

CITY OF ST. JOHNS

CITY COMMISSION MINUTES

JULY 13, 2020

The regular meeting of the St. Johns City Commission was called to order by Mayor Hufnagel at 6:00 p.m. through a virtual meeting at www.gotomeeting.com.

COMMISSIONERS PRESENT: Heather Hanover, Eric Hufnagel, Bob Craig, Jean Ruestman

COMMISSIONERS ABSENT: Tamara Kirschenbauer

STAFF PRESENT: Jon Stoppels, City Manager; Mindy J. Seavey, City Clerk; Dave Kudwa, Community Development Director; Steve Martin, Director of Public Services; John B. Salemi, City Attorney; David Kirk, Police Chief

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

Mayor Hufnagel discussed the July minutes and said they were included with the other minutes.

Clerk Seavey said it may have been a scanning error and she would make sure it was correct.

Motion by Commissioner Hanover seconded by Commissioner Craig that the consent agenda be approved as presented.

Clerk Seavey called a roll call vote:

YEA: Craig

YEA: Hanover

YEA: Ruestman

YEA: Hufnagel

NAY: None

Motion carried.

a. Approval of Minutes

Motion by Commissioner Hanover seconded by Commissioner Craig that the minutes of the June 22, 2020 regular meeting and July 1, 2020 special meeting be approved as presented.

YEA: Hanover, Hufnagel, Craig, Ruestman

NAY: None
Motion carried.

b. Approval of Warrants

Motion by Commissioner Hanover seconded by Commissioner Craig that warrants be approved as presented in the amount of \$778,128.78.

YEA: Hanover, Hufnagel, Craig, Ruestman

NAY: None

Motion carried.

c. Section #309 – Funeral Leave

Motion by Commissioner Hanover seconded by Commissioner Craig that the city commission approve the revision of Personnel Manual Section #309 – Funeral Leave.

YEA: Hanover, Hufnagel, Craig, Ruestman

NAY: None

Motion carried.

d. Thomas Janitorial Inc. – Depot Cleaning Contract

Motion by Commissioner Hanover seconded by Commissioner Craig that the city commission approve the cleaning service, one-year contract with Thomas Janitorial for the weekly cost of \$65.00.

YEA: Hanover, Hufnagel, Craig, Ruestman

NAY: None

Motion carried.

e. Assignment of DRB Transportation Purchase Agreement

Motion by Commissioner Hanover seconded by Commissioner Craig that the city commission approve the addendum to the purchase agreement and authorize the mayor and clerk to sign.

YEA: Hanover, Hufnagel, Craig, Ruestman

NAY: None

Motion carried.

AGENDA

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

Motion by Commissioner Ruestman seconded by Commissioner Hanover 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 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 June 22, 2020
 - Special meeting of July 1, 2020
 - b. Approval of Warrants
 - In the amount of \$778,128.78
 - c. Section #309 – Funeral Leave
 - Staff and the personnel committee recommend that the city commission approve the revision of Personnel Manual Section #309 – Funeral Leave.
 - d. Thomas Janitorial Inc. – Depot Cleaning Contract
 - Staff recommends that the city commission approve the cleaning service, one-year contract with Thomas Janitorial for the weekly cost of \$65.00.
 - e. Assignment of DRB Transportation Purchase Agreement
 - Staff recommends that the city commission approve the addendum to the purchase agreement and authorize the mayor and clerk to sign.
4. Approval of Agenda:

B. PUBLIC HEARINGS:

C. PERSONS WISHING TO PRESENT TESTIMONY:

1. Public comment (Agenda & Non-agenda items)

D. COMMUNICATIONS:

1. July 8, 2020 Letter from Governor Whitmer – HB 5761 & 5810 Veto Letter

E. OLD BUSINESS:

1. COVID 19 Response

F. NEW BUSINESS:

1. Introduction of Ordinance #656 - An Ordinance to Amend Title III, Chapter 30 (Entitled “City Commission”) of the City of St. Johns Code of Ordinances
2. Headlee Override Resolution - #16-2020
3. MDOT Grant Contract #20-5289 & Resolution #17-2020
4. Commissioner Comments

G. ADJOURNMENT:

Clerk Seavey called a roll call vote:

YEA: Craig

YEA: Hanover

YEA: Ruestman

YEA: Hufnagel

NAY: None

Motion carried.

PUBLIC HEARINGS**PERSONS WISHING TO PRESENT TESTIMONY****1. Public Comment**

Marc Mercer was present. He said he has been contacting people at the city. He said he contacted John Salemi a couple of weeks ago with questions on letters he FOIA'd. He said Salemi has been good. He said he can't get ahold of Bill and has a hard time getting ahold of Stoppels. He said commercial vehicles can be brought home for a short period of time, but he does not know what he means. He said he knows with COVID we can't talk and have meetings. He said he did talk to an attorney. He said Salemi said he would let Stoppels know about the issue. He said it has gotten better. They are an R-1 district. He said was getting bad for a while. He said his frustration is the communication and he is not being taken seriously. He said he is a good resident and he wishes people would communicate more frequently. He said he e-mailed on June 2nd and hasn't heard anything back. He said he wants the language to be defined; he doesn't know what a short period of time is.

Mayor Hufnagel said he appreciated him asking about it. He encouraged the use of e-mail. He asked staff to follow up with him on that. He said he is sorry he is having ongoing issues with his neighbor. He asked Jon to have him or someone else to follow up with him.

Jonathan Bowman introduced himself. He said he is the new fellow working on economic development with Dave. He said he is working through a CEDAM grant. He said he is working on the RRC (Redevelopment Ready Community) to help get the city certified.

Mayor Hufnagel thanked Jonathan for being here.

COMMUNICATIONS1. July 8, 2020 Letter from Governor Whitmer – HB 5761 & 5810 Veto Letter

City Manager Stoppels said this is a communication Governor Whitmer sent out to municipalities. She vetoed these bills and gave her reasoning in the letter.

Motion by Commissioner Craig seconded by Commissioner Ruestman that the city commission acknowledge receipt of the communication.

Clerk Seavey called a roll call vote:

YEA: Craig

YEA: Hanover

YEA: Ruestman

YEA: Hufnagel

NAY: None

Motion carried.

OLD BUSINESS1. COVID 19 Response

City Manager Stoppels said there is a resurgence nation-wide. There were 15,000 cases in one day in Florida. He said COVID 19 is not going away. Michigan is seeing a resurgence and our numbers have been rivaling those in the month of May. He said there is more testing going on; percentages are down. He said we are surging up to 600 and 700. He said he thinks waiting an additional two weeks to re-open helped Michigan. He said there is a requirement that people wear masks and individual cities are dealing with how to enforce that. He said he met with John Salemi and Chief Kirk and has a meeting set up with the DDA. Both Ingham & Clinton Counties are surging. The number of cases in Clinton County doubled in the last 30 days. A lot might be related to events that happened in East Lansing and residents driving to Ingham County on a daily basis. He said he is seeing a difference in town in people wearing masks. We may need to place information on social media. Employees should be going back to work full-time at the end of the month unless the furlough program is extended. Next week the pick up of brush will resume. We reduced staff time by 20% and that is about the time it takes the crew to do our yard waste. He said there is not an over-abundance of yard waste set out around town. They have had very good luck with the Music in the Park series; third concert is this Wednesday night.

Commissioner Ruestman asked about the reiterated Executive Order regarding wearing the masks and the fine. Before it was difficult to know how you were going to enforce. She said a fine is an option now.

Chief Kirk said the \$500 fine is an option. He said he is getting information from the Prosecuting Attorney's office. He discussed the due process opportunity. He said it wouldn't be like a parking violation. He said there is miscommunication, an Executive Order is state law and law enforcement could opt out. He said if it is complaint driven and reported to police; they are compelled to do an investigation. He said he does not want to present as being heavy-handed. He said it would benefit us collectively to come up with a standardized, unified response. He said there are enforcement opportunities through the health department, MIOSHA and LCC. If put out there education first and we are being compelled; this is not optional. He said he spoke to Representative Graham Filler and law enforcement agencies cannot optout.

There was a discussion of:

- Giving warnings
- Tracking contacts clearly
- Retail employees not wearing masks
 - MIOSHA has a hotline for this for employees. Location, time, and what was witnessed.
- Citizen complaints
- Law enforcement has authority and jurisdiction to investigate any complaint
- Reasonable approach

NEW BUSINESS

1. Introduction of Ordinance #656 - An Ordinance to Amend Title III, Chapter 30 (Entitled "City Commission") of the City of St. Johns Code of Ordinances

City Manager Stoppels said this is an amendment regarding city commission rules and it was discussed at your retreat. This is based on comments made during that discussion.

Mayor Hufnagel said they have discussed this a number of times.

Motion by Commissioner Ruestman seconded by Commissioner Craig that the city commission introduce Ordinance #656.

Clerk Seavey called a roll call vote:

YEA: Craig

YEA: Hanover

YEA: Ruestman

YEA: Hufnagel
NAY: None
Motion carried.

2. Headlee Override Resolution - #16-2020

City Manager Stoppels said the Headlee amendment was adopted a number of years ago. He said each year it adjusts the rate down based on the rate of inflation. He said the city only has 10 mills and when that is reduced it makes it difficult to generate taxes. A couple of years ago voters approved an override. Treasurer Kinde is recommending the proposal to be on the ballot this fall.

Motion by Commissioner Craig seconded by Commissioner Hanover that the city commission adopt Resolution #16-2020.

Clerk Seavey called a roll call vote:

YEA: Craig
YEA: Hanover
YEA: Ruestman
YEA: Hufnagel
NAY: None
Motion carried.

3. MDOT Grant Contract #20-5289 & Resolution #17-2020

City Manager Stoppels said this is for grant funding for the Scott Road project.

Director Kudwa said it is the standard contract through MDOT. He said it is an exciting project we have been working on for years. On August 7th this project will be let and they hope to get started in mid to late August.

There was a discussion of the project.

Motion by Commissioner Ruestman seconded by Commissioner Hanover that the city commission adopt Resolution #17-2020.

Clerk Seavey called a roll call vote:

YEA: Craig
YEA: Hanover
YEA: Ruestman
YEA: Hufnagel
NAY: None
Motion carried.

Motion by Commissioner Ruestman seconded by Commissioner Craig that the city commission authorize entering into the grant contract.

Clerk Seavey called a roll call vote:

YEA: Craig

YEA: Hanover

YEA: Ruestman

YEA: Hufnagel

NAY: None

Motion carried.

4. Commissioner Comments

Commissioner Craig said he shared concerns this morning with Mr. Stoppels. He and the city treasurer are going to do some research. He said he got a complaint and the person was concerned there is not much time to pay taxes (45 days) and the city doesn't offer a deferral for summer property taxes like others do. He said they will talk about this in the future. He said there is a program allowed under state law for low to middle income people and only for their principle residence.

Commissioner Hanover said she thinks everyone got an e-mail from Jenny McCampbell about changing the name of the depot. She said they had people say it is the St. Johns Depot and why don't we call it that. They would like to put up signage to that effect. She was wondering who would pay to put the sign up there.

Mayor Hufnagel said staff could do some research on that.

Commissioner Hanover said Walker Road looks great. She asked if everyone that lives on the road seems happy with it?

Director Kudwa said he thinks so. He said they had a really good spring in working with them and the contractors and he does think they are happy. He said the day after they paved there were kids out in the street with chalk drawing on the asphalt. He said he is very happy with how it turned out.

Mayor Hufnagel reminded everyone of the Clinton Transit millage. He thanked staff and said he is glad we have people returning from furlough. He said he appreciates staff and the work they had to put off. He said he hopes folks aren't overwhelmed.

ADJOURNMENT

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

Clerk Seavey called a roll call vote:

YEA: Craig

YEA: Hanover

YEA: Ruestman

YEA: Hufnagel

NAY: None

Motion carried.

The meeting was adjourned at 7:00 p.m.