

The regular meeting of the Clare City Commission was called to order at 6:00 p.m. in the Commission Chambers by Mayor Pat Humphrey who led with the Pledge of Allegiance. Present were: Commissioners Bob Bonham, Pat Humphrey, Jean McConnell, Karla Swanson and Carolyn (Gus) Murphy. Absent: None. Also present were Steve Kingsbury, Acting City Manager; 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 (Excusal of Commissioner McConnell removed from the agenda), Minutes, Communications, Department Reports, First Reading of Ordinance 2018-001, and Bills) that are considered to be routine by the City Commission. Ayes: All. Nays: None. Absent: None. *Motion Carried.*

3. *APPROVAL OF MINUTES:

Approved By Consent Agenda.

4. *APPROVAL OF AMENDED AGENDA:

Approved By Consent Agenda.

5. PUBLIC COMMENT: Pete Spitzley, 700 Northridge Dr., observed that city workers picked up yard waste in December. Steve Kingsbury offered that the newsletter stated that the last day of pickup was December 7 and since Waste Management's contract ended November 30, city workers picked up the yard waste.

6. UNFINISHED BUSINESS: None.

7. NEW BUSINESS:

A. STATE GAMING LICENSE RESOLUTION-CLARE WRESTLING CLUB

The Clare Wrestling Club has requested that the City Commission consider adopting a Resolution enabling them to apply for the issuance of a state Gaming License, thereby allowing their organization to conduct various fund raising events to support the community wrestling program.

Motion by Commissioner Swanson second by Commissioner Murphy to approve the State Gaming License for the Clare Wrestling Club by adoption of Resolution 2017-173. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Jean McConnell, Gus Murphy, and Karla Swanson. Nays: None. Absent: None. *Motion Carried.*

B. INTERGOVERNMENTAL AGREEMENT-CLARE COUNTY SHERIFF DEPARTMENT & CITY OF CLARE POLICE DEPARTMENT MOBILE PHONES

We presently pay a cell phone stipend for use of private cell phones to conduct City business to our police chief and our two supervisory police officers (Captain Saad and Sergeant Kolhoff) based on a tiered reimbursement schedule approved by resolution of the City Commission in 2014.

Current laws make all call information and all data on private cell phones owned by government employees and used for government business subject to public disclosure – an undesirable situation for most employees and one considered unacceptable to our three police officers, thus they have searched for and presented a very viable and affordable alternative.

The Clare County Sheriff Department (CCSD) provides cell phones to the members of its department and has offered to extend its program to our police department, thereby providing the City three mobile phones to be used by our officers for public business at a cost of \$51 per month.

We've asked our City Attorney to draft a proposed intergovernmental agreement with the CCSD to allow our three police officers to take advantage of the offer by Clare County. The City Commission is asked to approve the agreement.

Motion by Commissioner Murphy second by Commissioner Bonham to approve the Intergovernmental Agreement by adoption of Resolution 2017-170. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Jean McConnell, Gus Murphy, and Karla Swanson. Nays: None. Absent: None. *Motion Carried.*

C. ORDINANCE 2018-001-TELECOMMUNICATIONS-CHAPTER 52, ARTICLE III, SECTION 52-319

The City recently received a request to allow construction of a free-standing telecommunication tower within the City's jurisdiction. While we are not certain whether the telecommunication provider making the request will construct the tower, the request caused us to review our current ordinance codes pertaining to telecommunication towers and found them to be totally inadequate. Consequently, we asked our City Attorney to provide us a recommended revision.

All zoning ordinance codes (Chapter 52 of our City Ordinance Codes) require review, consideration and recommendation of the City's Planning Commission. Consequently, the City Planning Commission reviewed the proposed amendment at its scheduled meeting of December 13th. Subsequent to a noticed public hearing, the Planning Commission recommended approval of the proposed Ordinance 2018-001.

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 notices announcing the hearing have 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 McConnell to open the public hearing. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Jean McConnell, Gus Murphy, and Karla Swanson. Nays: None. Absent: None. *Motion Carried.*

Public Comment: None.

Motion by Commissioner Bonham second by Commissioner Murphy to close the public hearing. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Jean McConnell, Gus Murphy, and Karla Swanson. Nays: None. Absent: None. *Motion Carried.*

D. FINAL PAYMENT ANN ARBOR TRAIL

We have received the final pay application from McGuirk Sand & Gravel for work accomplished on the City's Ann Arbor Trail Rehabilitation Project following today's meeting with Gourdie-Fraser and McGuirk representatives. We ask that the City Commission approve the payment request which will allow us to proceed with the grant close out process.

Motion by Commissioner Swanson second by Commissioner Murphy to approve the final pay application by adoption of Resolution 2017-161. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Jean McConnell, Gus Murphy, and Karla Swanson. Nays: None. Absent: None. *Motion Carried.*

8. **TREASURER'S REPORT**

The Treasurer presented his report.

9. ***DEPARTMENT REPORTS**

Approved by Consent Agenda.

10. **CITY MANAGER'S REPORT**

Planning Commission Meeting. The Commission met on December 13th and approved two special use permits – one for Ten-16 to move its counseling & rehabilitation services from the hospital to a residence located at 805 Beech Street and one to allow a Group Day Care Facility at 1111 Park Street. The Commission also recommended approval of Ordinance 2018-001 (Telecommunications Towers) and set January 10th as the date for the annual combined meeting of the Planning Commission and City Commission. The Planning Commission will meet at 6pm on January 10th to allow them to review and approve its Annual Report to the City Commission prior to commencement of the combined meeting at 6:30pm; the meeting location is Room A (basement) of the PMDL.

Approval of Body Worn Camera Policy. I've approved the proposed changes to our police department's body worn camera policy. The revisions were made to ensure compliance with the state's FOIA rules.

Approval of Airport Security Plan Recommendations. In response to an edict from Homeland Security, a review of the security plans for all airports in the nation is required. Gary Todd and Chief Brian Gregory have completed a review of the plan for our airport and provided a report of their recommendations. I've approved the report and authorized the expenditure of no more than \$500 to implement their recommendations.

Closure of City Offices. I offer a reminder that City offices will be closed on December 25th & 26th in observance of Christmas and again on December 29th & January 1st in observance of New Year.

Expiring Annexation Agreements. The City offered a letter to Grant Township to address four expiring annexation agreements between our two governmental entities. Dan Dysinger has informed us that he will ask their attorney to review our recommendation in respect to addressing these agreements; he anticipates they will provide us a response in January.

First Commission Meeting of 2018. The first-scheduled meeting will be held on Tuesday, January 2nd due to the New Year Holiday.

2019 MDOT Projects. We've been informed by the Mt. Pleasant MDOT TSC that they've scheduled a rehabilitation project for the section of US-10 from the US-10/127 intersection east to the Isabella County line in 2019. The current interchange east of the City will be reconfigured. MDOT has also scheduled three other projects for 2019 that will affect Clare: a mill & fill project for the entirety of US-127 between Mt. Pleasant and Clare; a bridge project for the US-127 bridge that crosses M-115 and the Pere Marquette Rail-Trail adjacent to the City's south industrial park; and replacement of both Tobacco River box culverts on US-127. All of these projects are scheduled to commence in spring of 2019 and are scheduled to be completed in the construction period of that year; we anticipate that multiple lane closures and detours will be associated with all of these the projects.

Results of Iron Removal Filter Inspection. Peerless-Midwest has completed its inspection of our #2 Iron Removal Filter and has provided us the results we were hoping for – that the current condition of the filter will allow us to rehabilitate the filter rather than replacing it – thus saving us nearly half the cost of a new filter.

Board, Commission, & Committee Meeting Schedules. The 2018 schedule for the City's primary boards and committees was provided for information.

Addendum: Ken's surgery went well. He is at home recovering.

11. *COMMUNICATIONS
MML Liability & Property Pool Update: The City received notice of increased coverage for cyber liability claims.
12. EXTENDED PUBLIC COMMENT: None.
13. COMMISSION DISCUSSION TOPICS: None.
14. *APPROVAL OF BILLS

Approved By Consent Agenda.

15. ADJOURNMENT

Motion by Commissioner McConnell second by Commissioner Swanson to adjourn the meeting. Ayes: All. Nays: None. Absent: None. *Motion Carried.* Meeting adjourned at 6:22 p.m.

Pat Humphrey, Mayor

Diane Lyon, City Clerk