

The regular meeting of the Clare City Commission was called to order at 6:02 p.m. at Clare City Hall 202 West Fifth Street, Clare, Michigan by Mayor Pat Humphrey who led with the Pledge of Allegiance. Present were: Commissioners Bob Bonham, Pat Humphrey, Nick Loomis, Maegan Jenkins and Carolyn (Gus) Murphy. Absent: None. Also, present: Jeremy Howard, City Manager; Luke Potter, DPW Superintendent, and Sarah Schumacher, Deputy Clerk.

2. CONSENT AGENDA:

Moved by Commissioner Murphy second by Commissioner Loomis to approve the items listed with an asterisk (\*) (Agenda, Minutes, Department Reports, Professional Development, Communications, Second Reading of Proposed Ordinance 2021-001, and Bills) that are considered to be routine by the City Commission. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Nick Loomis, Maegan Jenkins, and Carolyn (Gus) Murphy. 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. SECOND READING OF PROPOSED ORDINANCE 2021-001 - SIGNS**

The Planning Commission held multiple discussions regarding updating the city's sign ordinance over the past year including extensive conversations at their last several meetings last year and the beginning of this year. At those meetings, Planning Commissioners, Giffels Webster, City Attorney, and City Staff discussed options and suggested changes to the drafted ordinance. Much of the language has been cleaned up and updated to fit with the city's Master Plan and to address issues and concerns with signs of all types located in the City of Clare.

Attached again is the memo from Jill Bahm of Giffels Webster outlining and highlighting some of the changes requested by the Planning Commission and City Staff as well as some of the discussion regarding changes made. Also attached is the updated draft ordinance (markup version and clean version) for addressing signs in the city

At the regularly scheduled Planning Commission meeting of March 10, 2021, a public hearing was held regarding the proposed ordinance amendments. Following discussion among members of the Planning Commission, the Planning Commission voted to recommend approval of the proposed changes by adoption of Resolution 2021-008PC

All ordinance code changes or amendments require the approval of the City Commission, and all ordinances require two readings and approval of the Commission subsequent to a public hearing. If you remember from the last meeting, I mentioned in my City Managers Report that we were delaying this second reading and final decision on the sign ordinance due to an error in the public notice for the hearing date of the City Commission meeting held on March 15<sup>th</sup>. We have republished the notice with the date of April 19<sup>th</sup> and will need to hold that additional public hearing tonight.

The City Commission is asked to conduct the additional required public hearing, allow a Second Reading, and approve or deny the proposed ordinance.

Motion by Commissioner Humphrey second by Commissioner Murphy to open the public hearing. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Nick Loomis, Maegan Jenkins and Carolyn (Gus) Murphy. Nays: None. Absent: None. *Motion Carried.*

Public Comment: None

Motion by Commissioner Murphy second by Commissioner Jenkins to close the public hearing. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Nick Loomis, Maegan Jenkins and Carolyn (Gus) Murphy. Nays: None. Absent: None. *Motion Carried.*

Motion by Commissioner Bonham second by Commissioner Murphy to adopt Ordinance 2021-001 - Signs. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Nick Loomis, Maegan Jenkins and Carolyn (Gus) Murphy. Nays: None. Absent: None. *Motion Carried.*

**B. LAKE SHAMROCK DREDGING – BARGE PURCHASE**

*Background.* The Lake Shamrock dredging project is continuing to move forward, and the first major purchase for the project is the actual barge that will hold the excavator and container for dredged lake material until it can be offloaded to a truck. Due to the size (24' wide by 48' long and 4' high) and the design requirements for our project, this item is a custom-built piece of equipment that very few companies even make and the lead time on the manufacturing is several months. As explained in the memo from DPW Director Luke Potter, the barge is being proposed to be sole source purchased from B & R Construction out of Taylorville, Illinois. B & R Construction is a well know and reputable company and is the same one that Harbor Beach, MI used for their project which this project is somewhat modeled after.

The City Commission is asked to review, consider, and approve the sole source bid and purchase from B & R Construction in the amount of \$82,700 with a down payment of 60% (\$49,620) and the remainder (\$33,080) to be paid at the time of shipping.

As reflected on the quote from B & R Construction, the total cost for the barge is \$82,700 with a down payment of 60% (\$49,620) and the remainder (\$33,080) to be paid at the time of shipping. Funding for this purchase is available from the bonding for the lake dredging project and will be paid back over time with bond payments from the city at large and the special assessment of the lake owners.

It is unknown at this time if the barge will be left on the lake for the duration of the project or dismantled into it's two halves, each 24' x 24', and stored when not in use. The barge will be stabilized on the lake with spuds (pipes driven into the lake bottom).

Motion by Commissioner Murphy second by Commissioner Loomis to approve the sole source purchase of a barge. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Nick Loomis, Maegan Jenkins and Carolyn (Gus) Murphy. Nays: None. Absent: None. *Motion Carried*

8. TREASURER'S REPORT: *The Treasurer was not available to present his report.*

9. CITY MANAGER'S REPORT

*DDA and LDFA Meetings.* The city recently conducted the first of the annual mandated public comment meetings for both of these boards. Both meetings went well and were held electronically in person at the library in Room LLA so it was nice to see some of the board members face to face who I have only been able to see via Zoom in past meetings. We will hold the second required annual meeting for both of these boards this fall.

*Planning Commission Meeting.* The most recent Planning Commission meeting was also held in person at the library with some city staff and public participating electronically via Zoom. The Planning Commission approved the Special Use Permit and Site Plan for Recreational Marijuana (Class C Grow) for 380 Industrial Drive for Total Holistic Cultivation, LLC who are already licensed for Medical Marijuana. The other topic of discussion was the required review of the CIP by the Planning Commission. Finance Director Steve Kingsbury did an excellent job along with several staff members in presenting an overview of the major CIP items for the upcoming year and future. You will see the information along with budget discussions at your upcoming meetings in May.

We do still need to hold the joint Planning Commission / City Commission meeting that we have been postponing due to COVID and meeting limitations. I would like to do this sometime soon and we could probably combine a regular meeting of one of the boards with this meeting. Please let me know if any of the City Commissioners have any thoughts or preferences on this topic.

*Library:* As you saw in the last to items, we have a great partnership with the Pere Marquette Library. The large room in the basement has allowed multiple city boards and commissions to be able to meet safely face to face and to do it under current MDHHS and MIOSHA guidelines. We are very thankful to the library for their generous lending of their space and for their partnership with the city on many projects. They are a great asset to the City of Clare.

Little Tobacco River Drain Project: The latest update on the Little Tobacco River Intercounty Drain Project is that the project is continuing though there have been some delays. The Eberhart Rd. bridge was going to get removed this past week, but like everything else in this world that is going on, production by vendors has been behind and has caused delays. Hope is that this work will begin towards the end of April or the beginning of May. The plan is for Fisher Contracting to start on Eberhart and work upstream towards Dunlop, with two crews working at the same time. One tearing out and the other replacing. Luke is attending the meeting Monday night and could answer further questions as well if any of the commissioners have any.

Verizon Cell Tower: I have been in communications with Verizon for several months in regards to a possible cell tower being added to the city to help with the signal. After several areas in the city have fallen through, we are having further discussions to see if we can find a new location. We are trying to see if it may be possible to somehow combine or collocate with some of the existing equipment and tower at City Hall at this time with a potential project date in 2022. I will keep you updated if we are able to make this work. It could provide some substantial revenue to the city if we can find a way to work it out.

Water Service Lines/EGLE State Budget Funds: Staff and I have been continuing conversations with EGLE in relation to the 2.5 million in designated funds for the City to replace lead and galvanized services and water service lines for the city. Staff has been working diligently to gather and put together the required information to submit to EGLE to receive the funds. We recently went out to bid and had a bid opening for the physical replacement of the lines that are being required to be replaced and once we have done some further due diligence, we will bring that contract to you for approval. That contract will be fully funded by the designated funds from the State of Michigan budget that EGLE is allocating for the city.

2021 PILOT Report. The annual PILOT (payment in lieu of taxes) report has recently been completed and is attached for review and information.

Board and Commission Meetings: The legislature has not extended the virtual meeting allowance via OMA at this time and it appears that that extension will not occur any time soon if at all. MDHHS did recently create an order that allows an exception for any meeting being held under OMA so that the limitations do not apply to gatherings of public bodies and attendees of meetings held by public bodies in compliance with the Open Meetings Act. This allows us to continue to have face to face meetings and allows the public to attend as long as we are still adhering to other MDHHS and MIOSHA rules and guidelines in regards to masking and social distancing. We have already held several meetings under this new guideline and it should work well for most of our boards and commission meetings unless there is a topic that we expect a large amount of public to attend. We likely will have to utilize the library or other larger space for some of our bigger boards.

City Buildings Closed to Public: City offices have been closed to the public since November 18<sup>th</sup> in order to comply with the MDHHS orders that were issued. The current notice for city offices to continue to be closed to the public except by appointment is set to expire April 19, 2020 at 11:59 p.m. MIOSHA also just released an update to its orders extending them through October 14, 2021. The orders still require remote work when it is possible for workers to do so, but it does allow the decision to be made by employers whether that work should be completed remotely or if it is needed to be completed in the office.

With the numbers in Michigan reaching between 8,000-10,000 positive cases on a daily basis and deaths and hospitalizations continuing to climb it may make sense to continue on a week-to-week basis for further closure in some form. However, with most of the positions that are able to do remote work per MIOSHA orders being at City Hall, it is my recommendation that we begin to phase in reopening by opening all city buildings to the public starting Monday, April 19<sup>th</sup> with the exception of City Hall at this time. This phased in process is one that is and has been used by many other municipalities in one form or another. The staff at other city buildings have been working normal hours as essential workers and with more minimal foot traffic at those buildings, I think it makes sense to do this at this time as we phase back in to being fully open. We can then evaluate the numbers at the end of the week and determine if it makes sense to open City Hall at that time. In the meantime, we will continue accommodating requests for appointments for the public as we have been since the beginning of the closure. We believe this is the best and safest

course of action for staff and citizens at this time. I will keep you apprised of any changes if any are made by the Governor, MDHHS or MIOSHA.

*Hatton Township Well*

The city commission had previously authorized the drilling of a new well on the Hatton Township property owned by George Shull near the contaminated Hatton Township Landfill. The cost of the project, when approved in September, 2020, was \$21,853.50. The property owner requested that drilling be delayed until May, 2021. The driller has notified us that since that time, the price of steel has risen considerably, potentially increasing the cost of drilling by approximately \$1,000. Without knowing exactly how deep the well will be, the exact cost can't be known until work is underway.

10. \*COMMUNICATIONS

*Charter Communications:* Charter Communications has announced broadband assistance for eligible individuals and families.

*CDC Vaccination Info:* The CDC has released updated information on COVID-19 Vaccines and other COVID-19 related information and data.

*Food Distribution Notice:* The City has received notice that the Greater Lansing Food Bank will be sponsoring a drive-through mobile food distribution on April 1, 2021, at the Harrison Fair Grounds; and on April 30, 2021, from 9:00 am-noon, at Mid-Michigan Community College, Harrison campus.

*Covid Vaccination Appointments Available:* Central Michigan Health Department is offering a number of COVID vaccination locations and dates for anyone interested in making an appointment to receive their vaccination.

*Affirmative Action Compliance:* The City has submitted affirmation of Affirmative Action Compliance to the MSU Extension office.

*Food Distribution Notice:* The City has received notice that the Greater Lansing Food Bank will be sponsoring a drive-through mobile food distribution on April 30, 2021, from 9:00 am-noon, at Mid-Michigan Community College, Harrison campus.

*Covid Testing Flyers:* We've received notice of a number of free testing COVID sites & dates available for anyone interested in having a test.

*FEMA Funeral Assistance:* FEMA can provide funeral expense assistance to those who have lost a loved one due to the COVID-19 virus.

*FEMA Funeral Assistance:* FEMA has announced that disaster declarations due to COVID-19 for 2020 & 2021 are payable at 100% federal funding for eligible costs.

*USDA Rural Development Program Summary:* The USDA has numerous funding opportunities available for Rural Housing and Community Facilities Programs.

11. EXTENDED PUBLIC COMMENT: None.

12. COMMISSION DISCUSSION TOPICS:

*Clare County State of Emergency:* The State of Emergency declaration allowing for a continuation of virtual meetings has not been extended at this time.

*New City Treasurer Search:* The Commission recommended that MML be utilized for the search of a new City Treasurer. City Manager will contact MML and bring a proposal to the commission for their consideration in May.

*Assessing Services:* For now, our city assessor will continue in her administrative role. The City is awaiting clarification from the State Tax Commission regarding the suspension of the assessor's license.

13. \*APPROVAL OF BILLS: *Approved by Consent Agenda.*

14. \*PROFESSIONAL & EDUCATIONAL TRAINING OPPORTUNITIES: *Approved by Consent Agenda.*

15. ADJOURNMENT: Motion by Commissioner Humphrey, second by Commissioner Murphy to adjourn the meeting. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Nick Loomis, Maegan Jenkins and Carolyn (Gus) Murphy. Nays: None. Absent: None *Motion Carried*. Meeting adjourned at 6:28 p.m.

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Pat Humphrey, Mayor

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Sarah Schumacher, Deputy Clerk