

**City of Swartz Creek  
AGENDA**

**Regular Council Meeting, Monday November 8, 2004 7:00 P.M.  
City Hall 8083 Civic Drive, Swartz Creek Michigan 48473**

1. **CALL TO ORDER (City Clerk):**
2. **INVOCATION AND PLEDGE OF ALLEGIANCE:**
3. **OATH OF OFFICE - AT LARGE COUNCILMEMBER'S ELECT (City Clerk):**
4. **ROLL CALL:**
5. **COUNCIL ELECTIONS:**
  - 5A. Adopt Mayoral & Pro-Tem Election Process RESO. Pg. 8
  - 5B. Elect Mayor RESO. Pg. 8
  - 5C. Elect Mayor Pro-Tem RESO. Pg. 8
6. **MOTION TO APPROVE MINUTES:**
  - 6A. Regular Council Meeting, October 25, 2004 MOTION Pg. 9, 28-33
7. **APPROVE AGENDA**
  - 7A. Proposed / Amended Agenda MOTION Pg. 9
8. **REPORTS:**
  - 8A. [City Manager's Report](#) MOTION Pg. 9, 2-7
  - 8B. October Check Ledger Pg. 35-37
  - 8C. October Building Report Pg. 38
  - 8D. Current Council Inv & Oper Policy (Agenda Item) Pg. 39-53
  - 8E. Current Boards & Commissions (Agenda Item) Pg. 54-56
  - 8F. LSL Zoning Proposal (Agenda Item) Pg. 57-61
  - 8G. REI Zoning Proposal (Agenda Item) Pg. 62-63
  - 8H. City Voting Data Pg. 64-67
  - 8I. Cage Fieldhouse Request Pg. 68-69
9. **COMMUNICATIONS TO COUNCIL:**
  - 9A. Letter Clayton, Fire Budget Pg. 70
  - 9B. Small Cities Meeting Minutes Pg. 71-74
10. **MEETING OPENED TO THE PUBLIC:**
  - 10A. General Public Comments
11. **ORGANIZATIONAL ACTIVITIES OF THE COUNCIL:**
  - 11A. Designation of Depository, Investment Policy RESO. Pg. 11, 39-53
  - 11B. General Council Operating Procedures RESO. Pg. 12, 39-53
12. **OLD BUSINESS:**
  - 12A. Appoint City Planning Firm RESO. Pg. 25, 57-63
  - 12B. Appropriation, Zoning Code Revision RESO. Pg. 25, 57-63
13. **NEW BUSINESS:**
  - 13A. None
14. **APPOINTMENTS: BOARDS – COMMISSION'S – REPRESENTATIVES:**
  - 14A. Planning Commission, Administrative Officer RESO. Pg. 25, 54-56

14B.	Planning Commission, Council Representative	RESO.	Pg. 25, 54-56
14C.	Fire Board, Council Representative	RESO.	Pg. 25, 54-56
14D.	Fire Board, Citizen Representative	RESO.	Pg. 25, 54-56
14E.	Fire Board, Citizen Representative	RESO.	Pg. 25, 54-56
14F.	Metro Alliance, Council Representative	RESO.	Pg. 25, 54-56
14G.	Metro Alliance, Citizen Representative	RESO.	Pg. 25, 54-56
14H.	Small Cities, Delegate & Alternate	RESO.	Pg. 25, 54-56
14I.	FANG, Delegate & Alternate	RESO.	Pg. 25, 54-56
14J.	WWS, City Representative	RESO.	Pg. 25, 54-56
14K.	GAIN, Delegate & Alternate	RESO.	Pg. 25, 54-56
14L.	Construction Board of Appeals (Three Positions)	RESO.	Pg. 25, 54-56
14M.	911 Consortium	RESO.	Pg. 25, 54-56
14N.	Zoning Board of Appeals (Four Positions)	RESO.	Pg. 25, 54-56
14O.	Parks & Recreation Advisory Board	RESO.	Pg. 25, 54-56
14P.	Local Officers Compensation Committee	RESO.	Pg. 25, 54-56
14Q.	Street Administrator, Technical Advisory Committee	RESO.	Pg. 25, 54-56

**15. MEETING OPENED TO THE PUBLIC:**

15A. General Public Comments

**16. REMARKS BY COUNCILMEMBER'S:**

**17. ADJOURNMENT:**

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

Regular Council Meeting of Monday November 8, 2004 7:00 P.M.

**TO:** Honorable Mayor, Mayor Pro-Tem & Council Members  
**FROM:** PAUL BUECHE // City Manager  
**DATE:** 05-November-2004

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

- ✓ **NEW SEATED COUNCIL, MAYOR, BOARDS & COMMISSIONS** (*Many Resolutions*)  
A hearty welcome to the newly elected councilmembers. We have some house keeping matters to attend to at tonight's meeting. The agenda and/or the resolution section of the packet is the program of choice for tonight's show. Good luck to the entire Council and I look forward to working with everyone for another two (and many more) years!
- ✓ **CHARTER REVISION, PERSONNEL POLICIES & PROCEDURES** (*Status*)  
I'm getting some prices for the cost of a complete codification of our ordinances. I should have something within the next couple of meetings. The personnel policy committee has begun meeting. We should have a good draft for review in about 4-6 weeks.
- ✓ **2004 BUDGET, WATER, SEWER & TAP FEE INCREASES,** (*Status*)  
We're still preparing the Building & Zoning fee increases. We should have it within the next meeting or two.

The Water Tap fee increase is not yet finished. So the Council is informed, I'll be back to request an increase from \$800 (City installed or individual taps) and \$220 for multiple taps wherein the system is built by the developer, to \$1,500 for the City installed and individual taps, and \$220 - \$250 for multiple developer installed systems. Additionally, take a look under the "New Business..." heading for some additional information relative to coming bulk water rate increases.

Regarding sewer unit rates, we are preparing an ordinance for council review. Just a bit additional, it appears that the County may be requesting to bill us monthly for water and sewer usage charges. If this happens, we may have to visit a monthly billing system also. If we continue to bill quarterly, and the county bills us monthly, we'll have to pay in advance of revenues collected. We'll see where it heads.

**August 30<sup>th</sup>: Audit**  
**October 15<sup>th</sup>: Complete Audit**  
**November 22<sup>th</sup>: Audit Report**

We have received a draft copy of the annual audit. In accordance with GASB, we still have to prepare the administrative comments and have an exit meeting before a final draft is ready for publishing. Generally, I'm pleased with the tentative results. As a quick peek:

<u>FUND</u>	<u>OVER (UNDER) REVENUES</u>
General Fund:	\$ 47,867
Major Streets:	\$ 127,626

Local Streets:	\$ (103,916)
Garbage:	\$ 32,754
Water:	\$ 125,302
Sewer:	\$ (69,968)

As you can see, our only problem fund is sewer. As in the past, it continues to lose money, nearly \$70,000 last fiscal year. The local streets deficit is the results of the accrued projects done two fiscal years ago, but paid for in last fiscal year. The elections have taken an enormous amount of our time and the audit has had to step to the back. The elections are now complete and I'm hoping we can have the audit report presented at the November 22<sup>nd</sup> meeting.

✓ **D.D.A. (Status)**

We have a waiting period that extends through the end of December. We have not received any requests, as of yet, for opt outs. We may have to hold a special meeting on this subject in the week between Christmas and New Years in order to make the assessment date of December 31<sup>st</sup>. I'll keep you posted.

✓ **PHASE II, WESTERN TRUNK SEWER EXTENSION (Status)**

The offer on the table remains the same as per our discussion from the last meeting. We continue to hammer out language in the contract and as of now, are pretty close.

**TABLE A: CITY PARTICIPATION IN W.T.E. PHASE II SEWER**

<i>Improvement</i>	<i>City Cost</i>	<i>City Revenue</i>	<i>Comment</i>
Eliminate Miller Lift Station	\$360,882	\$6,000 / Yr. (\$150,000 / 25 Years.)	Revenue Is Realized Savings Of Operating Expense, Excluding Labor, Per Year (Times 25 Years, Life of Debt Retirement)
Eliminate Morrish Lift Station	\$360,882	\$6,000 / Yr (\$150,000 / 25 Years)	Revenue Is Realized Savings Of Operating Expense, Excluding Labor, Per Year (Times 25 Years, Life of Debt Retirement)
Additional Capacity	---	---	WWS Estimates: 4,000 Total REU
Future Estimated Maximum Theoretical Capacity Needs	---	\$1,200,000	800 New Units @ \$1,500 Tap Fee (Conservative Est. Future New Sewer Taps To System, City-Wide)
Miller Road Watermain	---	\$88,236	W.W.S. Estimate of Watermain Value
Brown Road Property	---	\$65,500	2002 Cook-Prey & Hanson Land Value Appraisal and 50k Water Rights
<b>TOTAL:</b>	<b>\$721,764</b>	<b>\$1,653,736</b>	Assumes No Interest, If Financed
<b>TOTAL (LESS WATER):</b>	<b>\$721,764</b>	<b>\$1,500,000</b>	Reflects Sewer Amounts Only

*(This table reflects all revenues-expenses combined. Funds received from the sale of water assets cannot be used for debt retirement in the sewer fund. They must be returned to the water fund. Additionally, a conservative guess of 800 new Citywide REU's at a tap fee of \$1,500 each was used).*

**TABLE B: APPROXIMATE OPERATIONAL EXPENSES**

<i>Item</i>	<i>Cost per Year</i>	<i>25 Yr. Cost</i>	<i>Comment</i>
Miller Lift Station	\$6,000	\$150,000	Electricity, Phone, Repairs, Etc.
Morrish Lift Station	\$6,000	\$150,000	Electricity, Phone, Repairs, Etc.
<b>TOTAL:</b>	<b>\$12,000</b>	<b>\$300,000</b>	\$17,500 Realized Savings

**TABLE C: PAUL’S NON-SCIENTIFIC GUESS AT FUTURE SEWER TAPS**

<i>General Location of Vacant – Undeveloped Property</i>	<i># Of Units</i>
Gateway And Nearby Properties, Woods	400
Morrish & I-69	400
Springbrook East, Miller Elms, Miller & I-69	400
Scattered Various Chunks, Areas Behind Existing Developed Frontage, Etc.	800
<b>Theoretical Total:</b>	2,000

**TABLE D: DEBT RETIREMENT AMORTIZATION TOTALS**

(Assumes 25 Years @ 4.75%)

<i>Principal</i>	<i>Interest</i>	<i>Total</i>	<i>Yearly Payment</i>
\$500,000	\$355,177	\$855,177	\$34,207.08
\$521,764	\$370,635	\$892,399	\$35,695.92
\$721,764	\$512,707	\$1,234,471	\$49,378.90

As you can see, our participation still remains quite cost effective. I think we’re at the end of the line in terms of the best offer on the table. This solution provides us with four access points to the new system and the elimination of two lift stations. The access points are Bristol about half-way between Morrish & Elms, south along Morrish from Bristol Road to I-69, Seymour half-way between I-69 & Miller, and eastbound along Miller from the west City Limits to the now location of the lift station. This system doesn’t do much for the far east end of the City, but I recommend we participate. The interest rates for the debt retirement are speculated to run between 4.25% on a 20-year bond, and 5.25% on a thirty-year bond. You’ll notice the calculation tables above split this difference at 4.75% on a 25-year loan.

- ✓ **WINSHALL PARK ARSON RECONSTRUCTION** (*Status*)  
If you take the time to wander down Winshall, you’ll see that the building is under construction and shaping up nicely.
- ✓ **SANITARY CAPACITY, INFILTRATION & INFLOW** (*Status*)  
The numbers are in from the second phase of this study. Steve is preparing a report and should be back to the council within a meeting or two to give a report. We have all the data we need for the time being and I have no plans at this time for the collection of additional data. Most likely we’ll need to go back and take a look at some other areas for re-distribution in about a year or so.
- ✓ **“HERITAGE PARK” LAND ACQUISITION** (*Status*)  
The grant has been filed and is in receipt by the DNR. We are awaiting their decision.
- ✓ **SUMMER FAMILY MOVIES** (*Status*)  
Pending a report and recommendation.
- ✓ **MDOT TRAFFIC SAFETY GRANT – MILLER & ELMS IMPROVEMENTS** (*Status*)  
Pending.
- ✓ **GENESEE VALLEY ROTARY PROJECT, ELMS PARK PAVILION** (*Status*)  
Pending.
- ✓ **WATER RATE INCREASE** (*Status*)  
Pending.

- ✓ **CITY WEB SITE / WIRELESS ACCESS, I.T. SERVICES** *(Status)*  
I have two companies that have an interest in providing wireless services in the community. One wants to lease space on the water tower and the Public Safety Building tower, and the other wants to construct a tower(s) on private property. Both need to visit the Planning Commission first. Before we decide how we wish to proceed with high-speed access, or if we want to provide this service, we need to see where these two companies are headed. I'll keep you posted.
- ✓ **MILLER-FAIRCHILD TRAFFIC SIGNAL** *(Status)*  
We're out for some cost quotes for design engineering. As soon as I have something, I'll be back for discussion.
- ✓ **ZONING ORDINANCE REVISION** *(Resolution)*  
Attached are two proposals, one from LSL and the other from REI. I have set this matter for discussion and possibly, a resolution.
- ✓ **CITY MANAGER EVALUATION & CONTRACT RENEWAL** *(Status)*  
The elections took the bulk of our time over the last several weeks. Because of this, we were unable to complete the audit process in sufficient time to have a presentation tonight. Discussion on the manager's contract has some roots in the audit returns. I should have this for the next meeting.
- ✓ **SR. CENTER ADDITION / MILLAGE REQUEST** *(Status)*  
As the Council is aware, the Senior Millage Proposal failed 1,675 (54%) to 1,406 (46%). The next step is to prepare and enter into a lease agreement for the use of the facility. This is more of a housekeeping issue that should have been done a long time ago. Mr. Figura's Office is working on something and I'll have it back for review in the near future.

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

- ✓ **ELECTIONS** *(Information)*  
Our staff and election workers did a phenomenal job in conducting the elections. In comparison to other areas, we had virtually no waiting at the polls. We did have a bit of a parking problem and in effect, it took longer to park than it did to vote. On the larger elections, and possibly the school elections, if we end up doing them, we're going to have to visit an alternative location. We did have a glitch in counting Absentee Ballots, in that we did not begin the process until sometime shortly before the polls closed. Because of this, we were late in getting results to the County. Additionally, we had one complaint wherein a "Vote Yes on Proposal 1" note was found in an Absentee Ballot. The incident appears isolated and the matter was turned over to the police. I've included the results of the Council Candidates and the Senior Millage with tonight's packet. I think our office staff and election workers deserve a round of applause!
- ✓ **CAGE FIELDHOUSE** *(Information)*  
Cage Fieldhouse Proprietor's have requested to be allowed to place some stone at the rear of their building at the southern most end. Ironically enough, they have exceeded their expectations and are in the process of designing the two-court addition that was approved as proposed future expansion when their site plan was approved. They will be in later this winter for final approval to do the addition. The purpose of the stone is

two-fold, one to create some addition parking for employees to free up paved lot parking for customers, and the other is to provide access to rear doors. Mr. O'Brien concern is that it will become permanent which is against our goal to have all parking areas paved. He did allow them to place the stone on a temporary basis, logic being that the company has done everything we've asked, without delay. If they don't move to build the addition by late spring, then we'll push to have them either remove the parking, or pave it.

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

- ❑ *Monthly Hours & Activity Reports, D.P.W.* I'm working on a new paperwork system within this department. We should have something up and running within the next few weeks.
- ❑ *Signage, General Property Conditions of Carriage Plaza.* I'm still working on this. I will keep the Council posted on results.
- ❑ *F.C.C. Cable T.V. Preempt.* Pending.
- ❑ *Groves Building, Cars For Sale.* The business owner has been notified and the cars removed.
- ❑ *Kroger Goodwill Re-Location.* I passed along the Council's regards to Mr. O'Brien.
- ❑ *Park Board Meetings.* Pending a report.
- ❑ *City Waste Collection Calendars.* Pending a draft for Council review.
- ❑ *Elms Park Pavilion Rental.* We keep one of the smaller pavilions available without cost. The location of this pavilion is in the southwest section not far from the newly finished tennis courts. There are no plans for charging for this pavilion. Additionally, this pavilion may have to be moved to another location within the park at some point after the Rotary Club's pavilion is opened.
- ❑ *Right of Way "Car Door" Sign, 7300 Blk. Miller Road.* Gone, warning issued.

**City of Swartz Creek**  
**RESOLUTIONS**  
**Regular Council Meeting, Monday November 8, 2004 7:00 P.M.**

**Motion No. 041108-5A**

**PROCESS: ELECTION OF MAYOR & MAYOR PRO-TEM**

Motion by Councilmember: **ABRAMS**

**I Move** the Swartz Creek City Council adopt the following selection procedure for the Offices of Mayor and Mayor Pro-Tem:

- 1. Verbal nominations, support not required, shall be accepted by the City Clerk.
- 2. A roll call vote shall be cast for individual nominees.
- 3. Four votes shall be required by a nominee to be selected as Mayor and Mayor Pro-Tem.

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

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

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

**Motion No. 041108-5B**

**MAYOR** *(Repeat Process for Multiple Nominees, Sequential Numbering of 5B1, 5B2, etc., if Needed)*

Nomination of \_\_\_\_\_, By \_\_\_\_\_  
For the office of Mayor, term expiring November 7, 2006.

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

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

**Motion No. 041108-5C**

**MAYOR PRO-TEM** *(Repeat Process for Multiple Nominees, Sequential Numbering of 5C1, 5C2, etc., if Needed)*

Nomination of \_\_\_\_\_, By \_\_\_\_\_  
For the office of Mayor Pro-Tem, term expiring November 7, 2006.

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

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

**Motion No. 041108-6A**

**MINUTES, OCTOBER 25, 2004**

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

**I Move** the Swartz Creek City Council hereby approve the Minutes of the Regular Council Meeting held October 25, 2004, to be circulated and placed on file.

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

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

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

**Motion No. 041108-7A**

**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 November 8, 2004, to be circulated and placed on file.

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

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

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

**Motion No. 041108-8A**

**CITY MANAGER’S REPORT**

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

**I Move** the Swartz Creek City Council approve the City Manager’s Report of November 8, 2004, to be circulated and placed on file.

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

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

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

**Motion No. 041108-11A**

**DESIGNATION OF CITY DEPOSITORIES AND INVESTMENT POLICY**

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

**I Move** the Swartz Creek City Council adopt the Investment Policy and Designation of Depository for City Funds, as follows:

## **Designation of Depository**

The Swartz Creek City Council designate the following banking - financial institutions and their affiliates as depositories for City funds:

Ann Arbor Commerce Bank  
Bank of Northern Michigan, Petoskey  
Bank One  
Byron CTR. , ST MK MI  
Chemical Key State Bank  
Citizens Bank  
Comerica National Bank- Detroit  
Community Shores Bank - Muskegon  
Detroit Commerce Bank  
Federated Investors  
First National Bank  
Flagstar Bank - Troy  
Grand Bk, Grand Rapids MI  
Independent Bank W. MI, Rockford  
Key Bank National Association  
MBIA "CLASS" Client Services  
Mercantile Bank, West MI.  
Merrill Lynch  
Michigan Heritage Bank, Novi.  
Multi-Bank Securities, Inc.  
Muskegon Commerce Bank  
National City Bank  
Paramount Bank  
Portage Commerce Bank  
Republic Bank  
Shearson Smith Barney  
State Bank Caledonia  
Sterling Bank & Trust Co.  
Wolverine Bank

## **Designation of Investment Policy**

Pursuant to Act No. 66 of 1977, the Swartz Creek City Council hereby authorizes the City Manager, or his designated representative, to invest surplus funds belonging to and under the control of this political subdivision, its boards, or commissions as follows:

## **INVESTMENT, CASH MANAGEMENT & ACCOUNTING POLICY**

### **I. POLICY**

It is the policy of the City of Swartz Creek to invest public funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the City of Swartz Creek and conforming to all State statutes and local ordinances governing the investment of public funds.

## **II. SCOPE**

This investment policy applies to all financial assets held by the City of Swartz Creek. These assets are accounted for in the City of Swartz Creek's annual financial report and include the following funds:

- General Fund
- Major Street Fund
- Local Street Fund
- Garbage Collection
- Drug Enforcement Fund
- Debt Funds
- Capital Project
- Water & Sewer
- Sewer Tap Fund
- Motor Pool Fund
- Trust & Agency Fund

Any new fund created by the local unit, unless specifically exempted by the City Council.

This investment policy applies to all transactions involving the financial assets and related activity of all the foregoing funds.

## **III. INVESTMENT OBJECTIVES**

The following investment objectives, in priority order, will be applied in the management of the City of Swartz Creek's funds.

### **Safety**

The primary objective of the City of Swartz Creek's investment activities is the preservation of capital in the overall portfolio and the protection of investment principal.

The authorized investment staff will employ mechanisms to control risks and diversify investments regarding specific security types or individual financial institutions.

### **Liquidity**

The investment portfolio will remain sufficiently liquid to enable the City of Swartz Creek to meet operating requirements that might be reasonably anticipated.

### **Return on Investment**

The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, commensurate with the investment risk constraints and the cash flow characteristics of the portfolio. Return on investments shall be of

secondary importance compared to the safety and liquidity objectives above.

#### **IV. PRUDENCE**

In managing its investment portfolio, City of Swartz Creek officials shall avoid any transaction that might impair public confidence. Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

The above standard is established as the standard for professional responsibility and shall be applied in the context of managing the overall portfolio. Investment officers of the City of Swartz Creek, acting in accordance with State statute, this Investment policy, written procedures as may be established, and exercising due diligence, shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided that deviations from expectations are reported in a timely fashion, and appropriate action is taken to control adverse developments.

#### **V. DELEGATION OF AUTHORITY**

Authority to manage the City of Swartz Creek's investment program is derived from State statutes.

Daily management responsibility for the investment program is hereby delegated to the City Manager, or his designated representative, who shall establish written procedures for the operation of the investment program consistent with this investment policy. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under terms of this Policy and procedures established by the City manager. Such procedures shall also include reference to safekeeping, repurchase agreements, wire transfer agreements, collateral or depository agreements and banking service contracts. The City Treasurer shall be responsible for all transactions undertaken, and shall establish a system of controls to regulate the activities of subordinate officials.

#### **VI. ETHICS AND CONFLICTS OF INTEREST**

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair--or create the appearance of an impairment on--their ability to make impartial investment decisions. Employees and investment officials shall disclose to the City Manager any material financial interests in financial institutions that conduct business

with the unit, and they shall further disclose any large personal financial investment positions that could be related to the performance of the City of Swartz Creek's portfolio. Employees and officers shall subordinate their personal investment transactions to those of the City of Swartz Creek, particularly with regard to the time of purchases and sales.

## **VII. AUTHORIZED FINANCIAL DEALERS AND INSTITUTIONS**

The Treasurer will maintain a list of financial institutions, which have been authorized by the City Council on an annual basis, to provide investment and depository services. In addition, a list will also be maintained of approved security broker/dealers selected by credit-worthiness, who maintain an office in the State of Michigan or who are "primary" dealers or regional dealers that qualify under Securities and Exchange Commission rule 15C3-1 (uniform net capital rule.) No public deposit shall be made except in a qualified public depository as established by State law.

All financial institutions and broker/dealers who desire to become qualified bidders for investment transactions must supply the Finance Director with the following: audited financial statements for the most recent fiscal year; certification of having read the City of Swartz Creek's investment policy and the pertinent State statutes; proof of National association of Security Dealers certification; and proof of State registration, where applicable.

An annual review of the financial condition and registration of qualified bidders will be conducted by the Finance Director. Information indicating a loss or prospective loss of capital on existing investments must be shared with the City Manager of the City of Swartz Creek immediately upon notification.

## **VIII. AUTHORIZED AND SUITABLE INVESTMENTS**

1. The City of Swartz Creek is empowered by State statute (1988 Public Act 239, M.C.L. 129.91) to invest in the following types of securities:
  - a. Bond, securities, and other obligations of the United States, or an agency or instrumentality of the United States in which the principal and interest is fully guaranteed by the United States, including securities issued or guaranteed by the government national mortgage association;
  - b. Certificates of deposit, savings accounts, deposit accounts, or depository receipts of a bank which is a member of the federal deposit insurance corporation or a savings and loan which is a member of the federal savings and loan insurance corporation or a credit union which is insured by the national credit union administration, but only if the bank, savings and loan or credit union is eligible to be a depository of surplus funds belonging to the state under section 5 or 6 of Act No. 105 of the Public Acts of 1855, as amended;

c. In United States government of federal agency obligation repurchase agreements.

d. In banker's acceptances of United States banks;

e. No more than 50 percent of any one fund may be invested in commercial paper rated at the time of purchase within the 2 highest classifications established by not less than 2 standard rating services and which matures not more than 270 days after the date of purchase; and

f. Mutual funds registered under the investment company act of 1940, title I of chapter 686, 54 Stat. 789, 15 U.S.C. 80a-1 to 80a-3 and 80a-4 to 80a-64, with the authority to purchase only investment vehicles that are legal for direct investment by the City. This authorization is limited to securities whose intention is to maintain a net asset value of \$1.00 per share.

g. Investment pools through an inter-local agreement under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512.

h. Investment pools organized under the surplus funds investment pool act, 1982 PA 367, 129.111 to 129.118.

2. The Treasurer is restricted to investments that meet the statutory restrictions above and limitations on security issues and issuers as detailed below:

a. Repurchase agreements shall be negotiated only with dealers or financial institutions with which the City has negotiated a Master Repurchase Agreement or with the City of Swartz Creek's primary bank. Repurchase Agreements must be signed with the bank or dealer and must continue provisions similar to those outlined in the Public Security Association's model Master Repurchase Agreement.

b. Investment of bond proceeds or funds pledged for bond repayment must be fully insured.

c. Investments in Commercial Paper are restricted to those that have, at the time of purchase, the top investment rating provided by any two nationally recognized rating agencies. Commercial Paper held in the portfolio that subsequently receives a reduced rating shall be closely monitored and sold immediately if the principal invested may otherwise be jeopardized.

d. Certificates of Deposit shall be purchased only from financial institutions that qualify under Michigan law and are consistent with Opinion No. 6168, Opinions of the Attorney General (1982).

e. To the extent possible, the investing officer will attempt to match investments with anticipated cash flow requirements. Specific City Council approval is necessary for investments exceeding one year. Unless matched to a specific cash flow requirement, the City of Swartz Creek will not directly invest in securities maturing more than 10 years from the date of purchase. No more than 25 percent of the City of Swartz Creek's total investment portfolio shall be placed in securities maturing in more than 10 years. No more than 50 percent of investment vehicles maturing in any given month shall be of non-liquid nature (non-negotiable CD's, commercial paper, etc.)

f. Investments will be diversified by security type and institutions. With the exception of U.S. treasury securities and authorized investment pools (as a long term investment program), no more than 50 percent of the total investment portfolio will be invested in a single security type or with a single financial institution. With the exception of using affiliates of the major Banking Institute and upon receipt of written confirmation that funds are fully insured when held by the affiliates.

Excluding the Tax Revenue Account, with 100 percent of funds being deposited with the City of Swartz Creek's major Banking Institute with monies in the checking and Municipal Governmental Cash Investment Fund to be liquid and transferable to the respective taxing agencies on a biweekly basis during the tax collection period.

g. Mutual funds registered under the investment company act of 1940, title I of chapter 686, 54 Stat. 789, 15 U.S.C. 80a-1 to 80a-3 and 80a-4 to 80a-64, with the authority to purchase only investment vehicles that are legal for direct investment by the City. This authorization is limited to securities whose intention is to maintain a net asset value of \$1.00 per share.

h. Investment pools through an inter-local agreement under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512.

i. Investment pools organized under the surplus funds investment pool act, 1982 PA 367, 129.111 to 129.118.

## **IX. CASH MANAGEMENT**

The City of Swartz Creek's Policy regarding cash management is based upon the realization that there is a time-value to money. Temporarily idle cash may be invested for a period of one day to an excess of one year depending upon when the money is needed. Accordingly, the Clerk shall prepare a written cash management procedure that shall include, but not be limited to, the following:

Cash Forecast: At least annually, a cash forecast shall be prepared using expected revenue sources and items of expenditure to project cash requirements over the fiscal year. The forecast shall be updated from time to time to identify the probable investable balances that will be available.

Pooling of Cash: Except for cash in certain restricted and special accounts, the investment officer may pool cash of various funds to maximize investment earnings. Investment income shall be allocated to the various funds based upon their respective participation.

## **X. ACCOUNTING**

The City of Swartz Creek maintains its records on the basis of funds and account groups, each of which is considered a separate accounting entity.

All investment transactions shall be recorded in the various funds of the City of Swartz Creek in accordance with generally accepted accounting principles as declared by the Government Accounting Standards Board. Accounting treatment will include:

Investments will be carried at cost or amortized cost that approximates market.

Premium or discount will be amortized over the life of the investment.

Gains or losses of investments in all funds will be recognized at the time of disposition of the security.

Market price shall be disclosed annually in the financial statements and periodically in the performance reports.

## **XI. INVESTMENT PERFORMANCE AND REPORTING**

The Treasurer shall submit a biannual investment report that provides the principal and type of investment, annualized yield, and earnings for the period, market price and a summary report of cash and investments maintained in each financial institution.

Performance of the portfolio shall be reported periodically and submitted to the City Manager. Reports shall include details of the characteristics of the portfolio as well as its performance for that period. Reports shall be submitted at a minimum on an annual basis. Material deviations from projected investment strategies shall be reported immediately to the chief executive officer.

## **XII. SAFEKEEPING AND CUSTODY; THIRD-PARTY CUSTODIAL AGREEMENTS**

All securities purchased by the City of Swartz Creek under this section shall be properly designated as an asset of the City and held in safekeeping by a third party custodial bank or other third party custodial institution, chartered by the United States government or the State of

Michigan, and no withdrawal of such securities, in whole or in part, shall be made from safekeeping except by the Finance Director as authorized herein, or by their respective designees.

The City of Swartz Creek will execute third party custodial agreement(s) with its bank(s) and depository institution(s). Such agreements will include letters of authority from the City of Swartz Creek, details as to responsibilities of each party, notification of security purchases, sales, delivery, repurchase agreements and wire transfers, safekeeping and transactions costs, procedures in case of wire failure or other unforeseen mishaps including liability of each party.

All security transaction, including collateral for Repurchase agreements, entered into by the City of Swartz Creek shall be conducted on a delivery-versus-payment (DVP) basis. Securities will be held by a third party custodian designated by the Finance Director and evidenced by safekeeping receipts.

### **XIII. INTERNAL CONTROLS**

The City Manager shall establish a system of internal controls, documented in writing, which is designed to prevent losses of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the City. Required elements of the system of internal controls shall include:

1. The timely reconciliation of all bank accounts (i.e., monthly reconciliation's within ten (10) days of the end of the monthly cycle), and
2. Details of delivery versus payment procedures and trust receipt documentation. Internal controls will also encompass at a minimum the additional issues:

Transfer of all funds (purchases, sales, etc.) separation of functions including transaction authority, accounting and record-keeping custodial safekeeping avoidance of delivery of bearer form or nonwireable securities to the City of Swartz Creek delegation of authority to subordinate staff members written confirmation of telephone transactions supervisory control of employee actions specific guidelines regarding securities losses and remedial action identification and minimization of the number of authorized investment officials documentation of decisions made at the committee level and transactions by investment officials. Further the Finance Director or Treasurer shall sign all confirming written transactions.

### **XIV. INVESTMENT POLICY ADOPTION**

The City of Swartz Creek investment policy shall be adopted by resolution of the City of Swartz Creek legislative authority. The policy shall be reviewed on an annual basis by the legislative authority or by an investment authority board created by legislative action. Modifications

made at that time or when necessitated by State statutory revision must be approved by the legislative authority of the City of Swartz Creek

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

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

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

**Motion No. 041108-11B**

**ORGANIZATIONAL AND GENERAL COUNCIL  
OPERATING PROCEDURES**

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

**I Move** the Swartz Creek City Council adopt the Designation of Publication and the General Council Operating Procedures, as follows:

**DESIGNATION OF PLACE OF PUBLICATION**

The Swartz Creek City Council designate The Flint Journal, The Swartz Creek News and the Advisor as newspapers in general circulation for publication of legal notices of the City of Swartz Creek.

**GENERAL COUNCIL OPERATING PROCEDURES**

**MEETING OPENED TO THE PUBLIC**

All Council meetings except otherwise allowed by law shall be open to the public and shall be subject to the provisions of Act 266 of the Public Acts of the State of Michigan of 1976, as amended.

**REGULAR MEETINGS**

The Council shall hold regular meetings at least two times per month. A twelve-month schedule of meetings preceding each fiscal year shall be adopted by the Council, on or before the last meeting in June.

**SPECIAL MEETINGS**

A. Special meetings may be called by the City Clerk on the written request of the Mayor, City Manager, or any two (2) Councilmembers, by providing each Councilmember and the City Manager with eighteen (18) hours written notice served personally or left at his usual place of residence, or as applicable by The Open Meetings Act or other such statute.

B. The written notice shall include the date, hour, meeting place, and the purpose for which the Special Meeting was called, and shall include related material where possible.

C. Any special meeting at which all members of the Council are present or have waived notice thereof in writing shall be a legal meeting for all purposes.

D. Business transacted at any special meeting shall be limited to subjects recited in the notice of such meetings.

### **QUORUM OF COUNCIL**

Four members of the Council shall be a quorum for the transaction of business at all Council meetings. In the absence of a quorum, any number of members less than a quorum may adjourn any regular or special meeting to a later date or may compel the attendance of absent members.

### **MAINTAINING ORDER**

Councilmembers shall preserve order and shall do nothing to interrupt or delay the proceedings of Council.

### **SPEAKING BEFORE THE COUNCIL**

A. Right to Speak - The Mayor, or in his/her absence, the Mayor Pro-Tem, will have the responsibility to recognize a Councilmember's right to speak before the body.

B. Discussion - A Councilmember may discuss any one subject in its order on the agenda for a maximum of five (3) minutes. After all Councilmembers who wish to speak have exercised their right to speak on the subject, a Councilmember may be heard a second time for a maximum of five (3) minutes. With the consent of a majority of Council, a Councilmember may be permitted to speak for a longer period of time.

C. Privilege of Closing Discussion - The Councilmember moving the adoption of an Ordinance or Resolution shall have the privilege of closing the discussion after all Members wishing to speak on the subject have had the opportunity.

D. The City Manager may speak on any subject before Council. He may answer questions about the administration of the municipality or he may ask another administrative officer to answer for him. All questions about internal operation of the municipal corporation shall be directed to the City Manager.

E. Right to Appeal - Councilmember shall have the right to appeal from a decision of the Chair. A majority of Council will determine the matter.

### **RIGHT TO SPEAK UNINTERRUPTED**

A Member duly recognized shall be allowed to speak on the topic under discussion for the prescribed time and may be interrupted if a point of

order is raised. If the Councilmember is judged to be out of order, he must change his remarks or surrender his right to continue speaking.

## **ORDER OF BUSINESS**

1. Call to Order:
2. Invocation and Pledge of Allegiance to the Flag:
3. Roll Call:
4. Approve Minutes, Previous Meeting:
5. Approve Agenda:
6. Reports & Communications To Council:
7. Meeting Opened to the Public:
8. Business:
9. Meeting Opened to the Public:
10. Remarks by Councilmembers:
11. Adjournment:

Note: Each Report on the Agenda, where necessary, will have an abstract after the title.

## **PREPARATION OF AGENDA**

- A. The Agenda will be prepared by the City Manager with the assistance of the City Clerk.
- B. Material for the Agenda will be submitted to the City Clerk by Wednesday prior to the regular meeting.
- C. The finished Agenda for a regularly scheduled meeting, with associated material, shall be delivered to each Councilmember no less than forty-eight (48) hours prior to the meeting.

## **MOTIONS**

- A. To Adjourn

A Motion to adjourn is out of order under the following conditions:

1. When a vote is being taken.
2. If a person is speaking.
3. If the previous questions are ordered.
4. If repeated without the intervention of additional business.
5. Prior to midnight if all items on the agenda have not been completed.

An unqualified motion to adjourn shall not be debatable.

- B. To Lay Question on the Table

A motion to lay on the table is not debatable and precludes amendments or debate on the subject under consideration. If the motion prevails consideration of the matter tabled resumes only if a member of the

majority voting in favor of the motion to table makes a motion to bring the matter off the table and it is seconded and a majority of the members vote in favor of it.

C. Motion Asking for Previous Question

This motion is not debatable. When the previous question is called for there shall be no further amendments or debate and pending amendments shall be taken in their order before the main questions.

D. To Postpone To Another Time

This motion is debatable and may be amended as to time.

E. To Refer to Committee or Individual

This is debatable.

F. Amendments

1. Ordinance

An Ordinance may be amended when not in the hands of a City Board or Commission. If any section of an ordinance is amended after reading, the amended section will be read again.

2. Amendments

An amendment may be amended, but further amendments are out of order. Any amendment must be germane to original motion.

G. Motion to be Stated by the Chair.

When a motion is made and seconded, it shall be stated by the Chair before debate. All main motions shall be in written form if requested by a Member of the Council.

H. Withdrawal of Motion

1. A motion may be withdrawn by the person making the motion with the consent of the person seconding the motion if debate has not begun.

2. A motion may be withdrawn after debate with consent of the majority of Council.

**PUBLIC ADDRESS OF COUNCIL**

The public shall be allowed to address the Council under the following conditions:

1. Each person who wishes to address the Council will be first recognized by the Mayor and requested to state his / her name and address.

2. Individuals shall be allowed five (5) minutes to address the Council, unless special permission is otherwise requested and granted by the Mayor.
3. There shall be no questioning of speakers by the audience; however, the Council, upon recognition of the Mayor, may question the speaker.
4. No one shall be allowed to address the Council more than once unless special permission is requested, and granted by the Mayor.
5. One spokesperson for a group attending together will be allowed five (5) minutes to address the Council unless special permission has been requested, and granted by the Mayor.
6. Those addressing the Council shall refrain from being repetitive of information already presented.
7. All comments and / or questions shall be directed to and through the Mayor.

### **MAYOR**

The Council, at its first regular meeting following a regular city election, shall elect one of its members mayor for a term of two (2) years. The mayor shall preside at meetings of the Council, shall be the chief executive officer of the City insofar as required by law, and for all ceremonial purposes and shall have a vote on all matters, but no administrative duties or veto power. The Mayor shall sign ordinances, deeds, bonds, contracts and other such instruments as may require authentication under the provision of law and when authorized by the Council to do so. The Mayor shall perform only such duties as shall be specifically conferred or required by law.

### **MAYOR PRO-TEM**

The Council shall choose one of its members Mayor Pro-Tem who shall act in the temporary absence or disability of the Mayor.

The Mayor Pro-Tem shall succeed to the office of Mayor in the case of a vacancy in the office of Mayor. The senior member of the Council from the standpoint of continuous service shall then act as Mayor Pro-Tem. As between persons of equal seniority, the person who received the highest number of votes at the time of his last election shall sit.

### **COMMITTEES**

A. The Mayor, with the advice and consent of Council, may appoint temporary committees whose membership may include persons not on Council.

B. Committees will be appointed to study specific matters and a time limit shall be placed on the length of the study. The committee will make a report to the Council at the predetermined time. All committee reports

upon which action is expected shall be in written form and copies shall be available to each member of Council.

### **VOTING RECORD OF COUNCIL**

A vote upon all proposed ordinances and resolutions shall be taken by "YES" and "NO" vote and the vote of each Councilmember entered upon the journal, except that where the vote is unanimous it shall be necessary only to so state.

### **VOTING REQUIREMENTS**

A Councilmember shall not vote on any question in which the Councilmember shall have a direct personal financial interest, other than as a citizen of the community, but on all other questions the Councilmember shall vote, unless excused there from by a vote of at least six (6) of the members of Council.

### **MEETING MINUTES**

A record shall be kept of all meetings and the actions taken at these meetings. The names of members present and those absent shall be part of the minutes. There shall be a journal of proceedings of all Council meetings, signed by the Mayor and City Clerk and to which the Public shall have access at all reasonable times.

### **SERGEANT-AT-ARMS**

The Chief of Police shall act as Sergeant-at-Arms at Council meetings if so requested to by the Council.

### **AMENDMENTS TO RULE OF COUNCIL**

The rules of Council may be amended by a two-thirds vote of the entire membership of Council. Amending action will become final at the meeting following introduction of the amendment if voted on favorably.

## **TRAVEL REIMBURSEMENT POLICY**

### **GENERAL PROVISIONS:**

A representative of the City is expected to use good judgment regarding the nature and extent of expenses incurred while traveling. Expenses for members of one's family or guests who may accompany are not reimbursable.

The provisions of this policy shall apply for travel expenditures of all individuals traveling on behalf of the City.

Approved travel for all City Employees shall be at the discretion of the City Manager; provided, funds in the appropriate budget category are available for such purpose.

Travel of Councilmembers and Members of City Boards or Committees shall be approved at the discretion of the City Council.

One engaged in travel for benefit of City has a responsibility to keep accurate, substantiated cost records and to submit requests for reimbursement promptly upon return.

**EXPENSES APPROVED FOR REIMBURSEMENT:**

The following expenses are authorized for reimbursement when an expense report has been submitted which itemizes the actual and necessary expenses related to the travel:

1. Use of personal car shall be reimbursed at the current rate of mileage for the miles driven; except in the instance of the City Manager whose car allowance shall be the remuneration for use of personal vehicle.
2. Use of City car - Expenses incurred such as gas, oil, and repairs.
3. Lodging - Hotel accommodations shall be reimbursed when receipts for all lodging costs are secured. If family members or guests accompany, the reimbursable lodging cost shall be that of a single room.
4. Meals - Reasonable expenses for meals will be reimbursed at actual cost. Receipts for meals are not required, but should be secured when available. Alcoholic beverages are specifically excluded from reimbursable expenses.
5. Local Transportation - Local transportation costs, such as taxi fare (including tips) shall be reimbursed. Parking expense for a personal or City car shall also be included.
6. Telephone - Expenses incurred for telephone service will be allowed when required for City purposes. One telephone call per day may be made, at City expense, to the individual's family when away overnight on City business.
7. Registration Fee - Fees for registration at any meeting or convention attended are allowed for reimbursement. A receipt for the registration fee is required.
8. Gratuities - Reasonable expenses for tips are reimbursable and should be reported by day.

**FLOWER PURCHASE POLICY**

The Swartz Creek City Council approve the flower purchase policy authorizing flowers to be sent on behalf of the council/staff for the *hospitalization* of a current city employee/city councilmember and for the *passing away* of a current/past employee, a current employee's immediate family, current/past city councilmembers, and current city councilmember's

immediate family. It is further noted that spouse and children represent the immediate family.

**PLAQUE POLICY**

The City may purchase a standard plaque for retiring Councilmembers thanking them for service rendered to the City of Swartz Creek

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

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

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

**Motion No. 041108-12A                      APPOINT CITY PLANNER**

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

**I Move** the Swartz Creek City Council appoint the firm of \_\_\_\_\_ and designate \_\_\_\_\_ as the City Planner.

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

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

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

**Motion No. 041108-12B                      APPROPRIATION, RE-WRITE ZONING CODE**

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

**I Move** the Swartz Creek City Council appropriate an amount not to exceed \$30,000 plus 10% contingency, to the City's Planner \_\_\_\_\_, for the purpose of re-writing the Zoning Ordinance Code.

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

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

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

**Motion No. 041108-14 A-Q                      APPOINTMENTS: BOARDS – COMMISSIONS - REPRESENTATIVES**

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

**I Move** the Swartz Creek City Council concur with the Mayor's and City Council's appointments as follows:

**Mayor's Appointment:**

**#041108-14A** Planning Commission, Administrative Officer: \_\_\_\_\_  
Term Expiring November 7, 2006

**#041108-14B** Planning Commission, Council Representative: \_\_\_\_\_  
Term Expiring November 7, 2006

**#041108-14C** Fire Board, Council Representative: \_\_\_\_\_  
Term Expiring November 7, 2006

**#041108-14D** Fire Board, Citizen Representative: \_\_\_\_\_  
Term Expiring November 7, 2006

**#041108-14E** Fire Board, Citizen Representative: \_\_\_\_\_  
Term Expiring November 7, 2006

**#041108-14F** Metro Alliance, Council Representative: \_\_\_\_\_  
Term Expiring November 7, 2006

**#041108-14G** Metro Alliance, Citizen Representative: \_\_\_\_\_  
Term Expiring November 7, 2006

**Council Appointments:**

**#041108-14H** Small Cities, Delegate & Alternate: \_\_\_\_\_  
Terms Expiring November 7, 2006

**#041108-14I** FANG, Delegate & Alternate: \_\_\_\_\_  
Terms Expiring November 7, 2006

**#041108-14J** WWS, City Representative: \_\_\_\_\_  
Term Expiring November 7, 2006

**#041108-14K** GAIN, Delegate & Alternate: \_\_\_\_\_  
Terms Expiring November 7, 2006

**#041108-14L** Construction Board of Appeals (3 Positions): \_\_\_\_\_  
Terms Expiring November 7, 2006

**#041108-14M** 911 Consortium: \_\_\_\_\_  
Term Expiring November 7, 2006

**#041108-14N** Zoning Board of Appeals (4 Positions) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**#041108-14O** Parks & Recreation Advisory Board: \_\_\_\_\_  
Term Expiring December 31, 2005

**#041108-14P** Local Officers Compensation Committee: \_\_\_\_\_  
Term Expiring September 30, 2007

**#041108-14Q** Street Administrator, Technical Advisory Committee: \_\_\_\_\_

Term Expiring November 7, 2006

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

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

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

***City of Swartz Creek***  
**COUNCIL MEETING MINUTES**  
**(Meeting of October 25, 2004)**

**CITY OF SWARTZ CREEK**  
**SWARTZ CREEK, MICHIGAN**  
**MINUTES OF THE COUNCIL MEETING**  
**DATE 10/25/04**

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

Invocation and Pledge of Allegiance to the Flag given.

Councilmen Present: Abrams, Adams, Christie, Hurt, Plumb, Porath, Shumaker.

Councilmen Absent: None.

Staff Present: City Manager Bueche, Clerk/Finance Office Clark, Deputy Clerk Korth, and City Attorney Richard Figura.

Others Present: Boots Abrams, Bud Grimes, Ron Schultz, Kenneth Keyes, Steve Shumaker, and Jim Florence.

**APPROVAL OF PREVIOUS COUNCIL MINUTES:**

**Resolution No. 041025-01**

**(Carried)**

Motion by Councilmember Porath,  
Second by Mayor Pro-Tem Christie,

The Swartz Creek City Council hereby approves the Minutes of the Regular Council Meeting held October 11, 2004, to be circulated and placed on file.

YES: Abrams, Adams, Christie, Hurt, Plumb, Porath, Shumaker.

NO: None. Motion declared carried.

**APPROVAL OF AGENDA:**

**Resolution No. 041025-02**

**(Carried as amended)**

Motion by Mayor Pro-Tem Christie,  
Second by Councilmember Hurt,

The Swartz Creek City Council approves the Agenda for the Regular Council Meeting of October 25, 2004, with the addition of 7D, Attorney Figura's Opinion,

7E, High Speed Internet News Article, 7F, United Way Campaign Information, and the deletion of 9C, Senior Center Millage, Allow Signs on City Property, then to be circulated and placed on file.

YES: Abrams, Adams, Christie, Hurt, Plumb, Porath, Shumaker.  
NO: None. Motion declared carried.

## **REPORTS:**

### **City Manager's Report**

**Resolution No. 041025-03**

**(Carried)**

Motion by Councilmember Shumaker,  
Second by Councilmember Hurt,

The Swartz Creek City Council approves the City Manager's Report of October 25, 2004, as presented, to be circulated and placed on file.

Discussion took place.

YES: Abrams, Adams, Christie, Hurt, Plumb, Porath, Shumaker.  
NO: None. Motion declared carried.

All other reports were received and placed on file.

## **COMMUNICATIONS TO COUNCIL:**

- Genesee County Metropolitan Planning Commission Application Acceptance
- Letter, City of Flushing, Flow Meters
- Correspondence, Flood Plain
- City Attorney Figura's Opinion
- High Speed Internet News Article
- United Way Campaign Information

Discussion ensued.

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

Bud Grimes, 5171 Oakview Drive, applauded Mayor Pro-Tem Christie and City Manager Bueche for having the Goodwill boxes moved.

## **OLD BUSINESS:**

### **Public Hearing – Downtown Development Authority (DDA) Boundary Amendment**

City Manager Bueche directed Council to two maps, one depicting the current DDA district boundaries and the other the proposed boundaries. He explained the history of the DDA, its recent re-emergence, and reasons for the requested changes.

City Manager Bueche stated this public hearing was to get any input from the audience relative to the proposed boundaries and what they might like to see regarding development in the DDA. He noted a Board has been appointed which will meet on a quarterly basis beginning in January 2005.

Mayor Abrams made a copy of the maps available to the audience and asked if anyone would like to address Council. There being no one wanting to address the boundary issue, Mayor Abrams closed the public hearing.

### **Western Trunk Extension – Phase II, Parts A & B – Discussion**

City Manager Bueche brought Council's attention to the October 12, 2004 letter from John O'Brien, Division of Water and Waste Services, reflecting the County's latest offer. Mr. Bueche went over the information as stated in the Manager's Report. The City Manager felt by accepting the latest proposal, all needed future capacity would be provided. He noted there are two options: (1) go back to the original proposal and save a little additional money, with retention of responsibility for the Morrish Road lift station, or (2) opt for the current proposal at an additional \$171K, with the elimination of two lift stations, along with the additional access points.

City Manager Bueche advised there might be need for a special meeting to go back over the proposed contract.

Considerable discussion took place.

### **Appropriation – 2005 Fire Budget**

City Manager Bueche went over the changes he would suggest in the 2005 Fire Budget, as reflected in the resolution drafted.

#### **Resolution No. 041025-04**

**(Carried)**

Motion by Councilmember Plumb,  
Second by Councilmember Hurt,

The Swartz Creek City Council approves the 2005 Swartz Creek Area Fire Budget, with edit to remove all reference to apparatus and 800 MHz Radio purchases, a copy of which is attached hereto; and, further, appropriate and authorize funds in the amount of \$139,101 from the City General Fund, to be paid consummate of the agreement between the City of Swartz Creek and the Charter Township of Clayton, payment being the City's obligation of one-half of the proposed total budget of \$278,202.

Discussion ensued as to the Fire Budget. City Attorney Figura advised Councilmembers who are also firefighters should abstain, as delineated by his past opinion.

YES: Abrams, Christie, Hurt, Porath, Shumaker.  
ABSTAIN: Adams, Plumb.  
NO: None. Motion declared carried.

### **High Speed Wireless Service**

City Manager Bueche advised he is not eliciting an action by Council this evening, although it will probably require action at the next meeting. Mr. Bueche directed Council to the information handout regarding this matter. He stated the City currently has hard-wired broadband access available through Comcast. The City Manager noted he has been reviewing the City's Internet services. He reminded Council during the budgetary process in May they discussed the need to find a good network system that properly manages and integrates all programs with a single data base, rather than writing compartmentalized data bases as presently exists. City Manager Bueche noted the City's contract with Comcast will end in November, so now seems to be the practical time to consider high-speed wireless service. He spoke regarding companies who have expressed interest in providing service to the City, and whether we might want to provide this service. City Manager Bueche advised he elicits input from Council and expects to be back before them in a few weeks to discuss a proposed contract with Tri-County Wireless, who is ready and wanting to begin services.

Discussion took place.

### **Zoning Ordinance Revision**

City Manager Bueche noted there are three companies interested in assisting the City with Zoning Ordinance Revision; i.e., Attorney Figura's office, LSL & Associates, and ROWE, Inc. Mr. Bueche stated it would be desirable to have the company who rewrites the Zoning Code to also be the City's planner, although responsibilities could be divided. He felt it would make for easier interpretation and application. Mr. Bueche advised he will research the matter and be back before Council in November for their decision in order to begin the process of revision of Appendix A – Zoning Code.

Discussion ensued. It was the consensus of those present that it would be helpful to be able to review samples of Zoning Codes developed by different companies.

### **NEW BUSINESS:**

#### **800 MHz Radio Appropriation - Police**

**Resolution No. 041025-05**

**(Carried)**

Motion by Councilmember Adams,  
Second by Councilmember Hurt,

The Swartz Creek City Council appropriates an amount not to exceed \$18,351.13, plus 10% contingency, appropriation being the City's match portion of a multi-sourced funding package consisting of consortium funds and grant awards, for the purchase of an 800 MHz radio system, under the Genesee

County 911 Consortium's bid, a detailed copy of the purchase attached hereto; said City match appropriation a budgeted item, to be taken from Fund 661.

Discussion took place.

YES: Abrams, Adams, Christie, Hurt, Plumb, Porath, Shumaker.

NO: None. Motion declared carried.

### **800 MHz Radio Appropriation – Fire Department**

**Resolution No. 041025-06**

**(Carried)**

Motion by Councilmember Hurt,  
Second by Mayor Pro-Tem Christie,

The Swartz Creek City Council appropriates an amount not to exceed \$15,659.97, plus 10% contingency, amount being one-half of the total amount of \$31,319.94 due from the Swartz Creek Area Fire Department, appropriated amount being the City's 50% share, consummate to an agreement with the Township of Clayton for Fire Services, for the purchase of an 800 MHz radio system, under the Genesee County 911 Consortium's bid, a detailed copy of the purchase attached hereto; said City match appropriation a budgeted item, to be taken from Fund 402.

Discussion ensued.

YES: Abrams, Adams, Christie, Hurt, Plumb, Porath, Shumaker.

NO: None. Motion declared carried.

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

Boots Abrams, 5352 Greenleaf Drive, thanked Council for their approval of the 2005 Fire Budget.

### **REMARKS BY COUNCILMEMBERS:**

Councilmember Hurt commented Goodwill might want to somehow let people know about the box being moved. He also advised there is a GAIN meeting this Thursday at 10:00 a.m., and he would appreciate input from Council and/or others.

Councilmember Adams noted he attended the FANG meeting last week and noted dues will be payable soon. He wished Mayor Abrams and Mayor Pro-Tem Christie good luck in the upcoming election. Councilmember Adams asked to be excused from the next regular Council meeting.

Councilmember Plumb expressed pleasure at receiving the grant monies for the 800 MHz radios. He also mentioned used cars for sale west of Fortino's.

Councilmember Shumaker noted the Hazardous Waste Pickup at Linden Middle School on October 9<sup>th</sup> did not have the participation experienced in the spring, and several people felt it might not have been advertised adequately. He expressed pleasure at Mr. Bueche's plan to work on a calendar regarding recycling, wood chipping, etc., and thought Council should review it. He also spoke regarding the new Rotary pavilion and the one just in front of it.

Councilmember Porath noted the new access point off Miller Road for Springbrook East is very narrow. City Manager Bueche noted Mr. Schultz had measured and came up with 25 feet overall from curb to curb, but he would have Mr. Svrcek look into it. Councilmember Porath commented with pride that in a recent news article regarding the 800 MHz radios Swartz Creek and one other community were the only ones who had planned ahead.

Mayor Pro-Tem Christie stated City staff has done a great job regarding the Western Trunk Extension matter. He wanted to have Council take a look at the overhead utility lines in downtown. City Manager Bueche noted the newly invigorated DDA will be having a meeting right after the first of the year, and the utility lines would be a great project for them. Mayor Pro-Tem Christie commended Mayor Abrams on the job he has done. He also noted receipt of a postcard asking for his support for the senior millage, and stated the need to be cognizant of what the monies at the Senior Center are used for based on our responsibility to our residents.

City Manager Bueche advised Council staff member Tom Svrcek's brother passed away Sunday.

Mayor Abrams noted the Senior Board had gotten an attorney's opinion that some monies could be spent for advertising as to the requested millage inasmuch as all their money did not come from millage or federal grants, etc. Mayor Abrams inquired of Senior Board Member Jim Florence, and was advised Carol Arvoy had taken care of being properly registered. Mayor Abrams complained of a truck door leaning against a post on Miller Road denoting the sale of car parts. Mayor Abrams expressed appreciation for the remarks by Mayor Pro-Tem Christie, referred to a handout showing his activities as Mayor, and noted he would like to continue as Mayor.

Mayor Pro-Tem Christie expressed interest on sitting on the Personnel Committee with Councilmembers Porath and Shumaker. The Mayor stated he was happy to have the Mayor Pro-Tem join the committee.

**ADJOURNMENT:**

**Resolution No. 041025-07**

**(Carried)**

Motion by Councilmember Adams,  
Second by Councilmember Plumb,

the meeting be adjourned.

Unanimous voice vote.

The meeting adjourned at 8:48 p.m.  
Richard B. Abrams, Mayor

Mary Jo Clark, Clerk

***City of Swartz Creek***  
**PLANNING COMMISSION MEETING MINUTES**  
**(Meeting of November 2, 2004)**

*(Cancelled Due To Lack Of Agenda Items)*

**CHECK REGISTER REPORT  
CHECKS ISSUED OCTOBER 2004**

<b>Check Number</b>	<b>Check Date</b>	<b>Vendor Name</b>	<b>Check Description</b>	<b>Amount</b>
24001	10/01/2004	TERRELL, JAMIE	9/20-24/04 MILEAGE	5.63
24002	10/04/2004	ARROW UNIFORM RENTAL	UNIFORMS,MATS,SUPPLIES	169.80
24003	10/04/2004	AUTOMATED BUSINESS EQUIPMENT	SVC/INSTALL NEW SIGNATURE CHIP	165.00
24004	10/04/2004	BADGLEY CONSTRUCITON	REPAIR SIDEWALK 8060 MILLER	1,209.46
24005	10/04/2004	COMCAST BUSINESS	SEPT 15-OCT 14, 2004 MON SVC	340.00
24006	10/04/2004	CONSUMERS ENERGY	9/1-30/04 TRAFFIC LIGHTS	373.33
24007	10/04/2004	CONSUMERS ENERGY	9/1-30/04 4524 MORRISH RD	20.14
24008	10/04/2004	CONSUMERS ENERGY	9/1-30/04 SIRENS	21.00
24009	10/04/2004	CONSUMERS ENERGY	9/1-30/04 STREET LIGHTS	6,479.50
24010	10/04/2004	DETROIT DOOR & HARDWARE CO	REPAIR OF HANDICAP DOOR SR CTR	293.20
24011	10/04/2004	DURAND RENTALS	PORT A JONS @ WINSHALL PARK	475.00
24012	10/04/2004	FLINT TOWNSHIP	SEWAGE TRANS CHG QTR END 9/04	31.50
24013	10/04/2004	GILL ROYS HARDWARE	SPRAY PAINT	97.48
24014	10/04/2004	HUFFMAN GARY A	2.6 HRS AIR TIME MAYOR EXCH DY	455.00
24015	10/04/2004	INFINITE SOLUTIONS	PRINTER,CRIT UPDTS, SVC PACKS	150.00
24016	10/04/2004	LSL PLANING	MASTER PLAN UPDT TEXT CHGS	345.00
24017	10/04/2004	LSL PLANING	MISC COORDINATION	121.25
24018	10/04/2004	MI ASSOC OF CHIEFS OF POLICE	MEMBERSHIP DUES R CLOLINGER	100.00
24019	10/04/2004	MID MICHIGAN MANUFACTURING	SERVICE JETTING	410.00
24020	10/04/2004	NORTHERN LEASING SYSTEMS INC	TAX OVERPMT 58-80-5365-04	4.50
24021	10/04/2004	NORTHWEST TIRE	TRUCK TIRE REPLACEMENT	79.99
24022	10/04/2004	THOMPSON SERVICE	DISMOUNT/MT/BAL TRUCK #2	10.00
24023	10/04/2004	VERIZON NORTH	9/13-10/13/04 635-7686	41.41
24024	10/04/2004	VERIZON NORTH	9/13-10/13/04 635-4495	42.11
24025	10/06/2004	GEN CTY DRAIN COMMISION	DEBT PYMT REF SERIES #1 1998	2,524.12
24026	10/08/2004	A+ELECTRICAL SUPPLY	REPLACE BULBS IN HALLWAY	164.10
24027	10/08/2004	ARROW UNIFORM RENTAL	UNIFORMS,MATS,SUPPLIES,ENVIR	158.17
24028	10/08/2004	BKR DUPUIS & RYDEN	PROF SVC FY 04 AUDIT 1ST BILL	10,000.00
24029	10/08/2004	BRADYS BUSINESS SYSTEMS	COPIER MAINT AGREE 8/8-9/8/04	28.81
24030	10/08/2004	CLOLINGER, RICK	PRESC CO-PAY REIMBURSEMENT	147.03
24031	10/08/2004	CONSUMERS ENERGY	9/1-9/30/04 8517 MILLER RD	213.44
24032	10/08/2004	CONSUMERS ENERGY	9/1-10/1/04 8499 MILLER RD	7.30
24033	10/08/2004	CONSUMERS ENERGY	9/1-10/1/04 8301 CAPPY LN	109.09
24034	10/08/2004	CONSUMERS ENERGY	9/1-10/1/04 5361 WINSHALL	7.00
24035	10/08/2004	CONSUMERS ENERGY	9/2-10/4/04 8083 CIVIC DR	812.31
24036	10/08/2004	CONSUMERS ENERGY	9/2-10/4/04 8095 CIVIC DR	637.14
24037	10/08/2004	CONSUMERS ENERGY	9/1-10/1/04 5257 WINSHALL	7.00
24038	10/08/2004	CONSUMERS ENERGY	9/2-10/4/04 8100 CIVIC DR	776.06
24039	10/08/2004	FIDLAR DOUBLEDAY, INC	FRT 3 COUNCIL MIN BKS PUR 7/28	11.39
24040	10/08/2004	FLINT JOURNAL	BID NOTICE STREET REPAIR	34.68
24041	10/08/2004	GALL'S, INC.	METAL EXPANSION STRAP	13.98
24042	10/08/2004	GARNO BROTHERS	REPL FURNACE BLOWER MOTOR	150.00
24043	10/08/2004	GILL ROYS HARDWARE	RTN SEALER	35.56
24044	10/08/2004	HUBBARD'S MILITARY SUPPLY	HAND CUFF CASE	24.80
24045	10/08/2004	INDEPENDENT ADVISOR NEWSPAPER	PUBLIC HRG 9179 JILL MARIE	38.70
24046	10/08/2004	JOHNS TRUCK SERVICE	REPAIR EXHAUST DPW TRUCK 12-02	383.00
24047	10/08/2004	MARSACK PROPERTY MANAGEMENT	SEPT MOWING	3,710.00
24048	10/08/2004	MAY, MIKE	7474 WADE ST. REFUND W/S TAP	2,300.00
24049	10/08/2004	OBRIENS GARAGE	LOF MONTHLY MAINT 00-986	100.52
24050	10/08/2004	ORKIN PEST CONTROL	SEPT SVC D-2531862	49.90

Check Number	Check Date	Vendor Name	Check Description	Amount
24051	10/08/2004	RITE AID	PHOTOS	134.71
24052	10/08/2004	ROWE INC	MISC ENG SVC SPRINGBK & HERIT	585.25
24053	10/08/2004	ROWE INC	MISC ENG SERV SAN SWR SERV	221.25
24054	10/08/2004	ROWE INC	SPRINGBROOK CONDOS PH 2 4C0129	1,722.25
24055	10/08/2004	ROWE INC	DESIGN ENGINEERING FOR BRISTOL	18,935.75
24056	10/08/2004	SCHAEFER'S OFFICE SOURCE	TRASH LINERS	167.56
24057	10/08/2004	SIMEN, FIGURA & PARKER PLC	SEPT 2004 GENERAL MATTERS	3,745.00
24058	10/08/2004	SUBURBAN AUTO SUPPLY	BRAKE LINE & OIL FILTER	49.60
24059	10/08/2004	SZMANSKY, KENNETH	MILEAGE FOLLOW UP 04-732	354.75
24060	10/08/2004	TERRELL, JAMIE	MILEAGE REIMB	5.63
24061	10/08/2004	VALLEY PETROLEUM	FUEL POLICE	1,264.75
24062	10/08/2004	VALLEY PETROLEUM	FUEL DPS	754.57
24063	10/08/2004	VERIZON NORTH	9/25-10/25/04 810 635-8109	52.33
24064	10/14/2004	ABRAMS, RICHARD	REIMB SMALL CITIES MEETING	39.88
24065	10/14/2004	ADS PLUS PRINTING	ENVELOPES - LETTERHEAD STYLE	270.91
24066	10/14/2004	ARROW UNIFORM RENTAL	UNIFORMS,MATS,SUPPLIES,ENVIRN	36.43
24067	10/14/2004	BADGLEY CONSTRUCITON	SIDEWALK REPAIR/REPLACE	2,568.10
24068	10/14/2004	C.M.P. DISTRIBUTORS INC	LEVEL II BULLET PROOF VESTS	1,396.00
24069	10/14/2004	CAPITAL TIRE	P225/60/16 EAGLE RSA TIRES	315.00
24070	10/14/2004	CLOLINGER, RICK	CO-PAY MED REIMBURSEMENT	202.76
24071	10/14/2004	CONSUMERS ENERGY	9/3-10/5/04 4170 MORRISH RD	60.74
24072	10/14/2004	CONSUMERS ENERGY	9/3-10/5/04 4125 ELMS RD	34.22
24073	10/14/2004	CONSUMERS ENERGY	8/3-10/1/04 5127 MORRISH RD	2.85
24074	10/14/2004	FLINT JOURNAL	9/15/04 ABANDONED VEH AD	55.62
24075	10/14/2004	GENESEE COUNTY	3RD QTR MODEM USAGE POLICE	75.00
24076	10/14/2004	GENESEE COUNTY	3RD QTR MODEM USAGE CITY HALL	75.00
24077	10/14/2004	GENESEE FREE-NET	DIAL UP LAP TOP REG FOR ELECTS	125.00
24078	10/14/2004	GREAT LAKES WASTE SERVICES	SEPT WASTE COLLECTION	16,475.24
24079	10/14/2004	INTERNATIONAL INSTITUTE OF	ANNUAL MEMSHP THRU 9/30/05	100.00
24080	10/14/2004	KOHLLOFF, THOMAS	MILAGE & PKG PLAN COMM MTG	92.13
24081	10/14/2004	MCLAREN MEDICAL MANAGEMENT INC	J TYLER MDOT RANDOM B.A. SCRIN	41.50
24082	10/14/2004	NEXTEL COMMUNICATIONS	9/7-10/6/04 468403518	661.37
24083	10/14/2004	PRINTING SYSTEMS	ABSENTEE BALLOT ENVELOPES	46.45
24084	10/14/2004	ROWE INC	BAL HERITAGE PH II PAID NPO	4,504.25
24085	10/14/2004	ROWE INC	GRANT APPL SERV. 7/18-8/14/04	3,556.25
24086	10/14/2004	ROWE INC	GRANT APPL PROF FEES 6/13-7/17	3,700.50
24087	10/14/2004	ROWE INC	GRANT APPL FEES 8/15-9/18/04	1,308.75
24088	10/14/2004	SIRCHIE FINGERPRINT LABS, INC.	FINGER PRINT SUPPLIES	100.76
24089	10/14/2004	SOUPAL CLEANERS	UNIFORM CLEANING SEPT 2004	163.25
24090	10/14/2004	STATE OF MICHIGAN DEPT TRANS	TRAF SIGNAL MAINT 4/1-9/30/04	608.48
24091	10/14/2004	STATE OF MICHIGAN-ASSESS BD	RENEWAL ASSESSOR CERT.	125.00
24092	10/14/2004	SVRCEK, THOMAS	MEDICAL REIMB FY 04 BAL DUE	150.00
24093	10/14/2004	TERRELL, JAMIE	MILEAGE REIMB	5.63
24094	10/14/2004	VERIZON NORTH	810-HWO-0320	137.41
24095	10/14/2004	VERIZON NORTH	810-635-4401	162.40
24096	10/18/2004	STATE OF MICHIGAN	CDL LICENSE FOR M MCCORMICK	60.00
24097	10/18/2004	STATE OF MICHIGAN	CDL LICENSE M GREGUS	60.00
24098	10/18/2004	STATE OF MICHIGAN	CDL LICENSE FOR J SANDFORD	60.00
24099	10/20/2004	BLUE CARE NETWORK-EAST MI	K KELLY, B ADAMS, R ADAMS	3,078.78
24100	10/25/2004	ARROW UNIFORM RENTAL	UNIFORM, MATS, SUPPLIES	316.34
24101	10/25/2004	AUTOMATED BUSINESS EQUIPMENT	CERTEX SIGNATURE EPRON	274.00
24102	10/25/2004	BLUMERICH COMMUNICATIONS	INSTALL REAR SEAT, LABOR, PART	480.00
24103	10/25/2004	BURRIS PLUMBING	SHR OFF VALVE REPL @ FIRE DEP	194.00
24104	10/25/2004	C.M.P. DISTRIBUTORS INC	HAT BAND	10.00

Check Number	Check Date	Vendor Name	Check Description	Amount
24105	10/25/2004	CITY OF SWARTZ CREEK	PETTY CASH REIMBURSEMENT	88.50
24106	10/25/2004	CREEK AUTO SERVICES	BATTERY	129.75
24107	10/25/2004	CRYSTAL WATER COMPANY	SEPTEMBER RENTAL 5 GAL. WATER	36.00
24108	10/25/2004	D & D TRUCK & TRAILER PARTS	FILTERS	182.35
24109	10/25/2004	DURAND RENTALS	PORT JONS ELMS/WINSHALL	475.00
24110	10/25/2004	FIRST AMERICAN REAL ESTATE TAX	REFUND 58-36-529-002 PD IN ERR	1,950.48
24111	10/25/2004	GILL ROYS HARDWARE	MORTAR CONCRETE	46.87
24112	10/25/2004	HYDRO DESIGNS	CROSS CONNECTION CONTROL & COM	1,425.00
24113	10/25/2004	ICMA RETIREMENT CORP	ANNUAL PLAN FEE 10/1-12/31/04	125.00
24114	10/25/2004	LETAVIS ENTERPRISES INC.	VEHICLE WASHING	74.75
24115	10/25/2004	LITWIN, JEFFREY & ELIZABETH	SIDEWALK REP REFUND 7506 GROVE	37.80
24116	10/25/2004	LSL PLANING	HERITAGE VILLAGE LANDSCAPING	381.05
24117	10/25/2004	MACP	MI CONC WEAPONS/FIREARMS LAW	12.95
24118	10/25/2004	MEDCO SUPPLY COMPANY	MEDICINE CABINET SUPPLIES	174.64
24119	10/25/2004	MICHIGAN FENCE CO. INC.	MAT/LABOR ELMS RD TENNIS CT	18,710.00
24120	10/25/2004	MICHIGAN PIPE AND VALVE	ANGLE METER VALVES	330.00
24121	10/25/2004	MID MICHIGAN MANUFACTURING	SEWER JETTING	668.75
24122	10/25/2004	MUNICIPAL SUPPLY CO.	CLAMPS/TAPE	708.85
24123	10/25/2004	OBRIENS GARAGE	TIRE ROTATION	89.90
24124	10/25/2004	SBC	OCTOBER-2004 BILLING	128.40
24125	10/25/2004	SBC	OCT-2004 BILLING	27.56
24126	10/25/2004	SBC PAGING	OCT-2004 BILLING	10.97
24127	10/25/2004	SCHAEFER'S OFFICE SOURCE	OFFICE SUPPLIES	84.79
24128	10/25/2004	STATE OF MICHIGAN -MDEQ	WATER SAMPLES	36.00
24129	10/25/2004	SUBURBAN AUTO SUPPLY	GREASE HOSE	18.88
24130	10/25/2004	SVRCEK, THOMAS	MILEAGE MEETING/SEAL MANHOLES	78.08
24131	10/25/2004	TERRELL, JAMIE	MILEAGE REIMBURSEMENT	5.63
24132	10/25/2004	TOWNLINE SALES OF FLINT	WX10 MINI WATER PUMP	300.00
24133	10/25/2004	UIS PROGRAMMABLE SERVICES INC	LIFT STATION REPAIR	377.52
24134	10/25/2004	VERIZON NORTH	10/10-11/10 BILLING	430.33
24135	10/25/2004	VERIZON NORTH	10/4-11/4/04 BILLING	106.98
24136	10/25/2004	VERIZON NORTH	10/7-11/7/04 BILLING	43.60
24137	10/27/2004	ARROW UNIFORM RENTAL	UNIFORMS,MATS,SUPPLIES,ENVIRON	169.80
24138	10/27/2004	BLUE CROSS BLUE SHIELD OF MI	SHUMAKER,BLOSS,R ADAMS	1,743.72
24139	10/27/2004	CITY OF SWARTZ CREEK	PETTY CASH REIMBURSEMENT	65.84
24140	10/27/2004	COMCAST BUSINESS	10/15-11/14/04 ACCT 900003341	340.00
24141	10/27/2004	ELEGANT CATERING	ASSRT DONUTS,ROLLS ELECTION	27.28
24142	10/27/2004	GILL ROYS HARDWARE	BALL TANK TOP SEAL	45.79
24143	10/27/2004	INFINITE SOLUTIONS	UPDTD PERVASIVE WORKSTA LIC	50.00
24144	10/27/2004	JOHNS TRUCK SERVICE	TAILGATE WELDING	97.50
24145	10/27/2004	KROGER CO.	CHICKEN & POTATOES ELECTION 04	84.73
24146	10/27/2004	MASONIC TEMPLE	HALL RENTAL NOV 04 GENL ELECT	550.00
24147	10/27/2004	PROGRESSIVE	TRAFFIC COUNTS	55.56
24148	10/27/2004	THOMPSON SERVICE	DUST CAP/ROTOR/DOOR PIN TRK 2	132.17
24149	10/27/2004	VERIZON NORTH	10/13-11/13/04 635-4495	42.54
24150	10/27/2004	VERIZON NORTH	10/13-11/13/04 635-7686	41.41
24151	10/29/2004	68TH DISTRICT COURT	BOND RYAN GERADA VAYKO	100.00
24152	10/29/2004	INFINITE SOLUTIONS	TROUBLESHOOT WORKSTA & DHCP	250.00
<b>Total</b>				<b>\$134,700.52</b>

CITY OF SWARTZ CREEK  
 SWARTZ CREEK, MICHIGAN  
 MONTHLY BUILDING REPORT  
 SEPTEMBER/OCTOBER -- 2004

TO: Paul Bueche, City Manager  
 FROM: Thomas O'Brien, Building Inspector  
 DATE: November 4, 2004

Permit Number	Owner's Name	Property Address	Parcel #	Description	Estimated Value	Fee Paid
September						
DE-04	Markva	4306 Morrish	58-35-576-016	DEMO	14,000.00	28.00
SP-04	Nealis	6005 Miller Rd	58-32-100-001	2x14 Sign		10.00
62-04	May	7474 Wade	58-01-502-119	Sgl Fam/Det Gar	99,000.00	198.00
October						
63-04	Parmer	5359 Worchester	58-03-578-014	24x24 Det Gar	7,000.00	14.00
64-04	Ward	9179 Jill Marie Ln	58-03-534-005	404 Sq. Ft Add.	32,320.00	65.00
65-04	Woodside	3402 Heritage V. Blvd	58-30-300-006	Sgl. Fam./Att. Gar.	92,200.00	184.00
66-04	Woodside	6287 St Charles Pass	58-30-300-006	Sgl. Fam./Att. Gar.	146,500.00	293.00
67-04	Woodside	6245 St Charles Pass	58-30-300-006	Sgl. Fam./Att. Gar.	93,100.00	186.00
68-04	Woodside	6291 Arlington	58-30-300-006	Sgl. Fam./Att. Gar.	93,450.00	187.00
69-04	Hill St Homes	43 Somerset	58-35-776-043	Manf. Home	45,000.00	90.00
					622,570.00	1,255.00

*(Excerpts From the Minutes of November 12, 2002, Existing organizational Activities and Investment Policy)*

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**ORGANIZATIONAL ACTIVITIES OF THE COUNCIL:**

**Resolution No. 021112-10**

**(Carried)**

Motion by Councilmember Hurt  
Second by Mayor Pro-Tem Christie

The Swartz Creek City Council adopt the Organizational Activities of the City as follows:

**Designation of Depository**

The Swartz Creek City Council designate the following banking - financial institutions and their affiliates as depositories for City funds:

- Bank One
- Citizens Bank - Flint
- Chemical Key State Bank
- Comerica National Bank - Detroit
- Federated Investors
- First Federal of Michigan – Durand
- Flagstar Bank - Troy
- MBIA "CLASS" Client Services
- Merrill Lynch
- Multi-Bank Securities, Inc.,
- Old Kent Bank
- Republic Bank
- Shearson Smith Barney
- Standard Federal Savings - Troy

**Designation of Investment Policy**

Pursuant to Act No. 66 of 1977, the Swartz Creek City Council hereby authorizes the City Manager, or his designated representative, to invest surplus funds belonging to and under the control of this political subdivision, its boards, or commissions as follows:

**INVESTMENT, CASH MANAGEMENT & ACCOUNTING POLICY**

**I. POLICY**

It is the policy of the City of Swartz Creek to invest public funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the City of Swartz

Creek and conforming to all State statutes and local ordinances governing the investment of public funds.

## **II. SCOPE**

This investment policy applies to all financial assets held by the City of Swartz Creek. These assets are accounted for in the City of Swartz Creek's annual financial report and include the following funds:

- General Fund
- Major Street Fund
- Local Street Fund
- Garbage Collection
- Drug Enforcement Fund
- Debt Funds
- Capital Project
- Water & Sewer
- Sewer Tap Fund
- Motor Pool Fund
- Trust & Agency Fund

Any new fund created by the local unit, unless specifically exempted by the City Council.

This investment policy applies to all transactions involving the financial assets and related activity of all the foregoing funds.

## **III. INVESTMENT OBJECTIVES**

The following investment objectives, in priority order, will be applied in the management of the City of Swartz Creek's funds.

### **Safety**

The primary objective of the City of Swartz Creek's investment activities is the preservation of capital in the overall portfolio and the protection of investment principal.

The authorized investment staff will employ mechanisms to control risks and diversify investments regarding specific security types or individual financial institutions.

### **Liquidity**

The investment portfolio will remain sufficiently liquid to enable the City of Swartz Creek to meet operating requirements that might be reasonably anticipated.

## **Return on Investment**

The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, commensurate with the investment risk constraints and the cash flow characteristics of the portfolio. Return on investments shall be of secondary importance compared to the safety and liquidity objectives above.

## **IV. PRUDENCE**

In managing its investment portfolio, City of Swartz Creek officials shall avoid any transaction that might impair public confidence. Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

The above standard is established as the standard for professional responsibility and shall be applied in the context of managing the overall portfolio. Investment officers of the City of Swartz Creek, acting in accordance with State statute, this Investment policy, written procedures as may be established, and exercising due diligence, shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided that deviations from expectations are reported in a timely fashion, and appropriate action is taken to control adverse developments.

## **V. DELEGATION OF AUTHORITY**

Authority to manage the City of Swartz Creek's investment program is derived from State statutes.

Daily management responsibility for the investment program is hereby delegated to the City Manager, or his designated representative, who shall establish written procedures for the operation of the investment program consistent with this investment policy. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under terms of this Policy and procedures established by the City manager. Such procedures shall also include reference to safekeeping, repurchase agreements, wire transfer agreements, collateral or depository agreements and banking service contracts. The City Treasurer shall be responsible for all transactions undertaken, and shall establish a system of controls to regulate the activities of subordinate officials.

## **VI. ETHICS AND CONFLICTS OF INTEREST**

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair--or create the appearance of an impairment on--their ability to make impartial investment decisions. Employees and investment officials shall disclose to the City Manager any material financial interests in financial institutions that conduct business with the unit, and they shall further disclose any large personal financial investment positions that could be related to the performance of the City of Swartz Creek's portfolio. Employees and officers shall subordinate their personal investment transactions to those of the City of Swartz Creek, particularly with regard to the time of purchases and sales.

## **VII. AUTHORIZED FINANCIAL DEALERS AND INSTITUTIONS**

The Treasurer will maintain a list of financial institutions, which have been authorized by the City Council on an annual basis, to provide investment and depository services. In addition, a list will also be maintained of approved security broker/dealers selected by credit-worthiness, who maintain an office in the State of Michigan or who are "primary" dealers or regional dealers that qualify under Securities and Exchange Commission rule 15C3-1 (uniform net capital rule.) No public deposit shall be made except in a qualified public depository as established by State law.

All financial institutions and broker/dealers who desire to become qualified bidders for investment transactions must supply the Finance Director with the following: audited financial statements for the most recent fiscal year; certification of having read the City of Swartz Creek's investment policy and the pertinent State statutes; proof of National association of Security Dealers certification; and proof of State registration, where applicable.

An annual review of the financial condition and registration of qualified bidders will be conducted by the Finance Director. Information indicating a loss or prospective loss of capital on existing investments must be shared with the City Manager of the City of Swartz Creek immediately upon notification.

## **VIII. AUTHORIZED AND SUITABLE INVESTMENTS**

1. The City of Swartz Creek is empowered by State statute (1988 Public Act 239, M.C.L. 129.91) to invest in the following types of securities:

a. Bond, securities, and other obligations of the United States, or an agency or instrumentality of the United States in which the principal and interest is fully guaranteed by the United States, including securities issued or guaranteed by the government national mortgage association;

b. Certificates of deposit, savings accounts, deposit accounts, or depository receipts of a bank which is a member of the federal deposit insurance corporation or a savings and loan which is a member of the federal savings and loan insurance corporation or a credit union which is insured by the national credit union administration, but only if the bank, savings and loan or credit union is eligible to be a depository of surplus funds belonging to the state under section 5 or 6 of Act No. 105 of the Public Acts of 1855, as amended;

c. In United States government of federal agency obligation repurchase agreements.

d. In banker's acceptances of United States banks;

e. No more than 50 percent of any one fund may be invested in commercial paper rated at the time of purchase within the 2 highest classifications established by not less than 2 standard rating services and which matures not more than 270 days after the date of purchase; and

f. Mutual funds registered under the investment company act of 1940, title I of chapter 686, 54 Stat. 789, 15 U.S.C. 80a-1 to 80a-3 and 80a-4 to 80a-64, with the authority to purchase only investment vehicles that are legal for direct investment by the City. This authorization is limited to securities whose intention is to maintain a net asset value of \$1.00 per share.

g. Investment pools through an inter-local agreement under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512.

h. Investment pools organized under the surplus funds investment pool act, 1982 PA 367, 129.111 to 129.118.

2. The Treasurer is restricted to investments that meet the statutory restrictions above and limitations on security issues and issuers as detailed below:

a. Repurchase agreements shall be negotiated only with dealers or financial institutions with which the City has negotiated a Master Repurchase Agreement or with the City of Swartz Creek's primary bank. Repurchase Agreements must be signed with the bank or dealer and must continue provisions similar to those outlined in the Public Security Association's model Master Repurchase Agreement.

b. Investment of bond proceeds or funds pledged for bond repayment must be fully insured.

c. Investments in Commercial Paper are restricted to those that have, at the time of purchase, the top investment rating provided by any two nationally recognized rating agencies. Commercial Paper held in the portfolio that subsequently receives a reduced rating shall be closely

monitored and sold immediately if the principal invested may otherwise be jeopardized.

d. Certificates of Deposit shall be purchased only from financial institutions that qualify under Michigan law and are consistent with Opinion No. 6168, Opinions of the Attorney General (1982).

e. To the extent possible, the investing officer will attempt to match investments with anticipated cash flow requirements. Specific City Council approval is necessary for investments exceeding one year. Unless matched to a specific cash flow requirement, the City of Swartz Creek will not directly invest in securities maturing more than 10 years from the date of purchase. No more than 25 percent of the City of Swartz Creek's total investment portfolio shall be placed in securities maturing in more than 10 years. No more than 50 percent of investment vehicles maturing in any given month shall be of non-liquid nature (non-negotiable CD's, commercial paper, etc.)

f. Investments will be diversified by security type and institutions. With the exception of U.S. treasury securities and authorized investment pools (as a long term investment program), no more than 50 percent of the total investment portfolio will be invested in a single security type or with a single financial institution. With the exception of using affiliates of the major Banking Institute and upon receipt of written confirmation that funds are fully insured when held by the affiliates.

Excluding the Tax Revenue Account, with 100 percent of funds being deposited with the City of Swartz Creek's major Banking Institute with monies in the checking and Municipal Governmental Cash Investment Fund to be liquid and transferable to the respective taxing agencies on a biweekly basis during the tax collection period.

g. Mutual funds registered under the investment company act of 1940, title I of chapter 686, 54 Stat. 789, 15 U.S.C. 80a-1 to 80a-3 and 80a-4 to 80a-64, with the authority to purchase only investment vehicles that are legal for direct investment by the City. This authorization is limited to securities whose intention is to maintain a net asset value of \$1.00 per share.

h. Investment pools through an inter-local agreement under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512.

i. Investment pools organized under the surplus funds investment pool act, 1982 PA 367, 129.111 to 129.118.

## **IX. CASH MANAGEMENT**

The City of Swartz Creek's Policy regarding cash management is based upon the realization that there is a time-value to money. Temporarily idle

cash may be invested for a period of one day to an excess of one year depending upon when the money is needed. Accordingly, the Clerk shall prepare a written cash management procedure that shall include, but not be limited to, the following:

Cash Forecast: At least annually, a cash forecast shall be prepared using expected revenue sources and items of expenditure to project cash requirements over the fiscal year. The forecast shall be updated from time to time to identify the probable investable balances that will be available.

Pooling of Cash: Except for cash in certain restricted and special accounts, the investment officer may pool cash of various funds to maximize investment earnings. Investment income shall be allocated to the various funds based upon their respective participation.

## **X. ACCOUNTING**

The City of Swartz Creek maintains its records on the basis of funds and account groups, each of which is considered a separate accounting entity.

All investment transactions shall be recorded in the various funds of the City of Swartz Creek in accordance with generally accepted accounting principles as declared by the Government Accounting Standards Board. Accounting treatment will include:

Investments will be carried at cost or amortized cost that approximates market.

Premium or discount will be amortized over the life of the investment.

Gains or losses of investments in all funds will be recognized at the time of disposition of the security.

Market price shall be disclosed annually in the financial statements and periodically in the performance reports.

## **XI. INVESTMENT PERFORMANCE AND REPORTING**

The Treasurer shall submit a biannual investment report that provides the principal and type of investment, annualized yield, and earnings for the period, market price and a summary report of cash and investments maintained in each financial institution.

Performance of the portfolio shall be reported periodically and submitted to the City Manager. Reports shall include details of the characteristics of the portfolio as well as its performance for that period. Reports shall be submitted at a minimum on an annual basis. Material deviations from projected investment strategies shall be reported immediately to the chief executive officer.

## **XII. SAFEKEEPING AND CUSTODY; THIRD-PARTY CUSTODIAL AGREEMENTS**

All securities purchased by the City of Swartz Creek under this section shall be properly designated as an asset of the City and held in safekeeping by a third party custodial bank or other third party custodial institution, chartered by the United States government or the State of Michigan, and no withdrawal of such securities, in whole or in part, shall be made from safekeeping except by the Finance Director as authorized herein, or by their respective designees.

The City of Swartz Creek will execute third party custodial agreement(s) with its bank(s) and depository institution(s). Such agreements will include letters of authority from the City of Swartz Creek, details as to responsibilities of each party, notification of security purchases, sales, delivery, repurchase agreements and wire transfers, safekeeping and transactions costs, procedures in case of wire failure or other unforeseen mishaps including liability of each party.

All security transaction, including collateral for Repurchase agreements, entered into by the City of Swartz Creek shall be conducted on a delivery-versus-payment (DVP) basis. Securities will be held by a third party custodian designated by the Finance Director and evidenced by safekeeping receipts.

## **XIII. INTERNAL CONTROLS**

The City Manager shall establish a system of internal controls, documented in writing, which is designed to prevent losses of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the City. Required elements of the system of internal controls shall include:

1. The timely reconciliation of all bank accounts (i.e., monthly reconciliation's within ten (10) days of the end of the monthly cycle), and
2. Details of delivery versus payment procedures and trust receipt documentation. Internal controls will also encompass at a minimum the additional issues:

Transfer of all funds (purchases, sales, etc.) separation of functions including transaction authority, accounting and record-keeping custodial safekeeping avoidance of delivery of bearer form or nonwireable securities to the City of Swartz Creek delegation of authority to subordinate staff members written confirmation of telephone transactions supervisory control of employee actions specific guidelines regarding securities losses and remedial action identification and minimization of the number of authorized investment officials documentation of decisions made at the

committee level and transactions by investment officials. Further the Finance Director or Treasurer shall sign all confirming written transactions.

#### **XIV. INVESTMENT POLICY ADOPTION**

The City of Swartz Creek investment policy shall be adopted by resolution of the City of Swartz Creek legislative authority. The policy shall be reviewed on an annual basis by the legislative authority or by an investment authority board created by legislative action. Modifications made at that time or when necessitated by State statutory revision must be approved by the legislative authority of the City of Swartz Creek

#### **Designation of Place of Publication**

The Swartz Creek City Council designate The Flint Journal as the newspaper in general circulation for publication of legal notices of the City of Swartz Creek.

#### **General Council Operating Procedures**

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

All Council meetings except otherwise allowed by law shall be open to the public and shall be subject to the provisions of Act 266 of the Public Acts of the State of Michigan of 1976, as amended.

##### **REGULAR MEETINGS**

The Council shall hold regular meetings two times monthly, at 7:00 p.m. These meetings shall be held on the second and fourth Monday of each month in the Council Chambers of the City Hall provided that, if a regular meeting date falls on a legal holiday, the meeting shall be held the following day.

##### **SPECIAL MEETINGS**

A. Special meetings shall be called by the City Clerk on the written request of the Mayor, City Manager, or any two (2) Councilmembers by providing each Councilmember and the City Manager with eighteen (18) hours written notice served personally or left at his usual place of residence.

B. Any special meeting at which all members of the Council are present or have waived notice thereof in writing shall be a legal meeting for all purposes.

C. The written notice shall include the date, hour, meeting place, and the purpose for which the meeting was called, and shall include related material where possible.

D. Business transacted at any special meeting shall be limited to subjects recited in the notice of such meetings.

#### QUORUM OF COUNCIL

Four members of the Council shall be a quorum for the transaction of business at all Council meetings. In the absence of a quorum, any number of members less than a quorum may adjourn any regular or special meeting to a later date or may compel the attendance of absent members.

#### MAINTAINING ORDER

Councilmembers shall preserve order and shall do nothing to interrupt or delay the proceedings of Council.

#### PERMISSION TO SPEAK BEFORE COUNCIL

A. Right to Speak - The Mayor, or in his/her absence, the Mayor Pro-Tem, will have the responsibility to recognize a Councilmember's right to speak before the body.

B. Discussion - A Councilmember may discuss any one subject in its order on the agenda for a maximum of five (5) minutes. After all Councilmembers who wish to speak have exercised their right to speak on the subject, a Councilmember may be heard a second time for a maximum of five (5) minutes. With the consent of a majority of Council, a Councilmember may be permitted to speak for a longer period of time.

C. Privilege of Closing Discussion - The Councilmember moving the adoption of an Ordinance or Resolution shall have the privilege of closing the discussion after all Members wishing to speak on the subject have had the opportunity.

D. The City Manager may speak on any subject before Council, subject to the time rules in Section B. He may answer questions about the administration of the municipality or he may ask another administrative officer to answer for him. All questions about internal operation of the municipal corporation shall be directed to the City Manager.

E. Right to Appeal - Councilmember shall have the right to appeal from a decision of the Chair. A majority of Council will determine the matter.

#### RIGHT TO SPEAK UNINTERRUPTED

A Member duly recognized shall be allowed to speak on the topic under discussion for the prescribed time and may be interrupted if a point of

order is raised. If the Councilmember is judged to be out of order, he must change his remarks or surrender his right to continue speaking.

#### ORDER OF BUSINESS

1. Call to Order:
2. Invocation and Pledge of Allegiance to the Flag:
3. Roll Call:
4. Approve Agenda:
5. Resolution to Approve Minutes of previous meetings:
6. Communications to Council:
7. Reports:
8. Meeting Opened to the Public:
9. OLD BUSINESS:
10. NEW BUSINESS:
11. Meeting Opened to the Public:
12. Remarks by Councilmembers:
13. Adjournment:

Note: Each Report on the Agenda, where necessary, will have an abstract after the title.

#### PREPARATION OF AGENDA

- A. The Agenda will be prepared by the City Manager with the assistance of the City Clerk.
- B. Material for Agenda Material for the Agenda will be submitted to the City Clerk by Wednesday prior to the regular meeting.
- C. The finished Agenda for a regularly scheduled meeting, with associated material, shall be delivered to each Councilmember no less than forty-eight (48) hours prior to the meeting.

#### MOTIONS

Precedence of Motions

To Adjourn

A Motion to adjourn is out of order under the following conditions:

1. When a vote is being taken.
2. If a person is speaking.
3. If the previous questions are ordered.
4. If repeated without the intervention of additional business.
5. Prior to midnight if all items on the agenda have not been completed.

An unqualified motion to adjourn shall not be debatable.

### To Lay Question on the Table

A motion to lay on the table is not debatable and precludes amendments or debate on the subject under consideration. If the motion prevails consideration of the matter tabled resumes only if a member of the majority voting in favor of the motion to table makes a motion to bring the matter off the table and it is seconded and a majority of the members vote in favor of it.

### Motion Asking for Previous Question

This motion is not debatable. When the previous question is called for there shall be no further amendments or debate and pending amendments shall be taken in their order before the main questions.

### To Postpone To Another Time

This motion is debatable and may be amended as to time.

### To Refer to Committee or Individual

This is debatable.

### Amendments

#### A. Ordinance

An Ordinance may be amended when not in the hands of a City Board or Commission. If any section of an ordinance is amended after reading, the amended section will be read again.

#### B. Amendments

An amendment may be amended, but further amendments are out of order. Any amendment must be germane to original motion.

### Motion to be Stated by the Chair.

When a motion is made and seconded, it shall be stated by the Chair before debate. All main motions shall be in written form if requested by a Member of the Council.

### Withdrawal of Motion

A. A motion may be withdrawn by the person making the motion with the consent of the person seconding the motion if debate has not begun.

B. A motion may be withdrawn after debate with consent of the majority of Council.

### Mayor

The Council, at its first regular meeting following a regular city election, shall elect one of its members mayor for a term of two (2) years. The mayor shall preside at meetings of the Council, shall have a vote on all matters but no veto power, shall be the ceremonial head of the City, shall sign ordinances, shall sign deeds, bonds and contracts when authorized by the Council to do so, shall not have any administrative duties, and shall perform only such duties as shall be specifically conferred or required by law.

#### Mayor Pro-Tem

The Council shall choose one of its members Mayor Pro-Tem who shall act in the temporary absence or disability of the Mayor.

The Mayor Pro-Tem shall succeed to the office of Mayor in the case of a vacancy in the office of Mayor. The senior member of the Council from the standpoint of continuous service shall then act as Mayor Pro-Tem. As between persons of equal seniority, the person who received the highest number of votes at the time of his last election shall sit.

#### Committees

A. The Mayor, with the advice and consent of Council, may appoint temporary committees whose membership may include persons not on Council.

B. Committees will be appointed to study specific matters and a time limit shall be placed on the length of the study. The committee will make a report to the Council at the predetermined time. All committee reports upon which action is expected shall be in written form and copies shall be available to each member of Council.

#### Voting Record of Council

A vote upon all proposed ordinances and resolutions shall be taken by "YES" and "NO" vote and the vote of each Councilmember entered upon the journal, except that where the vote is unanimous it shall be necessary only to so state.

#### Voting Requirements

A Councilmember shall not vote on any question in which the Councilmember shall have a direct personal financial interest, other than as a citizen of the community, but on all other questions the Councilmember shall vote, unless excused therefrom by a vote of at least six (6) of the members of Council.

#### Minutes of Meeting

A record shall be kept of all meetings and the actions taken at these meetings. The names of members present and those absent shall be part of the minutes. There shall be a journal of proceedings of all Council meetings, signed by the Mayor and City Clerk and to which the Public shall have access at all reasonable times.

#### Sergeant-at-Arms

The Chief of Police shall act as Sergeant-at-Arms at Council meetings if so requested to by the Council.

#### AMENDMENTS TO RULE OF COUNCIL

The rules of Council may be amended by a two-thirds vote of the entire membership of Council. Amending action will become final at the meeting following introduction of the amendment if voted on favorably.

#### **Travel Reimbursement Policy**

##### GENERAL PROVISIONS:

A representative of the City is expected to use good judgment regarding the nature and extent of expenses incurred while traveling. Expenses for members of one's family or guests who may accompany are not reimbursable.

The provisions of this policy shall apply for travel expenditures of all individuals traveling on behalf of the City.

Approved travel for all City Employees shall be at the discretion of the City Manager; provided, funds in the appropriate budget category are available for such purpose.

Travel of Councilmembers and Members of City Boards or Committees shall be approved at the discretion of the City Council.

One engaged in travel for benefit of City has a responsibility to keep accurate, substantiated cost records and to submit requests for reimbursement promptly upon return.

##### EXPENSES APPROVED FOR REIMBURSEMENT:

The following expenses are authorized for reimbursement when an expense report has been submitted which itemizes the actual and necessary expenses related to the travel:

1. Use of personal car shall be reimbursed at the current rate of mileage for the miles driven; except in the instance of the City Manager whose car allowance shall be the remuneration for use of personal vehicle.

2. Use of City car - Expenses incurred such as gas, oil, and repairs.
3. Lodging - Hotel accommodations shall be reimbursed when receipts for all lodging costs are secured. If family members or guests accompany, the reimbursable lodging cost shall be that of a single room.
4. Meals - Reasonable expenses for meals will be reimbursed at actual cost. Receipts for meals are not required, but should be secured when available. Alcoholic beverages are specifically excluded from reimbursable expenses.
5. Local Transportation - Local transportation costs, such as taxi fare (including tips) shall be reimbursed. Parking expense for a personal or City car shall also be included.
6. Telephone - Expenses incurred for telephone service will be allowed when required for City purposes. One telephone call per day may be made, at City expense, to the individual's family when away overnight on City business.
7. Registration Fee - Fees for registration at any meeting or convention attended are allowed for reimbursement. A receipt for the registration fee is required.
8. Gratuities - Reasonable expenses for tips are reimbursable and should be reported by day.

### **Flower Purchase Policy**

The Swartz Creek City Council approve the flower purchase policy authorizing flowers to be sent on behalf of the council/staff for the *hospitalization* of a current city employee/city councilmember and for the *passing away* of a current/past employee, a current employee's immediate family, current/past city councilmembers, and current city councilmember's immediate family. It is further noted that spouse and children represent the immediate family.

### **Plaque Policy**

The City purchase a standard plaque for Councilmembers thanking them for service rendered to the City of Swartz Creek

**CITY OF SWARTZ CREEK  
BOARDS AND COMMISSIONS**

BOARD/COMMISSION		ADDRESS	HOME	OFFICE	START (Re-Elect)	END
<b>CITY COUNCIL</b>						
C. David Hurt	1st	9214 Chesterfield	635-7706		3/8/1999 (11/05/02)	11/07/06
Richard B. Abrams	At-Large	5352 Greenleaf	635-9224		11/6/1984 (11/07/00)	11/02/04
David Plumb	2nd	29 Brookfield	635-3742	C= 625-6921	11/05/02	11/07/06
Donald Adams	At-Large	8215 Miller	635-4683	342-2540	11/07/00	11/02/04
Curtis Porath	3rd	4485 Frederick St.	635-3079	w= 989-792-2455	11/05/02	11/07/06
Jason Christie	At-Large	5299 Valleyview	630-8161		11/07/00	11/02/04
Michael Shumaker	4th	4084 Jennie Lane	635-3107		11/05/02	11/07/06
<b>AUTO THEFT COUNCIL (GAIN)</b>						
David Hurt	Delegate	9214 Chesterfield	635-7706		11/25/02	11/02/04
David Plumb	Alternate	29 Brookfield	635-3742	C= 625-6921	11/25/02	11/02/04
<b>BOARD OF REVIEW</b>						
John Gilmore		7515 Elizabeth	635-9057		06/30/03	06/30/06
Joseph J. Edgerton		9127 Chesterfield	635-9832	635-9513	11/25/02	06/30/05
Thomas MacGillivray		5052 Fairchild	635-4057	635-2093	7/1/2001(7/01/04)	06/30/07
<b>FIRE BOARD (SWARTZ CREEK AREA)</b>						
Richard L. Derby	Clayton	9230 Corunna	635-4056		??	??
Michael Messer	Clayton	2060 S. Morrish	635-3476		??	??
Rod Shumaker	Clayton	7077 Lou Mac	635-2543		??	??
Donna Lindstrom	S.C. Swing	5248 Don Shenk	635-7445		04/01/04	03/31/05
Timothy Vesper	City Citizen Rep	5021 School	635-2961		11/25/02	11/02/04
Jason Christie	Council Rep	5299 Valleyview	630-8161		11/25/02	11/02/04
A. Boots Abrams	City Citizen Rep	5352 Greenleaf	635-9224		11/25/02	11/02/04
<b>GENESSEE COUNTY METRO ALL</b>						
Michael Shumaker	Delegate	4084 Jennie Lane	635-3107		11/25/02	11/02/04
Ronald Schultz	Citizens	4279 Springbrook Dr	635-8575		07/01/04	11/02/04
<b>GEN COUNTY NARC CONTROL</b>						
Donald Adams	Delegate	8215 Miller	635-4683		11/25/02	11/02/04
Jason Christie	Alternate	5299 Valleyview	630-8161		11/25/02	11/02/04
<b>GEN COUNTY SMALL CITIES</b>						
Richard Abrams	Delegate	5352 Greenleaf	635-9224		11/25/02	11/02/04
Jason Christie	Alternate	5299 Valleyview	630-8161		11/25/02	11/02/04
<b>LOCAL OFF COMP COMM</b>						
Monte R. Morgan		5388 Greenleaf	635-4395		10/25/99	09/30/04
Theodore Anderson		5373 Greenleaf	635-9305		09/30/03	09/30/06
Patricia Maksymiu		7188 Miller	635-3814		11/25/02	09/30/06
Ronald Schultz		4279 Springbrook	635-8575		11/25/02	09/30/05
David Alexander		5346 Greenleaf Dr.	635-2321		01/13/03	09/30/07

**CITY OF SWARTZ CREEK  
BOARDS AND COMMISSIONS**

BOARD/COMMISSION	ADDRESS	HOME	OFFICE	START (Re-Elect)	END
<b>PARK AND REC ADV BOARD</b>					3 year term
Steve Tabit	5027 Brady St.	635-0441		11/25/02	12/31/05
Rodney Gardner	5024 Brady	635-9101		11/22/99	12/31/05
Michael Shumaker, Secretary	4084 Jennie	635-3107		11/22/99	12/31/05
Rick Henry	6353 Bristol	635-7509			12/31/05
Veronica Seibel	5216 Worchester	635-4002		06/26/00	12/31/05
<b>Vacant</b>					
Rae Lynn Hicks	8373 Miller	635-3569		04/10/01	12/31/05
Bryan Moody	5218 Winshall	635-9932		06/28/99	12/31/05
James Florence	4296 Springbrook	635-2772		11/25/02	12/31/05
<b>BEAUTIFICATION COMM</b>					
Boots Abrams	5352 Greenleaf	635-9224			Volunteer
Risa Auten		635-3320			Volunteer
Laurel Burns	9001 Miller Rd, #8A	635-9455			Volunteer
Megan Doyle	5333 Don Shenk	635-3524			Volunteer
Ken & Betty Draper	6296 S. Seymour	635-2596			Volunteer
Jim & Jean Florence	4296 Springbrook	635-2772			Volunteer
Robert Fortino	4360 Morrish	635-4523	635-4515		Volunteer
Jeff Goodrich	8295 Miller				Volunteer
Yutha Hayes	PO Box 223	635-3317			Volunteer
Jeannette Keim	5381 Greenleaf	635-9159			Volunteer
Donna Kummer	4401 Springbrook				Volunteer
Donna Lindstrom	5248 Don Shenk	635-7445			Volunteer
Don Niles	5234 Don Shenk	635-4588			Volunteer
Andrea Owens	7410 Cross Creek	630-9095			Volunteer
Agnes Pobocik	7483 Country Meadow	635-9068			Volunteer
Fay Porath	4485 Frederick	635-4398			Volunteer
Earle Rainwater	5122 McLain				Volunteer
Harold Russell	4456 Tropani Lane	635-8749			Volunteer
Michael Shumaker	4084 Jennie	635-3107	635-4495		Volunteer
Sue Taylor	8099 West Hill	635-9705			Volunteer
George Trundle	5200 Greenleaf	635-4241			Volunteer
Kathy Tushim	5369 Don Shenk	635-4030			Volunteer
Ron Vincent	8221 W. Hill	635-9942			Volunteer
Dale Walsh	8298 Miller	635-3405			Volunteer
Kathy Smeets	9130 Luea Lane	635-4155			Volunteer
Charles Brunette	7426 Cross Creek	635-8103			Volunteer
Mary Mitchells-Beren	9140 Luea Lane	635-7964			Volunteer
<b>PLANNING COMMISSION</b>					
Robert Florine	5914 Cross Creek	635-8764		07/01/03	06/30/06
Tom Kohloff	5338 Durwood Drive	635-0638	517-335-6270	11/01/03	06/30/06
Kathy Ridley	3414 Elms	635-3168		09/17/02	06/30/07
Carl Conner	4061 Elms	635-9024	238-5200, Pgr:888-60	10/25/99	06/30/05
Douglas Stephens (Chairperson)	5250 Birchcrest	635-2134	635-4090	06/26/89	06/30/05
Bud Grimes	5171 Oakview Drive	635-7284		07/01/04	06/30/07
C. David Hurt	9214 Chesterfield	635-7706		11/30/03	11/02/04
Paul Bueche	8083 Civic Dr	635-4464		11/09/98	11/02/04
Dick Abrams	5352 Greenleaf Dr	635-9224		11/12/02	11/02/04

**CITY OF SWARTZ CREEK  
BOARDS AND COMMISSIONS**

BOARD/COMMISSION	ADDRESS	HOME	OFFICE	START (Re-Elect)	END
<b>W.W.S. ADV COMM</b>					
Paul Bueche, Delegate	8083 Civic	635-4464			11/02/04
Tom Svrcek, Alternate	8083 Civic	635-4464			11/02/04
<b>ZONING BOARD OF APPEALS</b>					
Douglas Stephens	5250 Birchcrest	635-2134	635-4090	10/25/99	06/30/05
Ronald Smith, Secretary	9194 Chesterfield	635-9619		07/10/95	06/30/05
Curt Porath	4485 Frederick St.	635-3079		11/11/02	11/02/04
Joyce Thompson	5075 Brady St. #603	635-2110		11/11/03	11/07/04
James Packer	7216 Miller Rd.	635-3724			11/02/04
Ronald Schultz (Alternate)	4279 Springbrook	635-8575			11/08/05
Bud Grimes (Alternate)	5171 Oakview Dr.	635-7284			11/02/04
<b>Const. Board of Appeals</b>					
Douglas Stephens	5250 Birchcrest Dr.	635-2134	635-4090	06/09/03	11/02/04
Michael Shumaker	4084 Jennie	635-3107		06/09/03	11/02/04
Ronald Schultz	4279 Springbrook	635-8575		06/09/03	11/02/04
<b>911 CONSORTIUM</b>					
Paul Bueche	8083 Civic	635-4464			11/02/04
<b>DDA</b>					
Richard Abrams	5352 Greenleaf Dr.	635-9224		09/27/04	11/02/04
Al Asta	7096 Parkridge Pkwy	635-0712		09/27/04	03/31/08
Paul Bueche	8083 Civic Dr.	635-4464		09/27/04	11/30/05
Roger Sharp II	2131 S. Longlake, Fenton	629-9096		09/27/04	03/31/06
Cliff Hull	6200 Reid Rd. Sw. Cr.	635-3714		09/27/04	03/31/06
Steve Mardlin	5340 Chin Maya Dr. Sw. Cr.	635-3869		09/27/04	03/31/07
Mark Nemer	8122 W. Hill Sw. Cr.	635-2041		09/27/04	03/31/08
Laura Balars	8295 Miller Rd.	635-8295		09/27/04	11/30/05
Sandy Rafaeli	8098 Miller Rod			09/27/04	03/31/07



COMMUNITY  
PLANNING  
CONSULTANTS  
GRAND RAPIDS - ROYAL OAK

306 S. WASHINGTON AVE  
SUITE 301  
ROYAL OAK  
MI 48067

248/586.0505  
248/586.0501

October 8, 2004

City Council  
City of Swartz Creek  
Civic Center Drive  
Swartz Creek, MI 48473-2887

Subject: Zoning Ordinance Update

Dear Council Members:

Enclosed please find a proposal for LSL Planning to update the City of Swartz Creek's Zoning Ordinance. This scope is based on our discussions with you; our familiarity with the City, its current planning activities and its Master Plan; and our experience in the preparation of Zoning Ordinances throughout Michigan.

LSL Planning is known as a leader in Zoning Ordinance development and innovative zoning techniques. Our approach is to work with City staff, officials, and interested groups to evaluate the current regulations and then update the Ordinance to meet the changing needs of the City.

In order to accomplish the Ordinance update, we propose the following scope of work. This process should take 9 months to reach the public hearing draft.

We are excited about the opportunity to update the City's Zoning Ordinance. Please let me know if you would like any additional information or should you have any questions concerning this matter.

Sincerely,

LANGWORTHY, STRADER, LEBLANC & ASSOCIATES, INC.

Carmine P. Avantini, AICP  
Partner

enclosures

# CITY OF SWARTZ CREEK PLANNING SERVICES ZONING ORDINANCE UPDATE

## SCOPE OF SERVICES

### Technical Review

Normally, one of our first steps when updating a Zoning Ordinance is to conduct a comprehensive review of the existing Zoning Ordinance. This technical review has already been performed to evaluate content and organization, as well as the specific requirements. The review considered not only the Master Plan Update and Ordinance regulations, but format and readability, as well. This information, coupled with input received from the initial series of meetings, provides needed guidance to the City and LSL Planning in understanding the scope of the current regulations and perceived needs.

### Kick-Off Meetings

LSL Planning, Inc. will meet with the City Manager, Zoning Administrator, Planning Commission Chairman and other City officials to review the Work Program and establish the coordination and communication parameters for the Zoning Ordinance. Available data and key issues will be discussed, and a list of information and priorities for the City to provide to the consultant will be established. Map preparation will also commence in the first month utilizing Rowe Engineering and the City's GIS system.

A kick-off session will be held with the Planning Commission to discuss critical issues and obtain overall direction on the Zoning Ordinance preparation. A schedule will also be established including all meeting and workshop dates.

### Project "Blueprint"

Our process emphasizes a lot of "up front" effort to develop a blueprint for the future document before we begin drafting new language. This blueprint serves as both the guide and reminder of where attention is to be focused, and builds consensus on the changes to limit surprise criticisms at the end of the process. The public and key individuals or groups will have several opportunities to provide their ideas and comments throughout the process, as described below. City officials and staff responsible for enforcing and administering the Ordinance will be involved throughout the process.

The blueprint will address the following:

- New format and organization.
- Style guide, such as use of comma vs. semi-colons, capitalization, font, etc.
- Agreement chapter-by-chapter on the extent of changes to be made.
- Agreement on how changes will be illustrated or identified through the process especially at the public hearing.
- The format of the proposed zoning map.
- Outline concepts for new regulations identified through the Master Plan process such as:

## CITY OF SWARTZ CREEK PLANNING SERVICES ZONING ORDINANCE UPDATE

1. Cluster residential per the New Planning Act.
2. Downtown traditional design standards.
3. Designation of new commercial areas at Miller Road/I69 and the Morrish Road/I69 interchange.
4. Natural features setbacks or overlays and other environmental regulations.
5. Special standards for large institutional uses.
6. Access management.
7. Refinements to the Sign Ordinance.
8. Special provisions to upgrade sites during expansion or changes in use.
9. Modernize lighting standards.
10. Fine-tune landscaping.

### Focus Group Meeting

We will conduct a focus group meeting with a variety of local “users” or groups interested in the project. These will be persons identified by the City who have an interest in the City’s land use regulations and have a valuable perspective to share. Among the persons or interests who may be likely participants in this task are area architectural and engineering firms, developers and business owners.

### Reformatting of the Zoning Ordinance

One of the principal objectives of the proposed project is to improve the overall “usability” of the Ordinance. During focus group meetings with engineers and architects that regularly use the Ordinance we will solicit input regarding the perceived “user-friendliness” of the documents, including a presentation of various organizational options. There are many possible techniques that can be used to help a reader maneuver through and understand an Ordinance. The Swartz Creek Zoning Ordinance includes many of the following that can be refined and improved:

- **User guide:** a short (3-5 page) guide on how to use the Zoning Ordinance that would be published at the front of the document.
- **Table of contents:** organized in a way that is helpful, such as classification of related sections (general provisions, districts, site development standards, administration/procedures).
- **Index of key words:** this is a helpful reference source which lists frequently sought words and pages where key information is found.
- **Organization:** organizing the Ordinance chapters and the text within each chapter in a logical and consistent sequence.
- **Numbering system:** using a numbering system that facilitates finding a specific section, which can include more use of bold lettering and other styles to better identify key headings.
- **Cross references:** such as alerts for a reader of the districts to where accessory regulations can be found, or more inclusion of standards within each district rather than in a separate article.
- **Tables and checklists:** the use of tables or checklists can be expanded to replace long lists.
- **Graphics:** use graphics and charts generously to help the reader understand complicated definitions and requirements.

## **CITY OF SWARTZ CREEK PLANNING SERVICES ZONING ORDINANCE UPDATE**

- **Web ready:** format will be easy to add to the City's web page with hyper links and formatted as a Word, PDF or HTML document.

### **Preparation of Draft Ordinance**

Once the blueprint and formatting for the document have been accepted, a new Zoning Ordinance will be drafted. This Ordinance will maintain those sections of the existing Ordinance that have worked well and change those that do not. It is anticipated, however, that this will be a completely new Ordinance.

### **Planning Commission Review of Draft Ordinance**

Following preparation of the draft Ordinance, a series of work sessions will be held with the Planning Commission to review the document. Each session will be dedicated to specific sections with the following schedule anticipated (subject to change):

- Session 1: General Provisions, Definitions
- Session 2: Districts
- Session 3: Nonconforming Uses, Accessory Structures
- Session 4: Planned Development Districts
- Session 5: Signs, Site Plan Review
- Session 6: ZBA, Administration, other remaining sections

### **Presentation of Draft and Final Ordinance**

**Joint Study Session.** Following staff review, we will present findings of the new Zoning Ordinance at a joint study session with the City Council, Planning Commission and Zoning Board of Appeals.

**Adoption Process.** Based upon the review of the Ordinance at the joint meeting, revisions will be made to create a public hearing draft. LSL Planning will present the draft Zoning Ordinance at a public hearing before the Planning Commission. Following the public hearing, necessary revisions would be made to affected pages of the draft.

LSL Planning will present the revised final draft Zoning Ordinance to the City Council for public hearing and adoption.

### **SCHEDULE**

The proposed schedule for completion of the draft Ordinance is nine months. Actual adoption is dependent upon other factors such as scheduling and distribution to agencies and surrounding communities.

### **KEY PROFESSIONALS**

Carmine Avantini AICP, Principal, Project Manager

# **CITY OF SWARTZ CREEK PLANNING SERVICES ZONING ORDINANCE UPDATE**

Rob Nesbitt, Senior Planner  
Robert Cramer, Assistant Planner

## **MEETINGS**

This proposal includes a total of ten (10) meetings listed below.

- Two (2) kick-off meetings
- One (1) focus group meeting
- Six (6) meetings with the Planning Commission to review the draft
- One (1) joint meeting with the City Council, Planning Commission and ZBA
- One (1) public hearing
- One (1) meeting with the City Council for adoption

Any additional meetings will be billed hourly.

## **PRODUCTS**

The following products will be provided:

- Five (5) copies of Draft #1
- Twenty-five (25) copies of Draft #2
- Fifteen (15) copies of Public Hearing Draft
- Fifteen (15) copies of the final draft for adoption by Board
- One (1) camera-ready copy of final Zoning Ordinance and CD ROM

## **COST**

The total fee for the above work plan is \$28,200 plus an estimated \$1,600 in reimbursable expenses including copying, document reproduction, overnight or priority mail, and mileage. Invoices will be submitted monthly based on the percent complete.

## **RESPONSIBILITIES OF THE CITY**

In order to meet the schedule, the City needs to provide the following:

- Provide digital base mapping within 30 days and any other available digital documents.
- Schedule meeting dates and location, and prepare and distribute notices.
- Collect and merge comments from individual Planning Commission members on the preliminary drafts into one "marked up" copy.
- Devote sufficient time at meetings, or schedule special meetings on the Zoning Ordinance.
- Planning Commission members must be prepared to review each section(s) of the Zoning Ordinance on the scheduled date to ensure that the total number of meetings is maintained.



# ROWE INCORPORATED

WWW.ROWEINCORP.COM

ENGINEERING • SURVEYING & MAPPING • PLANNING • LANDSCAPE ARCHITECTURE • AERIAL SERVICES

6211 Taylor Dr.  
Flint, MI 48507  
Phone (810) 341-7500  
Fax (810) 341-7573

Paul Bueche, City Manager  
City of Swartz Creek  
8083 Civic Drive  
Swartz Creek, Michigan 48473-1498

— Additional Offices —  
LAPEER  
MT. PLEASANT

RE: CITY OF SWARTZ CREEK ZONING ORDINANCE PROJECT PROPOSAL

Air-Land Surveys - Flint  
A Division of  
Rowe Incorporated

Dear Mr. Bueche:

Based on our discussion Rowe Incorporated (ROWE) designed this proposal to provide planning services to the City of Swartz Creek revising/rewriting the city's zoning ordinance.

The proposal is laid out with two options. The first option would involve making revisions to the zoning ordinance based on issues identified by the city. The second option involves a comprehensive re-write of the ordinance based on a technical review of the current ordinance and consultation with city representatives.

#### Ordinance Revisions Pursuant to City Identified Issues

This option is intended to amend the current zoning ordinance by addressing the city's identified issues. The following scope of services is proposed:

1. Conduct a personal interview with the City Zoning Administrator and City Manager, then attend one (1) meeting with the Planning Commission to identify issues.
2. Compile a report outlining each zoning issue that includes recommended solutions.
3. Attend one (1) Planning Commission meeting to discuss each issue and the recommended draft language. Based on feedback, draft text amendments to the zoning ordinance.
4. Following the Planning Commission a review of the draft amendments will be provided and any necessary revisions will be made. Draft Zoning Ordinance Sections will be prepared.
5. Attend a public hearing on the proposed amendments to answer questions from the public and revises the amendments as recommended by the Planning Commission.
6. Attend the City Council meeting to answer questions from the council members on the proposed zoning text amendments and revise the text based on the Councils final decision.

The fee for this approach is variable, based on the number and complexity of the issues. ROWE proposes billing on a time and material basis, utilizing our standard hourly rate schedule. We estimate the total fee to be approximately \$15,000.00. If and/or when the project fee approaches \$14,000.00, ROWE will advise the City Manager as to the status and expected completion time/remaining cost.

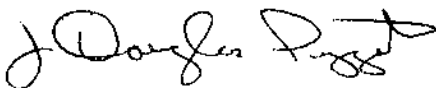
Ordinance Rewrite

This option is intended to perform a comprehensive technical review and update of the current zoning ordinance. It would involve the following steps.

1. Interviews with the City Zoning Administrator and City Manager as well as attending one (1) meeting with the Planning Commission to identify zoning issues of concern.
2. Perform a separate technical analysis of the zoning ordinance to identify and discuss the rationale for needed changes. This would include preparing a report discussing issues identified in the technical analysis along with comments and suggestions from staff and the Planning Commission.
3. ROWE presents the report to the Planning Commission at a series of meetings, and based on their feedback draft new ordinance sections.
4. Prepares a summary of the proposed changes between the current zoning ordinance and the proposed ordinance.
5. ROWE attends a public hearing on the proposed new zoning ordinance to answer questions from the public and revises the draft ordinance as recommended by the Planning Commission.
6. ROWE attends the City Council meeting to answer questions from the council members on the proposed draft ordinance and revise the text and map based on the Councils final decision.

ROWE is proposing to provide these services, including attendance at 14 meetings, the delivery of the final ordinance with 1 paper copy and a digital copy in MS Word format for \$25,000. Any additional meetings or work beyond the scope as outlined above would be on a time and material basis. The project would be expected to take 12 to 14 months assuming that the Planning Commission can devote one meeting a month exclusively to work on the zoning ordinance.

Sincerely,  
ROWE INCORPORATED



J. Douglas Piggott, AICP, PCP  
Senior Planner

	Pct # 1 Walk Ins	Pct #1 Avs	Pct # 1 Totals	Pct # 2 Walk Ins	Pct # 2 Avs	Pct # 2 Totals	Pct # 3 Walk Ins	Pct # 3 Avs	Pct # 3 Totals	Pct # 4 Walk Ins	Pct # 4 Avs	Pct # 4 Totals	Citywide Totals
<b>Councilperson-At-Large (3)</b>	<b>Votes Cast</b>	<b>Votes Cast</b>	<b>Total Votes Cast</b>	<b>Votes Cast</b>	<b>Votes Cast</b>	<b>Total Votes Cast</b>	<b>Votes Cast</b>	<b>Votes Cast</b>	<b>Total Votes Cast</b>	<b>Votes Cast</b>	<b>Votes Cast</b>	<b>Total Votes Cast</b>	<b>Citywide Totals</b>
Richard Abrams	392	117	509	267	91	358	332	75	407	291	192	483	1,757
Donald Adams	314	105	419	237	86	323	300	72	372	259	176	435	1,549
Jason Christie	360	102	462	255	74	329	331	73	404	266	176	442	1,637
Invalid Write Ins	6	0	6	5	1	6	8	0	8	1	0	1	21
Overvotes										3			
Undervotes	1034	162	1196	748	183	931	958	149	1107	1139	434	1573	4,807
	2106	486	2592	1512	435	1947	1929	369	2298	1959	978	2934	9,771
Voters Per Precinct	702	162	864	504	145	649	643	123	766	653	326	979	3258
Registered Voters Per Precinct			1075			929			1097			1269	4370

November 2, 2004 General Election

CITY OF SWARTZ CREEK  
COUNCILPERSON-AT-LARGE  
Vote For Not More Than 3

(WITH 4 OF 4 PRECINCTS COUNTED)

	Pct # 1 Totals	Pct # 2 Totals	Pct # 3 Totals	Pct # 4 Totals	Citywide Totals						
	Total Votes Cast	Total Votes Cast	Total Votes Cast	Total Votes Cast	Citywide Totals	% of Citywide Totals	% of possible voted votes	County Totals	% of County Totals	% of Actual voters x 3	
<b>Councilperson-At-Large (3)</b>											
Richard Abrams	170	119	136	162	587	18.02%	17.98%	1,757	35.39%	17.98%	
Donald Adams	140	107	124	144	515	15.81%	15.85%	1,549	31.20%	15.85%	
Jason Christie	154	110	134	147	545	16.73%	16.75%	1,637	32.98%	16.75%	
Invalid Write Ins	2	3	3	1	9	0.28%	0.21%	21	0.42%	0.21%	
Undervotes	398	310	369	525	1,602	49.17%	49.21%	4,810		49.21%	
	<u>864</u>	<u>649</u>	<u>766</u>	<u>979</u>	<u>3,258</u>	<u>100.00%</u>	<u>100.00%</u>	<u>9,774</u>	<u>99.99%</u>	<u>100.00%</u>	

4,964 without undervotes

9,774 possible votes

Possible votes = # of voters \* 3










9,774 = 3,258 \* 3

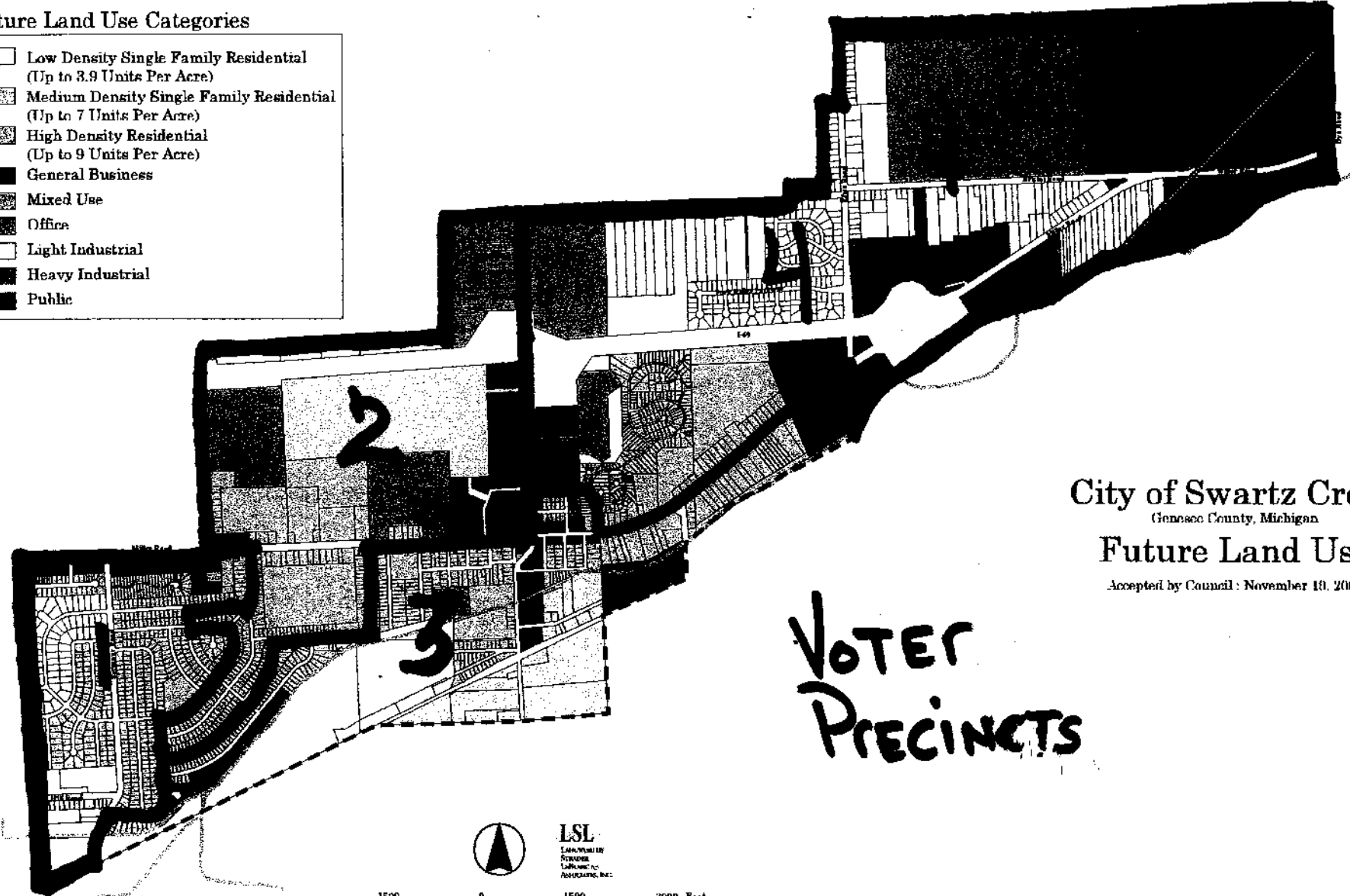
4,810 undervotes not shown on county website

**November 2, 2004  
Senior Center Proposal**

	<b>Pct # 1 Walk in Votes</b>	<b>Pct # 1 AV votes</b>	<b>Total Pct # 1 Votes</b>	<b>Pct # 2 Walk in Votes</b>	<b>Pct # 2 AV votes</b>	<b>Total Pct # 2 Votes</b>	<b>Pct # 3 Walk in Votes</b>	<b>Pct # 3 AV votes</b>	<b>Total Pct # 3 Votes</b>	<b>Pct # 4 Walk in Votes</b>	<b>Pct # 4 AV votes</b>	<b>Total Pct # 4 Votes</b>	<b>Citywide Total</b>
<b>Yes</b>	293	69	362	217	90	307	285	56	341	259	137	396	1,406
<b>No</b>	377	91	468	259	45	304	324	62	386	346	171	517	1,675
<b>Undervote</b>	32	2	34	28	10	38	34	5	39	48	18	66	177
	<u>702</u>	<u>162</u>	<u>864</u>	<u>504</u>	<u>145</u>	<u>649</u>	<u>643</u>	<u>123</u>	<u>766</u>	<u>653</u>	<u>326</u>	<u>979</u>	<u>3,258</u>

**Future Land Use Categories**

-  Low Density Single Family Residential  
(Up to 3.9 Units Per Acre)
-  Medium Density Single Family Residential  
(Up to 7 Units Per Acre)
-  High Density Residential  
(Up to 9 Units Per Acre)
-  General Business
-  Mixed Use
-  Office
-  Light Industrial
-  Heavy Industrial
-  Public



**City of Swartz Creek**  
Genesee County, Michigan

**Future Land Use**

Accepted by Council: November 10, 2008

**VOTER  
PRECINCTS**



**LSL**  
LAND SURVEYING  
ENGINEERS  
AND ARCHITECTS, INC.



Data Source:  
Base - ROWE Engineering

# Rhoads & Johnson

November 3, 2004

Tom O'Brien  
City of Swartz Creek  
1800 Civic Drive  
Swartz Creek, MI 48473

Re: Access to the rear of Cage Fieldhouse

Dear Tom:

I have attached a sketch of an approximate area that we intend to put some stone down for accessing the overhead door during the muddy seasons, winter 2004, & spring 2005. This will allow us to temporarily access the rear of the building and park overflow cars until we are able to come back to the planning commission this winter to expand the parking and possibly the building.

We will be starting this work in the next week or so. We appreciate your help on this matter.

We have had nothing but great comments about how nice the facility is for the community of Swartz Creek.

Sincerely,

Rhoads & Johnson



Kevin W. Johnson





**City Offices**  
M-F 8am -5pm  
810.635.4464  
810.635.2887fax

**City Manager's Office**  
M-F 8am-5pm  
810.635.3800

**Police Department**  
Emerg. 911  
810.635.4401  
810.635.3726 fax

**Public Services Department**  
M-F 8am-4:30pm  
810.635.4466

03-November-2004

**Mr. ROD SHUMAKER**  
Clayton Township Supervisor  
2011 S. Morrish Road  
Swartz Creek, Michigan 48473

Re: **2004-2006 Clayton – Swartz Creek Fire Agreement**

Dear **ROD**,

Congratulations on your election to the Township Supervisor's position. I hope all is well. At a City Council Meeting held on October 25<sup>th</sup>, the City passed the recommended 2005 Fire Budget as presented, minus requests for Station #1 Improvements, the 800 MHz Radio Purchase and reference to any apparatus purchase(s). The City's portion of the 800 MHz Radio purchase was approved on a separate resolution.

The purpose of this correspondence is two fold in nature, first as informative, and second, indicative of the City's position relative to the purchase of the proposed mini aerial. Although we have not officially resolved to commit to an apparatus purchase, there appears to be no opposition from the City Council. It is my understanding that Clayton Township has no desire to pursue such a purchase at this time. If this is inaccurate, I kindly ask that you contact me at your earliest convenience. If the Township should change their position and elect to make such a purchase during the 2005 fiscal cycle, we would certainly be willing to re-open our appropriation for consideration.

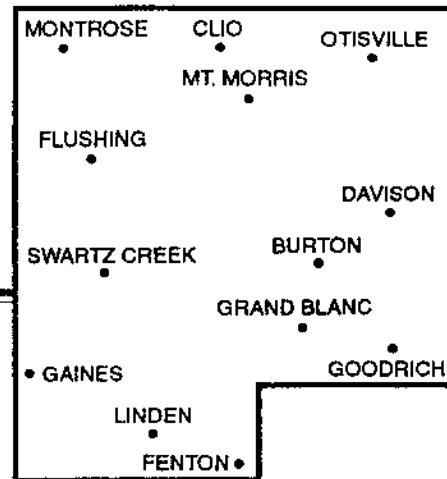
In advance, I thank you for your time and attention.

Sincerely,

**PAUL BUECHE**  
City Manager  
(810)-635-4464



GENESEE COUNTY  
**Small Cities & Villages  
Association**



**WEDNESDAY, NOVEMBER 3, 2004**

**Gathering Time:** 6:00 p.m.  
**Dinner Time:** 7:00 p.m.  
**Meeting Time:** 7:00 p.m.  
**Hosted by:** The City of Grand Blanc  
**Location:** "Pesto's of Grand Blanc", 11225 S. Saginaw St., Gr. Blanc

**-AGENDA-**

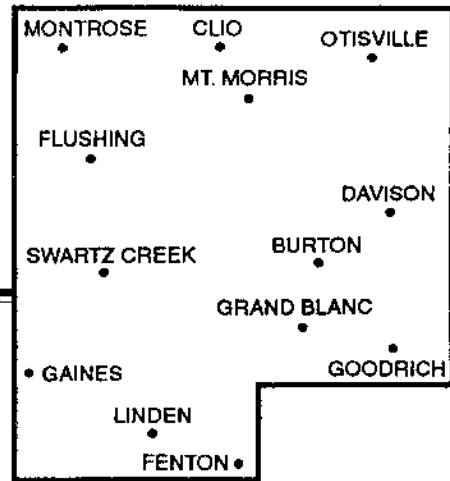
1. Call to Order:
2. Approval of Minutes (Attached):
3. Treasurer's Report:
4. Unfinished Business:
  - A). Officer's Nominating Committee
5. New Business:
  - A). None
6. Program:
  - A). Speaker, Great Lakes National Cemetery
7. Community Update:
8. Adjournment:

**Meeting @ "Pesto's of Grand Blanc" 11225 S. Saginaw St, Grand Blanc**  
**Limited Menu: Pasta, White Fish or Beef**  
**No R.S.V.P. Needed**

# GENESEE COUNTY Small Cities & Villages Association

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**Genesee County Small Cities & Villages Association  
Minutes of Wednesday, October 6, 2004  
Hosted by the Village of Goodrich  
At Cranberries Café,  
10250 Hegel Road, Goodrich**



Richard Abrams, Swartz Creek  
Paul Bueche, Swartz Creek  
Edward Angeluski, Fenton  
Carl Hammond, Fenton  
Jason Eldred, Linden  
Mark Sidge, Goodrich  
Jessica Hammon, "Robinson for Rep"  
Jayme Simmonds, Goodrich  
Hon. John Conover, 67<sup>th</sup> Dist. Judge  
Jan Gensel, Flushing

Boots Abrams, Swartz Creek  
Connie Bueche, Swartz Creek  
Diane Eldred, Linden  
Jakki Sidge, Goodrich  
Derek Bradshaw, GCMPC  
Steve Robinson, "Robinson for Rep"  
Keith Walworth, Goodrich  
Tom Bess, Otisville  
David Dorr, Otter Lake  
Angie Adamee, Goodrich

---

## 1. Call to Order

The meeting was called to order at 7:03 p.m. by Chairperson Richard Abrams. Discussion on Nominating Committee, Carl Hammond to head the committee.

## 2. Approval of Minutes

**Motion** by Carl Hammond Support by Jan Gensel to approve the minutes of September 1<sup>st</sup>, hosted by the Village of Gaines,  
All Yes, motion carries

## 3. Treasurer's Report

Treasurer Carl Hammond proclaims our financial investments to have an unencumbered-unreserved starting balance of \$2,066.57. After careful re-investment of realized interest (.47¢), our new balance is declared to be \$2,067.04.

**Motion** by Tom Bess, supported by Jan Gensel to approve the Treasurer's report. All yes, motion carries.

## 4. Unfinished Business

- Secretary Paul Bueche spoke on new name tags for the Association. Price, through GLC Trophy's is \$7-\$10 each. It was decided to wait until after the General Election to order as delegates and alternates may change.

## 5. New Business

- Steve Robinson, 51<sup>st</sup> District House Representative Candidate introduced himself and spoke.

## 6. Committees

- Nothing to report.

## 7. Program: "67<sup>th</sup> District Court Issues"

- The Honorable John Conover, 67<sup>th</sup> District Court Judge, spoke on the use of community service programs through the court (currently at 8,400 hours), funding and collection methods of outstanding fines and the ever re-occurring prospect of the elimination of the satellite courts. Judge Conover urges the Association to continue to oppose the elimination of the satellite courts, citing various reasons.

## 8. Community Updates:

Chairperson Richard Abrams recognized this meetings Host, The Village of Gaines. Introductions followed.

- Fenton: Yearly Annual Report Magazine distributed, update on new water plant.
- Linden: DDA developments, new businesses.
- Goodrich: Ordinance updates, park projects, housing projects, village dissolution.
- Swartz Creek: Developments, master plan, WWS WTE Phase II.
- Flushing: Fire Equipment Grant, Mural, Walk Way project, Harvest Fest, City Hall project.
- Otisville: Code enforcement, DEQ issues, Master Plan, zoning revisions.
- Otter Lake: DDA, Rails & Trails project, Village Dissolution comments.

Jan Gensel spoke on Visitor's and Convention Bureau, uses.

## 9. Adjournment

**Motion.** By Tom Bess, second by Bob Slattery to adjourn. Unanimous consensus vote, meeting adjourned at 8:50 P.M.

*Accurate and Concise Secretarial Work, Compliments of:*  
Paul Bueche

**Next Meeting @ "Pesto's of Grand Blanc" 11225 S. Saginaw St, Grand Blanc  
Limited Menu: Pasta, White Fish or Beef  
No R.S.V.P. Needed**

