

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE 08/22/2022**

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.

Others Present: Lania Rocha, Fire Chief Dave Plumb, Rob Merinsky, Lt. Mike Murphy.

Others Virtually Attended: None.

APPROVAL OF MINUTES

Resolution No. 220822-01 **(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 August 08, 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. 220822-02 **(Carried)**

Motion by Councilmember Henry
Second by Councilmember Florence

I Move the Swartz Creek City Council approve the Agenda as, amended for the Regular Council Meeting of August 22, 2022, to be circulated and placed on file.

Discussion Ensued.

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

CITY MANAGER’S REPORT

Resolution No. 220822-03

(Carried)

Motion by Councilmember Cramer
Second by Councilmember Gilbert

I Move the Swartz Creek City Council accept the City Manager’s Report of August 22, 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:

******Master Resolution******

**RESOLUTION TO APPROVE A FESTIVAL PERMIT FOR JEEPERS CREEKERS
EVENTS IN OCTOBER OF 2022**

Resolution No. 220822-04

(Carried)

Motion by Mayor Pro Tem Hicks
Second by Councilmember Cramer

WHEREAS, the Jeepers Creekers (JC) organization is a recognized charitable entity that operates in Swartz Creek; and

WHEREAS, JC is seeking permits and approvals to operate an annual festival on private and public grounds within the city, including a parade, live music, foot race, market, food service, a movie, and numerous other activities; and

WHEREAS, the City Council finds the Jeepers Creekers organization and the event to be beneficial to the public and in good standing; and

WHEREAS, Section 20.01.G of Appendix A of the City Code of Ordinances provides for conditions of approval for a festival within the city, provided that the

duration is less than 10 days, the operator is a charitable entity, and city council approval is required.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek hereby approves Resolutions/Motions 220822-4A1 through 220822-4A3, allowing for the various permits related to the annual Swartz Creek Jeepers Creekers festival, to be held on Saturday, October 8, 2022, inclusive of all stipulations and conditions as specified and listed within, including the provision of valid insurance that lists the City of Swartz Creek as an additionally insured party for all events.

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

NO: None. Motion Declared Carried.

JEEPERS CREEKERS, STREET FESTIVAL, GENERAL STREET & PROPERTY USE PERMITS

Resolution No. 220822-04A1

I Move the City of Swartz Creek approve and authorize the Jeepers Creeker's application for street closing and City property use permits for the following locations:

1. 5012 Holland Drive
2. Miller Road (Morrish to Hayes)
3. Holland between Miller and Ingalls
4. General Street Permit for a footrace (no street closures are required)

Street and City property use subject to the following stipulations:

1. Insurance certificate naming the City as insured in the amount not less than \$1,000,000.00 (One-Million Dollars)
2. Sufficient number of portable bathrooms placed and located, and litter control program in accordance and under the approval of Director of Community Services.
3. Approval by the Chief of Police. Traffic control and pedestrian safety plan in accordance with and under the approval of office of Chief of Police.

JEEPERS CREEKERS, STREET USAGE PERMIT

Resolution No. 220822-04A2

I Move the Swartz Creek City Council approve and authorize the Jeepers Creeker's application for street closing / usage permit for Saturday, October 8, 2022 from 9:00 a.m. until 10:00 p.m. for purposes of conducting a festival, including

market vendors and an outdoor movie, on Holland Drive and in Holland Square under the following stipulations:

1. Insurance certificate naming the City as an additional insured party in the amount not less than \$1,000,000.00 (One Million Dollars).
2. General approval, and under the direction and control of the Office of the Chief of Police.

JEEPERS CREEKERS, STREET USAGE PERMIT

Resolution No. 220822-04A3

I Move the Swartz Creek City Council approve and authorize the Jeepers Creeker's application for street closing / usage permit for Saturday, October 8, 2022 from 4:00 p.m. until 9:00 p.m. for purposes of conducting a festival on Miller Road (Morrish to Hayes), Holland Drive, and in Holland Square under the following stipulations:

1. Insurance certificate naming the City as an additional insured party in the amount not less than \$1,000,000.00 (One Million Dollars).
2. General approval, and under the direction and control of the Office of the Chief of Police.

RESOLUTION TO APPROVE COMMISSION APPOINTMENTS

Resolution No. 220822-05

(Carried)

Motion by Councilmember Gilbert
Second by Mayor Pro Tem Hicks

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 officers 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 a vacancies in such positions; and

WHEREAS, said appointments are a 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:

#220822-05C1 **MAYOR APPOINTMENT:**
Planning Commission

Three year term, expiring June 30, 2025

- #220822-05C2** **MAYOR APPOINTMENT:** **James Barclay**
Downtown Development Authority
Remainder of four year term, expiring June 30, 2025
- #220822-05C3** **MAYOR APPOINTMENT:** **Chad Toms**
Downtown Development Authority
Remainder of four year term, expiring June 30, 2025
- #220822-05C4** **MAYOR APPOINTMENT:** **Douglas Stephens**
Board of Review
Remainder of three year term, expiring June 30, 2023
- #220822-05C5** **MAYOR APPOINTMENT:** _____
Genesee County Metropolitan Alliance
Remainder of two year term, expiring November 22, 2022
- #220822-05C6** **MAYOR APPOINTMENT:** **George Hicks**
Zoning Board of Appeals
Remainder of three year term, expiring June 30, 2024
- #220822-05C7** **MAYOR APPOINTMENT:** **Tammy Parenteau**
Board of Review
Remainder of three year term, expiring June 30, 2023

Discussion Ensued.

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

RESOLUTION TO APPROVE ADDITIONAL PAVING SERVICES FOR THE CIVIC PARKING LOT

Resolution No. 220822-06

(Carried)

Motion by Councilmember Pinkston
Second by Councilmember Henry

WHEREAS, the city owns, operates and maintains a municipal parking lot that services the city offices, library, and senior center; and

WHEREAS, the city approved a competitive bid to resurface the lot with 2" of asphalt for \$96,000; and

WHEREAS, further investigation by the contractor and staff indicate that the repair method will be inefficient due to the severity of the base deterioration; and

WHEREAS, the contractor has provided a price for 4" of new asphalt over a pulverized base, that price being \$160,500; and

WHEREAS, the Swartz Creek Area Senior Center Board has committed to contributing \$10,000, and the city has funds dedicated to Elms Park tennis court maintenance that is unlikely to be available in the fiscal year.

NOW, THEREFORE, BE IT RESOLVED, the City of Swartz Creek City Council approves the scope change for the municipal parking lot, dated July 8, 2022, and authorizes and directs the city treasurer to apportion funds from Elms Park to cover the additional expenses.

Discussion Ensued.

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

RESOLUTION TO APPROVE THE FISCAL YEAR 2023 BUDGET FOR THE FIRE DEPARTMENT

Resolution No. 220822-07

(Carried)

Motion by Councilmember Florence
Second by Councilmember Cramer

WHEREAS, the agreement for fire service between Clayton Township and Swartz Creek City indicates a specific process for budgetary review and approval by the municipalities; and,

WHEREAS, the staff of Clayton Township and the Swartz Creek City have found the proposed budget to be acceptable by both parties; and,

WHEREAS, the Swartz Creek Fire Board affirmed the proposed budget at their regular meeting on August 15, 2022.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Swartz Creek approve the Fiscal Year 2023 Swartz Creek Area Fire Board Budget, a copy of which is attached hereto, gross maximum total not to exceed \$348,627.90, to be paid commensurate of the agreement between the City of Swartz Creek and the Township of Clayton, payment being the City's obligation of one-half of the proposed total budget.

Discussion Ensued.

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

RESOLUTION TO APPROVE AN AMENDMENT TO THE USDA ENGINEERING AGREEMENT

Resolution No. 220822-08

(Carried)

Motion by Councilmember Henry
Second by Councilmember Cramer

WHEREAS, the City of Swartz Creek received a USDA grant and loan to replaced water main in the city; and,

WHEREAS, the City engaged engineering services under USDA parameters and acceptable pricing; and,

WHEREAS, the USDA expanded to include additional construction, restoration, and related features, which required additional engineering services; and

WHEREAS, there are unspent grant funds that the USDA has approved for expense towards additional water main, restoration, spare parts, and engineering; and

WHEREAS, the USDA requires an amendment to the engineering service agreement to release engineering funds.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Swartz Creek City Council approve the Amendment to Owner-Engineer Agreement, originally dated July 8, 2019, with the amendment included in the August 22, 2022 city council packet, in the amount of \$45,000, funds to be expensed and receipted to the water fund.

Discussion Ensued.

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

BICENTENNIAL PARK NAME AMENDMENT

Resolution No. 220822-09

(Carried)

Motion by Councilmember Cramer
Second by Mayor Pro Tem Hicks

I Move the Swartz Creek City Council amend the name of Shumaker Bicentennial Park to Michael R. Shumaker Bicentennial Park.

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

MEETING OPENED TO THE PUBLIC:

Fire Chief Plumb thanked the council for approving the budget.

REMARKS BY COUNCILMEMBERS:

Councilmember Henry wanted everyone to know that Mr. Zettel did win the Michigan Transportation Asset Management Council Carmine Palombo Achievement Award. Mr. Zettel thanked everyone and noted that this was a community effort that should be recognized.

Councilmember Cramer invited everyone to the October 1st fundraiser for Officer Storms at the American Legion 5-8 pm.

Mayor Pro Tem Hicks thanked Mr. Henry, Jim Barclay, Trudy Plumb, George Hicks, SCFD & the Disc Golf Group for their help with the Slip & Slide Event. She also invited everyone to the next Park Board meeting, September 7th at 5:30 pm. at Michael R. Shumaker Bicentennial Park.

Councilmember Gilbert requested prayers for his wife.

Councilmember Pinkston mentioned that there is a GoFundMe account for Officer Storms.

Mayor Krueger thanked everyone for their support

ADJOURNMENT

Resolution No. 220822-10

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Cramer

I Move the Swartz Creek City Council adjourn the regular meeting at 7:59 p.m.

Unanimous Voice Vote.

David A. Krueger, Mayor

Connie Olger, City Clerk