

**CITY OF ST CLAIR, MICHIGAN  
REGULAR COUNCIL MEETING MINUTES  
MONDAY, AUGUST 7, 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, Joachim, Clemons, Kane & Downey; Timothy Raker, Police Chief; Annette Sturdy; City Clerk

AUDIENCE: There were 43 people in attendance.

**AGENDA AMENDMENT-** Kuffa moved, LaPorte seconded, CARRIED, to add New Business 9D) Approve Board and Commission appointment

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

- A. City Council Minutes of July 17, 2023 Regular meeting: Approved
- B. Cemetery Board of Trustees Minutes of July 11, 2023 meeting: Received

**PRESENTATION**

St. Clair Little League Girls Major 12u State Champions- Mayor Cedar recognized coaches and players in the true spirit of community pride for their community and personal achievements. Coach Kern introduced each player.

**ORDINANCES AND RESOLUTIONS**

Ordinance Introduction and Adoption (2023-03) Amendment to Ordinance 2023-02-

**CITY OF ST. CLAIR COUNTY OF ST. CLAIR, MICHIGAN AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF ORDINANCE NO. 2023-02 OF THE CITY OF ST. CLAIR:**

**AN ORDINANCE TO PROVIDE FOR THE ACQUISITION, CONSTRUCTION, INSTALLATION, FURNISHING AND EQUIPPING OF ADDITIONS AND IMPROVEMENTS TO THE WATER SUPPLY SYSTEM OF THE CITY; TO PROVIDE FOR THE ISSUANCE AND SALE OF JUNIOR LIEN REVENUE BONDS TO PAY THE COST THEREOF; TO PROVIDE FOR THE COLLECTION OF REVENUES FROM THE SYSTEM SUFFICIENT FOR THE PURPOSE OF PAYING THE COSTS OF OPERATION AND MAINTENANCE OF THE SYSTEM AND TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS; TO PROVIDE FOR THE SEGREGATION AND DISTRIBUTION OF SYSTEM REVENUES; TO PROVIDE FOR THE RIGHTS OF THE HOLDERS OF THE BONDS IN ENFORCEMENT THEREOF; TO ESTABLISH SEPARATE SERIES OF BONDS OF SENIOR AND SUBORDINATE STATUS WITH RESPECT TO THE NET REVENUES OF THE SYSTEM; TO PRESCRIBE THE FORM OF THE BONDS; AND TO PROVIDE FOR OTHER MATTERS RELATING TO THE BONDS AND THE SYSTEM.** WHEREAS, on July 17, 2023, the City Council of the City of St. Clair (the "City"), adopted Ordinance No. 2023-02 authorizing the issuance of its Water Supply System Junior Lien Revenue Bond, Series 2023 (the "Series 2023 Bonds") to finance improvements and repairs to the City's Water Supply System; and WHEREAS, the Series 2023

Bonds will be sold to the Michigan Finance Authority (the "MFA") pursuant to its Drinking Water Revolving Loan program; and WHEREAS, since the adoption of Ordinance 2023-02, certain parameters of the loan from the MFA have changed, requiring an amendment to Ordinance 2023-02 to provide for a higher par amount of the Series 2023 Bonds to evidence a higher loan from the MFA, a longer term, and a higher interest rate on the Series 2023 Bonds.

THEREFORE, THE CITY OF ST. CLAIR ORDAINS:

Section 1. Enacting Clause. the following emergency ordinance is adopted under Section 5.10(a) of the City Charter to provide for the acquisition, construction, installation, furnishing, equipping, and financing of additions and improvements to the City's water supply system.

Section 2. Declaration of Emergency.

City Council, by adoption of this ordinance, determines that an emergency exists at the time of its adoption; to wit, the City is embarking on a multi-million dollar infrastructure project through the Drinking Water State Revolving Fund ("DWSRF") to ensure the citizens of St. Clair the delivery of potable water; to ensure system capacity; and to ensure necessary pressure for delivery and fire suppression. The successful completion of the project is vital to public health and safety, and its financing is an urgent matter requiring immediate attention by the requirements of the Revenue Bond Act, MCL Section 141.101 *et seq.* The introduction and immediate adoption of this Ordinance addresses the emergency presented.

Section 3. Purpose. The purpose of this emergency ordinance is to:

1. Meet a public emergency affecting public health, safety and welfare related to the DWSRF project; and
2. Allow a more timely administrative response and approval processes than is otherwise available through existing City ordinances, resolutions, or processes.

Section 4. Global Amendment to Maximum Par Amount, Maturity and Interest Rate on the Series 2023 Bonds. All provisions establishing the maximum par amount of the Series 2023 Bonds are hereby amended to provide that the maximum par amount of the Series 2023 Bonds to be issued shall not exceed Eight Million Nine Hundred Seventy-Five Thousand Seven Hundred Thirty Dollars (\$8,975,730). All provisions establishing the maximum interest rate to be paid on the Series 2023 Bonds are hereby amended to provide that the maximum interest rate to paid on the Series 2023 Bonds shall not exceed two and one-eighth percent (2.125%) per annum. All provisions establishing the maximum maturity of the Series 2023 Bonds are hereby amended to provide that the maximum maturity of the Series 2023 Bonds shall not exceed thirty (30) annual installments. Section 5. Amendment and Restatement of Section 6 of Ordinance 2023-02. Section 6 of Ordinance 2023-02 is hereby amended and restated in its entirety as follows:

Section 6. Costs; Useful Life. The cost of the Project is estimated to be Eighteen Million Seven Hundred Eighty Thousand Eight Hundred Fifty-One Dollars (\$18,780,851), including the payment of incidental expenses as specified in Section 4 of this Ordinance, which estimate of cost is hereby approved and confirmed. The period of usefulness of the Project is estimated to be not less than thirty-five (35) years.

Section 6. Conflict and Severability. All ordinances, resolutions and orders or parts thereof in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed, and each section of this Ordinance and each subdivision of any section hereof is hereby declared to be independent, and the finding or holding of any section or subdivision thereof to be invalid or void shall not be deemed or held to affect the validity of any other section or subdivision of this Ordinance.

Section 7. Publication and Recordation. This Ordinance shall be published in full in *The Times-Herald*, a newspaper of general circulation in the City, qualified under State law to publish legal notices, promptly after its adoption, and the same shall be recorded in the Ordinance Book of the Issuer and such recording authenticated by the signatures of the Mayor and the City Clerk.

Section 8. Effective Date. This Ordinance is hereby determined by the City Council to be immediately necessary for the preservation of the peace, health and safety of the Issuer and shall be in full force and effect from and after its passage and publication as required by law.

Passed and adopted by the City of St. Clair, County of St. Clair, State of Michigan, on August 7, 2023.

LaPorte moved, Volz seconded, CARRIED, to introduce and adopt Ordinance (2023-03) as presented.

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

Nays: None

#### **ORDINANCE DECLARED ADOPTED**

Resolution (23-29)- MDOT contract Fred Moore Highway 7<sup>th</sup> to Clinton- **A RESOLUTION APPROVING MDOT CONTRACT NO. 23-5321 FOR THE CONCRETE PAVING REPAIRS ALONG FRED W MOORE HIGHWAY 7<sup>TH</sup> TO CLINTON AVENUE WHEREAS**, the City of St. Clair has been awarded a grant from FY2023 STP-Urban federal aid to be applied to the eligible items of the project cost at a total grant amount of \$169,848.00 for concrete paving repairs along Fred W Moore Highway from 7<sup>th</sup> to Clinton Avenue, including subgrade undercutting, aggregate base, permanent signing and pavement markings; and all together the 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 improvements; and **NOW, THEREFORE, BE IT RESOLVED** that the St. Clair City Council does hereby approve MDOT Contract No. 23-5321 for the concrete paving repairs along Fred W Moore Highway from 7<sup>th</sup> to Clinton 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.

Kuffa moved, Volz seconded, CARRIED, to adopt Resolution (23-29) as presented.

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

Nays: None

#### **RESOLUTION DECLARED ADOPTED**

#### **REPORTS FROM ADMINISTRATION**

**City Superintendent** – Thank you Harbormaster Shorkey for a successful Mardi Gras event & Bob Bieth and DPW for efficient water main break repair over the weekend.

**City Attorney**- None

**City Departments**- None

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

**UNFINISHED BUSINESS** -None

#### **NEW BUSINESS –**

Approve proposal for professional services from AEW for Fred Moore highway project-

Volz moved, Kuffa seconded, CARRIED, to approve proposal from AEW in the amount of \$63,800 for professional services.

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

Nays: None

Approve MiDeal HV607 International truck purchase- This vehicle will replace a 28 year old truck. That truck will go out to auction. This purchase was included in the 2024 Capital improvement plan.

LaPorte moved, Kuffa seconded, CARRIED, to approve purchase in the amount of \$188,520.

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

Nays: None

Approve revision of Special event permit: Rotary Turtle Race

Kuffa moved, Paul seconded, CARRIED, to approve revision to special event permit to add additional days to use Rotary park for ticket sales as requested.

Approve Board and Commission appointment-

LaPorte moved, Kuffa seconded, CARRIED, to approve appointment of Bill Klieman to the Cemetery Board of Trustees as recommended.

**CLAIMS AND ACCOUNTS – July 20, July 27 & August 3, 2023**

Check register listing the bills for the period ending July 20, 2023 (check numbers 57274-57321) in the amount of \$235,727.13, for the period ending July 27, 2023 (check numbers 57322-57375) in the amount of \$225,407.30, for the period ending August 3, 2023 (check numbers 57376-57406) in the amount of \$403,218.33, and the credit card register were presented for Council review.

LaPorte moved, Kuffa seconded, CARRIED, to approve payments of July 20, July 27, August 3, 2023 Claims and Accounts and the credit card register as presented.

**PUBLIC QUESTIONS AND COMMENTS –** Request heard to remove tree by the house on Adams.

**MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS –** Thank you to BWORA for a safe and fun weekend. Thank you to Harbormaster Shorkey and Murphys who donated the food for the event. Monetary donations went to the Ronald MacDonald Foundation. Special events: Outdoor movie 8/8/23 St. Clair Art Fair and Jazz Fest 8/19-8/20, Rotary Turtle Race 8/20/23.

**ADJOURNMENT** at 7:25pm.

Annette Sturdy, City Clerk

Bill Cedar, Jr., Mayor