

**CITY OF ST. CLAIR
REGULAR COUNCIL MEETING
MONDAY, JANUARY 4, 2010 - 7:00 P.M.
BERNARD E KUHN MUNICIPAL BUILDING, 547 N CARNEY DRIVE**

Mayor Cedar convened the Regular Meeting of the City Council to order in the Council Room of the Municipal Building at 7:00 pm.

PRESENT: Mayor Cedar, Members Burns, Foley, Kindsvater, Krebs, LaPorte, McCartney.

ABSENT: None.

ADMINISTRATION: George Joachim, Kane, Clemons, Joachim & Downey; Scott Adkins, City Superintendent, Russ Mollan, City Treasurer; Mike Booth, Accountant; Avery Armstrong, Director of Golf and Harbor Operations; Mike Harrington, Director of Engineering and DPW; Trice Hawkins, Parks and Recreation Director; Keith Eisen, Water Plant Supervisor; Janice Winn, City Clerk.

AUDIENCE: There were 21 persons in attendance.

INVOCATION was given by Rev Roland Troike, St. Peter's Lutheran Church. Rev Troike asked for wisdom and guidance as officials meet the challenges associated with their positions and carry out their duties for the benefit of the community.

PLEDGE OF ALLEGIANCE was recited.

OATH OF OFFICE was administered to newly elected officials by Honorable Daniel J. Kelly, 31st Circuit Court.

AGENDA AMENDMENTS – None.

CONSENT AGENDA

LaPorte moved, Kindsvater seconded, CARRIED, to approve Consent Agenda items A., B., C., D., and E., as presented.

- A. City Council Minutes of December 7, 2009 Regular Meeting and December 15, 2009 Special Meeting: Approve
- B. Historical Commission Minutes of November 12, 2009 Meeting: Receive
- C. St Clair Area Fire Authority Activity Report of November 2009: Receive
- D. St Clair Historical Museum 2009 Annual Report: Receive
- E. Resignation of Lezlynn Moore from Recreation Commission: Accept with Regrets

ORDINANCES AND RESOLUTIONS

Resolution No. 10-01 – Approving Request for Charitable Gaming License - St Clair Marble Eye Classic Committee

RESOLVED, that the request from St Clair Marble Eye Classic Committee, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses, be considered for approval.

Council received correspondence dated December 30, 2009 from the city superintendent explaining the request of the St Clair Marble Eye Classic Committee that they be granted nonprofit status to obtain a raffle ticket license from the State to support and expand the fishing tournament and other

community events. Approval of the request was recommended. The requirements for an organization to qualify for a gaming license from the state were reviewed.

Kindsvater moved, McCartney seconded, CARRIED, to adopt Resolution No. 10-01, the St Clair Marble Eye Classic Committee Charitable Gaming License Resolution. Ayes: Burns, Cedar, Foley, Kindsvater, Krebs, LaPorte, McCartney. Nays: None. RESOLUTION ADOPTED

REPORTS FROM ADMINISTRATION

City Superintendent

Beautification Commission Membership – City Superintendent reported the recommendation to reduce membership on the Beautification Commission from 16 to a minimum of five and maximum of nine persons. Problems with achieving a quorum due to resignations, term expirations, and absences were reasons for the request. Groups of volunteers will continue to be used for special projects and events such as arbor day, yard of the year and the Christmas parade, but will not have the obligations associated with full membership.

LaPorte moved, Krebs seconded, CARRIED, to authorize an amendment to Article II., Section 1 and Section 2 of the Beautification Commission by-laws to reduce the membership to a minimum of five and maximum of nine persons.

Winter Reminders – Residents were reminded to display their outdoor Christmas lights for the Winter White Out event on January 22-23, 2010, and to keep sidewalks and fire hydrants clear of snow and ice during the winter months.

Strategic Planning Workshop – A Strategic Planning Workshop was scheduled for Saturday, February 13, 2010 at 9:00 am to review strategic plan goals, including specific budget figures and a timetable for implementation.

Policy Changes in Building Department Operations – A new policy will be implemented by the Building Department requiring that building and fire inspections be conducted on any property being considered by the Planning Commission for rezoning to insure that the building is in compliance with state and local codes before entertaining the rezoning request. The city superintendent will work with the appropriate administrative officials to implement the change.

Snow Emergency Ordinance Standards – The snow ordinance was amended a year ago to permit on-street parking during the winter months except in the case of a declared snow emergency when snowfall is anticipated to exceed 4". When a snow emergency is declared, residents will be notified through various media sources that all vehicles must be removed from city streets to permit snow removal equipment to operate freely.

City Attorney – None.

Departmental – None.

Authority, Board, Commission, Committee

Downtown Development Authority – St Clair Winter White Out Event

DDA Chairman Dan Lockwood explained the events and related activities associated with the first annual St Clair Winter White Out special event to be held January 22-23, 2010 in downtown St Clair. The event will be a mixture of history, entertainment, winter sports, games and snow activities along Clinton Ave from N Riverside Ave to Fred Moore Hwy. An update was also given on the Come to St Clair business attraction program promotional efforts to attract new businesses to vacant properties in the DDA district.

UNFINISHED BUSINESS

Accept Bid for Skatepark Components

Council received correspondence from the Parks & Recreation Director dated December 19, 2009 recommending Council accept the \$145,386.03 bid of American Ramp Co and award the contract for the equipment and installation of the skatepark components. Bids were received from American Ramp Co (\$145,386.03), Spohn Ranch (\$147,753.50), and Superior Play (\$180,000; \$170,000 alternate).

Council discussed the original project estimate, donations received, status of construction, and the fund balance for the project. Of the original \$253,000 project estimate, \$246,385 in donations was received and \$203 was expended by the city towards the project. The concrete pad is installed and is ready for delivery of the equipment. Signage, landscaping, a drinking fountain, and an emergency call box need to be furnished, but sponsors and grants may be able to assist with all or a portion of these costs.

LaPorte moved, Kindsvater seconded, CARRIED, to accept the \$145,386.03 bid of American Ramp Company and award the contract for the skatepark components as recommended. Ayes: Cedar, Foley, Kindsvater, Krebs, LaPorte, McCartney, Burns. Nays: None.

Establish Utility Rate Schedule

Council received a revised 2009 utility rate study including adjusted financial information, projected operations at proposed usage rates, and cost implications of the recommended adjustments to residential users following direction given at the December 15, 2009 special council meeting. Glen McBride, McBride, Manley & Miller PC, reviewed the changes and information in the study and explained how the actual rates will impact the balances in the Water and Sewer Funds, which have been losing \$200,000-\$300,000 per year and cannot afford to operate in a deficit position. Under the revised proposal, a calculated combined water and sewer utility bill to a typical residential user of 16,000 gallons of water per quarter would be increased 11.37% (\$14) for 2010; continuing downward to 1.68% (\$3) in 2014 (the last year of the study). The proposed increase is expected to generate an additional \$300,000 for the Water and Sewer Funds annually.

Council reviewed with Mr McBride, City Superintendent Adkins, and Accountant Booth suggestions to minimize the impact of the proposed rate increase to users of the system. Incorporating money owed to the Water and Sewer Funds from the General Fund for the industrial park project, or working on subcontracting services, and/or budget reductions were originally suggested. During the study revision process, it was determined that the reimbursement was already included in the unrestricted fund balance and was not an option to further reduce rates. A 5% departmental budget reduction was accomplished by not filling vacant positions, and work continues on the cost implications related to privatizing services, consolidation of departments, participation in a regional authority, and other options to offset the rate increase. It was noted that any changes in services would not impact rates or affect operations until at least 2011-2012.

Various aspects of the utility rate revision proposal were discussed at length, including the resulting net impact of the rate structure on fund balance; reasons for decreased commodity usage of 38% in the past five years; how decisions on cost saving changes could affect the amount and timing of rate adjustments and correct the deficit position in the funds; the effective date of the increase and administrative billing procedures; disparity in percentage of rate increases for water and sewer for the first two years of the study and errors with past rate studies; cost factors such as health and pension that contributed to changes in the enterprise fund accounting; and the need to set aside money for capital improvement replacement of assets and infrastructure or a catastrophic loss. While Council expressed general displeasure with raising utility rates, setting rates for the current year and then conducting a comprehensive review of the rate structure annually during the budget

process was favored over setting up a multi-year rate structure now because of all of the variables involved and forthcoming additional research on subcontracting issues.

Bill Klieman, 1374 S Riverside Ave, opposed the rate increase and questioned the billing procedures associated with the proposal.

LaPorte moved, Foley seconded, CARRIED, to authorize an annual residential utility rate increase based on the revised 2009 utility rate study of 29.75% water and 3.95% sewer effective December 1, 2009. Ayes: Foley, Krebs, LaPorte, Cedar. Nays: Kindsvater, McCartney, Burns.

NEW BUSINESS

Selection of 2010 Regular Meeting Schedule

LaPorte moved, McCartney seconded, CARRIED, to schedule the Regular City Council Meetings on the first and third Mondays of each month at 7:00 pm at the Municipal Building, 547 N Carney Drive, St. Clair, Michigan 48079.

A schedule of regular and rescheduled meeting dates due to legal holidays was distributed. The Monday, July 5, 2010 regular meeting was rescheduled to Tuesday, July 6, 2010 in observance of the Fourth of July; and the Monday, September 6, 2010 regular meeting was rescheduled to Tuesday, September 7, 2010 in observance of Labor Day.

Selection of Mayor Pro Tem

The City Council was asked to select from amongst its members the Mayor Pro Tem, who will act in the absence, disability or unavailability of the mayor as required under Section 2.02 of the City Charter. The Mayor called for nominations from the floor to fill the office and nominated Member LaPorte. There were no other nominations for the position.

Cedar moved, Kindsvater seconded, CARRIED, to declare nominations closed for the office of Mayor Pro Tem, and cast a unanimous ballot for Member LaPorte to fill the position.

CLAIMS AND ACCOUNTS – December, 2009

Check registers listing the bills for the first half of December, 2009 were presented for Council review.

LaPorte moved, Kindsvater seconded, CARRIED, to approve payment of December, 2009 Claims and Accounts as submitted.

PUBLIC QUESTIONS AND COMMENTS

Bill Klieman, 1374 S Riverside Ave, regarding the inconsistency of General Fund subsidy of enterprise fund operations and questions regarding the repayment schedule associated with the Pine Shores Golf Course deficit reduction plan.

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS – None.

ADJOURNMENT at 8:15 pm.

**CITY OF ST. CLAIR
REGULAR COUNCIL MEETING
MONDAY, JANUARY 18, 2010 - 7:00 P.M.
BERNARD E KUHN MUNICIPAL BUILDING, 547 N CARNEY DRIVE**

Mayor Cedar convened the Regular Meeting of the City Council to order in the Council Room of the Municipal Building at 7:00 pm.

PRESENT: Mayor Cedar, Members Burns, Foley, Kindsvater, Krebs, LaPorte, McCartney.

ABSENT: None.

ADMINISTRATION: James T. Downey, Jr., Kane, Clemons, Joachim & Downey; Scott Adkins, City Superintendent, Rick Jefferson, Police Chief; Janice Winn, City Clerk.

AUDIENCE: There were 11 persons in attendance.

PLEDGE OF ALLEGIANCE was recited.

AGENDA AMENDMENTS – None.

CONSENT AGENDA

LaPorte moved, Kindsvater seconded, CARRIED, to approve Consent Agenda items A., and B., as presented.

- A. City Council Minutes of January 4, 2010 Regular Meeting: Approve
- B. Resignations of Bill Moran and Donna Tassie from Beautification Commission: Accept with Regrets

ORDINANCES AND RESOLUTIONS

Resolution No. 10-02 – Establishing City Utility Rates

RESOLVED, that the City of St. Clair Utility Rates are hereby set as follows:

	Water	Sewer
Billing Charge		
Remote reader (per quarter)	12.07	
Non-remote reader (per quarter)	18.10	
Ready to Serve Charge		
5/8" meter	4.77	35.14
3/4" meter	7.15	52.70
1" meter	11.92	87.84
1-1/2" meter	23.85	175.68
2" meter	38.15	281.08
3" meter	83.44	614.86
4" meter	143.05	1,054.05
6" meter	298.02	2,195.94
8" meter	429.15	3,162.16
Commodity Charge (per 1,000 gallons)	1.89	3.65

FURTHER RESOLVED, that said Utility Service Charges are declared to be in effect on December 1, 2009, and will continue thereafter until further revised.

Council received a Resolution listing utility rates for all charges and services calculated from the 2009 Utility Rate Study percentage increases approved at the January 4, 2010 meeting. Rates are reviewed annually during the budget process and adjustments recommended at that time.

Bill Klieman, 1374 S Riverside, questioned the effective date of the new utility rates and how they were applied to his current utility bill. The billing process for a typical residential user under the new rate schedule was explained. Specific questions regarding his bill were referred to administration.

LaPorte moved, Foley seconded, CARRIED, to adopt Resolution No. 10-02, the Utility Rate Establishing Resolution, as recommended. Ayes: Krebs, LaPorte, Burns, Cedar, Foley. Nays: Kindsvater, McCartney. RESOLUTION ADOPTED

REPORTS FROM ADMINISTRATION

City Superintendent

Whiting Street Railroad Signage - City Superintendent advised that Federal regulations mandating railroad crossing upgrades and establishing safety guidelines were recently enacted, and a local implementation adopted by the state. While the program called for all railroad grade crossings to be marked, large stop signs and numbered grade crossing signs were installed at the base of the driveway of every Whiting St home. The city is trying to work with CSX to get an exception to the rule and have the signs removed or modified to meet the intent of the requirement.

Ordinance Review Committee – A councilmember is needed to serve on the three member Ordinance Review Committee. Interested persons should contact the Mayor.

Winter White Out – The list of events for the first annual Winter White Out were outlined. A complete schedule can be viewed at www.stclairontheriver.org.

City Attorney – None.

Departmental

Police Department – 2009 Statistical Report

Police Chief Jefferson gave a synopsis of department activity and reviewed criminal statistics for the period of January 1, 2009 – January 1, 2010. Crime reporting statistics are up 52% and a total of 404 arrests were made during the period. A breakdown of duties and complaints undertaken by the Police Department during this time were listed in detailed reports distributed to Council.

Council discussed areas with the greatest increase in activity, identified as malicious destruction of property (both public and private), public peace, health and safety, larceny of motor vehicles, and domestic assault. Police Department efforts to curtail crime through the use of the cadet program, bicycle patrol, and re-circulating revenue from fines back into police services were explored. The process of disposition of tickets through the court system, relationship between fines and offenses, and preventive measures being taken by the Police Department to alleviate crime in the community were reviewed.

Authority, Board, Commission, Committee – None.

UNFINISHED BUSINESS – None.

NEW BUSINESS – None.

CLAIMS AND ACCOUNTS – December, 2009

Check registers listing the bills for the second half of December, 2009 were presented for Council review.

LaPorte moved, Kindsvater seconded, CARRIED, to approve payment of December, 2009 Claims and Accounts as submitted.

PUBLIC QUESTIONS AND COMMENTS

Anne Cooper, 1009 Whiting St, regarding resolution of Whiting St railroad signage issues and the need to improve communication with CSX on neighborhood railroad projects.

Councilmembers discussed plans for upgrades to railroad crossings at Vine St, Fred Moore Hwy, St Clair Hwy, and the Brown St/Range Rd bicycle path. Installation of gated and lighted warnings at all street locations and construction of the bicycle path crossing at Brown St are planned in 2010.

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS

Residents were invited to participate in activities during the first annual St Clair Winter White special event held on January 22-23, 2010.

ADJOURNMENT at 7:30 pm.

Janice Winn, City Clerk

Bill Cedar, Jr, Mayor

**CITY OF ST. CLAIR
REGULAR COUNCIL MEETING
MONDAY, FEBRUARY 1, 2010 - 7:00 P.M.
BERNARD E KUHN MUNICIPAL BUILDING, 547 N CARNEY DRIVE**

Mayor Cedar convened the Regular Meeting of the City Council to order in the Council Room of the Municipal Building at 7:00 pm.

PRESENT: Mayor Cedar, Members Burns, Foley, Kindsvater, Krebs, LaPorte, McCartney.

ABSENT: None.

ADMINISTRATION: George Joachim, Kane, Clemons, Joachim & Downey; Scott Adkins, City Superintendent; Rick Jefferson Police Chief; Janice Winn, City Clerk.

AUDIENCE: There were eight persons in attendance.

PLEDGE OF ALLEGIANCE was recited.

AGENDA AMENDMENTS – None.

CONSENT AGENDA

LaPorte moved, Kindsvater seconded, CARRIED, to approve Consent Agenda items A., B., C., and D., as presented.

- A. City Council Minutes of January 18, 2010 Regular Meeting: Approve
- B. Historical Commission Minutes of December 10, 2009 Meeting: Receive
- C. Housing Commission Minutes of January 19, 2010 Regular Meeting and January 26, 2010 Special Meeting: Receive
- D. St Clair Area Fire Authority Activity Report for December 2009: Receive

ORDINANCES AND RESOLUTIONS – None.

REPORTS FROM ADMINISTRATION

City Superintendent

Open Burning Ordinance Revision – Council was asked to review a model ordinance regulating outdoor and open burning developed through cooperation with the Planning Commission. The ordinance addresses open burning, as well as outdoor fireplaces, patio wood-burning units, and refuse. Once input has been received, the draft ordinance will be submitted to the Ordinance Review Committee, and then returned to council in final form for adoption.

Ordinance Updates – The Planning Commission is finalizing several text amendments to the Zoning Ordinance, revising the Planned Unit Development zoning classification, and examining other Code of Ordinances amendments regulating special events and vendors. The proposed changes are expected to be ready for Council review in March.

Enforcement Process for Blight Violations – City Superintendent detailed the history of a long-standing blight problem with a Trumbull St rental property, followed by the Police Chief summarizing the current legislative process for enforcement of repeat blight offenders. The city is having difficulty keeping the same or similar blight violations from reoccurring once the court process is over and the fine is paid.

Council discussed types of residential blight violations, noting that the majority of complaints were instances of yard neglect or an unsightly or eyesore nature rather than health and safety issues. This kind of blight is the most difficult to control because of the subjective standards placed on lifestyle. The fines levied under the civil infraction and misdemeanor schedule for first time and repeat offenses, citing landlords for rental property violations, and enacting an ordinance for rental property inspections to discourage blight were discussed. The Police Department will continue to carry out neighborhood sweeps to identify blight issues, and the City will work with residents in an attempt to control blight in the community.

Utility Rates - City Superintendent confirmed with resident Bill Klieman that he had received answers to his questions on water and sewer rate adjustments from the City Treasurer.

City Attorney - The City Attorney commented on the difficulties faced by communities in enforcing blight issues and noted that the problem was not unique to St Clair.

Departmental – None.

Authority, Board, Commission, Committee – None.

UNFINISHED BUSINESS

NEW BUSINESS

Appointments to Boards and Commissions

Mayor Cedar reported recommendations for appointments to various City authorities, boards, and commissions as follows:

Beautification Commission - Appoint Member Krebs Council Representative for a one year term expiring December 31, 2010.

Board of Review - Appoint Barbara Dodea, 815 Cass St, Donald A Diem, 654 N Riverside Ave, Ralph Schmoling, 1011 N Second St, Paul Tinsey, 1411 Oakland Ave, and Julian Sullivan, 229 Benedict St (alternate), for one year terms expiring December 31, 2010. One vacancy remains.

Building Authority – Reappoint Charles Staiger, 961 N Riverside Ave, for a six year term expiring June 30, 2015. One vacancy remains.

Building Commission – Reappoint Steve Ellery, 1483 Goffe St, for a three year term expiring December 31, 2012. Two vacancies remain.

Cable TV Commission - Reappoint John Cummings, 220 E Meldrum Cir, and Robert Wheeler, 312 Brown St, for two year terms expiring December 31, 2011. One vacancy remains.

Board of Cemetery Trustees - Reappoint Colleen Gilin, 1075 N Sixth St, Jeanne Sullivan, 229 Benedict St, and Nancy Schriener, 619 Highland Dr, for three year terms expiring December 31, 2012; appoint Member Burns Council Representative for a one year term expiring December 31, 2010.

Community Center Commission - Reappoint Bob Rood, 4272 Yankee Rd (waive residency), and Ron Stablein, 595 Snowbird Cir, for three year terms expiring December 31, 2012; appoint Member Burns Council Representative for a one year term expiring December 31, 2010. Two vacancies remain.

Downtown Development Authority – Reappoint Alan Johnson, 507 Cedar St, Bill Kauffman, 301 S Seventh St, Kathy Schoeneweg, 1935 N River Rd (waive residency), Paul Wade, 1507 Fred Moore Hwy, Roy Klecha, 1960 Jackson St, Steve Schwehofer, 659 Mayer Rd (waive residency), and appoint Patrick Tierney, 613 Prestwick, and Arthur Geldres, 1042 N Riverside Ave, for four year terms expiring December 31, 2013; appoint Member Burns Council Representative for a one year term expiring December 31, 2010.

Economic Development Corporation – Reappoint Joseph Stockhausen, 1715 N River Rd (waive residency), and appoint Patrick Tierney, 613 Prestwick, for six year terms expiring December 31, 2015; appoint Arthur Geldres, 1042 N Riverside Ave to complete the balance of a six year term expiring December 31, 2012. One vacancy remains.

Electrical Board – Reappoint Ron Sabotka, 3844 Riverview Terrace South, East China (waive residency), for a three year term expiring December 31, 2012. One vacancy remains.

Pine Shores Golf Commission - Reappoint Grace Hurley, 616 Highland Dr, Kay Huston, 955 N Sixth St, and Rob Sheets, 580 S Carney Dr, for four year terms expiring December 31, 2013; appoint Member Kindsvater Council Representative for a one year term expiring December 31, 2010. One vacancy remains.

Harbor Commission - Reappoint Dan McCartney, 1913 S Delano, Keith Winn, 519 Stratford, and Paul Lydy, 380 Stratford, for three year terms expiring December 31, 2012; appoint Member McCartney Council Representative for a one year term expiring December 31, 2010. One vacancy remains.

Historical Commission - Reappoint JoAnn Kindsvater, 1867 River Rd (waive residency), Robert Freehan, 1711 River Rd, East China (waive residency), and Ron Brenner, 3494 Barberry Dr, North Street (waive residency), for three year terms expiring December 31, 2012; appoint Member Krebs Council Representative for a one year term expiring December 31, 2010. One vacancy remains.

Housing Commission – Appoint Member LaPorte Council Representative for a one year term expiring December 31, 2010. One vacancy remains.

Library Board - Reappoint Mike McCartan, 709 N Ninth St, for a three year term expiring December 31, 2012; appoint Member Krebs Council Representative for a one year term expiring December 31, 2010. One vacancy remains.

Local Development Financing Authority – Reappoint Dorthea Knight, 1933 River Rd (waive residency), for a four year term expiring December 31, 2013. One vacancy remains.

Ordinance Review Committee – Appoint Member McCartney to join Member Krebs, City Superintendent Adkins and Police Chief Jefferson on the ad hoc committee to review proposed amendments to the Code of Ordinances and Zoning Ordinance.

Planning Commission – Reappoint Nancy Beaudua, 1170 S Twelfth St, and appoint Mark Gottler, 944 Thornapple St, for three year terms expiring December 31, 2012; appoint Member LaPorte Council Representative for a one year term expiring December 31, 2010. Two vacancies remain.

Recreation Commission - Reappoint Jim Shafran, 810 S Eleventh St, Lisa Whittlesey, 739 Turnberry Dr, and Suzi Kutsche, 200 Hawthorne, for three year terms expiring December 31, 2012; appoint Member Foley Council Representative for a one year term expiring December 31, 2010. One vacancy remains.

Zoning Board of Appeals – Reappoint Arthur Wimmer, 1305 Adams St, Christopher Robbins, 848 N Carney Dr, Philip Pokriefka, 303 Witherell St, and Ralph Gizowski, 1600 N Delano, and appoint Bill Klieman, 1374 S Riverside Ave, for three year terms expiring December 31, 2012.

Foley moved, McCartney seconded, CARRIED, to confirm the Mayoral appointments to authorities, boards, commissions and committees as listed.

Special Police Building Use Agreement

Council received a proposed agreement between the City and the ARC of St Clair County for occupation and utilization of the Special Police Building for a paper shredding project. Terms of the agreement, including payment of \$350 annually, responsibility for liability insurance, cleaning, and utilities were explored. Approval of the agreement is recommended.

McCartney moved, Kindsvater seconded, CARRIED, to approve the Special Police Building Use Agreement with the ARC of St Clair County as recommended. Ayes: Krebs, LaPorte, McCartney, Burns, Cedar, Foley, Kindsvater. Nays: None.

CLAIMS AND ACCOUNTS – January, 2010

Check registers listing the bills for the periods ending January 21, and January 28, 2010 (check numbers 26884–>26949) were presented for Council review.

LaPorte moved, Kindsvater seconded, CARRIED, to approve payment of January 21, and January 28, 2010 Claims and Accounts registers as submitted.

PUBLIC QUESTIONS AND COMMENTS

DDA Chairman Dan Lockwood extended appreciation to the council and all those involved in the 2010 Winter White Out event and distributed participants' survey results. Many positive responses were received.

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS

Mayor Cedar extended condolences to the family of businessman Carl Haas on their recent loss.

Mayor Cedar commended the City administration and DPW employees for a successful 2010 Winter White Out event.

Mayor Cedar announced details of the St Clair High School Theatre Troupe production of "Big River".

Member Burns extended appreciation to Boy Scout Troop 250 for their role in maintaining flags on veterans' graves in Hillside Cemetery.

Member Krebs announced that volunteers are needed to serve on the Beautification Commission. Vacancies exist on many other boards and commissions as well. Applications are available at City Hall or at www.cityofstclair.com.

Member Foley announced that open registration for St Clair Little League will be held Feb 2 & 23, 2010 at Eddy Elementary School.

ADJOURNMENT at 7:38 pm.

Janice Winn, City Clerk

Bill Cedar, Jr, Mayor

Minutes-St Clair City Council Meeting
Saturday February 13, 2010
Council Chambers, Municipal Building

The Meeting was called to order at 9:04 a.m. by Mayor Bill Cedar Jr. at City of St Clair Municipal Building, 547 N. Carney Drive, St Clair, MI 48079

Roll Call:

Present: Mayor Cedar, Council members Burns, Foley, Kindsvater, Krebs, LaPorte and McCartney.

Absent: None

There were no audience members in attendance.

Mayor Cedar turned the meeting over to City Superintendent Scott Adkins for the purpose of conducting a strategic planning workshop.

Superintendent Adkins presented the Council with the strategic plan goals and objectives list as developed in 2009.

A discussion was held concerning specific items listed and their current order of importance. Council members each categorized the items. Superintendent Adkins stated that the items of Cost Containment and budget should be removed from the listing, as these two items are found in each of the areas and will be considered automatically in all decision making actions. A number of suggested goal realignments were made.

At the conclusion of open discussions, the following top five strategic areas were determined:

Expand Business, Commercial, and Industrial Tax Base: This is to include the existing and future Industrial Parks, Downtown Business area, other Commercial, Industrial, and Retail areas within the City.

Coordinated Leadership: To continue to pursue regional partnering opportunities with our neighboring communities, consider opportunities for service and operational consolidation enhance community marketing and promotion, consider joint hiring of a community marketing specialist in partnership with the St Clair Chamber of Commerce and St Clair DDA. To reevaluate the existing membership in the EDA of St Clair County.

Enhancements and Improvements to City Streets, Roads, and Sidewalks: Seek partnership and grant funding opportunities, place more emphasis on use of City Engineer vs. firms and/or consultants. Continue on annual improvement plan with current sources of funding.

Critical Infrastructure: Continue to address maintenance, repair, and replacement of critical infrastructure (water, sewer lines, etc). Seek sources of funding to offset repairs, perform proactive infrastructure management. Seek partnerships when possible to offset City costs, continue discussions of local authority and regional partnerships.

Emergency Preparedness: Continue to seek implementation of local emergency response plans and training as required or necessary. Continue to seek grant funding when possible.

During the course of the planning session, additional Council discussions were held on the following topics:

Redesign of M-29: Mayor Cedar mentioned that he did not believe that this should remain as a priority. Councilmember LaPorte states that it would be the decision of MDOT if improvements were to be made. Superintendent Adkins stated that if the City chooses to seek improvements or funding for M-29, the Council will have to have the project placed on the Transportation Improvement Plan. The current plan has been developed through 2014. No further action was directed at this time.

Clinton Avenue Improvements: The current Clinton Avenue project was discussed. The Council was advised by Superintendent Adkins that MDOT has made no decision on the grant application submitted last year and that funding seems to be decreasing for enhancement projects at the state level.

Role of the DDA in Community Marketing and Grant Funding and General Direction of the DDA: The need to enhance communications between the DDA and the City Council was discussed. Concerns about the DDA budget, projects, and tax increment financing were voiced. Member Burns is to lead discussion with DDA concerning these areas and seek answers to a number of Council questions. It was suggested that a joint Council-DDA meeting be held to share the Council's concerns with the DDA. A discussion was also held concerning the vacant Chamber of Commerce Director Position, and how the City could play a role in this position.

EDA Membership: The status of the recent LG Chem project and how the EDA handled the process was held. Council discussed the importance of regular communications and proactive movement in future development prospects. It was determined that the City is not getting the optimal service from the EDA in its current format. It was mentioned that perhaps a new direction with more focus on marketing would be best for the City. Superintendent Adkins was directed to pursue gathering more information concerning the matter and report back to Council.

Partnerships with neighboring Townships concerning Police Protection: Superintendent Adkins advised that there is no current interest in a regional police authority or additional services to the townships; however he will continue to entertain discussions.

Current City Employee Staffing: Superintendent Adkins will continue to address this area through investigating consolidation and sub-contracting of certain services, as well as through the budgeting process. A discussion was held concerning the possibility of retirement incentives for at least one Water Department employee. Currently three employees are eligible to retire, however none have chosen to do so. A replacement would not be made at this time if one of the three chooses to retire. A brief discussion concerning subcontracting was held. Superintendent Adkins stated that the matter of subcontracting is not as simple as it may appear, and pairing proper service delivery with reasonable cost has been difficult so far. Superintendent Adkins advised Council that a number of services are to be bid out within the next few months.

Status of Community Pool: No decision has been made regarding the status of the community pool for 2010. This area will be reviewed further through the budget process. Superintendent Adkins stated that he has met with the Blue Water YMCA to discuss potential cost and service sharing activities. Councilmember McCartney stated that if he has to choose between police protection and the pool, he will always choose police protection. Councilmember Foley stated that we invested a great amount of money last year on the pool and we should make a decision on future operations soon. He also mentioned that he has voiced his concerns with the Recreation Commission that they need to invest more time into actual hand-on activities rather than just planning.

Upon the conclusion of the strategic planning topics, brief conversation was held with Council regarding the Marine Corps League's desire to erect a memorial honoring Medal of Honor recipient

Dwayne Williams, a graduate of St Clair High School killed in action during the Vietnam War. Superintendent Adkins is to meet with the group and discuss options for a memorial. The Council agreed that renaming of a City Park was not an acceptable option, but would rather prefer a memorial to be placed at a City-owned park or facility.

Public Comment: None.

The meeting was adjourned at 11:17 a.m.

Scott A. Adkins
City Superintendent
Acting City Clerk

Bill Cedar, Jr.
Mayor

**CITY OF ST. CLAIR
REGULAR COUNCIL MEETING
MONDAY, MARCH 15, 2010 - 6:00 P.M.
BERNARD E KUHN MUNICIPAL BUILDING, 547 N CARNEY DRIVE**

**STRATEGIC PLANNING WORKSHOP – Topic Discussion: DDA - Defining Future Role;
Coordinated Leadership**

Mayor Cedar convened the Strategic Planning Workshop of the City Council to order in the Council Room of the Municipal Building at 6:04 pm.

PRESENT: Mayor Cedar, Members Burns, Foley, Kindsvater, Krebs, LaPorte, McCartney.

ABSENT: None.

ADMINISTRATION: Scott Adkins, City Superintendent, Rick Jefferson, Police Chief,
Kathleen Kauffman, Acting City Clerk.

AUDIENCE: There were four persons in attendance

City Council discussed the role and activities of the DDA:

Burns reviewed his discussion with DDA Chairman, Dan Lockwood, regarding future priorities and goals. Priorities set by the DDA include:

(1) the Clinton Avenue Streetscape project (the cost of the project is estimated at \$653,000 total, with a City match of 25% or \$165,000. The DDA has committed \$60,000 to the project);

(2) installation of floating docks along Rotary Park;

(3) improvement/development of the Riverview Plaza parking lot;

(4) continued sponsorship and marketing of special events.

Identified and reviewed DDA accomplishments: Winter White Out, coordinated restaurant promotion; the Come to St. Clair program, form based zoning, "At the Market" Cable 6 program, Downtown Vision Plan, and community promotion.

Discussed the DDA's relationship with the Chamber of Commerce, questioning the purpose and benefits.

In conclusion, Council identified the need for improved communications, synchronized goals and priorities, and renewed direction to the DDA by City Council. It was agreed that City Council needs to clearly identify their priorities in order to communicate them to the DDA. Members were asked to construct a concise list of proposed objectives for the DDA for further discussion at the next Goal Session.

Superintendent briefly reviewed the status of EDA activities, he will ask County Administrator/EDA Board Chairman Shawn Groden to make a presentation at the April 19, 2010 Goal Session.

The Strategic Planning Workshop ended at 7:00 p.m.

REGULAR SESSION

Mayor Cedar convened the Regular Meeting of the City Council to order in the Council Room of the Municipal Building at 7:01 pm.

PRESENT: Mayor Cedar, Members Burns, Foley, Kindsvater, Krebs, LaPorte, McCartney.

ABSENT: None.

ADMINISTRATION: Jim Downey, Kane, Clemons, Joachim & Downey; Scott Adkins, City Superintendent, Rick Jefferson, Police Chief, Kathleen Kauffman, Acting City Clerk.

AUDIENCE: There were four persons in attendance.

PLEDGE OF ALLEGIANCE was recited.

AGENDA AMENDMENTS – Add to Ordinances and Resolutions: C. Resolution Approving MDOT Contract for Fred Moore Highway Reconstruction; and D. Resolution Appointing Street Administrator.

CONSENT AGENDA

Foley moved, LaPorte seconded, CARRIED, to approve Consent Agenda items A., B., C., and D., as presented.

- A. City Council Minutes of March 1, 2010 Strategic Planning Workshop and Regular Meeting: Approve
- B. Beautification Commission Minutes of February 3, 2010 Meeting: Receive
- C. Housing Commission Minutes of February 23, 2010 Meeting: Receive
- D. St. Clair Area Fire Authority February 2010 Activity Report: Receive

ORDINANCES AND RESOLUTIONS

A. Ordinance Introduction – Amendment to Code of Ordinances, Chapter 30, Outdoor and Open Burning

AN ORDINANCE OF THE CITY OF ST. CLAIR, ST CLAIR COUNTY, MICHIGAN TO REPEAL CHAPTER 30, ARTICLE IV – OPEN BURNING OF THE CODE OF ORDINANCES FOR THE CITY OF ST. CLAIR AND REPLACE SAID ARTICLE WITH AMENDED PROVISIONS

Council received an Ordinance recommendation from the City Superintendent to repeal Chapter 30, Article IV, of the St. Clair City Code of Ordinances and replace it with a new Article IV, Sections 30-81 through 30-93. The Ordinance has been reviewed and approved by the Planning Commission and the Ordinance Review Committee. The Superintendent explained the proposed changes to set regulations for various types of outdoor and open burning within the city.

LaPorte moved, Foley seconded, CARRIED, to introduce the Section 30, Article IV, Open Burning Ordinance Amendment. Ayes: Foley, Kindsvater, Krebs, LaPorte, McCartney, Burns, Cedar. Nays: None.

B. Resolution No. 10-04 – Approving MDOT Contract for St. Clair Highway Reconstruction

RESOLVED, that the St. Clair City Council accepts the Advance Construction Contract with the Michigan Department of Transportation, for reconstruction of St. Clair Highway from Palmer Street to Oak Street and that Scott Adkins, City Superintendent, and Janice Winn, City Clerk, are authorized to sign said contract for the city.

City Superintendent explained that this project is one of two American Recovery and Re-Investment Act (ARRA/Stimulus) projects that the City was able to obtain. It is a \$420,000 project with all but \$1,500 being paid through federal funding.

LaPorte moved, Krebs seconded, CARRIED, to accept the Advance Construction Contract, #10-5129, between the Michigan Department of Transportation and the City of St. Clair, for reconstruction of St. Clair Highway from Palmer Street to Oak Street. Ayes: Kindsvater, Krebs, LaPorte, McCartney, Burns, Cedar, Foley. Nays: None.

Bill Klieman asked how many jobs will be created and what evidence the city will receive that prevailing wage regulations are being met. City Superintendent responded that the number of jobs created is uncertain at this time, the contract will adhere to all federal and state requirements including prevailing wage, and the city will be provided with a contractor's report through MDOT ensuring compliance with all requirements.

C. Resolution No. 10-05 – Approving MDOT Contract for Fred Moore Highway Reconstruction

RESOLVED, that the St. Clair City Council accepts the Advance Construction Contract with the Michigan Department of Transportation, for reconstruction of Fred Moore Highway from the west city limits to Carney Drive and that Scott Adkins, City Superintendent, and Janice Winn, City Clerk, are authorized to sign said contract for the city.

The Superintendent explained that this is an American Recovery and Re-Investment Act (ARRA/Stimulus) project. The total cost of the project is \$297,000, with only \$1,200 being paid by the city.

McCartney moved, Kindsvater seconded, CARRIED, to accept the Advance Construction Contract, #09-5796, between the Michigan Department of Transportation and the City of St. Clair, for reconstruction of Fred Moore Highway from the west city limits to Carney Drive. Ayes: Krebs, LaPorte, McCartney, Burns, Cedar, Foley, Kindsvater. Nays: None.

D. Resolution No. 10-06 – Appointing a Street Administrator

RESOLVED, that the St. Clair City Council designates Michael Harrington, Director of Public Services, as the single street administrator in all transactions with the State Transportation Department.

City Superintendent explained that the appointment of a street administrator is a requirement of Act 51 in order to receive state road funding. In the past, the superintendent has acted in this capacity, however, Mr. Harrington's position of Director of Public Services and his engineering background, make him the appropriate person to fill this position.

Kindsvater moved, Foley, seconded, CARRIED, to appoint the Director of Public Services Michael Harrington as the Street Administrator in all transactions with the Michigan Department of Transportation. Ayes: LaPorte, McCartney, Burns, Cedar, Foley, Kindsvater, Krebs. Nays: None.

REPORTS FROM ADMINISTRATION

City Superintendent

Update on Marine Corps League Memorial Project – Details of the placement of the memorial are being worked out. Although the memorial will not be in place on Memorial Day, an announcement will be made during the observance at the Veterans Memorial site.

Census 2010 Promotion – A three minute video was shown explaining the importance of participation in the census.

City Attorney – None.

City Departments – None.

Authority, Board, Commission, Committee Chairman or Council Representative

Krebs advised that the Beautification Commission's Hanging Flower Basket project fundraising is underway, plans are being made for the Arbor Day observation, and November 19th has been set for the 2010 Santa parade. The Historical Commission is planning a program for April 15, 2010 - "Authors of St. Clair" and the Museum's Maritime Room is now open.

UNFINISHED BUSINESS – None.

NEW BUSINESS

A. Application for Industrial Facilities Tax Exemption Certificate – Precision Die and Machine Company, 1400 S. Carney Drive

LaPorte moved, Foley seconded, CARRIED, to receive the application and set a public hearing on the IFT for 7:00 pm on Monday, April 5, 2010, at City Hall, 547 N. Carney Drive, St. Clair MI 48079.

B. Proclamation Designating Arbor Day

Burns moved, Kindsvater seconded, CARRIED, to designate April 30, 2010 as Arbor Day in the City of St. Clair.

C. Approve Issuance of Special Events Permit for Salmon Stakes Fishing Tournament

Police Chief Jefferson explained the request from the Voyageur to host the annual Salmon Stakes Fishing Tournament on April 23 and 24, 2010, and offered a recommendation that the permit be approved.

Krebs moved, Kindsvater seconded, CARRIED (LaPorte-abstain), to approve the special events permit for the Salmon Stakes Fishing Tournament.

D. Request for Temporary Outdoor Service Permit – Voyageur Restaurant

Police Chief Jefferson explained the request for temporary authorization of a liquor license to be used in a temporary outdoor service area adjacent to the Voyageur in conjunction with the Offshore Boat Races on July 23-25, 2010. Jefferson recommended that the permit be approved.

Kindsvater moved, McCartney seconded, CARRIED, to approve the request for temporary outdoor service permit.

CLAIMS AND ACCOUNTS – Check registers listing the bills for the period ending March 4, 2010 (check numbers 27146 -> 27183) and March 11, 2010 (check numbers 27184 -> 27233) were presented for Council review.

LaPorte moved, Foley seconded, CARRIED, to approve payment of March 4, 2010 and March 11, 2010 Claims and Accounts as submitted.

PUBLIC QUESTIONS AND COMMENTS – None.

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS - None

ADJOURNMENT at 7:27 pm.

Kathleen Kauffman, Acting Clerk

Bill Cedar, Jr, Mayor

**Minutes-St Clair City Council Meeting
Monday March 22, 2010
Pine Shores Golf Course**

The Meeting was called to order at 7:02pm by Mayor Bill Cedar Jr. at the Pine Shores Golf Course, 515 Fred Moore Highway, St Clair, MI 48079

Roll Call:

Present: Mayor Cedar, Council members Burns, Foley, Kindsvater, Krebs, LaPorte, and McCartney.

Absent: None

Mayor Cedar asked those in attendance to introduce themselves.

China Township: None Present

East China Township: Supervisor Jack Randolph, Treasurer Don Beaudua and Trustee Larry Simons

St Clair Township: Supervisor Brian Mahaffy, Clerk Joyce Skonieczny, Treasurer Pat Miskus, Trustee Brenda Boeck, Trustee Gary Hovis, and Trustee Bill Karas.

Also Present: St Clair City Superintendent Scott Adkins, St Clair City Accountant Mike Booth, and St Clair City Engineer/Director of Public Services Mike Harrington

Mayor Cedar turned the meeting over to Superintendent Adkins to facilitate. Superintendent Adkins then asked each community to provide a brief summary of activities and projects as well as insight into future projects:

East China Township:

- Improvements to Sanitary Sewer system to address infiltration
- Improvements to Water Plant (Installation of new sensor modules)
- Working with Marine City with development of new Fire Authority
- Possible installation of new sewer interceptor lines
- Participation in St Clair Area Fire Authority
- Possible continued joint sharing with the City of St Clair

St Clair Township:

- Improvements to Sanitary Sewer and Water systems
- Bridge-To-Bay project with City of St Clair
- Improvements to loop portions of water system
- Additional expansion to existing path system
- Continued participation with St Clair Area Fire Authority
- Looking to address future fire service needs (station)

City of St Clair:

- Bridge to Bay Path Completion
- Heritage Route project.
- Recent Improvements to City water system that includes looping of line along Carney Drive, re-sizing of lines along Range Road and installation of a new main along N. Riverside.
- Development of Little League fields along Fred Moore Highway
- Continued participation in Fire Authority
- New Skate Park- made possible through donations.

The meeting was then opened to question and answer period as well as discussion of joint cooperative efforts.

A number of possible joint cooperative efforts were discussed. These items included shared use of manpower and equipment, as well as combined purchasing. Councilmember Burns suggested looking into joint efforts concerning recycling and yard waste collection.

Councilmember Foley asked East China Supervisor about the status of possible joint police services. Supervisor Randolph mentioned that the City has provided a cost quote in the past, however the former police chief was unwilling to pursue the matter. Trustee Beaudua stated that joint police services are a concern and should be a priority in the future. Supervisor Randolph also mentioned that a deeper look into a public safety authority with police and fire divisions may be worthwhile.

It was suggested that each community prepare an 'inventory list' of commonly purchased items, services, manpower and equipment that can be shared at the next meeting. From these inventory lists, we can get a better feel of the areas where joint efforts and potential cost containment measures can be implemented. Inventory lists should be submitted by April 20th and will be discussed at the next meeting.

Monday May 10th was established as the next meeting. The location will remain Pine Shores at 7:00 p.m.

It was also requested that recreation attendance figures for township participants be prepared and shared with the group, as well as costs for this participation. It was concluded that a possible 'buy-in fee' again be visited to eliminate additional charges to township residents. City Recreation Director Hawkins will be asked to prepare these items for the next meeting.

At 7:41 p.m., the general session concluded and a specific break-out session between the City of St Clair and St Clair Township was held. City Accountant Mike Booth provided an update concerning the Water Contract revisions. At this time, the agreement is being reviewed by township auditor Paul Bailey.

It was also mentioned that work on the Sanitary Sewer Agreement would begin as soon as the Water Agreement Amendment has been signed.

City Engineer Mike Harrington also indicated that the City is willing to assist the township with certain engineering and equipment matters.

A brief discussion was held concerning operation of the St Clair Fire Authority and future needs. Concerns were voiced over the amount of equipment currently housed at the existing fire station. The status of Kimball Township's contract with the township was also raised. A committee is looking into the possible construction of a second fire station in St Clair Township. A suggestion was made to review the response locations within the entire district and consider future fire station locations.

No other concerns were raised; both the City and Township officials indicated that they wished to continue working together on future projects.

Trustee Karas mentioned the need to work towards a safe connection from the existing bike path on Fred Moore Highway and King Road to the new Little League Park. Superintendent Adkins suggested that we look at traffic safety and County Recreation funds to assist. Trustee Boeck suggested that some traffic funds be used for other road improvements as well.

Public Comment: None

Motion by Councilmember Kindsvater, supported by Councilmember LaPorte to adjourn, the meeting was adjourned at 8:28 p.m.

Scott A. Adkins, Acting Clerk

Bill Cedar Jr., Mayor

**CITY OF ST. CLAIR
REGULAR COUNCIL MEETING
MONDAY, APRIL 5, 2010 - 7:00 P.M.
BERNARD E KUHN MUNICIPAL BUILDING, 547 N CARNEY DRIVE**

Mayor Pro Tem LaPorte convened the Regular Meeting of the City Council to order in the Council Room of the Municipal Building at 7:00 pm.

PRESENT: Members Burns, Kindsvater, Krebs, LaPorte, McCartney.

ABSENT: Mayor Cedar, Member Foley.

ADMINISTRATION: George Joachim, Kane, Clemons, Joachim & Downey; Scott Adkins, City Superintendent, Mike Booth, Accountant; Janice Winn, City Clerk.

AUDIENCE: There were ten persons in attendance.

PLEDGE OF ALLEGIANCE was recited.

Kindsvater moved, McCartney seconded, **CARRIED**, to record the absences of Mayor Cedar and Member Foley as excused.

PUBLIC HEARING

Hearing on Application for Industrial Facilities Exemption Certificate – Precision Die & Machine Co, 1400 S Carney Dr

Kindsvater moved, Krebs seconded, **CARRIED**, to open the public hearing at 7:02 pm to receive public comment on the request of Precision Die & Machine Co for an industrial facilities exemption certificate under PA 198 of 1974, as amended.

City Council received the request of Precision Die & Machine Co for a six year, 50% tax abatement of \$286,879.00 in personal property to expand equipment in their plastic injection molded products company to increase capabilities in the electrical, plumbing, automotive, and sporting goods industries they serve. Three new jobs are expected to be created as a result of this project and 11 existing jobs are expected to be retained.

EDA business specialist Rene Stephan gave a biographic overview of the company, their operations, and their anticipated long term business plans. She noted that the end date for the personal property improvements should be listed on the application as January 15, 2010 instead of 2009.

Member Burns questioned whether customer diversification resulted from adding the new technology. Company owner Robert Lozon indicated increases in the sporting goods and automotive supplier components of the business.

Superintendent Adkins advised that the application meets the criteria of the City's IFT tax incentive policy, but the scoring criteria in the guidelines would qualify the company for a four year rather than six year exemption. However, a policy deviation to grant the six years requested is permitted.

No one else from the audience spoke for or against the application filed by Precision Die & Machine Co for the industrial facilities exemption certificate.

Kindsvater moved, McCartney seconded, **CARRIED**, to close the public hearing at 7:05 pm.

CONSENT AGENDA

Kindsvater moved, McCartney seconded, CARRIED, to approve Consent Agenda item A. as corrected, and Agenda items B., and C., as presented.

- A. City Council Minutes of March 15, 2010 Strategic Planning Workshop and Regular Meeting and March 22, 2010 Special Joint Meeting: Approve

The March 15, 2010 City Council regular meeting minutes were corrected to reflect that Member LaPorte abstained from voting on the approval of issuance of the special events permit for the Salmon Stakes Fishing Tournament due to a possible conflict of interest.

- B. Downtown Development Authority Minutes of January 21, and February 18, 2010 Meetings: Receive
- C. Historical Commission Minutes of February 11, 2010 Meeting: Receive
- D. Housing Commission Minutes of March 16, 2010 Meeting: Receive

PRESENTATIONS

2008 - 2009 Annual Audit Presentation

Representative Mike Gaffney from the audit firm of Abraham & Gaffney, P.C., presented the Independent Auditors' Report, Basic Financial Statements, Internal Control Letter, and Management Letter for the City of St. Clair for the year ended September 30, 2009. Financial highlights of the audit were reviewed along with an overview of specific areas of the financial statements, the overall financial position of the City's major funds and accounts, net assets, and required internal control limitations and deficiencies. In general, the city received a clean, qualified opinion, and has a good fund balance given the state of the current economy.

Councilmembers discussed with the auditor and administration noted decreases in revenues (3.7%) due to taxes, intergovernmental revenues and interest income, and decreases in expenditures (.7%) due to departmental reductions, although expenses for fringe benefits and the library project were up. Concerns were mentioned on some of the proprietary funds such as sewer, water, harbor and golf course operations, and the need to reverse deficit positions in these areas, many of which will be addressed in next year's budget discussions. Recording transfers from other funds to the General Fund to support operations in the Industrial Park Fund obligation and Pension Fund; the recommended level of fund balance to maintain and available uses for those funds; and various factors and changes affecting overall budgeting and accounting practices for city operations were reviewed. Generating additional revenue or cutting costs, and development of a long range plan with projections for future uses of funds were suggested as financial tools to consider.

The Report on Internal Control revealed issues with the Industrial Park Fund and Golf Course Fund, and compliance regulations to address the deficit status of these funds with the State.

Items contained in the Management Letter to create sound financial practices were outlined, including procedures related to accounting and internal control functions, accounts payable procedures for purchase requisitions and receipt of goods and services, revenue receipt and deposit procedures and journal entries. Superintendent Adkins indicated that processes and policies would be set up to correct the deficiencies.

The 2008-2009 annual audit report was received and placed on file.

ORDINANCES AND RESOLUTIONS

Ordinance No. 2010-01 - Amendment to Code of Ordinances, Chapter 30, Outdoor and Open Burning

AN ORDINANCE OF THE CITY OF ST. CLAIR, ST. CLAIR COUNTY, MICHIGAN TO REPEAL CHAPTER 30, ARTICLE IV – OPEN BURNING OF THE CODE OF ORDINANCES FOR THE CITY OF ST. CLAIR AND REPLACE SAID ARTICLE WITH NEW PROVISIONS

Council received a proposed Ordinance to regulate air pollution and fire hazards associated with open burning and outdoor burning in the City. The Ordinance was introduced at the March 15, 2010 meeting and has also been reviewed and approved by the Fire Chief.

Members Krebs and Burns opposed the open burning portion of the proposed Ordinance based on the smoke generated by burning leaves creating a health hazard, the close proximity of burning to buildings in residential areas, and the existing availability of alternative yard waste collection service options. For these reasons and the Michigan DNR rural regulations on burning in residential areas, they supported a full ban on open yard waste burning.

Superintendent Adkins indicated that the proposed burning ordinance is more restrictive than the current language as it restricts the hours for open burning, prohibits burning of grass, places restrictions on outdoor patio burners and chimneys, and requires that a burning permit be obtained from the Fire Department for certain activities.

Bill Klieman, 1374 S Riverside Ave, questioned whether the ordinance contained provisions for the regulation of outdoor wood-fired furnaces and boilers. Building Code regulations generally cover these types of uses although the Planning Commission has reviewed the subject and intends to address it further as the interest in using these types of units grows.

Terry O'Brien, Columbus Twp, also objected to open burning near apartment complexes for health and fire safety reasons.

Kindsvater moved, McCartney seconded, CARRIED, to adopt Ordinance No. 2010-01, the Outdoor and Open Burning Code of Ordinances Amendment. Ayes: Kindsvater, LaPorte, McCartney. Nays: Burns, Krebs. ORDINANCE ADOPTED

Ordinance Introduction – Amendments to Zoning Ordinance

Council received final Planning Commission recommendations from consultant David Scurto, Carlisle Wortman & Associates, Inc on revisions for several articles of the Zoning Ordinance. The amendments address changes to uses allowed in the Light Industrial and Heavy Industrial zoning districts, landscaping and landscape buffers, height restrictions for towers, poles and monuments, solar panel restrictions, LED sign restrictions, elimination of banner signs, and changes to off-street parking lot construction.

Superintendent Adkins gave a brief overview of the amendments. Member Krebs and Burns questioned additional restrictions on banner signs, and the application of form-based code restrictions in the downtown area as well as the remaining areas of the city.

McCartney moved, Kindsvater seconded, CARRIED, to introduce the text amendments to Article 4. Zoning District Regulations, Article 5. General Provisions, Article 6. Signs, and Article 7. Off-Street Parking and Loading of the Zoning Ordinance of the City of St Clair.

Ordinance Introduction – Amendment to Code of Ordinances, Chapter 26, Article V, Floodplain Management Provisions

AN ORDINANCE OF THE CITY OF ST. CLAIR, ST. CLAIR COUNTY, MICHIGAN TO AMEND CHAPTER 26. ENVIRONMENT OF THE CODE OF ORDINANCES FOR THE CITY OF ST. CLAIR BY THE ADDITION OF A NEW ARTICLE V, FLOODPLAIN MANAGMEENT PROVISIONS, TO ADDRESS FLODPLAIN MANAGEMENT PROVISIONS OF THE STATE CONSTRUCTION CODE AND FLOODPLAIN MANAGEMENT PROVISIONS UNRELATED TO THE STATE CONSTRUCTION CODE

Council received a proposed ordinance detailing provisions of the State Construction Code as well as designating flood prone hazard areas identified in the FEMA FIRM maps. Adoption of the ordinance is required by May 3, 2010 to implement State and Federal floodplain requirements. The Ordinance Review Committee is scheduled to examine the ordinance prior to the next regular council meeting.

Member Krebs questioned the designation of an administrator for the floodplain management program. The City Superintendent and Building Department officials will coordinate the duties associated with this program.

Kindsvater moved, Burns seconded, CARRIED, to introduce the Floodplain Management Provisions Code of Ordinances amendment.

Resolution No. 10-07 - Approving Application of Precision Die & Machine Co, 1400 S Carney Dr, for an Industrial Facilities Exemption Certificate under PA 198 of 1974, as Amended

RESOLVED, That the application for industrial facilities exemption certificate filed under PA 198 of 1974, as amended, by Precision Die & Machine Co, be approved, and shall remain in full force and effect for six (6) years on personal property, conditioned upon the facilities' continuation in operation throughout each period, otherwise of no force or effect, commencing with its effective date and ending not later than December 31, 2016 on personal property, and otherwise is in compliance with Section 16 of PA 198, as amended. (See Resolution)

Kindsvater moved, McCartney seconded, CARRIED, to adopt Resolution No. 10-07, the Precision Die & Machine Co Industrial Facilities Exemption Certificate Resolution. Ayes: Krebs, McCartney, Burns, Kindsvater, LaPorte. Nays: None. RESOLUTION ADOPTED

REPORTS FROM ADMINISTRATION

City Superintendent

1. The skatepark facility adjacent to Greig Park opened in late March, and since that time, concerns are being communicated to the City from neighbors regarding incomplete landscaping, lighting, and parking improvements; and complaints of noise, monitoring hours of operation, litter, and lack of security. Administration is working on addressing these issues, and has proposed use of self-policing or relying on recreation staff to watch over activities at the park, securing the facility after dusk, and making policy changes to align with ordinances. Posted rules and regulations are present. To address noise complaints, sound-buffering modification will be installed on the ramps, and landscape berms and buffers added. The City wants to take whatever action is available to keep the park in harmony with the surrounding neighborhood.
2. A Special Joint Meeting of the Downtown Development Authority and City Council was scheduled for Monday, April 26, 2010 at 6:00 pm at the Municipal Building to discuss future goals and direction of the DDA.

3. The next Strategic Planning Workshop will be held prior to the April 19, 2010 regular meeting at 6:00 pm on the topic discussion of coordinated leadership. Shaun Groden from the EDA of St Clair County will attend. Dates for pre-budget workshop sessions will also be selected at the April 19 meeting.

City Attorney – None.

City Departments

Authority, Board, Commission, Committee Chairman or Council Representative

Housing Commission Liaison LaPorte reported that the building improvements to Palmer Park Manor, including the pavilion in front of the building and covered entryway are under construction.

UNFINISHED BUSINESS – None.

NEW BUSINESS

AGENDA AMENDMENT –Request for Issuance of Special Events Permit for Knights of Columbus District Rally

Mayor Pro Tem LaPorte requested that the agenda be amended to consider the special events permit request from the Knights of Columbus to conduct a district rally as an item of New Business.

Kindsvater moved, McCartney seconded, CARRIED, to approve the amendment to the agenda to entertain the special events permit as requested as an item of New Business.

Approve 2010-11 Community Television Programming Services Agreement with East China School District

Council received a renewal agreement between the City and East China School District for television programming, consulting, and planning services for a cable television community government access channel for the period of July 1, 2010 to June 30, 2009. The agreement provides for the School District to compensate the City in the amount of \$16,200 annually for the services and is automatically renewable each subsequent year unless terminated by either party. Approval of the agreement is recommended.

Superintendent Adkins explained that the agreement includes the same service provisions as in previous years and will be modified to coincide with the school district's fiscal year.

Bill Klieman, 1374 S Riverside Ave, questioned the fee reduction from \$18,000 to \$16,200 for the service in view of the school district raising rates for the services they provide to the city.

Krebs moved, McCartney seconded, CARRIED to approve the East China School District/City of St Clair Community Television Programming Service Agreement and authorize the City Superintendent to sign it on the City's behalf.

Request to Amend Special Events Permit for Salmon Stakes Fishing Tournament

Council received correspondence from The Voyageur dated March 25, 2010 requesting that the special events permit issued for the April 23-24, 2010 Salmon Stakes Fishing Tournament be amended to include the south end of Palmer Park adjacent to The Voyageur for children's activities. Organizations such as the YMCA want to provide free children's activities and games during the tournament.

McCartney moved, Kindsvater seconded, CARRIED (LaPorte – abstain), to approve the amendment to the special events permit for the April 23-24, 2010 Salmon Stakes Fishing Tournament.

Approve Issuance of Special Events Permit for Knights of Columbus #2251 District Rally

Council received a memorandum from the Police Chief dated April 5, 2010, containing a recommendation for approval of a special events permit for the Knights of Columbus Council #2251 to conduct the District Rally march on April 18, 2010 from 6:30 am to 7:15 am from the Riverview Plaza to St Mary's Church. The applicant has complied with the necessary requirements of the Special Events Ordinance and issuance of the permit is recommended contingent on receipt of insurance and all related documents.

Kindsvater moved, Krebs seconded, CARRIED, to grant approval of the Knights of Columbus Council #2251 special events permit request.

CLAIMS AND ACCOUNTS – March 18, 25, and April 1, 2010

Check registers listing the bills for the period ending March 18, 2010 (check numbers 27234-> 27264), March 25, 2010 (check numbers 27265 -> 27304), and April 1, 2010 (check numbers 27305 ->27341) were presented for Council review.

Kindsvater moved, McCartney seconded, CARRIED, to approve payment of March 18, March 25, and April 1, 2010 Claims and Accounts as submitted.

PUBLIC QUESTIONS AND COMMENTS

Bill Klieman, 1374 S Riverside Ave, questioned the start date for curbside yard waste collection. Services will begin April 14 and continue thru the mid-October, or extended into November depending on weather conditions.

Angela DeLaere, 2458 Range Rd, regarding complaints associated with the operation of the skatepark facility. A letter detailing her concerns was submitted. Assistance from administration to enforce the closing time of the park and address noise problems was requested. City administration will work with her to resolve the issues.

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS – None.

ADJOURNMENT at 7:55 pm.

Janice Winn, City Clerk

Mike LaPorte, Mayor Pro Tem

**CITY OF ST. CLAIR
REGULAR COUNCIL MEETING
MONDAY, APRIL 19, 2010 - 6:00 P.M.
BERNARD E KUHN MUNICIPAL BUILDING, 547 N CARNEY DRIVE**

STRATEGIC PLANNING WORKSHOP – Coordinated Leadership

Mayor Cedar convened the Strategic Planning Workshop of the City Council to order in the Council Room of the Municipal Building at 6:00 pm.

PRESENT: Mayor Cedar, Members Burns, Foley, Kindsvater, Krebs, LaPorte, McCartney.

ABSENT: None.

ADMINISTRATION: Scott Adkins, City Superintendent (6:20 pm); Janice Winn, City Clerk.

AUDIENCE: There were three persons in attendance.

St Clair County Administrator and EDA of St Clair County President Shaun Groden spoke on the topic of coordinated leadership and economic development, addressing both the county and EDA perspectives. Mr. Groden summarized EDA activities and changes planned to reinvent the organization by refocusing its efforts to expand the job base beyond attraction and retention of manufacturing businesses, and creating a department for emerging markets in economic development. As part of the reorganization process, he promised to consider expansion, increased appropriations, reallocation of the dues structure based on specific criteria, and strengthening of local partnerships to create a single coordinated economic development effort. He also stressed the need for the county to take a larger role in economic development through the budget process, redirection and retraining of the county workforce, and creation of a self-revolving fund advancement program for infrastructure improvements needed to support new industry county-wide.

Council expressed dissatisfaction with the EDA leadership and past economic development practices, believing that the City was not receiving the greatest benefit for the amount of dues paid. Frustration over the lack of communication on industrial leads, void in the EDA efforts to market St Clair, lack of a prepared plan to respond to inquiries, loss of potential clients, and the absence of a dedicated marketing specialist to promote St Clair was expressed. It was suggested that the city contribution to the EDA be tied to stipulations or specific criteria defining what St Clair expects to accomplish through participation in the group. The importance of the role of all governmental entities and agencies and the involvement of the city in the decision-making process in any potential business client inquiry and subsequent negotiations was stressed.

Council discussed strategies associated with business attraction and retention. Current business development trends were identified in the areas of battery components, alternative energy, suppliers to the automotive industry, research and development, and technology. Seeking tenants for the industrial park from this job bank as well as supporting existing manufacturing companies who are redirecting their production lines to supply the medical, aviation, and defense industries were highlighted. The EDA and Council will continue their efforts towards coordinated leadership and industrial development for the region.

The Strategic Planning Workshop ended at 6:50 pm. The meeting was recessed following the workshop and reconvened at 7:00 pm.

REGULAR SESSION

Mayor Cedar convened the Regular Session of the City Council to order in the Council Room of the Municipal Building at 7:00 pm.

PRESENT: Mayor Cedar, Members Burns, Foley, Kindsvater, Krebs, LaPorte, McCartney.

ABSENT: None.

ADMINISTRATION: George Joachim, City Attorney; Scott Adkins, City Superintendent; Avery Armstrong, Harbormaster; Janice Winn, City Clerk.

AUDIENCE: There were 15 persons in attendance.

PLEDGE OF ALLEGIANCE was recited.

AGENDA AMENDMENTS – None.

CONSENT AGENDA

LaPorte moved, Kindsvater seconded, CARRIED, to approve Consent Agenda items A., B., C., and D., as presented.

- A. City Council Minutes of April 5, 2010 Regular Meeting: Approve
- B. Board of Cemetery Trustees Minutes of November 17, 2009 Meeting: Receive
- C. Historical Commission Minutes of March 11, 2010 Meeting: Receive
- D. St Clair Area Fire Authority March, 2010 Activity Report: Receive

PRESENTATIONS

Presentation on Library Millage – St Clair County Library Board Representative

The presentation was postponed as no one from the Library Board was in attendance.

ORDINANCES AND RESOLUTIONS

Ordinance No. 2010-02 – Amendments to Zoning Ordinance

AN ORDINANCE OF THE CITY OF ST. CLAIR, ST. CLAIR COUNTY, MICHIGAN, AMENDING THE ZONING ORDINANCE, ARTICLE 4, ZONING DISTRICTS REGULATIONS, ARTICLE 5, GENERAL PROVISIONS, ARTICLE 6, SIGNS, AND ARTICLE 7, OFF-STREET PARKING

Council received a proposed ordinance, introduced at the April 5, 2010 meeting, to amend various sections of the Zoning Ordinance to address changes to allowed uses in the Light and Heavy Industrial zoning districts, landscaping and landscape buffer, height restrictions for towers, poles and monuments, solar panel restrictions, LED sign restrictions, elimination of banner signs, and changes to off-street parking lot construction. The amendments were reviewed and approved by the Planning Commission. The timetable for changes to banner signs and restrictions was discussed.

LaPorte moved, McCartney seconded, CARRIED, to adopt Ordinance No. 2010-02, the Article 4. Zoning Districts Regulations, Article 5. General Provisions, Article 6. Signs, and Article 7. Off-Street Parking Zoning Ordinance amendments. Ayes: Burns, Foley, Kindsvater, Krebs, LaPorte, McCartney, Cedar. Nays: None. ORDINANCE ADOPTED

Ordinance No. 2010-03 - Amendment to Code of Ordinances, Chapter 26, Article V, Floodplain Management Provisions

AN ORDINANCE OF THE CITY OF ST. CLAIR, ST. CLAIR COUNTY, MICHIGAN TO AMEND CHAPTER 26. ENVIRONMENT OF THE CODE OF ORDINANCES FOR THE CITY OF ST. CLAIR BY THE ADDITION OF A NEW ARTICLE V, FLOODPLAIN MANAGMEENT PROVISIONS, TO

ADDRESS FLOODPLAIN MANAGEMENT PROVISIONS OF THE STATE CONSTRUCTION CODE AND FLOODPLAIN MANAGEMENT PROVISIONS UNRELATED TO THE STATE CONSTRUCTION CODE

The ordinance, introduced at the April 5, 2010 meeting, is needed to implement State and Federal floodplain regulations as a result of changes to the FEMA floodplain and related maps and to adopt guidelines for enforcement of the regulations.

Kindsvater moved, Foley seconded, CARRIED, to adopt Ordinance No. 2010-03, the Floodplain Management Provisions Code of Ordinances amendment. Ayes: Foley, Kindsvater, Krebs, LaPorte, McCartney, Burns, Cedar. Nays: None. ORDINANCE ADOPTED

Resolution No. 10-08 - Manage Floodplain Development for the National Flood Insurance Program

RESOLVED, That the Resolution detailing the requirements to administer, apply, and enforce the floodplain management regulations to maintain eligibility and continued participation in the National Flood Insurance Program, be adopted as presented (See Resolution).

City Superintendent advised that the proposed Resolution parallels the ordinance amendment relating to floodplain management, and is necessary to support the recent revisions to the FEMA FIRM maps.

Kindsvater moved, Foley seconded, CARRIED, to adopt Resolution No. 10-08, the Floodplain Development Program Management Resolution. Ayes: Kindsvater, Krebs, LaPorte, McCartney, Burns, Cedar, Foley. Nays: None. RESOLUTION ADOPTED

Resolution No. 10-09 - Approving Lot Combine Request – George & Julia Sheele, 1050 & 1100 Oakwood Lane

RESOLVED, that the combine of property described as:

Existing Parcel A: Lot 23 Oakwood Subd No 3 and a parcel in PC 306 Desc as: Beg NW Cor Lot 23, Th S 09D 57M 20S W 100', Th S 88D 17M 00S W 171.88', Th N 09D 57M 20S E 100', Th N 88D 17M 00D E 171.88' to beg (1050 Oakwood Lane, Parcel #07-586-0006-000)

Existing Parcel B: Lot 24 Oakwood Subd No 3 and a parcel in PC 306 Desc as: Beg NW Cor Lot 24, Th S 09D 57M 20S W 100', Th S 88D 17M 00S W 171.88', Th N 09D 57M 20S E 100', Th N 88D 17M 00D E 171.88' to beg (1100 Oakwood Lane, Parcel #07-586-0007-000)

Created Parcel: Lots 23 and 24 Oakwood Subd No 3 and a parcel in PC 306 Desc as: Beg NW Cor Lot 23, Th S 09D 57M 20S W 200', Th S 88D 17M 00S W 171.88', Th N 09D 57M 20S E 200', Th N 88D 17M 00D E 171.88' to Beg.

be approved, and is effective with the 2010 Assessment Roll.

Council received a memorandum from the City Assessor dated April 12, 2010 explaining the request of George and Julia Sheele to combine two lots they own at 1050 and 1100 Oakwood Lane into one parcel. The parcel at 1050 Oakwood Lane contains their home and the adjacent parcel is vacant. The resulting combine exceeds the zoning ordinance requirements for this district and taxes have been paid up to date on both parcels.

LaPorte moved, Kindsvater seconded, CARRIED, to adopt Resolution No. 10-09, the 1050 and 1100 Oakwood Lane lot combine resolution. Ayes: Krebs, LaPorte, McCartney, Burns, Foley, Kindsvater, Cedar. Nays: None. RESOLUTION ADOPTED

REPORTS FROM ADMINISTRATION

City Superintendent

Marcellous Redmond Greig Park Memorial – Inquiries were received about establishing a memorial at Greig Park in the name of Marcellous Redmond, the young St Clair man who passed away while playing basketball at the park. Mike Kehoe, St Clair, explained the efforts being undertaken by friends to raise funds for the family and their desire to have some type of memorial tribute in his honor. Referred to administration.

Schedule Budget Workshop Sessions - The timetable for presentation and adoption of the 2010-2011 annual budget, as well as potential dates for a budget workshop were reviewed. The proposed budget will be delivered to council May 3, 2010 in accordance with city charter requirements. Council scheduled a budget workshop for Monday, May 10, 2010 at 6:00 pm at the Municipal Building to review the budget document.

SEMCOG Strategic Plan Facilitator – Council discussed the next steps in the strategic planning process and use of a facilitator to strengthen the foundation of the plan, define the roles of all groups, and identify any missing components. A separate joint Council/DDA workshop to establish measured objectives and common goals will be held on April 26, 2010.

City Attorney – None.

City Departments

Harbor Pavilion Upgrades – Harbormaster Armstrong requested permission to deviate from the funding plan previously approved for the harbor large pavilion improvements project and explained the related costs and sources of funding associated with the façade and heating element upgrades to the facility. To capitalize on a \$24,314 State grant award, he proposes to split the project into two phases and seek reimbursement from the State for their share of the upgrades completed in each phase. If approved, Phase I of the project would be completed this budget year at a cost of \$13,636 (\$7,100 city match), and the remaining improvements in Phase 2 would be completed in the fall. The harbor has adequate reserves to cover their share of the expense. Because of pavilion usage and anticipated price increase in materials, approval is recommended.

Kindsvater moved, McCartney seconded, CARRIED, to authorize the adjustments to the harbor pavilion improvements project funding plan as recommended.

Authority, Board, Commission, Committee Chairman or Council Representative

Downtown Development Authority (Member Burns) – Next year's DDA budget is being drafted and will be provided to council along with a breakout of last year's activity. Other objectives this year include expanded coverage of the "At the Market" program, and coordination of events for the Marbleye Classic Fishing Tournament and Vintage Weekend. The DDA is anxious to meet with council to formulate its future direction.

Beautification Commission (Member Krebs) – Monetary donations are still being accepted for hanging flower baskets. Volunteers are needed to plant flower beds, and membership vacancies still exist. The "Yard of the Year" awards project will continue to be sponsored by the group this year.

Housing Commission (Member LaPorte) – An update was given on the main entrance, pavilion improvements, and additional landscaping planned at Palmer Park Manor. Money for these projects is provided by the Federal government.

Recreation Commission (Member Foley) – The Commission is working with administration to address several issues related to the new skatepark facility, including lack of parking, hours of operation, landscaping buffers, and noise protection. A membership vacancy still exists. An update was given on the bicycle path railroad crossing at Brown St. When a damaged culvert north of the tracks is repaired, the railroad will install the crossing and the remaining asphalt.

UNFINISHED BUSINESS – None.

NEW BUSINESS

Approve Contract for Tree Maintenance & Removal Services

Council received correspondence from the City Superintendent dated April 15, 2010 summarizing the five bids received for tree maintenance and removal services and recommending that the City accept the \$542 average proposal of Brentz Tree & Landscaping for a one year term expiring March 21, 2011. The firm has successfully met the proposal requirements, including employing a certified arborist; is lowest bidder for all categories of work, as well as the summary average; and has satisfactorily performed work for the city in the past.

Councilmembers discussed the type of services to be performed and the location of the work. Pruning of trees in parks and the cemetery, and tree maintenance city-wide in the public rights-of-way is included. Bill Klieman, 1374 S Riverside Ave, questioned the calculation of bid averages and what the overall number represented. A total cumulative amount was figured so that all bidders could be evaluated fairly.

LaPorte moved, Krebs seconded, CARRIED, to accept the \$542 bid average proposal of Brentz Tree & Landscaping and award the Tree Maintenance and Removal Services Contract for a one year term expiring March 31, 2011.

Approve Contract Extension for Janitorial & Cleaning Services

Council received correspondence from the City Superintendent dated April 15, 2010 recommending that the City approve a contract extension with McCoy Maintenance to perform janitorial & cleaning services of city buildings at a cost of \$2,557 per month based on the rates outlined in "Exhibit A" to the contract. A total of five bids for the service were received. The only changes to the previous agreement are substitution of the Department of Public Works for the Special Police Hall.

Councilmembers questioned the cleaning of the library building, the length of the relationship with McCoy Maintenance and why the low bid was disregarded. McCoy Maintenance has provided service for the past three years, is a full service cleaning company, has the qualifications and experience to perform the work, and is bonded and insured. Cost calculations may vary slightly from the itemized costs depending on the frequency and type of services provided.

LaPorte moved, Cedar seconded, CARRIED (Kindsvater-no), to accept the \$2,557 per month proposal of McCoy Maintenance and approve the contract extension for janitorial services for a three year period ending March 31, 2013.

Approve Contract for Vehicle Oil Change/Lubrication Service Program

Council received a proposed contract between the City and St Clair Chrysler-Jeep-Dodge-Ram to provide vehicle oil change and lubrication services to the city at a cost of \$19.95 per vehicle for a one year period beginning April 20, 2010. Two bids were received for the service, which was previously performed by the DPW mechanic.

Bill Klieman, 1374 S Riverside Ave, questioned other equipment maintenance services. This type of work will still be done in-house.

Member McCartney questioned the requirements for engine oils, noting that the company did not purchase their product from a local supplier.

Foley moved, Kindsvater seconded, CARRIED, to accept the \$19.95 per vehicle proposal of St Clair Chrysler-Jeep-Dodge-Ram and award the contract for the vehicle oil change/lubrication service program as recommended.

Approve Contract Extension for Lawn Maintenance Services

Council received correspondence from the City Superintendent dated April 15, 2010 recommending that the city accept the \$836 per cut bid of Kevin's Lawn Care & Snow Removal, Inc and approve a contract extension for mowing/trimming and lawn maintenance services for a period expiring November 1, 2012. The company originally had a contract in 2005 which was extended through 2010. Two bids were received for the service from Kevin's Lawn Care and D & M (\$1,645).

Member Krebs questioned the omission of special clean-ups at the cemetery from the bid document. Last year the services were performed at an extra charge but this year the City hopes to use community service workers and City parks employees.

Council also discussed problems in the past with unsatisfactory performance of the contractor in the cemetery and safeguards in the contract to recoup costs for damages or incomplete work. There is an option built into the contract to sever the agreement for non-performance. Administration noted that follow-up inspections after mowing and a walk-through of the grounds will be done to log the condition before the lawn season starts and then monitor performance throughout the year.

City Attorney explained the terms of the contract and the assumption that the contractor will perform to expected standards. The City has the option to withhold payment or terminate the agreement if they are not performing properly, for incomplete work, or charge damages for corrective action.

Kindsvater moved, McCartney seconded, CARRIED, to accept the \$836 per cut proposal of Kevin's Lawn Care & Snow Removal, Inc and approve the contract extension for mowing/trimming and lawn maintenance services for the two year period expiring November 1, 2012 as recommended. Ayes: LaPorte, McCartney, Burns, Foley, Kindsvater, Cedar. Nays: Krebs.

CLAIMS AND ACCOUNTS – April 8, and April 15, 2010

Check registers listing the bills for the period ending April 8, 2010 (check numbers 27342 -> 27386), and April 15, 2010 (check numbers 27387 ->27434) were presented for Council review.

LaPorte moved, Kindsvater seconded, CARRIED, to approve payment of April 8, and April 15, 2010 Claims and Accounts as submitted.

PUBLIC QUESTIONS AND COMMENTS – None.

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS

Condolences were extended to the Marcellous Redmond family on their recent loss.

Details of the Salmon Stakes Fishing Tournament on April 24, 2010 were announced. Proceeds from the event will benefit the Blue Water YMCA.

Members McCartney and Krebs questioned the status of dead trees in city parks and on private property. Many of the trees in parks are scheduled for removal and replacement this year. Trees on private property are not removed by the city but a grant may be made available as part of a Statewide residential assistance program to address the Emerald Ash Borer infestation.

The status of railroad crossing signage issues on Whiting St and two road grade projects being undertaken involving rail crossings were discussed. The city is waiting for answers from CSX on these projects and no new information was available.

Details of the May 1, 2010 St Clair Little League Parade and the status of the new baseball fields on Fred Moore Hwy were announced. Some games on opening day will be played at the new fields but the majority will still be held at Klecha Park.

ADJOURNMENT at 7:50 pm.

Janice Winn, City Clerk

Bill Cedar, Jr, Mayor

**CITY OF ST CLAIR, MICHIGAN
CITY COUNCIL/DDA WORKSHOP
MONDAY, April 26, 2010
MUNICIPAL BUILDING, 547 N CARNEY DRIVE**

Meeting called to order at 6:05 pm by Mayor Cedar.

PRESENT

COUNCIL: Mayor Cedar, Members Burns, Foley, Kindsvater, Krebs, LaPorte, McCartney

DDA: Geldres, Johnson, Kauffman, Klecha, Lockwood, Moore, Tierney

ADMINISTRATION: City Superintendent Scott Adkins

AUDIENCE: There were twelve people in the audience

Adkins stated that the purpose of the meeting was to discuss cooperative efforts, common goals and communication between the DDA and City Council.

DDA Chairman Lockwood reviewed the structure of the DDA and summarized the DDA goals and projects undertaken to date, including: form based zoning, copyright and licensing of *St. Clair On The River*, promotion of a public art program, *Seasons of St. Clair*, Fred Moore Highway advertising signs, *Come To St. Clair* forgivable loans, establishment of *St. Clair Events*, Farmers Market/*At The Market* on Cable 6, and several marketing and promotion programs and partnerships.

General discussion followed concerning: the importance of communication and common goals to the success of programs; elimination of duplicated efforts; the differing roles and responsibilities of the City Council and the DDA; economic and industrial development; implementation of the Downtown Vision Plan and continued focused strategic planning.

Riverview Plaza business owners Sally Achatz, Bill Engalgau, Bernie Kuhn, Patti Armstrong and Kris Paul spoke in support of the DDA and their efforts on behalf of the downtown, however, they are concerned that marketing and development efforts are being diverted away from the downtown. The perception of many of the business owners is that the city is not in support of the Riverview Plaza or aware of their problems.

Council responded that the vitality of the downtown is a primary concern to them and more dialog of this type is needed in order to eliminate misconceptions. Business owners and residents are strongly encouraged to attend City Council meetings in order to voice their concerns and present ideas.

Bill Klieman, stated that the responsibility of any improvements to the Riverview Plaza or the parking lot is with the plaza owners, just as a homeowner is responsible for his own property.

There was discussion on the critical need for changes to M-29 that would allow the connection of Riverview Plaza to Palmer Park and the events that take place there.

Andrea Brieden spoke about the importance of volunteerism and dedication to the community.

Adjourned at 7:56 pm

Kathleen Kauffman, Acting City Clerk

Bill Cedar, Jr, Mayor

**CITY OF ST. CLAIR
REGULAR COUNCIL MEETING
MONDAY, MAY 3, 2010 - 6:00 P.M.
BERNARD E KUHN MUNICIPAL BUILDING, 547 N CARNEY DRIVE**

Mayor Cedar convened the Regular Meeting of the City Council to order in the Council Room of the Municipal Building at 6:05 pm.

PRESENT: Mayor Cedar, Members Burns, Foley, Kindsvater, Krebs, LaPorte, McCartney.

ABSENT: None.

ADMINISTRATION: Scott Adkins, City Superintendent; Mike Harrington, Director of DPW & Engineering; Janice Winn, City Clerk.

AUDIENCE: There were 15 persons in attendance.

STRATEGIC PLANNING WORKSHOP – M-29 Improvements & Downtown Development Projects

City Superintendent distributed and reviewed the St Clair Citizen Survey results summary, rating the importance of city services and facilities, Council priority goals for 2009-2010, and the five revised 2010 strategic planning goals and objectives were listed.

M-29 Improvements – An historical background of the M-29 Corridor Plan and status of improvements to M-29 were given. A plan was accepted in 2003 with three design alternatives and forwarded to MDOT for inclusion in the transportation plan for funding consideration. At that time there was no interest in making structural changes to the road that would impact traffic patterns or design. During the last two years, a downtown vision study and traffic analysis was conducted, which raised awareness of the needs and renewed an interest in the options for the road in both residential and commercial areas. M-29 is now being given consideration for inclusion in the MDOT 2011 transportation plan, and the City is being asked to endorse a preferred option and commit to moving forward with a redesign plan for the road so it can be submitted for Federal and State grant program funding.

A lengthy discussion was held on the direction the City should follow. Some options from the three original designs are not functional, while others need to be reevaluated using the same or a modified footprint and a hybrid plan created. There are three sections of the road to consider – N Riverside Ave, downtown, south of Clinton Ave, and the intersection of M-29 with Clinton Ave. Traffic slowdowns in the residential area north of Brown St, traffic calming, lane width and traffic turn lanes on N Riverside in front of the Riverview Plaza, boulevards, breakpoints, sidewalk width, pedestrian crossings, bikepath, landscaping, lighting, and other similar components all need to be incorporated and discussed as part of the redesign plan. It was suggested that a reworked M-29 Corridor Committee, comprised of three members from City Council, two DDA, two Planning Commission, and two citizens at large be reappointed and reconvened to update the dated information in the document and make a recommendation to MDOT to take advantage of the financial opportunity. The goal is to get the plan to MDOT by July 1, 2010 for inclusion in the next five year State Transportation Plan. Spalding DeDecker, the original consultant, would be contracted to work with the city on plan revisions.

Council also took a look at the estimated cost and the funding aspects as they relate to the project, and where available money could be found for the improvements. It was suggested that the City look at “pre-qualifying” those areas of the plan where funding will be available, and explore Heritage Route project funds and other alternative grants to supplement the funding available through MDOT.

The following appointments to the M-29 Corridor Committee were suggested: Members Krebs, McCartney, Kindsvater (City Council), Sally Achatz (Riverview Plaza), Terry Beier, (Planning Commission), Dan Lockwood, Paul Wade (DDA), Bill Klieman (At-Large).

Formal appointment of committee members, and an interpretation of the information contained in the previous M-29 Corridor Plan by MDOT, including a review of traffic counts, safety information, and downtown connectivity will be done prior to the committee review and recommendation on a final redesign plan.

Downtown Development Projects – DDA Chairman Dan Lockwood updated Council on the status of the Clinton Ave redevelopment project. MDOT funding is the obstacle to moving the project forward, with many other available grants tied to low income, or attached to job requirements or vacant buildings. Since the application for the enhancement grant was made nearly a year and a half ago, the City has never received a final answer or cost figures from MDOT. Council discussed the financing mechanisms used by other communities to make their downtown development and streetscape improvements.

The general configuration of M-29 in front of the Riverview Plaza and responsibility for its maintenance and improvements was discussed. Sally Achatz questioned the responsibility for curb work along M-29 in front of the Plaza. The City has now taken over the responsibility for repairs from MDOT and will be reimbursed by the State. Kris Paul discussed the design of M-29 in the downtown area and the distinction between MDOT, City and Plaza ownership lines. Street maintenance is performed by the St Clair County Road Commission; the City is responsible for sidewalks on both sides of the road; and the State highway right-of-way extends from the retaining wall of the Plaza courtyard into Palmer Park approximately 15'-20'. Any changes to sidewalks along M-29 for business use must first be permitted by MDOT.

DDA Council Representative Burns indicated that the DDA capital budget is currently unspecified. Mayor Cedar indicated that Council and the DDA need to continue dialogue at a second joint workshop to identify consensus projects, review common goals and objectives, and revise priorities as necessary.

The Strategic Planning Workshop ended at 6:58 pm. The meeting was recessed and reconvened at 7:00 pm.

REGULAR SESSION

PLEDGE OF ALLEGIANCE was recited.

PRESENT: Mayor Cedar, Members Burns, Foley, Kindsvater, Krebs, LaPorte, McCartney.

ABSENT: None.

ADMINISTRATION: Scott Adkins, City Superintendent; Rick Jefferson, Police Chief; Janice Winn, City Clerk.

AUDIENCE: There were 5 persons in attendance.

AGENDA AMENDMENTS – None.

CONSENT AGENDA

LaPorte moved, Kindsvater seconded, CARRIED, to approve Consent Agenda items A., B., and C., as presented.

- A. City Council Minutes of April 19, 2010 Regular Meeting: Approve
- B. Board of Cemetery Trustees Minutes of March 16, 2010 Meeting: Receive
- C. Housing Commission Minutes of April 20, 2010 Meeting: Receive

ORDINANCES AND RESOLUTIONS

Ordinance Introduction – Amendment to Code of Ordinances, Chapter 1, General Provisions, Sec 1-12, General Penalty

AN ORDINANCE OF THE CITY OF ST. CLAIR, ST. CLAIR COUNTY, MICHIGAN TO AMEND THE CODE OF ORDINANCES, CHAPTER 1, GENERAL PROVISIONS, SECTION 1-12, GENERAL PENALTY, BY THE ADDITION OF A NEW SUBSECTION G.

Council received language for a proposed ordinance amendment to prohibit persons from engaging in any activity, operation or business that is in violation of any local, state, or federal statute, law, ordinance, or regulation. The ordinance is necessary to restrict potential development of medical marihuana related businesses as well as other potential or similar concerns that may arise in the future.

Superintendent Adkins summarized the City's options for addressing the new Medical Marihuana Act, and reasons to adopt the Ordinance to address this activity and any similar activities that may be permitted by state law but a violation of federal or local law. Jurisdiction over prosecution of offenses and adoption of legislation conflicting with federal law was reviewed by the City Attorney.

McCartney moved, Foley seconded, CARRIED, to introduce the Chapter 1, General Provisions, Section 1-12 General Penalty Code of Ordinances amendment. Ayes: McCartney, Burns, Foley, Kindsvater, Krebs, LaPorte, Cedar. Nays: None.

REPORTS FROM ADMINISTRATION

City Superintendent

Presentation of 2010-2011 Annual Budget - City Superintendent presented the proposed 2010-2011 Fiscal Year draft budget document to Council, with proposed revenue of \$9,626,482, proposed expenditures of \$10,026,819, and a total millage rate of 16.9787 for local purposes. Under terms of the City Charter, a public hearing must be held and the Council must adopt the budget by June 15 for the upcoming fiscal year. A budget workshop will be scheduled during the week of May 10, 2010.

Kindsvater moved, McCartney seconded, CARRIED, to receive the budget draft and schedule a public hearing on the proposed 2010-2011 fiscal year budget and millage rate for May 17, 2010 at 7:00 pm at the Municipal Building, 547 N. Carney Dr, St Clair, MI 48079.

Eagle Scout Projects – Appreciated was extended to Eagle Scout candidate Dan Columbo for building benches for the newest section of the Bridge-to-Bay trail. Another Eagle Scout candidate, Chris Nash, will be presenting his proposed project plan to council soon.

Garage Sale Ordinance Interpretation – An interpretation of the sign requirements of the new Garage Sale Ordinance is needed, as there is a conflict with Zoning Ordinance regulations on sign placement. Clarification of the number of signs allowed and placement is requested. Council consensus was that the intent of the ordinance was to allow two signs with the property owner's permission, no signs are allowed in the public right-of-way or on public property (including utility poles), and that signs be removed in a timely manner. Residents were also reminded to obtain a no-fee permit from City Hall and that no more than two garage sales are allowed in a twelve month period.

Skatepark Update – Administration continues to work with residents living adjacent to the skatepark on Range Rd & Carney Dr about their concerns. Many of the initial complaints have been resolved, but the main issue continues to be after-hours skating. The need for procedures to close the park at dusk and volunteers to help enforce the rules and police the facility will be addressed

cooperatively by the Recreation and Police Departments. A community meeting with youth participants will also be held to ask for their assistance with self-policing.

Business Transaction Policy - Superintendent Adkins requested council establish a policy for business transactions conducted by the city to prohibit purchasing from any company who is in substantial default to the city for utility bills, taxes, etc, or in violation of any local ordinance, state, federal statute, or regulation. Comments on the practice were received from councilmembers regarding the limits of outstanding debt for a business to fall into this category, and the flexibility and availability of service providers in the city; and from Bill Klieman, 1374 S Riveside Ave, regarding the detriment the policy could cause to an already-struggling local business, and benefits to traveling out of town for the same product that could be obtained locally.

McCartney moved, Kindsvater seconded, CARRIED, to adopt the Prohibited Business Transaction Policy as recommended.

City Attorney – None.

City Departments – None.

Authority, Board, Commission, Committee Chairman or Council Representative

Historical Commission (Member Krebs) - The commission is hosting an author program on May 20, 2010, and many new display are being presented in the museum. Summer hours are now in effect, Saturday and Sunday from 1:00pm – 4:30 pm.

Beautification Commission (Member Krebs) – An Arbor Day presentation was held and books on trees distributed to the schools.

Member LaPorte reported on the success of the Salmon Stakes Fishing Tournament and offered details of the upcoming Marbleye Classic Fishing Tournament at the St Clair Boat Harbor on May 21-23, 2010.

UNFINISHED BUSINESS – None.

NEW BUSINESS

Approve Renewal Agreement with St Clair Garden Club for Farmer's Market

Council received a proposed renewal license agreement between the City and the St Clair Garden Club to occupy city-owned property across from Pine Shores Golf Course on Fred Moore Hwy for a farmers market from May 1 to November 1, 2010. No fee for the use is being assessed, although liability insurance will be required.

LaPorte moved, Krebs seconded, CARRIED, to approve the License Agreement between the City and the St Clair Garden Club to occupy city property across from Pine Shores Golf Course on Fred Moore Hwy for a weekly farmers market.

Request to Purchase 2010 Police Patrol Vehicle

Council received correspondence from Police Chief Jefferson dated May 3, 2010 recommending that the city accept the \$22,043.50 State bid of Snethcamp Dodge and approve the purchase of a 2010 Dodge Charger police patrol vehicle. Funds are included in the 2009-2010 budget for the purchase. The other vehicles in the department will be rotated, and a 1977 Dodge Van retired.

Council discussed current uses of the older fleet vehicles; local dealer options for bidding on new vehicles; the longevity of police patrol vehicles; service and repair costs; and the extra expense to outfit the new vehicle. Some equipment will transfer but the changeover is estimated to cost \$5,600-\$6,000 in addition to the purchase price.

Kindsvater moved, Foley seconded, CARRIED, to accept the \$22,043.50 State Bid of Snethcamp Dodge and approve the purchase of a 2010 Dodge Charger as recommended.

Confirm Appointments to Building Commission

Mayor Cedar requested confirmation of the appointments of Chad Muldermans, 402 Trumbull Street, and Bill Klieman, 1374 S Riverside Ave, each to complete the balance of a three year term on the Building Commission; present terms to expire December 31, 2011, and 2012, respectively.

Krebs moved, McCartney seconded, CARRIED, to confirm the appointments to the Building Commission as recommended.

Approve Issuance of Special Events Permits for Recreation Department Summer Events, St Clair Marbleye Classic Fishing Tournament, St Clair Rotary Club 5-K Race, and St Clair High School NHS Concert

Council received correspondence from the Police Chief recommending approval of the following applications for special events permits:

- Recreation Dept Summer Events – Concerts on June 18, July 2, 3, 9, 16, 30, and August 30, 2010, 7:00pm – 9:00pm; outdoor movies on June 17, July 8, 15 (youth theater), and August 12, 2010 from dusk – 11:00 pm, and antique car show on July 16, 2010, 12:00pm – dusk. All events are in Palmer Park.
- Marbleye Classic Fishing Tournament – May 21-23, 2010, Rotary Park and Boat Harbor.
- St Clair Rotary Club 5-K Race – June 26, 2010, 8:00am-12:00pm, M-29 and various residential side streets.
- St Clair High School NHS Concert – May 22, 2010, 4:00 pm–7:00 pm, Palmer Park.

LaPorte moved, Kindsvater seconded, CARRIED, to approve issuance of the Recreation Department, St Clair Marbleye Classic, St Clair Rotary Club, and St Clair High School NHS special events permit requests.

CLAIMS AND ACCOUNTS – April 22, and April 29, 2010

Check registers listing the bills for the period ending April 22, 2010 (check numbers 27435 -> 27476) and April 29, 2010 (check numbers 27477 ->27507) were presented for Council review.

Council questioned payments to BMJ Engineering for the St Clair Twp/City bikepath and to MC&E/ElectonSource for ballot bags.

LaPorte moved, Kindsvater seconded, CARRIED, to approve payment of April 22, and April 29, 2010 Claims and Accounts as submitted.

PUBLIC QUESTIONS AND COMMENTS

DDA Chairman Dan Lockwood, 1605 Oakland Ave, regarding the need for upgrades to the M-29 pedestrian crosswalk at the Riverview Plaza. Suggestions to improve safety and eliminate the barrier between the downtown district and Palmer Park were to leave the temporary folding signs placed in the crosswalk for special events up permanently to slow down traffic, increase police activity and speed enforcement on M-29, or to install a crossing light at both ends of the crosswalk to give people a safe way to cross the street at all times. The need to incorporate a concept to connect the Riverview Plaza across M-29 into Palmer Park as part of the new M-29 Corridor Plan was emphasized.

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS

The Knights of Columbus Mother's Day Breakfast will be held Sunday, May 9, 2010 from 7:30am-12:00pm at the K of C Hall.

The St Clair Lions Club has placed a sight and sound recycle collection box at City Hall.

Member McCartney suggested a Closed Session be scheduled for the next regular meeting to conduct the City Superintendent annual performance evaluation.

City Hall summer office hours are now Monday through Friday, 7:30am-4:30pm. The goal of the change is to save energy costs during the hot summer months. Hours will return to 8:00am-5:00pm in October.

ADJOURNMENT at 7:48 pm.

Janice Winn, City Clerk

Bill Cedar, Jr, Mayor

**CITY OF ST CLAIR, MICHIGAN
CITY COUNCIL 2010-2011 BUDGET WORKSHOP
THURSDAY, MAY 13, 2010
MUNICIPAL BUILDING, 547 N CARNEY DRIVE**

Mayor Cedar called the 2010 Budget Workshop to order in the Council Chambers of the Municipal Building, 547 North Carney Drive, St Clair MI 48079 at 6:05 pm, for the purpose of giving a brief overview of the proposed Fiscal Year 2010-11 budget draft.

PRESENT: Mayor Cedar, Members Burns, Foley, Kindsvater, Krebs, LaPorte, Smith.

ABSENT: None.

ADMINISTRATION: Scott Adkins, City Superintendent; Mike Booth, Accountant; Avery Armstrong, Golf Course/Harbor Director of Operations;

ALSO PRESENT: Bill Klieman, Nancy Beaudua

City Superintendent and City Accountant Booth gave a presentation and a brief overview of the fiscal year 2010-2011 budget draft, including the General Fund revenues and expenses, and Other Funds. Each category of the budget summary was explained. Major changes in revenue and expense drivers for each fund were identified, as well as areas of concern for the future fiscal year. It was explained that continued revenue decreases in taxable value (-6.5%) were expected, as well as a decline in state shared revenues (-5%) were expected. Cost containment practices will continue to be implemented which include, reduced capital outlay projects, departmental reorganization of the Recreation, Golf and Harbor operations are proposed for the next fiscal year. The General Fund Budget is projected to be \$3,830,728, \$231,492 less than last. The millage rate will remain the same as last year at 16.979.

Discussion was held concerning upcoming Taxable Value and Revenue Sharing projections and contingency plan for reduction in budget for shortfalls. In addition, discussion concerning the Industrial Park and debt repayment was held. It was suggested by administration that the City consider approaching St Clair Township concerning an amendment to the 2-mill annual repayment in the event of tax abatements. In addition, discussion was held concerning the future marketing of the park. It was the consensus of Council to continue an aggressive marketing campaign with the primary focus on alternative energy.

The Council also addressed future participation with the EDA. It was determined that future participation would be dependent on the upcoming meeting between the City Superintendent and County Administrator on EDA restructuring and addressing of City's concerns. The Council did agree to lower the contribution for 2010-2011.

A discussion of water and sewer rate schedules was held. It was decided that future rate adjustments would be subject to operational costs. The Council was not comfortable accepting the rate recommendation from the Auditor as presented in the earlier study. Administration recommended a rate increase to mirror the annual CPI (Consumer Price Index) inflation factor. Council agreed that the rate should be the annual inflationary rate but not to exceed 5%.

Administration was directed to adjust the draft budget to reflect the EDA funding, wage line item for the City Accountant and also the DDA revenue line item. A Public Hearing on the budget has been scheduled for May 17, 2010 with budget adoption at the June 7, 2010 meeting.

Meeting was adjourned at 7:36 p.m.

Scott A. Adkins, Acting City Clerk

Bill Cedar, Jr., Mayor

**CITY OF ST. CLAIR
REGULAR COUNCIL MEETING
MONDAY, MAY 17, 2010 - 7:00 P.M.
BERNARD E KUHN MUNICIPAL BUILDING, 547 N CARNEY DRIVE**

Mayor Cedar convened the Regular Meeting of the City Council to order in the Council Room of the Municipal Building at 7:00 pm.

PLEDGE OF ALLEGIANCE was recited.

PRESENT: Mayor Cedar, Members Burns, Foley, Kindsvater, Krebs, LaPorte, McCartney.

ABSENT: None.

ADMINISTRATION: James Downey, Jr, Kane, Clemons, Joachim & Downey; Scott Adkins, City Superintendent, Michael Booth, Accountant; Janice Winn, City Clerk.

AUDIENCE: There were six persons in attendance.

AGENDA AMENDMENTS – None.

CONSENT AGENDA

LaPorte moved, Kindsvater seconded, CARRIED, to approve Consent Agenda items A., B., and C., as presented.

- A. City Council Minutes of April 26, 2010 Special Joint Meeting and May 3, 2010 Regular Meeting: Approve
- B. Beautification Commission Minutes of March 3, and April 7, 2010 Meetings: Receive
- C. St Clair Area Fire Authority April, 2010 Activity Report: Receive

PUBLIC HEARING

Hearing on 2010-2011 Annual Budget and Millage Rate

Mayor Cedar opened the public hearing at 7:02 pm to receive public comment on the proposed 2010-2011 fiscal year budget and millage rate. The budget proposal contains total revenues of \$9,626,482 and expenditures of \$10,026,819 and incorporates a total local operating millage of 13.0581. The total millage requirement including bond debt retirement and employee pension is 16.9787, which is unchanged from last year. Under the City Charter, Council must adopt the budget by June 15 each year.

City Superintendent reviewed millage history and highlighted major sources of revenues and expenditures. The proposed budget is balanced without significant cuts to services although expenditures exceed revenues by \$400,337. A presentation by the Accountant showed a perspective of 2002-2010 historical taxable value with a decline over the last three years and an 11% drop expected in 2010-11; millage rate history 1995-present (with no change to the 16.979 rate proposed this year); major changes in General Fund revenues and expenses (down \$231,500), and reasons for those changes. Significant changes to other funds such as Major Streets, Local Streets, Recreation, DDA, Industrial Park, Golf, Harbor and Water are necessary to address shortfalls. Council will need to look at an inflationary increase to water rates of 3%-5% and operational changes will be implemented in many of these areas to balance the funds.

Council discussed budget practices as they relate to a pending Michigan Tax Tribunal appeal involving personal property for an industrial parcel; accounting for retiree pension and fringe benefit obligations; and funding for the code enforcement officer position.

No one else from the audience spoke for or against the proposed 2010-2011 budget.

LaPorte moved, Kindsvater seconded, CARRIED, to close the public hearing on the proposed 2010-2011 fiscal year budget and millage rate at 7:15 pm.

ORDINANCES AND RESOLUTIONS

Ordinance No. 2010-04 - Amendment to Code of Ordinances, Chapter 1, General Provisions, Sec 1-12, General Penalty

AN ORDINANCE OF THE CITY OF ST. CLAIR, ST. CLAIR COUNTY, MICHIGAN TO AMEND THE CITY CODE OF ORDINANCES, CHAPTER 1, SECTION 1-12

Council received a proposed Ordinance introduced at the May 3, 2010 meeting to prohibit persons from engaging in any activity, operation or business that is in violation of any local, state, or federal statute, law, ordinance or regulation. The amendment would restrict potential development of medical marijuana-related businesses as well as other potential concerns that could arise as the result of illegal business activity.

Kindsvater moved, McCartney seconded, CARRIED, to adopt Ordinance No. 2010-04, the General Provisions, General Penalty Code of Ordinances amendment. Ayes: Burns, Foley, Kindsvater, Krebs, LaPorte, McCartney, Cedar. Nays: None. ORDINANCE ADOPTED

REPORTS FROM ADMINISTRATION

City Superintendent

Reschedule Joint Meeting with Townships – June 14, or 28, 2010 was suggested to hold the rescheduled joint meeting with China, East China, and St Clair Township officials. A separate one hour time block beginning at 6:00pm would be dedicated just to the City and St Clair Township prior to the others joining the group at 7:00 pm. Councilmembers will advise administration of their availability.

St Clair Art Association Banner Project – Painted street banners entered in the Art Association banner contest are displayed in the Mall. Banners will be attached to the overhead street lights in the downtown area alternating with city and special event banners throughout the year.

St Clair Highway Reconstruction – Resurfacing work involving a total road closure of St Clair Highway between Palmer and Oak Streets started today. Work is expected to be completed by July 2, 2010. Funding for the project is provided by the American Recovery and Reinvestment Act of 2009.

Condolences to Howard Silk Family – Condolences were extended to the family of former Silk's Flower Shop owner Howard Silk on their recent loss. Mr Silk owned the business for more than 25 years.

N Riverside Ave Repairs – Patching and repairs along significant areas of N Riverside Ave began this week. As part of the program, St Clair County will remove and replace approximately 400' of sidewalk on the east side of Riverside Ave along Palmer Park in the downtown area. The project is expected to be completed by June 1, 2010.

Brown St/Third St Repairs – Sections of Brown and Third Streets removed during a water main break as well as other road problems discovered in this area will be repaired late summer.

Bridge to Bay Bikepath - CSX was scheduled to complete the railroad crossing over the newest section of the Bridge to Bay bikepath near Brown St last week but was delayed because of rain.

Work is expected to be finalized within the next two weeks.

Whiting St Railroad Signage Issues – The City is waiting for a decision from the CSX legal department on whether an exception to the signage requirements for the railroad driveway crossings on Whiting St will be granted.

WWTP Operations – Council questioned operational issues at the Wastewater Treatment Plant following last week's heavy rain event. No overflow situation occurred but retention tanks filled. St Clair Township storm sewer infiltration is being addressed by the City in an attempt to reduce overall flow levels.

City Attorney – None.

City Departments – None.

Authority, Board, Commission, Committee Chairman or Council Representative

Historical Commission (Member Krebs) – A program on the Authors of Michigan is being offered at the museum this week.

Beautification Commission (Member Krebs) – Yard of the Year Program applications are now available at City Hall and various locations throughout the city. Details were announced for both the business and residential categories.

Marbleye Fishing Tournament (Member LaPorte) – The Marbleye Classic Fishing Tournament is taking place May 21-23, 2010. Raffle tickets will be sold with proceeds benefiting the July 4th fireworks display and St Clair Little League.

UNFINISHED BUSINESS - None.

NEW BUSINESS

Approve Deficit Elimination Plans to be Submitted for Industrial Park and Pine Shores Golf Course

Accountant Booth explained the need to amend the City's deficit elimination plans with the State to advise them how the City intends to correct the \$272,743 deficit in the St. Clair Regional Industrial Park Fund and the \$206,900 deficit in the Municipal Golf Course fund. It is recommended that an amendment to transfer additional funds from the General Fund to cover the deficits be approved.

A history of each fund and its financial activity was given, along with the steps to be taken to correct the deficits during the current as well as future fiscal years, and the anticipated timeframe to eliminate the deficits entirely. In addition to the transfers, an \$825,000 reserve will be established in the General Fund during June, 2010 to cover the balance of the current Industrial Park obligation. The state requires the deficit to be in a positive status by the 2011-12 year and subsequent annual reviews will be performed to determine adjustments to future transfers.

To correct the Pine Shores Golf Course Fund deficit, the Golf Course has allocated a transfer in, from the City's General Fund, of \$41,935 for 2010-11. Operating results during 2008-09 were inaccurate according to the planned amount by \$16,224, and the City will make a budget adjustment during 2009-10 to correct this variance. The Fund's deficit will be eliminated completely in 2013 following the retirement of the debt for the clubhouse and anticipated positive cash flow. Administratively, the City is taking steps to consolidate and combine resources, and changing operations to show a positive outcome.

Council discussed with the Accountant the timeframe for repayment of the transfers to the General Fund; annual revision of the plan following each audit based on activity for the year; equipment and personnel needs at the golf course; rate schedule adjustments; and the golf course's overall financial condition from 2004 to present.

After discussion:

LaPorte moved, Kindsvater seconded, CARRIED, to approve the submission of the deficit elimination plans to the State of Michigan prepared by the Accountant for the St Clair Regional Industrial Park and Pine Shores Golf Course Funds. Ayes: Foley, Kindsvater, Krebs, LaPorte, McCartney, Burns, Cedar. Nays: None.

Rescind Lot Combination, George/Julia Sheele, 1050-1100 Oakwood Lane

Council received correspondence from the City Assessor requesting that the Resolution approving the lot combine request of George and Julia Sheele for property at 1050 and 1100 Oakwood Lane be rescinded. There was a misunderstanding on the request and the property owners wish these parcels to remain as two separate lots.

Krebs moved, Kindsvater seconded, CARRIED, to rescind Resolution No. 10-09, the 1050 and 1100 Oakwood Lane lot combine request resolution.

Approve Issuance of Special Events Permit for St Clair Art Association Annual Art Fair

Council received a memorandum from the Police Chief dated May 12, 2010 containing a recommendation for approval of a special events permit for the St Clair Art Association to conduct the 38th annual art fair in the Riverview Plaza gazebo, courtyard area and Palmer Park on June 26, 2010 from 10:00 am to 7:00 pm and on June 27, 2010 from 10:00 am to 5:00 pm. The applicant has complied with necessary requirements of the Special Events Ordinance and issuance of the permit is recommended.

LaPorte moved, McCartney seconded, CARRIED, to grant the St Clair Art Association special events permit request.

Confirm Appointments to M-29 Corridor Committee

Mayor Cedar requested confirmation of the following appointments to the M-29 Corridor Committee: Ed Kindsvater (Council), Jane Krebs (Council), Tom McCartney (Council), Patrick Tierney (DDA), Paul Wade (DDA), Sally Achatz (Plaza), Kris Paul (Plaza), Paul Dingeman (Resident), Bill Klieman (Resident), Lezlynn Moore (Resident), Terry Beier (Planning Commission), Scott Adkins (Administration), Mike Harrington (Administration/DPW), and Rick Jefferson (Administration/Police).

The committee hopes to meet in early June and arrive at a determination to forward to the State to meet the July deadline for the 2011 MDOT Transportation Plan.

McCartney moved, Kindsvater seconded, CARRIED, to confirm the Mayoral appointments to the M-29 Corridor Committee as recommended.

CLAIMS AND ACCOUNTS – May 6, and May 13, 2010

Check registers listing the bills for the period ending May 6, 2010 (check numbers 27508 ->27568) and May 13, 2010 (check numbers 27569 ->27611) were presented for Council review.

Council questioned payments to AT&T for an additional telephone line at the boat harbor, and to LumberJack for lumber for the harbor pavilion project to be reimbursed by the State grant agreement.

LaPorte moved, McCartney seconded, CARRIED, to approve payment of May 6, and May 13, 2010 Claims and Accounts as submitted.

PUBLIC QUESTIONS AND COMMENTS – None.

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS

Details of the St Clair Lions Club pancake breakfast on Sunday, May 23, 2010, and the St Clair Little League Derek Kaufman Memorial Wooden Bat Tournament Memorial Day weekend were announced.

CLOSED SESSION – Request for Closed Session to Discuss City Superintendent Performance Evaluation at the Request of the City Superintendent

McCartney moved, Foley seconded, CARRIED, to recess regular session and meet in Closed Session pursuant to Section 8(a) of the Open Meetings Act to discuss the City Superintendent performance evaluation at the request of the City Superintendent. Ayes: Kindsvater, Krebs, LaPorte, McCartney, Burns, Foley, Cedar. Nays: None.

At 7:40 pm, Council recessed into Closed Session and resumed regular Session at 8:22 pm.

Amendments to City Superintendent Employment Agreement

McCartney moved, Kindsvater seconded, CARRIED, to direct the City Accountant and City Clerk to contact the City Attorney with necessary information to prepare a revised employment agreement with City Superintendent Scott Adkins with adjustments to the Compensation and Evaluation sections as recommended.

ADJOURNMENT at 8:25 pm.

Janice Winn, City Clerk

Bill Cedar, Jr, Mayor

**CITY OF ST. CLAIR
REGULAR COUNCIL MEETING
MONDAY, JUNE 7, 2010 - 7:00 P.M.
BERNARD E KUHN MUNICIPAL BUILDING, 547 N CARNEY DRIVE**

Mayor Cedar convened the Regular Meeting of the City Council to order in the Council Room of the Municipal Building at 7:00 pm.

PRESENT: Mayor Cedar, Members Burns, Foley, Kindsvater, Krebs, LaPorte, McCartney.

ABSENT: None.

ADMINISTRATION: George Joachim, Kane, Clemons, Joachim & Downey; Scott Adkins, City Superintendent, Trice Hawkins, Recreation Director; DJ Boulter, Building Inspector; Janice Winn, City Clerk.

AUDIENCE: There were 24 persons in attendance.

PLEDGE OF ALLEGIANCE was recited.

CONSENT AGENDA

LaPorte moved, Kindsvater seconded, CARRIED, to approve Consent Agenda items A., B., C., D., E., F., and G., as presented.

- A. City Council Minutes of May 17, 2010 Regular Meeting: Approve
- B. Beautification Commission Minutes of May 5, 2010 Meeting: Receive
- C. Board of Cemetery Trustees Minutes of April 20, 2010 Meeting: Receive
- D. Downtown Development Authority Minutes of April 15, 2010 Meeting: Receive
- E. Historical Commission Minutes of April 7, 2010 Meeting: Receive
- F. Housing Commission Minutes of May 18, 2010 Meeting: Receive
- G. M-29 Corridor Committee Minutes of June 1, 2010 Meeting: Receive

Member Krebs asked that the March 2010 Downtown Development Authority minutes be provided to Council.

Member Foley commented on the Board of Cemetery Trustees discussion regarding cemetery expansion into Klecha Park, and asked that the St Clair Little League be involved in any discussion of plans to modify the park in the future. City Superintendent advised that plans are long term, and the intent is to keep Klecha Park a neighborhood park even after the new baseball fields at the Fred Moore Hwy location are fully developed.

PUBLIC HEARING

Hearing on Appeal of Downtown Redevelopment District Sign Regulations – Evola, 201 N Riverside Ave

Mayor Cedar opened the public hearing at 7:15 pm on the appeal of Vincenza/Natale Evola, 201 N Riverside Ave, E-8, of the Zoning Ordinance, Article 8B, Downtown Redevelopment District, Section 8.32 Signs, Part 1 – Schedule of Sign Regulations Maximum Area Permitted.

Joe Dakhi, One Stop Signs, Inc, represented the petitioner and explained that a variance of the

ordinance was requested to install a wall sign on the business front that exceeds the size and additional criteria requirements of the Downtown Redevelopment District sign regulations. The applicant is requesting two variances on the basis of financial hardship – one to allow an increase of six inches above the height requirement for a total of 30” in height; and a variance for all lettering or graphics to be placed on a flat surface rather than the 3/8” minimum projection required. The sign meets overall square footage standards of the ordinance.

City Superintendent explained the new Downtown Redevelopment District Ordinance requirements adopted in 2009 and areas council should consider as they contemplate the request. Building Inspector DJ Boulier indicated that after review, it was determined that only the height variance was needed, and the second variance request could be withdrawn since the plans show that the lettering would project 5”, which is acceptable. He recommended council be flexible in their interpretation of the ordinance given the narrow building width and overall sign size permitted in the district, and suggested that the ordinance may need to be revised at some point because of the additional cost burden it places on business owners.

Councilmembers discussed the significance of the sign requirements of the ordinance in this district, the sign application and variance process, whether the sign would be a detriment to the area, and the specific details of this business and variance request. Concern was expressed that the Planning Commission had worked thoroughly to enact uniform sign language and granting the request may set precedent for a continuous stream of variances from other business owners in the Downtown Redevelopment District.

No one else from the audience spoke for or against the sign variance requests.

LaPorte moved, Kindsvater seconded, CARRIED, to close the public hearing at 7:20 pm.

Kindsvater moved, Burns seconded, CARRIED, to grant a variance of Article 8B, Downtown Redevelopment District, Section 8.32 Signs, Part 1 – Schedule of Sign Regulations to approve a variance of the maximum sign height allowed for Tivoli’s Restaurant (Vincenza/Natale Evola), 201 N Riverside Ave, E-8. Ayes: Krebs, LaPorte, McCartney, Burns, Foley, Kindsvater, Cedar. Nays: None.

ORDINANCES AND RESOLUTIONS

Resolution No. 10-09 - Adopting 2010-2011 Annual Budget, Millage Rate, and Appropriations Act

RESOLVED, that the summary of revenues and expenditures for the 2010-2011 Fiscal Year Budget be approved.

FURTHER RESOLVED, that the 16.9787 total millage requirement for local purposes and the general operating millage of 13.0581 for the 2010-2011 City of St. Clair fiscal year budget be approved and authorized to be levied as contained in the Budget Resolution.

FURTHER RESOLVED, That the adopted budget for the fiscal year beginning October 1, 2010 and ending September 30, 2011 shall establish the approved appropriation levels for the said fiscal year.

FURTHER RESOLVED, that the Schedule of Fees and the Utility Rate Schedule be adopted as part of the budget; and

FURTHER RESOLVED, That the City Council does hereby authorize the City Superintendent to execute transfers between appropriations provided that each transfer be approved by the City Council prior to its execution.

FURTHER RESOLVED, That the City Council retains authority to amend the city budget and this appropriations act at such times when deviations from the projected revenues and authorized

expenditures levels become necessary and the amount of the deviation becomes known.

LaPorte moved, Kindsvater seconded, CARRIED, to adopt Resolution No. 10-09, the 2010-2011 Fiscal Year Budget, Millage Levy Authorization, and Appropriations Act Resolution. Ayes: LaPorte, McCartney, Burns, Foley, Kindsvater, Krebs, Cedar. Nays: None. RESOLUTION ADOPTED

Resolution No. 10-10 - Supporting Palmer Park Tower of Honor Memorial Project

RESOLVED, that the City of St. Clair supports efforts to build a permanent memorial in the likeness of a Great Lakes Lighthouse to commemorate and honor the life and heroism of Dewayne T. Williams, as well as serve as grateful tribute to all of the those who have served our Nation while educating the community in the lessons of duty and honor to Country, recognized in the citation of the Congressional Medal of Honor.

Member Burns explained the proposal to recognize the heroism of Dewayne Williams and his citation as a Medal of Honor recipient through a landmark memorial in his honor. A memorial statue initiated by the Marine Corps League will be dedicated in September. To continue the recognition, it is proposed that the Homeland Security border camera tower in Palmer Park be transformed into an historical memorial to convey the message of selfless dedication to service and Country. Members of the Williams family were present and supported the concept and discuss the feasibility of the project, along with representatives from the Chamber of Commerce, Riverview Plaza, and Downtown Development Authority.

A US Marine Corps General explained the significance of the Medal of Honor and how it can further heroism and sacrifice. He commended those who are working to bring the concept of the memorial project to the community and explained the story of Pfc Williams and his act of honor which gained him the recognition.

Cedar moved, McCartney seconded, CARRIED, to adopt Resolution No. 10-10, the Palmer Park Tower of Honor Memorial Project Support Resolution. Ayes: McCartney, Burns, Foley, Kindsvater, Krebs, LaPorte, Cedar. Nays: None. RESOLUTION ADOPTED

Resolution No. 10-11 - Approving Lot Combine Request – Joshua Tebeau, 900 Oakwood Lane

RESOLVED, that the combine of property described as:

Existing Parcel A: Lot 13 exc S 30' Oakwood Subd No 2 split on 2/08/2010 into 07-585-0008-001, 07-585-0008-010.

Existing Parcel B: Part of PC 306 desc as: Beg NW Cor Lot 13, Th S 09D 57M 20S W 100', Th S 88D 17M 00S W 171.88', Th N 09D57M 20S E 100', Th N 88D 17M 00D E 171.88' to Beg. Note: This parcel does not have road frontage. Parcel split under protest due to Sheriff's Deed. This parcel is not a buildable lot. Split on 2/08/10 from 07-585-0008-000.

Created Parcel: Lot 13 exc S 30' Oakwood Subd No 2 and a parcel in PC 306 Desc as: Beg NW Cor Lot 13, Th S 09D 57M 20S W 100', Th S 88D 17M 00S W 171.88', Th N 09D 57M 20S E 100', Th N 88D 17M 00D E 171.88' to Beg.

be approved, and is effective with the 2010 Assessment Roll.

Council received a memorandum from the City Assessor dated May 10, 2010 explaining the request of Joshua Tebeau to combine two lots for property at 900 Oakwood Lane. Mr Tebeau acquired the vacant property behind his house that was split last December due to a foreclosure of the previous owner. The request is a reversal of that split. The resulting combine exceeds the zoning ordinance requirements for this district and taxes have been paid up to date on this parcel.

LaPorte moved, McCartney seconded, CARRIED, to adopt Resolution No. 10-11, the 900 Oakwood Lane Lot Combine Resolution. Ayes: Burns, Foley, Kindsvater, Krebs, LaPorte, McCartney, Cedar. Nays: None. RESOLUTION ADOPTED

Resolution No. 10-12 - Approving Lot Combine Request, Paul/Tammy Condeelis, 1948 Shelldrake Lane & 201 Mallard Lane

RESOLVED, that the combine of property described as:

Existing Parcel A: Woodland Estates No 2 Condominium St Clair County Condominium Plan No 190 Unit 11 (74-07-996-0011-000)

Existing Parcel B: Woodland Estates No 2 Condominium St Clair County Condominium Plan No 190 Unit 12 (74-07-996-0012-000)

Created Parcel: Woodland Estates No 2 Condominium St Clair County Condominium Plan No 190 Units 11 and 12 (74-07-996-0012-000) be approved, and is effective with the 2010 Assessment Roll.

Council received a memorandum from the City Assessor dated May 10, 2010 explaining the request of Paul and Tammy Condeelis to combine two lots for property at 1948 Shelldrake Lane and 201 Mallard Lane. The property owners purchased the adjacent lot to their home and would like to combine the properties to be able to build a possible accessory structure on the vacant lot. The resulting combine exceeds the zoning ordinance requirements for this district and taxes have been paid up to date on this parcel.

LaPorte moved, Burns seconded, CARRIED, to adopt Resolution No. 10-12, the 1948 Shelldrake Lane and 201 Mallard Lane lot combine resolution. Ayes: Foley, Kindsvater, Krebs, LaPorte, McCartney, Burns, Cedar. Nays: None. RESOLUTION ADOPTED

REPORTS FROM ADMINISTRATION

City Superintendent

FY 2010-2011 Fund Balance Restriction Request

City Superintendent requested the restriction of \$1,327,743 General Fund fund balance for certain liabilities in the following amounts: Industrial Park CDBG Loan Liability (\$800,000), Tax Tribunal Personal Property Appeal Liability (\$255,000), and Industrial Park Deficit Elimination (\$272,743). The restriction will not negatively impact operations or cause a shortfall in operating funds, and can be altered or repealed by Council action in the future.

McCartney moved, Krebs seconded, CARRIED, to approve the FY 2010-2011 Fund Balance Restriction Request in the amounts and for the purposes stated.

Proposed Text Amendments to St Clair Township Act 425 Agreement

Council received a City Superintendent memorandum dated June 3, 2010 outlining a proposed amendment to the St Clair Township Act 425 Land Transfer Agreement to eliminate the 2 mill required compensation payment contained in the Agreement on any project given a tax abatement. The original agreement obligated the city to make the payment to the township based upon the taxable value of a project without regard for the township to share in any tax relief granted to the company. Authorization is requested to approach the Township with the proposed amendment at their June 21, 2010 Township Board of Trustees meeting.

LaPorte moved, Kindsvater seconded, CARRIED, to authorize the City Superintendent to proceed with the proposed text amendment to the PA 425 Land Transfer Agreement with St Clair Township by the addition of a Section 5.2.5. Tax Exempted Property.

Strategic Plan Workshop

A meeting with a representative of SEMCOG to proceed with the Strategic Planning process was scheduled for Monday, June 21, 2010 at 6:00 pm at the Municipal Building.

Joint Township Meeting

A Special Joint Meeting with China, East China and St Clair Townships to discuss areas of mutual concern was scheduled for Monday, June 28, 2010 at 6:00 pm at Pine Shores Golf Course.

City Attorney – None.

City Departments – None.

Authority, Board, Commission, Committee Chairman or Council Representative

Downtown Development Authority (Member Burns) – Strategic direction from City Council and firm ideas to drive the DDA capital budget is requested. The DDA would like to discuss planning implications and project direction as part of the upcoming Strategic Planning Workshop.

UNFINISHED BUSINESS – None.

NEW BUSINESS

Approve City Superintendent Employment Agreement

Member LaPorte summarized the performance evaluation conducted by Council for the City Superintendent, criteria used for the evaluation, and terms of the current contract. The changes contained in a proposed contract document drafted by the City Attorney based upon recommended guidelines and council consensus provide for a three year contract for the period of August 7, 2010 to August 6, 2013, compensation adjustment based on a medical benefit change, and an annual review with bonus incentive. While the employment term is indefinite, compensation will be reviewed annually along with a performance review tied to the budget process.

Bill Klieman, 1374 S Riverside Ave, questioned the terms of the contract regarding annual compensation amount, term of the agreement, severance and termination clauses, and the city policy on substituting fringe benefits for a wage increase.

LaPorte moved, McCartney seconded, CARRIED, to continue the existing Employment Agreement with City Superintendent Scott Adkins and approve the terms of the agreement prepared by the City Attorney for the period of August 7, 2010 to August 6, 2013. Ayes: Kindsvater, LaPorte, McCartney, Burns, Foley, Cedar. Nays: Krebs.

Adoption of Identity Theft Prevention Program Policy

Council received a proposed Identity Theft Prevention Policy required under Federal Trade Commission Red Flag Rules. The policy, effective immediately, establishes an Identity Theft Prevention Program designed to detect, prevent and mitigate Identify Theft in connection with the opening of a covered account or an existing covered account and to provide for continued administration of the Program in compliance with the Federal Trade Commission Rules.

McCartney moved, Kindsvater seconded, CARRIED, to adopt the City of St Clair, Michigan Identity Theft Prevention Program Policy as recommended.

St Clair County Parks and Recreation Commission 2010 Local Millage Distribution of Funds

Parks and Recreation Director Trice Hawkins advised the Council that County Parks and Recreation has requested from the City the annual request for distribution of Local Millage Funds for 2010. The City is eligible to receive \$26,126.41 based upon the calculation formula. Millage funds have been earmarked for the city's Recreation, Open Space and Parks Master Plan projects.

LaPorte moved, Kindsvater seconded, CARRIED, to approve the 2010 St Clair County Parks and Recreation Local Millage Distribution Request.

Approve Issuance of Special Events Permit for Skate-Bike Park Grand Opening

Council received the Police Chief recommendation to approve the issuance of a special events permit for the St Clair Recreation Department to host a Skate-Bike Park Grand Opening on June 19, 2010. A dedication is planned with events to follow throughout the day, and music and a movie in Greig Park in the evening. The applicant has complied with necessary requirements of the Special Events Ordinance and issuance of the permit is recommended.

Parks & Recreation Director Hawkins explained the plans to recognize businesses, individuals, and organizations for their contributions and community support of the project. Details were given of an upcoming community build for landscaping on the site, as well as the timetable for completing outstanding features at the park. The City Superintendent, Police Chief, and DPW were acknowledged for their work and dedication to the project.

LaPorte moved, Krebs seconded, CARRIED, to grant the St Clair Recreation Commission special events permit request.

CLAIMS AND ACCOUNTS – May 20, 27, and June 3, 2010

Check registers listing the bills for the period ending May 20, 2010 (check numbers 27612 - >27661), May 27, 2010 (check numbers 27662 ->27710), and June 3, 2010 (check numbers 27711->27752) were presented for Council review.

Member LaPorte praised administration for their cost saving efforts associated with the rental of street sweeping equipment in place of contracting out the service.

LaPorte moved, McCartney seconded, CARRIED, to approve payment of May 20, 27, and June 3, 2010 Claims and Accounts as submitted.

PUBLIC QUESTIONS AND COMMENTS

Bill Klieman, 1374 S Riverside Ave, regarding new street signs installed in the downtown area, and extension of the program citywide. Downtown will be completed first and other phases will be added on major streets as funds become available. He also questioned truck weight restrictions on city streets. Referred to Police Department.

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS

Councilmembers extended appreciation to City Superintendent Adkins for his efforts on developing the Range Rd industrial park.

ADJOURNMENT at 7:50 pm.

**CITY OF ST. CLAIR
REGULAR COUNCIL MEETING
MONDAY, JUNE 21, 2010 - 7:00 P.M.
BERNARD E KUHN MUNICIPAL BUILDING, 547 N CARNEY DRIVE**

Mayor Cedar convened the Regular Meeting of the City Council to order in the Council Room of the Municipal Building at 7:00 pm.

PRESENT: Mayor Cedar, Members Burns, Foley, Kindsvater, Krebs, LaPorte, McCartney.

ABSENT: None.

ADMINISTRATION: George Joachim, Kane, Clemons, Joachim & Downey; Rick Jefferson, Police Chief; Mike Harrington, Director of Engineering & DPW; DJ Boulter, Building Inspector; Janice Winn, City Clerk.

AUDIENCE: There were 10 persons in attendance.

PLEDGE OF ALLEGIANCE was recited.

AGENDA AMENDMENTS – Mayor Cedar requested that the agenda be amended to add a request to authorize the purchase of tax reverted property from St Clair County as an item of New Business. There were no objections.

CONSENT AGENDA

Foley moved, LaPorte seconded, CARRIED, to approve Consent Agenda items A., B., C., D., E., and F., as presented.

- A. City Council Minutes of June 7, 2010 Regular Meeting: Approve
- B. Board of Cemetery Trustees Minutes of May 18, 2010 Meeting: Receive
- C. Downtown Development Authority Minutes of March 18, 2010 Meeting: Receive
- D. Historical Commission Minutes of May 13, 2010 Meeting: Receive
- E. Housing Commission Minutes of June 15, 2010 Meeting: Receive
- F. St Clair Area Fire Authority May 2010 Activity Report: Receive

Member Foley requested periodic updates from the Planning Commission, including reports, minutes, and agendas.

PRESENTATIONS

Presentation on Library Millage Proposal – St Clair County Library Board Representative

The presentation was tabled as no one from the Library Board was in attendance.

ORDINANCES AND RESOLUTIONS – None.

REPORTS FROM ADMINISTRATION

City Superintendent

Update on Proposed Text Amendments to St Clair Township Act 425 Agreement

An update on the text amendments being proposed to the St Clair Township Act 425 Agreement was postponed until the June 28, 2010 Special Joint Meeting since the City Superintendent was at the St Clair Township meeting presenting the proposal to Trustees.

City Attorney – None.

City Departments – None.

Authority, Board, Commission, Committee Chairman or Council Representative

Beautification Commission (Member Krebs) – The deadline for nominations for the 2010 Yard of the Year contest is Friday, June 25, 2010. Forms are available at City Hall and local businesses. Awards will be presented in both the residential and business categories.

Downtown Development Authority (Member Burns) – There are two vacancies on the DDA due to resignations. The DDA asked Council to continue work on the Strategic Plan and convey direction to boards and commissions to carry out the plan.

UNFINISHED BUSINESS – None.

NEW BUSINESS

Request for Special Use Approval – William & Joann Westrick, 1310 St Clair Highway

Building Inspector DJ Boulter summarized the request of William and Joann Westrick for special use approval for property at 1310 St Clair Highway, and outlined the Planning Commission stipulations placed on the use following their June 9, 2010 meeting. The petitioner proposes to operate an auto repair business on the property, which is zoned C-2 General Commercial. Mr and Mrs Westrick were present to answer questions about the request.

A history of the property was reviewed along with its past uses. Councilmembers discussed the neighborhood response to the current proposal, other uses allowed in the C-2 commercial zoning district that could be more detrimental, and concerns addressed by the Planning Commission in their review involving dust, traffic, signage, lighting, hours of operation, parking, outdoor storage, and location of the repair activity on the property. An email was received from Lori Dodea, 1312 St Clair Hwy, regarding objections to exterior lighting. Most of the other residents were satisfied that the concerns had been addressed, and the Planning Commission had reached a good compromise on approval of the request.

Member Krebs questioned sign placement and design features. The sign will be located 25 ft from the curb, 10 sq ft in size (32 sq ft is allowed), will not interfere with line of sight, and will include a landscape bed at the base.

LaPorte moved, McCartney seconded, CARRIED, to approve the request of William and Joann Westrick for special use approval for the property located at 1310 St Clair Hwy subject to Planning Commission stipulations as outlined at their June 9, 2010 meeting.

Approve Purchase of Lawn Mower for DPW

Council received a Director of Engineering & DPW memorandum dated June 18, 2010 recommending that Council accept the \$7,599.20 State bid of Zimmer Sales & Service and authorize the purchase of a 2010 Exmark zero radius lawn mower for the DPW. Quotes were also received from All Seasons Outdoor Equipment (\$7,599.20) and Weingartz Equipment (\$9,499.00).

Funds are available in the Equipment Pool for the purchase.
Bill Klieman, 1374 S Riverside Ave, questioned the disposition of the equipment being replaced. The existing mower will be repaired, and when no longer in service, will be sold at competitive bid.

Member McCartney questioned the cost savings as a result of eliminating contractual mowing services. The DPW has assumed responsibility for mowing 25-30 extra lawns because of foreclosures, but an exact dollar amount of savings won't be known until evaluated in the future. The City's intent is to be able to cover the cost to provide the service.

LaPorte moved, Krebs seconded, CARRIED, to accept the \$7,599.20 bid of Zimmer Sales & Service, and approve the purchase of a 2010 Exmark zero radius lawn mower for the DPW as recommended.

Approval of Permit for Fourth of July Fireworks Display

Council received an application for a fireworks display permit for the annual Fourth of July event. The city contracted with a new fireworks vendor and a State-issued permit is required. The fireworks will be displayed from a barge located in the St Clair River at the center of Palmer Park as in previous years. Approval of the permit is recommended.

McCartney moved, Kindsvater seconded, CARRIED, to authorize application for a fireworks display permit for American Fireworks Co to conduct the Fourth of July fireworks display.

Request for Temporary Outdoor Service Permit – LaCroix's Riverside Pub, Inc

Council received a Police Chief memorandum dated June 16, 2010 summarizing the request of LaCroix's Riverside Pub, 314 Clinton Avenue, to obtain a temporary outdoor service permit through the Liquor Control Commission to serve food and alcohol adjacent to their business during the July 23-25, 2010 Offshore Race Weekend. A tent, temporary fencing, and temporary sidewalk for pedestrian traffic would be placed in the public right-of-way and parking areas along S. Fourth St from Clinton Ave to Witherell St to accommodate the service area. The applicant has complied with necessary requirements of the Special Events Ordinance and issuance of the permit is recommended.

LaPorte moved, Foley seconded, CARRIED, to approve the LaCroix's Riverside Pub temporary outdoor service permit request.

Request for Issuance of Special Events Permit for Commercial Filming in Palmer Park – Funeral One, 110 S Third St

Police Chief Jefferson explained the request of Funeral One, 110 S Third St, to conduct a commercial filming in Palmer Park and along the boardwalk on June 24, 2010 from 9:00 am to 3:00 pm. City Superintendent recommended that if the use was permitted, certain restrictions regarding insurance, security deposit, set-up, site diagram, on-site security and restoration be part of the contingencies since the City currently does not have any guidelines regulating the film industry.

Funeral One representative Gino Malo indicated that the company is looking to conduct a small operation filming of 10-15 people to help launch a new hair product. The date is tentative, with June 29, and July 6, 2010 also being considered.

Foley moved, McCartney seconded, CARRIED, to approve the issuance of a special events permit for the June 29, 2010 commercial filming activity in Palmer Park requested by Funeral One, subject to submission of a \$500 refundable security deposit to protect the City's interests.

Request to Transfer Boathouse Area Lease – Baumann, 1215 S. Fifth St

Council received the request of Wilma Baumann to transfer the lease for boathouse area property located at 1215 S Fifth Street to Ken Trepiaak, 1532 Oakland Ave. The ordinance procedures governing boathouse lease transfers and their relevance to this transfer request were reviewed by the city clerk.

Kindsvater moved, Foley seconded, CARRIED, to approve the 1215 S Fifth Street boathouse area lease transfer request from Baumann to Trepiaak as recommended.

Purchase of Tax Reverted Property

Council received a City Superintendent memorandum requesting authorization to purchase a foreclosed property from St Clair County located at 2062 Fred Moore Hwy. The parcel of interest is adjacent to the Pine River and may have future recreational benefit to the City. The cost of the acquisition is \$1,566.76.

Foley moved, Kindsvater seconded, CARRIED, to authorize the City Superintendent to notify the St Clair County Treasurer of the City's election to purchase the foreclosed property at 2062 Fred Moore Hwy in the amount of \$1,566.76. Ayes: Krebs, LaPorte, McCartney, Burns, Foley, Kindsvater, Cedar. Nays: None.

CLAIMS AND ACCOUNTS – June 10 and 17, 2010

Check registers listing the bills for the period ending June 10, 2010 (check numbers 27753 - >27810), and June 17, 2010 (check numbers 27811->27855) were presented for Council review.

LaPorte moved, Kindsvater seconded, CARRIED, to approve payment of June 10 and 17, 2010 Claims and Accounts as submitted.

PUBLIC QUESTIONS AND COMMENTS

Ann Doerr, 1065 N Sixth St, regarding objections to plans for the Tower of Honor memorial project. Concerns were communicated about setting precedent for future memorial tributes, and the combining of this project with the Homeland Security tower. Mayor Cedar and Member Burns explained the purpose and features of the tower landmark to honor Pfc Dewayne Williams and to tell the story of the Congressional Medal of Honor. Design and development plans are needed to move forward with the project.

Bill Klieman, 1374 S Riverside Ave, questioned the status of completion of the St Clair Library expansion project, specifically the completion of the exterior stone work.

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS

Councilmembers comments and announcements were received on the M-29 and St Clair Hwy road improvement projects, the CSX railroad crossing at the Brown St/Range Rd bikepath extension, the June 28, 2010 Special Joint Meeting with China, East China, and St Clair Township officials to discuss areas of mutual concern, and the 38th annual St Clair Art Fair taking place June 26-27, 2010. Condolences were extended to the family of Cpl Jeff Standfest, USMC, on their recent loss.

ADJOURNMENT at 7:45 pm.

Janice Winn, City Clerk

Bill Cedar, Jr, Mayor

**Minutes-St Clair City Council Meeting
Monday June 28, 2010
Pine Shores Golf Course**

The Meeting was called to order at 6:00pm by Mayor Bill Cedar Jr. at the Pine Shores Golf Course, 515 Fred Moore Highway, St Clair, MI 48079

Roll Call:

Present: Mayor Cedar, Council members Burns, Foley, Kindsvater, Krebs, LaPorte, and McCartney.

Absent: None

Mayor Cedar asked that those in attendance introduce themselves; a sign-in sheet was circulated to attendees.

China Township: Clerk Susan Deraedt, Treasurer Celia Baganz

East China Township: Larry Simons arrived at 6:35 p.m.

St Clair Township: Supervisor Brian Mahaffy, Clerk Joyce Skonieczny, Treasurer Pat Miskus, Trustee Brenda Boeck, Trustee Mike Boulter, Trustee Gary Hovis, and Trustee Bill Karas.

Also Present: St Clair City Superintendent Scott Adkins, St Clair City Accountant Mike Booth, and St Clair City Engineer/Director of Public Services Mike Harrington and several audience members.

Mayor Cedar asked each of the member communities to provide a brief summary of activities and projects as well as insight into future projects:

China Township:

- No major projects at this time
- Several local road projects for 2011 have recently been approved
- New King Road park at the Belle River has been opened
- Belle River access being completed
- Recently determined sanitary sewer issues along King Road that will be addressed through a possible extension with East China Township

St Clair Township:

- Improvements to the M-29 Water system beginning
- Bridge-To-Bay project expansion along M-29 for 2011
- Completion of path project with City of St Clair

City of St Clair:

- Bridge to Bay Path Completion
- Comprehensive and Recreation Master Plan work to begin in July
- New valve turning and water flushing project for water system
- 4th of July Fireworks this weekend
- 2 major street projects underway at this time, local street projects for fall

The meeting was then opened to question and answer period as well as discussion of joint cooperative efforts. The City Superintendent conducted a brief workshop session to prepare a list of possible future joint projects.

The following possible joint cooperative efforts were presented:

Joint Efforts:

- Healthcare coverage – townships would like to come in with the City
- Trash Collection/Recycling
- Engineering – (outstanding invoice, Per Pat, BMJ coming to the City)
- Law/Code Enforcement
- Assessor
- Fire
- Public Services (DPW)
- Computer/IT Services
- Liability Insurance
- Water/WWTP
- Telecommunications, Public Utility
- Cable/Internet
- Emergency Management Planning
- Recreation

Attendees were then asked to rank the top three priority items from the list. The top three were identified as follows:

- Health Care coverage-cost containment
- Trash Collection, Rubbish, Composting-joint RFP and bid process
- Engineering-sharing of services, joint RFP and bid process

The focus of the next meeting will be to establish the process by which we can begin to implement these joint efforts and cost containment measures.

At 6:41 p.m., the general session concluded and a specific break-out session between the City of St Clair and St Clair Township was held. City Accountant Mike Booth provided an update concerning the Water Contract revisions, stating that the current draft has been delivered from the township auditor to the City Attorney for review. We expect the document to be ready for action within the next several weeks.

Superintendent Adkins led a discussion on the recent path project. Concerns were raised about the engineering cost overruns and how to proceed on future projects. Township representatives also voiced their concerns relating to the engineering costs.

The remaining discussion focused on the industrial park and possible amendment to the existing 425 agreement. Superintendent Adkins detailed recent efforts to secure development in the park and the difficulty in offering tax abatements without revenue to support the 2-mill payment in the existing agreement. A spreadsheet detailing past payments to the township was provided and explained. A spreadsheet detailing examples of potential development taxable values and repayment amounts was also distributed and explained. The City is seeking

consideration from the township an amendment to the existing 425 agreement that would provide for a sharing of the tax abatement in relation to the 2-mill repayment. Township officials were asked to consider the request and advise the City of any questions or suggestions. It is the City's desire to have a joint public hearing on the draft amendment in the near future so marketing of the park can continue.

Several concerns were addressed by township officials concerning the proposal, as well as the relationship to the water and sewer agreements. Trustees Boeck and Hovis were concerned about the limitations of the township to secure water from other municipalities (Marysville). Superintendent Adkins and Supervisor Mahaffy discussed the recent M-29 issue. Superintendent Adkins stated that the City was willing to allow water to be provided from Marysville, that it was Marysville that required the City to give permission in writing to do so. Superintendent Adkins also stated that the water and sewer agreements are separate from the 425 agreements, although there are references to water and sewer in the 425 agreements. It was also stated at all agreements have provisions for amendments and termination contained within.

It was suggested that township review this matter at their earliest convenience and advise the City of future intended action.

It was agreed by all parties to continue to hold future joint meetings and work on cooperative efforts.

Public Comment: A township resident asked questions concerning the existing 425 agreement.

Motion by Councilmember LaPorte, supported by Councilmember McCartney to adjourn, the meeting was adjourned at 7:38 p.m.

Scott Adkins, Acting City Clerk

Bill Cedar, Jr., Mayor

**CITY OF ST. CLAIR
REGULAR COUNCIL MEETING
TUESDAY, JULY 6, 2010 - 7:00 P.M.
BERNARD E KUHN MUNICIPAL BUILDING, 547 N CARNEY DRIVE**

Mayor Cedar convened the Regular Meeting of the City Council to order in the Council Room of the Municipal Building at 7:00 pm.

PRESENT: Mayor Cedar, Members Burns, Foley, Kindsvater, Krebs, LaPorte.

ABSENT: Member McCartney.

ADMINISTRATION: George Joachim, Kane, Clemons, Joachim & Downey; Scott Adkins, City Superintendent, Rick Jefferson, Police Chief; DJ Boulier, Building Inspector; Janice Winn, City Clerk.

AUDIENCE: There were 5 persons in attendance.

PLEDGE OF ALLEGIANCE was recited.

LaPorte moved, Krebs seconded, **CARRIED**, to record the absence of Member McCartney as excused.

AGENDA AMENDMENTS – None.

CONSENT AGENDA

LaPorte moved, Kindsvater seconded, **CARRIED**, to approve Consent Agenda item A., as corrected, and item B., as presented.

- A. City Council Minutes of May 13, 2010 Special Budget Workshop, June 21, 2010 Regular Meeting, and June 28, 2010 Special Joint Meeting: Approve

The minutes of the June 28, 2010 Special Joint Meeting were corrected to add the name of Trustee Mike Boulier to the list of St Clair Township officials in attendance.

- B. Downtown Development Authority Minutes of May 20, 2010 Meeting: Receive

Member Foley commented on the DDA role in the hiring of the new Chamber of Commerce Director, the DDA financial support for the position, and the lack of City Council involvement in the process. Mayor Cedar requested a copy of the contract defining the position requirements and responsibilities for recruitment, marketing, public relations and an explanation of how these components improve city operations.

ORDINANCES AND RESOLUTIONS

Resolution No. 10-13 - Approving Request for Charitable Gaming License – Merchants Softball Club

RESOLVED, that the request from Merchants Softball Club, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses, be considered for approval.

Council received correspondence dated June 24, 2010 from Gary Griffin explaining the request of the Merchants Softball Club that they be granted nonprofit status to obtain a gaming license from the State to hold fundraisers to support the organization activities. The requirements for an organization to qualify for a gaming license from the state were reviewed along with the purpose and activities of the organization.

Kindsvater moved, Foley seconded, **CARRIED**, to adopt Resolution No. 10-13, the

Merchants Softball Club Charitable Gaming License Resolution, contingent on submission of proof of their nonprofit status. Ayes: LaPorte, Burns, Foley, Kindsvater, Krebs, Cedar. Nays: None. RESOLUTION ADOPTED

REPORTS FROM ADMINISTRATION

City Superintendent

Discussion Concerning LED Signage – Downtown Redevelopment District – Under the current ordinance, illuminated sign boards or LED illumination signs are prohibited in the Downtown Redevelopment District. These regulations were part of the form-based code changes to the Zoning Ordinance recommended by the Planning Commission and recently adopted by Council. City Superintendent communicated two sign issues that came up relating to these restrictions - the change in the pricing module of the BP gas station sign to illuminated numbers, and a request from The Voyageur restaurant to replace their sign message board with a comparable LED model. Under the current ordinance requirements a Council variance would be required before these signs could be permitted in the downtown district.

Council debated the options to approach the sign issues - either refer the matter back to the Planning Commission to recommend a text amendment to the ordinance to place the same or similar restrictions on LED signs as in other districts in the city; or to submit each LED sign case independently as a variance request to Council as outlined in the present ordinance.

Building Inspector DJ Boulier discussed sign management and enforcement practices in the downtown area compared to other areas of the city, and overlapping regulations in the general sign ordinance and form-based code for LED signs, banner signs, advertising signs, and event signs. The Planning Commission prohibited all banner signs in other areas of the city and may need to revisit banner restrictions, sign permit requirements, sign technology, non-conforming signs, and responsible authority to handle variance requests at the same time that LED sign restrictions are revisited. Other areas of concern are community organization banners and signs and whether short-term sales banners for businesses should be permitted; and the need to establish control and consistency in sign regulations and enforcement. The need for a margin of flexibility in the ordinance giving the Planning Commission the responsibility and authority to grant variances for any signage that does not meet the exact terms of the ordinance was also suggested.

Cedar moved, Burns seconded, CARRIED, to refer review of LED sign and banner regulations to the Planning Commission for recommendation on a proposed text amendment to the form-based code portion of the Zoning Ordinance. Ayes: Burns, Foley, Kindsvater, Krebs, LaPorte, Cedar. Nays: None.

Elimination of Fire Siren – Beginning July 15, 2010, the long-term practice of the fire sirens toning each time there is a fire or medical emergency will end. Changes in county emergency management regulations will cause the sirens to be converted for weather emergencies and monthly testing, with their operation under the jurisdiction of the county central dispatch system. Bill Klieman, 1374 S Riverside Ave, questioned the upgrade or replacement of the sirens and availability of grant funding to support the changeover.

Pending Post Office Closure - City Superintendent advised that the US Postal Service proposes to close the Trumbull St downtown post office location, expand the King Rd station, and transfer customer service and post office box services to the new site. A petition effort opposing the move is being initiated and residents were encouraged to send letters urging that the downtown location be preserved because of its accessibility and

walkability factor for residents (especially senior citizens) and its location in a key public services complex adjacent to the library and bank. Consolidation of the Secretary of State branch office in Marine City with another location is also being considered.

City/St Clair Township Water Agreement - A draft amendment to the City/St Clair Township water supply agreement was distributed and will be considered following review by the City Attorney.

City Attorney – None.

City Departments – None.

Authority, Board, Commission, Committee Chairman or Council Representative

Beautification Commission (Member Krebs) – The commission is working on the replacement of the M-29 welcome signs at entrances to the city and requested council support for an application for grant funding for the project.

Burns moved, Kindsvater seconded, CARRIED, to endorse the Beautification Commission effort to apply for grant funding to replace the M-29 welcome signs.

UNFINISHED BUSINESS

Approve Letter of Understanding with POLC to Amend Collective Bargaining Agreement Article 34. Hospitalization, Medical, Optical, and Dental Coverage

Council received a Letter of Understanding to amend the POLC union contract provisions covering the current agreement period and the next subsequent contract period regarding the health care insurance benefits program for employees. The amendment was mutually agreed upon between the City and Union.

The amendment to Article 34. Hospitalization, Medical, Optical, and Dental Coverage details a health care program shift to a new BCBS Flexible Blue Plan, including hospitalization medical, prescription drug, dental and vision coverage. A second option for employees with COPS Trust Health, Optical and Dental is also being offered. The changes were negotiated to achieve cost savings for the city by restructuring deductibles and premium payments, and to also provide ease of use to subscribers.

LaPorte moved, Kindsvater seconded, CARRIED, to adopt a Letter of Understanding amending the current collective bargaining agreement between the City and POLC, Article 34. Hospitalization, Medical, Optical and Dental Coverage, to modify the health care benefit program for represented employees to a BCBS Flexible Blue Plan, including prescription drug benefits, dental insurance and vision care.

NEW BUSINESS

Approve Permanent Traffic Control Order for Vine Street Parking

Police Chief recommended that Council effect a permanent traffic control order to allow parking on the south side of Vine St between Carney Dr and Cox Rd. A temporary order was placed in March with no reported problems.

Kindsvater moved, Krebs seconded, CARRIED, to effect a permanent traffic control order to permit parking on the south side of Vine St from Cox Rd to Carney Dr. Ayes: Foley, Kindsvater, Krebs, LaPorte, Burns, Cedar. Nays: None.

Approve Agreement for Community Comprehensive Plan Consultant Services

Council received a memorandum from the City Superintendent dated June 30, 2010 requesting that Council waive the competitive bid requirement and accept a proposal from Carlisle/Wortman Associates, Inc to prepare a Community Comprehensive Plan and Recreation Master Plan at a cost of \$38,840. The company already provides planning and consulting services for the city and has the foundation to complete the work. Funds are included in the budget for the project. If approved, work could begin July 19, 2010.

Council discussed the reasons for waiving the competitive bid requirement, including the overall reduction in cost due to the completion of the preliminary work; Recreation Department budgeted contribution to the cost; coordination of the existing Downtown Visioning Plan with the newly developed Master Plan and Recreation Plan; and sharing of services and information with St Clair County.

LaPorte moved, Kindsvater seconded, CARRIED, to waive the competitive bid requirement, accept the \$38,840 proposal of Carlisle/Wortman Associates, Inc and approve a consultant services agreement for preparation of the Community Comprehensive Plan and Recreation Master Plan.

Confirm Appointment to Downtown Development Authority

Council received correspondence dated June 22, 2010 from DDA Chairman Dan Lockwood asking council to approve the appointment of Lynn Grover, St Clair Wellness Center, to fill a vacancy on the DDA created by the resignation of Patrick Coughlin. Council elected to take the letter under advisement, and apply the same process of advertising and soliciting applications for other board and commission vacancies, noting the special downtown interest or residency requirements for DDA membership.

Cedar moved, Burns seconded, CARRIED, to table confirmation of an appointment to the Downtown Development Authority and advertise the vacancy on the city's website and local public access channel to solicit interest in the position.

CLAIMS AND ACCOUNTS – June 24 and July 1, 2010

Check registers listing the bills for the period ending June 24, 2010 (check numbers 27856 - >27928), and July 1, 2010 (check numbers 27929 ->27989) were presented for Council review.

Council questioned payments to BMJ Engineering for engineering services for the Brown St/Range Rd bike path extension, and to Dingeman Associates for monthly cable television services.

LaPorte moved, Kindsvater seconded, CARRIED, to approve payment of June 24 and July 1, 2010 Claims and Accounts as submitted.

PUBLIC QUESTIONS AND COMMENTS

St Clair County Library Director Jim Warwick distributed information on the county library system and upcoming library millage renewal proposal. Usage, services and technology improvements have been improved in the community. An overview of sources of funding and budgeting strategies and their relationship to library operations was given. St Clair was applauded for their recent library building expansion project.

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS

- Appreciation was extended to those involved in presenting the Fourth of July fireworks display.
- The rubbish collection schedule will not change due to the Fourth of July holiday.
- The pump was repaired at the community outdoor pool and the pool is operational.
- The St Clair Hwy road reconstruction project is progressing slowly. Difficulties with plans, asphalt mix, Oak St curbing, and MDOT and CSX railroad issues are holding up the project.
- The St Clair Garden Club Farmers Market begins its 2010 season on Wednesday, July 7 at the parking lot across from Pine Shores Golf Course.
- The new street signs seen along Riverside Ave in the downtown area will soon be installed along South Riverside Ave/Oakland Ave and the Clinton Ave corridor.

ADJOURNMENT at 8:00 pm.

Janice Winn, City Clerk

Bill Cedar, Jr, Mayor

**CITY OF ST. CLAIR
REGULAR COUNCIL MEETING
MONDAY, JULY 19, 2010 - 6:00 P.M.
BERNARD E KUHN MUNICIPAL BUILDING, 547 N CARNEY DRIVE**

Mayor Cedar convened the Regular Meeting of the City Council to order in the Council Room of the Municipal Building at 6:00 pm.

PRESENT: Mayor Cedar, Members Burns, Foley, Kindsvater, Krebs, LaPorte, McCartney.

ABSENT: None.

ADMINISTRATION: City Superintendent Scott Adkins, Deputy City Clerk Kathleen Kauffman.

AUDIENCE: There were 6 persons in attendance.

STRATEGIC PLANNING WORKSHOP – Presentation by SEMCOG Representative

City Superintendent introduced Naheed Huq, SEMCOG, facilitator for the Strategic Planning process. Ms. Huq described her role as facilitator and SEMCOG's role as the metropolitan planning agency for Southeast Michigan. Previously identified Council priorities were reviewed. Implementation of these priorities will be the topic of the next meeting. Councilmembers presented their expectations of the strategic planning process, including setting realistic and implementable goals, use of previously completed plans, and the commitment to completing the goals identified.

Ms. Huq gave a presentation on the objectives and associated steps involved in the planning process: confirm previously established Council priorities; define strategies for implementation; identify and address challenges and successes; set a time frame; and determine the next steps.

The strategic plan is scheduled to be completed in November, with two to three meetings in the interim.

After discussion, a preliminary mission statement was proposed: To provide, through coordinated leadership, quality services and facilities in a fiscally responsible manner by expanding the business, commercial and industrial tax base; enhancing city streets, sidewalks, and other critical infrastructure; and implementing comprehensive emergency preparedness measures.

Reviewed the community profile based on SEMCOG and Census data and considered three critical questions posed by Ms. Huq: where is the city now, where does Council want to see the city go, and what are the challenges that need to be overcome to get there? At the next strategic planning meeting, a list of challenges and priority action steps to be taken will be discussed.

The Strategic Planning Workshop ended at 7:05 pm.

REGULAR SESSION

PLEDGE OF ALLEGIANCE was recited.

PRESENT: Mayor Cedar, Members Burns, Foley, Kindsvater, Krebs, LaPorte, McCartney.

ABSENT: None.

ADMINISTRATION: City Attorney George Joachim, City Superintendent Scott Adkins, Deputy City Clerk Kathleen Kauffman.

AUDIENCE: There were 6 persons in attendance.

AGENDA AMENDMENTS – None.

CONSENT AGENDA

LaPorte moved, Kindsvater seconded, CARRIED, to approve Consent Agenda items A., B., and C., as presented: A. City Council Minutes of July 6, 2010 Regular Meeting: Approve; B. Historical Commission Minutes of June 10, 2010 Meeting: Receive; C. St. Clair Fire Authority June 2010 Activity Report: Receive.

PRESENTATIONS

Community Comprehensive and Recreation Master Plan Updates

Carlisle and Wortman representatives David Scurto and Adrea Bibby gave an update on the Community Comprehensive and Recreation Master Plan. The current plan was written fifteen years ago, posing the concern of zoning decisions being made based on outdated material. Discussed the importance of updating the Master Plan to accommodate changes in the community and a broader range of features to be addressed, for example: parks and recreation plans now include arts and culture; transportation plans address mass transit, pedestrian ways and blue ways; streets are considered linear parks and encompass parking, foot traffic, lighting, landscaping, etc.

Discussed the steps to implementation of the Master plan. Public participation is critical. Community volunteers will be asked to take neighborhood walks and record and photograph their impressions of neighborhoods, both positive and negative. Telephone surveys will also be conducted.

Ms. Bibby demonstrated an internet blog that will be created to obtain feedback from residents. It will be linked to the city's website and based on Google Maps. Visitors will be able to tag locations on the map and attach comments. The information will be accessible at any time and will be used to create a summary report.

The public hearing will be scheduled for summer of 2011. The Planning Commission will have final approval of the plan unless the City Council votes by resolution to be the final approving body.

Mr. Scurto concluded by stressing the importance that the plan be created by the City, using the consultant as a tool, and that it reflect the values and principals of the city itself.

ORDINANCES AND RESOLUTIONS – None.

REPORTS FROM ADMINISTRATION

City Superintendent

A conference call with CSX Transportation is scheduled for July 26 to further discuss signs for Whiting Street and the franchise agreement.

A problem with the asphalt on the Brown Street/Middle School bikepath, is part of the construction contract between the contractor and St. Clair Township, so the issue will be resolved through the Township.

A revised water agreement has been presented to St. Clair Township for discussion by the Township Board at their next meeting. A joint meeting with the St. Clair Township Board has been scheduled for August to further discuss items regarding the 425 Agreement.

The Vintage Weekend on July 16th and 17th was successful. A reminder that Riverfest is the weekend of July 23-25. M-29 will be closed to traffic between 5:00 and 6:00 on Thursday, July 22nd and reopened on Sunday evening, July 25th.

Authority, Board, Commission, Committee Chairman or Council Representative

Downtown Development Authority (Member Burns) – The DDA is investigating the city's utility easement on private property along the Pine River between Rotary Park and Pine Street. DDA Chairman Lockwood gave a brief history of the floating dock project that necessitates an easement at this site. A determination must be made as to whether the existing city utility easement allows the placement of floating docks at the property.

UNFINISHED BUSINESS – None.

NEW BUSINESS

Easement Agreement for Brine Line Operation – Cargill Inc.

Council received a proposed Easement Agreement from Cargill Incorporated that would grant a 15' temporary easement and a 10' permanent easement on property located on St. Clair Highway for construction and maintenance of brine lines. Superintendent and City Attorney recommended two changes to the agreement before approval: removal of the actual address in Item A on Page 1, and replacement with "...property located within the City of St. Clair..."; and deletion of Item #9 on page two, Indemnification and Hold Harmless. McCartney moved, Kindsvater seconded, CARRIED, to table the item for further study.

Appointment to Downtown Development Authority

DDA Chairman Lockwood explained the need for the appointment, followed by discussion on decreasing the number of members from 13 to 9 and the belief that 13 members are important for adequate representation. The DDA currently has ten members. A previous request for appointment to the DDA was tabled. Both vacancies have been advertised. The Mayor requested that the applicants, Lynn Grover and Mike Vinkier, attend a City Council meeting for a brief introduction. McCartney moved, Krebs seconded, CARRIED, to table an appointment to the Downtown Development Authority until applicants have been introduced. Lockwood will advise the applicants.

CLAIMS AND ACCOUNTS – July 8 and 15, 2010

Check registers listing the bills for the period ending July 2, 2010 (check numbers 27990 -> 28049) and July 15, 2010 (check numbers 28050 -> 28116) were presented for Council review.

Council questioned payments to Lumber Jack and Camtronics Communications. Superintendent confirmed that the City is still suspending purchasing from businesses that have significantly delinquent invoices with the City or that are in violation of City Ordinances.

LaPorte moved, Kindsvater seconded, CARRIED, to approve payment of July 7 and 14, 2010 Claims and Accounts as submitted.

PUBLIC QUESTIONS AND COMMENTS

Bill Klieman, 1374 S. Riverside, regarding trees planted on property north of Palmer Park and political campaign signs.

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS

ADJOURNMENT at 7:48 pm.

**CITY OF ST. CLAIR
REGULAR COUNCIL MEETING
MONDAY, AUGUST 2, 2010 - 7:00 P.M.
BERNARD E KUHN MUNICIPAL BUILDING, 547 N CARNEY DRIVE**

Mayor Cedar convened the Regular Meeting of the City Council to order in the Council Room of the Municipal Building at 7:00 pm.

PRESENT: Mayor Cedar, Members Burns, Foley, Kindsvater, Krebs, LaPorte,

ABSENT: Member McCartney.

ADMINISTRATION: George Joachim, Kane, Clemons, Joachim & Downey; Scott Adkins, City Superintendent, Rick Jefferson, Police Chief; Janice Winn, City Clerk.

AUDIENCE: There were eight persons in attendance.

PLEDGE OF ALLEGIANCE was recited.

LaPorte moved, Kindsvater seconded, **CARRIED**, to record the absence of Member McCartney as excused.

AGENDA AMENDMENTS

Mayor Cedar requested that the agenda be amended to delete the Agreement with CSX for Railroad Driveway Crossings on Whiting St as an item of New Business. There were no objections.

CONSENT AGENDA

LaPorte moved, Kindsvater seconded, **CARRIED**, to approve Consent Agenda item A., as corrected, and items B. and C. as presented.

A. City Council Minutes of July 19, 2010 Regular Meeting: Approve

The minutes were corrected to show that the Easement Agreement for Brine Line Operation from Cargill Incorporated was tabled rather than approved with changes.

B. Board of Cemetery Trustees Minutes of June 15, 2010 Meeting: Receive

Member Krebs noted that the reference to the shared costs for electricity for the cemetery shed should exclude Beautification, since they do not occupy the building.

C. Housing Commission Minutes of July 20, 2010 Meeting: Receive

ORDINANCES AND RESOLUTIONS – None.

REPORTS FROM ADMINISTRATION

City Superintendent

The next Strategic Planning Workshop with SEMCOG representative Naheed Huq was scheduled for Monday, August 23, 2010 at 6:00 pm at the Municipal Building.

The CSX Agreement for the Whiting St railroad driveway crossings was still under review by the attorney. The CSX bikepath grade crossing on Brown St will be finished once the asphalt is installed.

The Fred Moore Hwy road reconstruction project is complete. St Clair Hwy is open, and the turn radius issue at Oak St was corrected. There are a few outstanding items left before the project is finished.

City Attorney – None.

City Departments - None.

Authority, Board, Commission, Committee Chairman or Council Representative – None.

UNFINISHED BUSINESS

Confirm Appointments to Downtown Development Authority

Mike Vinckier, owner of the St Clair Dollar Store in the Riverview Plaza, was introduced and outlined his qualifications and interests for appointment to the Downtown Development Authority. Mayor and Councilmembers questioned Mr Vinckier about his role on the DDA and his position on issues facing the downtown area. The appointment was supported by DDA Chairman Dan Lockwood.

Burns moved, LaPorte seconded, CARRIED, to confirm the Mayoral appointment of Mike Vinckier, 201 N Riverside Ave, to complete the unexpired term of Arthur Geldres on the Downtown Development Authority; present term to expire December 31, 2011.

NEW BUSINESS

Approve Issuance of Special Events Permit for St Mary's Fall Festival

Council received a memorandum from the Police Chief dated July 27, 2010 containing a recommendation for approval of a special events permit for St Mary's Catholic Church to conduct the Annual Fall Festival on parish grounds on September 24, 25, and 26, 2010, including Orchard Street closure beginning September 20, 2010. The applicant has complied with necessary requirements of the Special Events Ordinance and issuance of the permit is recommended.

Kindsvater moved, Foley seconded, CARRIED, to grant the St. Mary's Catholic Church special events permit request.

CLAIMS AND ACCOUNTS – July 22 and 29, 2010

Check registers listing the bills for the period ending July 22, 2010 (check numbers 28117 -> 28166) and July 29, 2010 (check numbers 28167 -> 28224) were presented for Council review.

LaPorte moved, Kindsvater seconded, CARRIED, to approve payment of July 22, and 29, 2010 Claims and Accounts as submitted.

PUBLIC QUESTIONS AND COMMENTS

Chris Troy, 215 N Third St, and Tim Carlson, 316 Thornapple St, regarding complaints associated with the St Clair Riverfest offshore boat race weekend. They cited property damage and inappropriate crowd activity, and questioned whether the event financially benefitted local businesses or the community. An informational report will be prepared by the Blue Water Offshore Racing Association and presented to Council.

Andy Wise, Wise Hardware, 1309 Clinton Ave, questioned the City's business purchasing policy and lack of support for his business. City Superintendent advised that the City has a policy to avoid business activity with anyone in violation of local ordinances or in default to the city. Administration is working with the owners to resolve the outstanding issues with the hardware store.

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS

Condolences were extended to the family of former postal carrier Bob Reynolds.

Council was reminded of a Special Meeting scheduled on August 9, 2010 at 7:00 pm at the Municipal Building to consider a sign variance request for The Voyageur Restaurant and to discuss marketing strategy for the industrial park.

Police Chief Jefferson discussed the police involvement in incidents surrounding the offshore boat race weekend. Generally speaking, the crowds were well-behaved. Parking was a problem in the downtown area and in the Riverview Plaza.

Appreciation was extended to those involved in the St Clair Riverfest Offshore Boat Race and St. Clair Vintage Weekend events.

ADJOURNMENT at 7:30 pm.

Janice Winn, City Clerk

Bill Cedar, Jr, Mayor

Minutes
Special City Council Meeting
Monday August 9, 2010

The meeting was called to order at 7:01 p.m. by Mayor Bill Cedar Jr. at the St Clair Council Chambers.

Members present: Councilmember Burns, Foley, Kindsvater, LaPorte, McCartney, and Mayor Cedar. Councilmember Krebs was absent.

Motion by Cedar, supported by Burns, CARRIED to excuse Councilmember Krebs

Superintendent Adkins stated the purpose for the public hearing and read the criteria from the Code of Ordinances for variance procedures.

The Public Hearing on Sign Variance Appeal of Article 8B, Downtown Redevelopment District, Section 8.32.7, Prohibited Signs for the Voyageur Restaurant, 525 S. Riverside was opened at 7:04pm.

Motion by Cedar, Supported by Kindsvater to approve the variance request

Councilmember Foley stated that he was concerned about possible repercussions from other businesses if this variance were to be granted. Superintendent Adkins and Building Official Boulier stated that the ordinance allows for petitioners to bring forward variance requests and that any party would be given the same consideration and requirements. Mr. Boulier also stated that in this case, the Planning Commission may be considering an amendment to the Downtown Code that would resolve this particular matter in the future.

Superintendent Adkins provided a summary of the proposed Planning Commission Amendment as presented at their last meeting.

Public Comment: Bill Klieman asked how many signs would be allowed at the business under the ordinance. He was told that 4 signs would be allowed according to the ordinance.

Councilmember McCartney stated that he is opposed to granting this variance. He further stated that the Planning Commission had worked very hard and for quite some time to create the new ordinance and to specifically address signs and the granting of a variance by Council could prove to be a hindrance in the future enforcement of the code.

D.J. Boulier stated that he feels that the Planning Commission was initially against LED signage as it was opposed in the Downtown Vision Plan.

Councilmember LaPorte stated that the proposed sign would also be used to promote civic events just as the previous one was used. Councilmember McCartney stated that it is the City's obligation to provide that function and we have disallowed LED message signs for others, such

**CITY OF ST. CLAIR
REGULAR COUNCIL MEETING
MONDAY, AUGUST 16, 2010 - 7:00 P.M.
BERNARD E KUHN MUNICIPAL BUILDING, 547 N CARNEY DRIVE**

Mayor Cedar convened the Regular Meeting of the City Council to order in the Council Room of the Municipal Building at 7:00 pm.

PRESENT: Mayor Cedar, Members Burns, Foley, Kindsvater, Krebs, LaPorte, McCartney.

ABSENT: None.

ADMINISTRATION: George Joachim, Kane, Clemons, Joachim & Downey; Scott Adkins, City Superintendent, Rick Jefferson, Police Chief; Mike Harrington, Director of Public Services & Engineering; Janice Winn, City Clerk.

AUDIENCE: There were 36 persons in attendance.

PLEDGE OF ALLEGIANCE was recited.

AGENDA AMENDMENTS – None.

PRESENTATIONS

Presentation of 2010 Beautification Commission Yard of the Year Awards and Discussion of Upcoming Projects

Beautification Commission Chairman Debbie Blake presented awards for the 2010 Yard of the Year to Ward 1 winners, Yola Govaere, 975 Highland Dr, Randall & Vicki Kling, 641 Prestwick, and Rodger Carter & Amy Pellegrini, 147 Brown St; Ward 2 winners, Dave & Alaina Ingles, 203 N Ninth St, Bill & Kathy Darmstaetter, 114 Victoria Ct, and Don & Betty Fryer, 1721 S Delano St; and Ward 3 winners, Dennis & Kathryn Krzyzanski, 1464 S Riverside Ave, Aimee Dolland & Robert Tyson, 705 Clinton Ave, and Brent & Cynthia Dutcher, 1060 S Twelfth St. Recognized this year for business landscape were Silk's Flower Shop, 816 Clinton Ave, St Mary's Catholic Church, 415 N Sixth St, and Eddy Elementary School, 301 N Ninth St. The process used for nominations, criteria for selection and judging, and the various prizes awarded were explained. Over 52 properties were considered for the honor.

Various projects and activities sponsored by the Beautification Commission were mentioned. Donations are needed to support the downtown hanging flower basket program, and volunteers are needed to work on the Lighting of the Lights Christmas Celebration and parade held on November 19, 2010.

CONSENT AGENDA

Foley moved, LaPorte seconded, CARRIED, to approve Consent Agenda items A., B., C., and D., as presented.

- A. City Council Minutes of August 2, 2010 Regular Meeting: Approve
- B. Beautification Commission Minutes of July 21, 2010 Meeting: Receive
- C. Library Commission Minutes of August 3, 2010 Meeting: Receive
- D. St Clair Area Fire Authority July 2010 Activity Report: Receive

ORDINANCES AND RESOLUTIONS – None.

REPORTS FROM ADMINISTRATION

City Superintendent

M-29 Corridor Committee Recommendations

City Superintendent Adkins presented the M-29 Corridor Committee recommendations and suggested timetable for delivery of the revised M-29 Corridor Action Plan to MDOT. The mission of the Plan, history of M-29 improvements, action steps to date and final recommendations of the committee were reviewed. Although the plan was accepted by Council in 2003, efforts to implement it were unsuccessful because of the lack of funding. In 2008, new traffic study data was submitted to MDOT with the goal of incorporating the M-29 Corridor design in the next State Transportation Enhancement Plan funding cycle. In 2010 a new committee was established to revise the original plan, which resulted in a hybrid plan containing the following recommendations:

- Creation of a boulevard within the Downtown Influence Area (between Clinton Ave & Vine St)
- Safety Improvements to the Plaza, Palmer Park, Pedestrian Crossing
- Boulevard to include landscaping, lighting, safe pedestrian crossing areas and greenbelt
- Retain on-street parking in downtown area
- Eliminate curb-cuts at Plaza, creating new entrances at Jay and Vine Streets
- Improvements to Clinton/M-29 pedestrian crossing and traffic light
- Installation of pedestrian crossing and traffic light at Vine St
- No changes to N Riverside from just north of St Clair Inn to north City limits, with the exception of a sidewalk expansion on the west side of the road to 6 feet in width
- Proposed traffic round- about in the area of S Riverside/Oakland/St Clair Hwy to better control traffic.

Proposed views of typical cross-sections of M-29 in the downtown area were shown in a schematic diagram. Council discussed the impact of the boulevard design and proposed changes to the existing road right-of-way; sidewalk width along Palmer Park and the Riverview Plaza; placement of street lighting; traffic flow and speed, crosswalk and intersection modifications, especially Clinton/M-29; parking configuration and number of spaces; and landscaping and loss of trees in Palmer Park. Steps needed to insure that M-29 improvements do not drastically change the footprint of Palmer Park and to make sure that the plan is earmarked in the State Transportation Enhancement Plan to be considered for future funding were targeted as the primary objectives. The City wants to be proactive and drive decisions about design features on M-29 when the next five year enhancement plan cycle becomes available. The plan can always be modified, but the concept needs to be approved and in place in order to see any construction activity or take advantage of financial opportunities.

Recommendations for design of the roadway north of Vine St and south of Clinton Ave were also discussed. There will be no modifications north of Vine St because of the change in road right-of-way restrictions and limitations caused by one lane of traffic that would result in problems with delivery trucks and safety issues. A round-about in the S Riverside/Oakland/St Clair Hwy area will transition traffic into the residential areas from the commercial downtown.

Council also discussed actions taken to place permanent pedestrian crosswalks in the downtown area, and will continue to use the temporary crosswalk signs for special events and enforce marked pedestrian crosswalk areas where needed.

DDA Chairman Dan Lockwood supported adoption of the M-29 Corridor Action Plan and indicated that the State highway is viewed as a barrier between Palmer Park and the Riverview Plaza in every plan and study for this area. The basic foundation is to provide pedestrians with a safe and secure way to cross the street.

Foley moved, McCartney seconded, to support submission of the M-29 Corridor Improvement Plan

to MDOT for inclusion in the State Transportation Enhancement Plan, subject to minimal impact on Palmer Park and minimal funds expended by the City to complete the work. Ayes: Kindsvater, Krebs, LaPorte, McCartney, Burns, Foley, Cedar. Nays: None.

Malcolm Marine Inc Business Recognition

City Superintendent recognized Malcolm Marine Inc for 50 years of service to the community, including their involvement in the presentation of the annual fireworks display.

City Attorney – None.

City Departments – None.

Authority, Board, Commission, Committee Chairman or Council Representative

Downtown Development Authority (Member LaPorte) – Details were given on the September 25, 2010 Whistles on the Water steam whistle event, the December 9, 2010 Gourmet Gallop progressive dinner and carriage ride, and the January 2011 Winter White Out.

Recreation Commission (Member Foley) – Appreciation was extended to St Clair Cruisers (Vern & Linda Cummings), and volunteers for the July 17, 2010 classic car show. Over 200 cars were displayed in Palmer Park during the event.

UNFINISHED BUSINESS – None.

NEW BUSINESS

Amendment to Library Commission By-laws, Article II, Organization, Term of Office

Council received a proposed amendment requested by the Library Commission to Article II, Section 1. Organization., and Section 2. Term of Office., of the Library Commission by-laws to establish a seven member commission, one of which shall be an officer of the Friends of the Library.

Krebs moved, Foley seconded, CARRIED, to approve the amendment to Article II, Section 1. Organization., and Section 2. Term of Office., of the Library Commission by-laws as recommended. Ayes: Krebs, LaPorte, McCartney, Burns, Foley, Kindsvater, Cedar. Nays: None.

Confirm Appointment to Library Commission

Mayor Cedar requested confirmation of the appointment of Penny Werden as the Friends of the Library representative on the Library Commission for a one year term expiring December 31, 2010.

LaPorte moved, Krebs seconded, CARRIED, to confirm the Mayoral appointment to the Library Commission as recommended.

Confirm Appointment to Downtown Development Authority

DDA Chairman Dan Lockwood recommended the appointment of St Clair Wellness Center partner Lynn Grover, 1306 S Carney Dr, to complete the unexpired term of Patrick Coughlin on the Downtown Development Authority; present term to expire December 31, 2012. Ms Grover addressed Council and outlined her qualifications and interests for appointment to the DDA and answered questions about her reasons for applying for the position, project goals, and her position on issues facing the downtown area.

Burns moved, Kindsvater seconded, CARRIED, to confirm the Mayoral appointment to the

Downtown Development Authority as recommended.

Approve Issuance of Special Events Permit for DDA Steam Whistle Event

Council received a memorandum from the Police Chief dated August 11, 2010 containing a recommendation for approval of a special events permit for the Downtown Development Authority to hold a steam whistle event on September 25, 2010 from 9:00 am to 6:00 pm in Palmer Park. The applicant has complied with necessary requirements of the Special Events Ordinance and issuance of the permit is recommended.

Kindsvater moved, McCartney seconded, CARRIED, to grant the St Clair Downtown Development Authority special events permit request.

Request to Use City Right-of-Way – Simply Marcella, 503 N Riverside Ave

Council received correspondence dated August 11, 2010 from Simply Marcella, 503 N Riverside Ave, explaining the request to place a tent in the Vine St right-of-way on August 26, 2010 to conduct a business “spa” event. Approval of the use is recommended contingent on receipt of all necessary documents and compliance with ordinance requirements.

Kindsvater moved, McCartney seconded, CARRIED, to approve the Simply Marcella right-of-way use as recommended.

Request for Temporary Outdoor Service Permit – LaCroix’s Riverside Pub, Inc

Council received a Police Chief memorandum dated August 12, 2010, summarizing the request of LaCroix’s Riverside Pub, 314 Clinton Avenue, to obtain a temporary outdoor service permit through the Liquor Control Commission to serve food and alcohol adjacent to their business during an October 8-10, 2010 benefit Harvest Fest. Tents, temporary fencing, and temporary sidewalk for pedestrian traffic would be placed in the public right-of-way and parking areas along Fourth St to accommodate the service area. The applicant has complied with necessary requirements of the Special Events Ordinance and issuance of the permit is recommended.

Kindsvater moved, Foley seconded, CARRIED, to approve the LaCroix’s Riverside Pub temporary outdoor service permit request.

CLAIMS AND ACCOUNTS – August 6 and 12, 2010

Check registers listing the bills for the period ending August 6, 2010 (check number 28225 - >28280), and for the period ending August 12, 2010 (check number 28281 ->28346) were presented for Council review.

LaPorte moved, Kindsvater seconded, CARRIED, to approve payment of August 6, and 12, 2010 Claims and Accounts as submitted.

PUBLIC QUESTIONS AND COMMENTS

Bill Klieman, 1374 S Riverside Ave, questioned industrial park prospects and the status of an amendment to the Act 425 land transfer agreement with St Clair Township. Administration continues to work and explore options for development of the industrial park property.

Mike Grover, St Clair Wellness Center, regarding the request for permanent placement of pedestrian crosswalk signage on M-29 for safety concerns. He asked the city to exercise its right to protect citizens and visitors to the community from the dangers associated with crossing a state highway by leaving the temporary signs used for special events in place continuously. Letters from

the St Clair Art Association, St Clair Rotary Club, Riverview Plaza, DDA, business owners, and individuals were presented in support of the request. City Superintendent advised that the city is working with MDOT to obtain permanent crossing equipment, and there is currently no provision for effective use of temporary signs on a permanent basis without a permit from MDOT. The Police Department supports permanent signage for safe pedestrian crossing as a long term solution. It was also noted that vehicles are required to yield to pedestrians at a marked crosswalk whether signs are present or not.

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS

Member McCartney announced details of the Chamber of Commerce "Experience Michigan" raffle. Tickets are available from any Chamber member.

Member Foley announced details of the annual St Clair Little League benefit golf outing on Aug 21, 2010 at Pine Shores Golf Course to benefit the new fields on Fred Moore Highway.

CLOSED SESSION – Request for Closed Session to Discuss Strategy Connected with the Negotiation of a Collective Bargaining Agreement with Employees Represented by the Police Officers Labor Council (POLC)

McCartney moved, Krebs seconded, CARRIED, to recess Regular Session and meet in Closed Session pursuant to Section 8(c) of the Open Meetings Act to discuss strategy connected with the negotiation of a collective bargaining agreement with employees represented by the Police Officers Labor Council (POLC). Ayes: LaPorte, McCartney, Burns, Foley, Kindsvater, Krebs, Cedar. Nays: None.

At 8:30 pm, Council recessed into Closed Session and resumed Regular Session at 8:53 pm.

ADJOURNMENT at 8:55 pm.

Janice Winn, City Clerk

Bill Cedar, Jr, Mayor

**CITY OF ST. CLAIR, MICHIGAN
CITY COUNCIL SPECIAL MEETING
MONDAY AUGUST 23, 2010
MUNICIPAL BUILDING, 547 N CARNEY DR**

Mayor Cedar called the Special Council Meeting to order in the Council Chambers of the Municipal Building, 547 North Carney Drive, St Clair MI 48079 at 6:00 pm, for the purpose of holding a Strategic Planning Workshop.

PRESENT: Mayor Cedar, Members Burns, Foley, Kindsvater, Krebs, LaPorte, McCartney.

ABSENT: None.

ADMINISTRATION: Janice Winn, City Clerk, Mike Booth, City Accountant.

ALSO PRESENT: Naheed Huq, SEMCOG

AUDIENCE: Dan Lockwood, Jodi Skonieczny, Lynn Grover, Fred Moore, Bill Klieman.

Mayor Cedar turned the meeting over to SEMCOG Representative Naheed Huq to facilitate the Strategic Planning Workshop. Ms Huq reviewed the progress made at the last workshop and the five previously identified priorities and goals and 15 sub goals under those categories established by Council in 2010. Huq then lead the council through an exercise where they were asked to identify and expand upon the framework already established by listing strengths, weaknesses, and opportunities for each of the sub goals.

Expand Business, Commercial, and Industrial Tax Base: The biggest challenge viewed with this priority was to keep educated young people from leaving the community, and to attract new residents with families to the community.

Coordinated Leadership: Efforts put forth on joint meetings with surrounding townships are not producing concrete results. Increased opportunities for city/township operational and service consolidation and internal department consolidation should be pursued more aggressively. The community vision plan is a marketing strength but it needs to be implemented. There is no real progress from the EDA on attracting industrial business tenants to the industrial park, and shifting the role of business attraction and retention to the Chamber of Commerce and DDA should be explored. Any strategy also has to be linked to the township negotiations on amendments to the Act 425 land transfer agreement.

Enhancements and Improvements to City Streets, Roads, and Sidewalks: Challenge of this priority is to design a more aggressive sidewalk maintenance program. Discussed the success of the dual role of the Department of Public Services/Engineer position designed to offset the use of a consulting engineer. Smaller projects and inspection services for the city are being handled at a significant cost savings as well as good improvement in services and internal efficiencies.

Critical Infrastructure: Establish preventive maintenance and failure analysis programs. Emergency maintenance process is in place for proactive infrastructure management. Identified the need for a water line assessment similar to the televising of the sewer system.

Emergency Preparedness: Challenge of this priority is that a hospital merger could leave St Clair without local service.

At the conclusion of open discussion, action steps were developed for each of the goals which form the basis of creating or involving the city that meets the mission statement to create the community of the future St Clair.

Action Steps

Expand Business

- Institute quarterly meetings with DDA to coordinate priority developments.
- Look at what needs to be done to build on strengths, overcome weaknesses, etc.
- Michigan needs to “grow our own” or encourage entrepreneurship based on principles of collaboration and partnerships communication.
- Use of neighboring communities/public/private partnerships to take the city to the next level.
- Evaluate government efficiencies and responsiveness. Is it better to attract new businesses, or expand and support existing business? Look at the region and growth opportunities for communication and collaboration.
- Meet with EDA partners to give updates.
- Benchmark city’s strengths to expand existing and new businesses to develop a basis for marketing strategy.

Coordinated Leadership

- Continue to search for and build joint opportunities to collaborate and partner with townships on areas that make sense and those with proven success, i.e. little league park.
- Increase relationships with partners on economic development efforts.

Enhancements to Streets, Roads, Sidewalks

- Enhance sidewalk maintenance program.
- Look at forming other authorities, i.e. joint sewer authority
- Make M-29 a safer crossing to get people downtown (working with MDOT)

Emergency Preparedness

- Plans should be prepared with local input
- Analyze and reassess County security plan to address city’s concerns on emergency needs, i.e. water supply
- Look at sharing water supply with other communities for emergencies.

Each member of Council was asked to participate in a follow up activity to develop and report on an outcome to implement one of these action steps and its foundation. Huq discussed a preferred time frame for completion of these efforts, and the scheduled meetings to be held before the final presentation of the Strategic Plan to the Council on October 18, 2010.

The next Strategic Planning Workshop will be held on September 20, 2010 prior to the regular council meeting.

Adjourned at 7:10 pm.

Janice Winn, City Clerk

**CITY OF ST. CLAIR
REGULAR COUNCIL MEETING
TUESDAY, SEPTEMBER 7, 2010 - 7:00 P.M.
BERNARD E KUHN MUNICIPAL BUILDING, 547 N CARNEY DRIVE**

Mayor Cedar convened the Regular Meeting of the City Council to order in the Council Room of the Municipal Building at 7:00 pm.

PRESENT: Mayor Cedar, Members Burns, Foley, Kindsvater, Krebs, LaPorte, McCartney.

ABSENT: None.

ADMINISTRATION: George Joachim, Kane, Clemons, Joachim & Downey; Scott Adkins, City Superintendent, Rick Jefferson, Police Chief; Mike Harrington, Director of Public Works and Engineering; Janice Winn, City Clerk.

AUDIENCE: There were five persons in attendance.

PLEDGE OF ALLEGIANCE was recited.

AGENDA AMENDMENTS – Mayor Cedar requested that the agenda be amended to add a request from the Marine Corps League for a special events permit for the Dewayne Williams Memorial dedication as item E. of New Business. There were no objections.

CONSENT AGENDA

LaPorte moved, Kindsvater seconded, CARRIED, to approve Consent Agenda items A., B., C., D. and E., as presented.

- A. City Council Minutes of August 9, 2010 Special Meeting, August 16, 2010 Regular Meeting, and August 23, 2010 Strategic Planning Workshop: Approve
- B. Downtown Development Authority Minutes of June 17, and July 15, 2010 Meetings: Receive
- C. Historical Commission Minutes of July 8, 2010 Meeting: Receive
- D. Housing Commission Minutes of August 18, 2010 Meeting: Receive
- E. Designation of Voting Delegate to Michigan Municipal League Annual Meeting: Appoint City Superintendent as Official Representative

PRESENTATIONS

Presentation on Storm Water Management – St Clair County Health Department

Sherri Faust, St Clair County Health Department, presented the St Clair County Watershed Advisory Board 2010 Storm Water Program update of activities. The City participates in a county consortium for watershed management designed to meet federal storm water regulations in the most cost effective manner possible. The Health Department and SEMCOG recently cooperated in preparation of the Storm Water Pollution Prevention Plan, which outlines the activities the city intends to pursue from 2010-2013 to control storm water discharge. The cooperative effort also provides assistance with major elements of the storm water permit administration and compliance, budget preparation to meet permit regulations, public education and participation, watershed signage, and formal adoption of post construction rules, all at a reduced cost. Future activities include a grant award from the state to monitor e-coli and the water quality in the Pine River for 2011.

Council discussed with Ms Faust penalties for noncompliance, and the status of Port Huron municipal sewer system discharges and overflows and how they affect water quality in St Clair.

ORDINANCES AND RESOLUTIONS – None.

REPORTS FROM ADMINISTRATION

City Superintendent

A weekly letter of upcoming events and activities distributed to Council was reviewed.

City Attorney – None.

City Departments

Authority, Board, Commission, Committee Chairman or Council Representative

Beautification Commission (Member Krebs) – Volunteers are needed to help build Santa's float for the Celebration of Lights parade in November.

UNFINISHED BUSINESS – None.

NEW BUSINESS

Award Contract for 2010 Miscellaneous Road Reconstruction Projects

City Superintendent Adkins reported the recommendation to accept the \$34,300 and \$13,125 bids of James P Contracting and award the contracts for the 2010 Miscellaneous Road Reconstruction and alternate Hillside Cemetery Driveway Projects. Work includes milling and resurfacing portions of Witherell St (Sixth St to Ninth St), North/South Delano (east end at the horseshoe), and Second St (Brown St to Benedict), and paving of Harriet St (S Riverside Ave to Goffe St). An alternate bid was also sought for paving the Hillside Cemetery driveways. Bids were received from James P Contracting (\$34,300, \$13,125 alt), Astec Asphalt (\$48,759, \$20,050 alt), and Pro-Line Asphalt Paving (\$67,420.15, \$19,867.68 alt). The project is included in the 2009-2010 Local Streets budget; the cemetery portion will be taken from the Cemetery Perpetual Care Fund.

Council discussed the amount budgeted for road repairs, the linear footage of roads to be paved, an estimated current maintenance cost for the roads if left unimproved, cost savings associated with the use of in-house vs contractual engineering services, and whether any funds remained in the budget for additional road work. This year's remaining budgeted funds were already used to maintain existing roads throughout the city.

Bill Klieman, 1374 S Riverside Ave, favored the use of a St Clair County asphalt contractor to perform the work, although it was questionable whether any were still in business.

LaPorte moved, Krebs seconded, CARRIED, to accept the \$34,300 and \$13,125 bids of James P Contracting and award the contract for the 2010 Miscellaneous Road Reconstruction Projects and the alternate Hillside Cemetery driveway paving project as recommended. Ayes: McCartney, Burns, Foley, Kindsvater, Krebs, LaPorte, Cedar. Nays: None.

Accept Proposal for 2010-2011 Property and Liability Insurance Program

Council received a summary of the two property-liability coverage proposals submitted to the City of St. Clair for its October 1, 2010 renewal. Specific lines of coverage and comparable deductibles, related premium costs, and a comparison of differences in the proposals were reviewed by City Superintendent Adkins. The Michigan Municipal League Liability and Property Pool program premium proposal amount was \$88,615; the Nickel & Saph amount was \$69,997, a difference of \$18,618 annually.

An examination of coverage tradeoffs and prioritization of certain features of both policies, including occurrence vs aggregate limits, sewer back-up, terrorism, pollution, seawall, blanket vs line item coverage, and the liability exposure created were evaluated in deciding which proposal to accept. After reviewing the recommendations, administration favored the Michigan Municipal League Liability and Property Pool program with the same profile as last year's coverage. The coverage would be provided at a \$9,000 cost savings over the previous year coverage.

Council discussed the bid process and reasons for differences in proposal amounts and lower premium costs this year. Hiring an insurance consultant with expertise in municipal risk management to conduct a complete review, solicitation and evaluation of proposals for next year's coverage was recommended.

LaPorte moved, Kindsvater seconded, CARRIED, to accept the base proposal of the Michigan Municipal League Liability and Property Pool for the existing coverage limit and deductible configuration in the amount of \$88,615.00 for the period of October 1, 2010 to September 30, 2011. Ayes: Burns, Kindsvater, Krebs, LaPorte, McCartney, Cedar. Nays: Foley.

Approve Issuance of Special Events Permit for Children's Leukemia Foundation Walk

Council received a memorandum from the Police Chief dated September 2, 2010 containing a recommendation for approval of a special events permit for the Children's Leukemia Foundation of Michigan to hold a three mile walk fundraising event on September 18, 2010 from 7:00 am to 2:00 pm on various city streets. Approval of the permit is recommended contingent upon compliance with the necessary requirements of the Special Events Ordinance, including a specific route map.

Kindsvater moved, McCartney seconded, CARRIED, to grant the Children's Leukemia Foundation of Michigan special events permit request.

Approve Issuance of Special Events Permit for Community Sidewalk Chalk Event

Council received a memorandum from the Police Chief dated September 2, 2010 containing a recommendation for approval of a special events permit for the St Clair Chamber of Commerce/St Clair Art Association to hold a community sidewalk chalk event on September 25, 2010 from 10:00 am to 5:00 pm along sidewalks on M-29 and Clinton Ave in the downtown area. The applicant has complied with necessary requirements of the Special Events Ordinance and issuance of the permit is recommended.

Kindsvater moved, Krebs seconded, CARRIED, to grant the St Clair Chamber of Commerce/St Clair Art Association special events permit request.

Approve Issuance of Special Events Permit for Dewayne Williams Memorial Dedication

Council received a memorandum from the City Superintendent dated September 7, 2010 containing a recommendation for approval of a special events permit for the Marine Corps League to hold a Dewayne Williams Memorial dedication ceremony on September 18, 2010 at 1:00 pm at Palmer Park Manor. Several hundred people are expected to attend the placement and dedication of the

memorial for the Vietnam Veteran. Approval of the permit is recommended contingent upon compliance with the necessary requirements of the Special Events Ordinance.

Kindsvater moved, Foley seconded, CARRIED, to grant the Marine Corps League special events permit request.

CLAIMS AND ACCOUNTS – August 18 and 25, and September 3, 2010

Check registers listing the bills for the period ending August 18, 2010 (check number 28347 - >28408), ending August 25, 2010 (check number 28409 ->28452) and for the period ending September 3, 2010 (check number 28453 ->28498) were presented for Council review.

Member Burns questioned engineering costs for the St Clair Hwy road reconstruction project.

LaPorte moved, Kindsvater seconded, CARRIED, to approve payment of August 18, 25 and September 3, 2010 Claims and Accounts as submitted.

PUBLIC QUESTIONS AND COMMENTS – None.

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS

Trash collection will be delayed one day this week because of the Labor Day holiday.

The St Clair Garden Club Pantry Sale will be held Wednesday, September 8, 2010 at the farmer's market on Fred Moore Hwy.

The St Clair Lions Club will hold a pancake breakfast on Sunday, September 12, 2010 at the Lions Club Hall on King Rd and St Clair Hwy.

CLOSED SESSION – Request for Closed Session to Discuss Strategy Connected with the Negotiation of a Collective Bargaining Agreement with Employees Represented by the Police Officers Labor Council (POLC)

Foley moved, Kindsvater seconded, CARRIED, to recess Regular Session and meet in Closed Session pursuant to Section 8(c) of the Open Meetings Act to discuss strategy connected with the negotiation of a collective bargaining agreement with employees represented by the Police Officers Labor Council (POLC). Ayes: Foley, Kindsvater, Krebs, LaPorte, McCartney, Burns, Cedar. Nays: None.

At 7:45 pm, Council recessed into Closed Session and resumed Regular Session at 8:05 pm.

ADJOURNMENT at 8:06 pm.

Janice Winn, City Clerk

Bill Cedar, Jr, Mayor

**CITY OF ST. CLAIR
REGULAR COUNCIL MEETING
MONDAY, SEPTEMBER 20, 2010 - 6:00 P.M.
BERNARD E KUHN MUNICIPAL BUILDING, 547 N CARNEY DRIVE**

STRATEGIC PLANNING WORKSHOP – Naheed Huq, SEMCOG

Mayor Cedar convened the Strategic Planning Workshop of the City Council to order in the Council Room of the Municipal Building at 6:05 pm.

PRESENT: Mayor Cedar, Members Burns, Foley, Kindsvater, Krebs, LaPorte.

ABSENT: Member McCartney.

ADMINISTRATION: Scott Adkins, City Superintendent, Janice Winn, City Clerk.

ALSO PRESENT: Naheed Huq, SEMCOG; Dan Lockwood, Lynn Grover, DDA; Jody Skonieczny, St Clair Chamber of Commerce.

The workshop was turned over to SEMCOG facilitator Naheed Huq, who updated Council on the strategic planning process. Ms Huq reviewed the August 23, 2010 meeting notes, when council completed the strengths and weaknesses for each of the five strategic plan priority items and developed action steps and champion items to implement the mission. Each goal included multiple steps of interest, focusing on what is important to council, what is realistic, and what would make the most impact. The list of priority items will be incorporated in the final plan to be developed following additional input with council, administration, and other stakeholders. A sixth priority – “Enhance and Promote the Quality of Life” to address challenges in neighborhoods, was added by the consensus of council. This priority item will develop a plan to incorporate existing branding initiatives, and develop and implement tools for action steps in neighborhoods.

Each action step was presented by the councilmember or city superintendent serving as the champion for that step, and reports given to define the action step, identify objectives, partners, and outcomes, develop performance measures, a time frame for implementation, and identify who or what other organizations need to be involved to make implementation a reality.

Discussion on the various action steps followed. Ms Huq indicated that coordination and collaboration would exist in many areas, as well as duplication and overlap that could result in the combination of action steps, stronger relations, and sharing of services down the road.

Presentation of the strategic plan to council is expected at the November 1, 2010 meeting. Action begins once the plan is adopted by council. A special strategic planning workshop was scheduled for Monday, October 25, 2010, 6:00pm-8:00pm, to finalize all items prior to presentation of the final report.

The Strategic Planning Workshop ended at 6:59 pm.

REGULAR SESSION

Mayor Cedar convened the Regular Meeting of the City Council to order in the Council Room of the Municipal Building at 7:00 pm.

PRESENT: Mayor Cedar, Members Burns, Foley, Kindsvater, Krebs, LaPorte.

ABSENT: Member McCartney.

ADMINISTRATION: George Joachim, Kane, Clemons, Joachim & Downey; Scott Adkins, City Superintendent, Mike Booth, Accountant; Janice Winn, City Clerk.

AUDIENCE: There were 12 persons in attendance.

PLEDGE OF ALLEGIANCE was recited.

Kindsvater moved, Krebs seconded, CARRIED, to record the absence of Member McCartney as excused.

AGENDA AMENDMENTS – None.

CONSENT AGENDA

LaPorte moved, Kindsvater seconded, CARRIED, to approve Consent Agenda items A., B., C., and D., as presented.

- A. City Council Minutes of September 7, 2010 Regular Meeting: Approve
- B. Beautification Commission Minutes of August 11, 2010 Meeting: Receive
- C. Historical Commission Minutes of August 12, 2010 Meeting: Receive
- D. St Clair Area Fire Authority August , 2010 Activity Report: Receive

ORDINANCES AND RESOLUTIONS

Resolution No. 10-14 - Amending 2009-2010 Annual Budget

RESOLVED, that the revised list of expenditures for the 2009-2010 budget, attached as “Exhibit A” to this Resolution, be approved effective September 30, 2010.

The City Accountant submitted a list of proposed amendments to the 2009-2010 annual budget containing a list of funds requiring amendment prior to the end of the fiscal year. Minor adjustments to the budget totaling \$82,443 are recommended to bring accounts into balance and insure that the City will be in compliance with state law governing municipal budgeting.

Reasons for budget transfers and amendments for various General Fund line items, including both revenues and expenditures were explained by the City Accountant. An outline was distributed showing major changes and drivers in General Fund Revenue due to decreases in state shared revenues and interest earnings and increases in franchise fees and reimbursement for police border patrol activities; and major changes and drivers in General Fund Expenses due to increases in recreation/park maintenance, public works, library (reimbursable by donations), fringe benefits, and community promotions, and decreases to City unallocated, cemetery, community forestry/tree maintenance, elections, accounting, and fire expenditures. The largest expense reflected was the \$123,300 increase in recreation/parks due to labor for the skatepark and little league park, and significant improvements to Greig Park and Palmer Park completed by the DPW. Overall, the fund balance was decreased by \$86,269 at year end.

Councilmembers discussed specific areas of the budget, including the reasons for decreases in community forest/tree maintenance and cemetery due to less contractual work, and uses of the Perpetual Care Fund to support cemetery road improvements.

LaPorte moved, Kindsvater seconded, CARRIED, to adopt Resolution No. 10-14, the 2009-2010 Annual Budget Amendment Resolution. Ayes: Kindsvater, Krebs, LaPorte, Burns, Foley, Cedar. Nays: None. RESOLUTION ADOPTED

REPORTS FROM ADMINISTRATION

City Superintendent

A weekly letter of events and activities that was distributed to Council was reviewed.

Exterior renovation to the elevated water storage tank is complete and interior work is underway. Most of the project is expected to be done by the end of October.

Condolences were extended to the family of former DPW employee Mike Malane III on their recent loss.

Miscellaneous road improvement projects have started in all areas of the city. Jay St and Thornapple St were dropped in favor of other projects that were more affordable, but will be moved up from the 2011 to the 2010 project list. Because of the savings, money is also available for additional sidewalk repair projects.

The St Clair Twp/City of St Clair water supply agreement is being revised for clarifications and corrections and will be returned to the Twp for their review and approval before being presented to council for adoption.

No update was available on the status of the Cargill Salt Co easement agreement for brine line operation on St Clair Highway.

The St Clair Inn PUD issues will be addressed jointly by the Planning Commission and City Council to develop a recommended strategy.

Bill Klieman, 1374 S Riverside Ave, questioned the cost of the extra road work to Jay St and Thornapple St and whether the additional roads were included in the original bid specifications. The streets were listed but omitted this year because of cost. However, because of the favorable pricing on the priority jobs, and the DPW performing a good portion of the road and drainage structure work in-house, they will be advanced to the 2010-2011 budget cycle.

Concerns regarding site restoration of residential properties in the Ninth St, Brown St area following a SEMCO Energy gas main upgrade project should be directed to Mike Harrington, Director of DPW and Engineering.

City Attorney – None.

City Departments – None.

Authority, Board, Commission, Committee Chairman or Council Representative – None.

UNFINISHED BUSINESS

NEW BUSINESS

Separation of St Clair Housing Commission from City of St Clair

City Superintendent gave a background and history of the separation request of the St Clair Housing Commission from the City of St Clair as their employer. The Commission has the option to function as a separate employer due to a 1996 amendment to the Housing Facilities Act and wishes to exercise that option. Attorneys worked through concerns of the ability to separate, retention of ownership of the property at 400 S Third St, and health and life insurance, and pension mechanisms for Housing Commission employees. Adoption of the Separation Agreement, a Resolution for a MERS Transfer Agreement, and determination of whether to continue to provide health and life insurance coverage subject to the payment of premiums by the St Clair Housing

Commission are needed to accomplish the split.

City Attorney Joachim advised that initial concerns regarding ownership of the real estate were examined, and he is comfortable that the property is owned by the city and will continue to be in the future. Housing Commission responsibilities, and any operational changes that affect residents at the senior housing complex should be transparent.

Councilmembers discussed the incentives for the separation request and its effect on wage allocation, budgetary issues, employment practices, and health insurance coverage for employees. Housing Commission Executive Director Lorena Loren explained that HUD practices mandate certain functions of the Housing Commission and an operating subsidy for the housing program could be jeopardized if rules are not followed. Currently the St Clair Housing Commission is a high performer with a 100% occupancy rate.

Options for providing health care coverage as currently extended through the City's plan, to amend the coverage to a set time frame, or to remove the language altogether from the draft agreement were discussed. Factors to consider are the annual rates provided due to evaluation of health and medical census of employees, and the ability to obtain coverage from another health care provider. The separation agreement currently provides for continuation of health and life insurance coverage for employees as long as an intergovernmental agreement exists. The benefit is reimbursable to the administering agency through HUD.

Kindsvater moved, LaPorte seconded, CARRIED, to approve the Separation Agreement with St Clair Housing Commission with the additional provision that employee health and life insurance costs will be reimbursed to the City; and the City has the option annually to discontinue that coverage. Ayes: Krebs, LaPorte, Burns, Foley, Kindsvater, Cedar. Nays: None.

Resolution No. 10-15 – Adopting MERS Joint Transfer Agreement for St Clair Housing Commission

RESOLVED, that the Joint Transfer Agreement concerning MERS assets and liabilities for all current and past employees of the St Clair Housing Commission participating in the City of St Clair MERS plan (Division #11) to the separate and independent MERS program of the St. Clair Housing Commission be adopted as presented. (See Resolution)

Kindsvater moved, LaPorte seconded, CARRIED, to adopt Resolution No. 10-15, the St Clair Housing Commission MERS Joint Transfer Agreement Resolution. Ayes: LaPorte, Burns, Foley, Kindsvater, Krebs, Cedar. Nays: None.

Confirm Appointment to Historical Commission

Mayor Cedar requested confirmation of the appointment of Timothy Carlsen, 316 Thornapple St, to fill a vacancy on the Historical Commission to complete the balance of a three year term expiring December 31, 2012. The appointment was recommended by the Historical Commission.

Krebs moved, Foley seconded, CARRIED, to confirm the Mayoral appointment to the Historical Commission as recommended.

Request to Amend Boathouse Area Lease – Bastian, 1131 S Fifth St

Council received the request of Jean Bastian to amend the lease for boathouse area property located at 1131 S Fifth Street to add the names of Greg and Patrice Hawkins, 910 Vine St, as joint owners. Ms Bastian has sold one-half interest in the boathouse to them, they are on the waiting list, and meet all other requirements of ownership.

Foley moved, Krebs seconded, CARRIED, to approve the 1131 S Fifth Street boathouse area lease amendment request from Bastian to Bastian-Hawkins as recommended.

Request to Use City Right-of-Way – Simply Marcella, 503 N Riverside Ave

Council received a memorandum from the Police Chief dated September 16, 2010 and correspondence dated September 8, 2010 from Simply Marcella, 503 N Riverside Ave, explaining the request to place a tent in the Vine St right-of-way on November 6, 2010 to conduct a second anniversary event. The applicant has met all the ordinance requirements and approval of the use is recommended.

Council discussed the close proximity of the tent to Vine St and possible pedestrian hazards created by obstructing the sidewalk, or vehicle traffic turning from N Riverside Ave onto Vine St. Suggestions to minimize the risk, including creation of a pedestrian walkway with snow fencing alongside the tent, addition of signage, deferring pedestrian traffic to the south side of Vine St or closing the road altogether were offered by council and Building Inspector DJ Boulier.

LaPorte moved, Burns seconded, CARRIED (Foley-no), to table the Simply Marcella right-of-way use request and refer pedestrian safety issues associated with the use to administration for a recommendation on the best possible option.

CLAIMS AND ACCOUNTS – September 9 and 16, 2010

Check registers listing the bills for the period ending September 9, 2010 (check number 28499 -> 28546), and for the period ending September 16, 2010 (check number 28547 -> 28594) were presented for Council review.

Council questioned check #28551 to American Electric for repairs to the harbor truck.

LaPorte moved, Kindsvater seconded, CARRIED, to approve payment of September 9 and 16, 2010 Claims and Accounts as submitted.

PUBLIC QUESTIONS AND COMMENTS

St Clair Chamber of Commerce Director Jody Skonieczny extended an invitation to participate in the September 25, 2010 Whistles on the Water, Chalk the Walks community sidewalk chalk event, and St Clair Historical Commission maritime room dedication.

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS

Details were announced for the upcoming annual fall festival at St Mary's Catholic Church.

Appreciation was extended to those involved in the arrangements for the dedication ceremony program for the Pfc Dewayne Williams memorial held on September 18, 2010.

ADJOURNMENT at 7:50 pm.

Janice Winn, City Clerk

Bill Cedar, Jr, Mayor

**CITY OF ST. CLAIR
REGULAR COUNCIL MEETING
MONDAY, OCTOBER 4, 2010 - 7:00 P.M.
BERNARD E KUHN MUNICIPAL BUILDING, 547 N CARNEY DRIVE**

Mayor Cedar convened the Regular Meeting of the City Council to order in the Council Room of the Municipal Building at 7:00 pm.

PRESENT: Mayor Cedar, Members Burns, Kindsvater, LaPorte, McCartney.

ABSENT: Members Foley, Krebs.

ADMINISTRATION: James Downey, Jr, Kane, Clemons, Joachim & Downey; Scott Adkins, City Superintendent; Mike Booth, Accountant; Janice Winn, City Clerk.

AUDIENCE: There were six persons in attendance.

PLEDGE OF ALLEGIANCE was recited.

McCartney moved, Kindsvater seconded, CARRIED, to record the absences of Members Foley and Krebs as excused.

AGENDA AMENDMENTS – None.

CONSENT AGENDA

LaPorte moved, Kindsvater seconded, CARRIED, to approve Consent Agenda items A., B., and C., as presented.

- A. City Council Minutes of September 20, 2010 Regular Meeting: Approve
- B. Board of Cemetery Trustees Minutes of July 20, and August 17, 2010 Meetings: Receive
- C. Downtown Development Authority Minutes of August 19, 2010 Meetings: Receive

ORDINANCES AND RESOLUTIONS – None.

REPORTS FROM ADMINISTRATION

City Superintendent - EDA Development Projects

City Superintendent updated Council on the business expansion plans of Engineered Plastic Components in the former Blue Water Plastics facility at 2015 Range Rd, and the relocation of Craig Assembly, Inc from their existing location at 1216 Fred Moore Hwy to a new location at 1111 Fred Moore Hwy. Council was asked to consider establishment of a Plant Rehabilitation District for Craig Assembly, Inc and also various transfers and new industrial facilities exemption certificates to accommodate the project plans.

LaPorte moved, Kindsvater seconded, CARRIED, to schedule public hearings on Monday, October 18, 2010 at 7:00 pm at the Municipal Building, 547 N Carney Dr, St Clair, MI 48079 on the request of Engineered Plastic Components to transfer an existing industrial facilities exemption certificate and apply for a new industrial facilities exemption certificate for 2015 Range Rd; and on the request of Craig Assembly Inc to establish a Plant Rehabilitation District for 1111 Fred Moore Hwy, transfer three industrial facilities exemption certificates, and apply for a new industrial facilities exemption certificate under PA 198 of 1974, as amended.

City Attorney – None.

City Departments – None.

Authority, Board, Commission, Committee Chairman or Council Representative

Downtown Development Authority Chairman Dan Lockwood reported that 70 steam whistles participated in the Whistles on the Water whistle blowing event and 280 boxes of chalk were distributed for the Chalk the Walk community art event held on September 25, 2010. Appreciation was extended to city administration and employees for the role they played in the success of the activities.

UNFINISHED BUSINESS

Request to Use City Right-of-Way – Simply Marcella, 503 N Riverside Ave

City Superintendent advised that safety concerns brought up at the last meeting have been addressed by the building inspector, and approval of the request of Simply Marcella to occupy the public right-of-way along Vine St for a business anniversary event is recommended. A smaller tent will be placed immediately adjacent to the building to provide a 4'-5' clear sidewalk pathway for pedestrians. Council discussed the evaluation process used for previous events, and suggested that future requests be directed to the Planning Commission for review and compliance with the permit process for temporary structures.

Kindsvater moved, LaPorte seconded, CARRIED, to approve the Simply Marcella Vine Street right-of-way use request.

Amendments to St Clair Township Water Agreement

Council received an amendment to the August 22, 2000 Water Supply Agreement with St. Clair Township spelling out the terms and conditions under which the City will sell water to the Township for resale to users of the Township system.

Accountant Booth explained terms of the agreement and recommendations for amendments made after a complete review of the agreement was undertaken over the past several years by representatives of both municipalities and legal counsel. Major changes to the agreement are the establishment of a rate calculator, creation of a system-wide map, and a district map providing details of usage for certain shared lines. A contract rate increase of \$.33/1,000 gallons will be applied, raising the rate per 1,000 gallons of metered water from \$3.69 to \$4.02. Administration recommends approval of the agreement as prepared.

Bill Klieman, 1374 S Riverside Ave, questioned the sections of the agreement amended. The base contract is the same but nine total sections were amended and/or clarifications proposed.

LaPorte moved, Kindsvater seconded, CARRIED, to adopt the amendments to the City of St Clair – St Clair Township Water Supply Agreement as presented, effective October 1, 2010. Ayes: McCartney, Burns, Kindsvater, LaPorte, Cedar. Nays: None.

NEW BUSINESS

Proclamation Designating Homeless Awareness Week

Mayor Cedar proclaimed November 14-20, 2010 as Homeless Awareness Week in St Clair to recognize the plight of the less fortunate in the community and the challenges they face.

CLAIMS AND ACCOUNTS – September 23 and 30, 2010

Check registers listing the bills for the period ending September 23, 2010 (check number 28595 - >28658), and for the period ending September 30, 2010 (check number 28659 -> 28695) were presented for Council review.

LaPorte moved, Kindsvater seconded, CARRIED, to approve payment of September 23 and 30, 2010 Claims and Accounts as submitted.

PUBLIC QUESTIONS AND COMMENTS

Bill Klieman, 1374 S Riverside, regarding the need to insure the safety of workers performing local road projects. Signs were not posted during recent repairs made to Brown St, prompting concerns that the safety of workers was compromised. Referred to Director of DPW & Engineering and/or the private contractor responsible for the project.

St Clair Conservation District Chairman Mike Taylor provided a summary of agency services available to St Clair County residents and appealed to voters to support the upcoming millage proposal on the November 2, 2010 ballot. A history of the agency and their duties in the areas of conservation and the environment were described. Budget cuts required that voters be presented with a millage request of .10 mill (\$10 annually for a home with an SEV of \$100,000) to be used to reestablish programs that were cut and implement new programs such as urban conservation and tree and outdoor education.

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS

Appreciation was extended to the DDA for sponsoring the Whistles on the Water and Chalk the Walk downtown events.

Details of an upcoming pancake breakfast at the St Clair Lions Club on October 10, 2010 were announced.

ADJOURNMENT at 7:23 pm.

Janice Winn, City Clerk

Bill Cedar, Jr, Mayor

**CITY OF ST. CLAIR
REGULAR COUNCIL MEETING
MONDAY, OCTOBER 18, 2010 - 7:00 P.M.
BERNARD E KUHN MUNICIPAL BUILDING, 547 N CARNEY DRIVE**

Mayor Cedar convened the Regular Meeting of the City Council to order in the Council Room of the Municipal Building at 7:00 pm.

PRESENT: Mayor Cedar, Members Burns, Foley, Kindsvater, Krebs, LaPorte, McCartney.

ABSENT: None.

ADMINISTRATION: George Joachim, Kane, Clemons, Joachim & Downey; Scott Adkins, City Superintendent, Rick Jefferson, Police Chief; Janice Winn, City Clerk.

AUDIENCE: There were 8 persons in attendance.

ALSO PRESENT: Shaun Groden, Rene Stephen, EDA of St Clair County.

PLEDGE OF ALLEGIANCE was recited.

AGENDA AMENDMENTS – None.

PRESENTATIONS

EDA of St Clair County Update – President Shaun Groden

EDA President Shaun Groden updated Council on economic development collaboration programs and evaluation benchmark tools undertaken by the EDA. He distributed copies of the Economic Outlook for the Economic Growth Alliance Region for 2010-2012, a University of Michigan study which was the result of a five county regional cooperative effort for economic development purposes. The study provides an historical evaluation of the economy in each county, including job losses since 2001 and prospective job growth data for 2010-2012. Following a record number of jobs lost in 2009, modest growth is expected through 2012, with the health care sector, knowledge based economy sector, and entrepreneurial sectors anticipated to show the largest increase for this period. EDA officials are working on programs to help new entrepreneurs launch businesses and create partnerships to identify what services are needed to help them succeed through the transition. Also being applied is a new software upgrade to give the city information and feedback as well as an evaluation tool for future IFT applications, and a benchmark for evaluating the impact of the city granting an IFT when a company files an application. The tools will also provide an overall assessment of the business climate in the county and jobs activity.

An interactive discussion between Council and Mr Groden regarding the current and future operations of the EDA covered issues such as the availability of statistical employment reports and IFT history to the city; procedures to evaluate jobs or investment promises made by a company awarded an IFT, and revocation of a previously granted IFT if promises are broken; and the search for a new executive director. For the present time, the EDA will remain a separate entity from the county and maintain the same corporate structure with a board overseeing its operations. Candidate interviews are taking place for the executive director position with the goal of having a new director on board in 2011.

PUBLIC HEARINGS

Craig Assembly, Inc, 1111 Fred Moore Hwy - Hearing on Request to Establish Plant Rehabilitation District, to Transfer Industrial Facilities Exemption Certificate #2005-190, #2008-069, and #2009-347 from 1219 Fred Moore Hwy, and Hearing on Application for Industrial Facilities Exemption Certificate Under PA 198 of 1974, as Amended

Mayor Cedar opened the public hearing at 7:27 pm to receive public comment on the requests of Craig Assembly Inc to establish a Plant Rehabilitation District for 1111 Fred Moore Hwy, transfer three industrial facilities exemption certificates from 1216 Fred Moore Hwy, and obtain a new industrial facilities exemption certificate under PA 198 of 1974, as amended.

City Superintendent explained the company's request to establish a Plant Rehabilitation District following their relocation to 1111 Fred Moore Hwy. The facility meets the requirements of obsolescence to obtain the district, proper documentation is in order, and approval of the request is recommended. Member Foley questioned the advantages to the company of having the Plant Rehabilitation District. EDA Business Retention Specialist Rene Stephen indicated the district will allow the company to keep the taxable value of the property at its current level and avoid an immediate increase. The company hopes to complete interior work to the building to make it functional for their use.

City Superintendent next explained the request to transfer industrial facilities exemption certificates #2005-190 (\$1,004,643 in personal property), #2008-069 (\$849,774 in personal property), and #2009-347 (\$3,093,528 in personal property) from their former location at 1216 Fred Moore Hwy to their new location at 1111 Fred Moore Hwy. The certificates expire in 2010, 2012, and 2014, respectively, and the company is asking that the remaining years be transferred as the equipment has now been moved to the new location. The applications meet the qualifications for transfer and all documents are in order. No one from the audience spoke for or against the request.

City Superintendent explained the request for a new industrial facilities exemption certificate totaling \$1,651,006.19 (\$286,156.85 for 12 years personal property and \$1,364,849.34 for 6 years real property). Rene Stephen explained that the IFT will help the company grow their plastic injection mold business, will create 10 new jobs, and result in \$1.6 million in new investment. The company has already invested \$5.5 million dollars at the new location in building, machinery and equipment improvements, and has exceeded employment and sales goals. Member McCartney questioned options for repeated transfers of IFT certificates if the company returns to its previous location. State law requires tax abatements to be tied to the physical location of the equipment, so if there is still time remaining on the certificates, they could be transferred multiple times. Member Foley questioned what defines job creation. Under the terms of the Act, a job means an employee on the payroll with benefits. Member Burns questioned the formula for calculating the number of years for granting an IFT and what the company qualifies for. Under the city's policy, the company meets the investment amount but not the jobs creation numbers to qualify for a higher number of years for the personal property component.

Bill Klieman, 1374 S Riverside Ave, questioned the ability of the City to require the company to report job creation data. Language will be added to the Resolution stating this requirement as a condition of granting the IFT certificate.

No one else from the audience spoke for or against the Craig Assembly Inc requests.

McCartney moved, Krebs seconded, CARRIED, to close the public hearings at 7:40 pm.

Engineered Plastic Components, 2015 Range Rd - Hearing on Request to Transfer Industrial Facilities Exemption Certificate #2007-452 from Blue Water Automotive Systems, and Hearing on Application for Industrial Facilities Exemption Certificate Under PA 198 of 1974, as Amended

Mayor Cedar opened the public hearing at 7:41 pm to receive public comment on the requests of Engineered Plastic Components, 2015 Range Rd, to transfer an industrial facilities exemption certificate from Blue Water Automotive Systems, and obtain a new industrial facilities exemption certificate under PA 198 of 1974, as amended.

City Superintendent explained the company's request to transfer industrial facilities exemption certificate #2007-452 (\$703,985 in real property) from Blue Water Automotive Systems, Inc. The certificate expires in 2018 and the company is asking that the remaining nine years be transferred from the former owner, who filed for bankruptcy. The new company expects to create 50 jobs, the application meets the qualifications for transfer, and all documents are in order. Bill Klieman, 1374 S Riverside Ave, questioned payment of outstanding taxes. All taxes were paid by EPC, with the exception of those tied up in the bankruptcy proceedings.

City Superintendent next explained the request for a new industrial facilities exemption certificate totaling \$2,160,000 (12 years personal property). The applicant qualifies for eight years on personal property according to the city's policy criteria for granting tax abatements because of the dollar amount of the investment, although six years is standard. Council can exceed the standard if they choose. Member LaPorte noted the increased investment in utilities, infrastructure and occupancy costs incurred by the company to occupy the building. The same language will be added to the resolution requiring the filing of a report containing jobs creation data.

No one else from the audience spoke for or against the Engineered Plastic Components requests.

LaPorte moved, Kindsvater seconded, CARRIED, to close the public hearings at 7:46 pm.

CONSENT AGENDA

LaPorte moved, Kindsvater seconded, CARRIED, to approve Consent Agenda items A., and B., as presented.

- A. City Council Minutes of October 4, 2010 Regular Meeting: Approve
- B. St Clair Area Fire Authority September, 2010 Activity Report: Receive

ORDINANCES AND RESOLUTIONS

Resolution No. 10-16 - Resolution to Establish a Plant Rehabilitation District – Craig Assembly, Inc, 1111 Fred Moore Hwy

RESOLVED, That the City of St. Clair hereby establishes, pursuant to Act 198, Plant Rehabilitation District No. 1 in the City of St Clair for the parcels of property described as:
BEG S 10D 33M W 270' FROM INT/SEC OF E LINE OF PH&D RR R/W &S LINE OF FW MOOTR HWY, TH S 138.8' ALG RR R/W, TH N89D 8M E595.66', TH N11D 25M E 410.0', TH S 89D 8M W 353.99', TH S 0D 52M E 75.77', TH S 10D 33M W 192.7', TH S 89D 8M W 265.3' TO BEG. MAP OF P.C. 304 & 305 (Parcel #74-07-053-0105-000, 1111 Fred Moore Highway)

LaPorte moved, Kindsvater seconded, CARRIED, to adopt Resolution No. 10-16, the Craig Assembly, Inc, 1111 Fred Moore Hwy Plant Rehabilitation District No. 1 Establishment Resolution. Ayes: Burns, Foley, Kindsvater, Krebs, LaPorte, McCartney, Cedar. Nays: None. RESOLUTION ADOPTED

Resolution No. 10-17 - Approving Application of Craig Assembly, Inc, 1111 Fred Moore Hwy, to Transfer Industrial Facilities Exemption Certificates Under PA 198 of 1974, as Amended

RESOLVED, That the application for the transfer of industrial facilities exemption certificate #2005-190, #2008-069, and #2009-347 filed under PA 198 of 1974, as amended, by Craig Assembly, Inc be approved, and shall remain in full force and effect for one (1) year on personal property for #2005-190, three (3) years on personal property for #2008-069, and five (5) years on personal property for #2009-347, conditioned upon the facility's continuance in operation throughout each period commencing with its effective date and ending not later than December 31, 2011 on #2005-190, December 31, 2012 on #2008-069, and December 31, 2014 on #2009-347 with respect to the personal property component of the facility, and otherwise is in compliance with Section 16 of PA 198, as amended. (See Resolution)

Kindsvater moved, Foley seconded, CARRIED, to adopt Resolution No. 10-17, the Craig Assembly, Inc Industrial Facilities Exemption Certificate #2005-190, #2008-069, and #2009-347 Transfer Resolution. Ayes: Foley, Kindsvater, Krebs, LaPorte, McCartney, Burns, Cedar. Nays: None. RESOLUTION ADOPTED

Resolution No. 10-18 - Approving Application of Craig Assembly, Inc, 1111 Fred Moore Hwy, for an Industrial Facilities Exemption Certificate under PA 198 for 1974, as Amended

RESOLVED, That the application for industrial facilities exemption certificate filed under PA 198 of 1974, as amended, by Craig Assembly, Inc, be approved, and shall remain in full force and effect for eight (8) years on real property and six (6) years on personal property, conditioned upon the facilities' continuation in operation throughout each period, otherwise of no force or effect, commencing with its effective date and ending not later than December 31, 2018 on real property, and 2016 on personal property, and otherwise is in compliance with Section 16 of PA 198, as amended. (See Resolution)

The Resolution was modified by the addition of language at the end of Section 4 to read “. . . in the processing costs hereof, *and hereby requires the applicant to annually submit to the city a summary of improvements, job creation and wage information.*”

Council debated the number of years for the tax abatement, noting that the 10 jobs being created qualified the company for an eight year rather than the twelve year abatement requested. It was noted that the company could always apply for a new IFT if they realize new investment or create additional jobs in the future.

Kindsvater moved, Foley seconded, CARRIED, to adopt Resolution No. 10-18, the Craig Assembly, Inc Industrial Facilities Exemption Certificate Resolution, as amended. Ayes: Kindsvater, Krebs, LaPorte, McCartney, Burns, Foley, Cedar. Nays: None. RESOLUTION ADOPTED

Resolution No. 10-19 - Approving Application of Engineered Plastic Components, 2015 Range Rd, to Transfer Industrial Facilities Exemption Certificate Under PA 198 of 1974, as Amended

RESOLVED, That the application for the transfer of industrial facilities exemption certificate #2007-452 filed under PA 198 of 1974, as amended, by Engineered Plastic Components from Blue Water Automotive Systems be approved, and shall remain in full force and effect for nine (9) years on real property, conditioned upon the facility's continuance in operation throughout each period commencing with its effective date and ending not later than December 31, 2018 with respect to the real property component of the facility, and otherwise is in compliance with Section 16 of PA 198, as amended. (See Resolution)

LaPorte moved, Foley seconded, CARRIED, to adopt Resolution No. 10-19, the Engineered Plastic Components Industrial Facilities Exemption Certificate #2007-452 Transfer Resolution. Ayes: Krebs, LaPorte, McCartney, Burns, Foley, Kindsvater, Cedar. Nays: None. RESOLUTION ADOPTED

Resolution No. 10-20 - Approving Application of Engineered Plastic Components, 2015 Range Rd, for an Industrial Facilities Exemption Certificate under PA 198 of 1974, as Amended

RESOLVED, That the application for industrial facilities exemption certificate filed under PA 198 of 1974, as amended, by engineered Plastic Components be approved, and shall remain in full force and effect for eight (8) years on personal property, conditioned upon the facilities' continuation in operation throughout each period, otherwise of no force or effect, commencing with its effective date and ending not later than December 31, 2018 on personal property, and otherwise is in compliance with Section 16 of PA 198, as amended. (See Resolution)

The Resolution was modified by the addition of language at the end of Section 4 to read “. . . in the processing costs hereof, *and hereby requires the applicant to annually submit to the city a summary*

of improvements, job creation and wage information.”

City Superintendent pointed out that the company initially requested a 12 year tax abatement for personal property, although they qualify for eight years based on scoring criteria. The policy standard on personal property is six years.

Kindsvater moved, Foley seconded, to adopt Resolution No. 10-20, the Engineered Plastic Components Industrial Facilities Exemption Certificate Resolution, incorporating a six (6) year term on personal property. Council debated the number of years that the tax abatement should be granted, with some members supporting additional years because of the amount of investment and scoring criteria on the application, and others feeling that policy guidelines were adequate and should be adhered to. EDA representative Rene Stephen indicated that the company exceeded job creation estimates of their previous IFT application and has created 60 new jobs at the Range Rd facility.

Following discussion: Kindsvater moved, Burns seconded, DEFEATED, to call the question. Ayes: Foley, Kindsvater, Krebs. Nays: LaPorte, McCartney, Burns, Cedar. Discussion continued, with councilmembers continuing to debate the reasons both for and against extending the tax abatement term. Councilmembers then returned to the previous motion on the table to adopt the Resolution incorporating six (6) years on personal property. Ayes: Foley, Kindsvater, Krebs. Nays: McCartney, Burns, LaPorte, Cedar. RESOLUTION DEFEATED

Cedar moved, McCartney seconded, CARRIED, to adopt Resolution No. 10-20, the Engineered Plastic Components Industrial Facilities Exemption Certificate Resolution, as amended, granting eight (8) years on personal property. AYES: Burns, LaPorte, McCartney, Cedar. Nays: Foley, Kindsvater, Krebs. RESOLUTION ADOPTED

Resolution No. 10-21 - Amending the Schedule of Fees and Charges

RESOLVED, that the City of St Clair Schedule of Fees and Charges be amended as follows:

Add General Fund Insurance Billing for Others	Actual premium + 10% admin fee
Add IFT Tax Exemption Transfer Application	\$250.00 per application
Remove Gun Permit Registration Fee	\$10.00
Add Gun Permit Notary Fee	\$10.00
Add Water Fund Hydrant Meter Connection	\$50.00 per connection
Add Hydrant Meter Rental	\$25.00 per month

City Superintendent listed corrections to the fee schedule submitted with the annual budget. A list of the changes and how they would be applied was reviewed by Council.

LaPorte moved, Kindsvater seconded, CARRIED, to adopt Resolution No. 10-21, the Schedule of Fees and Charges Amendatory Resolution. Ayes: Foley, Kindsvater, Krebs, LaPorte, McCartney, Burns, Cedar. Nays: None. RESOLUTION ADOPTED

REPORTS FROM ADMINISTRATION

City Superintendent

St Clair Township Water Supply Agreement – Amendments to the township water agreement recently approved by the city will be presented to the township board for final approval on November 1, 2010. A recreation cost services proposal for shared recreational services is also being considered by a subcommittee of representatives from both communities.

Strategic Planning Session – It was requested that the October 25, 2010 Strategic Planning Session be rescheduled to November 1, 2010 at 5:30 pm due to the unavailability of the SEMCOG facilitator. Presentation of the final plan is scheduled for November 15, 2010.

Kindsvater moved, McCartney seconded, CARRIED, to reschedule the October 25, 2010 Strategic Planning Session to November 1, 2010 at 5:30 pm at the Municipal Building.

WWTP Emergency Pump Replacement – The transmission on a pump at the Wastewater Treatment Plant failed, and Council was asked to approve the purchase of a new pump from Matoon Lee Equipment in the amount of \$19,053. They are the only Michigan supplier of this equipment, and the emergency repair will be supplemented with parts from the damaged pump, resulting in an \$11,000 cost savings to the city.

LaPorte moved, McCartney seconded, CARRIED, to accept the City Superintendent recommendation, waive the competitive bid requirement, accept the \$19,053 bid of Matoon Lee Equipment, and approve the purchase of an emergency pump for the Wastewater Treatment Plant as recommended.

City Attorney – None

City Departments – None

Authority, Board, Commission, Committee Chairman or Council Representative

DDA Purchase of Easement – Rotary Park Docks and Path Extension - DDA Chairman Dan Lockwood gave details of property acquisition along the Pine River needed to extend dockage and pathways at the foot of Fourth St to Pine St along the Pine River. Permission is being requested to execute an easement agreement for the property to allow for the installation of floating docks for shoppers, diners and fishermen, and extension of the public boardwalk from Rotary Park to Pine St. A fishing pier and public parking area are also being planned. The timetable governing expenditure of grant funds awarded for the project in 2008 requires that the city move forward or jeopardize losing the funds. The project was in limbo until the private property could be secured from the owner.

Council discussed details of the project with Mr Lockwood, including the number of docks to be added (10), the amount of greenspace created between the parking area and the river (420 sq ft), the addition of a decorative bench as well as preservation of natural features in the space, and responsibility for maintenance and management of the floating docks following construction.

Bill Klieman, 1374 S Riverside, questioned the original plans to construct floating docks across from the existing marina closer to the golf course. Restrictions on navigation of the river by the Army Corps of Engineers required that this plan be abandoned.

LaPorte moved, McCartney seconded, CARRIED, to approve expenditure of \$9,000 of DDA funds and authorize execution of a permanent easement between the City of St Clair and Kathryn Schoeneweg for property located at 401 Clinton Ave for the Rotary Park docks and public walkway extension project.

DDA Wireless Service in City Parks & Buildings – DDA Chairman Lockwood advised that a proposal was received from RESA to install wireless internet service in various city parks and buildings, including Palmer Park, Rotary Park, the St Clair Boat Harbor, and Pine Shores clubhouse.

UNFINISHED BUSINESS – None.

NEW BUSINESS

Schedule Halloween Begging Hours

Kindsvater moved, McCartney seconded, CARRIED, to schedule Halloween begging hours in the City of St. Clair on Sunday, October 31, 2010 from 5:30pm – 8:00pm.

Approve Issuance of Special Events Permit for First United Methodist Church 5-K Run

Council received a memorandum from the Police Chief dated October 6, 2010 containing a recommendation for approval of a special events permit for the First United Methodist Church to conduct a Turkey Trot 5-K run along M-29 and various city side streets on November 6, 2010 from 9:00am-10:00am. The applicant has complied with the necessary requirements of the Special Events Ordinance and issuance of the permit is recommended.

Krebs moved, Kindsvater seconded, CARRIED, to approve issuance of the First United Methodist Church special events permit request.

Approve Issuance of Special Events Permit for St Clair Winter White Out

Council received the Police Chief recommendation to approve the issuance of a special events permit for the St Clair Downtown Development Authority/St Clair Events Co to conduct the St Clair Winter White Out along Clinton Ave and Rotary Park from January 28-30, 2011. The family oriented event will include activities, entertainment, games, food and beverages from local businesses in the area. The applicant has complied with necessary requirements of the Special Events Ordinance and issuance of the permit is recommended.

McCartney moved, Burns seconded, CARRIED, to grant the Downtown Development Authority/St Clair Events Co special events permit request.

Approve Purchase of Water Meter – St Clair Township Water Improvements Project

Council received a memorandum from the City Superintendent dated October 14, 2010 requesting council approve the purchase and installation of a water meter for the M-29 water improvement project in St Clair Township. A \$13,122 quote was received from RIO Supply, the only Michigan supplier of this equipment. Under the terms of the water agreement, the township must reimburse the city for the meter purchase and installation costs. The work will be performed once the amendments to the water agreement are signed.

LaPorte moved, McCartney seconded, CARRIED, to accept the City Superintendent recommendation, waive the competitive bid requirement, accept the \$13,122 bid of RIO Supply and approve the purchase of a flow meter for the St Clair Township water improvement project as recommended.

CLAIMS AND ACCOUNTS – October 7 and 14, 2010

Check registers listing the bills for the period ending October 7, 2010 (check number 28696 - >28764), and for the period ending October 14, 2010 (check number 28765 -> 28802) were presented for Council review.

LaPorte moved, Kindsvater seconded, CARRIED, to approve payment of October 7 and 14, 2010 Claims and Accounts as submitted.

PUBLIC QUESTIONS AND COMMENTS

Bill Klieman, 1374 S Riverside Ave, regarding asphalt repairs on Brown St. A problem due to poor asphalt compaction caused a defective repair which removed and replaced by the contractor at no charge.

Police Chief Jefferson detailed reports of recent neighborhood home break-ins and theft incidents. Two incidents of home thefts were reported along with a string of thefts from vehicles, all of which were unlocked. Chief Jefferson reminded residents to take the necessary precautions and keep their doors and vehicles locked at all times.

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS

Council received correspondence from the Planning Commission regarding granting of sign variances in the Downtown Redevelopment District, urging Council not to give them solely on economic hardship to the detriment of the aesthetic quality of the district. Amendments to the Sign Ordinance are in the discussion stages and will be submitted for council consideration.

The City was acknowledged for receiving the 2010 Promoting Active Communities gold level award from the Michigan Fitness Foundation.

CLOSED SESSION – Request for Closed Session to Discuss Strategy Connected with the Negotiation of a Collective Bargaining Agreement with Employees Represented by the Police Officers Labor Council (POLC)

McCartney moved, Foley seconded, CARRIED, to recess Regular Session and meet in Closed Session pursuant to Section 8(c) of the Open Meetings Act to discuss strategy connected with the negotiation of a collective bargaining agreement with employees represented by the Police Officers Labor Council (POLC). Ayes: Kindsvater, Krebs, LaPorte, McCartney, Burns, Foley Cedar. Nays: None.

At 8:45 pm, Council recessed into Closed Session and resumed Regular Session at 9:10 pm.

ADJOURNMENT at 9:12 pm.

Janice Winn, City Clerk

Bill Cedar, Jr, Mayor

**CITY OF ST. CLAIR
REGULAR COUNCIL MEETING
MONDAY, NOVEMBER 1, 2010 - 5:30 P.M.
BERNARD E KUHN MUNICIPAL BUILDING, 547 N CARNEY DRIVE**

STRATEGIC PLANNING WORKSHOP – Naheed Huq, SEMCOG

Mayor Cedar convened the Strategic Planning Workshop of the City Council to order in the Council Room of the Municipal Building at 5:31 pm.

PRESENT: Mayor Cedar, Members Burns, Foley, Kindsvater, Krebs, LaPorte, McCartney.

ABSENT: None.

ADMINISTRATION: Scott Adkins, City Superintendent/Acting Clerk.

AUDIENCE: Fred Moore, Paul Wade, Bill Klieman, Nancy Beaudua.

ALSO PRESENT: Naheed Huq, SEMCOG

Review of September 20, 2010 meeting

Naheed Huq briefly reviewed the minutes of the September 20, 2010 meeting notes.

Update on Strategic Planning Process

Naheed Huq briefed Councilmembers on the status of the action steps to date. She also noted that the plan has been scaled over 22 action areas and ‘champions’ have been identified for each area. She also mentioned that Superintendent Adkins has been delegated 11 of the areas, but encouraged other Council members to consider taking an area or two to lessen the burden.

It was also suggested that certain action steps be moved into other areas for ease in preparing the plan. The proposed adjustments are:

- Eliminate Action Step B-Coordinated Leadership, it has been determined that this action step is present in all areas of the plan.

- Move item B-4 to the heading of A. Expand Business, Commercial and Industrial Tax Base

- Eliminate heading D (Critical Infrastructure) and combine with heading B: Enhancements and Improvements to City Services and Infrastructure, moving items C-1, C-2, D-1, D-2, D-3, D-4, and D-5 to the heading of B.

- Re-title Emergency Preparedness under heading C and incorporate items E-1 through E-4 under this new heading.

- Re-title heading F as new heading D: Enhance and Promote Quality of Life, incorporating item F-1 and adding new section F-2 (Develop and implement tools to protect quality of life in neighborhoods) to this step. Council member Krebs will champion this new step.

Timeframe for completion of project

Further discussion was held concerning the revised timeframe and the need to incorporate additional actions. The final presentation of the strategic plan is being moved to November 15th

Any other business

Audience member Fred Moore stressed the importance of including the marketing and branding portion to the plan, in addition to the importance of trees and beautification. In addition, Naheed Huq also answered a question from Councilman Burns concerning the creation of a matrix to track the plan with. A sample matrix will be presented with the plan

The Strategic Planning Session ended at 6:45 pm. The meeting was recessed following the Strategic Planning Session and reconvened at 7:00 pm.

REGULAR SESSION

Mayor Cedar convened the Regular Meeting of the City Council to order in the Council Room of the Municipal Building at 7:00 pm.

PRESENT: Mayor Cedar, Members Burns, Foley, Kindsvater, Krebs, LaPorte, McCartney.

ABSENT: None.

ADMINISTRATION: George Joachim, Kane, Clemons, Joachim & Downey; Scott Adkins, City Superintendent, Janice Winn, City Clerk.

AUDIENCE: There were two persons in attendance.

PLEDGE OF ALLEGIANCE was recited.

AGENDA AMENDMENTS – None.

CONSENT AGENDA

LaPorte moved, Kindsvater seconded, CARRIED, to approve Consent Agenda items A., and B., as presented.

A. City Council Minutes of October 18, 2010 Regular Meeting: Approve

B. Historical Commission Minutes of September 10, 2010 Meeting: Receive

ORDINANCES AND RESOLUTIONS

Resolution No. 10-22 – Approving a Memorandum of Understanding with the “More Program”

RESOLVED, that the City of St Clair approves partnering with the MORE Program to create, implement and promote the Statewide Entrepreneurship Support System (SESS) by signing on to a Memorandum of Understanding (MOU) and providing a link to the SESS on the City’s web site; the Mayor, Clerk, and City Superintendent are authorized to sign the MOU, a copy of which is attached as Exhibit A to the resolution; and all resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded. (See Resolution)

City Superintendent Adkins explained the purpose of the program to promote a customized entrepreneurial and small business assistance program to create connections to the City and provide a link to a growing network of available resources designed to give Michigan entrepreneurs the tools for success. There is no financial obligation to the city to participate.

Councilmembers questioned the cost of the program, term of the contract, and the targeted businesses to benefit. The program is funded by outside organizations and would involve a one year commitment on the city’s part. While the target audience is mainly those wanting to start a business, plans are underway to develop programs to assist existing business owners with the same type of local support resources.

Cedar moved, Burns seconded, CARRIED, to adopt Resolution No. 10-22, the MORE Program Memorandum of Understanding Agreement Resolution. Ayes: Krebs, LaPorte, McCartney, Burns, Foley, Kindsvater, Cedar. Nays: None. RESOLUTION ADOPTED

REPORTS FROM ADMINISTRATION

City Superintendent

Strategic Planning Workshop – City Superintendent requested that council change the time of the November 15, 2010 regular meeting to 6:30 pm to allow for presentation of the final strategic plan.

Burns moved, McCartney seconded, CARRIED, to reschedule the time of the November 15, 2010 regular council meeting to 6:30 pm at the Municipal Building for the purpose of presentation of the Strategic Plan by SEMCOG representative Naheed Huq.

City Attorney – None.

City Departments

Member Krebs asked administration to provide a report on current blight ordinance enforcement activities to council, and to also explore extending the contracted time period for annual curbside yard waste collection to November 30. City Superintendent advised that the collection dates were expanded this year by two weeks both before and after the original scheduled times. An additional two week cycle can be negotiated in next year's contract.

Authority, Board, Commission, Committee Chairman or Council Representative

Member McCartney questioned options available to the city to regulate Halloween and other holiday decorations on private property. The city received complaints this year following an objectionable Halloween display placed outside a Sixth St home. The city attorney advised that the city cannot prohibit or regulate the content of the displays on private property because of an individual's constitutional right to free speech. However, such things as size and quantity of the decorations can be regulated by ordinance, as long as it is done fairly and consistently. The City will continue to consult legal counsel before proceeding to enact any ordinance or restrictions.

Beautification Commission (Member Krebs) – Volunteers and entries are needed for the November 19, 2010 Celebration of Lights Santa Parade. Members are also needed to fill vacancies on the commission.

Recreation Commission (Member Foley) – Volunteers are needed to fill vacancies on the commission and to help with special projects at the new little league fields on Fred Moore Hwy.

UNFINISHED BUSINESS – None.

NEW BUSINESS

Proclamation Designating National Family Caregivers Month

Mayor Cedar proclaimed November as National Family Caregivers Month in St Clair to promote the celebration of family caregivers for their dedication to the people of this community in their particular times of need.

CLAIMS AND ACCOUNTS – October 21 and 28, 2010

Check registers listing the bills for the period ending October 21, 2010 (check number 28803

->28854), and for the period ending October 28, 2010 (check number 28855 -> 28910) were

presented for Council review.

LaPorte moved, Kindsvater seconded, CARRIED, to approve payment of October 21 and 28, 2010 Claims and Accounts as submitted.

PUBLIC QUESTIONS AND COMMENTS

Bill Klieman, 1374 S Riverside Ave, regarding responsibility for site restoration of the Harriet St boulevard. The DPW will finish grading this street along with any others that were part of the 2010 miscellaneous road reconstruction projects done this fall.

Residents were reminded to take leaves to the curb (not in the street) for DPW pick-up.

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS

Residents were given information on polling place locations and reminded to vote in the November 2, 2010 General Election.

CLOSED SESSION – Request for Closed Session to Discuss Strategy Connected with the Negotiation of a Collective Bargaining Agreement with Employees Represented by the Police Officers Labor Council (POLC).

McCartney moved, Kindsvater seconded, CARRIED, to recess Regular Session and meet in Closed Session pursuant to Section 8(c) of the Open Meetings Act to discuss strategy connected with the negotiation of a collective bargaining agreement with employees represented by the Police Officers Labor Council (POLC). Ayes: LaPorte, McCartney, Burns, Foley, Kindsvater, Krebs, Cedar. Nays: None.

At 7:16 pm, Council recessed into Closed Session and resumed Regular Session at 7:33 pm.

ADJOURNMENT at 7:35 pm.

Janice Winn, City Clerk

Bill Cedar, Jr, Mayor