

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 the Pledge of Allegiance. Present were: Commissioners Bob Bonham, Pat Humphrey, Carolyn (Gus) Murphy, Karla Swanson and Jean McConnell. Absent: None. Also present were Ken Hibl, City Manager; Steven Kingsbury, Treasurer and Finance Director; Dale Clark, WWTP Supervisor; Edie Hunter, Assessor; and Diane Lyon, City Clerk.

2. CONSENT AGENDA:

Moved by Commissioner Swanson second by Commissioner McConnell to approve the items listed with an asterisk (*) (Amended Agenda, Minutes, Board and Committee Appointments, Communications, Department Reports, 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: None.

6. UNFINISHED BUSINESS: None.

7. NEW BUSINESS:

A. APPROVAL OF HATTON LANDFILL GAS MONITORING PLAN-MR DAN WHALEN

The City is required to develop and implement a gas monitoring plan for the Hatton Township Landfill. Under the umbrella of the contractual agreement we have in place with Williams & Works, we asked Dan Whalen, our designated landfill consultant, to develop the plan. He has done so. The Plan requires the review and approval of the City Commission prior to implementation by the City's Water/Wastewater Department.

Dan presented the Gas Monitoring Plan to the Commission at Monday's meeting.

There will be some initial costs to install the monitoring posts/sites, but those costs will be for materials (PVC pipe, concrete, etc) as we believe we can install the monitoring wells ourselves. These posts typically last around 20 years. The most expensive aspect will be the purchase of gas monitoring equipment (est. \$8K); annual maintenance and calibration costs are expected to be no more than \$1.5K annually. There are eight probe locations at a depth of 15' which are checked twice annually in accordance with DEQ standards. The state's intent is to detect migrating gases as they occur.

Motion by Commissioner Bonham second by Commissioner McConnell to approve the Hatton Landfill Gas Monitoring Plan by adoption of Resolution 2016-006. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Carolyn (Gus) Murphy, Jean McConnell, and Karla Swanson. Nays: None. Absent: None. Motion Carried.

B. REPEAL OF PA 269

The state recently passed legislation that precludes/prohibits local taxing entities (municipalities, townships, schools, libraries, counties, road commissions, etc.) from using any form or source of media (newsletters, television, infomercials, brochures) that is in any way, shape, or manner funded by tax dollars to inform voters regarding ballot or referendum issues. A detailed explanation regarding the background of the new law and its implications on local jurisdictions is outlined in the attached Issue Summary document.

The Michigan Municipal League (MML) has taken the lead in a coalition attempt to repeal or modify the law and have asked local governmental units to adopt a resolution urging their respective legislators to repeal or amend PA 269. The City Commission is asked to adopt the proposed resolution.

Motion by Commissioner McConnell second by Commissioner Swanson to approve the Resolution to Repeal of PA 269 by adoption of Resolution 2016-001. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Carolyn (Gus) Murphy, Jean McConnell, and Karla Swanson. Nays: None. Absent: None. *Motion Carried.*

C. INTERGOVERNMENTAL AGREEMENT FOR ASSESSOR SERVICES

We have been attempting for nearly a decade to find an economical and efficient means to manage our assessing services. We presently (and have been for about eight years) contract for assessing services with BS&A. They are a great company, generally provide great customer service and have a very talented staff. And they provide us a top-notch assessor (Ms. Edie Hunter). But even though we enjoy a contractual agreement with them, we remain at their mercy in respect to costs, scheduling, and management of the assessing services.

Our goal has been to share assessing services with other local municipalities. On two occasions we were within a pen-stroke away from attaining that goal. But each time one or another party backed out for sundry reasons (a city manager moved on; the assessor we were courting received an offer he couldn't refuse). But we believe we finally have all the pieces aligned to attain our goal.

Our proposal is that we hire Edie Hunter, the BS&A employee who presently provides us assessing services one day per week, as our full-time employee and contract her services as an assessor to the City of Ithaca (Edie also provides Ithaca their current assessing services one day per week) through an intergovernmental agreement for two days per week, thereby off-setting our costs to hire her while concurrently providing us an opportunity to expand our assessing services and simultaneously use Edie's talents in the much-needed area of code enforcement that we discussed at the January 13 joint meeting with our Planning Commission.

We discussed the proposal with Ithaca's city manager yesterday. He is in full agreement with the proposal and believes his council will likewise accept the proposal (Ithaca was one of the municipalities who previously attempted to partner with us in this venture). Ithaca will formally consider the proposal at a scheduled meeting on January 19th if we receive your approval to move forward at our January 18th meeting. Edie has agreed to this proposal so long as we allow her to continue additional assessing services she presently provides to the township where her residence is located; allowing her to do so would make her "whole" in respect to the wages and benefits she presently receives from her current employer.

Commissioner Swanson questioned how Edie would be able to work as a full time employee of the city and yet continue working as an assessor in her township.

C/M Hibl explained that Edie would work (2) 10 hour days for the City of Clare, (2) 10 hour days for the City of Ithaca and would then be able to work her fifth day of the week in her home township.

While it would be ideal to have a third municipality share the cost of assessing services, it would have to be a small municipality due to the states limitations on the percentage of commercial and industrial property she is allowed to assess under her MAAO license.

Commissioner McConnell desired the employee contract to be three years rather than five years as requested.

Motion by Commissioner McConnell second by Commissioner Swanson to approve the Intergovernmental Agreement by adoption of Resolutions 2016-008, and to approve a Three-Year Employee Contract with Edie Hunter by adoption of Resolution 2016-009. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Carolyn (Gus) Murphy, Jean McConnell, and Karla Swanson. Nays: None. Absent: None. *Motion Carried.*

D. FISCAL OVERSIGHT & BUDGET COMMITTEE

Mayor Pro Tem Jean McConnell and Commissioner Bob Bonham serve as the City Commission's appointees on the City's Fiscal Oversight & Budget Committee. This committee serves a tremendously important role in oversight and guidance in respect

to the City's annual operating budget. But the City Charter prohibits standing committees – allows only ad hoc committees of the City Commission. Consequently, the City Commission reappoints two of its member annually to comply with the provisions of the City Charter, thus giving the Commission an opportunity to change or retain membership on this ad hoc committee. And as one of the primary functions of the Committee is to provide initial oversight in the preparation of the City's annual budget, we routinely ask the City Commission to appoint this ad hoc committee in January or February to coincide with budget preparation.

Motion by Commissioner Swanson second by Commissioner McConnell to appoint Bob Bonham and Pat Humphrey to the Fiscal Oversight & Budget Committee by adoption of Resolution 2016-010. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Carolyn (Gus) Murphy, Jean McConnell, and Karla Swanson. Nays: None. Absent: None. *Motion Carried.*

E. *BOARD & COMMITTEE APPOINTMENT-PLANNING COMMISSION (BRETT MOSER)

Approved by Consent Agenda. Resolution 2016-010.

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 next-scheduled Planning Commission meeting is scheduled for Wednesday, February 10th. The two primary agenda topics include a request for an amendment to the approved WalMart site plan to change elevation/façade colors of a portion of the proposed project and continuation of the City's Master Plan update with the assistance of McKenna Associates.

Recreation Master Plan. Joy Simmer, our Recreation Director, is scheduled to complete the update of our Recreation Master Plan by January 15. The Plan will then be distributed for review and comment for a required 30-day period. The Plan will subsequently be presented to the City's Parks & Recreation Board for review and recommendations; to the City Planning Commission for review and integration with the City Master Plan; and finally to the City Commission for approval.

Preliminary North Water Assessment Results. Dale has reviewed the preliminary results of the water quality tests taken as part of the overall water assessment being conducted under the auspice of Gourdie-Fraser. The results indicate that the water quality is far worse than our current water supplies in the southern and western sectors of the City. We will await the final Gourdie-Fraser assessment, which will be presented to the City Commission upon completion, before making any final conclusions and/or recommendations.

Tax Tribunal Appraisals. As the deadline for filing documents to the Tax Tribunal for the JD Metalworks appeal is fast-approaching, I authorized the completion of two appraisals with a total cost of \$6K to support us in substantiation of our assessment of these properties.

American Flag Pole Fundraiser. With the receipt of \$700 in Clare Rotary donations this week, we've reached/achieved our fund-raising goal of \$2,500 to allow us purchase the flag pole on behalf of the residents of Clare for the American flag at the Clare County Veteran's Memorial.

Addendum.

Employment Contracts. The City Manager asked the Commission to consider entering in to contracts once again with department heads whose contracts expired years ago; Commissioners verbally agreed to do so.

11. ***COMMUNICATIONS**

Approved By Consent Agenda.

AOPA Newsletter. Kudos for our illustrious Airport Manager for recognition in the attached edition of this national periodical for the aviation ground school he started at the Clare Airport.

Complaint. We received a complaint from a City resident via our website suggesting that the City was clearing snow from the Clare Public School Parking Lots. We provided the attached initial response advising that the City was not clearing these lots. The resident insisted we were; the attached string of emails ensued with the City offering its final response and advising her accordingly. As indicated by her last email, she again insisted that she was correct; we did not respond to her last missive. This particular resident has offered her consistent criticism of the City and its many flaws, to include our poor streets, our wasteful use of taxpayer dollars, the Amish, horse doo-doo on our streets, and dead trees. She is not a City taxpayer but resides in a rental unit with a companion. We've offered to meet with her to discuss her many verbalized concerns regarding our community; to date she has declined our offers.

Letter of Support. The City offered a letter of support to the Clare County Council on Aging for their grant application to construct a Senior Day Care Facility for the County on their owned property in Harrison.

Letters of Support for National Historic District Designation. We've received letters of support from the Clare County Historical Society, State Representative Joel Johnson, and Professor Robert Knapp for our application for National designation. A public hearing is scheduled for January 15, 2016, at 10:00 am in Lansing to receive comment related to our application.

Kudos for DPW Snow Removal Operations. Our DPW crews received accolades from a new Clare resident for their efficient snow removal efforts.

Thank You Note. The City Commissioners and City Staff received a thank you note for personal contributions made to MidMichigan Health.

12. EXTENDED PUBLIC COMMENT: Leonard Strouse announced that there are several townships in Clare County in need of assessing services.
13. COMMISSION DISCUSSION TOPICS: Mayor Pat announced that he would be going out of the area during the month of February and first part of March 2016 and asked the remaining Commissioners to consider excusing him from the regular meetings being held during that time-frame.

Motion by Commissioner Swanson second by Commissioner Bonham to excuse Pat Humphrey from the February 2, 16, and March 7 2016 regularly scheduled City Commission meetings by adoption of Resolution 2016-011. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Carolyn (Gus) Murphy, Jean McConnell, and Karla Swanson. Nays: None. Absent: None. *Motion Carried.*

14. *APPROVAL OF BILLS
Approved By Consent Agenda.

15. CLOSED SESSION
Motion by Commissioner Swanson second by Commissioner Murphy to go into closed session. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Jean McConnell, Carolyn (Gus) Murphy and Karla Swanson. Nays: None. Absent: None. Motion Approved.

Motion by Commissioner Bonham second by Commissioner McConnell to go into open session. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Jean McConnell, Carolyn (Gus) Murphy and Karla Swanson. Nays: None. Absent: None. Motion Approved.

Motion by Commissioner McConnell second by Commissioner Swanson to authorize negotiation on the purchase of property based on a reasonable and affordable timeline. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Jean McConnell,

Carolyn (Gus) Murphy and Karla Swanson. Nays: None. Absent: None. Motion Approved.

ADJOURNMENT

Motion by Commissioner McConnell second by Commissioner Muphy to adjourn the meeting. Ayes: All. Nays: None. Absent: None. *Motion Carried.* Meeting adjourned at 7:24 p.m.

Pat Humphrey, Mayor

Diane Lyon, City Clerk