

**CITY OF ST CLAIR, MICHIGAN
REGULAR COUNCIL MEETING MINUTES
TUESDAY, SEPTEMBER 6, 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: James T. Downey, Kane, Clemons, Joachim & Downey; Amy Hart, City Accountant; Morgan Hustek, Deputy Clerk; Timothy Raker, Police Chief; Annette Sturdy, City Clerk/Interim City Superintendent.

AUDIENCE: There were 8 people in attendance.

CONSENT AGENDA – Kuffa moved, Kindsvater seconded, CARRIED, to approve Consent Agenda items A., with edit to special meeting date, and B. as presented.

- A. City Council Minutes of August 15, 2022 Special & Regular Meetings: Approved with edit
- B. City Council Minutes of August 18, 2022 Special Meeting: Approved

PUBLIC HEARING

2022-2023 Fiscal Year Budget-Opened at 7:01 pm. Amy Hart, Accountant, provided the 2023 budget overview including, but not limited to, total revenues and expenses, total city millage and tax information, general fund capital expenditures and on pension, retiree health care, major & local streets, wastewater, water, golf and harbor funds. There was no public comment. Closed at 7:12pm

ORDINANCES AND RESOLUTIONS

Resolution (22-17) 2022-2023 Fiscal Year Budget, Millage Levy and Appropriations Act-

2022-2023 FISCAL YEAR BUDGET ADOPTION, MILLAGE LEVY AND APPROPRIATIONS ACT

BE IT RESOLVED, that the following summary of revenues and expenditures for the 2022-2023 Fiscal Year Budget be approved:

	Revenues	Expenditures
General Fund	\$5,501,241	\$5,765,078
Major Streets	\$2,255,213	\$2,635,842
Local Streets	\$1,098,978	\$1,114,766
Municipal Streets	\$670,139	\$710,050
Recreation	\$226,750	\$226,750
DDA	\$45,000	\$45,000
Building	\$133,000	\$133,883
Cable	\$140,000	\$140,000
Pension	\$915,240	\$915,240
Golf Course	\$291,800	\$290,136

Sewer	\$1,433,221	\$1,466,321
Water	\$1,256,000	\$1,217,290
Harbor	\$727,400	\$827,430
Rubbish & Garbage	\$426,725	\$426,725
Equipment Pool	\$275,000	\$279,821
Perpetual Care	\$2,000	\$4,500
Library Trust	\$750	\$750
Public Employee Health Care	\$25,000	\$0

Total **\$15,423,457** **\$16,199,582**

BE IT FURTHER RESOLVED, that the following total millage requirement for local purposes and the general operating millage of 12.8641 mills for the 2022-2023 City of St. Clair fiscal year budget be approved and authorized to be levied as follows: **Proposed Millage Rate**

General Operating Millage

Total Operating 12.8641

Headlee Cap 12.8641

Road Millage

Municipal Street Funds (204) 2.4551

Employee Pension

Pension Fund (299) 0.9859

Total Local Millage 16.3051

and; **FURTHER RESOLVED**, that the adopted budget for the fiscal year beginning October 1, 2022 and ending September 30, 2023 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.

Kindsvater moved, Paul seconded, CARRIED, to approve Resolution (22-17) as presented.

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

Nays: None

RESOLUTION DECLARED ADOPTED

Resolution (22-18) Local Development Finance Authority - A RESOLUTION TO DECLARE THE CITY OF ST. CLAIR'S INTENT TO ESTABLISH A LOCAL DEVELOPMENT FINANCING AUTHORITY UNDER THE AUSPICES OF THE I-69 INTERNATIONAL TRADE CORRIDOR NEXT MICHIGAN DEVELOPMENT CORPORATION PURSUANT TO THE AUTHORITY GRANTED IT BY MCL SECTION 125.2951 ET SEQ. 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 6th day of September, 2022 at 7:00 PM. WHEREAS the State of Michigan promotes economic growth by encouraging economic development and investment; job creation and job retention; and ancillary economic growth in this state; and WHEREAS to achieve these purposes, the State of Michigan assists and encourages the creation and implementation of intergovernmental development corporations and enables them to foster economic opportunities in this state; prevent conditions of unemployment and underemployment; and promote economic growth; and WHEREAS the I-69 International Trade Corridor Next Michigan Development Corporation, of which the City of

St. Clair is a member, has established an Authority District as defined by the Michigan Recodified Tax Increment Finance Act (the "Act"); and WHEREAS the Authority District is operated by the I-69 International Trade Corridor Local Development Finance Authority (the "Authority"); and WHEREAS the City of St. Clair is located within the Authority District; and WHEREAS the City of St. Clair has identified a potential project (the "Project") with a user that appears to qualify as an Eligible Next Michigan Business and the real property involved as Eligible Property under the Act; and WHEREAS for the Project to proceed, various improvements to public infrastructure are necessary; real property must be acquired or transferred; and other costs will have to be incurred (collectively the "Costs"); and WHEREAS if the Project proceeds as contemplated, some or all of the Costs will be recoverable by tax increment capture permitted under the Act; and WHEREAS to recover portions of the Costs necessary to facilitate the Project under the Act, the Authority must approve the creation of a location within the Authority District where the real property for the Project is located (the "St. Clair Location") and that will benefit from the Costs; and WHEREAS the City of St. Clair is in the process of determining the exact boundaries of the St. Clair Location and developing an estimate for infrastructure and acquisition costs; NOW, THEREFORE, BE IT RESOLVED that the St. Clair City Council:(1) declares its intent to create a Local Development Financing Authority under the auspices of the I-69 International Trade Corridor Next Michigan Development Corporation; (2) Schedules a public hearing on the adoption of a proposed resolution creating the authority and designating the boundaries of the authority district for Monday, October 17, 2022 at 7:00 p.m.; (3) Authorizes administration to develop a proposed authority district, including a survey of same, and a list of costs reimbursable under the Act; and (4) Instructs the City Clerk to comply with the publication and notice requirements set forth in MCL Section 125.2154(2) as they concern the public hearing.

Kindsvater moved, LaPorte seconded, CARRIED, to approve Resolution (22-18) as presented.
Ayes: Volz, Kindsvater, Klieman, Kuffa, LaPorte, Paul, Cedar
Nays: None

RESOLUTION DECLARED ADOPTED

Ordinance Adoption (2022-02) PUD public hearing requirement- **AN ORDINANCE OF THE CITY OF ST. CLAIR, ST. CLAIR COUNTY, MICHIGAN TO AMEND APPENDIX B OF THE CODE OF ORDINANCES, "ZONING," ARTICLE 8, "PLANNED UNIT DEVELOPMENT," SECTION 8.4, "PROCEDURE FOR REVIEW AND APPROVAL," SUBSECTION 4, TO DESIGNATE CITY COUNCIL AS THE FORUM FOR PUBLIC HEARINGS ON APPLICATIONS DULY SUBMITTED UNDER THE ORDINANCE CONSISTENT WITH THE REQUIREMENT OF MICHIGAN ZONING ENABLING ACT MCL SECTION 125.3505(5). THE CITY OF ST. CLAIR ORDAINS:**

SECTION 1. AMENDMENT. Appendix B, Article 8, Section 8.4.4 is hereby amended in the following manner: ARTICLE 8. – PLANNED UNIT DEVELOPMENT. SECTION 8.4 – Procedure for review and approval. 8.4.4. Within six (6) months following receipt of the Planning Commission comments on the preliminary plan, the applicant shall submit to the Code Enforcement Officer, four (4) copies of a final plan conforming with Section 8.5 below. This plan shall constitute an application to amend this Ordinance, and shall be noticed for public hearing before the City Council as required by MCL Section 125.3503(5) of the Michigan Zoning Enabling Act. With and in addition to the regular report submitted by the Planning Commission in connection with a rezoning application, the Planning Commission shall, to the extent it deems appropriate, submit detailed recommendations relative to the planned unit development project, including, without limitation, recommendations with respect to matters on which the City Council must exercise discretion.

Kuffa moved, Volz seconded, CARRIED, to approve Ordinance (2022-02) as presented.
Ayes: Kindsvater, Klieman, Kuffa, LaPorte, Paul, Volz, Cedar
Nays: None

ORDINANCE ADOPTED

REPORTS FROM ADMINISTRATION

City Superintendent – Report heard on current projects, upcoming renewal for consideration & city sponsored special events.

City Attorney- Report heard on Business License approval process.

City Departments- Report heard from Deputy Clerk Hustek on Absent Voter Ballot applications & Business license renewal process.

Authority, Board, Commission, Committee Chairman or Council Representative – Splashpad committee update provided from Councilmember Volz.

UNFINISHED BUSINESS - None

NEW BUSINESS

Approve proposal for S. 10th street -This project was rebid due to the previous proposal being over budget and desire for more participation in the competitive bid process. 3 bids were received.

Paul moved, Kuffa seconded, CARRIED, to approve proposal as recommended.

Ayes:Kuffa, LaPorte, Paul, Volz, Cedar

Nays:Kindsvater, Klieman

Proposal for Preliminary Engineering Study Charles F. Moore Harbor (St. Clair Boat Harbor) - Broadside Dock

1. Resolution (22-19) Michigan Department of Natural Resources Grant

Kindsvater moved, Kuffa seconded, CARRIED, to approve proposal of Engineering study by Abonmarche as presented.

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

Nays: None

Kindsvater moved, Kuffa seconded, CARRIED, to adopt Resolution (22-19) as presented.

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

Nays: None

Approve designation of MML representative and delegate

Kindsvater moved, Paul seconded, CARRIED, to appoint Annette Sturdy as representative and Mike LaPorte as delegate.

Approve removal of shelters and installation of Kiosk in Palmer Park

Kindsvater moved, Volz seconded, CARRIED, to approve removal of busstop shelter on the East side of M-29 and install Kiosk in the same location using the existing foundation.

Approve special event permit for St. Mary's Catholic Church Alumni Basketball game- Council

received a memorandum from Police Chief Raker requesting that Council approve a special event permit for St. Mary's Catholic Church to conduct an Alumni Basketball game on Saturday, September 24 on a portion of 9th street. The applicant has complied with the necessary requirements of the Special Events Ordinance and issuance of the permit is respectfully recommended.

Kindsvater moved, Kuffa seconded, CARRIED, to approve special event permit as requested.

Approve special event permit for St. Clair Chamber of Commerce Halloween Nights and Christmas market- Council

received a memorandum from Police Chief Raker requesting that Council approve a special event permit for St. Clair Chamber of Commerce to hold various events during the month of October and December. The applicant has complied with the necessary requirements of the Special Events Ordinance and issuance of the permit is respectfully recommended.

Kindsvater moved, Kuffa seconded, CARRIED, to approve special event permit as requested.

CLAIMS AND ACCOUNTS –August 18, August 25 & September 1, 2022

Check registers listing the bills for the period ending August 18, 2022 (check numbers 55191-55249) in the amount of \$1,043,384.01, for the period ending August 15, 2022 (check numbers 55250-55271) in the amount of \$30,587.30, for the period ending September 1, 2022 (check numbers 55272-55314) in the amount of \$333,668.40 & the register for credit card payments were presented for Council review.

Laporte moved, Kuffa seconded, CARRIED, to approve payments of August 18, August 25 & September 1, 2022 Claims and Accounts as presented.

PUBLIC QUESTIONS AND COMMENTS – Comments heard regarding heavy traffic on Clinton Ave., Clinton Ave. noise and road destruction concerns, request for a lease agreement update and needed repair to property on N. Riverside.

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS – None

ADJOURNMENT at 8:05pm

Morgan Hustek, Deputy Clerk

Bill Cedar, Jr., Mayor