

**CITY OF ST CLAIR, MICHIGAN  
REGULAR COUNCIL MEETING MINUTES  
MONDAY, MARCH 2, 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, Kuffa, LaPorte, McCartney, Watt

ABSENT: Member Kindsvater (excused)

ADMINISTRATION: Delos Boulier, Building Inspector; James T. Downey, Kane, Clemons, Joachim & Downey; Donovan Ennis, Detective Corporal; Trice Hawkins, Recreation Director; Timothy Raker; Police Chief; Warren Rothe, City Superintendent; Annette Sturdy, City Clerk.

AUDIENCE: There 23 people in attendance.

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

A. City Council Minutes of February 17, 2020 Regular Meeting: Approved

**PUBLIC HEARING**

Michigan Department of Natural Resources Trust Fund Grant -Klecha Park Renovations- Mayor Cedar opened the public hearing at 7:01pm. Representative from Rowe summarized the intent. The grant requires a local match. The application includes a 30% local match offer. Phase I is for the picnic pavilion, playground, pathway for ADA accessibility and parking lots. Phase II will expand the facilities with options of a hard surface multi-use court, splash pad and/or an ice rink. No public comment. Closed at 7:06pm

**ORDINANCES AND RESOLUTIONS**

Ordinance Introduction (2020-03) Special Assessments- **AN ORDINANCE OF THE CITY OF ST. CLAIR, ST. CLAIR COUNTY, MICHIGAN TO AMEND CHAPTER 46 “SPECIAL ASSESSMENTS,” SECTION 16 “PARTIAL PAYMENTS” BY EXTENDING THE MAXIMUM POTENTIAL TERM OF ANNUAL INSTALLMENTS FROM TEN TO TWENTY. THE CITY OF ST. CLAIR ORDAINS:**

SECTION 46-16. Partial payments. The council may provide for the payment of special assessments in annual installments. Such annual installments shall not exceed twenty in number, the first installment being due upon confirmation of the roll or on such date as the council may determine and deferred installments being due annually thereafter, or, in the discretion of the council, may be spread upon and made a part of each annual city tax roll thereafter until all are paid. Interest shall be charged on all deferred installments at a rate not to exceed the annual rate allowed by law, commencing on the due date of the first installment, or 60 days after the date of confirmation if the first installment is not due upon confirmation, and payable on the due date of each subsequent installment. The full amount of all or any deferred installments, with interest accrued thereon to the date of payment, may be paid in advance of the due dates thereof. If the full assessment or the first installment thereof shall be due upon confirmation, each property owner shall have 60 days from the date of confirmation to pay the full amount of such assessment, or the penalty. Following such 60-day period, the assessment or first installment thereof shall, if unpaid, be considered as delinquent and the same penalties shall be collected on such unpaid assessments or first installments thereof as are provided by law to be collected on delinquent general city taxes. Deferred installments shall be collected without penalty until 60 days after the due date thereof, after which such installments shall be considered as delinquent and such penalties on such installments shall be collected as are

provided by law to be collected on delinquent general city taxes. After the council has confirmed the roll, the city treasurer shall notify by mail each property owner on such roll that the roll has been filed, stating the amount assessed and the terms of payment. Failure on the part of the city treasurer to give such notice or of the owner to receive such notice shall not invalidate any special assessment roll of the city or any assessment thereon, nor excuse the payment of interest or penalties. **SECTION 2.SEVERABILITY.**This Ordinance and each of the various parts, sections, subsections, sentences, phrases, and clauses hereof are 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 the 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 code of Ordinances of the City of St. Clair, Michigan 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.** This Ordinance shall take immediate effect upon publication in accordance with the provisions and requirements of the City Charter of the City of St. Clair. LaPorte moved, McCartney seconded, CARRIED, to introduce Ordinance (2020-03) as presented. Ayes: LaPorte, McCartney, Watt, Ellery, Kuffa, Cedar  
Nays: None

#### **ORDINANCE INTRODUCED**

Resolution (20-06)-MERS Retiree Health Funding Vehicle-

McCartney moved, Ellery seconded, CARRIED, to approve Resolution (20-06) as presented.

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

Nays: None

#### **RESOLUTION DECLARED ADOPTED**

Resolution (20-07)-Authorization-Local Unit of Government Match Michigan Department of Natural Resource Trust Fund Grant- If the grant is awarded, the city of St. Clair financial commitment will be \$88,500.

McCartney moved, Kuffa seconded, CARRIED, to approve Resolution (20-07) as presented.

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

Nays: None

#### **RESOLUTION DECLARED ADOPTED**

#### **REPORTS FROM ADMINISTRATION**

**City Superintendent** – The resident handbook is completed and will be on the website this week.

**City Attorney-** None

**City Departments- SCPD-**Detective Corporal Ennis stated the collection bin for unused medicine has been very successful. In partnership with the DEA, National Drug take back day is April 25.**City Clerk-**One week from tomorrow, March 10, is the Presidential Primary. Absent Voter Ballots are still available. Petition packets for interested Mayor and Council candidates are available. The deadline to file is April 21, 2020. The State Primary election is August 4 and the General Election will be November 3.

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

**UNFINISHED BUSINESS** – None

## **NEW BUSINESS**

### Authorize MERS Retiree Health Funding Vehicle account deposit-

LaPorte moved, Ellery seconded, CARRIED, to fund the account vehicle for the amount of \$500,000 by transferring funds from the general fund.

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

Nays: None

Approve Advia Credit Union License Agreement and sign placement- DJ Boulter, presented the information to approve the right of way for a new sign due to the change from Riverview Credit Union to Advia Credit Union.

Kuffa moved, McCartney seconded, CARRIED, to approve sign placement and contingent on the appropriate party approval of the license agreement.

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

Nays: None

Approve MML Compensation Study Proposal- Superintendent explained the proposal will include job descriptions and conduct of a wage study with a point factor evaluation. The cost of the total study will be \$12K-\$14K. Study cannot begin until August with their current workload. Discussion included specifics of which 5 jobs to evaluate and clarification that it is to evaluate the compensation not the employee.

McCartney moved, Ellery seconded, CARRIED, to accept the proposal from the MML and authorize the City Superintendent to sign the agreement and waive the competitive bid requirement.

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

Nays: None

Approve St Clair Little League Opening Day and State Tournament Parades- Council received a memorandum from Police Chief Raker requesting that Council approve a special event permit for St. Clair Little League to conduct an Opening Day and State Tournament Parade on May 2 and July 10<sup>th</sup> respectively. The applicant has complied with the necessary requirements of the Special Events Ordinance and issuance of the permit is respectfully recommended.

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

Approve St. Clair Marbleye Classic Walleye Tournament- Council received a memorandum from Police Chief Raker requesting that Council approve a special event permit for the St. Clair Marbleye Classic Committee to conduct the Tournament on May 15-17, 2020. The applicant has complied with the necessary requirements of the Special Events Ordinance and issuance of the permit is respectfully recommended.

LaPorte moved, Ellery seconded, CARRIED, to approve special event permit as presented.

Approve temporary outdoor service for The Voyageur- Council received a memorandum from Police Chief Raker requesting that Council approve a special event permit for the Voyageur to hold outdoor service July 24-26, 2020. The applicant has complied with the necessary requirements of the Special Events Ordinance and issuance of the permit is respectfully recommended.

Kuffa moved, McCartney seconded, CARRIED, (Laporte abstained) to approve temporary outdoor service as requested.

Approve special event permit for St Clair Art Association Pop Up Gala- Council received a memorandum from Police Chief Raker requesting that Council approve a special event permit for the St. Clair Art Association to hold a Pop-Up Gala on September 12, 2020 in the Riverview Plaza Park. The applicant has complied with the necessary requirements of the Special Events Ordinance and issuance of the permit is respectfully recommended.

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

**CLAIMS AND ACCOUNTS** – February 21 & February 27, 2020

Check registers listing the bills for the period ending February 21, 2020 (check numbers 49705-49754) in the amount of \$193,195.94 and the period ending February 27, 2020 (check numbers 49755-49782) in the amount of \$23,833.68 were presented for Council review.

LaPorte moved, Ellery seconded, CARRIED, to approve payments of February 21, 2020 and February 27, 2020 Claims and Accounts as presented.

**PUBLIC QUESTIONS AND COMMENTS** – Comments heard on the location and width of the proposed Clinton 10-foot wide bike path and the request to give serious consideration to re-evaluate the proposal and include review to allow for proper driveway access. Comments heard on the timeline of the January water notice delivery and request to change how the city reports incidents so there is quicker awareness given to residents.

**MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS** – Condolences extended to Council member Kindsvater's family.

**ADJOURNMENT** at 7:37pm

Annette Sturdy, City Clerk

Bill Cedar, Jr., Mayor