

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE 06/26/2023**

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: Lisa Spillane.

Others Virtually Attended: City Manager Adam Zettel, Lania Rocha.

APPROVAL OF MINUTES

Resolution No. 230626-01 **(Carried)**

Motion by Councilmember Spillane
Second by Councilmember Henry

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday June 12, 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. 230626-02 **(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 June 26, 2023, to be circulated and placed on file.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

CITY MANAGER'S REPORT

Resolution No. 230626-03

(Carried)

Motion by Councilmember Cramer
Second by Councilmember Gilbert

I Move the Swartz Creek City Council accept the City Manager's Report of June 26, 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 RENEW A PROFESSIONAL SERVICE AGREEMENT FOR GRANT WRITING SERVICES

Resolution No. 230626-04

(Carried)

Motion by Mayor Pro Tem Hicks
Second by Councilmember Knickerbocker

WHEREAS, the City undertakes a number of routine and special projects, many of which are supplemented or are only feasible because of additional state or federal grants; and

WHEREAS, the City has had success in acquiring many traditional grant sources that are offered through the state MEDC, MDOT, and DNR; and

WHEREAS, the City seeks to obtain less traditional grants and appropriations that are made available through state and federal legislative offices, specifically to fund the build out of Otterburn Park; and

WHEREAS, the provision of federal allocations is a complex and specific process that requires specialized experience, knowledge, and contacts to successfully administer; and

WHEREAS, the City approved a one year proposal from an experienced grant writer that has since had success in getting preliminary congressional designated spending approved for Otterburn Park, as well as engagements on ongoing grants, including the Michigan Department of Natural Resources Recreation Passport Grant; and

WHEREAS, the grant writer, CSC and Davis Kirksey Associates, Inc. has submitted a proposal to continue to consult on existing submissions and to work on additional, miscellaneous opportunities for a fee of \$1,000 per month.

NOW, THEREFORE BE IT RESOLVED that the Swartz Creek City Council approve the Agreement between the City of Swartz Creek and Davis Kirksey Associates, Inc., as included in the city council packet of June 26, 2023, and further authorizes and directs the Mayor to execute the agreement on behalf of the City.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

RESOLUTION TO APPROVE A SALE OPTION FOR THE SALE OF REAL PROPERTY OWNED BY THE CITY

Resolution No. 230626-05

(Denied)

Motion by Councilmember Gilbert

Second by Councilmember Knickerbocker

WHEREAS, the city owns eleven vacant acres on Brown Road, In Shiawassee County, PID 012-02-100-004; and

WHEREAS, the purpose of this site was to act as a well to supply the city with potable water, prior to the connection to the Genesee County water distribution system; and

WHEREAS, the property no longer provides primary or backup water to the city, and is far outside of the city's municipal boundaries and jurisdiction; and

WHEREAS, the city finds that the site has very negligible, if any, direct public purpose; and

WHEREAS, the city finds that the site has minimal exchange value; and

WHEREAS, Shia 3S Holdings, LLC. wishes to purchase an option for \$2,000 to acquire the acreage for \$176,000 through May 24, 2024, \$220,000 through May

24, 2025, and \$275,000 through May 24, 2026, for the purpose of assembling acreage to market a 'mega site.'

NOW, THEREFORE, BE IT RESOLVED, the City of Swartz Creek City Council authorizes the Mayor, in consultation with the city attorney, to complete and execute the option as included in the June 26, 2023 city council packet.

BE IT FURTHER RESOLVED, the sale instrument shall be made available to the general public, for a period of not less than 30 days, in accordance with the City's Land Sale Policy of April 28, 2014.

BE IT FURTHER RESOLVED, the option shall be reviewed by the city council subsequent to the review period.

BE IT FURTHER RESOLVED, the City of Swartz Creek City Council designates, authorizes, and directs the Mayor to act as signatory and to execute any and all sale and transfer instruments required to complete this transaction.

Discussion Ensued.

YES: None.

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

RESOLUTION TO APPROVE MILLER ROAD ONSTREET PARKING

Resolution No. 230626-06

(Denied)

Motion by Councilmember Knickerbocker
Second by Councilmember Cramer

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

WHEREAS, Miller Road is being resurfaced between Morrish and Seymour this construction season; and

WHEREAS, OHM conducted a traffic study to ascertain options for limited on street parking on Miller Road, between Morrish and Hayes, that could be implemented during this project; and

WHEREAS, the Swartz Creek DDA deliberated the merits of said parking and resolved to recommend the addition of on street parking to Miller at their meeting on May 18, 2023.

NOW, THEREFORE BE IT FURTHER RESOLVED the City of Swartz Creek City Council approves the conversion of Miller Road from Morrish to Hayes to

accommodate on street parking in accordance with the concept plans included in the June 26, 2023, city council packet, subject to final engineering.

Discussion Ensued.

YES: Henry, Cramer, Knickerbocker.

NO: Spillane, Gilbert, Hicks , Krueger. Motion Declared Denied

RESOLUTION TO APPROVE COMMISSION APPOINTMENTS

Resolution No. 230626-07

(Carried)

Motion by Councilmember Spillane
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 Mayoral appointments, subject to 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:

- | | | |
|-------------|---|-------------------------|
| #230626-7D1 | <u>MAYOR APPOINTMENT:</u>
Board of Review Alternate – Resident
Three year term, expiring June 30, 2026 | Douglas Stephens |
| #230626-7D2 | <u>MAYOR APPOINTMENT:</u>
Board of Review – Resident
Three year term, expiring June 30, 2026 | Tammy Parenteau |
| #230626-7D3 | <u>MAYOR APPOINTMENT:</u>
Planning Commission – Resident
Three year term, expiring June 30, 2026 | Tom Wyatt |
| #230626-7D4 | <u>MAYOR APPOINTMENT:</u>
Planning Commission – Resident
Three year term, expiring June 30, 2026 | Betty Binder |
| #230626-7D5 | <u>MAYOR APPOINTMENT:</u>
Zoning Board of Appeals – Resident
Three year term, expiring June 30, 2026 | Ronald Smith |

#230626-7D6

MAYOR APPOINTMENT:

Kenneth Brill

Zoning Board of Appeals Alternate – Resident
Three year term, expiring June 30, 2026

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

MEETING OPENED TO THE PUBLIC:

None.

REMARKS BY COUNCILMEMBERS:

Mayor Pro Tem Hicks spoke of meeting State Rep Jasper Martus at the Senior Center and the things he talked about.

Councilmember Cramer was approached by a business owner about opening a cannabis business. He is diligently doing research by visiting Owosso and speaking to councilmembers and visiting a dispensary. He has made a list of pros and cons.

Councilmember Gilbert noticed the speed bump on the other side of Elms Rd is grounded off.

Councilmember Henry responded to the cannabis business and the process of it.

Councilmember Knickerbocker commented that there are strict rules to the cannabis business.

Adam Zettel commented he is very proud to work for a council that has such civilized deliberations. He will note that most commuters generally oppose street parking, and most businesses support it. But this is something that we can just tuck away for the future, and we can revisit this. He encourages folks to talk to the downtown merchants and continue to engage people and study other communities. As far as marijuana our community has opted out, council can reverse its position. It's also possible for the electorate to pursue a referendum, and our attorney has indicated that some of the referendums are very specific. I want council to be aware that the referendum option does exist and I have already had some conversations with our attorney so that we can stay ahead of that and give council as many options as are available to continue to serve the community and pursue the course that is best.

ADJOURNMENT

Resolution No. 230626-08

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Cramer

I Move the Swartz Creek City Council adjourn the regular meeting of June 26, 2023 at 8:14 p.m.

Unanimous Voice Vote.

David A. Krueger, Mayor

Connie Olger, City Clerk