

AGENDA REPORT

TO: Mayor & City Commissioners
FROM: Ken Hibl, City Manager
DATE: September 30, 2009
RE: *Communications

For the Agenda October 5, 2009

***Note: This is a Consent Agenda item and is considered as routine by the City Commission. As such, this matter shall be automatically enacted by one motion with all other Consent Agenda items unless a Commissioner or citizen requests this item be individually discussed, in which event it shall be removed from the Consent Agenda and considered and acted upon in its designated sequence on the approved Clare City Commission agenda of October 5, 2009.**

The following major items of correspondence were either received by or transmitted by the City since the last regularly scheduled City Commission meeting:

USDA Communications. The City forwarded the enclosed correspondence to USDA.

Tax Tribunal Communications. Correspondence regarding a potential pending case to be heard by the Michigan Tax Tribunal is attached.

MMDC Correspondence. The latest editions of weekly *MMDC Bullets* are attached for the Commission's information; please note that George Dunn, the President of MMDC retired on September 30th; a search for his replacement is in progress.

Attachments. As noted above.



CITY OF CLARE

202 West Fifth Street • Clare, Michigan 48617-1490
989/386-7541 • Fax 989/386-4508

www.cityofclare.org

September 24, 2009

CITY HALL

Ph 989/386-7541
Fx 989/386-4508
www.cityofclare.org

DEPARTMENT OF PUBLIC WORKS

Ph 989/386-2182
Fx 989/386-3445

W/WWT PLANT

Ph 989/386-2321
Fx 989/386-2387

POLICE DEPT.

Non-emergency
Ph 989/386-2121
Fx 989/386-0440

FIRE DEPT. NON-EMERGENCY

Ph 989/386-2151
Fx 989/386-3020

PARKS & RECREATION

Ph 989/386-7541
Fx 989/386-4508

AIRPORT

Ph 989/386-0445
Fx 989/386-4508

MAIN STREET MANAGER

Ph 989/386-9190
Fx 989/386-9190

Ms. Christine Maxwell
USDA Office of Rural Development
1075 Cleaver Rd.
PO Box 291
Caro MI 48723

Dear Ms. Maxwell,

As required by terms of the USDA Rural Utilities Program, a Notice of Finding of No Significant Impact (FONSI) was published in the September 11 and September 18, 2009, editions of The Clare County Review, a local, weekly newspaper publication. I have attached the FONSI newspaper tearsheets and an affidavit of publication for your record documentation.

Please contact me at any time if you have any questions or concerns.

Sincerely,

Diane Schmidt
City Clerk
City of Clare

Enclosures (3)

PROOF OF PUBLICATION

} SS

STATE OF MICHIGAN,
County of Clare

Sherry E. Landon, BEING DULY SWORN, SAYS:

I am the composition manager of the Clare County Review, a newspaper printed and published in the City of Clare, County of Clare, State of Michigan. The annexed is a copy of a Legal Notice which was published in said newspaper 2 week(s) and

ay, September 11, 2009 and Friday, Sep-

Notice of Finding of No Significant Impact

The USDA Rural Utilities Program (RDUP) has received an application for financial assistance from the City of Clare, Clare County, Michigan. As required by the National Environmental Policy Act, RDUP has assessed the potential environmental effects of the proposed project and has determined that the proposal will not have a significant effect on the human environment. An Environment Impact Statement will not be prepared.

The City of Clare Wastewater Treatment Facility (WWTF) Project proposes upgrades to the sewage lagoons to reduce ammonia nitrogen levels. Other process improvements will include: demolition of the old WWTF; replace the existing sludge drying beds; automation of ferric chloride and polymer feed system including auto fill of ferric chloride day tank; replace the existing headworks micro screens; removal of accumulated sludge from lagoon 3; seal the concrete floor in the basement that houses the UV disinfection equipment; general WWTF maintenance; WWTF electrical upgrades; SCADA System for lift stations 3, 7 & 8; Sewer System & Evaluation Study (SSES).

Copies of the Environmental Assessment are available for review at:

USDA Rural Development Area Office 1075 Cleaver Rd Caro, MI 48723	City of Clare 202 W. Fifth Street Clare, MI 48617 989-386-7541
Gourdie-Fraser 123 W. Front Street Traverse City, MI 49684 231-946-5874	

For further information concerning this Notice, contact Christine Maxwell, Area Specialist at 989-673-7588 ext. 6.

USDA is an equal opportunity provider, employer and lender. To file a complaint of discrimination, write USDA, Director, Office of Civil Rights 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 759-3272 (voice), or (202) 720-6382 (TDD).

A map of the general location of the proposal is shown below.

Sherry E Landon

to before me the 22nd day of August,

Richard Michael White

Richard Michael White
Notary Public
Wayne County, MI
Commission expires January 19, 2011



HAFELI
STARAN
HALLAHAN
& CHRIST, P.C.

Attorneys at Law

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Bloomfield Hills, Michigan 48302-2082

Main (248) 731-3080
Fax (248) 731-3081

Sean M. Mulchay
Direct (248) 731-3087
smulchay@hshclaw.com

September 23, 2009

Michigan Tax Tribunal
Ottawa Building, 2nd Floor
611 W. Ottawa Street
P.O. Box 30232
Lansing, Michigan 48909-7732

Re: *Hotel Doherty, Inc. v City of Clare*
MTT Docket No. 345569

Dear Sir/Madam:

Enclosed please find Petitioner and Respondent's Stipulated Amended Scheduling Order.

Very truly yours,



Sean M. Mulchay

SMM
Enclosure

cc: Michael B. Shapiro, Esq. (w/enc)
Client (w/enc)

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC DEVELOPMENT
MICHIGAN TAX TRIBUNAL

Hotel Doherty, Inc.,

Petitioner,

v

MTT Docket No. 345569

City of Clare,

Respondent.

STIPULATED AMENDED SCHEDULING ORDER

The parties stipulate to adjourn the dates established by previously submitted proposed scheduling orders and motions to extend, and agree to the following dates:

1. March 15, 2010 is the final date to file and serve upon the opposing party or parties an *expert* witness list, including the name, title, address and brief summary of the subject matter of the testimony of each witness.
2. March 15, 2010 is the final date to file and serve upon the opposing party or parties a list of *all other* witnesses, including the name, title, address and brief summary of the subject matter of the testimony of each witness.

A witness not disclosed in accordance with this Order will not be permitted to testify except upon a finding of good cause by the Tribunal. See TTR 283(3).

3. December 28, 2009 is the date by which valuation disclosures shall be filed with the Tribunal and exchanged between the parties.

Failure to file and exchange valuation disclosures by the above date will result in the non-complying party being placed in default. See TTR 247.

If valuation disclosures are not required, please indicate the reason:

- a. _____ This case does not involve a property tax or special assessment dispute.
- b. _____ This case involves an exemption claim under the property tax act and valuation is not in dispute.

- c. _____ This case involves the calculation of taxable value **and** the valuation of a loss or addition for purposes of calculating the taxable value is not in dispute.
- d. _____ This case involves the uncapping of taxable value **only**.
- e. _____ This case involves the formation of a special assessment district **and** the benefit to the property in relation to the cost of improvement is not in dispute.

4. February 22, 2010 is the date by which discovery shall be completed.

Discovery will not be permitted beyond this date except upon a finding of good cause by the Tribunal.

5. 30 Days Prior to Hearing is the final date to serve upon the opposing party or parties a copy of each exhibit and an exhibit index. Each exhibit **must** display the docket number, exhibit number (i.e., P1, P2, R1, R2 etc.) and page number in the upper right hand corner of **each** copy of **each** exhibit. The parties shall provide the Tribunal with copies of these documents at the beginning of the hearing.

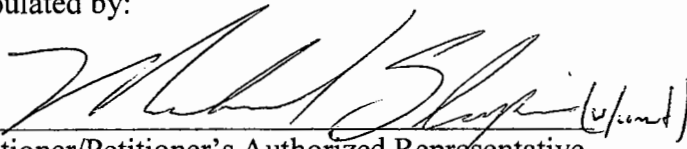
*Valuation disclosures and exhibits will **not** be admitted into evidence **unless** disclosed and furnished in accordance with this Order (even though admissible) **except** upon a finding of good cause by the Tribunal.*

6. May 29, 2009 is the final date to file MCR 2.116 (dispositive) motions.

7. 6 days is the total number of day(s) the parties estimate this hearing will require.

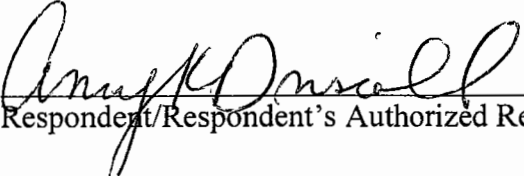
8. February 9, 2010 is the date after which the Prehearing Conference should be scheduled.

Stipulated by:



Petitioner/Petitioner's Authorized Representative

Date: 09/23/2009



Respondent/Respondent's Authorized Representative

Date: 9/22/2009

From: George Dunn [gdunn@mmdc.org]
Sent: Friday, September 18, 2009 10:35 AM
To: info@mmdc.org
Subject: MMDC Bullets for September 18, 2009

- **Harmony Nowlin, Area Manager for Consumers Energy, MMDC Board member and long-time supporter of Middle Michigan Development Corporation, has recently been named to serve on MMDC's Council - the organization comprised of the key decision-makers representing each of its clients. Welcome, Harmony, and thanks for agreeing to serve.**
- **As MMDC prepares to physically relocate its offices to the former Isabella Bank building at 200 East Broadway, Gige Snyder has been asked by the Executive Committee to coordinate the entire move. The move is expected to be complete mid to late November.**
- **Last Friday was the first session for the Clare County Leadership Institute. This is the fourth bi-annual program. There are 12 participants. Kathy Methner is the co-facilitator with Michelle Neff, MSU Extension.**
- **Methner also attended Asset Based Community Development (ABCD) training last week with Lisa Hadden, President/Mt. Pleasant Area Chamber of Commerce. This concept is being introduced in Clare County as a result of a \$55,000 grant from the USDA.**
- **Bennett has recently returned from a 3-day conference, "Michigan Works! For People". The principle focus was developing leadership skills for our new economy.**

From: George Dunn [gdunn@mmdc.org]
Sent: Wednesday, September 23, 2009 3:19 PM
To: info@mmdc.org
Subject: MMDC Bullets for September 25, 2009

I am going to take this "end of career" opportunity to use these Bullets as a personal way of saying "thank you". . .thanks to all of you who have been involved with MMDC and its efforts to grow the economic base in the Middle Michigan Region. . .thanks to those of you whom I may not personally know but receive these emailings and take more than a passing interest in what we are doing. . .thanks to those few of you who have been with the organization and me since our beginning in January of 1982 and have remained committed. . .thanks to those of you with whom I have had the privilege of working directly with over these many years. . .a special thank you to all of the folks who have worked with me in this organization throughout the years - staff and CMU interns alike. . .thanks to Gige, Carolyn, Kathy and Jamie, MMDC's current staff, for nothing short of outstanding support, commitment and dedication to the cause. . .and last a simple thanks for allowing me the privilege of living and working in and helping to grow this area - an area that Barb and I continue to call and make our home! It has been a great 28 years!

George