

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE COUNCIL MEETING
DATE 08/25/2008**

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

Councilmembers Absent: Adams, Porath.

Staff Present: City Manager Bueche, City Attorney Dick Figura, City Clerk Juanita Aguilar.

Others Present: Boots Abrams, Tommy Butler, David Krueger, Betty Binder, Lloyd Swan, Chuck Shinouskis, Jim Florence, Shirley Oliver, Lou Fleury, Doug Whetstone, Natalie Dannings.

Resolution No. 080825-01

(Carried)

Motion by Councilmember Hurt
Second by Councilmember Hicks

I Move the Swartz Creek City Council hereby excuse the absence of Councilmember Porath from the August 25, 2008 Council meeting due to work commitments and Councilmember Adams from the August 25, 2008 Council meeting due to family health issues.

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

APPROVAL OF MINUTES

Resolution No. 080825-02

(Carried)

Motion by Mayor Pro-Tem Christie
Second by Councilmember Hurt

I Move the Swartz Creek City Council hereby approve the Minutes for the Regular Council Meeting, held August 11, 2008, to be circulated and placed on file.

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

APPROVAL OF AGENDA

Resolution No. 080825-03

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Hicks

I Move the Swartz Creek City Council approve the Agenda, as presented, for the Regular Council Meeting of August 25, 2008 to be circulated and placed on file.

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

REPORTS AND COMMUNICATIONS:

City Manager's Report

Resolution No. 080825-04

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Hurt

I Move the Swartz Creek City Council approve the City Manager's Report of August 25, 2008, to be circulated and placed on file.

Discussion Took Place.

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

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

MEETING OPENED TO THE PUBLIC:

None.

COUNCIL BUSINESS:

Local Street Paving Projects

(Discussion Topic)

City Manager Bueche talked about the street paving projects, and where the City stands at this time on the projects.

Discussion Ensued.

Appropriation, Design Engineering, Morrish Road Re-Construction

Resolution No. 080825-05

(Carried)

Motion by Councilmember Hurt
Second by Councilmember Hicks

WHEREAS, the City of Swartz Creek is a Local Governmental Unit and recognized Street Authority eligible to receive funding from the Michigan Department of Transportation and the Federal Highway Administration; and,

WHEREAS, the City of Swartz Creek is a member of the Genesee County Metropolitan Planning Alliance, an urban transportation planning cooperative charged with allocating funds to eligible street authorities in Genesee County; and

WHEREAS, the City of Swartz Creek has identified a need to make repairs and improvements to Morrish Road from the I-69 viaduct to the North City Limit at Bristol Road and further, repairs have been allocated in the Genesee County Traffic Improvement Program and is scheduled for obligation and repair in 2009; and,

WHEREAS, on August 14, 2006, the City re-zoned ±120 acres of land along the east and west sides of Morrish Road, north of I-69 and south of West Bristol Road, into a Commercial Retail Planned Unit Development District; and

WHEREAS, a final site plan for the construction of a Meijer's retail outlet with Special Land Use Permits was approved on August 14, 2006 with a revised final site plan approved on August 11, 2008 for the construction of a ±160,000 square foot Meijer's retail outlet department store along the east side of Morrish Road north of I-69; and

WHEREAS, at site plan approval, and in a letter of commitment dated December 22, 2006, the Meijer Corporation confirmed their contribution of \$1,500,000 towards public improvements related to the re-construction of South Morrish Road between I-69 and West Bristol Road; and

WHEREAS, Meijer's Incorporated desires to open the retail outlet in early 2010 and in order to meet this deadline, construction of the road and the project would need to begin in early 2009; and

WHEREAS, the City's engineer has submitted a Design Proposal in the amount of \$73,052.

NOW, THEREFORE, BE IT RESOLVED that the City of Swartz Creek appropriate an amount not to exceed \$73,052 to the City's Engineer, Rowe Incorporated, for the re-construction design of Morrish Road from I-69 to West Bristol Road, in accordance with the concept and approved site plan for Meijer's Incorporated of Grand Rapids Michigan.

Discussion Took Place.

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

Bid Extension & Appropriation, Miller Road Striping

Resolution No. 080825-06

(Carried)

Motion by Mayor Pro-Tem Christie
Second by Councilmember Hurt

WHEREAS, the City filed and was awarded funding for the repair and re-construction of Elms Road, through the Genesee County Metropolitan Planning Commission's Traffic Improvement Program; and

WHEREAS, the project was designed, approved by the Michigan Department of Transportation, let for bid and awarded to Ace Asphalt Company; and

WHEREAS, the project is nearing completion with lane striping scheduled in the near future; and

WHEREAS, P.K. Contracting Inc. of Troy Michigan is the sub-contractor for the lane striping portion of the project, having been MDOT approved for such work at bid unit prices of 10¢ per lineal foot for four inch yellow striping and 15¢ per lineal foot for 6 inch white striping; and

WHEREAS, the contractor has agreed to extend the bid price for any other striping work the City may desire, as long as the work can be done in conjunction with the scheduled lane striping for the Elms Road Project; and

WHEREAS, the City desires to re-stripe Miller Road from east of Elms to east of Seymour, approximately 26,400' @ 4" and 21,120' @ 6", estimated cost of \$5,808; and

WHEREAS, the City's purchasing ordinance allows for the use of bid extensions as long as such use is in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED, that the City extend the bid unit costs of P.K. Contracting Inc, of Troy Michigan, in the amount of 10¢ per lineal foot for 4" yellow and 15¢ per lineal foot for 6" white, and approve the re-striping of Miller Road from east of Elms to east of Seymour, estimated quantity of 26,400' yellow and 21,120' white, total cost of \$5,808, plus 15% contingency, funds to be appropriated from 202 Major Streets.

Discussion Took Place.

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

Park Fee Waiver, Knights of Columbus

Resolution No. 080825-07

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Hurt

I Move the City of Swartz Creek waive fees associated with the use of Elms Road Park Pavilion #4, for the Swartz Creek Chapter of the Knights of Columbus, on Sunday September 14, 2008, from 10:00 AM to 7:00 PM, for their annual picnic.

Discussion Took Place.

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

MEETING OPENED TO THE PUBLIC

Tommy Butler, 40 Somerset, talked about the issue with redoing the streets. Mr. Butler stated that he thinks that there is a lack of communication within the City. Mr. Butler compared the condition of the streets in the City of Swartz Creek with the condition of the streets in the City of Durand. Mr. Butler questioned how the other cities take care of their streets. Mr. Butler stated that he believes things need to be changed in the City. Mr. Butler stated that he thinks the Department of Public Services should be required to prepare a report as to the state of the City streets. Mr. Butler offered to come to the City Hall and do a communication class.

REMARKS BY COUNCILMEMBERS:

Councilmember Shumaker spoke about the local streets and when they were paved. Mr. Shumaker talked about the City being more pro-active in informing citizens about how their taxes are dispersed.

Councilmember Hurt questioned the noise ordinance in reference to loud cars; i.e. stereo noise, and whether it was enforced. City Manager Bueche stated that he would have Chief Clolinger look into the issue.

Mayor Pro-Tem Christie gave a short report on the Fire Department. He stated there was a special meeting for demonstrations from three vendors for SCBA equipment. Mr. Christie talked about the Fire Department Budget.

Mayor Abrams talked about people running the traffic light at Miller Road and Fairchild. He suggested that the police use the motorcycle to try and catch people committing this crime. Mr. Abrams spoke about Kroger's decorative wall. He stated that there are banners and signs all over it that diminish the look of the decorative wall. He questioned who could be contacted to take care of the problem. Mr. Abrams talked about the Raubinger Road Bridge. He stated that it is still closed and the County has done nothing with it. Mr. Bueche stated that he would check into it with the County.

Councilmember Shumaker made a status report on the Veteran's Memorial. Mr. Shumaker stated that the Navy statue has been ordered and that the Committee has approved ordering the Air Force statue.

ADJOURNMENT:

There being no objection, Mayor Abrams declared the meeting adjourned at 8:05p.m.

Richard Abrams, Mayor

Juanita Aguilar, City Clerk