

## AGENDA REPORT

TO: Mayor & City Commissioners  
FROM: Ken Hibl, City Manager  
DATE: February 10, 2010  
RE: City Manager's Report



For the Agenda of February 15, 2010

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Depot Steering Committee Meeting. Due to my unanticipated need to travel out of state two weeks ago, our first depot steering committee meeting scheduled for Friday, January 29<sup>th</sup> was cancelled; the meeting is rescheduled for Wednesday, February 17<sup>th</sup>.

February Planning Commission Meeting. The February meeting was cancelled due to lack of significant business for the agenda.

MDOT Projects. We have been informed by MDOT officials of three projects that have potential impact to/for Clare:

- M115 Project. This \$7.1M project is scheduled to commence immediately following the Memorial Day Weekend with an anticipated completion date of mid-September. The project includes construction of a center turning lane in Clare from the portion of M115 from Pioneer Parkway to Grant Road; removal and replacement of existing asphalt for the length of the project (Clare to US-10, excluding portions of the roadway in Farwell); and construction of five-foot roadway shoulders. The roadway will be “flagged” during construction with established criteria for no more than ten-minute delays; no detours are planned.
- Extension of Pere-Marquette Rail Trail (PMRT). The Mt. Pleasant TSC has received an additional \$1M in stimulus funding to extend the paved portion of the PMRT from west of Farwell to Lake Station. Following completion of this paved extension, the only remaining unpaved sections of the PMRT between Midland and Reed City will be approximately 1.5 miles from Clare to the Moose Lodge and approximately 15 miles from Lake Station to Ewart (the portion of the trail between Ewart and Reed City is already paved).
- McEwan Street Repave Project. We were previously informed that MDOT intended to repave that portion of McEwan Street from the BR-127/10 (Doherty Hotel) intersection south to the round-about in 2010. The funding for this planned project has been “pulled” in Lansing, thus the project is on hold; if funds become available, MDOT intends to proceed with the project. The traffic signal upgrade and the McEwan RR Crossing projects in Clare currently remain on the scheduled MDOT project list for 2010.

Rental Rehabilitation Grant. The City applied for and received a \$250K Rental Rehabilitation Grant from MSHDA two years ago. This grant was to be used by property owners in the downtown district to rehabilitate second story apartments with the potential for property owners to receive up to \$35K in grant funds per apartment, thereby recreating a residence base in our downtown. Despite our best efforts and significant initial interest from downtown property owners, we have yet to commence our first project. The grant funds had a “sunset” of one year to initiate construction, but at our request, MSHDA provided us a one-year extension last year;

that year has come and gone, and we still haven't started a project – thus MSHDA informed us they were withdrawing the grant funds. We believe we now have a firm commitment from a downtown property owner that will take advantage of this grant opportunity, so we pleaded with MSHDA to give us another reprieve; they have done so on the condition that we must have a project commenced this summer and completed by year-end. I intend to write a personal letter to all the downtown property owners that have potential eligibility to use these grant funds in another attempt to encourage them to take advantage of the grant program. If MSHDA withdraws the grant funds from us due to our failure to use the funds, it is highly unlikely they will favorably consider any future grant requests from us under this program.

Airport Rental Hangars. The airport hangar project has been completed, and we have accepted the rental hangar building from the contractor. We will receive \$5K (\$100 per day for 50 days) in damages (*see copy of att'd letter*) from the contractor for failure to complete the project within the allotted time. Dick has already rented three of the hangars with the strong potential for at least one additional renter.

Traffic & Safety Committee Meeting. The City's Traffic & Safety Committee will meet on February 23<sup>rd</sup> to review, discuss, consider, and formulate a recommendation regarding the use of ORVs on City streets. DNR and MDOT officials have been invited to attend the meeting.

CDBG ICE Notice of Intent. The Michigan Economic Development Corporation (MEDC) has issued notice (*copy att'd*) of a requirement for eligible communities (we were not eligible in previous years but have just recently attained eligibility due to our recent ((Jan 1<sup>st</sup>)) inclusion on the state's Low/Moderate Income community list) to submit Notices of Intent (NOI) regarding any desired grant-funded projects not later than February 22<sup>nd</sup>. The City intends to submit an NOI for a Fourth Street Streetscape Project, but I am also in preliminary discussions with MEDC officials to determine whether we can utilize this grant program to fund all or a portion of moving the Clare Depot to the proposed Fourth Street location. Note: we may need to add a resolution of support for our grant application to the February 15<sup>th</sup> agenda as a result of my discussions with MEDC; if so, I will ask the City Commission to amend the agenda accordingly.

IDC Presentation. The Clare Industrial Development Corporation (IDC) has requested an opportunity to make a presentation to the Clare City Commission relating to proposed industrial expansion in the City; we have scheduled this request as an agenda item for March 1<sup>st</sup>.

Annual Report for the Hatton Township Landfill. John Holland, our WWT Superintendent, has completed the required annual report (*copy att'd*) for the Hatton Township Landfill. I've asked John to attend Monday's meeting to provide the Commission an overview/an executive summary of the report.

Attachments.

1. URS Correspondence.
2. MEDC Correspondence.
3. Hatton Township Landfill Report.



January 29, 2010  
12941630

E-mail mike@jrheineman.com

Mr. Mike Gaffke, Project Manager  
J.R. Heineman and Sons  
1224 N. Niagara Street  
Saginaw, Michigan 48602

RE: Clare Municipal Airport  
Clare, Michigan  
Completion Time

Dear Mr. Gaffke:

On Tuesday December 22, 2009 I notified you that as of December 8, 2009 the contract time had expired and work to complete this project would be subject to the Liquidated Damage Clause in this contract. This is to advise that today the project has been accepted by the City of Clare and Liquidated Damages will stop.

Since December 8, 2009 there have been 50 calendar days of damages amounting to a cost of \$5,000.

These damages shall be paid to the City of Clare by your firm, prior to issuance of final payment for the completed and accepted work. No additional payments will be made until these damages are paid and complete waivers of liens from sub contractors have been received.

Should you have any questions, please feel free to contact me.

Very truly yours,

URS Corporation,

William M. Malinowski, P.E.  
Project Manager

Cc: City of Clare  
Dick Acker, Ken Hibl (E-mail)  
MDOT-BOAFS  
Laura Wise (E-mail)



Local Government Official  
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The maximum grant award will not exceed \$750,000. Communities may request CDBG funds for grant administration. The maximum amount of CDBG funds that will be allowed for administration is the lesser of two percent (2%) of the grant amount, or \$5,000 for grants up to \$500,000, or \$10,000 for grants more than \$500,000.

Please note that federal regulations prohibit the use of CDBG funds for projects that have already started or have contractually obligated funds. All project activities or costs (both CDBG and non-CDBG) cannot have started, and/or been incurred, except for preliminary engineering cost estimates.

Submission Instructions:

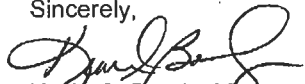
If you determine that your project is eligible and qualifies for this initiative, please complete the enclosed CDBG ICE Notice of Intent (NOI), and return the original and one copy to:

**Michigan Economic Development Corporation (MEDC)**  
CDBG Program  
300 N. Washington Square  
Lansing, Michigan 48913  
Fax (517) 373-6683

Applicants must address **all items** on the NOI to be considered for funding, and NOIs for the winter 2010 competitive round **must be received no later than close of business February 22, 2010**. The selection of award recipients is at the complete discretion of the Michigan Strategic Fund Board of Directors. Award decisions are not subject to appeal. Awards are subject to applicable state and federal policies, procedures and regulatory requirements. Award announcements are anticipated in April 2010.

The MEDC looks forward to working with you, in partnership with your community, to make this program a continued success. If you need assistance regarding the ICE program, please contact your regional Community Assistance Team member. (Attached map).

Sincerely,

  
Kevin G. Bonds, Manager  
Business and Community Services

Enclosures

ANNUAL 2009 REPORT FOR THE  
HATTON TOWNSHIP LANDFILL,  
CITY OF CLARE

January 20, 2010

# ANNUAL 2009 REPORT FOR THE HATTON TOWNSHIP LANDFILL, CITY OF CLARE

## **Introduction**

This report presents a summary of the groundwater sampling and gas monitoring of City of Clare Landfill located in Hatton Township for 2009. All activities were conducted in accordance with the State of Michigan Consent Decree dated the 1<sup>st</sup> of May 2007.

## **Groundwater Monitoring**

All monitoring wells were sampled in 2009. Access issues concerning the monitoring wells (MW16 and MW17) that were on the Shull family property were resolved. Beginning in the fall of 2007 access was granted by the Shull family to sample these wells.

All wells were sampled in accordance with the USEPA Low-Flow Groundwater Sampling Procedures. Prior to sampling, the depth to the water was measured to the top of the casing to the nearest 0.1 foot.

Field measurements of alkalinity, pH, turbidity, temperature, dissolved oxygen, TDS, conductivity, and ORP were collected during well purging to ensure each well was adequately purged prior to sampling. The data was recorded on a groundwater sampling log. Copies of the field forms are provided in Section 6. Alkalinity was measured with a field HACH kit. All other parameters were measured with an inline Horiba U-22XD monitoring system. The monitoring system was calibrated prior to use.

Groundwater samples were collected with an air powered low-flow GeoPump model 57500 submersible pump. Each well has its own designated pump and line. The pumps were controlled with a GeoPump Model 5100 electronic controller and powered by a GeoPump Model 5403 air compressor. A field blank and one duplicate set were analyzed from quality control proposes. Tables 1 and 2 present the summary of the data. Lab reports and chains of custody reports are provided in Sections 2 and 3.

Sampling events occurred in May and October of 2009. Sampling for 2009 is again anticipated for May and October of 2010.

Sampling analysis of MW16 behind the Mr. George Shull residence detected levels of 1, 4-dioxane present. Tetrahydrofuran was not detected in MW-16 in the May or October sampling events. Tetrahydrofuran was detected in the previous three sampling events. Detection of 1, 4-dioxane has been consistent in the last three sampling events.

## **Health Department Well Monitoring**

Household well monitoring was conducted by the Clare County Health Department in May and August of 2009. Mr. Ryan Olmstead of 5030 S Clare Ave. was sampled in June due to scheduling difficulties. The Mr. Robert Shull and Mr. George Shull residences were additionally sampled two additional times in June and July. The Ms. Kim Walker residence was sampled in June, July, August and September. A trace amount of diethyl ether was detected in May at the Robert Shull residence. Trace amounts of trichloroethylene were detected in May and July were also discovered at the residence, but was not detected in either the July or August sampling. In all sampling events, detectable levels of trichloroethylene were detected at the residence of Ms. Kim Walker. The level of trichloroethylene did not exceed the EPA maximum contaminant level for drinking water in any of the results for the water of Ms. Walker. Trace levels of trichloroethylene and cis-1, 2- dichloroethylene were detected in both the May and June sampling events at the George Shull residence. Levels of all chemicals did not exceed the maximum contaminant levels for drinking water. The Clare County Health Department notified all residences of the results of the sampling. Table 3 provides a summary of the sampling results.

## **Gas Monitoring**

Gas monitoring was performed with a Land Tec GEM2000 landfill gas monitor. A summary of the data is provided in Section 7. Locations for the monitoring are provided in the attachments. Gas monitoring was performed in accordance with RRD Operational Memorandum No. 4. Either soil gas monitoring wells were used or a stainless steel soil gas sampling rod was installed in the ground to monitor the soil gas. Sample locations 1 and 5 were not sampled in December because the sample wells were not able to be located due to snow levels. DEQ guidance has allowed for better sampling locations to be installed. More sample locations are proposed for the upcoming season. In the soil gas attachment enclosed maps for the spring, fall and proposed locations are all included. All locations sampled contained no abnormal amounts of methane or carbon dioxide.

## **Maintenance**

### **Landfill Vents**

Landfill vent stacks have been numbered from north to south and east to west beginning with the most northern and eastern as number 1. Stacks were cemented on grade level in April of 2008 with the exception of stacks 1, 3 and 5. Stacks 1 and 3 were found to be broken off below grade and were not cemented. In addition, stack 5 was found clogged with mud and iron sludge. After consultation with Mike Jury of the MDEQ, the City will excavate down to the broken section, repair the break and cement around the broken area. The stacks will then be cemented at grade. Stack 5 was replaced, cemented to grade and a vent added in July of 2009. The old vent stack 5 was filled with neat cement and abandoned. Stacks 6 and 7 were found to contain 2 to 2 ½ feet of standing water. These

were televised with a sewer camera and approximately 2 feet of screen was still above the water line. These were cemented to grade and no other action taken at the current time.

### **Cap Maintenance**

The cap was mowed during the 2009 summer season and will again be mowed the summer of 2010. Low areas were filled in the fall of 2007 and again in April 2008 after the wet season revealed more low areas. The City is anticipating that some low areas require filling again.

### **Fencing and Signage**

Fallen trees and limbs from the winter season were removed from the fence. The City replaced missing signs on the property line in July of 2009. A section of fence on the south west side of the landfill will be replaced in the spring of 2010.

### **Monitor Wells**

Cement around MW-18 was replaced due to excessive cracking by the frost.

Respectfully Submitted,

John E. Holland, Jr.  
Superintendent WWT  
City of Clare

January 20, 2010

cc: City Commissioners – City of Clare w/o attachments  
Ken Hibl – City of Clare w/o attachments  
Sue Matlock – Michigan Department of Environmental Quality  
Steve King – Central Michigan Health Department Clare County  
w/o health department sampling results

Table 1.  
Summary of Sampling Results May 2009

Analyte (ug/L)	Unit	MW G-130	MW M-WT	MW F-115	MW 10-90	MW E-175	MW AA-176	MW 15-135	MW N-114	MW N-155	MW AH-95	MW AD-85	MW AC-85	MW A-160	MW 16-118	MW 16-118 DUP	MW 18-135	MW C-WT	MW C-235	MW 17-100	MW O-95	Field Blank	
1,4 Dioxane	ug/L	0.004	ND	0.002	0.008	0.008	ND	0.007	0.003	0.001	0.002	ND	ND	0.006	0.003	0.003	ND	ND	ND	ND	ND	ND	ND
1,1-Dichloroethane	ug/L	ND	ND	ND	ND	ND	ND	1.1	ND	ND	1.1	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
1,2-Dichloroethane	ug/L	ND	ND	ND	ND	ND	ND	ND	ND	ND	1.2	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
1,1-Dichloroethene	ug/L	ND	ND	ND	ND	ND	ND	3.8	ND	2.5	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
cis-1,2-Dichloroethene	ug/L	ND	ND	1.3	ND	ND	ND	18	18	6.4	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Ethyl Ether	ug/L	ND	ND	ND	5.7	30	ND	5.4	ND	ND	ND	ND	ND	7.1	ND	ND	ND	ND	ND	ND	ND	ND	ND
Tetrachloroethene	ug/L	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Tetrahydrofuran	ug/L	12	ND	12	66	63	ND	24	ND	12	ND	ND	ND	32	7.9	8.6	ND	ND	ND	ND	ND	ND	ND
1,1,1-Trichloroethane	ug/L	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Trichloroethene	ug/L	ND	ND	ND	ND	ND	ND	53	430	18	6.8	110	4.8	ND	1.1	ND	ND	ND	ND	ND	ND	ND	ND
Vinyl Chloride	ug/L	ND	7.0	ND	ND	ND	ND	11.0	ND	4.6	16	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Bis(2-ethylexyl) Phthalate	ug/L	ND	ND	ND	ND	ND	ND	19	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Boron	ug/L	220	ND	280	830	1200	ND	300	210	230	250	ND	ND	380	ND	ND	ND	ND	ND	ND	ND	ND	ND
Manganese	ug/L	38	210	780	930	ND	180	83	ND	250	170	87	ND	420	98	86	ND	ND	ND	ND	ND	ND	ND
Potassium	mg/L	9.6	5.6	4.7	12	18	1.4	2.0	0.90	1.0	3.8	0.88	0.61	1.7	2.3	2.3	1.7	1.3	0.9	0.76	8.2	ND	ND
Sodium	mg/L	23	20	18	45	64	5.0	23	20	15	21	3.9	4.2	23	21	21	96	9.8	4.2	0.76	8.9	10	ND
Alkalinity, Bicarbonate	mg/L	220	310	450	410	440	380	430	290	560	310	250	34	240	340	350	230	230	34	240	3.7	ND	ND
Chloride	mg/L	50	47	24	82	87	6.2	55	41	12	33	2.3	3.0	42	56	56	180	12	1.3	41	10	ND	ND
Sulfate	mg/L	ND	13	14	5.2	2.2	0.30	0.48	9.0	ND	11.0	5.3	ND	11	11	11	32	12	ND	18	35.0	ND	ND
Nitrogen, Ammonia	mg/L	1.1	1.7	3.1	12	40	0.30	0.49	ND	ND	0.39	ND	ND	0.085	0.077	0.12	ND	ND	0.077	ND	0.19	ND	ND
Nitrogen, Nitrate + Nitrite	mg/L	ND	ND	ND	ND	0.26	ND	ND	ND	ND	1.2	0.70	ND	ND	0.53	0.58	5.0	1.2	0.11	0.96	0.54	ND	ND
Nitrogen, Inorganic	mg/L	1.1	1.7	3.1	12	40	0.30	0.49	ND	ND	0.39	1.2	0.70	ND	0.61	0.70	5.0	1.2	0.19	0.96	0.72	ND	ND

Blank  
Shull Property  
Klienthart Property

Table 2.  
Summary of Sampling Results October 2008

Analyte	Unit	MW G-130	MW M-WT	MW F-115	MW10-90	MW E-175	MW AA-176	MW15-135	MW N-114	MW N-114 DUP	MW N-155	MW AH-95	MW AD-85	MW AC-85	MW A-160	MW16-118	MW18-135	MW C-WT	MW C-235	MW17-100	MW O-95	Field Blank	
1,4 Dioxane	ug/L	0.003	ND	ND	0.006	0.005	ND	0.003	ND	ND	ND	0.003	ND	ND	0.004	0.002	ND	ND	ND	ND	ND	ND	ND
1,1-Dichloroethane	ug/L	ND	ND	ND	ND	ND	ND	1.2	ND	ND	ND	1.2	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
1,1,1-Dichloroethane	ug/L	ND	ND	ND	ND	ND	ND	3.7	ND	ND	1.5	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
cis-1,2-Dichloroethane	ug/L	ND	2.6	ND	ND	ND	ND	13	18	17	4.3	2.0	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Ethyl Ether	ug/L	ND	ND	ND	6.8	30	ND	ND	ND	ND	ND	23	ND	ND	7.7	ND	ND	ND	ND	ND	ND	ND	ND
Tetrachloroethene	ug/L	ND	ND	ND	ND	ND	ND	23	ND	ND	13	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Tetrahydrofuran	ug/L	22	8.2	ND	56	66	ND	ND	ND	ND	ND	1.1	ND	ND	27	ND	ND	ND	ND	ND	ND	ND	ND
1,1,1 Trichloroethane	ug/L	ND	ND	ND	ND	ND	ND	64	430	430	15	5.7	110	4.8	ND	ND	ND	ND	ND	ND	ND	ND	ND
Trichloroethene	ug/L	ND	ND	ND	ND	ND	ND	8.1	ND	ND	3.0	7.0	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Vinyl Chloride	ug/L	ND	9.4	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Xylene (total)	ug/L	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Bis(2-ethylhexyl) Phthalate	ug/L	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	8.2	ND	ND	ND	ND	ND
Boron	ug/L	260	150	270	870	1200	ND	390	220	230	250	480	ND	ND	490	100	ND	ND	ND	ND	ND	ND	ND
Manganese	ug/L	77	250	860	1000	ND	160	110	ND	ND	260	130	110	ND	420	2.3	1.4	4.5	0.88	0.82	9.8	ND	ND
Potassium	mg/L	2.6	3.5	4.4	13	18	1.4	2.4	1.1	1.2	1.3	3.3	1.0	0.7	2.1	2.2	39	9	4.7	7.9	11	ND	ND
Sodium	mg/L	21	19	16	46	58	4.4	29	21	21	15	29	4.2	4.3	29	340	250	210	51	280	24	ND	ND
Alkalinity, Bicarbonate	mg/L	280	370	440	430	370	340	450	420	420	290	400	310	260	480	340	250	210	51	280	24	ND	ND
Chloride	mg/L	40	33	22	67	95	6.3	51	33	34	14	44	2.5	2.9	43	55	55	3.7	1.1	16	9.9	ND	ND
Sulfate	mg/L	ND	14	6.5	4.3	1.9	ND	11	11	12	ND	1.6	8.9	5.6	ND	11	13	11	ND	19	3.6	ND	ND
Nitrogen, Ammonia	mg/L	1.5	2.1	2.6	13	40	0.39	0.77	ND	ND	0.12	0.041	ND	ND	0.37	0.081	ND	ND	0.094	0.075	0.22	ND	ND
Nitrogen, Nitrate + Nitrite	mg/L	ND	ND	ND	0.37	ND	ND	ND	0.11	0.12	ND	1.1	0.73	ND	0.68	0.68	4.1	0.68	ND	0.062	0.52	ND	ND
Nitrogen, Inorganic	mg/L	1.5	2.1	2.6	13	41	0.39	0.77	0.11	0.12	0.12	0.41	1.1	0.73	0.37	0.74	4.1	0.68	ND	0.14	0.75	ND	ND

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Shull Property  
Klienhart Property

Table 3.  
Summary of Health Dept. Sampling 2009

All results in mg/L ND = Non Detect		Kim Walker 4887 S. Clare	Robert Shull 4975 S. Clare	George Shull 4141 S. Clare
May	Trichloroethylene	Not Sampled	TRACE	TRACE
	Cis-1,2-Dichloroethylene		ND	TRACE
	Ethyl Ether		ND	ND
June	Trichloroethylene	0.001	TRACE	TRACE
	Cis-1,2-Dichloroethylene	ND	ND	TRACE
	Ethyl Ether	ND	ND	ND
July	Trichloroethylene	0.0008	ND	ND
	Cis-1,2-Dichloroethylene	ND	ND	ND
	Ethyl Ether	ND	TRACE	ND
August	Trichloroethylene	0.0006	ND	ND
	Cis-1,2-Dichloroethylene	ND	ND	ND
	Ethyl Ether	ND	ND	ND
September	Trichloroethylene	0.0006	Not Sampled	Not Sampled
	Cis-1,2-Dichloroethylene	ND		
	Ethyl Ether	ND		