

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE COUNCIL MEETING
DATE 11/09/2009**

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.

Councilmembers Present: Abrams, Hicks, Hurt, Krueger, Porath, Shumaker.

Councilmembers Absent: Binder.

Staff Present: City Manager Paul Bueche, City Clerk Juanita Aguilar, Finance Officer Mary Jo Clark, Assistant City Manager Adam Zettel.

Others Present: Boots Abrams, Tommy Butler, Sharon Klein, Shirley Oliver.

Resolution No. 091109-01

(Carried)

Motion by Mayor Pro-Tem Porath
Second by Councilmember Krueger

I Move the Swartz Creek City Council excuse the absence of Councilmember Binder due to a trip to Washington DC sponsored by the Veterans.

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

APPROVAL OF MINUTES

Resolution No. 091109-02

(Carried)

Motion by Mayor Pro-Tem Porath
Second by Councilmember Hurt

I Move the Swartz Creek City Council hereby approve the Minutes, as corrected, for the Regular Council Meeting, held October 26, 2009, to be circulated and placed on file.

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

APPROVAL OF AGENDA

Resolution No. 091109-03

(Carried)

Motion by Councilmember Krueger
Second by Councilmember Hurt

I Move the Swartz Creek City Council approve the Agenda, as amended, for the Regular Council Meeting of November 9, 2009 to be circulated and placed on file.

YES: Hurt, Krueger, Porath, Shumaker, Abrams, Hicks.
NO: None. Motion declared carried.

REPORTS AND COMMUNICATIONS:

City Manager's Report

Resolution No. 091109-04

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Hurt

I Move the Swartz Creek City Council approve the City Manager's Report of November 09, 2009, to be circulated and placed on file.

YES: Krueger, Porath, Shumaker, Abrams, Hicks, Hurt.
NO: None. Motion declared carried.

All other reports and communications were accepted and placed on file.

MEETING OPENED TO THE PUBLIC:

None.

COUNCIL BUSINESS:

2008-2009 Fiscal Year Audit

Resolution No. 091109-05

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Hurt

I Move the City of Swartz Creek accept the 2008-2009 Fiscal Audit Report prepared by Plante-Moran, a copy of which is attached hereto, and further, direct such to be published, distributed, circulated and placed on file in a manner prescribed by law.

Discussion Took Place.

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

DDA Budget Amendment

Resolution No. 091109-07

(Carried)

Motion by Councilmember Hurt
Second by Councilmember Hicks

I Move the City of Swartz Creek approve DDA budget amendments, dated November 5, 2009, as follows:

Budget Worksheet Revenues: DDA

| Fund 248 - Tax Increment Finance Authority Fund | | Original Budget | Amended Budget | Actual thru Oct | Est Year End Total | Requested |
|---|-------------------------|------------------|------------------|------------------|--------------------|------------------|
| Revenues | | | | | | |
| Dept: 000.000 General | | | | | | |
| 402.000 | Current Tax Revenue | 49,065.00 | 49,065.00 | 17,070.00 | 48,644.00 | 49,065.00 |
| 664.000 | Interest Income | 500.00 | 500.00 | 17.00 | 500.00 | 500.00 |
| | General | 49,565.00 | 49,565.00 | 17,087.00 | 49,144.00 | 49,565.00 |
| Dept: 173.000 Administration | | | | | | |
| 248-173.000-677.000 | Reimbursements | 0.00 | 0.00 | 21.00 | 0.00 | 21.00 |
| Dept: 728.001 Farmers Market | | | | | | |
| | Administration | 0.00 | 0.00 | 21.00 | 0.00 | 21.00 |
| Dept: 728.001: Farmers Market | | | | | | |
| 550.000 | Project Fresh | 1,500.00 | 1,500.00 | 308.00 | 1,500.00 | 1,500.00 |
| 248-728.001-642.001 | Sale of Market Bags | 0.00 | 0.00 | 150.00 | 150.00 | 150.00 |
| 665.000 | Land/Bldg Rental Income | 2,000.00 | 2,000.00 | 507.00 | 2,000.00 | 2,000.00 |
| | Farmers Market | 3,500.00 | 3,500.00 | 965.00 | 3,650.00 | 3,650.00 |
| Total Revenue | | 53,065.00 | 53,065.00 | 18,073.00 | 52,794.00 | 53,236.00 |

Budget Worksheet Expenses: DDA

| Fund 248 - Tax Increment Finance Authority Fund | | Original Budget | Amended Budget | Actual thru Oct | Est Year End Total | Requested |
|---|-------------------------|-----------------|----------------|-----------------|--------------------|-----------|
| Expenditures | | | | | | |
| Dept: 173.000 Administrative Services | | | | | | |
| 726.000 | Supplies | 250.00 | 250.00 | 0.00 | 100.00 | 250.00 |
| 801.000 | Contracted Services | 500.00 | 500.00 | 0.00 | 500.00 | 500.00 |
| 805.000 | Bank Fees | 250.00 | 250.00 | 0.00 | 200.00 | 250.00 |
| 825.000 | Admin Services | 5,000.00 | 5,000.00 | 5,000.00 | 5,000.00 | 5,000.00 |
| 900.000 | Printing & Publishing | 250.00 | 250.00 | 0.00 | 500.00 | 250.00 |
| 960.000 | Education & Training | 250.00 | 250.00 | 0.00 | 200.00 | 250.00 |
| 961.000 | Miscellaneous | 250.00 | 250.00 | 0.00 | 0.00 | 250.00 |
| | Administrative Services | 6,750.00 | 6,750.00 | 5,000.00 | 6,500.00 | 6,750.00 |
| Dept: 728.000 Economic Development | | | | | | |
| 801.000 | Contracted Services | 500.00 | 500.00 | 0.00 | 0.00 | 400.00 |

| | | | | | | |
|----------------------------------|-----------------------------|-------------------|--------------------|--------------------|--------------------|--------------------|
| 961.000 | Miscellaneous | 500.00 | 500.00 | 0.00 | 0.00 | 100.00 |
| | Site Improvements | 1,000.00 | 1,000.00 | 0.00 | 0.00 | 500.00 |
| Dept: 728.001 Farmers Market | | | | | | |
| 726.000 | Supplies | 3,000.00 | 3,000.00 | 13.00 | 3,000.00 | 2,000.00 |
| 801.000 | Contracted Services | 6,500.00 | 6,500.00 | 3,186.00 | 6,500.00 | 6,500.00 |
| 900.000 | Printing & Publishing | 2,000.00 | 2,000.00 | 339.00 | 2,000.00 | 1,000.00 |
| 967.000 | Project Fresh | 1,500.00 | 1,500.00 | 914.00 | 1,500.00 | 1,500.00 |
| | Farmers Market | 13,000.00 | 13,000.00 | 4,452.00 | 13,000.00 | 11,000.00 |
| Dept: 728.004 Family Movie Night | | | | | | |
| 726.000 | Supplies | 2,000.00 | 2,000.00 | 1,251.00 | 1,800.00 | 1,800.00 |
| 801.000 | Contracted Services | 2,500.00 | 2,500.00 | 255.00 | 2,000.00 | 1,500.00 |
| 900.000 | Printing & Publishing | 1,000.00 | 1,000.00 | 72.00 | 500.00 | 500.00 |
| | Transfers Out | 5,500.00 | 5,500.00 | 1,578.00 | 4,300.00 | 3,800.00 |
| Dept: 728.002 Streetscape | | | | | | |
| 726.000 | Supplies | 3,000.00 | 3,000.00 | 0.00 | 3,000.00 | 5,000.00 |
| 801.000 | Contracted Services | 500.00 | 500.00 | 1,651.00 | 4,700.00 | 4,700.00 |
| | Family Movie Night | 3,500.00 | 3,500.00 | 1,651.00 | 7,700.00 | 9,700.00 |
| Dept: 728.003 Façade Program | | | | | | |
| 801.000 | Contracted Services | 20,000.00 | 20,000.00 | 4,748.00 | 20,000.00 | 45,000.00 |
| | Façade Program | 20,000.00 | 20,000.00 | 4,748.00 | 20,000.00 | 45,000.00 |
| Dept: 965.000 Transfers Out | | | | | | |
| 998.101 | Transfer Out to Gen Fd | 5,000.00 | 5,000.00 | 55,000.00 | 55,000.00 | 55,000.00 |
| | Transfers Out | 5,000.00 | 55,000.00 | 55,000.00 | 55,000.00 | 55,000.00 |
| | Total Expenditures | 54,750.00 | 104,750.00 | 72,429.00 | 106,500.00 | 131,750.00 |
| | Revenues over(under) | | | | | |
| | Expenditures | (1,685.00) | (51,685.00) | (54,356.00) | (53,706.00) | (78,514.00) |

Discussion Took Place.

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

Master Plan, Adopt Circulation Draft

Resolution No. 091109-08

(Carried)

Motion by Mayor Pro-Tem Porath
Second by Councilmember Hurt

I Move the City of Swartz Creek Council authorize the Secretary of the Planning Commission to distribute the City of Swartz Creek 2009 Draft Master Plan in accordance with the Michigan Planning Enabling Act; copies to be distributed to the Genesee County Metropolitan Planning Commission, Charter Township of Flint, Charter Township of Mundy, Charter Township of Clayton, Gaines Township, C.N. Railroad, Consumers Energy, Comcast Cablevision, the Genesee County Drain Commissioner's Office, Genesee County Road Commission, Bishop International Airport, Michigan Department of Transportation (Davison TSC), Swartz Creek Schools and Verizon Communications. Copies are to be digitally distributed unless otherwise directed by the receiving agency.

Discussion Ensued.

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

Street Usage Permit, Annual Fire Department Christmas Parade

Resolution No. 091109-09 (Carried)

Motion by Councilmember Krueger
Second by Councilmember Hurt

I Move the City of Swartz Creek accept the Chief of Police’s recommendation and approve the Swartz Creek Area Fire Department’s Street Usage Application to hold an annual Christmas Parade on Saturday, December 5, 2009 from 6:00 PM to 7:00 PM, route, stipulations and conditions as set forth in the application packet, a copy of which is attached hereto, under the direction and control of the office of the Chief of Police

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

Set Public Needs & Use Hearing, CDBG Allocation

Resolution No. 091109-10 (Carried)

Motion by Councilmember Shumaker
Second by Councilmember Hurt

I Move the City of Swartz Creek hold a public hearing for the three year Community Development Block Grant Distribution schedule, to be in the total amount of \$31,431, for the purpose of gathering public input on eligible projects; meeting to be held on Monday, November 23, 2009, at or shortly after 7:00 pm in the City Council Chambers, 8083 Civic Dr., Swartz Creek, MI, 48473, and further, direct staff to publish the appropriate public notices.

Discussion Ensued.

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

City Property, Morrish Road

City Manager Bueche spoke about the City owned property on Morrish Road. Mr. Bueche stated that the City’s Building Inspector, Rob Kehoe, is interested in buying the water heater before the house is demolished. City Council decided that if items would be sold from the house, that they would be made available to the public.

MEETING OPENED TO THE PUBLIC

Tommy Butler, 40 Somerset, questioned whether a warranty came with the road work on Morrish Road. Mr. Butler stated that he believes that there are already cracks in the road. Mr. Butler questioned whether anyone has looked at getting grants to cover some expenses for the City. Mr. Butler referred to GPS locators being installed in the police vehicles to help dispatchers send the closest emergency vehicle.

REMARKS BY COUNCILMEMBERS:

Councilmember Krueger responded to Mr. Butler's stating that the census workers that recently came through the City were probably getting GPS information for just that purpose.

Councilmember Shumaker spoke about getting bid sheets in the Council Packets. Mr. Shumaker stated that he believes that the Council only needs the total bid, not all of the specifications for each bid. Mr. Shumaker questioned whether there was a requirement for the City Council Minutes to be published in a local publication. City Manager Bueche stated that there was not.

Councilmember Hicks questioned who came up with the names for the neighborhoods in the Master Plan for the City. City Manager Bueche stated that Assistant City Manager Zettel came up with most of them. Ms. Hicks stated that she liked the Master Plan very much. Ms. Hicks questioned whether the City asked residents before planting a new tree in the right of way in front of the houses. She was advised that there was not time to ask the residents, they just planted the trees.

Councilmember Hurt congratulated Mr. Zettel for the appearance of the Master Plan. Mr. Hurt commented on the contents of the Council Packets. Mr. Hurt stated that he looks at the overall summary most of all, but he appreciates having all of the information so that he has the option of looking deeper into matters if he chooses to.

Mayor Pro-Tem Porath questioned the recent developments with the recall at Clayton Township. Mr. Porath asked if all of our documents with Clayton Township had been signed before the recall. Mr. Bueche stated that the documents were all taken care of to the best of his knowledge.

Councilmember Shumaker stated that Mayor Abrams will be speaking Wednesday, November 11, 2009 at the Veteran's Memorial.

Mayor Abrams reminded everyone about the Veteran's program on Veteran's Day to be held at 11:00am. Mr. Abrams shared information about the City of Swartz Creek being mentioned in the 2009 Silver award along with other communities for promoting active communities, including the non-motorized trail system. The awards will be held in Lansing on December 9, 2009-Mayor Pro-Tem Porath will attend. Mr. Abrams requested information on leaf pickup and residents placing leaves in the street. Mr. Abrams asked about a newsletter to give information to residents. Mr. Abrams had favorable comments

about the new trees that were planted, however he questioned whether too much mulch was placed around trees.

ADJOURNMENT:

There being no objection, Mayor Abrams declared the meeting adjourned at 8:42 p.m.

Richard Abrams, Mayor

Juanita Aguilar, City Clerk