

**CITY OF ST CLAIR, MICHIGAN
REGULAR COUNCIL MEETING MINUTES
MONDAY, MARCH 18, 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, 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 29 people in attendance.

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

- A. City Council Minutes of March 4, 2024 Regular meeting: Approved

PRESENTATION

Recognition of St. Clair High School Girls JV Lady Saints Basketball team- Mayor Cedar presented a certificate of Community Pride to Coach John Fitzmaurice & Darcee Schneider for the 2023-24 Lady Saints team.

ORDINANCES AND RESOLUTIONS

Ordinance Adoption (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.

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

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

Nays: None

ORDINANCE DECLARED INTRODUCED

Resolution (24-07) -Non profit recognition-St. Clair Police Foundation-

As part of the application to the State of Michigan Charitable Gaming Division for a Charitable Gaming License, the application must include documentation that the local governing body recognizes the applicant as a nonprofit organization in the community.

Kuffa moved, Volz seconded, CARRIED, to adopt Resolution (24-07) as presented.

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

Nays: None

RESOLUTION DECLARED ADOPTED

Resolution (24-08) -Recreation Passport Grant Program-Klecha Park- RECREATION PASSPORT GRANT PROGRAM RESOLUTION OF AUTHORIZATION-LOCAL UNIT OF GOVERNMENT MATCH WHEREAS,

the City Council of St. Clair supports the submission of an application titled, "Pickleball Courts" to the Michigan Department of Natural Resources Recreation Passport Grant Program for development of Klecha Park; and, **WHEREAS**, the proposed application is supported by the Community's 5-year approved Parks and Recreation Plan; and, **WHEREAS**, the City Council of St. Clair is hereby making a financial commitment to the project in the amount of \$50,000 matching funds, in other grants, cash and/or force account; and, **NOW THEREFORE, BE IT RESOLVED** that the City Council of St. Clair hereby authorizes submission of a Recreation Passport Grant Program Application for \$200,000, and further resolved to make available its financial obligation amount of \$50,000 (25%) of a total \$200,000 project cost, during the 2024-2025 fiscal year.

LaPorte moved, Paul seconded, CARRIED, to adopt Resolution (24-08) as presented.

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

Nays: None

RESOLUTION DECLARED ADOPTED

REPORTS FROM ADMINISTRATION

City Superintendent – Report heard on upcoming water main project, Yankee/Range roundabout, new equipment for SCPD from St. Clair County ARPA funding, the new Community Foundation ‘Disaster relief fund’, update on Cox road sidewalk funding and LDFA. Thank you to SCAA for enhancing the City Superintendent office.

City Attorney- None

City Departments- Report heard on local election deadlines, joint meeting of Council, Planning and ZBA and 3/29/24 City office closure.

Authority, Board, Commission, Committee Chairman or Council Representative – Council Representative Watt invited all to ReCreate Klecha Park Community Design Day on Saturday, April 6th 11-2 at Neimans. Free ice cream and drawings and history of Klecha Park.

UNFINISHED BUSINESS - None

NEW BUSINESS

Approve recommendation of award for Sanitary Sewer cleaning & televising-

Volz moved, Kuffa seconded, CARRIED, to approve recommendation to award contract to Pipeline Management Company, LLC in the amount of \$61,740.00.

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

Nays: None

Approve special event permit application for Marbleye Walleye Tournament-Council received a memorandum from Chief Raker requesting Council approve a special event permit for the Marbleye Committee to hold their annual Walleye Tournament Friday, May 17-Sunday May 19, 2024 at the St. Clair Boat Harbor. The applicant has complied with the necessary requirements of the Special Events Ordinance & issuance of the permit is respectfully recommended.

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

Approve special event permit application for Magna’s Tires and Treads event-Council received a memorandum from Chief Raker requesting Council approve a special event permit from Magna to once again hold their Tires and Treads community event and fundraiser on Saturday, September 7, 2024. The applicant has complied with the necessary requirements of the Special Events Ordinance & issuance of the permit is respectfully recommended.

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

CLAIMS AND ACCOUNTS – March 7 & March 13, 2024

Check register listing the bills for the period ending March 7, 2024 (check numbers 58661-58731) in the amount of \$375,463.48 & the period ending March 13, 2024 (check numbers 58732-58780) in the amount of \$369,114.01 & credit card register for February was presented for Council review.

LaPorte moved, Kuffa seconded, CARRIED, to approve payments of March 7 & March 13, 2024 Claims and Accounts and credit card purchases as presented.

PUBLIC QUESTIONS AND COMMENTS – None

MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS – Congratulations 2023-2024 Girls JV basketball team. St. Clair Rotary 100th anniversary gala on June 20th.

ADJOURNMENT at 7:38pm

Annette Sturdy, City Clerk

Bill Cedar, Jr., Mayor