42  
Swartz Creek, MI 48473

April 30, 2014

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

Attn: Adam Zettel, City Manager

Dear Adam:

We discussed in our meeting on April 29, 2014, the rescinding of Resolution No. 131014 that dealt with the disposition of city owned vacant lots in Springbrook East. I am writing this letter to inform you and the city council of the wishes of the residents of Springbrook East Condominium Association. However these properties are sold we feel that the residents that were assessed to cover road building costs "be made whole".

Although we, as a group, have had our problems with Kal Nemer/Woodside Builders we can see where it may be advantageous to have Woodside build on the remaining lots to ensure architectural continuity of the development. However, we feel that there are several competent contractors in the area that would be eager to bid on a project of this scope. If an auction is held to dispose of these lots, it seems only to be good business sense to create some healthy competition and enhance the amount of the revenue received from the sale.

We also realize that the city has dollars invested in the lots that they would like to recover from the sale. It is our wish that these lots be sold at a price that (no matter the high auction bid ) covers the assessments paid by the Springbrook East residents and dollars that the city feel is needs to recover.

The average cost of a lot in Springbrook East, when purchased by a home buyer, was more that \$30,000. These lots have value. Based upon the number of inquires made to our board members and residents and, in fact to the city manager, finding interested investors should not be a problem.

The city council passed Resolution No. 131014 because they had empathy for the Springbrook East residents. We are confident that they will continue forward with the same convictions as this matter is settled.

Sincerely,



John Mullen  
President, Springbrook East Condominium Assoc

Cc: City council



6505 S. Morrish Road, Swartz Creek, Michigan 48473 Phone: (810) 919-9100 Fax: (888) 371-9068

May 5, 2014

To Whom It May Concern:

This is a Letter Of Intent to purchase the 12 available sites located in Springbrook East Condominiums, Swartz Creek, Michigan.

The purpose is to build condominiums that match the aesthetic look and feel of the existing development. The goal being to continue the current harmonious growth of the community.

With a mutually agreed upon purchase, a cash sale to take place within approximately 2 weeks of the agreement with the City Of Swartz Creek.

Sincerely,

James K. Vliet  
Broker/Builder/Owner

05/01/2014

CHECK REGISTER FOR CITY OF SWARTZ CREEK  
CHECK DATE FROM 04/01/2014 - 04/30/2014

Check Date	Check	Vendor Name	Description	Amount
Bank GEN CONSOLIDATED ACCOUNT				
04/03/2014	38889	AIS CONSTRUCTION EQUIPMENT CORP	FNR SWITCH/LABOR JCB	1,653.56
04/03/2014	38890	ARROW UNIFORM RENTAL	MATS, SUPPLIES	32.78
			UNIFORMS, MATS, SUPPLIES, ENV.	81.72
				114.50
04/03/2014	38891	C & H CONSTRUCTION CO INC	WATERMAIN REPAIR/OAKVIEW	1,320.00
04/03/2014	38892	CITY OF SWARTZ CREEK	12/20/13-3/20/14 UB 4125 ELMS	249.40
			12/20/13-3/20/14 UB 5121 MORRISH	113.73
			12/20/13-3/20/14 UB 5363 WINSHALL	256.96
			12/20/13-3/20/14 UB 8059 FORTINO	47.45
			12/20/13-1/20/14 UB 8083 CIVIC	384.48
			12/20/13-3/20/14 UB 8095 CIVIC	168.76
			12/20/13-3/20/14 UB 8100 CIVIC	522.60
				1,743.38
04/03/2014	38893	CORE TECHNOLOGY CORPORATION	TALON LIC-LEIN 3@115.00	345.00
04/03/2014	38894	FAMILY FARM AND HOME INC	HITCH	229.99
			SCREWDRIVER, PLIERS, EAR PLUGS	18.17
				248.16
04/03/2014	38895	FLINT JOURNAL	1 YR SUBSCRIPTION 4/11/14-4/9/15	168.22
04/03/2014	38896	INNOVATIVE PROP MGT	UB DEPOSIT REFUND 9214 JILL MARIE	150.00
04/03/2014	38897	JERRY'S TIRE	TIRES (2)/DISMOUNT & MOUNT	1,265.00
04/03/2014	38898	JIM TYLER	REIMB FOR MARCH INS EE PMT	14.05
			REIMB FOR APRIL INS EE PMT	14.05
				28.10
04/03/2014	38899	PLANTE & MORAN PLLC	MEETING/FINANCIAL	805.00
04/03/2014	38900	RWS OF MID MICHIGAN	FY14 GARBAGE/RECYCLING/YARD WASTE MARCH	21,148.85
04/10/2014	38901	ACE-SAGINAW PAVING COMPANY	COLD PATCH	679.65
			COLD PATCH	646.30
				1,325.95
04/10/2014	38902	ARROW UNIFORM RENTAL	UNIFORMS, MATS, SUPPLIES, ENV.	81.72
			MATS, SUPPLIES	32.78
				114.50
04/10/2014	38903	BS & A SOFTWARE	FA I TRAINING AGUILAR/KORTH	390.00
04/10/2014	38904	C & H CONSTRUCTION CO INC	WATERMAIN REPAIR OAKVIEW DR	1,638.00
04/10/2014	38905	CONSUMERS ENERGY	3/1-3/31/14 4524 MORRISH RD	43.44
04/10/2014	38906	CONSUMERS ENERGY	3/5-4/3/14 5121 MORRISH RD	931.73
04/10/2014	38907	CONSUMERS ENERGY	3/5-4/3/14 A 8083 CIVIC DR	824.40
04/10/2014	38908	CONSUMERS ENERGY	3/5-4/3/14 A 8095 CIVIC DR	987.54
04/10/2014	38909	CONSUMERS ENERGY	3/5-4/3/14 A 8100 CIVIC DR	1,570.75

04/10/2014	38910	CONSUMERS ENERGY	3/5-4/2/14 E 8301 CAPPY LN	397.87
04/10/2014	38911	CONSUMERS ENERGY	3/6-4/3/14 A 8499 MILLER RD	20.31
04/10/2014	38912	CONSUMERS ENERGY	3/6-4/2/14 A 9099 MILLER RD	62.78
04/10/2014	38913	CONSUMERS ENERGY	3/1-3/31/14 ELMS PARKING LOT	29.53
04/10/2014	38914	CONSUMERS ENERGY	3/1-3/31/14 STREET LIGHTS	10,285.45
04/10/2014	38915	CONSUMERS ENERGY	3/1-3/31/14 SIRENS	27.75
04/10/2014	38916	CONSUMERS ENERGY	3/1-3/31/14 TRAFFIC LIGHTS	417.19
04/10/2014	38917	DONALD KORTH	RESOLVE COMCAST EMAIL ISSUE/POLICE	75.00
04/10/2014	38918	FIDELITY SECURITY LIFE INSUR/EYEMED	APRIL 2014 VISION - RETIREES (5)	26.93
04/10/2014	38919	GILL ROYS HARDWARE	MAILBOX (2)	111.98
			KEY	1.79
			HUMIDIFIER TREATMENT	8.99
			BATTERIES	11.18
			SOAP/CLEANING PRODUCTS	34.88
			BIRD REPELLENT	9.99
			NUTS, BOLTS, SCREWS	8.18
			HAND SANITIZER/KITCHEN BAGS/KEY MSTR LOC	129.90
			MARCH 2014 DISCOUNT	(11.24)
			MARCH 2014 DISCOUNT	(8.16)
			MARCH 2014 DISCOUNT	(1.03)
			MARCH 2014 DISCOUNT	(1.03)
			MARCH 2014 DISCOUNT	(1.03)
			MARCH 2014 DISCOUNT	(0.60)
				293.80
04/10/2014	38920	HYDRO DESIGNS	WATER CROSS CONNECTION CONTROL AND COMPL	285.00
04/10/2014	38921	LANDMARK APPRAISAL CO	APRIL 2014 ASSESSOR SERVICES OCT 1, 2013	2,324.00
04/10/2014	38922	MID MICHIGAN MANUFACTURING	JETTED STORM DRAIN	187.50
04/10/2014	38923	RICHARD ABRAMS	SMALL CITIES MTG DINNER/MILEAGE	28.24
04/10/2014	38924	ROWE PROFESSIONAL SERVICES CO	DESIGN & CONST ENG WATERMAIN MORRISH/MIL	2,541.75
04/10/2014	38925	ROWE PROFESSIONAL SERVICES CO	PREPARE PACKAGE MORRISH RD BRIDGE	2,860.00
04/10/2014	38926	SCHAEFER'S OFFICE SOURCE	BATH TISSUE/LINERS	158.75
			ROLL PAPER TOWELS (2)	63.92
				222.67
04/10/2014	38927	SUBURBAN AUTO SUPPLY	GREASE FITTING	4.75
			FUEL FILTER/AIR FILTER/OIL FILTER STR SW	359.61
				364.36
04/10/2014	38928	SUPER FLITE OIL CO INC	DIEWEL FUEL #703 WRIGHT	75.24
			GAS #32 TOM	72.52
			GAS 2008 CHEVY/TOM	36.95
			DIESEL/DAVE	54.89
			DIESEL/DODGE PICKUP	92.02
			GAS 2008 CHEVY	76.98
				408.60
04/10/2014	38929	VERIZON WIRELESS	MARCH 2014 MONTHLY BILL	465.19
04/10/2014	38930	VIEW NEWSPAPER GROUP	WEED NOTICE 3/6/14	42.30
			BOR 3/6/14	94.50
			PLAN COMM 3/13/14	42.30
			ORDINANCE 412	93.00
			ORDINANCE 413	93.00

				365.10
04/17/2014	38931	ARROW UNIFORM RENTAL	UNIFORMS, MATS, SUPPLIES, ENV. MATS, SUPPLIES	81.72 32.78
				114.50
04/17/2014	38932	BLUE CARE NETWORK-EAST MI	MAY 2014 RETIREE MED INS KELLY MAY 2014 RETIREE MED INS PETRUCHA MAY 2014 RETIREE MED INS OBRIEN MAY 2014 RETIREE MED INS SHANNON	706.62 1,479.62 1,239.83 748.01
				4,174.08
04/17/2014	38933	BS & A SOFTWARE	FINANCIAL MGMT TRAINING 3/27/14 AGUILAR/	390.00
04/17/2014	38934	C & H CONSTRUCTION CO INC	REPAIR FIRE HYDRANT LEAD MILLER/HOLLAND	1,802.50
04/17/2014	38935	CONSUMERS ENERGY	3/8-4/4/14 E 4125 ELMS RD	30.78
04/17/2014	38936	CONSUMERS ENERGY	3/8-4/4/14 A 4125 ELMS RD PAVILION	25.33
04/17/2014	38937	CONSUMERS ENERGY	3/5-4/2/14 A 5257 WINSHALL DR	23.52
04/17/2014	38938	CONSUMERS ENERGY	3/5-4/2/14 A 5361 WINSHALL DR	23.52
04/17/2014	38939	CONSUMERS ENERGY	3/5-4/2/14 A WINSHALL RESTROOMS	23.52
04/17/2014	38940	CONSUMERS ENERGY	3/8-4/4/14 A 6425 MILLER RD PARK&RIDE	69.91
04/17/2014	38941	DANIEL L RHANOR	REPAIR PLUG DROP/FIRE DEPT	165.00
04/17/2014	38942	DEAN & FULKERSON PC	TELEPHONE CONFERENCE/ZETTEL	91.88
04/17/2014	38943	FLINT WELDING SUPPLY	FAX/CYLINDER COMPRESSED OWYGEN CYLINDER COMPRESSED OXYGEN	5.00 5.00
				10.00
04/17/2014	38944	GENESEE CTY DRAIN COMMISSIONER	SEWER 1/1-3/31/14	132,466.72
04/17/2014	38945	JOHNS TRUCK SERVICE	REPLACE OIL PAN/OIL	246.48
04/17/2014	38946	MY-CAN LLC	3/26-4/23/14 PORTA-JON RENTAL/ELMS PARK	140.00
04/17/2014	38947	NOTARY EXPRESS INC	NOTARY RENEWAL KIT/A NICHOLS	89.99
04/17/2014	38948	SELF SERVE LUMBER CO.	PLYWOOD (2)	35.58
04/17/2014	38949	SIMEN FIGURA & PARKER PLC	MARCH 2014 GEN'L/TRAFFIC/ORDIN	3,664.00
04/17/2014	38950	STATE OF MICHIGAN-DEQ WTR	DRINKING WATER LAB TESTING 3/5-3/18/14	128.00
04/17/2014	38951	SUBURBAN AUTO SUPPLY	LEV. HOOK BLO-GUN	10.59
04/17/2014	38952	SUPER FLITE OIL CO INC	GAS SZMANSKY 401 GAS BADE 144 GAS BADE 161 GAS STORMS 384 GAS RACOSTA 384 GAS PIROCHTA 144 GAS CLOLINGER 161 GAS PAUL 226 GAS CLOLINGER 144 GAS RACOSTA 384 GAS 12-144 GAS 12-144 GAS 13-384 GAS 13-384 GAS 13-384 GAS 10-226 GAS 13-384 GAS 10-226 GAS 13-384 GAS 05-168	13.60 15.71 0.24 50.46 47.51 52.25 14.85 43.06 21.67 44.54 33.25 20.01 56.97 19.09 22.47 49.27 18.47 38.18 45.88 36.95

			GAS 10-226	28.95
			GAS 13-384	48.34
			GAS 10-161	28.02
			GAS 12-144	36.33
			GAS 13-384	42.50
			GAS 13-384	21.55
			GAS 10-226	49.27
			GAS 12-144	24.64
			GAS 13-384	32.95
			GAS 13-384	21.55
			GAS 12-144	24.01
			GAS 13-384	24.95
			GAS 13-384	13.55
			GAS 13-384	27.10
			GAS 12-144	44.34
			GAS 13-384	32.64
			GAS 13-384	23.71
			GAS 12-144	23.40
			GAS 13-384	39.10
				1,231.33
04/17/2014	38953	SWARTZ CREEK AREA FIRE DEPT.	MARCH 2014 MONTHLY RUNS	3,315.10
04/17/2014	38954	SWARTZ CREEK AREA SENIOR CITZ.	MARCH 2014 EXPENDITURES OF 2013 GRANT	397.76
04/17/2014	38955	UNUM LIFE INSURANCE	MAY 2014 RETIREE LIFE INS/SHANNON	10.35
04/24/2014	38956	ACE-SAGINAW PAVING COMPANY	COLD PATCH	882.05
04/24/2014	38957	AMERICAN MESSAGING	4/15-5/14/14 810-833-2563 8108331159/SHI	36.59
04/24/2014	38958	ARROW UNIFORM RENTAL	UNIFORMS, MATS, SUPPLIES, ENV. MATS, SUPPLIES	95.39 32.78
				128.17
04/24/2014	38959	C & H CONSTRUCTION CO INC	WATERMAIN REPAIR/GREENLEAF	750.00
04/24/2014	38960	CITY OF SWARTZ CREEK	REIMB PETTY CASH	178.75
04/24/2014	38961	COMCAST BUSINESS	4/26-5/25/14 CITY HALL	278.75
04/24/2014	38962	DELTA DENTAL PLAN	MAY 2014 DENTAL - RTIREES (5)/EST. TAX	331.81
04/24/2014	38963	DONALD KORTH	INSTALL SOFTWARE/BADE	225.00
04/24/2014	38964	GEN CTY ROAD COMMISSION	MARCH 2014 S-MTCE & OPERATIONS	74.68
04/24/2014	38965	GENESEE CTY DRAIN COMMISSIONER	2/26-3/26/14 COMM/READY TO SERVE	90,773.83
04/24/2014	38966	GRAFF TRUCK CENTER	OIL PAN/PLUG/SEALS	736.36
04/24/2014	38967	MICHIGAN ASSOC OF PLANNING	7/1/14-6/30/15 PLANNING COMMISSION	625.00
04/24/2014	38968	RICK CLOLINGER	REIMB MED BILL NOT PAID BY AMERAPLAN 11/	51.40
04/24/2014	38969	SHARON DIXON	DELQ TAX OVRPMT 58-35-776-072	1.62
04/24/2014	38970	SUBURBAN AUTO SUPPLY	MINI LAMP	3.99
04/25/2014	38971	U. S. POST OFFICE	POSTAGE FOR NEWSLETTERS APRIL 2014	609.94
GEN TOTALS:				
Total of 83 Disbursements:				302,873.48

**CITY OF SWARTZ CREEK  
SWARTZ CREEK, MICHIGAN  
MINUTES OF PLANNING COMMISSION MEETING  
April 1, 2014**

Meeting called to order at 7:01 p.m. by Commissioner Stephens.

Pledge of Allegiance.

**ROLL CALL:**

Commissioners present: Conner, Florence, Florine, Grimes, Krueger, Stephens.

Commissioners absent: Bueche, Hurt, Ridley.

Staff present: Adam Zettel, City Manager.

Others present: Paul Massimino, James Nolen, Al Jory.

**APPROVAL OF AGENDA:**

**Resolution No. 140401-01**

**(Carried)**

Motion by Commissioner Krueger support by Commissioner Florine the Swartz Creek Planning Commission approves the agenda for the April 1, 2014 Planning Commission meeting as printed.

Unanimous Voice Vote  
Motion declared carried.

**APPROVAL OF MINUTES:**

**Resolution No. 140401-02**

**(Carried)**

Motion by Commissioner Krueger support by Commissioner Conner the Swartz Creek Planning Commission approves the minutes for the February 4, 2014 Planning Commission meeting as printed.

Unanimous Voice Vote  
Motion declared carried.

**MEETING OPENED TO THE PUBLIC:**

None.

**NEW BUSINESS:**

**SPECIAL LAND USE: URGENT MEDICAL CARE**

The petitioner described the setup and operation of a 5,000 square foot urgent medical care facility that is propose for the east end of the plaza located at 7070 Miller Road. Commissioners asked about staffing, ambulance parking, internal build-out, and operations. Mr. Zettel recommended the proposal for approval.

**Resolution No. 140401-03**

**(Carried)**

Motion by Commissioner Conner, support by Commissioner Grimes, the Swartz Creek Planning Commission, finding the application for a special land use meets all of the general and specific requirements for approval, hereby recommends approval of the special land use for an urgent medical care center to be located at 7070 Miller Road, parcel number 58-36-576-012, conditioned upon the following:

1. Hours of operation shall be limited to 10:00 a.m. to 10:00 p.m.

Discussion Ensued.

Yes: Florence, Florine, Grimes, Stephens, Krueger, Conner.

No: None.

**LAND SALE POLICY**

**Resolution No. 140401-04**

**(Carried)**

Motion by Commissioner Conner, support by Commissioner Krueger, the Swartz Creek Planning Commission hereby recommends approval of the land sale policy as presented to the planning commission, conditioned upon the following:

1. Strike sentence from Appendix A.9 reading, "A redevelopment agreement is the basis for public-private partnership that occurs."
2. Alter H.3 to read, "Short-term lease. Unless there are special circumstances, the city manager without council approval may execute a lease term of less than or equal to one (1) year. A short-term lease may not be renewed without council approval."
3. Review by the city attorney.

Discussion Ensued.

YES: Florence, Florine, Grimes, Stephens, Krueger, Conner.

NO: None.

**MEETING OPENED TO THE PUBLIC:**

None.

**REMARKS BY PLANNING COMMISSION MEMBERS:**

Commissioner Florence asked about the sale of lots in Springbrook East. Mr. Zettel stated they would likely be marketed by a realtor or auctioned in accordance with the land sale policy.

**ADJOURNMENT:**

**Resolution No. 140401-05**

**(Carried)**

Motion by Commissioner Florine support by Commissioner Grimes, the Swartz Creek Planning Commission adjourns the April 1, 2014 Planning Commission meeting.

Unanimous voice vote.

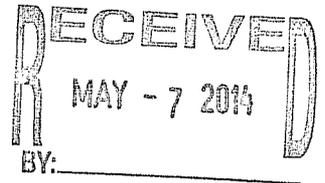
Motion declared carried.

Meeting adjourned at 7:39 p.m.

---

Paul Bueche,  
Secretary

F. JACK BELZER, P.C.  
ATTORNEYS AND COUNSELLORS AT LAW  
3153 W. HILL ROAD  
FLINT, MICHIGAN 48507



F. JACK BELZER  
ALSO LICENSED IN COLORADO

TELEPHONE  
(810) 234-3300  
FAX  
(810) 234-3399

April 30, 2014

MR. ADAM ZETTEL  
SWARTZ CREEK CITY MANAGER  
8083 Civic Drive  
Swartz Creek, MI 48473-1498

**RE: Lots Within Heritage Village Development**

Dear Mr. Zettel:

This will confirm the previous discussions which were had with you, relative to the potential purchase of lots within the Heritage Village Development.

As we previously discussed, we would decline to purchase those lots and would release the City from any previously maintained discussions, relative to the purchase of those lots by the undersigned.

We thank you for your consideration and your thoughts and would advise you that, in fact, other arrangements have been made to become a resident of the City of Swartz Creek.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Jack Belzer". The signature is written in a cursive, flowing style.

F. Jack Belzer

FJB/pam

**SWARTZ CREEK POLICE DEPARTMENT**  
**MOTOR POOL RENTAL HOURS**  
**APRIL 2014**

	<u>101-301-941</u>	<u>101-302-941</u>	<u>101-303-941</u>	<u>101-304-941</u>
#05-168	11	0	0	0
#05-649	58	0	0	0
#12-144	134	8	0	0
#09-401	7		89	0
#13-384	326	2	0	0
#09-226	91	7	0	2
#10-161	91	13	6	0
<b>TOTAL</b>	<b>718</b>	<b>30</b>	<b>95</b>	<b>2</b>

# Swartz Creek Police Department

## EJS OnSite Officer Daily Departmental Statistics Report

Date Printed: 05/05/2014

Page Number: 1

Officer: All Officers      Shift: All Shifts      Assignment: All Assignments

	04/01/2013 04/30/2013	04/01/2014 04/30/2014
Primary Hours	1,794:30	1,191:15
<b>Time Categories (Total Hours)</b>	<b>1,794:30</b>	<b>1,191:15</b>
G Administrative	297:30	82:00
G Clerical	140:00	0:00
G Court	6:30	2:30
G Investigations	173:00	183:45
G Non Uniformed	9:30	0:00
G Traffic Enforcement	243:30	226:45
G Training	0:00	13:00
G Uniformed	629:00	460:00
R Administration	21:00	18:00
R Clerical	20:30	0:00
R Uniformed	27:00	26:00
S Investigations	2:00	0:00
S Uniformed	149:45	132:00
Z Training	20:00	16:00
Z Uniformed	3:45	10:15
ZZ Absent	28:00	0:00
ZZ Vacation	23:30	21:00

	4,362	3,729
<b>Activity Categories (Total Count)</b>	<b>4,362</b>	<b>3,729</b>
G Business Checks	2,190	1,489
G Desk Assignments	24	12
G Felony Arrest	2	3
G Initated Calls	971	982
G Misdemeanor Arrest	35	20
G PD Accident	3	3
G PI Accident	1	1
G Parking Citations	2	16
G Radio Calls	275	224
G Service Request	74	0
G Suspicious Person	41	52
G Vacation Checks	485	615
G Verbal Warning	113	129
G Written Warning	11	20
R Business Checks	4	10
R Radio Calls	5	11
R Vacation Checks	0	1
S Desk Assignments	2	0
S Initated Calls	79	82
S Meeting	35	28
S Radio Calls	1	4
Z Agency Assist	0	4
Z Building Searches	1	0
Z Demonstrations	1	0
Z Desk Assignments	1	0

# Swartz Creek Police Department EJS OnSite Officer Daily Departmental Statistics Report

Date Printed: 05/05/2014

Page Number: 2

Officer: All Officers

Shift: All Shifts

Assignment: All Assignments

	04/01/2013 04/30/2013	04/01/2014 04/30/2014
Z Felony Arrest	1	0
Z Initated Calls	2	6
Z Narcotics Seized	0	1
Z Negative Tracks	0	1
Z Postive Tracks	0	1
Z Radio Calls	1	7
Z Vehicle Searches	2	7

## Ticket Ledger Report

**Report Criteria:**

Ticket Type	Officer	Start Date	End Date
Traffic	All	04/01/2014	04/30/2014

Number	Name	Date	Location	Description	Officer	Fine
T-1269695-A		04/02/14	MORRISH NEAR MARY	NO PROOF INSURANCE/POSSESE		
T-1269695-B		04/02/14	MORRISH NEAR MARY	EXCEEDED POSTED SPEED LIMIT		
T-1269696-A		04/02/14	MORRISH NEAR I-69	NO PROOF INSURANCE/POSSESE		
T-1269696-B		04/02/14	MORRISH NEAR I-69	WHITE LIGHT TO REAR		
T-1270120		04/02/14	ELMS NEAR BRISTOL	EXCEEDED POSTED SPEED LIMIT		
T-1270121		04/03/14	MILLER NEAR MORRISH	NO TAIL/BRAKE LIGHTS		
T-1221441		04/03/14	MORRISH AT I-69	EXCEEDED POSTED SPEED LIMIT		
T-1269697		04/05/14	Morrish Rd NEAR I-69	NO PLATE/FAIL TO DISPLAY/EXPII		
T-1221442		04/05/14	MORRISH NEAR I-69	EXCEEDED POSTED SPEED LIMIT		
T-1269698		04/06/14	WB I-69 NEAR MORRISH	EXCEEDED POSTED SPEED LIMIT		
T-1269699		04/06/14	I-69 NEAR MORRISH	EXCEEDED POSTED SPEED LIMIT		
T-1270122		04/07/14	MILLER NEAR ELMS	FAILED TO YIELD LEFT TURN		
T-1270123		04/08/14	DYE NEAR NORKO	NO PROOF INSURANCE/POSSESE		
T-1269987		04/10/14	MILLER NEAR FORTINO	EXCEEDED POSTED SPEED LIMIT		
T-1221443		04/11/14	MORRISH NEAR I-69	EXCEEDED POSTED SPEED LIMIT		
T-1270124-A		04/12/14	MILLER NEAR RAUBINGER	EXCEEDED POSTED SPEED LIMIT		
T-1270124-B		04/12/14	MILLER NEAR RAUBINGER	NO PROOF INSURANCE/POSSESE		
T-1270124-C		04/12/14	MILLER NEAR RAUBINGER	SUSP/REVOKED/NEVER APPL.		
T-1270125-A		04/13/14	MILLER NEAR TALLMADGE	EXCEEDED POSTED SPEED LIMIT		
T-1270125-B		04/13/14	MILLER NEAR TALLMADGE	NO PLATE/FAIL TO DISPLAY/EXPII		
T-1270125-C		04/13/14	MILLER NEAR TALLMADGE	NO PROOF INSURANCE/POSSESE		
T-1270126		04/13/14	ELMS RD/ BRISTOL RD	SPEEDING		
				NO VEHICLE INSURANCE		
				Obstructed Vision/Tinted Windows		
T-1270126-A		04/13/14	ELMS NEAR BRISTOL	EXCEEDED POSTED SPEED LIMIT		
T-1270126-B		04/13/14	ELMS NEAR BRISTOL	NO INSURANCE ON VEHICLE		
T-1270126-C		04/13/14	ELMS NEAR BRISTOL	TINTED WINDOWS/NO WINDSHIEI		
T-1269988		04/14/14	SCHOOL NEAR MILLER	NOISY MUFFLER AND/OR EXCESS		
T-1269989		04/14/14	MORRISH NEAR MILLER	EXPIRED PLATE		
				EXPIRED LICENSE		
T-1269700		04/15/14	MORRISH NEAR MARY	EXCEEDED POSTED SPEED LIMIT		
T-1269701		04/15/14	MILLER NEAR ELMS	EXCEEDED POSTED SPEED LIMIT		
T-1269990		04/16/14	I-69(EB) NEAR MORRISH	FAIL TO SIGNAL TURN		
				NO PROOF INSURANCE/POSSESE		
T-12669702		04/18/14	MILLER NEAR ELMS	SEAT BELT 0-4 YR. RESTRAINT FF		
T-1270185		04/18/14	MORRISH NEAR MAPLE	NO PROOF INSURANCE/POSSESE		
T-1269703		04/20/14	MILLER NEAR SCHOOL	EXCEEDED POSTED SPEED LIMIT		
T-1270127		04/21/14	MORRISH AT MILLER	DISREGARDED TRAFFIC SIGNAL/:		
T-1270128		04/21/14	ELMS NEAR BRISTOL	EXCEEDED POSTED SPEED LIMIT		
T-1269991-A		04/23/14	INGALLS NEAR FAIRCHILD	IMPROPER PLATE		
T-1269991-B		04/23/14	INGALLS NEAR FAIRCHILD	SUSP/REVOKED/NEVER APPL.		
T-1269992		04/24/14	FAIRCHILD NEAR INGALLS	FAILED TO STOP AT STOP SIGN		
T-1270129		04/27/14	MILLER NEAR FORTINO	NO PROOF INSURANCE/POSSESE		
T-1269704-A		04/29/14	MILLER NEAR ELMS	TINTED WINDOWS/NO WINDSHIEI		
T-1269704-B		04/29/14	MILLER NEAR ELMS	NO PROOF INSURANCE/POSSESE		
T-1270130		04/30/14	MILLER NEAR MAYA	EXCEEDED POSTED SPEED LIMIT		

Tickets so far: 42	Charges so far: 46	Fines Subtotal: 0.00
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## Ticket Ledger Report

**Report Criteria:**

Ticket Type	Officer	Start Date	End Date			
Traffic	All	04/01/2014	04/30/2014			
Number	Name	Date	Location	Description	Officer	Fine
T-1270141		04/30/14	INGALLS NEAR SCHOOL	RECKLESS DRIVING		
T-1270133		04/30/14	SEYMOUR NEAR OAKVIEW	NO PROOF INSURANCE/POSSESS		
T-1270132		04/30/14	SEYMOUR NEAR OAKVIEW	SEAT BELT DRIVER/PASSENGER		
T-1270131		04/30/14	SEYMOUR NEAR OAKVIEW	SEAT BELT DRIVER/PASSENGER		
<b>Tickets Total: 46</b>		<b>Charges Total: 50</b>		<b>Fines Total:</b>		<b>0.00</b>

## Uniform Crime Report

**Report Criteria:**

Start File Class	End File Class	Print Zeros?
All	All	Yes

Class	Description	APRIL 2013	APRIL 2014	YR TO DATE
0100-0	Sovereignty	0	0	0
0200-0	Military	0	0	0
0300-0	Immigration	0	0	0
0900-1	Murder/Non-negligent Manslaughter (Voluntary)	0	0	0
0900-2	Negligent Homicide/Manslaughter (Involuntary)	0	0	0
0900-3	Negligent Homicide - Vehicle/Boat/Snowmobile/ORV	0	0	0
0900-4	Justifiable Homicide	0	0	0
1000-1	Kidnapping/Abduction	0	0	0
1000-2	Parental Kidnapping	0	0	0
1100-1	Sexual Penetration Penis/Vagina - CSC 1st Degree	0	0	0
1100-2	Sexual Penetration Penis/Vagina - CSC 3rd Degree	0	0	0
1100-3	Sexual Penetration Oral/Anal - CSC 1st Degree	0	1	1
1100-4	Sexual Penetration Oral/Anal - CSC 3rd Degree	0	0	0
1100-5	Sexual Penetration Object - CSC 1st Degree	0	0	1
1100-6	Sexual Penetration Object - CSC 3rd Degree	0	0	0
1100-7	Sexual Contact Forcible - CSC 2nd Degree	0	0	1
1100-8	Sexual Contact Forcible - CSC 4th Degree	0	0	0
1200-0	Robbery	0	0	1
1300-1	Non-Aggravated Assault	5	3	12
1300-2	Aggravated/Felonious Assault	0	0	1
1300-3	Intimidation/Stalking	1	2	2
1400-0	Abortion	0	0	0
2000-0	Arson	0	0	0
2100-0	Extortion	0	0	0
2200-1	Burglary - Forced Entry	1	1	13
2200-2	Burglary - Entry Without Force (Intent to Commit)	0	0	0
2200-3	Burglary - Entry Without Authority With or Without Force (No Intent)	0	0	2
2200-4	Possession of Burglary Tools	0	0	1
2300-1	Larceny - Pocketpicking	0	0	0
2300-2	Larceny - Purse Snatching	0	0	0
2300-3	Larceny - Theft from Building	0	1	4
2300-4	Larceny - Theft from Coin-Operated Machine/Device	0	0	0
2300-5	Larceny - Theft from Motor Vehicle	0	1	2
2300-6	Larceny - Theft of Motor Vehicle Parts/Accessories	0	0	1
2300-7	Larceny - Other	1	1	7
2400-1	Motor Vehicle Theft	0	0	1
2400-2	Motor Vehicle as Stolen Property	0	0	0
2400-3	Motor Vehicle Fraud	0	0	0
2500-0	Forgery/Counterfeiting	0	0	1
2600-1	Fraud - False Pretense/Swindle/Confidence Game	1	1	4
2600-2	Fraud - Credit Card/Automatic Teller Machine	1	1	4
2600-3	Fraud - Impersonation	0	2	8
2600-4	Fraud - Welfare Fraud	0	0	0
2600-5	Fraud - Wire Fraud	0	0	0
2600-6	Fraud - Bad Checks	1	1	2
2700-0	Embezzlement	0	0	0
2800-0	Stolen Property	0	0	1

## Uniform Crime Report

**Report Criteria:**

Start File Class      End File Class      Print Zeros?

All                      All                      Yes

Class	Description	APRIL 2013	APRIL 2014	YR TO DATE
2900-0	Damage to Property	3	1	3
3000-1	Retail Fraud - Misrepresentation	0	0	0
3000-2	Retail Fraud - Theft	0	1	9
3000-3	Retail Fraud - Refund/Exchange	0	0	0
3000-4	Retail Fraud - Organized Retail Crime	0	0	0
3500-1	Violation of Controlled Substance - Act	2	2	7
3500-2	Narcotic Equipment Violations	0	0	0
3600-1	Sexual Penetration Non-forcible - Blood/Affinity (CSC 1st/3rd Degr	0	0	0
3600-2	Sexual Penetration Non-forcible - Other (CSC 1st and 3rd Degree)	0	0	0
3600-3	Peeping Tom	0	0	0
3600-4	Sex Offense - Other	0	0	0
3700-0	Obscenity	0	0	0
3800-1	Family - Abuse/Neglect Nonviolent	1	2	5
3800-2	Family - Non-Support	0	0	0
3800-3	Family - Other	0	0	0
3900-1	Gambling - Betting/Wagering	0	0	0
3900-2	Gambling - Operating/Promoting/Assisting	0	0	0
3900-3	Gambling - Equipment Violations	0	0	0
3900-4	Gambling - Sports Tampering	0	0	0
4000-1	Commercialized Sex - Prostitution	0	0	0
4000-2	Commercialized Sex - Assisting/Promoting Prostitution	0	0	0
4000-3	Human Trafficking - Purchasing Prostitution	0	0	0
4100-1	Liquor License - Establishment	0	0	0
4100-2	Liquor Violations - Other	2	1	2
4200-0	Drunkenness - Except OUIL	0	0	0
4800-0	Obstructing Police	0	0	1
4900-0	Escape/Flight	0	0	0
5000-0	Obstructing Justice	8	2	5
5100-0	Bribery	0	0	0
5200-1	Weapons Offense - Concealed	0	1	4
5200-2	Weapons Offense - Explosives	0	0	0
5200-3	Weapons Offense - Other	0	0	0
5300-1	Disorderly Conduct	0	0	1
5300-2	Public Peace - Other	1	1	1
5400-1	Hit & Run Motor Vehicle Accident	2	0	8
5400-2	Operating Under the Influence of Liquor or Drugs (OUIL or OUID)	6	0	3
5400-3	Driving Law Violations	11	4	16
5500-0	Health and Safety	1	0	2
5600-0	Civil Rights	0	0	0
5700-1	Trespass	1	0	0
5700-2	Invasion of Privacy - Other	0	0	0
5800-0	Smuggling	0	0	0
5900-0	Election Laws	0	0	0
6000-0	Antitrust	0	0	0
6100-0	Tax/Revenue	0	0	0
6200-0	Conservation	0	0	0
6300-0	Vagrancy	0	0	0

## Uniform Crime Report

**Report Criteria:**

Start File Class	End File Class	Print Zeros?
All	All	Yes

Class	Description	APRIL 2013	APRIL 2014	YR TO DATE
6400-1	Human Trafficking - Commercial Sex Acts	0	0	0
6400-2	Human Trafficking - Involuntary Servitude	0	0	0
7000-0	Juvenile Runaway	0	0	0
7300-0	Miscellaneous Criminal Offense	7	0	1
7500-0	Solicitation (All Crimes Except Prostitution)	0	0	0
7700-0	Conspiracy	0	0	0
8900-1	SERVICE OF COMMISSION PAPERS	0	0	0
8900-2	UNAUTHORIZED TRANSPORTATION	0	0	0
8900-3	VIOLATION OF RULES/REGISTRATION	0	0	0
8900-4	WARRANTS	0	0	0
8900-5	MOTOR CARRIER SAFETY RULES	0	0	0
8900-6	INSPECTIONS OF HOMES TO BE MOVED	0	0	0
8900-7	MIGRANT AGRICULTURE WORKERS TRANSP	0	0	0
8900-9	ALL OTHER MOTOR CARRIER VIOLATIONS	0	0	0
9100-1	DELINQUENT MINOR	0	0	0
9100-2	RUNAWAYS	0	0	0
9200-1	DIVORCE AND SUPPORT	0	0	0
9200-2	INCAPACITATION	1	0	0
9200-3	WALK-AWAY - MENTAL INSTITUTIONS ETC	0	0	0
9200-4	ORDER FOR PICKUP AND EXAMINATION	0	0	0
9200-5	CIVIL INFRACTION - ALCOHOL POSSES.	0	0	0
9300-1	Property Damage Accident/Personal Injury	6	1	28
9300-2	NON-TRAFFIC PDA	0	2	10
9300-3	TRAFFIC VIOLATIONS/CIVIL INFRACTION	0	0	0
9300-4	TOWED VEHICLE	1	1	7
9300-5	TRAFFIC HAZARD/ABANDONED VEHICLE	0	0	0
9300-6	TRAFFIC POLICING	0	0	0
9400-1	FALSE ALARM ACTIVATION	0	0	0
9400-2	VALID ALARM ACTIVATION	0	0	0
9400-3	REST AREA/ROADSIDE PARK VIOLATIONS	0	0	0
9500-1	ACCIDENTAL FIRE	0	0	0
9500-2	ACCIDENTAL EXPLOSION	0	0	0
9500-4	OPEN BURNING	0	0	0
9500-6	FIRE-HAZARDOUS CONDITIONS	0	0	0
9700-0	ACCIDENTAL SHOOTING	0	0	0
9700-5	ACCIDENTAL DEATH-WATER	0	0	0
9700-6	ACCIDENT - ALL OTHER	0	0	0
9800-2	RECOVERED PROPERTY	0	0	0
9800-3	PROPERTY INSPECTION	0	0	0
9800-4	OTHER INSPECTIONS/WEAPONS	5	0	6
9800-5	ALARMS	1	0	0
9800-6	CIVIL	4	1	4
9800-7	SUSPICIOUS SITUATION	4	0	2
9800-8	LOST AND FOUND PROPERTY	2	2	3
9800-9	OVERDOSE	1	0	0
9900-1	SUICIDE	0	0	0
9900-2	DOA - NATURAL	1	2	3

### Uniform Crime Report

**Report Criteria:**

Start File Class      End File Class      Print Zeros?

All                      All                      Yes

Class	Description	APRIL 2013	APRIL 2014	YR TO DATE
9900-3	MISSING PERSON	0	0	0
9900-7	SAFEKEEPING	0	0	0
9900-8	DEPARTMENTAL ASSIST	3	0	2
9900-9	GENERAL - NON CRIMINAL	7	0	7
Totals:		92	39	210



**Alvin S. Richardson**  
Manager, Network Engineering

3450 Riverwood Parkway, Room 162-24  
Atlanta, GA 30339  
Voice: 770-953-5524  
Fax: (281) 664-3888  
srichdsn@att.com

April 24, 2014

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

Dear Sir:

This letter is a request to extend the existing METRO Act permits issued by City of Schwartz Creek to AT&T Corp. which is currently expired. This request is for a five year extension from the date of this letter.

If this is agreeable, please sign both copies of the extension letter agreement in the place provided below and return to AT&T Corp. at the address on this letterhead. Upon receipt AT&T Corp. will acknowledge and return one copy for your files.

If you have questions please contact Sidney Anderson at 678-627-5318 or via email at [sa2612@att.com](mailto:sa2612@att.com). We appreciate your assistance in extending these permits.

Agreed to by and on behalf of  
City of Schwartz Creek

By: \_\_\_\_\_  
Signature

Its: \_\_\_\_\_

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

AT&T Corp  
acknowledges receipt of this  
Permit Extension

By: \_\_\_\_\_  
Steve Richardson

Its: Senior Technical Project Manager

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

## APRIL FANG REPORT

On 4-8-14, FANG officers conducted surveillance on a suspected drug house in the city of Flint. FANG offices followed the suspects away from the residence, observed traffic violations and requested a MSP Post 35 car stop the vehicle. The suspect vehicle did not stop and a pursuit was initiated. The Troopers performed a precision immobilization technique bringing the pursuit to a safe conclusion and both occupants were taken into custody. Officers seized 7 grams cocaine, 2 bags of marijuana and initiated forfeiture proceedings on \$6140.00. Both suspects were lodged at the Flint City Jail.

On 4-8-14, a FANG officer assisted the 3<sup>rd</sup> District Tobacco Tax team by acting in an undercover capacity/witness, while a confidential informant attempted to use a bridge card for unauthorized uses at businesses in the greater Flint area.

On 4-8-14, FANG officers assisted the ATF with the arrest of a male with an outstanding Federal Warrant in the City of Flint. During the arrest, approximately 9 grams of "crack" cocaine were seized from the male. Forfeiture was initiated on \$3129.00 found in the male's possession. The investigation is still on going.

On 4-9-14, FANG officers conducted a controlled purchase of "crack" cocaine using a Confidential Informant. The CI was sent into a house in the City of Flint and made a purchase of .1 grams of "crack" cocaine from a male inside. The investigation is still on going.

On 4-9-14, FANG officers responded to assist Flint Township Police at a possible Methamphetamine lab. FANG officers confirmed that it was in fact a used one pot meth lab. The Meth team responded and did the hazardous clean-up of the lab. The investigation is still on going.

On 4-10-14, FANG officers observed a male walking on the east side of Flint with an outstanding Felony Warrant. The male and a few other males entered a nearby convenient store. Officers entered the store and arrested the male. He was in possession of both heroin and "crack" cocaine. One of the other males with him also had several outstanding warrants. The second male was also found to be in possession of "crack" cocaine packaged to sell. Both males were lodged in the Flint City lock up.

On 4-17-14, FANG officers conducted a search warrant in the City of Flint. Officers located a shotgun in the home. The suspect was a convicted felon. He was lodged in the Flint City lock up for Felon in Possession of a Firearm.

On 4-23-14, FANG officers executed a search warrant in the City of Flint after conducting confidential informant buys from the residence. Officer's seized 75 grams of crack cocaine, 25 grams of powder cocaine, 1 pound of marijuana, 3 handguns, 1 long gun and \$3,300.00 dollars. K9-35, Tpr. Szukhent and "Palin", assisted and were instrumental in locating the 25 grams of powder cocaine stuffed inside a shoe inside the residence. Through further investigation officers identified the suspect maintained a safety deposit box at a bank in Flint. Officers obtained a search warrant finding an additional \$15,000.00 in the safety deposit box. The suspect is a convicted felon, federal charges are being sought.

On 4-23-14, while conducting surveillance prior to a search warrant on an unrelated case, FANG officers observed several subjects posturing as if they were going to fight. One subject was observed adjusting and holding his waist band as if he was armed. The disturbance had been called in by citizens. As marked vehicles arrived on scene, FANG officers observed the aforementioned subject that had been

holding his waistband pull a gun out and throw it in tall grass. FANG officers converged arresting the subject after a brief foot pursuit. The suspect was lodged at the Flint City Jail.

On 4-24-14, FANG officers received information from an informant that a subject we had been looking for on a felony drug warrant was sitting in a vehicle on the north side of Flint. Officers located the vehicle, arresting the subject without incident.

On 4-29-14, FANG officers conducted a confidential informant controlled purchase of heroin from a suspect in the city of Flint. The investigation is on-going.

On 4-29-14, FANG officers conducted a confidential informant controlled purchase of heroin from a suspect in the city of Flint. The investigation is on-going.

On 4-29-14, FANG officers conducted a confidential informant controlled purchase of crack cocaine from a suspect in Mt. Morris Twp. The investigation is on-going.

On 4-29-14, FANG officers conducted a confidential informant controlled purchase of crack cocaine from a suspect in the city of Flint. Officers conducted surveillance after the deal. The investigation is on-going.

On 4-29-14, FANG officers conducted a controlled purchase of cocaine using a Confidential Informant. The CI was sent into a house in the City of Flint and made a purchase of cocaine from a male inside. Intelligence was gathered on the suspect inside. The investigation is still on-going.

On 4-30-14, FANG officers conducted surveillance at a suspected heroin house in the city of Flint. Officers followed a subject away from the house, making contact with the subject a short distance away. The subject was found in possession of heroin. The subject was lodged at the Flint City Jail.

On 4-30-14, FANG officers conducted a confidential informant controlled purchase of heroin from a suspect in the city of Flint. The investigation is on-going.

On 4-30-14, FANG officers conducted a confidential informant buy/bust of cocaine from a subject in the driveway of a residence in the city of Flint. Officers seized approximately 6 grams of crack cocaine. A consent search of the suspect's residence yielded a .22 caliber rifle. The suspect is a convicted felon. The investigation is on-going.

Thanks to all of you for your continued support. If anyone has any questions or concerns, please do not hesitate to contact me.

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