

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE COUNCIL MEETING
DATE 04/13/2009**

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, Assistant City Manager Adam Zettel, City Clerk Juanita Aguilar, City Attorney Colin Lindesman, Director of Public Services Tom Svrcek, Finance Director Mary Jo Clark.

Others Present: Tommy Butler, Bob Plumb, Boots Abrams, Ron Schultz, Jim Florence, Sharon Klein, Phil Bracey, Jamie Terrell, Dorothy MacGillivray.

APPROVAL OF MINUTES

Resolution No. 090413-01

(Carried)

Motion by Mayor Pro-Tem Porath
Second by Councilmember Hurt

I Move the Swartz Creek City Council hereby approve the Minutes for the Regular Council Meeting, held March 23, 2009, as presented, 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. 090413-02

(Carried)

Motion by Councilmember Krueger
Second by Councilmember Shumaker

I Move the Swartz Creek City Council approve the Agenda, as presented, for the Regular Council Meeting of April 13, 2009 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. 090413-03

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Hurt

I Move the Swartz Creek City Council approve the City Manager's Report of April 13, 2009, to be circulated and placed on file.

Discussion Took Place.

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:

Transportation Asset Evaluation

Resolution No. 090413-04

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Krueger

I Move the City of Swartz Creek accept and place on file the evaluation of the City's Transportation System.

Discussion Took Place.

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

Swartz Creek Area Senior Center Building Agreement

Resolution No. 090413-05

(Carried)

Motion by Councilmember Binder
Second by Councilmember Hurt

I Move the City of Swartz Creek enter into an agreement with the Swartz Creek Area Senior Citizens Center for the construction of an addition to the existing City owned Perkins Library – Senior Citizens Center, a copy of which is attached hereto, and further, direct the Mayor and City Clerk to execute the agreement on behalf of the City.

Discussion Took Place.

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

Swartz Creek Area Senior Center Lease & Ground Lease Agreement

Resolution No. 090413-06 **(Carried)**

Motion by Councilmember Hurt
Second by Councilmember Krueger

I Move the City of Swartz Creek enter into an agreement with the Swartz Creek Area Senior Citizens Center for the lease of the existing Senior Center portion of the City owned Perkins Library – Senior Citizens Center, and a ground lease for the construction of an addition, a copy of which is attached hereto, and further, direct the Mayor and City Clerk to execute the agreement on behalf of the City.

Discussion Ensued.

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

Park Fee Waiver Request, Elms

Resolution No. 090413-07 **(Carried)**

Motion by Mayor Pro-Tem Porath
Second by Councilmember Hurt

I Move the City of Swartz Creek approve the use of and grant a waiver of fees for the use of Elms Road Park Pavilion #2 on Saturday, May 16, 2009, for Cub Scout Pack #122.

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

MDOT Contract, State Trunk Line Maintenance Agreement, Bay Region #2009-0221, Miller & I-69 Park & Ride

Resolution No. 090413-08 **(Carried)**

Motion by Councilmember Krueger
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, a portion of Interstate #69 runs through the City with entrance – exits at South Morrish Road and at Miller Road; and

WHEREAS, in 2006, the Michigan Department of Transportation constructed a car pool park & ride adjacent to I-69, located east of the freeway and on the south side of Miller Road, the use of which is at capacity on a daily basis; and

WHEREAS, the Michigan Department of Transportation has determined that the lot is in need of some improvements, including, but not limited to lighting, improved snow removal, salt application and garbage collection; and

WHEREAS, the City is willing to perform such services consisting of snow removal, salt application, garbage collection, lawn care services and associated lighting expenses provided that the Michigan Department of Transportation is willing to participate in a cost sharing solution and funds can be used from Major Street 202, Act 51; and

WHEREAS, the Michigan Department of Transportation has expressed a willingness to pay for lighting installation and other improvements and share costs for continued maintenance provided such expense can be limited to a maximum of \$4,000 per year; and

WHEREAS, in order to participate in a shared cost agreement, the City must enter into a State Trunk Line Maintenance Agreement, a copy of which is attached hereto.

NOW, THEREFORE, I Move the City of Swartz Creek enter into a State Trunk Line Maintenance Agreement with the Michigan Department of Transportation, Bay Region Contract #2009-0221, and further, direct the Mayor and City Clerk to execute the agreement on behalf of the City.

BE IT FURTHER RESOLVED, that the City Council direct the City Manager to cause the necessary cost center to be created in the City's financial accounting system, 202 Fund Major Streets, with corresponding revenue and expenses, and further, authorize a letter of understanding with the Michigan Department of Transportation as to the scope of the services to be provided for the park & ride.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

Appropriation & Bid Award, Purchase Police Vehicle

Resolution No. 090413-09

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Hurt

WHEREAS, the City of Swartz Creek Purchasing Ordinance encourages the use of cooperative extended purchasing programs, and;

WHEREAS, the City of Swartz Creek desires to purchase a 2009 Dodge Charger police package vehicle and by virtue of the size of the City, we cannot purchase such vehicles in a sufficient quantity to allow for a maximum discounted price, and;

WHEREAS, the County of Macomb has an extended cooperative purchasing program that is open for use by any governmental agency and has let for bid for the specified vehicle under their purchasing number 12-07, extended to 2008 and 2009, said bid awarded to Slingerland Chrysler – Dodge, 3640 East M-21, Corunna Michigan, base price of \$19,916.85, and;

WHEREAS, with options and delivery, the total cost of the vehicle is \$20,528.90.

NOW, THEREFORE, BE IT RESOLVED, that the City of Swartz Creek recognize Macomb County’s Extended Purchasing Program and accept the bid award of Slingerland Chrysler – Dodge, 3640 East M-21, Corunna Michigan and appropriate an amount not to exceed \$20,528.90 for the purchase of a 2009 Dodge Charger Police Package Vehicle, funds to be appropriated from 661 Motor Pool.

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

2009-2010 FY Budget Presentation

(Discussion Topic)

City Manager Bueche and Assistant City Manager Zettel made presentations regarding the current fiscal year budget.

2009-2010 Fiscal Year Budget, Set Public Hearing

Resolution No. 090413-10

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Hurt

I Move the City of Swartz Creek set a Public Hearing, to be held on Monday, May 11, 2009 at 7:00 PM, at the regularly scheduled City Council Meeting, or as soon thereafter as can be heard, to hear public comments and needs regarding the Proposed 2009-2010 Fiscal Year Budget, and further, to make a copy of the proposed budget available at City Hall for public inspection during normal business hours, in accordance with provisions as set forth in the City Charter.

Discussion Ensued.

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

MEETING OPENED TO THE PUBLIC

Jamie Terrell questioned whether she still had a job. Mayor Abrams stated that he was not sure. City Manager Bueche stated that they would know more May 11, 2009.

REMARKS BY COUNCILMEMBERS:

Councilmember Krueger questioned whether a list of City assets and their values had been put together yet. City Manager Bueche stated that a list is available.

Councilmember Shumaker questioned whether the City Council receives a list of vehicles and items that go to the County auction. City Manager Bueche stated that the City has a few items that could go to auction and that he is looking into it. Mr. Shumaker asked about a \$550 charge to the Senior Center for an application for a site plan. Mr. Shumaker questioned whether or not the fee could be waived for the Senior Center. Mr. Bueche stated that he would check with the City attorney.

Councilmember Binder advised that the Air Force statue for the Veteran's Memorial was due to arrive in May.

Councilmember Hurt stated that he appreciated the letter that City Manager Bueche included at the beginning of the budget report in the Council packet.

Mayor Pro-Tem Porath expressed appreciation to City Manager Bueche and Assistant City Manager Zettel for the presentations on the budget.

Mayor Abrams talked about a press release that was issued from the Water and Waste Services in reference to a water main repair at the Kearsley Golf Course.

ADJOURNMENT:

There being no objection, Mayor Abrams declared the meeting adjourned at 10:15 p.m.

Richard Abrams, Mayor

Juanita Aguilar, City Clerk