

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 Hibel, City Manager; Steve Kingsbury, Treasurer and Finance Director; Lori Schuh, Main Street Manager; Al Jessup, DPW Superintendent; and Diane Schmidt, City Clerk.

2. CONSENT AGENDA:

Moved by Commissioner John Koch second by Commissioner Jean McConnell to approve the items listed with an asterisk (\*) (Agenda, Revised Minutes, Communications, Second Reading of Ordinances 2011-002 and 2011-003, Board and Committee Appointment, and Accounts Payable list), 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 AGENDA:

Consent Agenda Approved.

5. PUBLIC COMMENT: None.

6. OLD BUSINESS/UNFINISHED BUSINESS: None.

7. NEW BUSINESS:

A. NOTICE OF INTENT-NEXT MICHIGAN DEVELOPMENT CORPORATION

In June of 2000 the state of Michigan instituted a Core Communities Program and designated 96 Michigan cities, six townships, and one village eligible for special incentives, most of which were not available for non-core communities (City of Clare being a non-eligible community). There was no specific criteria given for eligibility or selection, and our attempts to be added to the list were unsuccessful. In 2010 the list of Core Communities was expanded to 136 cities, two villages, six counties, and six townships to ensure representation in each of the counties in the state. This brought us closer to being recipients of the Core Communities benefits as Harrison was now added to the list, which potentially could allow us to realize some peripheral effects of the Core Communities incentives even though we could not apply directly for the Core Community incentive programs.

But in mid-January Brian Anderson, the President of the Middle Development Corporation (MMDC), informed us of another initiative of the MEDC (Michigan Economic Development Corporation) that provided for the creation of five *Next Michigan Development Corporations*. We contacted Clare County and the municipalities of Farwell and Harrison to determine their interest in applying for *Next Michigan Development Corporation* status; they indicated they would likely be interested in participating. Consequently, we contacted our City Attorney (who coincidentally is also the City Attorney for Farwell and Harrison) to develop a draft Urban Cooperation Agreement (UCA) and Brian drafted a Notice of Intent (NOI) to submit to MEDC. Brian has been communicating with MEDC representatives in an attempt to ascertain the exact requirements for the NOI and the UCA. But as this program is so new, it appears that MEDC has not yet developed their exact criteria or requirements. However, we believe that to increase our probabilities of receiving this designation, it is imperative we submit the NOI as soon as possible; we can then submit the UCA once MEDC reviews our NOI and informs us whether we qualify for *Next Michigan Development Corporation* status.

Brian Anderson attended this Commission meeting appearing before the City Commission to present information about the program and answer questions of the City Commission.

Motion by Commissioner Jean McConnell second by Commissioner John Koch to support and endorse the submission of the NOI by adoption of Resolution 2011-021. Roll call vote: Yeas: Commissioners Bill Horwood, Pat Humphrey, John

Koch, Tom Koch and Jean McConnell. Nays: None. Absent: None. *Motion Carried.*

B. INTERGOVERNMENTAL AGREEMENT-CLARE COUNTY ROAD COMMISSION & CITY OF CLARE

The City was approached by the Clare County Road Commission to determine whether we would be interested in an arrangement to trade services, specifically whether we would consider using City resources for snow removal for the streets in McNeilly Subdivision (located just north of Lake Shamrock), in return for equitable use of Clare County Road Commission equipment and resources/services. I informed the Road Commission representatives that we would certainly consider doing so, but that we would require a formal agreement for the exchange of such services to protect the interests of both of our governmental entities.

We asked our City Attorney to draft a proposed agreement. The agreement has been reviewed by our auditors and by the Clare County Road Commission; both entities have offered their agreement/concurrence. The City Commission is asked to consider approving the agreement.

NOTES:

1. The City and the County Road Commission had a “hand-shake” agreement in place for nearly two decades for a similar arrangement. We stopped the practice approximately three years ago due to potential liability issues based on our lack of a formal arrangement and rumors that the City was plowing the streets in McNeilly Subdivision as a prelude to forcibly annexing all properties within the subdivision.

City DPW Director, Al Jessup, and Ron Bushong, Manager of the Clare County Road Commission, were present at this Commission meeting to answer questions and respond to concerns of the Commission regarding the proposed agreement.

Motion by Commissioner John Koch second by Commissioner Jean McConnell to approve the proposed Intergovernmental Agreement by adoption of Resolution 2011-022. Roll call vote: Yeas: Commissioners Bill Horwood, Pat Humphrey, John Koch, Tom Koch and Jean McConnell. Nays: None. Absent: None. *Motion Carried.*

C. ORDINANCE 2011-002 (AMEND CHAPTER 22, FIRE PREVENTION & PROTECTION CODE, TO THE CURRENT ORDINANCE CODES OF THE CITY OF CLARE)

\*Second Reading: Approved by Consent Agenda.

City Staff recommend changing our current ordinance codes to adopt by reference the current International Fire Code, thereby eliminating the necessity to update our ordinance codes every time a change occurs. The attached amendment to our current ordinances is provided for the Commission’s consideration.

The Commission considered the proposed amendment, held a required public hearing, and directed a first reading of the amendment at its scheduled meeting of January 17, 2011.

Motion by Commissioner Bill Horwood second by Commissioner John Koch to adopt Ordinance 2011-002 by approval of Resolution 2011-023. Roll call vote: Yeas: Commissioners Bill Horwood, Pat Humphrey, John Koch, Tom Koch and Jean McConnell. Nays: None. Absent: None. *Motion Carried.*

D. ORDINANCE 2011-003 (AMEND CHAPTER 10, BUILDING & BUILDING REGULATIONS CODE, TO THE CURRENT ORDINANCE CODES OF THE CITY OF CLARE)

\*Second Reading: Approved by Consent Agenda.

City Staff recommends changing our current ordinance codes to adopt by reference the current Michigan Building Codes, thereby eliminating the necessity to update our ordinance codes every time a change occurs. The attached

amendment to our current ordinances is provided for the Commission's consideration.

The Commission considered the proposed amendment, held a required public hearing, and directed a first reading of the amendment at its scheduled meeting of January 17, 2011.

Motion by Commissioner Bill Horwood second by Commissioner John Koch to adopt Ordinance 2011-003 by approval of Resolution 2011-024. Roll call vote: Yeas: Commissioners Bill Horwood, Pat Humphrey, John Koch, Tom Koch and Jean McConnell. Nays: None. Absent: None. *Motion Carried.*

A. \*BOARD & COMMITTEE APPOINTMENT: ROGER WILLIAMS, CLARE MAIN STREET BOARD

Consent Agenda Approved.

8. TREASURER'S REPORT

Treasurer's Report Received.

9. MAIN STREET MANAGER'S REPORT

Main Street Manager's Report was Received.

10. CITY MANAGER'S REPORT

Planning Commission Meeting. The Planning Commission is scheduled to meet next Wednesday, February 9th. The Commission will hold a public hearing on the proposed Medical Marijuana Ordinance. A similar public hearing will tentatively be scheduled for the City Commission at its February 21<sup>st</sup> meeting.

Main Street Branding Project. In December the Michigan Main Street Office announced that it was offering all of its Selected Main Street communities (Clare is a Master Level Select Main Street Community) an opportunity to competitively apply for one of four branding projects for its Main Street Program. Consulting services for this project are valued at \$20K; there is no cost to the four selected communities for the project. We have been notified that we were selected as one of the four communities to receive these services (Niles, Grand Haven, and Boyne City being the other selected communities). An email attachment outlining the scope of the services to be received is attached.

Complete Streets. I shared with the City Commission late last year that the Michigan legislature adopted Complete Streets legislation that amends both the Michigan Transportation Fund law and the Michigan Planning Enabling Act. A bulletin provided by one of the consultants we frequently use outlines the basic parameters of the program. Al Jessup and I attended a free mini-conference on the subject two weeks ago in Bay City. It certainly appears that it will be in our absolute interest to adopt a Complete Streets Policy and Ordinance, as the writing on the wall is that future grant eligibility for street and community development projects will likely be linked to the stipulations of the Complete Streets legislation. It's our intent to start researching sample policies and ordinances other communities have adopted or are considering.

SHPO Presentation. We (Jill Sutton, Jan Winter, Larry Lewis, and Mike Phillips of MDOT) made a presentation to representatives of the State Historical Preservation Office (SHPO) in Lansing on Monday, January 24<sup>th</sup> with the purpose of requesting historical designation of the proposed relocation site for our depot. On January 28<sup>th</sup> we received informal notice via email that pending two major changes related to our proposed building lay-out, SHPO would likely provide a favorable recommendation to the U.S. Parks Service that our proposed site be approved. This is a major, positive step in our efforts to relocate and store the depot.

Hatton Township Landfill Annual Report. We have provided a copy of the annual monitoring and testing report for the Commission's information. There are not extraordinary changes from the 2009 Annual Report.

Engagement of Telecom Consulting Services. We asked Abilita, an MML-endorsed independent communications consultant, to review our current communications

(telephones & pagers) services contracts to determine whether there was any potential for cost savings. Their analysis indicates we are eligible for approximately \$9K in annual rate savings; consequently, we have engaged their services for the next three years; the cost to the City is Abilita retains 50% of all savings realized by the City. Consequently, we anticipate our bottom-line savings to be between \$4K - \$4.5K annually.

Wellhead Protection Grant. We again applied for and are the recipients of a Wellhead Protection Grant, which will allow us to continue our education program related to the importance of protecting our public drinking water source.

Streetlight Audit. Mercury vapor streetlights are being phased out. All communities will be required to work with their respective electrical service provider to develop a replacement plan for the mercury vapor lights. We have met with Consumer's Energy representatives to discuss options related to replacement of our street lights. To assist in making management and fiscal decisions regarding the replacement, Consumer's Energy will conduct a complete audit of all of our existing street lights commencing this spring. Once the audit is completed, we will develop a plan for replacement.

High Service Pump Failure. As mentioned at the December 6, 2010, January 4, 2011, and January 17<sup>th</sup> meeting, we experienced a failure of one of our high service pumps at our water treatment plant. The pump has been repaired by Peerless Midwest and is back in operation; We received the invoice for repairs (\$17,906.99), which has been included on this evenings bills list for your approval.

11. \*COMMUNICATIONS:

Thank You Booklet. Last fall city staff and Commissioner Horwood provided a tour of city offices to second grade students. We received a thank you booklet in response to that tour.

National Council of Catholic Women. We received a request from the National CCW Director to provide a letter of welcome for the national conference being held in Clare.

MSHDA Correspondence. We responded to a request for information from MSHDA to complete Grant HRF-2008-5989 documentation requirements.

Special Assessment Hearing Responses. We correspondence in response to comments and questions posed by residents at the January 17, 2011 meeting regarding Dunlop Street improvements.

Thank You Note. City staff received a thank you note from a local business owner.

Clare County Community Development Annual Report. We received Clare County Services 2010 annual report, as well as a list of County Code Enforcement Officials and their Jurisdictions.

12. \*APPROVAL OF BILLS:

Consent Agenda Approved.

13. EXTENDED PUBLIC COMMENT: None.

14. COMMISSION DISCUSSION TOPICS: Completion of the rail-trail project from Clare to Farwell.

15. ADJOURNMENT:

Motion by Commissioner Bill Horwood second by Commissioner John Koch to adjourn. Ayes: All. Nays: None. Absent: None. *Motion Carried.*

Meeting adjourned at 7:10 p.m.