

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE COUNCIL MEETING
DATE 02/28/2011**

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, Deputy City Clerk Mary Jo Clark, DPS Director Tom Svrcek.

Others Present: Boots Abrams, Sharon Shumaker, Bob Plumb, Tommy Butler, Rick Ballreich, Lyle Schlueter, Mary Carey, Pat Dunnigan, Bob Carey, Al Jory, Melinda Hopton, Josh Hopton, Wayne Kelley.

APPROVAL OF MINUTES

Resolution No. 110228-01 **(Carried)**

Motion by Councilmember Porath
Second by Councilmember Hurt

I Move the Swartz Creek City Council hereby approve the Minutes of the Regular Council Meeting, held February 14, 2010, to be circulated and placed on file.

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

Resolution No. 110228-02 **(Carried)**

Motion by Mayor Pro-Tem Krueger
Second by Councilmember Hicks

I Move the Swartz Creek City Council hereby approve the Minutes of the Special Council Meeting held February 23, 2011 to be circulated and placed on file.

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

APPROVAL OF AGENDA

Resolution No. 110228-03

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Binder

I Move the Swartz Creek City Council approve the Agenda, as amended, for the Regular Council Meeting of February 28, 2011 to be circulated and placed on file.

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

REPORTS AND COMMUNICATIONS:

City Manager's Report

Resolution No. 110228-04

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Hurt

I Move the Swartz Creek City Council approve the City Manager's Report of February 28, 2011, to be circulated and placed on file.

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

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

MEETING OPENED TO THE PUBLIC:

Wayne Kelley, 6412 Tallmadge, asked what hours the road crews would be working while they work on Miller Road. City Manager Bueche stated that he would speak to the contractors. Mr. Bueche stated that it is only spot fixes that they are doing.

City Manager Bueche spoke about a communication from Springbrook East regarding closing down the connecting drive between Springbrook East and Springbrook Colony.

Rick Ballreich, 4297 Maya, explained the problems that occur when people cut through Lindsey Drive to get to Kroger.

Council Business

Special Council Meeting of February 23, 2011, Waive Council Payment

Resolution No. 110228-05

(Carried)

Motion by Councilmember Binder
Second by Councilmember Hurt

I Move the City of Swartz Creek waive payment for the Special Council Meeting held February 23, 2011, and further, direct the staff to make necessary adjustments to the City's accounting systems.

Discussion Ensued.

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

Boards & Commissions, Appoint Tax Board of Review Replacement

Resolution No. 110228-06

(Carried)

Motion by Councilmember Hurt
Second by Mayor Pro-Tem Krueger

I Move the City of Swartz Creek Council appoint Wanda Tyler, of 6483 W. Bristol Road, to the Swartz Creek Tax Board of Review, for the remainder of the term vacated by Mr. Thomas MacGillivray, term running from July 1, 2010, expiring June 30, 2013.

Discussion Took Place.

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

Miller Elms Project, Family Farm & Home

(Discussion Topic)

City Manager Bueche gave a brief update on the status of Family Farm & Home. Mr. Bueche stated that there were some changes made to the original plan approved by the Planning Commission. One change is that the water & sewer will be private; there will be a 6" water line for fire suppression and a 2" line for the building itself. Another change is the road design, including the turn lane.

Marathon Project

(Discussion Topic)

City Manager Bueche spoke about Marathon Oil proposing that the City deed the property over to them and they will clean all of it up. Then, with the City's help, they will sell it to recover the cost of the cleanup. Discussion ensued reference the pros and cons.

Neighborhood Stabilization Project

(Discussion Topic)

City Manager Bueche discussed whether to do this program in house or turn it over to the Land Bank.

MEETING OPENED TO THE PUBLIC

Al Jory, 6140 Seymour Road, stated that he thought the Marathon site should be sold at fair market value.

Boots Abrams wanted to extend kudos to the City workers who keep the streets clean after all of the snow.

Wayne Kelley, 6412 Tallmadge, questioned whether Family Farm and home would have only one entrance.

REMARKS BY COUNCILMEMBERS:

Councilmember Hurt questioned if there would be a problem with fire trucks getting into the Springbrook neighborhood if they close off the street going into Kroger. City Manager Bueche stated that the traffic engineer would look into it. Mr. Hurt questioned whether the roads were public in Springbrook. He was advised they were not.

Councilmember Binder stated that she has pictures of the new Marine statue.

Councilmember Shumaker spoke about the Marathon station. Mr. Shumaker stated that he feels the City can't regulate which business locates there. The Mayor stated that the difference is that the City will own the property, therefore enabling it to be able to make the decision. Mr. Shumaker questioned how far west the Miller Road project goes.

Councilmember Porath questioned why Springbrook is asking the City for help closing the street in question. Mr. Bueche stated it is because the streets will soon belong to the City.

Mayor Pro-Tem Krueger spoke about the word "ambit" and gave the Council the definition.

Executive Session, AFSCME & POLC Collective Bargaining Agreements

Resolution No. 110228-07

(Carried)

Motion by Councilmember Porath
Second by Councilmember Hurt

I Move the City of Swartz Creek, at the request of the City Manager and in accordance with the Open Meetings Act; enter into Executive Session for the purpose of discussing strategy related to the AFSCME and POLC Collective Bargaining Agreements.

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

Adjournment

Resolution No. 110228-08

(Carried)

Motion by Councilmember Hurt
Second by Councilmember Shumaker

I Move the City of Swartz Creek adjourn the Regular Session of the City Council meeting at 9:30 p.m.

YES: Unanimous Voice Vote.

NO: None. Motion Declared Carried.

Richard Abrams, Mayor

Mary Jo Clark , Deputy City Clerk