

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 Hibl, City Manager; Lori Schuh, Main Street Manager; Steve Kingsbury, Treasurer and Finance Director; Jim Chapman, Fire Chief; and Sarah Schumacher, Deputy City Clerk.

2. CONSENT AGENDA:

Moved by Commissioner Jean McConnell second by Commissioner Bill Horwood to approve the items listed with an asterisk (*) (Agenda, Minutes, Communications, and Approval of Bills), 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:

A. PAYMENT OF MIDDLE MICHIGAN DEVELOPMENT CORPORATION CONTRACT INVOICE.

By adoption of its Resolution 2009-052, the City Commission approved a Contract for Economic Development Services with the Middle Michigan Development Corporation (MMDC) of Mt. Pleasant. The annual invoice for services outlined in the contract was submitted to the City Commission for payment at the scheduled meeting of July 6, 2010. Payment of the invoice was challenged on the basis of a purported integrity issue and justification of actual work performed by MMDC for the City; consequently, the commission voted to remove the invoice from the submitted Payables List for detailed discussion at a future meeting.

The City is contractually obliged to make payment to MMDC unless it provides 60-day notice of termination and provides MMDC the opportunity to correct any stated default of contract. Therefore, the City Commission is asked to factually stipulate what it perceives to be the specific elements of default to facilitate the issuance of a default and termination notice or to approve payment of the invoice as required by our contractual agreement with MMDC.

To assist the City Commission in its discussion and decision regarding this matter, I have attached a partial listing of MMDC's activities as it relates to the City and in its role as a regional economic development multiplier. From the City Staff's perspective, this organization has played a key and vital function in nearly every facet of economic development success we have experienced in the past decade. And while MMDC's role remains primarily industrial economic development, that role has expanded far beyond that focus – examples include personal involvement and membership on the City's Main Street Economic Restructuring Committee and the Clare Railroad Depot Committee; taking the lead in regional entrepreneurial initiatives; acting as our representative on the East Michigan Council of Governments; acting as the city's liaison with state and federal agencies (MEDC, MSHDA, USDA, EDA); coordinating and providing ethics training to local businesses (including City of Clare employees); initiating an Assets Based Community Development (ABCD) initiative for Clare County; and its organization of two regional programs that impact our local youth: Mock Interview Day for all regional high schools and INSITEFUL, which is a summer camp for innovative youth. The City's membership on MMDC's Board of Directors provides the City a once-each-month, focused opportunity to discuss and play a role in regional economic development issues with representatives of local municipal (Farwell, Harrison, Mt. Pleasant, Clare County, Isabella County, Union Township) institutional (CMU, MMCC), financial (Isabella Bank, First Bank, Commercial Bank) other economic development agencies (Clare County

Enterprise, Clare IDC, Harrison Area EDC, Mt. Pleasant Chamber of Commerce, Mt. Pleasant IDC, Clare EDC, CMU Research Corporation, Isabella County EDC, Mt. Pleasant LDFA, Mt. Pleasant Smart Zone, and Mt. Pleasant TIFA) and numerous business entities. MMDC is locally considered a regional economic development partner – not just an economic development contract services provider.

Brian Anderson, President of MMDC, provided an informational presentation regarding services provided to the City by MMDC.

Jim Allen explained how the contractual fee for MMDC was initially set.

Motion by Commissioner Jean McConnell second by Commissioner Bill Horwood to approve the payment of the contract invoice by adoption of Resolution 2010-084. Roll call vote: Yeas: Commissioners Bill Horwood, John Koch, Jean McConnell and Pat Humphrey. Nays: Tom Koch. Absent: None. *Motion Approved.*

7. NEW BUSINESS:

A. PURCHASE OF CLARE FIRE DEPARTMENT TURN-OUT GEAR

Due to life-cycle expiration and excessive wear to a number of the turn-out sets (consisting of coat and pants) of our firefighters, the Clare Fire Department requested and the City Commission approved (with recommendation of the Fire Council) the appropriation of funds for the purchase of new turn-out gear during the 2010/2011 budget year. The Clare Fire Department is presently equipped with Janesville turn-out gear. For standardization purposes, the Department prefers to continue the use of this particular equipment. The only vendor in Michigan offering Janesville turn-out gear is Apollo Fire Equipment Company of Romeo, Michigan. The Department solicited a quotation for the purchase of seven sets of turn-out gear. The City Commission is asked to approve a sole-source purchase of this gear.

Chief Chapman provided additional information related to this purchase.

Motion by Commissioner Jean McConnell second by Commissioner Bill Horwood to approve the purchase of seven sets of firefighter turn-out gear from Apollo Fire Equipment Company for a purchase price of \$9,940 by adoption of Resolution 2010-085. Roll call vote: Yeas: Commissioners Bill Horwood, John Koch, Tom Koch, Jean McConnell and Pat Humphrey. Nays: None. Absent: None. *Motion Approved.*

B. COMMERCIAL GAS CUSTOMER CHOICE CONTRACT-VOLUNTEER ENERGY

The City has been approached by a representative of Volunteer Energy (VE), an alternative natural gas provider headquartered and incorporated in Ohio and providing commercial services to businesses and municipalities in the states of Ohio, Kentucky, Pennsylvania, and Michigan. We have been offered a Commercial Gas Customer Choice Contract for consideration by this company.

Contrary to other alternative gas providers that continuously contact us offering “fixed” rates in return for a long-term contract agreement (generally two years or longer), this service is month-to-month with the option of terminating at any time. The only consequence of termination is that we would be required to stay with our primary natural gas provider (DTE Energy) for a one-year period without the ability to choosing another alternative provider during that year.

Volunteer Energy completed an analysis of our 2009 natural gas billing indicating that we could have saved \$2,182 (11% savings) last year; a similar four-year analysis reflects we could have saved \$11,113 for the stated period with monthly savings varying from as low as 2% to as much as 34%.

Current Michigan governmental subscribers/customers of VE include Delta Township, City of Lansing, City of East Lansing, Eaton County, City of

Manistee, City of St. Johns, City of Lowell, City of Alma, City of Portland, City of Belding, City of Ionia, City of DeWitt, and the City of Mt. Pleasant.

The City Commission is asked to consider granting approval of the proposed contract with Volunteer Energy.

Motion by Commissioner Bill Horwood second by Commissioner Jean McConnell to approval to enter into the proposed agreement with Volunteer Energy by adoption of Resolution 2010-086. Roll call vote: Yeas: Commissioners Bill Horwood, Tom Koch, Jean McConnell and Pat Humphrey. Nays: John Koch. Absent: None. *Motion Approved.*

8. TREASURER'S REPORT

Treasurer's Report Received.

9. MAIN STREET REPORT

Main Street Manager's Report Received.

10. CITY MANAGER'S REPORT

Medical Marihuana Moratorium Update. As a reminder, the City Planning Commission will consider the topic of medical marihuana at its scheduled of August 11th at 6:30 p.m. We are holding the meeting at the Clare Public Safety Building due to the anticipated larger-than-normal audience. Individuals and groups that have confirmed their attendance to make presentations include representatives of the Hubbard Law Firm of Lansing; Michelle Ambrozaitis, the Clare County Prosecutor; Dr. Townsend, a state medical practitioner responsible for certification of care givers; and a representative from a medical marihuana compassion club. Both our City Attorney and I continue to encourage the City Commissioners to attend on an individual basis to listen to the information presented at this meeting as any City decisions made relative to this topic will ultimately be presented to and made by the City Commission. If the Commissioners do attend, we again remind you that you should not discuss the topic amongst yourselves except at a scheduled City Commission meeting due to the potential of an open meetings act violation. The Planning Commission will actually hold two meetings on this date: a special meeting at 5:30 p.m. to consider a zoning request change and a site plan application and then its regular meeting at 6:30 p.m. with the primary topic of discussion being medical marihuana.

August 3rd Primary Election. The City will hold primary elections on August 3rd at the Clare Public Safety Building. The polls will be open from 7am to 8pm. Sample ballots are attached for the Commission's information.

Sign Ordinance Working Group. The proposed working group, consisting of City Commissioner Bill Horwood, Planning Commissioners Darren Acton and Ben Walters, a representative of the Clare Main Street Board, local business representatives, and City Staff (Dave Williams, Bob Bonham, Lori Schuh, Diane Schmidt, and me) will tentatively meet within the next two weeks to review the City's sign ordinance and make any recommended changes to the Planning Commission for consideration.

Annual Airport Ice Cream Social. This annual event will be held at the Clare Municipal Airport on August 9th).

Progress Report – East Wheaton & Pine Street Renovation Project. Our DPW crews have finished installation of the water main and hydrants; rough grade work has been completed; curb and sidewalk work is scheduled for next week with paving tentatively scheduled for mid-August.

Touch-a-Truck Event. Ms. Rachel Brownlee, the PMDL Children's Librarian, is coordinating a Touch-a-Truck Event for youth of all ages (to include those that are simply young-at-heart) on August 11th from 4-7pm in the vicinity of City Park. The City will support the event by closing a portion of Beech Street and the Beech Street Parking Lot; closing West Fourth Street; and providing a number of City vehicles (police vehicles, DPW vehicles, and fire vehicles) for display.

Traffic Signal Concerns. The City has received numerous complaints regarding the newly installed (MDOT) traffic signals located at the intersections of Fifth Street and McEwan Street, and Fourth Street and McEwan Street. MDOT TSC Chief, Terry Palmer, did a walk-ability study with City staff on Friday, July 31, 2010, and found the new traffic signals to be confusing. Mr. Palmer has made two requests of the City; the first is to allow MDOT to do a study, turning the downtown streets into three-lane, rather than four-lane roads for a two-week period. The City is requesting feedback from travelers once the study is in place. The second request from Mr. Palmer is to provide names and telephone numbers of individuals who are dissatisfied with the new traffic signals. Therefore, the City is issuing a notice to residents requesting that they contact City Hall if they are unhappy with the new traffic signals in place.

11. *COMMUNICATIONS:

Consent Agenda Approval.

Resident Comment/Recommendation. The City received the attached recommendation from a City resident related to cemetery grave openings and foundations; we will evaluate the cost and affordability of the recommendation.

State Correspondence. The City received the enclosed correspondence related to our application to enforce mechanical and plumbing codes.

Mayoral Correspondence – City of Warren. We received the enclosed letter from Mayor Fouts of Warren, Michigan. The City Commission is asked to inform the City Staff if you wish adopt a similar resolution.

Resident Concern. Chief Chapman received the enclosed correspondence related to a neighbor dispute within the CFD fire call area.

12. APPROVAL OF BILLS:

Consent Agenda Approval.

13. EXTENDED PUBLIC COMMENT: None.

14. COMMISSION DISCUSSION TOPICS: None.

15. ADJOURNMENT:

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

Meeting adjourned at 7:10 p.m.

Pat Humphrey, Mayor

Sarah Schumacher, Deputy City Clerk