

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE 06/24/2019**

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: Cramer, Farmer, Gilbert, Krueger, Pinkston, Root.

Councilmembers Absent: Hicks.

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

Others Present: Lania Rocha, Bob Plumb, Steve Shumaker, Sandi & Ken Brill, Penny Messer, Erik Jamison, Juan Zuniga, Dave Plumb, Elaine Tucker, Susie Kietzman, Wanda Tyler, Steve Long, John Wilson, Mildred Delay, Boots & Dick Abrams.

EXCUSE COUNCILMEMBER HICKS

Resolution No. 190624-01

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Farmer

I Move the Swartz Creek City Council excuse Councilmember Hicks.

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

APPROVAL OF MINUTES

Resolution No. 190624-02

(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 June 10, 2019 to be circulated and placed on file.

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

APPROVAL OF AGENDA

Resolution No. 190624-03

(Carried)

Motion by Councilmember Cramer
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Agenda as, amended with deletion of item 8D and the addition of item 8I for the Regular Council Meeting of June 24, 2019, to be circulated and placed on file.

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

CITY MANAGER'S REPORT

Resolution No. 190624-04

(Carried)

Motion by Councilmember Farmer
Second by Councilmember Gilbert

I Move the Swartz Creek City Council accept the City Manager's Report of June 24, 2019, including reports and communications to be circulated and placed on file.

Discussion Ensued.

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

MEETING OPENED TO THE PUBLIC:

Steve Shumaker, 7446 Country Meadow, commented on the Brewer Townhouse project and the comments against the project, the solicitors for the Veterans USA and park donations.

Rod Amon, 5193 Greenleaf Drive, commented on the townhouse project on Fortino Drive and wish the council would of put this development on a ballot for vote.

Sandi Brill, 5352 Greenleaf Drive, she feels the townhouse project is a disappointment for that property.

Jim Lengyel, 4138 Elms Road, he feels this project should have been put on a ballot for the people to vote on.

Juan Zuniga, 8059 Maple Street, introduced himself. He is submitting an application for the planning commission vacancy.

COUNCIL BUSINESS:

GFWC

Presentation

The GFWC Swartz Creek Women’s Club presented Metro Police Authority with a check for \$1155.65 for the K9 program. This was raised at the Hometown Days Rock a Thon.

RESOLUTION TO SET THE 2019-2020 COUNCIL MEETING SCHEDULE

Resolution No. 190624-05

(Carried)

Motion by Councilmember Gilbert
Second by Mayor Pro Tem Pinkston

WHEREAS, Act 261 of the Public Acts of the State of Michigan of 1968, as amended, requires a public notice of the schedule of regular meetings of the Swartz Creek City Council be given once each calendar year or fiscal year and that said notice shall show the regular dates and times for the meeting and the place at which meetings are held; and

WHEREAS, the Act directs that notice be posted prominently at the principle office of the City of Swartz Creek or at the public building at which meetings are held or published in the newspaper of general circulation in Swartz Creek,

NOW, THEREFORE, pursuant to the Act, public notice is hereby given that regular meetings for fiscal year 2019-2020 shall be held twice each month, and further, that all meetings shall be held in the Paul D. Bueche Municipal Building Council Chambers located at 8083 Civic Drive, Swartz Creek, Michigan, unless otherwise provided in advance by the City Council, and further, meetings shall commence at 7:00 P.M. on the following dates:

July 2019:	Monday – 8th Monday – 22nd
August 2019:	Monday – 12th Monday – 26th
September 2019:	Monday – 9th Monday – 23rd
October 2019:	Monday – 14th Monday – 28th
November 2019:	Monday– 11th

	Monday – 25th
December 2019:	Monday – 9th Monday – 23rd
January 2020:	Monday – 13th Monday – 27th
February 2020:	Monday – 10th Monday – 24th
March 2020:	Monday – 9th Monday – 23rd
April 2020:	Monday – 13th Monday – 27th
May 2020:	Monday – 11th Tuesday – 26th (Monday 25th is Memorial Day)
June 2020:	Monday – 8th Monday – 22nd

BE IT FURTHER RESOLVED that the Clerk is hereby directed to post a copy of this resolution in a prominent place in the City Offices of the City of Swartz Creek.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to supply forthwith, upon request, a copy of this resolution to any newspaper of general circulation in the political subdivision in which the meetings will be held and/or to any radio or television station that regularly broadcasts into the City of Swartz Creek.

Discussion Ensued.

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

RESOLUTION TO APPROVE ANNUAL COVERAGE AND PAYMENT FOR GENERAL AND LIABILITY INSURANCE OF THE CITY TO MEADOWBROOK

Resolution No. 190624-06

(Carried)

Motion by Mayor Pro Tem Pinkston
Second by Cramer

WHEREAS, the City of Swartz Creek has a need to insure property, equipment, and services that it owns and provides; and

WHEREAS, the City of Swartz Creek has been engaged in risk management with the Michigan Municipal League Liability and Property Pool, as serviced by Meadowbrook Insurance Group since 1985; and

WHEREAS, the City of Swartz Creek finds this professional service to meet or exceed financial expectations, as well as the staffing and service needs of the city.

NOW, THEREFORE, BE IT RESOLVED, the City of Swartz Creek appropriate and approve payment for an amount not to exceed \$43,823 to Michigan Municipal League Meadow Brook Insurance, payment of the City's annual 2019-2020 premiums for property and liability insurance, funds to be apportioned to reflect departmental coverage as noted in the invoice.

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

NO: None. Motion Declared Carried.

RESOLUTION TO APPROVE THE AFSCME LABOR AGREEMENT

Resolution No. 190624-07

(Carried)

Motion by Councilmember Root
Second by Councilmember Farmer

WHEREAS, the City of Swartz Creek City Council approved the agreement with the American Federation of State, County, and Municipal Employees on June 27, 2016 to provide for conditions and provisions of employment; and

WHEREAS, the collective bargaining agreement, set to expire on June 30, 2019, was negotiated by the city manager and the AFSCME unit in order to establish terms for a new three year agreement; and

WHEREAS, the City and AFSCME have tentatively agreed to terms that include among others, alterations to post-retirement health care, defined contribution retirement, uniforms, and wages.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek approve the Agreement between the City of Swartz Creek and the Swartz Creek City Employees Union AFCSME 1918-23 bargaining unit as included herein, less review comments, and further authorize the Mayor and City Clerk to execute the agreement on behalf of the City.

Discussion Ensued.

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

RESOLUTION TO APPROVE THE SWARTZ CREEK SUPERVISORS BARGAINING AGREEMENT

Resolution No. 190624-08

(Carried)

Motion by Councilmember Cramer
Second by Mayor Pro Tem Pinkston

WHEREAS, the City of Swartz Creek City Council approved the Swartz Creek Supervisors Association agreement with the Supervisors on July 25, 2016 to provide for conditions and provisions of employment; and

WHEREAS, the effective Supervisors Agreement set to expire on June 30, 2019, and;

WHEREAS, the Employer and Supervisors Association negotiated a tentative agreement that will continue relations with the implementation of a new agreement.

NOW THEREFORE, BE IT RESOLVED the City of Swartz Creek City Council hereby approves the amended and restated 2019-2022 Collective Bargaining Labor Agreement between the City and the Swartz Creek Supervisor's Association, a copy of which is attached hereto.

Discussion Ensued.

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

RESOLUTION TO APPROVE THE PROFESSIONAL SERVICES AGREEMENT WITH THE CITY MANAGER

Resolution No. 190624-09

(Carried)

Motion by Councilmember Farmer
Second by Councilmember Cramer

WHEREAS, the City of Swartz Creek City Council approved the agreement with Adam Zettel, the City Manager on December 3, 2013, as amended by resolution of the city council on June 26, 2017, to provide for conditions and provisions of employment; and

WHEREAS, the conditions of employment for department heads and similar employees have changed due to the implementation of the Employee Handbook and various other labor agreements, and;

WHEREAS, the Employer and City Manager seek to enter into a revised and restated agreement that will establish comparable terms and conditions of employment for continue relations.

NOW THEREFORE, BE IT RESOLVED the City of Swartz Creek City Council hereby approves the amended and restated Professional Services Agreement between the City and the Swartz Creek City Council and Adam Zettel, a copy of which is attached hereto.

Discussion Ensued.

YES: Krueger, Pinkston, Root, Cramer, Farmer.

NO: Gilbert. Motion Declared Carried.

RESOLUTION TO APPROVE A WATER PURCHASE AGREEMENT WITH GENESEE COUNTY AS A REQUIREMENT TO RECEIVE USDA ASSISTANCE FOR WATER MAIN REPLACEMENT

Resolution No. 190624-10

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Farmer

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

WHEREAS, the potable water for the City of Swartz Creek is supplied by the Karegnondi Water Authority via Genesee County, and

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

WHEREAS, the USDA award requires that the water supply contract with Genesee County, through its Drain Commission office, be affirmed and include standard terms and conditions of the federal department, and

WHEREAS, the GCDC and the city attorney have modified an acceptable template agreement that restates the terms and conditions under which the county shall be required to supply the city with potable water.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek City Council hereby approves the "Water Supply Contract Between the County of Genesee, A

Michigan County Corporation, by and Through Its Drain Commissioner, County Agency and the City of Swartz Creek, Michigan, A Michigan Home Rule City” as included in the city council packet of June 24, 2019.

BE IT FURTHER RESOLVED that the City of Swartz Creek directs the Mayor to execute this agreement on behalf of the city.

Discussion Ensued.

YES: Krueger, Pinkston, Root, Cramer.

NO: Farmer, Gilbert. Motion Declared Carried.

RESOLUTION TO APPROVE THE PARK WAIVER REQUEST OF BETHANY CHRISTIAN SERVICES

Resolution No. 190624-11

(Carried)

Motion by Mayor Pro Tem Pinkston
Second by Councilmember Cramer

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

WHEREAS, the Bethany Christian Services reserved Pavilion #2 in Abrams Park for July 20, 2019 for the purpose of holding an annual picnic; 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, being the donation and installation of trees within Abrams Park.

NOW, THEREFORE, BE IT RESOLVED, the Swartz Creek City Council hereby waives all fees (\$70) for the July 20, 2019 reservation in Abrams Park.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

MEETING OPENED TO THE PUBLIC:

Erik Jamison, 5015 Holland Drive, commented he is an advocate for the Brewer Townhome Project.

Dick Abrams, 5352 Greenleaf Drive, Winchester Village, Winchester Woods were incorporated in the city by ballot.

Tom Svrcek, Director of Public Services thanked the residents for their cooperation and apologized for the mowing issues at the parks due to the weather.

REMARKS BY COUNCILMEMBERS:

Councilmember Cramer wanted an update on the Mary Crapo building.

Mr. Zettel responded that the property has a purchase agreement in place purchase includes the entire block. They are looking to have 40-50 units of senior housing in the facility. We should see rezoning permits submitted in the near future.

Councilmember Cramer asked how long our community has been planning the Brewer Townhome Project.

Mr. Zettel responded the first time there was a need for missing middle downtown housing on Morrish Road corridor was in 2005. But actively incorporating that state and need at that site was believed to be in 2014.

Councilmember Gilbert there has been negative comments in regards to the Brewer Townhome project he hears them. He has been hearing comments and has experienced black ring in sinks.

Tom Svrcek, Director of Public Services, responded that the amount of phosphate the state is requiring is causing a reaction to rubber seals.

Mayor Pro Tem Pinkston commented on the townhomes. He is really proud of the way things are looking downtown.

Mr. Zettel commented on the verbal agreement with the racewau to be able to use approximately 2 acres at the end of Civic Drive to use for parking. We also have 2 vacant lots on Fortino Drive that can be used.

Mayor Krueger congratulated Dick Abrams on his 90th birthday.

ADJOURNMENT

Resolution No. 190624-08

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Farmer

I Move the Swartz Creek City Council adjourn the regular meeting at 8:19 p.m.

Unanimous Voice Vote.

David A. Krueger, Mayor

Connie Eskew, City Clerk