

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 Bill Horwood, Pat Humphrey, John Koch, Tom Koch and Jean McConnell. Absent: None. Also present were Ken Hibl, City Manager; Steve Kingsbury, Treasurer and Finance Director; Dwayne Miedzianowski, Chief of Police; Amanda Green, Parks and Recreation Director; and Diane Schmidt, City Clerk.

2. CONSENT AGENDA:

Moved by Commissioner Tom Koch second by Commissioner John Koch to approve the items listed with an asterisk (*) (Minutes, Communications, Second Reading of Ordinance 2010-001, Board and Committee Appointments, Department Head Reports, and Approval of Bills), that are considered to be routine by the City Commission, including an amended Agenda to correct the name of the Airport Advisory Board Appointment, and exception to a Board and Committee Appointment to the Airport Advisory Board, which Commissioner John Koch requested be removed from the consent agenda. Ayes: All. Nays: None. Absent: None. *Motion Carried.*

3. *APPROVAL OF MINUTES:

Consent Agenda Approved.

4. *APPROVAL OF AGENDA:

Consent Agenda Approval as Amended.

5. PUBLIC COMMENT: - None

6. OLD BUSINESS/UNFINISHED BUSINESS:

A. *RENEWAL OF KENMARK CHRISTMAS DECORATIONS CONTRACT

Approved Adoption of Resolution 2010-026 by Consent Agenda.

B. *BOARD & COMMITTEE APPOINTMENT (CLARE MAIN STREET BOARD, DOWNTOWN DEVELOPMENT AUTHORITY, & CLARE BROWNFIELD REDEVELOPMENT AUTHORITY – MS. DAWN THOMAS & MR. BOB RUBY, JR.)

Approved Adoption of Resolution 2010-027 by Consent Agenda.

7. NEW BUSINESS:

A. RECOGNITION – MR. TYLER RODENBO

The Commission formally recognized Mr. Tyler Rodenbo for providing the concept for the City's Neighborhood Watch Program logo.

B. ADOPTION OF ORDINANCE 2010-001-AMEND CHAPTER 44 (TRAFFIC & VEHICLES) OF THE ORDINANCE CODES OF THE CITY OF CLARE

*Second reading of Ordinance 2010-001 approved by consent agenda.

Motion by Commissioner Jean McConnell second by Commissioner Bill Horwood to approve restriction of use and operation of Off-Road Recreational

Vehicles in the City, by adoption of Ordinance 2010-001 and Resolution 2010-024. Roll call vote: Yeas: Commissioners Bill Horwood, Pat Humphrey, Tom Koch, and Jean McConnell. Nays: John Koch. Absent: None. *Motion Approved.*

C. COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

The City submitted a Notice of Intent for a Community Development Block Grant for a Clare Main Street & ClareCastle Streetscape Enhancement Project. The City has been notified that the project was one of fifty selected to submit a full grant application.

Motion by Commissioner Bill Horwood second by Commissioner John Koch to open a public hearing regarding submittal of the grant application. Roll call vote: Ayes: All. Nays: None. Absent: None. *Motion Approved.*

Public Comment: Tom Koch inquired about City Park expansion. Ken Hibl explained that a greenscape will be created on the southeast corner of City Park and would include a pedestrian crossing across Fourth Street.

Motion by Commissioner Bill Horwood second by Commissioner Jean McConnell to close a public hearing regarding submittal of the grant application. Roll call vote: Ayes: All. Nays: None. Absent: None. *Motion Approved.*

Motion by Commissioner Bill Horwood second by Commissioner John Koch to facilitate the submittal of the grant application, by adoption of Resolution 2010-028, and designate City Manager, Ken Hibl, as its Certifying Officer for all activities and purposes associated with the environmental review for the Clare Main Street & ClareCastle Streetscape Enhancement Project, by adoption of Resolution 2010-029. Roll call vote: Yeas: Commissioners Bill Horwood, Pat Humphrey, John Koch, Tom Koch, and Jean McConnell. Nays: None. Absent: None. *Motion Approved.*

D. CLARECASTLE SIDEWALK PROJECT

The sidewalk reconstruction along West Fourth Street and Beech Street contiguous to the ClareCastle Project was included in our Notice of Intent submittal for the Community Development Block Grant for the ClareCastle Project. The City Commission is asked to consider authorizing the City's Sidewalk Fund to fund the construction of these sidewalks, thereby eliminating the sidewalks from the block grant while concurrently facilitating the construction of the sidewalks without affecting the developer's target date for occupancy of ClareCastle or jeopardizing the approval of the block grant.

After a brief discussion, the motion was made by Commissioner Jean McConnell second by Commissioner Bill Horwood to authorize the expenditure of funds from the Sidewalk Replacement Fund to replace the sidewalks on West Fourth Street and Beech Street, by adoption of Resolution 2010-0230. Roll call vote: Yeas: Commissioners Bill Horwood, Pat Humphrey, John Koch, Tom Koch, and Jean McConnell. Nays: None. Absent: None. *Motion Approved.*

E. BUDGET AMENDMENT – SIDEWALK FUND

The Sidewalk Replacement Fund currently has an uncommitted balance of approximately \$30K; the established target for this fund is \$10K. We proposed to the City Commission that we expend \$12K from this Fund for capital projects in the 2010/2011 budget year. Consequently, if the Commission authorized the \$8K expenditure for the ClareCastle Project now and approved the proposed \$12K capital outlay for this Fund in the 2010/2011 budget appropriation, the Fund would still retain its set target balance. The City Commission could then negotiate with or direct the DDA to reimburse the City (or not) for this expenditure upon completion of the total block grant project. The Fiscal and Budget Oversight Committee, recommended approval for the budget amendment at their meeting on Monday, April 19, 2010.

Motion by Commissioner Jean McConnell second by Commissioner Bill Horwood to approve a budget amendment for an expenditure of \$8,000 from the Sidewalk Replacement Fund, by adoption of Resolution 2010-031. Roll call vote: Yeas: Commissioners Bill Horwood, Pat Humphrey, John Koch, Tom Koch, and Jean McConnell. Nays: None. Absent: None. *Motion Approved.*

F. RENEWAL OF CONCRETE SERVICES CONTRACT

The City Staff informed the Commission during the budget workshop session of April 5th that Gallihugh & Sons of Breckenridge, Michigan, offered to “hold” their bid prices for concrete work (curb and sidewalk) the City intends to schedule for the 2010/2011 budget year.

Motion by Commissioner Jean McConnell second by Commissioner Bill Horwood to renew the concrete services proposal of Gallihugh & Sons, by adoption of Resolution 2010-032. Roll call vote: Yeas: Commissioners Bill Horwood, Pat Humphrey, John Koch, Tom Koch, and Jean McConnell. Nays: None. Absent: None. *Motion Approved.*

G. BOARD OF REVIEW COMPENSATION & APPOINTMENTS – BOARD OF REVIEW BOARD

Section 9.6 of the City Charter stipulates that the City Commission shall annually appoint and set the compensation of its Board of Review in April. An informal survey of compensation was conducted to determine whether we should ask the City Commission to consider adjusting our Board of Review’s compensation (\$13 per hour). Based on the survey results, we are in the mid-range of compensation levels and suggest that our current level of compensation not be adjusted.

Motion by Commissioner Bill Horwood second by Commissioner Jean McConnell to approve the compensation and appointments of Mr. Mr. John Kline, Mr. Jeff Panches, and Mr. Dennis Purkis to serve as members of the Board of Review, by adoption of Resolution 2010-033. Roll call vote: Yeas: Commissioners Bill Horwood, Pat Humphrey, John Koch, Tom Koch, and Jean McConnell. Nays: None. Absent: None. *Motion Approved.*

H. BOARD & COMMITTEE APPOINTMENTS – AIRPORT ADVISORY BOARD

A vacancy currently exists on the Airport Advisory Board. The Board unanimously recommends that the Clare City Commission appoint Mr. Rod Leslie to fill the vacant seat.

Motion by Commissioner John Koch second by Commissioner Bill Horwood to approve the appointment of Mr. Rod Leslie to serve as a member of the Airport Advisory Board, by adoption of Resolution 2010-035. Roll call vote: Yeas: Commissioners Bill Horwood, Pat Humphrey, John Koch, Tom Koch, and Jean McConnell. Nays: None. Absent: None. *Motion Approved.*

I. APPLICATION FOR ELIGIBILITY – FEDERAL SURPLUS PROPERTY ASSISTANCE PROGRAM

There is a Federal Surplus Supply Property Unit in Lansing that provides surplus federal property to approved applicants. The facility is a possible option or alternative to occasionally obtain surplus property for our purposes. As indicated on the required application, a Certificate of Adopted Resolution is required to attain eligibility.

Motion by Commissioner Jean McConnell second by Commissioner John Koch to approve a required resolution to facilitate application for eligibility to the Federal Surplus Property Assistance Program, by adoption of Resolution 2010-034. Roll call vote: Yeas: Commissioners Bill Horwood, Pat Humphrey, John Koch, Tom Koch, and Jean McConnell. Nays: None. Absent: None. *Motion Approved.*

8. TREASURER'S REPORT

Treasurer's report was received.

9. *DEPARTMENT HEAD REPORTS

Consent Agenda Approved.

10. CITY MANAGER'S REPORT

MDOT's Funding Situation. The Michigan economy was one of the primary topics of discussion at the Michigan Municipal League Legislative Conference; a sub-set of that topic of discussion were presentations related to the shortfall in transportation funding and the potential impact of the transportation funding shortfall – of particular concern was the need for Michigan to find the state matching funds (ranging from \$84M to \$98M annually for the next four years) needed to facilitate receiving federal highway dollars. Michigan's failure to do so will potentially result in a loss of \$2.1B of federal funding over the same time period. State transportation officials have offered a number of possible alternatives (most involve taxation) to raise needed revenues, but no decisions have been made. The general consensus of the various representatives and speakers (ranging from directors of non-profit organizations, to legislators, to state directors and staffers) at the conference were that decisions will likely not be forthcoming from the state in this election year.

Michigan Smoke Free Law. The new law goes into effect in Michigan on May 1, 2010. An informational document related to the new law is attached for the City Commission's review.

New Economy Training. The City received information related to a series of free lectures and classes being offered by the Michigan State University Extension Office related to the Michigan Prosperity Initiative. A number of the City staff will be attending the offered classes at various locations within our region. The information has been offered to our Planning Commission members, and it is being shared with the City Commission. Please inform the City Clerk if you wish to attend any of the sessions.

Plumbing & Mechanical Inspection Services. The City currently offers building and electrical inspection services for property owners and businesses within our geographical boundaries. However, we do not offer plumbing and mechanical inspection services. Anyone in Clare needing these essential services must presently rely on state inspection services in these two trades, oftentimes having to wait days (occasionally weeks) for the service. Code Enforcement Officer, Dave Williams, has been asked to initiate a dialogue with Isabella County for these services. Preliminary discussions have disclosed that Isabella County is interested in providing this service to us. We hope to provide the City Commission a possible contractual agreement with Isabella County for consideration not later than June 1st.

File of Life Distribution. There are 40 Clare High School students slated to go door-to-door delivering the Files of Life in conjunction with Clare Pride Day.

MDOT Traffic Light Updates. MDOT will begin updating the traffic lights on the corners of Witbeck and McEwan, McEwan and Fifth Street, and Fourth and McEwan. Lane closure is not expected downtown, however, it will impede parking in the downtown area. MDOT's work will occur in three phases, but there is no scheduled date for completion.

Rail-Trail. MDOT will begin planting pine trees along the rail-trail this week.

Parks & Recreation Master Plan. We received notice that the Parks and Recreation Master Plan was approved by the DNRE.

*COMMUNICATIONS:

Consent Agenda Approval.

Allocation Plan for Senior Services. The City received correspondence related to the referenced topic.

Resident Concerns. The City offered the attached correspondence to a City resident regarding a wide range of topics.

Charter Communications Correspondence. The City received a letter regarding new services provided Charter Communications.

Kudos for Round-About. The City received an email from "Joe Citizen" offering his opinion regarding the round-about on Clare's southern boundary.

Arbor Day Foundation. The City has been notified of continued designation as a Tree City USA.

Legal Correspondence. The City Attorney offered our previous Internet Service Provider notice to remove its equipment from the City water tower.

MDRNE Correspondence. We received a letter notifying us of the withholding of payment of funds for audit purposes.

11. EXTENDED PUBLIC COMMENT: None
12. COMMISSION DISCUSSION TOPICS: John Koch inquired about vacancies on the Parks and Recreation Board. Pat Humphrey announced that Board members would be appointed by the May 3, 2010 meeting. John Koch mentioned that some current members had concerns regarding changes to the Parks and Recreation agenda. Pat Humphrey offered to contact the Chair and concerned Board members. John Koch stated he would provide the Mayor a list of those members' names. Tom Koch inquired about inclusion of the Home Rule City Act in the packet. It was explained that it was part of the response to a resident's query.
13. *APPROVAL OF BILLS:
Consent Agenda Approval.
14. BUDGET WORKSHOPS: Overview of the budget process. Chief Miedzianowski and Amanda Green presented an overview of their respective portions of the budget, to include the City Police Department and Parks & Recreation.
15. ADJOURNMENT:
Motion by Commissioner Jean McConnell second by Commissioner Bill Horwood to adjourn. Ayes: All. Nays: None. Absent: None. *Motion Approved.*

Meeting adjourned at 7:41 p.m.

Pat Humphrey, Mayor

Diane Schmidt, City Clerk