

**CITY OF SWARTZ CREEK  
SWARTZ CREEK, MICHIGAN  
MINUTES OF THE COUNCIL MEETING  
DATE 05/14/07**

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, Adams, Christie, Hicks, Hurt, Shumaker.

Councilmen Absent: Porath.

Staff Present: City Manager Bueche, Clerk/Finance Officer Clark, Community Services Director Svrcek, Assistant City Manager Zettel, and Attorney Figura.

Others Present: Wilson Miller, Martha Miller, Boots Abrams, Jamie Adams, Bob Plumb, Ron Schultz, Bud Grimes, John Gilbert, Susan Butler, Donald B. Wyatt, Charles Brunette, and Tommy Butler, Rick Henry, and Bill Morgan.

**Resolution No. 070514-01 (Carried)**

Motion by Councilmember Hurt,  
Second by Councilmember Shumaker,

The Swartz Creek City Council excuses the absence of Councilmember Porath from tonight’s meeting due to work commitments.

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

**APPROVAL OF PREVIOUS COUNCIL MINUTES:**

**Resolution No. 070514-02 (Carried)**

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

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

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

**APPROVAL OF AGENDA:**

**Resolution No. 070514-03 (Carried)**

Motion by Councilmember Shumaker,  
Second by Councilmember Hurt,

The Swartz Creek City Council approves the agenda as presented and printed, for the Regular Council Meeting of May 14, 2007, then to be circulated and placed on file.

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

**REPORTS AND COMMUNICATIONS:**

**City Manager’s Report**

**Resolution No. 070514-04**

**(Carried)**

Motion by Councilmember Hicks,  
Second by Councilmember Hurt,

The Swartz Creek City Council approves the City Manager’s Report of May 14, 2007, to be circulated and placed on file.

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

After some discussion, all other reports and communications were accepted and placed on file.

**MEETING OPENED TO THE PUBLIC:**

Don Wyatt, 5326 Durwood Drive, advised his residence was one of those who had water in the basement on March 22<sup>nd</sup> while he was out of town. He noted his report to the City had been received; however, since that time he discovered his gun safe had gotten water in it and a rifle and 1858 Remington muzzle loading pistol were damaged. He asked if he could make another report on this. City Manager Bueche asked that Mr. Wyatt update his report to the City, and they would submit it to the insurance claims adjuster.

Tommy Butler, 40 Somerset, stated it didn’t make sense to have the public express their opposition to the school millage and then immediately put forth another millage vote on the Senior Center.

**PUBLIC HEARING:**

Mayor Abrams opened the public hearing regarding the City’s 2007-2008 Budget. He asked if anyone would like to address the issue. There being no one present desiring to speak, Mayor Abrams closed the public hearing.

**COUNCIL BUSINESS:**

**Appropriation – Assessing Software and Sketch Transfers**

**Resolution No. 070514-05**

**(Carried)**

Motion by Councilmember Adams,  
Second by Councilmember Shumaker,

The City of Swartz Creek appropriates a total amount not to exceed \$4,800, from General Fund Balance, for the purchase of up to two licenses for APEX Assessing sketch software module, for use with the City’s B S & A Equalizer Tax Assessing software, and the transfer of all residential parcel sketches within the City from paper files to digital; \$3,600 to the City’s contract appraisal firm of Landmark Appraisals and \$1,200 for the APEX sketch software.

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

**Site Plan Approval – Phase II, Veterans’ Memorial Park**

**Resolution No. 070514-06**

**(Carried)**

Motion by Councilmember Hurt,  
Second by Councilmember Adams,

The City of Swartz Creek approves the site plan request for Phase II of the Veterans’ Memorial Park, 8059 Paul Fortino Drive, Swartz Creek, Michigan, Parcel #58-35-576-003.

Discussion took place.

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

**Appropriation - Miller-Fairchild Signal, Construction Engineering**

**Resolution No. 070514-07**

**(Carried)**

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

**WHEREAS**, the City received an MDOT safety grant for the installation of a traffic signal at Miller & Fairchild and appropriated \$14,605 for design engineering and \$3,685 for construction engineering services to the City’s Traffic Engineering Firm Progressive A&E of Grand Rapids; and

**WHEREAS**, the design was completed, the project bid, awarded, parts ordered and a construction schedule set for late May 2007; and

**WHEREAS**, it was discovered that the City’s Traffic Engineer does not have the MDOT Field Software required to perform construction engineering services and the City’s civil engineering firm, REI does; and

**WHEREAS**, the City’s civil engineering firm has submitted a quote to perform such services, at an amount not to exceed \$9,352.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Swartz Creek cancel Purchase Order #0700007 to Progressive A&E, in the amount of \$3,685, and appropriate an amount not to exceed \$9,352 to the City's Engineering Firm, Rowe, Inc., for construction engineering services for the Miller – Fairchild Safety Grant Traffic Signal Project, funds to be taken from Major Streets 202.

Discussion ensued.

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

NO: Christie. Motion declared carried.

### **Senior-County Funding Disbursement Agreement**

**Resolution No. 070514-08**

**(Carried)**

Motion by Councilmember Shumaker,  
Second by Councilmember Hurt,

The City of Swartz Creek enters into an agreement with the County of Genesee and the Swartz Creek Area Senior Citizens Center, for the purpose of satisfying the County's "Maintenance of Effort" requirement, a copy of which is attached hereto, and further directs the Mayor and City Clerk to execute the agreement on behalf of the City.

As a member of both the Senior Board and Council, Mayor Abrams asked if there were any objections from Council for him to abstain from this vote. No objection was forthcoming. Considerable discussion took place regarding this matter, with the City Attorney offering his analysis of the County's "Maintenance of Effort" requirement.

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

ABSTAIN: Abrams.

NO: None. Motion declared carried.

### **Senior Center Capital Improvement – Ballot Levy Question**

City Manager Bueche directed Council to the Manager's Report on this topic. He expressed concern that City residents will be double taxed on this issue. Mr. Bueche reminded Council a plan was adopted some time ago to ask the voters in August whether they wish to continue the .5 mill City levy for the Senior Center, or dissolve and vote another .5 mill to construct a new Center. He stated it had been his hope that Genesee County would help in resolution of this, in order to make sure all interested parties would be protected and residents would not be double taxed. City Manager Bueche presented three ballot options developed through the City Attorney's office: (1) Proposal to Limit Use of Funds Raised by Existing Senior Citizen Millage; (2) Proposal to Rescind Existing Senior Citizen Millage and Replace it with a New Millage for Construction of a New Senior Citizen Building or the Expansion of the Existing Building; and (3) Proposal to Rescind Existing Senior Citizen Millage and concurrent Proposal for Millage Increase for Construction/Expansion of a Building for Senior Citizen Services.

City Manager Bueche advised he will be meeting with the Director and others from the Senior Citizens Center tomorrow. He noted a special Council meeting may be needed next week in order to meet the May 28<sup>th</sup> ballot language deadline.

City Attorney Figura advised Mayor Abrams in regard to the ballot proposals, he would have the same interest as any taxpayer; and, therefore, there wouldn't be a conflict of interest.

City Attorney Figura presented an additional ballot proposal to be added to the first option presented by City Manager Bueche. In effect, it is *(1) Proposal to Discontinue Payment of the Existing Senior Citizen Millage* (addition by Figura) *or Proposal to Limit Use of Funds Raised by Existing Senior Citizen Millage* (mentioned above).

After further discussion, it was decided a special meeting should be held regarding the ballot language presented this evening.

**Resolution No. 070514-09**

**(Carried)**

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

The Swartz Creek City Council will hold a special meeting on Monday, May 21, 2007, at 6:00 p.m. in the Swartz Creek City Council Chambers, for the purpose of discussion regarding Senior Center Capital Improvement, Ballot Levy Question.

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

NO: None. Motion declared carried.

**Flint Township Franchise Agreement – ITT Tech Water Service**

**Resolution No. 070514-10**

**(Carried)**

Motion by Councilmember Hicks,  
Second by Councilmember Hurt,

The City of Swartz Creek enters into a Water Service Franchise Agreement with the Township of Flint and the County of Genesee, a copy of which is attached hereto, for the purpose of providing water to a single customer, ITT Technical Institute, located at 6359 Gander Drive, Flint Township, under the stipulations as provided for within the agreement, and further, directs the Mayor and City Clerk to execute the agreement on behalf of the City.

Considerable discussion ensued.

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

NO: None. Motion declared carried.

**Resolution for Action, State Fiscal Budget Crisis****Resolution No. 070514-11****(Carried)**

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

**WHEREAS**, after seven straight years of state budget deficits and four years of budget cuts, we are facing yet another \$3 billion shortfall in state revenue for the current and 2007-2008 fiscal years; and

**WHEREAS**, \$3.6 billion has been cut from the state's budget over the past four years, and the state is operating with fewer state employees than in the 1970s; and

**WHEREAS**, funding for local governments has been cut by \$2 billion the last five years resulting in a loss of over 1,600 police officers and 2,000 fire fighters statewide, compromising the safety of our local communities; and

**WHEREAS**, Michigan's major taxes have been cut over 32 times in the past decade, our unemployment rate remains one of the highest in the country, and our auto industry continues to struggle; and

**WHEREAS**, the Single Business Tax (SBT), the primary tax paid by businesses in Michigan, will be entirely phased out by the end of the year with no replacement for the \$1.9 billion in revenue generated from this tax; and

**WHEREAS**, higher education in Michigan has already been cut by \$250 million which has resulted in college students and their families having to pay double digit tuition increases and a college education moving further out of reach for the state's middle class; and

**WHEREAS**, further cuts to state safety net programs for food assistance, childcare and health care will only result in a shift of demand to already overburdened county and municipal programs.

**NOW, THEREFORE BE IT RESOLVED**, that the City of Swartz Creek cannot sustain further cuts in essential services and that further funding cuts will result in a loss of quality of life for the citizens of our community and this state, and an inability to retain and attract new business; and

**BE IT FURTHER RESOLVED**, that the Michigan Legislature must demonstrate bipartisan leadership by (1) identifying a full replacement for the SBT and (2) affirming its commitment to finding funding solutions to address the budget deficit in a manner that will move Michigan into a sound economic future and ensure a high quality of life for our residents.

A copy of this resolution is to be sent to our state representative, state senator, Governor Granholm and the Michigan Municipal League.

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

**Hometown Days Permits**

**Resolution No. 070514-12**

**(Carried)**

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

The City of Swartz Creek approves Resolutions 070514-8I through 070514-8O, allowing for the various permits relative to the annual Swartz Creek Hometown Days events, to be held beginning Wednesday, May 30, 2007, and concluding on Monday, June 4, 2007, inclusive of all stipulations and conditions as specified and listed within.

**Resolution No. 070514-8I**

**HOMETOWN DAYS, STREET CARNIVAL,  
GENERAL STREET & PROPERTY USE  
PERMITS**

**I Move** the City of Swartz Creek approve and authorize the Swartz Creek Hometown Days Committees' application for street closing and City property use permits for the following locations:

- A. Morrish between Miller and Ingalls-Wade, Carnival Midway
- B. Holland between Miller and Ingalls, Vendor - Carnival
- C. City Lot located at the southwest corner of Miller and Morrish, Carnival – Midway.
- D. Ingalls at Holland and Park Land located to the North and Northwest of the intersection of Morrish and Ingalls, Carnival & Midway.
- E. City owned property located along the North side of Fortino West of South Morrish Road (Saturday June 2<sup>nd</sup>, 9 AM – 9 PM), Car Show and Radio D.J.
- F. Dead end of Civic Drive west of Fortino Drive (Friday June 1<sup>st</sup>, 3-8 PM, Saturday June 2<sup>nd</sup> 10 AM to 8 PM and Sunday June 3<sup>rd</sup> 10 AM to 8 PM), Helicopter Rides

Street and City property use, unless otherwise indicated, begins Wednesday, May 30, 2007 at 9:00 a.m. until Monday June 4, 2007 at 9:00 A.M., for the purpose of, and authorization to conduct a carnival, vendor/display area, car show and or other similar events under the following stipulations:

- 1. Insurance certificate naming the City as insured in the amount not less than \$1,000,000.00 (One-Million Dollars)
- 2. Written permission from deed holders of any private properties to be used and appropriate insurance certificates naming such parties as additional insured.
- 3. Sufficient number of portable bathrooms placed and located, and liter control program in accordance and under the approval of Director of Community Services.

Traffic control and pedestrian safety plan in accordance with and under the approval of office of Chief of Police.

**Resolution No. 070514-8J**      **HOMETOWN DAYS, AMPLIFIED CONCERT MUSIC PERMIT**

**I Move** the Swartz Creek City Council approve and authorize the Swartz Creek Hometown Days Committee application to conduct an outdoor concert to be held at the outdoor football stadium of the Swartz Creek High School on Friday, June 1, 2007 between 4:30 p.m. and 9:00 p.m., under the following stipulations:

1. Insurance certificate naming the City as insured in the amount not less than \$1,000,000.00 (One-Million Dollars)
2. Written authorization from the School District Superintendent along with acceptable insurance certificates naming the School District as an additional insured, minimum amount not less than \$1,000,000 (One Million Dollars)
3. Traffic control and pedestrian safety plan in accordance with and under the approval of office of Chief of Police.
4. Music to end no later than 10:00 p.m.

**Resolution No. 70514-8K**      **HOMETOWN DAYS, STREET USAGE PERMIT, MOTOR AND PEDESTRIAN PARADE**

**I Move** the Swartz Creek City Council approve and authorize the Swartz Creek Hometown Days Committees' application for street closing / usage permit for Saturday, June 2, 2007 from 11:00 a.m. until 1:30 p.m. for purposes of conducting a parade, streets used to be Fairchild Street, Miller Rd, and Frederick St under the following stipulations:

1. Insurance certificate naming the City as an additional insured party in the amount not less than \$1,000,000.00 (One Million Dollars).
2. No candy or other objects be thrown or handed from to or at any vehicle, trailer, float, or similar, and further, that the Hometown Days Committee establish and maintain a list of all participants and/or entries in the parade that identifies a contact person, such contact to be informed by the Hometown Days Committee of the stipulation and motor vehicle code enforcement actions for violations thereof.
3. Under the direction and control of the Office of the Chief of Police.

**Resolution No. 070514-8L**      **HOMETOWN DAYS PERMIT, AERIAL FIREWORKS DISPLAY**

**I Move** the Swartz Creek City Council approve and authorize the Swartz Creek Hometown Days Committee's application for one fireworks aerial display to be held on Friday, June 1, 2007, at or shortly after dusk, with a cancellation date of Saturday, June 2, 2007, at or shortly after dusk, to be

launched from properties directly west of the Swartz Creek Middle School structure, said properties owned by the Swartz Creek School District and Mr. Scott Hoover, under the following stipulations and conditions:

1. Insurance certificate naming the City as insured in an amount to be determined adequate by the City Manager.
2. Written permission from the aforementioned parcel owners along with acceptable insurance certificates naming said parcel owners as additional insured parties, in an amount to be determined adequate by the City Manager.
3. Traffic Control Plan and administration by the Offices of Chief of Police and Director of Community Services.
4. Detailed Plan submitted to and approved by the Fire Chief.
5. All decisions concerning the event and cancellation thereof, if needed, under the direction and control of the Fire Chief.

**Resolution No. 070514-8M**

**HOMETOWN DAYS PERMIT, OPERATE BEER TENT**

**I Move** the Swartz Creek City Council approve and authorize the Swartz Creek Hometown Days Committee / Genesee Regional Chamber of Commerce’s application to operate a beer tent for the sale of beer and wine on the premises, along with live entertainment to be held on Parcel No. 58-02-200-014, owned by Scott Kincaid and located 5086 Morrish Road, south of Wade Street, beginning Thursday, May 31, 2007 until Sunday, June 3, 2007, under the following stipulations:

1. Michigan Liquor Control Commission Approved Application with appropriate insurance in accordance with the rules of the L.C.C. and naming the City and all other property owners as additional insured parties, in an amount not less than \$1,000,000 (One Million Dollars).
2. Portable bathrooms placed and located and litter control program in accordance and under the approval of Director of Community Services.
3. Traffic control and pedestrian safety plan in accordance with and under the approval of Office of Chief of Police.
4. Adherence to all L.C.C. stipulations and regulations, state and local laws.
5. No music after 11:00 p.m. Thursday, May 31, 2007 and 1:00 a.m. Friday, June 1, 2007 (Saturday Morning), and Saturday June 2, 2007 (Sunday morning).
6. Adequate security as approved by the Chief of Police.
7. Adherence to and under the direction of control from the Office of the Chief of Police.

**Resolution No. 070514-8N**

**HOMETOWN DAYS PERMIT, CEREMONIAL DISCHARGE OF A FIREARM**

**I Move** the Swartz Creek City Council, pursuant to section 10-212(3) of the Code of Ordinances, approve and authorize the Swartz Creek Hometown Days Committee / Genesee Regional Chamber of Commerce to discharge weapons as a part of a military concert and ceremonial military honor guard, to be held at the Swartz Creek High School's outdoor football stadium, on Friday, June 1, 2007, at approximately 9:00 p.m., in conjunction with a concert and aerial fireworks display, under the following stipulations and conditions:

1. Insurance certificate naming the City as an additional insured party in an amount not less than \$1,000,000.00 (One Million Dollars).
2. The party(ies) discharging the weapon(s) must be a practicing military honor guard trained and capable in the handling of firearms.

**Resolution No. 070514-80**

**HOMETOWN DAYS PERMIT, CEREMONIAL DISCHARGE OF A FIREARM**

**I Move** the Swartz Creek City Council, pursuant to section 10-212(3) of the Code of Ordinances, approve and authorize the Swartz Creek Hometown Days Committee / Genesee Regional Chamber of Commerce to discharge weapons in conjunction with a Parade and as a ceremonial military honor guard, to be held along Miller Road on Saturday, June 2, 2007, at approximately 12:00 noon, under the following stipulations and conditions:

1. Insurance certificate naming the City as an additional insured party in an amount not less than \$1,000,000.00 (One Million Dollars).
2. The party(ies) discharging the weapon(s) must be a practicing military honor guard trained and capable in the handling of firearms.

Discussion took place.

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

NO: None. Motion declared carried.

**Winchester Woods Plat – Health and Safety**

**Resolution No. 070514-13**

**(Carried)**

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

**WHEREAS**, the City of Swartz Creek is a Michigan Municipal Corporation charged with the preservation of the health safety and welfare of its residents; and

**WHEREAS**, the City of Swartz Creek is empowered, under State Statute, City Charter and Local Ordinance to regulate, among other things, building, zoning, water, sewer, storm water, land use, streets, traffic; and

**WHEREAS**, the Winchester Woods plat was created in Gaines Township and subsequently incorporated into the City of Swartz Creek in 1959 and before public improvements were made on the plat; and

**WHEREAS**, numerous parcels within the Winchester Woods plat are still without public improvements, including but not limited to: public sewer, paved and graded streets, and parcel level & plat level drainage; and

**WHEREAS**, the City has received numerous complaints from current residents relating to the condition of the streets and the hazards of inadequate drainage; and

**WHEREAS**, the City has found, as evidence by several engineering studies dated over two decades, and most recently by the City's engineer, Rowe Inc., in a letter dated June 7, 2004, that the site improvements, especially drainage, is inadequate and constitutes a danger to the health, safety, and welfare of the community; and

**WHEREAS**, the City has subsequently attempted, without success, to remedy these issues through further engineering studies, partnerships with the land owners, and voluntary special assessment districts; and

**WHEREAS**, the City has determined that many of the parcels in Winchester Woods Plat are not suitable for building of any kind as such will increase the amount of impervious surface as of now, no attempt has been made to address the concerns as defined in the City's engineering analysis'; and

**WHEREAS**, the landowners of said parcels have been notified in writing of these issues and the resulting policy in a letter dated February 16, 2004 and again in a letter dated April 20, 2007; and

**WHEREAS**, the City of Swartz Creek passed Ordinance 376 on February 23, 2004, a drain ordinance that prohibits the issuance of zoning and building permits for parcels without adequate provision for drainage; and

**WHEREAS**, parcels in the plat are rapidly changing ownership to parties that may be unaware of the issues in the plat and of the City's policy, resulting in applications for building permits, fraud and/or the belief of a owner or potential buyer that the lots are buildable.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Swartz Creek shall not issue any building permits for new construction in the Winchester Woods plat until such time as improvements can be made that address all engineering concerns.

**BE IT FURTHER RESOLVED** that the City of Swartz Creek shall, in reasonable fashion, attempt to keep the current and future owners within the Winchester Woods plat informed to the policy by sending periodic mailings to the property owners of record.

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

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

Boots Abrams, 5352 Greenleaf Drive, invited those in attendance to attend the Swartz Creek Women's Club ceremony for Woman of the Year at the Methodist Church this Thursday at 7:00 p.m. She noted Mayor Pro-Tem Christie's wife was a finalist.

Rick Henry, 6353 Bristol Road, Chair of the Veterans' Memorial Committee, inquired whether Council had to vote on Phase III of the project. It was determined the Planning Commission had included Phase III in their approval, but it was not necessary for Council to do likewise as it only involved statuary.

Don Wyatt, 5326 Durwood Drive, inquired regarding the appropriation for the Miller-Fairchild Signal, and was advised no monies will be expended for work already done.

Bud Grimes, 5171 Oakview Drive, noted most vehicles at the annual neighborhood garage sale parked illegally. Mr. Grimes stated officers were writing tickets, but it only curtailed the activity as long as they were there.

Tommy Butler, 40 Somerset, asked why the City didn't give the Senior Center to the County. He was advised the City has a contract with the Swartz Creek Senior Center.

Jim Florence, 4296 Springbrook Drive, President of the Senior Board of Trustees, explained the Board's position regarding the millage situation, and noted he will continue to fight for a much-needed new building.

Wilson Miller, 9219 Jill Marie, suggested Council consider an impact fee on new development in the City. City Manager Bueche advised impact fees in the State of Michigan are prohibited.

Rick Henry, 6353 Bristol Road, asked if it would be possible to get a half-burned barn on Bristol Road removed, inasmuch as it is an eyesore and safety hazard. City Manager Bueche advised the City is aware of the barn, and he hoped it will be removed by mid-summer.

### **REMARKS BY COUNCILMEMBERS:**

Councilmember Shumaker advised hazardous waste collection is this Saturday, May 19<sup>th</sup>, from 10:00 a.m. to 2:00 p.m., at Grand Blanc High School and the Flint Water and Waste Service Center on Court Street. Councilmember Shumaker again mentioned the need to lower the elevation at the southeast corner of Morrish Road at Bristol to maintain adequate clear vision. City Manager Bueche advised they had looked at this location, and the elevation seemed to be adequate within the right-of-way locale, but very high outside of that area. Mr. Bueche stated the City could probably get the developer to cut it back some in the right-of-way, but drainage issues might be a factor. The City Manager advised he would again take a look at this location. Councilmember Shumaker remarked regarding the sewer main problem on Durwood Drive caused by roots, and inquired if root treating is

taking place or further relining. City Manager Bueche advised he would look into this matter and report back to Council. He thanked ROWE for taking on the work as to the Miller-Fairchild signal. Councilmember Shumaker inquired regarding the street sweeper bids, and was advised the bid process is complete and final analysis should be forthcoming at the next meeting.

Councilmember Hicks asked who planted the lovely flowers, and was advised DPS employees. She noted Miller Road has homes with high grass, and asked what the regulations are regarding this. City Manager Bueche noted 6 inches is permissible within 50 feet of the road, and advised Councilmember Hicks to send him an e-mail regarding the Miller Road addresses. She inquired regarding the big pipes at Miller and Fairchild, and was advised they are part of the signal project.

Councilmember Adams expressed interest in knowing what percentage of time is spent by police officers in Mari-Dan Miller Farms and Burkeshire, speculating that there may come a time when the complexes need to hire their own security. City Manager Bueche advised there are few problems with Mari-Dan, who has a well-paid director and maintenance people. In Burkeshire it appears to be a matter of getting what you pay for, where staff is paid just over minimum wage. Councilmember Adams expressed disappointment that the school millage did not pass, and would like to see the seniors endorse taking care of the children as well as the elderly.

Councilmember Hurt also expressed disappointment in the failure of the school millage. He inquired if the mail server is down, and City Manager Bueche advised it was down for work Friday through Sunday. Mr. Bueche said after the meeting he would give Council the new IP addresses. Councilmember Hurt noted there is no stop sign at the drive coming out of Springbrook East into the Kroger complex, and Mr. Bueche stated he would look into the situation. Councilmember Hurt was concerned as to whether the public was adequately prepared for tonight's budget hearing, because there were no questions or comments. Mr. Bueche advised the City advertises, there is information on the web site, and the documents are available for viewing at City Hall. Regarding the MDOT field software and Progressive A&E, Councilmember Hurt stated the City should look hard the next time as to whether the company can fulfill our needs.

Mayor Pro-Tem Christie stated he was also very disappointed in the failure of the school millage. Mayor Pro-Tem Christie stated the City is proactive from the standpoint of keeping residents informed, but was disappointed lately in the media coverage of the Swartz Creek community and would like them more involved in what is happening in our area. The Mayor Pro-Tem mentioned the CEO of Meijer spoke at a recent business expo he attended, and he welcomed him and Meijer to the City of Swartz Creek.

Mayor Abrams informed Councilmember Adams he and the Senior Board President had supported the school millage, and the School District came to the Senior Center and made their presentation. He relayed a conversation he had with County Commissioner Rose Bogardus regarding the inequity of Swartz Creek residents paying 1.2 mills and the surrounding communities only .7 mill. In a somewhat intense exchange, Mayor Abrams noted Ms. Bogardus' said there is no inequity, the outlying areas have been getting "a free ride", and the Senior Center should go back to them for more money.

**ADJOURNMENT:**

**Resolution No. 070514-14**

**(Carried)**

Motion by Mayor Pro-Tem Christie,  
Second by Councilmember Shumaker,  
  
the meeting be adjourned.  
  
Unanimous voice vote.

The meeting adjourned at 9:10 p.m.

Richard B. Abrams, Mayor

Mary Jo Clark, Clerk