

**CITY OF ST CLAIR, MICHIGAN
REGULAR COUNCIL MEETING MINUTES
MONDAY, NOVEMBER 16, 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, Clemens, Joachim and Downey; Timothy Raker, Police Chief; Annette Sturdy, City Clerk.

AUDIENCE: There were 9 people in attendance.

AGENDA AMENDMENT- Kuffa moved, McCartney seconded, CARRIED, to add "Resolution (20-19) Third amendment to Purchase Agreement

CONSENT AGENDA – LaPorte moved, Kuffa seconded to approve consent agenda items A. and B. as presented.

- A. City Council Minutes of October 19, 2020 Closed Meeting: Approve
- B. City Council Minutes of November 2, 2020 Regular Meeting: Approve

ORDINANCES AND RESOLUTIONS

Resolution (20-19) Third amendment to Purchase Agreement- **A RESOLUTION TO APPROVE THE THIRD AMENDMENT TO THE PURCHASE AGREEMENT EXECUTED BETWEEN THE CITY AND INNOVO DEVELOPMENT GROUP, LLC ON AUGUST 19, 2020 AND TO AUTHORIZE CITY CLERK ANNETTE M. STURDY AND HON. WILLIAM CEDAR, JR. TO EXECUTE ALL DOCUMENTS RELATED TO THE CLOSING OF THE REAL ESTATE SALE UNDERLYING THE AGREEMENT.** **WHEREAS**, the City of St. Clair ("City") and Innovo Development Group, LLC ("Innovo") entered into a purchase agreement ("Agreement") on August 19, 2020 for the sale of real property located in the City's industrial park; and **WHEREAS**, the City and Innovo entered into a First Amendment of the Agreement on September 21; and **WHEREAS**, Innovo transferred its interest in the Agreement to Dieomatic Incorporated, DBA Magna Electric Vehicle Structures—Michigan ("Dieomatic"), an Iowa corporation and wholly owned subsidiary of Magna International, a Canadian corporation by way of an Assignment and Assumption of Purchase Agreement dated October 28, 2020; and **WHEREAS**, the City and Dieomatic executed a Second Amendment of the Agreement on November 13, 2020; and **WHEREAS**, the City and Dieomatic have memorialized the terms of their transaction in a Third Amendment to the Agreement; and **WHEREAS**, the City administration recommends approval of the Third Amendment to the Agreement and City Council believes that concluding this transaction with Dieomatic on the terms recited in the Third Amendment to the Purchase Agreement dated August 19, 2020 is in the best interest of the City; **NOW, THEREFORE, BE IT RESOLVED** that the City of St. Clair **APPROVES** the Third Amendment to the Purchase Agreement of August 19, 2020 and authorizes City Clerk Annette M. Sturdy and Mayor William Cedar, Jr. to execute all documents necessary to complete the closing of the sale.

McCartney moved, Kuffa seconded, CARRIED, to adopt Resolution (20-19) as recommended.

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

Nays: None

RESOLUTION DECLARED ADOPTED

REPORTS FROM ADMINISTRATION

City Superintendent – None

City Attorney-The order issued yesterday by the MDHHS is currently under review.

City Departments- City offices will be closed 11/26 &11/27. “Garbage Day” is delayed next week with Friday also being the last day for Waste Management seasonal bagged yard waste collection. Congratulations to the Mayor and new and returning councilmembers. Complete election results are available at stclaircountyclerk.org. The city had a 75% voter turnout and a smooth, successful day. Thank you to all election workers & city hall office staff for their assistance during this election season.

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

UNFINISHED BUSINESS - None

NEW BUSINESS

Approve Goffe Street Reconstruction and Water Main replacement Proposal- Ryan Kern, AEW, presented the proposal. Discussion occurred on the sanitary sewer.

LaPorte moved, Kuffa seconded, CARRIED, to approve proposal in the amount of \$1,109,680 as presented.

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

Nays: None

Approve Engineering services for North Riverside Sewer Improvement Project-Ryan Kern, AEW, explained the price difference and work involved between the original engineering concept with moving the sewer close to N. Riverside. The recommendation from AEW is to move forward with the original proposal.

Kindsvater moved, LaPorte seconded, CARRIED, to approve AEW engineering proposal in the amount of \$624,763.50.

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

Nays: None

Adopt MERS Defined Contribution Plan Agreement and approve addendums-

Kindsvater moved, McCartney seconded, CARRIED, to adopt agreement and approve addendums as requested.

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

Nays: None

Approve special event permits for St Clair Chamber of Commerce Lantern Walk - Council received a memorandum from Police Chief Raker requesting that Council approve a special event permit for the St. Clair Chamber of Commerce to hold “Lantern Walks’ on the Greig Park trails December 11 & 12, 2020. The applicant has complied with the necessary requirements of the Special Events Ordinance and issuance of the permit is respectfully recommended.

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

Approve special event permit for St Clair Chamber of Commerce Christmas Market & Downtown Holiday Lights- 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 Christmas Market in Riverview Plaza December 11 & 12, 2020 and host a holiday lights display until the end of January. The applicant has complied with the necessary requirements of the Special Events Ordinance and issuance of the permit is respectfully recommended.

Kindsvater moved, LaPorte seconded, CARRIED, to approve the special event permit as presented

Approve special event permit for St Clair Chamber of Commerce Ice Carvings- Council received a

memorandum from Police Chief Raker requesting that Council approve a special event permit for the St. Clair Chamber of Commerce to coordinate Ice carvings on January 22, 23 & 24, 2021. The applicant has complied with the necessary requirements of the Special Events Ordinance and issuance of the permit is respectfully recommended.

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

CLAIMS AND ACCOUNTS – November 5 & November 13, 2020

Check registers listing the bills for the period ending November 5, 2020 (check numbers 51283-51325) in the amount of \$155,056.42 and the period ending November 13, 2020 (check numbers 51328-51416) in the amount of \$241,274.63 were presented for Council review.

LaPorte moved, Kuffa seconded, CARRIED, to approve payments of November 5 & 13, 2020 Claims and Accounts as presented.

PUBLIC QUESTIONS AND COMMENTS – Ryan Kern stated postponement of the Clinton Ave Bike Path public outreach meeting. Comments can be sent to: rkern@awinc.com.

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS –Clinton Ave. Bike Path public outreach meeting 11/19/20 is postponed. Councilmember Watt requested council revisit a ballot proposal for voters to amend the candidate requirements of the Charter with specific ward residency reference.

ADJOURNMENT at 7:26pm

Annette Sturdy, City Clerk

Bill Cedar, Jr., Mayor