

**CITY OF SWARTZ CREEK  
SWARTZ CREEK, MICHIGAN  
MINUTES OF THE REGULAR COUNCIL MEETING  
DATE 02/13/2023**

The meeting was called to order at 6:00 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, Knickerbocker, Henry.

Councilmembers Absent: None.

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

Others Present: Susan Mesack, Metro PD Chief Bade.

Others Virtually Attended: Brenda Huyck.

**APPROVAL OF MINUTES**

**Resolution No. 230213-01**

**(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 January 23, 2023, to be circulated and placed on file.

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

**APPROVAL OF AGENDA**

**Resolution No. 230213-02**

**(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 February 13, 2023, to be circulated and placed on file.

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

NO: None. Motion Declared Carried.

**CITY MANAGER'S REPORT**

**Resolution No. 230213-03**

**(Carried)**

Motion by Councilmember Cramer  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council accept the City Manager's Report of February 13, 2023, including reports and communications to be circulated and placed on file.

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

**MEETING OPENED TO THE PUBLIC:**

None.

**COUNCIL BUSINESS:**

**RESOLUTION TO APPROVE AN EXPANDED USE RESERVATION AND PARK FEE FOR USE OF ELMS PARK FOR A NON-PROFIT ART EVENT**

**Resolution No. 230213-04**

**(Amended)**

Motion by Mayor Pro Tem Hicks  
Second by Councilmember Henry

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

**WHEREAS**, the More Life Tabernacle is proposing an expanded park use reservation for Elms Park June 17, 2023 for the purpose of holding an entertainment event that will be open and advertised to the public; and

**WHEREAS**, the group is a recognized non-profit operating in Swartz Creek that meets the requirements for an expanded use reservation.

**NOW, THEREFORE, BE IT RESOLVED**, the Swartz Creek City Council hereby approves the expanded use reservation of the More Life Tabernacle for their pavilion reservation in Elms Park on June 17, 2023, including the provision of live music, free food, and related entertainment in and around the pavilion grounds.

Discussion Ensued.

**(Carried)**

Motion by Councilmember Gilbert  
Second by Councilmember Henry

**I Move** to amend the motion to prohibit amplified sound, not including the puppet show.

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

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

**RESOLUTION TO APPROVE BIDS FOR THE REPAIR OF A STORM DRAIN OFF THE END OF BRADY STREET AT THE SWARTZ CREEK**

**Resolution No. 230213-05**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Councilmember Henry

**WHEREAS**, the City of Swartz Creek owns, operates, and maintains a system of storm water assets; and

**WHEREAS**, an inspection of the creek bank identified a section of large diameter concrete storm pipe that was failing, resulting in erosion of the area adjacent to and in line with the storm pipe; and

**WHEREAS**, the City advertised bids to correct the deficiency; and

**WHEREAS**, RBF Construction, Inc. is the lowest responsible bidder.

**THEREFORE BE IT RESOLVED** the City of Swartz Creek hereby approves the bid in the amount of \$9,870 for restoration of the drain, with an allowance of 15% contingency, and further directs the City Treasurer to appropriate funds and amend the budget as necessary.

Discussion Ensued.

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

**CURFEW ORDINANCE AMENDMENT**

**DISCUSSION**

Mr. Zettel noted that the Hometown Days Committee is looking into adding a curfew and decreasing the hours of the event. This is due to issues in the past at night on the weekends. They are looking at a curfew of 7pm for unaccompanied minors under 18. A minor would need to be accompanied by an adult 21 years of age or older. The city is looking at creating a matching temporary curfew ordinance for the event.

Brenda Huyck, HTD representative communicated that the committee is working with Metro PD and HTD director of security, on event hours and curfew details due to past issues with unaccompanied youths. They have been researching other events guidelines on curfews and age requirements.

Chief Bade spoke of the issues they had over the last few years at the event, such as multiple large fights. The problem area is the carnival area. Group of youths hanging out waiting to create chaos. It tends to start at dusk. The 7pm curfew was Metro's recommendation. Last year one problem was youth wearing masks which caused issues identifying individuals. We are looking to restrict the carrying of backpacks, drawstring bags, same as such in place college stadiums & Pine Knob. We are also looking to adding barricades at Morrish/Miller Road. We are taking much more of a restricted approach this year to curtail these issues.

Councilmember Henry wondered if Friday & Saturday are the only nights the hours and curfew would take place. Mrs. Huyck said the only days of the festival that they changed the hours are Friday & Saturday.

Councilmember Knickerbocker wants to commend the HTD board for being proactive. He feels the city mirroring the curfew is a good thing.

Attorney Stritmatter indicated that the city would need to identify and define the legitimate government interest and tie to the proposed ordinance so it can be enforced. The ordinance being specific for Hometown Days is a good idea.

Susan Mesack HTD committee rep commented security is priority #1.

Brenda Huyck wants everyone to stay safe and the committee feels it's time to be proactive.

## **RESOLUTION TO APPROVE COMMISSION APPOINTMENT**

**Resolution No. 230213-06**

**(Carried)**

Motion by Councilmember Knickerbocker  
Second by Councilmember Cramer

**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



**I Move** the Swartz Creek City Council adjourn the regular council meeting of February 13, 2023 at 7:01 p.m.

Unanimous Voice Vote.

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**David A. Krueger, Mayor**

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**Connie Olger, City Clerk**