

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE COUNCIL MEETING
DATE 06/11/07**

The meeting was called to order at 7:01 p.m. by Mayor Abrams in the Swartz Creek City Council Chambers, 8083 Civic Drive.

Invocation and Pledge of Allegiance to the Flag.

Councilmen Present: Abrams, Adams, Christie, Hicks, Hurt, Shumaker.

Councilmen Absent: Porath.

Staff Present: Assistant Manager Zettel, Deputy Clerk Aguilar, Community Services Director Svrcek, Attorney Figura, and Engineer Fleury.

Others Present: Timothy Allen, Boots Abrams, Theresa Seitz, Susie Kietzman, Mark Kietzman, John Green, Diane Green, Terry O'Brien, Jill Christie, Ron Schultz, Jamie Adams, Bill Morgan Tony Cienki, John Knickerbocker, Brenda Hyuck, Kyle Ketzler-Ellis, Dan Ellis, Jack Ammerman, Larry Bush, Tonya Ketzler, and Rick Henry.

APPROVAL OF PREVIOUS COUNCIL MINUTES:

Resolution No. 070611-01

(Carried)

Motion by Mayor Pro-Tem Christie,
Second by Councilmember Hurt,

The Swartz Creek City Council hereby approves the Minutes of the Regular Council Meeting held May 29, 2007, to be circulated and placed on file.

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

NO: None. Motion declared carried.

APPROVAL OF AGENDA:

Resolution No. 070611-02

(Carried)

Motion by Councilmember Shumaker,
Second by Councilmember Adams,

The Swartz Creek City Council approves the agenda as presented and printed, for the Regular Council Meeting of June 11, 2007, then to be circulated and placed on file.

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

NO: None. Motion declared carried.

REPORTS AND COMMUNICATIONS:**City Manager's Report****Resolution No. 070611-03****(Carried)**

Motion by Councilmember Hicks,
Second by Councilmember Hurt,

The Swartz Creek City Council approves the City Manager's Report of June 11, 2007, to be circulated and placed on file.

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

NO: None. Motion declared carried.

After discussion, all other reports and communications were accepted and placed on file.

MEETING OPENED TO THE PUBLIC:

Bill Morgan explained what had taken place at the Swartz Creek Cemetery, since the Historical Society took it under its wings in 1999. He noted the cemetery is the single most significant source of history in our community. Mr. Morgan introduced Boy Scout Jack Ammerman who approached him a couple years ago regarding an Eagle Scout project. Jack explained how 214 marked gravesites at the Swartz Creek Cemetery were cataloged onto a computer program, and the type of information provided.

Larry Bush, Chairman of the Swartz Creek Hometown Days Committee, expressed pride in the Swartz Creek community and appreciation to Council for encouraging City staff to work with the committee to create such a successful festival. Tonya Ketzler, coordinator for the festival, introduced Committee members present and explained their duties. The Hometown Days Committee presented the City with a matted picture featuring the welcome sign in downtown Swartz Creek and the merry-go-round from the Hometown Days carnival.

Tony Cienki, resident of Gaines Township, invited those present to attend the Fine Arts Association's summer concert series which will begin next week. He advised they will be every Tuesday, weather permitting, at 7:00 p.m.

COUNCIL BUSINESS:**Veterans Park Request – Tap Fee****Resolution No. 070611-04****(Carried)**

Motion by Councilmember Adams,
Second by Councilmember Hurt,

The City of Swartz Creek appropriates an amount not to exceed \$800 from the General Fund, payable to the Water Fund, for a single tap fee for an underground irrigation system to be installed at the Swartz Creek Veterans Memorial Park on Fortino Drive.

Discussion took place.

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

NO: None. Motion declared carried.

Adopt 2007-2008 Budget, Set Levy

Resolution No. 070611-05

(Carried)

Motion by Councilmember Hurt,
Second by Councilmember Adams,

The Swartz Creek City Council, in accordance with the General Appropriations and Uniform Budgeting Act, adopts the following 2007-2008 Fiscal Budget based upon the following Summer Tax Levies:

General Operating Levy:	4.8289 Mills
Sanitation Levy:	1.7500 Mills
Water Transmission Debt Levy:	0.1280 Mills

2007-2008 Budget

101 General Fund

Estimated Revenues	Adopted	
General Fund Estimated Operating Revenues	2,102,162	
General Fund Estimated Project Revenues	<u>86,000</u>	
Total General Fund Estimated Revenues	2,188,162	
Appropriations	Adopted	
General Government Activities 101-299	539,755	
Public Safety Activities 301-399	1,030,803	
Public Works Activities 400-799	430,306	
Other Government Activities 800-999	<u>165,929</u>	
Total General Fund Operating Appropriations	2,166,793	Estimated Beg Fund Balance
Total General Fund Project Appropriations	86,000	1,042,038
Total General Fund Appropriations	2,252,793	
Effect on General Fund's Fund Balance	-64,631	Estimated Ending Fund Balance 977,407

202 Major Streets Fund

Estimated Revenues	Adopted
Major Streets Fund Estimated Operating Revenues	297,500
Major Streets Fund Estimated Project Revenues	<u>1,507,000</u>
Total Major Streets Fund Estimated Revenues	1,804,500
Appropriations	Adopted
General Government Activities 101-299	4,000
Public Safety Activities 301-399	0
Public Works Activities 400-799	135,230
Other Government Activities 800-999	25,000

Total Major Streets Fund Operating Appropriations	164,230	Estimated Beg Fund Balance
Total Major Streets Fund Project Appropriations	1,640,350	545,374
Total Major Streets Fund Appropriations	1,804,580	
		Estimated Ending Fund Balance
Effect on Major Streets Fund's Fund Balance	-80	545,294
203 Local Streets Fund		
Estimated Revenues	Adopted	
Local Streets Fund Estimated Operating Revenue	106,000	
Local Streets Fund Estimated Project Revenue	85,000	
Total Local Streets Fund Estimated Revenue	191,000	
Appropriations	Adopted	
General Government Activities 101-299	1,000	
Public Safety Activities 301-399	0	
Public Works Activities 400-799	96,922	
Other Government Activities 800-999	0	
Total Local Streets Fund Operating Appropriations	97,922	Estimated Beg Fund Balance
Total Local Streets Fund Project Appropriations	167,000	168,609
Total Local Streets Fund Appropriations	264,922	
		Estimated Ending Fund Balance
Effect on Local Streets Fund's Fund Balance	-73,922	94,687
226 Garbage Fund		
Estimated Revenues	Adopted	
Garbage Fund Estimated Operating Revenue	409,254	
Garbage Fund Estimated Project Revenue	0	
Total Garbage Fund Estimated Revenue	409,254	
Appropriations	Adopted	
General Government Activities 101-299	10,000	
Public Safety Activities 301-399	0	
Public Works Activities 400-799	386,559	
Other Government Activities 800-999	13,750	
Total Garbage Fund Operating Appropriations	410,309	Estimated Beg Fund Balance
Total Garbage Fund Project Appropriations	0	386,232
Total Garbage Fund Appropriations	410,309	
		Estimated Ending Fund Balance
Effect on Garbage Fund's Fund Balance	-1,055	385,177
248 Downtown Development Authority Fund		
Estimated Revenues	Adopted	
DDA Fund Estimated Operating Revenue	40,679	
DDA Fund Estimated Project Revenue	0	
Total DDA Fund Estimated Revenue	40,679	
Appropriations	Adopted	
General Government Activities 101-299	0	
Public Safety Activities 301-399	0	
Public Works Activities 400-799	0	
Other Government Activities 800-999	38,700	

Total DDA Fund Operating Appropriations	38,700	Estimated Beg Fund Balance
Total DDA Fund Project Appropriations	0	450
Total DDA Fund Appropriations	38,700	
Effect on Local Streets Fund's Fund Balance	1,979	Estimated Ending Fund Balance
		2,429
 265 Drug Enforcement Fund		
Estimated Revenues		
Drug Enforcement Fund Estimated Operating Revenue	106,919	
Drug Enforcement Fund Estimated Project Revenue	0	
Total Drug Enforcement Estimated Revenue	106,919	
Appropriations		
General Government Activities 101-299	0	
Public Safety Activities 301-399	97,259	
Public Works Activities 400-799	0	
Other Government Activities 800-999	0	
Total Drug Enforcement Fund Operating Appropriations	97,259	Estimated Beg Fund Balance
Total Drug Enforcement Fund Project Appropriations	0	6,513
Total Drug Enforcement Fund Appropriations	97,259	
Effect on Drug Enforcement Fund's Fund Balance	9,660	Estimated Ending Fund Balance
		16,173
 275 Senior Citizens Fund		
Estimated Revenues		
Senior Citizens Fund Estimated Operating Revenue	0	
Senior Citizens Fund Estimated Project Revenue	0	
Total Senior Citizens Estimated Revenue	0	
Appropriations		
General Government Activities 101-299	0	
Public Safety Activities 301-399	0	
Public Works Activities 400-799	0	
Other Government Activities 800-999	0	
Total Senior Citizens Fund Operating Appropriations	0	Estimated Beg Fund Balance
Total Senior Citizens Fund Project Appropriations	0	0
Total Senior Citizens Fund Appropriations	0	
Effect on Senior Citizens Fund's Fund Balance	0	Estimated Ending Fund Balance
		0
 350 City Hall Debt Fund		
Estimated Revenues		
City Hall Debt Fund Estimated Revenue	56,400	
Total City Hall Debt Fund Estimated Revenue	56,400	
Appropriations		
General Government Activities 101-299	0	
Public Safety Activities 301-399	0	
Public Works Activities 400-799	0	
Other Government Activities 800-999	69,568	
Total City Hall Debt Fund Appropriations	69,568	Estimated Beg Fund Balance
		14,702

		Estimated Ending Fund Balance
Effect on City Hall Debt Fund's Fund Balance	-13,168	1,534
352 Water Transmission Debt Fund		
Estimated Revenues	Adopted	
Water Transmission Debt Fund Estimated Revenue	<u>28,791</u>	
Total Water Transmission Debt Fund Estimated Revenue	28,791	
Appropriations	Adopted	
General Government Activities 101-299	0	
Public Safety Activities 301-399	0	
Public Works Activities 400-799	0	Estimated Beg Fund Balance
Other Government Activities 800-999	<u>28,582</u>	817
Total Water Transmission Debt Fund Appropriations	28,582	
		Estimated Ending Fund Balance
Effect on Water Transmission Debt Fund's Fund Balance	209	1,026
401 Capital Projects Fund		
Estimated Revenues	Adopted	
Capital Project Fund Estimated Project Revenue	<u>1,450</u>	
Total Capital Projects Fund Estimated Revenue	1450	
Appropriations	Adopted	
General Government Activities 101-299	0	
Public Safety Activities 301-399	0	
Public Works Activities 400-799	0	
Other Government Activities 800-999	<u>0</u>	
Total Capital Projects Fund Operating Appropriations	0	Estimated Beg Fund Balance
Total Capital Projects Fund Project Appropriations	<u>0</u>	33,685
Total Capital Projects Fund Total Appropriations	0	
		Estimated Ending Fund Balance
Effect on Capital Projects Fund's Fund Balance	1,450	35,135
402 Fire Equipment Replacement Fund		
Estimated Revenues	Adopted	
Fire Equipment Replacement Fund Est Operating Revenue	25,900	
Fire Equipment Replacement Fund Est Project Revenue	<u>0</u>	
Total Fire Equip Replacement Fund Est Revenue	25,900	
Appropriations	Adopted	
General Government Activities 101-299	0	
Public Safety Activities 301-399	0	
Public Works Activities 400-799	0	
Other Government Activities 800-999	<u>0</u>	
Total Fire Equip Replacement Fund Operating Appropriations	0	Estimated Beg Fund Balance
Total Fire Equip Replacement Fund Project Appropriations	<u>0</u>	138,262
Total Fire Equip Replacement Fund Appropriations	0	
		Estimated Ending Fund Balance
Effect on Fire Equip Replacement Fund's Fund Balance	25,900	164,162

590 Water Supply Fund

Estimated Revenues		Adopted	
Water Supply Fund Estimated Operating Revenue		1,202,730	
Water Supply Fund Estimated Project Revenue		<u>7000</u>	
Total Water Supply Fund Estimated Revenue		1,209,730	
Appropriations		Adopted	
General Government Activities 101-299		44,496	
Public Safety Activities 301-399		0	
Public Works Activities 400-799		1,021,652	
Other Government Activities 800-999		<u>13,750</u>	
Total Water Supply Fund Operating Appropriations		1,079,898	Estimated Beg Fund Balance
Total Water Supply Fund Project Appropriations		<u>7,000</u>	1,396,004
Total Water Supply Fund Appropriations		1,086,898	
Effect on Water Supply Fund's Fund Balance		122,832	Estimated Ending Fund Balance
			1,518,836
591 Sanitary Sewer Fund			
Estimated Revenues		Adopted	
Sanitary Sewer Fund Estimated Operating Revenue		928,045	
Sanitary Sewer Fund Estimated Project Revenue		<u>0</u>	
Total Sanitary Sewer Fund Estimated Revenue		928,045	
Appropriations		Adopted	
General Government Activities 101-299		41,496	
Public Safety Activities 301-399		0	
Public Works Activities 400-799		807,530	
Other Government Activities 800-999		<u>70,450</u>	
Total Sanitary Sewer Fund Operating Appropriations		919,476	Estimated Beg Fund Balance
Total Sanitary Sewer Fund Project Appropriations		<u>180,000</u>	1,384,037
Total Sanitary Sewer Fund Appropriations		1,099,476	
Effect on Sanitary Sewer Fund's Fund Balance		-171,431	Estimated Ending Fund Balance
			1,212,606
661 Motor Pool Fund			
Estimated Revenues		Adopted	
Motor Pool Fund Estimated Operating Revenue		173,641	
Motor Pool Fund Estimated Project Revenue		<u>0</u>	
Total Motor Pool Fund Estimated Revenue		173,641	
Appropriations		Adopted	
General Government Activities 101-299		33,000	
Public Safety Activities 301-399		63,100	
Public Works Activities 400-799		157,951	
Other Government Activities 800-999		<u>0</u>	
Total Motor Pool Fund Operating Appropriations		254,051	Estimated Beg Fund Balance
Total Motor Pool Fund Project Appropriations		<u>0</u>	562,501
Total Motor Pool Fund Appropriations		254,051	
Effect on Motor Pool Fund's Fund Balance		-80,410	Estimated Ending Fund Balance
			482,091
Total Estimated Revenues		7,164,471	
Total All Funds Appropriations		7,407,138	

Discussion ensued.

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

Set 2007-2008 Council Meeting Schedule

Resolution No. 070611-06

(Carried)

WHEREAS, Act 261 of the Public Acts of the State of Michigan of 1968, as amended, requires a public notice of the schedule of regular meetings of the Swartz Creek City Council be given once each calendar year or fiscal year and that said notice shall show the regular dates and times for the meeting and the place at which meetings are held; and

WHEREAS, said Act directs that said notice be posted prominently at the principle office of the City of Swartz Creek; or at the public building at which said meetings are held; or published in the newspaper of general circulation in Swartz Creek;

NOW, THEREFORE, pursuant to said Act, public notice is hereby given that regular meetings for fiscal year 2007-2008 shall be held twice each month, and further, that all meetings shall be held in the Council Chambers located at 8083 Civic Drive, Swartz Creek, Michigan, unless otherwise provided in advance by the City Council, said meeting shall commence at 7:00 P.M., on the following 2007-2008 dates:

- July 2007: Monday – 9th
Monday – 23rd
- August 2007: Monday – 13th
Monday – 27th
- September 2007: Monday – 10th
Monday – 24th
- October 2007: Monday – 8th (Columbus Day)
Monday – 22nd
- November 2007: Monday – 12th
Monday – 26th
- December 2007: Monday – 10th
Monday – 17th (One Week Earlier)
- January 2008: Monday – 14th
Monday – 28th
- February 2008: Monday – 11th (Lincolns Birthday)
Monday – 25th

March 2008: Monday – 10th
Monday – 24th

April 2008: Monday – 14th
Monday – 28th

May 2008: Monday – 12th
Tuesday – 27th (26th is Memorial Day)

June 2008: Monday – 9th
Monday – 23rd

FURTHER, the Clerk is hereby directed to post a copy of this resolution in a prominent place, in the City Office of the City of Swartz Creek; and

FURTHER, the City Clerk is hereby directed, to supply on request, a copy of this resolution to any newspaper of general circulation in the political subdivision in which the meeting will be held and to any radio or television station that regularly broadcasts into the City of Swartz Creek.

Discussion took place.

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

Year End Fiscal Adjustments

Resolution No. 070611-07

(Carried)

Motion by Councilmember Shumaker,
Second by Councilmember Hurt,

WHEREAS, Act 621 of P.A. of 1978 provides for a uniform budgeting system for local units of government, and

WHEREAS, Act 275 of P.A. of 1980 further prohibits deficit spending by local units of government, and

WHEREAS, the City of Swartz Creek’s 2006 - 2007 Fiscal Budget is not in deficit; however, certain department activity line items may be in deficit.

THEREFORE BE IT RESOLVED, the Swartz Creek City Council hereby authorizes and directs the City Manager to make all necessary year-end budget adjustment amendments.

Discussion followed.

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

Appropriation & Bid Award – Purchase Street Sweeper**Resolution No. 070611-08****(Carried)**

Motion by Councilmember Hicks,
Second by Councilmember Hurt,

The City of Swartz Creek accepts the low bid of \$172,000 from Bell equipment of Lake Orion Michigan, for the purchase of one new Elgin Whirlwind MV, Sterling Chassis, Model SC-8000 Pure Vacuum Street Sweeper with Broom Assist, specifications and bid documents attached, and further, allows for the trade-in of the City's Street Sweeping Vehicle, being a Sun-Vac 1990, trade-in of \$7,000, and appropriates an amount not to exceed \$165,000 from Fund 226 for the purchase of the specified vehicle.

Discussion ensued.

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

Live Scan Maintenance Agreement, Mundy Township**Resolution No. 070611-09****(Carried)**

Motion by Councilmember Adams,
Second by Councilmember Hurt,

The City of Swartz Creek enters into an agreement with Mundy Township for the maintenance and software update costs for the State of Michigan's Live Scan Fingerprint Submission System, a copy of which is attached hereto, and further, directs the Mayor and City Clerk to execute the agreement on behalf of the City.

Discussion took place.

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

Purchase Real Estate Property – 58-35-576-002, 4438 Morrish Road**Resolution No. 070611-10****(Carried)**

Motion by Councilmember Hurt,
Second by Councilmember Adams,

The City of Swartz Creek authorizes the purchase of Parcel No. 58-35-576-002, address 4438 South Morrish Road, under the terms and conditions as set forth in the purchase agreement and upon final approval of a closing package and any other associated paperwork by the City Attorney and City

Manager, in the amount of \$121,000, and further, appropriates an amount not to exceed \$121,000 plus 3% contingency, from unencumbered unreserved General Fund #101, and authorizes the Finance Director to make the appropriate budget adjustments and transfers, and further, directs the Mayor and City Clerk to execute all documents on behalf of the City.

Discussion ensued.

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

NO: None. Motion declared carried.

Consumers Energy Agreement

Resolution No. 070611-11

(Carried; tabled Motion 070611-8H)

Motion by Councilmember Shumaker,
Second by Councilmember Hurt,

The Swartz Creek City Council tables action on Motion 070611-8H, work order #06653920, being an agreement with Consumers Energy regarding the removal of a guide wire on the southwest corner of Miller and Elms Roads.

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

NO: None. Motion declared carried.

MEETING OPENED TO THE PUBLIC:

Tom Svrcek, Director of Community Services, advised the first Family Movie Night held last Friday went very well.

REMARKS BY COUNCILMEMBERS:

Councilmember Shumaker advised on Bristol Road, immediately east of Jennie Lane, near the centerline, there are stress marks indicating a subsurface problem. He stated this is an area that was reconstructed last year. Councilmember Shumaker requested City staff check this, and possibly send a communication to the contractor under the guarantee. He thanked the Hometown Days Committee for the great job they did.

Councilmember Adams said he was glad the City could acquire the Austin property. He stated Hometown Days was a very nice event, and he spoke regarding the hard work done by the Committee.

Mayor Pro-Tem Christie congratulated Mayor and Mrs. Abrams on their upcoming 54th anniversary.

Mayor Abrams advised Assistant Manager Zettel he would be unable to attend the Thursday meeting he scheduled, because he will be spending the day with Mrs. Abrams on the occasion of their anniversary. Mayor Abrams suggested the Family Movie Night signs need to be revamped, and they should not be up all weekend. He stated the

Mayor's Bash at Hometown Days was a success due to the hard work of Jill Christie. Mayor Abrams mentioned the City looked into purchasing the Austin property when Tod Mowery was City Manager, and he was glad it finally happened.

EXECUTIVE SESSION:

Mayor Abrams asked for counsel's opinion regarding the subject matter being proper for discussion under executive session, and Attorney Figura stated it was appropriate.

Resolution No. 070611-12

(Carried)

Motion by Mayor Pro-Tem Christie,
Second by Councilmember Hurt,

The City of Swartz Creek Council, at the request of the City Manager, enters into executive session for the purpose of discussing pending negotiations with retirees over benefits packages from past labor contracts.

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

Mayor Abrams called for a recess at 8:06 p.m. The Mayor declared Council in Executive Session at 8:16 p.m. Executive Session ended at 8:45 p.m.

ADJOURNMENT:

There being no objections, Mayor Abrams adjourned the meeting at 8:47 p.m.

Richard B. Abrams, Mayor

Juanita Aguilar, Deputy Clerk