

**CITY OF ST CLAIR, MICHIGAN
REGULAR COUNCIL MEETING MINUTES
MONDAY, JUNE 17, 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, Watt

ABSENT: Member McCartney (excused)

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

AUDIENCE: There were 32 people in attendance.

AGENDA AMENDMENT- Kuffa moved, Ellery seconded, CARRIED, to add Presentation: Justin Westmiller, Homeland Security and Emergency Management: Rising Water.

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

- A. City Council Minutes of June 3, 2019, 2019 Regular Meeting: Approved
- B. Cemetery Board of Trustees Minutes of May 14, 2019 Meeting: Received

PRESENTATION

Homeland Security and Emergency Management: Rising Water- Justin Westmiller discussed County wide flooding, specific water levels and precautions to take by residents and boaters.

ORDINANCES AND RESOLUTIONS

Ordinance Adoption (2019-02) Rezoning of 678 N. Riverside from PUD to R1- **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. 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.

Kindsvater moved, Kuffa seconded, CARRIED, to adopt Ordinance (2019-02) as presented.

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

Nays: None

ORDINANCE ADOPTED

Ordinance Adoption (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.

Ellery moved, Kindsvater seconded, CARRIED, to adopt Ordinance (2019-03) as presented.

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

Nays: None

ORDINANCE ADOPTED

REPORTS FROM ADMINISTRATION

City Superintendent – None

City Attorney- None

City Departments- None

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

UNFINISHED BUSINESS

NEW BUSINESS

St Clair Parks and Recreation Commission 2019 Local Millage Distribution of Funds- Per a memorandum, Recreation Director Trice Hawkins advised that the city is eligible to receive \$24,865.00 from distribution of St Clair County Parks and Recreation Local Millage Funds for 2019. This is the 25th year of the population-based distribution. An annual funding request must be submitted to the county along with a stated use before the money is released.

LaPorte moved, Ellery seconded, CARRIED, to approve the 2019 St. Clair County Parks and Recreation Local Millage Distribution Request.

Approve Special Event Permit for St. Mary's Catholic Church Processional- Council received a memorandum from Police Chief Raker requesting that Council approve a special event permit for the St Mary's Catholic Church to conduct a processional on local streets Sunday, June 23, 2019 from 12-2. 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 request as recommended.

Approve Special Event Permit for St. Clair Garden Club to Tour of the Special Gardens- Council received a memorandum from Police Chief Raker requesting that Council approve a special event permit for the St. Clair Garden Club to conduct a tour of Special Gardens Saturday, July 13, 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 request as recommended.

Approve Special Event Permit for Relay for Life Poker Paddle Council received a memorandum from Police Chief Raker requesting that Council approve a special event permit for the Relay for Life to conduct a Poker Paddle at the St Clair Boat Harbor/Pine River on Saturday, July 20, 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 request as recommended.

Approve Special Event Permit for St Clair Chamber of Commerce Parking Lot Party - Council received a memorandum from Police Chief Raker requesting that Council approve a special event permit for the St Clair Chamber of Commerce to host a Parking Lot Party in Neimans Parking Lot on Thursday, September 26, 2019 from 5pm-9pm. 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 request as recommended.

CLAIMS AND ACCOUNTS – June 6 & June 13, 2019

Check registers listing the bills for the period ending June 6, 2019 (check numbers 48026-48065) in the amount of \$79,850.69 and for period ending June 13, 2019 (check numbers 48066-48132) in the amount of \$309,239.77 were presented for Council review.

LaPorte moved, Ellery seconded, CARRIED, to approve payments of June 6 & June 13, 2019 Claims and Accounts as presented.

PUBLIC QUESTIONS AND COMMENTS – Comments heard on local streets (Clinton and 2nd Street), progress on M-29 Road Diet, 602 S. 8th Ordinance compliance and permanent zoning north of Brown. The light at the M-29/Clinton intersection has been reconfiguration. MDOT has advised the striping (painting) of M-29 will occur soon. The Planning Commission will check records for intention for any further rezoning on M-29

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS – The 2019-2020 recently approved budget includes increased water rates effective October 1, 2019. Mayor Cedar acknowledged City Superintendent/Finance Director Mike Booth's resignation effective July 12, 2019. Special Events: St Clair Historical Museum Grand Re-opening 6/20 @7pm and 6/21 @1pm; 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 & 4th of July Fireworks Display 7/4/19.

ADJOURNMENT at 7:38pm

Annette Sturdy, City Clerk

Bill Cedar, Jr., Mayor