

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE COUNCIL MEETING
DATE 08/13/07**

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.

Councilmen Present: Abrams, Christie, Hicks, Hurt, Shumaker.

Councilmen Absent: Adams, Porath.

Staff Present: City Manager Bueche, City Clerk Aguilar, Attorney Figura, and Engineer Fleury.

Others Present: Tommy Butler, Diane Deel, Terry O'Brien, Boots Abrams, Bob Plumb, Ron Schultz, and John Gilbert.

Resolution No. 070813-01

(Carried)

Motion by Mayor Councilmember Hurt,
Second by Mayor Pro-Tem Christie,

The Swartz Creek City Council excuses the absence Councilmember Porath due to work commitments.

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

NO: None. Motion declared carried.

APPROVAL OF PREVIOUS COUNCIL MINUTES:

Resolution No. 070813-02

(Carried)

Motion by Mayor Pro-Tem Christie,
Second by Councilmember Shumaker,

The Swartz Creek City Council hereby approves the Minutes of the Regular Council Meeting held July 23, 2007, to be circulated and placed on file.

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

NO: None. Motion declared carried.

APPROVAL OF AGENDA:

Resolution No. 070813-03

(Carried as amended)

Motion by Councilmember Shumaker,
Second by Councilmember Hurt,

The Swartz Creek City Council approves the agenda for the Regular Council Meeting of August 13, 2007, as amended by the addition of Item 8E, Miller and Fairchild Traffic Signal, and Item 8F, Harley-Davidson Lease Agreement, then to be circulated and placed on file.

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

REPORTS AND COMMUNICATIONS:

City Manager's Report

Resolution No. 070813-04

(Carried)

Motion by Councilmember Hicks,
Second by Councilmember Shumaker,

The Swartz Creek City Council approves the City Manager's Report of August 13, 2007, to be circulated and placed on file.

Discussion took place.

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

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

MEETING OPENED TO THE PUBLIC:

None.

COUNCIL BUSINESS:

Senior Center Levy Distribution

Resolution No. 070813-05

(Carried)

Motion by Councilmember Hurt,
Second by Mayor Pro-Tem Christie,

The City of Swartz Creek appropriates an amount not to exceed \$3,008.50 to the Swartz Creek Area Senior Citizens, Inc., from Fund 275, funds collected as of June 6, 2007, for the City's Summer 2006 levy for Senior Services, funds appropriated and to be expended under the terms and conditions as set forth in the agreement between the City of Swartz Creek and the Swartz Creek Area Senior Citizens, Inc.

Discussion ensued.

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

Reappointment – Swartz Creek Board of Review

Resolution No. 070813-06

(Carried)

Motion by Mayor Pro-Tem Christie,
Second by Councilmember Hurt,

The Swartz Creek City Council concurs with the Mayor’s reappointment of Thomas MacGillivray to the Swartz Creek Board of Review, term expiring June 30, 2010.

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

Reappointment – Local Officers Compensation Commission, Monte Morgan

Resolution No. 070813-07

(Carried)

Motion by Councilmember Shumaker,
Second by Mayor Pro-Tem Christie,

The City of Swartz Creek reappoints Monte Morgan to the Swartz Creek Local Officers Compensation Commission, term expiring September 30, 2010.

Discussion took place.

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

Reappointment – Local Officers Compensation Commission, David Alexander

Resolution No. 070813-08

(Carried)

Motion by Councilmember Hicks,
Second by Councilmember Hurt,

The City of Swartz Creek reappoints David Alexander to the Swartz Creek Local Officers Compensation Commission, term expiring September 30, 2011.

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

Miller and Fairchild Traffic Signal

Resolution No. 070813-09

(Carried)

Motion by Councilmember Hurt,
Second by Mayor Pro-Tem Christie,

WHEREAS, the City of Swartz Creek along with the Michigan Department of Transportation has installed a Stop and Go Traffic Signal at the intersection of Miller Road and Fairchild Street; and

WHEREAS, the Genesee County Road Commission has been the maintenance agency of the City’s traffic signals, and the City of Swartz Creek desires to continue this arrangement and agrees to the following charges concerning installation, maintenance and operation:

- 1. 100% of the costs of any upgrades
- 2. 100% of the cost of maintenance required to maintain good operation of the signal
- 3. 100% of the cost of electricity required to operate the signal

NOW, THEREFORE, BE IT RESOLVED, that we authorize Consumers Energy to furnish electricity for the foregoing mentioned traffic signal; and

BE IT FURTHER RESOLVED, that the City of Swartz Creek will pay the invoices submitted by Consumers Energy for 100% of the electricity furnished for operating the signal.

Discussion took place.

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

Harley-Davidson Police Motorcycle Lease Agreement

Resolution No. 070813-10

(Carried)

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

The City of Swartz Creek enters into a lease with Cummings Harley-Davidson of Burton, Michigan, for the lease of one (1) HD Road King police motorcycle under the terms and conditions as set forth in the Lease Agreement, a copy of which is attached hereto, and directs the Mayor and City Clerk to execute the agreement on behalf of the City of Swartz Creek.

Discussion ensued.

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

MEETING OPENED TO THE PUBLIC:

Boots Abrams, 5352 Greenleaf Drive, stated the Veterans' Memorial Park is beautiful and commended all those who worked on it. She also mentioned that the Bike-a-Thon sponsored by the Swartz Creek Women's Club will take place this Saturday.

Tommy Butler, 40 Somerset, applauded the City-sponsored Farmers Market. He also stated his concurrence with the efforts of the Downtown Development Authority to put utility wires underground.

REMARKS BY COUNCILMEMBERS:

Councilmember Hurt mentioned he was glad to be back. He advised he has spoken with Councilmember Adam's wife recently and was happy to hear he was doing better.

Councilmember Shumaker spoke favorably regarding the participants who recently laid sod at the Veterans Memorial Park. He noted a sewage spill on Elms Road, and stated he hoped the businesses have grease traps; and, further, that the County now has new regulations and inspections for grease traps. Councilmember Shumaker inquired whether the delegate to the Water and Waste Services Advisory Committee is paid. City Manager Bueche advised they are paid, but Swartz Creek chooses not to accept compensation. Mr. Shumaker asked if there shouldn't be an alternate on the 911 Consortium. Mr. Bueche noted alternate delegates cannot vote, so he saw no sense in appointing one. Relative to the Heritage Village development, Councilmember Shumaker asked when the barn west of GMSPO will be torn down. Mr. Bueche stated it could come down based on provisions for abandoned structures, and he would check and report back. Councilmember Shumaker questioned whether the sidewalk construction on the north side of Bristol Road has been delayed. City Manager Bueche noted they are, based on (1) the Bristol Road Project and dispute with Verizon regarding location of the lines, and (2) the future of the foot trail and its location, as well as type of material to use – asphalt or concrete. Mr. Bueche stated he would try to get a more definitive answer prior to the end of the construction season. Councilmember Shumaker stated the Park Board had requested Mr. Svrcek to send a letter to the Softball League Commissioner regarding open intoxicants in the park. City Manager Bueche noted this is a problem every summer, and usually a police vehicle is sent out and tickets are written early in the season. He noted this usually takes care of the problem until late in the season, when they again become more negligent. Mr. Bueche advised he will make a note to have the police watch periodically during the summer.

Mayor Abrams advised a Proclamation is being developed to make the Kudwa family honorary citizens of Swartz Creek for their diligent efforts in connection with development of the Veterans Memorial Park. He noted they have expended considerable personal time, elicited donations for the project, and utilized equipment from their family business, Agroscaping. Mayor Abrams advised those present of times and places of public input sessions for the Genesee County Coordinated Public Transit Human Services Transportation Plan, and provided a web site to download the plan.

ADJOURNMENT:

Resolution No. 070813-11

(Carried)

Motion by Mayor Pro-Tem Christie,
Second by Councilmember Shumaker,

the meeting be adjourned.

Unanimous voice vote.

The meeting adjourned at 7:37 p.m.

Richard B. Abrams, Mayor

Juanita Aguilar, City Clerk