

**CITY OF ST CLAIR, MICHIGAN
REGULAR COUNCIL MEETING MINUTES
MONDAY, APRIL 19, 2021- 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 Kindsvater, Klieman, Kuffa, LaPorte, Volz

ABSENT: None

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

AUDIENCE: There were 5 people in attendance.

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

- A. City Council Minutes of April 5, 2021 regular & closed meetings: Approved
- B. Cemetery Board of Trustees Minutes of March 2, 2021 Meeting: Received
- C. Planning Commission Minutes of March 10, 2021 Meeting: Received

PROCLAMATION

Proclamation Designating April 30, 2021 as Arbor Day-Mayor Cedar proclaimed April 30, 2021 as Arbor Day and acknowledged the city's designation of Tree City USA for the 23rd year.

ORDINANCES AND RESOLUTIONS

Resolution (21-13) Vacate Christian B Haas Drive- **RESOLUTION TO VACATE A PORTION OF CHRISTIAN B. HAAS DRIVE NORTH OF YANKEE ROAD IN THE ST. CLAIR INDUSTRIAL PARK A RESOLUTION** of the City Council of the City of St. Clair adopted at a regular meeting of said Council held at City Hall located at 547 N. Carney Drive, St. Clair, Michigan, on the 19th day of April, 2021 at 7:00 PM. **WHEREAS**, the City of St. Clair has received a request to vacate a portion of Christian B. Haas Drive north of Yankee Road in the St. Clair Industrial Park, which is located in the City of St. Clair, County of St. Clair, State of Michigan; and, **WHEREAS**, pursuant to Act No. 288 of the Public Acts of 196, as amended, being the Subdivision Control Act of 1967, the City of St. Clair is empowered to vacate by resolution or ordinance streets, alleys, or rights-of-way; and, **WHEREAS**, the City Council of the City of St. Clair held a Public Hearing on April 5, 2021 concerning the request to vacate a portion of Christian B. Haas Drive north of Yankee Road in the St. Clair Industrial Park; and, **WHEREAS**, the adjacent property owners have been notified of the said request and proposal and have been afforded an opportunity to comment upon and to be heard relative to such request; and, **WHEREAS**, the City Council of the City of St. Clair determines it is in the best interest of the City to vacate a portion of Christian B. Haas Drive north of Yankee Road in the St. Clair Industrial Park; and, **WHEREAS**, on or before the date of this Resolution, Magna Electric Vehicle Structures – Michigan, Inc. ("MEVS"), the petitioner, as grantor, and the City of St. Clair, as grantee, have entered into two (2) public utility easements for the purposes and in the locations as set forth therein; **NOW, THEREFORE**, it is hereby RESOLVED by the City Council of the City of St. Clair, County of St. Clair, State of Michigan, as follows:

1. That the City Council of the City of St. Clair hereby vacates a portion of Christian B. Haas Drive north of Yankee Road in the St. Clair Industrial Park, as depicted in the attached map (see Exhibit A) and more specifically described as: All that part of Christian B. Haas Drive North lying

north of the south line of Lot 15 as extended west to the west right-of-way of Christian B. Haas Drive North, as platted and dedicated in the subdivision plat of St. Clair Industrial Park, Part of the Southwest Quarter of Section 19, Town 5 North, Range 17 East, St. Clair Township (Conditionally Transferred to the City of St. Clair), St Clair County Michigan, as recorded in Liber 107 of Plats, Pages 7 through 10, St. Clair County Records.

2. That the City Clerk shall record a certified copy of this Resolution at the St. Clair County Register of Deeds within thirty (30) days after its adoption, and that this Resolution shall not have force or effect until so recorded with the St. Clair County Register of Deeds.

3. That the City Clerk shall send a certified copy of this Resolution to the Treasurer of the State of Michigan within thirty (30) days after its adoption.

Kindsvater moved, LaPorte seconded, CARRIED, to adopt Resolution (21-13) as presented.
Ayes: Volz, Kindsvater, Klieman, Kuffa, LaPorte, Cedar
Nays: None

RESOLUTION DECLARED ADOPTED

Resolution (21-14) Golf Fund Deficit Elimination Plan-This plan includes a \$26,500 transfer from General Fund to Golf Fund. **RESOLUTION TO APPROVE THE PINE SHORES FUND'S DEFICIT ELIMINATION PLAN WHEREAS**, the City of St. Clair's Pine Shores fund has a \$15,384 fund deficit on September 30, 2020; and, **WHEREAS**, Public Act 140 of 1971 requires that a Deficit Elimination Plan be formulated by the local unit of government and filed with the Michigan Department of Treasury.**BE IT RESOLVED**, that the City Council approves the attached as the Pine Shores fund's Deficit Elimination Plan.**BE IT FURTHER RESOLVED**, that the City of St. Clair's City Accountant submit the Deficit Elimination Plan to the Michigan Department of Treasury for certification.

Kindsvater moved, Kuffa seconded, CARRIED, to adopt Resolution (21-14) as presented.
Ayes: Kindsvater, Kuffa, LaPorte, Volz Cedar
Nays: Klieman

RESOLUTION DECLARED ADOPTED

Resolution (21-15) Woodland Estates Special Assessment- **A RESOLUTION ACCEPTING AND CERTIFYING THE SPECIAL ASSESSMENT ROLL FILED BY THE ASSESSOR ON THE WOODLAND ESTATES CONDOMINIUM DEVELOPMENT PROJECT; SCHEDULING A PUBLIC HEARING FOR MAY 3, 2021 AT 7:00 P.M. ON OBJECTIONS TO SAME; DIRECTING THE CLERK TO PUBLISH NOTICE OF THE PUBLIC HEARING IN A NEWSPAPER OF LOCAL CIRCULATION AND TO MAIL NOTICE, BY FIRST-CLASS MAIL, TO ALL INTERESTED PERSONS IN THE PROPERTY TO BE SPECIALLY ASSESSED; REQUIRING ANY OBJECTIONS MADE BY INTERESTED PERSONS TO BE IN WRITING; AND DIRECTING THE ASSESSOR TO APPEAR AT THE PUBLIC HEARING. A RESOLUTION** of the City Council of the City of St. Clair adopted at a regular meeting of said Council held at City Hall located at 547 N. Carney Drive, St. Clair, Michigan, on the 19th day of April, 2021 at 7:00 PM. **WHEREAS**, the City Council has previously instructed the Assessor to prepare a special assessment roll pursuant to Code Section 46-10 in furtherance of its determination to levy a special assessment on all properties within the Woodland Estates Condominium Development for a road and infrastructure improvement project; and **WHEREAS**, the Assessor has completed said special assessment roll and filed it with the City Clerk for presentation to City Council for its review and certification pursuant to Code Section 46-11; and **WHEREAS**, the City Council has reviewed the special assessment roll and confirms its completeness and accuracy;**NOW, THEREFORE**, it is hereby **RESOLVED** by the City Council of St. Clair, County of St. Clair, State of Michigan, as follows:

1. That City of St. Clair City Council accepts the special assessment roll prepared by the Assessor; certifies its completeness and accuracy; and orders it filed in the office of the City Clerk for public examination.

2. That a public hearing on any objections to the special assessment roll shall be scheduled for Monday, May 3, 2021 at 7:00 p.m. pursuant to Code Section 46-12.

3. That the City Clerk shall publish notice in a newspaper circulated within the City; and mail

notice, by first-class mail, to each owner of or person in interest to the property to be specially assessed; of the public hearing for the purpose of affording an opportunity for interested persons to be heard on their objections to the special assessments levied against their property.

4. That the notice of publication referenced in Paragraph 3 shall be made at least seven (7) full days before May 3, 2021, and the notices of first-class mailing in Paragraph 3 shall be made at least ten (10) days before May 3, 2021.

5. Objections of interested parties to the special assessment roll shall be in writing as required by Code Section 46-12.

6. The Assessor shall appear at the public hearing to answer any questions and assist City Council in resolving any objections presented.

LaPorte moved, Kindsvater seconded, CARRIED, to adopt Resolution (21-15) as presented, including scheduling a public hearing for May 3, 2021 @7pm.

Ayes: Klieman, Kuffa, LaPorte, Volz, Kindsvater, Cedar

Nays: None

RESOLUTION DECLARED ADOPTED

REPORTS FROM ADMINISTRATION

City Superintendent – Per Charter the 2021-2022 draft budget will be distributed to Council at the next meeting. Woodland Estates bid opening is 4/20/21. Discussion continues with EGLE/Fishbeck to discuss loan applications for water plant improvements. The DTE street light replacement proposal will come before council soon. Reminder of the 4/26/21 @6pm meeting for interested Councilmember candidates. The Recreation Department intends to open the community pool and hold the YAPS program this summer.

City Attorney- None

City Departments- None

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

UNFINISHED BUSINESS

NEW BUSINESS

Schedule public hearing for 2021-2022 annual budget -

Kindsvater moved, Kuffa seconded, CARRIED, to schedule the required hearing June 7, 2021 @7pm.

Approve proposal for St. Clair Highway project-

Kuffa moved, Kindsvater seconded, CARRIED, to approve proposal by T.G. Priehs in the amount of \$58,580.00.

Ayes: Kuffa, LaPorte, Volz, Kindsvater, Klieman, Cedar

Nays: None

Approve special event permit for Artful Dodger 5k Run/Walk- Council received a memorandum from Police Chief Raker requesting that Council approve a special event permit for Michael Grover to conduct the Artful Dodger 10k/5k Run/Walk on June 26, 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 permit as presented.

Approve 2021 appointment to Boards and Commissions- Mayor Cedar recommended the following appointments: Cemetery Board of Trustees: Appoint Larry Silver to a 3-year term expiring 12/31/23 and Golf Commission: Appoint Peter Tinsey to a one year term expiring 12/31/21 and Greg Hawkins to fulfill the remainder of a four year term expiring 12/31/21.

Kindsvater moved, Kuffa seconded, CARRIED, to approve appointments as recommended.

Approve purchase of Hillside Cemetery Columbarium unit –

LaPorte moved, Volz seconded, CARRIED, to waive competitive bid and approve purchase of the 80 Niche Columbarium Unit for Hillside Cemetery in the amount of \$21,950.00

Ayes: LaPorte, Volz, Kindsvater, Klieman, Kuffa, Cedar

Nays: None

Approve amendment to Cemetery Rules and Regulations: Foundation order deadline-

Kindsvater moved, Kuffa seconded, CARRIED, to approve recommendation of Cemetery Board of Trustees to amend Hillside Cemetery Rules and Regulations Sec. 1.06 Monuments, Markers and Foundations .02c to change the deadline for foundation orders from October 1 to September 1

CLAIMS AND ACCOUNTS – April 8 & April 15 2021

Check registers listing the bills for the period ending April 8, 2021 (52132-52177) in the amount of \$204,201.00 and for the period ending April 15, 2021 (52178-52206) in the amount of \$36,401.08 were presented for Council review.

LaPorte moved, Kindsvater seconded, CARRIED, to approve payments of April 8 & April 15, 2021 Claims and Accounts as presented.

PUBLIC QUESTIONS AND COMMENTS – None

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS –Tree City USA for the 23rd year.

ADJOURNMENT at 7:32pm

Annette Sturdy, City Clerk

Bill Cedar, Jr., Mayor