

**CITY OF SWARTZ CREEK  
SWARTZ CREEK, MICHIGAN  
MINUTES OF THE REGULAR COUNCIL MEETING  
DATE 04/24/2017**

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, Hicks, Krueger, Pinkston, Porath.

Councilmembers Absent: None.

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

Others Present: Richard Abrams, Lania Rocha, Steve Shumaker, Jim Barclay, Lou Fleury, Steve Long, Tommy Butler, Joel McRee, Faye Porath.

**APPROVAL OF MINUTES**

**Resolution No. 170424-01**

**(Carried)**

Motion by Councilmember Porath  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday April 10, 2017, to be circulated and placed on file.

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

**APPROVAL OF AGENDA**

**Resolution No. 170424-02**

**(Carried)**

Motion by Councilmember Cramer  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council approve the Agenda as, printed for the Regular Council Meeting of April 24, 2017, to be circulated and placed on file.

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

## **CITY MANAGER'S REPORT**

**Resolution No. 170424-03**

**(Carried)**

Motion by Councilmember Florence  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council accept the City Manager's Report of April 24, 2017, including reports and verbal communications and recordings, to be circulated and placed on file.

Discussion Ensued.

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

### **MEETING OPENED TO THE PUBLIC:**

Lou Fleury, Rowe Professional Services Co., gave an update on street construction. Trees are down on Chesterfield, the big pieces will be removed and followed up by stump grinding.

Richard Abrams, resident at 5352 Greenleaf Drive, informed everyone on the great performance by US Navy Band Sea Chanters at the PAC last Saturday night.

### **COUNCIL BUSINESS:**

#### **RESOLUTION TO APPROVE 2018 STREET PROJECT BID PROPOSAL**

**Resolution No. 170424-04**

**(Carried)**

Motion by Councilmember Hicks  
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 April 5, 2017, and

**WHEREAS**, the committee recommends seeking bids for a reconstruction project for completion in 2018 (year three), and

**WHEREAS**, such projects must be bid timely in order for construction to commence in 2018 with optimal pricing and the reconstruction portion requires much more lead time for preliminary engineering, and

**WHEREAS**, with preventative maintenance and rehabilitation projects have yet to be recommended by the Street Project Review Committee, due to uncertainties in the current contract for 2017 projects

**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 for the Daval Drive street and water main, a reconstruction project expected to cost \$960,000

**BE IT FURTHER RESOLVED**, that the City Council approves the engineering proposal by ROWE Professional Services Company, dated April 13, 2017, for an amount not to exceed \$62,380 for design and bidding services related to the above projects, with appropriations to 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 Mayor to execute said engineering proposal on behalf of the city.

**BE IT FURTHER RESOLVED**, that the City Council hereby extends the appointments and charge of the Street Project Review Committee through July 31, 2017 in order to make recommendations for additional 2018 street projects.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

## **RESOLUTION EXTENDING UNIT PRICES FOR SEWER INSPECTION AND LINING PROJECTS**

**Resolution No. 170424-05**

**(Carried)**

Motion by Councilmember Gilbert

Second by Mayor Pro Tem Pinkston

**WHEREAS**, the city selected Liqui-Force Services (USA) Inc., to perform certain sewer inspections and repairs in December 2008; and

**WHEREAS**, Liqui-Force Services Inc., was selected based upon a competitive request-for-proposal process that included fixed unit costs for services; and

**WHEREAS**, the scope of work was to span four years and terminate in December 2012, but circumstances resulted in the delay of specific work items; and

**WHEREAS**, Liqui-Force and the city have previously agreed to extend the unit costs through June of 2017 for the purpose of completing work on the sanitary sewer system; and

**WHEREAS**, Liqui-Force has offered to further extend their unit costs through June 30 of 2019; and

**WHEREAS**, the city finds the value, quality, and predictability of the pricing for such services to be beneficial to the city.

**NOW, THEREFORE, BE IT RESOLVED** the City of Swartz Creek hereby approves the extension of the unit costs and service affiliation, included other applicable terms and conditions of the original agreement for service, with Liqui-Force Services (USA) Inc., said pricing to be valid through June 30, 2019.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

## **RESOLUTION TO APPROVE 2017 SEWER LINING PROJECTS**

**Resolution No. 170424-06**

**(Carried)**

Motion by Mayor Pro Tem Pinkston  
Second by Councilmember Cramer

**WHEREAS**, the city selected Liqui-Force Services (USA) Inc., to perform certain sewer inspections and repairs in 2008 based upon a competitive request-for-proposal process that included fixed unit costs for services; and

**WHEREAS**, based upon the quality and reliability of work performed, Liqui-Force has remained the city's contractor for these specialized services past the original 2012 term of the contract; and

**WHEREAS**, Liqui-Force has agreed to extend their unit costs through June of 2019 for the purpose of completing work on the sanitary sewer system; and

**WHEREAS**, the city council agreed to extend said units prices at their regular meeting on April 24, 2017; and

**WHEREAS**, additional sewer rehabilitation work has been identified by staff and the city engineer based upon 2015-2016 inspections and consultation with the 20 year sewer plan.

**NOW, THEREFORE, BE IT RESOLVED** the City of Swartz Creek hereby approves the proposal and associated unit costs, in part, to perform rehabilitation on the sanitary sewer system as outlined for Chelmsford MH 180-184, as well as Valleyview MH 54 to MH 216 to MH 221, on the updated proposal dated April 17,

2017, in the amount of \$149,965, plus a 20% contingency, funds to be appropriated to the Sewer 591 fund.

**BE IT FURTHER RESOLVED** the City of Swartz Creek hereby approves the proposal and associated unit costs, in part, to perform inspection of the sanitary sewer system as outlined for Winshall Drive MH 1-12, on the updated proposal dated April 17, 2017, in the amount of \$25,753, plus a 20% contingency, funds to be appropriated to the Sewer 591 fund.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

## **RESOLUTION TO ASSESS DELINQUENT WATER, SEWER, WEEDS, SIDEWALKS, AND STREET IMPROVEMENTS**

**Resolution No. 170424-07**

**(Carried)**

Motion by Councilmember Porath  
Second by Councilmember Cramer

**WHEREAS**, the city, by virtue of enforcing certain ordinances and charter provisions, incurs expenses related to the improvement, maintenance, and/or replacement of private and public property; and

**WHEREAS**, the city also provides utility services, of which some recipients of said services have outstanding and overdue balances related to the same; and

**WHEREAS**, the city's ordinances related to the provision of water and sewer services, as well as those pertaining to the maintenance of sidewalks and noxious weeds, provide for the collection of expenses and related fees; and

**WHEREAS**, such outstanding expenses, services charges, and fees are able to be assessed to real property per Chapter 10 of the City Charter.

**NOW, THEREFORE, BE IT RESOLVED** the City of Swartz Creek direct the Treasurer to prepare an audit of all outstanding debts owed to the City for delinquent water, sewer, mowing, sidewalk repairs, and sidewalk snow removal, and further, to cause such debts to be assessed against the property owner of record, in accordance with City Ordinance and State Statute, said debts to be placed against the summer 2017 tax collection roll.

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

NO: None. Motion Declared Carried.

## **RESOLUTION TO APPROVE CONSUMERS ENERGY LIGHTING CONTRACT ADDITION**

**Resolution No. 170424-08**

**(Carried)**

Motion by Councilmember Cramer  
Second by Councilmember Florence

**WHEREAS**, the street lights in the city are owned and operated by Consumers Energy Company (CE), a Michigan utility with principle offices located at One Energy Plaza, Jackson MI, 49201; and

**WHEREAS**, CE is the sole provider of street lights, electrical delivery, and maintenance on said lights in the County of Genesee, including Swartz Creek City; and

**WHEREAS**, the operations and terms, including pricing, under which such services are delivered are regulated by the Michigan Public Service Commission; and

**WHEREAS**, CE supplies street lighting services to the city under a current standard street lighting contract which outlines specific fixture counts and types, said contract restated on November 1, 2014; and

**WHEREAS**, this contract has been revised and approved by the city council as recently as April 10, 2017; and

**WHEREAS**, additional changes in lighting types and subsequent billing for LED and decorative lighting have been requested by the city; and

**WHEREAS**, approval of the amended contract is required to effect this change.

**NOW THEREFORE, BE IT RESOLVED**, the City of Swartz Creek City Council hereby agrees to the proposed amendments to the CE street lighting contract, as included in the city council packet for April 24, 2017, and further directs the Mayor to execute said contract.

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

NO: None. Motion Declared Carried.

**Radar Feedback Signs**

**Discussion**

Adam Zettel, City Manager commented that the street project review committee would like the council's feedback on purchasing radar feedback signs to attempt to address traffic calming. These would be, if chosen to purchase, funded out of the street funds. Councilmember Porath commented that they do get your attention. Councilmember Hicks concerned on battery life and costs related to that. Mr. Zettel asked if council is interested he would come back at future meeting with more information. Councilmember Florence commented this may be something we could use on Seymour Road. Councilmembers consensus is they would like more information about them.

**RESOLUTION TO APPROVE A PROFESSIONAL SERVICE AGREEMENT FOR PARK PLAN AMENDMENT SERVICES**

**Resolution No. 170424-09**

**(Carried)**

Motion by Councilmember Florence  
Second by Councilmember Cramer

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

**WHEREAS**, the State of Michigan requires municipalities to have a valid five year park and recreation plan on file in order to be eligible for related state support and grants; and

**WHEREAS**, the validity of said plans is conditioned upon the meeting of certain narrative, procedural, and technical process and content; and

**WHEREAS**, the current plan that the city maintains was approved by the city council on January 28, 2013 and will expire on December 31, 2017; and

**WHEREAS**, the city desires to retain a valid plan so that grant eligibility is not compromised and so that the community may rely on current information and goals when establishing annual park related objectives; and

**WHEREAS**, Rowe Professional Services Company, the creator and amender of the city's current park plan, has submitted a professional service quote and scope of work to amend the existing plan so that it complies with the State of Michigan Department of Natural Resources requirements.

**NOW, THEREFORE BE IT RESOLVED** that the City of Swartz Creek City Council accepts the proposal, dated April 13, 2017, in the amount of \$5,500 for completion of the 2018 City of Swartz Creek Five Year Park and Recreation Plan.

**BE IT FURTHER RESOLVED** that the City Council hereby directs the city manager to sign the professional service proposal; to post public workshop, meeting, and hearing notices as needed; and to submit necessary documents to the DNR to secure approval of the plan.

Discussion Ensued.

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

**RESOLUTION TO PURCHASE ROAD SALT**

**Resolution No. 170424-10**

**(Carried)**

Motion by Councilmember Hicks  
Second by Councilmember Gilbert

**WHEREAS**, the city finds it necessary to control ice and snow accumulation on public streets and parking areas with the application of road salt during winter months; and

**WHEREAS**, this process requires approximately 1,100 tons of rock salt during a winter season; and

**WHEREAS**, the City's Purchasing Ordinance, Chapter 2, Article VI, Section 2-406 provides for and encourages cooperative government purchasing practices; and

**WHEREAS**, the Genesee County Road Commission has previously bid and/or negotiated the purchase of rock salt for application to public rights of way during those relentless and invasive Michigan winters; and

**WHEREAS**, the GCRC negotiated a salt price for the coming winter, with year over year decrease, with Detroit Salt Company of 12841 Sanders St., Detroit, at a unit cost of \$53.40 per ton, and a cooperative purchasing invitation has been extended to the City from the Genesee County Road Commission on April 18, 2017; and

**WHEREAS**, the City finds the per-ton cost of \$53.40 to be extremely competitive.

**NOW, THEREFORE, I MOVE** the City of Swartz Creek City accept the Genesee County Road Commission's cooperative purchasing agreement and appropriate an amount not to exceed \$58,740, plus 10% contingency, for the purchase of rock salt from the Detroit Salt Company, expenses to be distributed proportionate to use at the direction of the City's Treasurer.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

## **COMMISSION APPOINTMENT**

**Resolution No. 170424-11**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Mayor Pro Tem Pinkston

**I Move** the Swartz Creek City Council concur with the Mayoral appointment as follows, said terms subject to provisions of the city charter, code of ordinances, state law, and various bylaws (rules and procedures):

**#170424-11 MAYORAL APPOINTMENT:**

**Nicole LaBeau**

Downtown Development Authority

Remainder of Four - Year Term Expiring March 31, 2018

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

### **MEETING OPENED TO THE PUBLIC:**

Joel McRee, resident at 5063 Brady Street, spoke of the speeding and careless driving on Ingalls, especially in the morning. He thinks if an officer sat down there in the morning he would be giving out a lot of tickets. He also complained that the bicycle lane was being used as a turning lane.

Richard Abrams, resident at 5352 Greenleaf Drive, he wanted to mention the loss of a resident, Lloyd Coon who passed away and he will sadly miss him.

### **REMARKS BY COUNCILMEMBERS:**

Councilmember Porath commented on the speed limit on Morrish Road headed south into town. He would like it to be raised.

Councilmember Cramer wanted to thank everyone for all the hard work the city team puts together and makes happen. We were honored by the Navy's performance at the PAC. He wanted to know how close the city is in regards to being a redevelopment ready community. Mr. Zettel commented the process will take at least six months.

Councilmember Florence commented on stop signs and speed limits. He doesn't think stop signs work well, people don't stop.

Councilmember Hicks the PAC is quite an asset to the city. The Easter egg hunt was cute and thanked all who helped, especially Jim Barclay and Connie King.

Councilmember Gilbert attended the GAIN meeting and reported numbers for the last six months. He also commented about Frontier working on poles and hopes that the one on his property will be taken down one day.

Mayor Pro Tem Pinkston mentioned the speed limit on Seymour Road. He reported the Winchester Crime Watch fundraiser raised almost \$1800 and they will be using that money to purchase neighborhood crime watch signs and he wanted to thank Jim Barclay everything.

Mayor Krueger really like the new name pins the councilmembers received.

### **ADJOURNMENT**

**Resolution No. 170424-12**

**(Carried)**

Motion by Councilmember Pinkston  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council adjourn the regular meeting at 8:41 p.m.

Unanimous Voice Vote.

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**David A. Krueger, Mayor**

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**Connie Eskew, City Clerk**