

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE 05/09/2016**

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.

Councilmembers Present: Abrams, Florence, Gilbert, Hicks, Krueger, Pinkston, Porath.

Councilmembers Absent: None.

Staff Present: City Manager Adam Zettel, City Clerk Connie Eskew, Public Services Director Tom Svrcek.

Others Present: Tommy Butler, Jim Barclay, Steve Shumaker, Dennis Cramer, Boots Abrams, Sharon Shumaker, Lou Fleury, Sheila Auten, Bob Plumb, Ron Webb, Julie Webb, Ethan Webb, Madeline Webb, Betty Binder, Bill Baker, Elaine Tucker, Penny Messer, Jeanne Jackson, Livia Jackson, Logan Black, Layne Parks, Steven Long, Wanda Tyler, Lania Roche.

APPROVAL OF MINUTES

Resolutions No. 160523-01

(Carried)

Motion by Councilmember Porath
Second by Councilmember Gilbert

I Move the Swartz Creek City Council hereby approve the Minutes of the Regular Council Meeting held Monday April 25, 2016 to be circulated and placed on file.

YES: Florence, Gilbert, Hicks, Krueger, Pinkston, Porath, Abrams.
NO: None. Motion Declared Carried.

APPROVAL OF AGENDA

Resolution No. 160509-02

(Carried)

Motion by Mayor Pro Tem Abrams
Second by Councilmember Hicks

I Move the Swartz Creek City Council approve the Agenda as amended for the Regular Council Meeting of May 9, 2016, to be circulated and placed on file.

YES: Gilbert, Hicks, Krueger, Pinkston, Porath, Abrams, Florence.
NO: None. Motion Declared Carried.

City Manager's Report

Resolution No. 160509-03

(Carried)

Motion by Councilmember Florence
Second by Councilmember Gilbert

I Move the Swartz Creek City Council accept the City Manager's Report of May 9, 2016, including reports and communications, to be circulated and placed on file.

YES: Hicks, Krueger, Pinkston, Porath, Abrams, Florence, Gilbert.
NO: None. Motion Declared Carried.

MEETING OPENED TO THE PUBLIC

Dennis Cramer, resident at 5299 Worchester Drive, questioned if there were any improvements on the horizon for Winshall Park. Mr. Svrcek responded that just general maintenance along with a swing set on the west end side is being removed.

COUNCIL BUSINESS

Eagle Scout Recognition

Proclamation

Mayor David Krueger presented Ethan Webb with a proclamation in recognition for his Eagle Scout.

GFWC-Swartz Creek Women's Club

Presentation

The GFWC presented to the City two checks, one for \$1500.00 for the Cops in the Park program and one for \$500.00 for Camp 911 program. They also wanted to remind everyone that there will be a fundraiser "Rocking for Roscoe" at Hometown Days.

GARAGE FLATWORK BIDS

Resolution No. 160509-04

(Carried)

Motion by Councilmember Hicks
Second by Mayor Pro Tem Abrams

WHEREAS, the city finds it necessary to remove and replace the concrete approach in front of the main building at the city garage; and

WHEREAS, this process requires approximately 3,600 square feet of 7" thick concrete; and

WHEREAS, in accordance with the City’s Purchasing Ordinance, Chapter 2, Article VI, Section 2-402, the city solicited sealed bids for this project; and

WHEREAS, the city received two valid bids and one that was invalidated due to the absence of a stated cost; and

WHEREAS, the low bidder is qualified.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek City Council accepts the low bid of \$19,400 for the replacement of 3,600 square feet of concrete at the city garage, said bid submitted by RBF Construction of Swartz Creek, expenses to be distributed to the Motor Pool Fund.

BE IT FURTHER RESOLVED that the City of Swartz Creek City Council accepts the extrapolated unit cost of \$5.39 per square foot for the removal and replacement of 7” thick concrete, as specified, as the low bid for additional projects completed within the parameters of the city budget prior to December 31, 2016.

Discussion Ensued.

YES: Krueger, Pinkston, Porath, Abrams, Florence, Gilbert, Hicks.

NO: None. Motion Declared Carried.

STREET PLAN & COMMITTEE

Discussion

Adam Zettel, City Manager commented that the levy question that was put forth passed on May 3rd. He recommended we create a temporary committee that will meet in each June or July to make recommendations to council on the prioritization and timing on street repairs.

PARK WAIVER REQUEST - SCOUTS

Resolution No. 160509-05

(Carried)

Motion by Councilmember Gilbert
Second by Mayor Pro Tem Abrams

WHEREAS, the City of Swartz Creek requires park usage reservations and fees accordance with adopted rules and regulations; and

WHEREAS, the Girl Scout Alumni of Fair Winds Council reserved Pavilion #2 in Elms Park for September 18, 2016 for the purpose of holding an annual meeting; and

WHEREAS, the city park rules and regulations states that “fees may be waived in full if reservations by a non-profit are found to result in a public benefit directly or if proceeds from the reserved event are found to be a benefit to the city.”; and

WHEREAS, the City Council finds the petitioning group to be a qualifying group with a qualifying activity.

NOW, THEREFORE, BE IT RESOLVED, the Swartz Creek City Council hereby waives all fees for the September 18, 2016 reservation in Elms Park.

YES: Pinkston, Porath, Abrams, Florence, Gilbert, Hicks, Krueger.

NO: None. Motion Declared Carried.

MASTER PLAN APPROVAL

Resolution No. 160509-06

(Carried)

Motion by Councilmember Pinkston
Second by Councilmember Porath

WHEREAS, the City of Swartz Creek master plan was last revised on February 10, 2010; and

WHEREAS, the Michigan Planning Enabling Act requires a plan to be reviewed every five years in order to maintain its applicability and maximum legal integrity; and

WHEREAS, the City Council directed the planning commission to review and potentially revise the master plan; and

WHEREAS, the planning commission, after hosting workshops, public meetings, and reviewing the existing plan, revised the master plan to include considerations for the following:

1. The closure of Sports Creek Raceway
2. The construction of Meijer
3. The continued decrease in taxable values and state revenue sharing
4. Changes in city staffing levels/services
5. Changes in demographics and economics
6. Related changes to the city's land uses and expectations

;and,

WHEREAS, the planning commission finalized updates and recommended distribution of the draft plan at their regular meeting on January 5, 2016, and the city council confirmed this distribution on February 8, 2016; and,

WHEREAS, notice was posted and copies of the master plan have been distributed in accordance with state law to hold a public hearing in front of the planning commission on May 3, 2016; and,

WHEREAS, the plan was approved after that public hearing by the City of Swartz Creek Planning Commission, with comments from Bishop Airport, the Genesee

County Metropolitan Planning Commission, and the Swartz Creek Planning Commission; and,

WHEREAS, the Swartz Creek City Council, exercising rights enabled by MCL 125.3843, desires to affirm approval of the master plan.

NOW, THEREFORE, BE IT RESOLVED, the Swartz Creek City Council hereby grants final approval of the Master Plan, dated May 4, 2016, and directs staff to print, execute, and distribute copies of the plan in accordance with state law.

Discussion Ensued.

YES: Porath, Abrams, Florence, Gilbert, Hicks, Krueger Pinkston.
NO: None. Motion Declared Carried.

TRUCK REPLACEMENT

Resolution No. 160509-07

(Carried)

Motion by Councilmember Porath
Second by Mayor Pro Tem Abrams

WHEREAS, the City of Swartz Creek resolved to sell a S-10 pickup truck on January 25, 2016, said truck's primary purpose being to service buildings and grounds within the city; and,

WHEREAS, the City of Swartz Creek desires to replace this pickup truck with a comparable and inexpensive two wheel drive truck with bed; and,

WHEREAS, city staff finds that a negotiated sale of used equipment, a 2013 Chevrolet Silverado 1500 Regular Cab, based upon Kelly Bluebook wholesale pricing, is in the best interest of the city; and,

WHEREAS, City Charter, Section 2-402 enables negotiated sales in lieu of sealed bids for such circumstances.

NOW, THEREFORE, BE IT RESOLVED, that the City of Swartz Creek approves the purchase of a 2013 Chevy Silverado 1500 Regular Cab, VIN 1GCNCPEX0DZ310436, from Patsy Lou Williamson Used Cars, 2100 Linden Road, Flint, Michigan for the price of \$14,510, funds to be appropriated from 661 Motor Pool.

Discussion Ensued.

YES: Abrams, Florence, Gilbert, Hicks, Krueger Pinkston, Porath.
NO: None. Motion Declared Carried.

BODY ARMOUR PURCHASE

Resolution No. 160509-08

(Carried)

Motion by Mayor Pro Tem Abrams
Second by Councilmember Hicks

WHEREAS, the City of Swartz Creek Police Department is in need of replacement body armor; and,

WHEREAS, a departmental study showed a preference for the Second Chance SM02 Level II vest from Michigan Police Equipment; and,

WHEREAS, quotes were sought on seven different products, with the preferred product being found to be reasonably priced; and,

WHEREAS, the department has submitted a grant that, if awarded, would offset half of the cost of this purchase.

NOW, THEREFORE, BE IT RESOLVED, that the City of Swartz Creek approves the purchase of the Second Chance SM02 Level II vest from Michigan Police Equipment in the amount of \$700 each, with the understanding that up to eleven may be purchased and retained for department use.

BE IT FURTHER RESOLVED, that the expense of such vests shall be charged to the Equipment Account of the Police Department in their entirety, with any and all grant revenues to be used to defray such costs.

YES: Florence, Gilbert, Hicks, Krueger Pinkston, Porath, Abrams.
NO: None. Motion Declared Carried.

*******Master Resolution*******

MASTER RESOLUTIONS: HOMETOWN DAYS PERMITS, FIRE DEPARTMENT PERMIT, RIVERBEND STRIDERS – CROSS COUNTRY PERMIT

Resolution No. 160509–09

(Carried)

Motion by Councilmember Florence
Second by Mayor Pro Tem Abrams

I Move the City of Swartz Creek approve Resolutions 160509-9A through 160509-9I, allowing for the various permits relative to the annual Swartz Creek Hometown Days events, Swartz Creek Area Fire Department and Riverbend Striders – Cross Country, to be held beginning Tuesday, May 31, 2016 and concluding on Monday, June 6, 2016, inclusive of all stipulations and conditions as specified and listed within, including the provision of valid insurance that lists the City of Swartz Creek as an additionally insured party for all events.

HOMETOWN DAYS, STREET CARNIVAL, GENERAL STREET & PROPERTY USE PERMITS

Resolution No. 160509-9A

I Move the City of Swartz Creek approve and authorize the Swartz Creek Hometown Days Committees' application for street closing and City property use permits for the following locations:

1. Morrish between Miller and Ingalls-Wade, Carnival.
2. Holland between Miller and Ingalls, Vendor – Carnival.
3. City Lot located at the southwest corner of Miller and Morrish, Carnival.
4. Ingalls at Holland and Park Land located to the North and Northwest of the intersection of Morrish and Ingalls, Carnival.
5. City owned property located along the North side of Fortino, West of Morrish Road, Car Show, Vendors, and Radio D.J., general parking.
6. City owned property, 4438 South Morrish Road.
7. City owned property, 4505 Fortino.
8. City owned property, Fortino (Branoff)
9. Fire Hall out lot properties.
10. Use of DPW Yard and Generator (access subject to department).

Street and City property use, unless otherwise indicated, begins Tuesday, May 31, 2016 at 9:00 a.m. until Monday June 6, 2016 at 9:00 A.M., for the purpose of, and authorization to conduct a carnival, vendor/display areas, car show and or other similar events under the following stipulations:

1. Insurance certificate naming the City as insured in the amount not less than \$1,000,000.00 (One-Million Dollars)
2. Written permission from deed holders of any private properties to be used and appropriate insurance certificates naming such parties as additional insured: City of Swartz Creek, Cooks Diesel 5248 Morrish Road; William Kincaid & Kincaid Properties 5086 South Morrish: St. Mary's Catholic Church 4413 Morrish Road; John Alexander; Pentecostal Church of God / Family Worship Center 4494 Morrish Road; Mark O'Brien 5099 South Morrish; Kallas Heating and Cooling 8077 Miller; Swartz Creek Schools 8354 Cappy (High School Middle School); Scott Hoover 8280 Crapo; Larry Bush 7322 W. Bristol Road; Swartz Creek Area Fire Department; Meijer Great Lakes Limited; Kevin McNault.
3. Sufficient number of portable bathrooms placed and located, and litter control program in accordance and under the approval of Director of Community Services.
4. General approval of the Chief of Police. Traffic control and pedestrian safety plan in accordance with and under the approval of office of Chief of Police.

HOMETOWN DAYS, STREET USAGE PERMIT, MOTOR AND PEDESTRIAN PARADE

Resolution No. 160509-9B

(Carried)

I Move the Swartz Creek City Council approve and authorize the Swartz Creek Hometown Days Committees' application for street closing / usage permit for Saturday, June 4, 2016 from 9:00 a.m. until 12:30 p.m. for purposes of conducting a parade, streets to be used include the high school performing arts center entrance, Miller Rd, and Frederick St under the following stipulations:

1. Insurance certificate naming the City as an additional insured party in the amount not less than \$1,000,000.00 (One Million Dollars).
2. No candy or other objects be thrown or handed from, to or at any vehicle, trailer, float, or similar, and further, that the Hometown Days Committee establish and maintain a list of all participants and/or entries in the parade that identifies a contact person, such contact to be informed by the Hometown Days Committee of the stipulation and motor vehicle code enforcement actions for violations thereof.
3. General approval, and under the direction and control of the Office of the Chief of Police.

HOMETOWN DAYS PERMIT, AERIAL FIREWORKS DISPLAY

Resolution No. 160509-9C

(Carried)

I Move the Swartz Creek City Council approve and authorize the Swartz Creek Hometown Days Committee's application for one fireworks aerial display to be held on Friday, June 3, 2016, at or shortly after dusk, with a cancellation date of Saturday, June 4, 2016, at or shortly after dusk, to be launched from properties directly west of the Swartz Creek Middle School Building, said properties owned by the Swartz Creek School District and Mr. Scott Hoover, under the following stipulations and conditions:

1. Insurance certificate naming the City as insured in an amount to be determined adequate by the City Manager.
2. Written permission from the aforementioned parcel owners along with acceptable insurance certificates naming said parcel owners as additional insured parties, in an amount to be determined adequate by the City Manager.
3. Traffic Control Plan and administration by the Offices of Chief of Police and Director of Community Services.
4. Detailed Plan submitted to and approved by the Fire Chief.
5. All decisions concerning the event and cancellation thereof, if needed, under the direction and control of the Fire Chief.

HOMETOWN DAYS PERMIT, OPERATE ENTERTAINMENT TENT

Resolution No. 160509-9D

(Carried)

I Move the Swartz Creek City Council approve and authorize the Swartz Creek Hometown Days Committee application to operate an entertainment tent with the sale of beer and wine for consumption on the premises, along with live entertainment, to be held on Parcel No. 58-02-200-014, owned by William Kincaid and located 5086 Morrish Road, south of Wade Street, beginning Thursday, June 2, 2016 12:00 PM through Sunday, June 4, 2016, 9:30 PM, under the following stipulations:

1. Michigan Liquor Control Commission Approved Application with appropriate insurance in accordance with the rules of the L.C.C. and naming the City and all other property owners as additional insured parties, in an amount not less than \$1,000,000 (One Million Dollars).
2. Portable bathrooms appropriately located and litter control program in accordance and under the approval of Director of Community Services.
3. Traffic control and pedestrian safety plan in accordance with and under the approval of Office of Chief of Police.
4. Adherence to all L.C.C. stipulations and regulations, state and local laws.
5. No music after 11:00 p.m. Thursday, June 2, 2016 and after 1:30 a.m. on Friday, June 3, 2016 (Saturday Morning), and Saturday, June 4, 2016 (Sunday Morning), and Sunday, June 5, 2016, 9:30 PM.
6. Adequate security as approved by the Chief of Police.
7. Adherence to and under the direction and control of the Office of the Chief of Police.

HOMETOWN DAYS PERMIT, CEREMONIAL DISCHARGE OF A FIREARM

Resolution No. 160509-9E

(Carried)

I Move the Swartz Creek City Council, pursuant to section 10-212(3) of the Code of Ordinances, approve and authorize the Swartz Creek Hometown Days Committee to discharge weapons as a part of a military concert and ceremonial military honor guard, to be held at the Swartz Creek High School's outdoor football stadium, on Friday, June 3, 2016, at approximately 9:00 p.m., in conjunction with a concert and aerial fireworks display, with a backup rain date of Saturday, June 4, 2016 at approximately 9:00 p.m. under the following stipulations and conditions:

1. Insurance certificate naming the City as an additional insured party in an amount not less than \$1,000,000.00 (One Million Dollars).
2. The party(ies) discharging the weapon(s) must be a practicing military honor guard trained and capable in the handling of firearms.

HOMETOWN DAYS PERMIT, CEREMONIAL DISCHARGE OF A FIREARM

Resolution No. 160509-9F

(Carried)

I Move the Swartz Creek City Council, pursuant to section 10-212(3) of the Code of Ordinances, approve and authorize the Swartz Creek Hometown Days Committee

to discharge weapons in conjunction with a Parade and as a ceremonial military honor guard, to be held along Miller Road on Saturday, June 4, 2016, at approximately 10:00 A.M., under the following stipulations and conditions:

1. Insurance certificate naming the City as an additional insured party in an amount not less than \$1,000,000.00 (One Million Dollars).
2. The party(ies) discharging the weapon(s) must be a practicing military honor guard trained and capable in the handling of firearms.

WAIVER OF INSPECTION FEE, HOMETOWN DAYS COMMITTEE

Resolution No. 160509-9G

(Carried)

I Move the City of Swartz Creek waive the permit fees for the temporary structure (trailer) and electrical permit inspection fees for the Swartz Creek Hometown Days Committee.

TRAFFIC CONTROL APPROPRIATION

Resolution No. 160509-9H

(Carried)

I Move the City of Swartz Creek provide traffic control devices to ensure the safety of the public during the duration of the Swartz Creek Hometown Days event and hereby direct the Director of Public Works to order or supply barricades sufficient to do so at a cost not to exceed \$1,750, appropriated to the community promotions department of the general fund.

STREET USE PERMIT, ANNUAL 5K ROAD RACE, SWARTZ CREEK CROSS COUNTRY – RIVERBEND STRIDERS

Resolution No. 160509-9I

(Carried)

I Move the City of Swartz Creek approve the application for a street usage permit to conduct a 5 kilometer foot road race on Thursday, June 2, 2016, 5:00 PM – 8:00 PM, applicant: the River-Bend Striders - Swartz Creek Cross Country Team, in the care of Mr. Allen Murphy, race to be held in Winchester Village Subdivision, in accordance with the application submitted, under the direction and control of the Chief of Police and contingent upon the provision of valid insurance listing the City of Swartz Creek as an additionally insured party.

Discussion Ensued.

YES: Gilbert, Hicks, Krueger Pinkston, Porath, Abrams, Florence.

NO: None. Motion Declared Carried.

TREE & BENCH DONATION ACCEPTANCE

Resolution No. 160509-10

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Gilbert

I Move the City of Swartz Creek accept the donation of a river birch tree and park bench from Sharon Shumaker, said bench to be placed in Elms Park near the front entrance, as directed by Mr. Svrcek and as permitted by the Park Board.

YES: Hicks, Krueger Pinkston, Porath, Abrams, Florence, Gilbert.
NO: None. Motion Declared Carried.

WATER RATE INCREASE REVIEW

Discussion

Adam Zettel, City Manager informed that the Great Lakes Water Authority increased rates to Genesee County Drain Commission, our supplier, who in turn is purposing to increase the cost of the water commodity effective September 2, 2016. This is an increase of 8.6%.

Recess-five minute recess 8:13 p.m.-8:18 p.m.

ASPHALT PATCH BIDS

Resolution No. 160509-11

(Carried)

Motion by Councilmember Gilbert
Second by Porath

WHEREAS, the city finds it necessary to remove and replace certain sections of asphalt roadway in which excavations at and under the roadway occurred; and

WHEREAS, this process requires approximately 26 linear feet of curb and 1,037 square feet of like kind materials for seven distinct repairs; and

WHEREAS, in accordance with the City's Purchasing Ordinance, Chapter 2, Article VI, Section 2-402, the city solicited sealed bids for this project; and

WHEREAS, the city received three valid and qualified bids.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek City Council accepts the low bid of \$12,730 for completion of the spot repairs as specified, said bid submitted by RBF Construction of Swartz Creek, expenses to be appropriated to the Water Fund.

BE IT FURTHER RESOLVED that the City of Swartz Creek City Council accepts the extrapolated unit cost of \$11.02 per square foot for the removal and replacement of 6.5" thick or greater asphalt, as specified, as the low bid for additional projects completed within the parameters of the city budget prior to December 31, 2016.

Discussion Ensued.

YES: Krueger, Pinkston, Porath, Abrams, Florence, Gilbert, Hicks.
NO: None. Motion Declared Carried.

2016-2017 FY BUDGET, SET PUBLIC HEARING

Resolution No. 160509-12

(Carried)

Motion by Councilmember Pinkston
Second by Councilmember Hicks

WHEREAS, the City of Swartz Creek observes a fiscal year, beginning on July 1 of each year; and,

WHEREAS, the City Charter requires a public hearing on the proposed budget and encourages adoption prior to the third Monday in May; and,

WHEREAS, city staff have prepared budget revenues and expenses in draft form in the timeliest manner practical based upon determinations available for taxable value.

NOW, THEREFORE BE IT RESOLVED the City of Swartz Creek hereby sets a Public Hearing, to be held on Tuesday, May 23, 2016 at 7:00 PM, at the regularly scheduled City Council Meeting, or as soon thereafter as this matter can be heard, to hear public comments and needs regarding the Proposed 2016-2017 Fiscal Year Budget, and further, post a notice of the public hearing in the View News, with a copy of the proposed budget to be available in the Clerk's Office beginning May 10, 2016.

YES: Pinkston, Porath, Abrams, Florence, Gilbert, Hicks, Krueger.
NO: None. Motion Declared Carried.

END-YEAR BUDGET AMENDMENT

Resolution No. 160509-13

(Carried)

Motion by Councilmember Porath
Second by Councilmember Gilbert

WHEREAS, Act 621 of P.A. 1978 provides for a uniform budgeting system for local units of government; and

WHEREAS, Act 275 of P.A. of 1980 further prohibits deficit spending by local units of government; and

WHEREAS, the City Council has reviewed the City's 2015 – 2016 Revenue and Expenditure Report through April 2016, and finds that it is not in deficit; however, certain department activity line items may be in deficit; and

WHEREAS, the City Council has received a Budget Amendment Summary and Revenue and Expenditure Reports reflecting proposed changes in budgeted items; and

WHEREAS, new budget amounts necessitate adjustments to the original adopted budget; and

WHEREAS, said supplemental documentation shows the new proposed revenue and expenditures by fund.

THEREFORE BE IT RESOLVED, the Swartz Creek City Council hereby authorizes and directs the city manager to make all necessary end-year budget adjustment amendments to Fund 101 (General Fund) and Fund 202 (Major Street Fund) in accordance with the supplemental documentation (pages 83 to 100) attached.

YES: Porath, Abrams, Florence, Gilbert, Hicks, Krueger, Pinkston.
NO: None. Motion Declared Carried.

YARMY AND PARKRIDGE BIDS

Resolution No. 160509-14

(Carried)

Motion by Mayor Pro Tem Abrams
Second by Councilmember Hicks

WHEREAS, the city owns, operates, and maintains a system of major and local streets; and

WHEREAS, the city has drafted and funded a 20 year street plan that includes a mix of fixes for streets in various states of need; and

WHEREAS, the first phase of the plan includes a rehabilitation for Yarmy Drive and a surface treatment for the entire Parkridge Subdivision as part of the preventative maintenance component; and

WHEREAS, these repairs were engineered and bid in 2015 and again in 2016 as projects contingent upon securing the proposed street levy in accordance with the City's Purchasing Ordinance, Chapter 2, Article VI, Section 2-402; and

WHEREAS, the 20 year street levy was approved on May 3, 2016, with collections to begin in 2016; and

WHEREAS, the city received four valid and qualified bids in 2016.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek City Council accepts the low bid of \$222,484.28 for completion of both projects as specified, said bid submitted by Lois Kay Contracting Co., expenses to be appropriated to the Local Street Fund.

BE IT FURTHER RESOLVED that the City of Swartz Creek City directs the Mayor to execute the contract with Lois Kay Contracting Co., inclusive of a 10% contingency.

BE IT FURTHER RESOLVED that the City of Swartz Creek City Council approves and directs the Mayor to execute the proposal from Rowe Professional Services Company for the provision of construction engineering services related to this project in the amount of \$34,200.

BE IT FURTHER RESOLVED that the finance director is to make necessary adjustments to the current year budget to reflect completion of 40% of this project in the current fiscal year.

Discussion Ensued.

YES: Abrams, Florence, Gilbert, Hicks, Krueger, Pinkston, Porath.
NO: None. Motion Declared Carried.

PUBLIC UTILITY CONNECTION AGREEMENT

Resolution No. 160509-15

(Carried)

Motion by Councilmember Florence
Second by Mayor Pro Tem Abrams

WHEREAS, the City owns, operates, and maintains a water distribution system and sewer collection system in conjunction with and as a party to the Genesee County Drain Commission - Water and Waste Services Division (County); and

WHEREAS, the County and City both collect connection fees for new uses that connect to the system, with the determination of the number of Units being established by the County rate sheet for Residential Equivalent Units (REU's); and

WHEREAS, the City and County do not agree on the application of this chart as it applies to the Springvale Assisted Living facility; and

WHEREAS, the County has agreed to approve the permit with the assignment of units in the amount that the City determined to be appropriate, provided the developer, City, and County enter into an agreement to assess long-term flow of the facility and thereby determine final unit determination after 24 months.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek City Council hereby agrees to enter into the Public Utility Connection Agreement with Genesee County and the owner of Springvale Assisted Living as included in the Packet Supplement for the May 9, 2016 City Council Meeting, and further directs the Mayor to execute said agreement on behalf of the city.

Discussion Ensued.

YES: Florence, Gilbert, Hicks, Krueger, Pinkston, Porath, Abrams.
NO: None. Motion Declared Carried.

MEETING OPEN TO THE PUBLIC:

Steve Shumaker resides at 7446 Country Meadow, suggested instead of having multiple rate increases on the utilities just double the rate to prevent having as many increases.

Dennis Cramer resides at 5299 Worchester Drive, commented he thought the whole object of the KWA was to service three counties as a consortium independent of Detroit Water Authority.

REMARKS BY COUNCILMEMBERS:

Councilmember Porath remarked they couldn't asked for a nicer group of people on SOS committee.

Councilmember Hicks thanked Sharon Shumaker for the donation to the park.

Councilmember Gilbert commented on the light pole on Fortino Drive.

Councilmember Pinkston mentioned that he couldn't have been happier with the crew they had on the SOS committee. He wanted to thank them all.

Mayor Pro Tem Abrams also commented about the light pole. He commented on the article in the view in regards to the milage.

Mayor Krueger wanted to thank everyone on the SOS committee and the passing of the milage will be a positive thing for the city.

Adjournment

Resolution No. 160509-16

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Florence

I Move the Swartz Creek City Council adjourn the regular meeting at 8:57 pm.

Unanimous Voice Vote.

David A. Krueger, Mayor

Connie Eskew, City Clerk