

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE 3/9/2015**

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.

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

Councilmembers Absent: None.

Staff Present: City Manager Adam Zettel, Deputy City Clerk Deanna Korth, DPS Director Tom Svrcek.

Others Present: Bob Plumb, Sharon Shumaker, Ron Schultz, Jim Florence, Boots Abrams, Diane McKenzie, Allison Robbins.

APPROVAL OF MINUTES

Resolution No. 150309-01

(Carried)

Motion by Councilmember Pinkston
Second by Councilmember Gilbert

I Move the Swartz Creek City Council hereby approve the Minutes of the Regular Council Meeting held Monday, February 23, 2015 to be circulated and placed on file.

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

Resolution No. 150309-02

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Pinkston

I Move the Swartz Creek City Council hereby approve the Minutes of the Closed Session Council Meeting held Monday, February 23, 2015 to be circulated and placed on file.

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

APPROVAL OF AGENDA

Resolution No. 150309-03

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Agenda as presented, for the Regular Council Meeting of March 9, 2015, to be circulated and placed on file.

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

REPORTS AND COMMUNICATIONS:

City Manager's Report

Resolution No. 150309-04

(Carried)

Motion by Councilmember Shumaker
Second by Mayor Pro-Tem Abrams

I Move the Swartz Creek City Council accept the City Manager's Report of March 9, 2015, to be circulated and placed on file.

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

MEETING OPENED TO THE PUBLIC

City Manager Adam Zettel introduced DPW worker Rebecca Thiell.

COUNCIL BUSINESS

CDBG Signature Card Approval

Resolution No. 150309-05

(Carried)

Motion by Mayor Pro-Tem Abrams
Second by Councilmember Hicks

WHEREAS, the City of Swartz Creek participates in the Genesee County Community Development Program; and

WHEREAS, the Genesee County Community Development Program has requested that we update our authorized signature cards.

NOW, THEREFORE, BE IT RESOLVED that the following individuals be authorized to request reimbursement from the Community Development Block Grant Program:

1. Juanita Aguilar, City Clerk/Finance Director
2. Adam Zettel, City Manager
3. Deanna Korth, City Treasurer
4. Thomas Svrcek, City Director of Public Services

Discussion Took Place.

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

Recreation Passport Grant

Resolution No. 150309-06

(Carried)

Motion by Councilmember Porath
Second by Councilmember Shumaker

WHEREAS, the City of Swartz Creek City Council supports the submission of an application titled, "Elms Park Community Renovation Project" to the Recreation Passport Grant Program for development of accessibility features, restroom upgrades, and an exercise path at Elms Park; and

WHEREAS, the proposed application is supported by the Community's 5-Year Approved Parks and Recreation Plan; and

WHEREAS, the City of Swartz Creek City Council has made the financial commitment to the project in the amount of \$51,516 matching funds, in cash and/or force account.

NOW THEREFORE, BE IT RESOLVED that the City of Swartz Creek City Council hereby authorizes submission of a Recreation Passport Grant Program Application for \$96,516, and further resolves to make available its financial obligation amount of \$51,516 (53.4%) of a total \$96,516 project cost, during the 2015-2016 fiscal year.

Discussion Ensued.

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

Third Street Property

Resolution No. 150309-07

(Carried)

Motion by Councilmember Pinkston
Second by Councilmember Porath

WHEREAS, the Swartz Creek Planning Commission made the following findings as it relates to the future use of 5017 Third Street, PID 58-01-502-077:

1. The prior use, existing zoning, and future land use designation for this parcel are all classified as residential
2. The parcel still retains two accessory structures of a residential use
3. The parcel is adjacent to a residential use to the south and a commercial use to the north, with residential across the street and commercial behind
4. Adjacent owners have expressed a written interest to split the property
5. If split, resulting parcels must be rezoned to reflect the parent parcel of the respective buyer
6. Any split line must transect the property east-west to enable access
7. Resulting parcel splits must be combined with the respective parent parcels upon any sale; and

WHEREAS, the Swartz Creek City Council concurs with those findings.

NOW, THEREFORE BE IT RESOLVED, the Swartz Creek City Council hereby directs the city manager to negotiate the sale, split, and related conditions of such sale with the adjacent landowners on Third Street.

BE IT FURTHER RESOLVED, the city manager is directed to determine a fair market value with the city assessor as the basis for the sale price and to return with the results of the negotiation by April 13, 2015 for review by the city council.

Discussion Took Place.

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

Downtown Banners

Resolution No. 150309-08

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Hicks

WHEREAS, the City of Swartz Creek receives requests from time to time to place banners on public light poles; and

WHEREAS, such requests have come from other governmental entities and non-profits that offered to purchase banners promoting non-commercial speech; and

WHEREAS, the City sees a public benefit to promoting activities of local governments, schools, and non-profits; and

WHEREAS, the City also finds that the scope of this support needs to be limited in order to be practically and financially feasible; and

WHEREAS, the City Council finds that the placement of such banners is advisable when the following circumstances apply:

1. The request comes from a governmental entity, school, or recognized non-profit
2. The requesting party pays for the banners in full
3. The content of the banner is non-commercial and is found to serve a local public purpose
4. The city reserves the right to remove the banners at any time for any reason and is under no obligation to provide specific locations or timeframes of exposure
5. Replacements will not be provided by the city for any reason
6. The city council will vote on every such request to make findings in accordance with the above guidelines

NOW, THEREFORE, BE IT RESOLVED, the Swartz Creek City Council hereby approves the request by the Whaley Children's Center to place banners purchased by the WCC on downtown lamp posts during the month of April to promote the Paint Our Town Blue initiative, an awareness program related to child protection.

Discussion Took Place.

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

MEETING OPEN TO THE PUBLIC:

Ron Schultz, 4279 Springbrook, spoke about a "loan" sign that has been near the east exit of Kroger for a couple of years. Mr. Schultz asked when the sign would be removed.

REMARKS BY COUNCILMEMBERS:

Councilmember Porath spoke about the renovations to the Elms Park bathroom. Mr. Porath spoke about the Consumers Energy report, asking what percent of the lights in the city are mercury vapor lights. Mr. Zettel stated that he would get the answer. Mr. Porath thanked Mr. Zettel for following through with the Consumers Energy contract.

Councilmember Shumaker spoke about a picture in the council packet of the old city hall on First Street. Mr. Shumaker asked if anyone knew where the two previous city halls were. Mr. Shumaker stated that the Historical Society would have a slide show about the Bath school disaster, presented by Sharon Shumaker at their next meeting. Mr. Shumaker spoke about a program in April at the Performing Arts Center, "Mrs. Lincoln".

Councilmember Hicks stated that the Park Board is working on Elms Road Park and Winshall Park.

Councilmember Gilbert spoke about the creek next to the Masonic Temple. Mr. Gilbert stated that the creek water runs over the sewer line. Mr. Zettel stated that the county is responsible for the creek. DPS Director Tom Svrcek stated that he spoke to someone from the county and was advised that the city could look into the cost and fix it if they wanted to.

Councilmember Pinkston spoke about the “Save the Streets” committee meeting. Mr. Pinkston spoke about a fundraiser at Jan’s Bar on March 25, 2015 from 4pm to 9pm. Mr. Pinkston brought tickets for everyone to try to sell to raise money for the “Save the Streets” committee’s expenses to do mailings and signs to support the proposed street millage. Mr. Pinkston stated that they have had a good turnout on the committee. Councilmember Porath stated that the committee is looking for donations that can be auctioned off to raise funds.

Mayor Pro-Tem Abrams stated that if the state road millage goes down, there will be other consequences.

Mayor Krueger stated that he hoped everyone would help to promote the street millage for the city.

Adjournment

Resolution No. 150309-09

(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 8:07 p.m.

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

David A. Krueger, Mayor

Deanna Korth, Deputy City Clerk