

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE 10/26/2020**

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, Pinkston, Henry.

Councilmembers Absent: None.

Staff Present: City Manager Adam Zettel, Clerk Connie Olger, Treasurer Deanna Korth, City Attorney Chris Stritmatter.

Others Present: Samantha Fountain, Steve Long.

APPROVAL OF MINUTES

Resolution No. 201026-01

(Carried)

Motion by Councilmember Henry
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday October 12, 2020 to be circulated and placed on file.

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

APPROVAL OF AGENDA

Resolution No. 201026-02

(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 October 26, 2020, to be circulated and placed on file.

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

CITY MANAGER'S REPORT

Resolution No. 201026-03

(Carried)

Motion by Councilmember Farmer
Second by Councilmember Gilbert

I Move the Swartz Creek City Council accept the City Manager's Report of October 26, 2020, including reports, communications and changes to be circulated and placed on file.

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

MEETING OPENED TO THE PUBLIC:

None.

COUNCIL BUSINESS:

SWARTZ CREEK WOMEN'S CLUB G.F.W.C.

PROCLAMATION

Mayor read the GFWC Advocates for Children Mayoral Proclamation.

RESOLUTION TO ACCEPT THE 2019-2020 FISCAL YEAR AUDIT BY INDEPENDENT AUDITOR PLANTE-MORAN

Resolution No. 201026-04

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Cramer

WHEREAS, Section 8.13 of the City Charter requires an audit of all accounts of the city government; and

WHEREAS, independent auditors, retained by the city per a qualified bidding selection process, have completed said audit for the most recent fiscal year, 2020; and

WHEREAS, said audit contains financials for related public utilities, enterprise accounts, and the Downtown Development Authority; and

WHEREAS, the audit, as presented to the city council on October 26, 2020, has been found to meet generally accepted accounting standards and required reporting provisions of state and local law.

NOW, THEREFORE, BE IT RESOLVED, the City of Swartz Creek approve the 2019-2020 Fiscal Audit Report prepared by Plante-Moran, a copy of which is attached hereto, and further, direct such to be published, distributed, circulated and placed on file in a manner prescribed by law.

YES: Krueger, Pinkston, Henry, Cramer, Farmer, Gilbert, Hicks.

NO: None. Motion Declared Carried.

RESOLUTION TO APPROVE AN EXPANDED CROSS CONNECTION PROGRAM AGREEMENT

Resolution No. 201026-05

(Carried)

Motion by Councilmember Gilbert

Second by Councilmember Henry

WHEREAS, to remain compliant to the Safe Drinking Water Act of 1976, PA 339, the City of Swartz Creek instituted a Cross Connection Control and Compliancy Program, and solicited and awarded sealed bids to HydroCorp of Troy, Michigan to implement the program, and;

WHEREAS, HydroCorp has brought the City into full compliancy with the Act and MI-DEQ Regulations, and;

WHEREAS, it is mandatory for the City to continue the program in order to remain compliant with the Act and MI-DEQ Regulations, and;

WHEREAS, additional guidance from the Michigan Department of Environment, Great Lakes, and Energy requires that the city expand its cross connection control program to residential users, and;

WHEREAS, the work performed by HydroCorp is a specialized professional service and cannot be done by regularly employed crews of the City, and;

WHEREAS, it is efficient and desirable for the City to remain with a single company to maintain compliancy and continued continuity of the established records currently maintained by HydroCorp, Inc.

NOW THEREFORE, BE IT RESOLVED the City of Swartz Creek appropriate an amount not to exceed \$3,347 per month for 36 months, total accrued amount not to exceed \$120,492, payment for expansion and continuation of the City's Cross Connection Compliancy and Control Program, to HydroCorp, a Michigan corporation located in Troy, Michigan, agreement period to run from February 1, 2021 through January 31, 2023, funds to be appropriated from 590, Water Supply Fund.

BE IT FURTHER RESOLVED THAT, the City Council approves the cross connection professional services agreement included in the October 26, 2020 city council packet and direct the Mayor and City Clerk to execute said agreement on behalf of the city.

Discussion Ensued.

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

ELECTION WORKER PAY ADJUSTMENTS

Resolution No. 201026-06

(Carried)

Motion by Mayor Pro Tem Pinkston
Second by Councilmember Cramer

WHEREAS, the City Clerk applied for and received grant funding from Center for Technology and Civic Life; and

WHEREAS, grant funding will cover expenses incurred due to the COVID-19 Pandemic; and

WHEREAS, the City of Swartz Creek Election Commission met on October 7, 2020 and voted unanimously to recommend another increase and pay each election inspector an additional \$25.00 hazard pay for the November 2020 elections due to COVID -19 Pandemic.

THEREFORE BE IT RESOLVED, the Swartz Creek City Council hereby authorizes that each election inspector receives an additional \$25.00 hazard pay for the November 2020 elections due to the COVID 19 Pandemic, effective October 26, 2020.

Discussion Ensued.

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

CLOSED SESSION TO STRATEGIZE WITH THE CITY ATTORNEY (ROLL CALL VOTE)

Resolution No. 201026-07

(Carried)

Motion by Councilmember Henry
Second by Councilmember Farmer

WHEREAS, the City of Swartz Creek City Council and City Attorney desire to consider options related to potential/pending litigation, and;

WHEREAS, the MCL 15.268(e) permits a governing body to enter a closed session to consult with the city attorney regarding a trial or settlement strategy in connection with pending litigation, finding that an open meeting would have a detrimental financial effect on the settlement position of the city.

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 discussion with the city attorney.

YES: Cramer, Farmer, Gilbert, Hicks, Krueger, Pinkston, Henry.

NO: None. Motion Declared Carried.

Break 8:14 p.m. – 8:19 p.m.

Closed Session 8:19 p.m. – 8:41 p.m.

MEETING OPENED TO THE PUBLIC:

None.

REMARKS BY COUNCILMEMBERS:

Councilmember Cramer has 29 Back to Badge signs for purchase if anyone is interested. Construction looks great

Councilmember Farmer is thankful for the DPW & Glaeser Dawes working on the water main breaks and their fast response last Sunday.

Councilmember Hicks thanked the Mayor for the Proclamation and the village streets do look wonderful.

Councilmember Gilbert inquired on last leaf pickup day. Mr. Zettel responded it's the last Monday in November. Everyone stay healthy & safe.

Mayor Pro Tem Pinkston told a water leak story.

Mayor Krueger updated everyone on his wife's condition.

ADJOURNMENT

Resolution No. 201026-08

(Carried)

Motion by Councilmember Gilbert

Second by Councilmember Henry

I Move the Swartz Creek City Council adjourn the regular meeting at 9:00 p.m.

Unanimous Voice Vote.

David A. Krueger, Mayor

Connie Olger, City Clerk