

The regular meeting of the Clare City Commission was called to order at 6:00 p.m. in the Commission Chambers by City Clerk Diane Lyon who led with the Pledge of Allegiance. Present were: Commissioners Bob Bonham, Karla Swanson and Carolyn (Gus) Murphy. Absent: Pat Humphrey and Jean McConnell. Also present were Ken Hibl, City Manager; Steve Kingsbury, Treasurer; and Diane Lyon, City Clerk.

2. **CONSENT AGENDA:**

Moved by Commissioner Swanson second by Commissioner Murphy to approve the items listed with an asterisk (*) (Amended Agenda, Minutes, First Reading of Ordinance 2018-002, Department Reports, Communications, and Bills) that are considered to be routine by the City Commission. Ayes: All. Nays: None. Absent: Pat Humphrey and Jean McConnell. *Motion Carried.*

3. ***APPROVAL OF MINUTES:**

Approved By Consent Agenda.

4. ***APPROVAL OF AMENDED AGENDA:**

Approved By Consent Agenda.

5. **PUBLIC COMMENT:** Donna Miller, 501 Wilcox Parkway and Bobby Miller, 621 Wilcox Parkway voiced opposition to paying for Lake Shamrock dredging. They view it as a public lake and therefore the entire City should pay for lake improvements rather than the lakefront property owners bearing the burden of lake improvements.

6. **UNFINISHED BUSINESS:** None.

7. **NEW BUSINESS:**

A. DESIGNATION OF MEETING CHAIRPERSON

Mayor Humphrey and Mayor Pro Tem will be absent from the scheduled February 19th Commission meeting. In accordance with the City Commission's By-Laws, this situation stipulates that the City Clerk shall bring the meeting to order and as the first item of business after the Pledge of Allegiance and Roll Call and ask for a motion to designate one of the Commissioners present to chair the remainder of the scheduled meeting. We ask that the Commission take the action prescribed in the By-Laws.

Motion by Commissioner Bonham second by Commissioner Murphy to designate Karla Swanson as tonight's meeting chairperson. Roll call vote: Yeas: Commissioners Bob Bonham, Carolyn (Gus) Murphy and Karla Swanson. Nays: None. Absent: Pat Humphrey and Jean McConnell. *Motion Carried.*

B. PRELIMINARY LEASE AGREEMENTS-CENERGY POWER COMPANY

I shared with the City Commission in the February 5th City Manager's Report that representatives from California-based Cenergy Power Company were scheduled to complete a site visit to Clare on February 6th to determine whether two City-owned 10-acre property parcels (one located at the Clare Municipal Airport and the other in the South Industrial Park) would be suitable for them to lease and construct a 10-acre solar array on each of the respective parcels. The visits have been completed, and Cenergy officials have confirmed the sites meet their minimum mandatory criteria (proximity to the Consumers Energy grid, acceptable site conditions) and that they wish to enter into a one-year exploratory, preliminary lease to complete their due diligence and potentially enter into a long-term lease with us for each of those parcels to subsequently allow them to construct two solar arrays. The City Commission is asked to approve the two preliminary leases.

Motion by Commissioner Bonham second by Commissioner Murphy to approve the preliminary lease agreements by adoption of Resolutions 2018-015 and 2018-016. Roll call vote: Yeas: Commissioners Bob Bonham, Carolyn (Gus) Murphy and Karla Swanson. Nays: None. Absent: Pat Humphrey and Jean McConnell. *Motion Carried.*

C. AMENDMENT OT LOCAL STREET DEFICIT ELIMINATION PLAN

During the City Commission's February 5, 2018 meeting a deficit elimination plan for the Local Street Fund was approved along with an interfund budget transfer

amendment for the City's FY2017/18 Budget. However, when the plan was submitted to the Michigan Department of Treasury I learned that they do not consider the \$13,412.88 in prepaid expenses that was within the Local Street Fund as of June 30, 2017 as an asset, only as restricted funds which increased the amount of the deficit that needed to be eliminated by an equal amount. The reality is that if we had not prepaid the City's 2017/18 annual Workers Compensation Insurance premium and the July and August 2017 employee health insurance monthly premiums the \$13,412.88 would still be held in the form of cash and therefore the deficit would have been proportionally that much less.

Motion by Commissioner Murphy second by Commissioner Bonham to approve the amended deficit elimination plan by adoption of Resolution 2018-017. Roll call vote: Yeas: Commissioners Bob Bonham, Carolyn (Gus) Murphy and Karla Swanson. Nays: None. Absent: Pat Humphrey and Jean McConnell. *Motion Carried.*

D. MEETING EXCUSAL – MAYOR PRO TEM JEAN MCCONNELL

The City Charter stipulates "...that if a commissioner shall miss five consecutive regular meetings of the commission or twenty-five percent or more of such meetings in any fiscal year of the city, unless such absence shall be excused by the commission and the reason therefore entered in the proceedings, his office shall become vacant."

Mayor Pro Tem Jean McConnell is presently out of town and has requested that she be excused from attending the February 19th regularly scheduled Commission Meeting.

The Commission has a long-standing history to excuse commissioners in otherwise good standing from attendance at scheduled meetings for good cause. Mayor Pro Tem McConnell has an excellent attendance record, and her request for excusal seems to warrant approval. The City Commission is asked to formally approve the excusal of Commissioner McConnell.

Motion by Commissioner Murphy second by Commissioner Bonham to approve excusal of Mayor Pro Tem McConnell by adoption of Resolution 2018-018. Roll call vote: Yeas: Commissioners Bob Bonham, Carolyn (Gus) Murphy, and Karla Swanson. Nays: None. Absent: Pat Humphrey and Jean McConnell. *Motion Carried.*

E. ORDINANCE 2018-002-WATER MAINS & APPURTENANCES

The Michigan Department of Environmental Quality (MDEQ) has changed its requirements and standards for testing of water samples associated with new or rebuilt/re-constructed water mains. Gourdie-Fraser has provided the City the revisions to incorporate in the City's Ordinance Codes. Our City Attorney has drafted an amendment to our current codes.

Note: This ordinance was previously presented to the City Commission in November as Ordinance 2017-008. Commissioner Bonham astutely recognized there were technical errors in the proposed ordinance. Consequently, we referred the proposed ordinance back to our engineer, who met with our DPW Director, and made the needed changes. As this ordinance was not completed in time for a Second Reading prior to a scheduled City Commission meeting in 2017, it was renamed as 2018-002.

All ordinance code changes or amendments require the approval of the Clare City Commission. And all ordinances require two readings and approval of the Clare City Commission subsequent to a public hearing. The required public notice announcing the hearing has been published. Subsequent to the conduct of the hearing, the Commission has the options of allowing a First Reading of the proposed Ordinance or denying the conduct of a First Reading, thereby rejecting the ordinance/zoning change.

The City Commission is asked to conduct the required public hearing, consider and discuss the proposed amendment, and direct a First Reading of the proposed Ordinance.

Motion by Commissioner Bonham second by Commissioner Murphy to open a public hearing. Voice vote: Ayes: All. Nays: None. Absent: Pat Humphrey and Jean McConnell. *Motion Carried.*

Public Comment: Commissioner Bonham noted that additional amendments need to be made to the ordinance prior to the second reading and adoption of the ordinance.

Motion by Commissioner Bonham second by Commissioner Murphy to close the public hearing. Voice vote: Ayes: All. Nays: None. Absent: Pat Humphrey and Jean McConnell. *Motion Carried.*

8. TREASURER'S REPORT

The Treasurer presented his report.

Addendum: We have received a \$362K Ann Arbor Trail Reconstruction ICE Grant reimbursement (83%) that was submitted at the beginning of December. We have submitted two additional reimbursement requests at the beginning of January.

In speaking with our USDA Grant Representative regarding grant funding for capital improvements, we are encouraged that a technology upgrade and mowing equipment for the city would be viewed favorably for grant funding.

9. *DEPARTMETN REPORTS:

Approved By Consent Agenda

10. CITY MANAGER'S REPORT

Water System Asset Management Plan. We've completed the bulk of the Water Asset Management Plan and will conduct a final review on Friday, February 16th and intend to send it to MDEQ nlt Monday, February 19th. We will provide you a copy of the finalized version via email when we have completed the final staff review.

Planning Commission. The Planning Commission conducted its regularly scheduled monthly meeting on Wednesday, February 14th. The Commission approved a site plan proposal of Letherer Truss Company to add a 2,500sf addition to its current building to allow the expansion of its automated truss assembly line. Jeff Letherer, the President of Letherer Truss, shared that it is his goal to create four or five new jobs once the new line has been completed. The Commission's next-scheduled meeting is on March 14th; the Commission will be asked to consider an amendment to the City's Future Land Use Map that we discussed at the annual Combined Meeting of the City Commission and Planning Commission.

Downtown Gateway Project. We met with the MSU design team on February 6th. Based on input from the working group, the design team is scheduled to present six to eight primary architectural elements for the gateway at our next-scheduled meeting on February 27th. The City's working group will be asked to select one or two major elements which the design team will use to develop the final proposal. We anticipate at least two (possibly three) more meetings with the design team.

Airport Mechanic. The last time the City had an aircraft mechanic based at the Clare Municipal Airport was 18 years ago; we have made multiple attempts to base a mechanic/FBO operation there since without success. Mr. Todd Tarlton, who is well-known to us and the local aviation community and formerly an FBO at the Mt Pleasant Airport/most recently an FBO at the Midland Airport, has relocated to the Clare Airport. He is presently leasing the large Gateway Aviation Hangar at the airport with intentions to ultimately purchase the hangar. This is really good news for us as Todd will bring with him his existing customer base, and his presence will create additional airport traffic and potentially further airport growth – which ultimately will increase fuel sales and potentially create additional hangar construction. We have Gary Todd, our airport manager, to thank for this accomplishment as Gary established a business relationship with Todd a number of years ago, which has evolved and created this new partnership.

Clare Depot Update. Based on recent successful fund-raising events and continuing tremendous community support, we estimate that we are now within approximately \$17,000 of achieving our goal to complete the major portions of this rehabilitation project, which will allow occupancy of the building by the Chamber of Commerce and

the Clare County Arts Council. We are awaiting determination of a grant application we submitted to the Clare County Community Foundation; we anticipate a decision to be made next week. If that application is approved, we will need approximately \$10K to finish this phase of the project.

MEDC Visit. Ms. Chelsea Rowley, our Community Assistance Team Representative, is scheduled to be in Clare on February 20th to meet with the City Staff and a downtown business owner to discuss the potential for MEDC economic development assistance.

Issuance of Blight Letter & Citation. The City has issued the attached citation related to an ongoing blight issue that we have been working on.

MMCC State of the Community Event. This year's annual event will be held on February 28th at 6pm, on the MMCC Campus. The slate of presentations and participants has changed this year to broaden the scope of the event, increase participation, and highlight programs in Clare & Gladwin Counties that traditionally don't receive the publicity and notice they deserve.

Addendum:

Gladwin City Manager Retiring. Long-time Gladwin City Manager, Bob Moffit, will be retiring July 1, 2018.

11. *COMMUNICATIONS

USDA Audit Correspondence. The City received correspondence from the USDA; we are providing the information as requested.

Snow Complaint. The City received a complaint from a local resident stating the City plowed snow into his driveway, thereby causing him to mire his vehicle in the snow. He suggested that the City should clear all driveways; he also claimed that the City cleared the driveway of his neighbor because the property is owned by a City employee. The City provided a letter in response.

FOIA Requests: The most recent FOIA requests & responses were provided. Brant, Pezzetti, Vermetten & Popovits-Heintz; ANASEC-Vanderbrook; Lipton Law-Berthiaume.

Irish Festival: A schedule of Irish Festival Events Flyer was provided.

March 2018 Meeting Calendar: The March meetings calendar was provided.

12. EXTENDED PUBLIC COMMENT: None.

13. COMMISSION DISCUSSION TOPICS: None.

14. *APPROVAL OF BILLS

Approved By Consent Agenda.

15. ADJOURNMENT

Motion by Commissioner Bonham second by Commissioner Murphy to adjourn the meeting. Ayes: All. Nays: None. Absent: Jean McConnell. *Motion Carried.* Meeting adjourned at 6:25 p.m.

Karla Swanson, Interim Chair

Diane Lyon, City Clerk