

**CITY OF ST CLAIR, MICHIGAN
REGULAR COUNCIL MEETING MINUTES
MONDAY, MAY 2, 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 Cedar, Members Kindsvater, Klieman, Kuffa, LaPorte, Paul, Volz

ABSENT: None

ADMINISTRATION: Morgan Hustek, Deputy Clerk; Timothy Raker, Police Chief; Annette Sturdy, City Clerk/Interim City Superintendent.

AUDIENCE: There were 6 people in attendance.

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

A. City Council Minutes of April 18, 2022 Regular Meeting: Approved

PRESENTATION

St. Clair County Community Foundation grant award-
Tim Coughlin presented the City with a check for \$5,000 for the 4th of July fireworks.

PROCLAMATION

National Police Week and Peace Officers' Memorial Day-

Mayor read the Proclamation declaring May 15-21, 2022 National Police week and May 15, 2022 Peace Officers' Memorial Day

ORDINANCES AND RESOLUTIONS

Resolution (22-09) Industrial Facilities Tax Exemption Certificate-Cargill, Inc- **RESOLUTION APPROVING AN APPLICATION FROM CARGILL INC. FOR INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE IN ACCORDANCE WITH ACT 198 OF THE 1974 PUBLIC ACTS OF MICHIGAN, AS AMENDED WHEREAS**, the City Council of the City of St. Clair has, heretofore, by Resolution, adopted at a Regular Meeting thereof, established an Industrial Development District, pursuant to the provisions of 1974 PA 198, as amended, consisting of lands in the City of St. Clair, County of St. Clair, Michigan; and **WHEREAS**, the City Council has received an application from Cargill, Incorporated, 916 S. Riverside Avenue, St. Clair, Michigan 48079, an owner or lessee of a facility within said District for an Industrial Facilities Exemption Certificate; and **WHEREAS**, before acting upon the application, the City Council of St. Clair afforded the said applicant, the Assessor and a representative of the affected taxing units, an opportunity to be heard at a hearing held pursuant to said notice, on April 18, 2022; 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, BE IT AND IT HEREBY IS RESOLVED:** (1) It is hereby found and determined by the City Council of the City of St. Clair that the granting of the Industrial Facilities Exemption Certificate, considered together with the aggregate amount of Industrial Facilities Exemption Certificates previously granted and currently in force, shall not have the effect of

substantially impeding the operation of the local governmental unit of impairing the financial soundness of a taxing unit which levies an ad valorem property tax in the local governmental unit in which the facility is located; and, (2) It is further hereby found and determined by the City Council of the City of St. Clair that the applicant complies with all of the following requirements: The proposed facility shall be located within an industrial development district or industrial development district which was duly established in the City of St. Clair, and which district was established upon a request filed or by the City of St. Clair's own initiative taken before the commencement of the restoration, replacement or construction of the facility. The commencement of the restoration or replacement of the facility occurred not earlier than six (6) months before the filing of the application for the Industrial Facilities Exemption Certificate. The application relates to a construction, restoration, or replacement program which, when completed, constitutes a new or replacement facility within the meaning of 1974 PA 198, and which shall be situated within an industrial development district duly established pursuant to 1974 PA 198, as amended, by the City of St. Clair, a local governmental unit eligible under said Act to establish such a District. Completion of the facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to create employment, retain employment, prevent a loss of employment or produce energy in the City of St. Clair. Completion of the facility does not have the effect of transferring employment from one or more local governmental units of the State to the local governmental unit in which the facility is located. Completion of the facility does not constitute merely the addition of machinery and equipment for the purpose of increasing productive capacity, but rather is primarily for the purpose and will primarily have the effect of restoration, replacement, or updating the technology of obsolete industrial property. The replacement, when completed, will be located on the same premises or contiguous premises as the obsolete industrial property. This application does not relate to a "speculative building" as defined in the Act. (3) Unless earlier revoked as provided in Section 15 of Act 198 of the 1974 Public Acts, as amended, the Industrial Facilities Exemption Certificates approved herein shall remain in force and effective for twelve (12) years on real property, conditioned upon the facilities' continuation in operation throughout each period, otherwise of no force or effect, commencing with its effective date and ending not later than December 31, 2036 on real property, which period of time is not more than twelve (12) years after completion of the facility, with completion of the facility including a three-year construction period ending no later than September 28, 2024, and with respect to the real property component of said facility, and otherwise is in compliance with Section 16 of 1974 PA 198, as amended. (4) The City Council of the City of St. Clair does hereby approve the application for an Industrial Facilities Exemption Certificate filed by Cargill, Incorporated, as aforesaid, subject to the payment of seven hundred and fifty dollars (\$750) incurred by the City in the processing costs hereof, and hereby requires the applicant to annually submit to the city a summary of improvements, job creation and wage information.(5) The Clerk of the City of St. Clair is hereby directed to forward such application and a certified copy of this Resolution to the State Tax Commission for the State of Michigan

Kindsvater moved, Kuffa seconded, CARRIED, to adopt Resolution (22-09) as presented.
Ayes: LaPorte, Paul, Volz, Kindsvter, Klieman, Kuffa, Cedar
Nays: None

RESOLUTION DECLARED ADOPTED

REPORTS FROM ADMINISTRATION

City Superintendent – Updates provided on City Hall server migration and road projects. Polls are open May 3 from 7am-8pm. Reminder to voters in Ward 2, that city hall is the new polling location.

City Attorney- None

City Departments- None

Authority, Board, Commission, Committee Chairman or Council Representative – Golf Commission accepting applications. Historical Commission changed contractors for window painting. The new bid is lower than the original bid award. Fireworks Committee thankful for grant award.

UNFINISHED BUSINESS – None

NEW BUSINESS –

Approve purchase and installation for Lift station pump replacement-

LaPorte moved, Kuffa seconded, CARRIED, to approve purchase and installation for new lift station pumps in the amount of \$58,880 & a 1% bond.

Ayes: Paul, Volz, Kindsvater, Klieman, Kuffa, LaPorte, Cedar
Nays: None

CLAIMS AND ACCOUNTS – April 21, 2022

Check registers listing the bills for the period ending April 21, 2022 (check numbers 54358-54392) in the amount of \$110,657.88 and credit statements were presented for Council review.

LaPorte moved, Kindsvater seconded, CARRIED, to approve payment of April 21, 2022 Claims and Accounts as presented.

PUBLIC QUESTIONS AND COMMENTS – Steve Path, Co-Chair of St. Clair Art Fair spoke on progress and changes.

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS – Reminder of special meeting 5/5/22 @6pm for City Superintendent interviews. Grace Hurley recognized for decades of Golf Commission volunteer service.

ADJOURNMENT at 7:23 pm

Morgan Hustek, Deputy Clerk

Bill Cedar, Jr., Mayor