

**CITY OF ST CLAIR, MICHIGAN  
REGULAR COUNCIL MEETING MINUTES  
MONDAY, MARCH 4, 2024- 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, Volz

**ABSENT:** Members Paul, Watt (both excused)

**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 11 people in attendance.

**AGENDA AMENDMENT-** Kuffa moved, LaPorte seconded, CARRIED, to add item 9C) Approve Goffe and Laura water main project and remove item 13) Closed Session

**CONSENT AGENDA** – Kuffa moved, Volz seconded, CARRIED, to approve Consent Agenda item A. as presented.

A. City Council Minutes of February 19, 2024 Regular meeting: Approved

**PRESENTATION**

Recognition of Chaplain Gillis years of service- Chief Raker recognized Chaplain David Gillis on his retirement & thanked him for his years of service to the St. Clair Police Department and Community.

Community Foundation of St. Clair County-St. Clair Endowment Fund, Citizens for St. Clair Fund- Ralph Livingston and Mike McCartan presented the 2024 grant awards, for a grand total of \$34,600, to the Recreation Department for beautification projects and Historical Museum for presentations.

**ORDINANCES AND RESOLUTIONS**

Ordinance Introduction (2024-04) Firearms- **AN ORDINANCE OF THE CITY OF ST. CLAIR, ST. CLAIR COUNTY, MICHIGAN TO AMEND CHAPTER 38 “OFFENSES,” ARTICLE IX “OFFENSES AGAINST PUBLIC SAFETY,” SECTION 227 “RECKLESS, WANTON USE OR NEGLIGENT DISCHARGE OF FIREARM” TO ADOPT A GENERAL PROHIBITION ON THE DISCHARGE OF FIREARMS IN THE CITY. THE CITY OF ST. CLAIR ORDAINS: SECTION 1. AMENDMENT.**

Sec. 38-227 - Discharging firearms, air guns, etc.; penalty; transporting air guns, spring guns, and similar devices in vehicles; possessing, displaying toy guns, starter pistols, blank guns or similar devices. (a) No person shall discharge any firearm, spring gun, slingshot, bow and arrow, or other device capable of, or designed to discharge any shot, pellet, or missile likely to inflict bodily injury, in the city, except when lawfully acting in the defense of persons or property or in the enforcement of law or at a duly established range, the operation of which has been approved by the city council. Bow and arrow instruction is allowed at an approved site under the supervision of a qualified instructor as both part of the curriculum of an accredited education system and with appropriate indemnification of the city that has been approved by the city attorney. This subsection shall not prohibit the discharge of pneumatic guns at authorized target ranges; on other property where firearms may be discharged; or, on or within private property with the permission of the owner or possessor of that property, if conducted with reasonable care to prevent a projectile from crossing

the bounds of the property. (b) Transporting or possessing firearms. (1) Except as otherwise permitted by law, a person shall not transport or possess in or upon a motor vehicle, aircraft, motorboat, sailboat or any other vehicle propelled by mechanical means either of the following: a. A firearm, other than a pistol, that is loaded. b. A pneumatic gun that is loaded and expels a metallic BB or metallic pellet greater than .177 caliber. (2) Except as otherwise permitted by law, a person shall not transport or possess in or upon a motor vehicle or any self-propelled vehicle designed for land travel either of the following: a. A firearm, other than a pistol, unless the firearm is unloaded and is one or more of the following: 1. Taken down. 2. Enclosed in a case. 3. Carried in the trunk of the vehicle. 4. Inaccessible from the interior of the vehicle. b. A pneumatic gun that expels a metallic BB or metallic pellet greater than .177 caliber unless the pneumatic gun is unloaded and is one or more of the following: 1. Taken down. 2. Enclosed in a case. 3. Carried in the trunk of the vehicle. 4. Inaccessible from the interior of the vehicle. c. No person shall possess or show or display a gun, a toy gun, starter pistol, blank gun, or devices of similar nature in a non-threatening manner, but with the intent to convey the impression to a person that the gun, toy gun, starter pistol, blank gun or similar device is actually a lethal weapon capable of causing a reasonable person to believe that the person possessing said object is armed with a dangerous weapon. d. No person under 18 years of age shall use or possess any handgun designed and manufactured exclusively for propelling BB's not exceeding .177 caliber by means of spring, gas or air, outside the curtilage of his domicile unless he is accompanied by a parent, legal guardian, or their designee. State Law reference—Firearms and weapons, MCL §28.421 *et seq.*, MCL §750.222 *et seq.*; limited preemption of local regulation of pistols, firearms, pneumatic guns and ammunition, MCL §123.1101 *et seq.* SECTION 2. SEVERABILITY. This Ordinance and each of the various parts, sections, subsections, sentences, phrases, and clauses hereof are declared to be severable. If any part, section, subsection, sentence, phrase, or clause is determined to be invalid or unenforceable by a court of competent jurisdiction, it is hereby provided that the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect. SECTION 3. REPEAL OF ORDINANCES IN CONFLICT HEREWITH. Any and all Ordinances of the City of St. Clair or any parts or provisions thereof, to the extent that they are contrary to or inconsistent with the provisions of the within Ordinance, are hereby expressly repealed. SECTION 4. RATIFICATION. All other provisions of the code of Ordinances of the City of St. Clair, Michigan except as herein modified or amended are hereby expressly ratified and affirmed. SECTION 5. PUBLICATION. This Ordinance shall be published in accordance with the terms, provisions, and requirements of the City Charter of the City of St. Clair, Michigan, and in accordance with and to the extent required by the statutes of the State of Michigan. SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect upon publication in accordance with the provisions and requirements of the City Charter of the City of St. Clair.

Cedar moved, Kuffa seconded, CARRIED, to adopt Ordinance (2024-04) as presented.

Ayes: Kuffa, LaPorte, Volz, Gottler, Cedar

Nays: None

**ORDINANCE DECLARED INTRODUCED**

Resolution (24-06) -Act 51 Local Road- **A RESOLUTION FOR THE CERTIFICATION OF ADDITIONAL STREETS TO THE CITY OF ST. CLAIR ACT 51 LOCAL STREET SYSTEM**

**WHEREAS**, the City of St. Clair on December 31, 2023 acquired the streets within the Woodland Estates residential subdivision; and **WHEREAS**, it is necessary to furnish certain information to the Michigan Department of Transportation (MDOT) to place these streets within the City of St. Clair local street system for the purpose of obtaining funds under Act 51, P.A. 1951 as amended. **NOW, THEREFORE, BE IT RESOLVED:** That the City St. Clair acquires Riley Road and the center line of said street is described as: Commencing at the intersection of the westerly line of Private Claim No. 305 and the centerline of Vine Street, Town 5 North, Range 16 East, Section 36, thence South 10o-21'-40" West 1,117.41 feet along the west line of Private Claim No. 305, thence along the center line of said street South 79o-27'-19" East 210.00 feet; thence South 10o-21'-40" West 211.60 feet; thence South 79o-27'-19" East 120.00 feet; thence South 10o-21'-40" West 429.98 feet; thence South 79o-27'-19" East 1,051.51 feet; thence northerly along the arc of a curve concave to the east, having a radius of 2,965.84 feet and a chord of 12o-21'-07", 163.70 feet; thence northerly along the arc of a curve concave to the east, having a radius of 2,965.84 feet and a chord of 14o-30'-46", 30.00 feet to the point of beginning; thence, North 75o-29'-14" West 306.61 feet; thence, North 79o-27'-19" West,

371.50 to point of ending. 2. That said street is located within a City of St. Clair right-of-way and is now under the control of the City of St. Clair.3.That said street is now a public street and is for public street purposes. 4. That said street is accepted into the City of St. Clair local street system and open to public use on December 31, 2023.

Gottler moved, Volz seconded, CARRIED, to adopt Resolution (24-06) as presented.

Ayes: LaPorte, Volz, Gottler, Kuffa, Cedar

Nays: None

### **RESOLUTION DECLARED ADOPTED**

### **REPORTS FROM ADMINISTRATION**

**City Superintendent** – Report heard pursuit of funding for the WTP project & Cox Rd sidewalk.

**City Attorney**- Update heard on Endo International lawsuit.

**City Departments**- Report heard by City Clerk on 2/27/24 election results. Chief Raker shared the invite for Sergeant Ennis' award recognition: April 12 at 5pm.

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

**UNFINISHED BUSINESS** - None

### **NEW BUSINESS**

Approve Traffic Control Order-Orchard Street- LaPorte moved, Kuffa seconded, CARRIED, to approve traffic control order removing Orchard St. one-way designation effective immediately.

Approve special event permit application for Safety Town Block Party-Council received a memorandum from Chief Raker requesting Council approve a special event permit for the St. Clair Recreation Department, St. Clair Police Foundation & St. Clair Police Department to hold their annual Safety Town & Block party event Saturday, June 22, 2024 10am-2pm with partial road closures of 9<sup>th</sup> Street and Orchard Street during this time. The applicant has complied with the necessary requirements of the Special Events Ordinance & issuance of the permit is respectfully recommended. Kuffa moved, Volz seconded, CARRIED, to approve the special event permit as recommended.

Goffe Street and Laura Street Water main replacement- This project will be funded with approx. \$500k of ARPA funds and the water fund. The water mains are under the sidewalks and only under the road near St. Clair Highway. Projected to start right away.

Kuffa moved, Volz seconded, CARRIED, to approve the recommendation to award Aielli Construction in the amount of \$822,948.72.

Ayes: Volz, Gottler, Kuffa, LaPorte, Cedar

Nays: None

**CLAIMS AND ACCOUNTS** – February 21 & February 28, 2024

Check register listing the bills for the period ending February 21, 2024 (check numbers 58605-58633) in the amount of \$364,973,49 & the period ending February 28, 2024 (check numbers 58634-58660) in the amount of \$40,201.78 & credit card register for January was presented for Council review.

LaPorte moved, Kuffa seconded, CARRIED, to approve payments of February 21 & February 28, 2024 Claims and Accounts and credit card purchases as presented.

**PUBLIC QUESTIONS AND COMMENTS** – None

**MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS** – Thank you Community Foundation, Chief Raker and Congratulations to Sergeant Ennis.

**ADJOURNMENT** at 7:27pm