

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE 06/13/2016**

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, Finance Director Juanita Aguilar, Treasurer Deanna Korth.

Others Present: Tommy Butler, Jim Barclay, Steve Shumaker, Dennis Cramer, Boots Abrams, Sharon Shumaker, Bob Plumb, Steven Long, Lania Roche.

APPROVAL OF MINUTES

Resolutions No. 160613-01

(Carried)

Motion by Councilmember Porath
Second by Councilmember Gilbert

I Move the Swartz Creek City Council hereby approve the amended Minutes of the Regular Council Meeting held Monday May 23, 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. 160613-02

(Carried)

Motion by Mayor Pro Tem Abrams
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Agenda as presented for the Regular Council Meeting of June 13, 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. 160613-03

(Carried)

Motion by Councilmember Florence
Second by Mayor Pro Tem Abrams

I Move the Swartz Creek City Council accept the City Manager's Report of June 13, 2016, including reports and communications and explanations, 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:

Steve Long resident at 5356 Worchester, commented on the article in the View in regards to the medical marijuana ordinance.

CELL TOWER AGREEMENT AMENDMENT

Resolution No. 160613-04

(Carried)

Motion by Councilmember Hicks
Second by Mayor Pro Tem Abrams

WHEREAS, the city entered into a 30 year agreement with New Par, a Delaware partnership, d/b/a Verizon Wireless, in June of 1997 for the purpose of leasing land located on Elms Road for the purpose of erecting and operating a wireless communication tower; and

WHEREAS, the city has provided access to the tower for placement of telecommunications equipment under the terms of the lease; and

WHEREAS, the tenant, now Verizon Communications Inc., a Delaware Corporation, desires to assert a thirty year extension on the lease in order to make future investments and possible co-locators more predictable and desirable; and

WHEREAS, the city has negotiated an additional lump-sum payment, in addition to the existing rent escalators, payable upon exercise of the aforementioned option in order to effect said changes; and,

WHEREAS, the City of Swartz Creek City Council finds the lease extension to be in the best interest of the public.

NOW, THEREFORE, BE IT RESOLVED, the City of Swartz Creek City Council hereby approves the subsequent First Amendment to Lease Agreement for VZW Site No: 139535 as included in the city manager report for the June 13, 2016 city council meeting.

BE IT FURTHER RESOLVED, the City of Swartz Creek City Council hereby and further directs and authorizes the Mayor to execute said agreement & related memorandum on behalf of the city council and its individual members.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

FISCAL YEAR 2017 BUDGET ADOPTION

Resolution No. 160613-05

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Porath

I Move the Swartz Creek City Council, in accordance with the General Appropriations Act and Uniform Budgeting and Accounting Act, adopt the following 2016-2017 fiscal budget based upon the following tax mills:

General Operating Levy	4.8289
Public Safety SAD	4.9000
Street Levy	4.2200
Sanitation Levy	2.6270

101	General Fund	Estimated Beginning Fund	\$ 1,560,154
Balance			
	Estimated Revenues	Adopted	
	General Fund Estimated Operating Revenues	2,410,900	
	General Fund Estimated Project Revenues	0	
		<u>2,410,900</u>	
	Appropriations	Adopted	
	General Government Activities 101-299	448,667	
	Public Safety Activities 301-399	1,269,482	
	Public Works Activities 400-799	527,581	
	Other Government Activities 800-999	227,501	
		<u>2,473,231</u>	
		0	
		<u>2,473,231</u>	
	Effect on General Fund's Fund Balance		(62,331)
	Estimated Ending Fund Balance June 30, 2017		\$ 1,497,823

202	Major Streets	Estimated Beginning Fund	\$ 698,665
Balance			

Estimated Revenues	Adopted
Major Streets Fund Estimated Operating Revenues	442,400
Major Streets Fund Estimated Project Revenues	<u>0</u>
	442,400

Appropriations	Adopted
General Government Activities 101-299	350
Public Safety Activities 301-399	0
Public Works Activities 400-799	424,650
Other Government Activities 800-999	<u>147,200</u>
	572,200
	<u>0</u>
	572,200

Effect on Major Street's Fund Balance (129,800)

Estimated Ending Fund Balance June 30, 2017	\$ 568,865
--	-------------------

203	Local Streets Fund	Estimated Beginning Fund	\$ 201,110
------------	---------------------------	---------------------------------	-------------------

Estimated Revenues	Adopted
Local Streets Fund Estimated Operating Revenue	336,702
Local Streets Fund Estimated Project Revenue	<u>0</u>
	336,702

Appropriations	Adopted
General Government Activities 101-299	400
Public Safety Activities 301-399	0
Public Works Activities 400-799	353,792
Other Government Activities 800-999	<u>0</u>
	354,192
	<u>0</u>
	354,192

Effect on Local Streets Fund's Fund

Balance (17,490)

Estimated Ending Fund Balance June 30, 2017	\$ 183,620
--	-------------------

204	Municipal Street Fund	Estimated Beginning Fund	\$ -
------------	------------------------------	---------------------------------	-------------

Estimated Revenues	Adopted
Municipal Street Fund Estimated Revenue	608,000

608,000

Appropriations	Adopted
General Government Activities 101-299	0
Public Safety Activities 301-399	0
Public Works Activities 400-799	0
Other Government Activities 800-999	0
	<u>0</u>
	0

Effect on Municipal Street Fund's Fund

Balance 608,000

Estimated Ending Fund Balance June 30, 2017 \$ **608,000**

226 Garbage Fund Estimated Beginning Fund
Balance \$ **269,603**

Estimated Revenues	Adopted
Garbage Fund Estimated Operating Revenue	380,907
Garbage Fund Estimated Project Revenue	0
	<u>0</u>
	380,907

Appropriations	Adopted
General Government Activities 101-299	55,534
Public Safety Activities 301-399	0
Public Works Activities 400-799	371,673
Other Government Activities 800-999	0
	<u>0</u>
	427,207
	<u>0</u>
	427,207

Effect on Garbage Fund's Fund Balance (46,300)

Estimated Ending Fund Balance June 30, 2017 \$ **223,303**

248 DDA Fund Estimated Beginning Fund
Balance \$ **38,306**

Estimated Revenues	Adopted
DDA Fund Estimated Operating Revenue	67,900
DDA Fund Estimated Project Revenue	0
	<u>0</u>
	67,900

Appropriations	Adopted
General Government Activities 101-299	3,280
Public Safety Activities 301-399	0

Public Works Activities 400-799	64,450
Other Government Activities 800-999	<u>0</u>
	67,730
	<u>0</u>
	67,730

	Effect on Local Streets Fund's Fund	
Balance		170
	Estimated Ending Fund Balance June 30, 2017	\$ 38,476

265	Drug Enforcement Fund	Estimated Beginning Fund	
Balance			\$ 3,764

	Estimated Revenues	Adopted
Drug Enforcement Fund Estimated Operating Revenue		7,851
Drug Enforcement Fund Estimated Project Revenue		<u>0</u>
		7,851

	Appropriations	Adopted
General Government Activities 101-299		7,851
Public Safety Activities 301-399		0
Public Works Activities 400-799		0
Other Government Activities 800-999		<u>0</u>
		7,851
		<u>0</u>
		7,851

	Effect on Drug Enforcement Fund's Fund	
Balance		0
	Estimated Ending Fund Balance June 30, 2017	\$ 3,764

275	Senior Operations Fund	Estimated Beginning Fund	
Balance			\$ -

	Estimated Revenues	Adopted
Senior Citizens Fund Estimated Operating Revenue		0
Senior Citizens Fund Estimated Project Revenue		<u>0</u>
		0

	Appropriations	Adopted
General Government Activities 101-299		0
Public Safety Activities 301-399		0
Public Works Activities 400-799		0
Other Government Activities 800-999		<u>0</u>
		0

0
0

Effect on Senior Citizens Fund's Fund Balance **0**

Estimated Ending Fund Balance June 30, 2017 **\$ -**

350	City Hall Debt Fund	Estimated Beginning Fund	
Balance			\$1,662

	Adopted
Estimated Revenues	
City Hall Debt Fund Estimated Revenue	<u>98,535</u>
	98,535

	Adopted
Appropriations	
General Government Activities 101-299	0
Public Safety Activities 301-399	0
Public Works Activities 400-799	0
Other Government Activities 800-999	<u>98,000</u>
	98,000

Effect on City Hall Debt Fund's Fund Balance **535**

Estimated Ending Fund Balance June 30, 2017 **\$ 2,197**

401	Capital Projects Fund	Estimated Beginning Fund	
Balance			\$ -

	Adopted
Estimated Revenues	
Capital Project Fund Estimated Operating Revenue	0
Capital Project Fund Estimated Project Revenue	<u>0</u>
	0

	Adopted
Appropriations	
General Government Activities 101-299	0
Public Safety Activities 301-399	0
Public Works Activities 400-799	0
Other Government Activities 800-999	0
	<u>0</u>
	0

Effect on Capital Projects Fund's Fund

Balance **0**

Estimated Ending Fund Balance June 30, 2017 **\$ -**

402	Fire Equipment Fund	Estimated Beginning Fund		
Balance			\$	50,131
	Estimated Revenues	Adopted		
	Fire Equipment Replacement Fund Est Operating Rev.	30,060		
	Fire Equipment Replacement Fund Est Project Rev.	<u>0</u>		
		30,060		
	Appropriations	Adopted		
	General Government Activities 101-299	0		
	Public Safety Activities 301-399	0		
	Public Works Activities 400-799	0		
	Other Government Activities 800-999	0		
	Transfer out to Sewer Fund	<u>0</u>		
		0		
		<u>0</u>		
		0		
	Effect on Fire Equip Replacement Fund's Fund			
Balance				30,060
	Estimated Ending Fund Balance June 30,			
2017			\$	80,191

590	Water Fund	Estimated Beginning Fund		
Balance			\$	6,066,822
	Estimated Revenues	Adopted		
	Water Supply Fund Estimated Operating Revenue	2,118,700		
	Water Supply Fund Estimated Project Revenue	<u>0</u>		
		2,118,700		
	Appropriations	Adopted		
	General Government Activities 101-299	160,206		
	Public Safety Activities 301-399	0		
	Public Works Activities 400-799	1,971,284		
	Other Government Activities 800-999	<u>12,000</u>		
		2,143,490		
		<u>0</u>		
		2,143,490		
	Effect on Water Supply Fund's Fund Balance			(24,790)
	Estimated Ending Fund Balance June 30, 2017		\$	6,042,032
WATER FUND EXPENSES INCLUDE \$189,000 IN DEPRECIATION				

591	Sewer Fund	Estimated Beginning Fund	
Balance			\$ 6,961,451
	Estimated Revenues	Adopted	
	Sanitary Sewer Fund Estimated Operating Revenue	1,303,220	
	Sanitary Sewer Fund Estimated Project Revenue	<u>0</u>	
		1,303,220	
	Appropriations	Adopted	
	General Government Activities 101-299	162,708	
	Public Safety Activities 301-399	0	
	Public Works Activities 400-799	1,567,056	
	Other Government Activities 800-999	<u>70,225</u>	
		1,799,989	
		<u>0</u>	
		1,799,989	
	Effect on Sanitary Sewer Fund's Fund Balance		(496,769)
	Estimated Ending Fund Balance June 30, 2017		\$ 6,464,682

SEWER FUND EXPENSES INCLUDE \$248,000 IN DEPRECIATION

661	Motor Pool Fund	Estimated Beginning Fund	
Balance			\$ 316,460
	Estimated Revenues	Adopted	
	Motor Pool Fund Estimated Operating Revenue	277,820	
	Motor Pool Fund Estimated Project Revenue	<u>0</u>	
		277,820	
	Appropriations	Adopted	
	General Government Activities 101-299	22,270	
	Public Safety Activities 301-399	59,850	
	Public Works Activities 400-799	179,181	
	Other Government Activities 800-999	<u>0</u>	
		261,301	
		<u>0</u>	
		261,301	
	Effect on Motor Pool Fund's Fund		16,519
Balance			16,519
	Estimated Ending Fund Balance June 30, 2017		\$ 332,979

MOTOR POOL EXPENSES INCLUDE \$33,000 IN DEPRECIATION

865	Sidewalks Fund	Estimated Beginning Fund	
Balance			\$ 2,296
	Estimated Revenues	Adopted	

Sidewalk Fund Estimated Operating Revenue	10,000
Sidewalk Fund Estimated Project Revenue	<u>0</u>
Total Side Walk Fund Estimated Revenue	10,000

	Adopted
General Government Activities 101-299	0
Public Safety Activities 301-399	0
Public Works Activities 400-799	9,500
Other Government Activities 800-999	<u>0</u>
Total Side Walk Fund Operating Appropriations	9,500
Total Side Walk Fund Project Appropriations	<u>0</u>
Total Side Walk Fund Appropriations	9,500

	Effect on Side Walk Fund's Fund	
Balance		500
	Estimated Ending Fund Balance June 30, 2017	\$ 2,796

866	Weed Fund	Estimated Beginning Fund	
Balance			\$ 20,750

	Adopted
Weed Fund Estimated Operating Revenue	7,800
Weed Fund Estimated Project Revenue	<u>0</u>
Total Weed Fund Estimated Revenue	7,800

	Adopted
General Government Activities 101-299	0
Public Safety Activities 301-399	0
Public Works Activities 400-799	1,640
Other Government Activities 800-999	<u>0</u>
Total Weed Fund Operating Appropriations	1,640
Total Weed Fund Project Appropriations	<u>0</u>
Total Weed Fund Appropriations	1,640

	Effect on Weed Fund Fund's Fund	
Balance		6,160
	Estimated Ending Fund Balance June 30, 2017	\$ 26,910

871	Sewer Special Assessment Fund	Estimated Beginning Fund	
Balance			\$ -

	Adopted
Sewer Special Assessment Fund Est. Operating Revenue	0
Sewer Special Assessment Fund Est. Project Revenue	0

Total Sewer Special Assessment Fund Revenue	<u>0</u>	
		Adopted
Appropriations		
General Government Activities 101-299	0	
Public Safety Activities 301-399	0	
Public Works Activities 400-799	0	
Other Government Activities 800-999	<u>0</u>	
Total Sewer Special Assessment Operating Appropriation	0	
Total Sewer Special Assessment Proj. Appropriations	<u>0</u>	
Total Sewer Special Assessment Fund Appropriations	0	
		Effect on Sewer Spe. Assessment Fund's Fund
Balance		0
2017	Estimated Ending Fund Balance June 30,	0

Total Estimated Revenues	\$8,100,795
Total All Funds Appropriations	\$8,216,331

Discussion Ensued.

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

ELECTION WORKER STIPEND ADJUSTMENTS

Resolution No. 160613-06 **(Carried)**

Motion by Councilmember Pinkston
Second by Councilmember Porath

WHEREAS, city election inspectors attend training at the Genesee County Administration Building every two years in accordance with State Election Law; and

WHEREAS, the election workers are paid a stipend to offset travel and County parking charges, which has seen several increases over the past few years; and

WHEREAS, State Election Law also requires all precincts using the electronic poll book to have a receiving board review all documentation prior to submission to the county clerk on election night; and

WHEREAS, the City of Swartz Creek Election Commission met on June 7, 2016 and voted unanimously to recommend increases to the election training compensation to \$30.00 and the receiving board compensation to \$25.00.

THEREFORE BE IT RESOLVED, the Swartz Creek City Council hereby authorizes new amounts for election inspector training of \$30.00 and receiving board member of \$25.00 effective June 9, 2016.

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

WORKERS COMPENSATION INSURANCE

Resolution No. 160613-07

(Carried)

Motion by Councilmember Porath
Second by Mayor Pro Tem Abrams

I Move the City of Swartz Creek City Council approve payment to the Michigan Municipal League in the amount of \$20,965 to cover the annual premium for workers' compensation coverage period from July 1, 2016 to June 30, 2017 and further direct the city's finance director to appropriate the cost of this premium to the appropriate city funds in accordance with the Class Codes identified in the invoice.

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

YEAR END FISCAL ADJUSTMENTS

Resolution No. 160613-08

(Carried)

Motion by Mayor Pro Tem Abrams
Second by Councilmember Florence

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 Fiscal Year Budget and comparative year-to-date balance sheet of expenses and revenues, and finds that it is not in deficit; however, certain department activity line items may be in deficit.

THEREFORE BE IT RESOLVED, the Swartz Creek City Council hereby authorizes and directs the City Manager or his designee to make all necessary year-end budget adjustment amendment.

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

LIABILITY INSURANCE PAYMENT

Resolution No. 160613-09

(Carried)

Motion by Councilmember Florence
Second by Mayor Pro Tem Abrams

I Move the City of Swartz Creek appropriate an amount not to exceed \$67,417 to Michigan Municipal League Meadow Brook Insurance, payment of the City's annual 2016-2017 premiums for property and liability insurance, funds to be apportioned to reflect departmental coverage as noted in the invoice.

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

MEETING OPENED TO THE PUBLIC

Dennis Cramer, resident at 5299 Worchester Drive, inquired on update of KWA. Adam Zettel, City Manager responded on article in the Free Press that Flint may not participate in KWA.

REMARKS BY COUNCILMEMBERS:

Councilmember Porath commented on the Bristol/Morrish intersection light.

Councilmember Florence observed that good things are happening around town. He also remarked about scam phone calls he's been receiving.

Councilmember Hicks is happy about the asbestos removal at the demolition of the Sunoco building. She also commented that she had a really good time at hometown days.

Councilmember Gilbert also remarked on the scam phone calls.

Councilmember Pinkston commented in regards to the Free Press article about the racetrack. He thinks the possibility of ever getting the racetrack back here again is unrealistic.

Mayor Pro Tem Abrams commented about the poles that were replaced in front of Sharp's. He also commented about the waste can on northeast corner of Miller/Fortino that it hides the fire hydrant and needs to be relocated.

Mayor Krueger also remarked on the scam phone calls.

Adjournment

Resolution No. 160613-10

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Hicks

I Move the Swartz Creek City Council adjourn the regular meeting at 7:52 pm.

Unanimous Voice Vote.

David A. Krueger, Mayor

Connie Eskew, City Clerk