

**CITY OF ST CLAIR, MICHIGAN
REGULAR COUNCIL MEETING MINUTES
MONDAY, JUNE 3, 2019- 7:00 P.M.**

Meeting Called to Order at 7:00pm by Mayor Cedar in the Council Chambers of the Municipal Building, 547 N. Carney Drive, St. Clair, Michigan.

PLEDGE OF ALLEGIANCE was recited.

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

ABSENT: None

ADMINISTRATION: James T. Downey, Joachim, Kane, Clemons & Downey; Lynne Houston, Assessor; Jodi Lipa, Police Sergeant; Annette Sturdy, City Clerk.

AUDIENCE: There were 34 people in attendance.

CONSENT AGENDA – LaPorte moved, Kuffa seconded, CARRIED, to approve Consent Agenda item A. as presented.

A. City Council Minutes of May 20, 2019 Regular Meeting: Approved

PRESENTATION

St Clair Chamber of Commerce Life Ring Station Donation Program- Kathy Nemer-Kaiser, St Clair Chamber of Commerce administrator, recapped the interest, partnership and final installation in various locations near our waterways of 21 Life Ring Stations. Each life station was individually sponsored by various local businesses, residents and groups.

ORDINANCES AND RESOLUTIONS

Ordinance Introduction (2019-03) Adoption of verbiage from Section 11.4.3 of the city Ordinance into Section 8.27- **ORDINANCE NO. 2019-03 CITY OF ST. CLAIR COUNTY OF ST. CLAIR, MICHIGAN AN ORDINANCE OF THE CITY OF ST. CLAIR, ST. CLAIR COUNTY, MICHIGAN TO AMEND ARTICLE 8B “DOWNTOWN REDEVELOPMENT DISTRICT” OF APPENDIX B OF THE CITY’S CODE OF ORDINANCES “ZONING” BY REVISING SECTION 27 “SCHEDULE OF BUILDING USE” TO DESIGNATE BUILDINGS WITH MULTI-FAMILY RESIDENTIAL AND SINGLE-FAMILY RESIDENTIAL USES IN THE CLINTON AVENUE SUBDISTRICT AS PERMITTED TO REBUILD AS MULTI-FAMILY RESIDENTIAL OR SINGLE-FAMILY RESIDENTIAL BUILDINGS AS LONG AS THE PROPERTY OWNER APPLIES FOR A BUILDING PERMIT WITHIN ONE YEAR FROM THE DATE OF DAMAGE OR DESTRUCTION. THE CITY OF ST. CLAIR ORDAINS:**

SECTION 1. AMENDMENT. Appendix B, Article 8B of the City Code of Ordinances is hereby amended by adopting Sections 27 to read as follows: **ARTICLE 8B. DOWNTOWN REDEVELOPMENT DISTRICT** Section 8.27 Schedule of Building Use is amended by revising the table under the far-right column marked Clinton Avenue Subdistrict, below the category “Residential Uses,” to designate as a “Permitted Use” the rebuilding of Multi-Family Residences and Single-Family Residences within the Subdistrict, provided that the property owner applies for a building permit within one year from the date of damage or destruction.**SECTION 2. SEVERABILITY.** This Ordinance and each of the various parts, sections, subsections, sentences, phrases and clauses hereof are hereby declared to be severable. If any part, section, subsection, sentence, phrase or clause is determined to be invalid or unenforceable by a court of competent jurisdiction, it is hereby provided that the remainder of this Ordinance shall not be affected thereby and shall remain in full force and effect.**SECTION 3. REPEAL OF ORDINANCES IN CONFLICT HERewith.** Any and all Ordinances of the City of St. Clair or any parts or provisions thereof, to the extent that they are contrary to or inconsistent with the provisions of the within Ordinance, are hereby expressly repealed.**SECTION 4.**

RATIFICATION All other provisions of the City of St. Clair Zoning Ordinance except as herein modified or amended are hereby expressly ratified and affirmed. SECTION 5. PUBLICATION.

This Ordinance shall be published in accordance with the terms, provisions and requirements of the City Charter of the City of St. Clair, Michigan, and in accordance with and to the extent required by the statutes of the State of Michigan. SECTION 6. EFFECTIVE DATE OF ORDINANCE. This Ordinance shall take effect upon publication in accordance with the provisions and requirements of the City Charter of the City of St. Clair.

Kindsvater moved, Kuffa seconded, CARRIED, to introduce Ordinance (2019-03) as presented.

Ayes: Kindsvater, Kuffa, LaPorte, McCartney, Watt, Ellery, Cedar

Nays: None

Resolution (19-10) Adopting 2019-2020 Fiscal Year Budget, Millage Levy and Appropriations Act-
RESOLUTION NO. 19-10 CITY OF ST. CLAIR COUNTY OF ST. CLAIR, MICHIGAN 2019-2020 FISCAL YEAR BUDGET ADOPTION, MILLAGE LEVY AND APPROPRIATIONS ACT

BE IT RESOLVED, that the following summary of revenues and expenditures for the 2019-2020 Fiscal Year Budget be approved:

	Revenues	Expenditures
General Fund	\$3,918,563	\$3,918,563
Major Streets	\$705,717	\$755,716
Local Streets	\$738,679	\$788,678
M-29 Bridge	\$75,500	\$75,500
Recreation	\$230,392	\$235,116
DDA	\$0	\$0
Building	\$87,650	\$100,975
Cable	\$130,100	\$130,100
Pension	\$612,416	\$606,627
OPEB	\$59,086	\$0
Golf Course	\$226,380	\$253,392
Sewer	\$1,358,051	\$1,422,539
Water	\$982,018	\$972,917
Harbor	\$680,586	\$784,740
Rubbish & Garbage	\$359,269	\$354,177
Equipment Pool	\$209,857	\$240,634
Perpetual Care	\$400	\$4500
Library Trust	\$939	\$939
Debt	\$0	\$0
Total	\$10,375,603	\$10,645,113

BE IT FURTHER RESOLVED, that the following total millage requirement for local purposes and the general operating millage of 13.0476 mills for the 2019-2020 City of St. Clair fiscal year budget be approved and authorized to be levied as follows:

Proposed Millage Rate

General Operating Millage	
Total Operating	13.0476
Headlee Cap	13.0476
Bond Debt Retirement	
Total Debt	0
Road Millage	
Road Funds (202, 203)	2.4902
Employee Pension	
Pension Fund (299)	1.0000
Total Local Millage	16.5378

and; **FURTHER RESOLVED**, that the adopted budget for the fiscal year beginning October 1, 2019 and ending September 30, 2020 shall establish the approved appropriation levels for the said fiscal year; and **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; and **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 expenditure levels become necessary and the amount of the deviation becomes known.

LaPorte moved, Ellery seconded, CARRIED, to adopt Resolution (19-10) as presented.

Ayes: Kuffa, LaPorte, McCartney, Watt, Ellery, Kindsvater, Cedar

Nays: None

RESOLUTION DECLARED ADOPTED

Resolution (19-11) Lot Combine: Vine and N Riverside Avenue- **RESOLUTION NO. 19-11 CITY OF ST. CLAIR COUNTY OF ST. CLAIR, MICHIGAN RESOLUTION APPROVING LOT COMBINE**
WHEREAS, a Lot Combine request has been made by On the Vine LLC for properties located at 118 Vine St., 503, 507, 511 and 513 N. Riverside Avenue with parcel numbers 74-07-049-0353-000, 74-07-049-0354-000, 74-07-049-0355-000, 74-07-049-0356-000 and 74-07-086-0169-000: Existing
Parcels Legal descriptions: see attached survey
And **WHEREAS**, the authority to approve such division is vested in the City Council by virtue of the provisions of Ordinance No. 1973-2 enacted pursuant to the provisions of MCLA 560.263; MSA 26.430 (263). **NOW, THEREFORE, BE IT RESOLVED**, that the premises hereinbefore described are combined into one parcel described as: Resulting Parcel legal description: see attached survey

LaPorte moved, Ellery seconded, CARRIED, to adopt Resolution (19-11) as presented.

Ayes: LaPorte, McCartney, Watt, Ellery, Kindsvater, Kuffa, Cedar

Nays: None

RESOLUTION DECLARED ADOPTED

Resolution (19-12) Lot Split/Combine: N Sixth Street and Vacant parcel- **RESOLUTION NO. 19-12 CITY OF ST. CLAIR COUNTY OF ST. CLAIR, MICHIGAN RESOLUTION APPROVING LOT/SPLIT/COMBINE**
WHEREAS, a Lot/Split/Combine request has been made by the property owners of 965 N. 6th Street, parcel number 74-07-285-0002-000, for the adjacent vacant property, parcel number 74-07-057-0034-010, to be split and combined. Existing Parcels Legal descriptions: see attached survey
And **WHEREAS**, the authority to approve such division is vested in the City Council by virtue of the provisions of Ordinance No. 1973-2 enacted pursuant to the provisions of MCLA 560.263; MSA 26.430 (263). **NOW, THEREFORE, BE IT RESOLVED**, that the premises hereinbefore described are split and combined as described as: Resulting Parcels legal description: see attached survey

Kindsvater moved, Kuffa seconded, CARRIED, to adopt Resolution (19-12) as presented.

Ayes: McCartney, Watt, Ellery, Kindsvater, Kuffa, LaPorte, Cedar

Nays: None

RESOLUTION DECLARED ADOPTED

REPORTS FROM ADMINISTRATION

City Superintendent – None

City Attorney- The city street vacation of Ruff and Orchard has been resolved.

City Departments- None

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

UNFINISHED BUSINESS

Ordinance re-consideration of Introduction (2019-02) Rezoning of 678 N. Riverside from PUD to R1

-Attorney Downey reviewed the procedure for reconsideration.

Ellery moved, Kuffa seconded, CARRIED, to bring the motion from the May 20, 2019 regular meeting of the city council "Ordinance Introduction (2019-02)" back to council for reconsideration.

Ayes: Ellery, Kindsvater, Kuffa, LaPorte, Cedar

Nays: Watt, McCartney

Comments heard for and against the rezone from the property owner and other residents of N Riverside and how the item appeared on the agenda.

This vote is the introduction of Ordinance (2019-02) previously motioned by Kindsvater, seconded by LaPorte.

Ayes: Ellery, Kindsvater, Kuffa, LaPorte, Watt, Cedar

Nays: McCartney

ORDINANCE INTRODUCED

NEW BUSINESS

Approve Election Memorandum of Understanding between St Clair County Clerk and Local Clerk- Council was asked to approve a publishing partnership between the County and local clerk as it pertains to election notices.

Kindsvater moved, Ellery seconded, CARRIED, to approve the memorandum as presented.

Approve Special Event Permit for St Clair Library Harry Potter Week Program- Council received a memorandum from Police Chief Raker requesting that Council approve a special event permit for the St Clair Library to hold Harry Potter Week July 29-August 3, 2019. The applicant has complied with the necessary requirements of the Special Events Ordinance and issuance of the permit is respectfully recommended.

Kindsvater moved, Kuffa seconded, CARRIED, to approve the special event permit as requested.

Approve Special Event Permit for Whistles on the Water- Council received a memorandum from Police Chief Raker requesting that Council approve a special event permit for the Downtown Development Authority to conduct Whistles on the Water on Saturday, September 28, 2019. The applicant has complied with the necessary requirements of the Special Events Ordinance and issuance of the permit is respectfully recommended.

Kindsvater moved, Ellery seconded, CARRIED, to approve the special event permit as requested

Approve Special Event Permit for St Clair Chamber of Commerce "Halloweekends" - Council received a memorandum from Police Chief Raker requesting that Council approve a special event permit for the St Clair Chamber of Commerce to conduct their annual "Halloweekends" festivities from October 23-October 25, 2019. The applicant has complied with the necessary requirements of the Special Events Ordinance and issuance of the permit is respectfully recommended. Kindsvater moved, Kuffa seconded, CARRIED, to approve the special event permit as requested

Approve Special Event Permit for Coughlin Jewelers/Wellington Financial Holiday Horse and Carriage Rides - Council received a memorandum from Police Chief Raker requesting that Council approve a special event permit for Coughlin Jewelers/Wellington Financial to conduct Holiday Horse and Carriage Rides on November 30, 2019 from 11am-6pm. The applicant has complied with the necessary requirements of the Special Events Ordinance and issuance of the permit is respectfully recommended. Kuffa moved, Kindsvater seconded, CARRIED, to approve the special event permit as requested

CLAIMS AND ACCOUNTS – May 23 & May 29, 2019

Check registers listing the bills for the period ending May 23, 2019 (check numbers 47953-47997) in the amount of \$75,161.01 and for period ending May 29, 2019 (check numbers 47998-48025) in the amount of \$29,924.16 were presented for Council review.

LaPorte moved, Kuffa seconded, CARRIED, to approve payments of May 23 & May 29, 2019 Claims and Accounts as presented.

PUBLIC QUESTIONS AND COMMENTS – Comments heard for council consideration to amend ordinance for backyard chickens, on missing council minutes from the website, city interest in the soon-to-be vacant Eddy Elementary and on recent council Ordinance action.

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS – Special Events: River Day 6/8/19; Community Pool Open Swim Opening Day 6/15/19; St Clair Beer and Wine Fest 6/22/19; St Clair Art Associations Artful Dodger 10k/5k 6/29/19; St Clair Art Associations 48th Annual Art Fair 6/29-6/30. Counsel is asked to look into littering ordinance in reference to the new Ordinance Marine City passed to oppose newspapers/coupons "Shoppers". Soccer nets have been donated for Klecha Park. Repair is underway on St Clair Highway.

CLOSED SESSION- McCartney moved, Kuffa seconded, CARRIED, to grant 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, and to Confer with Legal Counsel for the Purpose of Discussing a Confidential Attorney-Client Communication Concerning pending litigation.

Ayes: Kindsvater, Kuffa, LaPorte, McCartney, Watt, Ellery, Cedar
Nays: None

At 7:48pm, Council recessed into closed session and resumed regular session at 8:00 pm.

No action was taken.

ADJOURNMENT at 8:01pm

Annette Sturdy, City Clerk

Bill Cedar, Jr., Mayor