

**City of Swartz Creek
AGENDA**

**Regular Council Meeting, Monday, December 15, 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 December 8, 2014 MOTION Pg. 16
5. **APPROVE AGENDA:**
 - 5A. Proposed / Amended Agenda MOTION Pg. 1
6. **REPORTS & COMMUNICATIONS:**
 - 6A. City Manager's Report (Agenda Item) MOTION Pg. 2
 - 6B. MML Dues Notice (Agenda Item) Pg. 39
 - 6C. Third Street Property Information & Map (Agenda Item) Pg. 40
 - 6D. Draft Park Rules (Agenda Item) Pg. 44
 - 6E. Flint Area Narcotics Group Annual Dues (Agenda Item) Pg. 49
 - 6F. Comcast Update Pg. 50
7. **MEETING OPENED TO THE PUBLIC:**
 - 7A. General Public Comments
8. **COUNCIL BUSINESS:**
 - 8A. FANG Dues 2014-2015 RESO Pg. 12
 - 8B. MML Annual Dues RESO Pg. 13
 - 8C. Third Street Property RESO Pg. 13
 - 8D. Park Rules RESO Pg. 13
 - 8E. Street Millage Committee RESO Pg. 14
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, December 15, 2014 - 7:00 P.M.

TO: *Honorable Mayor, Mayor Pro-Tem & Council Members*
FROM: Adam Zettel, City Manager
DATE: December 9, 2014

OLD / ROUTINE BUSINESS – REVISITED ISSUES / PROJECTS

- ✓ **GOLF COURSE TAX APPEAL** *(No Change of Status)*
This appeal is still active, despite conversations with the owner and owner's legal representative regarding their intentions. We believe the case does not have much merit. However, until we have notice that they have officially withdrawn, we must assume they intend to see the appeal through. Unfortunately, this means we may need to spend funds on an appraisal.

- ✓ **RACEWAY TAX APPEAL** *(No Change of Status)*
This appeal is now moving forward. As directed by the council, we shall have a consultant appraise the property to ascertain a fair value.

The harness racing industry is struggling, but they still have 108.5 acres at a signalized intersection with I-69. Their appeal information is as follows:

2014 Taxable: \$904,200
2014 Taxable (requested): \$250,000

If the city agrees that non-residential land on Morrish Road off of I-69 is valued at less than \$4,700 per acre, assuming the improvements had no value, then we have very large problems indeed. (Note that we would assume no such thing in any case).

Like the golf course, this property keeps appealing. I believe such businesses will do so, beyond absurdity, until it is clear the city is resisting.

- ✓ **DOWNTOWN PARKING LOTS** *(Update)*
The trees are in. Now we await the light installation and fences.

- ✓ **STREETS** *(See Individual Category)*
 - ❑ **MILLER ROAD RESURFACING PROJECT- AGENDA ITEM** *(Update)*
The grade inspection for Miller Road, between Morrish and Dye, was held on November 5, 2014. The project is moving forward as planned, with some modifications and other design exceptions as described by Mr. Warren at our meeting on December 8th. The date set by the state for construction commencement was June 1, 2015, with completion on August 28, 2015. This is just a tentative schedule.

❑ **LOCAL STREET PLAN – AGENDA ITEM (Update)**

I have draft ballot language prepared as follows:

2015 Ballot Proposal
City of Swartz Creek Road Improvement millage Proposal

Shall the City of Swartz Creek impose an additional millage up to ?.0 mills (\$.00 Per \$1,000 of taxable value) for a twenty year period, which funds shall be used for the sole purpose of funding construction and interest costs for the replacement, rehabilitation, repair, and maintenance of public streets and include pavement, sidewalk, curb, gutter, shoulders, and related drainage work within the City of Swartz Creek, which will raise an estimated \$???,000 for the general fund and \$?,000 for the Downtown Development Authority the first year the millage is levied?

This is just a staff draft. I have sent a copy to our counsel and will further vet this before January. As you can see, we still need to establish an amount. To do so, the Mayor intends to appoint a temporary committee to look to find a balance between the amount of work that needs to be done and the cost. Nominations that are requested to be affirmed by the city council are councilmembers Pinkston & Porath, Mr. Zettel, Mr. Fluery, and Mayor Krueger.

The goal is to present ballot language, with a levy amount on January 12, 2015.

❑ **SCRAP TIRE GRANT (No Change of Status)**

We submitted a placeholder application for another round of funding. This way, if a street levy/assessment is approved, we can begin construction in 2015 instead of 2016 and potentially save \$500,000 in the process. However, the state requested we resubmit the proposal for a lesser amount to reflect 4x higher demand for grant funds over what is available. The projects tentatively scheduled include:

Preventative Maintenance Improvements

Parkridge Parkway	\$70,000
Yarmy Drive	\$162,000
TOTAL	\$232,000

Reconstruction (including watermain)

Worcester Drive	\$800,000
Worcester Watermain	\$345,000
TOTAL	\$1,145,000

<u>Construction Total</u>	\$1,377,000
Design/Construction Engineering	\$210,000
TOTAL PROJECT COST	\$1,587,000

Funding Breakdown

-Scrap Tire Grant (provisional)	\$125,000
-Water Fund (including surface work)	\$500,000
-Street Fund (levy/assessment needed)	\$962,000

Because of the loss in scrap tire grant availability, the city will have to wait for bids to come in and make tough decisions regarding the trimming of the project, the allocation of general

fund dollars, or the delay of some street work. For the time being, we want to keep our foot in the door on any funds available.

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

❑ **SEWER REHABILITATION PROGRAM** *(Update)*

Liqui Force and Rowe plan to present their findings from the current year projects, including lining work and televising/inspection work at the January 12th meeting. We should have a draft capital improvement plan for sewer that includes five years of detailed work plans and fifteen additional years of generalized work plans that will cover the entire system. Our intention is to inspect and make repairs over the entire system in twenty years.

❑ **BEAR CREEK SANITARY SEWER AGREEMENT – AGENDA ITEM** *(Update)*

Gaines has new leadership. We await their response to the city approval.

❑ **KWA** *(No Change of Status)*

The KWA water pipeline project is currently under budget and on schedule. We should be online in 2016.

❑ **STORM SEWER** *(Update)*

The ordinances are approved. We await final approval from the state regarding our National Pollutant Discharge Elimination System (NPDES) permit. Recently, Mr. Svrcek has been networking with other communities in Genesee County about future expectations of the NPDES permit and common problems. We may investigate new partnerships for permitting instead of using the county.

❑ **WATER LOSS** *(No Change of Status)*

We have been auditing accounts and upgrading large customer meters, including General Motors. One large retail customer was found to have a billing error that will account for some of the water loss. Unfortunately, what we are finding is that the loss is more comparable to a thousand paper cuts than a nick to a large artery. So, while we are making progress, we don't expect to solve the loss by changing one bad meter or finding a large leak.

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

I have taken some best practice policies from our own collection and from across the state and have created a working document. I will need time to compare this against our collective bargaining agreements, the desires of department heads, and our legal counsel.

✓ **5017 THIRD STREET – AGENDA ITEM** *(Update)*

Now that the structure is gone, my recommendation is to seek bids to purchase and use the site. As with other properties the city has sold, value is only one consideration. The future use of the site will have lasting implications for the neighborhood this parcel is in. My recommendation is to have the planning commission review options in accordance with our land sale policy to evaluate options. Since there were no objections to this recommendation at the last meeting, I prepared a resolution to have the planning commission deliberate on the best use for the parcel.

✓ **4438 MORRISH ROAD** *(Update)*

At the last meeting, the DDA presented findings to the council and sought permission to move forward with formally exploring the development of the parcel. The council continued the decision until after the New Year. I will bring their request back at that time. If council members can convey their individual concerns and questions at the meeting on the 15th, or to me directly, I will be better prepared to discuss those in January. A summary of the efforts so far follows.

At the November DDA meeting, an architect presented some conceptual options that they believe are possible from a market and physical standpoint. They believe this site is well suited for dense housing. They believe that a commercial component may be feasible on the corner of Morrish, due to higher exposure and access, but they do not believe office, retail, or other commercial uses would work on Fortino Drive.

In accordance with the DDA vision and prior recommendations by market consultants (Anderson Economic Group), the DDA agrees with this assessment. New housing would bring residents downtown, adding disposable income, tax base, social capital, and positive branding (image building). The housing proposed, likely to be townhouse style, is also more practical from a market standpoint because it is not as risky as commercial space or low density housing options. Again, this is all conceptual only! This plan is intended to present a visual of what the site COULD look like if developed. It is not intended to reflect proposed traffic patterns, density, or even use. It also does not preclude the movement of Fortino Drive or the inclusion of public components, such as parking.

The DDA is really just asking the question: will the city council consider a development of some type here, or is the land slated to be used for another purpose? If interested, the DDA will engage professionals, at their expense, to explore options and test the function and marketability of such options. Based upon my work with the DDA and the current circumstances, I believe this is the right course and support the concept.

Ultimately, the city council would have final say over any sale and any site plan that is approved.

✓ **SHARED SERVICES, POLICE DEPARTMENTS** *(No Change of Status)*

The city is moving forward with studying merger options. In the meantime, we will be working under an agreement with Mundy Township to provide the city with an employee to oversee the chief duties of the city.

Chief Clolinger is familiarizing himself with the operation of the Mundy Township Police Department. After the New Year, I expect to have our respective governing bodies place representatives into committees to help explore the merger option. Such committees could include: finance, personnel, operations, media relations, and legal/governance.

Presently, our respective communities plan to swear in each other's officers. This is a common practice that is already in effect between the City of Swartz Creek and Genesee County. It enables officers of both departments to work in both communities with the full force of the law, allowing each department to become familiar with the

other department's area, operations, personnel, laws, etc. There is no increased liability, nor is there a change in command structure. The officers still work for their own departments, but they can legally assist each other without an official request through 911.

The oath will be temporary, expiring at the end of 2015. The intent is to learn more about each department and best gauge how a merged department might operate, including potential patrol districts, supervision duties, and organizational culture.

The chiefs plan to hold a joint ceremony the week of January 12th to accomplish this. As of writing, I do not know the time or location. In addition to the oath of office for our officers, there will also be a departmental meeting to begin forming committee assignments with the officers in order to develop effective planning for the future potential consolidation of the two departments.

✓ **SPRINGBROOK EAST & HERITAGE VACANT LOTS** *(No Change of Status)*

Following are issues pending for the three Associations:

SPRINGBROOK COLONY	SPRINGBROOK EAST	HERITAGE VILLAGE
<i>No outstanding issues</i>	<i>No outstanding issues</i>	<i>Seek solution for 4 vacant lots owned by city.</i>

Three units have sold in Springbrook East and are under construction. At some point next year, the city council should look at what to do with the funds in excess of the city's input that we are getting for these units.

✓ **MEIJER COMMUNITY DONATION** *(No Change of Status)*

I am looking for a new contact at Meijer. Perhaps a recognition of their donation, along with all of the other grant and façade work is appropriate in the near future.

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

Tom and I have taken 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 (over \$30,000 per lot). What we have found over the years is that the desirability of the area is large based upon its rustic feel. In fact, the asphalt millings used on the road are garnering much praise from the residents.

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.

Tom may begin the process of using our crews to place asphalt millings on the two-track paths in the coming months (years), as well as working on ditching/drainage. Since most (but not all) underground utilities are in place, we may be able to enable lot sales in the near future without much capital investment.

Concerning the city-owned lots. I suggest we hold on to these for a few reasons. 1. We may need them to make the large area usable, by providing drainage transportation or detention. 2. There is no value to speak of at this point. 3. 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** (*No Change of Status*)

The newsletter has been sent out. Let us know what you think.

✓ **CONSUMERS ENERGY STREET LIGHT AUDIT** (*No Change of Status*)

Consumers Energy has been performing an audit for quite a long time. I don't know how long since I was not here, but I suspect it has been years. What they were doing, literally, was inspecting the entire city system and comparing the number, location, and type of fixtures observed in the field with what is on our street lighting contract. I have attached their findings.

The bottom line is that our city has been overbilled by ~15% annually, mostly due to light classification as opposed to light count. Lower bills and a credit are on the way, which is good. However, since the Michigan Public Service Commission (MPSC) only permits overbilling corrections to span three years, we have been fleeced pretty good overall. To take it a step further, the mistakes made certainly appear to be more than one or two data entry errors or 'opps' moments by those in the field. For example, our prior bill had us on for seventy-six 700 watt mercury vapor. As it turns out, we had zero. The much cheaper 250 watt HPS were under billed by ninety-four. The 100 watt HPS were also substantially under billed.

Don't get me wrong. I generally enjoy working with Consumers Energy, but such broad sweeping 'upgrading' of the fixtures on the lighting contract seems somewhat strange. Every time Consumers change a bulb, their electric demand dropped, but they never (or seldom) altered our bill. I inquired of the matter on the city manager's email list serve to see what other communities were experiencing, and we are not alone.

So, what now? We can be thankful that an audit was done, sign the new agreements, take the credit, and pay lower bills. -OR- We can look to further negotiate the return of overpayments extending back beyond three years, either as a single entity or as a collective of cities capable of stronger legal action. I am making more legal inquiries now to ascertain the probability of further negotiating or otherwise being awarded a larger judgment by the MPSC.

What is at stake? Each month that we delay, we could be losing \$1,500 in general fund money by not entering into the new contracts, and issues like this are seldom resolved quickly. What is there to gain? That is hard to say. It depends on how long ago the changes to our system were made in the field. If the HPS were installed three years ago, there isn't much to gain at all and we should dive into the new agreements. If they were installed 20 years ago, there could be a half million dollars of general fund money at stake (depending on inflation and applicable interest).

If the council wishes to put this behind us, there are immediate savings to be had. My experience with Consumers and MPSC lead me to believe that this is the ultimate result we will be forced to live with (think of the Bristol Road project and the Verizon bill). However, I would be remiss to encourage a quick execution of this agreement if

we lose our ability to get back previous overcharges that the community may be entitled to.

I will continue to make inquiries with other communities, our legal counsel, and the Michigan Municipal League.

✓ **RENTAL REGISTRATION AND INSPECTIONS** *(Update)*

Rental registration and inspections, as performed by city's in Michigan, is a moving target again. The legislature has been review bills that could alter the playing field. I don't expect changes to impact our ability to perform such inspections per se. However, the manner in which programs are set up could alter. For example, there may be strict time limits and expectations on how often inspection shall occur. To avoid unnecessary complications. This ordinance is on hold until the target stops moving and we can take our shot.

✓ **FAIRCHILD AND MILLER INTERSECTION LIGHTS** *(No Change of Status)*

Without consultation or affirmation of our request, we received a right-of-way permit from Consumers Energy to place two street lights at the corner of Fairchild and Miller Road. This came in on November 10th. I am not sure what the holdup was in the past, but I can guess why action is being taken now. Either way, we will move forward and look forward to the installation of those lights.

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

❑ **MONTHLY REPORTS** *(Update)*

There are no monthly or regular reports for this meeting. A Comcast channel change is included.

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

❑ **PLANNING COMMISSION** *(No Change of Status)*

The Marathon site (Biggby Coffee) was reviewed at the December 2, 2014 meeting. The proposal included a Biggby Coffee and Subway restaurant, both with separate drive through facilities. The site has many noted issues related to parking, drive through function, and traffic. The planning commission continued the review until the January meeting in order for the petitioner to complete and submit a traffic impact assessment.

❑ **DOWNTOWN DEVELOPMENT AUTHORITY** *(No Change of Status)*

They met on November 13 to hear from an architect about possible in-fill development on the publicly owned property on Fortino and Morrish.

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

They should be meeting on December 17th to hear variances related to the Biggby Coffee proposal (parking/stacking shortage among others).

❑ **PARKS AND RECREATION COMMISSION - AGENDA ITEM** *(Update)*

The commission met on December 10, 2014 to go over the holiday decorating awards, a grant update, and the rules.

A clear set of rules that reflect the city ordinance and other issues has been needed for the parks for some time. Along with the traditional needs of maintaining safety and cleanliness has been the desire to create a fair and predictable set of guidelines for reservations and park use.

The park board has been working on a set of rules that they believe address these concerns. I have included the rules with a comment mark-up. You will notice that, as it relates to park reservations, there are three types. The first is the standard park pavilion reservation. This one has not changed.

The next reservation type formalizes the rules for on-going use of features such as a ball diamond, croquet court, or football field (think youth athletics). We have reserved these on an annual basis, but we have never formalized our policies. This has created some heartache with users.

The last reservation type is new and pertains to festivals and other large scale events (such as the art fairs). The park board did their best to permit such events under reasonable and fair circumstances. They relied on the previous approvals of the art fair to guide the rules.

The council definitely needs to approve rules, in some form, at the meeting on the 15th. Otherwise, there will not be any in effect on January 1, 2015. If agreement cannot be reached on some of the newer provisions, we can always adopt the current rules contained in the existing ordinance in the interim.

In other news, the commission affirmed the scope of the Recreation Passport Grant. They have tentatively approved a scope for the grant work which follows:

Elms Park Recreation Passport Grant Proposed Scope

<u>Work Item Description</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Amount</u>
Restroom Renovation	1	LS	\$41,500	\$41,500
Barrier free parking at main pavilion (Add 1 van accessible stall with fill from DPW) 16' x 20' HMA and signage	1	LS	\$3,500	\$3,500
Speed table concrete road crossing, 6" thick, 45' x 8'	360	SFT	\$6	\$2,160
Concrete sidewalk to metal pavilion, 5' x 60' (fill and culvert by DPW)	300	SFT	\$4	\$1,200
Concrete sidewalk to Tammy Reaves Memorial pavilion, 5' x 130'	650	SFT	\$4	\$2,600
Barrier free parking at south parking lot 16' x 20' HMA and signage	1	LS	\$3,500	\$3,500
Backstop	1	LS	\$3,200	\$3,200
Exercise stations, manufactured, installed	3	EA	\$1,200	\$3,600
Paved walking path, 8' wide	500	LFT	\$30	\$15,000
MDNR sign	1	LS	\$500	\$500
SESC, restoration	1	LS	\$1,000	\$1,000

Estimated Construction Cost	\$77,760
Construction Contingency (20%)	\$15,552.0
Total Estimated Project Cost	\$93,312

I will present this scope and the park site plan at a meeting in January to seek council conceptual approval. I will also write this grant during the winter months. Once that is completed, the city council will review and approve (or deny) the formal application to the State of Michigan Department of Natural Resources. Applications are due in April of 2015 with construction expected in the spring of 2016. A match of approximately \$50,000 would be expected from the city. This could be done with a combination of in-kind services, volunteer labor, donated money/materials, and general fund money.

The candle light ambiance at this year's Christmas Parade a big success. In addition, they sponsored and judged city-wide decorating contests, in conjunction with the women's club. There was a residential and business category. I do not know who the winners are as of writing.

BOARD OF REVIEW (*Update*)

The Board of Review met on December 9th and had four petitioners.

NEW BUSINESS / PROJECTED ISSUES & PROJECTS

✓ **FANG DUES (*Resolution*)**

Included in the packet is an invoice and request to authorize the payment of our 2014-2015 membership dues to FANG.

The city has been a member of the FLINT AREA NARCOTICS GROUP (FANG) for the past 15 years, with an officer assigned to this unit for 8 years. This unit is a drug enforcement, undercover unit that provides narcotic investigations for all of its member agencies. The unit receives federal grant monies and is supported by its members' dues.

The dues are calculated using the following calculations: The State Equalized Value (SEV) of our municipality is divided by the total SEV of all the municipalities, resulting in the SEV factor and percentage. Base dues are determined by multiplying our SEV factor by the total population, which calculates our dues at \$7850.60.

Our membership to the FANG unit is paramount as they provide this investigation and enforcement service in this city as well as the rest of this county, which knows no borders or jurisdictions.

✓ **MML DUES (*Resolutions*)**

Included in the packet is an invoice and resolution for the City's continued participation in the Michigan Municipal League. This group provides routing services that are beneficial, such as training and statistics. They also come in handy when there are state-wide issues or concerns that are tough to address as an individual city. Examples

include our dilemma with Consumers Energy and the lobby action in favor of increased road monies.

Council Questions, Inquiries, Requests and Comments

- *The invoice paid to the Michigan Municipal League was for drug screening services of the city's CDL holders.*

**City of Swartz Creek
RESOLUTIONS
Regular Council Meeting, Monday, December 15, 2014, 7:00 P.M.**

Resolution No. 141215A MINUTES – DECEMBER 8, 2014

Motion by Councilmember: _____

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday, December 8, 2014, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 141215-5A 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 December 15, 2014, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 141215-6A CITY MANAGER’S REPORT

Motion by Councilmember: _____

I Move the Swartz Creek City Council accept the City Manager’s Report of December 15, 2014, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 141215-8A FANG DUES

Motion by Councilmember: _____

I Move the City of Swartz Creek City Council approve the payment of \$7,850.60 to the Flint Area Narcotics Group (FANG) for annual dues and expense said payment to the Drug Enforcement Fund 265-931.000-699.1.

Second by Councilmember: _____

Voting For: _____
Voting Against: _____

Resolution No. 141215-8B MICHIGAN MUNICIPAL LEAGUE DUES

Motion by Councilmember: _____

I Move the City of Swartz Creek renew its annual membership in the Michigan Municipal League for the period from 02/01/2015 to 01/31/2016, and further, appropriate an amount not to exceed \$3,025 for payment thereof, funds to be apportioned across revenue bearing accounts as determined by the Finance Director.

Second by Councilmember: _____

Voting For: _____
Voting Against: _____

Resolution No. 141215-8C THIRD STREET PROPERTY REVIEW

Motion by Councilmember: _____

WHEREAS, the city acquired a residential structure located at 5017 Third Street in December of 2013, parcel ID 58-01-502-077, for the purpose of securing the demolition of the blighted house.

WHEREAS, the house has been demolished and accessory structures secured; and

WHEREAS, the City of Swartz Creek City Council finds no other direct public benefit or purpose to ownership of this parcel; and

WHEREAS, there is interest in this parcel from multiple parties, including potential residential and commercial use; and

WHEREAS, this parcel, though currently zoned R-3, has both residential and commercial potential; and

NOW THEREFORE, BE IT RESOLVED, the City of Swartz Creek City Council hereby directs the planning commission to review the parcel in the context of the neighborhood setting and the city master plan to determine what future use will be in the best public interest, such findings to be reported back to the city council no later than March 31, 2015.

Second by Councilmember: _____

Voting For: _____
Voting Against: _____

Resolution No. 141215-8D PARK RULES ADOPTION

Motion by Councilmember: _____

WHEREAS, the City of Swartz Creek owns, operates, and maintains public park and recreation facilities and desires to promote safe and equitable use of those facilities; and

WHEREAS, the city previously regulated such use through a combination of ordinances, written policies, and past practices; and

WHEREAS, the city adopted Ordinance 417, repealing existing park ordinances and including Section 11-47, Park Rules and Regulations, which reads as follows: the City Council may be resolution adopt rules and regulations governing the use of parks, including prohibitions or restrictions on uses and acts within parks; and

WHEREAS, the city park and recreation commission recommends approval of the attached Park Rules and Regulations.

NOW, THEREFORE, BE IT RESOLVED, the Swartz Creek City Council hereby approve the park rules as attached, to be effective concurrently with Ordinance 417.

BE IT FURTHER RESOLVED, the council hereby directs staff to publish these rules and regulations in a newspaper of general circulation prior to the 2015 seasonal opening of the parks.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 141215-8E STREET ADVISORY COMMITTEE

Motion by Councilmember: _____

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

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

WHEREAS, the city is in the process of studying the prospect of a 20 year street investment plan and accompanying levy; and

WHEREAS, the council desires to enable a committee of councilmembers and staff to further deliberate on the particulars relating to the amount of any such levy, as well as the possibility of creating a prioritized street list for the life of the levy.

NOW, THEREFORE, BE IT RESOLVED, the City of Swartz Creek City Council hereby creates a temporary committee, to be referred to as the "Street Project Review

Committee,” for the purpose of reviewing and making recommendations relating to the proposed street levy, with findings to include the recommended amount of such levy.

BE IT FURTHER RESOLVED, the Street Project Review Committee shall deliver such findings at the regular meeting on January 12, 2015 and be subsequently dissolved unless otherwise engaged in further reviews at the direction of the city council.

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

Mayor Krueger
Councilmember Porath
Councilmember Pinkston
Lou Fluery – Consultant Engineer
Adam Zettel – Staff Member

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE 12/8/2014**

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

Invocation and Pledge of Allegiance to the Flag.

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

Councilmembers Absent: None.

Staff Present: City Manager Adam Zettel, Deputy Clerk Deanna Korth, DPS Director Tom Svrcek, City Attorney Mike Gildner, City Engineer Lou Fleury, Steve Warren, Chief Clolinger.

Others Present: Sharon Shumaker, Bob Plumb, Jim Florence, Ron Schultz, Craig Culinski, Joe Perreault, Boots Abrams.

APPROVAL OF MINUTES

Resolution No. 141208-01

(Carried)

Motion by Councilmember Porath
Second by Mayor Pro-Tem Abrams

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

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

APPROVAL OF AGENDA

Resolution No. 141208-02

(Carried)

Motion by Mayor Pro-Tem Abrams
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Agenda as presented, for the Regular Council Meeting of December 8, 2014, to be circulated and placed on file.

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

REPORTS AND COMMUNICATIONS:

City Manager's Report

Resolution No. 141208-03

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Gilbert

I Move the Swartz Creek City Council accept the City Manager's Report of December 8, 2014, to be circulated and placed on file.

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

MEETING OPENED TO THE PUBLIC

None.

COUNCIL BUSINESS

Ballot Initiative, Dedicated Street Millage

Resolution No. 141208-04

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Porath

I Move the City of Swartz Creek direct the staff and city attorney to prepare ballot language for a dedicated street millage, including potential debt incurred to fund street improvements, to be placed before the voters on Tuesday May 5, 2015, and bring such a proposal back to the City Council for review and final decision.

Discussion Took Place.

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

Downtown Development Authority Development Proposal

Resolution No. 141208-05a

(Postponed)

Motion by Councilmember Gilbert
Second by Councilmember Hicks

WHEREAS, the city acquired vacant land on Morrish Road in 2004, parcel ID 58-35-576-001, and a house located at 4438 Morrish Road in 2007, parcel ID 58-35-

576-002, both for the purpose of either locating a potential senior center or spurring development that would complement downtown.

WHEREAS, the senior center chose not to relocate but add an addition at their current location in 2009.

WHEREAS, the Swartz Creek Downtown Development Authority has invested in market studies, land use analyses, and the demolition of structures pertaining to these sites; and

WHEREAS, the DDA has compiled its research and, with the assistance from a professional in-fill architect, developed conceptual plans to develop the properties; and

WHEREAS, the DDA has requested that the city council support the concept plans and approve further investigations of the development of this land.

WHEREAS, the concept plan is found to meet the intent of the city's master plan and DDA plans; and

WHEREAS, the final decision on any site plan or sale must be made by the city council.

NOW THEREFORE, BE IT RESOLVED, the City of Swartz Creek hereby authorizes the DDA to investigate the development potential of the properties owned by the city at the corner of Morrish Road and Fortino Drive, including the hiring of professional designers, engagement of builders, and the application for site plan and related reviews, provided they do so with their own funds and report their findings back to the city council.

Resolution No. 141208-05b

(Carried)

Motion by Mayor Pro-Tem Abrams
Second by Councilmember Shumaker

I Move the Swartz Creek City Council postpone a decision on the DDA Development Proposal until 2015.

Discussion took place.

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

Morrish Road Sewer Line Agreement

Resolution No. 141208-06

(Carried)

Motion by Councilmember Pinkston
Second by Mayor Pro-Tem Abrams

WHEREAS, the City of Swartz Creek entered into an agreement on March 18, 2005 with the Township of Gaines and the County of Genesee for the purpose of providing sewer transportation services for 51 units of sanitary sewer within the Bear Creek Subdivision on Morrish Road in Gaines Township; and

WHEREAS, the intent of this arrangement was temporary in nature, with the initial expiration being on December 31, 2011 and a subsequent expiration on December 31, 2012; and

WHEREAS, a permanent solution that would remove the township force main from the city system has not been viable; and

WHEREAS, the city, township, and county desire to enter into a legal arrangement that better defines operation, maintenance, access rights, and responsibilities; and

WHEREAS, Genesee County, by its Drain Commission, has offered to designate the city portion of this sewer line as part of the interceptor sewer system and assume operation and maintenance responsibilities; and

WHEREAS, the City will retain capacity rights, as well as the current and future city customers on the sewer line; and

WHEREAS, the City Council finds this to be the most advantageous solution for the welfare of the city.

NOW, THEREFORE, BE IT RESOLVED, the Swartz Creek City Council hereby approves the transfer of the Morrish Road Sewer in accordance with the sewer transfer agreement, as included and recorded in the December 8, 2014 city council packet, and further directs the Mayor and Clerk to execute said contract.

Discussion Ensued.

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

NO: Shumaker. Motion Declared Carried.

Heritage Utility Transfer Agreement

Resolution No. 141208-07a

(Amended)

Motion by Councilmember Porath
Second by Mayor Pro-Tem Abrams

WHEREAS, Heritage Village of the City of Swartz Creek Condominium Association (“Heritage”), a site condominium project, was established in 2002 and work on the development of same commenced in 2002; and

WHEREAS, the Master Deed for Heritage was initially recorded with the Genesee County Register of Deeds on October 29, 2002 with instrument number 200210290121507; and

WHEREAS, the Master Deed provided for the establishment of the Association and the Association's Bylaws (the Master Deed, the Association's Bylaws, and their amendments, are collectively referred to herein as the "Condominium Documents"); and

WHEREAS, the Association is the owner of certain roads and sanitary sewer and water lines that run through Heritage; and

WHEREAS, the Association desires to transfer the ownership of said roads, sanitary sewer system and water system ("the Utility Systems") to the City; and

WHEREAS, the City is willing to take over the ownership and operation of the Utility Systems under the terms and conditions set forth in this agreement, the primary reason being the repeated demands for such ownership received from the Michigan Department of Environmental Quality (DEQ).

NOW, THEREFORE, BE IT RESOLVED, the City of Swartz Creek City Council hereby accepts the transfer of the Utility Systems within Heritage Village, and further directs the Mayor and Clerk to execute said agreement, as included and recorded in the December 8, 2014 city council packet.

Discussion Took Place.

Resolution No. 141208-07b

(Carried)

Motion by Councilmember Porath
Second by Mayor Pro-Tem Abrams

I Move the word "certain" be removed from the Heritage Utility Transfer Agreement.

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

Resolution No. 141208-07c

(Carried)

Motion by Councilmember Porath
Second by Mayor Pro-Tem Abrams

WHEREAS, Heritage Village of the City of Swartz Creek Condominium Association ("Heritage"), a site condominium project, was established in 1986 and work on the development of same commenced in 2002; and

WHEREAS, the Master Deed for Springbrook was initially recorded with the Genesee County Register of Deeds on October 29, 2002 with instrument number 200210290121507; and

WHEREAS, the Master Deed provided for the establishment of the Association and the Association's Bylaws (the Master Deed, the Association's Bylaws, and their amendments, are collectively referred to herein as the "Condominium Documents"); and

WHEREAS, the Association is the owner of roads and sanitary sewer and water lines that run through Heritage; and

WHEREAS, the Association desires to transfer the ownership of said roads, sanitary sewer system and water system ("the Utility Systems") to the City; and

WHEREAS, the City is willing to take over the ownership and operation of the Utility Systems under the terms and conditions set forth in this agreement, the primary reason being the repeated demands for such ownership received from the Michigan Department of Environmental Quality (DEQ).

NOW, THEREFORE, BE IT RESOLVED, the City of Swartz Creek City Council hereby accepts the transfer of the Utility Systems within Heritage Village, and further directs the Mayor and Clerk to execute said agreement, as included and recorded in the December 8, 2014 city council packet.

Discussion Took Place.

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

Street Dedication, Heritage Boulevard (Heritage Village Homeowners Association)

Resolution No. 141208-08

(Carried)

Motion by Mayor Pro-Tem Abrams
Second by Councilmember Shumaker

At a regular meeting of the City Council of Swartz Creek Michigan, held at the City Hall on Monday, December 8, 2014 7:00 PM, the following resolutions were offered by Mayor Pro-Tem Abrams, and supported by Councilmember Shumaker.

WHEREAS, the City and the Heritage Village Condominium Association, by and through its Board of Directors, have agreed to transfer certain streets within the Association to the City, along with water-mains, sanitary sewer-mains and storm sewer-mains located within adjacent right of way property running alongside the streets, the transfer being in accordance with site plan approvals on file with the City; and

WHEREAS, the Attorney representing the Heritage Village Condominium Association has reviewed documentation for the Association and has determined that the Association, through its Board of Directors, has the authority to convey and

assign real and personal property on behalf of its membership and has certified such in a correspondence to the City; and

WHEREAS, on August 19, 2014, the Heritage Village Condominium Association's Board of Directors adopted a resolution conveying the streets along with right of way containing water-mains, sanitary sewer-mains and storm sewer-mains to the City, a copy of which is attached hereto.

WHEREAS, it is necessary to furnish certain information to the State of Michigan to place this street within the City Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

NOW, THEREFORE, BE IT RESOLVED:

1. That the center line of said street is described as:

Description of Heritage Boulevard

Beginning at a point on the centerline of Bristol Road; thence N00°29'01"W, 488.28 feet; thence along a curve to the right having a radius of 1167.00 feet, an arc length of 164.30 feet, a delta angle of 08°03'59" and chord bearing and distance of N03°33'00"E, 164.16 feet; thence N07°35'00"E, 130.70 feet; thence along a curve to the right having a radius of 414.00 feet, an arc length of 135.70 feet, a delta angle of 18°46'47" and chord bearing and distance of N16°58'24"E, 135.09 feet; thence N26°21'49"E, 68.80 feet; thence along a curve to the right having a radius of 828.00 feet, an arc length of 323.09 feet, a delta angle of 22°21'25" and chord bearing and distance of N37°32'32"E, 321.04 feet; thence N48°43'14"E, 171.99 feet; thence along a curve to the left having a radius of 894.00 feet, an arc length of 453.15 feet, a delta angle of 29°02'32" and chord bearing and distance of N34°11'58"E, 448.32 feet; thence N19°40'42"E, 153.73 feet; thence along a curve to the left having a radius of 849.75.00 feet, an arc length of 328.02 feet, a delta angle of 22°07'02" and chord bearing and distance of N08°37'11"E, 325.99 feet to the point of terminus of Heritage Boulevard. Total of 2417.75 linear feet.

2. That said street, including 33' from the defined center line, is located within a City right-of-way and is under the control of the City of Swartz Creek.
3. That said street is a public street and is for public street purposes.
4. That said street is accepted into the City Local Street System and was open to the public on December 8, 2014.

Resolution duly adopted on December 8, 2014.

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

Street Dedication, Canterbury Drive (Heritage Village Homeowners Association)

Motion by Mayor Pro-Tem Abrams
Second by Councilmember Shumaker

At a regular meeting of the City Council of Swartz Creek Michigan, held at the City Hall on Monday, December 8, 2014 7:00 PM, the following resolutions were offered by Mayor Pro-Tem Abrams, and supported by Councilmember Shumaker.

WHEREAS, the City and the Heritage Village Condominium Association, by and through its Board of Directors, have agreed to transfer certain streets within the Association to the City, along with water-mains, sanitary sewer-mains and storm sewer-mains located within adjacent right of way property running alongside the streets, the transfer being in accordance with site plan approvals on file with the City; and

WHEREAS, the Attorney representing the Heritage Village Condominium Association has reviewed documentation for the Association and has determined that the Association, through its Board of Directors, has the authority to convey and assign real and personal property on behalf of its membership and has certified such in a correspondence to the City; and

WHEREAS, on August 19, 2014, the Heritage Village Condominium Association's Board of Directors adopted a resolution conveying the streets along with right of way containing water-mains, sanitary sewer-mains and storm sewer-mains to the City, a copy of which is attached hereto.

WHEREAS, it is necessary to furnish certain information to the State of Michigan to place this street within the City Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

NOW, THEREFORE, BE IT RESOLVED:

1. That the center line of said street is described as:

Description of Canterbury Drive

Beginning at a point on the centerline of Bristol Road; thence N00°29'01"W, 591.24 feet; thence along a curve to the right having a radius of 870.00 feet, an arc length of 366.01 feet, a delta angle of 24°06'16" and chord bearing and distance of N11°34'07"E, 363.32 feet to the point of terminus of Canterbury Drive. Total of 957.25 linear feet.

2. That said street, including 30' from the defined center line, is located within a City right-of-way and is under the control of the City of Swartz Creek.
3. That said street is a public street and is for public street purposes.
4. That said street is accepted into the City Local Street System and was open to the public on December 8, 2014

Resolution duly adopted on December 8, 2014.

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

Street Dedication, Augusta Drive (Heritage Village Homeowners Association)

Resolution No. 141208-10

(Carried)

Motion by Mayor Pro-Tem Abrams
Second by Councilmember Shumaker

At a regular meeting of the City Council of Swartz Creek Michigan, held at the City Hall on Monday, December 8, 2014 7:00 PM, the following resolutions were offered by Mayor Pro-Tem Abrams, and supported by Councilmember Shumaker.

WHEREAS, the City and the Heritage Village Condominium Association, by and through its Board of Directors, have agreed to transfer certain streets within the Association to the City, along with water-mains, sanitary sewer-mains and storm sewer-mains located within adjacent right of way property running alongside the streets, the transfer being in accordance with site plan approvals on file with the City; and

WHEREAS, the Attorney representing the Heritage Village Condominium Association has reviewed documentation for the Association and has determined that the Association, through its Board of Directors, has the authority to convey and assign real and personal property on behalf of its membership and has certified such in a correspondence to the City; and

WHEREAS, on August 19, 2014, the Heritage Village Condominium Association's Board of Directors adopted a resolution conveying the streets along with right of way containing water-mains, sanitary sewer-mains and storm sewer-mains to the City, a copy of which is attached hereto.

WHEREAS, it is necessary to furnish certain information to the State of Michigan to place this street within the City Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

NOW, THEREFORE, BE IT RESOLVED:

1. That the center line of said street is described as:

Description of Augusta Drive

Beginning at a point on the centerline of Canterbury Drive; thence S89°30'59"W, 574.02 feet; thence along a curve to the left having a radius of 150.00 feet, an arc length of 134.03 feet, a delta angle of 51°11'40" and chord bearing and distance of S63°55'08"W, 129.61 feet; thence along a curve to the right having a radius of 150.00 feet, an arc length of 134.03 feet, a delta angle of 51°11'46" and chord bearing and distance of S63°55'08"W, 129.62 feet; thence S89°30'59"W, 437.25 feet to the point of terminus of Augusta Drive. Total of 1279.33 linear feet.

2. That said street, including 30' from the defined center line, is located within a City right-of-way and is under the control of the City of Swartz Creek.
3. That said street is a public street and is for public street purposes.
4. That said street is accepted into the City Local Street System and was open to the public on December 8, 2014

Resolution duly adopted on December 8, 2014.

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

Street Dedication, Manchester Street (Heritage Village Homeowners Association)

Resolution No. 141208-11

(Carried)

Motion by Mayor Pro-Tem Abrams
Second by Councilmember Shumaker

At a regular meeting of the City Council of Swartz Creek Michigan, held at the City Hall on Monday, December 8, 2014 7:00 PM, the following resolutions were offered by Mayor Pro-Tem Abrams, and supported by Councilmember Shumaker.

WHEREAS, the City and the Heritage Village Condominium Association, by and through its Board of Directors, have agreed to transfer certain streets within the Association to the City, along with water-mains, sanitary sewer-mains and storm sewer-mains located within adjacent right of way property running alongside the streets, the transfer being in accordance with site plan approvals on file with the City; and

WHEREAS, the Attorney representing the Heritage Village Condominium Association has reviewed documentation for the Association and has determined that the Association, through its Board of Directors, has the authority to convey and assign real and personal property on behalf of its membership and has certified such in a correspondence to the City; and

WHEREAS, on August 19, 2014, the Heritage Village Condominium Association's Board of Directors adopted a resolution conveying the streets along with right of way containing water-mains, sanitary sewer-mains and storm sewer-mains to the City, a copy of which is attached hereto.

WHEREAS, it is necessary to furnish certain information to the State of Michigan to place this street within the City Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

NOW, THEREFORE, BE IT RESOLVED:

1. That the center line of said street is described as:

Description of Manchester Street

Beginning at a point on the centerline of Augusta Drive; thence N01°41'53"W, 148.94 feet to the point of terminus of Manchester Street. Total of 148.94 linear feet.

2. That said street, including 30' from the defined center line, is located within a City right-of-way and is under the control of the City of Swartz Creek.
3. That said street is a public street and is for public street purposes.
4. That said street is accepted into the City Local Street System and was open to the public on December 8, 2014

Resolution duly adopted on December 8, 2014.

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

Street Dedication, Cambridge Street (Heritage Village Homeowners Association)

Resolution No. 141208-12

(Carried)

Motion by Mayor Pro-Tem Abrams
Second by Councilmember Shumaker

At a regular meeting of the City Council of Swartz Creek Michigan, held at the City Hall on Monday, December 8, 2014 7:00 PM, the following resolutions were offered by Mayor Pro-Tem Abrams, and supported by Councilmember Shumaker.

WHEREAS, the City and the Heritage Village Condominium Association, by and through its Board of Directors, have agreed to transfer certain streets within the Association to the City, along with water-mains, sanitary sewer-mains and storm sewer-mains located within adjacent right of way property running alongside the streets, the transfer being in accordance with site plan approvals on file with the City; and

WHEREAS, the Attorney representing the Heritage Village Condominium Association has reviewed documentation for the Association and has determined that the Association, through its Board of Directors, has the authority to convey and assign real and personal property on behalf of its membership and has certified such in a correspondence to the City; and

WHEREAS, on August 19, 2014, the Heritage Village Condominium Association's Board of Directors adopted a resolution conveying the streets along with right of way containing water-mains, sanitary sewer-mains and storm sewer-mains to the City, a copy of which is attached hereto.

WHEREAS, it is necessary to furnish certain information to the State of Michigan to place this street within the City Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

NOW, THEREFORE, BE IT RESOLVED:

1. That the center line of said street is described as:

Description of Cambridge Street
Beginning at a point on the centerline of Augusta Drive; thence N01°41'53"W, 105.01 feet to the point of terminus of Cambridge Street. Total of 105.01 linear feet.
2. That said street, including 30' from the defined center line, is located within a City right-of-way and is under the control of the City of Swartz Creek.
3. That said street is a public street and is for public street purposes.
4. That said street is accepted into the City Local Street System and was open to the public on December 8, 2014

Resolution duly adopted on December 8, 2014.

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

Street Dedication, Arlington Drive (Heritage Village Homeowners Association)

Resolution No. 141208-13

(Carried)

Motion by Mayor Pro-Tem Abrams
 Second by Councilmember Shumaker

At a regular meeting of the City Council of Swartz Creek Michigan, held at the City Hall on Monday, December 8, 2014 7:00 PM, the following resolutions were offered by Mayor Pro-Tem Abrams, and supported by Councilmember Shumaker.

WHEREAS, the City and the Heritage Village Condominium Association, by and through its Board of Directors, have agreed to transfer certain streets within the Association to the City, along with water-mains, sanitary sewer-mains and storm sewer-mains located within adjacent right of way property running alongside the streets, the transfer being in accordance with site plan approvals on file with the City; and

WHEREAS, the Attorney representing the Heritage Village Condominium Association has reviewed documentation for the Association and has determined that the Association, through its Board of Directors, has the authority to convey and assign real and personal property on behalf of its membership and has certified such in a correspondence to the City; and

WHEREAS, on August 19, 2014, the Heritage Village Condominium Association's Board of Directors adopted a resolution conveying the streets along with right of way containing water-mains, sanitary sewer-mains and storm sewer-mains to the City, a copy of which is attached hereto.

WHEREAS, it is necessary to furnish certain information to the State of Michigan to place this street within the City Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

NOW, THEREFORE, BE IT RESOLVED:

1. That the center line of said street is described as:

Description of Arlington Drive

Beginning at a point which is S83°32'45"E, 169.47 feet from the centerline of Canterbury Drive; thence N83°32'45"W, 332.09 feet; thence along a curve to the left having a radius of 830.00 feet, an arc length of 89.62 feet, a delta angle of 06°11'11" and chord bearing and distance of N86°38'20"W, 89.57 feet; thence along a curve to the right having a radius of 470.06 feet, an arc length of 82.13 feet, a delta angle of 10°00'38" and chord bearing and distance of N84°43'36"E, 82.02 feet; thence N80°37'53"W, 41.51 feet; thence along a curve to the left having a radius of 800.00 feet, an arc length of 137.35 feet, a delta angle of 09°50'12" and chord bearing and distance of N85°32'59"W, 137.18 feet; thence S89°31'58"W, 198.89 feet to the point of terminus of Arlington Drive. Total of 881.59 linear feet.

2. That said street, including 30' from the defined center line, is located within a City right-of-way and is under the control of the City of Swartz Creek.

3. That said street is a public street and is for public street purposes.

4. That said street is accepted into the City Local Street System and was open to the public on December 8, 2014

Resolution duly adopted on December 8, 2014.

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

NO: None. Motion Declared Carried.

Street Dedication, St. Charles Pass (Heritage Village Homeowners Association)

Resolution No. 141208-14

(Carried)

Motion by Mayor Pro-Tem Abrams
Second by Councilmember Shumaker

At a regular meeting of the City Council of Swartz Creek Michigan, held at the City Hall on Monday, December 8, 2014 7:00 PM, the following resolutions were offered by Mayor Pro-Tem Abrams, and supported by Councilmember Shumaker.

WHEREAS, the City and the Heritage Village Condominium Association, by and through its Board of Directors, have agreed to transfer certain streets within the Association to the City, along with water-mains, sanitary sewer-mains and storm sewer-mains located within adjacent right of way property running alongside the streets, the transfer being in accordance with site plan approvals on file with the City; and

WHEREAS, the Attorney representing the Heritage Village Condominium Association has reviewed documentation for the Association and has determined that the Association, through its Board of Directors, has the authority to convey and assign real and personal property on behalf of its membership and has certified such in a correspondence to the City; and

WHEREAS, on August 19, 2014, the Heritage Village Condominium Association's Board of Directors adopted a resolution conveying the streets along with right of way containing water-mains, sanitary sewer-mains and storm sewer-mains to the City, a copy of which is attached hereto.

WHEREAS, it is necessary to furnish certain information to the State of Michigan to place this street within the City Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

NOW, THEREFORE, BE IT RESOLVED:

1. That the center line of said street is described as:

Description of St. Charles Pass

Beginning at a point which is N41°11'39"W, 379.65 feet from the centerline of Heritage Boulevard; thence S41°11'39"E, 553.41 feet; thence along a curve to the left having a radius of 514.00 feet, an arc length of 286.67 feet, a delta angle of 31°57'20" and chord bearing and distance of S57°10'20"E, 282.97 feet; thence S73°09'00"E, 129.94 feet to the point of terminus of St. Charles Pass. Total of 970.02 linear feet.

2. That said street, including 30' from the defined center line, is located within a City right-of-way and is under the control of the City of Swartz Creek.
3. That said street is a public street and is for public street purposes.
4. That said street is accepted into the City Local Street System and was open to the public on December 8, 2014

Resolution duly adopted on December 8, 2014.

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

Street Dedication, Mansfield Drive (Heritage Village Homeowners Association)

Resolution No. 141208-15

(Carried)

Motion by Mayor Pro-Tem Abrams
Second by Councilmember Shumaker

At a regular meeting of the City Council of Swartz Creek Michigan, held at the City Hall on Monday, December 8, 2014 7:00 PM, the following resolutions were offered by Mayor Pro-Tem Abrams, and supported by Councilmember Shumaker.

WHEREAS, the City and the Heritage Village Condominium Association, by and through its Board of Directors, have agreed to transfer certain streets within the

Association to the City, along with water-mains, sanitary sewer-mains and storm sewer-mains located within adjacent right of way property running alongside the streets, the transfer being in accordance with site plan approvals on file with the City; and

WHEREAS, the Attorney representing the Heritage Village Condominium Association has reviewed documentation for the Association and has determined that the Association, through its Board of Directors, has the authority to convey and assign real and personal property on behalf of its membership and has certified such in a correspondence to the City; and

WHEREAS, on August 19, 2014, the Heritage Village Condominium Association's Board of Directors adopted a resolution conveying the streets along with right of way containing water-mains, sanitary sewer-mains and storm sewer-mains to the City, a copy of which is attached hereto.

WHEREAS, it is necessary to furnish certain information to the State of Michigan to place this street within the City Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

NOW, THEREFORE, BE IT RESOLVED:

1. That the center line of said street is described as:

Description of Mansfield Drive

Beginning at a point which on the centerline of Heritage Boulevard; thence S53°15'31"E, 106.18 feet; thence along a curve to the left having a radius of 413.00 feet, an arc length of 123.60 feet, a delta angle of 17°08'47" and chord bearing and distance of S61°49'54"E, 123.13 feet; thence S70°24'18"E, 126.33 feet to the point of terminus of Mansfield Drive. Total of 356.11 linear feet.

2. That said street, including 30' from the defined center line, is located within a City right-of-way and is under the control of the City of Swartz Creek.
3. That said street is a public street and is for public street purposes.
4. That said street is accepted into the City Local Street System and was open to the public on December 8, 2014

Resolution duly adopted on December 8, 2014.

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

Street Dedication, Concord Drive (Heritage Village Homeowners Association)

Resolution No. 141208-16

(Carried)

Motion by Mayor Pro-Tem Abrams
Second by Councilmember Shumaker

At a regular meeting of the City Council of Swartz Creek Michigan, held at the City Hall on Monday, December 8, 2014 7:00 PM, the following resolutions were offered by Mayor Pro-Tem Abrams, and supported by Councilmember Shumaker.

WHEREAS, the City and the Heritage Village Condominium Association, by and through its Board of Directors, have agreed to transfer certain streets within the Association to the City, along with water-mains, sanitary sewer-mains and storm sewer-mains located within adjacent right of way property running alongside the streets, the transfer being in accordance with site plan approvals on file with the City; and

WHEREAS, the Attorney representing the Heritage Village Condominium Association has reviewed documentation for the Association and has determined that the Association, through its Board of Directors, has the authority to convey and assign real and personal property on behalf of its membership and has certified such in a correspondence to the City; and

WHEREAS, on August 19, 2014, the Heritage Village Condominium Association's Board of Directors adopted a resolution conveying the streets along with right of way containing water-mains, sanitary sewer-mains and storm sewer-mains to the City, a copy of which is attached hereto.

WHEREAS, it is necessary to furnish certain information to the State of Michigan to place this street within the City Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

NOW, THEREFORE, BE IT RESOLVED:

1. That the center line of said street is described as:

Description of Concord Drive

Beginning at a point which on the centerline of Heritage Boulevard; thence N52°05'58"W, 54.07 feet; thence along a curve to the left having a radius of 113.00 feet, an arc length of 43.83 feet, a delta angle of 22°13'26" and chord bearing and distance of N63°12'41"W, 43.56 feet; thence N74°19'24"W, 366.19 feet; thence along a curve to the right having a radius of 53.00 feet, an arc length of 83.25 feet, a delta angle of 90°00'00" and chord bearing and distance of N29°19'24"W, 74.95 feet; thence N15°40'36"E, 124.50 feet to the point of terminus of Concord Drive. Total of 671.84 linear feet.

2. That said street, including 30' from the defined center line, is located within a City right-of-way and is under the control of the City of Swartz Creek.
3. That said street is a public street and is for public street purposes.
4. That said street is accepted into the City Local Street System and was open to the public on December 8, 2014.

Resolution duly adopted on December 8, 2014.

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

Street Dedication, Wedgewood Drive (Heritage Village Homeowners Association)

Resolution No. 141208-17

(Carried)

Motion by Mayor Pro-Tem Abrams
Second by Councilmember Shumaker

At a regular meeting of the City Council of Swartz Creek Michigan, held at the City Hall on Monday, December 8, 2014 7:00 PM, the following resolutions were offered by Mayor Pro-Tem Abrams, and supported by Councilmember Shumaker.

WHEREAS, the City and the Heritage Village Condominium Association, by and through its Board of Directors, have agreed to transfer certain streets within the Association to the City, along with water-mains, sanitary sewer-mains and storm sewer-mains located within adjacent right of way property running alongside the streets, the transfer being in accordance with site plan approvals on file with the City; and

WHEREAS, the Attorney representing the Heritage Village Condominium Association has reviewed documentation for the Association and has determined that the Association, through its Board of Directors, has the authority to convey and assign real and personal property on behalf of its membership and has certified such in a correspondence to the City; and

WHEREAS, on August 19, 2014, the Heritage Village Condominium Association's Board of Directors adopted a resolution conveying the streets along with right of way containing water-mains, sanitary sewer-mains and storm sewer-mains to the City, a copy of which is attached hereto.

WHEREAS, it is necessary to furnish certain information to the State of Michigan to place this street within the City Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

NOW, THEREFORE, BE IT RESOLVED:

1. That the center line of said street is described as:

*Description of Wedgewood Drive
Beginning at a point on the centerline of Heritage Boulevard; thence N74°19'24"W, 156.57 feet to the point of terminus of Wedgewood Drive. Total of 156.57 linear feet.*

2. That said street, including 30' from the defined center line, is located within a City right-of-way and is under the control of the City of Swartz Creek.

3. That said street is a public street and is for public street purposes.

4. That said street is accepted into the City Local Street System and was open to the public on December 8, 2014

Resolution duly adopted on December 8, 2014.

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

Street Dedication, Bainbridge Drive (Heritage Village Homeowners Association)

Resolution No. 141208-18

(Carried)

Motion by Mayor Pro-Tem Abrams
Second by Councilmember Shumaker

At a regular meeting of the City Council of Swartz Creek Michigan, held at the City Hall on Monday, December 8, 2014 7:00 PM, the following resolutions were offered by Mayor Pro-Tem Abrams, and supported by Councilmember Shumaker.

WHEREAS, the City and the Heritage Village Condominium Association, by and through its Board of Directors, have agreed to transfer certain streets within the Association to the City, along with water-mains, sanitary sewer-mains and storm sewer-mains located within adjacent right of way property running alongside the streets, the transfer being in accordance with site plan approvals on file with the City; and

WHEREAS, the Attorney representing the Heritage Village Condominium Association has reviewed documentation for the Association and has determined that the Association, through its Board of Directors, has the authority to convey and assign real and personal property on behalf of its membership and has certified such in a correspondence to the City; and

WHEREAS, on August 19, 2014, the Heritage Village Condominium Association's Board of Directors adopted a resolution conveying the streets along with right of way containing water-mains, sanitary sewer-mains and storm sewer-mains to the City, a copy of which is attached hereto.

WHEREAS, it is necessary to furnish certain information to the State of Michigan to place this street within the City Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

NOW, THEREFORE, BE IT RESOLVED:

1. That the center line of said street is described as:

Description of Bainbridge Drive

Beginning at a point on the centerline of Heritage Boulevard; thence N88°49'50"E, 56.73 feet; thence along a curve to the right having a radius of 215.00 feet, an arc length of 74.13 feet, a delta angle of 19°45'16" and chord bearing and distance of S80°16'56"E, 73.76 feet; thence S70°24'18"E, 105.77 feet to the point of terminus of Bainbridge Drive. Total of 236.63 linear feet.

2. That said street, including 30' from the defined center line, is located within a City right-of-way and is under the control of the City of Swartz Creek.

3. That said street is a public street and is for public street purposes.
4. That said street is accepted into the City Local Street System and was open to the public on December 8, 2014

Resolution duly adopted on December 8, 2014.

Discussion Ensued.

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

OHM Miller Road Construction Engineering

Resolution No. 141208-19

(Carried)

Motion by Councilmember Shumaker
 Second by Mayor Pro-Tem Abrams

WHEREAS, the city submitted resurfacing projects for Miller Road, including a segment from Morrish to Elms and a segment from Tallmadge to Dye, to the Genesee County Metropolitan Planning Commission for approval in the Traffic Improvement Program; and

WHEREAS, the projects were approved for construction during the 2015 season, with allocations of funds and cost sharing as outlined herein; and

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

*Construction engineering costs are included in the 'construction' line item

WHEREAS, the city selected a professional engineer, OHM Advisors, to perform preliminary engineering design work for these segments; and

WHEREAS, the city needs to select a professional engineer to perform construction engineering work for these segments; and

WHEREAS, the city can choose from its list of pre-qualified companies, excluding Rowe Professional Services Company due to current mandates; and

WHEREAS, OHM Advisors is one such firm that the city has been working with to provide this service and has received a not-to-exceed cost estimate for both segments; and

WHEREAS, the city has approval from the MDOT to perform construction engineering with allocations in the amount of \$133,724 for the section between Tallmadge Court and Dye Road and \$133,143.45 for the section between Morrish and Elms Road.

NOW, THEREFORE, BE IT RESOLVED the City of Swartz Creek approve the construction engineering proposals by OHM Advisors for amounts not to exceed \$120,393 for Miller Road between Tallmadge Court and Dye Road and \$117,768 for Miller Road from Morrish to Elms Road.

BE IT FURTHER RESOLVED, that the City Council directs the Mayor and staff to prepare and execute third party MDOT contracts as needed and included in this packet to perform construction engineering work, and that the budget be amended to reflect contributions and revenues as reflected above within the major street fund.

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

NO: None. Motion Declared Carried.

Miller Road Lot Sale

Resolution No. 141208-20

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Porath

WHEREAS, the City of Swartz Creek owns a certain piece of real property on Miller Road, identified as parcel 58-36-578-018, an out lot, and;

WHEREAS, the city received an unsolicited offer to purchase this property from an adjacent landowner, and;

WHEREAS, the city council and staff, finding this property to be of marginal value to the city and no value to non-adjacent land owners, permitted the formal solicitation of offers from both neighbors with Miller Road frontage, and;

WHEREAS, one offer was received by the stated deadline from an adjacent land owner in the amount of \$1,000, and;

WHEREAS, under the city's land sale policy, the city council finds the sale process and consideration to be in the best interest of the public, and;

WHEREAS, the city council approved the sale of this parcel on October 27, 2014 with the exception of a public easement, to Justin Ellison, for the consideration of

\$1,000 in accordance with the quit claim deed attached, subject to combination of this parcel to the adjacent parcel of the buyer, and;

WHEREAS, the sale instrument was made available for public inspection for a period of not less than 30 days in accordance with the city charter.

THEREFORE, BE IT RESOLVED that the City of Swartz Creek hereby approves the final sale of this parcel and directs the Mayor to execute the quit claim deed instrument as included in the city council packet.

Discussion Took Place.

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

Police Department Annual Bicycle Give Away Program

Resolution No. 141208-21

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Hicks

WHEREAS, the Swartz Creek Police Department conducts an annual Bicycle Give Away Program wherein school district administrator's recommend youngsters in need as recipients of bicycles being held by the police department; and

WHEREAS, bicycles held by the police department this year have come from a variety of sources, including generous donations from Meijer and Assenmacher's Cycling Center; and

WHEREAS, seventeen such bicycles are new, having been donated by Meijer, but the remainder are used and Assenmacher's Cycling Center has donated its services to repair and refurbish the remainder into like new condition; and

WHEREAS, a comprehensive list is not available until such a time that Assenmacher's has completed its work.

NOW, THEREFORE, I Move that the City of Swartz Creek approve the 2014 Annual Police Department Bicycle Give Away Program, and authorize the giveaway of approximately 35 bicycles, with a comprehensive list to be established and upon completion, be brought back to the council for record.

BE IT FURTHER RESOLVED, that the city extend its greatest appreciation to all those who participated in this year's Bicycle Give Away Program and Shop With A Hero program, including, but not limited to Assenmacher's Cycling Center, Meijer, Little Caesar's, and Hungry Howie's.

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

MEETING OPEN TO PUBLIC:

None.

REMARKS BY COUNCILMEMBERS:

Councilmember Pinkston asked City Manager Zettel about contact information for the schools in reference to students helping with snow removal.

Councilmember Gilbert stated that a resident asked him why the snow was not removed in the middle of Miller Road after the last snow storm. He was advised that it was taken care of the next day. Mr. Gilbert asked if businesses pay a garbage fee. Mr. Gilbert asked if businesses can have recycle bins. He was advised that they can.

Councilmember Hicks asked who helped set the luminaries for the Fire Department parade candle walk. Ms. Hicks wanted to thank everyone who helped out.

Councilmember Shumaker spoke about a report on the news about the City of Bay City and their issues with meter reads. Mr. Shumaker asked if Swartz Creek has the same brand of reading devices that Bay City does. Mr. Shumaker asked about a water main replacement on Don Shenk Drive several years ago, wondering if the valves that were replaced were the valves according to the county's specifications.

Councilmember Porath stated that Meijer has been contributing to a lot of things in the city. Mr. Porath asked if the council was supposed to get a monthly report from Chief Clolinger on the progress of the possible shared services with Mundy Township. Chief Clolinger stated that the information is passed onto City Manager Zettel. Mr. Porath asked for a recap on the Miller Road Construction Project. Mr. Porath asked if the website had current information on it.

Mayor Pro-Tem Abrams asked to speak to City Manager Zettel about a CDBG memo.

Mayor Krueger reminded everyone that the second meeting for December would be December 15, 2014.

Adjournment

Resolution No. 141208-22

(Carried)

Motion by Councilmember Porath
Second by Mayor Pro-Tem Abrams

I Move the City of Swartz Creek adjourn the Regular Session of the City Council meeting at 8:59 p.m.

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

David A. Krueger, Mayor

Deanna Korth, Deputy City Clerk



MICHIGAN MUNICIPAL LEAGUE
MEMBERSHIP RENEWAL INVOICE

2014 - 2015

michigan municipal league

Swartz Creek

ID: 481

Date: 12/01/2014

Membership Period: 02/01/2015 - 01/31/2016

**REMITTANCE
COPY**

	<u>Current Balance</u>
* MML Dues	2,750.00
** Legal Defense Fund	275.00
	<u>\$3,025.00</u>

Total Due by February 01, 2015: \$3,025.00

Please sign, date and return one invoice copy with your payment.

Make checks payable to the Michigan Municipal League and mail to the address below. Thank you.

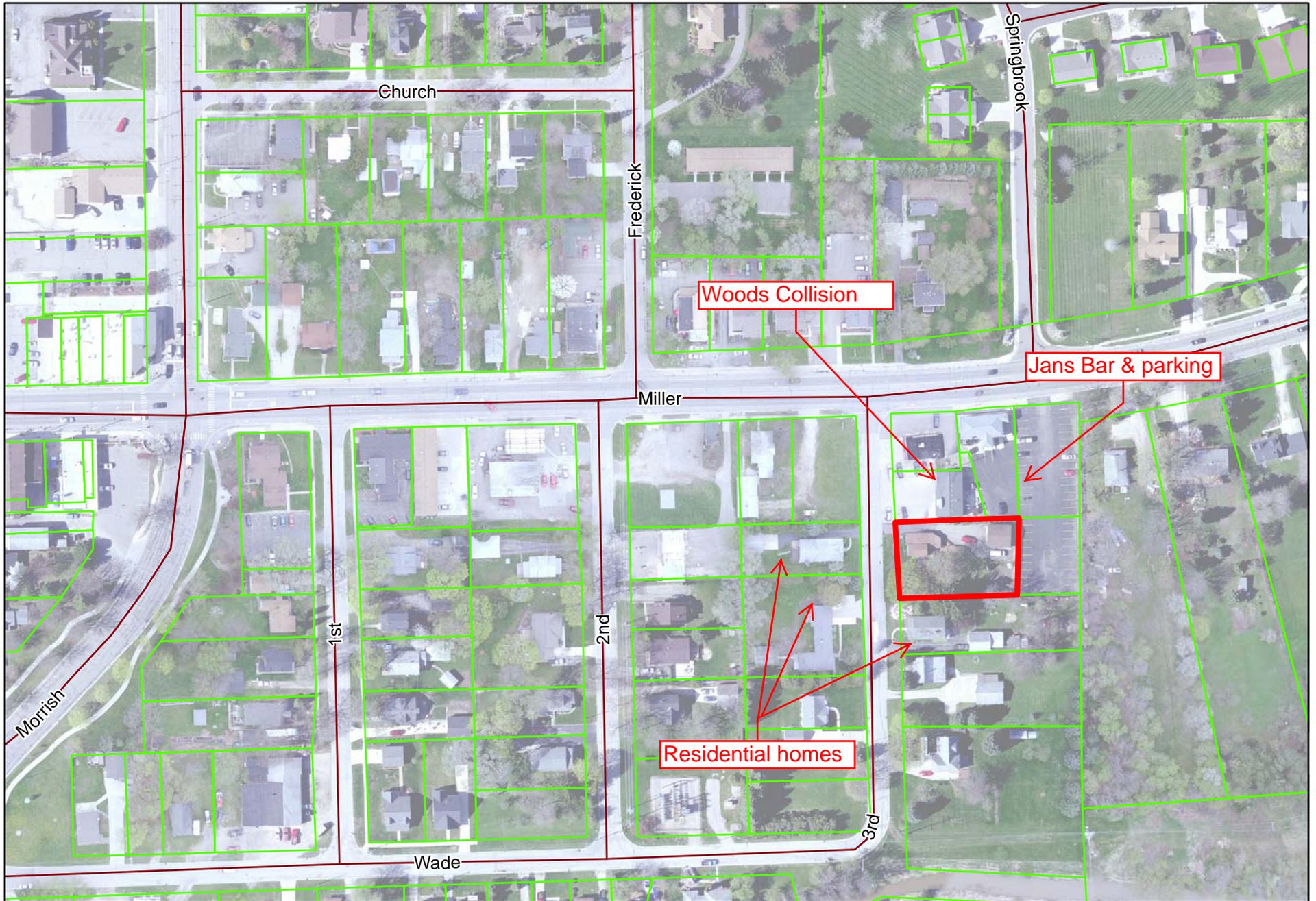
(Signature)

(Date)

* MML dues include annual subscriptions to *The Review* for your officials at \$12.00 per subscription, which is 50% of the regular subscription rate.

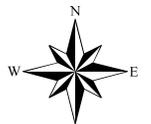
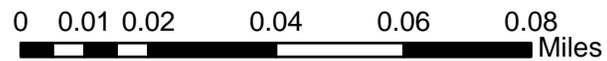
** The Legal Defense Fund is an optional charge. The purpose of the Fund is to provide specialized legal assistance to member municipalities in cases that have significant statewide impact.

See what the League can do for you by visiting www.mml.org
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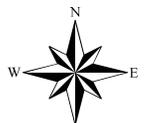
City of Swartz Creek 5017 Third Street - Area Map

City Council Packet





City of Swartz Creek
5017 Third Street - Site Map
City Council Packet



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
GENESEE COUNTY TREASURER	CITY OF SWARTZ CREEK	0	12/20/2013	QC	QUIT CLAIM	20131224012419		0.0
ECKSTEIN, LELAN C & GWEND	GENESEE COUNTY TREASURER	0	04/01/2013	TF	TAX FORECLOSURE			0.0
ECKSTEIN, LELAN	ECKSTEIN, LELAN C & GWEND	0	11/08/2000	QC	INVALID SALE			0.0
RENCH, THOMAS & DARLENE	ECKSTEIN, LELAN & PATRICI	29,000	03/10/1982	LC	ARMS-LENGTH	3397/84		0.0

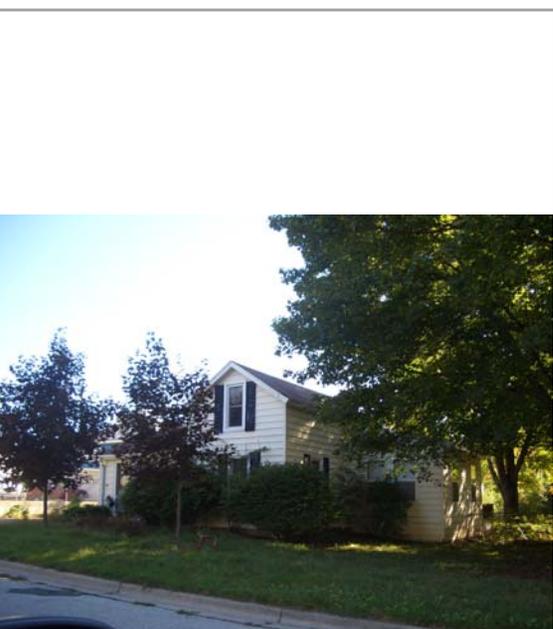
Property Address	Class: EXEMPT IMPROVED	Zoning: R-3	Building Permit(s)	Date	Number	Status
5017 THIRD ST	School: SWARTZ CREEK		PORCH	10/13/2003	98-03	COMPLETED
	P.R.E. 0%					

Owner's Name/Address	MAP #:
CITY OF SWARTZ CREEK 8083 CIVIC DRIVE SWARTZ CREEK MI 48473	2014 Est TCV 0 TCV/TFA: 0.00

X Improved	Vacant	Land Value Estimates for Land Table 00004.00004 MILLER/MORRISH SEC 1 & 36

Tax Description	Public Improvements	* Factors *	Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value
W 140 FT OF LOT 4 & W 140 FT OF N 1/2 OF LOT 5 HOUSTON MILLER CHAMBERS PLAT NO 1 (77)	Dirt Road Gravel Road Paved Road Storm Sewer Sidewalk Water Sewer Electric Gas Curb Street Lights Standard Utilities Underground Utils.		'C' FRONTAGE	93.00	140.00	1.0183	0.8265	170	100		13,306
			93 Actual Front Feet, 0.30 Total Acres					Total Est. Land Value =			13,306

Comments/Influences	Topography of Site
	Level Rolling Low High Landscaped Swamp Wooded Pond Waterfront Ravine Wetland Flood Plain



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Who	When	What	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/ Other	Taxable Value
			2014	EXEMPT	EXEMPT	EXEMPT			EXEMPT
			2013	9,800	18,300	28,100			28,100S
			2012	9,800	23,900	33,700			33,630C
			2011	13,700	26,100	39,800			32,746C

*** Information herein deemed reliable but not guaranteed***

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage		
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood		Oil Coal		Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Ga	Area 216 360	Type CGEP (1 Story) Treated Wood	Year Built: 1987 Car Capacity: Class: D Exterior: Pole Brick Ven.: 0 Stone Ven.: 0 Common Wall: Detache Foundation: 18 Inch Finished?: Auto. Doors: 0 Mech. Doors: 0 Area: 728 % Good: 75 Storage Area: 0 No Conc. Floor: 0	
X	Wood Frame		Drywall Paneled		Plaster Wood T&G	X Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace Forced Heat & Cool Heat Pump No Heating/Cooling			Class: CD Effec. Age: 45 Floor Area: 1027 Total Base Cost: 69,337 Total Base New : 94,299 Total Depr Cost: 54,023 Estimated T.C.V: 34,575								
Building Style: 1 1/2 STORY		Trim & Decoration															
Yr Built 1930	Remodeled 0	Ex	X	Ord		Min											
Condition for Age: Average		Lg	X	Ord		Small											
Room List		(5) Floors															
	Basement 1st Floor 2nd Floor Bedrooms	Kitchen: Other: Other:					(12) Electric 0 Amps Service										
(1) Exterior		(6) Ceilings		No./Qual. of Fixtures			Stories Exterior			Foundation Rate			Bsmnt-Adj Heat-Adj		Size Cost		
X	Wood/Shingle Aluminum/Vinyl Brick						Ex.	X	Ord.		Min	1 Story Siding Crawl Space 62.25 -9.29 0.00 504 26,692					
	Insulation			No. of Elec. Outlets			1.75 Story Siding Crawl Space 88.93 -9.29 0.00 299 23,812			Other Additions/Adjustments			Rate		Size Cost		
(2) Windows		(7) Excavation					Many X Ave. Few			(14) Water/Sewer							
X	Many Avg. X Few	Large Avg. X Small		Basement: 0 S.F. Crawl: 803 S.F. Slab: 0 S.F. Height to Joists: 0.0			1			Average Fixture(s) 3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			(16) Porches CGEP (1 Story), Standard 30.63 216 6,616				
(3) Roof		(8) Basement					(13) Plumbing			(16) Deck/Balcony							
	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens	Conc. Block Poured Conc. Stone Treated Wood Concrete Floor					1			Treated Wood, Standard 6.20 360 2,232			Phy/Ab.Phy/Func/Econ/Comb.%Good= 55/100/100/100/55.0, Depr.Cost = 45,929				
(3) Roof		(9) Basement Finish					(14) Water/Sewer			(17) Garages							
X	Gable Hip Flat	Gambrel Mansard Shed		Recreation SF Living SF Walkout Doors No Floor SF			1			Class:D Exterior: Pole Foundation: 18 Inch (Unfinished) Base Cost 10.90 728 7,935 County Multiplier = 1.36 => Cost New = 10,792 Phy/Ab.Phy/Func/Econ/Comb.%Good= 75/100/100/100/75.0, Depr.Cost = 8,094 Total Depreciated Cost = 54,023 ECF (00004 - MILLER/MORRISH SEC 1 & 36) 0.640 => TCV of Bldg: 1 = 34,575							
X	Asphalt Shingle	(10) Floor Support					1			Public Water							
	Chimney: Brick	Joists: Unsupported Len: Cntr.Sup:					1			Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic							
										Lump Sum Items:							

*** Information herein deemed reliable but not guaranteed***

CITY OF SWARTZ CREEK
PARK RULES AND REGULATIONS

Highlighted text was derived from existing city ordinances.

AUTHORITY. These rules are approved by the city council and enforceable pursuant to the provisions of Section 11 of the Code of Ordinances of the City of Swartz Creek, Michigan.

APPLICABILITY. These rules apply to City of Swartz Creek parks, play fields, and other recreational public grounds, hereafter called parks.

1. **HOURS.** City parks shall be open to the public, daily, between the hours of 8:00 a.m. to 10:00 p.m. and, excepting as provided in this article, it shall be unlawful to occupy or be present in any public park during such hours when it is not open to the public. Seasonal park provisions, including water, bathroom facilities, and waste collection will be offered May through October or as directed by the city manager.

2. **Exceptions to use of or presence in park after hours.**

- 1) It shall not be unlawful for city employees, while on city business, to remain in or on public parks during such times as the park shall be closed to the public.
- 2) It shall not be unlawful for persons other than city employees to be on or in park property after hours, provided that they have the prior approval and written permission of the city manager and that such approval shall not be granted except in pursuance of and when related to city business.

This is to allow kayakers and others to access the creek while setting the record straight on flood stage expectations

3. **CREEK ACCESS AND FLOOD STAGE WATER.** Creek access is permitted in Winshall Park at the risk of the user. Swimming and the use of any boat, canoe, or other floatation device within a city park during a flood event is prohibited except by emergency personnel.

4. **SMOKING.** Smoking, including (e-cig or e-cigarettes), personal vaporizers (PV) or electronic nicotine delivery systems (ENDS), is prohibited in the city parks.

The PRC opinion is unchanged. Council can obvious remove or modify this regulation.

PROHIBITED USES AND ACTS. No person in any park owned or operated by the city shall:

- 1) *Injuring, removing property.* Willfully mark, deface, disfigure, cut, injure, tamper with, break, displace, or remove any buildings, cables, benches, tables, fireplaces, grills, light poles, fountains, tennis nets, trees, playground equipment, public utilities or parts of appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, flag poles, stakes, posts, fences or other boundary markers, or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.
- 2) *Kindling fires.* No person shall kindle or build or cause to be kindled or built a fire in any park except in designated places. In those areas where fires are permissible, such fires must be contained in a receptacle

designed for the purpose of holding a fire and must be attended at all times. No person shall set fire to trash, garbage or the contents of trash receptacles at any time.

- 3) *Pets, animals.* No person shall bring in, cause, or allow any dog, cat or other pets or animals which he owns or has permission to control to be brought within the confines of any park unless such animal be attached to a leash not to exceed eight feet in length; such leash is to be of sufficient strength to hold such animal in constant check. Disposal of animal waste is required.
- 4) *Hindering employees.* No person shall interfere with or in any manner hinder any employee of the city while engaged in constructing, maintaining, repairing or caring for any park property.
- 5) *Restricted sections of park.* No person shall enter upon any area of the park system where persons are prohibited from going, as indicated by signs, notices or where secured by fences and gates.
- 6) *Firearms, bow and arrows, fireworks and devices.* No person shall discharge a firearm of any description while in or on park property, provided that such prohibition shall not apply to any peace officer while in the exercise of his official duties. No person shall shoot any arrow by the use of a bow, excepting in such areas as shall be specifically designated as areas for the use of bows and arrows. Crossbows, bolts, and similar weapons are also prohibited.
- 7) *Peace, disorderly conduct.* No person shall make or excite any disturbance or contention on any public grounds or park. (No person shall use any indecent or obscene language).
- 8) *Drunkenness, alcoholic liquors.* No person shall enter, be in or remain on park property while under the influence of intoxicants or under the influence of unlawful drugs or controlled substances. It shall be unlawful to bring into or use alcoholic liquors upon park property.
- 9) *Drinking fountains.* No person shall throw, discharge or otherwise place in the waters or any fountain, wash basin or toilets any substance, liquid or solid, which may result in water pollution or create a health hazard to the public.
- 10) *Sleeping in parks.* No person shall sleep, whether in a vehicle, trailer, tent, hammock or other manner, on park property during the hours the park is closed, excepting in such areas as shall be specifically designated for such use. Furthermore, such use in such areas shall require the written approval and authorization of the city manager, and such approval and authorization shall clearly designate the time period within which such use may be made.
- 11) *Dumping articles in parks.* No person shall deposit any rubbish, garbage or refuse matter, break glass or bottles in or upon any part of the park system other than such refuse accumulated from organized and acceptable activities within the park, and such refuse must be deposited in receptacles provided for that purpose.
- 12) *Posted signs, rules and regulations.* No person shall willfully disregard posted signs which regulate the days, hours for various activities, or any other signs installed, posted or attached for control, maintenance, safety or any other purpose within the park system.

Draft: December 11, 2014
PRC Approval: December 10, 2014
City Council Approval: Pending

- 13) *Public meetings, parades.* No person, organization, club or group shall hold or participate in any parade, drill, exhibition, political meeting, religious meeting, concert, lecture or public entertainment of any kind within the park system without the express consent and written approval of the city manager.
 - 14) *Advertisements.* No person shall post, stencil or otherwise affix any placard, advertisement or notice of any kind upon or to any park property.
 - 15) *Offering articles for sale.* No person shall carry on any trade or business or sell or display any goods, wares or merchandise in the park system without permission from the city manager.
 - 16) *Inflatable play equipment.* Inflatable play equipment is prohibited unless arrangements are made in advance and a certificate of insurance from the party providing such equipment is filed with the city and includes a rider naming the city as an additionally insured party.
6. **PARK POLICE AND EMPLOYEES.** No person shall resist any police officer or city employee exercising his duty within the park area, or fail or refuse to obey any lawful command of any such police officer or park employee, or in any way interfere with, hinder or prevent any such police officer or park employee from discharging his duty, or in any manner assist or give aid to any person in custody to escape or to attempt to escape from custody, or to rescue or attempt to rescue any person when in such custody.
7. **MOTOR VEHICLES.** The operation of motor vehicles in any park is prohibited, except in that area laid out and appropriated as driving lanes, parking area, or for motor vehicles by the city. No motor vehicle shall be driven or operated on a driving lane at a speed greater than ten miles per hour.
- 1) No person shall stop, stand or park a motor vehicle except in such areas as may be laid out and designated as a parking area by the city.
 - 2) No person shall operate a motor vehicle on any lane or service drive, whether posted or not, which is laid out as a means of access for maintenance employees to the various sections of the park system.
 - 3) No person shall park or store any motor vehicle during the hours the park is closed in any park, parking area or driving lane owned or operated by the city. Members of the police department are hereby authorized to remove any vehicles so parked or stored.
 - 4) It shall be unlawful for any person, whether a pedestrian or operating a motor vehicle of any type, to fail to obey any such applicable traffic control sign, signal, lane marking or other device, whether permanent or temporary, unless otherwise directed by a police officer or city personnel conducting city business.
8. **FEES.** Fees for pavilion and other facility rentals shall be set by resolution of the city council. Fees may be waived in full if reservations by a non-profit are found to result in a public benefit directly or if proceeds from the reserved event are found to be a benefit to the city. Monies must be paid at the time of reservation. Cancellations must be made two (2) weeks prior to event date and all cancellations are subject to a \$20 fee.

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City Council Approval: Pending

This section reflects our current, unwritten policy for pavilions

Deposits, in an amount set by resolution of the city council, shall also be collected for pavilion rentals. Said deposit shall be forfeited in for damage to park facilities, failure to properly clean facilities, or violations of park rules that are found in connection to the rental.

9. **PAVILION RESERVATIONS.** Picnic pavilions shall be available on a first-come, first-served basis. Reservations will be taken beginning on the first business day of each calendar year for city residents and thirty (30) days after the first business day of each calendar year for resident and non-resident applications. Fees and exclusive reservations are for weekends (Friday, Saturday, & Sunday) and holidays only.

10. **LIMITED USE FACILITY RESERVATIONS.** Any club, school, association, organization or recognized group desiring the use of specific areas of any park, such as picnic areas, athletic fields or ice rinks, shall file an application with the city manager and shall not use the park or area until the permit is granted.

This section permits groups like youth football and softball leagues to use the park in the manner that our current, unwritten policy enables.

- 1) All permits shall require the permittee to clean up the park area after activity has terminated. All applications for permits must give the name, address and phone number of the permittee or the person responsible for the necessary policing thereof.
- 2) All persons shall honor any special permits issued by the city, for certain areas, days and times, to clubs, organizations, teams or any other groups, including, but not limited to, picnic grounds, ball fields, skating rinks, stadiums, provided that such permit is on official forms when presented.
- 3) Reservations will be given on a first come, first served basis beginning the first business day of each calendar year. Priority in the use of ball fields, soccer fields and similar athletic facilities in city parks shall be given to organizations scheduling regular games or matches. The city manager shall have the authority to designate organizations to provide for scheduling and oversight of use of athletic fields. Such organizations shall schedule use of the fields in a way that accommodates use by all interested organizations to the greatest extent feasible and to provide for compliance by these rules and regulations by all organizations using the athletic facilities.
- 4) The city manager shall have the authority to restrict use of athletic fields to avoid excessive wear and tear on facilities.
- 5) Organizations using athletic fields for scheduled games, matches and practices shall be responsible for removing litter from the areas used for their activities. In addition, organizations shall be responsible for removing and storing any equipment used in their activities. Installation of bleachers or similar facilities must be authorized by the city manager or his/her designee.

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PRC Approval: December 10, 2014
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- 6) The city will provide refuse disposal and the maintenance of athletic fields in coordination with the needs and schedules of organizations using the fields. Organizations using athletic fields that undertake specific activities uniquely required for their particular use of the fields such as the installation of bases or nets, the painting of lines on fields, etc. require prior approval.
- 7) Weekend reservations for facilities shall not be permitted. Playscapes, restrooms, play equipment are not reservable.

11. **EXPANDED PARK USE AND RESERVATIONS.** Swartz Creek-based organizations (defined as non-profit organizations or institutions with a principle office or auxiliary presence within the Swartz Creek school district) may be permitted the use of designated areas of city parks, including control during hours the parks are closed to the public, subject to the following conditions:

This section enables groups to use the park for purposes such as the art festival

- 1) Use must be pre-approved by the city council.
- 2) The organizations' use of the park area shall not violate any local or state law nor unreasonably interfere with the use and enjoyment of adjacent park areas by others.
- 3) The organizations shall hold the city harmless from liability for incidents arising out of the organizations' use of the park area and shall provide evidence of insurance coverage.

This section allows vendors, such as mobile concessions to operate in the park in the same fashion as the ice-cream truck vendors on city streets

- 4) The city reserves the right to direct where organizations' structures are installed and activities conducted to minimize damage to park property and facilities and to limit interference with the use of adjacent areas of the park.
- 5) Fees shall equal the cost of all pavilion rentals for the park in use on a daily basis. Additional fees may be charged for services requested of the city and negotiated in advance, including use of barricades, additional utilities, port-a-johns, etc.
- 6) In no case will use result in a charge for or prohibition on general access to the park by the public, by vehicle or other means.

13. **VENDING.** Vending is permitted on a limited basis after application to the city manager and under the administrative rules that may be set by the city, including a background check and administrative fee.

14. **PUBLIC NOTICE.** The public shall be deemed to have been properly notified of the provisions of these rules and regulations upon their publication in a newspaper of general circulation in the city. Signs may be posted to insure substantial compliance with the provisions of these rules and regulations.

Printed rule sheets, to be signed by those getting reservations, will be used as well

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FLINT AREA NARCOTICS GROUP

PO BOX 614
GRAND BLANC, MI 48480

Invoice

*Recd
10-30-14*

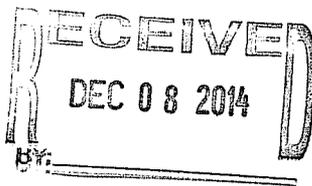
Date	Invoice #
10/13/2014	2014/15-025

Bill To
CITY OF SWARTZ CREEK 5037 FIRST STREET SWARTZ CREEK MI 48473

Description	Amount
2014/2015 MEMBERSHIP DUES	7.850.60
Total \$7.850.60	



December 2, 2014



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

Dear Mr. Bueche:

As part of Comcast's commitment to keep you informed about important developments that affect our customers in your community, I am writing to notify you of a channel change. Customers are being notified of this change via bill message.

We are pleased to announce that effective December 16, 2014, Nat Geo and Nat Geo HD will be available on our Digital Starter Tier. Also, as of, January 16, 2015, Nat Geo and Nat Geo HD will no longer be available on our Digital Preferred Tier.

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

Sincerely,

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

Gerald W. Smith
Senior Manager, External Affairs
Comcast, Heartland Region
27800 Franklin Rd.
Southfield, MI 48034