

**CITY OF ST. CLAIR  
ST. CLAIR COUNTY, MICHIGAN  
RESOLUTION NO. 22-16**

**AUTHORIZATION FOR EXPENDITURE OF FUNDS IN EXCESS OF STATUTORY  
MAINTENANCE LIMIT-TWO YEARS  
COX DRAIN**

**WHEREAS**, the St. Clair County Drain Commissioner has advised the City of St. Clair City Council that, pursuant to Section 196 of the Michigan Drain Code (MCL 280.196), an inspection has been made of the Cox Drain and it has been determined, as a result of the inspection, that certain maintenance must be performed upon the drain; and

**WHEREAS**, the Drain Commissioner has the authority to expend Five Thousand and no/100 (\$5000.00) dollars per mile in any one (1) year for the maintenance of the drain, and where it is estimated that expenditures in excess of Five Thousand and no/100 (\$5000.00) dollars per mile are necessary, those amounts may not be expended until approved by Resolution of the governing body of each township, city and village affected by more than twenty (20%) percent of the cost; and

**WHEREAS**, the Drainage Board estimates that the cost of the maintenance of the Cox Drain will be approximately Twenty-Six Thousand Seven Hundred Sixty Two and no/100 (\$26,762.00) dollars, which constitutes Twenty-One Thousand Seven Hundred Sixty Two and no/100 dollars (\$21,762.00) in excess of the authorized Five Thousand and no/100 (\$5000.00) per mile.

**NOW, THEREFORE, BE IT RESOLVED** that City of St. Clair, pursuant to Section 196(5) of the Drain Code, authorizes the Drain Commissioner to expend funds for the maintenance and repair of the Cox Drain in excess of Five Thousand and no/100 (\$5000.00) dollars per mile for a two year period, to the extent that the drain fund for the Drain contains insufficient funds for the payment of costs incurred for the maintenance or repair of the Drain, the Drain Commissioner is authorized to levy a special assessment, as allowed by law.

**RESOLUTION DECLARED ADOPTED.**

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Bill Cedar, Jr., Mayor  
City of St. Clair, Michigan

## CERTIFICATION

The foregoing is a true and complete copy of a Resolution adopted by the City Council in the City of St. Clair, St. Clair County, Michigan at a regular meeting held on the 15th of August, 2022. Public Notice of the meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of 1976, and the Minutes of said meeting were kept and will be or have been made available as required by said Act.

Members Present: Cedar, Kindsvater, Klieman, Kuffa, LaPorte, Paul, Volz  
Members Absent: None

It was moved by Member LaPorte and supported by Member Kindsvater to adopt the Resolution.

Members Voting Yes: LaPorte, Paul, Kindsvater, Klieman, Kuffa, Cedar  
Members Voting No: Volz

The Resolution was declared adopted by the Mayor and has been recorded in the Resolution Book.

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Morgan Hustek, Deputy Clerk  
City of St. Clair, Michigan