

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE COUNCIL MEETING
DATE 04/28/2008**

The meeting was called to order at 7:00 p.m. by Mayor Abrams in the Swartz Creek City Council Chambers, 8083 Civic Drive.

Invocation and Pledge of Allegiance to the Flag.

Councilmembers Present: Abrams, Adams, Hicks, Hurt, Porath, Shumaker.

Councilmembers Absent: Mayor Pro-Tem Christie.

Staff Present: City Manager Bueche, Assistant City Manager Zettel, City Attorney Michael Gildner, Deputy City Clerk/Financial Officer Mary Jo Clark, City Clerk Juanita Aguilar, DPS Director Tom Svrcek.

Others Present: Boots Abrams, Bob Plumb, Tommy Butler, Ron Shultz, Jim Florence, John Gilbert, David Krueger, Pat Lockwood.

Resolution No. 080428-01

(Carried)

Motion by Councilmember Hurt
Second by Councilmember Shumaker

The Swartz Creek City Council excuses the absence of Mayor Pro-Tem Christie due to his wife being in the hospital for an appendectomy.

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

APPROVAL OF MINUTES

Resolution No. 080428-02

(Carried)

Motion by Councilmember Porath
Second by Councilmember Hurt

I Move the Swartz Creek City Council hereby approve the Minutes of the Regular Council Meeting held April 14, 2008, to be circulated and placed on file.

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

APPROVAL OF AGENDA

Resolution No. 080428-03

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Hurt

I Move the Swartz Creek City Council approve the Agenda as presented for the Regular Council Meeting of April 28, 2008 to be circulated and placed on file.

YES: Hicks, Hurt, Porath, Shumaker, Abrams, Adams.
NO: None. Motion declared carried.

REPORTS AND COMMUNICATIONS:

City Manager's Report

Resolution No. 080428-04

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Hurt

I Move the Swartz Creek City Council approve the City Manager's Report of April 28, 2008, to be circulated and placed on file.

YES: Hurt, Porath, Shumaker, Abrams, Adams, Hicks.
NO: None. Motion declared carried.

Discussion Took Place.

All other reports and communications were accepted and placed on file.

MEETING OPENED TO THE PUBLIC:

John Green, from Diane Green Photography, owner of property on the corner of Grove Street and Morrish Road, talked to the City Council about the possibility of acquiring the property that connects to his which is known as the "Old Blacksmith's Shop". He was advised by Mayor Abrams and City Manager Bueche as to the process that he would have to go through to acquire the property.

Jim Florence, 4296 Springbrook Drive, spoke on behalf of the Senior Center. Mr. Florence talked about a meeting scheduled for 11:00am Wednesday, April 30, 2008 with County Commissioner Pat Lockwood.

COUNCIL BUSINESS:

Wal-Mart Donation, Summer Police Youth Programs

Resolution No. 080428-05

(Carried)

Motion by Councilmember Adams
Second by Councilmember Hurt

I Move the City of Swartz Creek, with appreciation, approve acceptance of \$1,000 from Wal-Mart of Bentonville, Arkansas, to be used for the Police Department's Summer Youth Programs, including the annual Camp 911 and the Bicycle Rodeo.

Discussion Ensued.

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

Project Fresh, Farmer's Market

Resolution No. 080428-06

(Carried)

Motion by Councilmember Hurt
Second by Councilmember Hicks

WHEREAS, the State of Michigan enacted Project Fresh on July 2, 1992 as Public Law 102-314 for the purpose of providing an authorized source from which qualifying participants can obtain locally grown, eligible fresh, nutritious, unprepared fruits and vegetables in accordance with the Farmers' Market Nutrition Program rules and regulations and to expand the awareness and use of farmers' markets, as well as increase sales at such markets, and

WHEREAS, Project Fresh accomplishes the above by allocating vouchers to WIC eligible participants and senior citizens for use at pre-certified farmers' markets; and

WHEREAS, the City of Swartz Creek and Swartz Creek Downtown Development Authority operate a successful farmers' market that qualifies to offer Project Fresh; and

WHEREAS, Project Fresh would likely increase patronage at the local market and offer a local venue for seniors and other participants to acquire eligible produce.

NOW, THEREFORE, BE IT RESOLVED that the Swartz Creek City Council approves that the Swartz Creek Farmers' Market seek certification for Project FRESH and further directs Mr. Zettel, as a city employee and as DDA staff, to perform the functions of "Market Master" as required by the Project Fresh Program and to enter into such agreements and to seek training as necessary.

BE IT FURTHER RESOLVED that City Council authorizes and directs City and DDA staff to set up a revenue and expense account in the DDA Fund for Project Fresh, and further, allow for a petty cash fund not to exceed \$100, to reimburse vendors that accept vouchers, as well as accept subsequent reimbursement from the State of Michigan in accordance with the terms of the program.

Discussion Took Place.

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

County G.I.S. Pictometry License Renewal

Resolution No. 080428-07

(Carried)

Motion by Councilmember Porath
Second by Councilmember Shumaker

WHEREAS, the City participates in the Genesee County Orthoimagery Program, a program that provides for computerized and mapped arial photographs, such photographs used in planning, traffic, law-enforcement, assessing, storm and surface water management, water and sewer; and

WHEREAS, on July 25, 2005, the City appropriated funding and entered into an agreement that expires on May 31, 2008, resolution as follows:

Agreement, Appropriation – County Pictometry – Orthoimagery Program

Resolution No. 050725-05 (Carried)

*Motion by Councilmember Adams,
Second by Mayor Pro Tem Christie,*

The City of Swartz Creek enters into an agreement with the County of Genesee to participate in the G.I.S. Pictometry – Orthoimagery Project, as defined in the attached intergovernmental agreement, inclusive of vendor contracts, and directs the Mayor and City Clerk to execute the agreement on behalf of the City, and further, directs the City Manager to appoint a project representative and technical representative in accordance with the terms of the agreement. The City of Swartz Creek appropriates an amount not to exceed \$1,650.28, plus 10% contingency, payable to the Genesee County Controller's Office, payment for the City's two year participation in the project.

Discussion took place.

YES: Abrams, Adams, Christie, Hurt, Plumb, Porath, Shumaker.
NO: None. Motion declared carried.

And WHEREAS, the County has elected not to upgrade its photo data base for another year, however, the license extension must be passed in order to continue the use of the program; and

WHEREAS, the City, through its staff, has determined that the program is a valuable tool and recommends its continuation.

NOW, THEREFORE, BE IT RESOLVED, that the City elects to continue its licensing and participation in the Genesee County Orthoimagery Program, at a cost of \$146, and further, directs the Mayor and City Clerk to execute the addendum on behalf of the City.

Discussion Ensued.

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

2008-2009 Budget Presentation, Water Sewer Rates, Fees (Discussion Topic)

City Manager Bueche talked about the 2008-2009 Budget.

Discussion Ensued.

2007-2008 FY Audit (Discussion Topic)

City Manager Bueche made a brief presentation reference the 2007-2008 FY Audit.

Discussion Took Place.

MEETING OPENED TO THE PUBLIC:

David Krueger, 7399 Miller Rd, questioned the City Council reference the pictometry agreement with the county. Mr. Krueger also questioned whether the City Council would consider offering a 50% co-pay for residents putting in an irrigation meter. Mr. Krueger questioned who was in charge of maintaining the playground area at the parks. He stated that there were some issues with the Playscape at Elms Park.

REMARKS BY COUNCILMEMBERS:

Councilmember Porath commented about the budget.

Councilmember Shumaker talked about an Eagle Scout presentation that he attended for Rodney Crowe. Mr. Shumaker talked about the property that the City owns on Morrish Road. He questioned the status of the house, whether it was rentable or not.

Councilmember Adams questioned City Manager Bueche about the Fire Department Agreement, wondering what the status is at this time. City Manager Bueche stated that City Attorney Figura has the information and should have a draft available soon.

Councilmember Hurt talked about the current wood chipping schedule. He was advised that it was the same week as recycling.

Councilmember Porath asked for a second call and spoke about the Fire Department Agreement.

Mayor Abrams talked about the GAIN meeting that he, Councilmember Hurt, and Chief Clolinger attended on April 28, 2008. He talked about GAIN's budget emergency.

ADJOURNMENT:

There being no objection, Mayor Abrams declared the meeting adjourned at 9:37p.m.

Richard Abrams, Mayor

Juanita Aguilar, City Clerk