

**CITY OF ST CLAIR, MICHIGAN
REGULAR COUNCIL MEETING MINUTES
MONDAY, JUNE 19, 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, Kuffa, LaPorte, Paul, Volz, Watt

ABSENT: None

ADMINISTRATION: Quentin Bishop, City Superintendent; James T. Downey, Kane, Clemons, Joachim and Downey; Trice Hawkins, Recreation Director; Timothy Raker, Police Chief; Annette Sturdy, City Clerk.

AUDIENCE: There were 8 people in attendance.

AGENDA AMENDMENTS- Kuffa moved, Volz seconded, CARRIED, to add items 5D Resolution (23-24) and 5E Resolution (23-25).

CONSENT AGENDA- Kuffa moved, Paul seconded, CARRIED, to approve Consent Agenda items A. and B. as presented.

- A. City Council Minutes of June 5, 2023 Regular Meeting: Approved
- B. Golf Commission Minutes of May 9, 2023 Meeting: Received

ORDINANCES AND RESOLUTIONS

Resolution (23-21) MDOT Clinton Avenue Bikepath- **A RESOLUTION APPROVING MDOT CONTRACT NO. 23-5195 FOR THE HMA BIKEWAY CONSTRUCTION ALONG CLINTON AVENUE FROM CARNEY DRIVE TO RIVERSIDE AVENUE (M-29) WHEREAS**, the City of St. Clair has been awarded Transportation Alternative Program funds to be applied to the eligible items of the project cost at a total projected funding cost of \$635,473 for the HMA bikeway construction along Clinton Avenue from Carney Drive to Riverside Avenue including station grading, aggregate base and storm sewer work, sidewalk and ramp replacement, and all together with necessary related work; and **WHEREAS**, the City of St. Clair desires to enter into a contract with the Michigan Department of Transportation (MDOT) for the purpose of fixing the rights and obligations of the parties in agreeing to the HMA bikeway construction work along Clinton Avenue. **NOW, THEREFORE, BE IT RESOLVED** that the St. Clair City Council does hereby approve MDOT Contract No. 23-5195 for the HMA bikeway construction along Clinton Avenue from Carney Drive to Riverside Avenue, and **BE IT FURTHER RESOLVED** that the St. Clair City Council does hereby authorize the Street Administrator to execute the contract on behalf of the City.

Discussion included confirmation that city funding is out of the general fund and there is not a contingency amount in the ~\$900k cost but the project amount is inflated to cover potential cost.

Kuffa moved, Gottler seconded, CARRIED, to adopt Resolution (23-21) as presented.

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

Nays: Watt

RESOLUTION DECLARED ADOPTED

Resolution (23-22) 2023 Transportation Asset Management Plan- **A RESOLUTION APPROVING THE 2023 TRANSPORTATION ASSET MANAGEMENT PLAN AND SUBMITTING TO THE TRANSPORTATION ASSET MANAGEMENT COUNCIL FOR APPROVAL WHEREAS**, the City of St. Clair in April 2023 re-evaluated the City's roadway network utilizing the Pavement Surface Evaluation Rating or PASER system; and **WHEREAS**, the City of St. Clair authorized Anderson, Eckstein and Westrick, Inc, the City's engineering consulting firm to conduct the PASER evaluation and update the City's Transportation Asset Management Plan including a 6-year capital improvement plan prioritizing future roadway improvement projects; and **WHEREAS**, the City of St. Clair intends to submit the updated Transportation Asset Management Plan to the Transportation Asset Management Council through the Michigan Department of Transportation for approval, and if approved, would be authorized to transfer additional Act 51 major road funding to the Act 51 local road fund; **NOW, THEREFORE, BE IT RESOLVED**, that the City of St. Clair formally adopts the 2023 Transportation Asset Management Plan update and authorizes the submittal of the updated plan to the Transportation Asset Management Council for their review and approval; **BE IT FURTHER RESOLVED**, that the City Superintendent, a position currently held by Quentin Bishop, is designated as the authorized representative from the City of St. Clair for all activities associated with the asset management plan referenced above, including the submittal of the document to the Transportation Asset Management Council.

Discussion included confirmation that approval of the Resolution does not lock in the 6 year capital improvement plan.

LaPorte moved, Volz seconded, CARRIED, to adopt Resolution (23-22) as presented.

Ayes: Paul, Volz, Watt, Gottler, Kuffa, LaPorte, Cedar

Nays: None

RESOLUTION DECLARED ADOPTED

Resolution (23-23)- **A RESOLUTION APPROVING THE ACCEPTANCE AND IMPROVEMENT BY SPECIAL ASSESSMENT OF PUBLIC ROADS WITHIN THE INDUSTRIAL PARK KNOWN AS CHRISTIAN B HAAS AND A PORTION OF JORDAN CREEK DRIVE CONSISTENT WITH THE RECOMMENDATIONS OF THE CITY SUPERINTENDENT AS TO PLANS, SPECIFICATIONS, SPECIAL ASSESSMENT DISTRICT, AND COST ESTIMATES; AND DIRECTING THE ASSESSOR TO PREPARE AND REPORT A SPECIAL ASSESSMENT ROLL IN ACCORDANCE WITH SAME FOR CONFIRMATION BY CITY COUNCIL AS REQUIRED BY CODE SECTION 46-12.**

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 19th day of June, 2023 at 7:00 PM. **WHEREAS**, the City Superintendent has previously presented a report to City Council pursuant to Section 46-5 of the City Code recommending the investigation of the improvement of Christian B Haas and a portion of Jordan Creek Drive by special assessment; and **WHEREAS**, the City Council has previously determined that, there is a need for their improvement; to wit, rotary mill existing asphalt surface to a depth of a minimum of 6 inches and replace with the same amount of asphalt which shall include a bond coat, a wearing course of MDOT HMA 13A and a leveling course of MDOT HMA 3C; and **WHEREAS**, the City Council has previously determined that approximately seventy percent (70%) of the cost of said improvement shall be paid by special assessment; that all properties along Christian B Haas and partial Jordan Creek Drive in the Industrial Park shall benefit from the improvement by having the roads completed; and that each property owner shall be assessed an equal portion on a per parcel basis; and **WHEREAS**, the City Council has previously determined that the City shall contribute \$100,000 to the project; and **WHEREAS**, the City Superintendent's report and the supporting documentation on which it relied was previously placed on file at the office of the City Clerk for examination by members of the public; and **WHEREAS**, a duly-noticed public hearing has been conducted on these issues; **NOW, THEREFORE**, it is hereby **RESOLVED** by the City Council of St. Clair, County of St. Clair, State of Michigan, as follows:

1. That the roads of Christian B Haas and a portion of Jordan Creek Drive require

improvement by special assessment as authorized by Chapter 46 of the City Code of Ordinances.

2. That the required improvements consist of rotary mill existing asphalt surface to a depth of a minimum of 6 inches and replace with the same amount of asphalt which shall include a bond coat, a wearing course of MDOT HMA 13A and a leveling course of MDOT HMA 3C.

3. That all properties along Christian B Haas and the part of Jordan Creek Drive within the Industrial District shall benefit from the improvement by having the roads completed, drains repaired, and roads maintained by the City; and that each property owner shall be assessed an equal portion of the total cost on a per parcel basis.

4. That the total cost of the project is estimated to be \$332,650.70 and shall be split approximately 70/30% with the property owners bearing approximately 70% of the cost via special Assessment and the City bearing approximately 30% of the cost.

5. That the length of the special assessment shall be for a maximum of 5 years on the winter tax bills of those properties included on the special assessment roll.

6. That the City Assessor shall prepare a special assessment roll in accordance with this Resolution and shall report such special assessment roll to City Council for confirmation once completed.

Volz moved, Paul seconded, CARRIED, to adopt Resolution (23-23) as presented.

Ayes: Volz, Watt, Gottler, Kuffa, LaPorte, Paul, Cedar

Nays: None

RESOLUTION DECLARED ADOPTED

Resolution (23-24)- **A RESOLUTION TO ESTABLISH A REQUEST FOR FUNDING, DESIGNATE AN AGENT, ATTEST TO THE EXISTENCE OF FUNDS AND COMMIT TO IMPLEMENTING A MAINTENANCE PROGRAM FOR THE RESURFACING OF ADAMS STREET FROM THE CSX RAILROAD TO THIRD STREET FUNDED BY THE TRANSPORTATION ECONOMIC DEVELOPMENT FUND CATEGORY B PROGRAM. WHEREAS**, the City of St. Clair is applying for \$250,000 in funding through MDOT from the Transportation Economic Development Fund Category B Program to complete the resurfacing of Adams Street from the CSX Railroad to Third Street.

WHEREAS, MDOT requires a formal commitment from the public agency that will be receiving these funds and will be implementing and maintaining these infrastructure projects. **NOW, THEREFORE, BE IT RESOLVED THAT** the City Council of the City of St. Clair has authorized the City Superintendent to act as agent on behalf of the City to request Transportation Economic Development Fund Category B Program funding, to act as the applicant's agent during the project development, and to sign a project agreement upon receipt of a funding award. **BE IT FURTHER RESOLVED THAT**, the City attests to the existence of, and commits to, providing at least \$250,000 toward the construction of the project, and all costs for design, permit fees, administrative costs, and cost overruns. **BE IT FURTHER RESOLVED THAT**, the City commits to owning, operating, funding and implementing a maintenance program over the design life of the facilities constructed with Transportation Economic Development Fund Category B Program funding.

Kuffa moved, LaPorte seconded, CARRIED, to adopt Resolution (23-24) as presented.

Ayes: Watt, Gottler, Kuffa, LaPorte, Paul, Volz, Cedar

Nays: None

RESOLUTION DECLARED ADOPTED

Resolution (23-25)- **A RESOLUTION TO ESTABLISH A REQUEST FOR FUNDING, DESIGNATE AN AGENT, ATTEST TO THE EXISTENCE OF FUNDS AND COMMIT TO IMPLEMENTING A MAINTENANCE PROGRAM FOR THE RESURFACING OF OAKWOOD STREET FROM NORTH OF SINCLAIR STREET TO CLINTON AVENUE AND GLENDALE AVENUE FROM OAK STREET TO PALMER STREET FUNDED BY THE TRANSPORTATION ECONOMIC DEVELOPMENT FUND CATEGORY B PROGRAM. WHEREAS**, the City of St. Clair is applying for \$250,000 in

funding through MDOT from the Transportation Economic Development Fund Category B Program to complete the resurfacing of Oakwood Street from north of Sinclair Street to Clinton Avenue and Glendale Avenue from Oak Street to Palmer Street. **WHEREAS**, MDOT requires a formal commitment from the public agency that will be receiving these funds and will be implementing and maintaining these infrastructure projects. **NOW, THEREFORE, BE IT RESOLVED THAT** the City Council of the City of St. Clair has authorized the City Superintendent to act as agent on behalf of the City to request Transportation Economic Development Fund Category B Program funding, to act as the applicant's agent during the project development, and to sign a project agreement upon receipt of a funding award. **BE IT FURTHER RESOLVED THAT**, the City attests to the existence of, and commits to, providing at least \$250,000 toward the construction of the project, and all costs for design, permit fees, administrative costs, and cost overruns. **BE IT FURTHER RESOLVED THAT**, the City commits to owning, operating, funding and implementing a maintenance program over the design life of the facilities constructed with Transportation Economic Development Fund Category B Program funding.

LaPorte moved, Paul seconded, CARRIED, to adopt Resolution (23-25) as presented.

Ayes: Gottler, Kuffa, LaPorte, Paul, Volz, Watt, Cedar

Nays: None

RESOLUTION DECLARED ADOPTED

REPORTS FROM ADMINISTRATION

City Superintendent – Reported on DTE service interruption 6/27/23 or 6/28/23. Congratulated DPW employees for earning their certifications: Markel, Newton, Pergitone.

City Attorney- None

City Departments- None

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

UNFINISHED BUSINESS -None

NEW BUSINESS

Approve special event permit for Hope Floats Kayak Poker Paddle-

Council received a memorandum from Police Chief Raker requesting that Council approve a special event permit from Diane Hintz for her annual Hope Floats Poker Paddle to be held at the St. Clair Boat Harbor and in the Pine River July 15, 2023. The applicant has complied with the necessary requirements of the Special Events Ordinance and issuance of the permit is respectfully recommended.

Kuffa moved, Volz seconded, CARRIED, to approve the special event permit as recommended.

Approve special event permit for Magna Tires and Treads Car Show-

Council received a memorandum from Police Chief Raker requesting that Council approve a special event permit from MEVS, Magna Electric Vehicle Structures-Michigan, to conduct "Tires and Treads" Car show fundraiser on September 23, 2023. The applicant has complied with the necessary requirements of the Special Events Ordinance and issuance of the permit is respectfully recommended.

Kuffa moved, Volz seconded, CARRIED, to approve the special event permit as recommended.

Discuss Water Purchase Agreement-City Superintendent Bishop stated the need of an agreement for bulk use water haulers. The agreement will include the only hydrant that can be used for this purpose is the hydrant on Palmer Street because it is affixed with a meter and backflow preventor, maximum volume per day is 120,000 gallons and the agreement will include the ability for the seller (City) to negate the contract if needed. Public comments asked and answered included profits will go to the Water Treatment Plant fund and the Water Treatment Plant Lead Operator will make the call

to negate the contract if necessary but the City Superintendent will communicate with the company and, at this time, the hydrant on Palmer Street is the only water hydrant the water haulers can use.

Paul moved, LaPorte seconded, CARRIED, to adopt the agreement effective immediately 6/19/23.

CLAIMS AND ACCOUNTS – June 8 & June 15, 2023

Check register listing the bills for the period ending June 8, 2023 (check numbers 56945-57011) in the amount of \$191,584.22 and for the period ending June 15, 2023 (check numbers 57012-57074) in the amount of \$240,971.43 were presented for Council review.

LaPorte moved, Paul seconded, CARRIED, to approve payments of June 8 & June 15, 2023 Claims and Accounts as presented.

PUBLIC QUESTIONS AND COMMENTS – P. Lundman commented support of Clinton Ave. bikepath but has regret on the size and the continual expense and questioned confirmation of previous project details. F. Klisz questioned timeline of same project. B. Klieman questioned the bid award process and timeline of the same project.

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS – Mayor Cedar explained Scuba divers buoy markers in the St. Clair River and cautioned for extra awareness.

CLOSED SESSION Kuffa moved, LaPorte seconded, CARRIED, to grant Request Closed Session to Confer with Legal Counsel for the Purpose of Discussing a Confidential Attorney-Client Communication.

Ayes: Kuffa, LaPorte, Paul, Volz, Watt, Gottler, Cedar

Nays: None

At 7:39pm, Council recessed into closed session and resumed regular session at 8:30pm. No action was taken.

LaPorte moved, Kuffa seconded, CARRIED, to adopt the amendment to the administrative agreement to add 5 days upon hire of new employee.

Ayes: LaPorte, Paul, Volz, Watt, Gottler, Kuffa, Cedar

Nays: None

ADJOURNMENT at 8:31pm.

Annette Sturdy, City Clerk

Bill Cedar, Jr., Mayor