

**CITY OF SWARTZ CREEK  
SWARTZ CREEK, MICHIGAN  
MINUTES OF THE COUNCIL MEETING  
DATE 08/10/2009**

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, Binder, Hicks, Hurt, Krueger, Porath, Shumaker.

Councilmembers Absent: None.

Staff Present: City Manager Paul Bueche, City Clerk Juanita Aguilar, Assistant City Manager Adam Zettel.

Others Present: Joanne Holmquist, Boots Abrams, Tommy Butler, Lee Gonzales, Brad Schopreray, Klein.

Mayor Abrams recognized State Representative Lee Gonzales as being present at the meeting. Mr. Gonzales made a brief statement about the current revenue circumstances in the state.

**APPROVAL OF MINUTES**

**Resolution No. 090810-01**

**(Carried)**

Motion by Mayor Pro-Tem Porath  
Second by Councilmember Hurt

**I Move** the Swartz Creek City Council hereby approve the Minutes for the Regular Council Meeting, held July 27, 2009, as presented, to be circulated and placed on file.

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

**APPROVAL OF AGENDA**

**Resolution No. 090810-02**

**(Carried)**

Motion by Councilmember Krueger  
Second by Councilmember Hurt

**I Move** the Swartz Creek City Council approve the Agenda, as presented, for the Regular Council Meeting of August 10, 2009 to be circulated and placed on file.

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

**REPORTS AND COMMUNICATIONS:**

**City Manager's Report**

**Resolution No. 090810-03**

**(Carried)**

Motion by Councilmember Shumaker  
Second by Councilmember Binder

**I Move** the Swartz Creek City Council approve the City Manager's Report of August 10, 2009, to be circulated and placed on file.

Discussion Ensued.

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

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

**MEETING OPENED TO THE PUBLIC:**

Joanne Holmquist, 5373 Miller, thanked the City Council for letting her address the Council. Ms. Holmquist wanted to reiterate that town hall meetings to educate the taxpayers are essential.

Tommy Butler, 40 Somerset, suggested having a "metropolitan" police department that covers the City and neighboring townships.

**COUNCIL BUSINESS:**

**Eagle Scout Project, Elms Park Brick Grill, Schopieray**

**Resolution No. 090810-04**

**(Carried)**

Motion by Councilmember Hicks  
Second by Councilmember Hurt

**WHEREAS**, Brad Schopieray is a local high school student and Boy Scout that is currently working on an Eagle Scout project; and

**WHEREAS**, Mr. Schopieray has devised a community construction project as the focus of the Eagle Scout project that consists of the construction of a new brick grill for Elms Park; and

**WHEREAS**, Mr. Schopieray has drafted a plan and selected a location adjacent to the Genesee Valley Rotary Club Pavilion for the grill and this plan has been approved by the Zoning Administrator.

**NOW, THEREFORE, BE IT RESOLVED** that the Swartz Creek City Council approve the grill project as submitted by Eagle Scout Candidate Brad Schopieray, under the direction and supervision of the Director of Public Works.

Discussion Took Place.

YES: Krueger, Porath, Shumaker, Abrams, Binder, Hicks, Hurt.

NO: None. Motion Declared Carried.

**Council Compensation, Accept L.O.C.C. Ruling**

**Resolution No. 090810-05**

**(Carried)**

Motion by Councilmember Binder

Second by Councilmember Hurt

**WHEREAS**, of recent, the City has experienced strained finances due to a variety of events, but primarily, a downslide in the economy, significant cuts by the state in revenue sharing and the filing of bankruptcy by General Motors, the City's largest taxpayer; and

**WHEREAS**, the City Council, in recognition of the City's fiscal crisis, requested that the Local Officer's Compensation Commission review the Councils' meeting compensation and roll it back to pre 2003 levels; and

**WHEREAS**, the Local Officers' Compensation Commission is empowered by City Ordinance to set Council Compensation; and

**WHEREAS**, the Local Officers' Compensation Commission met on Thursday, July 30, 2009 and after presentation of the Council's request, voted as follows:

**Council Compensation**

**Resolution No. 090730-03**

**(Carried)**

*Motion by Member Butler*

*Second by Member Maksymui*

***WHEREAS**, the Local Officers' Compensation Commission is empowered by State Statute and City Ordinance to set Council Meeting Compensation; and*

***WHEREAS**, the Commission last met on April 3, 2003 and set compensation for the attendance at City Council meetings at \$75.00 per attended meeting, a raise from \$60.00 per attended meeting, the purpose being to offset expenses associated with an internet connection as a part of the City's digital records and communications program; and*

***WHEREAS**, a recent downturn in the economy coupled with General Motors' filing of a bankruptcy and an appeal with the Michigan Tax Tribunal asking for an 80% reduction in Taxable Values, has placed the City in a position to make significant cuts to its services; and*

***WHEREAS**, the City Council has reviewed all of its options, revenues and expenses and has made the necessary cuts to operate with a balanced budget as required by law; and*

***WHEREAS**, one such area reviewed was Council Compensation for the attendance at City Council Meetings, the City Council deciding to ask that the Local Officers' Compensation Commission consider reducing compensation back to pre 2003 levels.*

**NOW, THEREFORE, I Move** the Local Officers' Compensation Commission hereby reduce Council Member Compensation for attendance at City Council Meetings to \$60.00 (sixty dollars) per meeting attended.

*Discussion ensued. The City Manager explained the Council desires in their request to lower wages. Discussion continued on the economy as it relates to the City's operational activities.*

YES: Morgan, Maksymiu. Schultz, Butler  
NO: None.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council accept the ruling of the Local Officers' Compensation Commission, and further, extend appreciation for their service, time and attention.

Discussion Took Place.

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

### **DDA-City Compensation Arrangement**

**Resolution No. 090810-06**

**(Carried)**

Motion by Councilmember Hurt  
Second by Councilmember Hicks

**I Move** the City of Swartz Creek affix compensation at \$5,000 for services rendered to the Swartz Creek DDA for fiscal year 2009-2010, such services consisting of, but not limited to: accounting, payables, receivables, administrative, insurance, copies and secretarial, and further, accept payment, to be deposited in the City's General Fund.

Discussion Ensued.

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

### **Property Hazard Mitigation, 3340 Heritage Blvd.**

**Resolution No. 090810-07**

**(Carried)**

Motion by Mayor Pro-Tem Porath  
Second by Councilmember Hurt

**I Move** the City of Swartz Creek concur with the City's Assistant Manager – Zoning Administrator, and declare the property conditions, as they may relate to an exposed foundation, located at 3340 Heritage Blvd, Tax ID # 58-30-651-082, to be hazardous and a nuisance, in violation of the City Charter Chapter 10, Section 10-9, and further, direct the City Staff to order the abatement of the hazard, by the property owner of record, to be completed no later than August 20, 2009 at 5:00 PM. Upon failure to comply, the City Staff is hereby authorized to enter upon the property and perform, or cause to be performed by a contractor qualified to do such

work, all excavating, infill, cleanup, fencing, or other necessary and practical work as a remedy to the nuisance, and further, to assess the expenses related to such nuisance abatement, against the tax roll, in accordance with City Charter.

Discussion Ensued.

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

**Property Hazard Mitigation, 7493 Grove St.**

**Resolution No. 090810-08**

**(Carried)**

Motion by Councilmember Krueger  
Second by Councilmember Hurt

**I Move** the City of Swartz Creek concur with the City's Assistant Manager – Zoning Administrator, and declare the property conditions, as they may relate to an exposed foundation, located at 7493 Grove St., Tax ID # 58-01-100-011, to be hazardous and a nuisance, in violation of the City Charter Chapter 10, Section 10-9, and further, direct the City Staff to order the abatement of the hazard, by the property owner of record, to be completed no later than August 20, 2009 at 5:00 PM. Upon failure to comply, the City Staff is hereby authorized to enter upon the property and perform, or cause to be performed by a contractor qualified to do such work, all excavating, infill, fencing, cleanup, or other necessary and practical work as a remedy to the nuisance, and further, to assess the expenses related to such nuisance abatement, against the tax roll, in accordance with City Charter.

Discussion Ensued.

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

**2009-2010 Budget**

**(Discussion Topic)**

City Manager Bueche went over the new budget amendments with the City Council.

**MEETING OPENED TO THE PUBLIC**

None.

**REMARKS BY COUNCILMEMBERS:**

Councilmember Hicks wanted to thank everyone who came to the meeting to express their interest in the City happenings.

Mayor Abrams expressed his appreciation of the Eagle Scouts that do so much for the City. Mr. Abrams talked of the Genesee County Small Cities and Villages picnic that he attended. Mr. Abrams spoke of the 75<sup>th</sup> anniversary for Post 294 which he attended.

Councilmember Shumaker talked about a resident that complained about there not being clear directions on where the drop box is for people who come by after hours. City Manager Bueche stated that he would check into it.

Mayor Pro-Tem Porath questioned what it costs to conduct a City Council meeting and suggested that meetings be reduced to once a month. Mayor Abrams advised that the City Charter states that two meetings were required.

**ADJOURNMENT:**

There being no objection, Mayor Abrams declared the meeting adjourned at 8:20 p.m.

Richard Abrams, Mayor

Juanita Aguilar, City Clerk