

**CITY OF SWARTZ CREEK  
SWARTZ CREEK, MICHIGAN  
MINUTES OF THE REGULAR COUNCIL MEETING  
DATE April 13, 2026**

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: City Manager Adam Zettel, Treasurer Amy Nichols, DPW Director Rob Bincsik

Others Present: Attorney Chris Stritmatter, Jeff Kelley

Others Virtually Attended: Grace Hogan

**APPROVAL OF MINUTES**

**Resolution No. 260413-01A**

**(Carried)**

Motion by Councilmember Spillane  
Second by Councilmember Krueger

**I Move** the Swartz Creek City Council approve the Minutes of the Closed Session at the Council Meeting held Monday March 9, 2026 to be circulated and placed on file.

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

**Resolution No. 260413-01B**

**(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 March 09, 2026 to be circulated and placed on file.

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

**Resolution No. 260413-01C** **(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 March 23, 2026 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. 260413-02** **(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 April 13, 2026, 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. 260413-03** **(Carried)**

Motion by Councilmember Melen  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council accept the City Manager's Report of April 13, 2026, 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:**

**PROCLAMATION TO RECOGNIZE NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK; APRIL 12-18,2026**

**Proclamation No. 260413**

**WHEREAS**, emergencies can happen at any time, and the first step in getting help is often a call for assistance; and,

**WHEREAS**, the individuals who answer those calls serve as the first voice of help in an emergency, providing calm, direction, and reassurance when it is needed most; and,

**WHEREAS**, their role goes beyond answering phones, as they gather critical information, coordinate response efforts, and help ensure that police officers, firefighters, and paramedics can respond safely and effectively; and,

**WHEREAS**, this work demands sound judgment, clear communication, and the ability to remain composed in high-stress situations; and,

**WHEREAS**, Public Safety Telecommunicators are regularly exposed to the stress and emotion of emergencies, yet continue to perform their duties with professionalism and care; and,

**WHEREAS**, the men and women of Genesee County 911, serving the City of Swartz Creek and surrounding communities, demonstrate this commitment each and every day;

**NOW, THEREFORE, I, Nate Henry, Mayor of the City of Swartz Creek, Michigan, DO HEREBY PROCLAIM** the week of April 12 through April 18, 2026, as National Public Safety Telecommunicators Week in the City of Swartz Creek, and call upon our residents to recognize the essential role these individuals play in protecting both our community and those who serve it.

**RESOLUTION TO APPROVE PURCHASE OF STREET SWEEPER**

**Resolution No. 260413-04**

**(Carried)**

Motion by Councilmember Mayor Pro Tem Hicks  
Second by Councilmember Melen

**WHEREAS**, the city finds that the 2007 street sweeper, VIN # 49HAADB67DX61697, is at the end of its useful life as it relates to providing reliable and cost effective services; and

**WHEREAS**, the City's Purchasing Ordinance, Chapter 2, Article VI, Section 2-406 provides for terms and conditions of purchases; and

**WHEREAS**, the City is not required to get sealed bids but must seek council approval for goods and services that are not of a public work or improvement of a directly competitive nature; and

**WHEREAS**, the Director of Public Services has priced out a number of used sweepers from local service providers and Macqueen; and

**WHEREAS**, in consultation with the City Council and staff, it is determined that a used MDOT sweeper, a 2021 Elgin Whirlwind – Stock # LOR101 will provide sufficient reliability and functionality at an affordable price; and

**WHEREAS**, the 2026 Motor Pool Fund has sufficient funds to make this purchase using current fund balance in lieu of a purchase in fiscal year.

**NOW, THEREFORE, BE IT RESOLVED**, the City of Swartz Creek approves the purchase of the 2021 Elgin Whirlwind – Stock # LOR101 street sweeper in the amount of \$125,000, as quoted from Macqueen, plus associated fees and expenses, to be apportioned from the Motor Pool Fund (661).

**BE IT FURTHER RESOLVED**, the City of Swartz Creek, finding the 2007 sweeper to be beyond its useful life for the execution of efficient duties, hereby direct and authorize the Director of Public Services to auction this vehicle and related appurtenances by means of the Bidcorp.com or related public auctioning service as soon as practical.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

## **RESOLUTION TO APPROVE THE AMENDED TREASURER PROFESSIONAL SERVICE AGREEMENT**

**Resolution No. 260413-05**

**(Carried)**

Motion by Councilmember Gilbert

Second by Councilmember Knickerbocker

**WHEREAS**, section 4.2 of the City Charter provides the appointive office of Treasurer shall be filled by the City Manager with approval of the City Council; and

**WHEREAS**, section 7.4 of the City Charter provides for the fundamental duties of the Treasurer; and

**WHEREAS**, the City of Swartz Creek City Council approved the agreement with Amy Nichols, the City Treasurer on August 28, 2023, to provide for conditions and provisions of employment; and

**WHEREAS**, the conditions of employment for department heads and exempt employees are largely established in a consistent and universal manner in the adopted Personnel Policies Manual, and;

**WHEREAS**, Mrs. Nichols and the City have come to an agreement on specific terms and conditions regarding the City's appointment of her to the office of Treasurer.

**NOW, THEREFORE BE IT RESOLVED** that the City of Swartz Creek approve the Agreement between the City of Swartz Creek and Amy Nichols as included herein, and further authorize the Mayor and City Clerk to execute the agreement on behalf of the City.

**BE IT FURTHER RESOLVED** that the City of Swartz Creek City Council recognizes that, by virtue of her duties in the role of Deputy Clerk, the Treasurer has been and may continue to act in the role of Clerk in the absence of a dedicated Clerk and as needed by the city.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

## **RESOLUTION TO APPROVE STREET CORING SAMPLING**

**Resolution No. 260413-06**

**(Carried)**

Motion by Councilmember Knickerbocker

Second by Councilmember Gilbert

**WHEREAS**, the City of Swartz Creek owns, operates, and maintains a system of major and local streets that are integrated into a twenty year asset management plan; and

**WHEREAS**, many streets are proposed for rehabilitation with limited reconstruction; and

**WHEREAS**, many streets are 'legacy' streets that are suspected of having non-engineered road bases and a mix of various pavement compositions that reflect historic road building patterns; and

**WHEREAS**, the City desires to collect information on the composition of such legacy streets in order to better design rehabilitation plans, thereby limiting construction damage, extending repair life, and optimizing capital outlays.

**NOW, THEREFORE, BE IT RESOLVED**, the Swartz Creek City Council approve the 2026 City Wide Soil Borings proposal by OHM Advisors, dated April 2, 2026, and authorizes and directs the City Manager to execute said agreement on behalf of the city

Discussion Ensued.

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

NO: None. Motion Declared Carried.

**RESOLUTION TO APPROVE ORDINANCE 472, AN  
ORDINANCE TO AMEND ARTICLE II OF CHAPTER 19-24 OF  
THE CODE OF ORDINANCES OF THE CITY OF SWARTZ CREEK TO ADOPT NEW  
REGULATIONS FOR WATER SHUT OFF PROCEDURES AND CONSTITUTIONAL  
SAFEGUARDS FOR CITY RESIDENTS**

**Resolution No.260413-07**

**(Carried)**

Motion by Councilmember Spillane  
Second by Councilmember Melen

**WHEREAS**, the City of Swartz Creek owns, operates, and maintains a public water system in the city; and

**WHEREAS**, the City of Swartz Creek desires to have fair, predictable, and effective billing and water service termination policies; and

**WHEREAS**, the Code of Ordinances, Chapter 19-24, promulgates rules regarding the water system; and

**WHEREAS**, the City seeks to update rules related to water service termination for non payment.

**THEREFORE, I MOVE** the City of Swartz Creek ordains:

**CITY OF SWARTZ CREEK ORDINANCE NO. 472**

An ordinance to amend Chapter 19-24 of the Code of Ordinances by amending Section 24 of Article II.

**THE CITY OF SWARTZ CREEK ORDAINS:**

**Section 1. Amendment of Section 19-24 of the Code of Ordinances of the City of Swartz Creek.**

Section 24(i) of Article II, Chapter 19 of the Code of Ordinances of the City of Swartz Creek, Michigan, is hereby amended to read as follows:

i. *Termination of service for non-payment.* The city shall have the right to terminate water service to any retail customer for non-payment of its water bill. Upon termination, service will not be restored until all past due balances are paid. Applicable turn-off and turn-on charges will be assessed to the customer or property owner. The following procedures shall be used by the City before terminating service for non-payment:

a. An overdue notice will be sent to the customer giving them ten (10) days to pay their account in full or to make arrangements acceptable to the City. The notice will advise the customer that failure to pay the account in full, or to make payment arrangements will result in the water service being shut off and the date the shut off will occur if not paid in full.

b. If the account is not paid in full or acceptable arrangements to pay are not made and accepted by the city, DPW representative will be sent to shut off the water service after expiration of the ten (10) day notice.

c. If the customer disputes the amount stated in the overdue notice, they must submit the dispute in writing to the City within ten (10) days of receiving the overdue notice. The City will review and respond with the authority to correct

the account or suspend the shutoff; and

d. No service shutoff will occur while a timely, good-faith billing dispute remains pending. If it is determined that no changes should be made to the account stated in the overdue notice the customer will be required to pay that amount or have their water services terminated in accordance with this Section.

Should it appear that water has been stolen by way of altering any piping, unauthorized connections, unauthorized operation, straight piping, meter tampering, or otherwise, the City shall have the right to discontinue service until all defects, alterations, and tampering have been corrected, and appropriate compensation and restitution has been made by the offending person. A person who violates any provision of this Ordinance or the terms or conditions of a permit is responsible for a municipal civil infraction, subject to Article II of Chapter 1 of this Code. Nothing in this Section 21 shall be construed to limit the remedies available to the City in the event of a violation by a person of this Ordinance or a permit.

*-Remainder of Article II Chapter 19 remains intact and codified accordingly following Article*

*II Chapter 19 Section 24(i) amendment-*

**Section 2. Severability.**

Sections of this Ordinance amendment shall be deemed severable and should any section, clause or provision of this ordinance be declared to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be invalid.

**Section 3. Saving Clause.**

The amendment or repeal by this ordinance of any ordinance or ordinance provision shall have no effect upon prosecutions commenced prior to the effective date of this ordinance or prosecutions based upon actions taken by any person prior to the effective date of this Ordinance. Those prosecutions shall be conducted under the ordinance provisions in effect prior to the effective date of this Ordinance.

**Section 4. Effective Date.**

This Ordinance shall take effect 30 days following publication.

At a regular meeting of the City Council of Swartz Creek held on the 13<sup>th</sup> day of April 2026.

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

**RESOLUTION TO APPROVE COMMISSION APPOINTMENTS**

**Resolution No. 260413-08**

**(Carried)**

Motion by Councilmember Krueger

Second by Councilmember Gilbert

**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 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**, there exists a vacancy in such a position and

**WHEREAS**, said appointment is a Mayoral appointment, subject to affirmation of the City Council.

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

**#260413-8A1 MAYOR APPOINTMENT:** Walt Melen  
911 Consortium - Alternate  
Remainder of two year term, expiring November 23, 2026

Discussion Ensued.

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

## **RESOLUTION TO APPROVE 5K FOOT RACE STREET PERMIT**

**Resolution No. 260413-09**

**(Carried)**

Motion by Councilmember Melen  
Second by Councilmember Knickerbocker

**WHEREAS**, Riverbend Striders is a recognized not-for profit entity that operates in Genesee County; and

**WHEREAS**, said organization proposes to continue the annual 5k road race that coincides with the Hometown Days Festival, and they therefore seek a permit to use the city streets on May 28, 2026; and

**WHEREAS**, the City Council finds this organization and the event to be beneficial to the public and in good standing.

**NOW, THEREFORE BE IT RESOLVED** that the City of Swartz Creek hereby approves the application for a street usage permit to conduct a 5 kilometer foot road race on Thursday, May 28, 2026, 6:00 PM – 7:30 PM, applicant: the Riverbend Striders, care of Chris Roney, race to be held in Winchester Village Subdivision, in accordance with the

application submitted, under the direction and control of the Chief of Police and contingent upon the provision of valid insurance listing the City of Swartz Creek as an additionally insured party.

Discussion Ensued.

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

**MEETING OPENED TO THE PUBLIC:**

None.

**REMARKS BY COUNCILMEMBERS:**

Councilmember Melen: nothing

Councilmember Spillane: Wayfinding sign concerns, cemetery gate broken

Councilmember Gilbert: Megasite concerns with demo houses' septic and wells.

Councilmember Knickerbocker: Hometown Days schedule.

Mayor Pro Tem Hicks: Light poles on Miller road.

Councilmember Krueger: Connection with Megasite. I-69 construction work

Mayor Henry: Budget draft availability, Fortino's blight issues.

**ADJOURNMENT**

**Resolution No. 260413-10**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Councilmember Melen

**I Move** the Swartz Creek City Council adjourn the regular meeting at 8:15 p.m.

Unanimous Voice Vote.

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**Nate Henry, Mayor**

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**Amy Nichols, Deputy Clerk**

