

**CITY OF SWARTZ CREEK  
SWARTZ CREEK, MICHIGAN  
MINUTES OF THE COUNCIL MEETING  
DATE 03/22/2010**

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, Assistant City Manager Adam Zettel, DPS Director Tom Svrcek.

Others Present: Boots Abrams, Tommy Butler, Jim Florence, Sharon Klein, David Kunz, Peggy & Richard Mattson, Bob Plumb, Mike Royalty .

**APPROVAL OF MINUTES**

**Resolution No. 100322-01**

**(Carried)**

Motion by Councilmember Porath  
Second by Councilmember Hurt

**I Move** the Swartz Creek City Council hereby approve the Minutes, as presented, for the Regular Council Meeting, held March 8, 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. 100322-02**

**(Carried)**

Motion by Councilmember Krueger  
Second by Councilmember Hurt

**I Move** the Swartz Creek City Council approve the Agenda, as printed, for the Regular Council Meeting of March 22, 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. 100322-03**

**(Carried)**

Motion by Councilmember Shumaker  
Second by Councilmember Hurt

**I Move** the Swartz Creek City Council approve the City Manager's Report of March 22, 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:**

**DDA Art Gallery Presentation**

Richard Mattson made brief presentation on the Art Gallery and his total support of this project. Mr. Mattson informed the council that he already made a presentation to the DDA Board and is getting them the information they requested. Mr. Mattson also informed the council that he will be resigning from the DDA to support this project. Assistant City Manager, Adam Zettel updated the council on the DDA's thoughts on this project and where it stands with them at this point.

**Local Street Projects**

**(Discussion Topic)**

City Manager Paul Bueche, Mike Royalty-Rowe Engineering and DPS Director Tom Svrcek updated the council on managing street repairs, process of repairs and recommendations of what streets should be repaired and why they were chosen.

**Sewer Use-IPP Ordinance**

**(Discussion Topic)**

City Manager Paul Bueche, explained the operation of the IPP Program. Mr. Bueche is trying to communicate with other communities, similar in size and needs, which haven't passed this ordinance so they can approach the county in a large volume with the issues of this ordinance. He will continue to keep the council updated.

City Manager Paul Bueche and Assistant City Manager Adam Zettel updated Council on changes already made to cut costs and other changes they are considering to cut costs.

**Proclamation, Annual Observance of Law Day, May 1, 2010**  
**Genesee County Bar Association**

**Resolution No. 100322-04**

**(Carried)**

Motion by Councilmember Hicks  
Second by Councilmember Hurt

**I Move** the City of Swartz Creek Council affirm the Mayor's Proclamation in observance of Law Day, as follows:

**WHEREAS**, our legal institutions and system of justice depend on popular participation and support to maintain legitimate authority; and

**WHEREAS**, Americans from all walks of life, public figures and private individuals alike, have re-affirmed in words and deeds our national allegiance to the rule of law; and

**WHEREAS**, lawyers and judges recognize that they bear a special responsibility to foster public understanding of the law and of legal institutions and commitment to the rule of law; and

**WHEREAS**, Law Day has been an annual observation since President DWIGHT EISENHOWER established it in 1958 as a "*Day of National Dedication to the Principal of Government Under Law*"; and

**WHEREAS**, Law Day 2010 provides us with an opportunity to understand and appreciate the emerging challenges that confront our world and the law, in the 21<sup>st</sup> Century, while re-affirming enduring legal traditions.

**NOW, THEREFORE, I, RICHARD B. ABRAMS**, Mayor of and for the City of Swartz Creek, do hereby proclaim May 1<sup>st</sup>, 2010, as Law Day. I call upon the People of the City of Swartz Creek to acknowledge the importance of our legal and judicial systems with appropriate ceremonies and activities, and to display the flag of the United States and the State of Michigan in support of this educational observance. I further encourage schools, businesses, media, religious institutions, civic, and community service organizations to join members of the bar and bench in commemorating Law Day.

**IN WITNESS WHEREOF**, I have hereunto set my hand this 22<sup>nd</sup> Day of March, in the year two-thousand ten, in the Independence of the United States two-hundred and thirty-four; and of the year of incorporation of the City of Swartz Creek.

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Mayor Richard B. Abrams

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

**MEETING OPENED TO THE PUBLIC**

Tommy Butler wanted to make Council aware that there was a tractor trailer that has been parked for long periods of time, on a regular basis, at the corner of Miller and Elms Rd at the old Marathon building. Mr. Butler also commented that the State of Michigan does not have all the other taxes and fees other states have and that is why our roads are not maintained like other states.

Jim Florence commented on his support for the Art Guild and looks forward to the Art in the Park again this year. Mr. Florence is concerned about the damaged streets not being repaired.

**REMARKS BY COUNCILMEMBERS:**

Councilmember Binder wanted to know if the pole on Elms Road was repaired and questioned the repair of the damaged pole on Morrish Road City Manger Paul Bueche explained the pole on Elms Road was repaired and the one on Morrish Road is on the list for repair.

Councilmember Shumaker also wanted to comment on the pole on Morrish Road. Mr. Shumaker wanted assurance that we will be receiving monies from Meijer for the cost of the Morrish Rd. project. City Manager Paul Bueche let the council know that as soon as all the agreements are received, which he feels will be presented at the next Council meeting for approval; Meijer will send us the balance they owe us. Mr. Shumaker inquired if the franchise right was taken away from the City.

Councilmember Krueger let the council know how his visit to Congressman Kildee's office went. Mr. Krueger reminded Council of the Swartz Creek Chamber of Commerce meeting.

Councilmember Porath just wanted to thank everyone for coming to meeting and is excited about the Art Gallery project. Mr. Porath made comments on the possibilities of consolidation.

Mr. Porath thinks individuals, not the City, should get involved in the Racino.

**ADJOURNMENT:**

There being no objection, Mayor Abrams declared the meeting adjourned at 9:16 p.m.

Richard Abrams, Mayor

Juanita Aguilar, City Clerk