

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE 5/11/2015**

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, City Clerk Juanita Aguilar.

Others Present: Ron Schultz, Bob Plumb, Jim Florence, Sharon Shumaker, James Barclay, Boots Abrams, Joe Perreault, Wanda Tyler, Penny Messer, Dave Caudle, Elaine Tucker, Jim O'Brien.

APPROVAL OF MINUTES

Resolution No. 150511-01

(Carried)

Motion by Councilmember Porath
Second by Councilmember Gilbert

I Move the Swartz Creek City Council hereby approve the Minutes of the Regular Council Meeting held Monday, April 27, 2015 to be circulated and placed on file.

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

APPROVAL OF AGENDA

Resolution No. 150511-02

(Carried)

Motion by Mayor Pro-Tem Abrams
Second by Councilmember Shumaker

I Move the Swartz Creek City Council approve the Agenda as amended, for the Regular Council Meeting of May 11, 2015, to be circulated and placed on file.

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

City Manager's Report

Resolution No. 150511-03

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Hicks

I Move the Swartz Creek City Council accept the City Manager's Report of May 11, 2015, to be circulated and placed on file.

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

MEETING OPENED TO THE PUBLIC

None.

COUNCIL BUSINESS

Women's Club Presentation

Members of the Swartz Creek Women's Club; Boots Abrams, Wanda Tyler, Penny Messer, Elaine Tucker, Joni Ward and Rae Lynn Hicks, presented the city with a check for \$1200 to be used for the Cops In The Park Program. The money was raised by having a chili dinner, silent auction and bake sale.

Appointments

Resolution No. 150511-04

(Carried)

Motion by Councilmember Hicks
Second by Mayor Pro-Tem Abrams

I Move the Swartz Creek City Council concur with the Mayor and City Council appointments as follows:

- | | | |
|--------------------|--|-----------------------|
| #150511-8A1 | <u>MAYOR RE-APPOINTMENT:</u>
Downtown Development Authority
Four-Year Term Expiring November 30, 2019 | STEVE MARDLIN |
| #150511-8A2 | <u>MAYOR RE-APPOINTMENT:</u>
Zoning Board of Appeals
Three-Year Term expiring June 30, 2018 | RONALD SCHULTZ |
| #150511-8A3 | <u>MAYOR RE-APPOINTMENT:</u>
Zoning Board of Appeals
Three-Year Term expiring June 30, 2018 | JAMES PACKER |
| #150511-8A4 | <u>MAYOR RE-APPOINTMENT:</u>
Planning Commission
Three-Year Term expiring June 30, 2018 | ROBERT FLORINE |

#150511-8A5 **MAYOR RE-APPOINTMENT:**
Planning Commission
Three-Year Term expiring June 30, 2018

JAMES FLORENCE

Discussion Ensued.

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

NO: None. Motion Declared Carried.

Personnel Policy Review Committee

Resolution No. 150511-05

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Hicks

WHEREAS, under the General Operating Rules of the Council, the Mayor, with the advice and consent of Council, may appoint temporary committees whose membership may include persons not on Council; and

WHEREAS, such committees must be temporary in nature, have a specific purpose, and include a specific time frame for their activities; and

WHEREAS, the city is in the process of adopting a set of personnel policies for use by the city; and

WHEREAS, the council desires to enable a committee of councilmembers and staff to further deliberate on the particulars relating to this set of policies.

NOW, THEREFORE, BE IT RESOLVED, the City of Swartz Creek City Council hereby creates a temporary committee, to be referred to as the "Personnel Policy Review Committee," for the purpose of reviewing and making recommendations relating to the proposed personnel policies, also known as the employee handbook.

BE IT FURTHER RESOLVED, the Personnel Policy Review Committee shall deliver such findings at the regular meeting at or before July 27, 2015 and be subsequently dissolved unless otherwise engaged in further reviews at the direction of the city council.

BE IT FURTHER RESOLVED, the membership of the Personnel Policy Review Committee shall be composed of the following individuals:

Councilmember Hicks
Councilmember Porath
Councilmember Shumaker
Michael Gildner – Counsel
Adam Zettel – Staff Member

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

Street Construction Bids

Resolution No. 150511-06

(Carried)

Motion by Councilmember Pinski
Second by Councilmember Hicks

WHEREAS, the City of Swartz Creek bid out certain street construction and maintenance projects related to “Year One” of the 20 year street improvement plan, including reconstruction of Worchester Drive, with water main, preservation of Yarmy Drive, and preventative maintenance of the Parkridge Subdivision, also known as “Park Place”, and;

WHEREAS, the funding of the projects was to be supported by revenues from a proposed local street levy, with potential support from a state ballot initiative and a state grant in the amount of \$125,000, and;

WHEREAS, the state and local ballot initiatives failed, and;

WHEREAS, the grant award was reduced to \$62,000 by the State of Michigan; and

WHEREAS, other revenue sources, including special assessments, are not available or guaranteed for this construction season.

NOW, THEREFORE, BE IT RESOLVED, that the City of Swartz Creek City Council hereby rejects all bids outstanding for street work to be performed on Worchester Drive, including water main work, Yarmy Drive, and Parkridge subdivision

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

3386 & 3350 Dye Road Land Sale

Resolution No. 150511-07

(Carried)

Motion by Councilmember Porath
Second by Mayor Pro-Tem Abrams

WHEREAS, the city acquired real property located at 3386 Dye Road on December 28, 2010, parcel ID 58-29-551-026 and 3350 Dye Road parcel ID 58-29-551-028, at no cost, by means of a quit claim deed; and

WHEREAS, the land is vacant, with a single family house having been demolished in August of 2009; and

WHEREAS, there is interest in these parcels from the adjacent land owner; and

WHEREAS, these parcels currently zoned General Business District, have potential for development; and

WHEREAS, these parcels are known to be in an area that has experienced depressed values and an uncertain future; and

WHEREAS, the City of Swartz Creek City Council finds no direct public benefit or purpose to ownership of these parcels; and

WHEREAS, the same council desires to exhaust all options before transferring any real property under its ownership in accordance with the land sale policy; and

NOW THEREFORE, BE IT RESOLVED, the City of Swartz Creek City Council hereby directs the planning commission to review each parcel in the context of the neighborhood setting and the city master plan to determine what future use will be in the best public interest, such findings to be reported back to the city council no later than July 31, 2015.

Discussion Took Place.

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

NO: None. Motion Declared Carried.

2015-2016 FY Budget, Set Public Hearing

Resolution No. 150511-08

(Carried)

Motion by Mayor Pro-Tem Abrams
Second by Councilmember Shumaker

I Move the City of Swartz Creek set a Public Hearing, to be held on Tuesday, May 26, 2015 at 7:00 PM, at the regularly scheduled City Council Meeting, or as soon thereafter as this matter can be heard, to hear public comments and needs regarding the Proposed 2015-2016 Fiscal Year Budget, and further, post a notice of the public hearing in the View News, with a copy of the proposed budget to be available in the Clerk's Office beginning May 12, 2015.

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

NO: None. Motion Declared Carried.

MEETING OPEN TO THE PUBLIC:

Sharon Shumaker, 4084 Jennie Lane, spoke about a conversation she once had with her late father-in-law, asking him if he ever objected to paying school taxes. She stated that he responded, "No, the ones before me paid the school taxes and educated my five children so now I'll just help with the next ones. Ms. Shumaker made the comparison to residents and how some people feel about their responsibilities on the road millage.

REMARKS BY COUNCILMEMBERS:

Councilmember Pinkston spoke about his neighbors who are originally from Canada, stating that they said there is a 13% tax there and the roads are wonderful. Mr. Pinkston thanked the Save Our Streets committee, stating that it was a great bunch of people.

Councilmember Gilbert talked about a service at the Veteran's Memorial on Memorial Day at 1:00 in the afternoon, with a meal at the American Legion Hall after.

Councilmember Hicks spoke about hearing gunshots near Greenleaf the previous weekend. Ms. Hicks asked if there was a gun range near that area. She was advised that it had to be somewhere south of the city. Ms. Hicks asked if something could be mentioned in the next newsletter stating that firearms cannot be discharged in the city.

Councilmember Gilbert stated that on Raubinger Road near Hill Road, there is some sort of gun range and he heard shots being fired for a solid four hours on the previous Sunday.

Councilmember Shumaker spoke about the new streetlight changes that are taking place. Mr. Shumaker stated that he believes the lighting is better with the new lights. Mr. Shumaker spoke about a dedication at the cemetery on Seymour Road by the Daughters of the American Revolution on June 13th at 11:00am with a luncheon following at Elms Road Park.

Councilmember Porath spoke about the Save Our Streets committee knocking on doors the week before the election. Mr. Porath stated that the whole committee was great.

Mayor Pro-Tem Abrams stated that he wasn't particularly thrilled with the millage request since it would seriously impact his personal finances, but he voted yes anyway.

Mayor Krueger spoke about going door to door promoting the proposed millage.

Adjournment

Resolution No. 150511-09

(Carried)

Motion by Councilmember Shumaker
Second by Mayor Pro-Tem Abrams

I Move the City of Swartz Creek adjourn the Regular Session of the City Council meeting at 8:22 p.m.

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

David A. Krueger, Mayor

Juanita Aguilar, City Clerk