

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE COUNCIL MEETING
DATE 01/09/2012**

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, Binder, Hicks, Hurt, Krueger, Porath, Shumaker.

Councilmembers Absent: None.

Staff Present: City Manager Paul Bueche, City Clerk Juanita Aguilar, Police Chief Rick Clolinger, DPS Director Tom Svrcek, Officer Nick Paul and K-9 Officer Ike.

Others Present: Rose Keen, Joan Elmore, Mary Anne McCarthy, Rosemary Robinson, Tommy Butler, Bob Plumb, Orrin Shawl, Ron Schultz, Jim Florence, Steve Shumaker, Lou Fleury, Boots Abrams, Brent Cole, Kal Nemer, Joni Ward.

APPROVAL OF MINUTES

Resolution No. 120109-01

(Carried)

Motion by Councilmember Porath
Second by Councilmember Hurt

I Move the Swartz Creek City Council hereby approve the Minutes of the Regular Council Meeting, held December 12, 2011, to be circulated and placed on file.

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

APPROVAL OF AGENDA

Resolution No. 120109-02

(Carried)

Motion by Mayor Pro-Tem Krueger
Second by Councilmember Hurt

I Move the Swartz Creek City Council approve the Agenda, as printed, for the Regular Council Meeting of January 9, 2012, to be circulated and placed on file.

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

REPORTS AND COMMUNICATIONS:

City Manager's Report

Resolution No. 120109-03

(Carried)

Motion by Councilmember Shumaker
Second by Mayor Pro-Tem Krueger

I Move the Swartz Creek City Council approve the City Manager's Report of January 9, 2012, to be circulated and placed on file.

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

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

MEETING OPENED TO THE PUBLIC:

None.

COUNCIL BUSINESS:

Women's Club Donation, Police Canine Program

Resolution No. 120109-04

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Hurt

I Move the City of Swartz Creek, with gratitude; accept a donation from the G.F.W.C Swartz Creek Women's Club and the Friends of the Perkin's Library to the City's Police Canine Program, funds to be used exclusively for the Canine Program.

Discussion Ensued.

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

Redistrict, Councilmanic Districts, Voting Precincts

Resolution No. 120109-05

(Carried)

Motion by Councilmember Binder
Second by Councilmember Shumaker

WHEREAS, with the release of official census data, the Governor signed redistricting legislation into law that established new State House of Representative, State Senate, and U.S. Congressional Districts, the City's assignments remaining unchanged at 5th U.S. Congressional District, 27th State Senate District and the 49th State House Representative District; and

WHEREAS, with the release of official census data, the Genesee County Board of Commissioners' approved new County Commission Districts, the City's district changing from the 6th District to the 8th District; and

WHEREAS, the City of Swartz Creek is required by State Statute and City Charter to update and redraw City Precincts to better distribute population and voters among the four City Councilmanic Districts and Voting Precincts; and

WHEREAS, the City staff has reviewed population shifts and differentials between the 2000 Census and the 2010 Census and determined that only some minor changes to District #2 and District #4 are needed, changes consisting of the shifting of the Apple Creek Apartment Complex from District #4 to District #2, and further, that with this change, all the City's Councilmanic Districts and Voter Precincts will meet compliancy with state statute and local laws.

NOW, THEREFORE, BE IT RESOLVED the Swartz Creek City Council receives and adopts the Apportionment Re-Districting Plan, as recommended by the City Staff, a map of the Councilmanic Districts – Voter Precincts attached, Precinct - Districts changes and descriptions as follow:

Precinct #1: No change in precinct boundaries. Change in County Commissioner from District 6 to District 8, full boundary description as follows:

Commencing at the west corporate limits and the centerline of Miller Road, thence easterly along the centerline of Miller Road to the intersection of the centerline of Winston Drive, thence south/southwesterly along the centerline of Winston Drive to the intersection of the centerline of Chesterfield Drive, thence westerly along the centerline of Chesterfield Drive to the intersection of the centerline of Daval Drive, thence southerly along the centerline of Daval Drive to the intersection of the centerline of Chelmsford Drive, thence easterly along the centerline of Chelmsford Drive to the intersection of the centerline of Chelmsford, Winston, Oakview Drive, thence south/southwesterly along the centerline of Oakview Drive to the intersection of the centerline of Durwood Drive, thence southerly along the centerline of Durwood Drive to the centerline of the intersection of Norbury Drive, thence westerly along the centerline of Norbury Drive to the centerline of the intersection of Seymour Road, thence southerly along the centerline of Seymour Road to C.N.A.R.R. (formerly G.T.R.R.) right of way, thence southwestly along C.N.A.R.R. right of way to the west corporate limits, thence northerly along the west corporate limits to the centerline of Miller Road, the point of beginning.

Precinct #2: Change in precinct boundaries to include "east on Applecreek Road, thence north on W. Roundhouse Road continuing on W. Roundhouse Road easterly and southerly also including S. Roundhouse Road to the east and Depot Road to the south, thence back west on Applecreek Road to Morrish Road"; change in County Commissioner from District 6 to District 8, full boundary description as follows:

Commencing at the centerline of Miller Road at the centerline of the intersection of Seymour Road, thence northerly approximately 3000 feet along the corporate centerline of Seymour Road to the intersect of the north westerly corporate limit, thence easterly

approximately 3667 feet along the corporate limit to the intersect of the corporate limit, thence northerly approximately 1883 feet along the corporate limit to the centerline of the intersection of Bristol Road, thence easterly along the centerline of Bristol Road to the centerline of the intersection of Morrish Road, thence southerly along the centerline of Morrish Road, thence east on Applecreek Road, thence north on W. Roundhouse Road continuing on W. Roundhouse Road easterly and southerly also including S. Roundhouse Road to the east and Depot Road to the south, thence back west on Applecreek Road to Morrish Road, thence south on Morrish Road to the centerline of the intersection of Miller Road, thence westerly along the centerline of Miller Road to the centerline of the intersection of Fairchild Street, thence southerly along the centerline of Fairchild Street to the centerline of the intersection of Cappy Lane, thence westerly along the centerline of Cappy Lane to the centerline of the intersection of Don Shenk Drive, thence southwesterly along the centerline of Don Shenk Drive to the centerline of the intersection of Durwood Drive, thence northerly along the centerline of Durwood Drive to the centerline of the intersection of Oakview Drive, thence northeasterly along the centerline of Oakview Drive to the centerline of the intersection of Winston and Chelmsford, thence westerly along the centerline of Chelmsford to the centerline of the intersection of Daval Drive, thence northerly along the centerline of Daval Drive to the centerline of the intersection of Chesterfield Drive, thence easterly along the centerline of Chesterfield Drive to the centerline of the intersection of Winston Drive, thence northerly along the centerline of Winston Drive to the centerline of the intersection of Miller Road, thence westerly approximately 600 feet along the centerline of Miller Road to the centerline of the intersection of Seymour Road, the point of beginning.

Precinct #3: No change in precinct boundaries. Change in County Commissioner from District 6 to District 8, full boundary description as follows:

Commencing at the centerline of Seymour Road and the right of way of C.N.A.R.R. (formerly G.T.R.R.), thence northerly along the centerline of Seymour Road to the centerline of the intersection of Norbury Road, thence easterly along the centerline of Norbury Road to the centerline of the intersection of Durwood Drive, thence northerly along the centerline of Durwood Drive to the centerline of the intersection of Don Shenk Drive, thence northeasterly along the centerline of Don Shenk Drive to the centerline of the intersection of Cappy Lane, thence easterly along the centerline of Cappy Lane to the centerline of the intersection of Fairchild Street, thence northerly along the centerline of Fairchild Street to the centerline of the intersection of Miller Road, thence easterly along the centerline of Miller Road to the centerline of the intersection of Morrish Road, thence northerly approximately 917 feet along the centerline of Morrish Road to the centerline of the intersection of Mary Street, thence easterly approximately 450 feet along the centerline of Mary Street to the centerline of the intersection of Frederick Street, thence southerly approximately 267 feet to the centerline of the intersection of Mason Street, thence easterly approximately 417 feet along the centerline of Mason Street to the centerline of the intersection of Springbrook Drive, thence southerly along the centerline of Springbrook Drive to the centerline of the intersection of Miller Road, thence northeasterly along the centerline of Miller Road to the centerline of the intersection of Elms Road, thence southerly along the centerline of Elms Road to the south corporate limits, thence southwesterly along the south corporate limits to the centerline of the intersect of Seymour Road and C.N.A.R.R. (formerly G.T.R.R.), the point of beginning.

Precinct #4: Change in precinct boundaries to exclude “east on Applecreek Road, thence north on W. Roundhouse Road continuing on W. Roundhouse Road easterly and southerly also including S. Roundhouse Road to the east and Depot Road to the south, thence back west on Applecreek Road to Morrish Road”, change in County Commissioner from District 6 to District 8, full boundary description as follows:

Commencing at the southeast corner of the intersection of Morrish and Bristol Roads, thence easterly along the centerline of Bristol Road to the intersect of the corporate limit, thence northerly along the corporate limit and lot #1 of Bristol Elms Park Subdivision to

the northwest corner of Lot #1, thence easterly along corporate limit and lots 1,2,3,4,5,6,7 of Bristol Elms Park Subdivision approximately 617 feet, thence north approximately 1117 feet along corporate limit and lots 9,10,11,12,13,14,15,16,17,18,19 to the northwest corner of Lot 20 of Bristol Elms Park Subdivision, thence easterly along corporate limit and north lot line of Lot 20 of Bristol Elms Park Subdivision to the centerline of intersect of Elms Road, thence northerly approximately 1250 feet along the centerline of Elms Road to the intersect of the north most corporate limit, thence easterly along the north most corporate limit to the centerline of the intersect of Dye Road, thence south along the centerline of Dye Road to the south corporate limit, thence southwesterly along the south corporate limit to the centerline of the intersect of Elms Road, thence north along the centerline of Elms Road to the centerline of the intersection of Miller Road, thence southwesterly along the centerline of Miller Road to the centerline of the intersection of Springbrook Drive, thence northerly along the centerline of Springbrook Drive to the centerline of the intersection of Mason Drive, thence westerly approximately 417 feet to the centerline of the intersection of Frederick Street, thence north approximately 267 feet along the centerline of Frederick Street to the centerline of the intersection of Mary Street, thence west approximately 450 feet along the centerline of Mary Street to the centerline of the intersection of Morrish Road, thence north along the centerline of Morrish Road to Applecreek Road, thence east on Applecreek Road, thence north on W. Roundhouse Road continuing on W. Roundhouse Road easterly and southerly also including S. Roundhouse Road to the east and Depot Road to the south, thence back west on Applecreek Road to Morrish Road, thence north along the centerline of Morrish Road to the southeast corner of the intersection of Morrish and Bristol Roads, the point of beginning.

BE IT FURTHER RESOLVED the City Council hereby direct the staff to make any and all necessary publication and notification as may be required by statute, law, rule or ordinance and to place the plan on file with the City Clerk's Office.

Discussion Ensued.

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

2012-2014 City-Township Fire Agreement

Resolution No. 120109-06

(Postponed)

Motion by Councilmember Hurt
Second by Councilmember Hicks

I Move the City of Swartz Creek enter into an agreement with Clayton Township to provide fire protection services, term running through March 31, 2014, agreement attached hereto, and further, direct the Mayor and City Clerk to execute the agreement on behalf of the City.

Discussion Ensued.

Postpone Fire Agreement

Resolution No. 120109-07

(Carried)

Motion by Councilmember Porath
Second by Mayor Pro-Tem Krueger

I Move that the Swartz Creek City Council postpone the 2012-2014 City-Township Fire Agreement until such time as changes can be made.

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

Marathon Redevelopment Project, Set Special Council Meeting

Resolution No. 120109-08

(Carried)

Motion by Councilmember Hurt
Second by Councilmember Binder

I Move the City of Swartz Creek set a Special Council Meeting, to be held on Thursday, February 2nd, 2012 at 6 PM, for the purpose of reviewing applicant RFP submittals for the Marathon Redevelop Project, to hear candidate presentations and staff review and comments relative to the project.

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

Endorsement, Elms Park Renovations & Repair Project

Resolution No. 120109-09

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Hurt

I Move the City of Swartz Creek approve the concept of the Elms Park Renovation and Repair Project and authorize and direct the Park Board to work with the staff and the Kiwanis Organization to develop a plan, pursue funding, fundraising, and seek volunteer commitments, and further, direct the staff to create any necessary accounts to track donated funds in its financial accounting system.

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

Annual MML Membership Dues

Resolution No. 120109-10

(Carried)

Motion by Councilmember Porath
Second by Councilmember Hicks

I Move the City of Swartz Creek continue its participation and membership in the Michigan Municipal League, and further, authorize payment the annual membership dues in the amount of \$2,831.

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

Morrish Road Bridge Project, TIP Project Advancements

(Discussion Topic)

City Manager Bueche gave a brief update on the project.

MEETING OPENED TO THE PUBLIC:

None.

REMARKS BY COUNCILMEMBERS:

Councilmember Porath stated that he was glad that the project at Elms and Miller Roads is finally making progress.

City Manager Bueche spoke about the BP station at Morrish and I-69 closing.

Councilmember Shumaker spoke about the Park Board Meeting. Mr. Shumaker thanked Councilmember Hurt for all of his work and attention to detail on the Fire Agreement.

Councilmember Hicks spoke about an article that she read about the City of Flint and the County talking about a consolidation plan. Ms. Hicks spoke about the upcoming Park Board Meeting on Wednesday at 6pm and invited everyone to join. Ms. Hicks spoke about Adam Zettel re-inspecting Family Farm & Home. Ms. Hicks thanked the Women's Club and the Friends of the Perkin's Library for their donation to the K-9 unit. Ms. Hicks thanked the local businesses for their Christmas light displays and everyone who helped with the judging for the contest.

Councilmember Binder wished everyone a Happy New Year.

Councilmember Hurt thanked everyone for hanging in during the fire agreement discussion.

Mayor Pro-Tem Krueger stated that he is glad to hear that Michigan is number two in economic growth. Mr. Krueger asked Mr. Bueche if the City is going to participate in the aereopolis designation. Mr. Krueger spoke about Argentine Township taking over all foreclosed properties in that township and suggested the City look into doing the same.

Mayor Abrams announced that he is now a great-great grandparent.

Adjournment

Resolution No. 120109-11

(Carried)

Motion by Mayor Pro-Tem Krueger
Second by Councilmember Shumaker

I Move the City of Swartz Creek adjourn the Regular Session of the City Council meeting at 8:52 p.m.

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

Richard Abrams, Mayor

Juanita Aguilar, City Clerk