

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE July 14, 2025**

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

Invocation and Pledge of Allegiance.

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

Councilmembers Absent: None.

Staff Present: Clerk Renee Kraft.

Others Present: Commissioner Dale K. Weighill, Fire Sergeant Tyler Herr, Firefighter Jeffrey C. Kelley, Metro PD Chief Bade, Dennis Cramer, Jeff E. Kelley, Scott Thomas, Mark Gonyea, Cindy Norff, Sue Dishaw.

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

APPROVAL OF MINUTES

Resolution No. 250714-01

(Carried)

Motion by Councilmember Spillane
Second by Councilmember Krueger

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday June 23, 2025 to be circulated and placed on file.

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

APPROVAL OF AGENDA

Resolution No. 250714-02

(Carried)

Motion by Councilmember Krueger
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Agenda as printed for the Regular Council Meeting of July 14, 2025, to be circulated and placed on file.

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

CITY MANAGER'S REPORT

Resolution No. 250714-03

(Carried)

Motion by Councilmember Melen
Second by Councilmember Gilbert

I Move the Swartz Creek City Council accept the City Manager's Report of July 14, 2025, including reports and communications to be circulated and placed on file.

Discussion Ensued.

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

MEETING OPENED TO THE PUBLIC:

Sue Dishaw: Spoke on behalf of the Genesee County Coalition For Clean Water against the Mundy Township Megasite.

COUNCIL BUSINESS:

PRESENTATION: County Commissioner Dale Weighill.

Commissioner Weighill presented the Swartz Creek Fire Department with a resolution plaque commemorating the 100th anniversary of the fire department. He also discussed the county budget and the Tower Project, with an invitation to attend a tour on July 23 starting at 9:00am.

RESOLUTION TO APPROVE COMMISSION APPOINTMENTS

Resolution No. 250714-04

(Carried)

Motion by Mayor Pro Tem Hicks
Second by Councilmember Melen

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 for 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, the unit costs bid to the two cities have been made available to the City and the city council finds that the lineal foot costs and symbol costs listed cannot be matched if attempts were made to bid on the open market or through private sources.

NOW, THEREFORE, BE IT RESOLVED, the City of Swartz Creek City Council accept the Burton and Mt Pleasant cooperative purchasing extension for the purchase of linear pavement and symbol marking from M&M Pavement Marking, Inc., as well as the notated price list for the City of Swartz Creek, with the lowest unit costs being applicable where there is a discrepancy, as included in the July 14, 2025 city council packet, expenses to be distributed to the Local and Major Street funds proportionate to use at the direction of the City's Finance Director.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

RESOLUTION TO APPROVE A TEMPORARY ALLEY USAGE/CLOSURE PERMIT FOR THE ALLEY NORTH OF AND ADJACENT TO 8006, 8010, 8012, 8014 MILLER ROAD

Resolution No. 250714-06

(Carried)

Motion by Councilmember Knickerbocker
Second by Councilmember Krueger

WHEREAS, the City of Swartz Creek enables closure and use of its public streets, plazas, and alleys upon application by a petitioner and approval by the city council; and

WHEREAS, the COVID pandemic has had a profound and dynamic impact on the community, including hospitality businesses, greatly jeopardizing the abilities of these businesses and property owners that rely on this industry; and

WHEREAS, grants were made available to enable outdoor dining, including winter service, for those businesses that could pursue this as an option, including the petitioner; and

WHEREAS, the property at 8006 Miller Road (including 8010, 8012, and 8014 Miller Road) houses two restaurant businesses that are immediately south of and adjacent to the city's public alley; and

WHEREAS, this alley is the only accessible space in which to safely accommodate outdoor service for S&K as well as Jamie's Place; and

WHEREAS, temporary use of this alley has been granted by the city council for the purposes of outdoor dining at this location, but such use and access will expire in July of 2025; and

WHEREAS, public utilities, including water and storm water, exist in the subsurface of the alley.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek hereby authorizes and extends closure and private use, including routine maintenance (waste removal, snow removal, landscaping/weeding maintenance, and general safety) of the city alley north of and adjacent to 8006, 8010, 8012, and 8014 Miller Road for the purpose of food service, including alcohol sales, inclusive of all stipulations and conditions as specified and listed within the original permit and the extension, dated July 3, 2025, including the provision of valid insurance that lists the City of Swartz Creek as an additionally insured party for all activities.

BE IT FURTHER RESOLVED that the closure and use of said alley shall commence immediately and be valid for one year.

BE IT FURTHER RESOLVED that the closure and use of said alley is conditioned upon the retention of the city's access rights to operate and maintain all public utilities, systems, and appurtenances on and underneath the alley surface.

BE IT FURTHER RESOLVED that, as a condition of the permit, the city shall not be responsible for any private, personal property that may be damaged within the alley confines for any reason, including deliberate action by the city to access surface or subsurface utilities.

BE IT FURTHER RESOLVED that, as a condition of the permit, the applicant will be responsible for the costs to remove any and all improvements placed upon the alley upon expiration of use permissions, and the applicant shall post a bond or cash escrow with the city in an amount sufficient to financially support such activities.

Discussion Ensued.

YES: Henry, Melen, Hicks, Krueger, Knickerbocker.

NO: Spillane, Gilbert. Motion Declared Carried.

RESOLUTION TO APPROVE SIGN FABRICATION FOR ABRAMS PARK

Resolution No. 250714-07

(Carried)

Motion by Councilmember Spillane
Second by Councilmember Melen

WHEREAS, the City of Swartz Creek completed a wayfinding and branding sign plan in 2024; and

WHEREAS, the City, the designer, and Signs By Crannie have worked to establish materials, methods, and designs that can be produced economically; and

WHEREAS, Signs By Crannie has been awarded work in accordance with this program for park wayfinding and city gateway signage; and

WHEREAS, the Parks and Recreation Commission recommends proceeding with a new Abrams Park identification sign to replace the deteriorating sign, and this expense is in the current budget; and

WHEREAS, the city finds that, though this is normally a competitive product, the interests of the city are best served by proceeding with the current negotiated product.

NOW, THEREFORE, BE IT RESOLVED, the City of Swartz Creek approves the quote for Abrams Park signage from Signs By Crannie in the amount of \$6,401.44 as included in the July 14, 2025 city council packet.

Discussion Ensued.

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

RESOLUTION TO ACQUIRE TAX REVERTED PROPERTY FROM GENESEE COUNTY TREASURER

Resolution No. 250714-08

(Denied)

Motion by Councilmember Krueger
Second by Councilmember Melen

WHEREAS, the Swartz Creek City Council reviewed a list of tax foreclosed properties in the City, made available under MCL 211.78m by the Genesee County Treasurer; and,

WHEREAS, the property for which there is a public purpose includes:

7484 Wade Street, Swartz Creek, MI, Parcel ID Number 58-01-502-047; and,

WHEREAS, the City Council finds that a public purpose exists for the acquisition of the property, located at 7484 Wade Street, that purpose being the amelioration of blight and nuisances created by the condition and operation of said property; and,

WHEREAS, the County Treasurers' Office requires certain conditions and stipulations relative to the acquisition of tax reverted properties by local units of government.

NOW, THEREFORE, I Move the City of Swartz Creek enter into an agreement with the Genesee County Treasurers' Office, and further, direct the Mayor Nate Henry and City Clerk Renee Kraft to execute the agreement on behalf of the City, agreement as follows:

NOTICE TO GENESEE COUNTY TREASURER SAMUEL E. MUMA, THE FORECLOSING
GOVERNMENTAL UNIT, OF ELECTION TO PURCHASE FORECLOSED PROPERTY

The City of Swartz Creek hereby notifies SAMUEL E. MUMA, Genesee County Treasurer and Genesee County Foreclosing Governmental Unit, that it intends to purchase property described as parcel number 58-01-502-047, also known as 7484 Wade Street, Swartz Creek. The total cost to acquire this parcel is 17,972.50 This includes both the \$17,942.50 minimum bid as that term is defined MCL 211.78m(1), as well as, \$30.00 representing deed recording cost.

This election by the City of Swartz Creek is made subject to any prior right of election vested in the State of Michigan.

The City of Swartz Creek understands that neither Genesee County nor SAMUEL E. MUMA, either individually and/or as Genesee County Treasurer and/or as the Foreclosing Governmental Unit, makes any warranty of any kind as to the title transferred to the City of Swartz Creek and will not indemnify, defend, save nor hold harmless the City of Swartz Creek from any or all claims, liabilities, damages, losses, suits, fines, penalties, demands or expenses, including costs of suit and attorney fees, incurred by the City of Swartz Creek because of or related to its election to purchase the property above described.

The City of Swartz Creek agrees to indemnify, defend, save and hold harmless Genesee County and SAMUEL E. MUMA, individually and/or as Genesee County Treasurer and/or as Foreclosing Governmental Unit, from any and all claims, liabilities, damages, losses, suits, fines, penalties, demands and expenses, including costs of suit and attorney fees, which Genesee County and/or SAMUEL E. MUMA, individually and/or as Genesee County Treasurer and/or as Foreclosing Governmental Unit incurred because of or related to the election of the City of Swartz Creek to purchase the property above described.

It will be the City of Swartz Creek's responsibility to defend the price paid for the property if a lawsuit should come from a party claiming an interest in the property.

Attached to this notice is a copy of the resolution authorizing the purchase which resolution incorporates the indemnification of Genesee County and SAMUEL E. MUMA.

Date: _____

Mayor or Supervisor

Date: _____

Clerk

BE IF FURTHER RESOLVED, the cost to purchase such property, being \$17,942.50 as well as the addition of any current year taxes, fees, and assessments, said costs to be appropriated to the unencumbered, unreserved General Fund (101) fund balance.

BE IF FURTHER RESOLVED, the City of Swartz Creek agrees to indemnify, defend, save and hold harmless Genesee County and SAMUEL E. MUMA, individually and/or as Genesee County Treasurer and/or as Foreclosing Governmental Unit, from any and all claims, liabilities, damages, losses, suits, fines, penalties, demands and expenses, including costs of suit and attorney fees, which Genesee County and/or SAMUEL E. MUMA, individually and/or as Genesee County Treasurer and/or as Foreclosing Governmental Unit incurred because of or related to the election of the City of Swartz Creek to purchase the property above described.

Discussion Ensued.

YES: Krueger, Henry.

NO: Spillane, Gilbert, Hicks, Knickerbocker, Melen. Motion Declared failed.

MEETING OPENED TO THE PUBLIC:

Jeffrey E. Kelley: Thanked council for appointing him to the Downtown Development Authority board. He hopes his experience will benefit the city.

REMARKS BY COUNCILMEMBERS:

Councilmember Melen: Thanked everyone for attending the meeting.

Councilmember Spillane: Concert tomorrow at Pajtas Theater. Suggested reading the housing profile paperwork located in the packet.

Mayor Pro Tem Hicks: Suggests attending the Swartz Creek School Board meeting on Wednesday night at 6:00pm and the Townhall meeting is Thursday at 6:30pm at the PAC.

Councilmember Krueger: Thanked Commissioner Weighill and all the people that attended the meeting.

Mayor Henry: Thanked everyone for coming.

ADJOURNMENT

Resolution No. 250714-09

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Melen

I Move the Swartz Creek City Council adjourn the regular meeting at 8:30 p.m.

Unanimous Voice Vote.

Nate Henry, Mayor

Renee Kraft

Renee Kraft, CMC, MiPMC2, City Clerk