

## CITY OF ST. JOHNS

### CITY COMMISSION MINUTES

**JUNE 13, 2022**

The regular meeting of the St. Johns City Commission was called to order by Mayor Hufnagel at 6:00 p.m. at the Clinton County Courthouse, 100 East State Street, 2<sup>nd</sup> Floor, Suite #2200, St. Johns, Michigan.

COMMISSIONERS PRESENT: Eric Hufnagel, Jean Ruestman, Bob Craig, Tamara Kirschenbauer

COMMISSIONERS ABSENT: Brad Gurski

STAFF PRESENT: Dave Kudwa, City Manager; Mindy J. Seavey, City Clerk; Kristina Kinde, Treasurer; Steven Martin, Director of Public Services

Mayor Hufnagel asked if any of the commissioners or persons present wished to discuss any of the items on the consent agenda.

Commissioner Craig said we need to pull items i. St. Johns Downtown Development Authority Bylaws and j. St. Johns Principal Shopping District Bylaws from the consent agenda and move to New Business.

Motion by Commissioner Ruestman seconded by Commissioner Kirschenbauer that the consent agenda be approved as amended.

YEA: Hufnagel, Craig, Ruestman, Kirschenbauer

NAY: None

Motion carried.

#### a. Approval of Minutes

Motion by Commissioner Ruestman seconded by Commissioner Kirschenbauer that the minutes of the May 23, 2022 regular meeting; May 26, 2022 special meeting; and May 26, 2022 closed session be approved as presented.

YEA: Hufnagel, Craig, Ruestman, Kirschenbauer

NAY: None

Motion carried.

#### b. Approval of Warrants

Motion by Commissioner Ruestman seconded by Commissioner Kirschenbauer that warrants be approved as presented in the amount of \$362,137.56.

YEA: Hufnagel, Craig, Ruestman, Kirschenbauer

NAY: None

Motion carried.

c. King Media - Monthly Consulting Retainer

Motion by Commissioner Ruestman seconded by Commissioner Kirschenbauer that the city commission ratify the agreement with King Media and authorize the mayor and clerk to sign.

YEA: Hufnagel, Craig, Ruestman, Kirschenbauer

NAY: None

Motion carried.

d. Principal Shopping District/Downtown Development Authority Appointments

Motion by Commissioner Ruestman seconded by Commissioner Kirschenbauer that the city commission reappoint: Erika Hayes and Mariah Lieby to the Principal Shopping District and Downtown Development Authority Boards as recommended (terms expiring June 30, 2026).

YEA: Hufnagel, Craig, Ruestman, Kirschenbauer

NAY: None

Motion carried.

e. Joint venture agreement between City of St. Johns and Clinton County Arts Council/Music in the Park 2022 season

Motion by Commissioner Ruestman seconded by Commissioner Kirschenbauer that the city commission ratify the joint venture contract for the concert in the park series and authorize the mayor and clerk to sign.

YEA: Hufnagel, Craig, Ruestman, Kirschenbauer

NAY: None

Motion carried.

f. Permit for Fireworks – Night Magic Displays

Motion by Commissioner Ruestman seconded by Commissioner Kirschenbauer that the city commission approve the permit for fireworks other than consumer or low impact for Night Magic Displays for the July 4, 2022 Rotary Club Fireworks Display and authorize the mayor to sign.

YEA: Hufnagel, Craig, Ruestman, Kirschenbauer

NAY: None

Motion carried.

g. MERS Defined Contribution Plan Adoption Agreement - Addendums for MERS Defined Contribution (Division #110143 – Non-Union Hourly Employees Hired After 12/01/2012) & (Division #108551 – Non-Union Hourly Employees)

Motion by Commissioner Ruestman seconded by Commissioner Kirschenbauer that the city commission adopt the agreement and authorize the mayor to sign.

YEA: Hufnagel, Craig, Ruestman, Kirschenbauer

NAY: None

Motion carried.

h. Fee & Rate

Motion by Commissioner Ruestman seconded by Commissioner Kirschenbauer that the city commission approve the change on page 1 of the 2022/23 fee & rate schedule (Garbage Service Fee from \$200 to \$215 effective July 1, 2022).

YEA: Hufnagel, Craig, Ruestman, Kirschenbauer

NAY: None

Motion carried.

k. Police Department National Night Out Donations

Motion by Commissioner Ruestman seconded by Commissioner Kirschenbauer that the city commission approve the police department sending out letters to local businesses and service groups soliciting donations for the National Night Out program.

YEA: Hufnagel, Craig, Ruestman, Kirschenbauer

NAY: None

Motion carried.

l. Michigan Paving Contract Modification

Motion by Commissioner Ruestman seconded by Commissioner Kirschenbauer that the city commission approve the public service agreement amendment for Michigan Paving & Materials from \$700,000 to \$950,000 and authorize the mayor and clerk to sign.

YEA: Hufnagel, Craig, Ruestman, Kirschenbauer

NAY: None

Motion carried.

AGENDA

Mayor Hufnagel asked if there were any additions or deletions to the agenda. He removed Sara Morrison from under Persons Wishing to Present Testimony.

Motion by Commissioner Craig seconded by Commissioner Ruestman that the city commission approve the agenda as amended.

### AGENDA

#### A. OPENING:

1. Invocation
2. Pledge of Allegiance
3. Consent Agenda

*The staff proposes the following items for the Consent Agenda. If any Commissioner or person attending wishes to discuss any of these items, it should be placed on the regular agenda. The remaining items and recommendations may be approved en masse:*

- a. Approval of Minutes
  - Regular meeting of May 23, 2022
  - Special meeting of May 26, 2022
  - Closed session of May 26, 2022
- b. Approval of Warrants
  - In the amount of \$362,137.56
- c. King Media - Monthly Consulting Retainer
  - Staff recommends the city commission ratify the agreement with King Media and authorize the mayor and clerk to sign.
- d. Principal Shopping District/Downtown Development Authority Appointments
  - The St. Johns PSD/DDA Boards of Directors recommends the city commission reappoint: Erika Hayes and Mariah Lieby to the Principal Shopping District and Downtown Development Authority Boards as recommended (terms expiring June 30, 2026). (no attachment)
- e. Joint venture agreement between City of St. Johns and Clinton County Arts Council/Music in the Park 2022 season
  - Staff recommends that the city commission ratify the joint venture contract for the concert in the park series and authorize the mayor and clerk to sign.
- f. Permit for Fireworks – Night Magic Displays
  - Staff recommends that the city commission approve the permit for fireworks other than consumer or low impact for Night Magic Displays for the July 4, 2022 Rotary Club Fireworks Display and authorize the mayor to sign.
- g. MERS Defined Contribution Plan Adoption Agreement - Addendums for MERS Defined Contribution (Division #110143 – Non-Union Hourly Employees Hired After 12/01/2012) & (Division #108551 – Non-Union Hourly Employees)

-Staff recommends that the city commission adopt the agreement and authorize the mayor to sign.

h. Fee & Rate

-Staff recommends that the city commission approve the change on page 1 of the 2022/23 fee & rate schedule (Garbage Service Fee from \$200 to \$215 effective July 1, 2022).

~~i. St. Johns Downtown Development Authority Bylaws~~

~~-The downtown development authority recommends that the city commission adopt the bylaws and authorize the city clerk to sign.~~

~~j. St. Johns Principal Shopping District Bylaws~~

~~-The principal shopping district recommends that the city commission adopt the bylaws and authorize the city clerk to sign.~~

k. Police Department National Night Out Donations

-Staff recommends the city commission approve the police department sending out letters to local businesses and service groups soliciting donations for the National Night Out program.

l. Michigan Paving Contract Modification

-Staff recommends that the city commission approve the public service agreement amendment for Michigan Paving & Materials from \$700,000 to \$950,000 and authorize the mayor and clerk to sign.

4. Approval of Agenda:

**B. PUBLIC HEARINGS:**

**C. PERSONS WISHING TO PRESENT TESTIMONY:**

- ~~1. Sara Morrison - Briggs District Library Annual Report~~
2. Public comment - agenda & non-agenda items

**D. COMMUNICATIONS:**

**E. OLD BUSINESS:**

**F. NEW BUSINESS:**

1. St. Johns Downtown Development Authority Bylaws
2. St. Johns Principal Shopping District Bylaws
3. Resolution to Comply with the Provisions of Public Act 152 of 2011 (#9-2022)
4. County Farm Road Reconstruction Resolution #10-2022 – 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 County Farm Road reconstruction funded by the transportation economic development fund Category B Program
5. Principal Shopping District/Downtown Development Authority Special Event – Mint Festival Down at the Depot – August 12 & 13, 2022 & Application for Alcohol Use or Sale
6. Pride Month Resolution Request

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7. Rental Housing Program – Introduction of Ordinance #670 – An ordinance to require registration, inspection and certification of residential rental properties in the City of St. Johns
  8. Commissioner Comments

**G. ADJOURNMENT:**

YEA: Hufnagel, Craig, Ruestman, Kirschenbauer

NAY: None

Motion carried.

PUBLIC HEARINGS

PERSONS WISHING TO PRESENT TESTIMONY

1. Public Comment

Mayor Hufnagel asked the public to come to the podium, introduce yourself and limit your comments to 3 minutes.

Dana Worrall, Lambert Drive, was present to discuss her displeasure regarding the police chief being put on administrative leave and no one acknowledged it.

Andrea Ryan, Co-founder of St. Johns Call In Coalition, was present to discuss June is Pride Month and to support the Pride event.

Hannah was present in support of Pride Month.

Madhu Anderson, candidate for state senate, was present. She is a resident of Bath Township and has lived there for over 20 years and said she is a common-sense Republican.

Ricci Stollsteimer was present in support of Pride Month and the Pride Festival.

Dan Wohlfert, landlord, was present about housing rental. He said his tenants have newer appliances than he does.

Lissa Rousseau was present to discuss her support for Chief Dave Kirk.

Joy Barry was present regarding the leaf bag procedure and questioning why every person needs to call their bags in.

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City Manager Kudwa said we are seeing a lot of efficiency with this. He said DPW staff is making 120-130 stops per week and driving very strategically. We can allocate our staff differently.

Mayor Hufnagel said if she has more questions, feel free to follow up with Dave.

Chris Stewart, from Bath, Michigan, was present. He is running state representative, 75<sup>th</sup> district. He gave his contact information: [friendsofchrisstewart.com](http://friendsofchrisstewart.com) and [Friendofchrisstewart75@gmail.com](mailto:Friendofchrisstewart75@gmail.com) He said he is a Republican.

Jean Clark, resident, was present regarding her concern as a taxpayer regarding the police department.

Gary Becker, resident, was present regarding the leaf bag program and only picking up his bags and not his neighbors'.

Mayor Hufnagel said he is glad people came out and spoke. He thanked everyone for coming to the meeting and said it is sometimes difficult to come up and share.

### COMMUNICATIONS

#### OLD BUSINESS

#### NEW BUSINESS

1. St. Johns Downtown Development Authority Bylaws

2. St. Johns Principal Shopping District Bylaws

Mayor Hufnagel said this was originally on the consent agenda and they noticed a typo. He said they need to match them up in respect to the membership.

City Manager Kudwa said we may have a couple of revisions we want to make in addition to that.

Heather Hanover, PSD/DDA Director, was present and discussed the bylaws. She said it will work for them to be on the next meeting agenda.

Commissioner Craig said both items will be delayed.

3. Resolution to Comply with the Provisions of Public Act 152 of 2011 (#9-2022)

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City Clerk Seavey said the city has opted-out annually since 2015. This year, we have potential to be over the hard cap due to our funding of the HSA and potential HRA funding. She said staff recommends the city commission adopt the resolution to exempt us from PA 152. By doing this, we are in compliance.

Motion by Commissioner Craig seconded by Commissioner Ruestman that the city commission adopt Resolution #9-2022 – Resolution to Comply with the Provisions of Public Act 152 of 2011.

YEA: Hufnagel, Craig, Ruestman, Kirschenbauer

NAY: None

Motion carried.

4. County Farm Road Reconstruction Resolution #10-2022 – 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 County Farm Road reconstruction funded by the transportation economic development fund Category B Program

City Manager Kudwa said we are applying for an MDOT grant for County Farm Road improvements. He said this will align it with Swegles Street. He said we own the right-of-way and we can do that. He said it is in the amount of \$95,640. He said we want to send in this week and we need a resolution authorizing that activity.

Motion by Commissioner Ruestman seconded by Commissioner Kirschenbauer that the city commission adopt Resolution #10-2022 - 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 County Farm Road reconstruction funded by the transportation economic development fund Category B Program.

YEA: Hufnagel, Craig, Ruestman, Kirschenbauer

NAY: None

Motion carried.

5. Principal Shopping District/Downtown Development Authority Special Event – Mint Festival Down at the Depot – August 12 & 13, 2022 & Application for Alcohol Use or Sale

PSD/DDA Director Heather Hanover was present. She said you have always let them have alcohol around the car show event. She said they will block the road and she doesn't think it will be much different this year.

City Manager Kudwa said this is the same application we approve every year; one difference is the location this year.

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Commissioner Ruestman said she is happy with the move; it doesn't block the library anymore.

Motion by Commissioner Kirschenbauer seconded by Commissioner Craig that the city commission approve the application for alcohol use or sale.

YEA: Hufnagel, Craig, Ruestman, Kirschenbauer

NAY: None

Motion carried.

#### 6. Pride Month Resolution Request

City Manager Kudwa said the St. Johns Call In Coalition has followed the city's application process for their special event. They have asked the city to formally acknowledge June as Pride Month. He said the resolution has been presented for your consideration.

Motion by Commissioner Ruestman seconded by Commissioner Kirschenbauer that the city commission adopt Resolution #11-2022 - Resolution Acknowledging and Recognizing June as Pride Month.

YEA: Hufnagel, Craig, Ruestman, Kirschenbauer

NAY: None

Motion carried.

#### 7. Rental Housing Program – Introduction of Ordinance #670 – An ordinance to require registration, inspection and certification of residential rental properties in the City of St. Johns

City Manager Kudwa said we are excited about the interaction we have had with property owners over the last 4 or 5 years. This is not just an inspection program, there are a number of things we have been looking at in this ordinance. We have received feedback from the landlord and tenants. This program is a really nice first step for St. Johns. We worked really hard on the checklist and had a lot of conversations back and forth. He said McKenna has done a phenomenal job and it's a really good process here. We ask that you introduce Ordinance #670. The planning commission is recommending approval. They have done so much work on it.

Chris Khorey, McKenna, was present. He said there are three elements to set up: ordinance, resolution (schedule and timeline of rolling out program), and checklist for the inspection. The checklist would be a power of the planning commission. He said they have signed off on it. They can't adopt the checklist until you adopt the ordinance. He said we will begin with a registration period. He said landlords would have inspections

every 3 years and they will be sorted in groups: 2023, 2024, 2025. He said there is allowance for larger buildings to only have some of their units inspected. He said there is an opportunity for the tenant to request an inspection. He said there are life safety and quality-of-life items in the checklist. They have to meet 100% of the life safety items and 80% of the quality-of-life items to pass. We are looking for correction, not looking to fine.

Commissioner Craig said we are doing this for safety reasons. He asked if our fire chief and maybe others will be asked to inspect.

Mr. Khorey said they worked pretty hard to make it safety based. Inspections will be done by various carpenters. Once they have registered, we are expecting several hundred and we are manpowered for that.

Gary Hufnagel, landlord, was present. He discussed having a contractor in and he wrapped the water heater.

Mr. Khorey discussed water heaters. He said they are looking for basic quality-of-life issues, not Energy Star. He said they are looking for leaks and making sure hot water comes out. He said the checklist is basic.

Mayor Hufnagel said they can access the checklist on our website.

Motion by Commissioner Ruestman seconded by Commissioner Craig that the city commission introduce Ordinance #670 - An ordinance to require registration, inspection and certification of residential rental properties in the City of St. Johns.

YEA: Hufnagel, Craig, Ruestman, Kirschenbauer

NAY: None

Motion carried.

#### 8. Commissioner Comments

Commissioner Craig said he volunteered for Rotary at the Soapbox Derby. He said it was a great success. He said he painted in the art mural for first responders and that was a great success too. He said he appreciated people's comments. He said we are here to hear and listen and represent the public. He said people can also give him a call.

Commissioner Ruestman said the events downtown were great. She thanked people for coming out to speak. She said she appreciated them participating in city government.

Commissioner Kirschenbauer echoed what Commissioner Ruestman said. She said she has been on the commission for almost 4 years and this is the most people she has seen at a meeting. She said she appreciated them coming out.

Mayor Hufnagel said there are a lot of things we have been covering that are a long time in the making. There have been a lot of landlords and tenants active in those discussion and he is glad it is coming to fruition. He wanted to acknowledge the good things going on downtown. He said with the Soapbox Derby, his wife observed that there was a lot of people and he told her back in the day there was even more people for that event. He also wanted to acknowledge the volunteers; they made a lot of great things happen. He echoed the vice mayor's comments. He said it is sometimes intimidating to have such a crowd. He said he doesn't want you to feel like you can't come in and be comfortable. We value you coming in. He said we are also available outside of these meetings. Reach out to us if you want a dialog.

#### ADJOURNMENT

Motion by Commissioner Kirschenbauer seconded by Commissioner Craig that the meeting be adjourned.

YEA: Hufnagel, Craig, Ruestman, Kirschenbauer

NAY: None

Motion carried.

The meeting was adjourned at 7:11 p.m.