

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE June 24, 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: Michael Murphy-Metro Police Lieutenant, Bradford Harrison-GFL, Andrea Kruse-Priority Waste, Walt Melon, Jeff Kelley, John Pobocik

Others Virtually Attended: Lania Rocha, Samantha Fountain

APPROVAL OF MINUTES

Resolution No. 240624-01 **(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 June 10, 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. 240624-02 **(Carried)**

Motion by Councilmember Henry
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Agenda as Amended for the Regular Council Meeting of June 24, 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. 240624-03

(Carried)

Motion by Councilmember Cramer
Second by Councilmember Gilbert

I Move the Swartz Creek City Council accept the City Manager's Report of June 24, 2024, as amended, 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:

None.

COUNCIL BUSINESS:

RESOLUTION TO APPROVE THE UPDATED MARKETING PLAN OF THE CITY OF SWARTZ CREEK

Resolution No. 240624-04

(Carried)

Motion by Mayor Pro Tem Hicks
Second by Councilmember Cramer

WHEREAS, the City of Swartz Creek is a certified Redevelopment Ready Community, as recognized by the Michigan Economic Development Authority; and

WHEREAS, in addition to providing financial and service benefits, the program requires the city to maintain specific plans, policies, and informational materials in order to remain a certified community; and

WHEREAS, RRC staff have indicated which benchmarks are required to be met by the fall of 2024 to maintain certification, including the update of the 2019 City of Swartz Creek Marketing Plan; and

WHEREAS, Samantha Fountain has reviewed and updated said document to reflect accomplishments, outdated tasks, and new tasks that reflect current efforts related to marketing.

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Swartz Creek approves the 2024 Marketing Plan as included in the June 24, 2024 city council packet.

BE IT FURTHER RESOLVED THAT, the City Council authorizes and directs Mrs. Fountain to file, distribute, and report said plan as required by the MEDC.

Discussion Ensued.

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

RESOLUTION TO AUTHORIZE ASSIGNMENT OF THE GFL WASTE AGREEMENT TO PRIORITY WASTE

Resolution No. 240624-05

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Knickerbocker

WHEREAS, the city entered into an agreement with GFL Environmental USA Inc on June 17, 2021 to provide for residential waste services for a five year term; and

WHEREAS, GFL intends to sell the residential waste services of southeast Michigan to Priority Waste LLC on or about June 30, 2024; and

WHEREAS, Section 8 of the agreement states, "Hauler shall not delegate or assign this Agreement, or any part thereof, to an unaffiliated entity nor shall Hauler subcontract this Agreement or any part thereof without the prior written approval of the City, which approval shall not be unreasonably withheld. Hauler may not assign any part of this Agreement by way of sale, merger, or acquisition of hauler without the prior written approval of the City, which shall not be unreasonably withheld."; and

WHEREAS, GFL seeks said written approval from the City of Swartz Creek; and

WHEREAS, the City of Swartz Creek finds no reasonable cause for objection.

NOW THEREFORE, BE IT RESOLVED, that the Swartz Creek City Council authorizes the assignment of the GFL 2021 Agreement to Priority as requested in the letter dated June 7, 2024.

BE IT FURTHER RESOLVED, that the Swartz Creek City Council authorize and direct the Mayor to execute said letter on behalf of the City.

Discussion Ensued.

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

RESOLUTION TO APPROVE A QUOTE TO INSTALL AND REPAIR SIDEWALK USING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

Resolution No. 240624-06

(Carried)

Motion by Councilmember Knickerbocker
Second by Councilmember Henry

WHEREAS, the City of Swartz Creek has \$35,721 of Community Development Block Grant Funds to spend on eligible improvements by August 31, 2024; and

WHEREAS, the city bid sidewalk improvements on Mclain and School in accordance with program requirements, and no bids were received; and

WHEREAS, they reduced the work scope and sought quotes on said work; and

WHEREAS, a quote in the amount of ~~\$56,070~~ **\$17,500** was received by BP Surface Solutions LLC.

WHEREAS, the Genesee County Metropolitan Planning Commission finds this project is fundable with CDBG funds as presented and quoted.

THEREFORE BE IT RESOLVED, the Swartz Creek City Council hereby approves the quote by BP Surface Solutions LLC as included **as it pertains to School Street connector, Mclean Street connector and listed repairs totaling \$17,500** in the June 24, 2024 city council packet, conditioned upon final approval of the work scope, quote, and construction agreement by the GCMPC; and

BE IT FURTHER RESOLVED, the Swartz Creek City Council hereby authorizes and directs the City Manager or his designee to execute any and all agreements, forms, reports, and related compliance documentation as required to complete this project.

Discussion Ensued.

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

RESOLUTION TO APPROVE FISCAL YEAR 2024 BUDGET AMENDMENTS AND ADJUSTMENTS, AS AMENDED.

Resolution No. 240624-07

(Carried)

Motion by Councilmember Spillane
Second by Councilmember Cramer

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 Fiscal Year Budget and comparative year-to-date balance sheet of expenses and revenues and finds that it is not in deficit; however, certain department activity line items may be in deficit.

WHEREAS, the City Council has received a Budget Amendment Summary; and

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

WHEREAS, said supplemental documentation shows the new proposed revenue and expenditures changes by account number.

THEREFORE BE IT RESOLVED, the Swartz Creek City Council hereby authorizes and directs the city manager or his designee to make all necessary end-year budget adjustment amendments to all city funds in accordance with the supplemental documentation (pages 164 to 173) attached.

BE IT FURTHER RESOLVED, the Swartz Creek City Council hereby authorizes and directs the City Manager or his designee to make all necessary year-end budget adjustment amendments.

Discussion Ensued.

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

RESOLUTION TO APPROVE A PROPOSAL FOR SUPPLEMENTAL FINANCIAL SERVICES

Resolution No. 240624-08

(Carried)

Motion by Councilmember Henry
Second by Councilmember Cramer

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

WHEREAS, the city's administrative staffer that was responsible for payroll and accounts payable is retiring at the end of 2024 and is transferring duties to the City Treasurer and front desk administrator; and

WHEREAS, the city has removed finance related duties from the City Treasurer and assigned them to Kimberly Lynch, a contractual employee, as of March 2024; and

WHEREAS, the City of Swartz Creek finds that it would be more prudent and cost-effective to retain said financial services as a separate professional service; and

WHEREAS, the workload for the next three months is expected to be intensive, due to the need to provide audit support services to Plante Moran; and

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

NOW, THEREFORE, BE IT RESOLVED the city intends to negotiate and extend post-audit services at a lower weekly rate once the audit is complete.

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

NO: None. Motion Declared Carried.

MEETING OPENED TO THE PUBLIC:

John Pobocik: Questioned plans for Mary Crapo-suggested a playground. Suggested a bridge across the street for Abrams Park (Mr. Zettel stated it is private property.) Questioned what the yearly budget was. (Mr. Zettel responded that the full budget is about \$10,000,000, give or take from year to year.

REMARKS BY COUNCILMEMBERS:

Councilmember Spillane: Discussed a lot on 2nd St.-there was an offer made but not accepted. Activity in Mundy Twp with Mega site and our lack of inclusion-if it continues and they get to reap rewards of the investments and we don't see a dime, then we

shouldn't continue with these agreements. Thanked Mr. Kelley and the fire department for the use of tables and setup for Historical Society.

Councilmember Cramer: New markings on Miller Road are too small. We lost Mike Treiger who served this community well and will be sorely missed.

Councilmember Gilbert: Have a blessed evening. Reminder of Fire Board Meeting at Station #2.

Councilmember Knickerbocker: Starz Fundraiser for the Chamber for Whaley Children's Center-bring credit card. Luncheon at American Legion is from noon – 1:30 on June 25..

Mayor Pro Tem Hicks: Mega site-Gaines Township and Swartz Creek are on the outskirts and have been mentioned.

ADJOURNMENT

Resolution No. 240624-08

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Henry

I Move the Swartz Creek City Council adjourn the regular meeting at 8:55 p.m.

Unanimous Voice Vote.

David A. Krueger, Mayor

Renee Kraft, CMC, MiPMC II, City Clerk