

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE 07/25/2022**

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, Henry.

Councilmembers Absent: None.

Staff Present: City Manager Adam Zettel, Clerk Connie Olger, Director of Community Services Rob Bincsik.

Others Present: Andy Harris, Jim Barclay.

Others Virtually Attended: Lania Rocha, Deanna Korth.

APPROVAL OF MINUTES

Resolution No. 220725-01

(Carried)

Motion by Councilmember Florence
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday July 11, 2022, to be circulated and placed on file.

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

APPROVAL OF AGENDA

Resolution No. 220725-02

(Carried)

Motion by Councilmember Henry
Second by Councilmember Cramer

I Move the Swartz Creek City Council approve the Agenda as, amended for the Regular Council Meeting of July 25, 2022, to be circulated and placed on file.

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

CITY MANAGER'S REPORT

Resolution No. 220725-03

(Carried)

Motion by Councilmember Cramer
Second by Councilmember Gilbert

I Move the Swartz Creek City Council accept the City Manager's Report of July 25, 2022, including reports and communications to be circulated and placed on file.

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

MEETING OPENED TO THE PUBLIC:

None.

COUNCIL BUSINESS:

RESOLUTION TO PURCHASE DUMP TRUCK AND BUILD-OUT

Resolution No. 220725-04

(Carried)

Motion by Mayor Pro Tem Hicks
Second by Councilmember Henry

WHEREAS, the City finds it necessary to replace one of two dump trucks with a comparable piece of equipment; 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 specifications for a chassis and build-out plan; and

WHEREAS, supply chain interruptions have led to lead times that require long term reservations with estimated costs to acquire some heavy equipment; and

WHEREAS, the 2023 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 reservation of a 108" chassis as specified by D & K Truck Company and build-out package for dump box and underbody from Truck & Trailer Specialties, Inc., as

specified in the July 25, 2022 city council packet, in the amount of \$99,522 for the chassis and \$133,430 for the build out (\$232,952), plus associated fees and expenses, to be apportioned from the Motor Pool Fund (661).

Discussion Ensued.

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

RESOLUTION TO PURCHASE PATCHING EQUIPMENT

Resolution No. 220725-05

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Florence

WHEREAS, the City finds it necessary to replace a two ton asphalt patch trailer;
and

WHEREAS, the City's Purchasing Ordinance, Chapter 2, Article VI, Section 2-406 provides for terms and conditions of purchases; and

WHEREAS, the City is not required to get sealed bids but must seek council approval for goods and services that are not of a public work or improvement of a directly competitive nature; and

WHEREAS, the Director of Public Services has selected a modified patching trailer, as assembled by Spaulding Mfg., Inc.; and

WHEREAS, the 2023 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 two-ton Aire Jacket Road Saver Asphalt Non-Dump Trailer from Spaulding Mfg., Inc., as specified in the July 25, 2022, city council packet, in the amount of \$21,975 plus associated fees and expenses, to be apportioned from the Motor Pool Fund (661).

BE IT FURTHER RESOLVED, the City of Swartz Creek, finding the existing patcher be beyond its useful life for the execution of safe and efficient duties, hereby direct and authorize the Director of Public Services to trade the patcher to Spaulding Mfg., Inc. in the amount of \$2,000.

Discussion Ensued.

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

RESOLUTION TO APPROVE AN AMENDED NAME FOR BICENTENNIAL PARK

Resolution No. 220725-06

(Carried)

Motion by Councilmember Pinkston
Second by Councilmember Cramer

WHEREAS, Michael Shumaker served as the city's DPW Director for over thirty years; and

WHEREAS, Mr. Shumaker invested much of his life into Swartz Creek in ways too numerous to account for, but including decades of service to the Swartz Creek City Council, Swartz Creek Park Board, Kiwanis Club, Pajtas Amphitheater, and Historical Society; and

WHEREAS, during these years of service, Mr. Shumaker, in his professional and volunteer capacity, spent countless hours working towards the acquisition and improvement of city parks, including Bicentennial Park; and

WHEREAS, the Swartz Creek Park and Recreation Committee, at their regular meeting on July 6, 2022, found that the namesake of Bicentennial Park does not reflect the authenticity of the community, having no connection to the neighborhood; and

WHEREAS, the committee recommends that Bicentennial Park therefore be dedicated as Shumaker Bicentennial Park in honor of the efforts of Michael Shumaker; and

WHEREAS, the Swartz Creek City Council recognizes that Mr. Shumaker embodied what is best about Swartz Creek and further concurs with the findings of the park board.

NOW, THEREFORE BE IT RESOLVED, the Swartz Creek City Council hereby memorializes the contributions and impact of Michael Shumaker through the dedication and renaming of Bicentennial Park as Shumaker Bicentennial Park. May the name grace the park as the presence of Michael has graced our community, and may it stand to further inspire those entering upon those grounds to recall and aspire to their quality.

Discussion Ensued.

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

RESOLUTION TO PURCHASE PICKUP TRUCK

Resolution No. 220725-07

(Carried)

Motion by Councilmember Florence
Second by Councilmember Cramer

WHEREAS, the city finds it necessary to replace a 2008 Pickup Truck with a comparable piece of equipment; and

WHEREAS, the City's Purchasing Ordinance, Chapter 2, Article VI, Section 2-406 provides for terms and conditions of purchases; and

WHEREAS, the City is not required to get sealed bids but must seek council approval for goods and services that are not of a public work or improvement of a directly competitive nature; and

WHEREAS, the Director of Public Services has a quote for a 2022 GMC Sierra 2500HD 4x4; and

WHEREAS, wait times, pricing, and options for new pickup trucks are extremely irregular and unpredictable, making traditional acquisitions problematic; and

WHEREAS, the 2023 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 2022 GMC Sierra 2500HD 4x4 from Shea Automotive Group in the amount of \$48,360 plus associated fees and expenses, to be apportioned from the Motor Pool Fund (661).

BE IT FURTHER RESOLVED, the City of Swartz Creek, finding the 2008 pickup truck to be beyond its useful life for the execution of safe and efficient duties, hereby direct and authorize the Director of Public Services to auction this vehicle and related appurtenances (listed below) by means of the Bidcorp.com or related public auctioning service.

1. 2008 Pickup Truck; VIN 1GCHK24K88E193467

Discussion Ensued.

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

RESOLUTION TO APPROVE ALLOCATION OF FIRE DEPARTMENT SURPLUS REVENUES TO UTILITY TRUCK PURCHASE

Resolution No. 220725-08

(Carried)

Motion by Councilmember Henry
Second by Councilmember Florence

WHEREAS, the City of Swartz Creek and Township of Clayton operate a joint fire department (Swartz Creek Area Fire Department) as promulgated and regulated by the Swartz Creek – Clayton Township Amended and Restated 2019-2022 Fire Department Agreement; and

WHEREAS, the SCAFD cannot exceed its budget or deposit surplus funds into the Capital Improvement Program Fund without concurrence of the Township and City; and

WHEREAS, the SCAFD has returned \$40,862.50 to the City of Swartz Creek, such funds representing proceeds from a vehicle sale and unspent general contributions; and

WHEREAS, the SCAFD is requesting to retain \$32,000 of revenues received in excess of municipal billings.

NOW, THEREFORE, BE IT RESOLVED the City of Swartz Creek hereby approves the deposit of \$32,000 as requested by the Fire Chief at the July 11, 2022 city council meeting, said deposit to be allocated to the Fire Equipment Fund (402) and encumbered for the purchase of a utility vehicle.

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

RESOLUTION TO APPROVE PROFESSIONAL SERVICES FOR MS4 COMPLIANCE

Resolution No. 220725-09

(Carried)

Motion by Councilmember Cramer
Second by Mayor Pro Tem Hicks

WHEREAS, the City of Swartz Creek owns, operates, and maintains a system of storm water collection assets that drain to the Swartz Creek and other public water bodies of the state; and

WHEREAS, the city is required to comply with standards pertaining to the Municipal Separate Storm Sewer System (MS4); and

WHEREAS, the city and its current provider of MS4 services, the Genesee County Drain Commission, is seeking to satisfying the Michigan Department of Environment Great Lakes and Energy; and

WHEREAS, the city solicited a proposal from a pre-approved engineer that specializes in sanitary and storm sewer matters to remedy the situation.

NOW, THEREFORE, BE IT RESOLVED, the Swartz Creek City Council hereby approve the professional service agreement dated July 14, 2022, as submitted by DLZ in the amount of \$6,110 and authorize and direct the Mayor to execute said agreement on behalf of the city.

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

NO: None. Motion Declared Carried.

USDA NOTICE OF INTENT

PUBLIC HEARING

OPEN: 7:37 P.M.

Mr. Andy Harris, OHM Advisors, informed every one of the second phase USDA Rural Development Program and the public hearing is required. This is the second public hearing due to the date of previous public hearing now has expired. The goal is to secure a low interest loan. Typical loan terms are 40 year/ 2-4 % interest. He reviewed the agenda then proceeded to discuss the project need, scope, environmental impacts, and cost, which the total estimated project cost is \$6,583,000.

The schedule was reviewed, and we are currently working on the application process. Bid opening will be early, possibly January 2023, and then phase II construction begin April 2023, depending on the pipe supply, and be completed by October 2024. The 20-Year Plan was reviewed, a wish list for the city. If there is construction money left over items on the 20 year plan can be added to the project if and when the time is right.

Councilmember Henry questioned the Whitney Ct. main. Mr. Harris responded they are looking at alternatives. Mr. Henry asked if they were done with the surveying and Mr. Harris responded the surveying has been done and now, they are designing.

Councilmember Cramer questioned if all the streets listed for construction if they would be done in one construction season. Mr. Harris responded that it take two construction seasons to complete.

CLOSED: 7:50 P.M.

RESOLUTION TO APPROVE FISCAL YEAR 2022 BUDGET AMENDMENTS AND ADJUSTMENTS

Resolution No. 220725-10

(Carried)

Motion by Mayor Pro Tem Hicks
Second by Councilmember Cramer

WHEREAS, Act 621 of P.A. 1978 provides for a uniform budgeting system for local units of government; and

WHEREAS, Act 275 of P.A. of 1980 further prohibits deficit spending by local units of government; and

WHEREAS, the City Council has reviewed the City's 2021 - 2022 Fiscal Year Budget and comparative year-to-date balance sheet of expenses and revenues, and finds that it is not in deficit; however, certain department activity line items may be in deficit.

WHEREAS, the City Council has received a Budget Amendment Summary; and

WHEREAS, new budget amounts necessitate adjustments to the original adopted budget; and

WHEREAS, said supplemental documentation shows the new proposed revenue and expenditures changes by account number.

THEREFORE BE IT RESOLVED, the Swartz Creek City Council hereby authorizes and directs the city manager or his designee to make all necessary end-year budget adjustment amendments to all city funds in accordance with the supplemental documentation (pages 102 to 119) attached.

BE IT FURTHER RESOLVED, the Swartz Creek City Council hereby authorizes and directs the City Manager or his designee to make all necessary year-end budget adjustment amendments.

Discussion Ensued.

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

MEETING OPENED TO THE PUBLIC:

None.

REMARKS BY COUNCILMEMBERS:

Councilmember Pinkston it's good to see the Mayor here tonight.

Councilmember Gilbert commented the crosswalk sign on Miller Road has been ran over again.

Mayor Pro Tem Hicks wondered why there are still cones on Morrish Road. Mr. Harris responded a sign and light bar like the ones on Miller Road are going to be installed there.

Councilmember Cramer was happy to see the TIP award in the packet. He is sorry to see that Mary Crapo is going to be demolished. A fundraiser is in the works for Officer Storm, and once the date and time has been set, he will let everyone know.

Councilmember Henry ask Mr. Bincsik about options to lease instead of purchasing. Mr. Bincsik explained the leasing options.

Councilmember Florence's son is visiting from Taiwan. His son will be speaking at the American Legion Thursday at 7:30 a.m.

Mayor Krueger thanked everyone for their support and is glad to be at meeting tonight.

ADJOURNMENT

Resolution No. 220725-10

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Henry

I Move the Swartz Creek City Council adjourn the regular meeting at 8:06 p.m.

Unanimous Voice Vote.

David A. Krueger, Mayor

Connie Olger, City Clerk