

**CITY OF ST CLAIR, MICHIGAN
REGULAR COUNCIL MEETING MINUTES
MONDAY, MARCH 20, 2023- 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 Gottler, LaPorte, Paul, Watt

ABSENT: Member Kuffa and Member Volz (both excused)

ADMINISTRATION: Bob Bieth, DPW Supervisor; Quentin Bishop, City Superintendent; James T. Downey, Kane, Clemons, Joachim and Downey; Delos Boulier, Building Inspector; Timothy Raker, Police Chief; Annette Sturdy, City Clerk.

AUDIENCE: There were 8 people in attendance.

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

- A. City Council Minutes of March 6, 2023 Regular Meeting: Approved
- B. Planning Commission Annual Report 2022: Received
- C. Housing Commission minutes of January 16, 2023: Received

ORDINANCES AND RESOLUTIONS

Resolution (23-10)-AUTHORIZATION FOR EXPENDITURE OF FUNDS IN EXCESS OF STATUTORY MAINTENANCE LIMIT JORDAN CREEK 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 Jordan Creek 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 Jordan Creek Drain will be approximately Six Thousand Nine Hundred and Fifty and no/100 (\$6,950.00) dollars, which constitutes One Thousand Nine Hundred and Fifty and no/100 dollars (\$1,950.00) 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 Jordan Creek 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.

LaPorte moved, Paul seconded, CARRIED, to adopt Resolution (23-10) as presented

Ayes: Gottler, LaPorte, Paul, Watt, Cedar

Nays: None

RESOLUTION DECLARED ADOPTED

Resolution (23-11)- **A RESOLUTION TO PERMIT THE POSSESSION AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN CERTAIN PUBLIC PLACES PURSUANT TO CITY CODE SECTION 38-33(B) WHEREAS**, Public Act 58 of 1998, the Michigan Liquor Control Code, MCL Section 436.1915 allows for the lawful possession and consumption of alcoholic liquor in public parks and places and for municipal governments to legislate restrictions on same; and **WHEREAS**, the City of St. Clair has availed itself of the right established by MCL Section 436.1915(3) to prohibit the possession or consumption of alcoholic beverages on public property by the adoption of Code Section 38-33(a) and **WHEREAS**, the City of St. Clair has reserved the right pursuant to Code Section 38-33(b) to permit the possession or consumption of alcoholic beverages by resolution of City Council upon or in public places when it determines that a state liquor license is not required and may promulgate such regulations therefor as it determines are necessary; and **WHEREAS**, the City of St. Clair desires to provide an opportunity for all persons of legal-age to possess and consume alcoholic beverages outdoors on specific City-owned or operated property (including parks) and public rights-of-way throughout the City by temporarily suspending the enforcement of the prohibition established by Code Section 38-33(a) as to the possession and consumption of alcoholic beverages in public places and determines same is in the public interest and serves an important civic purpose in encouraging commerce in the City; **NOW, THEREFORE, BE IT RESOLVED**, that the possession and consumption of alcoholic beverages shall be allowed from 11:00 a.m. to 11:00 p.m. Monday through Saturday and 12:00 p.m. to 11:00 p.m. on Sundays, effective April 1, 2023 through October 31, 2023 at the following public places.

1. Palmer Park, including all city-owned parking lots and boardwalks from the M-29 bridge to the northern border of the park, and Rotary Park
2. Third Street between Clinton and Vine
3. Clinton Avenue between 6th and M-29
4. M-29 between Clinton and Vine

Gottler moved, Paul seconded, CARRIED, to adopt Resolution (23-11) as presented.
Ayes: LaPorte, Paul, Watt, Gottler, Cedar
Nays: None

RESOLUTION DECLARED ADOPTED

REPORTS FROM ADMINISTRATION

City Superintendent – Congressional grant requests were submitted for water structure projects. Met with AFSCME Union representative, declared the LDFA purchase agreement has been finalized and stated introduction of a road assessment management software, RoadSoft. Training begins in May.

City Attorney- None

City Departments-A joint meeting of ZBA, Planning and Council is expected in April. St Clair is hosting the quarterly St. Clair County Clerks Association meeting.

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

UNFINISHED BUSINESS -None

NEW BUSINESS

Approve License agreement –

Gottler moved, LaPorte seconded, CARRIED, to approve license agreement as presented.

Ayes: LaPorte, Paul, Watt, Gottler, Cedar

Nays: None

Approve purchase of 2023 John Deere Gator-

LaPorte moved, Gottler seconded, CARRIED, to approve purchase of a John Deere Gator TX in the amount of \$12,770.00.

Approve purchase of Caterpillar Excavator-

Gottler moved, LaPorte seconded, CARRIED, to approve purchase of Caterpillar Model: 306 AQ Excavator in the amount of \$73,444.46.

Approve sign variance for SCHS Class of 2023 Banners-

LaPorte moved, Gottler seconded, CARRIED, to approve sign variance as requested.

Approve special event permit for St. Clair Rotary Club Turbo Turtle Race- Council received a memorandum from Police Chief Raker requesting that Council approve a special event permit for the St. Clair Rotary to hold the Turbo Turtle Race on August 20, 2023 in the Pine River and Rotary Park. The applicant has complied with the necessary requirements of the Special Events Ordinance and issuance of the permit is respectfully recommended.

LaPorte moved, Paul seconded, CARRIED, to approve the special event permit as recommended.

Discuss rescheduling of April 3, 2023 City Council meeting- Discussion occurred. There will be no changes to the April 3, 2023 meeting.

CLAIMS AND ACCOUNTS – March 9 & March 17, 2023

Check register listing the bills for the period ending March 9, 2023 (check numbers 56405-56452) in the amount of \$98,597.49 and for the period ending March 17, 2023 (check numbers 56453-56501) in the amount of \$212,408.81 were presented for Council review.

LaPorte moved, Paul seconded, CARRIED, to approve payment of March 9 & March 17, 2023 Claims and Accounts as presented.

PUBLIC QUESTIONS AND COMMENTS –Questions asked about cracksealing and sidewalk replacement schedule. Warranty road repair work on 2nd street, Goffe street and Fred Moore highway is scheduled to begin as soon as weather permits.

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS – Mayor Cedar extended sympathy to the Watt, MacDonald and Biewer families.

ADJOURNMENT at 7:39pm.

Annette Sturdy, City Clerk

Bill Cedar, Jr., Mayor