

**CITY OF SWARTZ CREEK  
SWARTZ CREEK, MICHIGAN  
MINUTES OF THE REGULAR COUNCIL MEETING  
DATE JANUARY 22, 2024**

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: City Manager Adam Zettel, Clerk Renee Kraft.

Others Present: Metro PD Lieutenant Murphy, M. McLanahan, K.C. Barran

Others Virtually Attended: Lania Rocha, Samantha Fountain

**APPROVAL OF MINUTES**

**Resolution No. 240122-01** **(Carried)**

Motion by Councilmember Spillane  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council approve the Minutes, as amended, of the Regular Council Meeting held Monday January 8, 2024, 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. 240122-02** **(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 January 22, 2024, 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. 240122-03**

**(Carried)**

Motion by Councilmember Cramer  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council accept the City Manager’s Report, as amended, of January 22, 2024, including reports and communications to be circulated and placed on file.

Discussion Ensued.

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

**MEETING OPENED TO THE PUBLIC:**

Marianne McLanahan: An accident almost happened at the crossroads where she lives. Many issues with that intersection. She is bringing safety issues to the City. Mayor Krueger responded that Metro Police sit at that intersection more often than any other intersection.

Samantha Fountain: Updated Council on Cosmos in the Creek. Half way to goal and believes goal will be met.

K.C. Baran: Noted Judge Odette is retiring and he is running for 67<sup>th</sup> District Court Judge to replace him. He lives in Fenton, was in the Army, graduated from West Point, and has connections to this area. Discussion ensued.

**COUNCIL BUSINESS:**

**RESOLUTION TO APPROVE AN AMENDED POVERTY EXEMPTION POLICY AS PART OF THE MICHIGAN STATE TAX COMMISSION AUDIT OF MINIMUM ASSESSING REQUIREMENTS**

**Resolution No. 240122-04**

**(Carried)**

Motion by Mayor Pro Tem Hicks  
Second by Councilmember Henry

**WHEREAS**, the Michigan Tax Commission conducts an Audit of Minimum Assessing Requirements (AMAR) of Townships and Cities; and

**WHEREAS**, the city has adopted various policies and procedures related to these requirements, including a local Poverty Exemption Policy; and

**WHEREAS**, the State Tax Commission Policy Regarding Requests for Percentage Reductions in Taxable Value for Poverty Exemptions Under MCL 211.7u, has been updated as of January 19, 2021; and

**WHEREAS**, the city updated and affirmed written guidelines for poverty exemptions in 2021 and must continue to update and affirm specific wage thresholds for the policy.

**NOW, THEREFORE BE IT RESOLVED** that the City of Swartz Creek adopts the City of Swartz Creek Requirements of Poverty Exemption, as included in the January 22, 2024, city council packet, including the updated set income levels for exemption.

**BE IT FURTHER RESOLVED** that the City of Swartz Creek hereby waives penalties and interest that is otherwise required to be levied for failure to file a Property Transfer Affidavit under MCL 211.27b.

Discussion Ensued.

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

**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. 240122-05**

**(Carried)**

Motion by Councilmember Gilbert  
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 16-17, 2024 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; and

**WHEREAS**, the City is authorized to permit limited overnight parking and/or camping within the park for the purpose of this event.

**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 16-17, 2024 reservation in Elms Park with limited overnight parking and/or camping within the park for the purpose of this event.

Discussion Ensued.

**MOTION TO AMEND THE RESOLUTION TO INCLUDE LIMITED OVERNIGHT PARKING WITHIN THE PARK FOR THE PURPOSE OF THIS EVENT.**

Motion by Councilmember Spillane  
Second by Councilmember Cramer

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

NO: Henry.

Amendment to Resolution Declared Carried.

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

NO: None. Motion Declared Carried.

**RESOLUTION TO APPROVE A PROFESSIONAL SERVICE AGREEMENT WITH PLANTE MORAN FOR EDUCATIONAL PROGRAMMING AND GENERAL FINANCIAL SERVICES**

**Resolution No. 240122-06**

**(Carried)**

Motion by Councilmember Knickerbocker  
Second by Councilmember Cramer

**WHEREAS**, the City of Swartz Creek performs many routine financial services related to bookkeeping, budgeting, reporting, investing, audit preparation, and analysis, as well as specialized financial functions related to grants, bonding, and federal compliance, and

**WHEREAS**, the City replaced the treasurer, the accounts payable position, and another full time administrative position within the last six months, and

**WHEREAS**, the provision of current and rigorous training by a qualified party is essential to maximizing the ability of staff to correctly and efficiently provide financial services, and

**WHEREAS**, the provision of additional third party financial services has been anticipated, budgeted, and sought to supplement the administrative service on a temporary basis, and

**WHEREAS**, Plante Moran as a long-standing and positive relationship with city staff and the city finances.

**NOW, THEREFORE, BE IT RESOLVED** the City of Swartz Creek City Council approves the professional service agreement with Plante Moran, dated January 10, 2024 and included in the city council packet, said agreement to cost an estimated to be \$3,000 as outlined in the proposal.

**BE IT FURTHER RESOLVED**, that the City Council directs the City Manager to execute said proposal on behalf of the city and for the city finance director to appropriate such costs to all impacted funds as appropriate.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

**RESOLUTION TO OPPOSE PROPOSED LEGISLATION REGARDING WATER STATE MANDATED USER FEES, TURN OFF RESTRICTIONS, REPORTING, BILL SUBSIDY, AND BILL FORGIVENESS**

**Resolution No. 240122-07**

**(Carried)**

Motion by Councilmember Spillane  
Second by Councilmember Gilbert

**WHEREAS**, the City of Swartz Creek is a wholesale customer of the Genesee County Drain Commission, Water and Waste Services Division, and

**WHEREAS**, the City is the retail provider of water to over 2,000 residential, commercial, and industrial accounts, and

**WHEREAS**, the City maintains a solvent water fund, with a robust capital improvement program, that is kept current in part through a rigorous system of disincentives and potential turn-offs for non-payment, and

**WHEREAS**, the City Council has reviewed proposed legislation, HB 5089, and finds that the legislation would add addition fees directly to users, add extensive administrative burdens and costs to the administration of the utility, encourage water use without payment, and distribute wealth within and outside of the community using user fees, and

**WHEREAS**, the City Council finds that a statewide system to create water affordability would be better served by a state-operated agency that is supported by existing or new state taxes.

**NOW, THEREFORE, BE IT RESOLVED** the City of Swartz Creek City Council hereby opposes fees and administrative burdens proposed under Senate Bills 549 through 554, House Bill 5089, or any similar legislation that places an unnecessary, undue burden upon the city's utility customers and the city itself.

**BE IT FURTHER RESOLVED**, that the City Council oppose these bills to such a degree that we request Representative Martus, Representative BeGole, and Senator Cherry to present this resolution and stand before each vote of this type of fee and restrictions and present it verbally.

Discussion Ensued.

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

**MEETING OPENED TO THE PUBLIC:**

M. McLanahan: Discussed the Mary Crapo concept plan.

**REMARKS BY COUNCILMEMBERS:**

Councilmember Henry: Suggested going to [patronicty.com](http://patronicty.com) website to see who our patrons are. He thanked those patrons. He is working on slowing traffic at Mary Crapo.

Councilmember Cramer: Thanked Council for approval of opposition to HB5089. February 14 is Historical Society meeting and he will be a speaker, giving history on the Masonic Lodge. Stresses the importance of the I-69 overpass and making improvements happen.

Mayor Pro Tem Hicks: Senior Center would like to see more lighting on the sidewalks from the senior living building to the road. The sidewalks don't get shoveled in a timely manner. Discussed slowing traffic down. He questioned if we could put a physical barrier in the road. Lieutenant Murphy stated he has put Officers out there several times with no infractions recorded. He also stated he personally sat there in an unmarked car for hours and saw no infractions.

**ADJOURNMENT**

**Resolution No. 240122-08**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Councilmember Henry

**I Move** the Swartz Creek City Council adjourn the regular meeting at 8:34 p.m.

Unanimous Voice Vote.

---

**David A. Krueger, Mayor**

*Renee Kraft, CMC, MiPMC*  

---

**Renee Kraft, CMC, MiPMC, City Clerk**