

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE COUNCIL MEETING
DATE 01/26/2009**

The meeting was called to order at 7:00 p.m. by Mayor Pro-Tem Porath in the Swartz Creek City Council Chambers, 8083 Civic Drive.

Invocation and Pledge of Allegiance to the Flag.

Councilmembers Present: Binder, Hicks, Hurt, Krueger, Porath, Shumaker.

Councilmembers Absent: Mayor Abrams.

Staff Present: Assistant City Manager Adam Zettel, Deputy City Clerk/Treasurer Deanna Korth, Director of Public Services Tom Svrcek, City Attorney William Delzer.

Others Present: Ron Schultz, Tommy Butler, Danny Nemer, Bob Plumb, Jim Florence, Sharon Klein, Joshua White.

APPROVAL OF MINUTES

Resolution No. 090126-01

(Carried)

Motion by Councilmember Hurt
Second by Councilmember Binder

I Move the Swartz Creek City Council hereby approve the Minutes for the Regular Council Meeting, held January 12, 2009, to be circulated and placed on file.

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

APPROVAL OF AGENDA

Resolution No. 090126-02

(Carried)

Motion by Councilmember Binder
Second by Councilmember Hurt

I Move the Swartz Creek City Council approve the Agenda, as printed, for the Regular Council Meeting of January 26, 2009 to be circulated and placed on file.

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

Resolution No. 090126-03

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Krueger

I Move the Swartz Creek City Council excuse the absence of Mayor Abrams from the regular Council meeting of January 26, 2009.

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

REPORTS AND COMMUNICATIONS:

City Manager's Report

Resolution No. 090126-04

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Hurt

I Move the Swartz Creek City Council approve the City Manager's Report of January 26, 2009, to be circulated and placed on file.

Discussion Took Place.

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

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

MEETING OPENED TO THE PUBLIC:

None.

COUNCIL BUSINESS:

Review and Acceptance: 2008 Planning Commission Annual Report

Resolution No. 090126-05

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Krueger

I Move the Swartz Creek City Council approve the attached 2008 Planning Commission Annual Report, as amended.

Discussion Took Place.

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

Water and Sewer Tap Fee Credits: Cedar Creek

Resolution No. 090126-06

(Failed)

Motion by Councilmember Krueger
Second by Councilmember Hurt

I Move the Swartz Creek City Council approve the request by developer, Danny Nemer, to recognize the credit of and waive fees for four water tap fees, totaling \$3,200, for the Cedar Creek Townhome project located at 9279 Miller Road, parcel number 58-03-200-011.

Discussion Ensued.

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

MEETING OPENED TO THE PUBLIC

Tommy Butler, 40 Somerset, questioned fixing the bands on the street signs on Elms Road. Mr. Butler suggested using Krylon paint. Mr. Butler questioned why the City Council meetings are not televised like the County Commissioners' and other meetings.

REMARKS BY COUNCILMEMBERS:

Councilmember Krueger questioned the quality of the construction on Seymour Road. Assistant City Manager Zettel stated that a concern came up when there was a water main break there recently. Mr. Zettel stated that they had a core sample tested at that time and there appears to be no merit to pursuing it further unless a problem arises. He stated that the City does have a two year guaranteed bond through the MDOT process that can be acted on if necessary.

Councilmember Shumaker thanked the DPS for the nice job they have done with snow removal and salting. Mr. Shumaker talked about the Seymour Road project and questioned whether there should have been three layers put down and not two.

Councilmember Binder commented on the new City calendars that were done. She stated that it is exactly what the residents need and wondered how they would be distributed. She was advised that it would be distributed in different ways, including adding it to the City website.

Councilmember Hurt spoke about TV coverage of City Council meetings. Mr. Hurt spoke of his experience on watching other jurisdictions' televised meetings. Mr. Hurt stated that he felt that TV coverage could possibly inhibit what occurs at the meetings, including "playing to the camera." Mr. Hurt stated that he felt that newspaper coverage was sufficient.

Mayor Pro-Tem Porath also commented on the new calendars. He stated that he was glad that it is out and hopes that it is distributed. Mr. Porath also spoke about TV coverage of the Council meetings.

ADJOURNMENT:

There being no objection, Mayor Pro-Tem Porath declared the meeting adjourned at 7:50 p.m.

Curt Porath, Mayor Pro-Tem

Deanna Korth, Deputy City Clerk