

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE COUNCIL MEETING
DATE 10/27/2008**

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, Porath, Shumaker.

Councilmembers Absent: Adams.

Staff Present: City Manager Bueche, City Attorney Bill Delzer, City Clerk Juanita Aguilar, Tom Svrcek, Chief Rick Clolinger.

Others Present: Boots Abrams, Tommy Butler, David Krueger, Betty Binder, Ron Schultz, Sharon Klein.

Resolution No. 081027-01

(Carried)

Motion by Councilmember Hurt
Second by Councilmember Hicks

I Move the Swartz Creek City Council hereby excuse the absence of Councilmember Adams due to work obligations.

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

APPROVAL OF MINUTES

Resolution No. 081027-02

(Carried)

Motion by Councilmember Porath
Second by Councilmember Hurt

I Move the Swartz Creek City Council hereby approve the Minutes for the Regular Council Meeting, held October 13, 2008, to be circulated and placed on file.

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

APPROVAL OF AGENDA

Resolution No. 081027-03

(Carried)

Motion by Mayor Pro-Tem Christie
Second by Councilmember Hicks

I Move the Swartz Creek City Council approve the Agenda, as presented, for the Regular Council Meeting of October 27, 2008 to be circulated and placed on file.

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

REPORTS AND COMMUNICATIONS:

City Manager's Report

Resolution No. 081027-04

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Hurt

I Move the Swartz Creek City Council approve the City Manager's Report of October 27, 2008, to be circulated and placed on file.

Discussion Took Place.

YES: Hurt, Porath, 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:

Betty Binder, 8079 Bristol Road, updated the City Council on the Veteran's Memorial. She stated that the Navy statue would arrive on November 10th. There will be a ceremony for Veteran's Day at 11:00 am on November 11th at the Veteran's Memorial. The General Federation Women's Club of Swartz Creek will be putting on a chili dinner and pictures with Santa on December 5th at the United Methodist Church. All proceeds will go to the Veteran's Memorial.

David Krueger, 7399 Miller Road, stated that Chief Clolinger did respond to his previous question about the suicide rate in the City. He stated that there is no problem in Swartz Creek with suicides.

COUNCIL BUSINESS:

Overhead Utility Re-Location, Morrish Road Construction (Discussion Topic)

City Manager Bueche made a brief presentation about re-locating the overhead utility lines on Morrish Road.

Genesee District Library, 10 Year Lease & Service Agreement Renewal

Resolution No. 081027-05 (Carried)

Motion by Councilmember Hicks
Second by Councilmember Hurt

I Move the City of Swartz Creek renew the Lease and service Agreement with the Genesee County District Library, a copy of which is attached hereto, and further, direct the Mayor and City Clerk to execute the agreement on behalf of the City.

YES: Abrams, Christie, Hicks, Hurt.
NO: Porath, Shumaker. Motion Declared Carried.

WWS Proposed IPP Ordinance (Discussion Topic)

City Manager Bueche made a presentation about the Industrial Pretreatment Program.

Discussion Ensued.

G.A.I.N. Participation

Resolution No. 081027-06 (Carried)

Motion by Councilmember Hurt
Second by Councilmember Shumaker

I Move the City of Swartz Creek, effective immediately, terminate its participation in the G.A.I.N. Auto Theft Unit.

Discussion Took Place.

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

Transfer-Place Into Escrow, Class "C" Liquor License

Resolution No. 081027-07 (Carried)

Motion by Councilmember Porath
Second by Councilmember Hurt

I Move the City of Swartz Creek approve the transfer of ownership of a 2008 Class “C” Licensed business, located in escrow at 6104 Miller Road, Swartz Creek Michigan 48473, County of Genesee, from Richard T. Young and Shirley A. Young, to Gus C. Chinonis, John D. Chinonis and John N. Pavlis, with license to be held in escrow.

Discussion Ensued.

YES: Abrams, Christie, Hicks, Hurt, Porath, Shumaker.

NO: None. Motion Declared Carried.

MEETING OPENED TO THE PUBLIC

Betty Binder, 8079 Bristol Road, questioned whether the license for 6104 Miller Road could be used at a different location. She was advised that it could be used somewhere else.

REMARKS BY COUNCILMEMBERS:

Councilmember Porath commented on the library resolution. He stated that he voted no on the resolution because he is upset that no other communities are willing to help with the library.

Councilmember Shumaker stated that he agreed with Councilmember Porath on the library issue. Mr. Shumaker talked about the store on Elms and Miller Roads. He questioned whether their liquor license was placed in escrow and is the same person operating the store. He questioned whether there has been a liquor inspection on the store by the City police department and the state. He was advised by Chief Clolinger that the license had been placed into escrow and is now back out and in the same person’s name. As long as the store pays the yearly fee for the license they can keep it going. Mr. Shumaker spoke about an article he read in Rowe’s publication that referenced the City of Davison’s sanitary sewer system getting fixed. He stated that they received some low cost loans through the State Service Water Quality Incentives Fund. Mr. Shumaker wondered whether the City could take advantage of such loans to fix Winchester Village. He was advised that the City checked into it and it required that once the engineering study was done, the City would be required to do the work. Mr. Bueche stated that most of Winchester Village doesn’t have storm sewers, so there was nowhere to take the water to.

Mayor Pro-Tem Christie asked what is going on with the street markings at Elms and Miller Roads. City Manager Bueche stated that the arrows were a mistake and they are trying to fix them at this time. Mr. Christie spoke about needing leadership changes at the county level. Mr. Christie wished all of the candidates good luck on the election.

City Manager Bueche advised the Council that Senator Gleason will be having a Town Hall Meeting November 1st, between 8:30am and 11:30 am at the American Legion Hall.

Mayor Abrams talked about the Swartz Creek MTA center opening mid November. There will be an open house at that time.

ADJOURNMENT:

There being no objection, Mayor Abrams declared the meeting adjourned at 9:20p.m.

Richard Abrams, Mayor

Juanita Aguilar, City Clerk