

**CITY OF ST CLAIR, MICHIGAN
REGULAR COUNCIL MEETING MINUTES
MONDAY, JANUARY 3, 2022- 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 Pro Tem LaPorte, Members Kindsvater, Klieman, Kuffa, Volz

ABSENT: Mayor Cedar, Member Paul (both excused)

ADMINISTRATION: Bob Bieth, DPW Supervisor; James T. Downey, Kane, Clemons, Joachim & Downey; Timothy Raker, Police Chief; Warren Rothe, City Superintendent; Annette Sturdy, Clerk.

AUDIENCE: There were 6 people in attendance.

CONSENT AGENDA –Kindsvater moved, Kuffa seconded, CARRIED, to approve Consent Agenda item A. as presented.

A. City Council Minutes of December 20, 2021 Regular & Closed Meetings: Approved

ORDINANCES AND RESOLUTIONS

Resolution (22-01) Fireworks Suspension- **A RESOLUTION TO SUSPEND ENFORCEMENT OF CITY CODE SECTION 30-103(B) WITH RESPECT TO THE IGNITION, DISCHARGE, OR USE OF COMMERCIAL FIREWORKS IN PALMER PARK ON SATURDAY, JANUARY 22, 2022 AT DUSK PURSUANT TO A ST. CLAIR CHAMBER OF COMMERCE SPECIAL EVENTS PERMIT.**

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 January, 2022 at 7:00 PM. **WHEREAS**, Public Act 256 of 2011, the Michigan Fireworks Safety Act, MCL Section 28.451, as amended, allows municipal governments to legislate restrictions concerning the ignition, discharge, and use of commercial fireworks within their limits; and **WHEREAS**, the City of St. Clair has availed itself of the right established by MCL Section 28.451 et seq. to limit the ignition, discharge, and use of commercial fireworks by the adoption of Code Section 30-103(b); and **WHEREAS**, the City of St. Clair reserves the right to suspend the provisions of Code Section 30-103(b) by resolution of City Council when it determines that doing so is in the public interest; and **WHEREAS**, the City Council approved a special event permit at its September 7, 2021 regular meeting for the St. Clair Chamber of Commerce's Icy Bazaar, to be held January 21-24, 2022; and **WHEREAS**, the St. Clair Chamber of Commerce's wishes to add a fireworks display as part of its Icy Bazaar on January 22; and **WHEREAS**, the City of St. Clair determines that a temporary suspension of the limitations established by Code Section 30-103(b) as to the ignition, discharge, and use of commercial fireworks in Palmer Park for this St. Clair Chamber of Commerce-sponsored event is in the public interest and serves an important civic purpose in encouraging commerce in the City; **NOW, THEREFORE, BE IT RESOLVED** that the City of St. Clair **RESOLVES** to suspend enforcement of Code Section 30-103(b) as to the ignition, discharge, and use of commercial fireworks in Palmer Park on Saturday, January 22, 2022 at dusk.

Kindsvater moved, Volz seconded, CARRIED, to adopt Resolution (22-01) as presented.

Ayes: Kindsvater, Klieman, Kuffa, LaPorte, Volz

Nays: None

RESOLUTION DECLARED ADOPTED

REPORTS FROM ADMINISTRATION

City Superintendent – Happy New Year!

City Attorney- None

City Departments- Chief Raker reported on a new program.

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

UNFINISHED BUSINESS – None

NEW BUSINESS

Award bid for Carney Drive/Jackson Street Water Main replacement –

Kindsvater moved, Kuffa seconded, CARRIED, to award bid for Carney Drive/Jackson Street Water Main replacement to Murray Underground Systems in the amount of \$35,525.00 (with a 10% contingency).

Ayes: Klieman, Kuffa, Volz, Kindsvater, LaPorte

Nays: None

Award bid for Fred Moore Highway Water Main replacement-

Kindsvater moved, Kuffa seconded, CARRIED, to award bid for Fred Moore Highway Water Main replacement to TR Pieprzak Company in the amount of \$95,285.00 (with a 10% contingency).

Ayes: Kuffa, Volz, Kindsvater, LaPorte

Nays: Klieman

Award bid for Valve Exercising and Condition Assessment Program-

Kindsvater moved, Kuffa seconded, CARRIED, to award bid for Valve Exercising and Condition Assessment program to Hydromax USA, LLC in the amount of \$18,285.00.

Ayes: Volz, Kindsvater, Klieman, Kuffa, LaPorte

Nays: None

Approve 2022 Boards and Commissions Appointments- Mayor Cedar reported recommendations

for appointments to the following Boards and Commissions: **Historic District Commission-** Reappoint Edward Neiman for a three-year term expiring December 31, 2023 and Dan Lockwood to fulfill the remainder of a three-year term expiring December 31, 2022. **Housing Commission-**

The Housing Commission elected a membership term change from December to June to align with their fiscal year. To reflect this change, the following term expiration dates of current members need to be confirmed: Paul Wade to expire June 30, 2025, Ryan Barck to expire June 30, 2023 and newly appointed member D. Kent Bacon to expire June 30, 2024.

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

CLAIMS AND ACCOUNTS – December 22 & December 29, 2021

Check registers listing the bills for the period ending December 22, 2021 (check numbers 53769-53792) in the amount of \$40,476.42 and for the period ending December 29, 2021 (check numbers 53793-53815) in the amount of \$19,048.81 were presented for Council review.

Kindsvater moved, Kuffa seconded, CARRIED (Nay: Klieman), to approve payment of December 22 and December 29, 2021 Claims and Accounts as presented.

PUBLIC QUESTIONS AND COMMENTS – None

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS –

Thank you to Bob Bieth and DPW for prompt snow removal and to Chief Raker and SCPD. National Law Enforcement Day 1/9/22. Mayor Pro Tem LaPorte extended sympathy to the family of Gene Gulan.

CLOSED SESSION Kuffa moved, Kindsvater seconded, CARRIED, to grant request for Closed Session To Confer with Legal Counsel for the Purpose of discussing Pending Litigation.

Ayes: Volz, Kindsvater, Klieman, Kuffa, LaPorte

Nays: None

At 7:22pm, Council recessed into closed session and resumed regular session at 7:32pm.

No action was taken.

ADJOURNMENT at 7:33pm

Annette Sturdy, City Clerk

Bill Cedar, Jr., Mayor