

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE COUNCIL MEETING
DATE 12/07/2009**

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, City Clerk Juanita Aguilar, DPS Director Tom Svrcek, Assistant City Manager Adam Zettel.

Others Present: Boots Abrams, Sharon Klein, Tommy Butler, Ron Schultz.

APPROVAL OF MINUTES

Resolution No. 091207-01 **(Carried)**

Motion by Mayor Pro-Tem Porath
Second by Councilmember Krueger

I Move the Swartz Creek City Council hereby approve the Minutes, as presented, for the Regular Council Meeting, held November 23, 2009, 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. 091207-02 **(Carried)**

Motion by Councilmember Krueger
Second by Councilmember Binder

I Move the Swartz Creek City Council approve the Agenda, as presented, for the Regular Council Meeting of December 7, 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. 091207-03

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Hurt

I Move the Swartz Creek City Council approve the City Manager's Report of December 7, 2009, 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:

Mayor Abrams presented a Certificate of Appreciation to Brad Schopieray for his Eagle Scout project building a new Elms Park Pavilion Grill.

Tommy Butler, 40 Somerset, questioned the distance for parking near a fire hydrant. He was advised that there is a fifteen feet minimum whether on private or public property. Mr. Butler commended Mayor Pro-Tem Porath for the concerns that he has for the City.

COUNCIL BUSINESS:

Appropriation, Phase III Sewer Rehabilitation Program

Resolution No. 091207-04

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Hurt

WHEREAS, the City is charged with preserving the health, safety, and welfare of its residents, and consummate to this, provides public utilities inclusive of a sanitary sewer system; and

WHEREAS, the city's sanitary sewer system is 50+ years of age and although still quite functional, is in need of maintenance and repair in order to extend and renew its longevity; and

WHEREAS, the staff, in consultation with its engineer's, have developed a plan to reline the existing sewer extending the life indefinitely, and further, have assigned a priority based on age and maintenance records, being the sections within the Winchester Village Subdivision, a section of which has already been completed; and

WHEREAS, the City's Engineer and Staff developed specifications and let the

project for bid, based on unit costs, the low bidder being Liqui-Force, of Romulus Michigan, bid being awarded by the City Council on March 8, 2008; and

WHEREAS, on October 13, 2008, the City appropriated an amount not to exceed \$220,000 for Phase II Sanitary Sewer Rehabilitation, Manhole #166-164 Oxford/Oakview, Manhole #172-163 Daval/Helmsley, Manhole #13-17 Greenleaf/Durwood, Manhole # 41-36 Durwood Drive; and

WHEREAS, Manhole #166-164 Oxford/Oakview was bumped from Phase II to Phase III due to unanticipated costs after televising within the lines; and

WHEREAS, the Staff and City Engineer has identified a section of sanitary sewer within the Winchester Village Subdivision to be done in this phase, Phase III, being Manhole #166-164 Oxford/Oakview (\$37,596), and Manhole #44-41 Seymour Road (\$32,433), total for this work is \$70,029.

NOW, THEREFORE, I Move the City of Swartz Creek approve Phase III of the City's Sanitary Sewer Rehabilitation Program and appropriate an amount not to exceed \$70,029 plus 15% contingency, from the Sewer Fund 590, to Liqui-Force, for the rehabilitation of Manhole #166-164 Oxford/Oakview, and Manhole #44-41 Seymour Road, in accordance with the bid specification and award adopted by the City on March 8, 2008, and further, direct the Staff and City Engineer to prepare all necessary paperwork as specified in the bid documents.

BE IT FURTHER RESOLVED, that the City Council directs the Mayor and City Clerk to execute all necessary documents and contracts in accordance with the specifications as adopted by the City at the March 8 2008 Regular Council Meeting.

Discussion Took Place.

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

C.D.B.G. Three Year Funding Distributions

Resolution No. 091207-05

(Carried)

Motion by Councilmember Binder
Second by Councilmember Hurt

I Move the City of Swartz Creek accept the three year Community Development Block Grant Distribution in the total amount of \$31,431, and authorize these funds to be allocated as follows: 15% to the Swartz Creek Senior Citizens Operations in the amount of \$4714.65, and the remaining 85% to the Miller and Elms street lighting project in the amount of \$26,716.35.

Discussion Ensued.

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

MML Annual Membership Renewal

Resolution No. 091207-06 **(Carried)**

Motion by Councilmember Hurt
Second by Councilmember Binder

I Move the City of Swartz Creek approve the continued participation in the Michigan Municipal League, and further, appropriate an amount not to exceed \$3,140 for payment thereof, funds to be allocated at the discretion of the Finance Director.

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

County Clerk Invoice, Hurley Millage

Resolution No. 091207-07 **(Tabled)**

Motion by Mayor Pro-Tem Porath
Second by Councilmember Hurt

I Move the City of Swartz Creek approve payment in an amount not to exceed \$884.65, to the Genesee County Treasurer's Office, Elections Division, payment for the City's pro-rata cost of Genesee County expenses for a Genesee County initiated special election for a Hurley Hospital Millage Levy, ballot request held on August 4, 2009.

Discussion Took Place.

Resolution No. 091207-08 **(Carried)**

Motion by Councilmember Hurt
Second by Councilmember Shumaker

I Move the City of Swartz Creek table the County Clerk Invoice, Hurley Millage.

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

2009-2010 G.A.I.N. Membership

Resolution No. 091207-09 **(Carried)**

Motion by Councilmember Krueger
Second by Councilmember Hurt

I Move the City of Swartz Creek authorize membership into the G.A.I.N. Unit, a county initiative to investigate auto theft and related crimes, membership to run October 1, 2009 through September 30, 2010, annual membership fees of \$500, and further, direct the Mayor and Staff to prepare and execute any required documents, and further, appoint Councilmember Hurt as the City's Representative to the G.A.I.N. Unit's Board of Director's.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

2009-2010 FY Five Month Statement

(Discussion Topic)

City Manager Bueche made a brief presentation regarding the 2009-2010 FY Five Month Statement.

Senior Center Construction Project

(Discussion Topic)

City Manager gave an update on the Senior Center Construction Project.

MEETING OPENED TO THE PUBLIC

None.

REMARKS BY COUNCILMEMBERS:

Councilmember Hicks questioned a flyer for a Notice of Public Input Sessions. Mayor Abrams stated that he attended that meeting.

Councilmember Shumaker talked about the Flint Journal. Mr. Shumaker stated that he noticed that residents who don't subscribe to the paper are receiving the Sunday inserts free in their driveways in order to attempt to get them as customers. Mr. Shumaker stated that he is concerned that these papers are also being left at vacant houses.

Councilmember Krueger spoke about Councilmember Shumaker's possible appointment to the County Road Commission. Mr. Krueger stated that Joe Kudwa, owner of Agroscaping, has turned in his name for the Parks and Recreation appointment to the County. Mr. Krueger wanted to know what could be done with all of the street lights that are out along Miller Road. City Manager Bueche stated that he is working on the problem.

Councilmember Shumaker stated that he feels that a lot of these lights should not be repaired as the area is over-lit.

Mayor Pro-Tem Porath congratulated Councilmember Hicks for being president of the Parks & Recreation Advisory Board.

Mayor Abrams stated thanked the office staff for the Christmas decorations.

ADJOURNMENT:

There being no objection, Mayor Abrams declared the meeting adjourned at 9:02 p.m.

Richard Abrams, Mayor

Juanita Aguilar, City Clerk