

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE COUNCIL MEETING
DATE 08/27/2012**

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, Shumaker.

Councilmembers Absent: Porath.

Staff Present: City Manager Paul Bueche, City Clerk Juanita Aguilar, DPS Director Tom Svrcek, City Attorney Mike Gildner.

Others Present: Tommy Butler, Boots Abrams, Bob Plumb, Sharon Shumaker, Ron Schultz, Steve Shumaker, John Gilbert, Lee Hubbard, Lou Fleury.

Mayor Abrams presented a \$200.00 check that he received from Monte Morgan. Mrs. Morgan wanted the money donated to the K-9 program. Mr. Abrams stated that Mrs. Morgan has been informed that her cancer has returned.

APPROVAL OF MINUTES

Resolution No. 120827-01

(Carried)

Motion by Mayor Pro-Tem Krueger
Second by Councilmember Binder

I Move the Swartz Creek City Council hereby approve the Minutes of the Regular Council Meeting held August 13, 2012, to be circulated and placed on file.

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

APPROVAL OF AGENDA

Resolution No. 120827-02

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Hurt

I Move the Swartz Creek City Council approve the Agenda, as amended, for the Regular Council Meeting of August 27, 2012, to be circulated and placed on file.

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

REPORTS AND COMMUNICATIONS:

City Manager's Report

Resolution No. 120827-03

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Hurt

I Move the Swartz Creek City Council approve the City Manager's Report of August 27, 2012, to be circulated and placed on file.

Discussion took place.

YES: Hurt, Krueger, 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:

Lee Hubbard, 8333 Miller Road, wanted to publicly thank City Manager Bueche for spending more time than was necessary to explain the water/sewer readiness to serve fees.

COUNCIL BUSINESS:

Jim Florence & Bruce Lanning, Prayer Breakfast & Youth Program (Presentation)

Jim Florence began by asking Councilmembers to please pull their microphones closer so that they could be heard by the audience. Mr. Florence thanked everyone who was involved in the successful Art in the Park on Saturday. Mr. Florence stated that over 2,000 people attended the event. Mr. Florence spoke about the Swartz Creek Senior Center having a pancake breakfast on September 15, 2012. On September 22 the United Methodist Church will be having a BBQ dinner.

Bruce Lanning spoke about an event that the United Methodist Church will be sponsoring on October 26, 27, and 28. A video was shown about disabled professional bass fisherman Clay Dyer, who will speak to the students in Swartz Creek as well as at the men's prayer breakfast.

Appropriation & Bid Award, Sidewalk Repair

Resolution No. 120827-04

(Carried)

Motion by Councilmember Binder
Second by Councilmember Hurt

I Move the City of Swartz Creek accept the low bid of Curbcoc Inc. of Swartz Creek Michigan, for the repair of deteriorated sidewalk sections as designated by the City, the costs of such repairs being \$4.75 per S.F. 4", \$5.25 per S.F. 6", \$5.75 per S.F. 8", in accordance with the specifications as set forth in the bid documents. Property owners shall be billed the actual amount invoiced to the City for repairs, plus 10% processing and mailing, and further, failure to remit payment shall result in the assessment of those costs to the tax roll, in accordance with City Ordinance.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

Winshall Park Fee Waiver Request, Scout Pack #357

Resolution No. 120827-05

(Carried)

Motion by Councilmember Hurt
Second by Councilmember Binder

I Move the City of Swartz Creek approve the use of Winshall Park Main Pavilion, with waiver of fees, for Swartz Creek Cub Scout Pack #357's First Annual Get Together, on Saturday August 25, 2012.

Discussion Took Place.

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

NO: None. Motion Declared Carried.

Boards & Commissions Appointment: Board of Review Re-Appointment

Resolution No. 120827-06

(Carried)

Motion by Mayor Pro-Tem Krueger
Second by Councilmember Hurt

I Move the City of Swartz Creek re-appoint Robert Brown of 4359 Springbrook Drive, to the Swartz Creek Tax Board of Review, term to run from July 1, 2012 through June 30, 2015.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

Boards & Commissions Appointment: FANG

Resolution No. 120827-07

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Binder

I Move the City of Swartz Creek concur with the Mayor's appointment of Councilmember Rae Lyn Hicks as Delegate to the Genesee County Narcotics Control (FANG) Board, the appointment of Chief Rick Clolinger as Alternate, and further, accept the resignation of Councilmember Curt Porath from the Genesee County Narcotics Control (FANG) Board, term to fill the remaining time left, from August 27, 2012 through November 12, 2012.

Discussion Took Place.

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

Boards & Commissions Appointment: Planning Commission Re-Appointments

Resolution No. 120827-08

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Hurt

I Move the City of Swartz Creek concur with the Mayor's re-appointment of Robert Florine, of 5914 Cross Creek and James Florence, of 4296 Springbrook, to the Swartz Creek Planning Commission, terms to run from July 1, 2012 through June 30, 2015.

Discussion Took Place.

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

Boards & Commissions Appointment: DDA Re-Appointment

Resolution No. 120827-09

(Carried)

Motion by Councilmember Binder
Second by Councilmember Hurt

I Move the City of Swartz Creek concur with the Mayor's re-appointment of Teresa Spence, of 11401 Miller, Gaines, to the Swartz Creek Downtown Development Authority, term to run from April 1, 2012 through March 31, 2016

Discussion Ensued.

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

Boards & Commissions Appointment: DDA Re-Appointment

Resolution No. 120827-10

(Carried)

Motion by Councilmember Hurt
Second by Mayor Pro-Tem Krueger

I Move the City of Swartz Creek concur with the Mayor's re-appointment of Mark Nemer, of 8122 West Hill Road Swartz Creek, to the Swartz Creek Downtown Development Authority, term to run from April 1, 2012 through March 31, 2016

Discussion Ensued.

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

2012-2016 Supervisor's Labor Agreement

Resolution No. 120827-11

(Carried)

Motion by Mayor Pro-Tem Krueger
Second by Councilmember Hurt

I Move the City of Swartz Creek approve the 2012-2016 Collective Bargaining Labor Agreement between the City and the Swartz Creek Supervisor's Association, a copy of which is attached hereto.

Discussion Took Place.

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

Decorative Streetlighting, Meijer

Resolution No. 120827-12

(Carried)

Motion by Councilmember Hurt
Second by Mayor Pro-Tem Krueger

I Move the Swartz Creek City Council approve an appropriation in the amount of \$18,700 plus 10% contingency, for the purchase of and installation of eleven streetlights, in accordance with plans submitted by Consumers Energy.

And Further, provided that it is a reimbursable expense from the street improvements that Meijer Inc has made.

Discussion Ensued.

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

MEETING OPENED TO THE PUBLIC:

Boots Abrams, 5354 Greenleaf, thanked the City on behalf of the Kiwanis and the Women's Club, for their cooperation and courtesies received with the use of Elms Road Park.

John Gilbert, 7459 Miller Road, spoke about the sidewalk specifications. Mr. Gilbert spoke about the sidewalks in front of the old Marathon station. Mr. Gilbert talked about the garbage collection and the fact that his trash container was left in the bicycle lane by the garbage company.

City Attorney Mike Gildner spoke about his presence at the meeting stating that he felt it was important to keep up with what is going on in the City.

REMARKS BY COUNCILMEMBERS:

Councilmember Shumaker, as a member of the Kiwanis Club, thanked the City for its cooperation with Elms Park. Mr. Shumaker stated that he thinks Elms Park is being overlooked.

Councilmember Hurt asked if the City attorneys routinely receive the agendas and information for the Council meetings. He was advised that they do.

Mayor Pro-Tem Krueger asked about the status of the City Manager's contract.

Mayor Abrams expressed sadness about Monte Morgan's illness and asked that she and her husband Bill Morgan, who is also in ill health, be in everyone's thoughts and prayers.

Adjournment

Resolution No. 120827-13

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Hurt

I Move the City of Swartz Creek adjourn the Regular Session of the City Council meeting at 8:04 p.m.

YES: Unanimous Voice Vote.
NO: None. Motion Declared Carried.

Richard Abrams, Mayor

Juanita Aguilar, City Clerk