

**CITY OF ST CLAIR, MICHIGAN
REGULAR COUNCIL MEETING MINUTES
MONDAY, JULY 6, 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; Warren Rothe, City Superintendent; Bari Wrubel, Water Plant Lead Operator; Annette Sturdy, City Clerk.

AUDIENCE: There were 8 people in attendance.

AGENDA AMENDMENTS – Kindsvater moved, McCartney seconded, CARRIED, to add item 5B) resolution consideration and 8C) water limitations.

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

A. City Council Minutes of June 15 & June 22, 2020 Special and Closed meetings: Approved

ORDINANCES AND RESOLUTIONS

Consideration of Proposed Resolutions Addressing Moratorium on Late Utility Bill Fees – No action taken.

Resolution (20-13) Palmer and Rotary Park Qualified Container - CITY OF ST. CLAIR ST. CLAIR COUNTY, MICHIGAN A RESOLUTION TO SUSPEND ENFORCEMENT OF CITY CODE SECTION 38-179(A) WITH RESPECT TO CONSUMPTION OF ALCOHOLIC LIQUOR IN QUALIFIED CONTAINERS IN PALMER PARK AND ROTARY PARK WITH LIMITATIONS, EFFECTIVE IMMEDIATELY THROUGH OCTOBER 31, 2020. WHEREAS, Public Act 58 of 1998, the Michigan Liquor Control Code, MCL Section 436.1915 allows for the lawful possession and consumption of alcoholic liquor in public parks and for municipal governments to legislate restrictions on same; and **WHEREAS**, the City of St. Clair has availed itself of the right established by MCL Section 436.1915(3) to prohibit alcoholic liquor in public parks by the adoption of Code Section 38-179(a); and **WHEREAS**, the City of St. Clair has reserved the right pursuant to Code Section 38-33(b) to permit the consumption of alcoholic beverages by resolution of City Council upon or in public places when it determines that a state liquor license is not required; and **WHEREAS**, on March 10, 2020, the Governor declared a state of emergency and on March 13, 2020, the President declared a National Emergency as a result of the Coronavirus outbreak; and **WHEREAS**, on July 01, 2020, the Governor signed Public Act 125 of 2020 into law, allowing for the sale off alcoholic liquor in qualified containers for consumption off the licensed premises; and **WHEREAS**, the City of St. Clair determines that a temporary suspension of the prohibition established by Code Section 38-179(a) as to the possession and consumption of alcoholic liquor only in Palmer Park and Rotary Park is in the public interest and serves an important civic purpose in encouraging commerce in the City so affected by the Coronavirus outbreak; **NOW, THEREFORE, BE IT RESOLVED** that the City of St. Clair **RESOLVES** to suspend enforcement of Code Section 38-179(a) as to allow the consumption of alcoholic beverages in qualified containers in Palmer Park and Rotary

Park from 3:00p.m. to 10:00p.m. Wednesday through Saturday and 12:00p.m. to 6:00p.m. on Sundays, effective immediately through October 31, 2020, subject to the following conditions:

1. Qualified container shall be defined as in Public Act 125 of 2020.
2. Any on-premise alcohol beverage licensee allowed to sell alcohol to go pursuant to Public Act 125 of 2020 shall comply with all laws, rules and regulation which govern its license type.
3. The alcoholic beverage must be contained in a paper, plastic or aluminum cup that bears the commercially printed name and/or logo of the designated licensee.
4. The paper or plastic cup cannot exceed sixteen (16) fluid ounces in size. An aluminum cup cannot exceed thirty-two (32) fluid ounces in size.

RESOLUTION DECLARED ADOPTED

McCartney moved, Kindsvater seconded, to adopt the Resolution to suspend enforcement of current applicable city code in Palmer Park and Rotary park Thursday-Sunday from 3:00pm-10:00pm.

McCartney moved, Kindsvater seconded, CARRIED, to amend the original motion as to suspend enforcement of current applicable city code in Palmer Park and Rotary Park Wednesday-Saturday 3:00pm-10:00pm and Sunday 12:00pm-6:00pm of up to 16 ounce in paper/plastic cup or 32 ounce aluminum cup which must include the name of the establishment and the date on the container/cup.
Ayes: McCartney, Watt, Kindsvater, Kuffa, Cedar
Nays: Ellery
Abstained: LaPorte

Public comment included statement of intended events from Wednesday-Sunday throughout the summer in Palmer Park and questions from local business owners requesting clarification on container descriptions.

REPORTS FROM ADMINISTRATION

City Superintendent – Residents encouraged to complete the 2020 census. Auto-pay for utilities is available. Crack sealing is not scheduled yet. Requested to consider return envelope for utility payments.

City Attorney-None

City Departments- Absent Voter ballots are now available for the August 4, 2020 Primary election. At this time, polls will be open 7:00am-8:00pm at all 3 polling locations so the choice is yours to either vote by mail or in-person on election day. Cemetery Board of Trustees is moving forward with purchase of another Columbarium unit.

Authority, Board, Commission, Committee Chairman or Council Representative – Cemetery Council Representative McCartney reported Hillside Cemetery Headstone Repair program is ongoing.

UNFINISHED BUSINESS – None

NEW BUSINESS

Approve Proposal for Water Treatment Plant Improvement Engineering Study – McCartney moved, Kuffa seconded, CARRIED, to accept Fishbeck's proposal for \$48,850.
Ayes: Watt, Ellery, Kindsvater, Kuffa, LaPorte, McCartney, Cedar
Nays: None

Limitation on lawn watering- McCartney moved, Ellery seconded, CARRIED, to determine there is a water emergency, and to order immediate limitation on lawn watering as *odd-numbered addresses allowed to water on odd days and even-numbered addresses allowed to water on even days* for.

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

City Superintendent Rothe requested to speak to the township to advise of this change.

Discussion on purchase of Street Sweeper- Discussion included request for cost comparison owning vs. renting and scheduling of usage. No action taken.

CLAIMS AND ACCOUNTS – June 18, June 25 & July 2, 2020

Check registers listing the bills for the period ending June 18, 2020 (check numbers 50458-50495) in the amount of \$68,539.83 and the period ending June 25, 2020 (check numbers 50496-50534) in the amount of \$48,148.76 and the period ending July 2, 2020 (check numbers 50535-50571) in the amount of \$56,579.46 were presented for Council review.

LaPorte moved, Ellery seconded, CARRIED, to approve payments of June 18, June 25 & July 2, 2020 Claims and Accounts as presented.

PUBLIC QUESTIONS AND COMMENTS – Questions heard on city hall accessibility to the public and follow up on the June 22, 2020 closed session information.

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS – Mayor Cedar extended sympathy to the family of Joe Stockhausen. Congratulations to Fred Robbins on his retirement. Thank you for your decades of service.

ADJOURNMENT at 8:22pm

Annette Sturdy, City Clerk

Bill Cedar, Jr., Mayor