

The regular meeting of the Clare City Commission was called to order by Mayor Pat Humphrey in the Commission Chambers, at 6:00 p.m., who led the Pledge of Allegiance. Present were: Commissioners John Koch, Tom Koch, Jean McConnell, and Pat Humphrey. Absent: Commissioner Bill Horwood. Also present were Ken Hibl, City Manager; Diane Schmidt, City Clerk; Steven Kingsbury, Finance Director/Treasurer; Jim Chapman, Fire Chief; Dwayne Miedzianowski, Police Chief.

2. CONSENT AGENDA:

Moved by Commissioner Tom Koch second by Commissioner John Koch to approve the items listed with an asterisk (\*) that are considered to be routine by the City Commission with the exception of removing the Parks and Recreation Department Report from the consent agenda (Minutes, Agenda, Communications, Approval of Bills, Police Department Report, Waste Water Treatment Plant Report and Department of Public Works Report). Roll call vote: Yeas: Commissioners John Koch, Jean McConnell, Tom Koch and Pat Humphrey. Nays: None. Absent: Bill Horwood. Motion approved.

3. \*APPROVAL OF MINUTES:

Consent Agenda Approval.

4. \*APPROVAL OF AGENDA:

Consent Agenda Approval.

5. PUBLIC COMMENT: - None

6. OLD BUSINESS/UNFINISHED BUSINESS: - None

7. NEW BUSINESS:

A. Recognition – Auxiliary Police Officer Robert J. Chinavare

The City Commission is asked to formally recognize the life and extraordinary community service of Mr. Robert (Bob) J. Chinavare, a highly-respected Clare-area citizen and 25-year veteran and auxiliary officer of the Clare Police Department, who regrettably passed away on Sunday, May 3, 2009. Motion by Commissioner Jean McConnell and second by Commissioner John Koch to by adoption of Resolution 2009-050. Roll call vote: Yeas: Commissioners John Koch, Jean McConnell, Tom Koch, and Pat Humphrey. Nays: None. Absent: Bill Horwood. Motion approved. The recognition plaque was accepted by his wife, Linda Chinavare.

B. Recognition – Employee Service Recognition

Motion by Commissioner Tom Koch second by Commissioner John Koch to formally recognize 30 years of faithful, dedicated public service of Mr. Harold Zastrow by adoption of Resolution 2009-051. Roll call vote: Yeas: Commissioners Tom Koch, John Koch, Jean McConnell and Pat Humphrey. Nays: None. Absent: Commissioner Bill Horwood. Motion approved. The recognition plaque was accepted by Harold Zastrow.

C. Approval of Middle Michigan Development Corporation Contract

Motion by Commissioner Jean McConnell second by Commissioner Tom Koch to adopt Resolution 2009-052. The City of Clare has enjoyed a service relationship with the Middle Michigan Development Corporation (MMDC) for approximately ten years. The City of Clare, a client of MMDC, pays \$12,500 annually for their services. One of the MMDC Board of Directors (of which we are members) actions was to direct Mr. George Dunn, the President of MMDC, to formalize the relationships with its clientele by means of formal contractual agreements. Mr. George Dunn was present to answer questions of the Commission regarding the proposed contractual agreement and/or questions related to the services provided. Mr. Jim Allen, Clare Chemical Bank President (who also serves as the Vice Chairperson for MMDC), also attended the meeting to provide information and respond to questions regarding the history of the relationship between MMDC and the City. Roll call vote: Yeas: Commissioners Tom Koch, John Koch, Jean McConnell, and Pat Humphrey. Nays: None. Absent: Commissioner Bill Horwood. Motion approved.

D. City Clerk Contract

The City Commission is asked to approve the employment contract between Ms. Diane Schmidt and the City of Clare. Motion by Commissioner Jean McConnell second by Commissioner John Koch to approve a three-year employment contract with Diane Schmidt by adoption of Resolution 2009-053. Commissioner Jean McConnell expressed concern about the time limit noted in the contract for obtaining an undergraduate degree. Commissioner John Koch expressed concern about approving six year vesting for retirement purposes versus ten year vesting, which is the vesting period of all other employees of the City. Treasurer Steve Kingsbury provided information regarding the limited financial impact six year vesting would have on the City. Roll call vote: Yeas: Commissioners Jean McConnell and Pat Humphrey. Nays: Commissioners John Koch and Tom Koch. Absent: Commissioner Bill Horwood. Motion defeated.

Motion by Commissioner John Koch second by Commissioner Jean McConnell to approve a three-year employment contract with Diane Schmidt with an amended vesting schedule changing the contract terms to ten year vesting by adoption of Resolution 2009-053. Roll call vote: Yeas: Commissioners John Koch and Tom Koch. Nays: Commissioners Jean McConnell and Pat Humphrey. Absent: Commissioner Bill Horwood. Motion defeated.

Motion by Commissioner Jean McConnell second by Commissioner Tom Koch to set aside the employment contract with Diane Schmidt to the June 01, 2009, City Commission meeting. Roll call vote: Yeas: Commissioners John Koch, Tom Koch, Jean McConnell and Pat Humphrey. Nays: None. Absent: Commissioner Bill Horwood. Motion approved.

E. Residential Solid Waste Disposal Bids

Motion by Commissioner Jean McConnell second by Commissioner John Koch to approve a Residential Solid Waste Disposal Bid from Waste Management by adoption of Resolution 2009-054. The City currently enjoys a contractual agreement with Republic Waste Services for residential waste services which expires July 31,

2009. The City received one legitimate bid from Waste Management. Republic Waste Services also submitted a bid; however, the bid was late. Republic Waste Services, Stephanie Wilson, Director of Governmental Affairs, admits that their bid was late but is appealing disqualification of their bid to the City Commission. Representative Michael Kennedy, District Manager for Waste Management voiced opinion in response to Republic Waste Services appeal to the City Commission. Roll call vote: Yeas: Commissioners John Koch, Jean McConnell, Tom Koch and Pat Humphrey. Nays: None. Absent: Bill Horwood. Motion approved.
- F. Electronic Communications Service Stipend  
Motion by Commissioner Jean McConnell second by Commissioner John Koch to approve a monthly electronic communications stipend for City Commissioners by adoption of Resolution 2009-055. The service provided by KASL is not universally available throughout the City; consequently, some of our elected officials are required to utilize their own ISP service as their primary connection to the City. A monthly stipend of \$25 per month to offset these out-of-pocket expenses, retroactive to January 1, 2009, is requested. Roll call vote: Yeas: Commissioners John Koch, Jean McConnell and Pat Humphrey. Abstained: Commissioner Tom Koch. Nays: None. Absent: Bill Horwood. Motion approved.
8. TREASURER'S REPORT  
Treasurer's report received.
9. PARKS AND RECREATION REPORT  
Parks and Recreation report received.
10. \*DEPARTMENT REPORT'S  
Consent agenda approval.
11. CITY MANAGER'S REPORT  
City Manager's report received.
12. \*COMMUNICATIONS:  
Consent Agenda Approval.
- \* MML Correspondence. We received a letter from MML related to the energy rate case we are involved with. City Manager, Ken Hibl was not able to make the trip to Lansing, so Bill Mathewson, the MML General Counsel, was asked to share with us a synopsis of the general direction we are taking on this matter and any decisions made at the May 12<sup>th</sup> meeting; he agreed to do so and offered that it would be posted on line within the next few days.
  - \* MDNR Correspondence. We received correspondence from MDNR.
  - \* Charter Communications Bankruptcy Case. We received an additional notice related to the Charter Bankruptcy case.
  - \* Wastewater Treatment Plant Project Correspondence. Miller Canfield, the City's bonding attorney, offered correspondence related to our grant/loan application to USDA. This correspondence is required to all allow USDA to proceed with consideration of our request.

- \* MMDC Bullets. We've received two bullet documents from MMDC since our last scheduled commission meeting.
- \* Insurance Correspondence – Slip & Fall Incident. Our insurance carrier has issued a letter to a claimant regarding a slip and fall incident on a City sidewalk adjacent to the Schoolcrest/McEwan pedestrian crossing intersection.
- \* Library Usage Report. The most recent Pere Marquette District Library usage report was submitted for the Commission's information.
- \* Charter Communications Correspondence. We received correspondence from Charter advising us that they will now commence charging us for cable services in our public buildings – a service that was previously provided to us for no charge.

13. EXTENDED PUBLIC COMMENT: None

14. COMMISSION DISCUSSION TOPICS: Commissioners John Koch and Tom Koch met with the Clare Northern Group to discuss Northern Group's intentions for expansion and development of property located North of City limits.

Commissioner Tom Koch opened discussion related to the City of Clare's Police Department budget in comparison to the City of Ithaca's Police Department budget.

Commissioner John Koch requested to add consideration of changing the vesting policy of the City as an agenda item for the June 1, 2009 City Commission meeting.

15. \*APPROVAL OF BILLS:  
Consent Agenda Approval.

16. BUDGET WORKSHOPS

Budget Workshops were conducted in the following areas: Fire Department Fund, remaining components of General Fund, Façade Improvement (CDBG), Hatton Township Landfill Trust Fund, Interfund Activity, Fee and Rate Schedule and Recap/Overview of 09/10 Budget.

17. ADJOURNMENT:  
Meeting adjourned at 8:48 p.m.

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Pat Humphrey, Mayor

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Diane Schmidt, City Clerk