

**CITY OF ST CLAIR, MICHIGAN
REGULAR COUNCIL MEETING MINUTES
MONDAY, MAY 3, 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 16 people in attendance.

AMENDA AMENDMENT- Kindsvater moved, Kuffa seconded, CARRIED, to add recommendation of New Business H) Approve temporary sign permit for SCHS.

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

- A. City Council Minutes of April 19, 2021 special & regular meetings: Approved
- B. City Council Minutes of April 26, 2021 special meeting: Approved
- C. Cemetery Board of Trustees Minutes of April 6, 2021 meeting: Received

PUBLIC HEARING

Woodland Estates Special Assessment-Mayor Cedar opened the hearing at 7:01pm.
No comments heard from the public. Closed at 7:02pm.

ORDINANCES AND RESOLUTIONS

Resolution (21-16)- Woodland Estates Special Assessment- **A RESOLUTION CONFIRMING THE ACCURACY OF THE SPECIAL ASSESSMENT ROLL; CONFIRMING THAT THE SPECIAL ASSESSEMENTS MADE ARE IN PROPORTION TO THE BENEFITS RECEIVED BY THE PROPERTY OWNERS; AND DIRECTING THE CLERK TO ATTACH A CERTIFIED COPY OF THIS RESOLUTION TO HER WARRANT COMMANDING THE ASSESSOR TO SPREAD AND THE TREASURER TO COLLECT THE VARIOUS SUMS AND AMOUNTS APPEARING ON THE SPECIAL ASSESSMENT ROLL. 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 3rd day of May, 2021 at 7:00 PM.

WHEREAS, the City Council of the City of St. Clair has heretofore determined the necessity of making certain public improvements within the City of St. Clair at the Woodland Estates Condominium Development (“the Special Assessment District”) consisting of pulverizing, reshaping, and repaving the roads, adjusting drainage structure elevations; replacing deteriorated curb and gutter, and improving sidewalk ramps to meet ADA guidelines; and **WHEREAS**, at the direction of the City Council, the Assessor has prepared, submitted, and reported a Special Assessment Roll wherein the Assessor has included all lots and parcels of land within the area designated benefitting from the public improvement; and has assessed to each lot or parcel of land within the Special Assessment District an equal portion of the total cost of the project on a per parcel basis; and **WHEREAS**, the City Council has previously determined that sixty percent (60%) of the total cost of the project, plus all other costs relating to the financing thereof, shall be defrayed and paid for by way of

Special Assessment to be spread over and assessed against the properties within the Special Assessment District, and that the remaining cost of said public improvement shall be paid by the City at large; and **WHEREAS**, the City Council had previously estimated that the sixty percent (60%) total cost of the public improvement to be borne by property owners within the Special Assessment District was \$126,329.00, but has now determined that said cost is actually \$101,712.12 plus all other costs relating to financing thereof; and **WHEREAS**, the City Council has previously approved the special assessment roll and the properties contained therein, consisting of the following twenty-eight (28) parcels: 74-07-053-024-000; 74-07-996-0001-000; 74-07-996-0002-000; 74-07-996-0003-000; 74-07-996-0004-000; 74-07-996-0005-000; 74-07-996-0006-000; 74-07-996-0007-000; 74-07-996-0008-000; 74-07-996-0009-000; 74-07-996-0010-000; 74-07-996-0012-001; 74-07-996-0013-000; 74-07-996-0014-000; 74-07-996-0015-000; 74-07-996-0016-000; 74-07-996-0017-000; 74-07-996-0018-000; 74-07-996-0019-000; 74-07-996-0020-000; 74-07-996-0021-000; 74-07-996-0022-000; 74-07-996-0023-000; 74-07-996-0024-000; 74-07-996-0025-000; 74-07-996-0026-000; 74-07-996-0027-000; and 74-07-996-0028-000; and **WHEREAS**, the City Council conducted a public hearing May 3, 2021 at 7:00 p.m. on any objections to the special assessment roll it previously approved and certified as accurate; and **WHEREAS**, the City Council and the Assessor have resolved any such objections made to the special assessment roll; and **WHEREAS**, the City Council has determined that the special assessments made therein are in proportion to the benefits received by the property owners; **NOW, THEREFORE**, it is hereby **RESOLVED** by the City Council of St. Clair, County of St. Clair, State of Michigan, as follows:

1. That the City of St. Clair City Council confirms the completeness and accuracy of the special assessment roll prepared by the Assessor;
2. That the City of St. Clair City Council is satisfied that the assessments set forth in said Special Assessment Roll are in proportion to the benefits received and derived by the properties specially assessed therein as a result of the public improvements proposed.
3. That the City of St. Clair City Council hereby adopts the special assessment roll for the public improvement to be completed pursuant to it.
4. That the Special Assessments confirmed herein are in the annual amount of \$3,632.58, plus interest, and may be paid in fifteen (15) equal annual installments, with the first installment being assessed on the 2021 county (winter) tax bill.
5. That interest shall be charged on all deferred installments at the annual federal long-term interest rate of two and 16/100 percent (2.16%). Interest shall commence and begin to accrue on the due date of the first installment of the Special Assessments, and such interest shall be payable on the due date of each subsequent installment.
6. That the full amount of all or any deferred installments with interest accrued, may be paid in advance of the due dates thereof.
7. That deferred installments shall be collected without penalty until sixty (60) days after the due date thereof, at which time such installments shall be considered as delinquent and penalties on said installments shall be collected as are provided by law to be collected on delinquent general city taxes.
8. That the Special Assessments and all interests, penalties and charges thereon from the date of confirmation of the Special Assessment Roll shall become a debt to the City of St. Clair from the persons to whom they are assessed and, until paid, such Special Assessments shall be and remain a lien upon the property assessed, of the same character and effect as the lien created by the general law for state, county and city taxes and the lands upon which delinquent city taxes constitute a lien.
9. That the City Treasurer shall notify by mail each property owner within the Special Assessment District that said Special Assessment Roll has been confirmed by the City Council and filed in the Office of the City Clerk; and the Treasurer shall state to each property owner the amount of the special assessment and the terms of payments; however, the failure on the part of the Treasurer to give such notice or of such property owners to receive such notice shall not invalidate the special assessment thereunder

- and shall not excuse the payment of interest or penalties.
9. That all prior Resolutions and parts of Resolutions of the City Council, insofar as they conflict with this Resolution be, and hereby are, rescinded by the City of St. Clair City Council.
 10. That the City of St. Clair City Council directs the City Clerk to attach a certified copy of this Resolution to her warrant commanding the Assessor to spread and the Treasurer to collect the various sums and amounts appearing on the special assessment roll as herein approved.

Kindsvater moved, Kuffa seconded, CARRIED, to adopt Resolution (21-16) as presented.
Ayes: Kindsvater, Klieman, Kuffa, LaPorte, Volz, Cedar
Nays: None

RESOLUTION DECLARED ADOPTED

Resolution (21-17) Support actions to minimize impact of SARSCoV2 transmission- A
RESOLUTION TO ENDORSE AND ENCOURAGE ACTIONS TO MINIMIZE THE IMPACT OF SARSCoV2 TRANSMISSION WHEREAS, SARsCoV2 transmission has resulted in several waves of disease and disruption of the normal activities of our county, including loss of workforce, illness and death, and, **WHEREAS**, only limited mitigation strategies have evidence-based support in providing significant impact on this disease transmission and, **WHEREAS**, these mitigations strategies include actions that require voluntary compliance by the majority of people to be most effective and that to date these actions have not been successfully applied and, **WHEREAS**, these actions cause little if any harm and can potentially benefit the entire community, including a reduction in the burden of disease, illness and deaths and, **WHEREAS**, it is in the best interest of our county, in regards to physical, economic and social health, to minimize the impact of SARSCoV2 transmission, so **NOW, THEREFORE, BE IT RESOLVED**, that the St. Clair City Council strongly supports and recommends:

1. Wearing a mask that fully covers the mouth and nose while in public settings, at events and gatherings, and anywhere they will be around other people
2. Following guidance for limited occupancy and gatherings that reduce the risk of close contact to less than 6 feet
3. Following guidance by the St. Clair County Health Department and other public health experts on testing, isolation and quarantine
4. Vaccinate with approved COVID19 vaccines to the broadest extent possible.

Kindsvater moved, Volz seconded, CARRIED, to adopt Resolution (21-17) as presented.
Ayes: Klieman, Kuffa, LaPorte, Volz, Kindsvater, Cedar
Nays: None

RESOLUTION DECLARED ADOPTED

REPORTS FROM ADMINISTRATION

City Superintendent – The grant application for Carney Dr. improvements remains under review. SEMCO will conduct city-wide gas service replacement. Per Charter, Council will receive the 2021-2022 draft budget today after closed session. Public hearing is 6/7/21 @7pm.

City Attorney- None

City Departments- Clerk Sturdy reviewed Council voting procedures. Recreation Director Hawkins, explained an additional grant available for trail signage/kiosks.

Kindsvater moved, Kuffa seconded, CARRIED, to support the grant application for up to \$15,000.
Ayes: Kuffa, LaPorte, Volz, Kindsvater, Klieman, Cedar

Nays: None

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

UNFINISHED BUSINESS - None

NEW BUSINESS

Approve appointment of Ward 2 Councilmember -

Kuffa moved, Kindsvater seconded, CARRIED, to appoint Kristopher Paul as Ward 2 Council member.

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

Nays: None

Approve bid for Woodland Estates Special Assessment Project-

Kuffa moved, Kindsvater seconded, CARRIED, to approve bid from Murray Underground Systems in the amount of \$167,595.00 plus 10% contingency.

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

Nays: None

Approve DTE Lighting agreement –

Kuffa moved, Kindsvater seconded, CARRIED, to approve DTE lighting agreement in the amount of \$112,955.00 (total upfront costs).

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

Nays: None

Approve Traffic Control Order-Chief Raker recommended No Parking signs be removed on Ash, S. Delano, Oakwood, Hugo, Jackson and Sinclair streets.

Kindsvater moved, Kuffa seconded, CARRIED, to approve the traffic control order.

Approve special event permit for Recreation Department Summer Events- Council received a memorandum from Police Chief Raker requesting that Council approve a special event permit for the City of St. Clair Recreation Department summer events held on various dates in 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 special event application as presented.

Approve Boathouse property lot lease transfer –

LaPorte moved, Kindsvater seconded, CARRIED, to approve the transfer of the boathouse property lot lease for 1107 S. Fifth to Matthew Eisen.

Approve appointments to 2021 Boards and Commissions- Mayor Cedar recommended appointments of Richard Jefferson and Phil Porte for one-year terms to expire December 31, 2021, Matthew Griffor and Judy Shaune for two-year terms to expire December 31, 2022 and Mitchell Kuffa, Jr. for a three-year term to expire December 31, 2023 to the Dangerous Building Commission. Kindsvater moved, Kuffa seconded, CARRIED, to approve appointments as recommended.

Approve temporary sign permit for SCHS-

Kindsvater moved, Kuffa seconded, CARRIED, to approve temporary sign permit from SCHS as requested.

CLAIMS AND ACCOUNTS – April 22 & April 29, 2021

Check registers listing the bills for the period ending April 22, 2021 (check numbers 52207-52252) in the amount of \$91,306.37 and for the period ending April 29, 2021 (check numbers 52253-52280) in the amount of \$30,894.07 and were presented for Council review.

LaPorte moved, Kuffa seconded, CARRIED, to approve payments of April 22 and April 29, 2021 Claims and Accounts as presented.

PUBLIC QUESTIONS AND COMMENTS – None

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS – Special events: National Police Week 5/9-5/15, Peace Officer's Memorial Day 5/15/21, Marbleye Walleye Fishing Tournament 5/21-5/23 and Be a Tourist in your Town 5/22/21.

CLOSED SESSION – Kindsvater moved, Kuffa seconded, CARRIED, to grant request for Closed Session To Discuss Strategy Connected with the Negotiation of a Collective Bargaining Agreement with Employees Represented by the Police Officers Labor Council, POLC.

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

Nays: None

At 7:34pm, Council recessed into closed session and resumed regular session at 7:56pm.
No action taken.

ADJOURNMENT at 7:57pm

Annette Sturdy, City Clerk

Bill Cedar, Jr., Mayor