

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, Karla Swanson and Carolyn (Gus) Murphy. Absent: Jean McConnell. Also present were Ken Hibl, City Manager; Steve Kingsbury, Treasurer; Fire Chief James Chapman along with numerous members of the Clare Fire Department; Police Officer John Lake; 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, Second Reading of Ordinance 2018-003, Board & Committee Appointments, Communications, and Bills) that are considered to be routine by the City Commission. Ayes: All. Nays: None. Absent: Jean McConnell. *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. RECOGNITION OF 25 YEAR SERVICE-FIRE FIGHTER MARV FARLEY

Firefighter Marv Farley has faithfully and courageously served the greater Clare area community as a member of the Clare Fire Department for the past 25 years, to include serving as an officer of the department for a significant tenure during that period. The City Commission is asked to formally recognize Marv's excellent service by presentation of a resolution, certificate, and memento.

Motion by Commissioner Bonham second by Commissioner Murphy to recognize Marv for 25 years of service on the Clare Fire Department by adoption of Resolution 2018-028. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Carolyn (Gus) Murphy and Karla Swanson. Nays: None. Absent: Jean McConnell. *Motion Carried.*

B. RECOGNITION OF 7 YEAR SERVICE-PARKS & RECREATION ADVISORY BOARD, MRS. JUDY BRANKEL

Judy Brankel has faithfully served as a very active and dedicated member of the City of Clare Parks & Recreation Advisory Board for the past 7 years. Judy recently submitted her resignation to the Mayor, citing personal reasons for her decision; the Mayor accepted her request. Judy's service to our community has been absolutely outstanding in every regard. She has been one of the City's greatest cheerleaders and supporters for recreation programs in Clare and could always be counted on to dedicate endless hours of her personal time to fund-raising efforts to promote recreation programs and facilities. The City Commission is asked to formally recognize Judy's outstanding, selfless public service.

Motion by Commissioner Swanson second by Commissioner Murphy to recognize Judy for 7 years of service on the Clare Parks & Recreation Advisory Board by adoption of Resolution 2018-029. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Carolyn (Gus) Murphy and Karla Swanson. Nays: None. Absent: Jean McConnell. *Motion Carried.*

C. CITY OF CLARE & CLARE PUBLIC SCHOOLS INTERGOVERNMENTAL AGREEMENT-SCHOOL LIAISON OFFICER

Our current letter agreement with Clare Public Schools for the School Liaison Officer expires on November 1st, 2018. Consequently, we asked our City Attorney to craft an intergovernmental agreement to continue this critical position. The City Staff has negotiated the terms of the Agreement with the CPS Superintendent. The Superintendent subsequently submitted the proposed Agreement to CPS Board at its

March 19th meeting; the School Board approved the agreement. The City Commission is asked to similarly consider and approve the agreement.

Motion by Commissioner Bonham second by Commissioner Murphy to approve the five year agreement by adoption of Resolution 2018-030. Roll call vote: Yeas: Commissioners Bob Bonham. Nays: Pat Humphrey, Carolyn (Gus) Murphy and Karla Swanson. Absent: Jean McConnell. *Motion Defeated.*

All of the City Commissioners provided statements of support for the school liaison position however some of the Commissioners also expressed a desire to meet with the Clare Public School Board to discuss terms outlined in the contractual agreement prior to entering in to a long term contract. CM Hibl offered that the CPS Superintendent desires to enter in to a contract at this time because they are in the process of preparing their upcoming school year budget (FY18/19) which also happens to coincide with the City's budget year. CM Hibl suggested that the Commission could approve a short term contract to allow time for each of the governing bodies to meet and discuss terms of the contract.

Motion by Commissioner Murphy second by Commissioner Swanson to approve an agreement with Clare Public Schools for the period of November 1, 2018 through June 30, 2019 by adoption of Resolution 2018-037. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Carolyn (Gus) Murphy and Karla Swanson. Nays: None. Absent: Jean McConnell. *Motion Carried.*

D. APPOINTMENT OF CLARE RAILROAD DEPOT GOVERNING BOARD

In 2007 the City purchased the Historic Clare RR Depot for \$10K and directed its Planning Commission to oversee the rehabilitation of the building. A Depot Committee, which was comprised of two designated Planning Commissioners, a number of City Staff members, representatives of the MidMichigan Community Action Agency, the Clare County Arts Council, the Clare Area Chamber of Commerce, and greater than 100 dedicated community volunteers, has overseen every aspect of this great rehabilitation project. Meeting every month during the past decade, the Committee raised in excess of \$500K during the course of the rehabilitation period and volunteers contributed another \$300K of in-kind labor and materials for this great community project. Sufficient funds have now been raised to complete the interior and exterior of the building and allow occupancy of the building by the Clare County Arts Council and the Clare Area Chamber of Commerce, which will likely occur within the next few months. So the heavy-lifting of the full Depot Committee has been completed. The Committee met in March and will come together one last time for a formal community ribbon-cutting and celebration once the Arts Council and Chamber have occupied the building.

However, significant work remains to be completed – to include landscaping, relocating a second donated caboose to the site; and the construction of a public trail head. Consequently, we still need oversight of the day-to-day operations of the depot and the completion of the remaining, aforementioned tasks. But I recommend that a much smaller governing board be appointed to oversee the remaining tasks. And I suggest that the board be appointed by the City Commission and be comprised of a representative of the primary tenants (Clare County Arts Council, Chamber of Commerce and Railroad Aficionados Group), select members of the City Staff (City Manager, Parks & Recreation Director, Treasurer and City Clerk), and ad hoc members of city staff or local organizations as deemed necessary by the selected Chairperson. The City Commission is asked to consider appointing a Depot Governing Board.

Motion by Commissioner Swanson second by Commissioner Murphy to approve the appointment of a governing board by adoption of Resolution 2018-031. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Carolyn (Gus) Murphy and Karla Swanson. Nays: None. Absent: Jean McConnell. *Motion Carried.*

E. SALE OF CITY PROPERTY-DPW BLADE TRUCK

The City purchased a new blade truck during the current fiscal year to replace one of the oldest trucks in our truck fleet – a 1987 Ford F800. We've publicly solicited sealed bids to sell the vehicle. The bid opening occurred this afternoon at 1pm;

consequently, following review of the bids, City Staff recommends approving the bids and awarding the bid to Quality Truck & Tire who submitted the high bid of \$3,250.

Motion by Commissioner Bonham second by Commissioner Murphy to approve the bids and the sale of a blade truck to Quality Truck & Trailer for \$3,250 by adoption of Resolution 2018-032. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Carolyn (Gus) Murphy and Karla Swanson. Nays: None. Absent: Jean McConnell. *Motion Carried.*

F. APPROVE PAYMENT FOR DEPOT FLOORING

The City received a Clare Community Foundation Grant of \$5,000 to purchase flooring for the main floor of the Clare Depot. The City designated the MidMichigan Community Action Agency (MMCAA) as the City's fiduciary for the depot rehabilitation project; consequently, the Depot Committee has been using MMCAA's purchasing guidelines and policies for the purchase of all materials and furnishings for the depot project. Consequently, bids were not solicited for the purchase of the flooring as MMCAA has a "buy local" policy that we've been using throughout the project period. In this particular case, we used the services of Wood's Household Appliances to purchase the flooring due to MMCAA's purchasing policy and the extremely reasonable quotation provided by Wood's Household for the flooring.

The total cost of the flooring is \$5142.56, which includes freight charges. The CCCF grant was approved for \$5K. The City will issue a check for the full amount of the flooring (\$5142.56) and then obtain reimbursement for the \$142.56 difference from the Depot Fund maintained by MMCAA. The City Commission is asked to approve the purchase of the flooring.

Motion by Commissioner Swanson second by Commissioner Murphy to approve the purchase of flooring for the Depot by adoption of Resolution 2018-033. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Carolyn (Gus) Murphy and Karla Swanson. Nays: None. Absent: Jean McConnell. *Motion Carried.*

G. ORDINANCE 2018-003-CHAPTER 52, MEDICAL MARIHUANA

Subsequent to holding a public hearing at its regularly scheduled meeting of March 19th, the Clare City Commission considered and approved a first reading of a proposed ordinance (Ordinance 2018-003) to prohibit any medical marihuana facilities of any type north of M-115 in Clare. The City's Planning Commission similarly held a public hearing in respect to the proposed ordinance and unanimously recommended approval of the amendment.

As all ordinance changes/amendments require the consideration and approval by the City Commission, we now ask the City Commission to allow a Second Reading of the proposed ordinance amendment and subsequently approve Ordinance 2018-003 for incorporation to the City's Ordinance Codes.

Motion by Commissioner Bonham second by Commissioner Swanson to authorize a second reading and approve Ordinance 2018-003 by adoption of Resolution 2018-034. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Carolyn (Gus) Murphy and Karla Swanson. Nays: None. Absent: Jean McConnell. *Motion Carried.*

**H. *BOARD & COMMITTEE APPOINTMENT-PARKS & RECREATION
ADVISORY BOARD-MS. TINA DROOMER**

Approved by Consent Agenda-Resolution 2018-035

I. 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 March 5th 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 2018-036. Roll call vote: Yeas: Commissioners Bob Bonham, Carolyn (Gus) Murphy, and Karla Swanson. Nays: None. Absent: Jean McConnell. *Motion Carried.*

8. TREASURER'S REPORT

The Treasurer presented his report.

9. CITY MANAGER'S REPORT

Planning Commission. The City Planning Commission is scheduled to meet on April 11th to review and consider the City's 2018/2019 Capital Improvement Plan.

Michigan Economic Development Corporation (MEDC) Visit. Ms. Elizabeth King, our Redevelopment Ready Community evaluator/representative from MEDC is scheduled to be in Clare on April 3rd for an orientation visit; she will be accompanied by Ms. Chelsea Rowley, our Community Assistance Team representative from MEDC.

Receipt of Grant Announcements. We've received formal notice from the Clare Community Foundation and the Consumers Energy Foundation announcing the award of the two grants - \$5,000 and \$25,000, respectively. Harmony Nowlin, our Consumers Energy community representative, intends to personally present the actual check from Consumers Energy – likely within the next two weeks.

New PA 57 Rules. The Snyder Administration in Lansing has enacted new rules regulating Tax Increment Financing (TIF) authorities (DDAs, LDFAs, etc.). The new regulations impose additional reporting requirements and other administrative burdens on local government, e.g., mandatory meetings, additional public notice requirements for meetings (equates to additional costs).

Addendums:

Planning Commission. The City Planning Commission is scheduled to meet on April 11th to review and consider, a site plan application submitted for renovations to Gateway Lanes, and Ordinance Amendment 2018-004. Additionally, the Planning Commission will hold a special meeting on April 16, following the regular City Commission meeting, to consider a site plan for façade improvement for 601 N. McEwan (Time Out Tavern).

10. *COMMUNICATIONS

Chamber of Commerce 2018 Schedule of Activities. The Chamber has distributed their 2018 calendar highlighting the major events in Clare.

Charter Channel Changes. Charter Communications is making changes their channel lineup.

MML's Leading Edge: The March 15th edition discusses municipal finance reform, poor road conditions, small cell towers in municipal right-of-ways, and the March Capital Conference.

SOS. The March 22nd edition of the SOS Express and SOS News Releases announce a grace period to affix license plate tabs; the elimination of Driver Responsibility Fees; Online Voter Registration; Real ID compliance for air travel effective October 1, 2020; and a new system for easier navigation of license appeal hearings.

T.J. Dennis FOIA Request. Mr. Dennis has made the request for a police report.

11. EXTENDED PUBLIC COMMENT: None.

12. CLOSED SESSION: Settlement Authority for Pending Litigation (Halicek vs. City of Clare.)

Motion by Commissioner Bonham second by Commissioner Swanson to go into closed session at 7:09 pm. Roll call vote: Yeas: Commissioners Bob Bonham, Carolyn (Gus) Murphy, and Karla Swanson. Nays: None. Absent: Jean McConnell. *Motion Carried.*

Motion by Commissioner Bonham second by Commissioner Swanson to resume open session at 7:23 pm. Roll call vote: Yeas: Commissioners Bob Bonham, Carolyn (Gus) Murphy, and Karla Swanson. Nays: None. Absent: Jean McConnell. *Motion Carried.*

Motion by Commissioner Murphy second by Commissioner Swanson to approve the closed session minutes. Roll call vote: Yeas: Commissioners Bob Bonham, Carolyn (Gus) Murphy, and Karla Swanson. Nays: None. Absent: Jean McConnell. *Motion Carried.*

Motion by Commissioner Murphy second by Commissioner Bonham to adjourn the meeting at 7:26. Ayes: All. Nays: None. Absent: Jean McConnell and Pat Humphrey. *Motion Carried.*

Motion by Commissioner Murphy second by Commissioner Swanson to reconvene the meeting at 7:27. Ayes: All. Nays: None. Absent: Jean McConnell and Pat Humphrey. *Motion Carried.*

Motion by Commissioner Swanson second by Commissioner Murphy to approve the authority for settlement terms as discussed in closed session. Roll call vote: Yeas: Commissioners Bob Bonham, Carolyn (Gus) Murphy, and Karla Swanson. Nays: None. Absent: Jean McConnell. *Motion Carried.*

12. COMMISSION DISCUSSION TOPICS: None.

13. *APPROVAL OF BILLS

Approved By Consent Agenda.

14. ADJOURNMENT

Motion by Commissioner Swanson second by Commissioner Murphy to adjourn the meeting. Ayes: All. Nays: None. Absent: Jean McConnell and Pat Humphrey. *Motion Carried.* Meeting adjourned at 7:29 p.m.

Pat Humphrey, Mayor

Diane Lyon, City Clerk