

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; Jim Chapman, Fire Chief; Brian Gregory, Police Chief; and Diane Lyon, City Clerk.

2. CONSENT AGENDA:

Moved by Commissioner Swanson second by Commissioner McConnell to approve the items listed with an asterisk (\*) (Agenda, Minutes, Board and Committee Appointments, Communications, 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 AGENDA:

*Approved By Consent Agenda.*

5. PUBLIC COMMENT: None.

6. UNFINISHED BUSINESS: None.

7. NEW BUSINESS:

**A. PRESENTATION OF LIFE SAVING PIN-OFFICER NATASHA SEYMOUR**

Officer Natasha Seymour responded to call for assistance on Washington Road just outside the Clare City limits on January 24th. Upon arriving on scene Officer Seymour found a woman without a noticeable pulse and was not breathing. She immediately administered CPR. Her immediate and unhesitant actions are credited with saving the woman's life. Her performance is deserving of recognition and merit.

Mayor Humphrey presented a Life Saving Pin to Officer Seymour.

**B. TRAFFIC CONTROL ORDER #16-001 (MCEWAN STREET LOADING ZONE)**

The City's Traffic & Safety Committee met on January 18, 2016 to discuss two specific topics – one of them being complaints received from business proprietors on McEwan Street regarding the location of the McEwan Street Loading and Delivery Zone on the west side (southbound) side of McEwan Street. This delivery/loading zone was established in 2014 (Resolution 2014-150) to eliminate the traffic hazard created by delivery trucks stopping in the westbound travel lane of West Fifth Street for deliveries to Maxwell's Flowers..

After discussion with two of the McEwan Street business owners whose businesses are located immediately adjacent to the loading zone, the Traffic & Safety Committee recommended that the present location of the loading zone be moved to a location just north of The White House Restaurant/south of the exit of the MidMichigan Medical Center's exit, thereby appeasing the business owners by again allowing on-street parking immediately adjacent to their respective businesses and concurrently maintaining a McEwan Street delivery/loading zone that will accommodate all of the businesses on this block of McEwan Street. The proposed relocation of this loading and delivery zone returns the use of three parking spaces that were eliminated when the loading and delivery zone was initially created.

Motion by Commissioner Bonham second by Commissioner McConnell to approve Traffic Control Order 16-001 by adoption of Resolution 2016-013. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Carolyn (Gus) Murphy, Jean McConnell, and Karla Swanson. Nays: None. Absent: None. *Motion Carried.*

**C. AMENDMENT TO ENGINEERING CONTRACT – NORTH INDUSTRIAL PARK PROJECT**

The City enjoys an engineering services contract (Resolution 2014-004) with its engineering firm of record, Gourdie-Fraser, for design and construction engineering

related to the City's new North Industrial Park Project. As reflected in the referenced Resolution, the approved amount of the contract is \$762,850.

We have entered the close-out phase of this project. Unlike other grant agencies we've worked with in the past, the EDA's process requires we defer all change orders and amendments to the end/close-out phase of the project. We've already submitted our change orders and amendments for our two primary construction contractors, but we have not done so for our engineer. Consequently, we ask the Commission to amend the GFA contract to a total not to exceed \$781,468.85 – a cost difference of \$18,618.85 – to allow us to submit this final amendment to the EDA, thereby allowing us to commence close-out of the grant.

Motion by Commissioner McConnell second by Commissioner Swanson to approve the Engineering Contract Amendment for the North IP Project by adoption of Resolution 2016-015. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Carolyn (Gus) Murphy, Jean McConnell, and Karla Swanson. Nays: None. Absent: None. *Motion Carried.*

**D. APPROVAL TO SUBMIT USDA GRANT APPLICATION-CFD PICK-UP TRUCK**

The local grant specialist for the United States Department of Agriculture (USDA) has informed the City that her agency currently has grant funds available for the purchase of small vehicle purchases on a first-come-first-served basis. The Clare Fire Department uses a 1998-vintage pick-up for its command vehicle. While the vehicle is in very good condition, it is not a crew-cab vehicle, thereby limiting its utility – and it is nearly 20 years old. Consequently, the City Staff recommends that the City submit a grant application to replace the vehicle. The City Commission is asked to approve the submittal of the application.

Motion by Commissioner McConnell second by Commissioner Murphy to approve the submittal of the grant application by adoption of Resolution 2016-016. 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 (ELAINE DEMASI)**

*Approved by Consent Agenda. Resolution 2016-017.*

**8. TREASURER'S REPORT**

The Treasurer presented his report.

**9. 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.

Addendum: We received notice today that our Master Plan update Project Manager of McKenna & Associates (Amy Neary) has taken a position with West Bloomfield Township. Greg Elliott who is the Principal Planner for McKenna has been named the new Project Manager for our Master Plan update.

Proposed Street Millage. Ballot language for the May election must be approved and submitted to the local county clerks by February 9th. We discussed the possibility of including a street millage proposal for our electorate to consider at this election. But due to the current prohibition imposed by the state's new Public Act 269 that precludes us to use any type of governmental forum to educate voters regarding the various ballot proposals for 60 days preceding a scheduled election, we've deferred this matter to the August election (or later if need be) to allow the state legislature an opportunity to amend or repeal PA 269 and/or to await the outcome of the federal lawsuit filed against the State of Michigan this week to determine whether the law is constitutional.

Water Quality Article - Lead. Due to the public health concerns being raised as a result of recent issues being highlighted with the public drinking water in Flint, I asked Dale Clark, our Water Superintendent, to write a short article to assure our water customers that we do not have similar issues here in Clare. We have offered this piece to our local media in the event they desire to include it in one of their upcoming weekly editions. The article will also be included in our newsletter, aired on our public access channel, and posted to our website.

Temporary Surge – Part-Time Police Coverage. Due to the current public environment and general less-than-positive attitude toward law enforcement in general in our nation, safety of our officers is of critical concern to me. Consequently, I have approved (30-day trial period) the temporary increase of part-time officers to allow us to have back-up coverage for our duty vehicle on weekends.

Michigan Annual Local Government Manager's Conference. I will be attending the annual statewide municipal manager's conference Feb 2-5; this year's conference is being held in Port Huron.

Marketing & Advertising for Sale of Fire Vehicles. I've given Chief Chapman the authority to expand his use of professional marketing and advertising agencies to assist us in selling our currently excess fire vehicles. I've restricted him to expending more than \$1,000 in these efforts without my prior approval.

Blight. We are currently focusing on two primary blight issues (207 W. Third Street and Steve's Auto & Glass). We've referred both of these matters to our City Attorney for action; correspondence related to both cases is attached. Jaynie is concurrently working on a blight case on an East Fifth Street residence that we've referred to her.

Human Resources Training for Supervisors. We've asked Jaynie to arrange an afternoon of HR training for our department heads and their deputies. We've also invited Harrison and PMDL to join us for this training opportunity; they've accepted the offer and concurrently offered to share in the cost of the training. The training will be provided by Mr. Lou Rabaut, an attorney specializing in human resources matters that we have used for all our HR matters for the past 18 years; to date we have never been successfully sued for any matter that Lou has provided us counsel. He will provide us a three-hour block of instruction to be held at the PMDL in late February/early March. The primary topics of discussion will include the top 10 reasons employers are sued, hiring practices, promotions & demotions, performance reviews, union contract issues, attendance & leave, pay practices, and discipline & discharge.

State of the Community Presentation. Mayor Pro Tem Jean and I will be participating in MidMichigan Community College's first-ever State of the Community event on Feb 9th. The event is primarily intended to inform our local community members of activities and actions in our local area. MPT Jean & I will be making a ten-minute presentation for the event. We welcome and encourage everyone to attend.

Results of MDEQ Water System Survey. MDEQ conducted a survey of our water system in December. A copy of the complete report is available in the City Clerk's Office or at our Water Superintendent's Office. The report indicates Dale and the members of his Department should be complemented on the job they are doing. But it also indicates we need to implement a more aggressive capital schedule to facilitate needed improvements in our distribution and iron removal systems – both of which require funding, of course.

Addendum: C/M Ken Hibl attended the funeral today of City Manager Mike Young from Rockford, MI who died unexpectedly at the young age of 48.

10. \*COMMUNICATIONS

Approved By Consent Agenda.

Census Bureau Correspondence. We received a letter from the Census Bureau advising us of an impending survey.

January 21st Edition of The Loop. The aforementioned periodical was provided.

EDA Correspondence. The City received the attached approval letter from the EDA approving our two requested end-of-project construction change orders.

Termination Notice – BS&A Assessing Services. The City forwarded a letter of termination of Assessing Services to BS&A as required by our contractual agreement with that firm now that Ms. Edie Hunter is employed by the City.

11. EXTENDED PUBLIC COMMENT: None.

12. COMMISSION DISCUSSION TOPICS: Commissioner Bonham spoke of safety concerns related to the numerous, deep potholes located in the private drive situated between Taco Bell/KFC and the Car Wash. These two businesses own to the center of the drive and are responsible for maintenance. C/M Hibl will issue a letter to each of the owners informing them of ordinance requirements for maintenance of their property.

13. \*APPROVAL OF BILLS

*Approved By Consent Agenda.*

15. CLOSED SESSION- Provide Guidance & Discuss Strategy for Employee Bargaining Unit Negotiations

Motion by Commissioner McConnell second by Commissioner Swanson 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 Carried.*

Motion by Commissioner McConnell second by Commissioner Bonham 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 Carried.*

Motion by Commissioner Bonham second by Commissioner Murphy to proceed with the contract negotiation strategy as discussed in closed session. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Jean McConnell, Carolyn (Gus) Murphy and Karla Swanson. Nays: None. Absent: None. *Motion Carried.*

14. ADJOURNMENT

Motion by Commissioner Bonham second by Commissioner Swanson to adjourn the meeting. Ayes: All. Nays: None. Absent: None. *Motion Carried.* Meeting adjourned at 7:38 p.m.

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Pat Humphrey, Mayor

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Diane Lyon, City Clerk