

**CITY OF SWARTZ CREEK  
SWARTZ CREEK, MICHIGAN  
MINUTES OF THE REGULAR COUNCIL MEETING  
DATE 11/13/2017**

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: Cramer, Florence, Gilbert, Hicks, Krueger, Pinkston, Porath.

Councilmembers Absent: None.

Staff Present: City Manager Adam Zettel, Clerk Connie Eskew.

Others Present: Lania Rocha, Steve Shumaker, Bob Plumb, Kathy Ridley, Betty Binder, Lou Fleury, Bud Grimes, Jim O'Brien, Sandy Raffaelli, Jentery Farmer, Jim Barclay, Faye Porath, Bob Florine, Matt Bade, Chris Germain.

**APPROVAL OF MINUTES**

**Resolution No. 171113-01**

**(Carried)**

Motion by Councilmember Porath  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday October 23, 2017, to be circulated and placed on file.

YES: Florence, Gilbert, Hicks, Krueger, Pinkston, Porath, Cramer.  
NO: None. Motion Declared Carried.

**APPROVAL OF AGENDA**

**Resolution No. 171113-02**

**(Carried)**

Motion by Councilmember Cramer  
Second by Councilmember Florence

**I Move** the Swartz Creek City Council approve the Agenda as, presented for the Regular Council Meeting of November 13, 2017, to be circulated and placed on file.

YES: Gilbert, Hicks, Krueger, Pinkston, Porath, Cramer, Florence.  
NO: None. Motion Declared Carried.

**CITY MANAGER'S REPORT**

**Resolution No. 171113-03**

**(Carried)**

Motion by Councilmember Florence  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council accept the City Manager's Report of November 13, 2017, including reports and communications and verbal updates, to be circulated and placed on file.

YES: Hicks, Krueger, Pinkston, Porath, Cramer, Florence, Gilbert.

NO: None. Motion Declared Carried.

**MEETING OPENED TO THE PUBLIC:**

Lou Fleury, Rowe Professional Services, gave an update on street construction. Paving is happening tomorrow, trees being delivered Wednesday and being planted immediately. Preservation work is complete. Elms Park paving will probably be finished Monday. Hydro seeding being done now.

**COUNCIL BUSINESS:**

**RESOLUTION TO APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN THE MICHIGAN ECONOMIC DEVELOPMENT CORPORATION AND THE CITY OF SWARTZ CREEK TO SUPPORT ENGAGEMENT IN THE REDEVELOPMENT READY COMMUNITIES PROGRAM**

**Presentation**

Adam Zettel, City Manager gave an introduction of the MEDC RRC program.

Chris Germain, Senior Planner MEDC, complimented the city on its good findings of 44% completion, and reported the findings. He explained the best practices, ones met and what's missing and recommendations. He defined the next steps to be taken.

**Resolution No. 171113-04**

**(Carried)**

Motion by Councilmember Hicks  
Second by Councilmember Florence

**WHEREAS**, the City of Swartz Creek participated in the MEDC Redevelopment Ready Communities program, including staff training, completion of a self-evaluation, and the reception and presentation of a Report of Findings completed by MEDC staff dated October 2017; and,

**WHEREAS**, the City of Swartz Creek, through its city council approved engagement with the MEDC Redevelopment Ready Communities Program; and,

**WHEREAS**, the staff and city council of Swartz Creek City find that continued coordination and inclusion with the MEDC through the RRC program is in the best interest of the public; and

**WHEREAS**, the city planning commission, downtown development authority, and other boards have been appraised of the RRC program.

**NOW, THEREFORE, BE IT RESOLVED THAT** the City of Swartz Creek City Council hereby authorizes the Memorandum of Understanding with the MEDC to engage in the Redevelopment Ready Communities program and authorizes the Mayor to sign the agreement on behalf of the City of Swartz Creek.

YES: Krueger, Pinkston, Porath, Cramer, Florence, Gilbert, Hicks.  
NO: None. Motion Declared Carried.

**RESOLUTION TO APPROVE THE SALE AND USE OF VACANT UNITS IN HERITAGE VILLAGE CONDOMINIUM**

**Resolution No. 171113-05**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Councilmember Cramer

**WHEREAS**, the city acquired a total of six vacant units in Heritage Village Condominium, including the following units:

3284 Heritage Blvd	58-30-651-091
3278 Heritage Blvd	58-30-651-092
3270 Heritage Blvd	58-30-651-093
3264 Heritage Blvd	58-30-651-094
3323 Heritage Blvd	58-30-651-106
3329 Heritage Blvd	58-30-651-107

**WHEREAS**, the city determined that a public purpose existed for obtaining the lots, being control and guarantee for the collection of the special assessment fees, the preservation of property values for the existing homes in the subdivision and the control over the quality of housing constructed on said units; and

**WHEREAS**, the city previously found that the long term intent is to sell the lots to recover assessment costs and other administrative costs that may occur and to preserve property values consistent with the findings within this resolution; and

**WHEREAS**, the city permitted a negotiation between the Heritage Village of Swartz Creek Homeowners Association (HoA), local builders, and city staff to occur with the intent to develop these units in a manner that ensures quality and timely development of housing at a market sale price of each unit; and

**WHEREAS**, the HoA requested sale of the units to J.W. Morgan Construction, LLC., with certain conditions, as outlined in their statement from July 6, 2017 and the city

subsequently resolved to sell two lots to J.W. Morgan Construction, with proceeds to be paid to the HoA; and

**WHEREAS**, J.W. Morgan Construction has commenced construction on the first two purchased units and is requesting to purchase two more at the same cost.

**NOW, THEREFORE, BE IT RESOLVED**, the Swartz Creek City Council hereby approves the sale of two additional units (91 & 92) in Heritage Village to J.W. Morgan Construction, LLC., in accordance with the purchase agreements and quit claim deeds attached.

**BE IT FURTHER RESOLVED**, that the council directs staff to make said sale instruments available for public inspection and comment for no less than 30 days, in accordance with city charter, at which point the sales shall be reviewed by the city council.

**BE IT FURTHER RESOLVED**, that the council directs staff to account the surplus proceeds from said sales with the expectation that such proceeds are allocated and paid to the Heritage Village of Swartz Creek Homeowners Association or the Genesee County Treasurer/Genesee County Land Bank in accordance with applicable law.

Discussion Ensued.

YES: Pinkston, Porath, Cramer, Florence, Gilbert, Hicks, Krueger.

NO: None. Motion Declared Carried.

**RESOLUTION TO APPOINT OFFICIALS TO THE LOCAL OFFICERS COMPENSATION COMMITTEE, THE PLANNING COMMISSION, AND THE DOWNTOWN DEVELOPMENT AUTHORITY**

**Resolution No. 171113-06**

**(Carried)**

Motion by Mayor Pro Tem Pinkston

Second by Councilmember Porath

**WHEREAS**, the laws of the State of Michigan, the Charter and Ordinances of the City of Swartz Creek, interlocal agreements in which the City of Swartz Creek is a member, and previous resolutions of the city council require and set terms of offices for various appointments to city boards and commissions, as well as appointments to non-city boards and commissions seeking representation by city officials; and

**WHEREAS**, there are routine terms expiring in November of 2017 within the local officers compensation commission, planning commission, and downtown development authority; and

**WHEREAS**, said appointments are Mayoral appointments, subject to affirmation of the city council.

**NOW, THEREFORE, BE IT RESOLVED**, the Swartz Creek City Council concur with the Mayor and City Council appointments as follows:

**MAYORAL APPOINTMENT:** Patricia Maksymiu  
Local Officers Compensation Commission, Citizen  
Four year term, expiring November 22, 2021

**MAYORAL APPOINTMENT:** Dennis Pinkston  
Planning Commission, City Council Representative  
Three year term, expiring November 23, 2020

**MAYORAL APPOINTMENT:** Craig Culinski  
Planning Commission, Citizen  
Three year term, expiring November 23, 2020

**MAYORAL APPOINTMENT:** Doug Sherman  
Downtown Development Authority, Property Interest  
Four year term, expiring November 22, 2021

**MAYORAL APPOINTMENT:** Ernie Eckerdt  
Downtown Development Authority, Property Interest & Resident  
Four year term, expiring November 22, 2021

**MAYORAL APPOINTMENT:** Dennis Cramer  
Genesee County Metropolitan Alliance Alternate, Citizen  
Remainder of two year term, expiring November 26, 2018

Discussion Ensued.

YES: Porath, Cramer, Florence, Gilbert, Hicks, Krueger, Pinkston.  
NO: None. Motion Declared Carried.

## **RESOLUTION TO APPROVE SIGNAL UPDATING AND UPGRADING**

**Resolution No. 171113-07**

**(Carried)**

Motion by Councilmember Porath  
Second by Councilmember Cramer

**WHEREAS**, the city owns and operates a system of major and local streets, including traffic control devices; and

**WHEREAS**, the Genesee County Road Commission provides routine maintenance services for signalized intersections; and

**WHEREAS**, some components of the signals, including lighting features of the Morrish and Miller Road signal, have been identified as obsolete by the GCRC and determined to be in need of upgrading to modern LED's and related components; and

**WHEREAS**, there has been a recognized desire by the public to improve wait times for Morrish traffic utilizing this intersection for left turns onto Miller Road during peak times; and

**WHEREAS**, the GCRC has given an estimate to upgrade the signal to modern components, and further indicates that a dedicated left turn arrow can be added for Morrish Road turns within the parameters of this estimate.

**WHEREAS**, in accordance with the City's Purchasing Ordinance, Chapter 2, Article VI, Section 2-402.a.2, the City Council finds the products and circumstances of the governmental service provided by the GCRC to be uncompetitive.

**NOW, THEREFORE BE IT RESOLVED** that the City of Swartz Creek City Council approves the update and upgrade of a left turn arrow at the Miller and Morrish Road signal in accordance with the estimate dated November 2, 2017.

**BE IT FURTHER RESOLVED** that the City of Swartz Creek City Council directs the Treasurer to apportion funds from Fund 202 and amend the budget accordingly.

Discussion Ensued.

YES: Cramer, Florence, Gilbert, Hicks, Krueger, Pinkston, Porath.

NO: None. Motion Declared Carried.

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

Sandy Raffaelli, 8098 Miller Road, strongly opposes any ordinance allowing medical marihuana in the city.

#### **REMARKS BY COUNCILMEMBERS:**

Councilmember Cramer welcomes the comments and concerns of our community. He commented still looking for a good fit for the racetrack property. He thanked all the construction crews for their work.

Councilmember Florence is interested in knowing what the statistics are relative to drug use in Swartz Creek versus Flint.

Councilmember Hicks commented on the assessor going door to door in the city. She also commented on the house on Cappy Lane with all the junk out front. She asked Lt. Bade if he would supply a monthly police report in the future.

Councilmember Gilbert confirmed leaf pickup dates. He had concerns on the trees being planted on Miller Road. He mentioned that the double utility poles on Miller Road are still there.

Mayor Krueger commented on Consumers Energy hearings never list an agenda so it makes it hard to decide if you want to attend a meeting or not. He wanted to thank everyone that came tonight, especially all the DDA and Planning Commission members.

Councilmember Porath mentioned the Metro Police Authority meeting is on Tuesday, November 21, 2017.

Tom Svrcek wanted everyone to know about the Karegnondi Open house on November 20, 2017 @ 11 a.m. He encourage everyone to attend.

Mayor Krueger commented on Flint still determining on where they are going to get their water from.

**ADJOURNMENT**

**Resolution No. 171113-08**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Councilmember Florence

**I Move** the Swartz Creek City Council adjourn the regular meeting at 8:54 p.m.

Unanimous Voice Vote.

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**David A. Krueger, Mayor**

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**Connie Eskew, City Clerk**