

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, John Koch, Tom Koch, Jean McConnell and Pat Humphrey. Absent: None. Also present were Ken Hibel, City Manager; Steve Kingsbury, Treasurer and Finance Director; Dave Williams, Building Inspector and Code Enforcement Officer; John Holland, WWT Superintendent; and Diane Schmidt, City Clerk.

2. CONSENT AGENDA:

Moved by Commissioner John Koch second by Commissioner Bill Horwood to approve the items listed with an asterisk (\*) (Minutes, Communications, Approval of Bills and Board and Committee Appointments), that are considered to be routine by the City Commission. Ayes: All. Nays: None. Absent: None. *Motion Carried.*

3. \*APPROVAL OF MINUTES:

Consent Agenda Approved.

4. \*APPROVAL OF AMENDED AGENDA:

Consent Agenda Approval.

5. PUBLIC COMMENT: None

6. OLD BUSINESS/UNFINISHED BUSINESS:

A. BUILDING INSPECTION FEES

Recommended changes to the fee and rate schedule were presented to the Commission at the June 7<sup>th</sup> City Commission meeting. But based on questions posed and discussion at that meeting, the City Staff asked the City Commission to consider approving the overall proposed fee schedule but setting aside the proposed building permit and inspection fees to allow separate, detailed discussion of these rates; the City Commission ruled accordingly.

The City Staff has conducted a detailed review of our proposed permit and inspection fees, to include review of building and permit fee schedules of the State of Michigan, Clare County, Isabella County, the City of Midland, the City of Cadillac, and Grant Township. We found that the vast majority of our neighbors base their fee schedule on one of two methods: either by square foot or by value of the construction being performed. We completed an analysis of these two methods and used value as our primary basis for establishing a new, proposed rate and fee schedule.

Motion by Commissioner Bill Horwood second by Commissioner Jean McConnell to approve the 2010/2011 building permit fee schedule, by adoption of Resolution 2010-062. Roll call vote: Yeas: Commissioners Bill Horwood, John Koch, Tom Koch, Jean McConnell and Pat Humphrey. Nays: None. Absent: None. *Motion Approved.*

7. NEW BUSINESS:

A. PETTIT PARK SHOWER BIDS

The current #1 priority project listed within the Capital Improvement Schedule of the City of Clare Parks & Recreation Master Plan is the construction of a shower building for the campground at Pettit Park. The design work and site plan were reviewed and recommended for approval by the Parks & Recreation Advisory Board and the City Staff, which permitted consideration by the City Planning Commission. The City Planning Commission approved the proposed site plan, which allowed the City to solicit bids for the project.

After reviewing the details of the bids to ensure compliance with bid specifications, Parks and Recreation Director, Amanda Green polled the Parks & Recreation Advisory Board for their recommendations regarding the bids; the majority of the board members recommended that the City Commission approve the bids and award the work to the low bidder, JBS Contracting of Mt. Pleasant.

The City Commission directed its Fiscal & Oversight Committee to meet with the City's Parks & Recreation Advisory Board and representatives of the City Staff to review the expenditure of parks capital project funds for the period July 1, 2007 to present for the purpose of developing a recommendation of mutual agreement and understanding regarding the source of funding for said projects, namely, whether the source of funding for said projects should be provided by the General Fund in the form of an inter-fund transfer or from funds collected from the voter-approved parks improvement millage.

Until a recommendation of mutual agreement and understanding has been achieved and approved by the Clare City Commission a Notice to Proceed to construct said Pettit Park Shower Building shall not be issued.

Motion by Commissioner Jean McConnell second by Commissioner John Koch to approve the bids received for construction of the Pettit Park Shower Building and award the contract work to JBS Contracting of Mt. Pleasant, Michigan for a cost not to exceed \$48,384 but hold the notice to proceed until a mutual agreement and understanding has been achieved, by adoption of Resolution 2010-063. Roll call vote: Yeas: Commissioners Bill Horwood, John Koch, Tom Koch, Jean McConnell and Pat Humphrey. Nays: None. Absent: None. *Motion Approved.*

**B. APPROVAL OF POAM LABOR CONTRACT**

We've been conducting labor negotiations with our Police Officer Association of Michigan (POAM) bargaining unit. We reached what we believe to be a temporary impasse to those negotiations and discussed further negotiation strategy with the City Commission in closed session at the June 7<sup>th</sup> City Commission meeting. Negotiations reconvened on Thursday, June 17<sup>th</sup>. An agreement was reached at the June 17<sup>th</sup> meeting and the agreement is expected to be ready for presentation to the City Commission at the July 6<sup>th</sup> meeting. The current contract expires on June 30<sup>th</sup>; therefore, the City Commission is asked to consider approving the proposed Letter of Agreement with the Police Officer's Association of Michigan to continue the terms and conditions of the existing labor agreement between said two entities until such time a new agreement is formally approved by both parties.

Motion by Commissioner second by Commissioner John Koch to approve a Letter of Agreement with the POAM by adoption of Resolution 2010-064. Roll call vote: Yeas: Commissioners Bill Horwood, John Koch, Tom Koch, Jean McConnell and Pat Humphrey. Nays: None. Absent: None. *Motion Approved.*

**C. 2009/2010 BUDGET AMENDMENTS**

We are in the process of closing out the current budget year and have identified minor budget amendments to include. The four budget amendments were for the expenditure of funds and reimbursement from MDOT for the reconstruction of the railroad crossing on McEwan Street within the Major Streets Fund; for additional sidewalk replacements completed as part of the State Street project; a \$45 bond fee within the Public Safety Building Debt Service Fund; and for the purchase and installation of municipal computer software within the Data Processing Internal Service Fund.. The Fiscal & Oversight Committee had an opportunity to review the proposed amendments on June 21 and recommended approval by the City Commission.

Motion by Commissioner Jean McConnell second by Commissioner John Koch to approve the Fiscal Year 2009/2010 budget amendments, by adoption of Resolution 2010-069. Roll call vote: Yeas: Commissioners Bill Horwood, John Koch, Tom Koch, Jean McConnell and Pat Humphrey. Nays: None. Absent: None. *Motion Approved.*

**D. BOARD AND COMMITTEE APPOINTMENT – PERE MARQUETTE DISTRICT LIBRARY BOARD**

The Pere Marquette District Library Board is comprised of five members: one seated member representing each of the four municipal entities (Grant, Sheridan, and Vernon Townships and the City of Clare) comprising the library district and one member that serves a one –year rotational term. Each of the four municipal

entities are provided an opportunity to appoint the rotational member; our next rotation commences July 1, 2001 and ends June 30, 2011.

We received one formal application from Su Ann Sager as a result of our solicitation, and Marci Klaus, a Clare resident that previously served as a member of the City of Clare Library Board and was appointed to the Pere Marquette District Library Board when the City had its first opportunity to fill the rotational seat on the PMDL Board four years ago, reaffirmed her interest last week to serve again if the City Commission is willing to appoint her to the position.

Motion by Commissioner Tom Koch second by Commissioner Jean McConnell to appoint Ms. Su Ann Sager to serve as a member of the Pere Marquette District Library Board, by adoption of Resolution 2010-065. Roll call vote: Yeas: Commissioners Bill Horwood, John Koch, Tom Koch, Jean McConnell and Pat Humphrey. Nays: None. Absent: None. *Motion Approved.*

- E. \*BOARD & COMMITTEE APPOINTMENT – MAIN STREET BOARD, DOWNTOWN DEVELOPMENT AUTHORITY & BROWNFIELD REDEVELOPMENT AUTHORITY (DEAN DOHERTY)  
Adoption of Resolution 2010-066 Approved by Consent Agenda.
  - F. \*BOARD & COMMITTEE APPOINTMENT – CHERRY GROVE CEMETERY ADVISORY BOARD (REVEREND MARGARET VREDEVELD)  
Adoption of Resolution 2010-067 Approved by Consent Agenda.
  - G. \*BOARD & COMMITTEE APPOINTMENTS – CONSTRUCTION BOARD OF APPEALS (BOB MEISTER, GARY SEITER & BRAD MARTIN)  
Adoption of Resolution 2010-068 Approved by Consent Agenda.
- 8. TREASURER’S REPORT  
Treasurer’s report was received.
  - 9. \*DEPARTMENT REPORTS  
Consent Agenda Approval.
  - 10. CITY MANAGER’S REPORT  
*Planning Commission Meeting.* The Planning Commission will hold a special meeting on June 30<sup>th</sup> in lieu of its regularly scheduled July meeting. The purpose of the special meeting is to accommodate consideration of two site plan applications (one involving a concurrent request for zoning change) and a recommendation by the City’s Main Street Board for an ordinance change, which has been scheduled for consideration by the City Commission at the Commission’s July 6<sup>th</sup> meeting.

*Depot Project.* A purchase agreement has been negotiated for the purchase of the former CarQuest Building and submitted to the Register of Deeds for filing. The Depot Committee continues to meet monthly (most recently June 16<sup>th</sup>) and make progress on tasks related to the depot project. The committee approved a marquee/logo that will be utilized on all future marketing efforts and correspondence related to the depot. The first rendition of a 3-D architectural rendering of the depot was presented to the committee for review; initial rehabilitation cost estimates have been developed; we’ve received an estimate for moving the depot; and the first “soft” marketing efforts should commence within the next few weeks.

*Hatton Township Landfill Update.* As reflected in the attached email and spreadsheet provided by John Holland, the latest Health Department water well samplings indicate trace contamination levels of at least one drinking water well affected by the Hatton Township Landfill plume. I intend to list this matter as a discussion topic at a future meeting and provide the Commission recommendations we should take related to these latest test results.

*Candidate Listing – August Primary.* A partial listing of candidates for the August Primary Election are provided for the City Commission’s information. We (the City) are represented by officials elected in the 97<sup>th</sup> and 99<sup>th</sup> Districts. Diane has the complete candidate listing if any of the Commissioners are interested.

Automated Sound Recording Devices. At a City Commission meeting approximately three months ago, Commissioner Tom asked us to inquire regarding the availability and cost of an automated sound sensing device that is linked to a camera device for the downtown area. We checked on the query immediately following the meeting, but I have consistently failed to mention that all the sources we queried informed us that such a device is not presently available – the only automated device linked to a camera that is currently available is one to record vehicular speeds.

11. \*COMMUNICATIONS:

Consent Agenda Approval.

US Army Corps of Engineers Correspondence. We've sent a letter requesting assistance investigating the degrading ecosystem of Lake Shamrock from the U.S. Army Corps of Engineers.

Michigan Tax Tribunal Petition. The City has been notified of a pending tax tribunal case involving Alro Steel challenging the taxability of its Clare facility.

Letter from Mr. William Carlson. The City received the attached letter regarding the resignation of Bill Carlson from the Parks and Recreation Board (he is moving out of state).

Michigan Tax Tribunal Response. The City Attorney sent the attached response letter regarding the tax tribunal case involving Alro Steel challenging the taxability of its Clare facility.

12. EXTENDED PUBLIC COMMENT: Dave Williams announced that he would be conducting an inspection of the Clare Castle project on June 22, 2010, at 10:00 a.m. if any of the Commissioners were interested in touring the facility. Jean McConnell asked if any other commission members had received complaints regarding installation of the new traffic lights on the corner of McEwan and Fifth Street. All Commissioners replied that they had indeed received complaints regarding the timing of the lights. City Manager Ken Hibl announced that he has forwarded all of the complaints to the Michigan Department of Transportation as it was their decision to install the new lights (to improve traffic flow) and are responsible for setting the timing of the lights.

COMMISSION DISCUSSION TOPICS: Commissioner John Koch announced that he had attended the May 19<sup>th</sup> meeting of the Isabella County Council of Governments and Diane Schmidt attended the June 19<sup>th</sup> meeting. Topics of discussion at the May meeting were a library millage proposal which does not affect Clare City residents and a roads maintenance millage which may allot up to \$22,000 per year for the next 8 years for road improvements in the Vernon Township district of the City. Meet the candidates was the agenda item at the June meeting.

13. \*APPROVAL OF BILLS:

Consent Agenda Approval.

14. ADJOURNMENT:

Motion by Commissioner Jean McConnell second by Commissioner Tom Koch to adjourn. Ayes: All. Nays: None. Absent: None. *Motion Approved.*

Meeting adjourned at 7:08 p.m.

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Pat Humphrey, Mayor

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Diane Schmidt, City Clerk