

**CITY OF SWARTZ CREEK  
SWARTZ CREEK, MICHIGAN  
MINUTES OF THE COUNCIL MEETING  
DATE 3/25/2013**

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

Invocation and Pledge of Allegiance to the Flag.

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

Councilmembers Absent: None.

Staff Present: City Manager Paul Bueche, City Clerk Juanita Aguilar.

Others Present: Sharon Shumaker, Bob Plumb, Boots Abrams, Ron Schultz, Tommy Butler, Terry & Richard Mattson, Bud Grimes, Steve Shumaker, Tyler Duso, Jim & Alicia Duso.

**APPROVAL OF MINUTES**

**Resolution No. 130325-01**

**(Carried)**

Motion by Councilmember Hurt  
Second by Councilmember Shumaker

**I Move** the Swartz Creek City Council hereby approve the Minutes of the Regular Council Meeting, as amended, held Monday, March 11, 2013, to circulated and placed on file.

YES: Gilbert, Hicks, Hurt, Krueger, Porath, Shumaker, Abrams.

NO: None. Motion Declared Carried.

**APPROVAL OF AGENDA**

**Resolution No. 130325-02**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Councilmember Hurt

**I Move** the Swartz Creek City Council approve the Agenda, as amended, for the Regular Council Meeting of March 25, 2013, to be circulated and placed on file.

YES: Hicks, Hurt, Krueger, Porath, Shumaker, Abrams, Gilbert.

NO: None. Motion Declared Carried.

## REPORTS AND COMMUNICATIONS:

### City Manager's Report

**Resolution No. 130325-03**

**(Carried)**

Motion by Councilmember Hicks  
Second by Councilmember Hurt

**I Move** the Swartz Creek City Council approve the City Manager's Report of March 25, 2013, to be circulated and placed on file.

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

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

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

Mayor Krueger presented a proclamation to Tyler Duso for Eagle Scout Award.

Tommy Butler suggested new businesses coming into the City should be contacted about donating some money and equipment to add some ballfields to Elms Park.

Mayor Krueger commented that Mr. Bueche gave Meijer a list of possible improvements that could use funding.

### **COUNCIL BUSINESS:**

### **ADOPT ORDINANCE #410, APPENDIX "A" AMENDMENTS, SIGNS & BUILDING CONSTRUCTION**

**Resolution No. 130325-04**

**(Carried)**

Motion by Councilmember: Shumaker  
Second by Councilmember Hurt

**I Move** the City of Swartz Creek ordain:

### **CITY OF SWARTZ CREEK ORDINANCE NO. 410**

An ordinance to amend sections of Appendix A, the Zoning Ordinance of the City of Swartz Creek.

### **THE CITY OF SWARTZ CREEK ORDAINS:**

**Section 1. Amendment of Appendix A by the Deletion of Section**

### **21.07 of Article 21.**

Section 21.07 of Article 21 of Appendix A, the Zoning Ordinance of the City of Swartz Creek is hereby deleted in its entirety.

### **Section 2. Amendment of Section 29.07(B) of Article 29 of Appendix A, the Zoning Ordinance of the City of Swartz Creek.**

Section 29.07(B) of Article 29 of Appendix A, the Zoning Ordinance of the City of Swartz Creek is hereby amended to read as follows:

#### **B. Building Materials.**

1. Durable building materials which provide an attractive, quality appearance must be utilized.
2. New structure exteriors shall be predominantly (75% or more) constructed from quality materials such as earth-toned brick, native stone, and/or glass products. The planning commission may choose to allow distribution of coverage across all elevations evenly or to concentrate such coverage on more visible elevations, provided no elevation shall have less than 50% of its exterior constructed of such materials. Tinted/textured concrete masonry units may be used as accent materials on all sides and as a primary material on side and rear elevations.
3. Other materials such as smooth-faced concrete block, EIFS panels or pre-fabricated steel panels should only be used as accents and not dominate the building exterior of the structure.
4. Metal roofs may be allowed if deemed by the planning commission to be compatible with the overall architectural design of the building.

### **Section 3. Effective Date.**

This Ordinance shall take effect on May 10, 2013.

---

**David Krueger**  
Mayor

---

**Juanita Aguilar**  
City Clerk

#### **CERTIFICATION**

The foregoing is a true copy of Ordinance No. 410 which was enacted by the Swartz Creek City Council at a regular meeting held on the 25<sup>TH</sup> day of March, 2013.

\_\_\_\_\_  
Juanita Aguilar  
City Clerk

**Publish Date:**  
**Paper:**  
**Effective Date: May 10, 2013**

Discussion Took Place.

YES: Krueger, Shumaker, Hicks, Hurt.  
NO: Porath, Abrams, Gilbert.

The Mayor declared the ordinance adopted.

### **2013 FARMERS MARKET**

#### **Resolution No. 130325-05**

**(Carried)**

Motion by Councilmember Abrams  
Second by Councilmember Shumaker

**I Move** the City of Swartz Creek approve the concept of a Farmers Market, to be held in the City's Holland Park, and direct the City's Staff to prepare a budget and plan, to be brought back before the City Council for review and final approval.

Discussion Took Place.

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

### **BID AWARD, MORRISH & I-69 MEIJER RAMP TRAFFIC SIGNAL**

#### **Resolution No. 130325-06**

**(Carried)**

Motion by Councilmember Porath  
Second by Councilmember Hurt

**I Move** the City of Swartz Creek Accept the low bid of Strain Electric Company of Wyoming Michigan, for the installation of a traffic Signal at West Bound I-69 Exit / Entrance Ramps and ingress / egress to Meijer Retail Center, cost of installation \$98,864 plus 10% contingency, in accordance with the specifications and construction plans drafted and bid by the City's contract engineer Progressive AE, funds to be appropriated from 202 Major Streets.

Discussion Took Place.

YES: Shumaker, Abrams, Gilbert, Hicks, Hurt, Krueger, Porath.

NO: None. Motion Declared Carried.

**Shared Services Committee Update**

**(Discussion)**

Lengthy discussion took place on the findings and conclusions of the City's Shared Services Committee. As a base, the Shared Services Report conducted by Mr. Nottley of Municipal Consulting Services was used. Findings and recommendations in the report were explored for combination, consolidation and cost cutting options and solutions. The Committee agrees with the study in that the shared fire protection arrangement with Clayton Township is at optimal efficiency. Assessing, as the study indicates, is at maximum efficiency. The Committee agrees that at this point, no additional savings would be realized. The study recommends that the building department be outsourced to Mundy Township with a "pay for use" agreement. The Committee agrees. The staff is currently working towards a solution on this, as well as Code Enforcement, which to date, is non-existent. The Committee found that options available for police are limited and that any consolidation with neighboring municipalities would not be cost effective and/or would reduce service levels below expected minimums. There are structural deficit problems within the General Fund, which over time, will continue to chip away and undermine police and fire. Short of reducing the level of service to a single police unit to answer calls on a contractual basis with another agency, the only other solution is to ask the public for additional funds via a ballot millage request. The staff will be evaluating the findings and will bring a report and recommendation back to the Council.

**Title VI & L.E.P. Requirements**

**(Discussion)**

City Manager Bueche commented the state is telling us we have to develop a plan if we are to receive any grant funds. In years past we have just followed the county's plans. Mr. Bueche is working with City Lawyer, Dick Figura. This will go to Lansing for approval once they approve it then it will come to the council to be adopted.

**Rental Ordinance**

**(Discussion)**

Councilmember Shumaker wanted to address his concerns about the blight throughout the City. He is concerned that we currently don't have a Code Enforcer. He believes that we need a Rental Ordinance. City Manager Bueche responded that he will check around and see what may or may not be working in other municipalities.

**MEETING OPENED TO THE PUBLIC:**

None.

**REMARKS BY COUNCILMEMBERS:**

Councilmember Porath thanked the public for coming and congratulated the Eagle Scout again.

Councilmember Shumaker commented about the Elms Rd. construction. He also commented that he left all councilmembers a Treasurer's Report on the Swartz Creek Area Veterans Memorial.

Councilmember Hicks spoke that she has problems with dogs off leashes while she is walking her dog. She commented this may be something to be mentioned in the newsletter.

Councilmember Gilbert spoke while walking his dog he has almost been hit in the crosswalk at Fairchild.

Councilmember Hurt congratulated the Eagle Scout. He also commented that he has volunteered to be editor and publisher of the newsletter.

Mayor Pro Tem Abrams commented that the Veterans Memorial Committee has done a great job.

Mayor Krueger wanted to thank the Veterans Memorial Committee for all the work and the beautiful structure. Mayor Krueger wanted to know who does the plan for continuation of rehab project for sewers. Mr. Bueche responded that Tom Svrcek, Director of Public Service along with Lou from Rowe and representative from LiquiForce work together on that. Mayor Krueger wanted to know the status on the Marathon redeveloping. Mr. Bueche responded that we are just waiting on Mr. Atkinson. Mayor Krueger also commented that Flint Township is discussing on changing their name and he made a suggestion to change it to Swartz Creek Township.

### **Adjournment**

**Resolution No. 130325-07**

**(Carried)**

Motion by Councilmember Abrams  
Second by Councilmember Hurt

**I Move** the City of Swartz Creek adjourn the Regular Session of the City Council meeting at 9:37 p.m.

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

David A. Krueger, Mayor

Juanita Aguilar, City Clerk