

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE 06/27/2016**

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, Director Public Service Tom Svrcek, Treasurer Deanna Korth.

Others Present: Tommy Butler, Jim Barclay, Steve Shumaker, Boots Abrams, Sharon Shumaker, Bob Plumb, Ron Schultz, Lania Roche, Mike Stratton.

APPROVAL OF MINUTES

Resolutions No. 160627-01

(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 June 13, 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. 160627-02

(Carried)

Motion by Mayor Pro Tem Abrams
Second by Councilmember Hicks

I Move the Swartz Creek City Council approve the Agenda as printed for the Regular Council Meeting of June 27, 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. 160627-03

(Carried)

Motion by Councilmember Florence
Second by Councilmember Gilbert

I Move the Swartz Creek City Council accept the City Manager's Report as verbally amended of June 27, 2016, including reports and communications, to be circulated and placed on file.

Discussion Ensued.

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

MEETING OPENED TO THE PUBLIC:

Tommy Butler, resides at 40 Somerset, commented on Miller Road construction.

CLOCK DONATION

Resolution No. 160627-04

(Carried)

Motion by Councilmember Florence
Second by Councilmember Hicks

WHEREAS, the City of Swartz Creek owns operates and maintains a system of parks, right of ways, and public spaces; and

WHEREAS, the community is a small one in which the connections between the public and business are often complex, longstanding, and important; and

WHEREAS, a long standing business in town, known as Fortino's Food Market, is celebrating 100 years in Swartz Creek, and desires to commemorate the impact of the family in the community and the support of the community through the donation of a town clock to the civic campus; and

WHEREAS, the Director of Public Works and other staff have reviewed the proposal, finding no adverse impacts; and

WHEREAS, many members of the community, including the Downtown Development Authority have supported the concept of a town clock.

NOW, THEREFORE, BE IT RESOLVED, the City of Swartz Creek City Council hereby accepts the clock donation as outlined by Mr. Mike Stratton, said clock to be placed on Paul Fortino Drive at the entrance to Civic Drive.

BE IT FURTHER RESOLVED, the City of Swartz Creek resolves to cover any and all costs related to permitting and inspections required to install the clock.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

END OF YEAR MERS PAYMENT

Resolution No. 160627-05

(Carried)

Motion by Councilmember Gilbert
Second by Mayor Pro Tem Abrams

WHEREAS, the City of Swartz recognizes that the actuarial valuation performed by the Municipal Employees' Retirement System (MERS) is based on current and retiree census; and

WHEREAS, the MERS defined benefit retirement plan is funded at 83% based on the new assumptions that were included in the MERS Annual Actuarial Valuation for December 31, 2015; and

WHEREAS, the report reflects a substantial increase from the December 31, 2014 unfunded liability for the Supervisor Division(Closed Division), AFSCME (Closed Division) and the FOP division showing an increase from unfunded liabilities of \$1,000,142 to \$1,598,420; and

WHEREAS, the MERS rate of return for 2014 was 6.49%, the smooth actuarial rate of return for 2015 was 5.21%, and the long term actuarial rate is 7.75%; and

WHEREAS, the current rate of return on City investments averages under 1%; and

WHEREAS, the City of Swartz Creek would see a substantial increase in yearly required contributions if an extra payment was not made to the unfunded liability; and

WHEREAS, the finance director and city manager recommend an additional payment before June 30, 2016 in the amount of \$500,000 to cover the unfunded liability for the AFSCME division and make a partial payment towards the unfunded liability for the Supervisors Division in the amount of \$200,000. Payment will be funded as follows;

General Fund	\$213,142.86
Major Street Fund	\$19,142.86
Local Street Fund	\$18,000.00
Garbage Fund	\$25,571.43
Water Fund	\$101,857.14
Sewer Fund	\$101,857.14

Motor Pool Fund \$20,428.57; and

THEREFORE BE IT RESOLVED, that the City of Swartz Creek approves the MERS payment before June 30, 2016 and directs that budgets be adjusted in the above funds.

Discussion Ensued.

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

SET 2016-2017 COUNCIL MEETING SCHEDULE

Resolution No. 160627-06 (Carried)

Motion by Councilmember Pinkston
Second by Mayor Pro Tem Abrams

WHEREAS, Act 261 of the Public Acts of the State of Michigan of 1968, as amended, requires a public notice of the schedule of regular meetings of the Swartz Creek City Council be given once each calendar year or fiscal year and that said notice shall show the regular dates and times for the meeting and the place at which meetings are held; and

WHEREAS, the Act directs that notice be posted prominently at the principle office of the City of Swartz Creek or at the public building at which meetings are held or published in the newspaper of general circulation in Swartz Creek,

NOW, THEREFORE, pursuant to the Act, public notice is hereby given that regular meetings for fiscal year 2016-2017 shall be held twice each month, and further, that all meetings shall be held in the Paul D. Bueche Municipal Building Council Chambers located at 8083 Civic Drive, Swartz Creek, Michigan, unless otherwise provided in advance by the City Council, and further, meetings shall commence at 7:00 P.M. on the following dates:

July 2016:	Monday – 11 th Monday – 25 th	
August 2016:	Monday – 8 th Monday – 22 nd	
September 2016:	Monday – 12 th Monday – 26 th	
October 2016:	Monday – 10 th Monday – 24 th	(Columbus Day)
November 2016:	Monday – 14 th Monday – 28 th	
December 2016:	Monday – 5 th Monday – 12 th	(One Week Earlier) (Two Weeks Earlier)
January 2017:	Monday – 9 th	

	Monday – 23 th
February 2017:	Monday – 13 th Monday – 27 th
March 2017:	Monday – 13 th Monday – 27 th
April 2017:	Monday – 10 th Monday – 24 th
May 2017:	Monday – 8 th Monday – 22 rd
June 2017:	Monday – 12 th Monday – 26 th

BE IT FURTHER RESOLVED that the Clerk is hereby directed to post a copy of this resolution in a prominent place in the City Offices of the City of Swartz Creek.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to supply forthwith, upon request, a copy of this resolution to any newspaper of general circulation in the political subdivision in which the meeting will be held and/or to any radio or television station that regularly broadcasts into the City of Swartz Creek.

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

BRISTOL AND MORRISH SIGNAL COST AGREEMENT

Resolution No. 160627-07

(Carried)

Motion by Councilmember Porath
Second by Mayor Pro Tem Abrams

WHEREAS, the City of Swartz Creek owns, operates, and maintains a system of streets, some of which are shared with other street authorities and municipalities by virtue of their location on border roads; and

WHEREAS, the city finds that a traffic control signal is warranted on the corner of Bristol and Morrish Roads, a road in which the city is responsible for the south Morrish approach, equating to 25% of the intersection; and

WHEREAS, the city finds that unique circumstances apply to the responsibility of the cost of this signal, being the impact of the Meijer store on local traffic and the subsequent agreement by Meijer to cover some costs related to the improvement of this intersection; and

WHEREAS, the Genesee County Road Commission, having responsibility with Clayton Township, for the other 75% of this intersection has agreed to install and maintain the traffic signal, with the installation cost being \$36,630; and

WHEREAS, the Clayton Township has agreed to pay for 25% of the intersection, and the county has agreed to pay for 25% of the intersection, leaving 50% unaccounted for; and

WHEREAS, the city finds the cost sharing proposal to be in the best interest of the health and safety of the broader community; and

WHEREAS, arrangements have been made with the Genesee County Road Commission to upgrade an existing flasher to a stop and go traffic signal at the intersection of Morrish Road and Bristol Road, T-308; and

WHEREAS, this arrangement provides that the Road Commission, the City of Swartz Creek and Clayton Township shall participate in the cost of installation, maintenance and operation of the signal as follows:

1. The cost of installation shall be divided with Genesee County Road Commission paying 25%, the City of Swartz Creek paying 50% and Clayton Township paying 25%. The estimated installation cost is \$36,630.00.
2. The cost of maintenance and operation shall be divided the same with Genesee County Road Commission paying 25%, the City of Swartz Creek paying 25% and Clayton Township paying 50%.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek hereby approves the Agreement between the Genesee County Road Commission, Clayton Township and the City of Swartz Creek as included herein and further authorize the Mayor to execute the agreement on behalf of the City.

BE IT FURTHER RESOLVED that the City of Swartz Creek will pay the invoices submitted by the Genesee County Road Commission for 25% of the future maintenance and operation costs of the traffic signal.

BE IT FURTHER RESOLVED that the City of Swartz Creek directs the city manager to invoice half of the city's share to Meijer per the existing development agreement.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

APPPOINTMENT

Resolution No. 160627-08

(Carried)

Motion by Mayor Pro Tem Abrams
Second by Councilmember Porath

WHEREAS, the Agreement defined an Agreement Date and an Effective Date, with the Effective Date being 210 days after the Agreement Date, which is July 6, 2016; and

WHEREAS, per Section 1.02.6 of the Agreement the City Council and Township Board are to meet and “determine if it is in the best interest of the Township and City to continue to pursue establishing a Police Authority” if a resolution affirming participation in the Police Authority has not been passed before July 6, 2016; and

WHEREAS, the Police Authority Board, at their regular meeting on June 22, 2016, requested an extension of the Effective date, per the Agreement, to October 31, 2016 in order to complete preparation of the outstanding Authority plans; and

WHEREAS, the Swartz Creek City Council finds that it is in the best interest of the City to pursue establishing a Police Authority and desires completion of Authority plans for review and deliberation by the council and public prior to any vote affirming or denying final creation of the Authority..

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek hereby recognizes an extension of the Effective Date to October 31, 2016, with the understanding that this extension is granted by and subject to other terms and conditions of the Agreement, specifically Section 1.02.6.

Discussion Ensued.

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

NO: Gilbert. Motion Declared Carried.

MEETING OPENED TO THE PUBLIC

Steve Shumaker, resides at 7446 Country Meadow, commented in regards to the police authority.

REMARKS BY COUNCILMEMBERS:

Councilmember Gilbert commented on his concerns regarding 4th of July fireworks.

Councilmember Hicks commented about publishing the firework ordinance. She also commented on the tent that is selling fireworks in the Meijer parking lot. She also stated she will not vote yes again for the Interlocal agreement if they request another extension.

Councilmember Porath reminded everyone about the concerts on Tuesday nights.

Adjournment

Resolution No. 160627-11

(Carried)

Motion by Mayor Pro Tem Abrams
Second by Councilmember Gilbert

I Move the Swartz Creek City Council adjourn the regular meeting at 8:15 pm.

Unanimous Voice Vote.

David A. Krueger, Mayor

Connie Eskew, City Clerk