

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE 01/09/2023**

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, Henry.

Councilmembers Absent: Vacant.

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

Others Present: Jim Barclay, Ken & Sandi Brill, Boots Abrams, Dave Plumb, John Knickerbocker, Rob Merinsky, Tom Spillane.

Others Virtually Attended: Lania Rocha, Walt Melen.

APPROVAL OF MINUTES

Resolution No. 230109-01

(Carried)

Motion by Councilmember Henry
Second by Councilmember Cramer

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday December 12, 2022, to be circulated and placed on file.

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

APPROVAL OF AGENDA

Resolution No. 230109-02

(Carried)

Motion by Councilmember Henry
Second by Councilmember Cramer

I Move the Swartz Creek City Council approve the Agenda as amended for the Regular Council Meeting of January 9, 2023, to be circulated and placed on file.

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

NO: None. Motion Declared Carried.

CITY MANAGER’S REPORT

Resolution No. 230109-03

(Carried)

Motion by Councilmember Cramer
Second by Councilmember Gilbert

I Move the Swartz Creek City Council accept the City Manager’s Report of January 9, 2023, including reports and communications to be circulated and placed on file.

Discussion Ensued.

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

MEETING OPENED TO THE PUBLIC:

None.

COUNCIL BUSINESS:

RESOLUTION TO FILL CITY COUNCIL VACANCY

Resolution No. 230109-04

(Carried)

Nomination of John Knickerbocker by Councilmember Gilbert for First Ward Swartz Creek City Council Member.

Nomination of Ken Brill by Councilmember Spillane for First Ward Swartz Creek City Council Member.

Vote:

Councilmember	Krueger:	Knickerbocker
Councilmember	Henry:	Knickerbocker
Councilmember	Cramer:	Knickerbocker
Councilmember	Spillane:	Brill
Councilmember	Gilbert:	Knickerbocker
Councilmember	Hicks:	Knickerbocker

Elected (*Minimum 4 Votes Needed*): Knickerbocker

RESOLUTION TO APPROVE AN EXPANDED USE RESERVATION AND PARK

FEE/DEPOSIT WAIVER FOR USE OF ELMS PARK FOR A NON-PROFIT ART EVENT

Resolution No. 230109-05

(Carried)

Motion by Mayor Pro Tem Hicks
Second by Councilmember Cramer

WHEREAS, the City of Swartz Creek requires park usage reservations and fees in accordance with adopted rules and regulations; and

WHEREAS, the Swartz Creek Kiwanis Club, in conjunction with the Swartz Creek Area Art Guild and Women’s Club is proposing an expanded park use reservation for Elms Park August 18-19, 2023 for the purpose of holding a public art fair; and

WHEREAS, all three groups are recognized non-profits operating in Swartz Creek that meet the requirements for an expanded use reservation; and

WHEREAS, the city park rules and regulations states that “fees may be waived in full if reservations by a non-profit are found to result in a public benefit directly or if proceeds from the reserved event are found to be a benefit to the city.”; and

WHEREAS, the City Council finds the Swartz Creek Kiwanis Club, partnered with the Swartz Creek Area Art Guild and Women’s Club, to be a qualifying group with a qualifying activity.

NOW, THEREFORE, BE IT RESOLVED, the Swartz Creek City Council hereby approves the expanded use reservation of the Swartz Creek Kiwanis Club and waives all fees for the August 18-19, 2023 reservation in Elms Park.

Discussion Ensued.

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

RESOLUTION TO AUTHORIZE THE JOINT PURCHASE OF A NEW FIRE TRUCK FOR THE SWARTZ CREEK AREA FIRE DEPARTMENT

Resolution No. 230109-06

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Cramer

WHEREAS, the city operates a joint fire department with Clayton Township and such department has a board that functions in accordance with the terms and

conditions set in the interlocal agreement as approved pursuant to the Urban Cooperation Act of 1967, MCL 124.501 et al; and

WHEREAS, the board has analyzed the need for replacement of Fire Engines 21 or 22 in the near future; and

WHEREAS, the department, with approval of the municipalities, sought quotes for an engine based upon delivery time instead of price and recommends approval of a new engine for the price of \$910,954 with a city share of \$455,477; and

WHEREAS, the equipment need has been planned for by both participating municipalities, however the purchase timeline advancement requires payment sooner than the budget plan provides for adequate funds; and

WHEREAS, the city has been presented with the equipment needs of the fire department and concurs with the findings and recommendation of the fire board.

NOW, THEREFORE, BE IT RESOLVED the City of Swartz Creek, conditioned upon equal participation of the Clayton Township Board, hereby approves payment to the Swartz Creek Area Fire Department in an amount not-to-exceed \$455,477 towards the purchase of a new Fire Truck as detailed by the SCAFD.

BE IT FURTHER RESOLVED, the payment for the apparatus shall be appropriated from the Fire Equipment Fund 402 and/or borrowed from the city's general fund as determined by the City Treasurer to be in the best financial interest of the city, upon consideration of pre-deliver discounts, interest rates, and other factors.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

ECONOMIC DEVELOPMENT AGREEMENT

DISCUSSION

Mr. Zettel said no decision needs to be made tonight, this is for discussion only. Mundy Township has hired Samantha Fountain to be their Community Economic Development Director. They have proposed to cost share in providing those economic development services with Mundy Township. The proposal is 12 hours a week for that employee to engage in job duties as described that will assist our DDA and our community with pursuing some of the events such as family movie night. This would cost under \$30,000 for the first year. He believes this is a great opportunity. Mr. Spillane questioned if this could cause a conflict, with the same person promoting both communities, example such as land development. Councilmembers are in favor of a motion on the next council meeting agenda.

RESOLUTION TO APPROVE PROFESSIONAL SERVICES FOR FINAL PRELIMINARY DESIGN OF MILLER ROAD

Resolution No. 230109-07

(Carried)

Motion by Councilmember Spillane
Second by Mayor Pro Tem Hicks

WHEREAS, the City of Swartz Creek owns, operates, and maintains a system of major and local streets, and

WHEREAS, the major streets within the city qualify for federal rehabilitation and replacement assistance through the regionally administered Transportation Improvement Program, and

WHEREAS, Miller Road has been awarded \$1,124,549 to rehabilitate Miller Road between Morrish and North Seymour, and

WHEREAS, this work will include resurfacing, some replacement curb, some joint work, and the possibility of limited sidewalk, drainage, and related work, and

WHEREAS, the expenditure of said funds will be subject to limited MDOT requirements, and

WHEREAS, the city had OHM perform some of the preliminary engineering services prior to seeking MDOT funds, but additional PE services are still needed prior to bidding, and

WHEREAS, OHM Advisors, functioning as the city's consultant engineer, delivered a proposal, dated January 5, 2023 to provide such services.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek City Council accepts the proposal from OHM in the amount of \$20,985 for the noted services.

BE IT FURTHER RESOLVED that the City of Swartz Creek directs the Treasurer to apportion expenses from the major street fund.

BE IT FURTHER RESOLVED, that the City Council directs the Mayor to execute said proposal on behalf of the city.

Discussion Ensued.

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

MEETING OPENED TO THE PUBLIC:

Ken Brill would like to thank the council for their consideration of the appointment and support, and he looks forward to serving on the Fire Board. Congratulations to John.

Chief Plumb thanks the council and the administration for their support.

REMARKS BY COUNCILMEMBERS:

Councilmember Spillane wished everyone a happy New Year, hopefully we are off to a good start and a good new year.

Councilmember Henry thanked Mr. Brill for his comments.

Councilmember Cramer wished everyone a prosperous new year and looking forward to working with the community to maximize the racetrack area for development of Swartz Creek. He thanked Mr. Brill and Mr. Knickerbocker for helping serve our community.

Mayor Pro Tem Hicks welcomed and thanked Mr. Brill & Mr. Knickerbocker for volunteering their time to the community, your both wonderful people.

Councilmember Gilbert thanks John & Ken. Everyone have a good year, Think Spring.

Mayor Krueger also thanked volunteers who offered to serve on the council. He is looking forward to a great year in 2023.

ADJOURNMENT

Resolution No. 230109-08

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Henry

I Move the Swartz Creek City Council adjourn the regular council meeting at 8:49 p.m. of January 9, 2023.

Unanimous Voice Vote.

David A. Krueger, Mayor

Connie Olger, City Clerk