

CITY OF ST. JOHNS

CITY COMMISSION MINUTES

SEPTEMBER 28, 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, Tamara Kirschenbauer

COMMISSIONERS ABSENT: None

STAFF PRESENT: Jon Stoppels, City Manager; Mindy J. Seavey, City Clerk; Dave Kudwa, Community Development Director; Kristina Kinde, Treasurer, 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.

Commissioner Craig asked about the exhibits for item g. Purchase Agreement.

Attorney Salemi said we anticipated we would get the legal description, but it hasn't arrived yet. He said the commission could approve it conditional on receiving the legal description.

Mayor Hufnagel moved item g. Purchase Agreement to Old Business item #3.

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

Clerk Seavey called a roll call vote:

YEA: Craig

YEA: Hanover

YEA: Kirschenbauer

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 September 14, 2020 regular meeting be approved as presented.

YEA: Hanover, Hufnagel, Craig, Ruestman, Kirschenbauer

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 \$876,631.83.

YEA: Hanover, Hufnagel, Craig, Ruestman, Kirschenbauer

NAY: None

Motion carried.

c. Board Reappointments

Motion by Commissioner Hanover seconded by Commissioner Craig that the city commission reappoint Craig Bishop and Henry Burkhardt to the Compensation Board (5-year term).

YEA: Hanover, Hufnagel, Craig, Ruestman, Kirschenbauer

NAY: None

Motion carried.

d. Hazard Pay – Election Inspectors

Motion by Commissioner Hanover seconded by Commissioner Craig that the city commission approve the hazard pay for election inspectors as recommended.

YEA: Hanover, Hufnagel, Craig, Ruestman, Kirschenbauer

NAY: None

Motion carried.

e. City Hall Office Hours

Motion by Commissioner Hanover seconded by Commissioner Craig that the city commission approve the change in city office hours for city hall from 8:00 a.m. to 4:00 p.m. Monday through Friday.

YEA: Hanover, Hufnagel, Craig, Ruestman, Kirschenbauer

NAY: None

Motion carried.

f. Parking Lot Improvements – Ott Lot

Motion by Commissioner Hanover seconded by Commissioner Craig that the city commission authorize Williams Asphalt to complete these improvements.

YEA: Hanover, Hufnagel, Craig, Ruestman, Kirschenbauer

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 Kirschenbauer 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 September 14, 2020
 - b. Approval of Warrants
 - In the amount of \$876,631.83
 - c. Board Reappointments
 - Staff recommends that the city commission reappoint Craig Bishop and Henry Burkhardt to the Compensation Board (5-year term). (no enclosure)
 - d. Hazard Pay – Election Inspectors
 - Staff recommends that the city commission approve the hazard pay for election inspectors as recommended.
 - e. City Hall Office Hours
 - Staff recommends that the city commission approve the change in city office hours for city hall from 8:00 a.m. to 4:00 p.m. Monday through Friday.
 - f. Parking Lot Improvements – Ott Lot
 - Staff recommends that the city commission authorize Williams Asphalt to complete these improvements.
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. COVID 19 Response
2. Halloween Trick-or-Treat Hours
3. Purchase Agreement for Acquisition of West Gibbs Vacant Land

F. NEW BUSINESS:

1. Police Reform and Local Readiness
2. Site Plan Review Process
3. Commissioner Comments

G. ADJOURNMENT:

Clerk Seavey called a roll call vote:

YEA: Craig

YEA: Hanover

YEA: Kirschenbauer

YEA: Ruestman

YEA: Hufnagel

NAY: None

Motion carried.

PUBLIC HEARINGS

PERSONS WISHING TO PRESENT TESTIMONY

1. Public Comment

There was no one present wishing to speak.

COMMUNICATIONS

OLD BUSINESS

1. COVID 19 Response

City Manager Stoppels said it continues to be an issue. He said business trade in town is improving on a weekly basis, but on-line sales affect brick and mortar stores. Michigan and Clinton County are doing well, but Ingham County is doing worse (10-15% of state's

new daily cases). The reopening of schools across the state has caused a resurgence. Getting a flu shot this fall is highly recommended. Many civic events have been cancelled, but some have been salvaged with planning. We will be discussing trick-or-treating this evening. He said he hopes to get back to normal sometime in 2021. We need to stay the course with masks and social distancing.

Commissioner Craig said he was pleasantly surprised to see Global Coffee is reopening this fall.

2. Halloween Trick-or-Treat Hours

City Manager Stoppels said the CDC, Michigan Department of Public Health and Governor have approved trick-or-treating with recommendations (social distancing, mask, sanitize hands, members of same household, always keep moving, take turns approaching distribution table). He discussed recommendations for houses handing out candy. The Chamber is looking to do their same program with some modifications to keep everyone safe.

There was a discussion of:

- The Chamber of Commerce event
 - Kids will not be going in stores; they will have tables outside.
- A posting on the city's Facebook or a notification.
 - The city will do our own posting on our website and Facebook regarding our hours; the chamber would be submitting their information or putting it on their website.
- If anyone has talked to Brent Hurst about the Chamber event.
 - City Manager Stoppels said he thought they were going to wait and see what the Chamber was going to do.
- Leaving the trick-or-treating hours how they are.
- Putting signs around town with Halloween safe practices.
 - Fairly expensive; the last round of signs cost around \$1,500.

Motion by Commissioner Ruestman seconded by Commissioner Hanover that the city commission set the trick-or-treat hours for 6:30 – 8:00 p.m. on October 31, 2020.

Clerk Seavey called a roll call vote:

YEA: Craig

YEA: Hanover

YEA: Kirschenbauer

YEA: Ruestman

YEA: Hufnagel

NAY: None

Motion carried.

3. Purchase Agreement for Acquisition of West Gibbs Vacant Land

City Manager Stoppels said this is the property placed between two wells. We would like to have that property under our control. The price is based on the amount the city commission authorized. The property was larger than anticipated.

Director Kudwa said we will work to combine all the property into one parcel.

Attorney Salemi said the motion should include approval conditional on receiving an accurate legal description of the subject property and incorporating that into the agreement.

Commissioner Craig said we asked for water test results.

City Manager Stoppels said it modeled and the engineering company submitted the report to the state. He said that is not imperative.

Motion by Commissioner Hanover seconded by Commissioner Ruestman that the city commission approve the purchase agreement for the acquisition of the West Gibbs Street vacant land and authorize the signatures of the mayor and city clerk conditional on receiving an accurate legal description of the subject property and incorporating that into the agreement.

YEA: Hanover, Hufnagel, Craig, Ruestman, Kirschenbauer

NAY: None

Motion carried.

NEW BUSINESS

1. Police Reform and Local Readiness

Chief Kirk said there has been a great deal of discussion about law enforcement reform. He said his memo captures things most being discussed and most impactful. He discussed training (implicit bias training – 100% trained); their implicit bias policy; duty to intercede policy; national use of force data collection (compliant since 2018). In Michigan, law enforcement agencies were 90% plus compliant and the state represented very well. He discussed the exclusion of choke holds in Michigan and it has been in excess of 20 years since that was removed from training protocols. He discussed transparency and accountability, additional tracking and reporting who they come into contact with and why. He said they are in a good position to absorb changes if statutorily

mandated. There has been an interest in body cameras and they have obtained quotes. He discussed time involved in FOIA requests due to redacting. He said he believes they are meeting or exceeding any law enforcement reform mandates. He said we are fortunate none of our staff have display discriminatory tendencies in his time here.

Commissioner Ruestman asked about transparency and accountability.

Chief Kirk said it would be doing more in-depth contact tracing. He said they are talking about any protected class; tell them percentage wise who we are stopping and why. We might have to add every contact to our reporting. They are modifying reports currently.

Commissioner Craig said he was impressed with your oral comments and your report. A couple of months ago we had a young lady speak to the commission and she was very interested in this topic. Has anyone reached out to that person?

City Manager Stoppels said he did call her the next day and she sent a rather detailed report on what could be done. He said some things we are already doing. He said he can send out a copy to commissioners in the next couple of days.

Mayor Hufnagel said he was impressed with the chief's memo and pleased some work has already been done; it is an ongoing process.

2. Site Plan Review Process

Director Kudwa said Jonathan has been doing work on RRC (Redevelopment Ready Community) for us.

Jonathan Bowman was present. He said for a best practice for RRC they want to streamline the approval of permitted uses just by the planning commission. Currently, special land uses are approved by the planning outright and we want to reverse the language.

Commissioner Hanover said everyone at the planning commission meeting was in favor of making it more streamlined.

Commissioner Craig asked if we are getting feedback from local businesses that our current process is not business-friendly?

Director Kudwa said we are not receiving comments that the process is inefficient, but we are trying to make it better. Normally, the city commission is happy with the work

the planning commission has done. This would be like what the county is already doing. Special land uses are a different story and switching these two makes a lot of sense.

Commissioner Craig asked if this is an absolute requirement or option for RRC?

Mr. Bowman said talked with MEDC representative and they are strongly encouraging this change be made. If not changed, would have to bring up discussion with our representative at the MEDC.

Commissioner Craig said he has never been told that their work at the commission is inefficient and redundant.

Director Kudwa said any site plan associated with special land use would go to the city commission.

Mayor Hufnagel said he sees an efficiency issue and logic issue. He said the planning commission understands the criteria for a site plan. The city commission doesn't necessarily have that understanding of criteria. He discussed the land use policy and said that is more of a policy level than for the planning commission.

Commissioner Hanover said the city commission should be the one to decide on special use. She said Wendy Ward said that is the way the county does it.

City Manager Stoppels said this is a nice idea. He said the special land use permit can be controversial and we should make the ordinances fairly specific to the city and our needs. He discussed the political issues.

Commissioner Ruestman said it is completely logical and supports it. She discussed taking bias training for planning commission and city commission.

Leslie Salemi, chair of the planning commission, was present. She said she and Commissioner Craig spent years together on the planning commission. She said it has long been a feeling of hers that our process was very cumbersome for our developers, especially when it dealt with permitted uses. We have become extremely good at looking at every aspect for site plan review and we review these site plans with a fine-tooth comb and require a lot of changes to be made at the planning commission level. Special use permits make sense for the city commission to have final authority.

Commissioner Craig said he has the utmost respect for the planning commission.

Commissioner Kirschenbauer said she supports the change.

Director Kudwa said this will come back to the commission in an ordinance change.

There was a discussion of language.

Motion by Commissioner Ruestman seconded by Commissioner Kirschenbauer that the city commission approve staff's recommendation.

Clerk Seavey called a roll call vote:

YEA: Hanover

YEA: Kirschenbauer

YEA: Ruestman

YEA: Hufnagel

NAY: Craig

Motion carried.

3. Commissioner Comments

Commissioner Craig said he was contacted by an early voter and people are able to vote by absentee. The question was on the city's Headlee Override proposal. He thinks he was able to explain why he voted for it. He was disappointed the city hadn't put any information out on it. Is city management planning on doing something soon?

City Manager Stoppels said we can look at what we did last time and send it out.

Commissioner Ruestman asked if doing okay with number of election workers.

City Clerk Seavey said we have 7-8 trained workers at each precinct. We received applications from people wishing to work the election late this summer, after the county clerk's training had taken place. We are able to use these people as sanitizers (voting booths, tables, etc.) and possibly on absentee ballots and the electronic pollbook if they are able to take the county's training for these positions in late October. She said we should be fine as long as everyone stays healthy.

Commissioner Ruestman said she is thrilled we are looking at our current processes; she appreciates that.

Commissioner Hanover said the large trash pick up went smoothly. A lot of reuse out there; most of hers was picked up before Saturday. She said she was surprised the actual amount was more than last year. She said it is a program that everyone enjoys and hopes we can keep it going.

Commissioner Kirschenbauer said the big trash pick-up went really well. She said she doesn't want to regulate what is put out, etc. She hopes we have good weather for our road projects to be completed.

ADJOURNMENT

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

Clerk Seavey called a roll call vote:

YEA: Craig

YEA: Hanover

YEA: Kirschenbauer

YEA: Ruestman

YEA: Hufnagel

NAY: None

Motion carried.

The meeting was adjourned at 7:20 p.m.