

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE 09/23/2019**

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, Farmer, Gilbert, Hicks, Krueger, Root.

Councilmembers Absent: Pinkston.

Staff Present: City Manager Adam Zettel, Clerk Connie Eskew.

Others Present: Lania Rocha, Bob Plumb, Trudy Plumb, Steve Shumaker, Debby Kubik, Shirley Morgan, Theresa Cornelius, Craig Hansen, Katarina Cross, Danika Ward, Jeff Welsch, Holly Hook, Cheryl Taubitz.

EXCUSE MAYOR PRO TEM PINKSTON

Resolution No. 190923-01

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Hicks

I Move the Swartz Creek City Council excuse Mayor Pro Tem Pinkston.

YES: Unanimous Voice Vote.
NO: None. Motion declared carried.

APPROVAL OF MINUTES

Resolution No. 190923-02

(Carried)

Motion by Councilmember Root
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday September 9, 2019 to be circulated and placed on file.

YES Gilbert, Hicks, Krueger, Root, Cramer, Farmer.
NO: None. Motion Declared Carried.

APPROVAL OF AGENDA

Resolution No. 190923-03

(Carried)

Motion by Councilmember Cramer
Second by Councilmember Hicks

I Move the Swartz Creek City Council approve the Agenda as, printed for the Regular Council Meeting of September 23, 2019, to be circulated and placed on file.

YES: Hicks, Krueger, Root, Cramer, Farmer, Gilbert.
NO: None. Motion Declared Carried.

CITY MANAGER'S REPORT

Resolution No. 190923-04

(Carried)

Motion by Councilmember Farmer
Second by Councilmember Cramer

I Move the Swartz Creek City Council accept the City Manager's Report of September 23, 2019, including reports and communications to be circulated and placed on file.

YES: Krueger, Root, Cramer, Farmer, Gilbert, Hicks.
NO: None. Motion Declared Carried.

MEETING OPENED TO THE PUBLIC:

Trudy Plumb, 37 Somerset, doesn't agree with allowing alcohol on city property at Holland Square events.

Holly Hook, 59 Ashley, rent has been raised 30 percent in a years' time, plus adding fees for trash. She just wants the city to be aware of all the issues residents are having there.

Councilmember Cramer recommended they attend one of Representative Cherry's community conversation going on in the next couple of weeks at several area locations.

Bob Plumb, 37 Somerset, has been in contact with Representative Cherry and he was asked to sit on a board regarding this matter. Once he gets a meeting schedule he will share that with the city.

Debby Kubik, 112 Ashley, having many issues at Swartz Creek Estates such as several increases in rent which is causing her to move.

Jeffrey Welsch & Cheryl Taubitz, 60 Ashley, issues with rent and double billing at Swartz Creek Estates.

Craig Hansen, 11 Kingsley, isn't happy with the holes they put on the side of the house for the water meter. Rent keeps going up and he is moving out due to all the issues at Swartz Creek Estates.

Theresa Cornelius, 11 Kingsley, has had to pay water bill twice at Swartz Creek Estates. Office is holding checks.

Shirley Morgan, 71 Ashley, newly installed water meter having issues and can't be read so she can't pay her bill at Swartz Creek Estates because they are supposed to pay rent with the water bill.

Mayor Krueger commented that the city is looking into passing a shelter ordinance.

COUNCIL BUSINESS:

RESOLUTION TO APPROVE APPRAISAL FOR TOPVALCO INC (KROGER)

Resolution No. 190923-05

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Farmer

WHEREAS, the city assesses property and collects taxes per the Michigan General Property Tax Act; and

WHEREAS, the City Assessor is charged with determining values for property to be taxed under the same act and rules promulgated by the Michigan Department of Treasury, with the intent of valuing real and personal property in the city accurately, fairly, and consistently; and

WHEREAS, from time to time, the city finds it necessary to defend valuations that are appealed by owner interests in order to achieve those intentions.

NOW, THEREFORE, BE IT RESOLVED, the City of Swartz Creek City Council amend the budget to allocate \$8,000 of unencumbered, unreserved general fund monies to the assessing department for the purpose of contesting the tax appeals by parties commonly referred to as the Kroger (TOPVALCO, INC), PID 58-36-576-012, costs to include an appraisal, legal services, and other related expenses to be provided by the city's legal counsel and an appraisal firm, as selected by the city manager or assessor, with the authority of the city council under Section 2-402(a)(2) of the city ordinances.

BE IT FURTHER RESOLVED, the City of Swartz Creek City Council approve the proposal from Kevin Groves Appraisals, Inc., as included in the city council packet of September 23, 2019 and further direct the Mayor to execute said proposal on behalf of the city.

Discussion Ensued.

YES: Root, Cramer, Farmer, Gilbert, Hicks, Krueger.
NO: None. Motion Declared Carried.

**RESOLUTION TO PURCHASE PLOW AND RELATED EQUIPMENT FOR THE
WOOD CHIPPER 4X4 TRUCK**

Resolution No. 190923-06

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Cramer

WHEREAS, the city is replacing a 1999 Chevy 1 Ton Pickup Truck with a comparable piece of equipment, a 2019 Ford F350, which requires modifications to enable collection, storage, and dumping of wood chips; 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 Director of Public Services has selected a plow equipment package from the State of Michigan Vehicle Contract; and

WHEREAS, Knapheide Truck Equipment in Flint, Michigan holds the MIDeal Contract for the desirable Western plow package; and

WHEREAS, the 2020 Motor Pool Fund has sufficient funds set aside for this planned equipment replacement.

NOW, THEREFORE, BE IT RESOLVED, the City of Swartz Creek approves the purchase of the 2019 Ford Diesel F350 plow equipment assembly from Knapheide Truck Equipment in the amount of \$6,584.05 plus associated fees and expenses, to be apportioned from the Motor Pool Fund (661).

YES: Root, Cramer, Farmer, Gilbert, Hicks, Krueger.
NO: None. Motion Declared Carried.

**RESOLUTION TO APPROVE CONCEPTUAL PLANNING OF A DISC GOLF
COURSE ON VACANT LAND LOCATED ON BRISTOL ROAD**

Resolution No. 190923-07

(Carried)

Motion by Councilmember Root
Second by Councilmember Farmer

WHEREAS, the City owns, operates and maintains parks and other facilities used for active and passive recreation; and

WHEREAS, the city owns approximately twenty acres of unimproved land that fronts Bristol Road between the General Motors facility and Heritage Village Condominiums; and

WHEREAS, said land has been noted as a potential recreational asset in the community plans; and

WHEREAS, improvements upon said land have been found to be unattainable due to grade, drainage, and financial restraints; and

WHEREAS, an extension of the Genesee Valley Trail is planned to be constructed on the frontage of this site in 2020; and

WHEREAS, the Parks and Recreation Advisory Board, after consultation with representatives of area disc golf groups, recommended the creation of a disc golf plan for said land at their regular meeting on September 4th; and

WHEREAS, the Park Board, staff, and local experts have the capacity to develop a use plan, with a timeline and financial impact assessment to the City Council.

NOW, THEREFORE, the City of Swartz Creek City Council hereby authorizes the Park Board to oversee the development of a disc golf plan for city-owned property on Bristol Road.

Discussion Ensued.

YES: Cramer, Farmer, Gilbert, Hicks, Krueger, Root.

NO: None. Motion Declared Carried.

**RESOLUTION TO APPROVE PROFESSIONAL AUDIT SERVICES AS REQUIRED
TO RECEIVE FEDERAL FUNDS IN EXCESS OF \$750,000 FOR THE USDA GRANT
AND LOAN ASSISTANCE FUNDS RELATED TO WATER MAIN REPLACEMENT**

Resolution No. 190923-08

(Carried)

Motion by Councilmember Cramer
Second by Councilmember Hicks

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

WHEREAS, the city is replacing streets, water main, and other public improvements as part of an ongoing investment strategy, and

WHEREAS, the city provides local and transmission water main that serves city residents and area residents alike, and

WHEREAS, the city has been provisionally awarded USDA grant and low interest loans that would defray some of the expense of providing for this local and regional water main infrastructure, and

WHEREAS, the expense of \$750,000 or greater of federal dollars requires a "Single Audit" to be performed by a qualified third party, and

WHEREAS, Plante Moran, PLLC, functioning as the city's auditor, delivered a proposal, dated September 11, 2019 to provide such services.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek City Council accepts the proposal from Plante Moran, PLLC, in the amount of \$5,500 for the noted services.

BE IT FURTHER RESOLVED that the City of Swartz Creek directs the Treasurer to apportion expenses from the water fund.

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

YES: Farmer, Gilbert, Hicks, Krueger, Root, Cramer.

NO: None. Motion Declared Carried.

A RESOLUTION TO APPROVE BIDS FOR SNOW AND ICE REMOVAL FROM CITY PARKING AREAS AND SIDEWALKS

Resolution No. 190923-09

(Carried)

Motion by Councilmember Farmer

Second by Councilmember Root

WHEREAS, the City of Swartz Creek sought sealed bids for the removal of snow and ice from city-owned properties, with an emphasis on parking areas, for services to be provided through April 2022; and

WHEREAS, Ace Outdoor Services was found to be the responsible low bidder out of two submitted bids.

NOW, THEREFORE, BE IT RESOLVED, the City of Swartz Creek accept the low bid of \$560.00 per “push”, for snow removal as per the specifications set forth in the bid package, and award the work to Ace Outdoor Services, LLC of Grand Blanc, Michigan, for a period ending April 30, 2022, with the stipulation that Ace Outdoor Services, LLC enter into a contractor’s agreement with the City.

Discussion Ensued.

YES: Gilbert, Hicks, Krueger, Root, Cramer, Farmer.

NO: None. Motion Declared Carried.

MEETING OPENED TO THE PUBLIC:

Steve Shumaker, 7446 Country Meadow, agreed on the need for a Shelter Ordinance.

REMARKS BY COUNCILMEMBERS:

Councilmember Gilbert still having issues with vehicles speeding on Miller Road.

Councilmember Hicks suggested Swartz Creek Estates residents form a committee and keep documentation of complaints/issues and ask the other park to join in with the committee.

Councilmember Cramer would like councilmembers to consider a stipend mentioned in council packet for the purchase of a laptop or tablet. He thinks the new logo for Jeepers Creekers looks great.

Councilmember Root invited everyone to Fireside Coffee Saturday, September 28, 2019 10am-3pm for roastery and warehouse tours.

Mayor Krueger mentioned it was God & Guns Appreciation Day last Saturday and it was Batman’s 60th Anniversary.

ADJOURNMENT

Resolution No. 190923-10

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Cramer

I Move the Swartz Creek City Council adjourn the regular meeting at 8:14 p.m.

Unanimous Voice Vote.

David A. Krueger, Mayor

Connie Eskew, City Clerk