

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE 02/13/2017**

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: Cramer, Florence, Gilbert, Krueger, Pinkston, Porath.

Councilmembers Absent: Hicks.

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

Others Present: Bob Plumb, Lania Rocha, Steve Shumaker, Tommy Butler, Boots Abrams, Richard Abrams, Rebecca Thiell, Faye Porath, Bud Grimes, Lou Fleury, Jim Barclay, Mark Blankenship.

ABSENCE OF COUNCILMEMBER HICKS

Resolution No. 170213-01

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Florence

I Move the Swartz Creek City council excuse Councilmember Hicks.

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

APPROVAL OF MINUTES

Resolution No. 170213-02

(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 January 23, 2017 to be circulated and placed on file.

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

APPROVAL OF AGENDA

Resolution No. 170213-03

(Carried)

Motion by Councilmember Cramer
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Agenda amended as presented for the Regular Council Meeting of February 13, 2017, to be circulated and placed on file.

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

City Manager's Report

Resolution No. 170213-04

(Carried)

Motion by Councilmember Florence
Second by Councilmember Gilbert

I Move the Swartz Creek City Council accept as amended the City Manager's Report of February 13, 2017, including reports and communications to be circulated and placed on file.

Discussion Ensued.

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

MEETING OPENED TO THE PUBLIC:

None.

STREET COMMITTEE APPOINTMENTS

Resolution No. 170213-05

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Cramer

WHEREAS, under the General Operating Rules of the Council, the Mayor, with the advice and consent of Council, may appoint temporary committees whose membership may include persons not on Council; and

WHEREAS, such committees must be temporary in nature, have a specific purpose, and include a specific time frame for their activities; and

WHEREAS, the city has a 20 year street maintenance plan on file that is funded, in part, by a 20 year street levy; and

WHEREAS, the council desires to enable a committee of residents, councilmembers, and staff to further deliberate on the particulars relating to the borrowing related to 2017 projects, as well as design particulars related to sidewalks, lighting, and potential change orders; and

WHEREAS, the council further desires the committee to consider plans for 2018 and beyond.

NOW, THEREFORE, BE IT RESOLVED, the City of Swartz Creek City Council hereby creates a temporary committee, to be referred to as the “Street Project Review Committee,” for the purpose of reviewing and making recommendations relating to the 2017 street project particulars.

BE IT FURTHER RESOLVED, the Street Project Review Committee shall endeavor to deliver such findings at or before the regular meeting on March 13, 2017 and be subsequently dissolved unless otherwise engaged in further reviews at the direction of the city council.

BE IT FURTHER RESOLVED, the membership of the Street Project Review Committee shall be composed of the following individuals:

Mayor Krueger
Councilmember Cramer
Councilmember Pinkston
Craig Culinski
Dennis Novak
Lou Fleury – Consultant Engineer (non-voting)
Adam Zettel – Staff Member (non-voting)
Tom Svrcek – Staff Member (non-voting)
Tom Traciak – Financial Advisor (non-voting)
Deanna Korth – Treasurer (non-voting)
Tom Svrcek- Director of Public Services (non-voting)

Discussion Ensued.

YES: Pinkston, Porath, Cramer, Florence, Gilbert, Krueger.

NO: None. Motion Declared Carried.

2017 STREET PROJECTS BID AWARD

Resolution No. 170213-06

(Carried)

Motion by Mayor Pro Tem Pinkston
Second by Councilmember Cramer

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 its meeting on July 12, 2016, and

WHEREAS, the city subsequently bid numerous water main and street replacement and rehabilitation projects, with said bids opened on January 19, 2017, and

WHEREAS, numerous bids were received, with the low bid being recommended by the city's engineer for approval, and

WHEREAS, the city shall require borrowed/bonded funds in order to complete the street portion of said bid, and

WHEREAS, these projects shall require construction engineering services to ensure proper materials, procedures, and results.

NOW, THEREFORE, BE IT RESOLVED the City of Swartz Creek City Council affirms the recommendation of the city engineer and approves the low bid by Glaeser Dawes Corporation, as filed with the city, in the amount of \$2,906,845.52 for street and water main work.

BE IT FURTHER RESOLVED, that the City Council approves the engineering proposal by ROWE Professional Services Company, dated February 7, 2017, for an amount not to exceed \$280,640 for construction engineering services related to the awarded projects,

BE IT FURTHER RESOLVED, that appropriations to the projects and engineering shall be made to Fund 101 (General), Fund 202 (Major Streets), Fund 203 (Local Streets), Fund 204 (Municipal Streets) and Fund 590 (Water) as directed by the Treasurer.

BE IT FURTHER RESOLVED, that the City Council directs the City Manager to execute any and all contracts, permits, agreements, and related documentation to said project award and engineering proposal on behalf of the city.

Discussion Ensued.

YES: Porath, Cramer, Florence, Gilbert, Krueger, Pinkston.

NO: None. Motion Declared Carried.

Adam Zettel, City just doing a follow-up and wanting to know if council has an interest in this program. Other communities' comments of the program have been that it is successful enough to pay for it. The council requested that Mr. Zettel bring this back to a future meeting.

PARK WAIVER REQUEST – GFWC

Resolution No. 170213-07

(Carried)

Motion by Councilmember Porath
Second by Councilmember Gilbert

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

WHEREAS, the General Federation of Women's Clubs, Swartz Creek Women's Club reserved Pavilion #2 in Elms Park for September 10, 2017 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 10, 2017 reservation in Elms Park.

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

PARK WAIVER REQUEST – SCOUTS

Resolution No. 170213-08

(Carried)

Motion by Councilmember Cramer
Second by Councilmember Florence

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

WHEREAS, the Girl Scout Alumni of Fair Winds Council reserved Pavilion #2 in Elms Park for September 17, 2017 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 17, 2017 reservation in Elms Park.

YES: Florence, Gilbert, Krueger, Pinkston, Porath, Cramer.

NO: None. Motion Declared Carried.

ELMS PARK IMPROVEMENT BID AWARD

Resolution No. 170213-09

(Carried)

Motion by Councilmember Florence
Second by Councilmember Porath

WHEREAS, the City of Swartz Creek owns operates and maintains a system of parks in the community, including grounds, facilities, and equipment; and

WHEREAS, city staff, with technical assistance from Rowe Professional Services Company, created a scope of work and grant application to the State of Michigan Department of Natural Resources for said grant; with DNR approval of the city’s request occurring in December of 2015; and

WHEREAS, the city was awarded said grant and completed phase one bathroom improvements in 2016 and bid to construct phase two improvements, including walkways, an exercise path, and accessible parking, as quickly as possible; and

WHEREAS, the city opened sealed bids on January 19, 2017 and subsequently received approval from the DNR to approve the improvements related to this grant project, including the purchase of exercise equipment; and

WHEREAS, bids and quotes were completed in accordance with the City’s Purchasing Ordinance, Chapter 2, Article VI, Section 2-402, as well as DNR bidding requirements.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek City Council accepts the low bid of \$38,550.60, and related unit costs, for completion of the Elms Park phase two renovations as specified by the city’s engineer and approved by the Michigan Department of Natural Resources, said bid submitted by Glaeser Dawes Corporation, such expenses to be apportioned and expensed from the Elms Park project fund and submitted for reimbursement to the DNR.

BE IT FURTHER RESOLVED that the City Council hereby authorizes the city manager to acquire and install the exercise equipment (phase three) as described and quoted in the proposal by Play and Play Structures, in the amount of \$7,869.93.

BE IT FURTHER RESOLVED that the City Council hereby directs the city manager to submit necessary documents to the DNR for final approval of this project component and further directs the manager to execute any and all agreements, contracts, pay authorizations, and related documents necessary to carry out restoration of the bathrooms under the terms of the Recreation Passport Grant and engineer's contract.

Discussion Ensued.

YES: Gilbert, Krueger, Pinkston, Porath, Cramer, Florence.

NO: None. Motion Declared Carried.

MEETING OPENED TO THE PUBLIC

Boots Abrams resident at 5352 Greenleaf Drive thanked the council for the approval of the park waiver.

James Barclay resident at 8420 Cappy Lane commented that he thought the SeeClickFix program is a great idea. He also suggested we offer WIFI and live streaming for council meetings.

Tom Svrcek, Director of Public Services commented that he had the opportunity to talk to a few residents in the village and they were very supportive of the council and the process of the street project.

REMARKS BY COUNCILMEMBERS:

Councilmember Cramer commented that our community's is ahead of the curve on infrastructure updates.

Mayor Pro Tem Pinkston commented on beautiful water towers in other communities and wish we would reconsider the water tower painting.

CLOSED SESSION TO CONSIDER APPROVAL OF CLOSED SESSION MINUTES

Resolution No. 170213-10

(Carried)

Motion by Councilmember Gilbert

Second by Councilmember Cramer

WHEREAS, the City of Swartz Creek held a closed session on January 23, 2017, and;

WHEREAS, the minutes of that session require approval.

NOW THEREFORE, BE IT RESOLVED the City of Swartz Creek City Council exit the regular session of the city council and enter into a closed session for the purpose of considering the closed session minutes of January 23, 2017.

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

MINUTES OF CLOSED SESSION – JANUARY 23, 2017

Resolution No. 170213-11

Motion by Mayor Pro Tem Pinkston
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Minutes of the Council Closed Session held Monday, January 23, 2017, to be placed on file.

YES: Krueger, Pinkston, Cramer, Florence, Gilbert.
NO: Porath. Motion Declared Carried.

Adjournment

Resolution No. 170213-11

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Cramer

I Move the Swartz Creek City Council adjourn the regular meeting at 7:56 pm.

Unanimous Voice Vote.

David A. Krueger, Mayor

Connie Eskew, City Clerk