

The regular meeting of the Clare City Commission was called to order at 6:02 p.m. in the Commission Chambers by Mayor Pat Humphrey who led the Pledge of Allegiance. Present were: Commissioners Bill Horwood, Tom Koch, and Pat Humphrey. Absent: John Koch and Jean McConnell. Also present were Ken Hibel, City Manager; Lori Schuh, Main Street Manager; and Diane Schmidt, City Clerk.

2. CONSENT AGENDA:

Moved by Commissioner Bill Horwood second by Commissioner Tom Koch to approve the items listed with an asterisk (*) (Amended Agenda, Minutes, Communications, Treasurer's Report, Approval of Bills and Board and Committee Appointments), that are considered to be routine by the City Commission. Ayes: All. Nays: None. Absent: John Koch and Jean McConnell. *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: None

7. NEW BUSINESS:

A. BID APPROVAL – WATER MAIN MATERIALS BIDS

The City's primary street project for Fiscal Year 2010/2011 is the rehabilitation of one block of East Wheaton Street and one block of Pine Street adjacent to the Clare Primary School and St. Cecelia Primary School. In preparation for that project, the City solicited bids for materials needed to upgrade and extend the water main in this two-block area. The City received only one bid – that being from Michigan Pipe & Valve of Traverse City. The City Commission is asked to approve the bids to allow us to order the needed materials to allow us to complete this project prior to commencement of the new school year.

Motion by Commissioner Tom Koch second by Commissioner Bill Horwood Jean McConnell approve the bids and award the acquisition of the water main materials to Michigan Pipe & Valve of Traverse City by adoption of Resolution 2010-073. Roll call vote: Yeas: Commissioners Bill Horwood, Tom Koch and Pat Humphrey. Nays: None. Absent: John Koch and Jean McConnell. *Motion Approved.*

B. PROPOSED ORDINANCE 2010-002 – AMEND SECTION 52-279 (SIGN ORDINANCE)

The Clare Main Street Board has recommended a change to the Downtown Design Guidelines of Chapter 52 of the Ordinance Codes of the City of Clare. The proposed change is outlined in Subsection I of Section 52-279 and allows a proportional (based on the size of the window or door) change to the size and dimensions of lettering and numbering on doors and windows in the downtown storefronts.

The Planning Commission met on June 30th and approved a recommendation of the proposed zoning ordinance change.

We have noticed the proposed ordinance change and the required public hearing to solicit comments regarding the proposed ordinance amendment; to date we have received no written comment.

Motion by Commissioner Bill Horwood second by Commissioner Tom Koch to open the required public hearing of the proposed ordinance amendment. Roll call vote: Yeas: Commissioners Bill Horwood, Tom Koch and Pat Humphrey. Nays: None. Absent: John Koch and Jean McConnell. *Motion Approved.*

Public Comment: None

Motion by Commissioner Tom Koch second by Commissioner Bill Horwood to close the required public hearing of the proposed ordinance amendment. Roll call vote: Yeas: Commissioners Bill Horwood, Tom Koch and Pat Humphrey. Nays: None. Absent: John Koch and Jean McConnell. *Motion Approved.*

Motion by Commissioner Bill Horwood second by Commissioner Tom Koch to approve a first reading of the proposed ordinance amendment. Roll call vote: Yeas: Commissioners Bill Horwood, Tom Koch and Pat Humphrey. Nays: None. Absent: John Koch and Jean McConnell. *Motion Approved.*

C. APPROVAL OF POAM LABOR CONTRACT

The City has held three negotiation sessions with its Police Officers Association of Michigan labor bargaining unit. Based on those negotiations, we have mutually agreed (contingent upon approval of the City Commission) upon the terms of a new labor contract.

The new contract sets the annual salary increases (3% for the first two years of the contract period, then a 2.5% increase) and health care benefits commensurate with that agreed upon with the City's three other bargaining units (two Teamsters bargaining units and the other police command officers bargaining unit) and adjusts the health care buy-out option to that of the plans for the other bargaining units. The agreement also formalizes current practice of allowing the officers to bid for shifts by seniority for eight months of a 12-month calendar year.

The contract is for a five-year period except that language is included for a limited re-opener for health care and salary increases effective March 30, 2013. The reason for this re-opener is that is the date of the expiration of the current Teamsters health care plan, thus we cannot currently predict whether the plan will hold, decrease, or increase in costs.

Motion by Commissioner Bill Horwood second by Commissioner Tom Koch to approve the proposed contract agreement, by adoption of Resolution 2010-071. Roll call vote: Yeas: Commissioners Bill Horwood, John Koch, Tom Koch, Jean McConnell and Pat Humphrey. Nays: None. Absent: None. *Motion Approved.*

D. *BOARD & COMMITTEE APPOINTMENT – PARKS AND RECREATION ADVISORY BOARD (JUDY BRANKEL & JOHN MERILLAT)

Adoption of Resolution 2010-072 Approved by Consent Agenda.

8. *TREASURER'S REPORT

Consent Agenda Approval.

9. *DEPARTMENT REPORTS

Consent Agenda Approval.

10. CITY MANAGER'S REPORT

MDOT Response to Speed Limit Concerns. The City again expressed its concerns related to the speed limits through downtown Clare subsequent to the fatality accident that occurred in northern Clare on USBR-127. The MDOT response is attached for the Commission's information.

MML Annual Convention. As indicated on the attached registration form, the annual convention is scheduled for September 21-24 in Dearborn, Michigan. The Commission is asked to inform Diane if you wish to attend to ensure room availability.

Accreditation of our Main Street Program. The City of Clare has received the designation as a Nationally Accredited Master Level Main Street Community.

Board & Committee Vacancies. The monthly board and committee vacancy list is attached.

Notice of Retirement. Bob Bonham announced his intention to retire December 31, 2010.

Waste Management Request for Fee Increase. The City's waste hauler has requested a 1.4% increase in fees for refuse collection.

Well #8. Well #8 cleaning has been completed and it is back up and running.

11. *COMMUNICATIONS:

Consent Agenda Approval.

Michigan Department of Energy, Labor & Economic Growth. We received the attached notice that the state has reviewed the application for a proposed plumbing and mechanical inspection agreement between the City of Clare and Isabella County. The application will go before members of the State Construction Code Commission for approval.

Notice of Public Hearing. We received the attached notice of hearing before the Michigan Public Service Commission by Consumer's Energy.

Blight Notice and Response Letter. We sent the attached blight notice to the owner of a rental property located at 802 Maple Street and received a (attached) letter in response.

Default Judgment. The City received the attached Default Judgment permitting the City to remove a mobile home destroyed by fire earlier this year.

Notice of File Closure. The City attorney sent notification that the file on the Estate of Robert Boos has been closed.

Garage Sale Signs. We received the attached letter from a City resident concerning the posting of garage sale signs in city limits.

Kudos for Bob Bonham. We received the attached note from the Clare Congregational Church thanking Bob and crew for their assistance.

12. EXTENDED PUBLIC COMMENT: None

COMMISSION DISCUSSION TOPICS: A resident of the new ClareCastle Senior Housing made unsolicited comments to Mayor Pat Humphrey stating that she "loves" living at the new complex.

13. *APPROVAL OF BILLS:

Consent Agenda Approval.

14. CLOSED SESSION – TAX TRIBUNAL STRATEGY (BRIARWOOD APARTMENTS):

Motion by Commissioner Bill Horwood second by Commissioner Tom Koch to go into closed session. Roll call vote: Yeas: Commissioners Bill Horwood, Tom Koch and Pat Humphrey. Nays: None. Absent: John Koch and Jean McConnell. *Motion Approved.*

Motion by Commissioner Tom Koch second by Commissioner Bill Horwood to go into open session. Roll call vote: Yeas: Commissioners Bill Horwood, Tom Koch and Pat Humphrey. Nays: None. Absent: John Koch and Jean McConnell. *Motion Approved.*

Motion by Commissioner Tom Koch second by Commissioner Bill Horwood directing Clare's city attorney and city manager to meet with Briarwood's attorney and developer to attempt mediation. Roll call vote: Yeas: Commissioners Bill Horwood, Tom Koch and Pat Humphrey. Nays: None. Absent: John Koch and Jean McConnell. *Motion Approved.*

15. ADJOURNMENT:

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

Meeting adjourned at 7:39 p.m.

Pat Humphrey, Mayor

Diane Schmidt, City Clerk