

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE COUNCIL MEETING
DATE 05/27/2008**

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: Mayor Abrams, Mayor Pro-Tem Christie, Hicks, Hurt, Porath, Shumaker.

Councilmembers Absent: Adams.

Staff Present: City Manager Bueche, City Attorney Colin Linsenmen, Deputy City Clerk/ Treasurer Deanna Korth, Assistant City Manager Zettel, Director of Public Services Tom Svrcek.

Others Present: Boots Abrams, Bob Plumb, Tommy Butler, Ron Shultz, Jim Florence, Betty Binder, Carl Carlson, Lou Fleury, Diane Deel, John Gilbert, David Krueger, Danny Nemer.

Resolution No. 080527-01

(Carried)

Motion by Mayor Pro-Tem Christie
Second by Councilmember Hurt

I Move the Swartz Creek City Council excuse the absence of Councilmember Adams due to a work commitment.

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

APPROVAL OF MINUTES

Resolution No. 080527-02

(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, as corrected, held May 12, 2008, to be circulated and placed on file.

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

APPROVAL OF AGENDA

Resolution No. 080527-03

(Carried)

Motion by Mayor Pro-Tem Christie
Second by Councilmember Shumaker

I Move the Swartz Creek City Council approve the Agenda as presented for the Regular Council Meeting of May 27, 2008 to be circulated and placed on file.

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

REPORTS AND COMMUNICATIONS:

City Manager's Report

Resolution No. 080527-04

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Hicks

I Move the Swartz Creek City Council approve the City Manager's Report of May 27, 2008, to be circulated and placed on file.

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

Discussion Ensued.

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

MEETING OPENED TO THE PUBLIC:

Tanya Ketzler, 3188 W. Hill Rd., thanked the City Council for all that they do for Hometown Days and talked about all of the help from the sponsors of Hometown Days.

Tommy Butler, 40 Somerset, thanked City Manager Bueche for taking time with him. Mr. Butler complimented the contractor that is working on Seymour Rd. He stated that the road work is progressing faster than he expected.

David Krueger, 7399 Miller Rd., asked questions about expenditures as reported on the check register. He questioned the amounts that were paid for some services. Councilmember Hurt suggested that Mr. Krueger sit down with City Manager Bueche at a later time as it may involve obtaining additional City records not readily available at the City Council Meeting.

COUNCIL BUSINESS:

Final Site Plan Approval, Cedar Creek, Parcel #58-03-200-011

Resolution No. 080527-05

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Hurt

I Move the City of Swartz Creek accept the recommendation of the Planning Commission and approve the final site plan revision, dated April 7, 2008, with elevations dated March 26, 2008, for parcel 9279 Miller Road 58-03-200-011 (Cedar Creek) subject to the following conditions:

- 1). Applicant shall include a provision for lighting in the final site plan that must meet administrative approvals.
- 2). Applicant shall provide adequate ground cover and landscaping for ac units and building surroundings that must meet administrative approvals.
- 3). Applicant shall narrow road widths per the city staff's recommendations to a 22' width from the front of the curb while maintaining proper turn radii and shall also install 'one-way' and 'no parking' signs per staff recommendations.
- 4). Applicant shall work with staff to ensure adequate screening along the sides and rear prior to construction.
- 5). Applicant shall submit and obtain a sign permit prior to construction.
- 6). Applicant shall obtain all local, county, state, and/or other necessary permits, insurance, review and licensing prior to construction, including but not limited to: construction plan review, architectural review, soil erosion permitting, approval of master deed and condo by-laws, and completion of a development agreement.
- 7). Applicant shall include a provision to extend the sidewalk to the western property line and shall move the proposed internal sidewalk off of the proposed curb by no less than four (4) feet.

Discussion Ensued.

YES: Porath, Shumaker, Abrams, Christie, Hicks, Hurt.

NO: None. Motion Declared Carried.

Appropriation, Design Engineering, Local Street Projects

Resolution No. 080527-06

(Carried)

Motion by Councilmember Hurt
Second by Mayor Pro-Tem Christie

I Move the City of Swartz Creek appropriate an amount not to exceed \$3,216 to the City's Engineer, Rowe Incorporated, for the design and preparation of bid documents and for the bidding of the repair, mill and resurfacing of the following local streets:

- Chesterfield from Seymour to Winston
- Jennie Lane
- Worchester from Winston to Daval
- Daval from Oakview to Winshall.

And further, to bring all such bid returns back to the Council for review and decision

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

Major Streets, Long Term Funding Solutions, Trail System

(Discussion Topic)

City Manager Bueche directed the City Council to page 102 in the Council Packet to find a spreadsheet for the Swartz Creek City 10 year Major Street Revenue and Expense Projection.

Assistant City Manager Zettel gave a brief presentation.

Discussion Ensued.

Bid Award, I.T. Services

Resolution No. 080527-07

(Carried)

Motion by Councilmember Porath
Second by Councilmember Hurt

I Move the City of Swartz Creek accept the low bid of Infinite Solutions, of 6435 West Beecher Road, Flint, at \$75 per hour, for I.T. Services, in accordance with the bid specifications as attached hereto, and further, direct the City Manager to execute a contractor's agreement on behalf of the City.

Discussion Took Place.

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

Park Fee Waiver Request, Scout Pack 161, Elms Park

Resolution No. 080527-08

(Carried)

Motion by Mayor Pro-Tem Christie
Second by Councilmember Hurt

I Move the City of Swartz Creek waive fees associated with the use of Elms Road Park Pavilion #1, for Cub Scout Pack #161, on Sunday June 22, 2008, from 10:00 AM to 7:00 PM, for their annual end of year picnic.

Discussion Took Place.

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

MEETING OPENED TO THE PUBLIC:

Jim Florence, 4296 Springbrook, commended the City Council for going with Infinite Solutions for the City's IT services. Mr. Florence gave an update on the Senior Center. He stated that the center is in the process of moving forward with a building project. He stated that it would not be a new building, but an expansion on what they now have. Mr. Florence talked about Springbrook Colony. He stated that they are getting bids for chip seal and a black mat coating on 3.7 miles of Springbrook streets.

REMARKS BY COUNCILMEMBERS:

Councilmember Hicks questioned whether there was a city ordinance to make residents clean up a mess left outside after an eviction. City Manager Bueche stated that an ordinance could be written up, however, it would be difficult to enforce due to the variety of financial institutions that handle the evictions. Mr. Bueche stated that he would like to handle each situation case by case, as far as the clean up. Ms. Hicks questioned whether the Schwann man was allowed to sell from the street corner, as she often sees one doing so in the City. City Manager Bueche and Assistant City Manager Zettel stated that it is an enforcement issue. Mr. Zettel stated that the City tells them to go away, and they do so. Then they come back or show up at a different location with different drivers.

Mayor Pro-Tem Christie talked about notifying eviction companies around Genesee County to notify the City when doing an eviction, in accordance with a possible ordinance. Mr. Bueche stated that has been tried in the past, and the companies usually don't work with the City. He stated that the way to fix it would be to pass an ordinance that gives the City some enforcement power, however it would fit under blight which requires a lengthy process of notification. Mr. Christie talked about a court appearance with Marathon on the 30th of May. Mr. Zettel stated that there is a judgement that the City attorney is getting signatures on right now. Mr. Christie asked whether ice cream trucks are required to get

permits to drive around the City. Mr. Bueche stated that they are required to get a vendor permit. Mr. Christie questioned an event at the Veteran's Memorial. He wondered if it was a public event as he had seen no advertisement for it. Councilmember Shumaker stated that Bill Morgan notifies the newspapers.

Mayor Abrams questioned the process for taking care of properties in the City that have long lawns. Mr. Bueche stated that most of these are foreclosures or abandoned houses. He stated that the City has a contractor that takes care of the lawns at the City's request.

ADJOURNMENT:

There being no objection, Mayor Abrams declared the meeting adjourned at 8:38p.m.

Richard Abrams, Mayor

Deanna Korth, Deputy City Clerk/
Treasurer