

**CITY OF SWARTZ CREEK  
SWARTZ CREEK, MICHIGAN  
MINUTES OF THE COUNCIL MEETING  
DATE 06/28/2010**

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, City Attorney Richard Figura.

Others Present: Boots Abrams, Tommy Butler, Sharon Shumaker.

**APPROVAL OF MINUTES**

**Resolution No. 100628-01**

**(Carried)**

Motion by Mayor Pro-Tem Porath  
Second by Councilmember Binder

**I Move** the Swartz Creek City Council hereby approve the Minutes of the Regular Council Meeting held June 14, 2010, 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. 100628-02**

**(Carried)**

Motion by Councilmember Krueger  
Second by Councilmember Shumaker

**I Move** the Swartz Creek City Council approve the Agenda, as amended, for the Regular Council Meeting of June 28, 2010 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. 100628-03**

**(Carried)**

Motion by Councilmember Shumaker  
Second by Councilmember Hurt

**I Move** the Swartz Creek City Council approve the City Manager's Report of June 28, 2010, to be circulated and placed on file.

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:**

None.

**COUNCIL BUSINESS:**

**Tax Foreclosure, 7026 Miller-Marathon, Tax ID No. 58-36-576-001**

**Resolution No. 100628-04**

**(Carried)**

Motion by Councilmember Hicks  
Second by Councilmember Hurt

**WHEREAS**, the Marathon Filling Station at 7026 Miller Road, Tax ID No.58-36-576-001, has been abandoned for more than a decade, the property having slipped into extreme disrepair; and

**WHEREAS**, the site has been designated as a contaminated facility with underground storage tanks, monitoring and reporting currently being conducted by Inland Seas Environmental Engineering of Flushing Michigan; and

**WHEREAS**, the property shows ownership by Swartz Creek Ventures, Grand Blanc Michigan, and further, is currently delinquent in taxes for the tax years of 2007, 2008 and 2009; and

**WHEREAS**, the Genesee County Treasurer's Office has commenced tax foreclosure and has offered the property to the City for tax default value, being \$24,291; and

**WHEREAS**, the City's primary interest is in seeing the site cleaned up by re-development or the demolition of the building; and

**WHEREAS**, the acquisition of the property by tax foreclosure would allow the City an avenue to accomplish such re-development, however, the cost of acquisition and subsequent remediation may be cost prohibitive.

**THEREFORE, I Move** the City of Swartz Creek direct the staff to work with the Genesee County Treasurer's Office and/or the Genesee County Land Bank to seek a solution to accomplish the demolition, re-development and remediation of the site, and further, to this end, allow for the execution of any necessary documents.

Discussion Took Place.

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

NO: None. Motion Declared Carried.

**Fire Department Cost Recovery Ordinance**

**(Discussion Topic)**

Councilmember Hurt discussed the Cost Recovery Ordinance for the Fire Department. A committee consisting of Mayor Abrams, City Manager Bueche, Councilmember Hurt and Councilmember Binder was formed to discuss the options available in dealing with the Cost Recovery Ordinance for the Fire Department.

**Accept Grant, Hundred Club**

**Resolution No. 100628-05**

**(Carried)**

Motion by Councilmember Binder  
Second by Councilmember Shumaker

**WHEREAS**, the City's Police Officer are issued bullet resistant vests and are required to wear them as part of their law enforcement activities; and

**WHEREAS**, the vests have a manufacturers recommended life expectancy of approximately five years, the City's vests at the limit and in need of replacement; and

**WHEREAS**, the City has searched for safety equipment grant funding to offset the cost, two such sources being the Flint One-Hundred Club and the U.S. Department of Justice; and

**WHEREAS**, the One-Hundred Club has committed to grant an amount of \$2,000 towards the replacement of the City's vests

**NOW, THEREFORE, I Move** the City of Swartz Creek, with appreciation, accept a grant of \$2,000 from the One-Hundred Club of Flint, funds to be used to off set the cost of the replacement of bullet resistant vests for the City's Police Officers.

Discussion Ensued.

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

**A.F.S.C.M.E. Labor Agreement Wage Re-Opener**

**Resolution No. 100628-06**

**(Carried)**

Motion by Councilmember Hurt  
Second by Councilmember Hicks

**WHEREAS**, the 2009-2012 A.F.S.C.M.E. Collective Bargaining Agreement provided for no wage or benefit increase for the first effective year of the agreement, being July 1, 2009, and further, the agreement allows for wage re-opener negotiations on July 1, 2010 and July 1, 2011; and

**WHEREAS**, the City Manager met with the union wherein the union believes that compensation has fallen behind other similar sized municipal governments, however, they do understand the economic crisis the City is experiencing and is willing to work with the City; and

**WHEREAS**, it was understood that the City continues to significantly scale back its operation in order to keep expenses within revenues, the A.F.S.C.M.E. asking only that the City continue to review its economic position and work towards merit increases as soon as able, and to this end, it was agreed to forgo any rate increases effective July 1, 2010 and schedule meetings on six month increments in order to conduct such reviews together.

**NOW, THEREFORE, I Move** that the City of Swartz Creek allow for a letter of understanding to amend the 2009-2010 A.F.S.C.M.E. Labor Agreement to reflect that the City will meet on six month increments, being prior to July and December of each year, for the purpose of discussing finances and exploring wage increases.

Discussion Ensued.

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

**Springbrook East Association Streets**

**(Discussion Topic)**

City Manager Bueche discussed the possible repair and recapping of the streets in Springbrook East.

**MEETING OPENED TO THE PUBLIC**

Boots Abrams spoke about the grant to the fire department. Ms. Abrams also mentioned how nice the flowers in the downtown area look. The flowers are maintained by the Swartz Creek Women's Club.

**REMARKS BY COUNCILMEMBERS:**

Councilmember Krueger spoke about some of the light poles in the City not having banners on them. Mr. Krueger questioned why there were no banners up this year. City Manager Bueche stated that he is looking into it. Mr. Krueger questioned whether the Swartz Creek schools were interested in putting banners up this year. Mr. Bueche stated that the City hasn't put them up yet, most likely due to labor issues.

Councilmember Hicks spoke about a resident that has been complaining about the ice cream truck that goes through the Village. Ms. Hicks questioned whether a permit was necessary for the ice cream truck. City Manager Bueche stated that a permit is required. Ms. Hicks stated that Bill Morgan was making a watering trailer for the Women's Club to make it easier for them to maintain the flowers in the City. Ms. Hicks asked whether a "slow moving vehicle" sign was necessary for the trailer. Mr. Bueche stated that it must comply with other vehicle rules governed by the State. Mr. Bueche advised that Mr. Morgan speak to him for clarification.

Councilmember Binder thanked the Kiwanis for sponsoring Camp 911 this year. Ms. Binder stated that two of her grandchildren went and had a great time. Ms. Binder stated that the Police and volunteers were wonderful and the children learned a lot.

Mayor Abrams questioned why the sewer rates increase with the water rates. Mayor Abrams questioned if they could draft an ordinance that all garbage be collected on one side of the street, so as to allow for less wear and tear on the streets when the trucks turn around to do the opposite side of the street. Mr. Abrams agreed that Camp 911 was great this year.

**Adjournment**

**Resolution No. 100628-07**

**(Carried)**

Motion by Councilmember Hurt  
Second by Councilmember Krueger

**I Move** the City of Swartz Creek adjourn the Regular Session of the City Council meeting at 9:05 p.m.

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