

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE 05/22/2023**

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: Spillane, Gilbert, Krueger, Knickerbocker, Henry.

Councilmembers Absent: Cramer, Hicks.

Staff Present: City Manager Adam Zettel, Clerk Connie Olger, Treasurer Deanna Korth, Director of Public & Community Services Rob Bincsik.

Others Present: Brandon Greiner, Metro PD Chief Bade.

Others Virtually Attended: Lania Rocha.

EXCUSE MAYOR PRO TEM HICKS & COUNCILMEMBER CRAMER

Resolution No. 230522-01

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Henry

I Move the Swartz Creek City Council excuse Mayor Pro Tem Hicks and Councilmember Cramer.

YES: Unanimous Voice Vote.
NO: None. Motion declared carried.

APPROVAL OF MINUTES

Resolution No. 230522-02

(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 May 8, 2023, to be circulated and placed on file.

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

NO: None. Motion Declared Carried.

CLOSED SESSION MINUTES – MAY 8, 2023

Resolution No. 230522-03

(Carried)

Motion by Councilmember Spillane
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Minutes of the Closed Session Council Meeting held Monday, May 8, 2023.

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

APPROVAL OF AGENDA

Resolution No. 230522-04

(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 May 22, 2023, to be circulated and placed on file.

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

CITY MANAGER'S REPORT

Resolution No. 230522-05

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Henry

I Move the Swartz Creek City Council accept the City Manager's Report of May 22, 2023, including reports and communications to be circulated and placed on file.

Discussion Ensued.

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

MEETING OPENED TO THE PUBLIC:

None.

COUNCIL BUSINESS:

FISCAL YEAR 2024 BUDGET

PUBLIC HEARING

OPEN: 7:11 P.M.

Mayor Krueger noted that the budget is available online and at city hall.

Mr. Zettel gave a brief rundown of the budget. We run a balanced budget with operations. We have a robust capital improvement program, asset management plans for water, sewer & streets. We have a lot of park investments proposed, a lot of grants coming in, a lot of projects to bid for water & streets this year that will require some bonding, above state average funded pension, an excellent debt to asset ratio across all funds, balanced enterprise funds and all funds have adequate fund balance.

Councilmember Spillane questioned if there is a percentage or dollar limit that we can have in the rainy-day fund. Mr. Zettel responded that there is not a threshold.

CLOSED 7:24 P.M.

RESOLUTION TO APPROVE SCHOOL STREET REPAIRS

Resolution No. 230522-06

(Carried)

Motion by Councilmember Knickerbocker
Second by Councilmember Henry

WHEREAS, the city maintains a system of major and local streets; and

WHEREAS, the Swartz Creek Community School District conducted demolition of a facility located on School Street, which resulted in significant damage to the street; and

WHEREAS, the street is an asset of the City and it is recognized that this asset was largely depreciated and significantly deteriorated prior to the commencement of construction; and

WHEREAS, the School is prepared to repair the most damaged sections of the street, but they agree to work with the City to rehabilitate a larger section of the street that has been impacted (Miller to the south end of the north drive of Mary Crapo); and

WHEREAS, the School initially sought a quote from Glaeser Dawes Corporation for limited work, but this work scope was expanded with input of the City; and

WHEREAS, the scope of work now warrants that the repair be conducted with oversight of the City instead of a School; and

WHEREAS, the School has agreed to compensate the City \$10,000 towards the repairs; and

WHEREAS, the quote for repairs is very reasonable, the contractor is proven to perform quality work, the bidding market is temporarily very limited, and time is of the essence; and

WHEREAS, the City finds that, per Section 2-402 – General Purchasing Policy, the economic interests of the city are best served by negotiating a contract with a provider of the product, material or service without requesting sealed bids.

NOW, THEREFORE, BE IT RESOLVED the City of Swartz Creek hereby approves the quote from Glaeser Dawes Corporation, in the amount of \$37,413 to repair and rehabilitate parts of School Street.

BE IT FURTHER RESOLVED the City of Swartz Creek directs the City Manager to execute a standard contractor agreement with the contractor and further directs the Treasurer to appropriate funds from the local street fund as appropriate.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

RESOLUTION TO APPROVE 5K FOOT RACE STREET PERMIT

Resolution No. 230522-07

(Carried)

Motion by Councilmember Spillane

Second by Councilmember Gilbert

WHEREAS, Swartz Creek Community Schools Cross Country Team is a recognized not-for profit entity that operate in Swartz Creek; and

WHEREAS, said organization proposes to continue the annual 5k road race that coincides with the Hometown Days Festival, and they therefore seek a permit to use the city streets on June 1, 2023; and

WHEREAS, the City Council finds that organization and the event to be beneficial to the public and in good standing.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek hereby approves the application for a street usage permit to conduct a 5 kilometer foot

road race on Thursday, June 1, 2023, 6:00 PM – 7:45 PM, applicant: the Swartz Creek Community Schools Cross Country Team., care of Jon Look, race to be held in Winchester Village Subdivision, in accordance with the application submitted, under the direction and control of the Chief of Police and contingent upon the provision of valid insurance listing the City of Swartz Creek as an additionally insured party.

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

RESOLUTION TO APPROVE REHABILITATION OF ELMS TENNIS COURTS AND CONVERSION OF ABRAMS TENNIS COURTS TO BASKETBALL COURTS

Resolution No. 230522-08

(Carried)

Motion by Councilmember Henry
Second by Councilmember Knickerbocker

WHEREAS, the city maintains a system of parks, including grounds and active recreational facilities; and

WHEREAS, the Elms tennis courts are identified as a priority maintenance need by the park board, and the current budget sets funds aside to rehabilitate the courts; and

WHEREAS, the Abrams tennis courts are also identified as a priority maintenance need, with conversion to basketball courts being recommended by the park board as a means to provide full court basketball in the park, repurpose the failing tennis courts, and eliminate the need to rehabilitate the existing half court at the park; and

WHEREAS, the city sought bids to rehabilitate the surface of both assets and to reconfigure the Abrams courts for basketball, including installation of new backboards and nets; and

WHEREAS, one bid was received in the amount of \$74,000 by Lasers Striping & Sport Surfacing of Canton, Michigan, a company found to be in good standing by the city.

NOW, THEREFORE, BE IT RESOLVED the City of Swartz Creek hereby approves the bid from Lasers Striping & Sport Surfacing, in the amount of \$74,000.

BE IT FURTHER RESOLVED the City of Swartz Creek directs the City Manager to execute a standard contractor agreement with the bidder and further directs the Treasurer to appropriate funds from the general fund as appropriate.

Discussion Ensued.

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

Break: 7:47 p.m. to 7:51 p.m.

RESOLUTION TO ASSESS DELINQUENT CHARGES TO THE ASSESSMENT ROLL

Resolution No. 230522-09

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Henry

WHEREAS, the city, by virtue of enforcing certain ordinances and charter provisions, incurs expenses related to the improvement, maintenance, and/or replacement of private and public property; and

WHEREAS, the city also provides utility services, of which some recipients of said services have outstanding and overdue balances related to the same; and

WHEREAS, the city's ordinances related to the provision of water and sewer services, as well as those pertaining to the maintenance of sidewalks, noxious weeds, blight and fire cost recovery provide for the collection of expenses and related fees; and

WHEREAS, such outstanding expenses, service charges, and fees are able to be assessed to real property per Chapter 10 of the City Charter.

NOW, THEREFORE, BE IT RESOLVED the City of Swartz Creek directs the Treasurer to prepare an audit of all outstanding debts owed to the City for delinquent sidewalk snow removal, utility services, blight and fire cost recovery, and further, to cause such debts to be assessed against the property owner of record, in accordance with City Ordinance and State Statute, said debts to be placed against the summer 2023 tax collection roll.

Discussion Ensued.

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

RESOLUTION TO APPROVE ROAD CRACK SEALANT BID

Resolution No. 230522-10

(Carried)

Motion by Councilmember Knickerbocker
Second by Councilmember Henry

WHEREAS, the city maintains a system of major and local streets; and

WHEREAS, the city recognizes that a mix of fixes is required to properly maintain street assets over their design life, including the early application of crack filler; and

WHEREAS, the city sought bids to apply crack filling treatment to select major streets that are experiencing mild deterioration, as well as major and local streets that are showing the first signs of deterioration; and

WHEREAS, a low bid was received in the amount of \$17,240, by Asphalt Restoration Inc, a company in good standing with the MDOT.

NOW, THEREFORE, BE IT RESOLVED the City of Swartz Creek hereby approves the bid from Asphalt Restoration Inc, in the amount of \$17,240.

BE IT FURTHER RESOLVED the City of Swartz Creek approves the additional work for the Heritage, Otterburn, Parkridge, and Springbrook East neighborhoods for the price of \$25,806.

BE IT FURTHER RESOLVED the City of Swartz Creek directs the City Manager to execute a standard contractor agreement with the bidder and further directs the Treasurer to appropriate funds from the major and local street funds as appropriate.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

RESOLUTION TO APPROVE COMMISSION APPOINTMENT

Resolution No. 230522-11

(Carried)

Motion by Councilmember Spillane

Second by Councilmember Gilbert

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 a vacancy in such a position; and

WHEREAS, said appointment is a Mayoral appointment, subject to affirmation of the City Council.

NOW, THEREFORE, BE IT RESOLVED, the Swartz Creek City Council concur with the Mayor and City Council appointment as follows:

#230522-11G1 MAYOR APPOINTMENT: **Brandon Greiner
Park Board
Remainder of Three year term, expiring December 31, 2024**

Discussion Ensued.

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

MEETING OPENED TO THE PUBLIC:

Brandon Greiner commented the subdivision garage sale went well.

REMARKS BY COUNCILMEMBERS:

Councilmember Knickerbocker thanked Adam and the team for all the work in preparing the budget.

Councilmember Gilbert informed everyone that there is a ceremony on Memorial Day @ 1 p.m. at the Veterans Memorial and a luncheon will follow at the American Legion.

Councilmember Henry thanked the Women's Club for planting all the flowers out in the city.

Councilmember Spillane thanked Deanna Korth Treasurer, for answering all his budget questions. The Historical Society on June 2nd 9 a.m. to 4 p.m., is having a one-day benefit fundraiser at Pajtas Theater driveway, monies to go towards the building fund.

Mayor Krueger encouraged everyone to donate to the sale.

ADJOURNMENT

Resolution No. 230522-12

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Cramer

I Move the Swartz Creek City Council adjourn the regular meeting of May 22, 2023 at 8:04 p.m.

Unanimous Voice Vote.

David A. Krueger, Mayor

Connie Olger, City Clerk