

**CITY OF SWARTZ CREEK  
SWARTZ CREEK, MICHIGAN  
MINUTES OF THE REGULAR COUNCIL MEETING  
DATE May 13, 2024**

The meeting was called to order at 7:00 p.m. by Mayor Pro Tem Hicks in the Swartz Creek City Council Chambers, 8083 Civic Drive.

Invocation and Pledge of Allegiance.

Councilmembers Present: Spillane, Gilbert, Hicks, Knickerbocker, Henry.

Councilmembers Absent: Cramer, Krueger

Staff Present: City Manager Adam Zettel, Clerk Renee Kraft.

Others Present: Metro PD Chief Bade, Rob Merinsky-OHM, Marianne McLanahan, Jim Barclay

Motion to excuse Councilmember Cramer and Mayor Krueger by Henry. Second by Gilbert. All said Aye.

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

NO: None. Motion Declared Carried.

**APPROVAL OF MINUTES**

**Resolution No. 240513-02**

**(Carried)**

Motion by Councilmember Knickerbocker

Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday April 22, 2024 to be circulated and placed on file.

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

NO: None. Motion Declared Carried.

**APPROVAL OF AGENDA**

**Resolution No. 240513-03**

**(Carried)**

Motion by Councilmember Gilbert

Second by Councilmember Henry

**I Move** the Swartz Creek City Council approve the Agenda as printed for the Regular Council Meeting of May 13, 2024 to be circulated and placed on file.

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

### **CITY MANAGER'S REPORT**

**Resolution No. 240513-04**

**(Carried)**

Motion by Councilmember Henry  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council accept the City Manager's Report of May 13, 2024, including reports and communications to be circulated and placed on file.

Discussion Ensued.

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

### **MEETING OPENED TO THE PUBLIC:**

Jim Barclay: Stated there are air bubbles and cracks in new concrete by basketball court. Believes No Mow May is a terrible idea because Swartz Creek has roughly 450 acres of underdeveloped land for the bees.

Marianne McLanahan: Questioned if there is a trash can ordinance-neighbor has left his trash can out by road for three years. She would like the digital speed sign by her house again. Suggested more speed limit signs. She is enjoying the flowers.

### **COUNCIL BUSINESS:**

#### **PUBLIC HEARING FOR FISCAL YEAR 2024-2025 BUDGET**

Opened at 7:21p.m.

No resident comments. Discussion ensued with council.

Closed 7:38 p.m.

#### **RESOLUTION TO SET THE 2024-2025 COUNCIL MEETING SCHEDULE**

**Resolution No. 240513-05**

**(Carried)**

Motion by Councilmember Spillane

Second by Councilmember Henry

**WHEREAS**, Act 261 of the Public Acts of the State of Michigan of 1968, as amended, requires a public notice of the schedule of regular meetings of the Swartz Creek City Council be given once each calendar year or fiscal year and that said notice shall show the regular dates and times for the meeting and the place at which meetings are held; and

**WHEREAS**, the Act directs that notice be posted prominently at the principle office of the City of Swartz Creek or at the public building at which meetings are held or published in the newspaper of general circulation in Swartz Creek,

**NOW, THEREFORE**, pursuant to the Act, public notice is hereby given that regular meetings for fiscal year 2024-2025 shall be held twice each month, and further, that all meetings shall be held in the Paul D. Bueche Municipal Building Council Chambers located at 8083 Civic Drive, Swartz Creek, Michigan, unless otherwise provided in advance by the City Council, and further, meetings shall commence at 7:00 P.M. on the following dates:

July 2024:	Monday – 8th Monday – 22nd	
August 2024:	Monday – 12th Monday – 26th	
September 2024:	Monday – 9th Monday – 23rd	
October 2024:	Monday – 14th Monday – 28th	
November 2024:	Tuesday – 12th Monday – 25th	One day later
December 2024:	Monday – 09th Monday – 16th	6:00 p.m. start One week earlier
January 2025:	Monday – 13th Monday – 27th	
February 2025:	Monday – 10th Monday – 24th	6:00 p.m. start
March 2025:	Monday – 10th Monday – 24th	

April 2025:	Monday – 14th Monday – 28th	
May 2025:	Monday – 12th Tuesday – 27th	One day later
June 2025:	Monday – 09th Monday – 23rd	

**BE IT FURTHER RESOLVED** that the Clerk is hereby directed to post a copy of this resolution in a prominent place in the City Offices of the City of Swartz Creek.

**BE IT FURTHER RESOLVED** that the City Clerk is hereby directed to supply forthwith, upon request, a copy of this resolution to any newspaper of general circulation in the political subdivision in which the meeting will be held and/or to any radio or television station that regularly broadcasts into the City of Swartz Creek.

Discussion Ensued. As Amended.

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

**RESOLUTION TO APPROVE PAVILION THREE REHABILITATION AT ELMS PARK**

**Resolution No. 240513-06** **(Carried)**

Motion by Councilmember Knickerbocker  
Second by Councilmember Henry

**WHEREAS**, the City of Swartz Creek owns operates and maintains a system of parks; and

**WHEREAS**, pavilion three at Elms Park has suffered structural deficiencies that require immediate and professional rehabilitation; and

**WHEREAS**, sealed bids were solicited from the public to complete this work, with J.W. Morgan Construction LLC., submitted the lowest qualifying bid.

**NOW, THEREFORE, BE IT RESOLVED**, the City of Swartz Creek City Council hereby awards the Pavilion #3 project work to J.W. Morgan Construction LLC., in the amount \$10,120 and directs the City Manager to create and execute a standard contractor agreement with J.W Morgan Construction LLC.

Discussion Ensued.

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

**RESOLUTION TO APPROVE CONSUMERS ENERGY LIGHTING AGREEMENT –  
SPRINGBROOK EAST**

**Resolution No. 240513-07**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Councilmember Henry

**WHEREAS**, the street lights in the city are owned and operated by Consumers Energy Company (CE), a Michigan utility with principle offices located at One Energy Plaza, Jackson MI, 49201; and

**WHEREAS**, CE is the sole provider of street lights, electrical delivery, and maintenance on said lights in the County of Genesee, including Swartz Creek City; and

**WHEREAS**, CE supplies street lighting services to the city under a current standard street lighting contract which outlines specific fixture counts and types, said contract restated on November 1, 2014 and revised from time to time; and

**WHEREAS**, the City seeks additional changes to the street lighting services agreement that include the addition of lighting to a newer neighborhood and subsequent billing for such new lights; and

**WHEREAS**, Consumers Energy requires approval of an amendment to the existing street light contract and affirmation of the work orders to remove the existing lighting and install new lighting in accordance with the restated and amended lighting contract.

**NOW THEREFORE, BE IT RESOLVED**, it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the lighting service as provided in the Standard Lighting Contract between the Company and the City of Swartz Creek, dated November 1, 2014, modified on November 1, 2018, in accordance with the Agreement for Modifications of Electric Facilities, dated May 3, 2024 and Authorization for Change in Standard Lighting Contract, as included in the May 13, 2024 City Council Packet.

**BE IT FURTHER RESOLVED**, that it is hereby deemed advisable to enter into a contract with Consumers Energy Company for furnishing lighting service within the City of Swartz Creek for a period of one year and thereafter from year to year, in accordance with the terms of the contract heretofore submitted to the city council.

**BE IT FURTHER RESOLVED**, that the city agrees to the terms and conditions of form 547 as included in the city council packet of May 13, 2024 and further directs the City Clerk to execute said agreements and forms that represent the aforementioned terms and conditions.

**BE IT FURTHER RESOLVED**, that the city agrees to furnish payment to Consumers Energy in accordance with invoice #9326729498, charges totaling \$300 for furnishing and installation of lights, costs to be invoiced to the project developer.

Discussion Ensued.

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

## **RESOLUTION TO ASSESS DELINQUENT CHARGES TO THE ASSESSMENT ROLL**

**Resolution No. 240513-08**

**(Carried)**

Motion by Councilmember Henry  
Second by Councilmember Knickerbocker

**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 2024 tax collection roll.

Discussion Ensued.

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

## **RESOLUTION TO EXTEND BID UNIT PRICES AND APPROVE LOCAL STREET IMPROVEMENTS**

**Resolution No. 240513-09**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Councilmember Knickerbocker

**WHEREAS**, the City of Swartz Creek owns, operates, and maintains a system of major and local streets; and

**WHEREAS**, the city also possesses a twenty year street improvement plan that details and prioritizes street investment; and

**WHEREAS**, the DPW and engineer monitor current conditions of streets and respective repair methods in order to seize opportunities to address specific street segments; and

**WHEREAS**, T.G. Priehs was awarded a contract based on unit costs that includes the rehabilitation of asphalt surfaces; and

**WHEREAS**, the city has identified specific street segments that appear to be good candidates for similar work; and

**WHEREAS**, the city has unspent road monies in the current budget, and T.G. Priehs is willing to extend accepted unit prices to address these specific areas.

**NOW, THEREFORE, BE IT RESOLVED** the City of Swartz Creek approves the proposal by T.G. Priehs, dated May 9, 2024 (formerly April 17, 2024), with the exception of Elms Road, as included in the May 13, 2024 city council packet.

**BE IT FURTHER RESOLVED**, that the City Council authorizes and directs the Mayor to execute said proposal on behalf of the city and for the city treasurer to appropriate such construction costs to the Local Street Fund.

**BE IT FURTHER RESOLVED**, that the City Council authorizes the City Manager further engage T.G. Priehs this construction season for miscellaneous patching and street work that is already within the confines of the local and major street fund budgets.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

Motion to amend resolution # 240513-09 by Henry, to approve the proposal by T. G. Priehs dated May 9, 2024. Second by Knickerbocker.

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

NO: None. Motion Declared Carried.

### **MEETING OPENED TO THE PUBLIC:**

None.

### **REMARKS BY COUNCILMEMBERS:**

Councilmember Spillane: Cemetery cleanup 9:00am – noon this Saturday. Historical Society is having their yard sale May 31. June 18 is the first Swartz Creek summer series concert. Suggested the sound equipment in council chambers needs improvement.

Councilmember Henry: Solution to sound could be wireless. Suggested adding trees where there are gaps at Don Shenk and Cappy. August 7 is National Night Out-Swartz Creek would like to see one on the civic campus one year.

Councilmember Gilbert: Discussed a resident's mowing. Have a fine evening.

Councilmember Knickerbocker: Join us at the next meeting on Tuesday for anyone that wants to join them for the Chamber Luncheon. Hometown days in two weeks.

Mayor Pro Tem Hicks: Suggested everyone consider changing meeting times from 7:00pm to 6:00pm or 6:30pm on a regular basis. Others stated it would make it difficult to arrive on time. Greenleaf had no gas from 7:00-11:30pm. Asked who pays for that? Response was "not us."

Chief Bade: Task force to work Hometown days. There will be uniformed officers from Grand Blanc, Flushing, Davison and State Police.

### **ADJOURNMENT**

**Resolution No. 240513-11**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Councilmember Henry



**I Move** the Swartz Creek City Council adjourn the regular meeting at 8:21 p.m.

Unanimous Voice Vote.

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David A. Krueger, Mayor

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