

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE COUNCIL MEETING
DATE 06/08/2009**

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, Shumaker.

Councilmembers Absent: Porath.

Staff Present: City Manager Paul Bueche, City Clerk Juanita Aguilar, City Attorney Mike Gildner, DPS Director Tom Svrcek.

Others Present: Jim Florence, Boots Abrams, Bob Plumb, John Gilbert, Rod Gardner.

APPROVAL OF MINUTES

Resolution No. 090608-01

(Carried)

Motion by Councilmember Krueger
Second by Councilmember Hurt

I Move the Swartz Creek City Council hereby approve the Minutes for the Regular Council Meeting, held May 26, 2009, as amended, to be circulated and placed on file.

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

APPROVAL OF AGENDA

Resolution No. 090608-02

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Hurt

I Move the Swartz Creek City Council approve the Agenda, as printed, for the Regular Council Meeting of June 8, 2009 to be circulated and placed on file.

YES: Hicks, Hurt, Krueger, Shumaker, Abrams, Binder.
NO: None. Motion declared carried.

REPORTS AND COMMUNICATIONS:

City Manager’s Report

Resolution No. 090608-03

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Binder

I Move the Swartz Creek City Council approve the City Manager’s Report of June 8, 2009, to be circulated and placed on file.

YES: Hurt, Krueger, 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:

Jim Florence, 4296 Springbrook, advised the Council that Wednesday is the day that he meets with the County Commissioners for the final vote on the Senior Center addition. Mr. Florence stated that on June 10th there will be a pre-bid mandatory conference and on the 25th of June there will be a public hearing and public opening of the bids.

COUNCIL BUSINESS:

Appropriation & Bid Award, Miller & I-69 Concrete Repairs

Resolution No. 090608-04

(Carried)

Motion by Councilmember Binder
Second by Councilmember Hurt

I Move the City of Swartz Creek accept the low bid of Kelcris Corporation of 3416 Corwin Road, Williamston, MI 48895, in an amount not to exceed \$58,025 plus 10% contingency, for the repair of a section of Miller Road inclusive of the saw-cut of 27 deteriorated areas of concrete and base re-building of the roadway, starting at Elms Road and ending east of Tallmadge Court, in accordance with the bid specifications as set forth by the City’s Engineer, funds to be appropriated from Major Street 202, with necessary budget adjustments and transfers to be made by the City’s Finance Director.

Discussion Took Place.

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

Appropriation, Phase I Elms Trail Construction Engineering

Resolution No. 090608-05

(Carried)

Motion by Councilmember Hurt
Second by Councilmember Hicks

WHEREAS, the City of Swartz Creek, on March 9, 2009, approved the lighting and landscaping portion of the 2009 CDBG grant program in the amount of \$38,528; and

WHEREAS, the Rowe Professional Services Company submitted a price quotation for engineering services included in this project that omitted the construction engineering costs for the project; and

WHEREAS, such construction engineering, by necessity, has been completed and invoiced to the City of Swartz Creek without prior quotation or notice in the amount of \$3,123; and

WHEREAS, in acknowledgement of the estimation error, Rowe Professional Services has offered to rescind the May invoice related to these services in the amount of \$1,441.

NOW, THEREFORE, the City of Swartz Creek hereby approves the construction engineering services portion for payment as billed by Rowe Professional Services Company in the amount of \$1,682, funds to be appropriated and booked at the direction of the Finance Director.

Discussion Took Place.

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

Set Public Hearing, Morrish Road South A.R.R.A. Project, Three Lane Conversion

Amendment to Resolution No. 090608-06

(Carried)

Motion by Councilmember Krueger
Second by Councilmember Hurt

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, the City of Swartz Creek is a member of the Genesee County Metropolitan Planning Alliance, an urban transportation planning cooperative charged with allocating funds to eligible street authorities in Genesee County; and

WHEREAS, the City has developed a three lane approach to its traffic management program, having implemented a three lane solution to a 2.5 mile section of Miller Road from Elms to Seymour in 2000, and further, an approved design for three lanes on Morrish from I-69 to Bristol Road, a planned commercial development district; and

WHEREAS, the City of Swartz Creek has identified a need and completed design and grade inspections, to make rehabilitative repairs to Morrish Road from the I-69 viaduct to the South City Limit, inclusive of a three lane conversion, funding as part of the American Recovery and Re-Investment Act of 2009; and

WHEREAS, the Michigan Department of Transportation requires a public hearing for all such state and federal funded projects wherein three lane conversions are requested.

NOW, THEREFORE, I Move the City of Swartz Creek hereby schedule a public hearing, to be held on Monday, June 22, 2009, 7:00 PM, or as soon thereafter as it may be heard, at the regular scheduled Council Meeting, and further, direct the staff to advertise as such in accordance with the City's procedure for the advertisement of public hearings, and to cause a mailing to residents and businesses along Morrish between I-69 and the South City Limits advising of the rehabilitation project and related three lane conversion.

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

NO: None. Motion Declared Carried.

Budget, MTT Appeals, GM Bankruptcy

(Discussion Topic)

City Manager Bueche spoke about the budget, MTT Appeals, and GM's bankruptcy. Mr. Bueche reviewed documentation that had been received recently and advised the Council of the current financial situation of the City. Mr. Bueche stated that City Attorney Figura has offered to not attend every Council meeting in order to save money for the City. Mr. Bueche stated that he will talk further with Mr. Figura and get back with the Council.

MEETING OPENED TO THE PUBLIC

None.

REMARKS BY COUNCILMEMBERS:

Councilmember Krueger talked about everyone doing as much as possible to look at all options for the City's financial situation. Mr. Krueger talked about a sign that he made for the Hometown Days parade which he has now donated to the City.

Councilmember Shumaker thanked City Attorney Figura for his offer to save the City money. Mr. Shumaker agreed that the residents should be informed about the current financial situation.

Due to a tornado warning, the meeting was adjourned.

ADJOURNMENT:

There being no objection, Mayor Abrams declared the meeting adjourned at 8:20 p.m.

Richard Abrams, Mayor

Juanita Aguilar, City Clerk