

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE December 9, 2024**

The meeting was called to order at 6:00 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: City Manager Adam Zettel, Clerk Renee Kraft.

Others Present: Fire Chief Plumb, Metro PD Chief Bade, Brenda and Todd Florence, Rod Gardner, Dennis Cramer, Shanna Satkowiak.

Others Virtually Attended: Lania Rocha

APPROVAL OF MINUTES

Resolution No. 241209-01

(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 November 25, 2024 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. 241209-02

(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 December 9, 2024 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. 241209-03

(Carried)

Motion by Councilmember Melen
Second by Councilmember Gilbert

I Move the Swartz Creek City Council accept the City Manager's Report of December 9, 2024, 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:

None.

COUNCIL BUSINESS:

RESOLUTION TO APPROVE A SITE PLAN AND SPECIAL LAND USE FOR 6273 MILLER ROAD CHILD DAYCARE CENTER (CORNERSTONE BAPTIST CHURCH)

Resolution No. 241209-04

(Carried)

Motion by Mayor Pro Tem Hicks
Second by Councilmember Melen

WHEREAS, the city received a proposal to convert existing building space of a worship center to Child Day Care on a piece of land zoned as Single Family Residential (R-1), that parcel being 6273 Miller Road, parcel ID 58-31-200-017, and;

WHEREAS, the project is a special land use within the R-1 zoning district and requires a site plan review, with an additional approval for the special land use, and;

WHEREAS, the planning commission, in reviewing the application materials and criteria in Zoning Ordinance Sections 13 & 30, among other sections, found the proposed site plan for a Child Daycare Center meets the intent of the zoning ordinance, and;

WHEREAS, a public comment session was offered, and input by city staff has been received, and;

WHEREAS, the planning commission found that the site plan in conjunction with the special land use, would meet all other general and specific standards applicable if the following conditions are met:

1. Landscaping shall be installed in accordance with the 2012 site plan.

NOW, BE IT RESOLVED that the Swartz Creek City Council approves the site plan, dated October 11, 2024, subject to the conditions in this resolution.

Discussion Ensued.

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

RESOLUTION TO AUTHORIZE THE JOINT PURCHASE OF A NEW FIRE TRUCK FOR THE SWARTZ CREEK AREA FIRE DEPARTMENT

Resolution No. 241209-05

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Krueger

WHEREAS, the city operates a joint fire department with Clayton Township and such department has a board that functions in accordance with the terms and conditions set in the interlocal agreement as approved pursuant to the Urban Cooperation Act of 1967, MCL 124.501 et al; and

WHEREAS, the board has analyzed the need for replacement of the 1991 and 1997 Pierce engines in the near future; and

WHEREAS, the department advocates for the purchase of a new engine that will generally match the specifications of the most recent Spartan delivery for the price of \$1,124,590, with a city share of \$562,295; and

WHEREAS, the equipment need has been planned for by both participating municipalities, and the delivery date of July 1, 2027 or after is in line with the city's budget projections for a new fire engine; and

WHEREAS, the city has been presented with the equipment needs of the fire department and concurs with the findings and recommendation of the fire board and fire chief.

NOW, THEREFORE, BE IT RESOLVED the City of Swartz Creek, conditioned upon equal participation of the Clayton Township Board, hereby approves payment to the Swartz Creek Area Fire Department in an amount not-to-exceed \$562,295 towards the purchase of a new Fire Truck as detailed by the SCAFD.

BE IT FURTHER RESOLVED, the payment for the apparatus shall be appropriated from the Fire Equipment Fund 402 in installments to be determined by the City Treasurer to be in the best financial interest of the city, upon consideration of pre-deliver discounts, interest rates, and other factors.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

RESOLUTION TO APPROVE AN AMENDED POVERTY EXEMPTION POLICY AS PART OF THE MICHIGAN STATE TAX COMMISSION AUDIT OF MINIMUM ASSESSING REQUIREMENTS

Resolution No. 241209-06

(Carried)

Motion by Councilmember Knickerbocker
Second by Councilmember Krueger

WHEREAS, the Michigan Tax Commission conducts an Audit of Minimum Assessing Requirements (AMAR) of Townships and Cities; and

WHEREAS, the city has adopted various policies and procedures related to these requirements, including a local Poverty Exemption Policy; and

WHEREAS, the State Tax Commission Policy Regarding Requests for Percentage Reductions in Taxable Value for Poverty Exemptions Under MCL 211.7u, has been updated as of November 26, 2024; and

WHEREAS, the city updated and affirmed written guidelines for poverty exemptions in 2023 and must continue to update and affirm specific wage thresholds for the policy.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek adopts the City of Swartz Creek Requirements of Poverty Exemption, as included in the December 9, 2024, city council packet, including the updated set income levels for exemption.

BE IT FURTHER RESOLVED that the City of Swartz Creek hereby waives penalties and interest that is otherwise required to be levied for failure to file a Property Transfer Affidavit under MCL 211.27b.

CITY OF SWARTZ CREEK
(An Equal Opportunity Employer)
REQUIREMENTS FOR POVERTY EXEMPTION

In order to be eligible for the poverty exemption, the claimant must do and meet all of the following requirements on an annual basis:

REQUIREMENTS

1. The applicant must own and occupy as a homestead the property for which the exemption is requested. The applicant must also produce a valid driver's license or other form of identification showing place of residence.
2. The applicant must file form 5737, Application for MCL 211.7u Poverty Exemption and form 5739, Affirmation of Ownership and Occupancy to Remain Exempt by Reason of Poverty, with the board of review as provided by the Swartz Creek City Assessor's Office. It must be received between January 1 of each year and the day prior to the last scheduled meeting day of the Board of Review for that year. **Note:** The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right to appeal to the Michigan Tax Tribunal.
3. Applicant must provide federal and state income tax returns for all persons residing in the homestead including any property tax credit returns. These income tax returns may be those filed in the current year or in the immediately preceding year. Any additional information regarding the poverty application must be in writing and attached to the petition form (**Note:** If an applicant is not required to file a federal or state income tax return then they must show proof of income and file the attached affidavit (Form 4988) for all persons residing in the residence who were not required to file federal or state tax returns for the current or preceding tax year.
4. Meet the asset level test, which is established to be: The claimant's and household's total assets, excluding the principal residence, do not exceed Ten Thousand dollars (\$10,000). Applicants must provide a list of all assets when applying for the poverty exemption. Assets include, but are not limited to:

A second home, land, vehicles • Recreational vehicles such as campers, motor-homes, boats and ATV's • Buildings other than the residence • Jewelry, antiques, artworks • Equipment, other personal property of value • Bank accounts (over a specified amount), stocks •

Money received from the sale of property, such as, stocks, bonds, a house or car (unless a person is in the specific business of selling such property) • Withdrawals of bank deposits and borrowed money • Gifts, loans, lump-sum inheritances, and one-time insurance payments Page 3 • Food or housing received in lieu of wages and the value of food and fuel produced and consumed on farms • Federal non-cash benefits programs such as Medicare, Medicaid, food stamps and school lunches.

5. The applicant must produce a deed, land contract or other evidence of ownership of the property for which an exemption is requested to support the information provided on the Poverty Petition.
6. An applicant must meet the federal poverty guidelines for the total household income as published in the prior calendar year in the Federal Register by the United States Department of Health and Human Services under its authority to revise the poverty line under 42 USC 9902, as attached. Income includes, but is not limited to:

Money, wages, salaries before deductions, regular contributions from persons not living in the residence • Net receipts from non-farm or farm self-employment (receipts from a person's own business, professional enterprise, or partnership, after business expense deductions) • Regular payments from social security, railroad retirement, unemployment, worker's compensation, veteran's payments, public assistance, supplemental security income (SSI) • Alimony, child support, military family allotments • Private and governmental retirement and disability pensions, regular insurance, annuity payments • College or university scholarships, grants, fellowships, assistantships • Dividends, interest, and net income from rentals, royalties, estates, trusts, gambling or lottery winnings

IMPORTANT NOTE: PA390 of 1994 states that the poverty exemption guidelines established by the governing body of the local assessing unit SHALL also include an asset level test.

7. The Poverty Exemption applicant must provide additional relevant documentation requested by the Assessor or Board of Review in order to fully investigate an application.

GUIDELINES FOR GRANTING POVERTY EXEMPTIONS:

The Board of Review can deny or grant a full exemption equal to a 100% reduction in taxable value or a partial exemption equal to a 25%, 50% or 75% reduction in taxable value.

Poverty Exemptions must be processed annually. Under no circumstances will a poverty exemption be extended for a subsequent year without renewal of the poverty petition.

APPEAL OF POVERTY EXEMPTIONS TO THE MICHIGAN TAX TRIBUNAL:

A property owner may appeal the March Board of Review's decision on a poverty exemption to the Michigan Tax Tribunal. This appeal must be made by June 30. A property owner may appeal the July Board of Review's decision or December Board of Review's decision to the Michigan Tax Tribunal within 35 days from the date of the decision. The assessor may also appeal a Board of Review's decision on a poverty exemption to the Michigan Tax Tribunal.

Federal Poverty Guidelines Used in the Determination of Poverty Exemptions for 2025

Size of Family Unit	Poverty Guidelines
1	\$15,060
2	\$20,440
3	\$25,820
4	\$31,200
5	\$36,580
6	\$41,960
7	\$47,340
8	\$52,720
For each additional person	\$5,380

Discussion Ensued.

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

NO: None. Motion Declared Carried.

RESOLUTION TO SUPPORT THE APPLICATION OF THE BREWER TOWNHOMES PROJECT TO THE HOUSING IMPACT FUNDING PROGRAM OF GENESEE COUNTY

Resolution No. 241209-07

(Carried)

Motion by Councilmember Spillane
Second by Councilmember Krueger

WHEREAS, the City of Swartz Creek supports the submission of an application titled, Brewer Townhomes, to the Housing Impact Funding program for the completion of 8 - 12 attached housing units, as approved by the city council, located at the northwest corner of Morrish Road and Paul Fortino Drive; and

WHEREAS, the location of the proposed project is within the jurisdiction of the City of Swartz Creek and is within the downtown; and

WHEREAS, the proposed project, if completed, will benefit the community by adding households within the walkable downtown, in accordance with the city's planning efforts; and

WHEREAS, with this resolution of support, it is acknowledged that the City of Swartz Creek recognizes that the purpose and goal of the Housing Impact Fund is to increase the supply of decent, safe, and sanitary housing for Genesee County residents.

NOW, THEREFORE, BE IT RESOLVED the City of Swartz Creek hereby supports submission of a Housing Impact Fund Application for the Brewer Townhomes.

Discussion Ensued.

YES: Melen, Hicks, Krueger, Knickerbocker, Henry.
NO: Spillane, Gilbert. Motion Declared Carried.

RESOLUTION TO APPROVE SIGN FABRICATION FOR THE NELSON, NEW ZEALAND STATION OF COSMOS IN THE CREEK

Resolution No. 241209-08

(Carried)

Motion by Councilmember Krueger
Second by Councilmember Melen

WHEREAS, the City of Swartz Creek has collected funds to install ten sign stations that will make up the Cosmos in the Creek Solar System Model, including nine stations in Swartz Creek and one in Nelson, New Zealand; and

WHEREAS, the city has approved the quote for local sign fabrication for nine stations; and

WHEREAS, the city has been seeking quotes for sign fabrication for the station in Nelson; and

WHEREAS, a single quote has been received that is competitive for a single sign fabrication, however consistent communication and other barriers have made the timely acquisition of other quotes problematic; and

WHEREAS, the city has been seeking quotes for sign fabrication for the station in Nelson; 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 quote.

NOW, THEREFORE, BE IT RESOLVED, the City of Swartz Creek approves the quote for the New Zealand sign station as made by Speedy Signs Nelson, in the amount of \$7,742.95 New Zealand Dollars (~\$4,562.22 USD).

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

NO: Gilbert. Motion Declared Carried.

RESOLUTION TO APPROVE A GRANT AGREEMENT WITH THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES FOR \$9,890 OF COMMUNITY FORESTRY FUNDS

Resolution No. 241209-09

(Carried)

Motion by Councilmember Melen

Second by Councilmember Krueger

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

WHEREAS, the city plans for long term improvements in said parks through its Park and Recreation Plan, which is updated and kept on file with the DNR; and

WHEREAS, the city is prioritizing forestry in Abrams Park to replace aging Cottonwoods with native Oak, Elm, and other species; and

WHEREAS, the city applied for and was awarded a Community Forestry Grant to purchase and install such trees.

NOW, THEREFORE, BE IT RESOLVED, the City of Swartz Creek approves the Community Forestry Grant Program agreement as included in the December 9, 2024 city council packet and authorizes and directs the City Manager to be the designated signee and contact for this grant.

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

MEETING OPENED TO THE PUBLIC:

Chief Plumb: Thanked council for approving the fire truck. Next meeting has a location change.

Dennis Cramer: American Legion is collecting for hurricane relief. They are sending a truck next week to Appalachia. He attended a “mega-site” meeting in Mundy Township and appreciated the transparency and public input.

Shanna Satkowiak: Stated that Applecreek has problems. She discussed mold tests and charges for utilities.

REMARKS BY COUNCILMEMBERS:

Councilmember Knickerbocker: The Chambers fundraiser is this Friday 7-9am at the Dort Financial Event Center.

Mayor Pro Tem Hicks: The Fireman’s Parade was fun.

Mayor Krueger: Christmas concert next Monday – tickets are \$10 each.

Mayor Henry: The tree lighting was nice.

ADJOURNMENT

Resolution No. 241209-10

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Cramer

I Move the Swartz Creek City Council adjourn the regular meeting at 7:19 p.m.

Unanimous Voice Vote.

Nate Henry, Mayor

Renee Kraft

Renee Kraft, CMC, MiPMC2, City Clerk