

**CITY OF SWARTZ CREEK  
SWARTZ CREEK, MICHIGAN  
MINUTES OF THE REGULAR COUNCIL MEETING  
DATE 07/23/2018**

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, Hicks, Krueger, Pinkston, Porath.

Councilmembers Absent: Gilbert.

Staff Present: Treasure Deanna Korth, Clerk Connie Eskew, Director of Public Services Tom Svrcek.

Others Present: Lania Rocha, Bob Plumb, Fay Porath, Steve Shumaker, Richard McNally, Tommy Butler, Jack Wheatley, Roger Sharp, Roger Sharp II, Mike Scully, Jentery Farmer.

**EXCUSE COUNCILMEMBERS GILBERT**

**Resolution No. 180723-01**

**(Carried)**

Motion by Councilmember Florence  
Second by Councilmember Hicks

**I Move** the Swartz Creek City Council excuse councilmembers Gilbert.

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

**APPROVAL OF MINUTES**

**Resolution No. 180723-02**

**(Carried)**

Motion by Councilmember Porath  
Second by Councilmember Florence

**I Move** the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday July 9, 2018, to be circulated and placed on file.

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

**APPROVAL OF AGENDA**

**(Carried)**

**Resolution No. 180723-03**

Motion by Councilmember Cramer  
Second by Councilmember Florence

**I Move** the Swartz Creek City Council approve the Agenda as, printed for the Regular Council Meeting of July 23, 2018, to be circulated and placed on file.

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

### **CITY MANAGER'S REPORT**

#### **Resolution No. 180723-04**

**(Carried)**

Motion by Councilmember Florence  
Second by Councilmember Cramer

**I Move** the Swartz Creek City Council accept the City Manager's Report of July 23, 2018, including reports and communications as updated to be circulated and placed on file.

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

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

Richard McNally, candidate for circuit court judge on August 7<sup>th</sup> election, introduced himself and gave a brief description of his past experience and family history.

### **COUNCIL BUSINESS:**

#### **A RESOLUTION TO APPROVE ORDINANCE 432 TO AMEND THE ZONING MAP AS IT RELATES TO 8118 MILLER ROAD**

#### **Resolution No. 180723-05**

**(Carried)**

Motion by Councilmember Hicks  
Second by Councilmember Cramer

**WHEREAS**, the Public Act 110 of 2006, the Michigan Zoning Enabling Act, enables cities to regulate land use through the creation and enforcement of zoning maps and regulations, and

**WHEREAS**, a land owner has petitioned the city to zone a parcel of land in the Downtown Neighborhood to Neighborhood Business District (NBD) from Downtown Residential (R-3), and;

**WHEREAS**, the parcel to the west is zoned NBD and used for a funeral home, with a pre-existing right to the requisite special land use, and;

**WHEREAS**, property to the north is zoned and used as Central Business District for civic uses, and;

**WHEREAS**, property to the east is zoned and used for downtown residential, and;

**WHEREAS**, the master plan and zoning allowances have been reviewed by the planning commission as it relates to this parcel and its relationship with the downtown area; and,

**WHEREAS**, the planning commission, at a public hearing at their meeting on July 10, 2018 and in reviewing the criteria in Zoning Ordinance Section 31.04, found the proposed zoning ordinance map amendment for the conversion of 8118 Miller Road to NBD to be in the best interest of the public.

**THEREFORE, I MOVE** the City of Swartz Creek ordains:

**ORDINANCE NO. 432**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF SWARTZ CREEK TO BRING SAID ORDINANCE INTO COMPLIANCE WITH THE MICHIGAN ZONING ENABLING ACT, ACT 110 OF THE PUBLIC ACTS OF 2006, AS AMENDED; TO AMEND THE ZONING MAP.**

**THE CITY OF SWARTZ CREEK ORDAINS:**

**Section 1. Amendment of the Zoning Map of the City of Swartz Creek.**

The official Zoning Map of the city shall be amended to reflect Neighborhood Business District (NBD) zoning for property identified as:

LOT 38 SUPERVISORS PLAT OF SWARTZ CREEK SHARP FUNERAL HOME  
(8118 Miller Road, parcel number 58-35-576-023 on the 2018 Assessment Roll)

**Section 2. Penalties; Sanctions.**

Any person who violates any provision of this Ordinance is subject to the penalties and sanctions provided for in Article 32 of the Zoning Ordinance.

**Section 3. Effective Date.**

This ordinance shall be effective 20 days after publication.

At a regular meeting of the City Council of the City of Swartz Creek held on July 23, 2018, adoption of the foregoing ordinance was moved by Councilmember Hicks and supported by Councilmember Cramer.

Voting for: Pinkston, Porath, Cramer, Florence, Hicks, Krueger.

Voting against: None.

The Mayor declared the ordinance adopted.

\_\_\_\_\_  
David Krueger  
Mayor

**CERTIFICATION**

The foregoing is a true copy of Ordinance No. 432 which was enacted by the City Council of the City of Swartz Creek at a regular meeting held on July 23, 2018.

\_\_\_\_\_  
Connie Eskew, City Clerk

**Publish Date:** \_\_\_\_\_  
**Swartz Creek View**

Discussion Ensued.

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

**RESOLUTION TO APPROVE A SITE PLAN AND SPECIAL LAND USE FOR A  
FUNERAL HOME AT 8118 AND 8138 MILLER ROAD**

**Resolution No. 180723-06**

**(Carried)**

Motion by Mayor Pro Tem Pinkston  
Second by Councilmember Florence

**WHEREAS**, the city received a proposal to construct a funeral home on two parcels of land zoned NBD, those parcels being 8118 Miller Road and 8138 Miller Road, and;

**WHEREAS**, the project is a special land use within the NBD and requires a full site plan review, with an additional approval for the special land use, and;

**WHEREAS**, the planning commission, at a public hearing at their meeting on July 10, 2018 and in reviewing the application materials and review criteria in Zoning Ordinance Sections 8, 20, & 26-30, among other sections, found the proposed site plan for a funeral home meets the intent of the zoning ordinance, and;

**WHEREAS**, the planning commission found that the site plan in conjunction with the special land use, would meet all other general and specific standards applicable if the following conditions are met:

1. A bike rack and sidewalk shall be provided at a public entrance to the structure
2. Screening of the east lot line shall be by vegetative landscaping only

**WHEREAS**, the applicant revised the project plans to incorporate all such conditions.

**NOW, BE IT RESOLVED** that the City of Swartz Creek City Council hereby approves the site plan, dated July 19, 2018, subject to the conditions in this resolution.

**BE IT FURTHER RESOLVED** that the City of Swartz Creek City Council hereby approves the special land use, dated July 19, 2018, subject to the conditions in this resolution.

Discussion Ensued.

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

**MEETING OPENED TO THE PUBLIC:**

Roger Sharp, Sharp Funeral Homes, admires the way this process has gone through and thanked the council.

**REMARKS BY COUNCILMEMBERS:**

Councilmember Porath credits administration for moving things for Sharp through so quickly. Metro Police open house August 1<sup>st</sup> 6-8 p.m. change in date. Concerts are going great.

Councilmember Florence glad to see the progress on the KFC.

Councilmember Hicks Slip and Slide Saturday, July 28<sup>th</sup>. Thanked Tom Svrcek and his staff for making Abrams Park look so good for the Abrams dedication

Mayor Pro Tem Pinkston commented on Sharp's Funeral home process going so quick.

Mayor Krueger commented on Sharp's plan that included a stairway.

**ADJOURNMENT**

**Resolution No. 180723-07**

**(Carried)**

Motion by Councilmember Hicks  
Second by Councilmember Cramer

**I Move** the Swartz Creek City Council adjourn the regular meeting at 7:31 p.m.

Unanimous Voice Vote.

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**David A. Krueger, Mayor**

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**Connie Eskew, City Clerk**