

**CITY OF ST CLAIR, MICHIGAN
REGULAR COUNCIL MEETING MINUTES
MONDAY, MAY 20, 2019- 7:00 P.M.**

Meeting Called to Order at 7:00pm by Mayor Cedar in the meeting room of Pine Shores Golf Course, 515 Fred W. Moore Highway, St. Clair, Michigan.

PLEDGE OF ALLEGIANCE was recited.

PRESENT: Mayor Cedar, Members Ellery, Kindsvater, LaPorte, McCartney

ABSENT: Members Kuffa and Watt (excused)

ADMINISTRATION: Michael E. Booth, City Superintendent; James T. Downey, Joachim, Kane, Clemons & Downey; Timothy Raker, Chief of Police; Annette Sturdy, City Clerk.

AUDIENCE: There were 24 people in attendance.

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

- A. City Council Minutes of May 6, 2019 Regular & Closed Meetings: Approved
- B. Cemetery Board of Trustees Minutes of April 2, 2019 Meeting: Received

PUBLIC HEARING

Hearing on 2019-20 Annual Budget-Mayor Cedar opened the public hearing at 7:00pm. Finance Director Booth began by explaining the historical taxable value. Total millage is 16.5378 and has remained unchanged from last year. General Fund revenues, expenditures and several funds were highlighted including the Major Streets, Local Streets, Pension, Golf, Waste Water, Water and Harbor. The current funding levels of these funds were stated and the major increases or decreases explained. A utility rate increase is proposed. Although there is a balance in the water fund as of right now, there is a grant application pending to replace the water lines on Goffe and 5th which, if awarded, would require a match so that available cash in the Water fund will be depleted. The debt on the Harbor will be paid off in 2026. Public comments received on taxable value, cost of living and wage increases. Mayor Cedar closed the public hearing at 7:19pm

ORDINANCES AND RESOLUTIONS

Ordinance Introduction (2019-02) Rezoning of 678 N. Riverside from PUD to R1-Mr. Gendernalik, represents the owner of 678 N. Riverside. In 2014 the Planning Review supported the PUD. If it is reversed today then the owner has the right to come before Planning and Council to request it again. He recommends to not support the motion. Planning Commission member LaPorte stated the same planner who reviewed it in 2014, reviewed it again once there were new members on the Commission. There was a public hearing held with 8-10 residents there. Mr. Evans has had over 3 years to complete the project. If no action taken within one year, it should revert back to the original zoning.

ORDINANCE NO. 2019 – 02 CITY OF ST. CLAIR COUNTY OF ST. CLAIR, MICHIGAN AN ORDINANCE OF THE CITY OF ST. CLAIR, ST. CLAIR COUNTY, MICHIGAN TO AMEND THE ZONING ORDINANCE OF THE CITY OF ST. CLAIR BY AMENDING ARTICLE 4, SECTION 4.2.1 CHANGING THE ZONING CLASSIFICATION AND ZONING DISTRICT DESIGNATION OF 678 NORTH RIVERSIDE AVENUE FROM PLANNED UNIT DEVELOPMENT TO R-1 RESIDENTIAL. THE CITY OF ST. CLAIR ORDAINS: SECTION 1. AMENDMENT OF ARTICLE 4, SECTION 4.2, SUBSECTION 4.2.1 OF THE ZONING ORDINANCE OF THE CITY OF ST. CLAIR.

Article 4, Section 4.2, Subsection 4.2.1 of the Zoning Ordinance of the City of St. Clair is hereby amended by changing the Zoning Classification and Zoning District designation of the herein described property located in the City of St. Clair, St. Clair County, Michigan from Planned Unit Development to R-1 Residential, said land being described as:

LOT 15 EXC NLY 150' THEREOF ASSESSORS RIVERSIDE AVE PLAT
Commonly known as 678 North Riverside Avenue

The Zoning District Map of the City of St. Clair, which is an integral part of the Zoning Ordinance of the City of St. Clair, Michigan, is hereby amended to reflect the rezoning of the above-described real property from a Zoning Classification and Zoning District Designation of Planned Unit Development to R-1 Residential.

Kindsvater moved, LaPorte seconded, FAILED, to introduce Ordinance (2019-02) as presented.

Ayes: Kindsvater, LaPorte, Cedar

Nays: Ellery, McCartney

Resolution (19-09) Amendment to legal description in Resolution (17-19)-Resolution (17-19) incorrectly states the legal description of the parcels. This resolution corrects that error by adding .21 feet. CITY OF ST. CLAIR ST. CLAIR COUNTY, MICHIGAN RESOLUTION NO. 19-09

A RESOLUTION AMENDING THE LEGAL DESCRIPTION OF RESOLUTION 17-19 TO ADD .21 FEET TO VACATED ORCHARD STREET. WHEREAS the City of St. Clair City Council unanimously adopted Resolution 17-19 (the "Resolution") on October 2, 2017 after conducting a duly-noticed public hearing; and **WHEREAS** the Resolution vacated Ruff Street south of Vine Street and the west 234 feet of Orchard Street west of N. Carney Drive; and **WHEREAS** subsequent to the adoption of the Resolution, the City Engineer determined the length of vacated Orchard Street is in fact 234.21 feet and that the legal description of the Resolution is incorrectly recited; and **WHEREAS** the City of St. Clair is currently litigating a plat amendment petition in the St. Clair County Circuit Court concerning these vacated streets, and the state law governing the case requires that the City Council resolution vacating the streets be attached to the final Judgment; and **WHEREAS** the City Council desires to ensure its Resolution accurately conforms to the precise length of vacated Orchard Street: **NOW THEREFORE** Be It Resolved that the City Council of the City of St. Clair hereby declares the legal description of vacated Orchard Street recited in Resolution 17-19 be, and hereby is, changed from the west 234 feet to the west 234.21 feet of Orchard Street west of N. Carney Drive, wherever said reference is made.

Kindsvater moved, Laporte seconded, CARRIED, to adopt Resolution (19-09) as presented.

Ayes: Ellery, Kindsvater, LaPorte, McCartney, Cedar

Nays: None

RESOLUTION DECLARED ADOPTED

REPORTS FROM ADMINISTRATION

City Superintendent – City hall will be closed Monday, May 27, 2019 in honor of Memorial Day. Friends of the St Clair River are hosting Sturgeon Festival, Saturday June 1, 10am-3pm. There is a "Sturgeon Brew" fundraiser Thursday, May 30 5p-9p at War Water. MDOT has confirmed the road diet will begin the week of June 10. Changes will begin from S. Riverside to north city limits. Palmer Park parking will still be parallel parking. The length of the light at Clinton will be retimed.

City Attorney- The Resolution adopted today will aid to complete the matter of correcting the plats and will be resolved by next week.

City Departments- Special Election May 7, 2019 results are available on the City of St Clair website and County-wide results are available at stclaircountyclerk.org. The city of St. Clair will not hold an August Election. Chief Raker stated the tornado sirens located near Carney and Yankee are not working but the one downtown is. The St Clair Fire Department will alert the siren downtown. Please be aware that the river is high and we are about 18-24 inches from the top of the boardwalk seawall. There are free sandbags from DPW if people need them.

Authority, Board, Commission, Committee Chairman or Council Representative – Cemetery Board of Trustees has 2 vacancies. Application available online or at City Hall.

UNFINISHED BUSINESS- None

NEW BUSINESS-

Approve Permit Application for annual 4th of July Fireworks Display- Council received an application for a fireworks display permit required by the State of Michigan for the annual Fourth of July event. 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.

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

Approve Special Event Permit for BWORA- Council received a memorandum from Police Chief Raker requesting that Council approve a special event permit from BWORA to conduct Offshore Boat Racing, provide Riverfest music entertainment and beverage sales July 25-28, 2019. All necessary documents have been received and are in compliance with City Code.

LaPorte moved, McCartney seconded, CARRIED, to approve the special events permit as presented.

Approve Lease for BWORA- Approval was motioned and seconded, CARRIED, to approve the lease with the edit in Section 4 to state the security levels will be the same as 2018, but otherwise as presented.

Approve Special Event Permit for St Clair Jazz Fest- Council received a memorandum from Police Chief Raker requesting that Council approve a special event permit from St. Clair Jazz Festival Committee to host the St Clair Jazz Fest on Saturday, August 17, 2019 1:00pm-9:00pm. All necessary documents have been received and are in compliance with City Code.

McCartney moved, Ellery seconded, CARRIED, to approve the special events permit as presented.

Approve assignment of vendor permit process for 4th of July & Jazz Festival to St. Clair Events- LaPorte moved, Kindsvater seconded, CARRIED, to assign the 2019 Fourth of July and Jazz Festival vendor permit process to St. Clair Events in compliance with Section 18-177 of the City Code.

Extend Vendor hours 7/4/18, 7/26/19 and 7/27/19 for special events - McCartney moved, Kindsvater seconded, CARRIED, to extend the 2019 Fourth of July and BWORA/Riverfest vendor hours to 11:00pm and 11:30pm respectively in accordance with the applicable sections of the City Code to allow for additional sales during this special event.

CLAIMS AND ACCOUNTS – May 8 & May 16, 2019

Check registers listing the bills for the period ending May 8, 2019 (check numbers 47806-47874) in the amount of \$73,959.73 and for period ending May 16, 2019 (check numbers 47875-47952) in the amount of \$292,629.70 were presented for Council review.

LaPorte moved, Kindsvater seconded, CARRIED, to approve payments of May 8 & May 16, 2019 Claims and Accounts as presented.

PUBLIC QUESTIONS AND COMMENTS – Comments heard on N Riverside zoning, restrooms at Klecha, Henry Street repair and a summary of the 18th Annual Marbleye Tournament.

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS – The June 3rd meeting will be at City Hall. Special events: Memorial Day Parade and Ceremony 5/27/19 @1pm; American Cancer Society Bark for Life 6/1/19 & River Day 6/8/19. Donations for 2019 Fireworks display are still being accepted.

ADJOURNMENT at 7:56pm

Annette Sturdy, City Clerk

Bill Cedar, Jr., Mayor