

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE COUNCIL MEETING
DATE 02/14/2011**

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, Deputy City Clerk Mary Jo Clark, DPS Director Tom Svrcek.

Others Present: Boots Abrams, Sharon Shumaker, Bob Plumb, Tommy Butler, Steve Shumaker, Joe Deuczek.

APPROVAL OF MINUTES

Resolution No. 110214-01

(Carried)

Motion by Councilmember Porath
Second by Mayor Pro-Tem Krueger

I Move the Swartz Creek City Council hereby approve the Minutes of the Regular Council Meeting, held January 24, 2010, 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. 110214-02

(Carried)

Motion by Mayor Pro-Tem Krueger
Second by Councilmember Hurt

I Move the Swartz Creek City Council approve the Agenda, as printed, for the Regular Council Meeting of February 14, 2011 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. 110214-03

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Hurt

I Move the Swartz Creek City Council approve the City Manager's Report of February 14, 2011, 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:

None.

Council Business

Acceptance & Appreciation, Kiwanis & Doors Galore Donations

Resolution No. 110214-04

(Carried)

Motion by Councilmember Hicks
Second by Mayor Pro-Tem Krueger

I Move the City of Swartz Creek, with great appreciation; accept donations from the Swartz Creek Kiwanis and Doors Galore, in the amount of \$400 each, funds to be deposited into the DDA account and earmarked for the operation of the DDA's Summer Family Movie Program.

Discussion Ensued.

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

Trash-Recycling Presentation, Waste Management

Joe Denczek of Waste Management made a brief presentation on behalf of the company.

Appropriation & MDOT Agreement, Miller Road Repair Project

Resolution No. 110214-05

(Carried)

Motion by Councilmember Binder
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 of Swartz Creek has identified a need to make repairs to Miller Road from Elms to Tallmadge Court, inclusive of the intersection of Miller & Elms, in conformance with the design plans prepared by the City's consulting engineer; and

WHEREAS, the Genesee County Metropolitan Alliance and the Swartz Creek City Council have considered the making of such repairs and improvements in open session following the review of documents and the hearing of comments on the need, from the city's engineer, staff and from the public, and further, design engineering plans have been drafted, submitted and approved by the Michigan Department of Transportation; and,

WHEREAS, the Miller Road Project has been obligated for funding and is scheduled to be let for bid in March 2011 under the Michigan Department of Transportation using Surface Transportation Program funding sources; and

WHEREAS, estimated costs as determined by the City's Engineer are as follows:

	<i>Federal Funding</i>	<i>City Match</i>	<i>Total Project Cost</i>
Construction	\$ 338,997	\$ 184,903	\$ 523,900

NOW, THEREFORE, be it resolved that the City of Swartz Creek appropriate an amount not to exceed \$523,900, plus 5% contingency, from 202 Major Street Fund, for the repair of Miller Road between Elms and Tallmadge Court, as set forth in the design plans and specifications approved by the Michigan Department of Transportation, \$338,997 funded by Federal Surface Transportation Funds, the balance, \$184,903 being the City Local Share Obligation.

BE IT FURTHER RESOLVED, that the Council for the City of Swartz Creek direct the Mayor, Richard B. Abrams and the City Clerk, Juanita Aguilar, on behalf of the City, to execute an agreement with the Michigan Department of Transportation, a copy of which is attached hereto, MDOT Contract #11-5032, Control Section #STU25402, Project #STP1125(009) and Federal ID #YY-0446.

Discussion Took Place.

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

Acceptance & Appreciation, Girls Varsity Basketball Donation

Resolution No. 110214-06

(Carried)

Motion by Councilmember Hurt
Second by Councilmember Hicks

I Move the City of Swartz Creek, with great appreciation, accept a donation in the amount of \$700, from the Swartz Creek Girls Varsity Basketball Program, funds to be applied to the Police Departments K-9 Program.

Discussion Ensued.

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

Appropriation & Bid Award-EECBG Grant, Fire Department Garage Heating System

Resolution No. 110214-07

(Carried)

Motion by Councilmember Porath
Second by Councilmember Hurt

WHEREAS, the City of Swartz Creek received an Energy Efficiency and Conservation Block Grant (EECBG) phase II allocation in the amount of \$12,936.00 to fund replacement of the forced air heating system in the public safety building to a tube heating system; and

WHEREAS, the State of Michigan required the City to bid and enter into an agreement in order to commence with work and payment towards the project; and

WHEREAS, the agreement, as well as City purchasing policies, requires a sealed competitive bid process for this project; and

WHEREAS, specifications were developed, advertised and returned with sealed bids opened on February 7, 2011, ranging from a high of \$19,800 to a low of \$11,200.

NOW, THEREFORE, the City of Swartz Creek hereby awards the lowest bid, being MJ Mechanical in the amount of \$11,200 plus a 20% contingency, and further, directs City staff to enter into a contractor's agreement and commence the project.

Discussion Ensued.

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

C.D.B.G. Designation of Authorization

Resolution No. 110214-08

(Carried)

Motion by Mayor Pro-Tem Krueger
Second by Councilmember Shumaker

WHEREAS, the City of Swartz Creek participates in the Genesee County Community Development Program; and

WHEREAS, the Genesee County Community Development Program has requested that we update our authorized signature cards.

NOW, THEREFORE, BE IT RESOLVED that the following individuals be authorized to request reimbursement from the Community Development Block Grant Program:

1. Juanita Aguilar, City Clerk
2. Mary Jo Clark, Finance Director
3. Paul Bueche, City Manager

Discussion Took Place.

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

NO: None. Motion Declared Carried.

Appropriation & Appointment, Environmental Consulting Services, Applied Eco-Systems, Marathon Re-Development Project

Resolution No. 110214-09

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Hurt

I Move the City of Swartz Creek appoint Applied Eco-Systems, of Burton Michigan, as an independent professional consulting firm, for environmental services related to the Marathon Redevelopment Project, and further, direct the staff to set up a project fund within the General Fund inclusive of revenues and expenses with the initial appropriation of an amount not to exceed \$3,000 for environmental consulting expenses.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

MEETING OPENED TO THE PUBLIC

Tommy Butler, 40 Somerset, spoke about the Miller/Elms intersection. Mr. Butler stated that it is a terrible intersection. Mr. Butler asked if a traffic count had been done on Miller

Road lately. Mr. Butler talked about garbage trucks tearing up the road. Mr. Butler stated that polycarbonate material is lighter and stronger than metal.

Boots Abrams stated that the chili dinner for the Veteran's Memorial was a success.

REMARKS BY COUNCILMEMBERS:

Councilmember Porath asked who the third waste company was that would be bidding on the City's services. He was advised the companies were Waste Management, Republic Waste and Richfield Disposal.

Councilmember Shumaker congratulated the Swartz Creek Women's Club on the turnout for the chili dinner.

Councilmember Hicks stated that it helps to have different people come in and talk to the Council to clarify issues.

Councilmember Binder thanked everyone who helped make the chili dinner a success. Ms. Binder stated that \$582.00 was made at the chili dinner for the Veteran's Memorial. Ms. Binder stated that she saw pictures of the new statue.

Councilmember Hurt thanked the Council for excusing him from the last meeting.

Mayor Pro-Tem Krueger asked if anything has been heard about the status of the Meijer project. Mr. Bueche stated that they will probably not build in 2011. Mr. Krueger asked about House Bill 4151 relating to casinos. Mr. Krueger asked if the City could acquire the old Sunoco station in a more expedited way than the City acquired the Marathon station. City Manager Bueche stated that it would not be a good idea considering the extra costs that it would include.

Mayor Abrams talked about the Neighborhood Revitalization Program.

Adjournment

Resolution No. 110214-10

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Hurt

I Move the City of Swartz Creek adjourn the Regular Session of the City Council meeting at 8:40 p.m.

YES: Unanimous Voice Vote.
NO: None. Motion Declared Carried.