

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 and Gus Murphy. Absent: Nick Loomis. Also, present: Jeremy Howard, City Manager; Shannon Sirpilla, City Treasurer; Luke Potter, DPW Director; Gary Todd, Airport Manager; David Saad, Clare City Police Chief; and Diane Lyon, City Clerk.

2. CONSENT AGENDA:

Moved by Commissioner Jenkins second by Commissioner Bonham to approve the items listed with an asterisk (*) (Agenda, Minutes, Department Reports, Communications, Professional Development, First Reading of Ordinance 2022-001, and Bills) that are considered to be routine by the City Commission. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins and Gus Murphy. Absent: Nick Loomis. Nays: None. *Motion Carried.*

3. *APPROVAL OF MINUTES:

Approved by Consent Agenda.

4. *APPROVAL OF AGENDA:

Approved by Consent Agenda.

5. PUBLIC COMMENT: Karl Hauser of Forest Avenue in Clare announced that he is running for office on the Mid Michigan College Board of Directors.

6. UNFINISHED BUSINESS: None.

7. NEW BUSINESS:

A. FIRST READING OF ORDINANCE 2022-001-MIXED USE BY RIGHT

The City has been working toward receiving Redevelopment Ready Essentials Certification (RRC) in order to be eligible to apply for certain community development grants. One of the requirements for certification is to provide flexible zoning regulations which are inviting to encourage desired development and will provide for a walkable community. One of the zoning recommendations is to allow second floor residential use by right within the Downtown Development District. Mixed use developments can increase a sense of place and spur revitalization efforts. As such, our RRC Community Planner recommends that we update our ordinance codes to allow for mixed use by right in areas of concentrated development rather than requiring a special use permit as is required within our current Codes of Ordinance. City Attorney Jaynie Hoerauf has drafted a zoning ordinance to address mixed use by right within the DDA.

Chapter 52 (Zoning) amendments first require the review and recommendation(s) of the Planning Commission prior to submittal of the proposed ordinance amendment to the City Commission. At the regularly scheduled Planning Commission meeting of June 8h, a public hearing was held regarding the proposed ordinance amendment. Following discussion among members of the Planning Commission, the Planning Commission voted to recommend approval of the proposed change by adoption of Resolution 2022-012PC.

All ordinance code changes or amendments require the approval of the Clare City Commission. And all ordinances require two readings and approval of the Clare City Commission subsequent to a public hearing. The required public notice announcing the hearing has been published. Subsequent to the conduct of the hearing, the Commission has the options of allowing a First Reading of the proposed Ordinance or denying the conduct of a First Reading, thereby rejecting the proposed ordinance.

The City Commission is asked to conduct the required public hearing, consider and discuss the proposed new ordinance, and direct a First Reading of that proposed Ordinance.

Motion by Commissioner Bonham second by Commissioner Murphy to open the public hearing. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins and Carolyn (Gus) Murphy. Absent: Nick Loomis. Nays: None. *Motion Carried.*

Public Comment: Airport Manager Gary Todd inquired as to whether our current Codes of Ordinance provide for second floor residential.

The current Codes of Ordinance allow for second floor residential by Special Use Permit which requires the approval by the Planning Commission. The proposed Ordinance amendment will provide for second floor residential use by right, thus the property owner would not be required to submit a Special Use Permit to the Planning Commission for approval however, all building, mechanical and electrical permits are still required and all building and fire safety codes must be met.

Motion by Commissioner Bonham second by Commissioner Murphy to close the public hearing. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins and Carolyn (Gus) Murphy. Absent: Nick Loomis. Nays: None. *Motion Carried.*

B. PRIVATE WELL PERMIT REQUEST

The City has received a request from Ms. Susan Atwood to drill a private well at 424 Forest Avenue for purposes other than human consumption (irrigation).

Section 46-312 of the Ordinance Codes of the City of Clare mandates that a permit must be issued/approved by the City Commission.

Ms. Atwood's residence is outside the City's wellhead protection area.

Motion by Commissioner Murphy second by Commissioner Jenkins to approve the private well request application by adoption of Resolution 2022-055. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins and Carolyn (Gus) Murphy. Nays: None. Absent: Nick Loomis. *Motion Carried.*

C. INTERGOVERNMENTAL AGREEMENT-CLARE PUBLIC SCHOOLS LIAISON OFFICER

Our current letter agreement with Clare Public Schools for the School Liaison Officer expires on June 30, 2022. Consequently, City Staff has negotiated the terms of the Agreement with the CPS Superintendent to continue this critical position. The Superintendent will submit the proposed Agreement to CPS Board for consideration at its June meeting. The City Commission is asked to similarly consider and approve the agreement.

Motion by Commissioner Bonham second by Commissioner Murphy to approve the intergovernmental agreement with Clare Public Schools by adoption of Resolution 2022-056. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins and Gus Murphy. Absent: Nick Loomis. Nays: None. *Motion Carried.*

D. APPROVE FY22/23 STREETS CONSTRUCTION BIDS 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 FY22/23 budget year are the 200 block of East 4th Street (Complete Reconstruct – water line relocation, curb, gutter, sidewalk, new base, and 2 courses of inch and half lifts of asphalt) and Schoolcrest from McEwan to Hemlock (thin overlay). Four bids were received at the bid opening. The low bid was submitted by McGuirk Sand & Gravel for an amount of \$226,392.80.

Commissioner Bonham suggested bidding out separately for streets when one is for a full reconstruct and one is for a thin overlay to save money; DPW can contract with the asphalt company directly to complete thin overlays rather than paying a contractor's fee since the contractor will simply subcontract the work out to the asphalt company to complete the thin overlay.

Motion by Commissioner Bonham second by Commissioner Jenkins to approve the bids and award the contract to McGuirk Sand & Gravel by adoption of Resolution 2022-057. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins and Gus Murphy. Absent: Nick Loomis. Nays: None. *Motion Carried.*

E. APPROVE CITY HALL WINDOW REPLACEMENT BID AND AWARD CONTRACT

The City recently solicited bids for the replacement of the remaining windows that need to be updated at City Hall. The last time some of the windows were replaced was in 2006. Money has been designated for many years to complete the project, but ultimately funding was not available each year. We now have some funds to be able to convert all of the remaining windows over to much more efficient double pane, double hung, energy efficient windows. These new windows will replace the aging and well past useful life windows that are currently in place. These old windows are very inefficient and also constantly leak when it rains. The replacement should also help us with our heating costs hopefully.

Last year we removed the “blue” panels from the south side of the building which exposed the original brick. When the windows are replaced, we will be removing the old aluminum frames, which are not original to the building and restoring the look of the original building and exposing the original sills again as we did for the windows that have already been replaced. The bid that was solicited was just for the windows as we will be utilizing in house labor to save a significant cost for labor and installation.

Two bids were received at the bid opening. The low bid was submitted by Seiter Brothers Lumber for an amount of \$9,614.68.

The City Commission is asked to approve the low bid amount of \$9,614.68 and award the work to Seiter Brothers Lumber.

Motion by Commissioner Murphy second by Commissioner Jenkins to approve the bids and award the contract to Seiter Brothers Lumber by adoption of Resolution 2022-058. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins and Gus Murphy. Absent: Nick Loomis. Nays: None. *Motion Carried.*

F. AUTHORIZE PUBLIC DISTRIBUTION OF MASTER PLAN & APPROVAL AUTHORITY

With the assistance of McKenna Associates, the City of Clare Planning Commission has spent the past nine months updating the City’s Comprehensive Master Plan and the City’s Future Land Use Map. The process included focus group discussions, public hearings, and in-depth discussions amongst the Planning Commission members, the City Staff, and planners from McKenna Associates. The end result is a new draft Plan and Future Land Use Map.

To complete the process of updating the City’s Master Plan, the City Commission is required to authorize distribution of the draft Plan and Land Use Map to all surrounding and affected governmental bodies (Clare and Isabella County, all surrounding municipalities and townships, local schools and universities, libraries, etc.) for review and comment. The Zoning & Enabling Act allows 42 (calendar) days for comment, at which time the Planning Commission is provided an opportunity to review all comments received and incorporate those comments into the Plan or reject them. The Plan can then be approved.

The Master Plan is typically prepared by and approved by the City Planning Commission. However, there is a provision of the Michigan Zoning & Enabling Act that allows the governing body to withhold the approval authority unto itself. Our current Master Plan was approved by our Planning Commission.

The City Commission is asked to authorize the distribution of the revised Master Plan and Future Land Use Map and concurrently decide whether it desires to withhold approval authority of the Plan unto itself or allow the Planning Commission to be the approval authority of the Plan and Map.

Motion by Commissioner Murphy second by Commissioner Bonham to authorize distribution of the city’s draft Master Plan and relinquish approval authority to the city’s Planning Commission by adoption of Resolution 2022-059. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins and Gus Murphy. Absent: Nick Loomis. Nays: None. *Motion Carried.*

G. APPROVE FY21/22 YEAR-END BUDGET ADJUSTMENTS

State Law requires that a budget of the revenues and expenditures of a municipality be annually approved for its general and special revenue funds prior to the beginning of the fiscal year and that amendments to said budget be presented for review when/as required. The Clare City Commission approved the fiscal year 2021/2022 budget on June 7, 2021 and has amended the budget as needed throughout the year. However, there remains some additional "housekeeping" type budget amendments to be considered for approval by the City Commission.

Motion by Commissioner Jenkins second by Commissioner Murphy to approve the budget amendments by adoption of Resolution 2022-060. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins and Gus Murphy. Absent: Nick Loomis. Nays: None. *Motion Carried.*

8. TREASURER'S REPORT: The Treasurer provided a report to the Commission.

9. *DEPARTMENT REPORTS: *Approved by Consent Agenda.*

10. CITY MANAGER'S REPORT

DDA and LDFA Meetings. The city recently conducted the first of the annual mandated public meetings for both of these boards. Both meetings went well and were held in person at City Hall. We will hold the second required annual meeting for both of these boards this fall.

Planning Commission/Master Plan. The Planning Commission met on June 8, 2022 and approved the façade update for 609 North McEwan Street (Ideal Theater). They also recommended approval of Ordinance 2022-001 for DDA 2nd floor mixed use by right that you will act on Monday, June 20, 2022. The Master Plan draft document was approved and recommended to be forwarded to the City Commission for Public Distribution as well which you will see on Monday the 20th as well.

Brookwood Park/Imagination Gateway. If you haven't had a chance to drive by recently you might not have noticed that we took down the aging wooden fence in front of the playground. It had served its purpose past its useful life and was no longer safe as it was falling apart. It has been removed. We also updated the basketball backboards at the small concrete area next to the playground with new backboards and nets.

Water Line Replacements (Lead/Copper/Galvanized). This project is well on its way and will continue through the summer. Many of the locations that have had sidewalk or yards torn up are supposed to be being repaired by a crew starting the week of the 19th.

Little Tobacco Drain Project. Unfortunately, the 5th Street bridge portion of this project has been subject to some recent delays due to recent rain events, a 3-week delay in the delivery of the box culvert for the bridge, and also the delay in the start of the project as the detour had to wait until 4th street was paved. Originally the contract had a completion date of the middle of June, but it now appears it will not be complete until the end of June.

Lake Shamrock Dredging Project. We were able to dredge for a couple of days in June as our permit allowed us to start up again after fish spawning. However, our permitted spoils location where we had been taking the spoils is now no longer available to us. This therefore has paused active dredging again as we continue to work with EGLE on permits for other sites for the spoils to be transported to. We are continuing to meet with our engineers and are hoping that the permits can be submitted again as EGLE is requesting and we can get approval quickly. In the mean time we continue to meet with engineers and hydraulic dredging companies that will potentially be able to partner with us to expand the project and utilize the expanded funding that we recently received.

Summer Concert Series. The 2022 Summer Concert Series in Shamrock Park continues with good crowds at Shamrock Park and runs through the summer every Thursday night from 6-8.

Summerfest. The 2022 Clare Summerfest is the week of June 20th through June 26th. There will be lots of great events throughout the community the entire week.

11. *COMMUNICATIONS: *Approved by Consent Agenda.*

12. EXTENDED PUBLIC COMMENT: None.
13. COMMISSION DISCUSSION TOPICS: The ADA ramp at City Hall needs to be replaced. Commissioners noted that the owners of Gateway Village have commenced clean-up of brush and dead trees on their property.
14. *APPROVAL OF BILLS: *Approved by Consent Agenda.*
15. *PROFESSIONAL & EDUCATIONAL TRAINING OPPORTUNITIES: *Approved by Consent Agenda.*
16. ADJOURNMENT: Motion by Commissioner Murphy second by Commissioner Bonham to adjourn the meeting. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins and Carolyn (Gus) Murphy. Absent: Nick Loomis. Nays: None. *Motion Carried.* Meeting adjourned at 6:32 p.m.

Pat Humphrey, Mayor

Diane Lyon, City Clerk