

CITY OF ST. JOHNS

CITY COMMISSION MINUTES

NOVEMBER 27, 2023

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

COMMISSIONERS PRESENT: Eric Hufnagel, Jean Ruestman, Brad Gurski, Scott Dzurka, Chris Hyzer

COMMISSIONERS ABSENT: None

STAFF PRESENT: Chad Gamble, City Manager; Kristina Kinde, City Treasurer; Mindy J. Seavey, City Clerk; Justin Smith, Director of Public Services; Anne Seuryneck, City Attorney

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

There were none.

Motion by Commissioner Gurski seconded by Commissioner Ruestman that the consent agenda be approved as presented.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

a. Approval of Minutes

Motion by Commissioner Gurski seconded by Commissioner Ruestman that the minutes of the October 23, 2023 regular meeting be approved as presented.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

b. Receipt of Warrants

Motion by Commissioner Gurski seconded by Commissioner Ruestman that warrants be approved as presented in the amount of \$604,769.46.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

c. Board Re-appointments

Motion by Commissioner Gurski seconded by Commissioner Ruestman that the city commission reappoint the following: Alan Harr and Bill Brewbaker, Parking Committee (two-year term expiring November of 2025); Jason Butler and Ed Thelen, Parks and Recreation Board (two-year term expiring November of 2025); Wendy Ward, Bob Craig, and Tom Hutton, Board of Appeals (three-year term expiring November of 2026); Eric Harger and Melvin Renfrow, Planning Commission (three-year term expiring November of 2026).

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

d. Briggs District Library Board Appointment

Motion by Commissioner Gurski seconded by Commissioner Ruestman that the city commission accept the Briggs District Library's recommendation and appoint Shannon Silvernail to a 4-year term on the Briggs District Library Board expiring December 31, 2027.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

e. Non-Commercial Driver's License (CDL) Employee Contract

Motion by Commissioner Gurski seconded by Commissioner Ruestman that the city commission approve the Non CDL Employee Agreement utilized for any new employees not in possession of a CDL. This agreement has been reviewed and edited by our attorney to ensure it meets with all legal requirements.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

f. DPS Director Vehicle

Motion by Commissioner Gurski seconded by Commissioner Ruestman that the city commission approve the purchase of the 2024 Chevrolet 1500 from Young's Chevrolet for the Director of Public Services.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None
Motion carried.

g. Water Treatment Plant Security Fence

Motion by Commissioner Gurski seconded by Commissioner Ruestman that the city commission approve the agreement with Dewitt Fence Co. to replace the security fence at the water treatment plant in the amount of \$28,460.00.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None
Motion carried.

AGENDA

Mayor Dzurka asked if there were any additions or deletions to the agenda.

Motion by Commissioner Hyzer seconded by Commissioner Hufnagel that the city commission approve the agenda as presented.

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 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 October 23, 2023
- b. Receipt of Warrants
 - In the amount of \$604,769.46
- c. Board Re-appointments
 - Staff recommends the city commission reappoint the following: Alan Harr and Bill Brewbaker, Parking Committee (two-year term expiring November of 2025); Jason Butler and Ed Thelen, Parks and Recreation Board (two-year term expiring November of 2025); Wendy Ward, Bob Craig, and Tom Hutton, Board of Appeals (three-year term expiring November of 2026); Eric Harger and Melvin Renfrow, Planning Commission (three-year term expiring November of 2026). (no enclosure)
- d. Briggs District Library Board Appointment

-Staff recommends that the city commission accept the Briggs District Library's recommendation and appoint Shannon Silvernail to a 4-year term on the Briggs District Library Board expiring December 31, 2027.

e. Non-Commercial Driver's License (CDL) Employee Contract

-Staff recommends the city commission approve the Non CDL Employee Agreement utilized for any new employees not in possession of a CDL. This agreement has been reviewed and edited by our attorney to ensure it meets with all legal requirements.

f. DPS Director Vehicle

-Staff recommends the city commission approve the purchase of the 2024 Chevrolet 1500 from Young's Chevrolet for the Director of Public Services.

g. Water Treatment Plant Security Fence

-Staff recommends that the city commission approve the agreement with Dewitt Fence Co. to replace the security fence at the water treatment plant in the amount of \$28,460.00.

4. Approval of Agenda:

B. PUBLIC HEARINGS:

1. Establishment of a PACE Program and a PACE District & Resolution #35-2023

C. PERSONS WISHING TO PRESENT TESTIMONY:

1. Public comment - agenda & non-agenda items
2. Introduce Police Officer Jerek Crim

D. COMMUNICATIONS:

E. OLD BUSINESS:

F. NEW BUSINESS:

1. Resolution #36-2023 - Establishing a Temporary Change of Voting Location for Precinct #3 for 2024 Elections
2. Resolution #37-2023 – Regular Meetings of the Planning Commission and Zoning Board of Appeals
3. MDNR Spark Grant Resolution #38-2023 and Project Agreement
4. Fantasy Forest 2.0 Reconstruction Program Schedule and Creation of Fantasy Forest Core Team
5. OPRA Extension – 107 North Clinton Avenue – Resolution #39-2023
6. Resolution #40-2023 - to Introduce an Ordinance to Amend Chapter 92 of City's Code of Ordinances Regarding Dogs and Cats
7. Resolution #41-2023 - to Introduce an Ordinance to Amending the City of St. Johns Zoning Code Regarding Kennels
8. Update on Status of Federal Mogul Property
9. City Manager Comments
10. Commissioner Comments

11. Closed Session to Consider Written Material Subject to Attorney-Client Privilege - MCL Section 15.268(8)(h)
12. Closed Session to Consider Purchase of Real Property – MCL Section 15.268(8)(d)

G. ADJOURNMENT:

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

PUBLIC HEARINGS

1. Establishment of a PACE Program and a PACE District & Resolution #35-2023

Motion by Commissioner Ruestman seconded by Commissioner Hufnagel that the city commission open the public hearing.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

The public hearing was opened at 6:07 p.m.

Jon Wylie, Lean and Green Michigan, was present. He said we had a pretty lengthy discussion at a previous meeting. He discussed changes that will take effect February 13th, 2024 and those changes have been incorporated into the program.

There were no questions from the commission.

Mayor Dzurka asked for public comments.

There were no public comments.

Motion by Commissioner Gurski seconded by Commissioner Hyzer that the city commission close the public hearing.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

The public hearing was closed at 6:14 p.m.

Motion by Commissioner Hyzer seconded by Commissioner Hufnagel that the city commission adopt Resolution #35-2023.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

PERSONS WISHING TO PRESENT TESTIMONY

1. Public Comment

Mayor Dzurka asked if there were any public comments.

There were none.

2. Introduce Police Officer Jerek Crim

Police Chief Kirk said we have had discussions of what we want to do employment wise. He said we are not going to lower our standards. We are able to get top-shelf candidates like Jerek. He discussed: Jerek is a service-minded person; he worked with the Michigan State Police; finished in the top 10 of his recruiting class; he works for Clinton County Ambulance as well as a medic; and does professional development on his free time. He brought his wife Kayla with him tonight.

Officer Jerek Crim was present. He thanked the commission for having him here. He said he grew up in Lansing. He is excited to start here and keep going forward in his career goals. He said he is also a wrestling coach and he always wants to reach out and give to his community.

COMMUNICATIONS

OLD BUSINESS

NEW BUSINESS

1. Resolution #36-2023 - Establishing a Temporary Change of Voting Location for Precinct #3 for 2024 Elections

City Clerk Seavey said the Wilson Center has been used as Precinct #3 for election day voting. Due to remediation and construction in the building, we will need to temporarily change the location for Precinct #3 for the 2024 election cycle. We use the First Baptist Church gym for Precinct #1 and the gym has more than enough space to use it for two

precincts. Per state law, the same location could be used for up to six precincts if logistically practical. There is also enough parking around the facility to manage voters from both precincts. We will be sending out postcards to households of precinct #3 voters in December to inform them of the change. We will also have this information in our next quarterly newsletter and place signs at the Wilson Center on election day to direct voters to the correct location.

There was a discussion of the temporary change.

Motion by Commissioner Ruestman seconded by Commissioner Hufnagel that the city commission adopt Resolution #36-2023 - Establishing a Temporary Change of Voting Location for Precinct #3 for 2024 Elections.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

2. Resolution #37-2023 – Regular Meetings of the Planning Commission and Zoning Board of Appeals

City Clerk Seavey said the city commission sets the annual meetings of the planning commission and ZBA. This resolution is setting the meetings for 2024. She said staff recommends the commission approve those dates by adopting Resolution #37-2023.

Motion by Commissioner Gurski seconded by Commissioner Hyzer that the city commission adopt Resolution #37-2023 Regular Meetings of the Planning Commission and Zoning Board of Appeals.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

3. MDNR Spark Grant Resolution #38-2023 and Project Agreement

Director Schafer said this is an exciting grant because of the amount. We are looking for adoption of the resolution and approve the city manager signing the project agreement.

Mayor Dzurka thanked Bill for all of his work on this. He said he knows it is no small task.

Director Schafer said John Serrine helped a lot on this and he was a big help in us getting the grant.

Motion by Commissioner Hufnagel seconded by Commissioner Ruestman that the city commission adopt Resolution #38-2023 MDNR Spark Grant Resolution and authorize the city manager to sign the Project Agreement.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

4. Fantasy Forest 2.0 Reconstruction Program Schedule and Creation of Fantasy Forest Core Team

City Manager Gamble said we received a \$694,000 grant. In the RCA and attachment, there is a summary of all of the requirements and responsibilities. He said this is no small task in regards to the project in itself. He discussed presenting the Friends of the Fantasy Forest a detailed plan; team members; city commission's role; and proposed core team members.

There was a discussion of:

- Monthly updates to the city commission.
- Creative ways to use the grant funds.
- Donations and sponsorship opportunities.
- The core team and their role.
- Having a consultant represent individuals with disabilities.
- Prime professional's role.

Motion by Commissioner Ruestman seconded by Commissioner Hufnagel that the city commission approve the Proposed Fantasy Forest Replacement/Reconstruction Process and Timeline (11/13/23) and designate the people listed on the attachment to serve as the Fantasy Forest Core Team.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

5. OPRA Extension – 107 North Clinton Avenue – Resolution #39-2023

City Treasurer Kinde said in March of 2021 the commission approved a two-year OPRA for the potential to extend up to 7 years. She said there were some differences in what was done so staff recommends an OPRA extension for an additional six years. If approved tonight, she will submit it to the State of Michigan and it will hopefully get accepted on their end.

Motion by Commissioner Gurski seconded by Commissioner Hufnagel that the city commission adopt Resolution #39-2023 - OPRA Extension – 107 North Clinton Avenue.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

6. Resolution #40-2023 - to Introduce an Ordinance to Amend Chapter 92 of City’s Code of Ordinances Regarding Dogs and Cats

City Manager Gamble said the planning commission discussed this issue robustly. There was a discovery of some areas in this section of the ordinance that needed some scrubbing. He discussed the ordinance. He said there was some confusion on the number of dogs allowed.

There was a discussion of:

- The proposed ordinance.
- Penalties/ramifications.

Attorney Seuryneck said 10.99 is the general penalty. She said it is likely it would be a misdemeanor, but she can clarify that before the next meeting.

Motion by Commissioner Ruestman seconded by Commissioner Hufnagel that the city commission adopt Resolution #40-2023 - to Introduce an Ordinance to Amend Chapter 92 of City’s Code of Ordinances Regarding Dogs and Cats.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

7. Resolution #41-2023 - to Introduce an Ordinance to Amending the City of St. Johns Zoning Code Regarding Kennels

Mayor Dzurka said this would be the zoning code change regarding kennels.

Motion by Commissioner Gurski seconded by Commissioner Hufnagel that the city commission adopt Resolution #41-2023 - to Introduce an Ordinance to Amending the City of St. Johns Zoning Code Regarding Kennels.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

8. Update on Status of Federal Mogul Property

City Manager Gamble said he handed out a memo to the city commission. Earlier this year the former Federal Mogul property located at 511 N. Mead Street was auctioned. The property was purchased for approximately \$1.2 million by a company by the name of Magnibeam Florida, LLC (Magnibeam). Upon initial review this company, located in the state of Florida, is a manufacturer of solar panels. The City was first contacted by representatives of this company, via an in person visit, during the week of November 5th. At this visit floor plans and any other building information was requested from the City. The City found several design/construction prints related to this building and Magnibeam paid the City for copies of this information. On Monday, November 13th representatives of Magnibeam stopped into the City offices to meet with me. I was otherwise occupied in a conference call. A meeting was then scheduled for November 15th at which their Company liaison, Lance Liu, was present in addition to two representatives of the owner's group, and a representative of the MEDC. At this meeting a brief overview of the company's redevelopment plan was presented. He discussed a summary of the presentation.

There was a discussion of:

- Previous incentives to previous owners of that property.
 - There was an IFT previously.

City Manager Gamble said at our in-person meeting we talked about the possibility of them coming to the city commission to give a presentation. He said perhaps at the December 11th meeting?

Mayor Dzurka said as long as that is not premature.

City Manager Gamble said he is having a discussion with MEDC this Friday. Maybe pending that outcome and a discussion with Mr. Liu.

Dzurka said great opportunity.

9. City Manager Comments

City Manager Gamble discussed:

- We are excited to have our own show and tell this evening with a few if the “hot off the press” downtown parking signs. We are very excited at the quality and look of these new signs. These will be installed over the next few weeks.
- Volume 2 of the Mint City Press, by intern Emma, highlighting downtown businesses.
- One of the requirements of the DNR grant for the Scott Road non-motorized Trail extension project is to obtain project concurrence with all jurisdictions through

which the trail runs. There is a small section of trail that lies within Bingham Township. Bill Schafer attended the last Township meeting where they gave their support for the project. This as well as the volleyball court project are now both out for bid and due on December 14th.

- Continue to discuss ways for Bingham Township and St. Johns to partner regarding utility service and cost sharing. I have met with Eric Silm, Township Supervisor, and representatives of LEAP 4 times and most recently with our shared City/Township Attorney present to provide an overview of different ways our respective municipal jurisdictions can raise the region up collaboratively. The conversations are very positive. I hope to have more on this issue in January.
- SJPS Superintendent Anthony Berthiaume and I continue to communicate regularly and discuss ways that the District and the City can collaborate. We were informed that St. Johns School District will be proceeding with a bond proposal to be placed on the May 7, 2024 ballot.
- One way that we thought of that would show support and true collaboration is a joint School Board and City Commission meeting. A date that would work well with the school would be March 11, 2024. Topics such as a status of the school millage, safe routes to school and shared use of the Wilson Community Center would be the first of many possible topics to discuss.
- I have had several meetings and many more discussions regarding the Depot/Silo/State of Michigan property. These meetings have included discussions with representatives of the Lansing Economic Area Partnership (LEAP) and the Michigan Economic Development Commission (MEDC). We are working to develop a strategic plan on packaging this area up for re-development, including using tools that come along with St. Johns' Redevelopment Ready Community designation.
- Keeping along with the theme of the Depot area, the City applied to be considered for a Michigan State University Practicum Course as part of their Urban and Regional Planning (URP) Program. I referred to this opportunity as the St. Johns North Gateway Project. If selected an entire class at MSU will use this as a concentrated group effort to present to the City different ways that these parcels can be used to creatively redevelop this import and key parcels that bound the downtown to the adjoining neighborhoods. A modest \$3,500 is requested to support the program and their work product and continued efforts to offer this unique service to the region. We should know by mid-December if we move onto the next step for consideration. A copy of the applications Supplemental Information was distributed this evening for your information.
- The State imposed deadline of December 31, 2023 for Units of government to obligate all of their ARPA money or risk losing 1% of additional state shared revenue is quickly approaching. Staff are reviewing the current programming to ensure that the proposed programming will indeed be expended for its indicated

purpose. We have some programming that is tied to grants that may not be awarded so we will be bringing back to you in December alternative recommendations for programming.

- Sometime between 3:00 pm on 11/20/23 and 7:00 am on 11/22/23 vandalism occurred in the women's bathroom at the City Park in the form of several large holes made in the drywall. For now, we have placed OSB over the holes and hope to repair them this week.
- The City had just finished replacing the window of the same bathroom building due to someone shooting a BB gun at the windows and putting holes in them in early 2023. The amount for that repair was \$3,475, all but \$250 was covered by insurance. We had to replace the entire window frame and glass of 5 windows due to the window glass on of the old windows not being available. We will be looking at alternatives to secure this facility to try to reduce the probability of continued vandalism.
- On November 21st the City posted to the website a 6-minute video titled "Did You Know, the History of St. Johns". This spectacular video was produced by one of our interns Genevieve Hills. It already has almost 3,000 views and over 100 shares on Facebook. We are also looking to add this to our website.
- He shared some good news thanks to the Michigan Association of Chiefs of Police. At the chief's last meeting, they offered to connect us with the First Responders Childrens Foundation regarding the Toys for Tots collection. On November 22nd, a pallet of toys was dropped off. He said kudos to the chief.

10. Commissioner Comments

Commissioner Ruestman said she had a question about the Morton Street building. She said she assumes that is still being looked into.

City Manager Gamble said he provided a packet to the complainant regarding the accessory structure at 501 S. Morton (ordinances, timing in regards to the process to challenge the interpretation in regards to the height of the accessory building; \$500 application fee to ZBA; provided January and February meetings of the ZBA; and notice dates). He said the baton is in their hands.

There was a discussion of the ordinance and what had occurred.

Commissioner Ruestman thanked the commission for approving the new library board member. She is a fabulous choice and the library board is in a really good place.

Mayor Dzurka thanked Commissioner Ruestman for her service.

Commissioner Hyzer discussed leaves. He said the city staff needs to look at the whole process. He discussed the leaf vacuum. Over the next nine months to look at different processes for that.

Director Smith said we don't have a leaf vacuum anymore. He said it mechanically failed and we don't use it anymore.

Commissioner Hyzer said the city should go back to bags and let residents deal with them. He discussed the Veterans Parade and said it was good to see so many people downtown. He said the Mint City Press is a nice addition they are doing.

Commissioner Hufnagel said he was at the parade and wanted to give a shout out to the city manager who was there on his day off. He said he concurred with the positive stuff that is happening with communications, the interns in particular. He said there is a lot more stuff on social media that has positive information, is valuable and people happy to see, cute things like the video on our history; that is a great thing and he is pleased with it. He encouraged us to continue to do those things and have those positive touches instead of being reactive to things that are said that might not be based on facts. He said great job and the branding with it is terrific.

Mayor Dzurka wanted to give Justin a chance to discuss where we are at with leaves.

Director Smith said they finished with the south side today and moved to the north side. He said the north side is quicker. The goal is to hopefully be pretty well wrapped up by the end of the week with their first trip. He said they have things to do for Friday's Santa parade, Thanksgiving was early this year, and the opening day of deer season was on a Wednesday. He said the guys at the water plant are getting ready for an EGLE site visit tomorrow. He said they have been very busy and haven't been able to shift employees over there.

Mayor Dzurka said he had a chance to attend the Arts Council meeting. He discussed there is a lot of overlap: Wilson Center, Depot, and downtown. Their annual meeting is on December 4th. He said he and Commissioner Hufnagel were talking and will be doing a personnel committee meeting in the next month. He said Chad is coming up on his six-month review. He talked about vandalism and said we are not alone there, other communities along the trail are dealing with the same issue.

11. Closed Session to Consider Written Material Subject to Attorney-Client Privilege - MCL Section 15.268(8)(h)

Motion by Commissioner Ruestman seconded by Commissioner Hufnagel that the city commission go into closed session.

Roll call vote:

YEA: Gurski

YEA: Hyzer

YEA: Hufnagel

YEA: Ruestman

YEA: Dzurka

NAY: None

Motion carried.

The commission went into closed session at 7:22 p.m.

Motion by Commissioner Hyzer seconded by Commissioner Hufnagel that the city commission go into open session.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

The commission went back into open session at 8:20 p.m.

12. Closed Session to Consider Purchase of Real Property – MCL Section 15.268(8)(d)

Motion by Commissioner Ruestman seconded by Commissioner Gurski that the city commission go into closed session.

Roll call vote:

YEA: Gurski

YEA: Hyzer

YEA: Hufnagel

YEA: Ruestman

YEA: Dzurka

NAY: None

Motion carried.

The commission went into closed session at 8:21 p.m.

Motion by Commissioner Ruestman seconded by Commissioner Gurski that the city commission go into open session.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

The commission went back into open session at 9:11 p.m.

ADJOURNMENT

Motion by Commissioner Hyzer seconded by Commissioner Gurski that the meeting be adjourned.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

The meeting was adjourned at 9:11 p.m.