

CITY OF ST. JOHNS

CITY COMMISSION MINUTES

MARCH 18, 2024

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 (Zoom); Chris Khorey, McKenna (left at 7:30 p.m.)

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

Commissioner Hyzer asked to move items c. and f. to the agenda

Mayor Dzurka said c. will be item 5 under New Business and f. will be item 6 under New Business.

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

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 March 11, 2024 special joint meeting with St. Johns Public Schools 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 \$2,092,704.76.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

d. Renewal of Police Department Lawn Maintenance Services

Motion by Commissioner Gurski seconded by Commissioner Ruestman that the city commission authorize the Mayor to sign and approve the 24-month renewal of Police Department lawn maintenance services with Smith Lawncare.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

e. Permission for City Manager to Perform Minimal Consulting Services

Motion by Commissioner Gurski seconded by Commissioner Ruestman that the city commission permit City Manager Gamble to participate in consulting opportunities on average one to three hours per month but at no time more than ten hours per month pursuant to the permissions outlined in his employment contract.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

g. Extension of Parking Citation Authority to Code Enforcement

Motion by Commissioner Gurski seconded by Commissioner Ruestman that the city commission, in cooperation with the Chief of Police and City Manager, extend parking citation issuance authority to Ordinance Enforcement Officer Jessica Austin.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

AGENDA

Mayor Dzurka asked if there were any additions or deletions to the agenda. He asked to add as item #7 under New Business – School Bond Resolution.

Motion by Commissioner Hyzer seconded by Commissioner Hufnagel 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
 - Special joint meeting of March 11, 2024 with St. Johns Public Schools
 - b. Receipt of Warrants
 - In the amount of \$2,092,704.76
 - c. ~~2024 Street Program Proposal and Approval to suspend competitive bidding for years 2024-2028 of street program~~
 - Staff recommends that the city commission approve the proposal from Michigan Paving and Materials for the 2024 Street Millage Program and suspend competitive bidding as it pertains to Michigan Paving and Materials and the 2025-2028 Street Program.
 - d. Renewal of Police Department Lawn Maintenance Services
 - Staff recommends that the city commission authorize the Mayor to sign and approve the 24-month renewal of Police Department lawn maintenance services with Smith Lawncare.
 - e. Permission for City Manager to Perform Minimal Consulting Services
 - Staff recommends that the city commission permit City Manager Gamble to participate in consulting opportunities on average one to three hours per month but at no time more than ten hours per month pursuant to the permissions outlined in his employment contract.
 - f. ~~Sidewalk Replacement Program~~
 - Staff recommends that the city commission approve the bid of Supreme Concrete & Restoration LLC. for the Sidewalk Replacement Program.
 - g. Extension of Parking Citation Authority to Code Enforcement
 - Staff recommends that the city commission, in cooperation with the Chief of Police and City Manager, extend parking citation issuance authority to Ordinance Enforcement Officer Jessica Austin.
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. Consideration of the Establishment of St. Johns Social District including Resolution #9-2024 – a Resolution to Adopt an Ordinance to Create and Regulate a Downtown Social District

F. NEW BUSINESS:

1. Wilson Community Center Design, Remediation and Funding Updates
2. Discussion of Solid Waste and Recycling Contract Renewal
3. Recommended Zoning Amendment – Off Street Parking - Resolution #10-2024 – a Resolution to Introduce an Ordinance to Amend the City of St. Johns Code of Ordinances Regarding Off-Street Parking and Loading/Unloading Area Requirements for Full Size and Small Recreational Vehicles
4. Recommended Zoning Amendment – 1st reading - Downtown Development Parking Requirements - Resolution #11-2024 – a Resolution to Introduce an Ordinance to Amend the City of St. Johns Code of Ordinances Regarding the Creation of a Parking Exemption Zone & Resolution #12-2024 – a Resolution to Introduce an Ordinance to Amend City's Zoning Map
5. 2024 Street Program Proposal and Approval to suspend competitive bidding for years 2024-2028 of street program (*moved from Consent Agenda*)
6. Sidewalk Replacement Program (*moved from Consent Agenda*)
7. School Bond Resolution
8. City Manager Comments
9. Commissioner Comments

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 said it is the 7th month anniversary of the request for assessment of his parents' residence and their neighbor making noises. He said he is asking for an assessment. He doesn't know what has happened in the past 7 months. He said he and his parents have complained a lot. He said he appreciated that

Scott drove by. He said the sound is very loud. They have discussed getting an attorney involved. He said that Chad was going to email him back a week ago. He asked what assessments have been done and where we are at. He said he would appreciate if you would get back to him.

Terry Clarke, 300 W. Higham, was present. He said it came to his attention someone was gathering sap from maple trees. He said this person has an interest in using maple trees that are in the extension (right-of-way). He said he felt there was an ordinance or restriction from the city that it can't be done and is asking you to consider it.

Mayor Dzurka asked him to pass the individual's name onto the city.

There was a discussion of:

- This has been done in the past without permission.
 - Issues we ran into.
- Would have to look at rules, regulations and a permitting process.

COMMUNICATIONS

OLD BUSINESS

1. Consideration of the Establishment of St. Johns Social District including Resolution #9-2024 – a Resolution to Adopt an Ordinance to Create and Regulate a Downtown Social District

City Manager Gamble said he handed out a substitute management plan and permit. He said the permit application was greatly simplified. The management plan was discussed in detail with the DDA and simplifying that. He said there has been 5-6 months of robust discussion at the DDA and this body. He discussed the social district.

PSD/DDA Director Hanover said if you have any questions, she would be happy to answer them.

Commissioner Hufnagel asked how this is going to be assessed and in what period of time. He asked if there was a discussion of a sunset provision on it? He said there were people that were concerned about it.

Director Hanover said they haven't come up with a specific date/time.

Commissioner Ruestman said there is a review in the plan after 90 days.

Motion by Commissioner Ruestman seconded by Commissioner Hufnagel that the city commission adopt Resolution #9-2024 – a Resolution to Adopt an Ordinance to Create and Regulate a Downtown Social District.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

Motion by Commissioner Gurski seconded by Commissioner Hyzer that the city commission approve the maintenance plan and permit.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

NEW BUSINESS

1. Wilson Community Center Design, Remediation and Funding Updates

City Manager Gamble presented a brief update at joint meeting last week. He discussed: construction documents are being finalized; funding for the Wilson Center; monies being fronted awaiting sale of bond; schedule from Baker Tilley; 4/22 bond authorizing resolution; bond sale on 6/4; then authorization of construction documents; common area 50% funded by the city; fees estimated from bond sale; bond duration examples: 15 years or 20 years; difference in interest payments; added payments are \$45,000 - \$50,000 depending on year selected; believe city can support 15 year bond schedule, but if decision to lessen burden can do that as well.

There was a discussion of:

- Our current bond rating.
- 15 years vs. 20 years.
- A bond is coming off this year.
- Whether there is an availability to pay it off early.
 - Sometimes there are early payment windows that can be placed into bonds.
- The remediation is slow.
- When we will start seeing revenue generated from project (tax revenue).
 - 2026, will uncap with new work being done.
 - Could be slight increase in 2025 depending on what work they get done.

2. Discussion of Solid Waste and Recycling Contract Renewal

City Manager Gamble said the original contract was 2015-2018 and was amended 4 times (extension and service-related issues). He discussed: it would be good to go out for

RFP; he has been through the process multiple times in different cities; programs and changes have settled down; very few complaints; if there were any other options the commission would like to see; and we could at least get a cost on options in RFP.

Director Smith said we are in a good space to put this out to bid; been very courteous with us on carts for downtown events.

City Manager Gamble said he did meet with Granger last week to go over our intentions. They did mention Spring Clean Up is not a free activity. He discussed Lansing's system of 2 tags per year and said it was a nightmare. He said there are very few changes we would recommend.

There was a discussion of:

- Working well; haven't heard complaints.
- Release the RFP around April 1st.
- Price changes and tax process.
 - Fund balance in solid waste millage fund.
- We are doing better on recycling (not having contamination).
- Tally of how many trucks or volume for the last several years; numbers with respect to Spring Clean Up also.
 - They can give you an annual report.
- 2,667 pick-ups within our community.
- A concern about the tax on the bill instead of a fee for service; bin by bin fee instead of yearly fee to the city.
- A path of communication on this; videos.

3. Recommended Zoning Amendment – Off Street Parking - Resolution #10-2024 – a Resolution to Introduce an Ordinance to Amend the City of St. Johns Code of Ordinances Regarding Off-Street Parking and Loading/Unloading Area Requirements for Full Size and Small Recreational Vehicles

Chris Khorey, McKenna, said there has been a significant discussion at the planning commission meetings. He discussed the recommended zoning amendment: split RVs into full size or small (RV unit) and tie to size of lot; regarding outdoor parking - winter parking/storage of RV's would require a zoning permit (permanent); we are loosening of rules we have right now and the intent is to lessen the amount of code enforcement on RV's.

There was a discussion of:

- A lot of input from the public at various meetings.

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- There needs to be communication; much of the ordinance has been on the books for a while; smaller vs. full size was warranted; modifications of what the surface in the backyard needed to be.
 - Purpose of zoning permit.
 - Tracking mechanism.
 - Permanent approval, not an annual license.
 - Inspection.
 - Corner lot and more parking opportunities on diagram.
 - Corner lots, almost entire lot is visible from street.
 - New version of graphic will be easier to read.
 - 20' front setback; still will be homeowners that can't meet that.
 - Could allow winter front parking as long as meet 20' setback.
 - Currently, this is not allowed.
 - Only recently have had code enforcement on this.
 - Possible changes to draft ordinance.
 - The publication of ordinance must be significantly in keeping of ordinance.
 - There is a threshold where we would have to go back to the planning commission for a public hearing.

Attorney Seuryneck said they can also make changes without sending it back. She said you can change the ordinance before you adopt it. She said tonight they could make changes and incorporate them into the final draft.

There was a discussion of:

- A compromise with a waiver process for individuals that don't have access to a side or back yard.
 - We have the variance process already.
 - Or create criteria in the ordinance: ZBA or PC would have to approve; or send to site plan review committee; or set a specific set of circumstances the zoning administrator could approve.
- The substantial number of changes we would have to incorporate.
 - Bring back a revised ordinance to the next meeting.

4. Recommended Zoning Amendment – 1st reading - Downtown Development Parking Requirements - Resolution #11-2024 – a Resolution to Introduce an Ordinance to Amend the City of St. Johns Code of Ordinances Regarding the Creation of a Parking Exemption Zone & Resolution #12-2024 – a Resolution to Introduce an Ordinance to Amend City's Zoning Map

Chris Khorey, McKenna, said the purpose is to try to create more consistent rule of parking on the edges of downtown. He said the CBD (Central Business District) zoning

district is currently exempt from parking requirements. This would create two overlays: parking exempt district and parking reduction district. He discussed the options for developers to get reductions based on certain aspects of the site plan.

City Manager Gamble said there are two recommendations and we would need two separate motions.

Motion by Commissioner Ruestman seconded by Commissioner Gurski that the city commission adopt Resolution #11-2024 – a Resolution to Introduce an Ordinance to Amend the City of St. Johns Code of Ordinances Regarding the Creation of a Parking Exemption Zone.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

Motion by Commissioner Hyzer seconded by Commissioner Hufnagel that the city commission adopt Resolution #12-2024 – a Resolution to Introduce an Ordinance to Amend City's Zoning Map.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

Chris Khorey left the meeting at 7:30 p.m.

5. 2024 Street Program Proposal and Approval to suspend competitive bidding for years 2024-2028 of street program

Commissioner Hyzer asked if any engineering was done on any streets before we obtained the pricing (added parking and bump outs).

Director Smith said not yet, but we do have that scheduled for Brush Street & Cass Street. He said other streets do not need engineering.

City Manager Gamble said we are investigating the subsurface conditions, especially on Brush Street. He said a concrete surface on most of what we have seen so far on Brush. He said investigative activities are being performed and we believe there is 4" of asphalt on top of concrete.

There was a discussion of:

- Having a purchasing policy and not bidding out a \$1 million project.
- Michigan Paving has been the best bidder for the last 15 years.

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- The rate is based on square footage.
 - This is a yearly contract and we can still bid that out.
 - In 2018-2022 we did a similar thing. We worked with Michigan Paving and entered into an individual contract for each of those years. Michigan Paving has been substantially lower and the best bid.
 - A project of this scope should be bid out every year.
 - Looking at partnering with the county on the tonnage for the asphalt.
 - Adds another layer of difficulty to it and we lose a lot of our control.
 - Post July 1st schedule and pushing projects to the end of the paving season.
 - This is a very long-standing relationship and they have been way under all other bidders for the last 15 years.
 - We have an opportunity to compare these to bids being received by our partners in the region and then could go out for respective bids.
 - Huge gap between them and the only other bidder we had.
 - We don't have to accept their prices next year and could choose to reject them and go out to bid.
 - Earlier in the spring bidding pencils are sharper.
 - We have been very flexible with working with them when they are not as busy.
 - You might not be surprised with the number being higher if you put it out to bid.
 - An advantage with Michigan Paving is logistics, we are 12 miles from their plant; Rieth-Riley is coming out of Mason.

Mayor Dzurka said he appreciated the comments and he is comfortable moving forward. He said next year we may want to bid.

Motion by Commissioner Ruestman seconded by Commissioner Hufnagel that the city commission approve the 2024 proposal from Michigan Paving as presented.

YEA: Hufnagel, Ruestman, Gurski, Dzurka

NAY: Hyzer

Motion carried.

6. Sidewalk Replacement Program

Commissioner Hyzer asked about the \$50,000 being spent in sidewalks plus the \$25,000 we just approved for the streets.

Treasurer Kinde said sidewalks are in the budget in two places: \$50,000 plus \$20,000 in major street and \$20,000 in local street.

Motion by Commissioner Ruestman seconded by Commissioner Hufnagel that the city commission approve the bid of Supreme Concrete & Restoration LLC. for the Sidewalk Replacement Program.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

7. School Bond Resolution

Mayor Dzurka said we held a successful meeting with the school board. He said there was a presentation on the school bond proposal and he learned of some of the benefits of the school bond to the greater St. Johns community. He said he put together a resolution for our consideration.

There was a discussion of:

- The enhancements for the community.

Motion by Commissioner Ruestman seconded by Commissioner Hufnagel that the city commission adopt Resolution of the St. Johns City Commission Expressing Support for the St. Johns Public Schools Bond Proposal.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

8. City Manager Comments

Director Smith discussed staffing updates.

City Manager Gamble discussed:

- Congressionally directed spending requests – Application due today (Thank Bill Schaefer, Lisa Longoria, and Kristina for their efforts in completing this application. (we received letters of support from (CCRESA, SJPS, CCAC, DDA, Rep. Tsernoglou, Chamber of Commerce, Home grown productions, Bob Craig, and Bill Tennant
- MSU Practicum Update
 - Reminder of the presentation of final report - April 22, 2024 (5:00 - 6:00 p.m.)
- The decision was made to change the Agent of Record for exclusive benefits and Consultant/Insurance from Keyser/Acrisure to Gallagher Benefit Services.
- Update on budget process
 - April 1st – 5th department heads to meet with Chad and Kristina

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- April 22nd formal presentation of budget.
 - May 20th public hearing and formal adoption of budget
 - Fantasy Forest Update – Meeting on March 20 to receive first rendition of Master Plan of playground structure. Iterative meetings on April 3, 10, & 17 (if necessary) to achieve consensus on final master plan and then presentation to Parks Board and Commission on April 22nd for approval.
 - Warming House has been demolished today at the City Park.
 - Successful negotiations were had for the use of the parking lot at the SW corner of W. Higham St. and Brush St. with minimal costs to the City other than the annual operational costs of the parking lot. Hope to present a lease agreement for approval at the April Commission meeting.
 - Rental Inspection Fee Clarification – and corrections.
 - Confirmation of Briggs District Library Funding of \$598,000 was part of the bicameral 2024 Budget.
 - Received training opportunities. School Mass Shooting and Critical Emergency Preparedness.
 - Addressed public comments:
 - Railroad Street: we have received multiple complaints and there have been multiple follow-ups on that. The property owner in question is largely following the ordinance: he is working in the garage, garage door is open when nice, occasionally pulling vehicle out of garage, and less than 24 hours stated in ordinance. He sent a letter to the property owner. He said this person is complaining on the property owner's behalf. We have lots of other things going on. Question has been asked and answered. He said he will communicate that this complaint has been addressed.
 - Mayor Dzurka said last fall we all received a copy of the letter you sent.
 - Issue has not been addressed to the extent wished by the complainant.
 - Tapping of trees: never in his 32-year career, lots of challenges associated with that issue, it is taxing from a public interest perspective.

9. Commissioner Comments

Commissioner Gurski said he enjoyed the joint meeting with the school board; it was a great opportunity. Schools are an underestimated economic engine for community. We focus so much on businesses, but parents will pick up and move to put their kids in a school.

Commissioner Ruestman said she seconded that thought.

Commissioner Hufnagel discussed the trees. He said the issue has come up before and it is more complicated. He said he appreciated the update on the code enforcement matter. He said it helps us to have a reminder. He echoed the comments regarding the public schools meeting was great. He said he attended the MML (Michigan Municipal League) Capitol Conference last week: revenue sharing, and said there is some traction going on and that is good news for us; they are looking at a trust with dedicated dollars and proposing a one-time increase this year; progress with short term rentals and there is work going on with some common ground, attached to that would be an excise tax; he was able to talk with Senator Singh and touch base about a number of things; there was a focus again on housing; they reminded people about the Ax Mi Tax initiative, which would change the funding structure and would eliminate property tax as a revenue stream and it sounds like it would be devastating; Pontiac had a meeting last week regarding an income discrimination ordinance for housing and the meeting ran to 1:00 a.m.

Commissioner Hyzer said he echoed the comments regarding the school meeting. He said maybe we can host it in March of next year at the Wilson Center.

Mayor Dzurka said he passed on our thanks to school district for a successful meeting. He said our planning commission is continuing to look at the issue of golf carts and there is a concept for a pilot project. He said they are getting into conversations regarding sidewalks, which came up at our school meeting, and discussed the map and the amount of gaps that are out there. He thanked staff on the follow-up to the noise complaint. He said there has been substantial time that has been put into that and constant communication has been going out, it is unfortunate that people are not seeing that.

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 8:14 p.m.