

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE COUNCIL MEETING
DATE 11/26/2007**

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, Adams, Mayor Pro-Tem Christie, Hicks, Hurt, Porath, Shumaker.

Councilmembers Absent: None

Staff Present: City Manager Bueche, City Clerk Aguilar, Tom Svrcek, Police Chief Clolinger, City Attorney William Delzer

Others Present: Bob Plumb, Tommy Butler, Robyn Rosenthal, Boots Abrams, George Paul, Pat Paul, Bill Nagle, Charles Brunette, Mark Blankenship, Bud Grimes, Lou Fleury, Jim Florence, Ron Schultz, Sarah Mason.

APPROVAL OF PREVIOUS COUNCIL MINUTES

Resolution No. 071126-01

(Carried)

Motion by Councilmember Porath
Second by Councilmember Shumaker

The Swartz Creek City Council hereby approves the Minutes of the Regular Council Meeting held November 12, 2007, as corrected, to be circulated and placed on file.

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

APPROVAL OF AGENDA:

Resolution No. 071126-02

(Carried)

Motion by Mayor Pro Tem Christie
Second by Councilmember Hurt

The Swartz Creek City Council approves the Agenda as presented for the Regular Council Meeting of November 26, 2007 to be circulated and placed on file.

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

REPORTS AND COMMUNICATIONS:

City Manager's Report

Resolution No. 071126-03

(Carried)

Motion by Councilmember Shumaker
 Second by Councilmember Hurt

The Swartz Creek City Council approves the City Manager's Report of November 26, 2007, to be circulated and placed on file.

Discussion took place.

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

Mayor Pro Tem Christie thanked the Mayor for his dedication and service to the Swartz Creek community.

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

MEETING OPENED TO THE PUBLIC:

Joanne Holmquist, Miller Rd., had a question regarding the corner of Miller and Elms Rd. Ms. Holmquist questioned whether or not it had to be a pizza place that was put in there. Mayor Abrams advised that the current owner had a "hand shake" deal with Big John's, not a pizza place. Ms. Holmquist is concerned that the established businesses would be endangered by too many franchises. Ms. Holmquist also wanted to second Mayor Pro Tem Christie's comment on the Mayor's dedication and service.

COUNCIL BUSINESS:

Police Canine Program

(Presentation)

Presentation by Chief Rick Clolinger. Chief Clolinger introduced guests from the Jessica Nagle Foundation, who contributed to the Swartz Creek canine program.

There was a brief recess at 7:18 pm to continue the canine demonstration outside in the parking lot.

Meeting was re-convened at 7:27 pm.

Bid Award & Appropriation, Miller Road Repairs

Resolution No. 071126-04

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Hurt

I Move the City of Swartz Creek accept the low bid of Lois Kay Contracting of Saginaw Michigan, not to exceed \$49,177 plus 10% contingency, for the repair of a section of Miller Road inclusive of saw-cut of 15 deteriorated areas of concrete and base re-building of the roadway, starting just west of the eastbound ramps and continuing to just east of the westbound ramps, in accordance with the bid specifications as set forth by the City's Engineer, funds to be appropriated from Major Street 202, with necessary budget adjustments and transfers to be made by the City's Finance Director.

Discussion ensued.

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

City Street-Lighting Program, Heritage Association Re-Imbursement

Resolution No. 071126-05

(Carried)

Motion by Councilmember Adams
Second by Councilmember Hurt

I Move the City of Swartz Creek admit Heritage Village Subdivision to the City's street-lighting program, for the 22 existing lights within the subdivision, future invoices to be paid by the City, and further, to reimburse the Heritage Village Association for actual costs paid by the Association for street lighting, such costs not to exceed \$ 1500.00, and further, to negotiate agreements with the City's two remaining private condominium associations, being Springbrook Colony and

Carriage Commons, and to bring such agreements back to the Council for review and decision.

Discussion took place.

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

NO: Abrams, Hurt. Motion Declared Carried.

Cross Connection Control Program, Appropriation, Hydro-Designs

Resolution No. 071126-06

(Carried)

Motion by Councilmember Hurt
Second by Councilmember Adams

WHEREAS, compliant to the Safe Drinking Water Act of 1976 PA 339, the City of Swartz Creek instituted a Cross Connection Control and Compliancy Program, and solicited and awarded sealed bids to Hydro-Designs Inc. of Bloomfield Hills Michigan to implement the program, and;

WHEREAS, Hydro-Designs have brought the City into full compliancy with the Act and MDEQ Regulations, and;

WHEREAS, it is mandatory for the City to continue the program in order to remain in compliancy with the Act and MDEQ Regulations, and;

WHEREAS, the work performed by Hydro-Designs is specialized, and;

WHEREAS, it is efficient, compliant and desirable for the City to remain with a single company to maintain compliancy and continued continuity of the established records currently maintained by Hydro-Designs,

NOW THEREFORE, the Swartz Creek City Council appropriates an amount not to exceed \$4,500, payment for yearly continuation of the City’s Cross Connection Compliancy and Control Program, to Hydro-Designs Inc. of Bloomfield Hills, Michigan, funds to be appropriated from 590, Water Supply

Discussion took place.

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

NO: None. Motion Declared Carried.

MEETING OPENED TO THE PUBLIC:

Charles Brunette, 6329 Augusta, talked about the street lights in Springbrook. Mr. Brunette also spoke about Heritage Village. He was concerned that Kal Nemer wrote the check for the street lights from the Village Association account. He stated that he was glad that the Council voted to reimburse the money for the street lights.

REMARKS BY COUNCILMEMBERS:

Councilmember Porath wanted to know when the City Council meetings were in December. He was advised that they were the 10th and 17th of December.

Councilmember Shumaker questioned the report on delinquent personal property taxes. City Manager Bueche directed Mr. Shumaker to the correct pages in the current City Manager's report. Mr. Shumaker stated that he appreciated the report on the successful Farmer's Market and Asst City Manager Zettel's hard work on the Market. He questioned whether there was a policy on the Farmer's Market that he could refer to for next year.

Councilmember Hicks stated that it was nice seeing the new canine unit and she appreciated them coming in and talking to the Council.

Councilmember Adams also spoke about how great he thinks the canine program is. He believes the program is a good investment and believes it should continue. Mr. Adams spoke about the water system in Springbrook. He stated that he would like to become more familiar with what is going on in the sub-communities in the City.

Councilmember Hurt asked whether the bill for the Marathon station had been paid yet. City Manager Bueche stated that he was 99% sure that it has not been paid. Mr. Hurt stated that, as one council member, he is not interested in anything else that Mr. Saroki, or his representatives have to say until the bill is paid.

Mayor Abrams asked if Mr. Saroki pays late fees on the money that has been outstanding for the last three years. City Manager Bueche stated that there is no mechanism or policy to apply late fees to that type of account. Mr. Abrams talked about the street sweeper going down Greenleaf. He stated that the storm drain openings were getting damaged.

ADJOURNMENT:

There being no objection, Mayor Abrams declared the meeting adjourned at 8:15 p.m.

Richard B Abrams, Mayor

Juanita Aguilar, City Clerk