

The regular meeting of the Clare City Commission was called to order at 6:00 p.m. in the City Commission Chambers of Clare City Hall, 202 West Fifth Street, Clare, Michigan by Mayor Pat Humphrey who led with the Pledge of Allegiance. Present were: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins, Nick Loomis, and Carolyn (Gus) Murphy. Absent: None. Also, present: Jeremy Howard, City Manager; Steve Kingsbury, City Treasurer; Diane Lyon, City Clerk; Dale Clark, WWTP Superintendent; and Luke Potter, DPW Director.

2. CONSENT AGENDA:

Moved by Commissioner Murphy second by Commissioner Jenkins to approve the items listed with an asterisk (\*) (Agenda, Minutes, Communications, Professional Development, Board & Committee Appointments, and Bills) that are considered to be routine by the City Commission. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins, Nick Loomis and Carolyn (Gus) Murphy. Nays: None. Absent: None. *Motion Carried.*

3. \*APPROVAL OF MINUTES:

*Approved by Consent Agenda.*

4. \*APPROVAL OF AGENDA:

*Approved by Consent Agenda.*

5. PUBLIC COMMENT: None.

6. UNFINISHED BUSINESS: None.

7. NEW BUSINESS:

**A. QUIT CLAIM DEED-CNG TEMPORARY CONSTRUCTION EASEMENT**

In early 2014, a temporary construction easement was created in order to facilitate installation and access to a sanitary sewer traversing Clare Northern Group's property as well as creation of a permanent utility easement for the installation and maintenance of utilities. Both of these easements were recorded with Clare County.

Clare Northern Group is now in the process of developing the property on which the temporary construction easement exists and would like the city to release the deed restriction due to the fact that the temporary construction easement was only used during the construction in 2014 and is no longer necessary.

City Attorney Jaynie Hoerauf has drafted a Quit Claim Deed that effectively extinguishes the recorded temporary construction easement. The Quit Claim Deed will free up the deed restriction on the property and allow the property to be developed. The specifics of the development have not yet been made public but we will notify the Commission once a site plan is submitted to the Planning Commission for review and consideration.

Motion by Commissioner Bonham second by Commissioner Murphy to approve the Quit Claim Deed by adoption of Resolution 2021-028. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins, Nick Loomis, and Carolyn (Gus) Murphy. Nays: None. Absent: None. *Motion Carried. Motion Carried.*

**B. LAKE SHAMROCK DREDGING-EXCAVATOR PURCHASE**

The Lake Shamrock dredging project continues to move forward and the next major purchase for the project is an excavator that will be placed on the barge which will be used to physically remove the lake bottom material. The excavator is being proposed as a sole source purchase from the multi-state purchasing program Sourcewell. Sourcewell allows the city to utilize contracts that have already been bid out by Sourcewell across the country for items such as excavators. The city is then able to take advantage of often heavily discounted prices (over 40% off list price for the excavator being proposed for purchase tonight). The Sourcewell bid for the needed excavator is currently held by Alta Equipment out of Saginaw, MI. The excavator is a Volvo brand and the bid amount is \$135,083. We also looked at the option of purchasing a used excavator. Ultimately, we felt for the relatively minimal price difference it was more prudent to purchase a new excavator through Sourcewell where we would then have a full warranty as well as a piece of equipment that would last well beyond the life of the dredging process and for years to come.

The City Commission is asked to approve the bid utilizing the Sourcewell program and award the contract for the purchase of a new excavator to Alta Equipment in the amount of \$135,083.

Motion by Commissioner Murphy second by Commissioner Loomis to approve the sole source purchase of the Volvo Excavator by adoption of Resolutions 2021-029. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins, Nick Loomis, and Carolyn (Gus) Murphy. Nays: None. Absent: None. Motion Carried. *Motion Carried.*

**C. APPROVE FY2021/2022 STREET CONSTRUCTION BID AND AWARD CONTRACT**

The City recently solicited bids for the upcoming fiscal year street projects to be funded by the voter-approved street millage in Clare. The streets being proposed for work during the FY21/22 budget year are Ann Arbor Trail from Woodlawn to Grant (crush, shape, grade, two 1.5-inch lifts of asphalt), Hemlock from Schoolcrest to Wilcox (1.5-inch overlay), and Dunlop from Maple Street to the Railroad tracks (pulverize, shape, and 2.5-inch single course of asphalt). Three bids were received. The low bid was submitted by Central Asphalt, Inc. for an amount of \$171,087.06.

Motion by Commissioner Bonham second by Commissioner Murphy to approve the bids and award the bid to Central Asphalt, Inc. by adoption of Resolutions 2021-030. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins, Nick Loomis, and Carolyn (Gus) Murphy. Nays: None. Absent: None. Motion Carried. *Motion Carried.*

**D. APPROVE WATER LINE REPLACEMENT BID AND AWARD CONTRACT**

We have been continuing conversations with EGLE in relation to the 2.5 million in designated funds for the City to replace lead and galvanized services and water service lines for the city. We have already replaced all of the known fully lead services last year which were contained to the downtown district. The remaining services required to be converted are galvanized which are being replaced because of the possible small lead gooseneck sometimes used with galvanized connections. Staff have been working diligently to gather the required information to submit to EGLE to receive the funding. The final contract with EGLE will be coming to you for approval at an upcoming meeting.

The city recently let out bids to facilitate the replacement of the water lines required to be replaced. We are now bringing those bids to you for approval. The work will be fully funded by designated funds from the State of Michigan budget that EGLE has allocated to the city.

We received three bids with the low bid being from Gerber Construction from Reed City, Michigan in the amount of \$988,316. Though the city has not done any specific work with Gerber Construction, they have completed this same state required work for other municipalities. DPW Director Luke Potter called several references and all of them have stated that they would highly recommend Gerber for the work to be done in the City of Clare. The work is scheduled to commence this summer and be completed in no longer than two years.

Motion by Commissioner Murphy second by Commissioner Loomis to approve the bids and award the bid to Gerber Construction by adoption of Resolutions 2021-031. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins, Nick Loomis, and Carolyn (Gus) Murphy. Nays: None. Absent: None. Motion Carried. *Motion Carried.*

**E. LANDOWNER AGREEMENT-LITTLE TOBACCO RIVER INTERCOUNTY DRAIN PROJECT**

Fisher Contracting is completing work for the Little Tobacco River Intercounty Drain Commission on the Drain cleanout project. Fisher has requested use of city property for storage of material and supplies during the cleanout project which is expected to be completed this Fall.

As recommended by the County Drain Office a Landowner Agreement has been prepared to facilitate the use and restoration of the City property requested to be utilized by Fisher for the storage. This property is located on the dead end of East 1st Street.

DPW Director Luke Potter has reviewed the request and met with Fisher Contracting to discuss the use and the expectations for reclamation of the property and is comfortable with the agreement.

The City Commission is being asked to approve the proposed Landowner Agreement for use by Fisher Contracting in conjunction with their work on the Little Tobacco River Intercounty Drain during the approximate timeframe of April 2021 to October 2021.

Motion by Commissioner Murphy second by Commissioner Bonham to approve the Agreement with Fisher Construction by adoption of Resolutions 2021-032. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins, Nick Loomis, and Carolyn (Gus) Murphy. Nays: None. Absent: None. Motion Carried. *Motion Carried.*

**\*BOARD & COMMITTEE APPOINTMENT – DDA (MR. VINCE DEMASI)**

*\*Approved by Consent Agenda. Resolution 2021-033.*

8. TREASURER’S REPORT: *The Treasurer presented his report.*

9. CITY MANAGER’S REPORT

Lake Shamrock Dredging Project. The second major piece of equipment to purchase was on the agenda for the Commission’s consideration at tonight’s meeting. This means we are now in the process of purchasing the two main components for the dredging project. The dredging operator job posting has closed. Luke and I are in the process of reviewing applications and will be scheduling interviews in the near future to fill that position. Engineer Tony Groves and his team are currently in the process of reconfirming all of the depths in the lake because the last survey was completed in 2016. We are close to getting a term agreement worked out for hauling the spoils and for the location of the disposal site. We are still hopeful, barring any unforeseen circumstances, that we can begin dredging yet this year.

Verizon Cell Tower: We met with the Verizon representatives at Clare City Hall a week or so ago and are now waiting to hear back from them as they begin their due diligence in conducting a preliminary environmental survey and a survey of the property to determine where placement should be to suit their needs. I will keep the Commission updated on the progresses but this is likely a 2022 project for Verizon.

Sprint/T-Mobile Cell Tower on South Water Tower: Sprint/T-Mobile contacted the city recently to inform us that they will be completing work on the South Water Tower where they currently house equipment. The work will not change the current footprint or contract with them as they are simply replacing existing antennas. Hopefully this will provide updated/better service to our residents who utilize their service.

Hiring Process For City Treasurer: At the last commission meeting the City Commission requested we contact MML for recruitment services and initiate the process to locate a replacement for Steve Kingsbury as his pending retirement date is on June 25, 2021. Kathie Grinzinger runs the MML Recruitment Services team. The MML is unable to take on our search at this time as they are currently overloaded with executive level searches which means that we will need to either contract with a different recruitment company or conduct a search using our own internal resources. If we elect to utilize a recruitment company, an RFP will be necessary to bid the job out; the entire process will take a significant amount of time as we will need the Commission’s approval to complete the contractual agreement. The Commission directed the City Manager to post the position locally; on various list-serves; in publications and on head-hunter sites. The Mayor will appoint one or two Commission members to assist in the review of a narrowed list of applicants along with one or two members of city staff.

Tree Planting along Freeway/Witbeck: I recently reached out to MDOT in relation to highway noise along Witbeck Drive where it runs parallel with the freeway. In a past conversation with them they had said that they would be willing to purchase some evergreen trees to place along the freeway to help with noise reduction. Luke Potter met with Jason Potts from MDOT regarding the natural sound barrier along US-27/Witbeck Dr. and they have agreed on the purchasing of conifer trees. However, with the pandemic it has affected the tree farms as well. MDOT agreed on 100 trees, but Elm Creek could only source 48 at this time that we will buy and get reimbursed from the state. The remaining 52 will have to be purchased and planted in the fall prior to October. The trees

will be planted on the east side of the fence of Witbeck Dr. in MDOT's ROW. The trees that will be planted will be approximately 3 feet in height and will be spruce species of some sort.

Joint Meeting with Planning Commission: The City Commission and Planning Commission still need to hold their annual meeting. I would like to do this sometime before the end of our current fiscal year. I would like to know if the City Commission has any preference if they would like to invite the Planning Commission to one of your upcoming meetings, join the Planning Commission at one of their upcoming meetings, or if you would like to schedule a special meeting specifically for this discussion on an off night.

City Buildings Open to Public: City offices have been closed to the public since November 18th in order to comply with the MDHHS orders that were issued. On Tuesday, April 20th we opened all city buildings other than City Hall to the public and then on Monday, April 26th we opened up City Hall to the public again. We have not had any issues with the public and they are still required to not enter if experiencing symptoms and they are required to wear a mask and social distance as required by MDHHS and MIOSHA. The orders still do require remote work when it is possible for workers to do so, so we do have a few employees who are doing some remote work and some in office work.

10. \*COMMUNICATIONS

FOIA: The most recent FOIA requests & responses were provided for information.

Food & Clothing Distribution Notice and Other Resources: The City has received notice that drive-through mobile free food distributions are scheduled for April 30, 2021, at Mid Michigan College Harrison Campus from 9:00 am-noon; and on May 1, 2021, from 9:00 am-noon, at the Clare County Fairgrounds in Harrison. The Community of Hope Free Clothing Store is located at 2855 Cadillac Drive in Farwell, Michigan, and is open from 9 am – 4 pm every Tuesday. Additionally, information on free counseling services, senior resources, CMDHD Covid-19 vaccine distribution update, Community Based Pop-Up Rapid Antigen Testing Events and information regarding the Johnson & Johnson COVID-19 vaccine are provided in the attached bulletin.

Consumers Energy Pre-Hearing Notice: The Michigan Public Service Commission will hold a pre-hearing on May 4, 2021, at 10:00 am regarding Consumers Energy request for approval to amend its Renewable Energy Plan.

11. BUDGET WORKSHOP – PROPOSED FISCAL YEAR 2021-2022 BUDGET

The City Charter stipulates that the Clare City Commission is required to approve an operating budget for each fiscal year of the City at its first scheduled meeting in June preceding the start of each fiscal year in July. The City has traditionally conducted budget workshops to discuss the proposed annual budget prior to budget adoption. Tonight, is the first of those two workshops in order to begin discussion around the FY2021/2022 proposed budget and the FY2021/2022 recommended Capital Improvement Projects (CIP). The public notice advertising both May workshops and the June 7 budget adoption hearing have been published. These budget workshops are designed to provide the City Commission an opportunity to direct changes or amendments to the proposed budget and CIP schedule prior to the adoption of the budget at the scheduled June 7<sup>th</sup> City Commission meeting.

The Planning Commission reviewed the proposed CIP during its meeting on April 14<sup>th</sup> and has unanimously recommended to the City Commission that the projects be approved as presented.

City Manager, Jeremy Howard and Finance Director, Steve Kingsbury an overview of the budget process. DPW Director, Luke Potter along with Mr. Kingsbury provided a review of proposed Capital Improvements and the proposed operating budget for Local Street Funds, Major Street Funds, Road Millage Fund Streets Improvements, Sidewalk Replacement Fund, Mobile Equipment Fund and Water Distribution & Sewer Collection activities. WTP Supervisor, Dale Clark along with Mr. Kingsbury provided a review of proposed Capital Improvements and the proposed operating budget for the Sewer Fund, Water Fund and Landfill Activity.

This will be the last year for streets millage. Improvements include work on Ann Arbor Trail from Woodlawn to Grant; Hemlock Street from Schoolcrest to Wilcox; and Dunlop Road from Maple Street to the RR tracks. The city may wish to consider renewing the road

millage on May 2022 ballot. We will ask for the Commission's approval to place millage language on that ballot.

The City Commission already approved the new Vactor truck but we will not receive it until the 21/22 FY. The City will be working with McGuire Chevrolet on a new buy back/trade-in program for its vehicles which we believe will be a significant cost saver in the long run as vehicles are traded in on an annual basis.

We intend to purchase a new meter for landfill sampling. We have 19 test wells in the landfill area. One of the monitoring wells (15) needs to be replaced.

A new UV Disinfection System is necessary as replacement parts for the current system are no longer readily available and we are required by EGLE to treat the water prior to release into the river.

A push camera to televise sewer mains will be purchased this year as we have found it necessary to borrow them from other municipalities numerous times over the last several years. We also intend to continue with manhole rehabilitation as a means to prevent infiltration of storm water into the sewer system.

The City is the recipient of a 2.5-million-dollar grant for the purpose of improving its water distribution system. The city has approximately 200 galvanized lines which we intend to replace over the next two years.

The Water Plant painting is complete and the Commission is invited to take a tour of the facility after one of their meetings when the weather warms. 200 million gallons of water are pumped through the plant annually.

11. EXTENDED PUBLIC COMMENT: None.
12. COMMISSION DISCUSSION TOPICS: None.
13. \*APPROVAL OF BILLS: *Approved by Consent Agenda.*
14. \*PROFESSIONAL & EDUCATIONAL TRAINING OPPORTUNITIES: *Approved by Consent Agenda.*
15. ADJOURNMENT: Motion by Commissioner Bonham second by Commissioner Murphy to adjourn the meeting. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins, Nick Loomis, and Carolyn (Gus) Murphy. Nays: None. Absent: None. *Motion Carried. Motion Carried. Meeting adjourned at 7:58 p.m.*

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Pat Humphrey, Mayor

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Diane Lyon, City Clerk