CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE October 26, 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, Clerk Jacquie Forrest, City Attorney, Chris Stritmatter
Others Present:	Cameron Alvado, Elliot Sanford, Brett Jory, James Nolen.
Others Virtually Attended:	Lania Rocha, Michael Miller, Jeffrey Kelly

APPROVAL OF MINUTES

Resolution No. 261026-01 **(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 October 12, 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. 261026-02 **(Carried)**

Motion by Councilmember Krueger
Second by Councilmember Melen

I Move the Swartz Creek City Council approve the Agenda as printed for the Regular Council Meeting of October 26, 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. 261026-03 **(Carried)**

Motion by Councilmember Melen
Second by Councilmember Gilbert

I Move the Swartz Creek City Council accept the City Manager's Report of October 26, 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:

Elliot Sanford with MTA services announced that Swartz Creek is now on the Genesee connect zone with the MTA transit route.

COUNCIL BUSINESS:

PUBLIC HEARING FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG):

Adam Zettel, City Manager: Stated that past projects with CDBG funds include lighting for downtown areas and parks, streetscape and decorative signs, sidewalks, senior center, ADA improvements at the amphitheater and demolition of structures with blight concerns. Funds available are $38,434. Eligible investment areas are low to moderate income areas only. Services can be assisting the elderly, persons with disabilities, abused children, homeless persons, ect. His recommendations are to max out the Senior Center at 30% and the other 70% towards other blight/demo projects with in the CDBG guidelines. Mr. Zettel recommended home programs to assist eligible residents with housing needs in accordance with applicable program guidelines for income qualifying residents.
Mayor Pro Tem Hicks: Asked about fire equipment being eligible with CDBG funds.
Councilmember Spillane: Referenced Burton city allocating some of their CDBG funds to purchase smoke detectors to hand them out to residents for fire prevention programs.
Open: 7:20 p.m.
Close: 7:21 p.m.

RESOLUTION TO APPROVE THE CITY CDBG PRE-APPLICATION

Resolution No. 261026-04 **(Carried)**

Motion by Mayor Pro Tem Hicks
Second by Councilmember Melen

WHEREAS, the City of Swartz Creek City Council receives an allocation of Community Development Block Grant Funds from Genesee County on a three year cycle, with the next allocation expected to be $38,434; and
WHEREAS, applications are now being accepted for service projects and construction projects; and,
WHEREAS, projects must meet specific criteria as noted on the pre-application forms, including expenditure in low/moderate income areas, or serving a low/moderate income population while accomplishing a national objective; and,
WHEREAS, the funds for services, including senior services, can equal up to 30% of the three year allocation for approved and eligible purposes; and,
WHEREAS, the city council held a public hearing on October 26, 2026 to hear public comment related to the use of such funds,
NOW, THEREFORE, BE IT RESOLVED THAT the Swartz Creek City Council submit a pre-application to the Genesee County Metropolitan Planning Commission for the three year Community Development Block Grant Distribution, an amount estimated to be $38,434, to support all or some of the following activities:

1. 30% Senior Center
2. 70% City Blight/Demo project

Discussion Ensued.

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

RESOLUTION TO APPROVE ORDINANCE 475 TO AMEND THE ZONING MAP AS IT RELATES TO 5472 MILLER ROAD

Resolution No. 261026-05 **(Denied)**

Motion by Councilmember Gilbert
Second by Councilmember Krueger

WHEREAS, a land owner has petitioned the city to zone 0.58 acres of land in the Single Family Residential District (R-1) to Light Industrial District (I-1), and;
WHEREAS, the petition to rezone has been reviewed by the city's planning commission as it relates to master plan objectives, future land use map, and zoning ordinance requirements; and,
WHEREAS, following a public hearing held October 6, 2026, the Planning Commission reviewed the proposed amendment pursuant to the criteria contained in Section 24.04 of the Zoning Ordinance and found that the proposed conditional rezoning of the property to I-1, Light Industrial, subject to conditions voluntarily offered by the owner, is

consistent with the Master Plan and satisfies the applicable zoning amendment criteria; and,
THEREFORE, I MOVE the City of Swartz Creek ordains:

ORDINANCE NO. 475

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF SWARTZ CREEK TO AMEND THE ZONING MAP.

THE CITY OF SWARTZ CREEK ORDAINS:

Section 1. Amendment of the Zoning Map of the City of Swartz Creek.

The Official Zoning Map of the City of Swartz Creek is hereby amended to conditionally rezone the following described property from Single Family Residential (R-1) to Light Industrial (I-1):

LOT 4 SUPERVISORS PLAT NO 44; commonly known as 5472 Miller Road, Parcel No. 58-29-551-002.

The rezoning approved by this Ordinance is a conditional rezoning and is expressly subject to the voluntary conditions offered by the property owner and incorporated into the Conditional Rezoning Agreement approved by the City Council in conjunction with this Ordinance. The Conditional Rezoning Agreement and the conditions contained therein are incorporated into and made a part of this conditional rezoning.

Section 2. Conditional Rezoning Agreement

The conditional rezoning granted by this Ordinance shall be subject to the terms and conditions of the Conditional Rezoning Agreement between the City of Swartz Creek and the property owner. The Mayor and City Clerk are authorized and directed to execute the agreement on behalf of the City.

Section 3. Effective Date.

This ordinance shall be effective 20 days after publication.

At a regular meeting of the City Council of the City of Swartz Creek held October 26, 2026, adoption of the foregoing ordinance was moved by _____ and supported by _____.

Voting for:
Voting against:

The Mayor declared the ordinance adopted.

Nate Henry
Mayor

CERTIFICATION

The foregoing is a true copy of Ordinance No. 475 which was enacted by the City Council of the City of Swartz Creek at a regular meeting held on October 26, 2026.

Jacquie Forrest, City Clerk

Publish Date: _____
Swartz Creek View

Discussion Ensued.

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

RESOLUTION TO APPROVE THE BREWER TOWNHOMES TAX INCREMENT FINANCING DEVELOPMENT AGREEMENT

Resolution No. 261026-06 **(Carried)**

Motion by Councilmember Knickerbocker
Second by Councilmember Melen

WHEREAS, the City of Swartz Creek Downtown Development Authority (DDA) is authorized to use tax increment revenues to support eligible development and redevelopment activities within the Downtown Development District, consistent with its Development Plan and Tax Increment Financing Plan, pursuant to Public Act 57 of 2018, as amended; and
WHEREAS, the City of Swartz Creek Tax Abatement and Incentive Policy recognizes Tax Increment Financing (TIF) assistance as a local economic development incentive intended to encourage private investment, redevelopment, and improvements that advance the goals of the City and DDA; and
WHEREAS, RBF Holdings, L.L.C. has proposed the Brewer Townhomes project, consisting of residential redevelopment involving twelve parcels within the Downtown Development District, and has requested TIF assistance to address financial feasibility challenges associated with the development; and

WHEREAS, the DDA TIF Review Committee reviewed the project and request for TIF assistance at meetings held June 9, 2026, and June 24, 2026, and recommended approval subject to conditions to be addressed in the Development Agreement; and
WHEREAS, the proposed Development Agreement between RBF Holdings, L.L.C. and the DDA provides for reimbursement of eligible project costs from tax increment revenues generated by the development, with ninety percent (90%) of applicable DDA tax increment revenues available for reimbursement, subject to an aggregate Gap Amount not exceeding $630,000, interest accruing at six percent (6%) annually on approved Gap Amounts, and a reimbursement period not exceeding eighteen (18) years without further authorization; and
WHEREAS, the Development Agreement establishes procedures for the verification of eligible development costs, completion and sale of individual residential units, documentation of arm's-length transactions, and review and approval of reimbursement requests, together with provisions for compliance, financial accountability, and protection of the public interest; and
WHEREAS, the Downtown Development Authority, at its regular meeting of October 8, 2026, adopted Resolution No. 261008-03 by a unanimous vote of five (5) members voting in favor and none opposed, approving the Brewer Townhomes TIF Development Agreement substantially in the form presented and recommending its approval by the Swartz Creek City Council; and
WHEREAS, the DDA further authorized its appropriate officers to execute the Development Agreement following City Council approval, subject to final non-substantive legal and administrative revisions approved by the City Attorney and City Manager that do not materially alter the approved financial terms; and
WHEREAS, the City Council finds that the Brewer Townhomes project is consistent with the City's economic development objectives and the DDA's redevelopment goals, including the encouragement of additional residential density, private investment, increased taxable value, and redevelopment within the Downtown Development District.
NOW, THEREFORE, I MOVE THE CITY OF SWARTZ CREEK APPROVE the Brewer Townhomes Tax Increment Financing Development Agreement between RBF Holdings, L.L.C. and the City of Swartz Creek Downtown Development Authority, substantially in the form presented to the City Council, including the exhibits and attachments incorporated therein.
BE IT FURTHER RESOLVED, that the City Council concurs with the recommendation of the Downtown Development Authority and authorizes the appropriate DDA officers to execute the Development Agreement following final review by the City Attorney and City Manager, who may approve non-substantive legal, technical, and administrative revisions that do not materially alter the financial terms, reimbursement limitations, or obligations established by the Agreement.
BE IT FURTHER RESOLVED, that reimbursement obligations established under the Development Agreement shall be payable solely from tax increment revenues legally available to the DDA and attributable to the development, in accordance with the terms of the Agreement, and shall not constitute a general obligation of the City of Swartz Creek or require an appropriation from the City's general fund.
BE IT FURTHER RESOLVED, that any material amendment to the financial terms of the Development Agreement, including an increase in the maximum Gap Amount, a

change in the percentage of tax increment revenues available for reimbursement, or an extension of the authorized reimbursement period, shall require further approval by the Downtown Development Authority and City Council.

Discussion Ensued.

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

RESOLUTION TO APPROVE CONSUMERS ENERGY LIGHTING AGREEMENT – HOLLAND DRIVE

Resolution No.261026-07 **(Carried)**

Motion by Councilmember Spillane
Second by Councilmember Melen

WHEREAS, the street lights in the city are owned and operated by Consumers Energy Company (CE), a Michigan utility with principal offices located at One Energy Plaza, Jackson MI, 49201; and
WHEREAS, CE is the sole provider of street lights, electrical delivery, and maintenance on said lights in the County of Genesee, including Swartz Creek City; and
WHEREAS, CE supplies street lighting services to the city under a current standard street lighting contract, Number 103033446230, which outlines specific fixture counts and types, said contract restated on November 1, 2018 and revised from time to time; and
WHEREAS, the City seeks additional changes to the street lighting services agreement that include the addition of lighting to Holland Drive and subsequent billing for such new light; and
WHEREAS, Consumers Energy requires approval of an amendment to the existing street light contract and affirmation of the work orders to install new lighting in accordance with the restated and amended lighting contract; and
WHEREAS, the Swartz Creek Downtown Development Authority agrees to reimburse the city the full cost of installation, $10,282.50, provided the City of Swartz Creek consents to financially support ongoing operation and maintenance costs.
NOW THEREFORE, BE IT RESOLVED, it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the lighting service as provided in the Standard Lighting Contract between the Company and the City of Swartz Creek, dated November 1, 2018, in accordance with the Agreement for Modifications of Electric Facilities letter, dated July 16, 2026 and Authorization for Change in Standard Lighting Contract, as included in the October 26, 2026 City Council Packet.
BE IT FURTHER RESOLVED, that it is hereby deemed advisable to enter into a contract with Consumers Energy Company for furnishing lighting service within the City of Swartz Creek for a period of one year and thereafter from year to year, in accordance with the terms of the contract heretofore submitted to the city council.
BE IT FURTHER RESOLVED, that the city agrees to the terms and conditions of form 547 as included in the city council packet of October 26, 2026 and further directs the City

Clerk to execute said agreements and forms that represent the aforementioned terms and conditions.
BE IT FURTHER RESOLVED, that the city agrees to furnish payment to Consumers Energy in accordance with invoice #9328865466, charges totaling $10,282.50 for furnishing and installation of lights, costs to be invoiced to the Swartz Creek DDA.

Discussion Ensued.

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

RESOLUTION TO APPROVE STREET USAGE & PUBLIC SPACE PERMIT FOR THE ANNUAL FIRE DEPARTMENT CHRISTMAS PARADE

Resolution No.261026-08

Motion by Councilmember Krueger
Second by Councilmember Melen

WHEREAS, the City of Swartz Creek issues street closure permits and public plaza usage permits for the purposes of holding public events from time-to-time; and,
WHEREAS, the Swartz Creek Area Firefighters Association has submitted an application for such a street closure for the purposes of hosting an annual Christmas parade in downtown Swartz Creek, as well as an application to use Holland Square and the adjacent streets for a Tree Lighting event; and,
WHEREAS, the Chief of Police finds the application satisfactory and the City Council finds the time, place, and manner of the parade and related events to be conducive to the health, safety, and welfare of the community.
NOW, THEREFORE, BE IT RESOLVED THAT the City of Swartz Creek accept the Chief of Police's recommendation and approve the Swartz Creek Area Fire Fighters Association's Street Usage Application to hold an annual Christmas Parade on Saturday, December 5, 2026 from 6:00 PM to 8:00 PM (Fairchild to Miller, Miller from Fairchild to Morrish), route, stipulations and conditions as set forth in the application packet, a copy of which is included in the October 26, 2026 city council packet, under the direction and control of the office of the Chief of Police.
BE IT FURTHER RESOLVED THAT the City of Swartz Creek City Council hereby approves the Swartz Creek Area Fire Fighters Association's Municipal Property Reservation request to hold an annual tree lighting event for Holland Square and Holland Drive on Saturday, December 5, 2026 from 6:00 PM to 8:00 PM, under the direction and control of the office of the Chief of Police.
BE IT FURTHER RESOLVED THAT the City of Swartz Creek City Council hereby authorizes and directs the Mayor to ensure quality weather, not too hot or too cold, with just the right amount of seasonal snow, for said events.

Discussion Ensued.

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

CLOSED SESSION TO CONSIDER PENDING LITIGATION (ROLL CALL VOTE)

Motion by Councilmember Melen
Second by Councilmember Krueger

WHEREAS, the City of Swartz Creek City Council desires to consult with the city attorney regarding pending litigation, the public discussion of which would have a detrimental financial effect on the position of the public body, and;
WHEREAS, the MCL 15.268(e) permits a governing body to enter a closed session to consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body.
NOW THEREFORE, BE IT RESOLVED the City of Swartz Creek City Council exit the regular session of the city council and enter into a closed session for the purpose of discussing pending litigation.

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

Closed session start – 8:15 p.m.
Closed session closed -8:29 p.m.

MOTION TO ACCEPT LITIGATION AGREEMENT FROM CITY ATTORNEY AS PRESENTED

(Carried)

Discussion Ensued.

Motion by Mayor Pro Tem Hicks
Second by Councilmember Melen

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

MEETING OPENED TO THE PUBLIC:

Jeff Kelly -Does not agree with municipalities donating money for building projects.

REMARKS BY COUNCILMEMBERS:

Councilmember Melen: none

Councilmember Spillane: Can our DPW clear branches with the bucket truck from street lights? Is Metro police going to attend our meetings?

Councilmember Gilbert: Someday all you people will understand.

Councilmember Knickerbocker: Chamber lunch in

Mayor Pro Tem Hicks: none

Councilmember Krueger: Genesee Wind Symphony to perform Monday, November 2, 2026 at 7:30 p.m.

Mayor Henry: none

ADJOURNMENT

Resolution No. 261026-09 **(Carried)**

Motion by Councilmember Gilbert
Second by Councilmember Melen

I Move the Swartz Creek City Council adjourn the regular meeting at 8:39 p.m.

Unanimous Voice Vote.

Nate Henry, Mayor

Jacquie Forrest, City Clerk