

**CITY OF ST. CLAIR
REGULAR COUNCIL MEETING
MONDAY, MAY 2, 2016 - 7:00 P.M.
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 7:00pm.

PLEDGE OF ALLEGIANCE was recited.

ROLL CALL

PRESENT: Mayor Cedar, Members Foley, Kindsvater, Klieman, Kuffa, LaPorte, McCartney.

ABSENT: None.

ADMINISTRATION: Michael E. Booth, City Superintendent; James T Downey, Jr; Kane, Clemons, Joachim & Downey; Rick Jefferson, Police Chief; DJ Boulter, Building Inspector; Katie Stepp, Harbormaster; Bob Bieth, Golf Course Manager; Annette Sturdy, City Clerk.

AUDIENCE: There were 8 people 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 18, 2016 Special and Regular Meetings: Approved
- B. St. Clair Historical Commission Minutes of March 10, 2016 Meeting: Received
- C. Planning Commission Minutes of March 9, 2016 Meeting: Received

ORDINANCES AND RESOLUTIONS

Ordinance Adoption (2016-05)

AN ORDINANCE OF THE CITY OF ST. CLAIR, ST. CLAIR COUNTY, MICHIGAN TO AMEND THAT PORTION OF APPENDIX B, ZONING, ARTICLE 5, SECTION 5.20 "SUPPLEMENTARY HEIGHT REGULATIONS," OF THE CODE OF ORDINANCES BY ADOPTING SECTION 5.20.1.E.

Kindsvater moved, Kuffa seconded, CARRIED, to adopt Ordinance 2016-05 as presented.

Ayes: Kuffa, LaPorte, McCartney, Foley, Kindsvater, Klieman, Cedar

Nays: None

Ordinance Adoption (2016-06)

AN ORDINANCE OF THE CITY OF ST. CLAIR, ST. CLAIR COUNTY, MICHIGAN TO AMEND THAT PORTION OF APPENDIX B, ZONING, ARTICLE 5, SECTION 5.34 "FISH PONDS" OF THE CODE OF ORDINANCES BY ADOPTING SECTION 5.34.

LaPorte moved, Kindsvater seconded, CARRIED, to adopt Ordinance 2016-06 as presented.

Ayes: LaPorte, McCartney, Foley, Kindsvater, Klieman, Kuffa, Cedar

Nays: None

Ordinance Amendment Adoption Article 8B (section 5.7)

Changes the current requirement of landscape plans from more than 50 parking spaces to more than 20 parking spaces.

Kindsvater moved, Kuffa seconded, CARRIED, to adopt amendment of Section 5.7 as presented.

Ayes: McCartney, Foley, Kindsvater, Klieman, Kuffa, LaPorte, Cedar

Nays: None

Ordinance Adoption Article 8B (section 8.27)

Amends Article 8b Downtown Redevelopment District Section 8.27 the Schedule of Building Use to permit Micro Brewer, Small Wine Maker and Small Distiller as a principal use of existing buildings, permits Micro Brewer, Small Wine Maker and Small Distiller as a special approval use for businesses expanding an existing building or constructing a new building and permits a drive through facility as a special approval use in the Clinton Avenue Subdistrict

Resident, Dan Lockwood, spoke in opposition of allowing drive through facilities on Clinton Avenue.

Kindsvater moved, Cedar seconded, CARRIED, to adopt amendment of Section 8.27 as presented.

Ayes: Foley, Kindsvater, Klieman, Cedar

Nays: Kuffa, LaPorte, McCartney

Ordinance Adoption Article 8B (Definitions)-

Adds definition for a drive through facility.

Cedar moved, Kindsvater seconded, CARRIED, to add definition into Appendix B as presented.

Ayes: Kindsvater, Klieman, Kuffa, LaPorte, McCartney, Foley, Cedar

Nays: None

REPORTS FROM ADMINISTRATION

City Superintendent- The annual budget hearing is May 16 at 7:00pm. The Request for Bids for Geotech work on St. Clair Highway is ready to be noticed. The deadline for proposals is May 31st. City-wide tree trimming received appreciation.

City Attorney – None

City Departments – None

Authority, Board, Commission, Committee Chairman or Council Representative- Council Representative McCartney, for both Recreation Commission and Cemetery Board of Trustees, announced a walking audit for the Hillside Cemetery/Klecha park Master Plan proposal on Tuesday, May 10th, 2pm at Hillside Cemetery. Rowe Professional Services Company will facilitate the public meeting.

UNFINISHED BUSINESS -None

NEW BUSINESS

Approve Issuance of Special Events permit to St. Clair Rotary Club for 5k/2k fundraising event -Council received a Police Chief memorandum recommending that the City approve the request of the St Clair Rotary Club to conduct a 5-K race along M-29 and various residential side streets on June 25, 2016 from 7:00am to 10:00am. The applicant has complied with the requirements of the Special Events Ordinance and issuance of the permit is recommended.

Kindsvater moved, Foley seconded, CARRIED, to approve the St Clair Rotary 5k race special events permit request as recommended.

Approve Issuance of Special Events permit to St. Mary's Catholic Church-Council received a Police Chief memorandum recommending that the City approve the request of the St Mary's Catholic Church to hold an event called the Corpus Christi Procession on May 29, 2016 from 12:45pm to 2:00pm. The applicant has complied with the requirements of the Special Events Ordinance and issuance of the permit is recommended.

Kindsvater moved, Kuffa seconded, CARRIED, to approve the St. Mary's Catholic Church special events permit request as recommended.

Discussion of Charter Sailboat-St. Clair Boat Harbor-Attorney Downey stated communication between the City and Milwaukee Sailing Adventures, LLC to allow a commercial vessel at the Harbor is in progress. No action taken on the drafted lease.

Discussion of Proposed Ordinance concerning Housing Commission Service Fee-Attorney Downey has prepared for review a proposed Ordinance that would allow the City to charge Palmer Park Manor a fee in lieu of taxes. No action was taken at this time. Attorney will review the original plans to check for redundancy.

St. Clair County Tax Foreclosure Sale-Council received information from St Clair County of three parcels available for purchase by the City from the County Tax Foreclosure Sale. Administration does not recommend purchasing any of the properties at this time. Councilmember Klieman suggested purchasing the vacant property, if it was buildable, to donate to Habitat for Humanity.

The City Treasurer will notify the County of Council's action prior to the June 15 deadline.

Klieman moved, Kindsvater Seconded, CARRIED, for the City to purchase the vacant parcel, 916 Cedar, to donate to Habitat for Humanity.

Ayes: Klieman, Kuffa, Foley, Kindsvater
Nays: Laporte, McCartney, Cedar

Approve purchase of Jacobsen-Cushman turf Truckster-Pine Shores Golf Club-
Golf Course Manager Bob Bieth requested Council's approval to sell a used Club Car Turf Utility Vehicle and purchase a new Jacobsen-Cushman Turf Truckster as replacement. There is already a buyer for the used Club Car Turf Utility Vehicle.
Member Klieman suggested to conduct a sealed bid the sale of the used vehicle. Sealed bids for future sales will be considered per circumstance.

McCartney moved, Kindsvater seconded, to approve sale of the used vehicle and purchase of the new one.

Ayes: Kuffa, LaPorte, McCartney, Foley, Kindsvater
Nays: Klieman, Cedar

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

Planning Commission-Appoint Mike Malane, 669 West Court, to fulfill the remainder of a three year term expiring December 31, 2017.

Laporte moved, Kuffa seconded, CARRIED (voice vote), to approve appointment as recommended.

Historical Commission – Appoint, with a residency waiver, Timothy Backhurst, to fulfill the remainder of a three year term expiring December 31, 2017.

Mccartney noted that it is not a typical residency waiver since this person lives outside of the county. Historical Commission Chairman Freehan and Council Representative Klieman, advised the Commission unanimously approves the appointment.

Laporte moved, Klieman seconded, CARRIED, to approve appointment as recommended.

Ayes: LaPorte, Foley, Kindsvater, Klieman, Kuffa, Cedar

Nays: McCartney

CLAIMS AND ACCOUNTS – April 22 & 29, 2016

Check registers listing the bills for the period ending April 22, 2016 (check numbers 41056->41112) and April 29, 2016 (check numbers 41113->41149) were presented for Council review.

LaPorte moved, Kuffa seconded, CARRIED, to approve payments of April 22, 2016 and April 29, 2016 Claims and Accounts as submitted.

PUBLIC QUESTIONS AND COMMENTS – Steven Kowalski, 5277 Gratiot, requested a recommendation and approval from council for the Police Department to implement and follow a formal rotation schedule. Attorney Downey stated it is an item for the Chief of Police to address. Mayor Cedar concurred. No action was taken.

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS- Mayor Cedar extended sympathy to the family of Jeff Westrick. Beautification Commission applications now being accepted.

ADJOURNMENT at 7:59pm.

Annette Sturdy, City Clerk

Bill Cedar, Jr, Mayor