

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR (VIRTUAL) COUNCIL MEETING
DATE 11/23/2020**

The virtual 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: Fountain, Farmer, Gilbert, Hicks, Krueger, Pinkston, Henry.

Councilmembers Absent: None.

Staff Present: City Manager Adam Zettel, Clerk Connie Olger.

Others Present: Lania Rocha, Metro PD Chief Bade.

APPROVAL OF MINUTES

Resolution No. 201123-01

(Carried)

Motion by Councilmember Henry
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday November 09, 2020 to be circulated and placed on file.

YES Farmer, Gilbert, Hicks, Krueger, Pinkston, Henry, Fountain.
NO: None. Motion Declared Carried.

APPROVAL OF AGENDA

Resolution No. 201123-02

(Carried)

Motion by Councilmember Fountain
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Agenda as, printed for the Regular Council Meeting of November 23, 2020, to be circulated and placed on file.

YES: Gilbert, Hicks, Krueger, Pinkston, Henry, Fountain, Farmer.
NO: None. Motion Declared Carried.

CITY MANAGER'S REPORT

Resolution No. 201123-03

(Carried)

Motion by Councilmember Farmer
Second by Mayor Pro Tem Hicks

I Move the Swartz Creek City Council accept the City Manager's Report of November 23, 2020, including reports and communications to be circulated and placed on file.

Discussion Ensued.

YES: Hicks, Krueger, Pinkston, Henry, Fountain, Farmer, Gilbert.
NO: None. Motion Declared Carried.

MEETING OPENED TO THE PUBLIC:

None.

COUNCIL BUSINESS:

COMMISSION APPOINTMENTS

Resolution No. 201123-04

(Carried)

Motion by Mayor Pro Tem Hicks
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 exist vacancies in a number of said positions; and

WHEREAS, said appointments are Mayoral appointments, subject to affirmation of the city council.

NOW, THEREFORE, BE IT RESOLVED, the Swartz Creek City Council concur with the Mayor and City Council appointments as follows:

#201123-4A1 **MAYOR RE-APPOINTMENT:**
Fire Board, Citizen
Two year term, expiring November 28, 2022

John Knickerbocker

- #201123-4A2** **MAYOR RE-APPOINTMENT:** **John Gilbert**
 Fire Board, Council Member
 Two year term, expiring November 28, 2022
- #201123-4A3** **MAYOR RE-APPOINTMENT:** **Rae Lynn Hicks**
 Fire Board, Council Member
 Two year term, expiring November 28, 2022
- #201123-4A4** **MAYOR RE-APPOINTMENT:** **John Gilbert**
 Genesee County Metropolitan Alliance, City Council Delegate
 Two year term, expiring November 28, 2022
- #201123-4A5** **MAYOR APPOINTMENT:** **Nate Henry**
 Genesee County Metropolitan Alliance, Alternate
 Two year term, expiring November 28, 2022
- #201123-4A6** **MAYOR RE-APPOINTMENT:** **Robert Plumb**
 Genesee County Metropolitan Alliance, Citizen
 Two year term, expiring November 28, 2022
- #201123-4A7** **MAYOR RE-APPOINTMENT:** **Dennis Cramer**
 Flint Area Narcotics Group, Citizen Representative
 Two year term, expiring November 28, 2022
- #201123-4A8** **MAYOR RE-APPOINTMENT:** **John Gilbert**
 Flint Area Narcotics Group, Alternate
 Two year term, expiring November 28, 2022
- #201123-4A9** **MAYOR RE-APPOINTMENT:** **John Gilbert**
 GAIN Auto Theft, City Council Delegate
 Two year term, expiring November 28, 2022
- #201123-4A10** **MAYOR RE-APPOINTMENT:** **Dennis Cramer**
 GAIN Auto Theft, Alternate
 Two year term, expiring November 28, 2022
- #201123-4A11** **MAYOR RE-APPOINTMENT:** **David Krueger**
 Genesee County Small Cities, City Council Delegate
 Two year term, expiring November 28, 2022
- #201123-4A12** **MAYOR APPOINTMENT:** **Samantha Fountain**
 Genesee County Small Cities, Alternate
 Two year term, expiring November 28, 2022
- #201123-4A13** **MAYOR RE-APPOINTMENT:** **Dave Alexander**
 Local Officers Compensation Commission, Citizen
 Five year term, expiring November 24, 2025
- #201123-4A14** **MAYOR RE-APPOINTMENT:** **Dennis Novak**
 Local Officers Compensation Commission, Citizen
 Five year term, expiring November 24, 2025
- #201123-4A15** **MAYOR RE-APPOINTMENT:** **Samantha Fountain**
 Park and Recreation Advisory Board, Citizen
 Three year term, expiring December 31, 2023

- #201123-4A16 MAYOR RE-APPOINTMENT: Trudy Plumb**
 Park and Recreation Advisory Board, Citizen
 Three year term, expiring December 31, 2023
- #201123-4A17 MAYOR RE-APPOINTMENT: Connie Olger**
 Park and Recreation Advisory Board, Citizen
 Three year term, expiring December 31, 2023
- #201123-4A18 MAYOR RE-APPOINTMENT: Jentery Farmer**
 Planning Commission, Council Member
 Two year term, expiring November 28, 2022
- #201123-4A19 MAYOR APPOINTMENT: Steve Long**
 Planning Commission, Citizen
 Remainder of Three year term, expiring June 30, 2022
- #201123-4A20 MAYOR RE-APPOINTMENT: Andrew Harris**
 Genesee County Water and Waste Services TAC, Delegate
 Two year term, expiring November 28, 2022
- #201123-4A21 MAYOR RE-APPOINTMENT: Adam Zettel**
 Genesee County Water and Waste Services TAC, Alternate
 Two year term, expiring November 28, 2022
- #201123-4A22 MAYOR RE-APPOINTMENT: John Gilbert**
 Zoning Board of Appeals, City Council Delegate
 Two year term, expiring November 28, 2022
- #201123-4A23 MAYOR APPOINTMENT: Dennis Cramer**
 Zoning Board of Appeals, Citizen
 Remainder of Three year term, expiring June 30, 2023
- #201123-4A24 MAYOR RE-APPOINTMENT: Douglas Stephens**
 Construction Board of Appeals, Citizen
 Two year term, expiring November 28, 2022
- #201123-4A25 MAYOR RE-APPOINTMENT: Brad Lyndsay**
 Construction Board of Appeals, Citizen
 Two year term, expiring November 28, 2022
- #201123-4A26 MAYOR RE-APPOINTMENT: Joe Perreault**
 Construction Board of Appeals, Citizen
 Two year term, expiring November 28, 2022
- #201123-42A7 MAYOR RE-APPOINTMENT: Adam Zettel**
 911 Consortium, Delegate
 Two year term, expiring November 28, 2022
- #201123-4A28 MAYOR RE-APPOINTMENT: Andrew Harris**
 Street Administrator, Delegate
 Two year term, expiring November 28, 2022
- #201123-4A29 MAYOR RE-APPOINTMENT: Adam Zettel**
 Street Administrator, Alternate
 Two year term, expiring November 28, 2022

Discussion Ensued.

YES: Krueger, Pinkston, Henry, Fountain, Farmer, Gilbert, Hicks.
NO: None. Motion Declared Carried.

**RESOLUTION DECLARING SUPPORT AND APPRECIATION FOR THE METRO
POLICE AUTHORITY OF GENESEE COUNTY**

Resolution No. 201123-05

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Farmer

WHEREAS, the Metro Police Authority of Genesee County is contracted by the City of Swartz Creek for police services; and

WHEREAS, the Metro Police Authority of Genesee County implemented and adheres to the "Pillars of Excellence," those being:

- I. Public trust through accountability and integrity
- II. Thoroughness of effort in all aspects of our work
- III. Community partnership at all levels
- IV. Problem-Oriented Community Policing is our daily approach
- V. Progressive innovation and improvement; and

WHEREAS, the Metro Police Authority follows the President's Executive Order on Safe Policing for Safe Communities:

NOW, THEREFORE BE IT RESOLVED, that the Swartz Creek City Council does hereby declares it supports and appreciates the work of the Metro Police Authority of Genesee County.

YES: Pinkston, Henry, Fountain, Farmer, Gilbert, Hicks, Krueger.
NO: None. Motion Declared Carried.

**A RESOLUTION TO AUTHORIZE THE APPROVAL AND SIGNING OF AN
INTERLOCAL AGREEMENT FOR THE GENESEE COUNTY DESIGNATED
ASSESSOR**

Resolution No. 201123-06

(Carried)

Motion by Councilmember Pinkston
Second by Councilmember Henry

WHEREAS, MCL 211.10g establishes the requirement for a designated assessor in each county and that such designation should be made before December 31, 2020; and,

WHEREAS, to meet the requirement of appointing a Designated Assessor for Genesee County, the assessing districts in Genesee County and the County of Genesee have agreed to designate Stacey Kaake as Designated Assessor; and,

WHEREAS, the Interlocal Agreement naming the Designated Assessor shall be binding upon all assessing districts upon its approval by the County Board of Commissioners, Stacey Kaake, a majority of the assessing districts, and the State Tax Commission; and,

WHEREAS, the Designated Assessor shall only act as the assessor of record for an assessing district when required to by the State Tax Commission pursuant to MCL 211.10g.

NOW, THEREFORE, BE IT RESOLVED that the Swartz Creek City Council of Genesee County Assessing District approves the Interlocal Agreement naming Stacey Kaake, an individual qualified and certified by the State Tax Commission as a Michigan Master Assessing Officer, to be the County Designated Assessor for Genesee County; and,

BE IT FURTHER RESOLVED THAT, the Mayor Krueger is authorized to sign the Interlocal Agreement.

YES: Henry, Fountain, Farmer, Gilbert, Hicks, Krueger, Pinkston.
NO: None. Motion Declared Carried.

RESOLUTION TO AUTHORIZE THE CITY ATTORNEY TO INITIATE LEGAL PROCEEDINGS FOR NONPAYMENT OF RENT AT 8002 MILLER ROAD

Resolution No. 201123-07

(Carried)

Motion by Councilmember Henry
Second by Councilmember Farmer

WHEREAS, the City owns the property located at 8002 Miller Road, Swartz Creek, MI 48473, and is the Landlord under the terms of a lease agreement (Agreement) signed between the City and the Tenant of 8002 Miller Road;

WHEREAS, the Agreement requires the Tenant to pay \$800 per month for the residential unit and \$1,200 for the commercial unit, and the Tenant has failed to do so, and the Tenant currently owes \$17,360.00;

WHEREAS, the City did not enforce certain Agreement provisions to take possession of 8002 Miller Road because of the Covid-19 Pandemic; and

WHEREAS, the City now wishes to enforce the appropriate provisions of the Agreement and seek possession of the property for non-payment of rent, or other alternative resolutions.

THEREFORE, THE CITY HEREBY RESOLVES TO:

1. Authorize the city attorney to initiate legal proceedings under the Agreement for nonpayment of rent.

Discussion Ensued.

YES: Fountain, Farmer, Gilbert, Hicks, Krueger, Pinkston, Henry.

NO: None. Motion Declared Carried.

RESOLUTION TO APPROVE A PRELIMINARY ENGINEERING PROPOSAL FOR THE SAFE ROUTES TO SCHOOL PROGRAM GRANT

Resolution No. 201123-08

(Carried)

Motion by Councilmember Fountain
Second by Councilmember Farmer

WHEREAS, the City of Swartz Creek owns, operates, and maintains a system of major streets, local streets, and pedestrian safety assets, and

WHEREAS, the Swartz Creek Community School District owns, operates, and maintains K-12 and related facilities and grounds that include pedestrian and bike user amenities, and

WHEREAS, the city and school partnered to apply for a Safe Routes to School Grant that would enable the construction of various pedestrian amenities within the community, including sidewalks, trails, crossings, and education, and

WHEREAS, the city was awarded over \$600,000 to construct such improvements, and

WHEREAS, surveys, engineering, and easement acquisition are now required to proceed with the development and realization of the SRTS plan, and

WHEREAS, OHM Advisors is one of the city's pre-authorized professional engineering services companies, and OHM has been specializing in overseeing the city's trail and pedestrian design services, and

WHEREAS, the Swartz Creek City Council finds that it is in the best interest of the community health and safety to proceed with design of the SRTS plan.

NOW, THEREFORE, BE IT RESOLVED the City of Swartz Creek City Council approves the preliminary engineering proposal as submitted by OHM Advisors on November 9, 2020 in the amount of \$83,200, funds to be split between the general fund and the major street fund per the Treasurer.

BE IT FURTHER RESOLVED, the City Council authorizes and directs the Mayor to execute said proposal on behalf of the city.

YES: Farmer, Gilbert, Hicks, Krueger, Pinkston, Henry, Fountain.
NO: None. Motion Declared Carried.

MEETING OPENED TO THE PUBLIC:

Metro Police Chief Bade thanked the council for the recognition and support.

REMARKS BY COUNCILMEMBERS:

Councilmember Henry remarked that downtown is looking nice with all the decorations.

Councilmember Fountain agreed the decorations look good.

Councilmember Farmer wants everyone to have a good and safe Thanksgiving.

Mayor Pro Tem Hicks informed every one of the decoration contests that are going on. The residential one is judged by park board members and the business one is judged by the Women's Club.

Councilmember Gilbert commented have a good Thanksgiving, good health and stay safe.

Councilmember Pinkston commented of the revenue the horse track brought to the city when it was up and going and the potential it could have again.

Mayor Krueger wishes everyone have a very delicious Thanksgiving.

ADJOURNMENT

Resolution No. 201123-09

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Farmer

I Move the Swartz Creek City Council adjourn the regular meeting at 7:53 p.m.

Unanimous Voice Vote.

David A. Krueger, Mayor

Connie Olger, City Clerk