

**CITY OF ST CLAIR, MICHIGAN
REGULAR COUNCIL MEETING MINUTES
MONDAY, JANUARY 20, 2020- 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, 48079.

PLEDGE OF ALLEGIANCE was recited.

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

ABSENT: None

ADMINISTRATION: James T. Downey, Kane, Clemons, Joachim & Downey; Timothy Raker; Police Chief; Warren Rothe, City Superintendent; Annette Sturdy, City Clerk.

AUDIENCE: There were 6 people in attendance.

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

A. City Council Minutes of January 6, 2020 Special & Regular Meetings: Approved

ORDINANCES AND RESOLUTIONS

Ordinance Adoption (2020-01) Sign Ordinance- **ORDINANCE NO. 2020 – 01 CITY OF ST. CLAIR COUNTY OF ST. CLAIR, MICHIGAN AN ORDINANCE OF THE CITY OF ST. CLAIR, ST. CLAIR COUNTY, MICHIGAN TO AMEND APPENDIX B OF THE CODE OF ORDINANCES THE CITY OF ST. CLAIR ORDAINS: SECTION 1. PURPOSE.**

The purpose of this Ordinance is to amend various sections of Appendix B of the Codified Ordinances of the City of St. Clair pertaining to regulation of signage. **SECTION 2. SECTIONS AMENDED & UPDATED** Article 6, Section 7.3 of Article 7, Article 8, and Section 8.32 of Article 8B of Appendix B of the Codified Ordinances of the City of St. Clair are hereby amended and updated to read in their entirety as shown on the following pages.

McCartney moved, Kindsvater seconded, CARRIED, to adopt Ordinance (2020-01) as presented.

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

Nays: None

ORDINANCE ADOPTED

Resolution (20-02) Annual Poverty Exemption Policy and Guidelines- **RESOLUTION NO. 20-02 CITY OF ST. CLAIR COUNTY OF ST. CLAIR, MICHIGAN A RESOLUTION FOR THE ANNUAL ADOPTION OF GUIDELINES FOR POVERTY EXEMPTIONS WHEREAS**, the adoption of guidelines for poverty exemptions is required of the City Council; and **WHEREAS**, the principal residence of persons, who the Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or part from taxation under Public Act 390 of 1994 (MCL 211.7u); and **WHEREAS**, pursuant to PA 390 of 1994, the City of St. Clair, St. Clair County, adopts the following guidelines for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year; To be eligible, a person shall do all the following on an annual basis:

1. Be an owner of and occupy as a principal residence the property for which an exemption is requested.

2. File a claim with the Assessor or Board of Review, accompanied by federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns filed in the immediately preceding year or in the current year or a signed State Tax Commission Form 4988, *Poverty Exemption Affidavit*.
3. File a claim reporting that the combined assets of all persons do not exceed the current guidelines. Assets include but are not limited to, real estate other than the principal residence, personal property, motor vehicles, recreational vehicles and equipment, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc.
4. Produce a valid driver's license or other form of identification if requested.
5. Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.
6. Meet the federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services or alternative guidelines adopted by the governing body providing the alternative guidelines do not provide eligibility requirements less than the federal guidelines.
7. The application for an exemption shall be filed after January 1, but one day prior to the last day of the December Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.
8. The Board of Review shall follow the guidelines of the local assessing unit in granting or denying an exemption unless there is substantial and compelling reasons why there should be a deviation from the guidelines and the substantial and compelling reasons are communicated in writing to the claimant. Any deviation from the guidelines shall require an unanimous vote of the Board of Review.
9. Persons applying for a hardship exemption will be encouraged to meet in person with the Board of Review in order to answer any questions relative to their application. Applicants or their authorized agents may have to answer questions regarding such subjects as financial affairs, health and/or the status of people living in their home at a meeting that is open to the public.
10. A person who files for a hardship exemption is not prohibited from also filing an appeal on the assessment and/or taxable value.
11. The applicant must also meet the Asset Guidelines in accordance with PA 390 of 1994 as previously adopted by the City of St. Clair Council.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Assessor and the Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption, unless the Board of Review determines there are substantial and compelling reasons why there should be a deviation from the policy and federal guidelines and these reasons are communicated in writing to the claimant.

LaPorte moved, Kuffa seconded, CARRIED, to adopt Resolution (20-02) as presented.

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

RESOLUTION ADOPTED

REPORTS FROM ADMINISTRATION

City Superintendent – WPHM interview is now available. Evaluation of Woodland Estate roads will be completed by AEW. A presentation will occur at the next council meeting. Residents will receive a public notice from EGLE regarding city water quality.

City Attorney- Administration has received a draft ordinance regarding unsolicited papers being thrown in the driveways. Prosecution of drunk driving cases has not been hindered because of recommendation by the State to pull specific testing equipment out of service.

City Departments- The Presidential Primary election is Tuesday, March 10, 2020. It is a closed primary. Absent Voter Ballot applications are available. This application allows the registered voter to receive their ballot before election day. Voters must choose the ballot type he/she wishes to receive. This is part of the application and must be completed in order to receive a ballot. For the

City of St Clair there are 3 ballot types to choose from: Republican, Democrat and Local Proposal.
Authority, Board, Commission, Committee Chairman or Council Representative – None

UNFINISHED BUSINESS – None

NEW BUSINESS

Approve proposal for Municipal building parking lot improvements-Superintendent Rothe explained proposal is for parking lot pavement however project also includes upgrading to LED lighting. McCartney moved, Kuffa seconded, to approve recommendation to award bid to TG Priehs, waive the competitive bid, and include the accompanying budget adjustments.

McCartney moved, Ellery seconded, CARRIED, to amend original motion to award the bid to TG Priehs, waiving the competitive bid process, approve the accompanying budget adjustments and contingent on TG Priehs providing the performance bond.

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

Approve proposal for Vine Street road repair- McCartney moved, Ellery seconded, CARRIED, to award the bid to Murray Underground, waiving the competitive bid process and contingent on Murray Underground providing the performance bond.

McCartney recommended moving forward all specs should include performance bonds.

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

Approve Appointments to 2020 Board and Commissions- Mayor Cedar recommended the re-appointments of Jason Stoltz to Board of Review for a one-year term expiring December 31, 2020 and Appointment of Council Representatives to 2020 Boards, Commissions and Authorities all for a one year term to expire December 31, 2020: Cemetery- Tom McCartney, DDA- Jon Watt, Golf- Butch Kindsvater, Harbor- Mitch Kuffa, Historical- Jon Watt, Library- Tom McCartney, Planning- Mike LaPorte and Recreation- Tom McCartney.

Kindsvater moved, LaPorte seconded, CARRIED, to approve as recommended.

Approve Special Event Permit for Memorial Day Parade- Council received a memorandum from Police Chief Raker requesting that Council approve a special event permit for the American Legion Charles J Fulton Post 382 to conduct a Memorial Day Parade and Ceremony on May 25, 2020 at 1:00pm. 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 special event permit application as presented.

Approve Special Event Permit for MS Society of Michigan MS Walk- Council received a memorandum from Police Chief Raker requesting that Council approve a special event permit for the National Multiple Sclerosis Society to conduct a MS Walk on May 9, 2020. 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 special event permit application as presented.

CLAIMS AND ACCOUNTS – January 9 & January 16, 2020

Check registers listing the bills for the period ending January 9, 2020 (check numbers 49432-

49479) in the amount of \$360,859.65 and the period ending January 16, 2020 (check numbers 49480-49521) in the amount of \$79,082.41 were presented for Council review.

LaPorte moved, Kindsvater seconded, CARRIED, to approve payments of January 9, 2020 and January 16, 2020 Claims and Accounts as presented.

PUBLIC QUESTIONS AND COMMENTS – None

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS – Congratulations and Thank you St. Clair Chamber of Commerce for the Ice Carving event. Special events: Winter White Out Poet Laureate and Bootlegger Balladeer competition 1/22/20, public forum by Schmude Oil 1/23/10 @6pm to explain the natural gas exploration and SCHS Theater troop “Matilda the Musical” February 6-9. Member McCartney supports parking lot project.

ADJOURNMENT at 7:32 pm

Annette Sturdy, City Clerk

Bill Cedar, Jr., Mayor