

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE 04/23/2018**

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: Lania Rocha, Bob Plumb, Fay Porath, Steve Shumaker, Al Jory, Tommy Butler, Lisa Briegel, Jentery Farmer, Todd Beedy, Lou Fleury, Lt. Matt Bade, Bruce Ross, Andy Harris, Jack Wheatley.

APPROVAL OF MINUTES

Resolution No. 180423-01 **(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 9 2018, to be circulated and placed on file.

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

APPROVAL OF AGENDA

(Carried)

Resolution No. 180423-02

Motion by Councilmember Cramer
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Agenda as, amended for the Regular Council Meeting of April 23, 2018, 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. 180423-03

(Carried)

Motion by Councilmember Florence
Second by Councilmember Gilbert

I Move the Swartz Creek City Council accept the City Manager’s Report of April 23, 2018, including reports and communications 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:

Jack Wheatley, Rowe Professional Services, updated everyone on the street project. Everything well ahead of schedule.

COUNCIL BUSINESS:

Law Day

Proclamation

Mayor Krueger read the 2017 Law Day Proclamation.

GROUNDWATER ORDINANCE

Presentation

Bruce Ross, representative of ExxonMobil, brief presentation. Reason for groundwater ordinance, implications for property use, determination of existence of wells in area, with help of survey which will go out in 2-3 weeks to approximately 18 properties. They will access property if requested or if no response from survey they will be going door to door. Goal is ordinance to be filed by fall.

Lisa Briegel, Dave’s Pizzeria, 8013 Miller Road, would like someone to come out and asses property.

RESOLUTION TO APPROVE TRAFFIC CONTROL ORDER NUMBER 174, TO REMOVE ONE OF TWO STOPS SIGNS FROM APPROACHES TO ELMS AT BRISTOL

Resolution No. 180423-04

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Cramer

WHEREAS, the city owns and operates a system of major and local streets, including traffic control devices; and

WHEREAS, Chapter 18, Article II of the Swartz Creek City Charter adopts the provisions of the Michigan Manual on Uniform Traffic Control Devices, 2009 Edition; and

WHEREAS, Section 1A.08 of the Michigan Manual on Uniform Traffic Control Devices, 2009 Edition grants local control of the regulation of traffic devices; and

WHEREAS, the street administrator and staff from the Metro Police Department of Genesee County recommend that the additional devices for stop identification that are on the opposite (left) sides of the approaches to Elms on Bristol are not needed.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek approve Traffic Control Order #174 as a permanent order and direct the staff to place and/or remove signs and devices in accordance with the MUTCD.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

RESOLUTION TO APPROVE MDOT CONTRACT FOR ENGINEERING SERVICES FOR FAIRCHILD STREET

Resolution No. 180423-05

(Carried)

Motion by Councilmember Gilbert

Second by Councilmember Hicks

WHEREAS, the City of Swartz Creek approved a contract with ROWE Professional Services Company on February 12, 2018 for preliminary engineering of Fairchild Street from Miller Road to Cappy Lane, and;

WHEREAS, the engineering service of this road segment is funded primarily by the Federal Highway Administration as administered by the Michigan Department of Transportation, thereby requiring the City to meet certain federal standards and obligations.

NOW THEREFORE, BE IT RESOLVED the City of Swartz Creek enter into agreement with the Michigan Department of Transportation (MDOT), a copy of said agreement being attached hereto, for the preliminary engineering of Fairchild Street, from Miller Road to Cappy Lane, funding through the major street fund and the transportation improvement program as previously approved by the city council, and further, direct the Mayor and Clerk to execute the agreement on behalf of the City.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

RESOLUTION TO APPROVE CIVIC DRIVE WATER MAIN REPLACEMENT

Resolution No. 180423-06

(Carried)

Motion by Mayor Pro Tem Pinkston
Second by Councilmember Cramer

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

WHEREAS, the Civic Drive water main, which is relied upon for training and emergency water use by the Swartz Creek Area Fire Department, has been found to be unreliable and prone to failure, and

WHEREAS, the replacement of water main was awarded to Glaeser Dawes through a sealed bidding process in 2017, and

WHEREAS, the city council found that the negotiated pricing offered by Glaeser Dawes for Daval Drive reconstruction in 2018 remained competitive, with the quality of the work also being found to be adequate, and

WHEREAS, Glaeser Dawes has extended the same unit costs to the replacement of the Civic Drive water main.

NOW, THEREFORE, BE IT RESOLVED the City of Swartz Creek City Council approves the negotiated project amount by Glaeser Dawes Corporation, as filed with the city, in the amount of \$43,373.50 for water main work.

BE IT FURTHER RESOLVED, that the City Council appropriates an amount, not to exceed 15% of the contract amount, for engineering services to be performed by ROWE Professional Services Company in relation to this project.

BE IT FURTHER RESOLVED, that appropriations to the project, including related construction engineering shall be made to 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, Hicks, Krueger, Pinkston.
NO: None. Motion Declared Carried.

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

Resolution No. 180423-07

(Carried)

Motion by Councilmember Porath
Second by Councilmember Hicks

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 2018 tax collection roll.

Discussion Ensued.

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

RESOLUTION TO APPROVE BID DOCUMENTS FOR ROAD PREVENTATIVE MAINTENANCE PROJECTS

Resolution No. 180423-08

(Carried)

Motion by Mayor Pro Tem Pinkston
Second by Councilmember Florence

WHEREAS, the City of Swartz Creek owns, operates, and maintains a system of streets, and

WHEREAS, there is a twenty year asset management plan that guides investment of various degrees for streets in various states of deterioration, and

WHEREAS, the principles of asset management encourage minimal investment during early stages of deterioration as a method to reduce future maintenance and replacement costs, and

WHEREAS, the city engineer and staff have identified streets that would benefit from crack sealing as a surface preventative maintenance treatment, and

WHEREAS, OHM Advisors, functioning as the city's engineer, delivered a proposal, dated April 20, 2018 to provide specification and bidding document services related to said treatments.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek City Council accepts the proposal from OHM Advisors in the amount of \$2,138 for the noted services.

BE IT FURTHER RESOLVED that the City of Swartz Creek directs the Treasurer to apportion expenses from the major and local street funds as appropriate.

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

Discussion Ensued.

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

FY 2019 BUDGET

Discussion

Adam Zettel, City Manager reviewed the budget summary of select funds.

2018-2019 STREET WORK

Discussion

Adam Zettel, City Manager work is ahead of schedule. This may require a general fund advance for 60 days. We can look at doing additional street projects such as Helmsley, pulling project ahead with a 10% lower cost than expected. If we choose to do Helmsley we need to schedule this soon, probably in a weeks' time. If Helmsley is going to be pulled ahead we would be using our entirety of fiscal year 2019 revenues and fund balance. It would take it all. There would be no more projects until 2020. He requested a decision from the council on this. If council wants to consider this he suggested having an additional council meeting next Monday, April 29th to make this decision. Council members agreed to have a special council meeting next Monday, April 29th at 7:00 p.m. to make this decision.

MEETING OPENED TO THE PUBLIC:

Tom Svrcek, Director of Public Services has had positive comments from others not from the city.

REMARKS BY COUNCILMEMBERS:

Councilmember Porath digital speed signs are up and working. He was questioned by residents about the dirt pile on Seymour Road by the railroad tracks.

Mr. Zettel responded he is in contact with the DEQ and will make the county aware of this.

Mr. Porath commented on GFWC receiving several awards and congratulated Mrs. Hicks for her award.

Councilmember Cramer wanted everyone know that the Genesee County Metro Alliance is looking for ideas from residents on future planning programs. He was contacted by a resident on Chesterfield about a privacy fence down and wanted the city to check into it. It is Carriage Commons property.

Councilmember Florence commented on the volunteers cleaning all the parks and the cemetery. He is very proud of our volunteers and wanted to thank them.

Councilmember Hicks attended the GFWC convention and informed everyone that they are pushing education. They want to reestablish the voice of women. Wanda Tyler also received an award.

Councilmember Gilbert wanted to congratulate Bob Plumb for his nomination of the vice chair of the Genesee County Metro Alliance.

Mayor Pro Tem Pinkston commented the Don Shenk property looks gorgeous.

Mayor Krueger thanked everyone to their participation tonight.

ADJOURNMENT

Resolution No. 180423-09

(Carried)

Motion by Councilmember Cramer
Second by Councilmember Gilbert

I Move the Swartz Creek City Council adjourn the regular meeting at 8:55 p.m.

Unanimous Voice Vote.

David A. Krueger, Mayor

Connie Eskew, City Clerk