

**CITY OF SWARTZ CREEK  
SWARTZ CREEK, MICHIGAN  
MINUTES OF THE REGULAR COUNCIL MEETING  
DATE 03/27/2023**

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,  
Knickerbocker, Henry.

Councilmembers Absent: None.

Staff Present: Clerk Connie Olger.

Others Present: Metro PD Chief Bade.

Others Virtually Attended:

**APPROVAL OF MINUTES**

**Resolution No. 230327-01**

**(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 March 13, 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. 230327-02**

**(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 March 27, 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. 230327-03**

**(Carried)**

Motion by Councilmember Cramer  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council accept the City Manager’s Report of March 27, 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:**

\*\*\*\*\**Master Resolution*\*\*\*\*\*

**RESOLUTION TO APPROVE A FESTIVAL PERMIT FOR JEEPERS CREEKERS, INC  
EVENT IN OCTOBER OF 2023**

**Resolution No. 230327-04**

**(Carried)**

Motion by Mayor Pro Tem Hicks  
Second by Councilmember Gilbert

**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 trunk or treat, 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 230327-04A1 through 230327-04A2, allowing for the various permits related to the annual Swartz Creek Jeepers Creekers festival, to be held on Saturday, October 7, 2023, 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.

Discussion Ensued.

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

## **JEEPERS CREEKERS STREET CLOSURE & USE PERMITS**

### **Resolution No. 230327-04A1**

**I Move** the City of Swartz Creek approve and authorize the Jeepers Creekers application for street closing and City property use permit for Saturday, October 7, 2023 from 4:00 p.m. until 9:00 p.m. for purposes of conducting a festival, including market vendors and an outdoor movie for the following locations:

1. Miller Road (Morrish to Hayes)
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.

## **JEEPERS CREEKERS PUBLIC SPACE USE PERMIT**

### **Resolution No. 230327-04A2**

**I Move** the Swartz Creek City Council approve and authorize the Jeepers Creeker's application for public space usage permit for Saturday, October 7, 2023 from 4:00 p.m. until 9:00 p.m. for purposes of conducting a festival, including market vendors and an outdoor movie, within 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.

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**RESOLUTION TO ADOPT ORDINANCE 461, AN ORDINANCE TO AMEND ARTICLE IX OF CHAPTER 10 OF THE CODE OF ORDINANCES BY ADDING SECTION 10-310, SPECIAL EVENT CURFEW FOR MINORS**

**Resolution No. 230327-05**

**(Carried)**

Motion by Councilmember Knickerbocker  
Second by Councilmember Cramer

**WHEREAS**, the city authorizes special events from time to time within the city and on city controlled properties, and;

**WHEREAS**, such events are often of a scale that makes crowd control difficult given the availability of resources that the city has access to, and;

**WHEREAS**, the city council, in consultation with Metro PD and the Hometown Days organization, finds that large groups of unaccompanied minors and their peers under the age of 21 have been responsible for many of disturbances at such events in recent years.

**THEREFORE, I MOVE** the City of Swartz Creek ordains:

**CITY OF SWARTZ CREEK  
ORDINANCE NO. 461**

An ordinance to amend the Code of Ordinances: Article IX of Chapter 10 of the Code of Ordinances of Swartz Creek by adding of Section 10-310

**THE CITY OF SWARTZ CREEK ORDAINS:**

**Section 1. Amendment of Article IX of Chapter 10 of the Code of Ordinances of the City of Swartz Creek by adding of Section 10-310.**

Section 10-310 of Article IX of Chapter 10 of the Code of Ordinances is amended to read as follows:

**Sec. 10-310 – Special Event Curfew for Minors.**

1. The presence of unsupervised minors 17 or under at special public events within the City creates a nuisance and health and safety hazard. Unsupervised minors create disorderly and potentially dangerous circumstances at these events. Due to incidents at special public events prior to the passing of this ordinance the City finds that there is a need to restrict the presence of unsupervised minors at such events as the City Council deems necessary from time to time to preserve the health, safety, and welfare of the public. The provisions of this section shall extend the curfew hours for minors 17 or under during special public events as deemed necessary by the City Council to protect the health, safety, and welfare of the public.
2. During special public events, from the hours of 7:00 p.m. to 6:00 a.m. it shall be unlawful for an unsupervised minor 17 or under to be on designated public places specifically identified in a public notice issued by the City.
3. Any individual found in violation of this section shall be guilty of a misdemeanor punishable by imprisonment in jail for up to 93 days, a fine of \$500, or both.
4. A minor 17 or under found in violation of Section 10-310 will be prima facie evidence that the minor's parent or guardian is in violation of Section 10-308 by aiding and abetting the minor in violating the ordinance.
5. The following activities shall be exempt from the curfew requirements of this Section where the minor is:
  - a. Accompanied by his parent, guardian, or any other person 21 years of age or older authorized by a parent as the caretaker for the minor;
  - b. In attendance at an official school, religious or other recreational activity sponsored by the city, a civic organization or another similar entity that takes responsibility for the minor, or going to or from such an activity, without any detour or stop, and supervised by adults;
  - c. Engaged in a certain employment activity, or going to or from employment, without any detour or stop.
6. For purposes of this section, a "special event" means a sports event, pageant, celebration, historical reenactment, entertainment, exhibition, parade, fair, festival, or similar activity that the City

sanctions or approves according to its Special Event Policies and Regulations.

**Section 2. Effective date.**

This Ordinance shall take effect thirty (30) days following publication.

Discussion Ensued.

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

**MEETING OPENED TO THE PUBLIC:**

None.

**REMARKS BY COUNCILMEMBERS:**

Councilmember Henry questioned Chief Bade about the date of the National Night Out. Chief Bade responded it is set for August 1<sup>st</sup>. Mr. Henry reminded everyone that the Chamber Luncheon is tomorrow at noon at the American Legion. The chili cookoff last weekend went well.

Councilmember Gilbert thinks spring has sprung.

Councilmember Spillane asked if anyone has seen the YouTube video of Swartz Creek and encouraged everyone to take a look at it. He questioned if sidewalk enforcement will be done this year because sidewalks in Heritage and on Elms Road are not good.

Councilmember Knickerbocker also commented on the YouTube video and commented that everyone should look at it.

Mayor Krueger has a friend that is a realtor who commented that Swartz Creek has a reputation for being safe.

**ADJOURNMENT**

**Resolution No. 230327-06**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Councilmember Henry

**I Move** the Swartz Creek City Council adjourn the regular council meeting of March 27, 2023, at 7:36 pm.

Unanimous Voice Vote.

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**David A. Krueger, Mayor**

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**Connie Olger, City Clerk**