

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE COUNCIL MEETING
DATE 01/25/2010**

The meeting was called to order at 7:00 p.m. by Mayor Abrams in the Swartz Creek City Council Chambers, 8083 Civic Drive.

Invocation and Pledge of Allegiance to the Flag.

Councilmembers Present: Abrams, Binder, Hicks, Hurt, Krueger, Porath, Shumaker.

Councilmembers Absent: None.

Staff Present: City Manager Paul Bueche, Deputy City Clerk Deanna Korth.

Others Present: Boots Abrams, Tommy Butler, Sharon Klein, John Gilbert, Ron Schultz.

APPROVAL OF MINUTES

Resolution No. 100125-01

(Carried)

Motion by Mayor Pro-Tem Porath
Second by Councilmember Hurt

I Move the Swartz Creek City Council hereby approve the Minutes, as presented, for the Regular Council Meeting, held January 11, 2009, to be circulated and placed on file.

YES: Binder, Hicks, Hurt, Krueger, Porath, Shumaker, Abrams.
NO: None. Motion Declared Carried.

APPROVAL OF AGENDA

Resolution No. 100125-02

(Carried)

Motion by Councilmember Krueger
Second by Councilmember Binder

I Move the Swartz Creek City Council approve the Agenda, as printed, for the Regular Council Meeting of January 25, 2010 to be circulated and placed on file.

YES: Hicks, Hurt, Krueger, Porath, Shumaker, Abrams, Binder.
NO: None. Motion Declared Carried.

REPORTS AND COMMUNICATIONS:

City Manager’s Report

Resolution No. 100125-03

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Binder

I Move the Swartz Creek City Council approve the City Manager’s Report of January 25, 2010, to be circulated and placed on file.

Discussion Ensued.

YES: Hurt, Krueger, Porath, Shumaker, Abrams, Binder, Hicks.
NO: None. Motion Declared Carried.

All other reports and communications were accepted and placed on file.

MEETING OPENED TO THE PUBLIC:

City Manager Bueche introduced Teri Banas from the Flint Journal/Swartz Creek News.

John Gilbert, 7459 Miller Rd., spoke about the Veteran’s Memorial. Mr. Gilbert stated that he wants it known that the Memorial isn’t a park, as it is listed in the paperwork, but a Memorial.

COUNCIL BUSINESS:

Appropriation, 2010 Cross Connection Control-Compliance Program, Hydro Designs

Resolution No. 100125-04a

(Amended Below)

Motion by Councilmember Hicks
Second by Councilmember Hurt

WHEREAS, compliant to the Safe Drinking Water Act of 1976 PA 339, the City of Swartz Creek instituted a Cross Connection Control and Compliance Program, and solicited and awarded sealed bids to Hydro-Designs Inc. of Troy Michigan to implement the program, and;

WHEREAS, Hydro-Designs have brought the City into full compliance with the Act and MI-DEQ Regulations, and;

WHEREAS, it is mandatory for the City to continue the program in order to remain in compliance with the Act and MDEQ Regulations, and;

WHEREAS, the work performed by Hydro-Designs is specialized, and;

WHEREAS, it is efficient, compliant and desirable for the City to remain with a single company to maintain compliancy and continued continuity of the established records currently maintained by Hydro-Designs,

NOW THEREFORE, the Swartz Creek City Council appropriates an amount not to exceed \$4,500, payment for yearly continuation of the City's Cross Connection Compliancy and Control Program, to Hydro-Designs Inc. of Troy Michigan, funds to be appropriated from 590, Water Supply

Discussion Took Place.

Resolution No. 100125-04b

(Carried)

Motion by Councilmember Krueger
Second by Councilmember Hurt

I MOVE to strike the word "compliant" from the last "whereas" of the resolution for the Appropriation, 2010 Cross Connection Control-Compliancy Program, Hydro-Designs.

Discussion Ensued.

YES: Krueger, Porath, Shumaker, Binder, Hicks, Hurt.
NO: Abrams. Motion Declared Carried.

Resolution No. 100125-04c

(Amended) (Carried)

Motion by Councilmember Hicks
Second by Councilmember Hurt

WHEREAS, 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 Hydro-Designs Inc. of Troy Michigan to implement the program, and;

WHEREAS, Hydro-Designs have 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 in compliancy with the Act and MDEQ Regulations, and;

WHEREAS, the work performed by Hydro-Designs is specialized, 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 Hydro-Designs,

NOW THEREFORE, the Swartz Creek City Council appropriates an amount not to exceed \$4,500, payment for yearly continuation of the City's Cross Connection Compliancy and Control Program, to Hydro-Designs Inc. of Troy Michigan, funds to be appropriated from 590, Water Supply.

Discussion Took Place.

YES: Porath, Shumaker, Abrams, Binder, Hicks, Hurt, Krueger.
NO: None. Motion Declared Carried.

Veterans Memorial Agreement

Resolution No. 100125-05

(Carried)

Motion by Councilmember Binder
Second by Councilmember Hurt

WHEREAS, pursuant to an agreement dated July 10, 2006, the City leased property on Fortino Drive to the Swartz Creek Area Veterans Memorial Committee for the purpose of collecting donations and constructing a Veterans Memorial; and

WHEREAS, the memorial has been substantially completed with the exception of the purchase and placement of two statues; and

WHEREAS, the committee desires to transfer the memorial back to the City allowing it to be placed on the City's insurance policy, and further, continue collecting donations to finish the memorial as planned.

NOW, THEREFORE, I Move the City of Swartz Creek enter into an agreement with the Swartz Creek Area Veterans Memorial Committee allowing for the transfer of the Memorial, a copy of the agreement attached hereto.

Discussion Ensued.

YES: Shumaker, Abrams, Binder, Hicks, Hurt, Krueger, Porath.
NO: None. Motion Declared Carried.

Appoint TPA Ameraplan, Change Health Care Deductibles

Resolution No. 100125-06

(Carried)

Motion by Councilmember Hurt
Second by Councilmember Hicks

I Move the City of Swartz Creek approve changes to its health care plan to allow for City funded capped deductibles for certain services, and further, appoint AmeraPlan of Troy Michigan as the City's third party administrator to manage the program, and further, direct the staff to execute all documents pertaining to the implementation of the plan and to set up the necessary financial and fund transfer accounts for payment, and further, to provide the Council with periodic financial status and usage reports.

Discussion Took Place.

YES: Abrams, Binder, Hicks, Hurt, Krueger, Porath, Shumaker.
NO: None. Motion Declared Carried.

Appropriation, Data System Upgrades

Resolution No. 100125-07 **(Carried)**

Motion by Mayor Pro-Tem Porath
Second by Councilmember Krueger

I Move the City of Swartz Creek appropriate an amount not to exceed \$7,000 plus 10% contingency, to the City's contracted IT Provider Infinite Solutions, \$2,000 for hardware upgrades and \$5,000 labor expenses, for the installation and programming of .NET Framework Software, expense budgeted in the current fiscal cycle, funds to be apportioned at the discretion of the City's Finance Director.

YES: Binder, Hicks, Hurt, Krueger, Porath, Shumaker, Abrams.
NO: None. Motion Declared Carried.

Transportation Assistance Request

Resolution No. 100125-08 **(Carried)**

Motion by Councilmember Krueger
Second by Councilmember Hurt

WHEREAS, the City of Swartz Creek, first known as Miller's Settlement, was incorporated in 1959 as a City in the State of Michigan; and

WHEREAS, the City incorporation included the General Motors Service Parts Operations (GM SPO) facility along Miller Road; and

WHEREAS, prior to the construction of Interstate I-69, Miller Road was a state highway, M-78, that connected downtown Swartz Creek with its neighborhoods, the GM plant, the City of Flint, and the City of Lansing; and

WHEREAS, the manufacturing economy shrank significantly, reducing the presence and viability of General Motors and its affiliates within the Flint region and including the Swartz Creek GM SPO facility; and

WHEREAS, the viability of the City of Swartz Creek has subsequently been threatened due to tax base reductions, job losses, aging infrastructure; and

WHEREAS, the City of Swartz Creek desires to reinvent itself as the primary western Genesee County community that provides an attractive, viable, and efficient place to live and carry out business in the twenty-first century; and

WHEREAS, the City of Swartz Creek feels its future viability relies on the structural integrity and appearance of its primary road, being Miller Road, as the connection

between the community and the rest of the world logistically, visually, and symbolically.

NOW, THEREFORE, the City of Swartz Creek hereby pleads for financial assistance from its United States Representative, the Honorable Dale Kildee, to secure a future for Swartz Creek by channeling efforts into the aesthetic and functional reconstruction of Miller Road within the city limits of Swartz Creek.

Discussion Took Place

YES: Hicks, Hurt, Krueger, Porath, Shumaker, Abrams, Binder.
NO: None. Motion Declared Carried.

MEETING OPENED TO THE PUBLIC

Tommy Butler, 40 Somerset, commented on the police dog Ike. Mr. Butler stated that the City should be proud of Ike.

REMARKS BY COUNCILMEMBERS:

Councilmember Krueger questioned traffic tickets that were given due to drivers having no license. Mr. Krueger wanted to know if the vehicles were impounded. City Manager Bueche stated that unless there was another licensed driver willing to take the vehicle, then yes, the vehicle is impounded. Mr. Krueger stated that based on the crime report and fire department report, Swartz Creek must be one of the safest communities in Michigan. Mr. Krueger questioned a check for Porath Studios issued from the Fire Board.

Councilmember Shumaker spoke about how few foreclosures there are in the City. Mr. Shumaker talked about the relationship between the City Administration and the Veteran's Memorial Committee.

Councilmember Hicks questioned why Fire Chief Brent Cole is doing business under an assumed name. Councilmember Hurt responded that it was the Fire Board carrying out the wishes of the City and Clayton Township according to the original fire agreement.

Councilmember Binder spoke about the Fazoli's fundraiser for the Veteran's Memorial.

Councilmember Hurt spoke to the .Net explanation in the Council packet. Mr. Hurt stated that he attended the GAIN meeting.

Mayor Pro-Tem Porath talked about the written and spoken word, addressing the spell check problem. Mr. Porath spoke about Ameraplan and questioned whether savings from that plan could be put away in a fund for future use.

Mayor Abrams spoke to the Fire Budget surplus. Mr. Abrams talked about an incident report on the City Manager's report. Mr. Abrams spoke about earmarks for roads. Mr. Abrams spoke about a communication from the Swartz Creek Sportsmen's Club thanking the City for the use of the Council Chambers for their annual yearly meeting.

ADJOURNMENT:

There being no objection, Mayor Abrams declared the meeting adjourned at 8:28 p.m.

Richard Abrams, Mayor

Deanna Korth, Deputy City Clerk