

**CITY OF SWARTZ CREEK  
SWARTZ CREEK, MICHIGAN  
MINUTES OF THE REGULAR COUNCIL MEETING  
DATE 11/28/2022**

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, Spillane, Gilbert, Hicks, Krueger, Pinkston, Henry.

Councilmembers Absent: None.

Staff Present: City Manager Adam Zettel, Clerk Connie Olger.

Others Present: Ken Brill, Fire Chief Plumb, Metro PD Chief Bade, M. McLanahan, Walt Melen, Rob Merinsky, Kristi Majestic.

Others Virtually Attended: Lania Rocha, City Treasurer Deanna Korth.

**APPROVAL OF MINUTES**

**Resolution No. 221128-01**

**(Carried)**

Motion by Councilmember Spillane  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday November 14, 2022, to be circulated and placed on file.

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

**APPROVAL OF AGENDA**

**Resolution No. 221128-02**

**(Carried)**

Motion by Councilmember Henry  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council approve the Agenda as, printed for the Regular Council Meeting of November 28, 2022, to be circulated and placed on file.

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

## **CITY MANAGER'S REPORT**

### **Resolution No. 221128-03**

**(Carried)**

Motion by Councilmember Cramer  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council accept the City Manager's Report of November 28, 2022, including reports and communications to be circulated and placed on file.

Discussion Ensued.

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

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

Kristi Majestic 7120 Parkridge Parkway would like to know if the parking ordinance regarding parking over sidewalks could be amended. She suggested possibly allowing parking over sidewalks during the hours of 9pm to 6am. Mr. Zettel responded it is a state law, but he has spoken with Chief Bade about enforcement guidelines.

## **COUNCIL BUSINESS:**

### **RESOLUTION TO APPROVE COMMISSION APPOINTMENTS**

#### **Resolution No. 221128-04**

**(Carried)**

Motion by Mayor Pro Tem Hicks  
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 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 vacancies in such positions; and

**WHEREAS**, said appointments are a Mayoral appointment, subject by 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:

- #221128-4A1 **MAYOR APPOINTMENT:** **John Gilbert**  
Genesee County Metropolitan Alliance – Delegate  
Two year term, expiring November 25, 2024
- #221128-4A2 **MAYOR APPOINTMENT:** **Charles Campbell**  
Genesee County Metropolitan Alliance – Citizen Rep  
Two year term, expiring November 25, 2024
- #221128-4A3 **MAYOR APPOINTMENT:** **Nate Henry**  
Genesee County Metropolitan Alliance – Alternate  
Two year term, expiring November 25, 2024
- #221128-4A4 **MAYOR APPOINTMENT:** **Autumn Jesme**  
Downtown Development Authority - Resident  
Remainder of four year term, expiring March 31, 2026
- #221128-4A5 **MAYOR APPOINTMENT:** **Rae Lynn Hicks**  
Swartz Creek Area Fire Board – Council Rep  
Two year term, expiring November 25, 2024
- #221128-4A6 **MAYOR APPOINTMENT:** **John Gilbert**  
Swartz Creek Area Fire Board – Council Rep  
Two year term, expiring November 25, 2024
- #221128-4A7 **MAYOR APPOINTMENT:** **John Knickerbocker**  
Swartz Creek Area Fire Board – Citizen Rep  
Two term, expiring November 25, 2024
- #221128-4A8 **MAYOR APPOINTMENT:** **Michael Treiger**  
Swartz Creek Area Fire Board – Citizen Rep – Swing Seat  
Remainder of one year term, expiring March 31, 2023
- #221128-4A9 **MAYOR APPOINTMENT:** **Nate Henry**  
Small Cities – Council Rep  
Four year term, expiring November 25, 2024
- #221128-4A10 **MAYOR APPOINTMENT:** **Dave Krueger**  
Small Cities – Council Rep Alternate  
Four year term, expiring November 25, 2024
- #221128-4A11 **MAYOR APPOINTMENT:** **John Gilbert**  
GAIN Auto Theft Unit – Council Rep  
Two year term, expiring November 25, 2024
- #221128-4A12 **MAYOR APPOINTMENT:** **Dennis Cramer**  
GAIN Auto Theft Unit – Alternate  
Two year term, expiring November 25, 2024
- #221128-4A13 **MAYOR APPOINTMENT:** **Dennis Cramer**

Flint Area Narcotics Group – Council Rep  
Two year term, expiring November 25, 2024

#221128-4A14 **MAYOR APPOINTMENT:** **John Gilbert**  
Flint Area Narcotics Group – Alternate  
Two year term, expiring November 25, 2024

#221128-4A15 **MAYOR APPOINTMENT:** **Nate Henry**  
Planning Commission – Council Rep  
Two year term, expiring November 25, 2024

#221128-4A16 **MAYOR APPOINTMENT:** **John Gilbert**  
Zoning Board of Appeals – Council Rep  
Two year term, expiring November 25, 2024

#221128-4A17 **MAYOR APPOINTMENT:** **Walt Melen**  
ZBA Alternate  
Remainder of Three year term, expiring June 30, 2025

#221128-4A18 **MAYOR APPOINTMENT:** **Robert Bincsik**  
Water/Waste Services – Staff Delegate  
Two year term, expiring November 25, 2024

#221128-4A19 **MAYOR APPOINTMENT:** **Adam Zettel**  
Water/Waste Services – Staff Delegate Alternate  
Two year term, expiring November 25, 2024

#221128-4A20 **MAYOR APPOINTMENT:** **Robert Bincsik**  
Street Administrator – Staff Delegate  
Two year term, expiring November 25, 2024

#221128-4A21 **MAYOR APPOINTMENT:** **Adam Zettel**  
Street Administrator – Staff Delegate Alternate  
Two year term, expiring November 25, 2024

#221128-4A22 **MAYOR APPOINTMENT:** **Adam Zettel**  
911 Consortium – Staff Delegate  
Two year term, expiring November 25, 2024

#221128-4A23 **MAYOR APPOINTMENT:** **Dave Krueger**  
911 Consortium – Alternate  
Two year term, expiring November 25, 2024

Discussion Ensued.

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

## **RESOLUTION TO APPROVE A FUND BALANCE POLICY FOR THE CITY OF SWARTZ CREEK BUDGET PROCESS**

**Resolution No. 221128-05**

**(Carried)**

Motion by Councilmember Gilbert

Second by Councilmember Cramer

**WHEREAS**, the Swartz Creek City Council is required to approve a budget in accordance with the General Appropriations Act and Uniform Budgeting and Accounting Act; and

**WHEREAS**, it is advisable that the existing fund balances for budgeted funds be reviewed to ensure that the collection and expenditure of funds is sufficient to account for cash flows, emergencies, and capital outlays; and

**WHEREAS**, the city auditors and bonding underwriters further advise the adoption of a fund balance policy; and

**WHEREAS**, the Swartz Creek City Council has been observing various fund balance policies in prior budgets and desires to formalize such practices in a fund balance policy.

**THEREFORE BE IT RESOLVED**, the Swartz Creek City Council hereby approve the Fund Balance and Reserve Policy as included in the November 28, 2022 city council packet.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

## **RESOLUTION TO APPROVE A DATA SHARING AGREEMENT WITH THE STATE OF MICHIGAN DEPARTMENT OF STATE**

**Resolution No. 221128-06**

**(Carried)**

Motion by Councilmember Pinkston  
Second by Councilmember Henry

**WHEREAS**, the City of Swartz Creek employs staff that are required to maintain a valid Michigan Commercial Drivers License (Class B) in order to operate specific city-owned vehicles in the routine execution of essential services; and,

**WHEREAS**, the City must ensure that such employees continue to hold their license, endorsements, and safe driving records in order to protect the public and to effectively deliver services; and,

**WHEREAS**, the State of Michigan Department of State offers a subscription services to regularly provide such information to the city, upon execution of the standard agreement.

**NOW THEREFORE, BE IT RESOLVED** that the Swartz Creek City Council hereby approves the Data Sharing Agreement between the Michigan Department of State and the City of Swartz Creek for Subscription Service and authorizes and directs the City Clerk to execute said agreement on behalf of the city.

Discussion Ensued.

YES: Henry, Spillane, Gilbert, Hicks, Krueger, Pinkston.  
NO: Cramer. Motion Declared Carried.

**RESOLUTION TO APPROVE PROFESSIONAL SERVICES RELATED TO ZONING, COMMUNITY DEVELOPMENT, AND TRAINING**

**Resolution No. 221128-07**

**(Carried)**

Motion by Councilmember Spillane  
Second by Councilmember Gilbert

**WHEREAS**, the City of Swartz Creek is a certified Redevelopment Ready Community under the guidelines and expectations of the Michigan Economic Development Corporation; and

**WHEREAS**, the MEDC has supplied the city with resources to update its master plan, zoning, and economic development plans, provided that the city maintains best practices of the RRC program; and

**WHEREAS**, the City has completed a master plan update in 2022 and expects to approve its DDA plan in December of 2022; and.

**WHEREAS**, the updated planning documents include proposed zoning changes, design guidelines, and incentives that need to be formalized in various zoning ordinances, incentive policies, and guidance documents; and.

**WHEREAS**, the training of planning commissioners, ZBA members, and DDA members has been more challenging since the onset of COVID.

**NOW, THEREFORE BE IT RESOLVED**, the Swartz Creek City Council hereby approves the professional services as outlined by CIB Planning in their letter dated November 9, 2022 and included in the November 28 city council meeting.

Discussion Ensued.

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

**RESOLUTION TO EXTEND BUDGETING FOR MEDICAL RUNS BY THE SWARTZ CREEK AREA FIRE DEPARTMENT**

**Resolution No. 221128-08**

**(Carried)**

Motion by Councilmember Henry  
Second by Councilmember Cramer

**WHEREAS**, the City of Swartz Creek and Clayton Township operate a joint fire department pursuant to the provision of MSA 5.2640(6), in which a joint board has been established to operate the fire department; and

**WHEREAS**, The Swartz Creek Area Fire Board oversees the operation of the joint department under the applicable interlocal agreement, bylaws, and budget that are adopted by the two municipalities; and

**WHEREAS**, the municipalities consenting to the addition of medical run services by the Board for calendar year 2022; and

**WHEREAS**, the Board Chief desires to debrief on the first year of service and deliberate the merits of continuing such service; and

**WHEREAS**, the Swartz Creek City Council finds it to be in the best interest to continue to budget medical runs by the Swartz Creek Area Fire Department.

**NOW, THEREFORE, BE IT RESOLVED** the Swartz Creek City Council hereby approves and affirms the operation of medical runs by the Swartz Creek Area Fire Department, as budgeted and include an annual review of the program.

Discussion Ensued.

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

**FIRE DEPARTMENT EQUIPMENT OUTLOOK**

**DISCUSSION**

Fire Chief Plumb spoke of the department's aging fleet, with 2 trucks currently having issues. The Chief and the fire board agreed to bypass the bid process due to the length of time to get a new truck which is approximately 14-15 months. The approximate purchase price of the pumper ~~tanker~~ is \$850,000. He just wanted to inform the council of the upcoming purchase.

**MEETING OPENED TO THE PUBLIC:**

None.

**REMARKS BY COUNCILMEMBERS:**

Mayor Pro Tem Hicks wanted to thank all the citizens who volunteered their time to the commissions and appointments.

Councilmember Cramer updated everyone on his meeting with Senator Elect John Cherry.

Councilmember Henry reminded everyone that we have a parade this Saturday, December 3<sup>rd</sup> @ 6 pm.

Councilmember Spillane noticed that Elms Park gates were never opened yesterday but this morning they were open at 5:30 a.m. He inquired if there was a set time for opening and closing the gates. Chief Bade replied to call 911 if you notice they aren't opened or closed. There was also discussion about a property regarding marijuana growing and a section of the trail on Miller Road that still has work to be done on it.

Mayor Krueger hoped everyone had a wonderful Thanksgiving. The parade is on Saturday and December 12<sup>th</sup> at 7:30pm is the concert at the PAC and our meeting will be at 6pm instead of 7pm.

## **ADJOURNMENT**

**Resolution No. 221128-09**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Councilmember Henry

**I Move** the Swartz Creek City Council adjourn the regular meeting of November 28, 2022 at 8:42 p.m.

Unanimous Voice Vote.

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**David A. Krueger, Mayor**

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**Connie Olger, City Clerk**