

**City of Swartz Creek  
AGENDA**

**Regular Council Meeting, Monday January 24, 2005 7:00 P.M.  
City Hall 8083 Civic Drive, Swartz Creek Michigan 48473**

1. **CALL TO ORDER:**
2. **INVOCATION AND PLEDGE OF ALLEGIANCE:**
3. **ROLL CALL:**
4. **MOTION TO APPROVE MINUTES:**
  - 4A. Regular Council Meeting, January 10, 2005 MOTION Pg. 8, 25-41
5. **APPROVE AGENDA**
  - 5A. Proposed / Amended Agenda MOTION Pg. 8
6. **REPORTS & COMMUNICATIONS:**
  - 6A. [City Manager's Report](#) MOTION Pg. 8, 2-7
  - 6B. Jan 10 Council Minutes (*Agenda Item*) Pg. 25-41
  - 6C. Nov & Dec Monthly Police Report Pg. 42-55
  - 6D. Holiday Highway Enforcement Campaign Data Pg. 56-60
  - 6E. Fire Report Pg. 61-78
  - 6F. Adopted Q.B.S. Policy (*Agenda Item*) Pg. 79-80
  - 6G. City Attorney Notice, Contract Zoning Pg. 81
  - 6H. Letter, Joyce Thompson Pg. 82
7. **MEETING OPENED TO THE PUBLIC:**
  - 7A. General Public Comments
8. **COUNCIL BUSINESS:**
  - 8A. Ordinance Amendment, Ord. #380, DDA Boundaries RESO. Pg. 9
  - 8B. Ordinance Amendment, Ord. #381, Development Fees RESO. Pg. 15
  - 8C. Ordinance Amendment, Ord. #382, Sidewalk Construction Fees RESO. Pg. 16
  - 8D. Ordinance Amendment, Ord. #383, Sidewalk Excavation Fees RESO. Pg. 18
  - 8E. Ordinance Amendment, Ord. #384, Subdivision-Plat Fees RESO. Pg. 19
  - 8G. Adopt Qualification Based Selection R.F.P., Engineering Services RESO. Pg. 20
9. **MEETING OPENED TO THE PUBLIC:**
  - 9A. General Public Comments
10. **REMARKS BY COUNCILMEMBER'S:**
11. **ADJOURNMENT:**

**City of Swartz Creek**  
**CITY MANAGER'S REPORT**  
**Regular Council Meeting of Monday January 24, 2005 7:00 P.M.**

**TO:** Honorable Mayor, Mayor Pro-Tem & Council Members  
**FROM:** PAUL BUECHE // City Manager  
**DATE:** 21-January-2005

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

- ✓ **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.
- ✓ **SANITARY SEWER RATES** *(Status)*  
 I'm going to prepare a letter to our customers that explains this rate increase as well as our future plans to go to a different rate structure regarding the "per use" for water. While we are on the subject, the County continues to work on a "per use" rate structure for sewer. We may see something into the summer of this year.
- ✓ **D.D.A.** *(Resolution)*  
 The finalization of the DDA, at least from the Council standpoint, is the boundary amendment. Included with tonight's agenda is an ordinance amendment that includes the additional properties. From here, the DDA Board begins work in the development of a T.I.F.A. Plan. I would like to begin work on this sometime in late February or early March.
- ✓ **BUILDING, ZONING, PERMIT & MISCELLANEOUS FEES** *(Resolutions)*  
 I have a series of ordinance amendments for tonight's agenda that will pave the way to have fees set by resolution of the Council. As soon as the ordinances become valid (February 24<sup>th</sup>), I'll have a resolution back for consideration.
- ✓ **WATER RATES, WATER TAP FEES** *(Status)*  
 I'm still working on this resolution. We may have to make some changes to the ordinance before we proceed with any changes.
- ✓ **PHASE II, WESTERN TRUNK SEWER EXTENSION** *(Status)*  
 The offer on the table remains the same as per our discussion from previous meetings. We continue to hammer out language in the contract and as of now, are pretty close. The other hold up is I'm not comfortable signing the contract until most, if not all the property acquisitions are settled and cost updates are done. Contract language ties us to increased costs related to property acquisitions and I'd like to know these before we sign. Here are the costs as they stand today:

**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>
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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>	<b>2,000</b>

**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

Our participation still remains quite cost effective. 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 still 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.

- ✓ **BEAR CREEK SEWER EXTENSION** (*Status*)

As you recall, Gaines Township has requested to be allowed to use a portion of our sewer system along Morrish Road from the south City Limits to the County Interceptor (Wade Street), to transport up to 51 R.E.U.'s (sewer units) for up to five years. The sewage would be transported via a force main from Bear Creek Subdivision (Morrish south of Hill) to the south City Limit where it would be fed to our Morrish Road collector line to the County's Interceptor. As we've discussed, I see no problem, provided our interests are protected. I'm working on language with Gaines Township and the County and should have something back for review in the near future.

✓ **DISSOLUTION OF GAINES-CLAYTON SEWER CONTRACTS** *(Status)*

Related to the WTE Phase II project is the dissolution of the sewer contracts we have with both Clayton and Gaines Township. As you recall, this issue was originally addressed in the WTE draft agreement. The problem is that when we eliminate the contracts, another agreement is needed to cover the other boundary line connections to our system(s) (both water and sewer, Bristol Road, Elms Road, etc). It seems over time, houses built in the townships have connected to our water and sewer systems. To compound the problem, the townships have collected the tap funds, billed the customers, allowed "Y" connections and other poorly engineered arrangements, and we have suffered the maintenance and transmission expenses. This whole mess needs to be resolved. The answer is for all these connections to come onto our billing system as our customers and an agreement reached for some type of calculated re-imbusement. As you can see, it'll take some work to unravel. I'm working towards this solution and I'll keep the Council informed on progress.

✓ **WINSHALL PARK ARSON RECONSTRUCTION** *(Status)*

Pending completion of construction.

✓ **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 with updates. 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)*

I met with Mr. Nemer and he is adamant that he wants to proceed with a park on this property (between GM-SPO and Heritage Village). We are exploring options to see if it's feasible from the City's standpoint to continue.

✓ **SUMMER FAMILY MOVIES** *(Status)*

Pending a report and recommendation.

✓ **2005 MAJOR STREETS TRAFFIC IMPROVEMENTS** *(Status)*

- BRISTOL ROAD T.I.P. PROJECT**
- MILLER – ELMS SAFETY GRANT**
- MILLER – WEST KROGER DRIVE TRAFFIC SIGNAL**
- MILLER – FAIRCHILD TRAFFIC SIGNAL**
- NEW T.I.P. APPLICATIONS** *(Status)*

Applications are if for Morrish Road from I-69 to Bristol, Seymour Road from Hill to Miller, Morrish Road from the rail crossing to the south City limits and Elms from I-69 to the north City limit. I'll keep the Council advised as to the status

Following is a short template of the projected costs for the above listed projects (excepting the new T.I.P. applications) in the 202 Major Street Fund. The Bristol Road T.I.P. Project is actually a summer, 2006 project, however, there is a possibility that we may be able to get it done in summer, 2005:

<i>Project</i>	<i>Total Cost</i>	<i>City Cost</i>
<b>Bristol Road TIP</b>	\$1,191,123	\$238,225
<b>Miller-Elms Safety Grant</b>		
Construction Costs	\$ 404,000	\$204,000
Design Engineering	\$ 19,850	\$ 19,850
Construction Engineering	\$ 45,000	\$ 45,000
<b>Miller, W. Kroger Light</b>		
Construction Costs	\$ 85,000	\$ 0
Design Engineering	\$ 5,500	\$ 0
<b>Miller-Fairchild Light</b>		
Construction Costs	\$ 120,000	\$ 80,000
Design Engineering	\$ 6,800	\$ 6,800
<b>TOTAL</b>	<b>\$1,877,273</b>	<b>\$593,875</b>

On the Miller Elms Safety Project, \$200,000 is grant money that is capped at this amount. Design and construction engineering are not covered. On the west Kroger Drive light, the agreement we entered into with Kroger stipulates their payment for 100% of the cost of this light (a copy of the agreement is attached). Be advised, we have not yet determined if the traffic flow meets the warrants for a light at this corner. On the Miller and Fairchild light, the Burkeshire agreement drives a \$20,000 contribution. Additionally, if, and when the Gateway project is finally approved, they also will have to contribute \$20,000 towards the installation of a light. Here is a quick rundown of the net effect on our 202 Major Street Fund:

Dec 2004, 202 Fund Balance	\$851,962
City Cost, All Proposed Projects	\$593,875
<b>Post Project Fund Balance</b>	<b>\$258,087</b>

The unknown costs on these projects are easement and right of way acquisition, and maybe Consumer's Energy costs. I don't believe that either of these would have significant costs. Also, as a note, the pre project fund balance is a static snapshot, as it exists today. It does not reflect Act 51 revenues that we will receive between now and the summer of 2005, the anticipated project dates. Additionally, budgeted expenses were estimated high and are anticipated to come in less. The post project fund balance of \$258,087 is a conservative estimate, in that it should be considerably higher, if we decide to proceed. I'm not looking for a decision tonight, just feedback, mainly specific to opting for the more expensive traffic signals. As a final note, the actual cost savings to the City, if we opt for the standard signals, would only be about \$70,000.

- ✓ **GENESEE VALLEY ROTARY PROJECT, ELMS PARK PAVILION** (*Status*)  
On Saturday February 19, 2005 at 1:00 PM, there will be a dedication ceremony and refreshments at the pavilion. All are invited. Please try and attend.
- ✓ **CITY WEB SITE / WIRELESS ACCESS, I.T. SERVICES** (*Status*)  
We've been experiencing many problems with our Comcast high-speed connection. It seems Comcast has marketed poor equipment (router and modem) that keep flooding our network with pass through traffic. We have to re-boot our system as many as a dozen times a day in order to keep it in service. After many hours on the phone, they finally admit the problem, but have no solution as to if, and when they

will correct it. Every time their technician comes out, we have money spent to re-program our system to match the changes they made. I've gotten to the point where we're holding their invoices, collecting our I.T. invoices and deducting it from their bill. I've found an AT&T T-1 provider that will drop a high-speed line that will give us total control over everything from this point inward. It also will allow us enough upload and download speed to host our own site inside. I'm in the process of finalizing terms of the contract and will be back at the next meeting for Council endorsement. It's about \$250 more per month than we are paying now and as a means of trying to recover this, I'll look for a contribution from the Fire and Sr. Center.

- ✓ **ZONING ORDINANCE REVISION** (*Status*)  
Administrative meetings are being held. The matter may be before the Planning Commission in mid-winter.
- ✓ **SR. CENTER ADDITION / MILLAGE REQUEST** (*Status*)  
Pending a draft lease from Mr. Figura for the use of the building.
- ✓ **A.E.D. TRAINING** (*Status*)  
The device has been delivered and installed in the City Hall Lobby. I need to arrange some dates for training with Don Adams. I'll look to do this at tonight's meeting (in person) and get a schedule to the Council.
- ✓ **WIRELESS SERVICE PROVIDER** (*Information*)  
At the Planning Commission meeting of December 8<sup>th</sup>, a resolution for recommendation of approval was rendered for a twelve-inch high wireless transceiver atop the water tower. Also included is a three-foot high electronics box on the ground within the fenced in area. The transceiver would provide for wireless Internet access for a line of sight range within a 2-3 mile radius. I still have to negotiate a lease and have it drafted by Mr. Figura, before it can be brought back for Council review.  
  
On a similar note, Nextel is in with a request to construct a cell tower (single monopole) in the Miller-Elms-I-69 area. We are exploring possible locations in Elms Park for the structure. They have yet to appear before the Planning Commission.
- ✓ **ENGINEERING SERVICES SELECTION (Q.B.S.)** (*Resolution*)  
Included with tonight's agenda is the Council endorsement of the RFP that will go out to solicit bids for engineering statements.

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

- ✓ **POLICE HOLIDAY SAFETY CAMPAIGN** (*Information*)  
Rick's people did an outstanding job of highway safety enforcement in conjunction with a statewide campaign for the holiday season. Attached is a brief report of the police accomplishments.
- ✓ **LETTER OF RESIGNATION, JOYCE THOMPSON** (*Information*)  
Attached is a letter of resignation from Joyce Thompson. Anticipating this, I recommended replacement of her ZBA position back in November. We did so moving Ron Schultz from an alternate to a board member.
- ✓ **SKATEBOARD PARK** (*Information*)  
As you recall, we've had a couple of residents that are interested in picking this project back up from several years ago. If the Council agrees, I'm going to approach it a bit

different this time in that I'll seek input from our insurance carrier, a couple of other municipalities that have such parks and make a recommendation to the Council as to whether we should, or should not proceed. The follow up I've done on this latest movement, at least at this point in time, indicates that the group desires the City to take this project from the beginning, fund, construct and staff it.

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

- *Monthly Hours & Activity Reports, D.P.W.* I'll be back before the Council right after the first of the year to speak about a new software system (BS & A Equalizer) that will track all activities via daily log sheets and work orders. This system will have the capabilities of tracking all hours and activities, similar to what you currently see in the police department, for all City employees.
- *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.
- *Park Board Meetings.* Pending a report.
- *City Waste Collection Calendars.* It appears Great Lakes will proceed with the creation of the calendars. They did create a calendar that included our wood chipping dates, but it was wrong and we sent it back. They say they'll correct it and send along another. I'll see how they look when they arrive. We can always go and print one ourselves if we don't like it.

**City of Swartz Creek**  
**RESOLUTIONS**  
**Regular Council Meeting, Monday January 24, 2005 7:00 P.M.**

**Motion No. 050124-4A                      MINUTES, JANUARY 10, 2005**

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

**I Move** the Swartz Creek City Council hereby approve the Minutes of the Regular Council Meeting held January 10, 2005, to be circulated and placed on file.

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

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

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

**Motion No. 050124-5A                      AGENDA APPROVAL**

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

**I Move** the Swartz Creek City Council approve the agenda as presented / printed / amended for the Regular Council Meeting of January 24, 2005 to be circulated and placed on file.

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

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

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

**Motion No. 050124-6A                      CITY MANAGER'S REPORT**

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

**I Move** the Swartz Creek City Council approve the City Manager's Report of January 24, 2005, to be circulated and placed on file.

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

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

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

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

**WHEREAS**, on October 25, 2004, the Swartz Creek City Council held a public hearing as required by the Downtown Development Authority Act [MCL 125.1651, et seq] on a proposal to amend the boundaries of the Downtown Development Authority District; and

**WHEREAS**, due notice of said public hearing was given to the property taxpayers of record in the proposed district and to the governing body of each taxing jurisdiction levying taxes within the proposed district which taxes would be subject to capture if a tax increment financing plan is approved, all as required by Section 3 of the DDA Act [MCL 125.1653]; and

**WHEREAS**, none of the taxing jurisdictions levying taxes within the proposed district which would be subject to capture if a tax increment financing plan is approved, have adopted a resolution to exempt its taxes from capture; and

**WHEREAS**, more than sixty (60) days have passed since the public hearing on the proposed amended boundaries.

**NOW, THEREFORE, BE IT RESOLVED, THE CITY OF SWARTZ CREEK ORDAINS;**

**ORDINANCE NO #380**

An ordinance to amend Chapter 6, Section 6-22 of the Code of Ordinances of the City of Swartz to amend the boundaries of the Downtown Development Authority District to include additional properties not previously included.

**Section 1. Amendment of Section 6-22.**

Section 6-22 of Chapter 6 of the Code of Ordinances of the City of Swartz Creek is hereby amended to alter the boundaries of the Downtown Development Authority District and to read as follows:

Sec. 6-22. Boundaries of Downtown Development Authority District are hereby amended to be a continuous border line within which are included all of the following parcels of property:

TAX PARCEL #	ADDRESS	STREET	ZONING (01-24-2005)
58-01-100-001	5279	MORRISH RD.	I-1
58-01-100-005	5239	MORRISH RD.	I-1
58-01-100-007	5181	MORRISH RD.	RA-1
58-01-100-008	5175	MORRISH RD.	RA-1
58-01-100-009	5167	MORRISH RD.	RA-1
58-01-100-011	7493	GROVE ST.	RA-1
58-01-100-012	7503	GROVE ST.	RA-1
58-01-100-013	5157	MORRISH RD.	RA-1
58-01-100-014	5151	MORRISH RD.	RA-1
58-01-100-016	7488	GROVE ST.	RA-1

58-01-100-017	7494	GROVE ST.	RA-1
58-01-100-018	7506	GROVE ST.	RA-1
58-01-100-019	7512	GROVE ST.	S-O
58-01-100-020	5129	MORRISH RD.	S-O
58-01-100-021	5123	MORRISH RD.	RA-1
58-01-100-022	5073	MORRISH RD.	RA-1
58-01-100-023	5067	MORRISH RD.	RA-1
58-01-100-024	5061	MORRISH RD.	RA-1
58-01-100-025	7510	WADE ST.	B-2
58-01-100-026	5043	MORRISH RD.	B-2
58-01-100-027	7512	WADE ST.	B-2
58-01-100-028	5013	MORRISH RD.	B-2
58-01-100-029	5035	HOLLAND DR.	B-2
58-01-100-031	5020	MORRISH RD.	B-2
58-01-100-032	5023	HOLLAND DR.	B-2
58-01-100-033	5016	MORRISH RD.	B-2
58-01-100-034	5017	HOLLAND DR.	B-2
58-01-100-035	5015	HOLLAND DR.	B-2
58-01-100-036	8027	MILLER RD.	B-2
58-01-100-037	8023	MILLER RD.	B-2
58-01-100-038	8021	MILLER RD.	B-2
58-01-100-039	8015	MILLER RD.	B-2
58-01-100-040	8013	MILLER RD.	B-2
58-01-100-041	8011	MILLER RD.	B-2
58-01-100-042	8003	MILLER RD.	B-2
58-01-100-044	5014	MORRISH RD.	B-2
58-01-100-045	7589	MILLER RD.	B-2
58-01-100-046	5203	MORRISH RD.	I-1
58-01-502-011	7523	MILLER RD.	B-2
58-01-502-012	7529	MILLER RD.	B-2
58-01-502-013	7543	MILLER RD.	B-2
58-01-502-015	5018	THIRD ST.	RA-1
58-01-502-018	5036	THIRD ST.	RA-1
58-01-502-019	5044	THIRD ST.	RA-1
58-01-502-020	5048	THIRD ST.	RA-1
58-01-502-021	5021	SECOND ST.	B-2
58-01-502-022	5027	SECOND ST.	R-B
58-01-502-023	5033	SECOND ST.	RA-1
58-01-502-027	7561	MILLER RD.	B-3
58-01-502-031	5020	SECOND ST.	RA-1
58-01-502-032	5028	SECOND ST.	RA-1
58-01-502-034	5036	SECOND ST.	RA-1
58-01-502-035	5044	SECOND ST.	RA-1
58-01-502-036	5048	SECOND ST.	RA-1
58-01-502-038	5027	FIRST ST.	RA-1
58-01-502-039	5031	FIRST ST.	RA-1
58-01-502-043	5020	FIRST ST.	B-2
58-01-502-046	5036	FIRST ST.	B-2
58-01-502-047	7484	WADE ST.	B-2
58-01-502-049	7500	WADE ST.	B-2
58-01-502-052	7501	WADE ST.	I-1

58-01-502-059	5121	MORRISH RD.	I-1
58-01-502-081	5037	SECOND ST.	RA-1
58-01-502-082	7440	WADE ST.	RA-1
58-01-502-086	5019	FIRST ST.	RA-1
58-01-502-087	7577	MILLER RD.	B-2
58-01-502-088	5026	FIRST ST.	B-2
58-01-502-089	5023	MORRISH RD.	RA-1
58-01-502-090	5030	FIRST ST.	B-2
58-01-502-091	7504	WADE ST.	B-2
58-01-502-092	7508	WADE ST.	B-2
58-01-502-093	7479	WADE ST.	RA-1
58-01-502-094	7469	WADE ST.	RA-1
58-01-502-095	7465	WADE ST.	RA-1
58-01-502-096	7459	WADE ST.	RA-1
58-01-502-097	7455	WADE ST.	RA-1
58-01-502-098	7451	WADE ST.	RA-1
58-01-502-099	7445	WADE ST.	RA-1
58-01-502-100	7435	WADE ST.	RA-1
58-01-502-101	7425	WADE ST.	RA-1
58-01-502-102	5083	MORRISH RD.	I-1
58-01-502-103	7481	WADE ST.	I-1
58-01-502-104	5099	MORRISH RD.	I-1
58-01-502-105	5093	MORRISH RD.	I-1
58-01-502-112	5032	THIRD ST.	RA-1
58-01-502-113	7567	MILLER RD.	B2
58-01-502-116	7485	WADE ST.	RA-1
58-01-502-118	5037	FIRST ST.	RA-1
58-01-502-119	7474	WADE ST.	RA-1
58-01-502-120	7468	WADE ST.	RA-1
58-02-200-002	8159	MILLER RD.	RA-1
58-02-200-003	8132	INGALLS ST.	RA-1
58-02-200-004	8126	INGALLS ST.	RA-1
58-02-200-014	5086	MORRISH RD.	RM-1
58-02-200-017	5116	MORRISH RD.	RA-1
58-02-200-018	5118	MORRISH RD.	RA-1
58-02-200-019	5126	MORRISH RD.	RA-1
58-02-200-020	5130	MORRISH RD.	RA-1
58-02-200-021	5138	MORRISH RD.	RA-1
58-02-200-022	5144	MORRISH RD.	RA-1
58-02-200-023	5152	MORRISH RD.	RM-1
58-02-200-029	5256	MORRISH RD.	I-1
58-02-200-030	5220	MORRISH RD.	B-1
58-02-200-032	5208	MORRISH RD.	I-1
58-02-200-033	5232	MORRISH RD.	I-1
58-02-400-002	5288	MORRISH RD.	I-1
58-02-400-018	5280	MORRISH RD.	I-1
58-02-526-001	8169	MILLER RD.	RA-1
58-02-526-002	8179	MILLER RD.	RA-1
58-02-526-003	5021	SCHOOL ST.	RA-1
58-02-526-004	5027	SCHOOL ST.	RA-1
58-02-526-005	5033	SCHOOL ST.	RA-1

58-02-526-006	5039	SCHOOL ST.	RA-1
58-02-526-027	8197	MILLER RD.	RA-1
58-02-527-001	8127	MILLER RD.	B-2
58-02-527-002	8129	MILLER RD.	B-2
58-02-527-003	8145	MILLER RD.	RA-1
58-02-527-004	8151	MILLER RD.	RA-1
58-02-527-005	5020	BRADY ST.	RA-1
58-02-527-006	5024	BRADY ST.	RA-1
58-02-527-007	5032	BRADY ST.	RA-1
58-02-527-008	5038	BRADY ST.	RA-1
58-02-527-014	5019	BRADY ST.	RA-1
58-02-527-015	5027	BRADY ST.	RA-1
58-02-527-016	5031	BRADY ST.	RA-1
58-02-527-022	8100	INGALLS ST.	RA-1
58-02-527-023	8096	INGALLS ST.	RA-1
58-02-528-001	8093	MILLER RD.	B-2
58-02-528-002	8103	MILLER RD.	B-2
58-02-528-003	5021	FORD ST.	RA-1
58-02-528-004	5027	FORD ST.	RA-1
58-02-528-005	5031	FORD ST.	RA-1
58-02-528-006	8063	INGALLS ST.	RA-1
58-02-528-009	5020	FORD ST.	RA-1
58-02-528-010	5026	FORD ST.	RA-1
58-02-528-011	5006	FORD ST.	B-2
58-02-528-012	5014	FORD ST.	B-2
58-02-528-013	8121	MILLER RD.	B-2
58-02-528-014	5032	FORD ST.	RA-1
58-02-528-015	8090	INGALLS ST.	RA-1
58-02-528-016	5038	FORD ST.	RA-1
58-02-529-005	5018	HOLLAND DR.	B-2
58-02-529-006	5019	HAYES ST.	RA-1
58-02-529-007	5026	HOLLAND DR.	B-2
58-02-529-008	8032	INGALLS ST.	RA-1
58-02-529-009	5032	HOLLAND DR.	B-2
58-02-529-010	5044	MORRISH RD.	RA-1
58-02-529-011	5052	MORRISH RD.	RA-1
58-02-529-012	5058	MORRISH RD.	RA-1
58-02-529-015	5018	HAYES ST.	RA-1
58-02-529-017	5012	HOLLAND DR.	B-2
58-02-529-018	8047	MILLER RD.	B-2
58-02-529-019	8053	MILLER RD.	B-2
58-02-529-020	8057	MILLER RD.	B-2
58-02-529-021	8067	MILLER RD.	B-2
58-02-529-022	8023	INGALLS ST.	RA-1
58-02-529-023	8033	INGALLS ST.	RA-1
58-02-529-024	8039	INGALLS ST.	RA-1
58-02-529-025	8077	MILLER RD.	B-2
58-02-529-026	8083	MILLER RD.	B-2
58-02-529-027	8089	MILLER RD.	B-2
58-02-529-028	5014	HAYES ST.	B-2
58-02-529-029	5032	HAYES ST.	RA-1

58-02-529-030	5038	HAYES ST.	RA-1
58-02-529-031	5070	MORRISH RD.	RA-1
58-02-530-044	5170	MORRISH RD.	RA-1
58-02-530-045	8012	MAPLE ST.	R-B
58-02-530-047	8035	CRAPO ST.	RA-1
58-35-200-005	4062	MORRISH RD.	RA-1
58-35-200-007	4140	MORRISH RD.	I-1
58-35-200-008	4150	MORRISH RD.	I-1
58-35-200-009	8119	BRISTOL RD.	RA-1
58-35-200-010	8079	BRISTOL RD.	RA-1
58-35-200-012	8065	BRISTOL RD.	RA-1
58-35-200-013	8041	BRISTOL RD.	RA-1
58-35-200-014	8023	BRISTOL RD.	RA-1
58-35-200-015	4048	MORRISH RD.	RA-1
58-35-200-016	4076	MORRISH RD.	RA-1
58-35-200-017	4088	MORRISH RD.	RA-1
58-35-200-018	4110	MORRISH RD.	RA-1
58-35-400-001	4290	MORRISH RD.	M-Z
58-35-576-001	4444	MORRISH RD.	B-2
58-35-576-002	4438	MORRISH RD.	RA-1
58-35-576-003	4432	MORRISH RD.	RA-1
58-35-576-004	4426	MORRISH RD.	RA-1
58-35-576-005	4412	MORRISH RD.	RA-1
58-35-576-006	4400	MORRISH RD.	RA-1
58-35-576-007	4394	MORRISH RD.	RA-1
58-35-576-008	4384	MORRISH RD.	RA-1
58-35-576-009	4374	MORRISH RD.	RA-1
58-35-576-010	4366	MORRISH RD.	RA-1
58-35-576-011	4360	MORRISH RD.	RA-1
58-35-576-012	4354	MORRISH RD.	RA-1
58-35-576-013	4344	MORRISH RD.	RA-1
58-35-576-014	4336	MORRISH RD.	RA-1
58-35-576-015	4318	MORRISH RD.	RA-1
58-35-576-016	4306	MORRISH RD.	RA-1
58-35-576-017	4296	MORRISH RD.	RA-1
58-35-576-018	4272	MORRISH RD.	B-3
58-35-576-019	4278	MORRISH RD.	B-3
58-35-576-020	4150	MORRISH RD.	I-1
58-35-576-021	4264	MORRISH RD.	B-3
58-35-576-023	8118	MILLER RD.	B-2
58-35-576-024	8110	MILLER RD.	B-2
58-35-576-025	8104	MILLER RD.	B-2
58-35-576-026	8098	MILLER RD.	B-2
58-35-576-027	8092	MILLER RD.	B-2
58-35-576-028	8084	MILLER RD.	B-2
58-35-576-029	8060	MILLER RD.	B-2
58-35-576-030	4505	FORTINO DR.	B-2
58-35-576-031	4459	FORTINO DR.	B-2
58-35-576-032	8021	FORTINO DR.	B-2
58-35-576-033	8059	FORTINO DR.	B-2
58-35-576-034	8055	FORTINO DR.	B-2

58-35-576-037	8100	CIVIC DR.	B-2
58-35-576-038	8056	MILLER RD.	B-2
58-35-576-039	8048	MILLER RD.	B-2
58-35-576-040	8040	MILLER RD.	B-2
58-35-576-041	8036	MILLER RD.	B-2
58-35-576-042	8030	MILLER RD.	B-2
58-35-576-043	8024	MILLER RD.	B-2
58-35-576-044	8018	MILLER RD.	B-2
58-35-576-045	8014	MILLER RD.	B-2
58-35-576-046	8012	MILLER RD.	B-2
58-35-576-047	8010	MILLER RD.	B-2
58-35-576-048	8006	MILLER RD.	B-2
58-35-576-049	8002	MILLER RD.	B-2
58-35-576-050	4514	MORRISH RD.	B-2
58-35-576-051	4500	MORRISH RD.	B-2
58-35-576-052	4506	MORRISH RD.	B-2
58-35-576-053	4484	MORRISH RD.	B-2
58-35-576-054	4494	MORRISH RD.	B-2
58-35-576-055	4464	MORRISH RD.	B-2
58-35-576-057	8138	MILLER RD.	B-2
58-35-576-058	8095	CIVIC DR.	B-2
58-35-576-059	8083	CIVIC DR.	B-2
58-36-100-001	4013	MORRISH RD.	RA-1
58-36-300-019	7524	MILLER RD.	B-2
58-36-300-020	7530	MILLER RD.	B-2
58-36-300-021	7538	MILLER RD.	B-2
58-36-300-022	4485	FREDERICK ST.	RM-1
58-36-300-023	4453	MORRISH RD.	B-1
58-36-300-024	4437	MORRISH RD.	B-1
58-36-300-025	4413	MORRISH RD.	RA-1
58-36-300-026	4379	MORRISH RD.	RA-1
58-36-300-027	7534	APPLE CREEK DR.	RA-1
58-36-300-028	4345	MORRISH RD.	B-1
58-36-300-030	4369	ROUNDHOUSE RD.	RM-1
58-36-551-001	4463	MORRISH RD.	B-1
58-36-551-002	4473	MORRISH RD.	B-1
58-36-551-003	4483	MORRISH RD.	B-1
58-36-551-004	7579	MASON ST.	RA-1
58-36-551-005	7565	MASON ST.	RA-1
58-36-551-006	7557	MASON ST.	RA-1
58-36-551-007	7553	MASON ST.	RA-1
58-36-551-008	7550	CHURCH ST.	RA-1
58-36-551-009	7556	CHURCH ST.	RA-1
58-36-551-010	7562	CHURCH ST.	RA-1
58-36-551-011	7572	CHURCH ST.	RA-1
58-36-551-012	7580	CHURCH ST.	RA-1
58-36-551-013	7579	CHURCH ST.	RA-1
58-36-551-014	7571	CHURCH ST.	RA-1
58-36-551-015	7563	CHURCH ST.	RA-1

58-36-551-016	7557	CHURCH ST.	RA-1
58-36-551-017	7551	CHURCH ST.	RA-1
58-36-552-001	4495	MORRISH RD.	B-1
58-36-552-002	4501	MORRISH RD.	B-2
58-36-552-003	4505	MORRISH RD.	B-2
58-36-552-004	7594	MILLER RD.	B-2
58-36-552-005	7582	MILLER RD.	B-2
58-36-552-006	7574	MILLER RD.	B-2
58-36-552-007	7566	MILLER RD.	B-2
58-36-552-008	7562	MILLER RD.	B-2
58-36-552-009	7556	MILLER RD.	B-2
58-36-552-010	7550	MILLER RD.	B-2

**Section 2. Effective Date.**

This Ordinance shall become effective on February 24, 2005

At a regular meeting of the Swartz Creek City Council held on the 24<sup>th</sup> day of January, 2005, \_\_\_\_\_ moved for adoption of the ordinance and \_\_\_\_\_ supported the motion.

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

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

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

The Mayor declared the ordinance adopted.

\_\_\_\_\_  
Richard Abrams  
Mayor

\_\_\_\_\_  
Mary Jo Clark  
City Clerk

**Motion No. 050124-8B**

**ORDINANCE #381, AMENDMENT, PROVIDE FOR PLANNING & DEVELOPMENT FEES TO BE SET BY RESOLUTION OF COUNCIL**

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

**ORDINANCE NO #381**

An ordinance to amend Chapter 13, Article I, Section 13-1 of the Code of Ordinances of the City of Swartz to provide for fees for development and planning to be set by resolution of the City Council.

**Section 1. Amendment of Section 13-1.**

Article I, Section 13-1 of Chapter 13 of the Code of Ordinances of the City of Swartz Creek is hereby amended to provide for fees for development and planning to be set by resolution of the City Council and to read as follows:

ARTICLE I. IN GENERAL

Sec. 13-1. Development plans, contents; fees.

(a) All development plans submitted to the city for review shall be accompanied by a fee in the amount established from time to time by resolution of the City Council.

(b) If a development plan is submitted to the City for review pursuant to this chapter without the fees required by this section accompanying the plan, no further action shall be had upon the plan until the requisite fees are paid.

(c) The fees required by this section are intended as a reimbursement to the City for monies expended by the City for the review of any development plans.

**Section 2. Effective Date.**

This Ordinance shall become effective on February 24, 2005

At a regular meeting of the Swartz Creek City Council held on the 24<sup>th</sup> day of January, 2005, \_\_\_\_\_ moved for adoption of the ordinance and \_\_\_\_\_ supported the motion.

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

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

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

The Mayor declared the ordinance adopted.

\_\_\_\_\_  
Richard Abrams  
Mayor

\_\_\_\_\_  
Mary Jo Clark  
City Clerk

**Motion No. 050124-8C**

**ORDINANCE #382, AMENDMENT, PROVIDE COUNCIL RESOLUTION TO SET FEES FOR CONSTRUCTION & REPAIR, STREETS, SIDEWALKS AND OTHER PUBLIC PLACES**

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

**ORDINANCE NO #382**

An ordinance to amend Chapter 15, Article II, Division 2 of the Code of Ordinances of the City of Swartz Creek to provide for fees for the construction and repair of streets, sidewalks and other public places to be set by resolution of the City Council.

**Section 1. Amendment of Section 15-42.**

Article II, Division 2, Section 15-42 of Chapter 15 of the Code of Ordinances of the City of Swartz Creek is hereby amended to provide for fees for the construction and repair of streets, sidewalks and other public places to be set by resolution of the City Council and to read as follows:

ARTICLE II. SIDEWALKS

DIVISION 2. CONSTRUCTION & REPAIR

Sec. 15-42. Permit for sidewalks.

(a) No sidewalk, crosswalk or driveway shall be laid or repaired by any person other than the City in any street, alley or other public place within the City without a permit from the City Manager. The fee for each such permit shall be established from time to time by resolution of the City Council and shall be for the purpose of defraying the expense of issuance and necessary inspections of the work.

(b) This permit must be returned to the City Manager within thirty (30) days from the date of issue with a statement thereon by the contractor of the number of linear feet of sidewalk, crosswalk or driveway constructed under same.

**Section 2. Effective Date.**

This Ordinance shall become effective on February 24, 2005

At a regular meeting of the Swartz Creek City Council held on the 24<sup>th</sup> day of January, 2005, \_\_\_\_\_ moved for adoption of the ordinance and \_\_\_\_\_ supported the motion.

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

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

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

The Mayor declared the ordinance adopted.

\_\_\_\_\_  
Richard Abrams  
Mayor

\_\_\_\_\_  
Mary Jo Clark  
City Clerk

**Motion No. 050124-8D**

**ORDINANCE #383, AMENDMENT, PROVIDE COUNCIL RESOLUTION TO SET FEES FOR EXCAVATION, STREETS, SIDEWALKS AND OTHER PUBLIC PLACES**

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

**ORDINANCE NO #383**

An ordinance to amend Chapter 15, Article III, Division 2 of the Code of Ordinances of the City of Swartz Creek to provide for fees for the construction and repair of streets, sidewalks and other public places to be set by resolution of the City Council.

**Section 1. Amendment of Section 15-104.**

Article III, Division 2, Section 15-104 of Chapter 15 of the Code of Ordinances of the City of Swartz Creek is hereby amended to provide for fees for the excavation of streets, sidewalks and other public places to be set by resolution of the City Council and to read as follows:

**ARTICLE III. EXCAVATIONS**

**DIVISION 2. PERMIT**

**Sec. 15-104. Granting of Permit.**

(a) The City Manager, upon the filing of the application and bond and the payment of a permit fee in the amount established from time to time by resolution of the City Council may in his discretion issue a permit. This permit shall state the name and address of the applicant, the location, nature, purpose and extent of the excavation or opening, the kind or kinds of pavement or surface to be disturbed and the dates of the granting and expiration of the permit. All permits shall be consecutively numbered and shall be in triplicate, one (1) copy to be given to the applicant, one (1) copy to be delivered to the City Engineer and one (1) copy to remain on file in the office of the City Manager. Such permit shall at all times be in the possession of a competent person actually engaged in the work and shall be shown upon demand to a police officer, other duly authorized officer or employee of the City.

(b) This section shall not apply to a public utility to which an annual permit shall have been issued under the provisions of this division.

(c) The annual fee for a yearly permit issued by this section shall be in the amount established from time to time by resolution of the City Council and shall be payable in advance. Such permits shall expire on July first.

**Section 2. Effective Date.**

This Ordinance shall become effective on February 24, 2005

At a regular meeting of the Swartz Creek City Council held on the 24<sup>th</sup> day of January, 2005, \_\_\_\_\_ moved for adoption of the ordinance and \_\_\_\_\_ supported the motion.

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

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

The Mayor declared the ordinance adopted.

\_\_\_\_\_  
Richard Abrams  
Mayor

\_\_\_\_\_  
Mary Jo Clark  
City Clerk

**Motion No. 050124-8E**

**ORDINANCE #384, AMENDMENT, PROVIDE COUNCIL  
RESOLUTION TO SET FEES FOR SUBDIVISIONS**

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

**ORDINANCE NO #384**

An ordinance to amend Chapter 16 of the Code of Ordinances of the City of Swartz Creek to provide for fees for the review of all plats submitted to the City to be set by resolution of the City Council.

**Section 1. Amendment of Section 16-2.**

Section 16-2 of Chapter 16 of the Code of Ordinances of the City of Swartz Creek is hereby amended to provide for fees for the review of all plats submitted to the City to be set by resolution of the City Council and to read as follows:

Sec. 16-2. Subdivision Plat Fees.

All plats submitted to the city shall not be reviewed or acted upon unless and until the fee therefor, in the amount established by resolution of the city council, is paid at each of the following stages:

- (1) Upon original submission of the preliminary plat for tentative approval;
- (2) Upon submission of the preliminary plat for final approval.
- (3) Upon submission of the final plat for preliminary review by the city clerk prior to its submission to the council for final approval;
- (4) Upon submission of a petition for partitioning or dividing lots, outlots, or other parcels of land in a recorded plat pursuant to section 16-3.

**Section 2. Effective Date.**

This Ordinance shall become effective on February 24, 2005

At a regular meeting of the Swartz Creek City Council held on the 24<sup>th</sup> day of January, 2005, \_\_\_\_\_ moved for adoption of the ordinance and \_\_\_\_\_ supported the motion.

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

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

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

The Mayor declared the ordinance adopted.

\_\_\_\_\_  
Richard Abrams  
Mayor

\_\_\_\_\_  
Mary Jo Clark  
City Clerk

**Motion No. 050124-8F**

**ADOPT QUALIFICATION BASED SELECTION R.F.P.,  
CITY ENGINEERING SERVICES**

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

**I Move** the Swartz Creek City Council approve the R.F.P. for qualification based selection of professional engineering services for the City of Swartz Creek, as follows:

***Notice of Solicitation of Qualifications  
Professional Engineering Services  
City of Swartz Creek Michigan***

**GENERAL STATEMENT**

The **City of Swartz Creek** is accepting sealed statements of qualifications from qualified firms to perform general engineering, surveying and landscape architecture services for the community. The City's selection of a qualified professional engineering firm will be for a period of three (3) years from the date of successful award.

**DESCRIPTION OF THE COMMUNITY**

Swartz Creek (population 5,200) is a rapidly growing municipal corporate suburb of the City of Flint, located in Genesee County. Swartz Creek is a 'home rule' city with a council-manager form of government. The city is about five (5) square miles and is currently experiencing strong housing and commercial growth. The community is a full services government and boasts one of the lowest municipal tax rates in the State of Michigan. The City is currently involved in the planning stages of sewer and water infrastructure improvements, trail-way design and construction, potential park creation, and major and local street improvements.

**SUBMISSION OF PROPOSALS**

All firms desiring to be considered as the city's engineering firm and who are registered to practice in the State of Michigan, are invited to submit proposals in accordance with the terms as set forth within. Each firm submitting a proposal shall make themselves familiar with all conditions as described within. The City of Swartz Creek shall consider all applicants fully informed, unless the City is specifically notified in writing of all factors that would affect their proposal. All proposals shall be submitted in full detail, and all entries legibly made. An authorized corporate officer must sign the proposal. Statements of qualification along with any additional information the firms wish to submit will be accepted until **4:00 p.m., Friday March 4, 2005, at the Swartz Creek City Office, 8083 Civic Drive, Swartz Creek, MI 48473.** At the aforementioned due date, time and location, proposals will be opened and tabulated as to their reception only. Awards shall be made after review as set forth within. Firms applying for consideration shall prepare and submit five (5) copies of their proposals, to:

**OFFICE OF THE CITY MANAGER**  
**PAUL BUECHE, CITY MANAGER**  
**CITY OF SWARTZ CREEK**  
**8083 CIVIC DRIVE**  
**SWARTZ CREEK, MICHIGAN 48473**  
(810)-635-4464

Submission of a proposal will be construed as conclusive presumption that the applicant is thoroughly familiar with the proposal and specifications, and that the applicant understands and agrees to abide by each and all of the stipulations and requirements contained therein.

Proposals can be delivered in person or sent via mail or similar courier, as addressed above. The City will utilize a "two tiered" sealed process, in that all applicants shall submit their proposals sealed along with a separately sealed document entitled "rate structure", which shall contain the applicant firm's hourly rate schedule for each classification. The outside of the entire package shall be clearly marked "**PROFESSIONAL ENGINEERING SERVICES PROPOSAL**"

Proposals will not be accepted after the time designated for the opening of the proposals (*Friday, March 4, 2005 4:00 P.M.*). The applicant shall assume full responsibility for delivery of proposals prior to the appointed hour for opening same, and shall assume the risk of late delivery or non-delivery regardless of the manner the applicant employs for the transmission thereof. The City of Swartz Creek shall accept proposals only during normal business hours, said hours being 8:30 A.M. to 4:30 P.M., Monday through Friday, legal holidays excepted.

**RIGHT TO REJECT**

The City of Swartz Creek reserves the right to reject any or all proposals, or any part of the same, to waive any irregularities or informalities, and to make the award in part or entirety as may appear to the City of Swartz Creek to be in the best interest of the of the City.

**DISQUALIFICATION OF APPLICANT**

Although not intended to be an exhaustive list of causes for disqualification, any one or more of the following events, among others, may be considered sufficient for the disqualification of an applicant and the rejection of the applicant's proposal:

- A. Evidence of collusion among applicants.

- B. Lack of competency, incomplete submittals.
- C. Misrepresentation.
- D. Fraud or fraudulent statements.

**GENERAL SCOPE OF REQUIRED SERVICES**

The City desires to retain a qualified professional engineering firm to provide general services for the following typical projects:

- 1. Design engineering services to include, but not necessarily limited to, projects such as: street construction (local and TEA-21) both new and re-construction; bridges; sidewalks; parks and park facilities, such as restrooms, trails and parking lots; storm water lines, structures and drainage studies; water and sanitary sewer mains, structures and facilities.
- 2. Construction engineering including construction staking and inspection/observation.
- 3. Property surveys and legal description services.
- 4. Review of development site plans to determine appropriate street construction design quality, utility/storm water design, detention capacity, traffic flow, and compliance issues regarding community policy and ordinance requirements.
- 5. Project experience with respect to Genesee County CDBG projects.
- 6. Provide continuing assistance with respect to state and federal grant opportunities; provide general assistance to city administrative and elected officials

**SUBMISSION CRITERIA**

The statement of qualifications shall, at a minimum, include the following information:

- 1. A letter of transmittal containing the following information:
  - A. A brief discussion outlining the firm's understanding of the requested services.
  - B. The name, title, address, telephone and fax number of the person authorized to represent the firm.
- 2. The firm's profile, including:
  - A. Organization, size, Michigan office location(s).
  - B. The office location where work associated with this proposal will be performed, including the number of professional staff by classification.
  - C. Identify the person directly responsible for managing and supervising projects and relationships with City staff and elected officials. Submit resumes of all professionals likely to be assigned to community projects.

- D. Submit a list of municipal clients, including at least five of which are similar in character to the City of Swartz Creek for whom you have performed general engineering services for at least two years. Submit the name and telephone number of the local contact person.
- E. Submit a proposed contract for the services discussed in this proposal.
- F. Submit two (2) examples of work product, for work similar to projects discussed in this proposal.
- G. Submit a “real life example” of an engineering review of a proposed site development.
- H. Submit a communication plan addressing how the firm/project manager will communicate with the City.
- I. Provide an hourly rate schedule by classification.
- J. Provide any other information considered important, not discussed in the RFP, limited to one (1) page, which may help the city better understand the firm.
- K. R.F.P.’s must be sealed. The City will utilize a “two tiered” sealed process, in that all applicants shall submit their proposals sealed along with a separately sealed document entitled “rate structure”, which shall contain the applicant firm’s hourly rate schedule for each classification. The outside of the entire package shall be clearly marked “PROFESSIONAL ENGINEERING SERVICES PROPOSAL”.

**SUBMISSION EVALUATION**

The City will review the proposals independent of rate schedules. After evaluation and ranking of proposals, the sealed rates will be opened and rated accordingly.

The evaluation is based on the following criteria:

Ability to provide the service required, qualifications of personnel assigned, the quality of the communication plan, location of the office that will serve the community, compatibility of submission with respect to the RFQ requirements, reference analysis from other communities, work product submission, past experience of the firm with the community.

The evaluation will be scored using the following relative weights:

<u>Criteria</u>	<u>Number of points</u>
Firm Experience and Qualifications:	20
Project Manager:	15
Staff:	15
References, Quality Assurance:	15
Capacity:	5
Location, Accessibility:	20
Rates:	10

Maximum

100 points

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***The City of Swartz Creek is an Equal Opportunity Employer***

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

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

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

**City of Swartz Creek**  
**COUNCIL MEETING MINUTES**  
**(Regular Meeting of January 10, 2005)**

**CITY OF SWARTZ CREEK**  
**SWARTZ CREEK, MICHIGAN**  
**MINUTES OF THE COUNCIL MEETING**  
**DATE 01/10/05**

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 Officer Clark, Director of Community Services Tom Svrcek, Tom Hundley of City Engineer's Office, and City Attorney Figura.

Others Present: Boots Abrams, Jeff Mulnix, Jill Kirsch, Dick Lindstrom, Daniel Lindstrom, Bud Grimes, Ron Schultz, Jim Florence, and Ivan Loftis.

**APPROVAL OF PREVIOUS COUNCIL MINUTES:**

**Resolution No. 050110-01**

**(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 December 13, 2004, to be circulated and placed on file.

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

NO: None. Motion declared carried.

**Resolution No. 050110-02**

**(Carried)**

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

The Swartz Creek City Council hereby approves the Minutes of the Special Council Meeting held December 28, 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. 050110-03**

**(Carried as amended)**

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

The Swartz Creek City Council approves the Agenda for the Regular Council Meeting of January 10, 2005, as amended by the addition of item 8G, Small Cities Association Reassignment of Alternate and Delegate, then to be circulated and placed on file.

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

**REPORTS AND COMMUNICATIONS:**

**City Manager’s Report**

**Resolution No. 050110-04**

**(Carried)**

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

The Swartz Creek City Council approves the City Manager’s Report of January 10, 2005, 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.

Discussion ensued. All reports and communications were received and placed on file.

**MEETING OPENED TO THE PUBLIC:**

**Proclamation – Donna Lindstrom**

Mayor Abrams, upon the unfortunate death of former Councilmember Donna Lindstrom, who had also served as Mayor for many years, read and presented her family with a Proclamation.

Recess called at 7:12 p.m. Meeting reconvened at 7:15 p.m.

Ivan Loftis, 5030 First Street, advised Council 16 people attended a meeting to express interest in a skate board park, even though it had not been advertised extensively. He asked what Council’s thoughts were and what should be done next. City Manager Bueche advised they should continue to meet and iron out the problems, and noted he would be happy to address the group and give direction.

Jennie Moench, 5030 First Street, advised she had been in contact with Grand Blanc and Clio, and they advised their skate board parks are doing well.

**BUSINESS:**

**Adopt Qualification Based Selection Policy – Engineering Services**

**Resolution No. 040110-05**

**(Carried)**

Motion by Councilmember Adams,  
Second by Councilmember Plumb,

**WHEREAS**, it is the duty of the City of Swartz Creek to provide for the safety of its citizens and, in so doing provide for the safely designed, engineered, and constructed public roads, highways, bridges, drainage systems, and improvements of all kinds to real property; and

**WHEREAS**, it is in the best interest of the city to protect people by demanding and insuring that qualified engineers and land surveyors, also known as design professionals, render services which will assist in making any construction project safer for public use; and

**WHEREAS**, selection based upon the qualifications of the design professional to perform the required services rather than selection merely upon price, even though price may be important, is more likely to produce a better and safer result; and

**WHEREAS**, the City of Swartz Creek desires to comply with federal and state requirements and guidelines with respect to selection of design professionals; and

**WHEREAS**, the city desires to develop a comprehensive policy / process which, when fully executed to the extent of selection of a design professional, shall eliminate, for a period of three (3) years, at the option of the city, the need to engage in additional selection processes on a project by project basis;

**NOW, THEREFORE, BE IT RESOLVED** by the Swartz Creek City Council, the process for qualification based selection of a design professional shall be:

A) The City Manager shall prepare and submit to the City Council for approval a "Request for Proposal" ( R. F. P. ) document that addresses the scope of services, typical projects and such other pertinent information the Manager deems appropriate, for solicitation of proposals from qualified firms.

B) The City Manager, following approval of the R. F. P. by the city council, shall cause to be published in a newspaper of general circulation within the City of Swartz Creek or such other regional newspaper or periodical as deemed necessary, an advertisement for the solicitation of interest and qualifications for municipal engineering and/or land surveying services. Such advertisement is to

facilitate notice of the city's intent to select a design professional pursuant to a qualifications based selection process.

C) Upon receipt of responses, the City Manager shall evaluate the statement of qualifications and performance data submitted by each firm or interested party. The manager may conduct discussions with firms regarding anticipated concepts and the relative utility of alternative methods of approach for furnishing the required services, and shall select, in order of preference, based upon criteria established by him the most highly qualified firm to provide the services required.

D) The City Manager shall negotiate a contract with the highest qualified firm at compensation which the City Manager determines to be fair and reasonable. In making such determination, the Manager shall consider the estimated value of the service(s) to be rendered, the scope, complexity and professional nature thereof.

E) In the event the Manager is unable to negotiate a satisfactory contract with the firm considered to be most qualified, at a price determined to be fair and reasonable, negotiations with the firm shall be formally terminated. The City Manager shall then undertake negotiations with the second most qualified firm and in the event of failure, thence to the third most qualified.

F) Upon satisfactory completion of negotiations the Manager shall submit the proposed contract to the city council for approval.

Discussion took place.

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

NO: None. Motion declared carried.

**Transportation Improvement Program (T.I.P.) Application & Appropriation – Morrish, Seymour and Elms Roads**

**Resolution No. 050110-06**

**(Carried)**

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

The Swartz Creek City Council approves the submittal of an application for funding within the Genesee County Metropolitan Planning Commission's Traffic Improvement Plan, for the repair, milling and resurfacing of:

1. Morrish Road, from I-69 to the north City Limit, at Bristol Road.
2. Morrish Road, from CAN Rail Crossing to the South City Limit.
3. Seymour Road, from Miller Road to Hill Road
4. Elms Road, from I-69 to the north City Limit.

And, further, appropriate an amount not to exceed \$3,000 from Fund 202 Major Streets, to the City's Engineering Firm, ROWE Incorporated, expenses for application preparation and submittal.

Discussion took place.

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

**Application & Appropriation – 2006 Safety Grant, Miller and Fairchild**

**Resolution No. 050110-07**

**(Carried)**

Motion by Councilmember Porath,  
Second by Councilmember Hurt,

The Swartz Creek City Council approves the submittal of an application for funding within the Genesee County Metropolitan Planning Commission's Traffic Improvement Plan, for funding under the 2006 Traffic Safety Grant Program, for the purchase and installation of a traffic control signal, said signal having met the warrants as set forth within the State of Michigan, Department of Transportation's requirements for installation of traffic control devices; and, further, appropriates an amount not to exceed \$1,200 from Fund 202 Major Streets, to the City's Engineering Firm, ROWE Incorporated, expenses for preparation of the application.

Discussion ensued.

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

**Fire Board Replacement Appointment**

**Resolution No. 050110-08**

**(Carried)**

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

The Swartz Creek City Council accepts the Mayor's recommendation to appoint Peter Plum, of 5203 Birchcrest Drive, to serve the balance of the term remaining for the City swing position on the Swartz Creek Area Fire Board, term expiring March 31, 2005

Discussion followed.

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

**Sanitary Sewer Rate Increase**

**Resolution No. 050110-09**

**(Carried)**

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

**WHEREAS**, the fees for sewage disposal charges within the City have heretofore been established by ordinance; and

**WHEREAS**, a comprehensive review of the City's Sanitary Sewer System, inclusive of, but not limited to, revenues, expenditures, maintenance, deterioration, replacement, inflow, infiltration, DEQ / GCDC-WWS requirements and debt retirement has determined that the existing rate structure, adopted by Ordinance #264 on January 8<sup>th</sup>, 1990, is inadequate to meet expenses; and

**WHEREAS**, to provide sanitary sewer service to the residents of the City, the City must increase rates to address issues and concerns as set forth within; and

**WHEREAS**, said fees are currently set forth in section 19-94 of the Code of Ordinances of the City of Swartz Creek; and

**WHEREAS**, this City Council has amended section 19-94 of the Code of Ordinances of the City of Swartz Creek to provide that sewage disposal charges will be established by resolution of the city council; and

**WHEREAS**, said ordinance #379 takes effect on January 10, 2005;

**NOW, THEREFORE, BE IT RESOLVED** that the sewage disposal rates to be charged against each single-family residence, multiple dwelling or combination dwelling, business premises, school, factory and industrial user in the City are those charges set forth in Exhibit A, attached hereto and incorporated herein; and

**BE IT FURTHER RESOLVED** that the charges set forth in Exhibit A shall be in effect as of January 21, 2005 and thereafter, until amended by action of this City Council.

**EXHIBIT "A"**  
**SANITARY SEWER RATES & CALCULATION TABLE**

1. Single Family, Multiple Dwellings, Combination Dwellings, Business Premises

A sewage disposal charge of fifty-seven dollars and seventy-five cents (\$57.75) per quarter shall be made against each single-family residence connected to the system. Multiple dwellings or combination dwellings and business premises shall be charged a sewage disposal charge of fifty-seven dollars and seventy-five cents (\$57.75) per unit per quarter as follows, provided that in no event shall the charge be less than fifty-seven dollars and seventy-five cents (\$57.75):

- (1) Auto dealers-- .40 per 1,000 sq. ft.;
- (2) Barber shops-- .08 per chair;
- (3) Bars-- .06 per seat;
- (4) Beauty shops-- .30 per booth;
- (5) Boarding houses-- .20 per person;
- (6) Boarding schools-- .35 per person;

- (7) Bowling alleys (no bars, lunch facilities)-- .20 per alley;
- (8) Car washes-- 10.00 single production line;
- (9) Churches-- .01 per seat;
- (10) Cleaners (pick up only)-- .06 per employee;
- (11) Cleaners (pressing facilities)-- 1.25 per press;
- (12) Clinics (minimum assignment 1.00 unit per profession)-- .65 per doctor;
- (13) Convalescent homes-- .30 per bed;
- (14) Convents-- .25 per person;
- (15) Country clubs-- .10 per member;
- (16) Drug stores (with fountain service)-- .10 per seat;
- (17) Factories (except as provided for in section 19-96)-- .50 per 1,000 sq. ft.;
- (18) Fraternal organizations (members only)-- 1.25 per hall;
- (19) Fraternal organizations (members and rentals)-- 2.50 per hall;
- (20) Grocery stores and supermarkets-- 1.1 per 1,000 sq. ft.;
- (21) Hospitals-- 1.40 per bed;
- (22) Hotels (private baths, 2 persons per room)-- .25 per bed;
- (23) Laundry (self-service)-- .50 per washer;
- (24) Motels-- .25 per bed;
- (25) Multiple-family residences-- 1.00 per unit;
- (26) Office buildings-- .60 per 1,000 sq. ft.;
- (27) Public institutions other than hospitals-- .40 per employee;
- (28) Restaurants (dinner and/or drinks)-- .16 per seat;
- (29) Rooming houses (no meals)-- .167 per person;
- (30) Service stations-- .30 per pump;
- (31) Snack bars, drive-ins-- .10 per seat and/or stall;
- (32) Store (other than specifically listed)-- .20 per employee;
- (33) Swimming pool-- 3.50 per 1,000 sq. ft.;
- (34) Theatres (drive-in)-- .10 per car space;
- (35) Theatres (inside with air conditioning)-- .0001 times weekly hours of operation times number of seats;
- (36) Tourist courts (individual bath units)-- .27 per cubical;
- (37) Trailer parks (central bath houses)-- .35 per trailer;
- (38) Trailer parks (individual baths)-- 1.00 per unit;
- (39) Trailer parks (individual baths--seasonal only)-- .50 per unit;
- (40) Warehouses-- .10 per 1,000 sq. ft.

For the purposes of determining sanitary sewer rates, per unit sewage disposal calculations resulting in a fraction of a whole number shall be rounded up to the next highest whole number.

**2. Schools, Factories, Industrial Users**

Sewage disposal fees shall be made against schools, factories and industrial users not otherwise provided for in section 19-94 of the City Code of Ordinances, as amended, and shall be as follows:

**Rates for Quarterly Billings**

Water Meter Size (inches)	Cubic Feet	Amount
------------------------------	------------	--------

5/8	1,500 or less	\$ 57.75
1	3,000 or less	57.75
1 ½	7,200 or less	110.16
2	12,000 or less	183.60
3	28,000 or less	428.40
4	50,000 or less	765.00
6	68,500 or less	1,048.05

All sewer[s] used in excess of the amounts above set out for all meters shall be charged at the rate of one dollar and fifty-three (\$1.53) per month each one hundred (100) cubic feet.

Consideration discussion took place.

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

NO: None. Motion declared carried.

**Amendment – Council Operating Policy**

**Resolution No. 050110-10**

**(Carried)**

Motion by Councilmember Plumb,  
Second by Councilmember Hurt,

**WHEREAS**, the Swartz Creek City Council adopts, by resolution, a General Operating Policy and Procedure on a bi-annual basis; and

**WHEREAS**, the Swartz Creek City Council passed such a resolution adopting a General Operating Policy & Procedure on November 8, 2004 (ref Resolution #041108-10); and

**WHEREAS**, the City is obligated to publish certain notices in a publication of general circulation, said publication being named and identified within the Council’s General Operating Policy and Procedures; and

**WHEREAS**, Several states have passed, or are contemplating legislation to allow such notices that are required by law, to be published to a designated web site or other similar type of electronic posting; and

**WHEREAS**, the Swartz Creek City Council endorses the concept of the electronic posting of notices that are required by law, as a means to reduce costs associated with the publishing of lengthy notices; and

**WHEREAS**, Enotices LLC provides such service that allows for the posting and searching of electronic notices and has agreed to provide such service to the City, in the form of searchable web space, for a fee of one dollar (\$1) per calendar year.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Swartz Creek amend the Council General Operating Policy and Procedure, section entitled **“DESIGNATION OF PLACE OF PUBLICATION”** that currently reads:

*“The Swartz Creek City Council designates 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.”*

to read as follows:

*The Swartz Creek City Council designates 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. The Swartz Creek City Council recognizes Enotices.com as its official site for the posting of electronic notices.*

**BE IT FURTHER RESOLVED** that the Council General Operating Policy and Procedures read as follows, in their entirety:

### **DESIGNATION OF PLACE OF PUBLICATION**

The Swartz Creek City Council designates 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. The Swartz Creek City Council recognizes Enotices.com as its official site for the posting of electronic notices.

### **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 three (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 three (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.

## **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 councilmembers' 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

Mayor Pro-Tem Christie advised he would, of course, be abstaining from any vote regarding the amendment as this involves a business interest of his. He introduced his partner Jeff Mulnix and gave a presentation regarding the posting of electronic notices and its effect on the City of Swartz Creek.

Discussion ensued.

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

### **Small Cities Association – Reassignment of Alternate and Delegate**

Mayor Abrams reminded Council the Mayor has served as delegate and Mayor Pro-Tem as alternate; however, he would like this reversed. He stated this would give the Mayor Pro-Tem an opportunity to participate in the operation of the Small Cities Association.

#### **Resolution No. 050110-11**

**(Carried)**

Motion by Councilmember Plumb,  
Second by Councilmember Hurt,

The Swartz Creek City Council designates the Mayor Pro-Tem as Delegate and Mayor as Alternate on the Small Cities Association.

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

Mayor Abrams noted he had been honored to serve as Chairman of the Small Cities Association in 2004, and the Association had presented him with a plaque and made him a life member.

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

Boots Abrams, 5352 Greenleaf Drive, thanked City Manager Bueche for serving as Secretary to the Small Cities Association during Mayor Abrams' tenure as Chairman.

#### **REMARKS BY COUNCILMEMBERS:**

Councilmember Hurt stated Dick Lindstrom advised him the memorial service for Donna would probably be in March. He advised the City website looks good, and he hoped we get a new internet provider.

Councilmember Adams was happy to for new member on the Fire Board. He inquired regarding the second dump truck. City Manager Bueche advised availability and investigation into the second truck was not feasible given time constraints. He also asked about the towers west of Swartz Creek in Gaines Township, and was advised they are radio towers. Councilmember Adams stated he and many others will miss Donna very much, and that Dick Lindstrom needs medical attention is why memorial will be later.

City Attorney Figura asked to speak regarding Donna. He recounted when first being considered for City Attorney; there were four males and three females on Council, and he

happened to be approved four to three. A few years later, Mr. Figura stated, Donna told him she was glad there had been more men than women on Council, which he thought was the nicest thing she could have said to him.

Councilmember Plumb felt the City should move cautiously in regard to a skate park. He thought it was good to test out electronic notices early. Councilmember Plumb said he was honored to represent Donna's constituents, and he would miss her as she had been a big influence in his life.

Councilmember Shumaker advised Swartz Creek resident and past president of the Flint Historical Society, Bob Florine, along with several others, published a book entitled Flint 1890-1960, which is a postcard history series available at Carriage Town Plaza in Flint. Councilmember Shumaker noted they did a fine job, and Mr. Florine is to be commended.

Councilmember Porath said it was nice to see Tom Hundley. He expressed annoyance with the traffic light at GMSPO changing immediately for those coming up to Miller Road. Councilmember Porath asked about the drainage ditch situation at Gateway. City Manager Bueche said he would inquire at the County and let Council know.

Mayor Pro-Tem Christie applauded Mayor Abrams on the great job he did as Chairman of Small Cities this past year, and he appreciated his delegation to the organization. He agreed with Councilmember Hurt that the website is looking good. City Manager Bueche advised Don Korth is waiting for administrative input on text. Mayor Pro-Tem Christie noted Donna Lindstrom had encouraged all the younger members of Council, and she made a big impact on the people around her.

Mayor Abrams said he had enjoyed his term as Chairman of the Small Cities Association. He characterized Donna as someone who could disagree in a meeting then leave it behind afterwards and as always being an advocate for the little old lady.

**ADJOURNMENT:**

Mayor Abrams declared the meeting adjourned at 8:31 p.m.

Richard B. Abrams, Mayor

Mary Jo Clark, Clerk

## SWARTZ CREEK POLICE DEPT

Total Account Hours Summary Report

From: 11/01/2004 to 11/30/2004

Department Account	Description	Regular Hours	Other Hours	Regular Hours YTD	Other Hours YTD
<b>ADMINISTRATIVE</b>					
101 301 702.001	SUPERVISOR	230.500	13.000	2,365.000	159.000
101 301 702.002	CLERICAL	243.000	0.000	2,191.750	20.000
<b>PROTECTION</b>					
101 301 702.003	UNIFORMED	496.750	30.750	5,674.500	298.250
101 301 702.004	NON-UNIFORMED	160.000	28.000	870.750	101.000
101 301 702.005	TRAFFIC ENFORCEMENT	251.000	9.500	2,442.250	163.500
<b>COMPLAINTS</b>					
101 301 702.006	INVESTIGATIONS	211.250	3.000	3,028.750	222.500
101 301 702.007	COURT	9.000	9.000	110.000	83.000
<b>TRAINING</b>					
101 301 702.008	TRAINING	0.000	0.000	233.500	46.500
<b>LEAVE TIME</b>					
101 301 702.010	VACATION	96.000	0.000	728.000	0.000
101 301 702.011	HOLIDAY	128.000	0.000	672.000	0.000
101 301 702.012	PERSONAL LEAVE	21.000	0.000	402.500	0.000
101 301 702.013	FUNERAL LEAVE	32.000	0.000	32.000	0.000
<b>TRACK ADMINISTRATIVE</b>					
101 302 702.001	SUPERVISOR	0.000	0.000	1.500	0.000
<b>TRACK PROTECTION</b>					
101 302 702.003	UNIFORMED	12.500	0.000	127.250	28.000
<b>SCHOOL ADM</b>					
101 303 702.001	SUPERVISOR	0.000	0.000	16.000	11.500
<b>SCHOOL PROTECTION</b>					
101 303 702.003	UNIFORMED	158.000	9.500	1,292.000	114.750
<b>SCHOOL COMPLAINTS</b>					
101 303 702.006	INVESTIGATIONS	0.000	0.000	26.750	7.500

Department Account	Description	Regular Hours	Other Hours	Regular Hours YTD	Other Hours YTD
101 303 702.007	COURT	0.000	0.000	2.000	0.000
SCHOOL TRAINING					
101 303 702.008	TRAINING	0.000	0.000	44.000	4.500
LEAVE TIME					
101 303 702.010	VACATION	2.000	0.000	64.000	0.000
101 303 702.011	HOLIDAY	20.000	0.000	76.000	0.000
101 303 702.012	PERSONAL LEAVE	0.000	0.000	64.000	0.000
CITY OTHER					
101 794 702.000	SPECIAL EVENTS	0.000	0.000	42.750	35.500
	TOTAL ALL HOURS	2,071.000	102.750	20,507.250	1,295.500

# SWARTZ CREEK POLICE DEPT

Total Function Count  
Month Ending: 11/30/2004

Account	Description	MTD Functions	YTD Functions
101 301 001.000	TRAFFIC VIOLATIONS	99	1164
101 301 002.000	PARKING VIOLATIONS	37	214
101 301 003.000	VERBAL WARNINGS	189	1315
101 301 004.000	WRITTEN WARNINGS	12	234
101 301 005.000	FELONY ARRESTS	2	38
101 301 006.000	MISDEMEANOR ARRESTS	44	353
101 301 007.000	CALLS RECEIVED	295	3498
101 301 008.000	TRAFFIC ACCIDENTS	12	125
101 301 009.000	PROPERTY ACCIDENTS	2	35
101 301 010.000	SERVICE REQUESTS	35	680
101 301 011.000	MEETINGS	1	14
101 301 012.000	CONFERENCES	5	18
<b>TOTAL FUNCTIONS</b>		<b>733</b>	<b>7688</b>
101 302 001.000	TRAFFIC VIOLATIONS	0	0
101 302 002.000	PARKING VIOLATIONS	1	4
101 302 003.000	VERBAL WARNINGS	0	0
101 302 004.000	WRITTEN WARNINGS	0	0
101 302 005.000	FELONY ARRESTS	0	0
101 302 006.000	MISDEMEANOR ARRESTS	0	1
101 302 007.000	CALLS RECEIVED	0	14
101 302 008.000	TRAFFIC ACCIDENTS	0	0
101 302 009.000	PROPERTY ACCIDENTS	0	1
101 302 010.000	SERVICE REQUESTS	0	0
101 302 011.000	MEETINGS	0	0
101 302 012.000	CONFERENCES	0	2
<b>TOTAL FUNCTIONS</b>		<b>1</b>	<b>22</b>
101 303 001.000	TRAFFIC VIOLATIONS	0	0
101 303 002.000	PARKING VIOLATIONS	0	2
101 303 003.000	VERBAL WARNINGS	0	0
101 303 004.000	WRITTEN WARNINGS	0	0
101 303 005.000	FELONY ARRESTS	0	0
101 303 006.000	MISDEMEANOR ARRESTS	11	29
101 303 007.000	CALLS RECEIVED	137	944
101 303 008.000	TRAFFIC ACCIDENTS	0	3
101 303 009.000	PROPERTY ACCIDENTS	0	0
101 303 010.000	SERVICE REQUESTS	0	4
101 303 011.000	MEETINGS	9	59
101 303 012.000	CONFERENCES	92	681
<b>TOTAL FUNCTIONS</b>		<b>249</b>	<b>1722</b>
<b>TOTAL ALL FUNCTIONS</b>		<b>983</b>	<b>9432</b>

**Uniform Crime Report**

**Report Criteria:**

Start File Class    End File Class    Print Zero  
0100-0            9900-9            Yes

Class	Description	NOV/2003	NOV/2004	YR TO DATE
0100-0	SOVEREIGNTY	0	0	0
0200-0	MILITARY	0	0	0
0300-0	IMMIGRATION	0	0	0
0900-1	MURDER/NON-NEGLIGENT MANSLAUGHTER	0	0	0
0900-2	NEGLIGENT HOMICIDE/MANSLAUGHTER	0	0	0
0900-3	NEG. HOMICIDE - VEHICLE/BOAT/SNOWM.	0	0	0
0900-4	JUSTIFIABLE HOMICIDE	0	0	0
1000-1	KIDNAPPING/ABDUCTION	0	0	0
1000-2	PARENTAL KIDNAPPING	0	0	0
1100-1	SEXUAL PENETR'N PENIS/VAGINA CSC1	0	0	2
1100-2	SEXUAL PENETR'N PENIS/VAGINA CSC3	0	0	0
1100-3	SEXUAL PENETRATION ORAL/ANAL CSC1	0	0	0
1100-4	SEXUAL PENETRATION ORAL/ANAL CSC3	0	0	0
1100-5	SEXUAL PENETRATION OBJECT CSC1	0	0	0
1100-6	SEXUAL PENETRATION OBJECT CSC3	0	0	0
1100-7	SEXUAL CONTACT FORCIBLE CSC2	0	0	1
1100-8	SEXUAL CONTACT FORCIBLE CSC4	0	0	2
1200-0	ROBBERY	0	0	0
1300-1	NONAGGRAVATED ASSAULT	2	5	59
1300-2	AGGRAVATED/FELONIOUS ASSAULT	1	1	8
1300-3	INTIMIDATION/STALKING	1	1	3
1400-0	ABORTION	0	0	0
2000-0	ARSON	0	0	0
2100-0	EXTORTION	0	0	0
2200-1	BURGLARY - FORCED ENTRY	3	1	25
2200-2	BURGLARY - ENTRY W/OUT FORCE (INTENT	0	1	3
2200-3	BURGLARY - UNLAWFUL ENTRY(NO INTENT	0	0	1
2200-4	POSSESSION OF BURGLARY TOOLS	0	0	0
2300-1	LARCENY - POCKETPICKING	0	0	0
2300-2	LARCENY - PURSE SNATCHING	0	0	1
2300-3	LARCENY - THEFT FROM BUILDING	4	5	29
2300-4	LARCENY - THEFT FROM COIN OPERATED	0	0	1
2300-5	LARCENY - THEFT FROM MOTOR VEHICLE	5	2	30
2300-6	LARCENY - THEFT OF M. VEHICLE PARTS	0	0	5
2300-7	LARCENY - OTHER	11	7	81
2400-1	MOTOR VEHICLE THEFT	1	0	5
2400-2	MOTOR VEHICLE AS STOLEN PROPERTY	0	0	4
2400-3	MOTOR VEHICLE FRAUD	0	0	0
2500-0	FORGERY/COUNTERFEITING	0	1	12
2600-1	FRAUD - FALSE PRETENSE/SWINDLE/CONF	0	0	4
2600-2	FRAUD - CREDIT CARD/ATM	0	0	2
2600-3	FRAUD - IMPERSONATION	1	0	3
2600-4	FRAUD - WELFARE	0	0	0
2600-5	FRAUD - WIRE	0	0	0
2600-6	FRAUD - BAD CHECKS	1	0	7
2700-0	EMBEZZLEMENT	0	0	1
2800-0	STOLEN PROPERTY	0	0	0

**Uniform Crime Report**

**Report Criteria:**

Start File Class    End File Class    Print Zero  
0100-0                9900-9                Yes

Class	Description	NOV/2003	NOV/2004	YR TO DATE
2900-0	DAMAGE TO PROPERTY	3	2	49
3000-1	RETAIL FRAUD - MISREPRESENTATION	0	0	0
3000-2	RETAIL FRAUD - THEFT	1	0	2
3000-3	RETAIL FRAUD - REFUND/EXCHANGE	0	0	0
3500-1	VIOLATION OF CONTROLLED SUBSTANCE	5	6	27
3500-2	NARCOTIC EQUIPMENT VIOLATIONS	0	0	0
3600-1	SEXUAL PENETR'N NONFORCIBLE BLOOD/A	0	0	0
3600-2	SEXUAL PENETR'N NONFORCIBLE OTHER	0	0	0
3600-3	PEEPING TOM	0	0	0
3600-4	SEX OFFENSE - OTHER	0	0	1
3700-0	OBSCENITY	0	0	1
3800-1	FAMILY - ABUSE/NEGLECT NONVIOLENT	0	0	4
3800-2	FAMILY - NONSUPPORT	0	0	0
3800-3	FAMILY - OTHER	0	0	0
3900-1	GAMBLING - BETTING/WAGERING	0	0	0
3900-2	GAMBLING - OPERATING/PROMOTING/ASSI	0	0	0
3900-3	GAMBLING - EQUIPMENT VIOLATIONS	0	0	0
3900-4	GAMBLING - SPORTS TAMPERING	0	0	0
4000-1	COMMERCIALIZED SEX - PROSTITUTION	0	0	0
4000-2	COMMERCIALIZED SEX- ASSISTING/PROMO	0	0	0
4100-1	LIQUOR LICENSE - ESTABLISHMENT	0	0	0
4100-2	LIQUOR VIOLATIONS - OTHER	1	3	35
4200-0	DRUNKENNESS	0	0	0
4800-0	OBSTRUCTING POLICE	1	2	11
4900-0	ESCAPE/FLIGHT	0	0	0
5000-0	OBSTRUCTING JUSTICE	1	5	52
5100-0	BRIBERY	0	0	0
5200-1	WEAPONS OFFENSE - CONCEALED	0	0	2
5200-2	WEAPONS OFFENSE - EXPLOSIVES	0	0	0
5200-3	WEAPONS OFFENSE - OTHER	0	0	1
5300-1	DISORDERLY CONDUCT	1	0	4
5300-2	PUBLIC PEACE - OTHER	1	0	24
5400-1	HIT & RUN MOTOR VEHICLE ACCIDENT	2	0	26
5400-2	OUIL OR OUID	3	4	50
5400-3	DRIVING LAW VIOLATIONS	7	13	78
5500-0	HEALTH AND SAFETY	0	2	8
5600-0	CIVIL RIGHTS	0	0	0
5700-1	TRESPASS	0	0	6
5700-2	INVASION OF PRIVACY - OTHER	0	0	0
5800-0	SMUGGLING	0	0	0
5900-0	ELECTION LAWS	0	0	1
6000-0	ANTITRUST	0	0	0
6100-0	TAX/REVENUE	0	0	0
6200-0	CONSERVATION	0	0	0
6300-0	VAGRANCY	0	0	1
7000-0	JUVENILE RUNAWAY	1	0	2
7300-0	MISCELLANEOUS CRIMINAL OFFENSE	0	0	0

**Uniform Crime Report**

**Report Criteria:**

Start File Class    End File Class    Print Zero  
0100-0                9900-9                Yes

Class	Description	NOV/2003	NOV/2004	YR TO DATE
7500-0	SOLICITATION	0	0	0
7700-0	CONSPIRACY	0	0	0
8900-1	SERVICE OF COMMISSION PAPERS	0	0	0
8900-2	UNAUTHORIZED TRANSPORTATION	0	0	0
8900-3	VIOLATION OF RULES/REGISTRATION	0	0	0
8900-4	WARRANTS	0	0	0
8900-5	MOTOR CARRIER SAFETY RULES	0	0	0
8900-6	INSPECTIONS OF HOMES TO BE MOVED	0	0	0
8900-7	MIGRANT AGRICULTURE WORKERS TRANSP	0	0	0
8900-9	ALL OTHER MOTOR CARRIER VIOLATIONS	0	0	0
9100-1	DELINQUENT MINOR	0	0	2
9100-2	RUNAWAYS	0	0	1
9200-1	DIVORCE AND SUPPORT	0	0	0
9200-2	INCAPACITATION	0	1	2
9200-3	WALK-AWAY - MENTAL INSTITUTIONS ETC	0	0	0
9200-4	ORDER FOR PICKUP AND EXAMINATION	0	0	0
9200-5	CIVIL INFRACTION - ALCOHOL POSSES.	0	0	0
9300-1	PROPERTY DAMAGE ACCIDENT/PI	14	14	121
9300-2	NON-TRAFFIC PDA	5	4	61
9300-3	TRAFFIC VIOLATIONS/CIVIL INFRACTION	0	0	0
9300-4	TOWED VEHICLE	10	2	25
9300-5	TRAFFIC HAZARD/ABANDONED VEHICLE	0	0	0
9300-6	TRAFFIC POLICING	0	0	0
9400-1	FALSE ALARM ACTIVATION	0	0	1
9400-2	VALID ALARM ACTIVATION	0	0	0
9400-3	REST AREA/ROADSIDE PARK VIOLATIONS	0	0	0
9500-1	ACCIDENTAL FIRE	0	0	0
9500-2	ACCIDENTAL EXPLOSION	0	0	0
9500-4	OPEN BURNING	0	0	0
9500-6	FIRE-HAZARDOUS CONDITIONS	0	0	0
9700-0	ACCIDENTAL SHOOTING	0	0	0
9700-5	ACCIDENTAL DEATH-WATER	0	0	0
9700-6	ACCIDENT - ALL OTHER	1	0	0
9800-2	RECOVERED PROPERTY	0	0	0
9800-3	PROPERTY INSPECTION	0	0	0
9800-4	OTHER INSPECTIONS/WEAPONS	6	0	56
9800-5	ALARMS	0	0	0
9800-6	CIVIL	4	1	16
9800-7	SUSPICIOUS SITUATION	1	0	12
9800-8	FOUND PROPERTY	2	3	28
9800-9	OVERDOSE	0	0	0
9900-1	SUICIDE	1	1	5
9900-2	DOA - NATURAL	0	0	3
9900-3	MISSING PERSON	0	0	1
9900-7	SAFEKEEPING	0	0	1
9900-8	DEPARTMENTAL ASSIST	1	2	27
9900-9	GENERAL - NON CRIMINAL	5	4	54
<b>Totals:</b>		<b>107</b>	<b>93</b>	<b>1,090</b>

**SWARTZ CREEK POLICE DEPARTMENT  
MOTOR POOL RENTAL HOURS  
NOVEMBER, 2004**

	<u>101-301-941</u>	<u>101-302-941</u>	<u>101-303-941</u>
#04-405	69	1	31
#03-553	270	3	46
#03-316	280	3	0
#00-984	0	0	0
#00-986	34	1	37
<b>TOTAL</b>	<b>653</b>	<b>8</b>	<b>114</b>

**SWARTZ CREEK POLICE DEPT**

Total Account Hours Summary Report

From: 12/01/2004 to 12/31/2004

<b>Department Account</b>	<b>Description</b>	<b>Regular Hours</b>	<b>Other Hours</b>	<b>Regular Hours YTD</b>	<b>Other Hours YTD</b>
<b>ADMINISTRATIVE</b>					
101 301 702.001	SUPERVISOR	190.000	7.500	2,555.000	166.500
101 301 702.002	CLERICAL	316.500	6.000	2,508.250	26.000
<b>PROTECTION</b>					
101 301 702.003	UNIFORMED	444.000	48.500	6,118.500	346.750
101 301 702.004	NON-UNIFORMED	174.000	8.000	1,044.750	109.000
101 301 702.005	TRAFFIC ENFORCEMENT	315.500	33.500	2,757.750	197.000
<b>COMPLAINTS</b>					
101 301 702.006	INVESTIGATIONS	286.500	26.250	3,315.250	248.750
101 301 702.007	COURT	14.500	4.000	124.500	87.000
<b>TRAINING</b>					
101 301 702.008	TRAINING	8.000	0.000	241.500	46.500
<b>LEAVE TIME</b>					
101 301 702.010	VACATION	281.500	0.000	1,009.500	0.000
101 301 702.011	HOLIDAY	264.000	0.000	936.000	0.000
101 301 702.012	PERSONAL LEAVE	56.500	0.000	459.000	0.000
101 301 702.013	FUNERAL LEAVE	0.000	0.000	32.000	0.000
<b>TRACK ADMINISTRATIVE</b>					
101 302 702.001	SUPERVISOR	0.000	0.000	1.500	0.000
<b>TRACK PROTECTION</b>					
101 302 702.003	UNIFORMED	17.000	0.500	144.250	28.500
101 302 702.004	NON-UNIFORMED	0.500	0.000	0.500	0.000
<b>TRACK COMPLAINTS</b>					
101 302 702.007	COURT	2.000	0.000	2.000	0.000
<b>SCHOOL ADM</b>					
101 303 702.001	SUPERVISOR	0.000	0.000	16.000	11.500
<b>SCHOOL PROTECTION</b>					

Department Account	Description	Regular Hours	Other Hours	Regular Hours YTD	Other Hours YTD
101 303 702.003	UNIFORMED	112.000	2.500	1,404.000	117.250
101 303 702.004	NON-UNIFORMED	8.000	0.000	8.000	0.000
SCHOOL COMPLAINTS					
101 303 702.006	INVESTIGATIONS	0.000	0.000	26.750	7.500
101 303 702.007	COURT	0.000	1.500	2.000	1.500
SCHOOL TRAINING					
101 303 702.008	TRAINING	0.000	0.000	44.000	4.500
LEAVE TIME					
101 303 702.010	VACATION	56.000	0.000	120.000	0.000
101 303 702.011	HOLIDAY	24.000	0.000	100.000	0.000
101 303 702.012	PERSONAL LEAVE	0.000	0.000	64.000	0.000
CITY OTHER					
101 794 702.000	SPECIAL EVENTS	7.750	6.000	50.500	41.500
	TOTAL ALL HOURS	2,578.250	144.250	23,085.500	1,439.750

# SWARTZ CREEK POLICE DEPT

Total Function Count  
Month Ending: 12/31/2004

Account	Description	MTD Functions	YTD Functions
101 301 001.000	TRAFFIC VIOLATIONS	131	1295
101 301 002.000	PARKING VIOLATIONS	18	232
101 301 003.000	VERBAL WARNINGS	268	1583
101 301 004.000	WRITTEN WARNINGS	50	284
101 301 005.000	FELONY ARRESTS	6	44
101 301 006.000	MISDEMEANOR ARRESTS	54	407
101 301 007.000	CALLS RECEIVED	315	3813
101 301 008.000	TRAFFIC ACCIDENTS	17	142
101 301 009.000	PROPERTY ACCIDENTS	1	36
101 301 010.000	SERVICE REQUESTS	21	701
101 301 011.000	MEETINGS	0	14
101 301 012.000	CONFERENCES	0	18
<b>TOTAL FUNCTIONS</b>		<b>881</b>	<b>8569</b>
101 302 001.000	TRAFFIC VIOLATIONS	0	0
101 302 002.000	PARKING VIOLATIONS	0	4
101 302 003.000	VERBAL WARNINGS	0	0
101 302 004.000	WRITTEN WARNINGS	0	0
101 302 005.000	FELONY ARRESTS	0	0
101 302 006.000	MISDEMEANOR ARRESTS	0	1
101 302 007.000	CALLS RECEIVED	3	17
101 302 008.000	TRAFFIC ACCIDENTS	0	0
101 302 009.000	PROPERTY ACCIDENTS	0	1
101 302 010.000	SERVICE REQUESTS	0	0
101 302 011.000	MEETINGS	0	0
101 302 012.000	CONFERENCES	0	2
<b>TOTAL FUNCTIONS</b>		<b>3</b>	<b>25</b>
101 303 001.000	TRAFFIC VIOLATIONS	0	0
101 303 002.000	PARKING VIOLATIONS	0	2
101 303 003.000	VERBAL WARNINGS	0	0
101 303 004.000	WRITTEN WARNINGS	0	0
101 303 005.000	FELONY ARRESTS	0	0
101 303 006.000	MISDEMEANOR ARRESTS	0	29
101 303 007.000	CALLS RECEIVED	88	1032
101 303 008.000	TRAFFIC ACCIDENTS	0	3
101 303 009.000	PROPERTY ACCIDENTS	0	0
101 303 010.000	SERVICE REQUESTS	0	4
101 303 011.000	MEETINGS	3	62
101 303 012.000	CONFERENCES	59	740
<b>TOTAL FUNCTIONS</b>		<b>150</b>	<b>1872</b>
<b>TOTAL ALL FUNCTIONS</b>		<b>1034</b>	<b>10466</b>

**Uniform Crime Report**

**Report Criteria:**

Start File Class    End File Class    Print Zero  
0100-0                    9900-9                    Yes

Class	Description	DEC/2003	DEC/2004	YR TO DATE
0100-0	SOVEREIGNTY	0	0	0
0200-0	MILITARY	0	0	0
0300-0	IMMIGRATION	0	0	0
0900-1	MURDER/NON-NEGLIGENT MANSLAUGHTER	0	0	0
0900-2	NEGLIGENT HOMICIDE/MANSLAUGHTER	0	0	0
0900-3	NEG. HOMICIDE - VEHICLE/BOAT/SNOWM.	0	0	0
0900-4	JUSTIFIABLE HOMICIDE	0	0	0
1000-1	KIDNAPPING/ABDUCTION	0	0	0
1000-2	PARENTAL KIDNAPPING	0	0	0
1100-1	SEXUAL PENETR'N PENIS/VAGINA CSC1	0	0	2
1100-2	SEXUAL PENETR'N PENIS/VAGINA CSC3	0	0	0
1100-3	SEXUAL PENETRATION ORAL/ANAL CSC1	0	0	0
1100-4	SEXUAL PENETRATION ORAL/ANAL CSC3	0	0	0
1100-5	SEXUAL PENETRATION OBJECT CSC1	0	0	0
1100-6	SEXUAL PENETRATION OBJECT CSC3	0	0	0
1100-7	SEXUAL CONTACT FORCIBLE CSC2	0	1	2
1100-8	SEXUAL CONTACT FORCIBLE CSC4	0	0	2
1200-0	ROBBERY	0	0	0
1300-1	NONAGGRAVATED ASSAULT	5	3	62
1300-2	AGGRAVATED/FELONIOUS ASSAULT	0	1	9
1300-3	INTIMIDATION/STALKING	0	1	4
1400-0	ABORTION	0	0	0
2000-0	ARSON	0	0	0
2100-0	EXTORTION	0	0	0
2200-1	BURGLARY - FORCED ENTRY	2	2	27
2200-2	BURGLARY - ENTRY W/OUT FORCE(INTENT	0	0	3
2200-3	BURGLARY - UNLAWFUL ENTRY(NO INTENT	0	0	1
2200-4	POSSESSION OF BURGLARY TOOLS	0	0	0
2300-1	LARCENY - POCKETPICKING	0	0	0
2300-2	LARCENY - PURSE SNATCHING	0	0	1
2300-3	LARCENY - THEFT FROM BUILDING	0	0	29
2300-4	LARCENY - THEFT FROM COIN OPERATED	0	0	1
2300-5	LARCENY - THEFT FROM MOTOR VEHICLE	2	0	30
2300-6	LARCENY - THEFT OF M. VEHICLE PARTS	1	1	6
2300-7	LARCENY - OTHER	6	4	85
2400-1	MOTOR VEHICLE THEFT	0	0	5
2400-2	MOTOR VEHICLE AS STOLEN PROPERTY	0	0	4
2400-3	MOTOR VEHICLE FRAUD	0	0	0
2500-0	FORGERY/COUNTERFEITING	1	0	12
2600-1	FRAUD - FALSE PRETENSE/SWINDLE/CONF	0	0	4
2600-2	FRAUD - CREDIT CARD/ATM	0	0	2
2600-3	FRAUD - IMPERSONATION	0	0	3
2600-4	FRAUD - WELFARE	0	0	0
2600-5	FRAUD - WIRE	0	0	0
2600-6	FRAUD - BAD CHECKS	1	1	8
2700-0	EMBEZZLEMENT	0	0	1
2800-0	STOLEN PROPERTY	0	0	0

**Swartz Creek Police Department  
DDP Police Science System**

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**Uniform Crime Report**

**Report Criteria:**

Start File Class    End File Class    Print Zero  
0100-0            9900-9            Yes

Class	Description	DEC/2003	DEC/2004	YR TO DATE
2900-0	DAMAGE TO PROPERTY	4	3	52
3000-1	RETAIL FRAUD - MISREPRESENTATION	0	0	0
3000-2	RETAIL FRAUD - THEFT	0	0	2
3000-3	RETAIL FRAUD - REFUND/EXCHANGE	0	0	0
3500-1	VIOLATION OF CONTROLLED SUBSTANCE	2	4	31
3500-2	NARCOTIC EQUIPMENT VIOLATIONS	0	0	0
3600-1	SEXUAL PENETR'N NONFORCIBLE BLOOD/A	0	0	0
3600-2	SEXUAL PENETR'N NONFORCIBLE OTHER	0	0	0
3600-3	PEEPING TOM	0	0	0
3600-4	SEX OFFENSE - OTHER	0	0	1
3700-0	OBSCENITY	0	0	1
3800-1	FAMILY - ABUSE/NEGLECT NONVIOLENT	0	0	4
3800-2	FAMILY - NONSUPPORT	0	0	0
3800-3	FAMILY - OTHER	0	0	0
3900-1	GAMBLING - BETTING/WAGERING	0	0	0
3900-2	GAMBLING - OPERATING/PROMOTING/ASSI	0	0	0
3900-3	GAMBLING - EQUIPMENT VIOLATIONS	0	0	0
3900-4	GAMBLING - SPORTS TAMPERING	0	0	0
4000-1	COMMERCIALIZED SEX - PROSTITUTION	0	0	0
4000-2	COMMERCIALIZED SEX- ASSISTING/PROMO	0	0	0
4100-1	LIQUOR LICENSE - ESTABLISHMENT	0	0	0
4100-2	LIQUOR VIOLATIONS - OTHER	5	4	39
4200-0	DRUNKENNESS	0	0	0
4800-0	OBSTRUCTING POLICE	4	3	14
4900-0	ESCAPE/FLIGHT	0	0	0
5000-0	OBSTRUCTING JUSTICE	3	1	53
5100-0	BRIBERY	0	0	0
5200-1	WEAPONS OFFENSE - CONCEALED	0	0	2
5200-2	WEAPONS OFFENSE - EXPLOSIVES	0	0	0
5200-3	WEAPONS OFFENSE - OTHER	1	0	1
5300-1	DISORDERLY CONDUCT	0	0	4
5300-2	PUBLIC PEACE - OTHER	4	2	26
5400-1	HIT & RUN MOTOR VEHICLE ACCIDENT	4	2	28
5400-2	OUIL OR OUID	6	11	61
5400-3	DRIVING LAW VIOLATIONS	14	18	96
5500-0	HEALTH AND SAFETY	0	0	8
5600-0	CIVIL RIGHTS	0	0	0
5700-1	TRESPASS	1	0	6
5700-2	INVASION OF PRIVACY - OTHER	0	0	0
5800-0	SMUGGLING	0	0	0
5900-0	ELECTION LAWS	0	0	1
6000-0	ANTITRUST	0	0	0
6100-0	TAX/REVENUE	0	0	0
6200-0	CONSERVATION	0	0	0
6300-0	VAGRANCY	0	0	1
7000-0	JUVENILE RUNAWAY	0	0	2
7300-0	MISCELLANEOUS CRIMINAL OFFENSE	0	0	0

**Uniform Crime Report**

**Report Criteria:**

Start File Class    End File Class    Print Zero  
0100-0                9900-9                Yes

Class	Description	DEC/2003	DEC/2004	YR TO DATE
7500-0	SOLICITATION	0	0	0
7700-0	CONSPIRACY	0	0	0
8900-1	SERVICE OF COMMISSION PAPERS	0	0	0
8900-2	UNAUTHORIZED TRANSPORTATION	0	0	0
8900-3	VIOLATION OF RULES/REGISTRATION	0	0	0
8900-4	WARRANTS	0	0	0
8900-5	MOTOR CARRIER SAFETY RULES	0	0	0
8900-6	INSPECTIONS OF HOMES TO BE MOVED	0	0	0
8900-7	MIGRANT AGRICULTURE WORKERS TRANSP	0	0	0
8900-9	ALL OTHER MOTOR CARRIER VIOLATIONS	0	0	0
9100-1	DELINQUENT MINOR	0	0	2
9100-2	RUNAWAYS	0	0	1
9200-1	DIVORCE AND SUPPORT	0	0	0
9200-2	INCAPACITATION	0	0	2
9200-3	WALK-AWAY - MENTAL INSTITUTIONS ETC	0	0	0
9200-4	ORDER FOR PICKUP AND EXAMINATION	0	0	0
9200-5	CIVIL INFRACTION - ALCOHOL POSSES.	0	0	0
9300-1	PROPERTY DAMAGE ACCIDENT/PI	14	17	138
9300-2	NON-TRAFFIC PDA	5	1	62
9300-3	TRAFFIC VIOLATIONS/CIVIL INFRACTION	0	0	0
9300-4	TOWED VEHICLE	2	1	26
9300-5	TRAFFIC HAZARD/ABANDONED VEHICLE	0	0	0
9300-6	TRAFFIC POLICING	0	0	0
9400-1	FALSE ALARM ACTIVATION	0	0	1
9400-2	VALID ALARM ACTIVATION	0	0	0
9400-3	REST AREA/ROADSIDE PARK VIOLATIONS	0	0	0
9500-1	ACCIDENTAL FIRE	0	0	0
9500-2	ACCIDENTAL EXPLOSION	0	0	0
9500-4	OPEN BURNING	0	0	0
9500-6	FIRE-HAZARDOUS CONDITIONS	0	0	0
9700-0	ACCIDENTAL SHOOTING	0	0	0
9700-5	ACCIDENTAL DEATH-WATER	0	0	0
9700-6	ACCIDENT - ALL OTHER	0	0	0
9800-2	RECOVERED PROPERTY	0	0	0
9800-3	PROPERTY INSPECTION	0	0	0
9800-4	OTHER INSPECTIONS/WEAPONS	4	1	57
9800-5	ALARMS	0	0	0
9800-6	CIVIL	0	1	17
9800-7	SUSPICIOUS SITUATION	0	1	13
9800-8	FOUND PROPERTY	5	5	33
9800-9	OVERDOSE	0	0	0
9900-1	SUICIDE	2	0	5
9900-2	DOA - NATURAL	0	3	6
9900-3	MISSING PERSON	0	0	1
9900-7	SAFEKEEPING	0	0	1
9900-8	DEPARTMENTAL ASSIST	2	1	28
9900-9	GENERAL - NON CRIMINAL	2	3	57
<b>Totals:</b>		<b>102</b>	<b>96</b>	<b>1,186</b>

**SWARTZ CREEK POLICE DEPARTMENT  
MOTOR POOL RENTAL HOURS  
DECEMBER 2004**

	<u>101-301-941</u>	<u>101-302-941</u>	<u>101-303-941</u>
#04-405	106	2	84
#03-553	273	2	0
#03-316	302	4	4
#00-984	0	0	0
#00-986	0	5	0
#05-345	12	0	0
<b>TOTAL</b>	<b>693</b>	<b>13</b>	<b>88</b>

# **City of Swartz Creek**

## **Department of Police**

8100-A Civic Drive  
Swartz Creek, Michigan 48473  
(810)-635-4401 Fax: (810)-635-3728

### **MEMORANDUM**

To: CHIEF RICK CLOLINGER

From: LT. RICK DESHANO

Date: 20-Jan-05

Re: **OWI TASK FORCE**

Below please find the final figures from the 2004 Holiday "You Drink, You Drive, You Lose" mobilization. The mobilization was conducted from December 20, 2004 through January 10, 2005. The members of the task force did an outstanding job in meeting the goals of the mobilization, which basically were to let the citizens of Swartz Creek and the surrounding areas know that this Department takes it's obligation to protect our citizens from the wanton disregard for safety, exhibited by drunk drivers, very seriously.

Members of this task force and the Labor Day 2004 "Click or Ticket" campaign will be presented with Certificates of Appreciation for their efforts:

Vehicles Stopped:	158
Seat Belt Violations:	5
Susp/Rev/No Ops	19
Speeding	21
Other Moving Vio.	17
Non-Moving Vio.	38
<b>OWI</b>	<b>15</b>
<b>Other Alcohol</b>	<b>5</b>

**Swartz Creek Police Department**  
**DDP Police Science System**

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**Ticket Ledger Report**

**Report Criteria:**

Ticket Type      Officer              Start Date      End Date  
Traffic              All Officers          12/20/2004      01/10/2005

Number	Name	Date	Location	Description	Officer	Fine
T-88 1008		12/20/04	MILLER NEAR 3RD ST	VIOLATION INSTRUCTORS PERMI	Paul, N.	
T-88 1009		12/20/04	I-69 AT MORRISH RD	FAILED TO STOP AT STOP SIGN	Paul, N.	
T-880943		12/21/04	WADE NEAR MORRISH	SUSP/REVOKED/NEVER APPL. SEAT BELT DRIVER/PASSENGER	T. Jackson	
T-88 1010		12/21/04	MILLER NEAR MORRISH	SUSP/REVOKED/NEVER APPL.	Paul, N.	
T-880942		12/21/04	FAIRCHILD NEAR INGALLS	SEAT BELT DRIVER/PASSENGER FAILED TO STOP AT STOP SIGN	T. Jackson	
T-88 1011		12/22/04	MILLER NEAR FORTINO	MINOR IN POSSESSION	Paul, N.	
T-880914		12/22/04	MILLER AT MORRISH	EXPIRED PLATE NO PROOF INSURANCE/POSSESS	McFadden, S.	
T-88 1013		12/22/04	ELMS NEAR MILLER	EXPIRED PLATE 11-18-04	Paul, N.	
T-88 1033		12/22/04	ELMS NEAR YARMY	NO OPS, NO VALID OPS.	Szmansky, K.	
T-88 1034		12/22/04	ELMS NEAR YARMY	EXCEEDED POSTED SPEED LIMIT NO PROOF INSURANCE/POSSESS	Szmansky, K.	
T-880915		12/22/04	ELMS NEAR MILLER	OWI SUSP/REVOKED/NEVER APPL.	McFadden, S.	
T-88 1035		12/22/04	ELMS NEAR YARMY	NO PROOF INSURANCE/POSSESS	Szmansky, K.	
T-880916		12/22/04	MORRISH NEAR APPLE CREEK	EXCEEDED POSTED SPEED LIMIT	McFadden, S.	
T-88 1036		12/22/04	MORRISH AT MILLER	DISREGARDED TRAFFIC SIGNAL/S	Szmansky, K.	
T-880917		12/22/04	MILLER NEAR MORRISH	NO PROOF INSURANCE/POSSESS	McFadden, S.	
T-88 1037		12/22/04	ELMS NEAR YARMY	FAIL TO SIGN REGISTRATION/NO F	Szmansky, K.	
T-880918		12/22/04	MILLER NEAR RAUBINGER	EXCEEDED POSTED SPEED LIMIT	McFadden, S.	
T-88 1014		12/22/04	MILLER NEAR ELMS	EXPIRED PLATE	Paul, N.	
T-88 1038		12/22/04	ELMS NEAR YARMY	VIOLATION RESTRICED LICENSE	Szmansky, K.	
T-880673		12/23/04	MORRISH NEAR MAPLE	UNABLE TO STOP IN ASSURED CL	Bross, R.	
T-880919		12/23/04	MORRISH NEAR MILLER	DISREGARDED TRAFFIC SIGNAL/S	McFadden, S.	
T-88 1015		12/23/04	MILLER NEAR CRAPO	VIOLATION RESTRICED LICENSE	Paul, N.	
T-88 1039		12/23/04	MORRISH AT MILLER	NO PROOF INSURANCE/POSSESS	Szmansky, K.	
T-88 1040		12/23/04	ELMS NEAR YARMY	HEADLIGHTS FAIL TO SIGN REGISTRATION/NO F	Szmansky, K.	
T-88 1041		12/23/04	ELMS NEAR YARMY	SUSP/REVOKED/NEVER APPL. EXCEEDED POSTED SPEED LIMIT	Szmansky, K.	
T-880944		12/23/04	MILLER NEAR ELMS	NO PROOF INSURANCE/POSSESS	T. Jackson	
T-88 1042		12/24/04	MORRISH NEAR I-69	OWI	Szmansky, K.	
T-880945		12/24/04	MILLER NEAR FAIRCHILD	OWI	T. Jackson	
T-880920		12/24/04	MILLER NEAR 3RD	OWI	McFadden, S.	
T-88 1016		12/26/04	MILLER NEAR MORRISH	DISREGARDED TRAFFIC SIGNAL/S	Paul, N.	
T-880946		12/27/04	SEYMOUR NEAR OAKVIEW	SEAT BELT DRIVER/PASSENGER	T. Jackson	
T-880921		12/27/04	MORRISH NEAR MILLER	SUSP/REVOKED/NEVER APPL. DISREGARDED TRAFFIC SIGNAL/S EXPIRED PLATE	McFadden, S.	
T 88 1019		12/28/04	MORRISH NEAR MILLER	SUSP/REVOKED/NEVER APPL. MINOR IN POSSESSION	Paul, N.	
T-880922		12/28/04	MORRISH NEAR MILLER	SUSP/REVOKED/NEVER APPL. MINOR IN POSSESSION	McFadden, S.	
T-88 1021		12/28/04	MILLER NEAR ELMS	SUSP/REVOKED/NEVER APPL.	Paul, N.	
T-88 1018		12/28/04	MILLER NEAR SCHOOL	EXCEEDED POSTED SPEED LIMIT	Paul, N.	

Ticket Charges Subtotal: 47

Fines Subtotal:

**Swartz Creek Police Department  
DDP Police Science System**

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**Ticket Ledger Report**

**Report Criteria:**

Ticket Type	Officer	Start Date	End Date
Traffic	All Officers	12/20/2004	01/10/2005

**Swartz Creek Police Department  
DDP Police Science System**

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**Ticket Ledger Report**

**Report Criteria:**

Ticket Type	Officer	Start Date	End Date
Traffic	All Officers	12/20/2004	01/10/2005

Number	Name	Date	Location	Description	Officer	Fine
T-88 1008		12/20/04	MILLER NEAR 3RD ST	VIOLATION INSTRUCTORS PERMIT	Paul, N.	
T-88 1009		12/20/04	I-69 AT MORRISH RD	FAILED TO STOP AT STOP SIGN	Paul, N.	
T-880943		12/21/04	WADE NEAR MORRISH	SUSP/REVOKED/NEVER APPL.	T. Jackson	
T-88 1010		12/21/04	MILLER NEAR MORRISH	SEAT BELT DRIVER/PASSENGER		
T-880942		12/21/04	FAIRCHILD NEAR INGALLS	SUSP/REVOKED/NEVER APPL.	Paul, N.	
T-88 1011		12/22/04	MILLER NEAR FORTINO	SEAT BELT DRIVER/PASSENGER	T. Jackson	
T-880914		12/22/04	MILLER AT MORRISH	FAILED TO STOP AT STOP SIGN		
T-88 1013		12/22/04	MILLER NEAR FORTINO	MINOR IN POSSESSION	Paul, N.	
T-88 1033		12/22/04	MILLER AT MORRISH	EXPIRED PLATE	McFadden, S.	
T-88 1034		12/22/04	MILLER AT MORRISH	NO PROOF INSURANCE/POSSESS		
T-880915		12/22/04	ELMS NEAR MILLER	EXPIRED PLATE 11-18-04	Paul, N.	
T-88 1035		12/22/04	ELMS NEAR MILLER	NO OPS, NO VALID OPS.	Szmansky, K.	
T-880916		12/22/04	ELMS NEAR YARMY	EXCEEDED POSTED SPEED LIMIT	Szmansky, K.	
T-88 1036		12/22/04	ELMS NEAR YARMY	NO PROOF INSURANCE/POSSESS		
T-880917		12/22/04	ELMS NEAR MILLER	OWI	McFadden, S.	
T-88 1037		12/22/04	ELMS NEAR YARMY	SUSP/REVOKED/NEVER APPL.		
T-880918		12/22/04	ELMS NEAR YARMY	NO PROOF INSURANCE/POSSESS	Szmansky, K.	
T-88 1038		12/22/04	MORRISH NEAR APPLE CREEK	EXCEEDED POSTED SPEED LIMIT	McFadden, S.	
T-880673		12/22/04	MORRISH AT MILLER	DISREGARDED TRAFFIC SIGNAL/S	Szmansky, K.	
T-880919		12/22/04	MILLER NEAR MORRISH	NO PROOF INSURANCE/POSSESS	McFadden, S.	
T-88 1015		12/22/04	ELMS NEAR YARMY	FAIL TO SIGN REGISTRATION/NO F	Szmansky, K.	
T-88 1039		12/22/04	MILLER NEAR RAUBINGER	EXCEEDED POSTED SPEED LIMIT	McFadden, S.	
T-88 1040		12/22/04	MILLER NEAR ELMS	EXPIRED PLATE	Paul, N.	
T-88 1041		12/22/04	ELMS NEAR YARMY	VIOLATION RESTRISTED LICENSE	Szmansky, K.	
T-880944		12/22/04	ELMS NEAR YARMY	UNABLE TO STOP IN ASSURED CL	Bross, R.	
T-88 1042		12/23/04	MORRISH NEAR MAPLE	DISREGARDED TRAFFIC SIGNAL/S	McFadden, S.	
T-880945		12/23/04	MORRISH NEAR MILLER	VIOLATION RESTRISTED LICENSE	Paul, N.	
T-880920		12/23/04	MILLER NEAR CRAPO	NO PROOF INSURANCE/POSSESS	Szmansky, K.	
T-88 1016		12/23/04	MORRISH AT MILLER	HEADLIGHTS	Szmansky, K.	
T-880946		12/23/04	ELMS NEAR YARMY	FAIL TO SIGN REGISTRATION/NO F		
T-88 1043		12/23/04	ELMS NEAR YARMY	SUSP/REVOKED/NEVER APPL.	Szmansky, K.	
T-88 1044		12/23/04	ELMS NEAR YARMY	EXCEEDED POSTED SPEED LIMIT		
T-88 1045		12/23/04	MILLER NEAR ELMS	NO PROOF INSURANCE/POSSESS	T. Jackson	
T-88 1046		12/24/04	MORRISH NEAR I-69	OWI	Szmansky, K.	
T-880947		12/24/04	MILLER NEAR FAIRCHILD	OWI	T. Jackson	
T-880921		12/24/04	MILLER NEAR 3RD	OWI	McFadden, S.	
T-88 1047		12/26/04	MILLER NEAR MORRISH	DISREGARDED TRAFFIC SIGNAL/S	Paul, N.	
T-880948		12/27/04	SEYMOUR NEAR OAKVIEW	SEAT BELT DRIVER/PASSENGER	T. Jackson	

**Swartz Creek Police Department**  
**DDP Police Science System**

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**Ticket Ledger Report**

**Report Criteria:**

Ticket Type	Officer	Start Date	End Date
Traffic	All Officers	12/20/2004	01/10/2005

Number	Name	Date	Location	Description	Officer	Fine
T-880950		01/05/05	ELMS NEAR YARMY	EXCEEDED POSTED SPEED LIMIT	T. Jackson	
T-881078		01/06/05	ELMS NEAR MILLER	NO PROOF INSURANCE/POSSESS	Szmansky, K.	
T-881079		01/06/05	ELMS NEAR YARMY	NO REGISTRATION IN POSSESSIO	Szmansky, K.	
T-881080		01/07/05	MILLER NEAR BRISTOL	NO PROOF INSURANCE/POSSESS	Szmansky, K.	
T-881572		01/07/05	MILLER AT MORRISH	DISREGARDED TRAFFIC SIGNAL/S	Storms, J.	
T-881054		01/07/05	BRISTOL NEAR MORRISH	SUSP/REVOKED/NEVER APPL.	McFadden, S.	
T-881055		01/08/05	MILLER NEAR ELMS	OWI	McFadden, S.	
				EXPIRED PLATE		
T-915351		01/08/05	MILLER NEAR FAIRCHILD	EXPIRED PLATE 12/29/03	T. Jackson	
				SUSP/REVOKED/NEVER APPL.		
T-881056		01/08/05	MILLER NEAR HAYES	EXCEEDED POSTED SPEED LIMIT	McFadden, S.	
T-915377		01/08/05	MILLER NEAR FORD	NO PROOF INSURANCE/POSSESS	Paul, N.	
T-881057		01/09/05	MORRISH AT I-69	EXCEEDED POSTED SPEED LIMIT	McFadden, S.	
T-915378		01/09/05	BRISTOL NEAR ELMS	EXCEEDED POSTED SPEED LIMIT	Paul, N.	
T-915379		01/09/05	MORRISH AT I-69	NO PROOF INSURANCE/POSSESS	Paul, N.	
T-915380		01/09/05	MORRISH AT I-69	IMPEDE TRAFFIC	Paul, N.	
T-915352		01/09/05	ELMS NEAR YARMY	EXCEEDED POSTED SPEED LIMIT	T. Jackson	
T-915353		01/09/05	ROUNDHOUSE NEAR MORRISH	OWI	T. Jackson	
T-915381		01/10/05	INGALLS NEAR MCLAIN	OWI	Paul, N.	
T-880981		01/10/05	MILLER NEAR WINSTON	SEAT BELT DRIVER/PASSENGER	McKay, M.	
T-915382		01/10/05	ELMS NEAR YARMY	IMPEDE TRAFFIC	Paul, N.	
T-915383		01/10/05	ELMS NEAR MILLER	EXCEEDED POSTED SPEED LIMIT	Paul, N.	
T-915384		01/10/05	ELMS NEAR MILLER	IMPROPER PLATE	Paul, N.	
				EXCEEDED POSTED SPEED LIMIT		
T-915385		01/10/05	MORRISH AT I-69	EXCEEDED POSTED SPEED LIMIT	Paul, N.	

Ticket Charges Total: 119

Fines Total:

Ticket Ledger Report

Report Criteria:

Ticket Type	Officer	Start Date	End Date
Appearance	All Officers	12/20/2004	01/10/2005

Number	Name	Date	Location	Description	Officer	Fine
A-881012		12/22/04	MILLER NEAR FORTINO	MINOR IN POSSESSION	Paul, N.	
A-881020		12/22/04	MILLER NEAR SCHOOL	ALLOW UNLICENSED MINOR OR A	Paul, N.	
A-881017		12/27/04	ELMS RD, 4300	MINOR IN POSSESSION	Paul, N.	
A-881025		01/05/05	KROGER STORE /GAS STATION -- M	LARCENY	Paul, N.	

Ticket Charges Total: 4

Fines Total:

DATE: JANUARY 17, 2005  
TIME: 7:00 P.M.  
LOCATION: STATION 2  
SUBJECT: SWARTZ CREEK AREA FIREBOARD AGENDA



- I. CALL TO ORDER
  - A. PLEDGE OF ALLEGIANCE
  - B. ROLL CALL
    - 1. Welcome City Representative Peter Plum, replacement for Donna Lindstrom, whose term expires in March, 2005.
  - C. ADDITIONS/CHANGES/DELETIONS TO AGENDA:
  - D. SPECIAL PRESENTATIONS/ANNOUNCEMENTS:
- II. APPROVAL OF MINUTES
  - A. DECEMBER 20, 2004 MEETING:
- III. CORRESPONDENCE:
  - A. DECEMBER INCIDENT SUMMARY REPORT:
- IV. PROFESSIONAL SERVICE REPORTS:
  - A. DECEMBER FINANCIAL REPORT:
    - 1. Line item transfer letter attached. Both municipalities approved the request.
    - 2. Memo from Kim advising on specific line item transfers done.
  - B. DECEMBER BILLS LIST:
- V. COMMITTEE REPORTS:
  - A. BY-LAWS COMMITTEE - Chairperson Mike Messer, Boots Abrams, Richard Derby, Tim Vesper, Bill Cavanaugh and Brent Cole: **None**
  - B. MIOSHA, FIREFIGHTER RIGHT TO KNOW (RTK) COMMITTEE: (Chairman Tim Vesper, Richard Derby, Mike Messer and Brent Cole) **None**
    - 1. HEALTH AND SAFETY SUBCOMMITTEE: Chairman Vesper  
(Members Chief Cole, Captain Tabit, Lieutenant Plumb, FF Jones & FF VanArsdale)
  - C. CHIEF COMPENSATION COMMITTEE: (Mayor Pro-Tem Jason Christie and Supervisor Rod Shumaker):
- VI. OLD BUSINESS:
  - A. APPARATUS UPDATE from Battalion Chief Jack King-
    - 1. Monthly apparatus status report dated January 12, 2005 attached
  - B. ATTORNEY CAVANAUGH OPINION:
    - 1. Written opinion for potential vote to be provided at meeting time (*postponed from last month*)

C. SURPLUS EQUIPMENT DISPOSAL STATUS:

1. Process in motion. Presentation at the February 21, 2005 meeting expected. One response from the City of Flint received regarding the 4" supply hose.

D. CAPTAIN POSITION INTERVIEW RESULTS: since the interviews are/were scheduled for Saturday, January 15, 2005, the results and the committees recommendation will be announced at the Fireboard meeting.

VII. NEW BUSINESS:

A. NEW MEMBERS FOR PLACEMENT ON PROBATION: none

B. MEMBERS ELIGIBLE TO COME OFF PROBATION: none

C. MEMBERS RESIGNING/TERMINATING: none

D. MEMBERS ELIGIBLE FOR REINSTATEMENT: none

E. PURCHASE OF 7 SETS OF SECURITEX TURNOUT GEAR:

1. Effective February 5, 2005, Securitex will be increasing the cost of their bunker gear. Right now, along with the 4 sets being ordered, because of fitting issues, there is a need for 2 additional sets. 7 sets are budgeted for. As the year progresses, the remain 5 may be used for new recruits or unforeseen "damaged beyond repair" issues as they present themselves.

**Chief Cole requests permission to purchase two (2) sets of Securitex bunker gear from Douglass Safety in the amount of \$2,170.00, plus shipping.**

G.

VIII. GENERAL INFORMATION:

A. MUNICIPAL BILLINGS for December

B. Flint Journal article dated December 27, 2004; Family of volunteer...

C. ISO letter dated December 27, 2004; Booklet available for inspection on request.

D. Swartz Creek News articles dated January 9, 2005

E.

F.

G.

IX. OPEN TO THE PUBLIC:

X. COMMENTS OF FIRE DEPARTMENT PERSONNEL (THROUGH THE CHIEF AND/OR HIS DESIGNATE:

XI. CHAIN OF COMMAND APPEAL TO THE FIREBOARD:

XII. COMMENTS FROM FIREBOARD MEMBERS:

XIII. MEETING ADJOURNMENT:

# REGULAR MEETING

DECEMBER 20, 2004

The regular meeting of the Swartz Creek Area Fire Board was held at Station #1 December 20, 2004. Chairman, Mike Messer, called the meeting to order at 7:01p.m.

## I. CALL TO ORDER:

- A. *Pledge of Allegiance*
- B. *Moment of Silence for Donna Lindstrom*
- C. *Roll Call*

## Board Members Present:

- Chairman, Mike Messer
- Clayton Representative, Rod Shumaker
- Clayton Representative, Richard Derby
- City Representative, Jason Christie
- Secretary/Treasurer, Boots Abrams

## Board Members Absent:

- Vice-chairman, Tim Vesper

## Staff Present:

- Fire Chief, Brent Cole
- Asst. Chief, Eric Merriam
- Acct./Clerical, Kim Borse

## Staff Absent:

- Attorney, Bill Cavanaugh

## Others Present:

- Jack King, Batt. Chief
- Karen Merriam, Firefighter
- Dave Plumb, Lieutenant
- Mike Treiger, Lieutenant
- Chris Treiger, Swartz Creek
- Jeff Jarrad, Firefighter
- Kevin VanArsdale, Firefighter
- Rebekah Derby, Clayton Twp
- Ruth Derby, Clayton Twp
- Richard Brill, Jacksonville, Florida

## D. Additions/Changes/Deletions to Agenda:

- **Resolution 122004-01**  
Motion by Rod Shumaker  
Second by Rick Derby

The SCAFD Board does hereby approve the deletions of VII.F., changes to VII.E. and additions of VI.E. VII.G. to the agenda

YES: None

NO: Abrams, Christie, Derby, Shumaker, Messer

Motion failed

- **Resolution 122004-02**  
Motion by Rod Shumaker  
Second by Jason Christie

The SCAFD Board does hereby approve the additions of VI.E. VII.G. to the agenda

YES: Abrams, Christie, Derby, Shumaker, Messer

NO: None

Motion declared carried

## E. Special Presentation: NONE

## II. APPROVAL OF MINUTES

### A. NOVEMBER 15, 2004 MEETING

- **Resolution 122004-03**  
Motion by Tim Vesper  
Second by Boots Abrams

The SCAFD Board does hereby approve the minutes of the November 20, 2004, as presented.

YES: Abrams, Christie, Derby, Shumaker, Messer

NO: None

Motion declared carried

## III. CORRESPONDENCE:

### A. NOVEMBER INCIDENT SUMMARY REPORT:

• Resolution 122004-04

Motion by Jason Christie  
Second by Boots Abrams

The SCAFD Board does hereby accept the November 2004 Incident Summary as presented

YES: Abrams, Christie, Derby, Shumaker, Messer  
NO: None Motion declared carried

**IV. PROFESSIONAL SERVICE REPORTS:**

**A. NOVEMBER FINANCIAL STATEMENT:**

• Resolution 122004-05

Motion by Jason Christie  
Second by Rod Shumaker

The SCAFD Board does hereby approve the November 2004 financial statement, as presented.

YES: Abrams, Christie, Derby, Shumaker, Messer  
NO: None Motion declared carried

**B. NOVEMBER BILLS LIST:**

• Resolution 122004-06

Motion by Rick Derby  
Second by Jason Christie

The SCAFD Board does hereby accept the November 2004 bills list, as presented.

YES: Abrams, Christie, Derby, Shumaker, Messer  
NO: None Motion declared carried

**V. COMMITTEE REPORTS:**

A. BY-LAWS COMMITTEE MEETING: NONE

B. MIOSHA, RIGHT TO KNOW COMMITTEE: NONE

1. HEALTH & SAFETY SUBCOMMITTEE

C. CHIEF COMPENSATION COMMITTEE: nothing to report.

**VI. OLD BUSINESS**

A. APPARATUS UPDATE report submitted

• Resolution 122004-07

Motion by Boots Abrams  
Second by Tim Vesper

The SCAFD Board does hereby allow Chief Cole to replace any failing air bottles at a maximum cost of \$2,200.00.

YES: Abrams, Christie, Derby, Shumaker, Messer  
NO: None Motion declared carried

B. 2005 BUDGET STATUS: Council approved, Twp approved

C. ATTORNEY OPINION: No action due to absence of Atty Cavanaugh

D. SURPLUS EQUIPMENT DISPOSAL STATUS

E. SURPLUS EQUIPMENT DISPOSAL

• Resolution 122004-07

Motion by Rod Shumaker  
Second by Jason Christie

The SCAFD Board does hereby grant Chief Cole permission to postpone the receipt of bids for equipment deemed surplus until February 16, 2005.

YES: Abrams, Christie, Derby, Shumaker, Messer  
NO: None Motion declared carried

**VII. NEW BUSINESS**

A. NEW MEMBERS TO BE PLACED ON PROBATION: S. Martin

• Resolution 122004-08

Motion by Boots Abrams  
Second by Jason Christie

The SCAFD Board does hereby place Scott Martin on one-year probation with the SCAFD, pending results of his physical.

YES: Abrams, Christie, Derby, Shumaker, Messer  
NO: None Motion declared carried

B. MEMBERS TO COME OFF PROBATION: None

C. MEMBERS RESIGNING/TERMINATING: None

D. MEMBERS ELIGIBLE FOR REINSTATEMENT: None

E. PURCHASE OF TURN OUT GEAR

• Resolution 122004-09

Motion by Rod Shumaker  
Second by Jason Christie

**SWARTZ CREEK AREA FIRE DEPARTMENT BOARD MEETING**

**December 20, 2004**

The SCAFD Board does hereby direct Chief Cole to purchase of 4 sets of turn out gear based on municipality approval. If approval is not granted then 2 sets of gear may be purchased.

YES: Abrams, Christie, Derby, Shumaker, Messer

NO: None Motion declared carried

**F. PURCHASE OF HELMETS, GLOVES, BOOTS, & NOMEX HOODS**

• **Resolution 122004-10**

Motion by Rod Shumaker

Second by Rick Derby

The SCAFD Board does hereby direct Chief Cole to purchase of 5 helmets, 5 hoods, 12 gloves, and 5 pairs of boots based on municipality approval. If approval is not granted then only those within budget parameters will be purchased.

YES: Abrams, Christie, Derby, Shumaker, Messer

NO: None Motion declared carried

**G. CAPTAIN'S POSITION**

• **Resolution 122004-11**

Motion by Rod Shumaker

Second by Rick Derby

The SCAFD Board does hereby direct Chief Cole to post for a Captain's position with the submission deadline of January 12, 2005, interviews on January 15, 2005, and Fireboard presentation on January 17, 2005.

YES: Abrams, Christie, Derby, Shumaker, Messer

NO: None Motion declared carried

**VIII. GENERAL INFORMATION**

**A. MUNICIPAL BILLINGS**

**B. SCAFD SENIORITY LISTING**

**C. SCAFD ORGANIZATION CHART**

**D. LETTER TO TWP SUPERVISOR RE: FENCE AND FALSE ALARMS**

**E. LETTER TO TWP SUPERVISOR RE LEAF/GRASS BURNING WITHING CLAYTON TWP**

**F. SWARTZ CREEK NEWS ARTICLE: 11/04**

**IX. OPEN TO THE PUBLIC:**

**X. COMMENTS OF FIRE DEPARTMENT PERSONNEL, THROUGH THE CHIEF: NONE**

**XI. CHAIN OF COMMAND APPEAL TO THE FIRE BOARD: NONE**

**XII. COMMENTS OF THE FIREBOARD:**

Abrams: Distressed by news of Donna Lindstrom's passing  
Glad to have grandson, Rick Brill, home from the service for the holidays  
Welcome to Scott Martin  
Merry Christmas

Christie: Saddened by news of Donna-a great loss to the community  
Sorry to have missed the parade  
Merry Christmas

Derby: Saddened by news of Donna-should be thankful for time we have here  
Thanks to all for hard work on parade, Rich Tesner makes a good M.C.  
Thanks to all who responded to their stove fire  
Glad to have new member, Scott Martin

Shumaker: Thankful for another year with no fatalities/serious injuries  
Thank you to Dept. regarding his father's passing  
Thank you to Rick Brill for serving his country  
Merry Christmas  
Welcome to Scott Martin  
Congratulations on successful Christmas parade  
Have a safe 2005

Messer: Sad occasion with Donna's passing  
Thanks to the Dept for all they do and know how much you're appreciated  
Echo all sentiments  
Welcome back to Rick Brill  
Thank you to all members of the Dept.  
Thankful for a safe 2004

**XIII. ADJOURNMENT OF MEETING:**

Meeting adjourned at 7:40 p.m.

The next regular meeting will be 01/17/2005 at Station 2 at 7:00 pm

**MIKE MESSER**

**CHAIRPERSON**

**SWARTZ CREEK AREA FIRE BOARD**

**KIM BORSE**

**ACCT/CLERICAL SPECIALIST**

**SWARTZ CREEK AREA FIRE DEPT.**

**SWARTZ CREEK AREA FIRE DEPT, SWARTZ CREEK MICHIGAN 48473**

**Incident Log for 12/01/2004 through 12/31/2004**

Printed: 01/12/2005

INC. NO. - EXP. DATE	DISPATCH STA.	INCIDENT TYPE	NO. RESP.	RESP. MIN.	TOTAL HR:MN:SEC
LOCATION			PROP. LOSS	CONT. LOSS	
INVOLVED NAME		OWNER NAME	OFFICER IN CHARGE		
0000200-000 12/04/2004 00:32	2	311 Assist EMS with lifting	15	8.00 min.	0:35:00
1377 Winfield			\$ 0	\$ 0	
MRS Brenda C Sparks		MRS Brenda C Sparks	MERRIAM, ERIC M - ASSISTANT		
0000201-000 12/08/2004 18:54	1	413 Oil or other combustible liquid spill	23	5.00 min.	0:55:00
6104 Miller RD			\$ 0	\$ 0	
MR Christopher Scott			KING, JACK L - BATT CHIEF		
0000202-000 12/09/2004 08:54	2	651 Odor of smoke; unfounded	12	9.00 min.	0:36:00
9211 Lennon RD			\$ 0	\$ 0	
MR Brenda Pillay		MR Brenda Pillay	COLE, BRENT D - CHIEF		
0000203-000 12/09/2004 20:12	123	611 canceled before response; AMA to	21	7.00 min.	0:10:00
320 Terrace			\$ 0	\$ 0	
0000204-000 12/11/2004 23:44	1	111 Garage fire; AMA received	23	9.00 min.	2:21:00
5154 Oakview DR			\$ 15,000	\$ 5,000	
MS Tracie Hatfield		MS Tracie Hatfield	KING, JACK L - BATT CHIEF		
0000205-000 12/13/2004 06:21	2	442 Cable line down across road	11	9.00 min.	1:04:00
Intersection VanVleet and South of Corunna Rd.			\$ 0	\$ 0	
			COLE, BRENT D - CHIEF		
0000206-000 12/13/2004 19:33	1	531 Odor Investigation; Electrical smell	17	9.00 min.	0:37:00
4498 S VanVleet RD			\$ 0	\$ 0	
MRS Theresa Robitaille			KING, JACK L - BATT CHIEF		
0000207-000 12/15/2004 12:23	2	735 Alarm system malfunction; #4 for 2004	10	8.00 min.	0:22:00
11418 W Bristol RD			\$ 0	\$ 0	
Kemp			COLE, BRENT D - CHIEF		
0000208-000 12/16/2004 10:07	3	445 Oven Fire, AMA rec'd; out before arrival	12	11.00 min.	0:32:00
4491 S Nichols RD			\$ 0	\$ 0	
MR Karen McDonald		MR Karen McDonald	TABIT, STEPHEN D - CAPTAIN		
0000209-000 12/20/2004 08:24	2	138 Combine fire in barn; out before arrival	11	13.00 min.	0:36:00
12257 Beecher RD			\$ 500	\$ 0	
MS Janet Koan		MS Janet Koan	COLE, BRENT D - CHIEF		
0000210-000 12/20/2004 15:22	2	522 Water or steam leak; check electrical	11	13.00 min.	0:38:00
2454 Plainview DR			\$ 0	\$ 0	
Naji Aboulhousn		Naji Aboulhousn	COLE, BRENT D - CHIEF		
0000211-000 12/21/2004 23:35	1	531 Smoke or odor removal/ food burning on	19	7.00 min.	0:45:00
8216 Burkshire CIR			\$ 0	\$ 0	
MR Tommy Meeks			TABIT, STEPHEN D - CAPTAIN		

Incident Log for 12/01/2004 through 12/31/2004

INC. NO. - EXP. DATE LOCATION INVOLVED NAME	DISPATCH STA.	INCIDENT TYPE	NO. RESP. PROP. LOSS	RESP. MIN. CONT. LOSS	TOTAL HR:MN:SEC	OWNER NAME	OFFICER IN CHARGE
0000212-000 12/24/2004 18:37 Intersection Bristol and east of Seymour Rd.	1 444	Power line down; unfounded	\$ 0	13 6.00 min. \$ 0	0:34:00		KING, JACK L - BATT CHIEF
0000213-000 12/27/2004 01:58 507 Genesee ST	123 111	Building fire; AMA to GTFD	\$ 0	21 30.00 min. \$ 0	1:32:00		
0000214-000 12/28/2004 19:05 In front of 3531 S Seymour RD	1 445	Arcing, shorted electrical equipment	\$ 0	22 10.00 min. \$ 0	0:34:00		TABIT, STEPHEN D - CAPTAIN
0000215-000 12/30/2004 20:04 Adjacent to 3531 S Seymour RD	1 440	Electrical wiring/equipment problem,	\$ 0	13 3.00 min. \$ 0	0:31:00		KING, JACK L - BATT CHIEF

INCIDENTS BY SHIFT INCLUDING EXPOSURES

	NO. RESP.	TOTAL HR:MIN	PROP. LOSS	CONT. LOSS	0	1	2	3	4
Totals:	254	12:22:00	\$ 15500	\$ 5000	0	5	8	3	0


The total number of incidents, including exposure fires is 16.

The number of exposure fires is 0.

**SWARTZ CREEK AREA FIRE DEPARTMENT**  
**Income/Expense Report**  
**For the Twelve Months Ending December 31, 2004**

	Description	Current Mth	Y-T-D	Budget	Remain.Budget	% Budget
<b>Revenues</b>						
3582	OPERATING CONTRIBU	8,850.54	217,166.71	217,240.00	73.29	(1.00)
3583	EQUIPMENT CONTRIBU	0.00	53,100.00	53,100.00	0.00	(1.00)
3628	MISC. INCOME (SUNDR	2.00	3.13	0.00	(3.13)	0.00
3664	INVESTMENT INCOME	56.80	557.97	500.00	(57.97)	(1.12)
3673	SALE OF FIXED ASSETS	75.00	1,697.50	0.00	(1,697.50)	0.00
	<b>Total Revenues</b>	<b>8,984.34</b>	<b>272,525.31</b>	<b>270,840.00</b>	<b>(1,685.31)</b>	<b>(1.01)</b>
<b>Expenses</b>						
4703	SOCIAL SECURITY	1,283.92	9,293.06	9,547.53	254.47	0.97
4704	STAFF SALARIES	4,256.65	37,822.02	37,822.02	0.00	1.00
4705	MAIN/TRAIN-SALARIES	1,605.39	10,773.00	10,773.00	0.00	1.00
4706	OFFICER SALARIES	1,670.00	10,020.00	10,020.00	0.00	1.00
4707	FIREFIGHTERS SALARY	9,251.11	64,318.98	65,000.00	681.02	0.99
4708	DEFERRED COMPENSA	578.75	2,901.75	2,901.75	0.00	1.00
4709	MEDICAL-FIREFIGHTER	0.00	4,663.00	4,850.00	187.00	0.96
4727	OFFICE SUPPLIES	248.14	1,635.78	2,610.00	974.22	0.63
4728	BUILDING SUPPLIES	83.16	282.70	900.00	617.30	0.31
4740	OPERATING SUPPLIES	45.27	156.15	200.00	43.85	0.78
4741	EQUIPMENT SUPPLIES	550.99	5,252.47	6,552.47	1,300.00	0.80
4801	CONTRACT SERVICES	1,572.00	5,208.84	6,900.00	1,691.16	0.75
4820	80th Anniversary	0.00	0.00	0.00	0.00	0.00
4850	COMMUNICATIONS	493.00	3,426.38	3,443.14	16.76	1.00
4910	INSURANCE	0.00	25,160.71	25,200.00	39.29	1.00
4920	UTILITIES	998.57	9,781.15	9,800.00	18.85	1.00
4930	BUILDING MAINTENAN	0.00	0.00	0.00	0.00	0.00
4960	EDUCATION & TRAININ	3,334.59	7,138.37	8,057.00	918.63	0.89
4970	OFFICE EQUIPMENT	0.00	179.13	300.00	120.87	0.60
4976	FIRE EQUIPMENT	4,941.23	19,413.36	23,100.00	3,686.64	0.84
4978	FIRE EQUIP.-MAINT/REP	11,473.77	22,129.21	22,130.00	0.79	1.00
4979	FIRE EQUIPMENT-UPGR	316.00	13,094.00	18,990.00	5,896.00	0.69
4981	APPARATUS	0.00	0.00	0.00	0.00	0.00
4982	Loose Equip. New Apparat	0.00	0.00	0.00	0.00	0.00
4983	Misc. Upgrades	0.00	0.00	0.00	0.00	0.00
4984	COMPUTER EQUIPMENT	768.98	955.33	955.33	0.00	1.00
4988	COMPUTER SOFTWARE/	0.00	787.76	787.76	0.00	1.00
4999	RESERVE	0.00	0.00	0.00	0.00	0.00
	<b>Total Expenses</b>	<b>43,471.52</b>	<b>254,393.15</b>	<b>270,840.00</b>	<b>16,446.85</b>	<b>0.94</b>
	<b>Net Income/&lt;Loss&gt;</b>	<b>(34,487.18)</b>	<b>18,132.16</b>	<b>0.00</b>		
3400	FUND BALANCE-Beginni	0.00	1,090.15	0.00		
	<b>Fund Balance-End of Year</b>	<b>(34,487.18)</b>	<b>19,222.31</b>	<b>0.00</b>		

December 22, 2004

To: City of Swartz Creek  
Clayton Township  
From: Kim Borse, Acct/Clerical Specialist   
Re: Line Item Transfers

By the Swartz Creek Area Fire Board resolution #122004-09, the Fire Department would like to transfer \$7,500.00 from account 4920 Insurance to account 4976 Fire Equipment, in order to purchase turnout gear, helmets, hoods, gloves, and boots needed for the new hires and replacement gear.

Municipality approval is needed for this transfer as it is outside the 10% staff is allowed to transfer without municipality approval. The Fire Department respectfully requests the municipalities add this item to their special meeting agendas and notify the Fire Department of the outcome, as it needs to be resolved before December 31, 2004.

Thank you for your consideration in this matter.

*Kim TO Dep @ BOT 12/22/04 69*

January 12, 2005

To: Swartz Creek Area Fire Board  
From: Kim Borse, Accounting/Clerical Specialist  
Re: 2004 budget transfers

①

The following budget transfers were made within the confines of the 10% allowed staff by the fire agreement.

AMOUNT	FROM ACCOUNT	TO ACCOUNT
\$506.94	4703	4741
\$3,577.98	4704	4978
\$194.89	4705	4708
\$152.11	4705	4978
\$187.00	4709	4920
\$150.00	4709	4708
\$290.00	4727	4978
\$60.00	4728	4920
\$690.00	4801	4920
\$56.86	4850	4708
\$7,500.00	4910	4976
\$149.91	4960	4978
\$355.33	4960	4984
\$137.76	4960	4988
\$2,110.00	4979	4978
\$1,000.00	4999	4978

**SWARTZ CREEK AREA FIRE DEPARTMENT  
BILLS PAID LIST**

					31-Dec-04
DATE:	CHECKS	PAYEE:	AMT	ACCT	TRANSACTION DESCRIPTION
12/8/2004	13238	AIR SOURCE ONE	\$460.00	4978	HYDRO STATIC TESTING
12/8/2004	13239	BANK ONE	\$2,578.84	22021	11/04 SOC. SEC
12/8/2004	13240	CLAYTON TWP	\$16.75	4920	SEWER-STA 2
12/8/2004	13241	SCAFA	\$429.00	22024	ASSOC. DUES
			\$195.90	22025	ASSOC. PAGERS
12/8/2004	13242	FRONT LINE	\$9,025.00	4978	FENDERS/PUMP 41-23
12/8/2004	13243	GEN. CO. FIRE CHIEFS	\$3,525.00	4960	CLASSES/DUES
12/8/2004	13244	GILL ROYS	\$1.79	4728	VACUUM BAGS
12/8/2004	13245	ICMA	\$461.13	22023	DF COMP EE PORTION
		(INTERNL CITY/COUNTY MGT ASSOC.)	\$308.00	4708	DF COMP ER PORTION
12/8/2004	13246	LOWES	\$14.97	4728	LIGHT BULBS-BLDG
12/8/2004	13247	TRUDY ONORE	\$45.00	4801	CLEAN STA 2
12/8/2004	13248	DORA ONORE	\$60.00	4801	CLEAN STA 1
12/8/2004	13249	PAYROLL	\$6,438.90	1002	PAYROLL
12/8/2004	13250	PORATH STUDIO	\$75.00	4801	PERSONNEL PHOTOS
12/8/2004	13251	SCOTT TIRES	\$208.50	4978	TIRES 41-12
12/8/2004	13252	STATE OF MICHIGAN	\$347.25	22021	11/04 STATE TAX
12/8/2004	13253	SUBURBAN AUTO	\$177.58	4741	BATTERIES 41-26/MISC SUPPLIES
12/8/2004	13254	VALLEY PETROLEUM	\$138.04	4741	FUEL
12/8/2004	13255	VERIZON	\$236.50	4850	PHONE STA 1 & 2
12/8/2004	13256	BANK ONE	\$45.27	4740	DISPOSABLE CAMERA/FILM
			\$2.84	4728	RODCIDE
12/8/2004	13257	JACK KING	\$6.64	4741	MISC EQUIP SUPPLIES
12/8/2004	13258	SCAFA	\$52.80	4741	MISC EQUIP SUPPLIES
			\$2.83	4960	DEVELOPING
			\$37.73	4976	CREEPER
12/22/2004	13259	AIR SOURCE ONE	\$856.00	4978	M/A AIR QUALITY
12/22/2004	13260	CINGULAR	\$24.58	4850	CELL PHONE
12/22/2004	13261	CITY OF SWARTZ CREEK	\$492.87	4920	GAS/ELEC STA 1
12/22/2004	13262	CONSUMERS ENERGY	\$472.20	4920	GAS/ELEC STA 2
12/22/2004	13263	DOUGLASS SAFETY	\$122.00	4979	ADAPTOR UPGRADES
			\$11.56	4727	SHIPPING
12/22/2004	13264	ICMA	\$63.57	22023	DF COMP EE PORTION
12/22/2004	13265	LASERS	\$40.00	4960	FLOWERS-C. SHUMAKER
12/22/2004	13266	NAT'L VOL. FIRE COUNCIL	\$50.00	4960	DUES
12/22/2004	13267	PAYROLL	\$962.43	1002	PAYROLL
12/22/2004	13268	SCAFA	\$26.76	4960	PHOTO DEVELOPING
			\$63.56	4728	BUILDING SUPPLIES

**SWARTZ CREEK AREA FIRE DEPARTMENT  
BILLS PAID LIST**

12/22/2004	13269	VALLEY PETROLEUM	\$175.93	4741	FUEL
12/22/2004	13270	BILL CAVANAUGH	\$1,392.00	4801	ATTY FEES
12/22/2004	13271	SBC PAGER	\$2.98	4850	CHIEFS PAGER
12/31/2004	13272	CLAYTON TWP	\$16.75	4920	SEWER-STA 2
12/31/2004	13273	DOUGLASS SAFETY	\$194.00	4979	5' X 25' HOSE
			\$18.59	4727	SHIPPING
12/31/2004	13274	EKOS	\$499.00	4984	COMPUTER TOWER
12/31/2004	13276	LASERS	\$40.00	4960	FLOWERS-D. LINDSTROM
12/31/2004	13277	MI STATE FIREMAN'S ASSOC	\$75.00	4960	DUES
12/31/2004	13278	OFFICEMAX	\$127.99	4727	PRINTER DRUM
			\$269.98	4984	2 MONITORS
12/31/2004	13279	SHIA CO FF ASOC	\$125.00	4960	DUES
12/31/2004	13280	VERIZON	\$228.94	4850	PHONE STA 1 & 2
12/31/2004	13281	WEST SHORE	\$924.27	4978	M/A AMKUS TOOLS
12/31/2004	13282	DOUGLASS SAFETY	\$4,949.00	4976	TURN OUT GEAR
			\$90.00	4727	SHIPPING
12/31/2004	13283	BANK ONE	\$2,414.93	22021	12/04 SOC. SEC
12/31/2004	13284	STATE OF MICHIGAN	\$331.49	22022	12/04 STATE TAX
			(\$2,578.84)	22021	11/04 SOC. SEC
			(\$347.25)	22022	11/04 STATE TAX
			(\$45.50)	4976	REIMB FOR SHIELD-PLUMB
			\$481.06	4703	ACCRUE 12/04 PAYROLL
			\$1,338.19	4704	ACCRUE 12/04 PAYROLL
			\$240.00	47051	ACCRUE 12/04 PAYROLL
			\$140.00	47052	ACCRUE 12/04 PAYROLL
			\$248.32	47055	ACCRUE 12/04 PAYROLL
			\$130.00	47056	ACCRUE 12/04 PAYROLL
			\$835.00	4706	ACCRUE 12/04 PAYROLL
			\$3,357.15	4707	ACCRUE 12/04 PAYROLL
			\$270.75	4708	ACCRUE 12/04 DF COMP
			(\$550.00)	4960	REIMB FFA-SIMPSON
		TOTAL	\$43,471.52		

VOID CHECKS: 13275 DATED FOR 01/01/2005

AS OF: January 12, 2005  
 TO: Swartz Creek Area Fireboard  
 RECORDED BY: Fire Chief Brent Cole  
 SUBJECT: Current Apparatus Readiness Status

Unit	Type	Assignment	Status
11	98 Pumper	Station 1	In service.
12	91 Pumper	Station 1	In service.
16	91 Squad	Station 1	In service.
17	79 Grass Rig	Station 1	<b>Out of service.</b> <b>Jan. 10:</b> Taken to Precision to have master brake cylinder leak repaired. Later advised that master brake cylinder needs to be replaced for a cost of \$580.00. Repair notification made with Chairman Messer.
21	99 Pumper	Station 2	In service.
23	92 Tanker	Station 2	In service. <b>Jan. 3:</b> Scott Tire at station 2 to repair leaking inside dual tire. Unable to remove because of rusted lug nuts that broke off. Appointment set for next day. <b>Jan. 4:</b> Taken to Scott Tire to have inside dual removed. 3 studs replaced and tire stem replaced. Time at Scott Tire, 3 hours.
26	93 Squad	Station 2	In service.
27	79 Grass Rig	Station 2	In service.

E:\cole\Fireboard\Monthly Apparatus status .WPD

# Douglass Safety Systems, LLC

David W. Dorr

4018 Estey Road ~ Rhodes, MI. 48652  
Phone 800.316.3255 ~ Fax 989.879.7405  
"We want to earn your business"

Attention: Chief Brent Cole / Steve Tabit  
Swartz Creek Area Fire Dept.  
Swartz Creek, MI. 48473

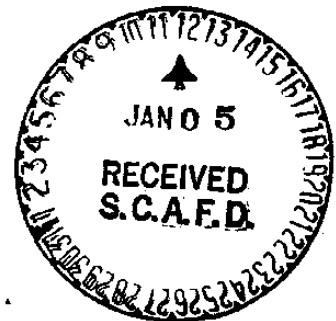
December 6, 2004

RE: Turn-Out Gear, Various PPE – Quote

Qty.	Description	Each	Total
4	<u>Securitex "SMS" Ultra Turn-Out Coat**</u> > Per Swartz Creek Spec.	627.00	2508.00
4	<u>Securitex Bunker Pant**</u> > Per Swartz Creek Spec.	458.00	1832.00
5	Paul Conway Legacy 5 Helmet > Modern/Metro Style Helmet	145.00	725.00
5	Lifeline Nomex Hoods	25.00	125.00
12	Shelby Firefighter Glove #5221	35.00	420.00
5	Thorogood Firefighter Boot	82.00	410.00

\*\* Pricing for above turn-out gear valid until February 5, 2005

2 ADDITIONAL SETS  
COATS = 1254.<sup>00</sup>  
PANTS = 916.<sup>00</sup>  
2170.<sup>00</sup>



\*\* Pricing valid for 30 days  
\*\* Prices quoted are FOB ship point unless otherwise noted

SMART CREEK AREA FIRE DEPARTMENT  
 8100 E CIVIC DRIVE  
 SMART CREEK, MI 48473

**Invoice**  
 Invoice Number: 2005-01  
 Invoice Date: Jan 5, 2005  
 Page: 1

Voice: 810/635-2300  
 Fax: 810/635-7481

Sold To:  
 CITY OF SMART CREEK  
 8083 CIVIC DRIVE  
 SMART CREEK, MI 48473

Customer ID	Customer PO	Payment Terms
		Due at end of Month
Sales Rep ID	Shipping Method	Ship Date
		12/31/05

Quantity	Item	Description	Unit Price	Extension
174.00	12382	FIRE SERVICE 12/2004	18.74	1,359.26

1359.26

Subtotal 1,359.26  
 Sales Tax  
 Total Invoice Amount 1,359.26  
 Payment/Credit Applied  
**TOTAL 1,359.26**

Check/Credit Memo No:

SMART CREEK AREA FIRE DEPARTMENT  
 8100 E CIVIC DRIVE  
 SMART CREEK, MI 48473

**Invoice**  
 Invoice Number: 2005-0  
 Invoice Date: Jan 5, 2005  
 Page: 1

Voice: 810/635-2300  
 Fax: 810/635-7481

Sold To:  
 CLAYTON TOMPKINS  
 7011 HOWLAND ROAD  
 SMART CREEK, MI 48473

Customer ID	Customer PO	Payment Terms
		Due at end of Month
Sales Rep ID	Shipping Method	Ship Date
		12/31/05

Quantity	Item	Description	Unit Price	Extension
167.00	12382	FIRE SERVICE 12/2004	10.9	1,896.0

1996.09  
 (394.55)  
 1601.54  
 over payment of November runs.

Subtotal 1,896.0  
 Sales Tax  
 Total Invoice Amount 1,896.0  
 Payment/Credit Applied  
**TOTAL 1,896.0**  
 Over payment of invoice 3004-038 (394.55)  
 Total Due 1601.5

Check/Credit Memo No:

# Family of volunteer firefighters shares special bond

By Lauren A. Samberger

When my dad was growing up, he watched his father, who was a volunteer firefighter in the small town of Shiloh, York, Pa., for most of his life, go on every call.

My grandfather — Pap, as he was called by many — loved helping others. And being a volunteer firefighter was just one of the ways he fulfilled these needs.

I guess things like that just get in your blood, or maybe it was Pap's love for it that spread it through the generations. But my dad and now my brother have gone on to be volunteer firefighters. And while there are so many stories of heroism and danger and life-threatening situations, the stories that come to my mind often are the good ones.

The one thing you have to know about Pap is that he always had to be the first one

## Chicken Soup

### For The Soul

to the firehouse when there was a call. This was because he reasoned: "The first one there got to drive the truck."

My dad was in the first grade when he first laid eyes on his one true love: a pretty little girl in his class who happened to live right around the corner. By the time they were in fifth grade, it was a mutual attraction; by high school, they were dating.

Now, since Pap and my dad were volunteers in town, it would make sense for them to go on calls together, but they didn't. They would take two cars each time because Pap took the quickest, most direct route to the firehouse. My dad, however, would take a little detour. He always had to circle around the block to drive past a certain someone's house. That pretty little

girl from the first grade also heard the fire sirens, and not to be outdone, she was always standing by the front window when a certain fireman was taking that little detour.

But then it happened one night. At the sound of the siren alerting them of a call, Pap, in his adrenaline-pumping, tunnel-vision, one-track, full-speed-ahead frame of mind, dashed out of the house. And seeing my dad's car already running in the driveway, he jumped into the passenger seat and yelled, "Go!" And so they did. And it wasn't until they got out of the car that Pap realized my dad hadn't been alone. In fact, he had just sat right on that now-grown-up, pretty little girl from the first grade.

But then, in their senior year of high school, my dad and the pretty little girl from the first grade broke up. They had a big fight and didn't

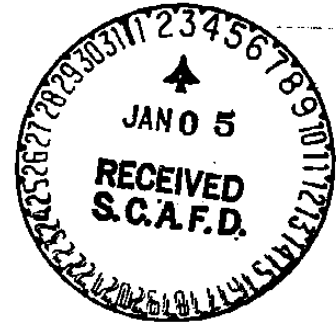
speak to each other for almost two full years. Finally, one night he called her, asked her out, and shortly after that he asked that pretty little girl to marry him. They spent the next 29 years happily married.

A few years ago, Pap passed away. At his funeral, all his firefighter buddies were there, along with the new, younger generation of Shiloh volunteers who had come to pay their respects. I laughed through my tears when one of his old buddies said in regards to Pap passing away first: "Of course Jack had to get to heaven first. He probably thought he'd get to drive."

Last year my dad's pretty little girl passed away at the young age of 50. It's been hard for him without his one true love, but he knows she is standing by the front window in heaven, watching him go by and waiting for that final call that will bring him home.



545 WASHINGTON BOULEVARD JERSEY CITY, NJ 07310-1886  
TEL: (201) 469-2495 E-MAIL: pmclaughlin@iso.com



PATRICK McLAUGHLIN  
SENIOR VICE PRESIDENT  
RISK DECISION SERVICES

December 27, 2004

I'm pleased to send you a copy of a new booklet, *Effective Fire Protection: A National Concern*, published by ISO.

The booklet examines the extent to which residential and commercial growth threatens the effectiveness of public fire protection in the United States. You'll find firsthand observations from fire officials around the country and comments from several insurance industry executives whose companies rely on the ISO Public Protection Classification (PPC™) program for information about municipal fire-suppression capabilities.

Here are some highlights from the booklet:

- Much of the United States has marginal or inadequate fire protection, placing people and property at risk.
- Even in well-protected areas, growth often threatens the ability of fire departments to keep up with the demand for service.
- Fire departments are under constant pressure to expand or improve their service, and they face many obstacles in doing that job.
- Many fire departments rely on ISO's PPC program to help them plan for, budget, or justify improvements or changes in their fire protection.

Sponsored and funded by the insurance industry, the PPC program provides information about the quality of fire protection in communities around the country. The program also gives communities a real economic incentive to invest in their fire services. That reduces property losses and helps save lives. Few partnerships between industry and communities have proven so beneficial to both.

We hope you'll find the booklet useful, and we hope you'll continue to share with us information about important fire-service changes in your community.

For more information about ISO and the PPC program, please visit us at [www.iso.com](http://www.iso.com). You can also go directly to our special public-protection website, ISO Mitigation Online, at [www.isomitigation.com](http://www.isomitigation.com), or call us at 1-800-444-4554, and select option 2.

Sincerely,

  
Patrick McLaughlin

# The Swartz Creek News

Sunday, January 9, 2005, edition

## SWARTZ CREEK

### Firefighters getting new gear

Some new firefighting gear is on the way to the Swartz Creek Area Fire Department, due to recent growth in membership.

Thirteen new recruits were added during 2004 for a total of 40 active personnel, said fire Chief Brent Cole.

"Since we've had so many new recruits, we don't have enough gear that properly fits them all," said Cole, who requested four sets of new bunker gear plus several new helmets, gloves, boots and other items.

Officials from Swartz Creek and Clayton Township recently approved the fire board's request to shift some of the department's regular operating budget to cover the purchase.

## SWARTZ CREEK

### Parade winners applauded

Plaques were awarded to seven winning entries in the annual Christmas parade sponsored by the Swartz Creek Area Fire Department.

In the walking category, Swartz Creek varsity pom squad took first place honors; second, Swartz Creek Marching Band; and third, Cub Scout Pack 161.

In the motorized category, first, Cub Scout Pack 122; second, Swartz Creek Tree Farm; and third, Swartz Creek United Methodist Church.

Venice Township firefighters earned the award for best decorated fire truck.

Winners in the annual Christmas coloring contest were: Kaitlyn Larrera, kindergarten and first grade category; Carley Homes, second and third grades; and Kaycee Cypher, fourth and fifth grades. Each won a \$25 gift certificate to Toys R Us.

Photographs of the parade and the winning entrants are available for viewing online at the fire department's Web site: [www.scafd.com](http://www.scafd.com).

— Compiled by staff writer  
Elizabeth Shaw

**Adopt Qualification Based Selection Policy – Engineering Services**

**Resolution No. 040110-05**

**(Carried)**

Motion by Councilmember Adams,  
Second by Councilmember Plumb,

**WHEREAS**, it is the duty of the City of Swartz Creek to provide for the safety of its citizens and, in so doing provide for the safely designed, engineered, and constructed public roads, highways, bridges, drainage systems, and improvements of all kinds to real property; and

**WHEREAS**, it is in the best interest of the city to protect people by demanding and insuring that qualified engineers and land surveyors, also known as design professionals, render services which will assist in making any construction project safer for public use; and

**WHEREAS**, selection based upon the qualifications of the design professional to perform the required services rather than selection merely upon price, even though price may be important, is more likely to produce a better and safer result; and

**WHEREAS**, the City of Swartz Creek desires to comply with federal and state requirements and guidelines with respect to selection of design professionals; and

**WHEREAS**, the city desires to develop a comprehensive policy / process which, when fully executed to the extent of selection of a design professional, shall eliminate, for a period of three (3) years, at the option of the city, the need to engage in additional selection processes on a project by project basis;

**NOW, THEREFORE, BE IT RESOLVED** by the Swartz Creek City Council, the process for qualification based selection of a design professional shall be:

A) The City Manager shall prepare and submit to the City Council for approval a "Request for Proposal" ( R. F. P. ) document that addresses the scope of services, typical projects and such other pertinent information the Manager deems appropriate, for solicitation of proposals from qualified firms.

B) The City Manager, following approval of the R. F. P. by the city council, shall cause to be published in a newspaper of general circulation within the City of Swartz Creek or such other regional newspaper or periodical as deemed necessary, an advertisement for the solicitation of interest and qualifications for municipal engineering and/or land surveying services. Such advertisement is to facilitate notice of the city's intent to select a design professional pursuant to a qualifications based selection process.

C) Upon receipt of responses, the City Manager shall evaluate the statement of qualifications and performance data submitted by each firm or interested party. The manager may conduct discussions with firms regarding anticipated concepts and the relative utility of alternative methods of approach for furnishing the required services, and shall select, in order of preference, based upon criteria established by him the most highly qualified firm to provide the services required.

D) The City Manager shall negotiate a contract with the highest qualified firm at compensation which the City Manager determines to be fair and reasonable. In making such determination, the Manager shall consider the estimated value of the service(s) to be rendered, the scope, complexity and professional nature thereof.

E) In the event the Manager is unable to negotiate a satisfactory contract with the firm considered to be most qualified, at a price determined to be fair and reasonable, negotiations with the firm shall be formally terminated. The City Manager shall then undertake negotiations with the second most qualified firm and in the event of failure, thence to the third most qualified.

F) Upon satisfactory completion of negotiations the Manager shall submit the proposed contract to the city council for approval.

Discussion took place.

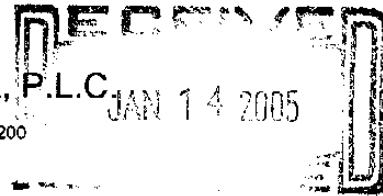
YES: Abrams, Christie, Hurt, Plumb, Porath, Shumaker.

NO: None. Motion declared carried.

LAW OFFICES  
OF  
**SIMEN, FIGURA & PARKER, P.L.C.**

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KARI E. BURBA

*of counsel:*

ALLAN L. PARKER  
ROBERT H. BANCROFT, P.C.  
JOHN R. MOYNIHAN  
THOMAS P. McKENNEY

## **NEW LAW - CONTRACT ZONING**

**TO: All Municipal Clients of Simen, Figura & Parker**

**DATE: January 13, 2005**

**RE: Contract Zoning**

---

On December 30, 2004, Governor Granholm signed a series of bills that authorize cities, villages, townships and counties to enter into agreements with landowners for the use and development of land as a condition for rezoning the land; i.e., contract zoning. Under these bills, which became effective on January 4, 2005, an owner of land "may voluntarily offer in writing," and the local governmental unit "may approve, certain use and development of the land as a condition to a rezoning of the land or an amendment to a zoning map."

The bills provide that the local governmental unit may establish a time period during which the conditions apply to the land and may require that, if the conditions are not satisfied within the time specified, the land shall revert to its former zoning classification.

The bills also provide that the time period may be extended upon the application of the landowner and the approval of the local governmental unit.

Once established, the local governmental unit may not add to or alter the conditions unless doing so as part of an extension of the time period for compliance.

It is important to note that the local governmental unit may not "require a landowner to offer conditions as a requirement for rezoning." This provision protects the landowner's existing right to have a property rezoned if all of the conditions established for such rezoning in the zoning ordinance have been met.

If you have any questions regarding these bills and their implementation in your community, please contact us.

**JOYCE THOMPSON  
5075 BRADY STREET, APT. 601  
SWARTZ CREEK, MICHIGAN 48473  
(810) 635-2110**



January 10, 2005

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

Dear Paul:

It is with great regret that I must submit my resignation from the Swartz Creek Zoning Board of Appeals effective as of this date.

As of the first of February 2005 I will no longer be a resident of the City of Swartz Creek. Due to my current health conditions, I will be moving to Mt. Morris to live with my daughter and her family.

I have been proud to be a citizen of the City of Swartz Creek and to serve on the many Boards and Commissions as well as serving as a City Councilmember. I have great memories of the City and wish all of you well in all of your endeavors.

I have many friends in the Swartz Creek area and will keep in touch with all of you. You will be in my thoughts and prayers.

Until we meet again,

Your Friend,

Joyce Thompson