

**CITY OF ST. JOHNS**

**CITY COMMISSION MINUTES**

**DECEMBER 11, 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, 2<sup>nd</sup> 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; Anne Seuryneck, City Attorney; Chris Khorey, McKenna (arrived at 6:32)

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 Hufnagel 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 Hufnagel seconded by Commissioner Ruestman that the minutes of the November 27, 2023 regular meeting and closed sessions be approved as presented.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

b. Receipt of Warrants

Motion by Commissioner Hufnagel seconded by Commissioner Ruestman that warrants be approved as presented in the amount of \$718,388.47.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None  
Motion carried.

c. Board Re-appointments

Motion by Commissioner Hufnagel seconded by Commissioner Ruestman that the city commission reappoint the following: Anne Rademacher, Board of Review (three-year term expiring November of 2026).

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

d. Spicer - GIS Mapping and Data Integration Assistance

Motion by Commissioner Hufnagel seconded by Commissioner Ruestman that the city commission approve the agreement from Spicer Group for a not to exceed amount of \$5,800 and authorize the mayor to sign. This contract has been reviewed by the City attorney and was found to be legally sufficient.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

e. Consideration of Design and Bidding Services of Studio Intrigue for the Buildout of the Common Space of the Wilson Center Condominium Development

Motion by Commissioner Hufnagel seconded by Commissioner Ruestman that the city commission approve the contract with Studio Intrigue for the services outlined in their engagement letter related to the condominium Common Space dated December 4, 2023, for \$27,500 and authorize the mayor to sign.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

f. Consideration of Design and Bidding Services of Studio Intrigue for the Buildout of Unit #1 Condominium Space at the Wilson Center

Motion by Commissioner Hufnagel seconded by Commissioner Ruestman that the city commission approve the contract with Studio Intrigue for the services outlined in their engagement letter for Unit #1 of the Wilson Center Condominium dated December 4, 2023, for the amount of \$65,500 and authorize the mayor to sign.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None  
Motion carried.

### AGENDA

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

Resolution of Commendation for Eric Worrall was added under New Business #4.

Motion by Commissioner Ruestman seconded by Commissioner Gurski 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 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 November 27, 2023
  - Closed sessions of November 27, 2023
- b. Receipt of Warrants
  - In the amount of \$718,388.47
- c. Board Re-appointments
  - Staff recommends that the city commission reappoint the following: Anne Rademacher, Board of Review (three-year term expiring November of 2026).
- d. Spicer - GIS Mapping and Data Integration Assistance
  - Staff recommends that the city commission approve the agreement from Spicer Group for a not to exceed amount of \$5,800 and authorize the mayor to sign. This contract has been reviewed by the City attorney and was found to be legally sufficient.
- e. Consideration of Design and Bidding Services of Studio Intrigue for the Buildout of the Common Space of the Wilson Center Condominium Development
  - Staff recommends that the city commission approve the contract with Studio Intrigue for the services outlined in their engagement letter related to the condominium Common Space dated December 4, 2023, for \$27,500 and authorize the mayor to sign.

- f. Consideration of Design and Bidding Services of Studio Intrigue for the Buildout of Unit #1 Condominium Space at the Wilson Center
  - Staff recommends that the city commission approve the contract with Studio Intrigue for the services outlined in their engagement letter for Unit #1 of the Wilson Center Condominium dated December 4, 2023, for the amount of \$65,500 and authorize the mayor to sign.

4. Approval of Agenda:

**B. PUBLIC HEARINGS:**

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

- 1. Public comment - agenda & non-agenda items

**D. COMMUNICATIONS:**

**E. OLD BUSINESS:**

- 1. Resolution #42-2023 - to Adopt an Ordinance to Amending the City of St. Johns Zoning Code Regarding Kennels
- 2. Resolution #43-2023 – to Adopt an Ordinance to Amend Chapter 92 of City’s Code of Ordinances Regarding Dogs and Cats

**F. NEW BUSINESS:**

- 1. ARPA Funding
- 2. Planning Commission Appointment due to Vacancy
- 3. Presentation and Discussion of the 2024/25 Budget Calendar
- 4. Resolution of Commendation for Eric Worrall (*added to agenda*)
- 5. City Manager Comments
- 6. Commissioner Comments
- 7. Closed Session to Consider Written Material Subject to Attorney-Client Privilege - MCL Section 15.268(8)(h)
- 8. 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

PERSONS WISHING TO PRESENT TESTIMONY

- 1. Public Comment

Mayor Dzurka asked if there were any public comments.

Marc Mercer, 601 S. Kibbee, was present. He discussed code enforcement; 5 years ago had a neighbor blocking the driveway; if a violation is turned in it needs to be looked at; incident in the Spring with a light shining in their window; his parents dealt with tons of stuff - guy dismantling a car; he had a good conversation with Scott; Jessica sent a letter; they need some help; first it was the cops to enforce and then it was Jessica.

Mary Mercer, 406 E. Railroad, was present. She discussed: dealt with a garage built in the 60's; John Salemi wrote a letter saying it could only be used for storage; person bought garage and worked on a vehicle all summer long and has a lot of equipment in there; he told Jessica he is only working on a vehicle for his family, and not a repair shop; they have lived there 46 years and have a beautiful home; it is a nuisance.

Mayor Dzurka said we typically leave time at the end of the meeting for city manager and city commission comments and maybe Chad can address this also.

#### COMMUNICATIONS

#### OLD BUSINESS

##### 1. Resolution #42-2023 - to Adopt an Ordinance to Amending the City of St. Johns Zoning Code Regarding Kennels

City Manager Gamble said this ordinance has been discussed at multiple planning commission meetings. He said it provides a little bit more flexibility for residents.

Motion by Commissioner Ruestman seconded by Commissioner Gurski that the city commission adopt Resolution #42-2023 to Adopt an Ordinance to Amending the City of St. Johns Zoning Code Regarding Kennels.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

##### 2. Resolution #43-2023 - to Adopt an Ordinance to Amend Chapter 92 of City's Code of Ordinances Regarding Dogs and Cats

City Manager Gamble said this amends the number of dogs from 3 up to 4 that would invoke the kennel provisions.

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Attorney Seurnyck said we made additional changes. After it was introduced, we recognized it might be a misdemeanor. If you want them all to be civil infractions, we can cross that out. She said she just added it to those that were substantively changed. She said it can remain a misdemeanor. We haven't addressed every section of 92 in this and a couple are still misdemeanors. She said it would be something to consider in the future.

Motion by Commissioner Gurski seconded by Commissioner Ruestman that the city commission adopt Resolution #43-2023 to Adopt 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.

### NEW BUSINESS

#### 1. ARPA Funding

Treasurer Kinde said the State of Michigan included a 1% increase in revenue sharing for units that have fully obligated ARPA funds by 12/31/23. We have obligated all but \$50,000. She discussed: there are some grants we might not get; making sure we have funds fully obligated by the end of the year. She said staff recommends the City Commission approve fully obligating any excess ARPA funds in the following order: Volleyball Court grant project, Wilson Center, and DPW Facility Construction Documents.

Commissioner Ruestman asked if we have any idea when we will know about the grant for pickleball.

Treasurer Kinde said we believe next week.

Motion by Commissioner Gurski seconded by Commissioner Hyzer that the city commission adopt the recommended action in relation to ARPA funding as presented.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

#### 2. Planning Commission Appointment due to Vacancy

Mayor Dzurka discussed we have applications from two individuals and no others that had a preference for planning commission further down on their preferences. He said it is

great to see new people completing applications, but we have not had a chance to reach out to them. Is there any kind of a deadline we are under to make an appointment?

City Manager Gamble said not that he is aware of.

Commissioner Hufnagel discussed the applications. He said we should have further communication with both of those individuals and make sure it is a good fit and the right skills set. He said the planning commission has had significant turnover in the last few years.

Commissioner Ruestman asked if we could ask follow-up questions: their understanding of what a planning commission does and why they feel qualified to be on the planning commission.

Mayor Dzurka said he agreed.

Commissioner Hufnagel said perhaps staff can reach out to other communities for their application questions specific to the planning commission.

City Manager Gamble said yes, he would take the questions asked here and add 2-3 others and bring answers to the next meeting.

Mayor Dzurka said by the end of the week for commissioners to give any additional questions to Chad.

### 3. Presentation and Discussion of the 2024/25 Budget Calendar

City Manager Gamble said he had an opportunity to discuss the budget calendar with Treasurer Kinde. He discussed combining meetings: joint meeting of city commission and planning commission for the Capital Improvement Plan presentation. He discussed the budget calendar; the first commission action is a budget/strategic planning workshop at a January 29<sup>th</sup> meeting. We can provide more details in weekly briefings.

Commissioner Ruestman said she loves the idea. She said she will be out of state and asked if because it's a workshop, can she call in and listen in.

Attorney Seuryneck said she can't participate in a way that is different than what the general public can do.

There was a discussion of the budget calendar.

Chris Khorey arrived at 6:32 p.m.

Mayor Dzurka said we still have a vacancy on the finance advisory.

#### 4. Resolution of Commendation – Eric Worrall

Chief Kirk said Officer Worrall is one of our senior officers. He has been here for 14 years, served the city as a police officer, sergeant, field training officer and evidence technician; very dependable; a St. Johns High School graduate; total of 23 years as a police officer; knew when he reached a certain age he would be moving on to another job. He said he greatly appreciated the resolution on short notice and appreciated the community support of our officers.

Motion by Commissioner Gurksi seconded by Hufnagel to adopt the Resolution of Appreciation for Eric Worrall.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

#### 4. City Manager Comments

City Manager Gamble discussed:

- He said he heard from Dr. Berthiaume, St. Johns Public Schools, regarding a joint meeting on March 11<sup>th</sup> with a tentative time of 6:00 p.m. He asked commissioners to pencil that into their schedules. He said for agenda items, please add some in the next month or so. Items so far: safe routes to schools; collaboration programming for the Wilson Center; continued expansion of interns; and he would like to give the commission an update on the millage.
- Thank you for approval on the contracts for the Wilson Center. TriTerra has been over there finalizing their workplan. They anticipate beginning mid-January with completion by May to June.
- Possibility of naming rights for the auditorium or gym of the Wilson Center. It could provide funding or add to the scope of work. If the commission feels that is prudent.
- Update on Labyrinth project. All indications that the location would work. A water line and fire hydrant may need to be moved. We have not yet received final vision of this area and we are working on a place to relocate the basketball court.
- Response to 408 E. Railroad. He said there are multiple emails that are addressing the issue. The letter was addressing more of a commercial automotive repair. He said there is nothing in our ordinances that prevents anyone from working on their



own car. He said certain property rights are allowable as long as it is not a business.

Chris Khorey, McKenna, said what is going on is not a business. He said it is a personal automobile and personal garage and it is not a zoning violation. He discussed the ordinances that were approved earlier in the meeting. Thank you for adopting them tonight.

#### 5. Commissioner Comments

Commissioner Hyzer said he appreciated the conversation on the different ordinances. He said the parade was well attended, we had really nice weather, and a lot of people were downtown. He said he is looking forward to things in the New Year and happy holidays and Merry Christmas.

Commissioner Hufnagel said he and the mayor met with the city manager and had a conversation about his mid-year evaluation. He said the first five or so months have gone quickly and provided feedback. He said more information will go out to all commissioners about the process. He discussed leaf pick-up and benefitting from the lack of snow. He asked staff to put together a quick memo. He said he was under the impression the leaf sweeper was not available. He said if they could have something that explains what the process is and our timeline. He said he thinks the public has some confusion.

City Manager Gamble said we are complete with leaf pick-up. He said we were approximately a week behind the original schedule. He said a couple of contributing factors were November 15<sup>th</sup> and Thanksgiving. He said we made a second-round sweep around the city and wrapped up last Thursday.

Commissioner Gurski said he did enjoy the winter festival downtown; there were a great number of entries; and it was good to see folks enjoying that. He said they don't have an ambulance meeting until next week. He said they will be looking to approve the purchase of a new ambulance. He said they are looking for a new echo unit. He said the old unit will be transitioned to their community paramedicine program.

Commissioner Ruestman said she is glad we got a Facebook post out about parking, but to start with the good news in the future. She said we still have two-hour free parking downtown and on the side streets. She said she was reading the comments and we need to be clear on what the good story is.

Mayor Dzurka said with the winter celebration they recognized John Sirrine whose contributions were highlighted. He said he appreciated John's work. He discussed the city manager evaluation and he agreed to getting comments back from all of us and comments from the department heads are helpful, or one-on-one conversations. He said they will get with Chad the first of the year. He said the planning commission has been very busy, and reviewed and approved a revamp of the landlord/renter checklist and recommendations were made. He said they reached good positive steps. We are 1/3 of the way through all of the rental units and we are learning as we go through. He said they are working on RV campers, etc. and parking and timelines. He said they did not act at the last meeting and it will be coming back to the planning commission. He said it would be helpful to send out drafts to everyone. He said they continue to talk about golfcarts and there were several concerns raised on overall safety so they are doing a little deeper dive. He said golfcarts are not legal on the streets right now. He thanked Chad for covering how the violations have been addressed. He said he appreciated the time it takes to go through this process. He said staff is very thorough in going through reviews and he appreciated the methodology of putting things in writing. He said it is helpful for us for the process/procedure of how those are evaluated.

Commissioner Hyzer said would be nice to know on the enforcement side what they are doing.

City Manager Gamble said he will have a conversation with staff. He asked if they were talking about the process/procedure from an administrative perspective?

Mayor Dzurka said administrative when a concern is raised.

6. 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 6:57 p.m.

Motion by Commissioner Hyzer seconded by Commissioner Ruestman 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 7:10 p.m.

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

Motion by Commissioner Hufnagel seconded by Commissioner Ruestman 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 7:11 p.m.

Motion by Commissioner Hyzer seconded by Commissioner Ruestman 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 7:50 p.m.

ADJOURNMENT

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

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

The meeting was adjourned at 7:50 p.m.