

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE COUNCIL MEETING
DATE 3/11/2013**

The meeting was called to order at 7:00 p.m. by Mayor Krueger in the Swartz Creek City Council Chambers, 8083 Civic Drive.

Invocation and Pledge of Allegiance to the Flag.

Councilmembers Present: Abrams, Gilbert, Hicks, Hurt, Krueger, Porath, Shumaker.

Councilmembers Absent: None.

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

Others Present: Sharon Shumaker, Bob Plumb, Boots Abrams, Ron Schultz, Jim Florence, Tommy Butler, Penny Messer, Rich Mattson, Jean Florence.

Mayor Krueger announced that Councilmember Hicks is a new grandmother, which is why she was not present at the last council meeting.

APPROVAL OF MINUTES

Resolution No. 130311-01

(Carried)

Motion by Councilmember Porath
Second by Councilmember Shumaker

I Move the Swartz Creek City Council hereby approve the Minutes of the Regular Council Meeting, held Monday, February 25, 2013, to be circulated and placed on file.

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

NO: None. Motion Declared Carried.

APPROVAL OF AGENDA

Resolution No. 130311-02

(Carried)

Motion by Mayor Pro-Tem Abrams
Second by Councilmember Hurt

I Move the Swartz Creek City Council approve the Agenda, as amended, for the Regular Council Meeting of March 11, 2013, to be circulated and placed on file.

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

Boots Abrams presented a \$2,000 check to the Cops in the Park Program; the proceeds being raised by the Swartz Creek Women's Club. Officer Szmansky accepted the check and gave a brief overview of the Cops in the Park Program.

REPORTS AND COMMUNICATIONS:

City Manager's Report

Resolution No. 130311-03

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Hurt

I Move the Swartz Creek City Council approve the City Manager's Report of March 11, 2013, to be circulated and placed on file.

YES: Hurt, Krueger, Porath, Shumaker, Abrams, Gilbert, 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:

Bid Award, Appropriation, Morrish Road & I-69 Bridge Repair

Resolution No. 130311-04

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Hurt

I Move the City of Swartz Creek award the repair of Morrish Road at the I-69 Overpass to the low bidder L. Zeller & Sons Excavating of Flint Michigan, in an amount not to exceed \$27,000 plus 25% contingency, work to be performed in accordance with the specifications as set forth in the bid documents drafted by the City's Engineer, and further, direct the Mayor and City Clerk to execute any and all necessary documents on behalf of the City, Funds to be appropriated from 202 Major Streets.

Be it further resolved that the City Council direct the staff to independently account for and recover expenses related to the repair of the overpass from a grant awarded the City from the State of Michigan, purpose of the grant being damages

suffered as a result of flooding that occurred on May 4, 2012, grant amount capped at \$30,000.

Discussion Took Place.

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

NO: None. Motion Declared Carried.

Tri-County Wireless Lease Renewal Option

Resolution No. 130311-05

(Carried)

Motion by Councilmember Gilbert

Second by Councilmember Hurt

I Move the City of Swartz Creek rescind Resolution #130225-07a, the approval of a new lease with Tri-County Wireless, enacted at the regular City Council Meeting of Monday, February 25, 2013, and approve the lease option extension as provided for in Section No. 2 of the lease agreement dated September 1, 2007 between the City and Tri-County Wireless, all other terms and conditions in full force and effect, as provided for therein.

Discussion Ensued.

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

NO: None. Motion declared carried.

Addendum, Supervisor's Collective Bargaining Agreement

Resolution No. 130311-06

(Amended)

Motion by Councilmember Hurt

Second by Mayor Pro-Tem Abrams

I Move the City of Swartz Creek authorize an addendum to the 2012-2016 Collective Bargaining Agreement between the City and the Swartz Creek Supervisor's Association, addendum to include changes to the following:

1. Language consistency changes to reflect "Lieutenant" and to remove any reference to "Sergeant".
2. Add new language to create a probationary period for new hires.
3. Limit Police Lieutenant to a maximum 96 hours absent time with no eligibility for comp time.
4. Add new language to permit comp time positions in lieu of 40 extra hours of absent time.

Be it further directed that the Council authorizes the Mayor and City Clerk to execute an addendum on behalf of the City.

Discussion Took Place.

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

Meijer Opening Events & Issues

(Discussion)

City Manager Bueche brought the council up to date on the status of the Meijer opening and possible donations from Meijer to different areas of the City.

MEETING OPENED TO THE PUBLIC:

None.

REMARKS BY COUNCILMEMBERS:

Councilmember Gilbert asked DPS Director Svrcek about trees being cut down in Winshall Park, near the creek. Mr. Svrcek advised that it may be Genesee County cleaning up trees near the west bank of the Swartz Creek.

Councilmember Hicks spoke about the Senior Center now being a warming and cooling sight.

Councilmember Shumaker spoke about the Senior Center not having a standby generator. Mr. Shumaker talked about the Swartz Creek Women's Club. Mr. Shumaker stated that the Women's Club provides a lot of services around the City and works very well with other service groups in the area. Mr. Shumaker spoke about the Morrish Road bridge repair asking if it was a repair or reconstruction.

Councilmember Porath spoke about hiring a new Lieutenant for the police department, stating that he thinks the new supervisor should be hired based on ability and qualifications and not entitlement.

Mayor Pro-Tem Abrams spoke about the Small Cities meeting that he attended. Mr. Abrams stated that they talked about some cities eliminating personal property taxes. Mr. Abrams asked Councilmember Gilbert about the MML class that he took. Mr. Gilbert advised that it went well. Mr. Abrams spoke about the Art Guild and the Kiwanis Art Show, stating that Meijer could donate to them as well as the Veteran's Memorial.

Mayor Krueger asked Clerk Juanita Aguilar to explain the ballot for the Primary Election on Tuesday.

Adjournment

Resolution No. 130311-07

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Hurt

I Move the City of Swartz Creek adjourn the Regular Session of the City Council meeting at 8:15 p.m.

YES: Unanimous Voice Vote.

NO: None. Motion Declared Carried.

David A. Krueger, Mayor

Juanita Aguilar, City Clerk