

**CITY OF SWARTZ CREEK  
SWARTZ CREEK, MICHIGAN  
MINUTES OF THE REGULAR COUNCIL MEETING  
DATE 03/14/2022**

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, Mike Gildner City Attorney.

Others Present: Jim Barclay, Lou Fleury, Rob Merinsky, David Spillane Tammy Parenteau.

Others Virtually Attended: Lania Rocha, Bob Plumb.

**APPROVAL OF MINUTES**

**Resolution No. 220314-01**

**(Carried)**

Motion by Councilmember Florence  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council approve the amended Minutes of the Regular Council Meeting held Monday February 28, 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. 220314-02**

**(Carried)**

Motion by Councilmember Henry  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council approve the Agenda as, presented for the Regular Council Meeting of March 14, 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. 220314-03**

**(Carried)**

Motion by Councilmember Cramer  
Second by Councilmember Florence

**I Move** the Swartz Creek City Council accept the City Manager's Report of March 14, 2022, including reports and communications to be circulated and placed on file.

Discussion Ensued.

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

## **MEETING OPENED TO THE PUBLIC:**

None.

## **COUNCIL BUSINESS:**

### **RESOLUTION TO APPROVE A PROPOSAL FOR BRIDGE INSPECTION SERVICES**

**Resolution No. 220314-04**

**(Carried)**

Motion by Mayor Pro Tem Hicks  
Second by Councilmember Cramer

**WHEREAS**, the City of Swartz Creek owns, operates, and maintains a system of major streets, including two bridges; and

**WHEREAS**, the Federal Highway Administration requires inspection of these bridges by a certified professional once every two years; and

**WHEREAS**, Rowe Professional Services Company is a qualified engineer of the city and has completed these inspections previously and maintains a working knowledge of the process and bridge particulars; and

**WHEREAS**, Rowe proposes to complete and submit bridge reports to the city and the MDOT for a fee of \$425 each.

**NOW, THEREFORE, BE IT RESOLVED** the City of Swartz Creek approves the bridge inspection proposal by ROWE Professional Services Company, dated February 28, 2022.

**BE IT FURTHER RESOLVED**, that the City Council directs the Mayor to execute said proposal on behalf of the city and for the city treasurer to appropriate such costs to the Major Street Fund.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

**RESOLUTION TO APPROVE AN AGREEMENT WITH THE GENESEE COUNTY ROAD COMMISSION FOR COOPERATIVE BRIDGE MAINTENANCE WORK**

**Resolution No. 220314-05**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Councilmember Florence

**WHEREAS**, the City of Swartz Creek owns, operates, and maintains a system of major streets, including two bridges; and

**WHEREAS**, the Federal Highway Administration requires inspection of these bridges by a certified professional once every two years; and

**WHEREAS**, Rowe Professional Services Company inspected the Elms Road bridge and determined that an epoxy overlay of the deck and other, miscellaneous, work needed to be completed; and

**WHEREAS**, the Genesee County Road Commission is engaging in such work at a large scale, and the city finds it to be in the best interest of the public to cooperate in the cooperative bid as offered by the GCRC.

**NOW, THEREFORE, BE IT RESOLVED** the City of Swartz Creek approves the Local Road Agreement with Genesee County Road Commission for the Elms Road Bridge over the W. Branch of the Swartz Creek Bridge Epoxy Overlay, as included in the March 14, 2022 city council packet.

**BE IT FURTHER RESOLVED**, that the City Council directs the Mayor and Mayor Pro Tem to execute said proposal on behalf of the city and for the city treasurer to appropriate such costs to the Major Street Fund.

Discussion Ensued.

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

## **RESOLUTION TO APPROVE AN AMBULANCE SERVICE AGREEMENT AND TO NOTIFY THE 911 CONSORTIUM**

**Resolution No. 220314-06**

**(Carried)**

Motion by Councilmember Pinkston  
Second by Councilmember Cramer

**WHEREAS**, the City of Swartz Creek desires to enter into an Emergency Medical Services Agreement with Medstar, Inc., to provide Advanced Life Support and Basic Life Support ambulance services; and

**WHEREAS**, the City of Swartz Creek desires to notify Genesee County Central Dispatch Authority that Medstar has been selected as the EMS provider within the above-listed communities and to direct that Medstar be sent to all 911 EMS requests in the City of Swartz Creek; and

**WHEREAS**, the above-mentioned contract provides for effective controls and mechanisms to ensure appropriate and sufficient service levels and quality for 911 EMS requests in the City of Swartz Creek.

**NOW THEREFORE BE IT RESOLVED**, the City of Swartz Creek, pursuant to applicable powers and authority, recognizes Medstar, Inc. as its EMS provider as set forth in its agreement with Medstar, and authorizes and directs the Mayor to execute the agreement on behalf of the city.

**BE IT FURTHER RESOLVED**, the City of Swartz Creek directs the Consortium to dispatch Medstar, Inc. exclusively within the City's jurisdiction, subject to applicable backup service agreements.

**BE IT FURTHER RESOLVED**, the City of Swartz Creek holds the Consortium harmless from any claims it may have against the Consortium arising from Consortium recognition of the EMS services contract set forth above and attached hereto.

Discussion Ensued.

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

## **RESOLUTION TO APPROVE COMMISSION APPOINTMENTS**

**Resolution No. 220314-07**

**(Carried)**

Motion by Councilmember Florence  
Second by Councilmember Henry

**WHEREAS**, the laws of the State of Michigan, the Charter and Ordinances of the City of Swartz Creek, interlocal agreements in which the City of Swartz Creek is a member, and previous resolutions of the city council require and set terms of offices for various appointments to city boards and commissions, as well as appointments to non-city boards and commissions seeking representation by city officials; and

**WHEREAS**, there exist vacancies for such positions; and

**WHEREAS**, said appointments are Mayoral appointments subject to affirmation of the city council.

**NOW, THEREFORE, BE IT RESOLVED**, the Swartz Creek City Council concur with the Mayor and City Council appointments as follows:

#220314-7A **MAYOR APPOINTMENT:** **David Krueger**  
911 Consortium Alternate, City Official  
Remainder of two year term, expiring November 28, 2022

#220314-7B **MAYOR APPOINTMENT:** **Tammy Parenteau**  
Board of Review Alternate, City Resident  
Remainder of three year term, expiring June 30, 2023

Discussion Ensued.

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

**RESOLUTION TO APPROVE THE MATCH ON MAIN AGREEMENT WITH THE MEDC**

**Resolution No. 220314-08**

**(Carried)**

Motion by Councilmember Henry  
Second by Councilmember Cramer

**WHEREAS**, the City of Swartz Creek holds status with the MEDC as a Redevelopment Ready Community; and

**WHEREAS**, the City of Swartz Creek submitted and was awarded a grant of \$25,000 that will cover investment costs of 8013 Miller Road for eligible expenses in accordance with the Match on Main Program; and

**WHEREAS**, an agreement is required for the city to function as intermediary in the reimbursement process.

**NOW THEREFORE, BE IT RESOLVED**, that the Swartz Creek City Council approves the Michigan Economic Development Corporation Match On Main Grant Agreement With City of Swartz Creek, Case, 347009, and authorize and direct the City Manager to sign on behalf of the city.

**BE IT FURTHER RESOLVED**, that the Swartz Creek City Council authorize and direct the city manager to process and execute any and all documentation necessary to carry out the terms of the agreement.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

## **RESOLUTION TO APPROVE USDA ENGINEERING SERVICES AGREEMENT WITH OHM ADVISORS**

**Resolution No. 220314-09**

**(Carried)**

Motion by Councilmember Cramer  
Second by Councilmember Henry

**WHEREAS**, the City of Swartz Creek intends to apply for USDA loan and grant funds to complete the replacement of water main within the city; and

**WHEREAS**, an agreement for engineering services, outlining specific tasks and corresponding costs, is required as part of the submission to the USDA; and

**WHEREAS**, OHM Advisors has successfully and competently applied for, been awarded, and executed Phase I of the city's USDA water main program with the USDA.

**NOW THEREFORE, BE IT RESOLVED**, that the Swartz Creek City Council approves the Agreement Between Owner and Engineer For Professional Services Pertaining To USDA Water Loan, as included in the city council packet of March 14, 2022, and authorize and direct the Mayor to sign on behalf of the city.

**BE IT FURTHER RESOLVED**, that the Swartz Creek City Council authorize and direct the city manager to process and execute any and all documentation necessary to carry out the terms of the agreement.

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

NO: None. Motion Declared Carried.

**RESOLUTION TO APPROVE AGREEMENTS FOR THIRD PARTY CONSTRUCTION ENGINEERING SERVICES FOR AN MDOT FUNDED ROAD PROJECT**

**Resolution No. 220314-10**

**(Carried)**

Motion by Mayor Pro Tem Hicks  
Second by Councilmember Florence

**WHEREAS**, the City of Swartz Creek owns, operates, and maintains a system of major streets, including two bridges; and

**WHEREAS**, the city has been awarded funds by the MDOT to perform extensive rehabilitation to Morrish Road; and

**WHEREAS**, the MDOT is likely to accept the apparent low bid by Ace Asphalt to commence road work in April or May of 2022; and

**WHEREAS**, the MDOT requires construction engineering (CE) services to be performed, as well as affirmation of the status of that engineer as a third party to the original street project application; and

**WHEREAS**, OHM has been the city's primary pre-qualified federal engineering contract service provider on road projects.

**NOW, THEREFORE, BE IT RESOLVED** the City of Swartz Creek approves the construction engineering professional services agreement for Morrish Road, dated March 8, 2022.

**BE IT FURTHER RESOLVED** the City of Swartz Creek approves the third party MDOT agreement, as included in the March 14, 2022 city council packet .

**BE IT FURTHER RESOLVED**, that the City Council directs the Mayor to execute said agreements on behalf of the city and for the city treasurer to appropriate such design costs to the Major Street Fund.

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

NO: None. Motion Declared Carried.

**8002 MILLER ROAD LEASE**

**DISCUSSION**

Adam Zettel, City Manager, reviewed the options the council should consider with the tenant. The lease expires March 31<sup>st</sup>. Tenant currently owes March's rent which was due March 1<sup>st</sup>. Mr. Zettel request council's input.

Mayor Krueger stated the water/sewer is caught up, and hopefully with no Covid restrictions she will be able to keep up on rent.

Councilmember Cramer stated he had a business owner comment that they think the city is sending the wrong message by extending its hand many times.

Councilmember Henry feels that we don't have to decide until April that we wait until next meeting to see if the rent is paid before we decide. He does not want the rent to get past 30 days to start with court proceedings.

Councilmember Florence supports moving forward as we discussed and not allow deferments in payments and doesn't feel we should extend any months.

Mr. Zettel commented in past many options have been offered to tenant.

## **RESOLUTION TO APPROVE A PROPOSAL FOR BRIDGE INSPECTION SERVICES**

**Resolution No. 220314-11**

**(Amended)**

Motion by Councilmember Henry  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council amend agenda item 8A/resolution #220314-04 to \$450 per each.

***WHEREAS**, Rowe proposes to complete and submit bridge reports to the city and the MDOT for a fee of \$425 each.*

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

NO: None. Motion Declared Carried.

### **MEETING OPENED TO THE PUBLIC:**

Jim Barclay 8420 Cappy Lane, wonders why the flower shop hasn't been put up for sale since the tenant has defaulted. Mayor Krueger responded we didn't want an empty building. Mr. Barclay feels the city needs to sell the property. Mr. Barclay also noticed a car in the alley with no plate on it. He feels the city just needs to sell the property.

David Spillane 6498 Bristol Road, agrees with Mr. Barclay on the flower shop property. He wanted clarification on the SRTS on Bristol Road. Mr. Zettel responded the start of trail is at Dye Road connecting to current trail in Flint Township. Mr. Spillane also has concerns about the racetrack and cannabis uses. Mr. Zettel responded that the city has opted out. Mr. Spillane spoke on stormwater discharge and Mary Crapo being repurposed.

### **REMARKS BY COUNCILMEMBERS:**



Councilmember Pinkston spoke on a Swartz Creek connection with US Womens Soccer Team.

Councilmember Gilbert is concerned with a time conflict of the ZBA meeting. He also thinks we should keep thinking spring.

Mayor Pro Tem Hicks introduced Tammy Parenteau the new appointed Board of Review Member.

Councilmember Cramer is looking forward to spring weather. He also commented the Methodist Church on Morrish Road is not leaning toward selling the property.

Councilmember Henry wondered what happened to the properties in village that has damage due to snowplowing. Mr. Zettel responded new equipment and new employee.

Mayor Krueger reminded everyone that the Winds Symphony Concert is next Monday night at the PAC. The Swartz Creek Historical has spoken to him about being on their Board of Directors.

## **ADJOURNMENT**

**Resolution No. 220314-12**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Councilmember Cramer

**I Move** the Swartz Creek City Council adjourn the regular meeting of March 14, 2022 at 8:34 p.m.

Unanimous Voice Vote.

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**David A. Krueger, Mayor**

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**Connie Olger, City Clerk**