

**CITY OF ST CLAIR, MICHIGAN
REGULAR COUNCIL MEETING MINUTES
MONDAY, JUNE 7, 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, Paul, Volz

ABSENT: None

ADMINISTRATION: James T. Downey, Kane, Clemons, Joachim & Downey; Donovan Ennis, Detective Corporal; Amy Hart, Accountant; Timothy Raker, Police Chief; Warren Rothe, City Superintendent; Jake Patchett, Sergeant; Annette Sturdy, City Clerk.

AUDIENCE: There were 18 people in attendance.

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

- A. City Council Minutes of May 17, 2021 regular & closed Meetings: Approved
- B. Golf Commission Minutes of April 13, 2021 Meeting: Received
- C. Cemetery Board of Trustees Minutes of April 27, 2021 Meeting: Received

PUBLIC HEARING

2021-2022 Fiscal Year Budget-Mayor Cedar opened the hearing at 7:00pm. Superintendent Rothe provided a summary including, but not limited to, revenues, expenses, current millage, legacy cost and several individual funds and future projects. No comments heard from the public. Hearing closed at 7:16pm.

Industrial Facilities Exemption Certificate Application-Magna -Mayor Cedar opened the hearing at 7:16pm. Dan Casey, Chief Executive Officer, EDA, and Misti Rice, Executive Director of Governmental affairs, MEVSMi, expressed support of the application. No other comments heard from the public. Hearing closed at 7:21pm

ORDINANCES AND RESOLUTIONS

Resolution (21-20) 2021-2022 Fiscal Year Budget, Millage Levy and Appropriations Act – 2021-2022 FISCAL YEAR BUDGET ADOPTION, MILLAGE LEVY AND APPROPRIATIONS ACT
BE IT RESOLVED, that the following summary of revenues and expenditures for the 2021-2022 Fiscal Year Budget be approved:

	Revenues	Expenditures
General Fund	\$4,095,031	\$4,017,568
Major Streets	\$539,643	\$639,643
Local Streets	\$1,135,671	\$1,116,148
Municipal Streets	\$574,456	\$574,456
Recreation	\$233,342	\$238,116
DDA	\$45,000	\$45,000

Building	\$99,000	\$99,459
Cable	\$134,000	\$134,000
Pension	\$751,435	\$751,435
Golf Course	\$229,055	\$253,514
Sewer	\$1,320,089	\$1,434,635
Water	\$1,015,000	\$1,120,518
Harbor	\$649,860	\$751,711
Rubbish & Garbage	\$404,462	\$404,462
Equipment Pool	\$220,000	\$266,010
Perpetual Care	\$2,000	\$4,500
Library Trust	\$939	\$939
Total	\$11,448,983	\$11,852,114

BE IT FURTHER RESOLVED, that the following total millage requirement for local purposes and the general operating millage of 12.9327 mills for the 2021-2022 City of St. Clair fiscal year budget be approved and authorized to be levied as follows:

Proposed Millage Rate

General Operating Millage		
Total Operating		12.9327
Headlee Cap		12.9327
Road Millage		
Municipal Street Funds (204)		2.4683
Employee Pension		
Pension Fund (299)		0.9912
Total Local Millage		16.3922

and; **FURTHER RESOLVED**, that the adopted budget for the fiscal year beginning October 1, 2021 and ending September 30, 2022 shall establish the approved appropriation levels for the said fiscal year; and **FURTHER RESOLVED**, that the Schedule of Fees and the Utility Rate Schedule be adopted as part of the budget; and **FURTHER RESOLVED**, that the City Council does hereby authorize the City Superintendent to execute transfers between appropriations provided that each transfer be approved by the City Council prior to its execution; and **FURTHER RESOLVED**, that the City Council retains authority to amend the city budget and this appropriations act at such times when deviations from the projected revenues and authorized expenditure levels become necessary and the amount of the deviation becomes known.

LaPorte moved, Paul seconded, CARRIED, to adopt Resolution (21-20) as presented.
Ayes: Kindsvater, Klieman, Kuffa, LaPorte, Paul, Volz, Cedar
Nays: None

RESOLUTION DECLARED ADOPTED

Resolution (21-21) Industrial Facilities Exemption Certificate Application-Magna- RESOLUTION APPROVING APPLICATION OF MAGNA ELECTRIC VEHICLE STRUCTURES FOR AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR A NEW FACILITY. 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 7th day of June, 2021 at 7:00 PM. **WHEREAS**, pursuant to P.A. 198 of 1974, as amended, after a duly noticed public hearing held on December 21st, 2020, the St. Clair City Council by resolution established an Industrial Development District as requested by the Owners of the property, Magna Electric Vehicle Structures - Michigan (MEVS); and **WHEREAS**, MEVS has filed an application for an Industrial Facilities Exemption

Certificate with respect to a new facility to be completed within the Industrial Development District; and **WHEREAS**, before acting on said application, the St. Clair City Council held a public hearing on June 7th 2021, at St. Clair City Hall 547 N Carney Drive, St. Clair, Michigan at 7:00 p.m., at which hearing the applicant, the Assessor, and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and **WHEREAS**, construction of the facility has not begun earlier than six (6) months before June 7th 2021, the date of acceptance of the application for the Industrial Facilities Exemption Certificate; and **WHEREAS**, completion of the facility is calculated to and will, at the time of issuance of the certificate, have the reasonable likelihood to retain, create or prevent the loss of employment in the City of St. Clair; and **WHEREAS**, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of St. Clair, after granting this certificate will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted; **NOW, THEREFORE**, it is hereby RESOLVED by the City Council of St. Clair, County of St. Clair, State of Michigan, as follows:

That the St. Clair City Council finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974, shall not have the effect of substantially impeding the operation of the City of St. Clair, or impairing the financial soundness of a taxing unit with levies ad valorem property taxes in the City of St. Clair.

That the application from MEVS for an Industrial Facilities Exemption Certificate, with respect to a New Facility on the following described parcel of real property situated within the Industrial Development District, to wit, be the same is hereby approved.

Legal Description:

Lots 1 through 15 and the Storm Water Detention Area of the subdivision plat of St. Clair Industrial Park, as recorded in Liber 107 of Plats, Pages 7 through 10, St. Clair County Records. And A parcel of land being part of the Southwest 1/4 and the Northwest 1/4 of Section 19, Town 05 North, Range 17 East, City of St. Clair (as conditionally transferred per a Land Transfer Agreement pursuant to 1984 PA 425 and recorded under Liber 2068, Page 693, St. Clair County Records), St. Clair County, Michigan; said parcel is more particularly described as Commencing at the Southwest Corner of Section 19; thence North 02 degrees 57 minutes 35 seconds West, along the West line of Section 19, 1775.66 feet to the North line extended of the subdivision plat of St. Clair Industrial Park, as recorded in Liber 107 of Plats, Pages 7 through 10, St. Clair County Records; thence North 85 degrees 02 minutes 23 seconds East, along said North line extended 50.03 feet to Northwest Corner of said subdivision plat of St. Clair Industrial Park, and the easterly right-of-way for Range Road as conveyed in a Release of Right of Way document recorded under Liber 732, Page 473, St. Clair County Records, and the Point of Beginning of this parcel description; thence North 02 degrees 57 minutes 35 seconds West, along said easterly right-of-way for Range Road, 884.55 feet to the East and West 1/4 line of Section 19; thence, North 03 degrees 01 minutes 30 seconds West, along said easterly right-of-way for Range Road, 438.70 feet; thence North 84 degrees 46 minutes 31 seconds East, 1154.24 feet to the Westerly line of a strip of land conveyed to the CSX Railroad in a Warranty Deed recorded under Liber 3308, Page 326, St. Clair County Records; thence South 02 degrees 51 minutes 25 seconds East, along said Westerly line; 1228.62 feet to the Northeast Corner of said subdivision plat of St. Clair Industrial Park; thence along the North line of said subdivision plat of St. Clair Industrial Park the following three (3) course 1.South 85 degrees 02 minutes 23 seconds West, 559.64 feet 2.South 03 degrees 14 minutes 49 seconds East, 100.04 feet 3. South 85 degrees 02 minutes 23 seconds West, 592.19 feet to the Northwest Corner of said subdivision plat of St. Clair Industrial Park and returning to the Point of Beginning of this parcel description. That the Industrial Facilities Exemption Certificate, when issued, shall be and remain in force for a period of twelve (12) years. That subject to and in accordance with the Recitations set forth above the Industrial Facilities Exemption Certificate when issued shall be and remain subject to the terms of the Industrial Facilities Exemption Certificate Agreement between MEVS and the City of St. Clair attached hereto, and that the appropriate City officials are hereby authorized to execute said Agreement and to forward the application to the State Tax Commission.

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

RESOLUTION DECLARED ADOPTED

Ordinance Adoption (2021-3) Zoning-Special uses, Micro Storage- **AN ORDINANCE OF THE CITY OF ST. CLAIR, ST. CLAIR COUNTY, MICHIGAN TO AMEND APPENDIX B OF THE CODE OF ORDINANCES, "ZONING;" ARTICLE 4, "ZONING DISTRICT REGULATIONS;" SECTION 4.5, "SCHEDULE OF USE REGULATIONS;" SUBSECTION 9"C-1-LOCAL COMMERCIAL DISTRICT;"BY ADDING SUBPARAGRAPH 4 TO THE SECTION ENTITLED "SPECIAL USES."** **THE CITY OF ST. CLAIR ORDAINS: SECTION 1. AMENDMENT.** Appendix B, Article 4, Section 4.5.9 of the City's Code of Ordinances, the Zoning Ordinance, is hereby amended by adding subparagraph 4 to the section entitled "Special Uses" to read as follows: **ARTICLE 4. – ZONING DISTRICT REGULATIONS. SECTION 4.5.9 – C-1-Local Commercial District. Special Uses: 4.** Neighborhood micro-storage, provided the following conditions are met: Storage is contained in a climate-controlled building. Exterior storage of products, material, vehicles, boats, equipment and similar items is prohibited. Property shall be located on a major or minor thoroughfare as designated by the Master Plan. Access shall be from a major or minor thoroughfare as designated by the Master Plan. Minimum lot area shall be 5,400 square feet. A six (6) foot tall screen using a fence, landscaping, berm, combination of or other appropriate method shall be constructed around the perimeter of the development, as approved by the Planning Commission. Areas intended for vehicle travel shall be paved with asphalt or concrete. Site development shall be compatible with surrounding area.
Kindsvater moved, LaPorte seconded, CARRIED, to adopt Ordinance (2021-03) as presented.
Ayes: Kuffa, LaPorte, Paul, Volz, Kindsvater, Klieman, Cedar
Nays: None

ORDINANCE ADOPTED

Ordinance Adoption (2021-4) Zoning-Adaptive reuse, Special approval uses allowed- **AN ORDINANCE OF THE CITY OF ST. CLAIR, ST. CLAIR COUNTY, MICHIGAN TO AMEND APPENDIX B OF THE CODE OF ORDINANCES, "ZONING;" ARTICLE 4, "ZONING DISTRICT REGULATIONS;" SECTION 4.6, "ADAPTIVE REUSE;" BY REVISING SUBSECTION 3 "SPECIAL APPROVAL USES ALLOWED."** **THE CITY OF ST. CLAIR ORDAINS: SECTION 1. AMENDMENT.** Appendix B, Article 4, Section 4.6.3 of the City's Code of Ordinances, the Zoning Ordinance, is hereby amended by revising subparagraph 3 "Special Approval Uses Allowed" to read as follows: **ARTICLE 4. – ZONING DISTRICT REGULATIONS. SECTION 4.6 – Adaptive Reuse. 4.6.3 *Special Approval Uses Allowed.*** A building originally designed and constructed for another purpose may be adaptively reused in the following ways: Any use permitted or special use allowed in the R-3, MD-1, MD-2, OS and C-1 zoning districts except for planned shopping centers and vehicle wash establishments. Design standards applied to a use within the zoning ordinance shall be met unless waived or modified by city council after review and recommendation by the planning commission. Any use similar to a use listed above, as determined by the planning commission and city council.
Kindsvater moved, LaPorte seconded, CARRIED, to adopt Ordinance (2021-04) as presented.
Ayes: LaPorte, Paul, Volz, Kindsvater, Klieman, Kuffa, Cedar
Nays: None

ORDINANCE ADOPTED

REPORTS FROM ADMINISTRATION

City Superintendent – Community Pool opening day: 6/14/21. The City was awarded the Carney Drive grant. DTE LED light conversion is moving forward. Crack sealing will begin this month. Council requested a report once completed.

Kindsvater moved, Kuffa seconded, CARRIED, to change the regular meeting date from July 5 to July 6 and to schedule special meetings to conduct workshops on the Capital Improvement Plan on July 6 @6pm & the MML Classification and Compensation Study on July 19 @6pm.

City Attorney- None

City Departments- Detective Corporal Ennis thanked Dale Carney for securing funding of Clinton

Ave Crosswalk pedestrian signs, explained the “Stop sign” signage located near gift card kiosks in several local stores & promoted 6/22/21 @6pm security and fraud lecture. Call or email SCPD@cityofstclair.com to reserve your seat. Amy Hart explained Fund Balance by definition, different formulas for reporting & requested a fund balance policy for future consistency in reporting. **Authority, Board, Commission, Committee Chairman or Council Representative – None**

UNFINISHED BUSINESS - None

NEW BUSINESS

Approve purchase BS & A payroll software module-

Kindsvater moved, Volz seconded, CARRIED, to approve purchase of BS & A payroll software module as presented in the proposal.

Approve purchase of 2021 F-150 Police Responder vehicle-

Kindsvater moved, Kuffa seconded, CARRIED, to approve vehicle purchase at the price of \$34,330.00.

Approve Traffic Control Order-

Kuffa moved, Kindsvater seconded, CARRIED, to approve traffic control order to add No Parking signs in front of the Fire Hall on Cass Street.

Approve Special Event Permit for St. Clair Chamber of Commerce Rockin' in the Plaza-

Kindsvater moved, Kuffa seconded, CARRIED, to approve special event permit with concert times up to 11:00pm otherwise as presented.

Approve Permit Application for annual 4th of July Fireworks Display-

Kuffa moved, Kindsvater seconded, CARRIED, to approve application as presented.

Extend Vendor hours 7/4 for special event-

Kindsvater moved, Kuffa seconded, CARRIED, to extend vendor hours as requested.

Approve 2021 Boards and Commissions appointments- Mayor Cedar recommended

Councilmember Kris Paul to serve as Council Representative on the Recreation Commission and Cemetery Board of Trustees each for a one-year term to expire December 31, 2021.

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

CLAIMS AND ACCOUNTS – May 20, 27 & June 3, 2021

Check registers listing the bills for the period ending May 20, 2021 (52354-52398) in the amount of \$135,660.77, for the period ending May 27, 2021 (52399-52432) in the amount of \$82,988.78, the period ending June 3, 2021 (52433-52471) in the amount of \$115,740.73, and credit card statements were presented for Council review.

LaPorte moved, Kuffa seconded, CARRIED, to approve payments of May 20, May 27 & June 3, 2021 Claims and Accounts as presented.

PUBLIC QUESTIONS AND COMMENTS – None

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS – Thank you Dale Carney and Boy Scout Troop #294. Mayor Cedar extended sympathy to the family of Don Fleury.

ADJOURNMENT at 8:11pm