

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE March 11, 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 Chief Bade, Jeff Clothier, Linda Davis-Kirksey.

Others Virtually Attended: Lania Rocha.

APPROVAL OF MINUTES

Resolution No. 240311-01 **(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 February 26, 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. 240311-02 **(Carried)**

Motion by Councilmember Henry
Second by Councilmember Cramer

I Move the Swartz Creek City Council approve the agenda as amended for the Regular Council Meeting of March 11, 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. 240311-03

(Carried)

Motion by Councilmember Cramer
Second by Councilmember Gilbert

I Move the Swartz Creek City Council accept the City Manager’s Report of March 11, 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:

Jeffrey Clothier: Candidate for Genesee County 67th District Court Judge. Introduced himself.

COUNCIL BUSINESS:

PUBLIC HEARING FOR AUTHORIZATION OF DNR TRUST FUND GRANT

Opened at 7:40 p.m.

Jim Barclay: The park is open, and he sees 5-6 people in there every day. Suggested putting up stations where QR Codes can be scanned for donations.

Closed at 7:42 p.m.

RESOLUTION TO AUTHORIZE APPLICATION FOR THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES TRUST FUND GRANT

Resolution No. 240311-04

(Carried)

Motion by Mayor Pro Tem Hicks
Second by Councilmember Cramer

WHEREAS, the City of Swartz Creek supports the submission of an application titled, “Otterburn Park Improvements” to the DNR Trust Fund development program for pavilion construction and related site improvements at Otterburn Park; and,

WHEREAS, the proposed application is supported by the City of Swartz Creek 5-Year Approved Parks and Recreation Plan; and,

WHEREAS, the City of Swartz Creek is hereby making a financial commitment to the project in the amount of \$310,000 matching funds, in cash and/or donation; and,

WHEREAS, if the grant is awarded the applicant commits its local match and donated amounts from the following sources:

US HUD	\$264,000
Bee More Jentry	\$6,000
City of Swartz Creek	\$40,000

NOW THEREFORE, BE IT RESOLVED that the Swartz Creek City Council hereby authorizes submission of a DNR Trust Fund Grant Application for \$289,430, and further resolves to make available a local match through financial commitment and donation(s) of \$310,000 (51.7%) of the total \$599,430 project cost during the 2024-2025 fiscal year.

Discussion Ensued.

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

RESOLUTION TO APPROVE A PROPOSAL FOR TEMPORARY AND SUPPLEMENTAL FINANCIAL SERVICES

Resolution No. 240311-05

(Carried)

Motion by Councilmember Gilbert
Second by Mayor Pro Tem Hicks

WHEREAS, the City of Swartz Creek continues to onboard and train new staff in the duties of Treasury and Finance; and

WHEREAS, it was anticipated that temporary supplemental services would likely need to be employed in order to efficiently and properly conduct said financial activities related to budget, audit preparation, and reporting; and

WHEREAS, the City of Swartz Creek retains Plante Moran for auditing services, as well as educational and limited advisory services; and

WHEREAS, the City of Swartz Creek finds that it would be more proper and cost-effective to retain a separate professional for more intensive supplemental services; and

WHEREAS, staff have been communicating with Kimberly Lynch regarding financial services for over six months, have formally interviewed her, and have engaged her to provide an assessment of the city's financial service needs; and

WHEREAS, Mrs. Lynch has subsequently provided an engagement letter to meet the temporary needs of the city's finance functions.

NOW, THEREFORE, BE IT RESOLVED the City of Swartz Creek approves the engagement letter with Kimberly Lynch, dated March 8, 2024.

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 treasurer to appropriate such costs commensurate with the appropriation of the city's audit.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

RESOLUTION TO APPROVE MID-YEAR BUDGET ADJUSTMENTS

Resolution No. 240311-06

(Carried)

Motion by Councilmember Knickerbocker

Second by Councilmember Henry

WHEREAS, Act 621 of P.A. 1978 provides for a uniform budgeting system for local units of government; and

WHEREAS, Act 275 of P.A. of 1980 further prohibits deficit spending by local units of government; and

WHEREAS, the City Council has reviewed the City's 2023 – 2024 Revenue and Expenditure Report through January, and finds that it is not in deficit; however, certain department activity line items may be in deficit; and

WHEREAS, the City Council has received a Budget Amendment Summary and Revenue and Expenditure Reports reflecting proposed changes in budgeted items; and

WHEREAS, new budget amounts necessitate adjustments to the original adopted budget; and

WHEREAS, said supplemental documentation shows the new proposed revenue and expenditures by fund.

THEREFORE BE IT RESOLVED, the Swartz Creek City Council hereby authorizes and directs the city treasurer to make all necessary mid-year budget adjustment amendments to all city funds in accordance with the supplemental documentation pages 10 to 13 attached (and pages 88-92 in city council packet).

Discussion Ensued.

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

RESOLUTION TO APPROVE COMMISSION APPOINTMENT

Resolution No. 240311-07

(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 offices 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 exists vacancies for 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:

- | | | |
|--------------------|---|-----------------------|
| #240311-8A1 | <u>MAYOR APPOINTMENT:</u>
Planning Commission, Resident
Remainder of Three year term, expiring June 30, 2025 | Kelli Melen |
| #240311-8A2 | <u>MAYOR APPOINTMENT:</u>
Fire Board, Swing Seat, Resident
One year term, expiring March 31, 2025 | Rodney Gardner |

Discussion Ensued.

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

RESOLUTION TO APPROVE ORDINANCE 466, AN ORDINANCE TO AMEND SECTION 12-6 OF CHAPTER 12 OF THE CODE OF ORDINANCES REGARDING PEDDLERS AND SOLICITORS

Motion by Councilmember Henry
Second by Councilmember Cramer

WHEREAS, the City of Swartz Creek regulates peddlers and solicitors in accordance with state law; and

WHEREAS, the Code of Ordinances, Chapter 12, promulgates rules for said local regulations; and

WHEREAS, City seeks to clarify requirements for back ground checks and permit review.

THEREFORE, I MOVE the City of Swartz Creek ordains:

**CITY OF SWARTZ CREEK
ORDINANCE NO. 466**

An ordinance to amend Section 12-6 of Chapter 12 of the Code of Ordinances regarding peddlers and solicitors.

THE CITY OF SWARTZ CREEK ORDAINS:

Section 1. Amendment of Section 12-6 of Chapter 12 of the Code of Ordinances.

Section 12-6 of Chapter 12 of the Code of Ordinances shall be amended to read as follows:

Sec 12-6 – Issuance, Possession and Presentation of License.

No license shall be issued to, nor shall any vending be conducted by:

- (1) Any person who has made a false material statement in the application for the license.
- (2) Any person who has been convicted of a violation of this chapter or whose solicitation permit or transient merchant license has previously been revoked by the City.
- (3) Any person who has been convicted of any crime involving moral turpitude, breach of the peace or is a menace to health, safety or the general welfare of the public.

Upon approval of the license application, the city clerk shall issue a license and license identification card including the name, address, and photo of the licensed

person. The licensed person shall visibly display on their person at all times the license identification card when conducting activities permitted by the license.

Section 2. Effective Date.

This Ordinance shall take effect 30 days following publication.

At a regular meeting of the City Council of Swartz Creek held on the 11th day of March, 2024, Councilmember Henry moved for adoption of the foregoing ordinance and Councilmember Cramer supported the motion.

Voting for: Henry, Cramer, Spillane, Gilbert, Hicks, Krueger, Knickerbocker

Voting against: None

The Mayor declared the ordinance adopted.

David Krueger
Mayor

Renee Kraft, CMC, MiPMC
City Clerk

CERTIFICATION

The foregoing is a true copy of Ordinance No. 465 which was enacted by the Swartz Creek City Council at a regular meeting held on the 11th day of March, 2024.

Renee Kraft, CMC, MiPMC
City Clerk

Discussion Ensued.

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

RESOLUTION TO APPROVE TRAFFIC CONTROL ORDER NUMBER 179, TO SET THE SPEED LIMIT FOR MORRISH ROAD OVERPASS TO 30 MILES PER HOUR

Resolution No. 240311-09

(Carried)

Motion by Councilmember Cramer
Second by Councilmember Henry

WHEREAS, the city owns and operates a system of major and local streets, including traffic control devices; and

WHEREAS, Chapter 18, Article II of the Swartz Creek City Charter adopts the provisions of the Michigan Manual on Uniform Traffic Control Devices, 2009 Edition; and

WHEREAS, Section 1A.08 of the Michigan Manual on Uniform Traffic Control Devices, 2009 Edition grants local control of the regulation of traffic devices and Section 2B.13 provides additional guidance for reevaluating speed limit signs; and

WHEREAS, the street administrator and staff from the Metro Police Department of Genesee County recommend that the speed limit on Morrish Road, between the north I-69 ramp and south I-69 ramp be set at 30 MPH.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek approve Traffic Control Order #179 as a permanent order and direct the staff to place and/or remove signs in accordance with the MUTCD.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

MEETING OPENED TO THE PUBLIC:

None.

REMARKS BY COUNCILMEMBERS:

Councilmember Knickerbocker: Appreciated everyone's time. Interested in a shred day.

Councilmember Gilbert: A telephone pole is on a slant along Miller Road closer to Elms.

Councilmember Henry: Small Cities is being hosted here on April 3, starting at 6:00pm.

Councilmember Cramer: He found an article in the Detroit News alarming, regarding the petition that would eliminate property taxes.

Mayor Pro Tem Hicks: Asked Chief Bade for his opinion on the Courts all moving to Flint. Chief Bade responded it will be a waste of time for the policemen to have to travel to Flint. Asked if we can get rid of the Island on Miller Road that keeps getting run over. Would like a bike rack downtown.

Mayor Krueger: Stated that on the construction cost opinion at Otterburn Park, it has a bike pavilion station for \$20,000. He questioned the cost. City Manager Zettel replied he

thinks it's a high number, but a station has tools, air, equipment repair, etc. for riders to fix their bikes.

Councilmember Spillane: Discussed blight in the city, especially Elms Road. Regarding sign issue, suggested putting reflective tape on the poles.

ADJOURNMENT

Resolution No. 240311-10

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Cramer

I Move the Swartz Creek City Council adjourn the regular meeting at 8:39 p.m.

Unanimous Voice Vote.

David A. Krueger, Mayor

Renee Kraft, CMC, MiPMC

Renee Kraft, CMC, MiPMC, City Clerk

		2023-24 AMENDED BUDGET	MID-YEAR BUDGET ADJUSTMENT	MID-YEAR AMENDED BUDGET	Comments
Fund 101 - General Fund					
Revenues					
Dept 000.000 - General					
101-000.000-664.000	Interest Income	7,500.00	1,000.00	8,500.00	
101-000.000-675.000	Misc.	0.00	120.00	120.00	
101-000.000-677.000	Reimbursements	0.00	203.27	203.27	
Dept 301.000 - Police Dept					
101-301.000-543.000	State Liquor Returns	4,700.00	125.15	4,825.15	
101-301.000-627.000	Charges for Services	0.00	410.01	410.01	
Dept 336.000 - Fire Department					
101-336.000-677.000	Reimbursements	0.00	1,074.93	1,074.93	
Dept 371.000 - Building/Zoning/Planning					
101-371.000-478.000	Other Permits	1,800.00	1,040.00	2,840.00	
Dept 523.000 - Grass, Brush & Weeds					
101-523.000-416.000	Current Weed Revenue	3,600.00	2,100.00	5,700.00	
Dept 782.000 - Facilities - Abrams Park					
101-782.000-651.000	Use and Admission Fee	230.00	100.00	330.00	
Dept 783.000 - Facilities - Elms Rd Park					
101-783.000-677.000	Reimbursements	0.00	1,375.00	1,375.00	
Dept 797.000 - Facilities - City Parking Lots					
101-797.000-677.000	Reimbursements	0.00	21,933.45	21,933.45	
Expenditures					
Dept 000.000 - General					
101-101.000-910.500	Workers Comp Insurance	7.00	1.00	8.00	
Dept 172.000 - Executive					
101-172.000-910.500	Workers Comp Insurance	200.00	16.00	216.00	
Dept 215.000 - Administration and Clerk					
101-215.000-801.000	Contractual Services	1,271.95	206.57	1,478.52	Testing for new full time Admin
Dept 345.000 - PUBLIC SAFETY BUILDING					
101-345.000-910.500	Workers Comp Insurance	195.00	90.00	285.00	

		2023-24 AMENDED BUDGET	MID-YEAR BUDGET ADJUSTMENT	MID-YEAR AMENDED BUDGET	Comments
Dept 782.000 - Facilities - Abrams Park 101-782.000-941.000	Equipment Rental	2,000.00	740.27	2,740.27	
Dept 790.000 - Facilities-Senior Center/Libr 101-790.000-910.500	Workers Comp Insurance	193.00	89.00	282.00	
Dept 794.000 - Community Promotions Program 101-794.000-941.000	Equipment Rental	7,300.00	1,578.86	8,878.86	
Fund 101 - General Fund:					
TOTAL REVENUES		2,979,038.77	29,481.81	3,008,520.58	
TOTAL EXPENDITURES		3,422,076.30	2,721.70	3,424,798.00	
NET OF REVENUES & EXPENDITURES		(443,037.53)	32,203.51	(410,834.02)	
Fund 202 - Major Street Fund					
Revenues					
Dept 000.000 - General 202-000.000-664.000	Interest Income	75.00	1,700.00	1,775.00	
Expenditures					
Dept 463.000 - Routine Maint - Streets 202-463.000-726.000	Supplies	0.00	101.85	101.85	
Dept 474.000 - Traffic Services 202-474.000-726.000	Supplies	2,500.00	1,247.31	3,747.31	
Dept 429.000 - Occupational Safety					
202-429.000-702.000	Wages	0.00	56.42	56.42	
202-429.000-704.100	FICA - Employer's Share	0.00	3.50	3.50	
202-429.000-704.200	Medicare - Employer's Share	0.00	0.82	0.82	
202-429.000-705.000	Medical Insurance - ER	0.00	47.98	47.98	
202-429.000-705.100	Vision Benefits	0.00	0.48	0.48	
202-429.000-705.200	Dental Benefits	0.00	5.68	5.68	
202-429.000-706.000	Life Insurance - ER cost	0.00	0.56	0.56	
202-429.000-707.000	Retirement Contributions-ER	0.00	5.64	5.64	
202-429.000-707.100	Health Care Savings Plan - ER	0.00	2.50	2.50	
202-429.000-708.000	Sick & Accident Premiums-ER	0.00	5.37	5.37	
202-429.000-941.000	Equipment Rental	0.00	25.50	25.50	
Fund 202 - Major Street Fund:					
TOTAL REVENUES		1,743,424.10	1,700.00	1,745,124.10	

		2023-24 AMENDED BUDGET	MID-YEAR BUDGET ADJUSTMENT	MID-YEAR AMENDED BUDGET	Comments
TOTAL EXPENDITURES		1,838,453.54	1,503.61	1,839,957.15	
NET OF REVENUES & EXPENDITURES		(95,029.44)	3,203.61	(91,825.83)	
Fund 203 - Local Street Fund					
Revenues					
Dept 000.000 - General					
203-000.000-664.000	Interest Income	400.00	100.00	500.00	
Expenditures					
Dept 228.000 - Information Technology					
203-228.000-801.000	Contractual Services	0.00	609.31	609.31	
Dept 449.501 - Right of Way - Storms					
203-449.501-930.000	Repairs and Maintenance	1,000.00	7,230.40	8,230.40	
Dept 463.503 - Local Streets Rehab					
203-463.503-801.000	Contractual Services	0.00	450.00	450.00	
203-463.503-900.000	Printing and Publishing	0.00	1,750.00	1,750.00	
Fund 203 - Local Street Fund:					
TOTAL REVENUES		3,800,600.00	100.00	3,800,700.00	
TOTAL EXPENDITURES		3,918,344.67	10,039.71	3,928,384.38	
NET OF REVENUES & EXPENDITURES		(117,744.67)	10,139.71	(107,604.96)	
Fund 204 - MUNICIPAL STREET FUND					
Revenues					
Dept 000.000 - General					
204-000.000-402.204	Current Tax Revenue Local St Millage	737,600.00	18,220.54	755,820.54	
Fund 204 - MUNICIPAL STREET FUND:					
TOTAL REVENUES		7,150,145.00	18,220.54	7,168,365.54	
TOTAL EXPENDITURES		3,767,953.63	0.00	3,767,953.63	
NET OF REVENUES & EXPENDITURES		3,382,191.37	18,220.54	3,400,411.91	
Fund 248 - Downtown Development Fund					
Revenues					
Dept 000.000 - General					
248-000.000-664.000	Interest Income	8.50	108.72	117.22	
Fund 248 - Downtown Development Fund:					

	2023-24 AMENDED BUDGET	MID-YEAR BUDGET ADJUSTMENT	MID-YEAR AMENDED BUDGET	Comments
TOTAL REVENUES	167,754.50	108.72	167,863.22	
TOTAL EXPENDITURES	126,471.75	0.00	126,471.75	
NET OF REVENUES & EXPENDITURES	41,282.75	108.72	41,391.47	

Fund 402 - Fire Equip Replacement Fund Revenues

Dept 000.000 - General 402-000.000-574.400	CVTRS- PS - Revenue Sharing	0.00	378.00	378.00	new revenue from state-- dedicated to pub safety
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Fund 402 - Fire Equip Replacement Fund:

TOTAL REVENUES	228,000.00	378.00	228,378.00
TOTAL EXPENDITURES	341,617.50	0.00	341,617.50
NET OF REVENUES & EXPENDITURES	(113,617.50)	378.00	(113,239.50)

Fund 590 - Sanitary Sewer Fund Expenditures

Dept 253.000 - Treasurer 590-253.000-801.000	Contractual Services	11,653.00	5,000.00	16,653.00	help with transitioning positions
590-253.000-805.000	Bank Fees	50.00	71.50	121.50	
Dept 537.000 - Sewer Lift Stations 590-537.000-726.000	Supplies	0.00	323.52	323.52	
Dept 101.000 - Council 590-101.000-910.500	Workers Comp Insurance	5.00	1.00	6.00	
590-101.000-960.000	Education and Training	1,595.00	23.33	1,618.33	

Fund 590 - Sanitary Sewer Fund:

TOTAL REVENUES	1,393,077.50	0.00	1,393,077.50
TOTAL EXPENDITURES	1,685,927.70	5,419.35	1,691,347.05
NET OF REVENUES & EXPENDITURES	(292,850.20)	5,419.35	(287,430.85)

Fund 591 - Water Supply Fund Expenditures

Dept 172.000 - Executive 591-172.000-961.000	Miscellaneous	0.00	71.25	71.25	MI Deal/ Annual Memb Fee
Dept 215.000 - Administration and Clerk 591-215.000-726.000	Supplies	0.00	37.78	37.78	

Fund 591 - Water Supply Fund:

	2023-24 AMENDED BUDGET	MID-YEAR BUDGET ADJUSTMENT	MID-YEAR AMENDED BUDGET	Comments
TOTAL REVENUES	2,309,750.00	0.00	2,309,750.00	
TOTAL EXPENDITURES	7,047,383.30	109.03	7,047,492.33	
NET OF REVENUES & EXPENDITURES	(4,737,633.30)	109.03	(4,737,524.27)	

Fund 661 - Motor Pool Fund Revenues

Dept 000.000 - General 661-000.000-664.000	Interest Income	700.00	695.95	1,395.95
661-000.000-675.000	Misc.	0.00	210.00	210.00

Fund 661 - Motor Pool Fund:

TOTAL REVENUES	218,795.00	905.05	219,700.05
TOTAL EXPENDITURES	406,356.50	0.00	406,356.50
NET OF REVENUES & EXPENDITURES	(187,561.50)	905.05	(186,656.45)