

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE 10/10/2022**

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, Douglas Ford, Jared Oginsky, Jason Dover, David Spillane, M. McLanahan, Mark Branoff.

Others Virtually Attended: None.

APPROVAL OF MINUTES

Resolution No. 221010-01

(Carried)

Motion by Councilmember Florence
Second by Councilmember Henry

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday September 26, 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. 221010-02

(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 October 10, 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. 221010-03

(Carried)

Motion by Councilmember Cramer
Second by Councilmember Gilbert

I Move the Swartz Creek City Council accept the City Manager's Report of October 10, 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:

DDA PLAN AMENDMENT

PUBLIC HEARING

Open 7:07 p.m.

Mr. Zettel explained that we are at the procedural point of the process now. The DDA approved the plan at the September meeting and now we are having the public hearing tonight at council. September 12th notices were sent, and the plan distributed. Mayor Krueger asked the council if there was anyone who wanted to discuss the plan now is the time.

David Spillane wanted to know if there was a plan for a grow facility in the plan. Mr. Zettel responded that the city has actively said no to all marihuana options. He has had conversations with the owner of the racetrack, and it has been about an industrial park. Councilmember Cramer remarked that we did have a representative from the marihuana industry come to a council meeting and council let them know the city has opted out of that industry. Mr. Zettel commented that the racetrack owner has a good relationship with the city and is willing to work in the community's best interest on something that compliments downtown.

Closed 7:14 p.m.

RESOLUTION TO APPROVE A SITE LICENSE AGREEMENT TO INSTALL AND OPERATE WIRELESS UTILITY METER READING EQUIPMENT

Resolution No. 221010-04

(Carried)

Motion by Mayor Pro Tem Hicks
Second by Councilmember Florence

WHEREAS, the City of Swartz Creek owns, operates, and maintains water distribution and sewer collection systems; and

WHEREAS, the City is pursuing technological improvements to enable ~~make~~ real time reading of such meters practical, providing for leak detection, immediate final reads, and efficient quarterly billing; and

WHEREAS, the equipment will be installed on a private tower on city property located at 4355 Elms Road; and

WHEREAS, the owner of said tower has reviewed the city’s equipment and use parameters and has permitted said use, conditioned upon a site license agreement.

NOW, THEREFORE, BE IT RESOLVED the City of Swartz Creek approves the site license agreement as included in the October 10, 2022 city council packet and further authorizes and directs the Mayor to execute said license on behalf of the city, conditioned upon review of the city attorney. -

Discussion Ensued.

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

RESOLUTION TO APPROVE THE SWARTZ CREEK AREA CHAMBER OF COMMERCE TRUNK OR TREAT GENERAL STREET & PROPERTY USE PERMITS

Resolution No. 221010-05

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Henry

I Move the City of Swartz Creek approve and authorize the Swartz Creek Area Chamber of Commerce’s application for street closing and City property use permits for the following locations:

- 1. 5012 Holland Drive
- 2. Holland between Miller and Ingalls

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.

SWARTZ CREEK CHAMBER, HOLLAND SQUARE USAGE PERMIT

I Move the Swartz Creek City Council approve and authorize the Swartz Creek Area Chamber of Commerce, Inc's application for use of Holland Square from 11:30am to 3:30pm on Sunday, October 30, 2022 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.
3. Adherence to the city's event and public plaza usage procedures

SWARTZ CREEK CHAMBER, STREET USAGE PERMIT

I Move the Swartz Creek City Council approve and authorize the Swartz Creek Area Chamber of Commerce, Inc's application for street closing / usage permit for Holland Drive, from 11:30am to 3:30pm on Sunday, October 30, 2022, 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.
3. Adherence to the city's street closure and usage procedures.

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

NO: None. Motion Declared Carried.

ROAD AND USDA BORROWING

DISCUSSION

Mr. Zettel discussed some of the challenges we are facing and ones we likely could face. We are now entering Phase II of the watermain replacement. The USDA process is very objective and predictable. We already have a general obligation letter from USDA which indicates they will fund our Phase II estimated expenses to replace that watermain at an interest rate of 2.625% with an estimated annual debt service of \$279,000 and some change. The scope of street work we are proposing to do is necessary to bond for that as

well. The USDA construction is necessary to be completed in a 2-year period. So, if we are going to do the street work with the USDA construction, we must borrow street funds. We are finalizing the engineering and next a financial advisor will attend a council meeting and request council engage for the resolution of intent to borrow.

FUND BALANCE POLICY

DISCUSSION

Mr. Zettel noted we have been practicing a sound fund balance policy with our budget for years. We need a fund balance written policy. He would like the council to review the draft that is in the packet . His intent is to bring it back to the council after the audit meeting sometime in November.

MEETING OPENED TO THE PUBLIC:

David Spillane 6498 Bristol Road questioned if we carry over any pluses to the next fiscal year. Mr. Zettel responded we zero out, but some things can be encumbered.

REMARKS BY COUNCILMEMBERS:

Councilmember Gilbert questioned why there was silk fencing along Heritage. Mr. Zettel responded that the project is not complete, and restoration probably won't be done until spring.

Mayor Pro Tem Hicks passed out a pamphlet and a ribbon for domestic violence awareness.

Councilmember Cramer commented the fundraiser on Oct. 1st for Officer Storms was very successful and they raised over \$5000. Back the Badge signs are for sale if anyone is interested in one.

Councilmember Henry remarked the Jeepers Creekers event well. Mundy Twp. is having a park event October 22nd, Euchre at St. Mary's October 21st @ 6:30 pm. The parade was nice and congrats to the football team for the homecoming game win.

Councilmember Florence is pleased with the weather we have had the last couple of days.

Mayor Krueger remarked the Jeepers Creekers events went well. Lania responded they had over 1000 kids come through the trunk or treat. Mayor commented that the new barricades were blowing over because they were light. He thanked everyone for coming to the meeting tonight.

ADJOURNMENT

Resolution No. 221010-06

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Cramer

I Move the Swartz Creek City Council adjourn the regular meeting of October 10, 2022
at 8:15 p.m.

Unanimous Voice Vote.

David A. Krueger, Mayor

Connie Olger, City Clerk