

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 Jean McConnell. Absent: Carolyn (Gus) Murphy. Also present were Steve Kingsbury, Treasurer & Finance Director; 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 (addition of items H & I), Minutes, Communications, Department Reports, First Reading of Ordinance 2017-003, and Bills) that are considered to be routine by the City Commission. Ayes: All. Nays: None. Absent: Carolyn (Gus) Murphy. *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. SALT BARN ROOF BIDS**

The shingles on the roof of the City's salt barn have deteriorated to the point that if not replaced or repaired immediately, the integrity of the roof of the building will be compromised. Consequently, the City solicited bids to have a metal roof overlaid on the existing roof. We received two bids. The City Commission is asked to approve the bids and authorize the expenditure of funds to replace the roof.

Motion by Commissioner McConnell second by Commissioner Bonham to approve the bids and award the work to Miller Roofing by adoption of Resolution 2017-104. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Jean McConnell, and Karla Swanson. Nays: None. Absent: Carolyn (Gus) Murphy. *Motion Carried.*

**B. ORDINANCE 2017-003**

Sections 30-74 and 28-167 of the Ordinance Codes of the City of Clare prohibit the carrying or possession of a firearm or bow/crossbow. This provision of our ordinances is in contradiction with the federal "Open Carry" law, which allows the open carrying of a weapon in public. Consequently, we asked our City Attorney, Jaynie, to provide a proposed amendment to correct our ordinance codes; Ordinance 2017-003 is the resultant product of our request.

We now ask that the City Commission hold a requisite public hearing to receive comment pertaining to the proposed ordinance change and concurrently approve a First Reading of the proposed Ordinance.

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

Public Comment: None.

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

**C. AMEND CHERRY GROVE CEMETERY RULES & REGULATIONS**

The City recently purchased a columbarium to allow the sale of niches for cremains. The Cherry Grove Cemetery Board has recommended the amendment of the City's

current rules and regulations to include specific regulations pertaining to the sale of the niches. The City Commission is asked to approve the proposed amendment.

Motion by Commissioner Swanson second by Commissioner McConnell to approve the amendment of Cherry Grove Cemetery Rules & Regulations by adoption of Resolution 2017-105. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Jean McConnell, and Karla Swanson. Nays: None. Absent: Carolyn (Gus) Murphy. *Motion Carried.*

**D. POLICE BALLISTIC VESTS**

By adoption of its Resolution 2017-102, the City Commission approved the purchase of ballistic vests for the Clare Police Department. In the Resolution we asked the Commission to approve the purchase price for the vests for a cost of \$7,900 and concurrently authorized the expenditure of \$3,950 (one-half the purchase price) with the presumption that the balance (\$3,950) would be defrayed by grant funds. However, we learned after-the-fact that the City is required to pay the full cost of the purchase (\$7,755) and then we will be reimbursed one-half the cost by the already-approved grant. But as the adopted Resolution only authorizes the expenditure of \$3,950, we are not able to process the payment for the vests without asking the City Commission to first increase the authorization limit stipulated in Resolution 2017-102 to \$7,755. We ask that the City Commission increase the authorization limit to that amount.

Motion by Commissioner Bonham second by Commissioner Swanson to approve the additional expenditure by adoption of Resolution 2017-106. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Jean McConnell, and Karla Swanson. Nays: None. Absent: Carolyn (Gus) Murphy. *Motion Carried.*

**E. APPOINTMENT OF MERS DELEGATES**

The Michigan Employees Retirement System (MERS) will hold its annual conference in Detroit, Michigan on September 21st and 22nd. The City Commission has traditionally sent two delegates to the conference, an employee representative elected by the City's employees to represent their interests at the conference, and a management delegate (traditionally, the City Treasurer or City Clerk) to represent management's interests at the conference.

Sarah Schumacher and Luke Potter are co-winners for the employee's representative. We conducted a run-off election between those two employees and they tied a second time. In the interim, Luke committed to a conference being held in Mt. Pleasant during the same week as the MERS conference; therefore, Sarah has been designated as the primary employee delegate with Luke serving as alternate.

Initially, City Treasurer Steven Kingsbury asked to be excused from primary consideration because he has other personal commitments in Clare during the time of the conference. However, Steve has agreed to serve as the primary management representative because City Clerk Diane Lyon has elections obligations due to the Military & Overseas Voter ballot deadline falling within the timeframe of the conference; Diane will serve as alternate management representative on behalf of the City.

MERS requires the City's delegates be appointed by the respective municipal governing body in order to vote on policy matters presented to the delegation for decision, thus the City Commission is asked to formally designate these individuals to represent the respective elements of the City at the annual conference.

Motion by Commissioner McConnell second by Commissioner Swanson to approve the employee and administrative primary and alternate MERS delegates by adoption of Resolution 2017-107. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Jean McConnell, and Karla Swanson. Nays: None. Absent: Carolyn (Gus) Murphy. *Motion Carried.*

**F. MEETING EXCUSAL – COMMISSIONER GUS MURPHY**

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.”

Commissioner Murphy has requested that she be excused from attending the August 21st regularly scheduled Commission Meeting due to other obligations.

The Commission has a long-standing history to excuse commissioners in otherwise good standing from attendance at scheduled meetings for good cause. Commissioner Murphy 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 Murphy.

Motion by Commissioner Bonham second by Commissioner McConnell to approve excusal of Commissioner Gus Murphy by adoption of Resolutions 2017-108. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Jean McConnell, and Karla Swanson. Nays: None. Absent: Carolyn (Gus) Murphy. *Motion Carried.*

#### **G. DPW BLADE TRUCK INSTALLMENT PURCHASE AGREEMENT**

The City's approved 2017/2018 Capital Improvement schedule includes the purchase of a new blade truck and underbody apparatus for the City's Department of Public Works. By adoption of Resolution 2017-092, the City Commission approved the purchase of a new Freightliner blade truck through the state buying program (D&K Trucking of Lansing) and an underbody attachment for the truck from Schultz Equipment. Based on this approval, the City's Treasurer requested financing proposals from all area financial institutions. Three proposals were received, one from Chemical Bank at an interest rate of 2.99%; one from Mercantile Bank for 2.25%; and another from Isabella Bank at an interest rate of 2.05%. All other terms of the financing were identical and in conformity with those requested by the City. Concurrent with the requests for financing proposals the City Treasurer also worked with the City's bond counsel to prepare the Installment Purchase Agreement authorized under Public Act 99, of the Michigan Public Acts of 1933 to complete this purchase. The request for financing proposals and the installment purchase agreement both include a provision to allow for early repayment of the principal amount of the loan without penalty. The City Commission is asked to approve the financing proposal and the Installation Purchase Agreement.

Motion by Swanson second by Commissioner Bonham to accept the financing proposal from Isabella Bank and approve the installment purchase agreement by adoption of Resolution 2017-109. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Jean McConnell, and Karla Swanson. Nays: None. Absent: Carolyn (Gus) Murphy. *Motion Carried.*

#### **H. CLARE AREA CHAMBER OF COMMERCE GAMING LICENSE**

The Clare Chamber of Commerce has requested that the City Commission consider adopting a Resolution allowing them to apply for the issuance of a state Gaming License to allow their organization to conduct various fund raising events throughout the year. The City Commission is asked to consider approving the resolution which allows the Chamber to conduct fund raising activities for a period of three-years.

Motion by McConnell second by Commissioner Swanson to approve the Clare Area Chamber of Commerce gaming license by adoption of Resolution 2017-110. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Jean McConnell, and Karla Swanson. Nays: None. Absent: Carolyn (Gus) Murphy. *Motion Carried.*

#### **I. 303 PINECREST ELECTRICAL EASEMENT**

As the City Commission is aware we have been working on the completion of the City's new 26 acre Multi-Purpose Recreational Complex. Recently we submitted an application to Consumers Energy to bring electrical service into the complex for the irrigation system and for all buildings that will be sited there (restrooms, concession stands, storage building, etc.) upon completion of the development. Consumers Energy is offering to extend this service into the complex underground at no cost to the City.

Today as part of the extension of the electrical service Consumers Energy sent us the attached Easement for Electric Facilities. We have sent the easement to Jaynie for review and she indicated that the language is standard and she views the request as being acceptable. Within my review of the easement request I asked the representative from Consumers Energy to confirm the actual easement as the drawing was less than clear. The right-of-way agent indicated that their easement is only for the utility pole that will be installed on the edge of Pinecrest and not the underground electrical line that they will be installing into the City's property.

Motion by Commissioner McConnell second by Commissioner Bonham to approve the proposed easement by adoption of Resolution 2017-111. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Jean McConnell, and Karla Swanson. Nays: None. Absent: Carolyn (Gus) Murphy. *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 City Planning Commission met on August 9th and unanimously approved the site plan application for Pioneer Golden Estates. The Commission is scheduled to meet again on August 23rd to consider a façade change proposal of Stitches for Britches.

Upcoming Events. The 11th annual US-27 Car Tour is scheduled for its traditional overnight stop in Clare on August 24th. USBR-127 and USBR-10/Fifth Street in downtown Clare will be closed overnight on the 24th and will reopen on Friday, the 25th after the Tour leaves Clare – scheduled departure time is 10am.

September Commission Meeting. The first meeting in September meeting will be held on Tuesday, September 5th vs. the 4th to commemorate Labor Day. City offices will be closed on September 4th.

Clare Area Chamber of Commerce Executive Director Position. The posting for the subject position closes today (Aug 17th); in excess of 60 applications have been received to date. A selection committee designated by the Board of Directors will start the process of reviewing the applicant pool within the week with the intent of submitting its recommendations to the Board not later than the scheduled September meeting.

Local Government Elected Official Compensation Survey. The Michigan Municipal League (MML) recently released a survey depicting the compensation received by local elected officials. As reflected in the attached survey, the elected officials in only five of the 100 communities surveyed receive no (zero) compensation for their service. Clare is one of those five – a very strong indicator that the motivation to serve in those five communities is primarily altruistic and selfless. So I use this survey as an opportunity to publicly thank all of our elected and appointed officials in the City of Clare who selflessly serve our great community without compensation and little reward other than the occasional affirmation that they are making a positive, great difference in Clare. Please know you have my utmost respect and gratitude for all you do.

Project Updates. W. Seventh Street has been reopened to local traffic. Sidewalk and asphalt work are the two primary elements remaining to complete this project. The contractor has removed the existing sidewalk and will commence pouring new within the next few days; paving will be accomplished at the same time that Beech Street and John R are paved. John R. Street has been closed except to local traffic; demo has commenced; new water main installation should commence next week. Beech Street is completed except for asphalt and driveway approaches, which will be accomplished at the same time the other streets are paved. Ann Arbor Trail water main installation is scheduled to commence next week. Airport Taxiway construction has commenced.

Out of Office. I will be out of the office Aug 21 & 22nd, return on Aug 23rd; Steve will be the Acting CM during my absence.

New Columbarium. The monument has been delivered and placed at Cherry Grove Cemetery. No sales have been made to date.

11. \*COMMUNICATIONS

*Approved By Consent Agenda.*

Blight Letter: the City issued a blight letter to Mr. Mike Jones. If no response is received within the time period prescribed in the letter, the City will ask its City Attorney to initiate enforcement actions.

Senator Emmons Update: the Senator's latest update was provided to the Commission.

12. EXTENDED PUBLIC COMMENT: None.

13. COMMISSION DISCUSSION TOPICS: None.

14. \*APPROVAL OF BILLS

*Approved By Consent Agenda.*

15. ADJOURNMENT

Motion by Commissioner Swanson second by Commissioner McConnell to adjourn the meeting. Ayes: All. Nays: None. Absent: Carolyn (Gus) Murphy. *Motion Carried.* Meeting adjourned at 6:35 p.m.

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Pat Humphrey, Mayor

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Diane Lyon, City Clerk