

**CITY OF SWARTZ CREEK  
SWARTZ CREEK, MICHIGAN  
MINUTES OF THE SPECIAL COUNCIL MEETING  
DATE 7/14/2014**

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 Adam Zettel, Deputy City Clerk Deanna Korth, DPS Director Tom Svrcek, City Attorney Mike Gildner.

Others Present: Boots Abrams, Bob Plumb, Tommy Butler, Jim Florence, Ron Schultz, Sharon Shumaker, Lou Fleury, Denny Pinkston, John Mullen, Patricia Mullen, Mark Thornton, Darla Wynn, Roberta Diaz-Cobb.

**Resolution No. 140714-01**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Councilmember Shumaker

**I Move** the Swartz Creek City Council excuse the absence of Councilmember Hurt from the June 23, 2014 meeting, due to his being on vacation.

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

**APPROVAL OF MINUTES**

**Resolution No. 140714-02**

**(Carried)**

Motion by Councilmember Porath  
Second by Councilmember Hicks

**I Move** the Swartz Creek City Council hereby approve the Minutes of the Regular Council Meeting, as amended, held Monday, June 23, 2014 to be circulated and placed on file.

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

## **APPROVAL OF AGENDA**

### **Resolution No. 140714-03**

**(Carried)**

Motion by Mayor Pro-Tem Abrams  
Second by Councilmember Hurt

**I Move** the Swartz Creek City Council approve the Agenda as amended, for the Regular Council Meeting of July 14, 2014, to be circulated and placed on file.

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

## **REPORTS AND COMMUNICATIONS:**

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

### **Resolution No. 140714-04**

**(Carried)**

Motion by Councilmember Shumaker  
Second by Councilmember Hurt

**I Move** the Swartz Creek City Council accept the City Manager's Report of July 14, 2014, to be circulated and placed on file.

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

Discussion Ensued.

## **MEETING OPENED TO THE PUBLIC**

Mark Thornton, 9031 Luea Lane, and Darla Wynn, 5449 Seymour Road, expressed concerns about a lot of fireworks in the weeks preceding the Fourth of July holiday. Mr. Thornton stated that he is concerned about the noise and possible physical dangers of this happening in a residential area. Mr. Thornton spoke about the State amending their 2012 fireworks law to allow local municipalities to pass ordinances to allow fireworks. Mr. Thornton stated that it is a quality of life issue for him to have to deal with the fireworks. Mr. Thornton stated that he is concerned about the safety of others. Mr. Thornton requested that a law or ordinance be researched for the City similar to what was recently passed in Burton.

## **COUNCIL BUSINESS**

**Street Asset Management Proposal**

**(Carried)**

**Resolution No. 140714-05**

Motion by Councilmember Hicks  
Second by Mayor Pro-Tem Abrams

**WHEREAS**, the City of Swartz Creek is the street authority, with repair and maintenance responsibilities, for certain major and local streets within the city, and;

**WHEREAS**, the City of Swartz Creek recognizes that many of these streets have reached their useful life or are otherwise unable to be ideally maintained due to a lack of resources, and;

**WHEREAS**, the preferred solution for long term, effective maintenance of a street network involves the use of diversified solution, asset management, and;

**WHEREAS**, the City of Swartz Creek finds a 15 year or longer approach that addresses the street maintenance issue on a city-wide scale is desirable.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Swartz Creek approves the proposal submitted by Rowe Professional Services to create an Asset Management/Capital Improvement Plan for an amount not to exceed \$17,700, and further directs staff to allocate and procure such services from the city's unencumbered, unreserved general fund.

Discussion Ensued.

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

**Property Bid Authorization**

**Resolution No. 140714-06**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Councilmember Hurt

**I Move** the City of Swartz Creek authorize the city manager to prepare and release a request for bids for the sale of the unbuildable parcel identified as vacant Miller Road parcel 58-63-578-018.

Discussion Ensued.

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

**Demolition Bid Approval**

**Resolution No. 140714-07**

**(Carried)**

Motion by Councilmember Hurt  
Second by Mayor Pro-Tem Abrams

**I Move** the City of Swartz Creek approve the low bid as submitted by Woodside Builders, Inc. for the demolition of a single family residence located at 5017 Third Street and a single family residence, with a detached garage located at 4438 Morrish Road, as outlined in the bid specifications, for the price of \$18,929

Discussion Took Place.

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

**Park Rules Approval**

**(Postponed)**

**Resolution No. 140714-08**

Motion by Councilmember Porath  
Second by Councilmember Hurt

**I Move** the City of Swartz Creek approve the park rules as attached, to be effective January 1, 2015.

Discussion Ensued.

**Resolution No. 140714-09**

**(Carried)**

Motion by Mayor Pro-Tem Abrams  
Second by Councilmember Hurt

**I Move** the Swartz Creek City Council postpone approval of the park rules and report back to the Park Board.

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

**Medical Marijuana Flyer**

**(Discussion)**

Mayor Pro-Tem Abrams spoke about a flyer from the Michigan Wellness Center promoting medical marijuana. Mr. Abrams stated several issues that he has with the procedure for becoming a patient.

Attorney Gildner spoke about the law and the city ordinance in reference to dispensaries.

## **MEETING OPEN TO THE PUBLIC:**

Kal Nemer, owner of Woodside Builders, asked Councilmember Shumaker if he gave the specs for the demolition of the city houses to his friend when his friend gave him a price for the demolition. Mr. Shumaker advised that he did not. Mr. Nemer stated that his company posted a completion bond for the demolition. Mr. Nemer spoke about Springbrook. Mr. Nemer stated that Woodside is a part of this community and is proud of the community.

Roberta Diaz-Cobb, 5379 Seymour, spoke about an article that she read about a bike path and paying for a bike study. Ms. Diaz-Cobb asked what happened with that study. She was advised that the city did not have the money to match the funds. Ms. Diaz-Cobb spoke about the city calendar stating that it is hard to read due to the council meetings not being prominent enough. Ms. Diaz-Cobb spoke about Gil Roy's plaza having a medical marijuana facility, stating that they sell all of the equipment to grow marijuana. Ms. Diaz-Cobb stated that Mayor Pro-Tem Abrams is not correct in his assessment of the medical marijuana issue. Ms. Diaz-Cobb stated that she does not understand why it is going to take so long to do something with the roads. Ms. Diaz-Cobb asked why there was no report on how much it would take for all the roads in the city and not just Winchester Village.

Jim Florence, 4296 Springbrook, spoke about a helicopter in the area looking for a missing person. Mr. Florence stated that he received an alert on his phone and that the missing person just happened to be sitting on a bench there in Springbrook.

## **REMARKS BY COUNCILMEMBERS:**

Councilmember Porath spoke about the same alert call that he received about the missing person. Mr. Zettel explained the new "code red" alert system.

Councilmember Shumaker thanked Mayor Pro-Tem Abrams for his service in the Korean War as a medic. Mr. Shumaker spoke about the councilmembers serving on many committees in the city. Mr. Shumaker spoke about community members helping to get things done.

Councilmember Hicks expressed her support for looking into a fireworks ordinance that would make it clearer. Ms. Hicks spoke about the park rules stating that the Park Board is trying to cover all of the bases and that they need input from the council.

Councilmember Gilbert asked DPS Director Svrcek about the vacant run down homes in the city. Mr. Gilbert asked about a particular house on Miller Road.

Councilmember Hurt stated that he would like to see some clarification on the fireworks ordinance. Mr. Hurt spoke about misc. repairs that need to be done on signs and such in the city. Mr. Hurt spoke about having more no parking signs around the city. Mr. Hurt spoke about people parking right under the no parking signs during garage sales. Mr. Hurt

spoke about Camp 911, stating that his grandson went and that Ofc. Szmansky did a nice job with manners and conduct.

Mayor Pro-Tem Abrams apologized for his comments to Ms. Diaz-Cobb. Mr. Abrams stated that he feels a fireworks ordinance is needed.

Mayor Krueger stated that he would like something in place in reference to fireworks. Mr. Krueger stated that his physician has a sign posted about medical marijuana that says "don't even ask".

Councilmember Hicks spoke about discharging firearms in the city and that they are not allowed to be fired in the city.

Councilmember Gilbert spoke about a gun range on Raubinger Road.

### **Adjournment**

**Resolution No. 140714-10**

**(Carried)**

Motion by Mayor Pro-Tem Abrams  
Second by Councilmember Shumaker

**I Move** the City of Swartz Creek adjourn the Regular Session of the City Council meeting at 8:55 p.m.

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

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**David A. Krueger, Mayor**

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**Deanna Korth, Deputy City Clerk**