

**CITY OF SWARTZ CREEK  
SWARTZ CREEK, MICHIGAN  
MINUTES OF THE REGULAR COUNCIL MEETING  
DATE 04/11/2022**

The meeting was called to order at 7:03 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, City Attorney Chris Stritmatter.

Others Present: Lania Rocha, Andy Harris, Dan & Cheryl Spaniola, Paul Spaniola, Jared Oginsky.

Others Virtually Attended: None.

**APPROVAL OF MINUTES**

**Resolution No. 220411-01**

**(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 March 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. 220411-02**

**(Carried)**

Motion by Councilmember Henry  
Second by Councilmember Cramer

**I Move** the Swartz Creek City Council approve the Agenda as, presented for the Regular Council Meeting of April 11, 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. 220411-03**

**(Carried)**

Motion by Councilmember Cramer  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council accept the City Manager's Report of April 11, 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:**

### **USDA APPLICATION**

### **PUBLIC HEARING**

Open: 7:12 p.m.

Mr. Andy Harris, OHM Advisors, informed every one of the second phase USDA Rural Development Program and the public hearing is required. The goal is to secure either a low interest loan and or grant. Typical loan terms are 40 year/ 2-4 % interest. He reviewed the agenda then proceeded to discuss the project need, scope, environmental impacts, cost which the total estimated project cost is \$6,583,000. The schedule was reviewed, and we are currently working on the application process. We expect a final submittal around June 2022 with obligations of funds happening in July. Which means the designing can begin in July and be completed around November. Bid opening will be around January 2023, which can be flexible, and then phase II construction begin April 2023 and be completed October 2024. The 20-Year Plan was reviewed which completed the presentation.

Councilmember Henry questioned if Whitney Ct. line would be replaced. Mr. Harris responded he doesn't have a firm answer because they have a couple of options . Councilmember Cramer wanted to know what material would be used for the line. Mr. Harris responded ductile would be used. Councilmember Henry spoke of the lead time for the material. Councilmember Henry questioned what determines the grant versus

loan funding. Mr. Harris responded he believes it is the financial stability of the city and how it works out the loan to debt ratio. Mr. Zettel responded he believes one of the bigger factors is the ratio of water bills to median household income.

Closed: 7:30 p.m.

## RESOLUTION TO APPROVE COMMISSION APPOINTMENTS

### Resolution No. 220411-04

(Carried)

Motion by Councilmember Gilbert  
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 exists 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:

**#220411-4a**    **MAYOR APPOINTMENT:**                                 **Kenneth Brill**  
Board of Review-Alternate, City Resident  
Remainder of three year term, expiring June 30, 2024

**#220411-4b**    **MAYOR APPOINTMENT:**                                 **Krystle Lynch**  
Park Board, Resident  
Remainder of three year term, expiring June 30, 2022

Discussion Ensued.

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

NO: None. Motion Declared Carried.

## RESOLUTION TO APPROVE 5K FOOT RACE STREET PERMIT

### Resolution No. 220411-05

(Carried)

Motion by Councilmember Pinkston  
Second by Councilmember Cramer

**WHEREAS**, Riverbend Striders, Inc. and Swartz Creek Community Schools Cross Country Teams are recognized not-for profit entities that operate in Swartz Creek; and

**WHEREAS**, said organizations propose to continue the annual 5k road race that coincides with the Hometown Days Festival, and they therefore seek a permit to use the city streets on ~~May 30, 2019~~ June 2, 2022; and

**WHEREAS**, the City Council finds those organizations and the event to be beneficial to the public and in good standing.

**NOW, THEREFORE BE IT RESOLVED** that the City of Swartz Creek hereby approves the application for a street usage permit to conduct a 5 kilometer foot road race on Thursday, June 2, 2022, 6:00 PM – 7:30 PM, applicant: the Riverbend Striders, Inc., care of ~~Janet Wallen~~ Chris Roney, race to be held in Winchester Village Subdivision, in accordance with the application submitted, under the direction and control of the Chief of Police and contingent upon the provision of valid insurance listing the City of Swartz Creek as an additionally insured party.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

## **RESOLUTION TO APPROVE A CONTRACT AMENDMENT WITH THE MDOT AND DESIGNATION OF SIGNATORY**

**Resolution No. 220411-06**

**(Carried)**

Motion by Councilmember Florence

Second by Councilmember Henry

**WHEREAS**, the City of Swartz Creek owns, operates, and maintains a system of major and local streets, some of which qualify for federal funds, as supplied by the State of Michigan MDOT via the Genesee County Traffic Improvement Program; and

**WHEREAS**, the City has been awarded such funds to rehabilitate Morrish Road, from Bristol to Miller Road, in the amount of \$642,201; and

**WHEREAS**, the project has been let for bids by the MDOT, and a contract was approved that set basic terms and conditions of the project and its funding, including the establishment of designated signers; and

**WHEREAS**, the MDOT is now agreeable to including construction engineering and observation as a federally eligible expense.

**NOW, THEREFORE, BE IT RESOLVED**, the Swartz Creek City Council accepts the MDOT Contract Amendment #22-5157, Control Section Number STU 25000, Job Number 207635CON.

**BE IT FURTHER RESOLVED**, the Swartz Creek City Council designates Mayor David A. Krueger and Clerk Connie Olger as signatories for the MDOT contract.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

**RESOLUTION TO APPROVE A BID FOR THE PURCHASE AND APPLICATION OF WOODCHIPS TO ELMS AND ABRAMS PARK**

**Resolution No. 220411-07**

**(Carried)**

Motion by Councilmember Henry  
Second by Councilmember Florence

**WHEREAS**, the City of Swartz Creek owns, operates, and maintains park play equipment that requires a safety surface suitable to reasonably protect children from falls; and

**WHEREAS**, there is a recognized need to apply additional protective barrier to the play areas, since the woodchip product degrades over time; and

**WHEREAS**, the city finds that the engineered wood fiber chips that have been used in the past to be the most practical product; and

**WHEREAS**, the city has created specifications and received bids for the purchase and application of the product.

**NOW, THEREFORE, BE IT RESOLVED**, the Swartz Creek City Council accepts the low bid from Superior Groundcover in the amount of \$11,600, as a unit cost bid.

**BE IT FURTHER RESOLVED**, the Swartz Creek City Council directs the city manager to create a standard contractor's agreement and execute such agreement on behalf of the city.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

**RESOLUTION TO ENTER CLOSED SESSION TO CONSIDER REAL ESTATE (ROLL CALL VOTE)**

**Resolution No. 220411-08**

**(Carried)**

Motion by Councilmember Cramer  
Second by Councilmember Florence

**WHEREAS**, the City of Swartz Creek City Council and City Attorney desire to consider options related to the sale or lease of real property, and;

**WHEREAS**, the MCL 15.268(d) permits a governing body to enter a closed session to consult with the city attorney regarding the lease of real property.

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

**RESOLUTION TO ENTER BACK INTO REGULAR COUNCIL MEETING SESSION**

**Resolution No. 220411-09**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Councilmember Florence

**I Move** the Swartz Creek City Council enter back into regular council meeting session.

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

**MEETING OPENED TO THE PUBLIC:**

Jared Oginsky wants to know what he can do to keep the Car Cruise going. Mr. Zettel responded that whatever group that is going to hold the event will have to complete a new permit and it will have to come back to council for approval.

**REMARKS BY COUNCILMEMBERS:**

Councilmember Pinkston some residents on Chelmsford approaches are cracked.

Councilmember Henry will the temporary stop signs at Greenleaf & Durwood be replaced. Mr. Zettel responded he doesn't have a timeline on it.

Councilmember Gilbert questioned about the overhead wires between the bank and the insurance office on Fortino Drive. Mr. Zettel responded that he will look into it. Mr. Gilbert also voiced his concerns on the alley structure at Jamison's and if it will continue if the business is sold. Mr. Zettel responded he feels since it was approved that it will stay until the expiration of the resolution. Mr. Gilbert commented he still gets complaints on the townhomes on Fortino/Morrish.

Councilmember Cramer invited everyone to a fundraiser, prime rib dinner, at the Masonic Temple on May 15<sup>th</sup>, 5-8 p.m. for the Swartz Creek Area Food Basket.

Mayor Pro Tem Hicks updated council on the Women's Club events.

Mayor Krueger commented on the beautiful day we had today.

## **ADJOURNMENT**

**Resolution No. 220411-10**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Councilmember Cramer

**I Move** the Swartz Creek City Council adjourn the regular meeting at 8:50 p.m.

Unanimous Voice Vote.

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**David A. Krueger, Mayor**

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**Connie Olger, City Clerk**