

**City of Swartz Creek  
AGENDA**

**Regular Council Meeting, Monday, October 8, 2018, 7:00 P.M.  
Paul D. Bueche Municipal Building, 8083 Civic Drive Swartz Creek, Michigan 48473**

1. **CALL TO ORDER**
2. **INVOCATION AND PLEDGE OF ALLEGIANCE:**
3. **ROLL CALL:**
4. **MOTION TO APPROVE MINUTES:**
  - 4A. Council Meeting of September 24, 2018 MOTION Pg. 20
5. **APPROVE AGENDA:**
  - 5A. Proposed / Amended Agenda MOTION Pg. 1
6. **REPORTS & COMMUNICATIONS:**
  - 6A. City Manager's Report MOTION Pg. 3
  - 6B. Monthly Reports Pg. 26
  - 6C. Don Shenk Sale Instruments Pg. 44
  - 6D. MCL 211.30 Statute on Board of Review Pg. 59
  - 6E. Genesee County Park Plan Update & Opt-in Request Pg. 61
  - 6F. Zoning Ordinances Amendments (Edits Illustrated) Pg. 62
  - 6G. Sports Creek Raceway Sale Prospect Pg. 70
7. **MEETING OPENED TO THE PUBLIC:**
  - 7A. General Public Comments
8. **COUNCIL BUSINESS:**
  - 8A. Don Shenk Sale Review RESO Pg. 12
  - 8B. Zoning Ordinance Amendments RESO Pg. 13
  - 8C. Board of Review Petition Resolution RESO Pg. 18
  - 8D. Genesee County Park Plan Cooperation RESO Pg. 19
9. **MEETING OPENED TO THE PUBLIC:**
10. **REMARKS BY COUNCILMEMBERS:**
11. **ADJOURNMENT:** MOTION

**Next Month Calendar**

Downtown Development Authority:	Thursday, October 11, 2018, 6:00 p.m., PDBMB
Fire Board:	Monday, October 15, 2018, 6:00 p.m., Public Safety Bldg
Zoning Board of Appeals:	Wednesday, October 17, 2018, 6:00 p.m., PDBMB
City Council:	Monday, October 22, 2018, 7:00 p.m., PDBMB
Metro Police:	Wednesday, October 24, 2018, 10:00 a.m., Metro PD
Planning Commission:	Tuesday, November 6, 2018, 7:00 p.m., PDBMB
Park Board:	Wednesday, November 7, 2018, 5:30 p.m., PDBMB
City Council:	Monday, November 12, 2018, 7:00 p.m., PDBMB

## **City of Swartz Creek Mission Statement**

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

## **City of Swartz Creek Values**

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

### ***Honesty, Integrity and Fairness***

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

### ***Fiscal Responsibility***

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

### ***Public Service***

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

### ***Embrace Employee Diversity and Employee Contribution, Development and Safety***

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

### ***Expect Excellence***

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

### ***Respect the Dignity of Others***

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

### ***Promote Protective Thinking and Innovative Suggestions***

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

**City of Swartz Creek**  
**CITY MANAGER'S REPORT**

Regular Council Meeting of Monday, October 8, 2018 - 7:00 P.M.

**TO:** *Honorable Mayor, Mayor Pro-Tem & Council Members*  
**FROM:** Adam Zettel, City Manager  
**DATE:** October 4, 2018

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

✓ **MICHIGAN TAX TRIBUNAL APPEALS (Update)**

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

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

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

✓ **STREETS (See Individual Category)**

✓ **2017-2020 TRAFFIC IMPROVEMENT PROGRAM (TIP) (Update)**

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

After this three year cycle is complete, we hope that Miller, west of Morrish will be in the 2020-2022 cycle. Seymour is not on the radar at this point, though we may try to put it on the next cycle as well.

✓ **STREET PROJECT UPDATES (Update)**

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

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

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

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

✓ **SEWER REHABILITATION PROGRAM** (*No Change of Status*)

Lining work is complete for Chelmsford and Valleyview Drives. Inspection of Winshall has also been completed. There were no unexpected abnormalities, work items, or damages reported. Mr. Svrcek will be debriefing with Liqui-Force and Rowe PSC about this project and future work soon.

We are also going to have camera footage of many Miller Road and downtown lines. This is being provided by Consumers Energy. They are performing the inspections because there is some concern that gas lines may have been bored through sewer lines during installation in the mid 90s.

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

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

We are moving forward with the USDA water main replacement project. OHM is beginning survey work and engineering. On September 13<sup>th</sup>, we met with the feds about other steps and conditions of funding. We are in a good position to benefit from the nearly \$5,000,000 grant/loan, with the understanding that we will be putting the project out to bid in 2019, with some components to be completed in 2020 and 2021.

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

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

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

\$25,000. We will work with the county on this matter and report back on our findings.

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

✓ **POLICE SERVICE (Update)**

Metro PD is currently wrapping up the hiring process and should be extending two offers any day now. The promotional process is underway with the written exam portion completed and oral board examinations to follow within a couple of weeks.

The consolidated violations bureau which would include parking and code for both Swartz Creek and Mundy is still a work in progress. The request to increase parking fines still stands in order to enhance the deterrent effect.

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

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

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

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

✓ **HOLLAND SQUARE (No Change of Status)**

The city/DDA is proceeding with design of the streetscape and square features by the DDA, with the intention of bidding the project this winter and constructing improvements in 2019. A steering committee, similar to the street project review committee, is proposed to detail the improvements. The council will have the final say in design, award, and budget of this endeavor.

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

✓ **TRAILS (Update)**

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

The MDOT Enhancement grant is conditionally awarded, but I will refrain from an announcement until money is obligated! We hope this covers 65% of the investment. Work with Consumers Energy and CN Rail is positive for those project components that

require their engagement. We are still working with the MTA and GM on some easements and permissions.

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

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

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

1. Plans and estimate complete March 15, 2019.
2. Grade Inspection package submitted March 29, 2019.
3. ROW certification March 29, 2019.
4. Matching funds certified March 29, 2019.
5. Project listed in approved TIP April 20, 2018- this date was not modified from the original application and I have a call into Jacob for verification.
6. Advertisement start date September 16, 2019.
7. Construction letting date November 4, 2019.
8. Construction start date January 20, 2020.
9. Construction end date September 21, 2020.

✓ **REDEVELOPMENT READY COMMUNITIES** (*Business Item*)

The planning commission has reviewed the first changes to the zoning ordinance. This follows the zoning ordinance technical review that was done earlier this summer. The planning commission is recommending some immediate zoning changes that are creating some noticeable barriers to mixed use buildings, outdoor dining/cafes, downtown signs/pickup windows, and similar restrictions. Lower priority changes are likely to follow.

The commission reviewed four separate zoning amendments that have been recommended for approval in the form that is included in the accompanying ordinance. I have included the specific amendments in review form in the packet so council members can see the existing and proposed language.

The ordinance changes are small but will impact the function and form of some developments, making it easier to do certain things in downtown. The changes include the enabling of upper floor residential without special permitting, new provisions for pick up windows, less rigorous parking standards, and uniform outdoor café regulations.

The next meeting of the Economic Development Strategy Committee will be at 10:00 a.m. on October 16<sup>th</sup>, at the Paul D. Bueche Municipal Building.

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

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

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

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

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

✓ **DOG PARK** *(Update)*

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

✓ **CONSUMERS CONSERVATION PILOT PROGRAM** *(Update)*

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

✓ **DURAND AREA INDUSTRY - PROJECT TIM** *(Update)*

This project seems cold and quiet. However, it appears there are still valid purchase agreements in place for the development, and there are state and local bureaucrats continuing work on contingency plans for utility and traffic modelling. It is anyone's guess at this point. Please see prior packets for information on the project and its evolution.

✓ **TAX REVERTED PROPERTY USE** *(No Change of Status)*

5157 Morrish Road has been sold. The vacant land on Wade Street has not been purchased, but the buyer says they will acquire it under approved terms.

✓ **8002 MILLER** *(Update)*

The ownership of Lasers has transferred and that party is now formally engaged in a lease for the lower level. The architect has drafted floor plans and has consulted the city and occupant regarding the repair and upgrades desired to accommodate the existing user and to modernize the upstairs residential unit. We do not have

specifications or a price scope yet. The city council will obviously need to approve any and all bids for contractual services related to the rehabilitation.

The previous report follows:

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

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

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

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

✓ **DON SHENK HOME SALE** *(Update)*

The purchase agreement has been approved by the city council and was available for public inspection for over 30 days. No comments have been received by the city. As such we recommend final affirmation of the sale by the city council, putting this behind us. Upon closing, I am confident labeling this endeavor a successful neighborhood investment.

✓ **MILLER ROAD DRAIN** *(Update)*

The contractor intends to begin repairs as weather permits.

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

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

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

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

There is a ballot initiative now for the Swartz Creek Community Schools. They are seeking 3.9 mils in the November general election for facility improvements.

**There will be a workshop at 5:15 p.m. in the city council chambers, prior to the city council meeting.** This is expected to end around 6:15. All city officials should attend, and the public is welcome!

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

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

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

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

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

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

✓ **MONTHLY REPORTS** *(Update)*

The September building and code reports are included. Note that injunctive relief requests (court actions) for code/building issues has been delayed due to the requirement for new ticketing documents and processes. This issue has been resolved. The check register and DPW reports are also included.

✓ **RACEWAY SALE** *(Update)*

There is more chatter regarding a potential sale of the raceway. I am including an article that gives some information. This group has the smallest amount of risk in buying the raceway under the fast-paced expectations that appear to be the norm for purchase agreements with the owner. Given the amount of interest we have observed from other entities, I will not get my hopes up because we hear that terms and conditions of the sale make the prospect difficult for buyers.

If they are successful, a transition to thoroughbred racing should be relatively fast and easy as a reuse of the site.

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

✓ **PLANNING COMMISSION** *(Update)*

The commission began work on the zoning changes on October 2<sup>nd</sup>. See the update on zoning amendments. This is a business item for our meeting.

A site plan for a new downtown project is expected for November.

✓ **DOWNTOWN DEVELOPMENT AUTHORITY (Update)**

The DDA met on September 13th. They are extremely busy, and their meetings are getting to be extremely well attended. The board approved two façade grants, engineering services for the streetscape, and architectural services for the townhome project. They discussed many other initiatives, including a Fall Family Fun Day on October 26<sup>th</sup> and the potential for a movie screen update. Good things are happening! Their next meeting is scheduled for October 11<sup>th</sup>. At this time, despite all of the activity, there are no agenda action items. This meeting may be postponed.

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

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

✓ **PARKS AND RECREATION COMMISSION (Update)**

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

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

✓ **BOARD OF REVIEW (Update)**

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

## **NEW BUSINESS / PROJECTED ISSUES & PROJECTS**

✓ **BOARD OF REVIEW PETITION OPTIONS (Business Item)**

The city allows resident taxpayers the ability to file their protests before the Board of Review in person or by letter. As the assessor was collecting documentation for the next expected audit, we cannot locate the ordinance or resolution that enables the ability for protests to be in letter form as well as in person. Note the state statute below:

MCL 2.11.30(8) The governing body of the township or city may authorize, by adoption of an ordinance or resolution, a resident taxpayer to file his or her protest before the board of review by letter without a personal appearance by the taxpayer or his or her agent. If that ordinance or resolution is adopted, the township or city shall include a statement notifying taxpayers of this option in each assessment notice under section 24c and on each notice or publication of the meeting of the board of review.

Since we desire to continue to enable the protests in writing by the taxpayer and their agents as a customer service attribute, we are proceeding with a resolution as noted

above. The result is the same level of service, but the city will then have documentation of that provision.

✓ **GENESEE COUNTY PARKS OPT IN REQUEST (*Business Item*)**

I have included a letter from Barry June, the Acting Director of the Genesee County Parks and Recreation Commission. As noted previously, the county is updating its master plan (I hope everyone was able to complete their survey). In addition to the county plan being updated, there is a request before the city to opt-in to the plan with our local park and recreation action plan. This is something the city has done in the past to illustrate regional cooperation and to make the endeavors of all participants more grant worthy and more transparent. I am including a resolution to enable opting in. The park board recommended doing so at their October meeting.

**Council Questions, Inquiries, Requests, Comments, and Notes**

*Small Cities Meeting:* The Small Cities meeting was held on October 3rd, at the Metro Police Authority headquarters.

*School Bond Workshop:* We are hosting a school bond workshop at 5:15pm before the council meeting on Monday, October 8, 2018.

**City of Swartz Creek  
RESOLUTIONS  
Regular Council Meeting, Monday, October 8, 2018, 7:00 P.M.**

**Resolution No. 181008-4A            MINUTES – September 24, 2018**

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

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

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

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

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

**Resolution No. 181008-5A            AGENDA APPROVAL**

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

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

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

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

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

**Resolution No. 181008-6A            CITY MANAGER’S REPORT**

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

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

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

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

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

**Resolution No. 181008-8A            RESOLUTION TO APPROVE THE : -B5 @SALE  
INSTRUMENT FOR 5256 DON SHENK**

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

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

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

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

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

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

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

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

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

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

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

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

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

**Resolution No. 181008-8B**

**A RESOLUTION TO APPROVE ORDINANCE 434 TO AMEND THE ZONING MAP AS IT RELATES TO 8118 MILLER ROAD**

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

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

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

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

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

**THEREFORE, I MOVE** the City of Swartz Creek ordains:

**ORDINANCE NO. 432**

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

**THE CITY OF SWARTZ CREEK ORDAINS:**

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

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

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

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

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

P. Residential dwellings

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

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

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

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

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

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

Section 13.03. - Site development requirements.

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

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

Notes:

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

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

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

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

A. Location.

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

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

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

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

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

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

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

- G. Outdoor dining as accessory to otherwise allowed restaurants, subject to the following requirements:
  - A. Within public right of way or on easements for public use. Outdoor dining is allowed by permit, between April 1 and October 31 subject to approval by the Zoning Administrator, when located outside of public rights-of-way or easements for public use and comply with the following:
    - 1. Outdoor dining areas in the public right of way or on an easement for public use, must apply and receive an outdoor dining permit. Outdoor dining permits must be re-applied for annually.
    - 2. Pedestrian circulation and access to the building entrance shall not be impaired. A minimum sidewalk width of five (5) feet along the curb and leading to the entrance to the establishment must be maintained free of tables, chairs, and other encumbrances. The seating in an outdoor dining area must be accessible to people with disabilities. Americans with Disabilities Act (ADA) accessibility requirements must be met within the outdoor dining area. Five percent, or at least one, of the seating spaces in the outdoor café area must be accessible to people with disabilities. An accessible route connecting the outdoor dining area, the business entrance, and the restrooms must be provided.
    - 3. The seating area on the public sidewalk shall only be limited to the area directly in front of the permitted restaurant use to which the seating area is accessory and shall not extend into adjoining sites. Seating may also be permitted within the front, side and rear yard area of the lot.

4. The seating area shall be kept free of debris and litter. Written procedures for cleaning and trash containment and removal must be submitted.
5. Tables, chairs, umbrellas, canopies, planters, waste receptacles, and other street furniture shall be compatible with the architectural character of the principal building.
6. Outdoor dining, including any canopies or covers associated with such dining, shall be permitted within the required setback. Said canopies or covers may be affixed to the ground.
7. Except as provided above, all fixtures and furnishings in the outdoor dining area including, but not limited to, tables, chairs, bar, server stations, and sources of heat shall be portable and not affixed to the ground, building, or other permanent structures. Permanent railings or fences may be permitted only where and to the extent that the building code requires an affixed fence for safety purposes. Permanent attachment of railings must be approved by the Building Department and permit emergency egress.
8. The hours of operation of outdoor dining shall not extend past the normal operating hours of the main use, the restaurant.
9. No sound or audio or video entertainment, including but not limited to television or radio playing of music and/or sports events, may be piped into, or played so as to be visible or audible from the outdoor dining area before 9 am or after 11 pm on Fridays and Saturdays and before 9 am or after 10 pm on Sundays through Thursdays.
10. Outdoor amplification is not permitted.
11. Outdoor dining areas shall not have permanent fixtures, tables or seating.
12. Tables, seating, barriers, and other furniture may be required to be removed at the end of every business day, if identified as a condition of the outdoor dining permit.
13. Heating is permitted in outdoor dining areas. Heaters must be portable and be removed at the end of every business day.
14. Outdoor grills are not permitted in outdoor dining areas.
15. Outdoor dining areas shall follow any other applicable zoning regulations, such as signs, etc.
16. Outdoor cafés provide an alternative to sitting inside but are not intended to be permanent expansions of a restaurant's capacity.
17. Additional signage may not be permitted.
18. Lighting in the outdoor dining area must meet lighting standards as specified in Article 27.
19. Requests for outdoor dining shall include submission of a sketch plan to determine compliance with the above requirements. The request may be administratively approved by the Zoning Administrator and Building Department. At the time of approval, a performance guarantee is required that provides liability coverage in an amount determined by the City.

#### B. Outdoor Dining on Private Property

1. Outdoor dining is allowed by permit subject to approval by the Zoning Administrator
2. Permanent fences or barriers may be installed where safety is a concern or where such permanence is required by building code. They shall be shown on all applications and permits.
3. The hours of operation of outdoor dining shall not extend past the normal operating hours of the main use, the restaurant.
4. Outdoor dining located in side or rear yards, abutting or across from a residential district, shall not operate before 9 am or after 11 pm.
5. No sound or audio or video entertainment, including but not limited to television or radio playing of music and/or sports events, may be piped into, or played so as to be visible or audible from the outdoor dining area before 9 am or after 11 pm on Fridays and Saturdays and before 9 am or after 10 pm on Sundays through Thursdays.
6. The seating in an outdoor dining area must be accessible to people with disabilities. Americans with Disabilities Act (ADA) accessibility requirements must be met within the outdoor dining area. Five percent, or at least one, of the seating spaces in the outdoor dining area must be accessible to people with disabilities. An accessible route connecting the outdoor dining area, the business entrance, and the restrooms must be provided.

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

#### **Section 11. Penalties; Sanctions.**

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

**Section 12. Effective Date.**

This ordinance shall be effective 20 days after publication.

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

Voting for:  
Voting against:

The Mayor declared the ordinance adopted.

\_\_\_\_\_  
David Krueger  
Mayor

**CERTIFICATION**

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

\_\_\_\_\_  
Connie Eskew, City Clerk

**Publish Date:** \_\_\_\_\_  
**Swartz Creek View**

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

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

**Resolution No. 181008-8C**

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

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

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

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

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

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

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

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

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

**Resolution No. 181008-8D**

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

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

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

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

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

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

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

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

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

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

**CITY OF SWARTZ CREEK  
SWARTZ CREEK, MICHIGAN  
MINUTES OF THE REGULAR COUNCIL MEETING  
DATE 09/24/2018**

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

Invocation and Pledge of Allegiance.

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

Councilmembers Absent: Pinkston.

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

Others Present: Lania Rocha, Bob Plumb, Fay Porath, Steve Shumaker, Tommy Butler, Vanessa Warren, Fire Chief Dave Plumb, Jentery Farmer.

**EXCUSE COUNCILMEMBER**

**Resolution No. 180924-01**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Councilmember Florence

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

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

**APPROVAL OF MINUTES**

**Resolution No. 180924-02**

**(Carried)**

Motion by Councilmember Porath  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council approve the amended Minutes of the Regular Council Meeting held Monday September 10, 2018, to be circulated and placed on file.

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

## **APPROVAL OF AGENDA**

### **Resolution No. 180924-03**

**(Carried)**

Motion by Councilmember Cramer  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council approve the Agenda as, printed for the Regular Council Meeting of September 24, 2018, to be circulated and placed on file.

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

## **CITY MANAGER'S REPORT**

### **Resolution No. 180924-04**

**(Carried)**

Motion by Councilmember Florence  
Second by Councilmember Cramer

**I Move** the Swartz Creek City Council accept the City Manager's Report of September 24, 2018, including reports and communications to be circulated and placed on file.

Discussion Ensued.

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

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

None.

## **COUNCIL BUSINESS:**

### **RESOLUTION TO APPROVE THE FISCAL YEAR 2019 BUDGET FOR THE FIRE DEPARTMENT**

Chief Dave Plumb received notice on the 13<sup>th</sup> of September that the grant for the air compressor that he submitted was denied. This is the second time it's been denied. He has increased the new budget \$100,000.00 for the purchase of a new air compressor. He wanted council to know that is why the budget has been increased.

### **Resolution No. 180924-05**

**(Carried)**

Motion by Councilmember Hicks  
Second by Councilmember Cramer

**WHEREAS**, the agreement for fire service between Clayton Township and Swartz Creek City indicates a specific process for budgetary review and approval by the municipalities; and,

**WHEREAS**, the staff of Clayton Township and the Swartz Creek City have found the proposed budget to be acceptable by both parties; and,

**WHEREAS**, the Swartz Creek Fire Board anticipates affirming the proposed budget at their regular meeting on September 17, 2018.

**NOW, THEREFORE, BE IT RESOLVED THAT** the City of Swartz Creek approve the Fiscal Year 2019 Swartz Creek Area Fire Board Budget, a copy of which is attached hereto, gross maximum total not to exceed \$807,746.26, and further, appropriate an amount not to exceed \$403,873.13 from the City General Fund and the Fire Equipment Fund as directed by the Treasurer, to be paid commiserate of the agreement between the City of Swartz Creek and the Township of Clayton, payment being the City's obligation of one-half of the proposed total budget of \$807,746.26.

Discussion Ensued.

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

## **RESOLUTION TO AMEND THE SUPERVISORS AGREEMENT AMENDMENT**

**Resolution No. 180924-06**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Councilmember Florence

**WHEREAS**, the City Clerk, Ms. Eskew, was appointed on January 25, 2016 by virtue of city council adoption of an amended Swartz Creek Supervisors Association bargaining agreement that provided terms and conditions of employment, and;

**WHEREAS**, the City of Swartz Creek and the Swartz Creek Supervisors Association are parties to a certain Labor Agreement dated July 1, 2017, which provides for terms and conditions of the employment of the City Clerk, and;

**WHEREAS**, Ms. Eskew has completed coursework and testing to acquire the Michigan Municipal Certified Clerk credentials, following three consecutive years of training, and

**WHEREAS**, the City Manager and the Supervisors Association have negotiated a compensatory stipend to be integrated into the Agreement.

**NOW THEREFORE, BE IT RESOLVED** the City of Swartz Creek City Council hereby affirms the Amended and Restated 2017-2019 Collective Bargaining Labor Agreement between the City and the Swartz Creek Supervisor's Association, a copy of which is attached hereto.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

## **RESOLUTION TO APPROVE TRAIL MAINTENANCE**

**Resolution No. 180924-07**

**(Carried)**

Motion by Councilmember Porath  
Second by Councilmember Cramer

**WHEREAS**, the City of Swartz Creek has partnered with Flint Township and the Genesee County Metropolitan Planning Commission to build a non-motorized trail, and

**WHEREAS**, the path, known as the Genesee Valley Trail, will connect Flint Township and Swartz Creek at Dye Road, stretching from Norko Drive to Elms Park; and

**WHEREAS**, the path will be an asset to the surrounding area for residents and visitors to use for necessary and recreational transportation, and

**WHEREAS**, the path will need to be maintained to ensure optimal safety and enjoyment for users.

**NOW, THEREFORE, BE IT RESOLVED** that the Swartz Creek City Council commits to maintaining the path in the City of Swartz Creek.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

## **RESOLUTION TO APPROVE THE SUBMITTAL OF A MICHIGAN DEPARTMENT OF NATURAL RESOURCES TRUST FUND GRANT FOR A MATCH TO THE MICHIGAN DEPARTMENT OF TRANSPORTATION GRANT FOR TRANSPORTATION ALTERNATIVES PROGRAM (TAP).**

**Resolution No. 180924-08**

**(Carried)**

Motion by Councilmember Cramer  
Second by Councilmember Florence

**WHEREAS**, The City of Swartz Creek has recognized through its Parks and Recreation Committee the need to increase its trailway system; and

**WHEREAS**, the City has received grant funding from the Michigan Department of Transportation's Transportation Alternative Program that the City must provide a match and engineering for a total project of \$1,005,700.00; and

**WHEREAS**, the City is requesting \$300,000.00 to come from the Michigan Department of Natural Resources Trust Fund Grant to be used towards the match of the Michigan Department of Transportation's Transportation Alternative Program Grant and the project's engineering; and

**WHEREAS**, the City is providing a 70% match to the Michigan Department of Natural Resources Trust Fund Grant of \$705,700.00, of which \$568,000.00 of the match is from the Michigan Department of Transportation's Transportation Alternative Program Grant and \$137,700.00 is from the City's general funds.

**NOW, THEREFORE, BE IT RESOLVED THAT**, the City Council hereby approves the Submittal of the Michigan Department of Natural Resources Trust Fund Grant and its match.

Discussion Ensued.

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

**MEETING OPENED TO THE PUBLIC:**

Steve Shumaker, 7446 Country Meadow Drive, commented on the 1% gas monies allocated for non-motorized trails and using that for the trails. Mr. Zettel responded we do have to spend 1% of our Act 51 gas and way tax dollars on non-motorized transportation over a 10 year rolling period. Our Treasurer does track that and we usually spend that on facilities such as sidewalks.

Tommy Butler, 40 Somerset, we got a great fire chief in the city. He feels things seem more organized and he is doing a great job. He is proud to see him on the job.

Chief Plumb thanked the council for the approval of the budget. He appreciates the cooperate effort between fire department and both municipalities. The communication with the city manager is fantastic and a great partnership.

**REMARKS BY COUNCILMEMBERS:**

Councilmember Gilbert commented on Frontier removing poles across the street from him.

Councilmember Hicks invited everyone to the Park Board Meeting, October 3<sup>rd</sup> @ 5:30 at Elms Park. They will be having a dedication of the tot lot. The Park Board will have a member at the Family Fun Night October 26<sup>th</sup>@ 4:30 passing out candy at the trunk or treat.

Councilmember Florence informed everyone that Thursday September 27<sup>th</sup> @ 1 p.m. the Senior Center will be holding a town hall meeting. The topic of the meeting will be the Swartz Creek Community Schools Bond proposal. He encouraged city hall think about doing the same.

Councilmember Cramer had a resident requested a crackdown of snow removal on sidewalks this winter, and parking on the sidewalks.

Councilmember Porath reminded everyone that there will be a Metro PD meeting this Wednesday, September 26<sup>th</sup>.

Mayor Krueger invited everyone to the Chamber of Commerce luncheon tomorrow at noon at the Genesee Health Plan building on Linden Road. We are hosting the small cities meeting Wednesday, October 3<sup>rd</sup> @ 6:30 p.m. at Metro PD and encouraged everyone to attend.

**ADJOURNMENT**

**Resolution No. 180924-09**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Councilmember Florence

**I Move** the Swartz Creek City Council adjourn the regular meeting at 8:08 p.m.

Unanimous Voice Vote.

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**David A. Krueger, Mayor**

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**Connie Eskew, City Clerk**

10/01/18

# City of Swartz Creek Building Permit List 2018

Permit No.	Date	Applicant	Phone	Tax ID No.	Value of Const/Permit Fee	Location	Type of Construction
<b>Building</b>							
PB1800042	09/14/18	SHARP-MILLER ROAD LLC		58-35-576-057	\$3,300,000	\$12,135.00	8138 MILLER RD 48473-Com New Building
PB1800043	09/06/18	Brown Home Improvement	(989) 798 0808	58-02-502-026	\$9,000	\$100.00	5185 WORCHESTER DR 48473-Roofing
PB1800044	09/14/18	BINGHAM, SASHA		58-03-533-182	\$1,000	\$125.00	5377 DURWOOD DR 48473-Res Add/Alter/Repair
PB1800047	09/27/18	Motor City Builders Inc.	(810) 235 0653	58-03-533-124	\$45,000	\$420.00	5320 DURWOOD DR 48473-Res Add/Alter/Repair
PB1800048	09/24/18	Martin Piotrowski	(810) 210 6942	58-36-651-210	\$5,880	\$225.00	5929 CROSSCREEK DR 48473-Res Add/Alter/Repair
<b>Total:</b>		<b>5 Permits</b>		<b>Value: \$3,360,880</b>		<b>Fee Total: \$13,005.00</b>	Total Number of Dwelling Units 0

<b>Electrical</b>							
PE1800032	09/05/18	Thiel Electric Inc.	(989) 792 1188	58-29-551-011	\$0	\$176.00	5376 MILLER RD 48473-Electrical
PE1800033	09/10/18	LJ Electric LLC	(810) 644 7769	58-35-200-014	\$0	\$390.00	8023 BRISTOL RD 48473-Electrical
PE1800034	09/17/18	Crandell Electric Inc	(810) 348 1129	58-03-533-025	\$0	\$134.00	5331 SEYMOUR RD 48473-Electrical
PE1800035	09/24/18	Morning Star Electric	(810) 397 7225	58-03-531-047	\$0	\$390.00	5260 BIRCHCREST DR 48473-Electrical
PE1800036	09/27/18	Bowen Electric, LLC	(810) 407 7205	58-30-551-020	\$0	\$140.00	3235 ELMS RD 48473-Electrical
PE1800037	09/25/18	Morning Star Electric	(810) 397 7225	58-36-529-006	\$0	\$137.00	7168 PARK RIDGE PKWY 48473-Electrical
<b>Total:</b>		<b>6 Permits</b>		<b>Value: \$0</b>		<b>Fee Total: \$1,367.00</b>	Total Number of Dwelling Units 0

<b>Mechanical</b>							
PM180041	09/11/18	W. Soule & Company	(989) 401 7641	58-29-551-011	\$0	\$160.00	5376 MILLER RD 48473-Mechanical
PM180043	09/17/18	Core Mechanical Inc.	(734) 856 2076	58-36-576-001	\$0	\$415.00	7026 MILLER RD 48473-Mechanical
PM180044	09/10/18	Fire Systems of Michigan, Inc.	(313) 255 0053	58-36-576-001	\$0	\$225.00	7026 MILLER RD 48473-Mechanical
PM180045	09/10/18	LJ Electric LLC	(810) 644 7769	58-35-200-014	\$0	\$325.00	8023 BRISTOL RD 48473-Mechanical

# City of Swartz Creek Building Permit List 2018

Permit No.	Date	Applicant	Phone	Tax ID No.	Value of Const/Permit Fee	Location	Type of Construction
PM180046	09/18/18	Joshua Hoffman	(810) 922 9008	58-03-531-047	\$0	\$325.00	5260 BIRCHCREST DR 48473-Mechanical
PM180047	09/24/18	Absolute Plumbing	(810) 820 8841	58-36-576-001	\$0	\$165.00	7026 MILLER RD 48473-Mechanical
<b>Total:</b>		<b>6 Permits</b>	<b>Value: \$0</b>		<b>Fee Total: \$1,615.00</b>		Total Number of Dwelling Units 0

**Plumbing**

PP180017	09/11/18	W. Soule & Company	(989) 401 7641	58-29-551-011	\$0	\$146.00	5376 MILLER RD 48473-Plumbing
PP180018	09/12/18	Quality Plumbing	(810) 624 0892	58-03-531-047	\$0	\$390.00	5260 BIRCHCREST DR 48473-Plumbing
<b>Total:</b>		<b>2 Permits</b>	<b>Value: \$0</b>		<b>Fee Total: \$536.00</b>		Total Number of Dwelling Units 0

**Right of Way**

PROW-0092	09/10/18	CONSUMERS ENERGY COM		58-01-502-079	\$0	\$100.00	5029 THIRD ST 48473-Right of way
PROW-0093	09/12/18	Lapeer County ISD	(810) 667 6070	58-36-300-024	\$0	\$100.00	4437 MORRISH RD 48473-Right of way
PROW-0094	09/12/18	CONSUMERS ENERGY COM		58-31-526-010	\$0	\$100.00	6133 BRISTOL RD 48473-Right of way
PROW-0095	09/18/18	ROGER SHARP	(810) 735 7833	58-35-576-057	\$0	\$0.00	8138 MILLER RD 48473-Right of way
PROW-0096	09/26/18	Comcast Corporation		58-36-576-001	\$0	\$100.00	7026 MILLER RD 48473-Right of way
<b>Total:</b>		<b>5 Permits</b>	<b>Value: \$0</b>		<b>Fee Total: \$400.00</b>		Total Number of Dwelling Units 0

**Zoning**

PZ18-0023	09/07/18	Security Vault Works	(317) 271 1130	58-35-576-031	\$50,000	\$25.00	4459 FORTINO DR 48473-Miscellaneous
PZ18-0024	09/13/18			58-02-502-017	\$400	\$25.00	5127 WORCHESTER DR 48473-Fence

10/01/18

# City of Swartz Creek Building Permit List 2018

Permit No.	Date	Applicant	Phone	Tax ID No.	Value of Const/Permit Fee	Location	Type of Construction
PZ18-0025	09/10/18	RANDALL, DAVID & DEBOI	(810) 691 7040	58-02-200-030	\$0 \$25.00	5220 MORRISH RD	48473-Miscellaneous
<b>Total:</b>		<b>3 Permits</b>	<b>Value: \$50,400</b>	<b>Fee Total:</b>	<b>\$75.00</b>	Total Number of Dwelling Units	0

**Permit Total: 27**      **Value: \$3,411,280**      **Fee Total: \$16,998.00**

Permit.DateIssued Between 9/1/2018 12:00:00 AM AND 9/30/2018 11:59:59 PM

# Inspection List

Address	Parcel Number	Inspection Type	Scheduled	Completed	Result
3270 HERITAGE BLVD	58-30-651-093	Final	09/04/2018	09/04/2018	Approved
5251 SEYMOUR RD	58-03-533-014	Status	09/05/2018	09/05/2018	No Change
5178 SEYMOUR RD	58-03-531-074	Status	09/05/2018	09/05/2018	Complied
6509 BRISTOL RD	58-31-501-007	Status	09/05/2018	09/05/2018	Partially Complied
5351 WORCHESTER DR	58-03-578-013	Status	09/05/2018	09/05/2018	Partially Complied
9050 CHELMSFORD DR	58-03-528-017	Final Zoning	09/05/2018	09/05/2018	Approved
5127 WORCHESTER DR	58-02-502-017	Status	09/06/2018	09/06/2018	Complied
8096 INGALLS ST	58-02-527-023	Ordinance	09/06/2018		
5220 MORRISH RD	58-02-200-030	Status	09/10/2018	09/10/2018	Complied
9323 HILL RD	58-03-400-004	Site Inspection	09/10/2018	09/10/2018	Violation(s)
3270 HERITAGE BLVD	58-30-651-093	Final	09/10/2018	09/10/2018	Approved
4131 MORRISH RD	58-36-100-015	Final	09/10/2018	09/10/2018	Approved
5020 FORD ST	58-02-528-009	Status	09/11/2018	09/11/2018	Not Complied
5123 MORRISH RD	58-01-100-021	Status	09/11/2018	09/11/2018	Partially Complied
5366 WINSHALL DR	58-02-553-001	Status	09/11/2018	09/11/2018	Complied
4131 MORRISH RD	58-36-100-015	Final	09/11/2018	09/11/2018	Approved
8295 MILLER RD	58-02-526-092	Site Inspection	09/11/2018	09/11/2018	Complied
5173 SEYMOUR RD	58-03-533-003	Site Inspection	09/11/2018	09/11/2018	Complied
5251 SEYMOUR RD	58-03-533-014	Site Inspection	09/11/2018	09/11/2018	No Violation
9323 HILL RD	58-03-400-004	Code	09/11/2018	09/13/2018	Complied
4131 MORRISH RD	58-36-100-015	Final Zoning	09/11/2018	09/11/2018	Approved
6292 CONCORD DR	58-30-651-076	Final	09/11/2018	09/11/2018	Approved
6365 AUGUSTA ST	58-30-651-005	Rough	09/11/2018	09/11/2018	Partially Approved
3270 HERITAGE BLVD	58-30-651-093	Final	09/11/2018	09/11/2018	Approved
4131 MORRISH RD	58-36-100-015	Final Zoning	09/11/2018	09/11/2018	Approved
5200 MORRISH RD	58-02-200-032	Backfill	09/11/2018	09/11/2018	Approved
9033 CHELMSFORD DR	58-03-528-014	Ordinance	09/12/2018		
3269 HERITAGE BLVD	58-30-651-096	Footing	09/12/2018	09/12/2018	Approved
5120 WINSTON DR	58-02-501-047	Status	09/17/2018	09/17/2018	No Change
5331 SEYMOUR RD	58-03-533-025	Final	09/17/2018	09/17/2018	Approved
4306 MORRISH RD	58-35-576-016	Ordinance	09/17/2018		
5032 BRADY ST	58-02-527-007	Citation	09/18/2018		
5014 FORD ST	58-02-528-012	Citation	09/18/2018		
7512 GROVE ST	58-01-100-019	Citation	09/18/2018		
5251 SEYMOUR RD	58-03-533-014	Status	09/18/2018	09/18/2018	No Change
4131 MORRISH RD	58-36-100-015	Final	09/18/2018	09/18/2018	Approved

# Inspection List

Address	Parcel Number	Inspection Type	Scheduled	Completed	Result
5200 MORRISH RD	58-02-200-032	Final	09/18/2018	09/18/2018	Approved
4484 MORRISH RD	58-35-576-053	Service	09/19/2018	09/19/2018	Approved
3269 HERITAGE BLVD	58-30-651-096	Backfill	09/19/2018	09/19/2018	Approved
5251 SEYMOUR RD	58-03-533-014	Letter	09/19/2018	09/20/2018	Violation(s)
7132 ABBEY LN	58-36-526-059	Final	09/20/2018	09/20/2018	Approved
7026 MILLER RD	58-36-576-001	Service	09/20/2018	09/20/2018	Approved
4131 MORRISH RD	58-36-100-015	Final	09/24/2018	09/24/2018	Approved
8023 BRISTOL RD	58-35-200-014	Garage & Basement	09/24/2018	09/24/2018	Approved
7026 MILLER RD	58-36-576-001	Above Ceiling	09/25/2018	09/25/2018	Disapproved
3432 HERITAGE BLVD	58-30-651-062	Final	09/25/2018	09/25/2018	Approved
7026 MILLER RD	58-36-576-001	Gas Pressure Test	09/25/2018	09/25/2018	Approved
3415 ELMS RD	58-30-551-007	Ordinance	09/25/2018	09/25/2018	Violation(s)
7026 MILLER RD	58-36-576-001	Footing	09/26/2018	09/26/2018	Approved
4126 ELMS RD	58-36-526-020	Initial	09/26/2018	09/26/2018	Violation(s)
9043 LUEA LN	58-03-626-044	Initial	09/26/2018	09/26/2018	Complied
4290 MORRISH RD	58-35-400-001	Site Visit	09/26/2018	09/26/2018	Approved
4126 ELMS RD	58-36-526-020	Code	09/27/2018		
7026 MILLER RD	58-36-576-001	Rough	09/27/2018	09/27/2018	Approved
7026 MILLER RD	58-36-576-001	Final	09/27/2018	09/27/2018	Partially Approv
5200 MORRISH RD	58-02-200-032	Final Zoning	09/27/2018	09/27/2018	Approved
4459 FORTINO DR	58-35-576-031	Final Zoning	09/27/2018	09/27/2018	Approved
8468 CHESTERFIELD DR	58-02-501-065	Site Inspection	09/28/2018		

**Inspections: 58**

Population: All Records

Inspection.DateTimeScheduled Between 9/1/2018 12:00:00 AM AND 9/30/2018 11:59:59 PM

# Certificates With Inspections

10/01/2018

Certificate Number	Address	Date Applied	Since	Issued	Last Inspection	Expires	Status
CR180020	9043 LUEA LN	09/20/2018	09/20/2018	09/26/2018	09/26/2018	09/26/2020	Certified
Initial	KBROWN	Matt Hart	Completed	Complied			

Population: All Records

Record Count: 1

Certificate.DateIssued Between 9/1/2018 12:00:00 AM  
AND 9/30/2018 11:59:59 PM

# Enforcements By Category

10/01/18

## BUILDING VIOLATIONS

Enforcement Number	Address	Status	Filed	Closed
E18-093	9323 HILL RD	Closed	09/05/18	09/13/18
			<b>Total Entries: 1</b>	

## PARKING

Enforcement Number	Address	Status	Filed	Closed
E18-096	8295 MILLER RD	Closed	09/10/18	09/11/18
E18-097	5173 SEYMOUR RD	Closed	09/10/18	09/11/18
E18-098	5251 SEYMOUR RD	No Violation	09/10/18	09/11/18
			<b>Total Entries: 3</b>	

## UNLICENSED VEHICLES

Enforcement Number	Address	Status	Filed	Closed
E18-101	3415 ELMS RD	Violation	09/25/18	
			<b>Total Entries: 1</b>	

## WEED COMPLAINT

Enforcement Number	Address	Status	Filed	Closed
E18-095	8096 INGALLS ST	Complete	09/06/18	09/26/18
E18-099	9033 CHELMSFORD DR	Complete	09/12/18	09/26/18
E18-100	4306 MORRISH RD	Closed	09/17/18	09/26/18
E18-102	4126 ELMS RD		09/26/18	
E18-103	8468 CHESTERFIELD DR	Inspection Pending	09/28/18	
			<b>Total Entries: 5</b>	

**Total Records: 10**

City Council Packet

Population: All Records

Enforcement.DateFiled Between 9/1/2018 12:00:00 AM AND 9/30/2018 11:59:00 AM

October 8, 2018

## DPS ACTIVITY SEPTEMBER 2018

	REGULAR	HOLIDAY	VACATION	ABSENT	OT	DT
101 GENERAL FUND						
262.0 ELECTIONS						
345.0 P S BLDG	28.50		0.89	0.89		
781.0 AMPHI-PARK						
782.0 WINSHALL PARK	7.00	0.64	0.25	0.08		
783.0 ELMS PARK	63.00	1.18	3.60	1.94		
784.0 BICENT. PARK						
790.0 SENIOR CENTER/LIBRARY	30.00	0.44		0.76		
793.0 CITY HALL	13.00	0.13		0.94		
794.0 COMM PROMO	41.50	0.67	1.41	4.05	4.00	
796.0 CEMETERY						
202 MAJOR STREET FUND						
429.0 SAFETY						
441.0 PARK & RIDE	22.00	0.10	0.33	2.01		
463.0 STREET MAIN	88.50	4.25	3.61	1.22		
474.0 TRAFFIC	18.00	1.60	0.36	0.59		
478.0 SNOW & ICE						
482.0 ADMIN	8.00	0.75		4.31		
203 LOCAL STREET FUND						
429.0 SAFETY						
463.0 STREET MAIN	75.00	4.50	0.57	2.12		
474.0 TRAFFIC	99.50	4.16	2.92	3.61		
478.0 SNOW & ICE						
482.0 ADMIN	8.00	0.75		4.31		
226 GARBAGE FUND						
528.0 COLLECT	1.00					
530.0 WOODCHIPPING	84.50	2.48	4.84	1.83		
782.0 WINSHALL PARK GARBAGE	25.00	0.30	0.44	2.08	4.00	5.00
783.0 ELMS PARK GARBAGE	24.00	0.30	0.33	2.08	4.00	5.00
793.0 CITY HALL	3.25	0.03		0.23		
590 WATER						
540.0 WATER SYSTEM	104.00	7.99	4.16	18.04	2.00	
540.0 WATER-ON CALL	6.00	0.58		0.07		
542.0 READ & BILL	25.50	1.23	0.94	2.26		
793.0 CITY HALL	8.13	0.08		0.60		
591 SEWER						
536.0 SEWER SYSTEM	39.00	2.83	0.96	11.95		
536.0 SEWER-ON CALL	6.00	0.58		0.07		
537.0 LIFT STATION	8.00	1.00		5.44		
542.0 READ & BILL	25.50	1.23	0.94	2.26		
793.0 CITY HALL	8.12	0.08		0.60		
661 MOTOR POOL FUND						
795.0 CITY GARAGE	65.00	2.12	5.45	0.66		
<b>DAILY HOURS TOTAL</b>	<b>935.00</b>	<b>40.00</b>	<b>32.00</b>	<b>75.00</b>	<b>14.00</b>	<b>10.00</b>

September 2018	MILES DRIVEN		GALLONS GAS PURCHASED		GALLONS DIESEL PURCHASED
#5-16 2WD gas	800.0		58.0		
#7-15 4WD gas	712.0		83.3		
#3-08 P/U 4WD gas	463.0		50.3		
09-03 P/U 4WD diesel	282.0				50.1
#2-08 P/U 4WD gas	603.0		90.4		
#6-00 BACKHOE diesel					
#11 DUMP gas	304.0		36.1		
#12-02 DUMP diesel					
#12-04 DUMP diesel					
#12-99 GENERATOR gas					
#17 CASE BACKHOE diesel					17.9
#19 JD TRACTOR diesel					
#06-99 BUCKET TRUCK gas					
#21 WOOD CHIPPER diesel					35.0
#807 STREET SWEEPER diesel	40.0				33.0
#42 ASPHALT HEATER diesel					
#37 TRAIL ARROW					
#10-15 GEN gas					
#5-18 KUBOTA (Hours)	7.3		2.0		
gas can			11.0		
TOTAL	3204.0		331.1		136.0

DPS Equipment Rental  
 September 2018  
 Page 1

Nature Of Work	4WD 7-15,3-08 2-08, 09-03	4WD 7-15,3-08 2-08, 09-03a	2WD 5-16	JCB Backhoe 06'00	Backhoe w/breaker 06'00a	Bucket Truck 6-99	Brush Hog 09'02	Dump 11	Dump w/plow 11a	Dump 12'02	Dump w/plow 12'02a	Dump 12-04	Dump w/plow 12-04a
101.262 Elections													
101.450 Forestry													
101.781 Pajtas Amphi													
101.782 Winshall Pk	20			8		2							
101.783 Elms Pk	10	2						2					
101.784 Bicentennial Pk													
101.790 Sen Ctr./Lib	32												
101.345 PS Bldg	18	4											
101.793 City Hall	26	3						2					
101.794 Comm Promo	12												
661.795 City Garage	6	1								4		1	
101.796 City Cem													
202.463 Maint. Major	46		2										
202.474 Traffic-Major	2												
202.478 Snow/Ice-Maj													
202.482 Major-Admin			10										
203.463 Maint-Local	23		4			3		4					
203.474 Traffic-Local	35												
203.478 Snow/Ice-Local	1												
203.482 Local-Admin	1		9										
226.528 Waste Collect	2												
226.530 Woodchipping	21							22					
590.540 Water System	67.5		37	1								4	
590.542 Water-Read/Bill	38.75		2.5										
591.536 Sewer System	6		17										
591.537 Sewer Lift Stat			8										
226.782 Winshall Pk Gbg	16												
226.783 Elms Pk Gbg	16												
591.542 Sewer Read/Bill	38.75		2.5										
<b>Total</b>	<b>438</b>	<b>0</b>	<b>102</b>	<b>9</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>30</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>5</b>	<b>0</b>

DPS Equipment Rental  
 September 2018  
 Page 2

Nature Of Work	Portable Generator	Case Backhoe 17	Sweeper	JD Tractor 19	Chipper	#42 Arrow	Arrow Board	Trailer	Roller	Pressure Washer	Post Hole Digger	01'98	Kubota 5-18
101.262 Elections													
101.450 Forestry													
101.781 Pajtas/Amphi													
101.782 Winshall Pk													1
101.783 Elms Pk		2			2								1
101.784 Bicentennial Pk													
101.790 Sen Ctr./Lib													
101.345 PS Bldg													
101.793 City Hall					2								1
101.794 Comm Promo													6
661.795 City Garage													
101.796 City Cem													
202.463 Maint. Major			12										
202.474 Traffic-Major													
202.478 Snow/Ice-Maj													
202.482 Major-Admin													
203.463 Maint-Local			22		4	3							
203.474 Traffic-Local		5											
203.478 Snow/Ice-Local													
203.482 Local-Admin													
226.528 Wast Collect													
226.530 Woodchipping					22								
590.540 Water System													
590.542 Water-Read/Bill													
591.536 Sewer System													
591.537 Sewer Lift Stat													
<b>Total</b>	<b>0</b>	<b>7</b>	<b>34</b>	<b>0</b>	<b>30</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>9</b>

**Public Works  
Monthly Work Orders**

10/04/18

Work Order #	Location ID	Customer Name	Date Recd	Type
Work Order Status		Service Address	Date Comp	
18-000012 COMPLETED	MA20-008051-0000-04	SHAVER, BETHANY 8051 MAPLE ST	09/04/18 09/04/18	WATER LEAK
CBRP18-0016 COMPLETED	VI10-004486-0000-02	HAJEC, WALTER 4486 VIRGINIA CT	09/17/18 09/18/18	CATCH BASIN REPAI
CKME18-0388	MO10-004494-0000-01	SC CHURCH OF GOD-PENTECOST 4494 MORRISH RD	09/18/18	CHECK METER
CKME18-0389 COMPLETED	EL10-004126-0000-11	MASCHINO, DAVID 4126 ELMS RD	09/21/18 09/21/18	CHECK METER
CKME18-0390 COMPLETED	NO10-009159-0000-01	WILLIAMS, PATRICIA 9159 NORBURY DR	09/21/18 09/21/18	CHECK METER
CKME18-0391 COMPLETED	BR20-006299-0000-02	REEDY, WILLIAM A 6299 BRISTOL RD	09/26/18 09/26/18	CHECK METER
DRAN18-0063 COMPLETED	GR10-005283-0000-03	FRIES, THOMAS 5283 GREENLEAF DR	09/05/18 09/05/18	STORM DRAINS
DRAN18-0064 COMPLETED	DU10-005259-0000-01	CUTTER, DELBERT 5259 DURWOOD DR	09/05/18 09/05/18	STORM DRAINS
FLAG18-0194 COMPLETED	CI10-008083-0000-01	CITY OF SWARTZ CREEK 8083 CIVIC DR	09/05/18 09/06/18	LOWER/RAISE FLAG
FLAG18-0195 COMPLETED	CI10-008083-0000-01	CITY OF SWARTZ CREEK 8083 CIVIC DR	09/11/18 09/12/18	LOWER/RAISE FLAG
FLAG18-0196 COMPLETED	CI10-008083-0000-01	CITY OF SWARTZ CREEK 8083 CIVIC DR	09/24/18 09/24/18	LOWER/RAISE FLAG
FLAG18-0197	CI10-008083-0000-01	CITY OF SWARTZ CREEK 8083 CIVIC DR	09/26/18	LOWER/RAISE FLAG
FNRD18-1428 COMPLETED	BR30-000030-0000-03	WHITE, DONALD & JUDITH 30 BROOKFIELD DR	09/04/18 09/04/18	FINAL READ
FNRD18-1429 COMPLETED	DU10-005194-0000-02	HOLMES, KELEE 5194 DURWOOD DR	09/04/18 09/04/18	FINAL READ
FNRD18-1430 COMPLETED	MI10-007365-0000-01	KRUEGER, DAVID 7365 MILLER RD	09/05/18 09/05/18	FINAL READ
FNRD18-1431 COMPLETED	CH20-009211-0000-06	HOUCK, ROBERT 9211 CHESTERFIELD DR	09/10/18 09/11/18	FINAL READ
FNRD18-1432 COMPLETED	CO20-007453-0000-03	MARSH, MELISSA 7453 COUNTRY MEADOW DR	09/10/18 09/11/18	FINAL READ
FNRD18-1433 COMPLETED	BR20-007133-0000-13	ROOT, ROBERT 7133 BRISTOL RD	09/13/18 09/13/18	FINAL READ
FNRD18-1434 COMPLETED	DO10-005393-0000-04	DERSCHA, RACHELLE 5393 DON SHENK DR	09/14/18 09/14/18	FINAL READ
FNRD18-1435 COMPLETED	SE20-005146-0000-01	JIMINEZ, JOSE 5146 SEYMOUR RD	09/14/18 09/17/18	FINAL READ

Work Order # Work Order Status	Location ID	Customer Name Service Address	Date Recd Date Comp	Type
FNRD18-1436 COMPLETED	AS10-000099-0000-04	STRAIN, JEAN 99 ASHLEY CIR	09/28/18 09/28/18	FINAL READ
FNRD18-1437 COMPLETED	BR10-005070-0000-01	SINGH, CHETRAM 5070 BRADY ST	09/25/18 09/25/18	FINAL READ
FNRD18-1438 COMPLETED	BR10-005075-00B1-01	KINCAID MANOR, JANICE SINGH 5075 BRADY # B1 AVE	09/25/18 09/25/18	FINAL READ
FNRD18-1439 COMPLETED	BR10-005075-00B2-01	KINCAID MANOR, JANICE SINGH 5075 BRADY # B2 AVE	09/25/18 09/25/18	FINAL READ
FNRD18-1440 COMPLETED	BR10-005075-00B3-01	KINCAID MANOR, JANICE SINGH 5075 BRADY # B3 AVE	09/25/18 09/25/18	FINAL READ
FNRD18-1441 COMPLETED	BR10-005075-00B4-01	KINCAID MANOR, JANICE SINGH 5075 BRADY # B4 AVE	09/25/18 09/25/18	FINAL READ
FNRD18-1442 COMPLETED	BR10-005075-00B5-01	KINCAID MANOR, JANICE SINGH 5075 BRADY # B5 AVE	09/25/18 09/25/18	FINAL READ
FNRD18-1443 COMPLETED	BR10-005075-00B6-01	KINCAID MANOR, JANICE SINGH 5075 BRADY # B6 AVE	09/25/18 09/25/18	FINAL READ
GWO18-0493 COMPLETED	BI10-005184-0000-03	WALTERS, DEAN 5184 BIRCHCREST DR	09/05/18 09/05/18	GENERIC WORK ORDE
GWO18-0494 COMPLETED	MI10-008298-0000-01	WALCH, DALE 8298 MILLER RD	09/06/18 09/06/18	GENERIC WORK ORDE
GWO18-0495 COMPLETED	BI10-005183-0000-01	RAGNONE, FULVIO 5183 BIRCHCREST DR	09/07/18 09/07/18	GENERIC WORK ORDE
GWO18-0496 COMPLETED	MI10-008346-0000-02	SPROWL, CLARE 8346 MILLER RD	09/12/18 09/12/18	GENERIC WORK ORDE
GWO18-0497	CH10-009032-0000-01	DABBS, RANDY A 9032 CHELMSFORD DR	09/13/18	GENERIC WORK ORDE
GWO18-0498	BI10-005203-0000-02	YORK, MICHELLE 5203 BIRCHCREST DR	09/27/18	GENERIC WORK ORDE
INSP18-000020 COMPLETED	WI10-005188-0000-01	HOWEY, ARDIS 5188 WINSHALL DR	09/17/18 09/20/18	TREE INSPECTION
MNT18-0280 COMPLETED	CI10-008095-0000-01	PERKINS LIBRARY 8095 CIVIC DR	09/13/18 09/17/18	BUILDING MAINTENA
MNT18-0281 COMPLETED	EL10-004125-0000-01	ELMS PARK 4125 ELMS RD	09/20/18 09/20/18	BUILDING MAINTENA
MTRP18-0555 COMPLETED	CH10-008508-0000-03	GILLIAM, JOYCE 8508 CHELMSFORD DR	09/21/18 09/21/18	METER REPAIR
READ18-0627 COMPLETED	KR20-004276-0000-01	SPRINGVALE ASSISTED LIVING 4276 KROGER DR	09/06/18 09/06/18	READ METER
READ18-0628	DU10-005307-0000-02	NICKS, RONALD 5307 DURWOOD DR	09/19/18	READ METER
READ18-0629 COMPLETED	NO10-009168-0000-02	ELIZANDO, CRYSTAL 9168 NORBURY DR	09/25/18 09/25/18	READ METER
READ18-0630	WI10-005414-0000-04	LAMROCK, TERRY	09/24/18	READ METER

Work Order #	Location ID	Customer Name	Date Recd	Type
Work Order Status		Service Address	Date Comp	
COMPLETED		5414 WINSHALL DR	09/25/18	
SETM18-0070	MI10-007026-0000-03	PLAZA STREET FUND - KFC	09/25/18	SET METER
COMPLETED		7026 MILLER RD	09/25/18	
TRDN18-0084	CA10-008391-0000-01	LEE, ROGER A	09/28/18	TREE-TAKE DOWN
CANCELLED		8391 CAPPY LN	10/01/18	
TRIM18-0039	DO10-005154-0000-01	LEONARD, DAVID	09/11/18	TREE-TRIM
COMPLETED		5154 DON SHENK DR	09/13/18	
WMBK18-0087	MI10-008138-0000-01	SHARP FUNERAL HOME	09/24/18	WATER MAIN BREAK
COMPLETED		8138 MILLER RD	09/26/18	
WMBK18-0088	MI10-008077-0000-02	SPENCER, JULIE	09/27/18	WATER MAIN BREAK
COMPLETED		8077 MILLER RD	09/27/18	
WOFF18-2049	WI10-005127-0000-02	LACONIS JR, LAWRENCE	09/05/18	WATER TURN OFF
CANCELLED		5127 WINSHALL DR	09/05/18	
WOFF18-2050	YA10-007036-0000-03	ROBISON, JACK	09/05/18	WATER TURN OFF
CANCELLED		7036 YARMY DR	09/05/18	
WOFF18-2051	MI10-008295-0000-06	VIALPANDO, TARA	09/10/18	WATER TURN OFF
COMPLETED		8295 MILLER RD	09/10/18	
WOFF18-2052	WO10-005365-0000-05	HOLTZ, HILARY	09/11/18	WATER TURN OFF
COMPLETED		5365 WORCHESTER DR	09/11/18	
WOFF18-2053	DO10-005208-0000-02	KINNEY, LINDA	09/18/18	WATER TURN OFF
COMPLETED		5208 DON SHENK DR	09/18/18	
WOFF18-2054	EL10-003493-0000-08	SPALDING, MICHELLE	09/18/18	WATER TURN OFF
COMPLETED		3493 ELMS RD	09/18/18	
WOFF18-2056	NO10-009168-0000-02	ELIZANDO, CRYSTAL	09/18/18	WATER TURN OFF
COMPLETED		9168 NORBURY DR	09/18/18	
WOFF18-2057	WI20-005036-0000-06	IRWIN, PAULA	09/18/18	WATER TURN OFF
COMPLETED		5036 WINSTON DR	09/18/18	
WOFF18-2058	MI10-005354-0000-07	JONES, MATTHEW	09/24/18	WATER TURN OFF
COMPLETED		5354 MILLER RD	09/24/18	
WPRESS18-000021	MI10-008196-0000-01	THOMPSON, JAMES	09/26/18	WATER PRESSURE
COMPLETED		8196 MILLER RD	09/26/18	
WTON18-1245	MI10-008295-0000-06	VIALPANDO, TARA	09/10/18	WATER TURN ON
COMPLETED		8295 MILLER RD	09/10/18	
WTON18-1246	MO10-004426-0000-01	SWEENEY, DONALD	09/10/18	WATER TURN ON
COMPLETED		4426 MORRISH RD	09/10/18	
WTON18-1247	WO10-005365-0000-05	HOLTZ, HILARY	09/11/18	WATER TURN ON
COMPLETED		5365 WORCHESTER DR	09/11/18	
WTON18-1248	WI20-005036-0000-06	IRWIN, PAULA	09/18/18	WATER TURN ON
		5036 WINSTON DR		
WTON18-1249	EL10-003493-0000-08	SPALDING, MICHELLE	09/18/18	WATER TURN ON
COMPLETED		3493 ELMS RD	09/18/18	
WTON18-1250	DO10-005208-0000-02	KINNEY, LINDA	09/19/18	WATER TURN ON
COMPLETED		5208 DON SHENK DR	09/20/18	

Work Order #	Location ID	Customer Name	Date Recd	Type
Work Order Status		Service Address	Date Comp	
WTON18-1251 COMPLETED	SC20-005086-0000-02	HORST, STEVEN 5086 SCHOOL ST	09/24/18 09/24/18	WATER TURN ON
WTON18-1252 COMPLETED	HI10-009275-0000-03	LUMSDEN, JULIE 9275 HILL RD	09/25/18 09/25/18	WATER TURN ON
WTON18-1253 COMPLETED	MI10-005354-0000-07	JONES, MATTHEW 5354 MILLER RD	09/25/18 09/25/18	WATER TURN ON
WTON18-1254 COMPLETED	SC20-005086-0000-02	HORST, STEVEN 5086 SCHOOL ST	09/25/18 09/26/18	WATER TURN ON
WTON18-1255 COMPLETED	MA30-007553-0000-10	WINELAND II, BILL 7553 MASON ST	09/28/18 10/01/18	WATER TURN ON

Total Records: 68

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Report Generated: 10/4/2018 8:05 AM  
 Report Options: Scheduled From: 9/1/2018 To: 9/30/2018

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10/01/2018 CHECK REGISTER FOR CITY OF SWARTZ CREEK  
 CHECK DATE FROM 09/01/2018 - 09/30/2018

Check Date	Check	Vendor Name	Description	Amount
Bank GEN CONSOLIDATED ACCOUNT				
09/13/2018	45512	A & N GRAPHICS LLC	NO PARKING SIGN FOR ELMS RD	200.00
09/13/2018	45513	A+ SUPPLY CO INC	LIGHT (2) / BUTTON PHOTO CELL RETURN LIGHT	267.03 (156.00) <b>111.03</b>
09/13/2018	45514	BEATIE SPRING & WELDING SERVICE	REPAIRS ON TRUCK #1202 REPAIRS ON SALT/PLOW TRUCK #1204	3,063.21 2,589.52 <b>5,652.73</b>
09/13/2018	45515	BEVERLY M. CUMMINGS	REPLACE MISSING CHECK #045135 - ELMS PAR	100.00
09/13/2018	45516	C & H CONSTRUCTION CO INC	STORM SEWER - MANHOLE REBUILD IN FRONT O	2,535.00
09/13/2018	45517	CITY OF SWARTZ CREEK	REIMB PETTY CASH	125.39
09/13/2018	45518	CONSUMERS ENERGY	8/7-9/5/18 A UB 4125 ELMS RD	30.67
09/13/2018	45519	CONSUMERS ENERGY	8/1-8/31/18 STREET LIGHTS 1294	8,878.93
09/13/2018	45520	CONSUMERS ENERGY	8/3-9/3/18 A 8095 CIVIC DR	1,001.45
09/13/2018	45521	CONSUMERS ENERGY	8/01/-8/31/18 4524 MORRISH RD	49.35
09/13/2018	45522	CONSUMERS ENERGY	8/01-8/31/18 TRAFFIC LIGHTS 1781	401.25
09/13/2018	45523	CONSUMERS ENERGY	8/01-8/31/18 SIRENS TRAFFIC LIGHTS 1997	26.61
09/13/2018	45524	CONSUMERS ENERGY	8/01-8/31/18 ELMS PARKING LOT AREA LIGH	31.62
09/13/2018	45525	CONSUMERS ENERGY	8/3-9/3/18 A 9099 MILLER RD	35.91
09/13/2018	45526	CONSUMERS ENERGY	8/3/-9/3/18 A 5361 WINSHALL DR 8369	25.66
09/13/2018	45527	CONSUMERS ENERGY	8/6-9/4/18 A 8301 CAPPY LN	233.10
09/13/2018	45528	CONSUMERS ENERGY	8/3-9/3/18 A 5257 WINSHALL DR	24.22
09/13/2018	45529	CONSUMERS ENERGY	8/3-9/3/18 A 8083 CIVIC DR	663.37
09/13/2018	45530	CONSUMERS ENERGY	8/3-9/3/18 A 5121 MORRISH RD	364.30
09/13/2018	45531	CONSUMERS ENERGY	8/3-9/3/18 A 5361 WINSHALL DR #2 RESTR	40.78
09/13/2018	45532	CONSUMERS ENERGY	8/3-9/3/18 A 8499 MILLER RD	25.66
09/13/2018	45533	CONSUMERS ENERGY	8/3-9/3/18 A 8059 FORTINO DR	58.78
09/13/2018	45534	CONSUMERS ENERGY	8/3-9/3/18 A 8011 MILLER RD	24.22
09/13/2018	45535	CONSUMERS ENERGY	8/6-9/3/184510 MORRISH RD	34.12
09/13/2018	45536	CONSUMERS ENERGY	8/6-9/4/18 A 5256 DON SHENK	26.25
09/13/2018	45537	CONSUMERS ENERGY	8/7-9/5/18 A 6425 MILLER PARK & RIDE	64.31
09/13/2018	45538	CONSUMERS ENERGY	8/7-9/4/18 A 4125 ELMS RD 4353	55.89
09/13/2018	45539	CUMMINS BRIDGEWAY	GENERATOR REPAIR - CAPPY LIFT STATION	1,120.00
09/13/2018	45540	FAMILY FARM AND HOME INC	INVOICES THROUGH 8/31/18	1,778.88
09/13/2018	45541	FERGUSON ENTERPRISES INC	5ML DPD TABLET DISP F/ TOTAL CHLR	17.75
09/13/2018	45542	FIDELITY SECURITY LIFE INSUR/EYEMED	SEPT. 2018 RETIREES (6)	100.72 V
09/13/2018	45543	FLINT WELDING SUPPLY	OXYGEN CYLINDER	5.00
09/13/2018	45544	GCGC	GCGC MEETING 9/20/18	15.00
09/13/2018	45545	GENESEE COUNTY 911 CONSORTIUM	REIMB FOR 2018 SIREN UPGRADES	2,419.45
09/13/2018	45546	GENESEE CTY DRAIN COMMISSIONER	NPDES PHASE II FEES	1,234.92
09/13/2018	45547	GILL ROYS HARDWARE	AUGUST 2018 BILLINGS	331.89
09/13/2018	45548	GRAND BLANC CEMENT PRODUCTS INC	WALL STONES FOR FIRE DEPT.	315.00
09/13/2018	45549	GREAT LAKES TREE EXPERTS INC	EML - TREE REMOVAL & STUMP GRINDING	975.00
09/13/2018	45550	HYDRO DESIGNS INC	WATER CROSS CONN CNTRL & COMPL AUG - OCT	879.00
09/13/2018	45551	INNA SHUMPERT	DEPOSIT REFUND FROM USE ON 9/3/18	100.00
09/13/2018	45552	INTEGRITY BUSINESS SOLUTIONS	TRASH BAGS 56 GAL GARBAGE BAGS PER DAVE (3 BOXES)	108.98 184.20 <b>293.18</b>
09/13/2018	45553	JEANETTE BROWN	DEPOSIT REFUND FROM USE ON 9/8/18	100.00
09/13/2018	45554	JORDAN LEWIS	DEPOSIT REFUND FROM USE ON 9/8/18	100.00
09/13/2018	45555	JOSE A MIRELES	MOWINGS 9/4/18	1,670.00

			MOWINGS 9/11/2018	1,150.00
				<b>2,820.00</b>
09/13/2018	45556	KCI	POSTAGE EST FOR SEPT. 2018 UB BILLING	893.97
09/13/2018	45557	LASHAWNDA HARDEN	PARK DEPOSIT REFUND FROM 9/1/18 USE	100.00
09/13/2018	45558	LEGACY ASSESSING SERVICES INC	ASSESSING SERVICES SEPTEMBER 2018	2,515.58
09/13/2018	45559	MARI SCHUTTE	DEPOSIT REFUND FROM USE ON 9/9/18	100.00
09/13/2018	45560	MATTHEW R WADDILL	INSTALL TUBE	15.00
09/13/2018	45561	MORE LIFE TABERNACLE	DEPOSIT REFUND FROM 9/3/18 USE	100.00
09/13/2018	45562	PLANTE & MORAN PLLC	INTERIM BILL FOR AUDIT JULY 30, 2018	18,300.00
09/13/2018	45563	ROWE PROFESSIONAL SERVICES CO	DAVAL RECONSTRUCTION	2,490.00
09/13/2018	45564	SERRITA L. HARDEN	REPLACE CK #045320 ELMS PARK REFUND	100.00
09/13/2018	45565	<b>SHERWIN WILLIAMS</b>	HIGHWAY WHITE AND HIGHWAY YELLOW PAINT	303.05
			HIGHWAY WHITE AND HIGHWAY YELLOW PAINT	501.60
				<b>804.65</b>
09/13/2018	45566	SIMEN FIGURA & PARKER PLC	AUGUST 2018 MONTHLY INVOICE	1,162.00
09/13/2018	45567	STANDARD ELECTRIC COMPANY	2 ELECTRICAL ITEMS FOR PSB	275.00
09/13/2018	45568	SUPER FLITE OIL CO INC	FUEL FOR GENERATOR BEHIND FIRE STATION	169.30
09/13/2018	45569	SUPER FLITE OIL CO INC	AUGUST 2018 DPW FUEL	1,594.34
09/13/2018	45570	SWARTZ CREEK ELEVATOR	BRUSH KILLER	17.00
09/13/2018	45571	SWARTZ CREEK NAZARENE CHURCH	DEPOSIT REFUND FROM USE ON 9/9/18	100.00
09/13/2018	45572	<b>UNIFIRST CORPORATION</b>	MATS, SUPPLIES	40.51
			UNIFORMS, MATS, SUPPLIES, ENV.	141.13
			UNIFORMS - MATS - SUPPLIES - MAINT	145.20
			SENIOR CENTER MATS AND SERVICES	40.51
				<b>367.35</b>
09/13/2018	45573	VALUE HOMES	UB REFUND FOR 30 BROOKFIELD	60.06
09/13/2018	45574	VERIZON WIRELESS	CELL PHONE BILL JULY 24- AUG 24, 2018	299.96
09/13/2018	45575	<b>WINS ELECTRICAL SUPPLY CO INC</b>	MOGUL SOCKET FOR ELMS PARK	29.97
			CANOPY LIGHT (2)	519.10
			RETURN EMT STRAP	(5.12)
				<b>543.95</b>
09/13/2018	45576	WOODSIDE BUILDERS INC	ESCROW- SPRINGBROOK EAST PHASE 2	1,000.00
09/13/2018	45577	FIDELITY SECURITY LIFE INSUR/EYEMED	SEPT. 2018 RETIREES (6)	30.06
09/17/2018	45578	<b>BLUE CARE NETWORK-EAST MI</b>	OCT 2018 RETIREE MEDICAL INS/TYLER	677.90
			OCT 2018 RETIREE MEDICAL INS/CLOLINGER	1,289.97
			OCT 2018 RETIREE MEDICAL INS/COBRA	629.86
				<b>2,597.73</b>
09/17/2018	45579	DELTA DENTAL PLAN	OCT 2018 DENTAL RETIREES (6)/TAX	329.28
09/17/2018	45580	STATE OF MICHIGAN	STATE SHARE 5-50 PARCELS	642.16
09/17/2018	45581	UNUM LIFE INSURANCE	OCT 2018 RETIREE LIFE INS (3)	35.10
09/27/2018	45582	ADAM ZETTEL	REIMB FOR APPRAISAL INSTITUTE 10/30/18	115.00
09/27/2018	45583	ADS PLUS PRINTING LLC	2000 WINDOW ENVELOPES	259.61
09/27/2018	45584	<b>BIO-SERV CORPORATION</b>	PEST CONTROL/PUBLIC SAFETY BLDG	55.00
			PEST CONTROL/CITY HALL/LIBRARY-SR CTR	106.00
				<b>161.00</b>
09/27/2018	45585	BRADYS BUSINESS SYSTEMS	EML/COPY MACHINE MAINT AGREEMENT	1,229.35
09/27/2018	45586	CELIA FREEMAN	ELMS PARK DEPOSIT REFUND 9/15/18 #1	100.00
09/27/2018	45587	COMCAST BUSINESS	CITY HALL MONTHLY INVOICE 9/26-10/25/18	259.60
09/27/2018	45588	COMMUNITY IMAGE BUILDERS	EML/PREP & MTG/ZONING AMENDMENTS/PROJ CO	954.00
09/27/2018	45589	CONSUMERS ENERGY	8/6-9/4/18 A 8100 CIVIC DR	1,280.31
09/27/2018	45590	D & D TRUCK & TRAILER PARTS	SWEEPER PARTS	33.70

09/27/2018	45591	D & G SIGNS LLC	MAGNETIC SIGN	182.76
09/27/2018	45592	DANIEL L RHANOR	PAVILION LIGHTS AT ELMS PARK	140.00
09/27/2018	45593	DIANE REGAN	ELMS PARK REFUND 9/23/18 #1	150.00
09/27/2018	45594	FERGUSON WATERWORKS #3386	WIRE FLAG BLUE 100 PK (2)	16.00
09/27/2018	45595	FLINT BATTERIES LLC	FLASHLIGHTS (2)	33.90
09/27/2018	45596	<b>GEN CTY ROAD COMMISSION</b>	CROSSWALK SIGNS	115.12
			AUG 2018 S-MTCE & OPERATIONS	2,425.46
			I-69 WB OFF RAMP/MORRISH	209.30
			CROSSWALK SIGNS	63.75
				<b>2,813.63</b>
09/27/2018	45597	GREAT LAKES TREE EXPERTS INC	EML/TRIM TREES	300.00
09/27/2018	45598	JAMS MEDIA LLC	ORDIN #433 8/23/18	93.00
09/27/2018	45599	JEROME RELERFORD	ELMS PARK DEPOSIT REFUND 9/22/18 #2	100.00
09/27/2018	45600	JERRY'S TIRE	EML/TIRE FOR CHIPPER	145.55
09/27/2018	45601	<b>JOSE A MIRELES</b>	MOW & TRIM CITY PROPERTIES/OTHER (1)	1,225.00
			MOW & TRIM CITY PROPERTIES/OTHER (2)	1,230.00
				<b>2,455.00</b>
09/27/2018	45602	JULIE KIRBY	ELMS PARK DEPOSIT REFUND 9/22/18 #1	100.00
09/27/2018	45603	KEVIN GROVES APPRAISALS INC	APPRAISAL GEN VALLEY GOLF COURSE	3,500.00
09/27/2018	45604	MY-CAN LLC	PORT-A-JON RENTAL	620.00
09/27/2018	45605	OFFICE DEPOT CREDIT PLAN	STATEMENT 9/13/18 OFFICE SUPPLIES	124.15
09/27/2018	45606	OHM ADVISORS	ENGINEERING SERVICES HELMSLEY DRIVE	2,138.50
09/27/2018	45607	OHM ADVISORS	KFC REVIEW	1,102.50
09/27/2018	45608	OHM ADVISORS	KFC CONSTRUCTION SERVICES	1,907.50
09/27/2018	45609	OHM ADVISORS	SPRINGBROOK EAST PHASE II ENG RVW I	787.50
09/27/2018	45610	OHM ADVISORS	SHARP ENG REVIEW I	155.00
09/27/2018	45611	OHM ADVISORS	SHARP ENG REVIEW 2	672.50
09/27/2018	45612	ROWE PROFESSIONAL SERVICES CO	PRELIMINARY ENGINEERING REHABILITATION F	6,815.96
09/27/2018	45613	SAMANTHA CASS	ELMS PARK DEPOSIT REFUND 9/15/18 #2	100.00
09/27/2018	45614	SARGENTS TITLE COMPANY	5256 DON SHENK	250.00
09/27/2018	45615	SELF SERVE LUMBER CO.	LUMBER	62.75
09/27/2018	45616	SPARTAN BARRICADING & TRAFFIC CONT	42" GRABBER CONE	429.50
09/27/2018	45617	<b>SUBURBAN AUTO SUPPLY</b>	ATF+4	5.99
			2 CYCLE OIL	9.99
			STARTING FLUID	3.49
				<b>19.47</b>
09/27/2018	45618	TERRY LOCKHART	GUTTERS & DOWNSPOUTS ON PAVILION	986.00
09/27/2018	45619	U. S. POST OFFICE	POSTAGE FOR OCTOBER 2018 NEWSLETTER	599.13
09/27/2018	45620	<b>UNIFIRST CORPORATION</b>	MATS, SUPPLIES	40.51
			UNIFORMS, MATS, SUPPLIES, ENV.	134.59
			MATS. SUPPLIES	40.51
			UNIFORMS, MATS, SUPPLIES, ENV.	134.59
				<b>350.20</b>
GEN TOTALS:				
Total of 109 Checks:				99,611.95
Less 1 Void Checks:				100.72
Total of 108 Disbursements:				<b>99,511.23</b>

# Purchase Agreement

**THIS IS A LEGALLY BINDING CONTRACT, IF NOT UNDERSTOOD, SEEK LEGAL COUNSEL**

1. **OFFER TO PURCHASE** – The undersigned, hereinafter known as “Buyer(s)” hereby agrees to purchase property commonly known as: 5256 Don Shenk Drive and legally described as: Lot 427 of Winchester Village Sub 7

(Property size and square footage of all structures located herein are approximate and not guaranteed.) Tax I.D. # 58-02-503-004 and located in the  City  Village  Township of Swartz Creek, County of Genesee, Michigan. Purchaser accepts all existing building and use restrictions, deed restrictions, easements and zoning ordinances, if any, and to pay therefore, the sum of ONE HUNDRED THIRTY-FOUR THOUSAND NINE HUNDRED dollars (\$ 134,900.00).

2. **TERMS OF PURCHASE**- As indicated by “X” below, (other unmarked terms do not apply). Payment of the cash portion of the purchase price is to be a cashier’s check or certified funds.

**Cash Sale:** The full purchase price payable in the form of a cashier’s check or certified funds upon the delivery of a recordable Warranty Deed conveying title in the condition provided for herein. Funds to be verified on or before \_\_\_\_\_. In the event Buyer(s) does not provide the Seller(s) with verified funds by the date provided, the Seller(s) may terminate this agreement by a written notice to the Buyer(s).

**New Mortgage:** The full purchase price upon the delivery of a recordable Warranty Deed conveying title in the condition provided for herein. Contingent upon property appraising for a minimum of sales price, if required and Buyer(s)’s ability to obtain a FHA mortgage, at no cost to the Seller(s) unless agreed to in writing, amortized for no less than 30 years, in the amount of 96.5 % of purchase price, which Buyer(s) agrees to make written application by (Date) 09/05/18, at 8:00 AM (AM/PM).

In the event that the Buyer(s) does not make written application for financing by the date provided above, the Seller(s) may terminate this agreement by written notification to the Buyer(s).

Buyer(s) to provide Seller(s) with a written **\*mortgage commitment\*** (Defined as: In regards to the loan applied for, the Lender has examined and underwritten the loan regarding the Buyer(s)’s credit, income, reserves, and qualifying ratios.) by (Date) 09/05/18, at 8:00 (AM/PM). In the event Buyer(s) does not provide the Seller(s) with a written mortgage commitment by the date provided above, the Seller(s) may terminate this agreement by a written notice to the Buyer(s).

Buyer(s) to provide Seller(s) with a written **\*clear to close\*** (Defined as: All approval conditions have been satisfied, the loan is approved and funds are available to close.) by (Date) 10/20/18, at \_\_\_\_\_ (AM/PM). In the event Buyer(s) does not provide the Seller(s) with a written clear to close by the date provided above, the Seller(s) may terminate this agreement by a written notice of termination to the Buyer(s).

**Any extensions to the above time frames must be in writing and agreed to by both parties to be valid.**

- Sale to Existing Mortgage or Land Contract:** Upon execution and delivery of:
- A recordable Warranty Deed and subject to existing mortgage.
  - Assignment of vendee’s interest in land contract.

Buyer(s) to pay the difference (approximately \$ \_\_\_\_\_) between the purchase price and the balance as of day of closing, of said mortgage or land contract bearing interest at \_\_\_\_\_% per annum and with monthly payments of \$ \_\_\_\_\_ which do  do not  include tax and/or insurance, which Buyer(s) assumes and agrees to pay. Buyer(s) agrees to reimburse Seller(s) for any funds held in escrow. Buyer(s) to pay all taxes and insurance costs if not included in the monthly payment stated above (see paragraph 8). **SELLER(S) UNDERSTANDS THAT THE SALE OR TRANSFER OF THE PROPERTY DESCRIBED IN THIS AGREEMENT MAY NOT RELIEVE THE SELLER(S) OF ANY LIABILITY THAT SELLER(S) MAY HAVE UNDER THE MORTGAGES OR LAND CONTRACT(S) TO WHICH THE PROPERTY IS SUBJECT, UNLESS OTHERWISE AGREED TO BY THE LENDER OR VENDOR OR REQUIRED BY LAW OR REGULATION.**

**Land Contract:** The down payment of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_) and the execution of a \_\_\_\_\_ land contract, acknowledging payment of that sum and calling for the payment of the remainder of the purchase money of \$ \_\_\_\_\_ in \_\_\_\_\_ payments of \_\_\_\_\_ or more, which (SHALL/SHALL NOT) include interest payment at the rate of \_\_\_\_\_% percent per annum, and which (SHALL/SHALL NOT) include prepaid taxed and insurance. The contract shall be paid in full on or before \_\_\_\_\_ years from the date of sale. Buyer(s) agrees to provide Seller(s) a recent credit report on or before \_\_\_\_\_, which must be approved or rejected in writing by the Seller(s) within \_\_\_\_\_ days of receipt of said credit report. In the event Buyer(s) does not provide the Seller(s) with a written credit report by the date provided above, the Seller(s) may terminate this agreement by a written notice to the Buyer(s).

3. **CLOSING FEES**-The closing fee charged by the closing agent shall be paid by:  Buyer  Seller  Split equally (50/50).

4. **PURSUANT TO THE ABOVE IDENTIFIED TERMS OF PURCHASE, SELLER(S) AND BUYER(S) AGREE TO CLOSE ON OR BEFORE 10/12/2018 (DATE) UNLESS OTHERWISE MUTUALLY AGREED IN WRITING. BUYER(S) AND SELLER(S) HAVE A RIGHT TO REQUEST A COMPLETE COPY OF CLOSING DOCUMENTS 48 HOURS PRIOR TO CLOSING.**

5. **FIXTURES AND IMPROVEMENTS**- All improvements and fixtures are included in the purchase price including, if now in or on the property, the following: all buildings, landscaping; lighting fixtures and their shades and bulbs; ceiling fans; drapery and curtain hardware; window coverings; shades and blinds; built-in kitchen appliances, including garbage disposal, drop-in ranges and range hoods; wall to wall carpeting, if attached; all attached mirrors; all attached shelving; attached work benches, stationary laundry tubs; water softener (unless rented); water heater; sump pump; water pump and pressure tank; heating and air conditioning equipment (window units excluded); attached humidifiers; heating units, including add-on wood stoves and wood stoves connected by flue pipe; fireplace screens; inserts and grates; fireplace doors, if attached; liquid heating and cooking fuels in tank(s) at time of transfer of possession (tanks will not be empty unless now empty); liquid heating and cooking fuel tanks if owned by Seller(s); TV antenna and complete rotor equipment; all support equipment for in ground pools; screens and storm windows and doors; awnings; basketball backboard and goal; mailbox; fences; detached storage buildings; underground sprinkling, including the pump; installed outdoor grills; all plantings and bulbs; garage door opener and control(s); and any and all items and fixtures permanently affixed to the property.

**Exclusions:** \_\_\_\_\_

See attached Bill of Sale/ Personal Property Statement

6. **Title**- As evidence of title, Seller(s) agrees to furnish Buyer(s) at Seller(s) cost, a title commitment and after closing, a policy of title insurance issued by Sargent's Title Company, LLC in an amount not less than the purchase price, bearing date later than the acceptance hereof and insuring the title in marketable condition. Any additional expenses incurred in obtaining a Without Exceptions Title Policy will be the responsibility of the Buyer(s). **Title Objections:** If objection to the title is made, based upon written opinion of the Buyer(s)'s attorney that the title is not marketable as required for performance hereunder, the Seller(s) shall have thirty (30) days from the date they are notified in writing of the particular defects claimed, either (1) to remedy the title, or (2) if unable to remedy the title, to refund the deposit in full termination of this agreement. If the Seller(s) remedies the title within the time specified, the Buyer(s) agrees to complete the sale.

7. **POSSESSION**- Possession to be given  immediately following closing;  \_\_\_\_\_ days after closing by 12:00 noon; subject to rights of tenants, if any. Seller(s) agrees to pay Buyer(s) rent (which commences the day of closing), during time of Seller's occupancy after closing  \$ \_\_\_\_\_ per day;  at an amount prorated per day equal to Buyer(s) monthly payment including principal, interest, taxes, insurance, condominium dues and association dues.

a. At the time of possession, the Seller(s) agree to have the property free and clear of trash, debris and in "brook clean" condition. Seller will maintain utilities and property in its present condition until time of possession including but not limited to lawn care and snow removal. Buyer(s) acknowledges responsibility of transferring all utilities the day possession is given.

b. Any notification received by the Seller(s) pertaining to the property must be disclosed to the Buyer(s) prior to closing.

c. If Seller(s)'s Tenants occupy the property, then:

Seller(s) will have the tenants vacate the property before closing.

Buyer(s) will be assigned all Landlord rights and security deposit and rents pro-rated to date of closing, with Buyer(s) assuming Landlord rights and obligations the day of closing.

8. **TAXES**- TAXES ARE PRORATED BASED UPON THIS AGREEMENT BETWEEN THE BUYER(S) AND THE SELLER(S). Seller(s) agrees to pay all taxes, fees, and assessments that are a lien against the premises as of the time of closing. Further, at closing, the immediately previous December and July, if any, tax bills will be prorated as paid in advance based upon the current year of January 1<sup>st</sup> through December 31<sup>st</sup> and July 1<sup>st</sup> through June 30<sup>th</sup> respectively, unless otherwise agreed to herein. Other: No taxes owed.

9. **LOCAL MUNICIPALITIES' TAXES MAY BE BASED ON DIFFERENT DUE DATES AND HAVE NO EFFECT ON TAX PRO- RATIONS AGREED UPON IN THIS PURCHASE AGREEMENT.**

Buyer(s) acknowledge that they are responsible for all real estate tax bills due after date of closing.

**The Personal Residence Exemption Status of the above named property and the potential property assessment increase due to change of ownership should be verified by Buyer(s) with the taxing entity.**

10. **BUYER(S) AGREES** that they have examined the before identified property, the Seller(s)'s property disclosure, if applicable and agrees to accept the same "AS IS" unless otherwise hereafter specified: \_\_\_\_\_

11. **ALL REQUESTED INSPECTIONS AND TESTS BELOW MUST BE COMPLETED BY 10 DAYS OF (DATE) ACCEPTANCE**

12. **UNLESS OTHERWISE AGREED TO BELOW.** If not satisfied with the condition of the property, the Buyer(s) shall notify the Seller(s) in writing with a copy of the inspection report(s) if requested specifying any defective or unsatisfactory condition(s), no later than 5 calendar days following inspection. **If no written notice of a defective condition is received or no inspection or test is held within the time allotted, the right to inspect shall be deemed waived and the Buyer(s) accepts the property "as is".** In the event of a timely and valid notice of unsatisfactory defect or unsatisfactory test result, the Buyer(s) shall have the option to request Seller(s) to correct the defect, or terminate this agreement with full refund of the Earnest Money Deposit to the Buyer(s). In the event Buyer(s) requests a correction of the defect, Seller(s) has the option to notify in writing within 5 calendar days of said notice agreeing to correct the defect as outlined above or the Buyer(s) Earnest Money Deposit will be returned in full termination of this agreement.

- a.  Yes  No **WELL/WATER TEST:** Sale subject to Buyer(s)'s receipt and satisfaction of well /water test.  
Test to be paid by:  Seller(s)  Buyer(s)
- b.  Yes  No **SEPTIC TEST:** Sale subject to Buyer(s) receipt and satisfaction of septic test.  
Test to be paid by:  Seller(s)  Buyer(s)
- c.  Yes  No **RADON TEST:** Sale subject to Buyer(s)'s receipt and satisfaction of radon test.  
Test to be paid by:  Seller(s)  Buyer(s)
- d.  Yes  No **PERCOLATION TEST:** Sale subject to Buyer(s)'s receipt and satisfaction of perk test.  
Test to be paid by:  Seller(s)  Buyer(s)
- e.  Yes  No **INFESTATIONS TEST FOR WOOD DESTROYING INSECTS:** Sale subject to Buyer(s)'s receipt and satisfaction of infestations test for wood destroying insects by licensed contractor.  
Test to be paid by:  Seller(s)  Buyer(s)
- f.  Yes  No **SURVEY:** Sale subject to Buyer(s)'s receipt and satisfaction of a  **MORTGAGE**  Yes  No  **STAKE**  Yes  No  
Survey to be paid by:  Seller(s)  Buyer(s)
- g.  Yes  No **HOME INSPECTION:** Sale subject to Buyer(s) receipt and satisfaction of inspection  
Inspection to be paid by:  Seller(s)  Buyer(s) To be completed by: \_\_\_\_\_ (date)
- h.  Yes  No **OTHER INSPECTION OF:** \_\_\_\_\_  
Test to be paid by:  Seller(s)  Buyer(s)

**NOTICE:** If mortgage report (survey) is required by mortgage lender, said lender may deny financing due to easements, encroachments or other unforeseen circumstances. Buyer(s) shall be required to pay for said inspection unless otherwise agreed to in writing.

**NOTICE:** Lender may require the above-mentioned inspection(s) as a condition of financing. If checked "no" and lender requires this report, Buyer(s) shall be required to pay for said inspection unless otherwise agreed to in writing.

**LENDER REQUIRED REPAIRS, if any, shall be paid by:**

Seller(s) not to exceed \$ \_\_\_\_\_.  Buyer(s) not to exceed \$ \_\_\_\_\_.

i.  Yes  No **HOME WARRANTY**  
Paid for by:  Seller  Buyer

13. **RECEIPT OF DISCLOSURES**-Buyer(s) acknowledge that they have received copies of the following:  Lead Based Paint  Seller(s)'s Disclosure  Land Division Act, P.A. 87  Exempt under Sellers Disclosure Act #92 of 1993.

14. **"TIME IS OF THE ESSENCE"**- With respect to this agreement, the parties agree that no extensions of time limits are binding unless specifically agreed to in writing. This agreement shall be construed without regard to the party or parties responsible for its preparation.

15. **DEFAULT**-In the event Seller(s) or Buyer(s) defaults in the completion of this transaction, Seller(s) or Buyer(s) may pursue his or her legal or equitable remedies. In the event of Buyer(s) default, the earnest money deposit shall be forfeited.

16. **DEPOSIT**-The Buyer(s) herewith deposit the sum of Five Hundred Dollars (\$ 500.00 ) in the form of check, as goodwill or earnest money that Buyer(s) will comply with the terms and conditions hereof and within the time limited therefore, which sum is to be credited on the purchase price in the event the sale is completed or refunded forthwith if offer is not accepted by Seller(s) making this agreement null and void.

17. **RECEIPT**- Seller(s) on this date, acknowledges receipt from the Buyer(s) of the amount of earnest money herein before mentioned. All deposits are to be held by the Seller(s), unless otherwise specified, in accordance with the terms hereof and in accordance with the current regulations of the Michigan Department of Consumer and Industry Services. Or unless otherwise specified: \_\_\_\_\_

18. **SARGENT'S TITLE COMPANY TO ACT AS ESCROW AGENT**- If the deposit is held by Sargent's Title Company, the parties to this Offer To Purchase agree as follows:

- a. In the event the parties do not complete this transaction the monies held in escrow shall be released by mutual consent of both parties or by an order of the court only.
- b. In the event this transaction does not occur and the monies are released in accordance with sub paragraph a. above, the sum of \$200 shall be retained by Sargent's Title Company for services rendered.
- c. If this paragraph is used this document must be acknowledged by escrow agent.

Date \_\_\_\_\_ By \_\_\_\_\_  
SARGENT'S TITLE COMPANY

19. **OTHER TERMS AND CONDITIONS**- TENTATIVE CLOSING DATE 10/09/18

20. **AGREEMENT:** The Buyer(s) and Seller(s) agree that they have read this document and understand thoroughly the contents herein and agree that there are no different or additional written or verbal understandings. The covenants herein, shall also bind the heirs, personal representatives, administrators, executors, assigns and successors of the respective parties. This entire agreement supercedes any and all understandings and agreements. **The Buyer(s) and the Seller(s) agree that a facsimile transmission or electronic signature of any original document shall have the same effect as an original. Any signature required on an original shall be considered complete when a facsimile copy has been signed.**

21. **ACKNOWLEDGEMENT**- Buyer(s), by signing this offer, further acknowledges receipt of a copy of this written offer.

Buyer(s) has the right to rescind this offer in writing until notice is given to Buyer(s) of acceptance. If notice of acceptance of this offer by the Seller(s) is not given by (Date) \_\_\_\_\_ at \_\_\_\_\_ AM/PM, this offer will expire and be of no further force and effect.

KATHRYN DOBEK MARRIED Kathryn DobeK (Date) 8/29/18  
Buyer: Print Name Marital Status Buyer: Signature

\_\_\_\_\_  
Buyer: Print Name Marital Status Buyer: Signature (Date) \_\_\_\_\_

Address: 7455 MORRISH RD. City: SWARTZ CREEK State: MI Zip: 48473 Phone: 748-240-1880

Witness \_\_\_\_\_

22. **SELLER(S)'S ACCEPTANCE**- Seller(s)'s hereby accept the Buyer(s)'s offer and acknowledge receipt of a copy of this agreement.

\_\_\_\_\_  
Seller: Print Name Marital Status Seller: Signature (Date) \_\_\_\_\_

\_\_\_\_\_  
Seller: Print Name Marital Status Seller: Signature (Date) \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Witness \_\_\_\_\_

23. **COUNTER OFFER**- This Purchase Agreement is amended as follows: Add to Section 19 - Subject to 30 public inspection & city council affirmation per city policy.

Seller(s) has the right to rescind this offer in writing and accept other offers until notice is given to Seller(s) of Buyer(s) acceptance. If notice of acceptance of this offer by the Buyer(s) is not given by (Date) \_\_\_\_\_ at \_\_\_\_\_ AM/PM, this offer will expire and be of no further force and effect.

David A. Krueger Mayor David A. Krueger (Date) 9/5/18  
Seller: Print Name Marital Status Seller: Signature

\_\_\_\_\_  
Seller: Print Name Marital Status Seller: Signature (Date) \_\_\_\_\_

Address: 8083 Civic Dr City: Swartz Creek State: MI Zip: 48473 Phone: 810 635 4464

24. **BUYER'S ACCEPTANCE OF COUNTER OFFER**- (Date) \_\_\_\_\_, at \_\_\_\_\_ AM/PM. In the event the acceptance was subject to certain changes from Buyer(s)'s offer, Buyer(s) agrees to accept said changes, and all other terms and conditions remain unchanged.

Kathryn DobeK  
Buyer: Signature

\_\_\_\_\_  
Buyer: Signature

\_\_\_\_\_  
Witness

09/05/18  
Date

## HOW DO I KNOW IF MY CHILD IS AFFECTED?

Is your child:

- \*cranky?
- \*vomiting?
- \*tired?
- \*complaining of stomachaches or headaches?
- \*unwilling to eat or play?
- \*unable to concentrate?
- \*hyperactive?
- \*Playing with children who have these symptoms?

These can be signs of lead poisoning. However, your children might not show these signs and yet be poisoned; only your clinic or Doctor can test for sure.

## WHAT CAN I DO ABOUT IT?

Your child should first be tested for lead in the blood between six months and one year old. Ask the clinic or your doctor to do it during a regular checkup. Your doctor will tell you how often you should have your child tested after that. A small amount of lead in the blood may not make your child seem very sick, but it can affect how well he or she can learn. If your child does have high amounts of lead in the blood, you should seek treatment and have your home tested for lead-based paint and lead dust.

## HOW DO I KNOW IF MY HOME HAS LEAD-BASED PAINT?

The appraisal does not determine whether a home actually has lead-based paint. It only identifies whether there are defective paint surfaces in a home that might have lead-based paint. Therefore, the only way you can know for sure is to have the home tested by a qualified firm or laboratory. Both the interior and exterior should be tested. You should contact your local health or environmental office for help.

## WHAT DO I DO IF MY HOME DOES HAVE LEAD?

Do not try to get rid of lead-based paint yourself, you could make things worse for you and your family. If your home contains lead-based paint, contact a company that specializes in lead-based paint abatement. Have professionals do the job correctly and safely. This may cost thousands of dollars, depending on the amount of lead-based paint and lead dust found in your home, but it will also protect you and your children from the effects of lead poisoning. In the meantime, there are things you can do immediately to protect your child:



THE IMPORTANCE OF A HOME INSPECTION

HUD does not warrant the condition of a property. It is important for you to have a home inspection performed on the property you wish to purchase in order to identify any possible defects. Up to \$200 of the cost to perform the inspection may be financed into your mortgage. Names of home inspection companies can be found in the yellow pages of your telephone directory under the heading "Home Inspection Services."

8/29/18  
Date

Kathryn Dobek  
Signature(s)

-----  
NOTICE TO PURCHASERS AND RENTERS OF HOUSING CONSTRUCTED BEFORE 1978

WATCH OUT FOR LEAD-BASED PAINT POISONING!

If the home you intend to purchase or rent was built before 1978, it may contain lead-based paint. About three out of every four pre-1978 buildings have lead-based paint.

WHAT IS LEAD POISONING?

Lead poisoning means having high concentrations of lead in the body.  
LEAD CAN:

- o Cause major health problems, especially in children under 7 years old.
- o Damage a child's brain, nervous system, kidneys, hearing, or coordination.
- o Affect learning.
- o Cause behavior problems, blindness, and even death.
- o Cause problems in pregnancy and affect a baby's normal development.

WHO GETS LEAD POISONING?

Anyone can get it, but children under 7 are at the greatest risk, because their bodies are not fully grown and are easily damaged. The risk is worse if the child:

- o Lives in an older home (built/constructed before 1978, and even more so before 1960.
- o Does not eat regular meals (an empty stomach accepts lead more easily).
- o Does not eat enough foods with iron or calcium.
- o Has parents who work in lead-related jobs.
- o Has played in the same places as brothers, sisters, and friends who have been lead poisoned. (Lead poison cannot be spread from person to person. It comes from contact with lead.

Women of childbearing age are also at risk, because lead poisoning can cause miscarriages, premature births, and the poison can be passed onto their unborn babies.

# SELLER'S DISCLOSURE STATEMENT



Property Address: 5256 Don Shenk Drive  
Street

Swartz Creek

MICHIGAN

City/Village or Township

**Purpose of Statement:** This statement is a disclosure of the condition of the property in compliance with the Seller Disclosure Act. This statement is a disclosure of the condition and information concerning the property, known by Seller. Unless otherwise advised, the Seller does not possess any expertise in construction, architecture, engineering, or any other specific area related to the construction or condition of the improvements on the property or the land. Also, unless otherwise advised, the Seller has not conducted any inspection of generally inaccessible areas such as the foundation or roof. **This statement is not a warranty of any kind by the Seller or by any Agent representing the Seller in this transaction, and is not a substitute for any inspections or warranties the Buyer may wish to obtain.**

**Seller's Disclosure:** The Seller discloses the following information with the knowledge that even though this is not a warranty, the Seller specifically makes the following representations based on the Seller's knowledge at the signing of this document. Upon receiving this statement from the Seller, the Seller's Agent is required to provide a copy to the Buyer or the Agent of the Buyer. The Seller authorizes its Agent(s) to provide a copy of this statement to any prospective Buyer in connection with any actual or anticipated sale of property. The following are representations made solely by the Seller and are not the representations of the Seller's Agent(s), if any. **THIS INFORMATION IS A DISCLOSURE ONLY AND IS NOT INTENDED TO BE A PART OF ANY CONTRACT BETWEEN BUYER AND SELLER.**

**Instructions to the Seller:** (1) Answer all questions. (2) Report known conditions affecting the property. (3) Attached additional pages with your signature if additional space is required. (4) Complete this form yourself. (5) If some items do not apply to your property, check NOT AVAILABLE. If you do not know the facts, check UNKNOWN. FAILURE TO PROVIDE A PURCHASER WITH A SIGNED DISCLOSURE STATEMENT WILL ENABLE A PURCHASER TO TERMINATE AN OTHERWISE BINDING PURCHASE AGREEMENT.

**Appliances / Systems / Services:** The items below are in working order. (The items listed below are included in the sale of the property only if the purchase agreement so provides.)

	Yes	No	Unknown	Not Available
Range/Oven	<input checked="" type="checkbox"/>			
Dishwasher	<input checked="" type="checkbox"/>			
Refrigerator				<input checked="" type="checkbox"/>
Hood / Fan				<input checked="" type="checkbox"/>
Disposal	<input checked="" type="checkbox"/>			
TV Antenna, TV Rotor & Controls				<input checked="" type="checkbox"/>
Electrical System	<input checked="" type="checkbox"/>			
Garage Door Opener & Remote Control				<input checked="" type="checkbox"/>
Alarm System				<input checked="" type="checkbox"/>
Intercom				<input checked="" type="checkbox"/>
Central Vacuum				<input checked="" type="checkbox"/>
Attic Fan				<input checked="" type="checkbox"/>
Pool Heater, Wall Liner & Equipment				<input checked="" type="checkbox"/>
Microwave	<input checked="" type="checkbox"/>			
Trash Compactor				<input checked="" type="checkbox"/>
Ceiling Fan				<input checked="" type="checkbox"/>
Sauna/Hot Tub				<input checked="" type="checkbox"/>
Washer				<input checked="" type="checkbox"/>

	Yes	No	Unknown	Not Available
Lawn Sprinkler System				<input checked="" type="checkbox"/>
Water Heater	<input checked="" type="checkbox"/>			
Plumbing System	<input checked="" type="checkbox"/>			
Water Softener / Conditioner				<input checked="" type="checkbox"/>
Well & Pump				<input checked="" type="checkbox"/>
Septic Tank & Drain Field				<input checked="" type="checkbox"/>
Sump Pump				<input checked="" type="checkbox"/>
City Water System	<input checked="" type="checkbox"/>			
City Sewer System	<input checked="" type="checkbox"/>			
Central Air Conditioning	<input checked="" type="checkbox"/>			
Central Heating System	<input checked="" type="checkbox"/>			
Wall Furnace				<input checked="" type="checkbox"/>
Humidifier				<input checked="" type="checkbox"/>
Electric Air Filter				<input checked="" type="checkbox"/>
Solar Heating System				<input checked="" type="checkbox"/>
Fireplace & Chimney				<input checked="" type="checkbox"/>
Wood Burning System				<input checked="" type="checkbox"/>
Dryer				<input checked="" type="checkbox"/>

Explanations (attach additional sheets if necessary): \_\_\_\_\_

UNLESS OTHERWISE AGREED, ALL HOUSEHOLD APPLIANCES ARE SOLD IN WORKING ORDER EXCEPT AS NOTED, WITHOUT WARRANTY BEYOND DATE OF CLOSING.

**Property conditions, improvements & additional information:**

1. **Basement/Crawlspace:** Has there been evidence of water? Yes \_\_\_\_\_ No   
If yes, please explain: \_\_\_\_\_

2. **Insulation:** Describe, if known: \_\_\_\_\_  
Urea Formaldehyde Foam Insulation (UFF) is installed? Unknown  Yes \_\_\_\_\_ No \_\_\_\_\_

3. **Roof:** Leaks? Yes \_\_\_\_\_ No   
Approximate age if known: 2018 Installation

4. **Well:** Type of well (depth/diameter, age and repair history, if known): \_\_\_\_\_  
Has the water been tested? Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, date of last report/results: \_\_\_\_\_

5. **Septic Tanks/Drain Fields:** Condition, if known: \_\_\_\_\_

INITIAL AS



6. Heating System: Type/approximate age: Forced Air/2018 Installation
7. Plumbing System: Type: copper  galvanized \_\_\_\_\_ other \_\_\_\_\_  
Any known problems: \_\_\_\_\_
8. Electrical System: Any known problems? No
9. History of Infestation, if any: (termites, carpenter ants, etc.) No
10. Environmental problems: Are you aware of any substances, materials or products that may be an environmental hazard such as, but not limited to, asbestos, radon gas, formaldehyde, lead-based paint, fuel or chemical storage tanks and contaminated soil on property? Unknown \_\_\_\_\_ Yes \_\_\_\_\_ No   
If yes, please explain: \_\_\_\_\_
11. Flood insurance: Do you have flood insurance on the property? Unknown \_\_\_\_\_ Yes \_\_\_\_\_ No
12. Mineral rights: Do you own the mineral rights? Unknown  Yes \_\_\_\_\_ No \_\_\_\_\_

Other items: Are you aware of any of the following

1. Features of the property shared in common with the adjoining landowners, such as walls, fences, roads and driveways, or other features whose use or responsibility for maintenance may have an affect on the property? Unknown  Yes \_\_\_\_\_ No \_\_\_\_\_
2. Any encroachments, easements, zoning violations or nonconforming uses? Unknown \_\_\_\_\_ Yes \_\_\_\_\_ No
3. Any "common areas" (facilities like pools, tennis courts, walkways, or other areas co-owned with others), or a homeowner's association that has any authority over the property? Unknown \_\_\_\_\_ Yes \_\_\_\_\_ No
4. Structural modifications, alterations, or repairs made without necessary permits or licensed contractors? Unknown \_\_\_\_\_ Yes \_\_\_\_\_ No
5. Settling, flooding, drainage, structural, or grading problems? Unknown \_\_\_\_\_ Yes \_\_\_\_\_ No
6. Major damage to the property from fire, wind, floods, or landslides? Unknown \_\_\_\_\_ Yes \_\_\_\_\_ No
7. Any underground storage tanks? Unknown \_\_\_\_\_ Yes \_\_\_\_\_ No
8. Farm or farm operation in the vicinity; or proximity to a landfill, airport, shooting range, etc? Unknown \_\_\_\_\_ Yes \_\_\_\_\_ No
9. Any outstanding utility assessments or fees, including any natural gas main extension surcharge? Unknown \_\_\_\_\_ Yes \_\_\_\_\_ No
10. Any outstanding municipal assessments or fees? Unknown \_\_\_\_\_ Yes \_\_\_\_\_ No
11. Any pending litigation that could affect the property or the Sellers right to convey the property? Unknown \_\_\_\_\_ Yes \_\_\_\_\_ No

If the answer to any of these questions is yes, please explain. Attach additional sheets, if necessary: 1. Fence ownership is unknown.

The Seller has lived in the residence on the property from NA (date) to NA (date).

The Seller has owned the property since July 18, 2017 (date).

The Seller has indicated above condition of all the items based on information known to the Seller. If any changes occur in the structural/mechanical/appliance systems of this property from the date of this form to the date of closing, Seller will immediately disclose the changes to the Buyer. In no event shall the parties hold the Broker liable for any representations not directly made by the Broker or Broker's Agent.

Seller certifies that the information on this statement is true and correct to the best of Seller's knowledge as of the date of Seller's signature.

BUYER SHOULD OBTAIN PROFESSIONAL ADVICE AND INSPECTIONS OF THE PROPERTY TO MORE FULLY DETERMINE THE CONDITION OF THE PROPERTY. THESE INSPECTIONS SHOULD TAKE INDOOR AIR AND WATER QUALITY INTO ACCOUNT, AS WELL AS ANY EVIDENCE OF UNUSUALLY HIGH LEVELS OF POTENTIAL ALLERGENS INCLUDING, BUT NOT LIMITED TO, HOUSEHOLD MOLD, MILDEW AND BACTERIA.

BUYER IS ADVISED THAT CERTAIN INFORMATION COMPILED PURSUANT TO THE SEX OFFENDERS REGISTRATION ACT, 1994 PA 295, MCL 28.721 TO 28.732 IS AVAILABLE TO THE PUBLIC. BUYERS SEEKING SUCH INFORMATION SHOULD CONTACT THE APPROPRIATE LOCAL LAW ENFORCEMENT AGENCY OR SHERIFF'S DEPARTMENT DIRECTLY.

BUYER IS ADVISED THAT THE STATE EQUALIZED VALUE OF THE PROPERTY, PRINCIPAL RESIDENCE EXEMPTION INFORMATION AND OTHER REAL PROPERTY TAX INFORMATION IS AVAILABLE FROM THE APPROPRIATE LOCAL ASSESSOR'S OFFICE. BUYER SHOULD NOT ASSUME THAT BUYER'S FUTURE TAX BILLS ON THE PROPERTY WILL BE THE SAME AS THE SELLER'S PRESENT TAX BILLS. UNDER MICHIGAN LAW, REAL PROPERTY TAX OBLIGATIONS CAN CHANGE SIGNIFICANTLY WHEN PROPERTY IS TRANSFERRED.

Seller [Signature] Date 6/29/18  
 Seller \_\_\_\_\_ Date \_\_\_\_\_

Buyer has read and acknowledges receipt of this statement.  
 Buyer Kathryn Dobek Date 08/29/18 Time 3:12 PM  
 Buyer \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

Disclaimer: This form is provided as a service of the Michigan Association of REALTORS®. Please review both the form and the details of the particular transaction to ensure that each section is appropriate for the transaction. The Michigan Association of REALTORS® is not responsible for the use or misuse of the form for misrepresentation or for warranties made in connection with the form.



Seller's Disclosure Statement  
 FORM MH-019(5/04)  
 Effective January 1, 2006

Page 2 of 2  
 INITIAL [Signature]

DISCLOSURE OF INFORMATION AND ACKNOWLEDGEMENT  
LEAD-BASED PAINT AND/OR LEAD-BASED PAINT HAZARDS

Our Home at: 5256 Dan Sheak Dr Was built in: 1967

Dated: 6/29/18

Seller: [Signature] Seller: \_\_\_\_\_

Lead Warning Statement

Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

NOTE: IF THE HOUSING BEING LISTED OR SOLD WAS BUILT IN 1978, OR AFTER, YOU DO NOT HAVE TO FILL OUT THE REMAINDER OF THIS FORM.

SELLER'S DISCLOSURE (initial)

\_\_\_\_\_ (a) Presence of lead-based paint and/or lead based paint hazards (check one below)

\_\_\_\_\_ Known lead-based paint and/or lead-based paint hazards are present in the housing (explain) \_\_\_\_\_

\_\_\_\_\_

Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

\_\_\_\_\_ (b) Records and Reports available to the seller (check one below):

\_\_\_\_\_ Seller has provided the purchaser with all available records and reports pertaining to lead-based hazards in the housing (list documents below):

\_\_\_\_\_

Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

PURCHASER'S ACKNOWLEDGEMENT (initial)

KD (c) Purchaser has received copies of all information listed above.

KD (d) Purchaser has received the pamphlet Protect Your Family From Lead in Your Home.

KD (e) Purchaser has (check one below):

Received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection of the presence of lead-based paint or lead-based paint hazards; or

Waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

AGENT'S ACKNOWLEDGEMENT (initial)

(f) Agent has informed the seller of the seller's obligations under 42 U.S.C. 4852d and is aware of his/her responsibility to ensure compliance.

CERTIFICATION OF ACCURACY

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

Seller [Signature] Date 8/29/18 Purchaser Kamryn Dobek Date: 8/29/18

Seller \_\_\_\_\_ Date: \_\_\_\_\_ Purchaser \_\_\_\_\_ Date: \_\_\_\_\_

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

Note: Intact lead-based paint that is in good condition is not necessarily a hazard. See EPA pamphlet Protect Your Family From Lead in Your Home for more information.

In recent years some uses of lead in products that could cause lead poisoning have been reduced or banned. This is true for lead in gasoline, lead in solder used in water pipes, and lead in paint. Still a great deal of lead remains in and around older homes, and lead-based paint and accompanying lead dust are seen as major sources.



**Re: 5256 Don Shenk**

The buyer for this property, Kathryn Dobek, has been fully approved and cleared all outstanding underwriting conditions. The clear to close has been issued and we are ready to proceed with closing at the buyer and seller's convenience.



*Mortgage Loan Officer*

**Jeff Loucks**

jeff@iconmortgage.com

(810) 577-2539

NMLS #137922

Rates effective 09/26/18. Mid America Mortgage, Inc., NMLS 150009 ([www.nmlsconsumeraccess.org](http://www.nmlsconsumeraccess.org)) is an equal opportunity lender, Arizona Lic BK 091759; licensed by the Department of Business Oversight under the California Residential Mortgage Lending Act Lic 4131103 and Finance Lenders Law Lic 603J732; regulated by the Colorado Division of Real Estate; Georgia Lic 31847; Illinois Residential Mortgage Licensee MB.6760775; Kansas Licensed Mortgage Company MC.0025093; Massachusetts Lic ML150009; Washington Lic CL-150009. This is not a commitment to make a loan. Loan approval is not guaranteed and is subject to lender review of information.



## Adam Zettel

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**From:** Lorrie Wilcox <lorrie@sargentstitle.com>  
**Sent:** Wednesday, September 26, 2018 9:40 AM  
**To:** Adam Zettel; 'Jeff Loucks'  
**Cc:** Joanne Ackerman  
**Subject:** RE: closing 5256 Don Shenk

Adam: Title is ready except for the needed resolution authorizing who can sign the closing documents and deed which you mentioned will be done at the city council meeting on October 8<sup>th</sup>.

Lorrie A. Wilcox  
Escrow Department Manager  
Sargent's Title Company, LLC  
625 S. Grand Traverse St.  
Flint, MI 48502  
Office: (810) 767-2355  
Direct Dial: (810) 767-2359, Ext. 231  
Fax: (810) 767-2430  
email: [lorrie@sargentstitle.com](mailto:lorrie@sargentstitle.com)  
Office hours: 8:30-5:00 (e.s.t.) Mon-Fri



We value your input on the customer service you received today. Please [click here](#) to share your feedback.

### **BEWARE OF WIRE FRAUD – INQUIRE BEFORE YOU WIRE!!**

**If you are wiring funds to Sargent's Title Company, please verify wiring instructions by calling your local closing office to confirm accuracy. Do not rely on telephone numbers provided in the email. Never wire money without first confirming verbally that wire instructions are correct.**

Notice: This email and any files **transmitted** with it are privileged and confidential. This email is intended solely for the use of the individual(s) or entity to which it is addressed. If you are not the named addressee, then any dissemination, distribution, and copying is strictly prohibited. Please notify the sender immediately, by email, if you have received this email in error and delete the message from your system. The sender does not accept liability for any errors or omissions in the content of this message that arise as a result of email transmission.

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**From:** Adam Zettel [mailto:[AZettel@cityofswartzcreek.org](mailto:AZettel@cityofswartzcreek.org)]  
**Sent:** Wednesday, September 26, 2018 8:58 AM  
**To:** Jeff Loucks; Joanne Ackerman  
**Subject:** closing

Can I get a written affirmation from each of you that indicates the buyer and instruments are in place for a closing subject to final approval by the city council?

*Adam Zettel, AICP*  
City Manager

Swartz Creek City  
8083 Civic Drive  
Swartz Creek, MI 48473  
810.635.4464 general office  
810.287.2147 cell  
[azettel@cityofswartzcreek.org](mailto:azettel@cityofswartzcreek.org)  
<https://www.facebook.com/CityofSwartzCreek>

*This communication, along with any documents, files or attachments, is intended only for the use of the addressee and may contain legally privileged and confidential information. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of any information contained in or attached to this communication is strictly prohibited. If you have received this message in error, please notify the sender immediately and destroy the original communication and its attachments without reading, printing or saving in any manner. This communication does not form any contractual obligation on behalf of the sender or the City of Swartz Creek and, when applicable, the opinions expressed here are my own and do not necessarily represent those of the City.*

**THE GENERAL PROPERTY TAX ACT (EXCERPT)**  
Act 206 of 1893

**211.30 Board of review; meetings; alternative dates; sessions; request, protest, or application for correction of assessment; hearing; examination of persons under oath; filing by nonresident taxpayer; notice; filing, hearing, and determination of objection; right of appeal; approval or disapproval of personal property exemption; indorsement and signed statement; delivery of assessment roll; ordinance or resolution authorizing filing of protest by letter; notice of option.**

Sec. 30. (1) Except as otherwise provided in subsection (2), the board of review shall meet on the second Monday in March.

(2) The governing body of the city or township may authorize, by adoption of an ordinance or resolution, alternative starting dates in March when the board of review shall initially meet, which alternative starting dates shall be the Tuesday or Wednesday following the second Monday of March.

(3) The first meeting of the board of review shall start not earlier than 9 a.m. and not later than 3 p.m. and last for not less than 6 hours. The board of review shall also meet for not less than 6 hours during the remainder of that week. Persons or their agents who have appeared to file a protest before the board of review at a scheduled meeting or at a scheduled appointment shall be afforded an opportunity to be heard by the board of review. The board of review shall schedule a final meeting after the board of review makes a change in the assessed value or tentative taxable value of property, adds property to the assessment roll, or exempts personal property under section 9m, 9n, or 9o and removes it from the assessment roll. The board of review shall hold at least 3 hours of its required sessions for review of assessment rolls during the week of the second Monday in March after 6 p.m.

(4) A board of review shall meet a total of at least 12 hours during the week beginning the second Monday in March to hear protests. At the request of a person whose property is assessed on the assessment roll or of his or her agent, and if sufficient cause is shown, the board of review shall correct the assessed value or tentative taxable value of the property in a manner that will make the valuation of the property relatively just and proper under this act. For the appeal of a denial of a claim of exemption for personal property under section 9m, 9n, or 9o, or for an appeal under section 9o(7), if an exemption is approved, the board of review shall remove the personal property from the assessment roll. The board of review may examine under oath the person making the application, or any other person concerning the matter. A member of the board of review may administer the oath. A nonresident taxpayer may file his or her appearance, protest, and papers in support of the protest by letter, and his or her personal appearance is not required. The board of review, on its own motion, may change assessed values or tentative taxable values or add to the roll property omitted from the roll that is liable to assessment if the person who is assessed for the altered valuation or for the omitted property is promptly notified and granted an opportunity to file objections to the change at the meeting or at a subsequent meeting. An objection to a change in assessed value or tentative taxable value or to the addition of property to the tax roll shall be promptly heard and determined. Each person who makes a request, protest, or application to the board of review for the correction of the assessed value or tentative taxable value of the person's property or for the exemption of that person's personal property under section 9m, 9n, or 9o shall be notified in writing, not later than the first Monday in June, of the board of review's action on the request, protest, or application, of the state equalized valuation or tentative taxable value of the property, and of information regarding the right of further appeal to the tax tribunal. Information regarding the right of further appeal to the tax tribunal shall include, but is not limited to, a statement of the right to appeal to the tax tribunal, the address of the tax tribunal, and the final date for filing an appeal with the tax tribunal.

(5) If an exemption for personal property under section 9m, 9n, or 9o is approved, the board of review shall file an affidavit with the proper officials involved in the assessment and collection of taxes and all affected official records shall be corrected. If the board of review does not approve an exemption under section 9m, 9n, or 9o, the person claiming the exemption for that personal property may appeal that decision in writing to the Michigan tax tribunal. A correction under this subsection that approves an exemption under section 9o may be made for the year in which the appeal was filed and the immediately preceding 3 tax years. A correction under this subsection that approves an exemption under section 9m or 9n may be made only for the year in which the appeal was filed.

(6) After the board of review completes the review of the assessment roll, a majority of the board of review shall indorse the roll and sign a statement to the effect that the roll is the assessment roll for the year in which it has been prepared and approved by the board of review.

(7) The completed assessment roll shall be delivered by the appropriate assessing officer to the county

equalization director not later than the tenth day after the adjournment of the board of review, or the Wednesday following the first Monday in April, whichever date occurs first.

(8) The governing body of the township or city may authorize, by adoption of an ordinance or resolution, a resident taxpayer to file his or her protest before the board of review by letter without a personal appearance by the taxpayer or his or her agent. If that ordinance or resolution is adopted, the township or city shall include a statement notifying taxpayers of this option in each assessment notice under section 24c and on each notice or publication of the meeting of the board of review.

**History:** 1893, Act 206, Eff. June 12, 1893;—CL 1897, 3853;—Am. 1907, Act 326, Eff. Sept. 28, 1907;—CL 1915, 4024;—CL 1929, 3418;—CL 1948, 211.30;—Am. 1949, Act 285, Eff. Sept. 23, 1949;—Am. 1951, Act 48, Eff. Sept. 28, 1951;—Am. 1964, Act 275, Eff. Aug. 28, 1964;—Am. 1982, Act 539, Eff. Mar. 30, 1983;—Am. 1994, Act 9, Imd. Eff. Feb. 24, 1994;—Am. 1994, Act 415, Imd. Eff. Dec. 29, 1994;—Am. 2000, Act 210, Imd. Eff. June 27, 2000;—Am. 2003, Act 194, Imd. Eff. Nov. 10, 2003;—Am. 2013, Act 153, Imd. Eff. Nov. 5, 2013.

**Popular name:** Act 206



# GENESEE COUNTY PARKS

Barry June  
Acting Director

August 14, 2018

Ted Henry  
County Commissioner

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

David Martin  
County Commissioner

Bryant Nolden  
County Commissioner

Dear City Council,

Michael J. Keeler  
Citizen Representative

The Genesee County Parks and Recreation Commission is in the process of updating its Community Park, Recreation, Open Space and Greenway Plan.

Joe Krapohl  
Citizen Representative

Public input will be gathered through a digital survey sent to County residents. An open survey will also be available on our website to give all Genesee County residents an opportunity to share their thoughts about the County Parks' facilities, programs and priorities.

Michael Lynch  
Citizen Representative

James Washington  
Citizen Representative

As in our last 5-year plan, we are extending an invitation to each local unit of government to "opt-in" to the action program section of the plan. Opting in to the Genesee County Park, Recreation, Open Space, and Greenway Plan will not replace your local parks, recreation, open space and greenway plan. It also will not give the County Parks any authority over your parks.

Cloyce Dickerson  
Ex-Officio

Gloria Nealy  
Ex-Officio

Jeffrey Wright  
Ex-Officio

Opting in to the County Parks plan is a no-cost way to demonstrate the type of cooperative planning efforts that the state is encouraging in several initiatives that may, ultimately, provide access to additional resources for individual communities and for the Genesee County region as a whole.

A member of:

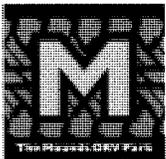
Michigan Recreation &  
Park Association

It is easy for your community to opt-in. All that is needed is a copy of the action program from your local Community Park, Recreation, Open Space and Greenway Plan and a resolution from your governing board authorizing the Genesee County Parks and Recreation Commission to include your action plan in the Genesee County Parks' Community Park, Recreation, Open Space and Greenway Plan. All resolutions and action plans must be received by Wednesday, October 24, 2018 to be included in the current update.

National Recreation &  
Park Association



If you have any questions, please give me a call at 810.249.3812 or send me an e-mail at [bjune@gcparks.org](mailto:bjune@gcparks.org).



Sincerely,

Barry M. June, Acting Director  
Genesee County Parks and Recreation Commission



# Central Business District

## Section 13.01 Principal Uses Permitted

### P. Residential dwellings

3. Upper floor residential dwellings including apartments and/or condominium units provided they meet the minimum room size requirements of Michigan Construction Code.

a. Ground floor use must be commercial or office use.

## Section 13.03. - Site development requirements.

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

CBD District Regulations	Requirements
Minimum Lot Area	0
Minimum Lot Width	0
Maximum Front Yard Setback	5 feet 0 feet
Minimum Side Yard Setback	0 (a)
Minimum Rear Yard Setback	20 feet (a) (b)
Maximum Lot Coverage	0% 100%
Maximum Building Height	40 feet or 3 stories 50 feet or 4 stories

### Notes:

- a) No side yards are required along the interior side lot lines, except as otherwise specified in the Building Code. ~~On the exterior side yard which borders on a residential district there shall be provided a setback of not less than ten feet on the side, or residential street. If walls of structures facing such interior side lot lines contain windows, or other openings, side yards of not less than 15 feet shall be provided.~~ A four (4) foot high obscuring wall, fence, or greenbelt strip shall be provided on those sides of property abutting land zoned for residential.
- b) Loading space shall be provided in the rear yard in the ratio of at least ten square feet per front foot of building and shall be computed separately from the off-street parking requirements. ~~Where an alley exists or is provided at the rear of the buildings, the rear setback and loading requirements may be computed from the center of said alley.~~ calculated as five (5) square feet per front foot of building.

- c) ~~A wall or fence shall be provided on those sides of the property abutting land zoned for residential use.~~
- d) ~~The maximum percentage of coverage shall be determined by the use and the provisions of required off-street parking, loading and unloading and required yards.~~
- e) ~~A minimum five-foot wide concrete sidewalk shall be provided within the road right-of-way for the entire frontage along a street.~~
- f) ~~A minimum of five-foot wide greenbelt shall be provided adjacent to a residential district and no structures or off-street parking spaces shall be located within the greenbelt. Grade changes to the greenbelt area shall not be permitted unless the planning commission finds that improved screening of the Highway Service District could be accomplished by changing the grade. The greenbelt area shall be maintained by one of, or a combination of, the following, depending, upon the characteristics of the area:~~

~~1. The greenbelt shall be left in its natural state if, in the judgment of the planning commission, it would provide the best protection for the residential district and preservation of the natural setting. The commission may require supplemental plantings, in accordance with the landscape design principles if it is necessary to provide adequate year-round screening.~~

~~2. If sufficient natural vegetation does not exist in the greenbelt area or if, in the opinion of the planning commission, it would not survive or is not suitable for saving, a minimum four-foot high landscaped earth berm shall be constructed in the greenbelt area. Landscaping shall be carried out in accordance with the landscape design principles adopted by the planning commission.~~

~~In determining the proper buffering technique, the planning commission shall consider the effectiveness of the buffer in protecting the surrounding area and shall also consider the overall natural and manmade characteristics of the site. The construction of the wall shall be in accordance with the standards set out in Article 28 (Landscaping).~~

## General Business District

### Section 14.01 Principal Permitted Uses

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

## Central Business District

### Section 13.01 Principal Permitted Uses

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

### Add to Definitions:

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

## Article 26. - Off-Street Parking and Loading/Unloading Requirements

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

Restaurant—with pick-up window

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

## Section 26: Parking and Loading

### Section 26.02. - General requirements.

In all zoning districts, off-street vehicle parking facilities shall be provided and maintained as herein prescribed:

#### A. Location.

1. Proximity to building or use being served. Off-street parking for multiple-family and non-residential uses shall be located on the same lot or parcel as the building or use being served or within ~~300~~ 500 feet of the building it is intended to serve, measured from the nearest public building entrance to the nearest parking space, except as otherwise permitted for collective use of off-street parking. Ownership shall be shown on all lots or parcels intended or used as parking by the applicant.

---

#### H. Central Business District.

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

### Section 26.04 - Schedule of Off-Street Parking Requirements

Add to the table:

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

# Outdoor Dining Areas

## CBD Central Business District

Section 13.01. - Principal uses permitted.

No building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this ordinance.

F. Restaurants, brewpubs, taverns and bars (not including drive-throughs), where the patrons are served while seated within the building occupied by such establishments.

Add: **G. Outdoor cafés, outdoor eating areas and open front restaurants, with annual outdoor restaurant permit.**

Section 13.02. - Special land uses.

The following uses may be permitted, upon review and approval by the city council, in accordance with the general and specific standards for special land uses listed in Article 30.

~~E. Outdoor cafés, outdoor eating areas and open front restaurants.~~

## Add to Article 2: Definitions:

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

## Add to General Provisions Article 20

**Outdoor dining may be allowed only as accessory to otherwise allowed restaurants, subject to the following requirements:**

- A. Within public right of way or on easements for public use. Outdoor dining is allowed by permit, between April 1 and October 31 subject to approval by the Zoning Administrator, when located outside of public rights-of-way or easements for public use and comply with the following:**
  - 1. Outdoor dining areas in the public right of way or on an easement for public use, must apply and receive an outdoor dining permit. Outdoor dining permits must be re-applied for annually.**

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

## B. Outdoor Dining on Private Property

1. Outdoor dining is allowed by permit subject to approval by the Zoning Administrator
2. Permanent fences or barriers may be installed where safety is a concern or where such permanence is required by building code. They shall be shown on all applications and permits.
3. The hours of operation of outdoor dining shall not extend past the normal operating hours of the main use, the restaurant.
4. Outdoor dining located in side or rear yards, abutting or across from a residential district, shall not operate before 9 am or after 11 pm.
5. No sound or audio or video entertainment, including but not limited to television or radio playing of music and/or sports events, may be piped into, or played so as to be visible or audible from the outdoor dining area before 9 am or after 11 pm on Fridays and Saturdays and before 9 am or after 10 pm on Sundays through Thursdays.
6. The seating in an outdoor dining area must be accessible to people with disabilities. Americans with Disabilities Act (ADA) accessibility requirements must be met within the outdoor dining area. Five percent, or at least one, of the seating spaces in the outdoor dining area must be accessible to people with disabilities. An accessible route connecting the outdoor dining area, the business entrance, and the restrooms must be provided.
7. Lighting in the outdoor dining area must meet lighting standards as specified in Article 27.



## Sports Creek sale near; could harness return?

September 25, 2018

| Norma

George Kutlenios, president of the Michigan Horsemen's Benevolent and Protective Association, told harnessracing.com Tuesday afternoon that a group of Thoroughbred owners are in talks to purchase Sports Creek Raceway near Flint. Kutlenios said there was good possibility that harness racing could return to Sports Creek, which has sat empty since it closed at the end of 2014.

"We have a group interested in purchasing Sports Creek and getting it up and running for Thoroughbred and Quarter Horse racing 2019," said Kutlenios. "We're sitting tight right now waiting for all the ducks to line up. Right now the plans look good and everything seems to be falling in place, we just don't have anything concrete to actually hang our hat on."

Kutlenios said the new group applied for 30 dates in 2019 in accordance to the Aug. 31 deadline set by the Michigan Gaming Control Board. Race dates are expected to be awarded sometime in October.

"By statute we have to apply for 30 days and we applied for 30 days," said Kutlenios. "We have a date hearing coming up in October but that is contingent on the track being purchased and the new owners getting it up and running and starting simulcasting and get the track surface ready and the barns ready. We'd race starting around (Kentucky) Derby day (in early May)."

Thoroughbred racing in Michigan took a hit after the sudden closing of Hazel Park this spring just a few days before the meet was scheduled to open. With the closing of Hazel Park, that left Northville Downs as the only racetrack still in operation in Michigan.

A few days after Hazel Park closed, officials at Northville Downs announced that track had been sold for development and would be closing in 2020. Northville's director of operations John Carlo told harnessracing.com at the time that a location would be secured to build a new racetrack, which as of yet has not been done.

As for harness racing returning to Sports Creek—which opened in 1986 and raced only Standardbreds—Kutlenios said he has been

contact with Michigan Harness Horsemen's Association president Tom Barrett.

"We thought Northville would close before Hazel Park would; we thought Hazel would be the last track standing in Michigan," he said. "We talked to Tom (Barrett) and if that day came we would certainly get back together and go to a split meet at Hazel Park. We're for all the horsemen, we're not going to be a game killer for anybody. I've already talked to the potential new owners about doing a split meet for harness and Thoroughbreds, just like they did at DRC and Hazel."

Kutlenios doesn't expect a new racetrack to be built without additional gaming revenue, such as from casinos or sports betting.

"No one is going to build a new track in Michigan based on the products we have available now," he said. "If we had a casino license for slots or instant racing machines, it'd be a different story. Someone might take that leap and put together a track to take advantage of possible income, but that's just not the case in Michigan."

Kutlenios said he's expressed to legislators that any form of sports betting has to include racetracks.

"We're going to write in that there has to be brick and mortar locations, which includes the three casinos (in downtown Detroit) and a licensed racetrack," said Kutlenios. "That has to be a part of it. There is no way they can just have casinos get it. That's our goal."

"Where racing is in Michigan, until we get additional funds of revenue like ADWs (advance deposit wagering) or anything else that comes down the pike, it makes sense to have one central location for everything. Hazel Park would have been the best bet for everybody, but it wasn't meant to be."

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