

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE July 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, Henry.

Councilmembers Absent: Krueger, Knickerbocker. Excused

Staff Present: City Manager Adam Zettel, Clerk Jacquie Forrest.

Others Present: Jeff Kelley.

Others Virtually Attended: Lania Rocha, Michael Miller, Jeffrey Kelley Sr.

APPROVAL OF MINUTES

Resolution No. 260713-01

(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 22, 2026 to be circulated and placed on file.

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

APPROVAL OF AGENDA

Resolution No. 260713-02

(Carried)

Motion by Councilmember Melen
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Agenda as printed for the Regular Council Meeting of July 13, 2026, to be circulated and placed on file.

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

CITY MANAGER'S REPORT

Resolution No. 260713-03

(Carried)

Motion by Councilmember Mayor Pro Tem Hicks
Second by Councilmember Gilbert

I Move the Swartz Creek City Council accept the City Manager's Report of July 13, 2026, including reports and communications to be circulated and placed on file.

Discussion Ensued.

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

MEETING OPENED TO THE PUBLIC:

Jeff Kelly – Elms Rd Park pavilion renters parking on the lawn.

COUNCIL BUSINESS:

RESOLUTION TO ADOPT ORDINANCE 473, AN ORDINANCE TO AMEND ARTICLE IX OF CHAPTER 10 OF THE CODE OF ORDINANCES BY AMENDING SECTION 10-310, SPECIAL EVENT CURFEW FOR MINORS

Resolution No. 260713-04

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Mayor Pro Tem Hicks

WHEREAS, the city authorizes special events from time to time within the city and on city controlled properties, and;

WHEREAS, such events are often of a scale that makes crowd control difficult given the availability of resources that the city has access to, and;

WHEREAS, the city council, in consultation with Metro PD and community event providers, finds that large groups of unaccompanied minors and their peers under the age of 21 have been responsible for many of the disturbances at such events in recent years, and;

WHEREAS, the city council desires flexibility in the establishment of curfew hours on an event by event basis.

THEREFORE, I MOVE the City of Swartz Creek ordains:

**CITY OF SWARTZ CREEK
ORDINANCE NO. 473**

An ordinance to amend the Code of Ordinances: Article IX of Chapter 10 of the Code of Ordinances of Swartz Creek by amending of Section 10-310

THE CITY OF SWARTZ CREEK ORDAINS:

Section 1. Amendment of Article IX of Chapter 10 of the Code of Ordinances of the City of Swartz Creek by amending of Section 10-310.

Section 10-310 of Article IX of Chapter 10 of the Code of Ordinances is amended to read as follows:

Sec. 10-310 – Special Event Curfew for Minors.

1. The presence of unsupervised minors 17 or under at special public events within the City creates a nuisance and health and safety hazard. Unsupervised minors create disorderly and potentially dangerous circumstances at these events. Due to incidents at special public events prior to the passing of this ordinance the City finds that there is a need to restrict the presence of unsupervised minors at such events as the City Council deems necessary from time to time to preserve the health, safety, and welfare of the public. The provisions of this section shall extend the curfew hours for minors 17 or under during special public events as deemed necessary by the City Council to protect the health, safety, and welfare of the public.
2. During special public events, during hours set by resolution of the city council, it shall be unlawful for an unsupervised minor 17 or under to be on designated public places specifically identified in a public notice issued by the City.
3. Any individual found in violation of this section shall be guilty of a misdemeanor punishable by imprisonment in jail for up to 93 days, a fine of \$500, or both.
4. A minor 17 or under found in violation of Section 10-310 will be prima facie evidence that the minor's parent or guardian is in violation of Section 10-308 by aiding and abetting the minor in violating the ordinance.
5. The following activities shall be exempt from the curfew requirements of this Section where the minor is:
 - a. Accompanied by their parent, guardian, or any other person 21 years of age or older authorized by a parent as the caretaker for the minor;
 - b. In attendance at an official school, religious or other recreational activity sponsored by the city, a civic organization or another similar entity that takes responsibility for the minor, or going to or from such an activity, without any detour or stop, and supervised by adults;
 - c. Engaged in a certain employment activity, or going to or from employment, without any detour or stop.
6. For purposes of this section, a "special event" means a sports event, pageant, celebration, historical reenactment, entertainment, exhibition, parade, fair, festival, or similar activity that the City sanctions or approves according to its Special Event Policies and Regulations.

Section 2. Effective date.

This Ordinance shall take effect thirty (30) days following publication.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

RESOLUTION TO APPROVE ADOPT ORDINANCE 474, AN ORDINANCE TO AMEND THE PURCHASING ORDINANCE

Resolution No. 260713-05

(Carried)

Motion by Councilmember Spillane

Second by Councilmember Melen

WHEREAS, the city maintains a purchasing policy to ensure efficiency in spending of public dollars, transparency in purchasing choices, accountability of staff and council, and a degree of administrative autonomy related to timely actions; and

WHEREAS, periodic review of the ordinance to review purchasing thresholds is required to ensure the impacts of inflation are accounted for.

THEREFORE, I MOVE the City of Swartz Creek ordains:

CITY OF SWARTZ CREEK ORDINANCE NO. 474

An ordinance to amend the Code of Ordinances Section 2-402 and Section 2-405 to remove and replace certain sections related to purchasing requirements

THE CITY OF SWARTZ CREEK ORDAINS:

Section 1. Removal and replacement of Section 2-402 (a) of the Code of Ordinances.

The City hereby removes Section 2-402 (a) from the Code of Ordinances and replaces it with the following:

(a) It is the intent of this policy to provide for competitive pricing involved in all purchases and contracts, except as specifically provided for in this division. The purchasing agent shall prepare rules concerning purchasing for the city.

(1) Transactions less than \$10,000.00. The purchasing agent, subject to budgetary appropriations, is authorized to make purchases of materials and equipment; and contract for labor or materials in an amount not to exceed \$10,000.00, without further approval of the city council.

Except for those situations requiring the need for sealed bids, the purchasing agent, shall consider all circumstances surrounding the purchase to be made or

the service to be provided. If it is in the best interest of the city, the purchasing agent shall deal with sources within the city.

a. Quotations. The purchasing agent shall secure or cause to be secured quotations from no less than two sources in all transactions involving expenditures of \$4,000.00 or more and less than \$10,000.00. The purchasing agent shall maintain a written record of the quotations received.

b. Other. Transactions involving expenditures less than \$4,000.00 may be authorized by the purchasing agent in such manner and from such source as the purchasing agent may determine.

(2) Transactions of \$10,000.00 or more. The purchasing agent shall secure sealed bids in all transactions involving an expenditure of \$10,000.00 or more.

a. Sealed bids shall not be required in the following instances:

1. Where the subject of the purchase or contract is other than a public work or improvement and the product or material to be transacted for is not competitive in nature, provided that in no instance shall such product or material be transacted for without prior council approval.

2. The city council may, at the request of the city manager, authorize the city manager to negotiate a contract for the purchase of any product, material or service with a provider of such product, material or service without regard to the requirements of this section relative to purchases where the city council finds:

i. Due to circumstances beyond the control of the city, the market for such product, material or service is not competitive even though such product, material or service is normally competitive in nature; and

ii. The economic interests of the city are best served by negotiating a contract with a provider of the product, material or service without requesting sealed bids.

3. In the employment of professional services, provided that in no instance shall such professional service be contracted for without prior council approval.

4. If the city elects to use city personnel.

Section 2. Removal and replacement of Section 2-405 of the Code of Ordinances.

The City hereby removes Section 2-405 from the Code of Ordinances and replaces it with the following:

If an emergency or an apparent emergency endangering the public peace, health and/or safety of the city should arise, and the delay of established purchasing procedures would vitally affect the welfare of the city, the purchasing agent, finance officer, or any department head may purchase directly any supplies, materials, or equipment that the department head deems to be immediately necessary. Within three working days from the time of purchase, the purchaser shall file in writing with the purchasing agent a detailed explanation of the necessity for any purchases, in addition to a request for such purchases. If the emergency transaction is \$10,000.00 or more, the purchasing agent shall submit the statement

to the council no later than its next regular meeting before payment thereof may be authorized.

Section 3. Effective date.

This Ordinance shall take effect thirty (30) days following publication.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

MEETING OPENED TO THE PUBLIC: Meeting opened to the public online due to audio error when the original public comment was open. None

RESOLUTION TO APPROVE A BIDS FOR THE PURCHASE AND APPLICATION OF WOODCHIPS TO ELMS AND ABRAMS PARK

Resolution No. 260713-06

(Carried)

Motion by Councilmember Melen

Second by Councilmember Mayor Pro Tem Hicks

WHEREAS, the City of Swartz Creek owns, operates, and maintains park play equipment that requires a safety surface suitable to reasonably protect children from falls; and

WHEREAS, there is a recognized need to apply additional protective barrier to the play areas, since the woodchip product degrades over time; and

WHEREAS, the city finds that the engineered wood fiber chips that have been used in the past to be the most practical product; and

WHEREAS, the city has created specifications and received bids for the purchase and application of the product.

NOW, THEREFORE, BE IT RESOLVED, the Swartz Creek City Council accepts the low bid from Superior Groundcover in the amount of \$10,120, as included in the July 13, 2026 city council packet, as a unit cost bid.

BE IT FURTHER RESOLVED, the Swartz Creek City Council directs the city manager to create a standard contractor's agreement and execute such agreement on behalf of the city.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

RESOLUTION TO APPROVE CONCRETE REPAIR AND INSTALLATION BIDS

Resolution No.260713-07

(Carried)

Motion by Councilmember Mayor Pro Tem Hicks
Second by Councilmember Melen

WHEREAS, the city maintains a system of concrete infrastructure on public property, within parks, and on or across other various properties and rights of way in the city; and **WHEREAS**, there is a need to remove and replace existing sidewalk, to replace a pavilion pad, to add a fountain pad, and to replace concrete damaged during a water main repair; and

WHEREAS, the city solicited sealed bids related to the completion of said work; and **WHEREAS**, the low bid was submitted in the amount of \$14,570 by BP Surface Solutions Inc, a company found to be in good standing by the city.

NOW, THEREFORE, BE IT RESOLVED the City of Swartz Creek hereby approves the bid from BP Surface Solutions as included in the July 13, 2026 city council packet, as a unit cost bid.

BE IT FURTHER RESOLVED the City of Swartz Creek directs the City Manager to execute a standard contractor agreement with the bidder and further directs the Treasurer to appropriate funds as appropriate.

Discussion Ensued.

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

RESOLUTION TO APPROVE THE TERMINATION OF THE LIGHTING CONVERSION PROGRAM AGREEMENT, PURCHASE OF LIGHTING ASSETS, AND AUTHORIZATION OF PAYMENT

Resolution No. 260713-08

WHEREAS, the City of Swartz Creek entered into a Lighting Conversion Program Agreement with Energy Reduction Coalition effective December 13, 2018, for the installation and financing of LED lighting improvements; and

WHEREAS, Section 32 of the Agreement permits the City to terminate the Agreement by purchasing the lighting equipment upon payment of the applicable Excess Benefits and Buyout Cost; and

WHEREAS, Energy Reduction Coalition has presented a Termination of the Lighting Conversion Program Agreement and Transfer of Title to ERC Products providing for payment of \$66,915.64 during July 2026, consisting of all Excess Benefits due and the applicable Buyout Cost; and

WHEREAS, upon receipt of payment, Energy Reduction Coalition shall transfer to the City all right, title, and interest in the lighting equipment and both parties shall mutually release one another from any further claims, obligations, or liabilities arising under the Agreement; and

WHEREAS, the City Council finds that exercising the buyout option is in the best interests of the City.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Swartz Creek hereby approves the termination of the Lighting Conversion Program Agreement with Energy Reduction Coalition pursuant to Section 32 of the Agreement.

BE IT FURTHER RESOLVED, that the City Council authorizes payment in the amount of Sixty-Six Thousand Nine Hundred Fifteen Dollars and Sixty-Four Cents (\$66,915.64), or such adjusted amount as may be required if payment occurs after July 2026 in accordance with the Agreement, such payment to be apportioned as directed by the City Treasurer.

BE IT FURTHER RESOLVED, that the City Manager is authorized and directed to execute the Termination of the Lighting Conversion Program Agreement and Transfer of Title to ERC Products, together with any other documents necessary to complete the transaction.

BE IT FURTHER RESOLVED, that upon completion of the transaction, the lighting equipment shall become the sole property of the City of Swartz Creek, free of any further obligations under the Lighting Conversion Program Agreement

Discussion Ensued

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

NO: None. Motion Declared Carried.

RESOLUTION TO AMEND THE PURCHASE OF A STEEL AERIAL LIFT BUCKET TRUCK FOR THE DEPARTMENT OF PUBLIC SERVICES

Resolution No. 260713-09

Motion by Councilmember Spillane

Second by Councilmember Gilbert

WHEREAS, the City Council has appropriated funds within the Motor Pool Fund (Fund 661) in the FY 2026-2027 budget for the replacement of Department of Public Services equipment, including funds originally designated for the purchase of a swap loader system with aerial attachment; and

WHEREAS, the Director of Public Services has evaluated available equipment options and determined that purchasing a dedicated aerial lift bucket truck provides greater operational flexibility, immediate availability, and a substantially lower acquisition cost than a swap loader system equipped with an aerial module; and

WHEREAS, MTech has offered a 2024 AxionLift AT4313i aerial lift bucket truck package, including a Ford F-550 4x4 diesel chassis, Stahl reinforced steel utility body,

and 44.3-foot telescopic articulated aerial lift, at a discounted purchase price of \$149,900 through the CoPro+ Cooperative Purchasing Contract #2023-JC-060-M; and **WHEREAS**, staff recommends purchasing the steel body configuration based upon its operational suitability and lower purchase price; and

WHEREAS, sufficient funds are available within the Motor Pool Fund (Fund 661), utilizing funds previously budgeted for the swap loader replacement project.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Swartz Creek hereby authorizes the purchase of one (1) 2024 AxionLift AT4313i aerial lift bucket truck with steel utility body from MTech in the amount of One Hundred Forty-Nine Thousand Nine Hundred Dollars (\$149,900.00) through CoPro+ Cooperative Purchasing Contract #2023-JC-060-M.

BE IT FURTHER RESOLVED, that the City Council authorizes the expenditure from the Motor Pool Fund (Fund 661), utilizing funds budgeted for the swap loader replacement, and authorizes the City Manager to execute all purchase documents and take all actions necessary to complete the acquisition.

Discussion Ensued

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

NO: None. Motion Declared Carried

A RESOLUTION TO APPROVE THE PURCHASE OF AN ALUMINUM AERIAL LIFT BUCKET TRUCK FOR THE DEPARTMENT OF PUBLIC SERVICES

Resolution No. 260713-10

Motion by Councilmember Spillane

Second by Councilmember Gilbert

WHEREAS, the City Council has appropriated funds within the Motor Pool Fund (Fund 661) in the FY 2026-2027 budget for the replacement of Department of Public Services equipment, including funds originally designated for the purchase of a swap loader system with aerial attachment; and

WHEREAS, the Director of Public Services has evaluated available equipment options and determined that purchasing a dedicated aerial lift bucket truck provides greater operational flexibility, immediate availability, and a substantially lower acquisition cost than a swap loader system equipped with an aerial module; and

WHEREAS, MTech has offered a 2024 AxionLift AT4313i aerial lift bucket truck package, including a Ford F-550 4x4 diesel chassis, custom DuraMag S-Series Aluminum body with special aerial reinforced body package and liner including a 44.3-foot telescopic articulated aerial lift, at a discounted purchase price of \$159,900 through the CoPro+ Cooperative Purchasing Contract #2023-JC-060-M; and

WHEREAS, council recommends purchasing the aluminum body configuration based on operational suitability and overall corrosion; and

WHEREAS, sufficient funds are available within the Motor Pool Fund (Fund 661), utilizing funds previously budgeted for the swap loader replacement project.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Swartz Creek hereby authorizes the purchase of one (1) 2024 AxionLift AT4313i aerial lift bucket truck with aluminum utility body from MTech in the amount of One Hundred Forty-Nine Thousand Nine Hundred Dollars (\$159,900.00) through CoPro+ Cooperative Purchasing Contract #2023-JC-060-M.

BE IT FURTHER RESOLVED, that the City Council authorizes the expenditure from the Motor Pool Fund (Fund 661), utilizing funds budgeted for the swap loader replacement, and authorizes the City Manager to execute all purchase documents and take all actions necessary to complete the acquisition

Discussion Ensued

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

NO: None. Motion Declared Carried.

RESOLUTION TO APPROVE A SIGN FABRICATOR AND INSTALLER FOR THE CITY'S BRANDING AND WAYFINDING PLAN

Resolution No. 260713-11

Motion by Councilmember Melen

Second by Councilmember Mayor Pro Tem Hicks

WHEREAS, the City of Swartz Creek and the Swartz Creek Downtown Development Authority desired to provide for citywide wayfinding and branding signs; and

WHEREAS, the DDA led an initiative to design a family of signs and installation plan for the community, that was completed by Guide Studio in 2024; and

WHEREAS, sample and pilot signs have been installed at a city park, one city gateway, and along the new trail; and

WHEREAS, the city and DDA have budgeted sufficient funds to complete much of the program during the 2027 fiscal year, and staff has solicited pricing for selected signs from three different sign fabricators; and

WHEREAS, the City Council finds that the economic interests of the city are best served by accepting the quoted unit prices for signs and negotiating the various sign elements within the framework of the competitively quoted sign providers; and

WHEREAS, the pricing includes installation; and

WHEREAS, the Swartz Creek DDA will also be required to approve Signature Streetscapes as the low bidder and Universal Outdoor Accessories as the installer for the downtown portion of the program.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Swartz Creek hereby approves Signature Streetscapes as the primary sign fabricator, with Universal Outdoor Accessories as the primary installer, for the city's sign program as referenced in the approved Guide Studio planning documents and as priced in the July 13, 2026, city council packet.

BE IT FURTHER RESOLVED, that the City Council authorizes and directs the City Manager or designee to procure signs in accordance with the sign plan, as authorized by the respective city and DDA budgets.

BE IT FURTHER RESOLVED, that the City Manager is authorized to alter specific sign parameters and negotiate any price adjustments as needed to meet or closely approximate the sign plan parameters, provided that all expenditures remain within the approved budget.

Discussion Ensued

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

NO: None. Motion Declared Carried

MEETING OPENED TO THE PUBLIC:

None.

REMARKS BY COUNCILMEMBERS:

Councilmember Melen: None

Councilmember Spillane: This week's concert is canceled due to heat, Newsletter compliment to the Mayor Henry. Not in favor of social district.

Councilmember Gilbert: Have a good evening

Mayor Pro Tem Hicks: Bike rack Infront of tattoo parlor needs new screws

Mayor Henry: None

ADJOURNMENT

Resolution No. 260713-12

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Melen

I Move the Swartz Creek City Council adjourn the regular meeting at 8:26 p.m.

Unanimous Voice Vote.

Nate Henry, Mayor

Jacquie Forrest, City Clerk