

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE 09/26/2016**

The meeting was called to order at 7:01 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, City Attorney Mike Gildner.

Others Present: Tommy Butler, Steve Shumaker, Sharon Shumaker, Bob Plumb, Dennis Cramer, Lania Rocha, Jim Barclay, Steven Long, Boots Abrams, Jo Holmquist, Tom Holmquist, Fay Porath, Lou Fleury.

APPROVAL OF MINUTES

Resolutions No. 160926-01

(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 September 12, 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. 160926-02

(Carried)

Motion by Mayor Pro Tem Abrams
Second by Councilmember Hicks

I Move the Swartz Creek City Council approve the Agenda as presented for the Regular Council Meeting of September 26, 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. 160926-03

(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 September 26, 2016, including reports and communications and verbal updates to be circulated and placed on file.

Discussion took place.

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

MEETING OPENED TO THE PUBLIC:

Jo & Tom Holmquist resides at 5373 Miller Road, presented Mayor Pro Tem Abrams with a plaque from the Holmquist family in appreciation for his 32 years of loyalty and commitment.

Boots Abrams resides at 5352 Greenleaf Drive, voiced her concerns about the possibility of having a turnout at Winston/Chesterfield and is opposed to it.

POLC LABOR CONTRACT LETTER OF AGREEMENT

Resolution No. 160926-04

(Carried)

Motion by Councilmember Hicks
Second by Mayor Pro Tem Abrams

WHEREAS, the City of Swartz Creek entered into agreement with the Police Officers Labor Council on April 30, 2012 to provide for conditions and provisions of employment; and

WHEREAS, the collective bargaining agreement expired on June 30, 2016 and was not previously negotiated per mutual agreement so as not to interfere with ongoing labor negotiations with the Metro Police Authority of Genesee County (Authority); and

WHEREAS, both parties are desirous of a continuing working agreement; and

WHEREAS, a potential transfer of covered employees to the Authority is pending review by the City of Swartz Creek and Township of Mundy

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek City Council hereby approve the Letter of Agreement Between the City of Swartz Creek and the Police Officers Labor Council, representing Swartz Creek Police Officers as recorded in the City Council Packet of September 26, 2016, and further, authorize and direct the Mayor and City Clerk to execute the letter on behalf of the City.

Discussion Ensued.

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

NO: Gilbert. Motion Declared Carried.

SUNOCO PROPERTY SITE LICENSE AGREEMENT

Resolution No. 160926-05

(Carried)

Motion by Councilmember Gilbert
Second by Mayor Pro Tem Abrams

WHEREAS, the city resolved to acquire real property, commonly known as the "Sunoco Gas Station" located at 5012 Holland Drive, parcel 58-02-529-017, from the Genesee County Treasurer's Office on June 22, 2015; and

WHEREAS, the city subsequently submitted a Baseline Environmental Assessment and registered three underground gasoline storage tanks and one underground fuel oil tank with the State of Michigan; and

WHEREAS, the community desires to eliminate the blight and repurpose this site as a means to eliminate potential hazards and nuisances; and

WHEREAS, the city removed the structures and tanks from the site in the summer of 2016; and

WHEREAS, the ExxonMobile Oil Corporation desires to engage in the cleanup of this site and potential surroundings and has a need to access the site in order to conduct soil borings in order to ascertain the needs of such a cleanup; and

WHEREAS, the city, via the city's primary legal counsel, has retained the services of specialized legal counsel to recommend a course of action; and

WHEREAS, said legal counsel has proposed and negotiated a site license agreement that will empower ExxonMobile Oil Corporation to continue due diligence on the site while protecting the interests of the city and general public as the first step in a potential site cleanup.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek City Council approves the Limited Site License Agreement as recorded in the City Council Packet of September 26, 2016 and directs the Mayor to execute said agreement on behalf of the city, upon proof of Exxon first executing the agreement.

Discussion Ensued.

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

CDBG PUBLIC HEARING

Resolution No. 160926-06

(Carried)

Motion by Councilmember Pinkston
Second by Gilbert

WHEREAS, the City of Swartz Creek City Council receives an allocation of Community Development Block Grant Funds from Genesee County on a three year cycle; and

WHEREAS, the such funds must be applied for, awarded, and used in accordance with guidelines set by the county on eligible purposes; and,

WHEREAS, \$28,819 in funds are available to the City of Swartz Creek, pending an application to use such funds on eligible projects by November 18, 2016; and,

WHEREAS, the city council must hold a public hearing prior to application in which public comment related to the use of such funds, previous projects, and alternate projects can be heard.

NOW, THEREFORE, BE IT RESOLVED THAT the Swartz Creek City Council hereby directs the City Clerk to post notice of a public hearing of the City Council for the purposes outlined in the application packet, said hearing to occur at or shortly after 7:00 p.m. on Monday, October 10, 2016 in the city council chambers of the Paul D. Bueche Municipal Building located at 8083 Civic Drive, Swartz Creek, Michigan.

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

2017 STREET PROJECTS SCOPE AMENDMENT

Resolution No. 160926-07

(Carried)

Motion by Councilmember Porath
Second by Councilmember Hicks

WHEREAS, the City of Swartz Creek owns, operates, and maintains a system of major streets, local streets, and water main, and

WHEREAS, the city has a twenty year asset management plan on file that is funded in part by a twenty year street levy, and

WHEREAS, this plan, which includes various levels of preventative maintenance, preservation, and reconstruction on city streets, as well as water main replacement, was assessed by the Street Project Selection Committee at a series of meetings occurring between July 12, 2016 and September 13, 2016, and

WHEREAS, the committee made a series of recommendations regarding specific preventative maintenance, preservation, and reconstruction projects for completion in 2017 (year two), as well as subsequent projects for future years, and

WHEREAS, new findings relating to Winston Drive and Ingalls Street were considered by the committee, and a subsequent recommendation to add Winston Drive and Ingalls Street segments (with new sidewalk) was made by the committee.

NOW, THEREFORE, BE IT RESOLVED the City of Swartz Creek City Council affirms the recommendation of the Street Project Selection Committee to commence engineering work and bidding for the following streets and water main:

<u>Street</u>	<u>Repair Type</u>	<u>Est. Construction Cost</u>
Winston	Reconstruct	\$200,000
Ingalls	Preservation	\$216,000
	Total:	\$416,000

<u>Water Main</u>	<u>Repair Type</u>	<u>Est. Cost</u>
Winston	Replace	\$150,000
	Total:	\$150,000

BE IT FURTHER RESOLVED, that the City Council approves the engineering proposal by ROWE Professional Services Company, dated September 20, 2016, for an amount not to exceed \$34,220 for design and bidding services related to the above projects, with appropriations to be made to Fund 101 (General), Fund 202 (Major Streets), Fund 204 (Municipal Streets) and Fund 590 (Water) as directed by the finance director.

BE IT FURTHER RESOLVED, that the City Council directs the Mayor to execute said engineering proposal on behalf of the city.

Discussion Ensued.

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

CDBG SIGNATURE CARDS

Resolution No. 160926-08

(Carried)

Motion by Mayor Pro Tem Abrams
Motion by Councilmember Florence

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. Connie Eskew, City Clerk
2. Adam Zettel, City Manager
3. Deanna Korth, City Treasurer
4. Thomas Svrcek, City Director of Public Services

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

NO: Motion Declared Carried.

MEETING OPENED TO THE PUBLIC

None.

REMARKS BY COUNCILMEMBERS:

Councilmember Gilbert commented about the water.

Councilmember Florence mentioned about Officer Paul and Rosco's visit to Springbrook's annual meeting.

Councilmember Porath commented on the hazardous waste pickup next month.

Mayor Pro Tem Abrams thanked the Holmquist's for the plaque it was a great honor and it has been a joy to serve the city.

Adjournment

Resolution No. 160926-09

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Hicks

I Move the Swartz Creek City Council adjourn the regular meeting at 7:57 pm.

Unanimous Voice Vote.

David A. Krueger, Mayor

Connie Eskew, City Clerk