

The regular meeting of the Clare City Planning Commission was called to order in the City Commission Chambers, at 6:30 p.m. by Chair John Kline who led the Pledge of Allegiance. Present were: Commissioners Darren Acton, Steve Barnes, Glenda Carmoney, Josh Clark, Angie Cozat, John Kline, Jan Winter and Nick Wyman. Absent: Elaine Demasi who subsequently arrived at 6:32. Also present were Ken Hibl, City Manager; and Diane Lyon, City Clerk.

APPROVAL OF MINUTES:

Moved by Commissioner Barnes second by Commissioner Clark to approve the minutes of the previous meeting. Ayes: All. Nays: None. Absent: None. *Motion approved.*

APPROVAL OF AGENDA:

Moved by Commissioner Acton second by Commissioner Wyman to approve the agenda. Ayes: All. Nays: None. Absent: None. *Motion approved.*

PUBLIC COMMENT: None.

UNFINISHED BUSINESS: None

NEW BUSINESS:

SITE PLAN REVIEW-COYNE OIL 499 WEST FIFTH STREET

The City has received a site plan application from Coyne Oil (copy attached) for the construction of a 3,478 square six truck bay building at 509 West Fifth Street in Clare next to their existing facility (refer to the attached plans).

The Clare City Staff has held a site plan review of the proposal on June 25th and determined that the proposed construction meets all of the City's zoning and building requirements.

The City has published a public notice of the site plan proposal. As of today we have received no comment related to the construction of the proposed building.

The Planning Commission is the approval authority of this proposed site plan.

Mark Coyne was present to answer questions about the site plan.

Commissioner Barnes asked if there were plans to add shrubbery or trees in front of the tank holding area.

Mr. Coyne explained that they try to keep the area as maintenance free as possible and that tanks that are showing wear will be sent out to a company for painting and won't come back to the lot.

Moved by Commissioner Acton second by Commissioner Winter to open a public hearing. Voice Vote, Ayes: Commissioners Darren Acton, Steve Barnes, Josh Clark, John Kline, Glenda Carmoney, Angie Cozat, Elaine Demasi, Jan Winter and Nick Wyman. Nays: None. Absent: None. *Motion approved.*

Public Comment: None.

Moved by Commissioner Winter second by Commissioner Clark to close the public hearing. Voice Vote, Ayes: Commissioners Darren Acton, Steve Barnes, Josh Clark, John Kline, Glenda Carmoney, Angie Cozat, Elaine Demasi, Jan Winter and Nick Wyman. Nays: None. Absent: None. *Motion approved.*

Moved by Commissioner Demasi second by Commissioner Winter to approve the site plan by adoption of Resolution 2015-017PC. Roll Call Vote: Ayes: Commissioners Darren Acton, Steve Barnes, Josh Clark, John Kline, Glenda Carmoney, Angie Cozat, Elaine Demasi, Jan Winter and Nick Wyman. Nays: None. Absent: None. *Motion approved.*

ORDINANCE 2015-004 (ZONING CHANGE-FARM ANIMALS EXCEPT CHICKENS AND DUCKS)

Michigan's Right to Farm Act has recently changed in regard to allowing or precluding farm animals within a zoned community. As a result of the recent change, it is necessary to amend our ordinance codes to preclude the keeping of farm animals (except chickens and ducks) in our R-1 zoning districts. The Planning Commission is asked to consider the proposed amendment, which is outlined in Ordinance 2015-004, and provide a recommendation(s) to the City Commission regarding the proposed change.

All ordinance code changes or amendments require the approval of the Clare City Commission. 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. A public hearing is required prior to the review and consideration of the proposed amendment of both the Planning Commission and the City Commission.

The Planning Commission is asked to conduct the required public hearing and subsequently review, consider, and make a formal recommendation(s) pertaining to the proposed Ordinance 2015-004.

Moved by Commissioner Barnes second by Commissioner Carmony to open a public hearing. Roll Call Vote: Ayes: Commissioners Darren Acton, Steve Barnes, Glenda Carmony, Josh Clark, Angie Cozat, Elaine Demasi, John Kline, Jan Winter and Nick Wyman. Nays: None. Absent: None. *Motion approved.*

PUBLIC COMMENT: None.

Moved by Commissioner Demasi second by Commissioner Winter to close the public hearing. Roll Call Vote: Ayes: Commissioners Darren Acton, Steve Barnes, Glenda Carmony, Josh Clark, Angie Cozat, Elaine Demasi, John Kline, Jan Winter and Nick Wyman. Nays: None. Absent: None. *Motion approved.*

Moved by Commissioner Barnes second by Commissioner Acton to approve proposed Ordinance amendment 2015-004 by adoption of Resolution 2014-018PC. Roll Call Vote: Ayes: Commissioners Darren Acton, Steve Barnes, Glenda Carmony, Josh Clark, Angie Cozat, Elaine Demasi, John Kline, Jan Winter and Nick Wyman. Nays: None. Absent: None. *Motion approved.*

INFORMATIONAL ITEMS

Clare RR Depot. The basement concrete is poured; window wells are in; and basement stairs have been installed. An inquiry has been made and we may receive tile flooring for free from Azrock. Siding and maple doors will be installed on the face (north side) of the depot to provide a more appealing, finished look to the structure and demonstrate progress to the community.

The Michigan Council for Arts and Cultural Affairs informed us that we were eligible to apply for a second grant even though we still have the first grant open. The deadline for application was June 1 and the grant was submitted on that date. The intent was to apply for funding to complete enough of the upstairs portion of the building so that we can open it up for the Clare County Arts Council and public use. We do not expect to hear whether we've been approved on the second grant application until mid-August.

Tom Anderson, Mayor Pro Tem of North Muskegon and a conductor with the Coopersville and Marne Railway located in Coopersville, has notified us of an intact, historical, wooden caboose available for sale for \$9000.00. It is available with a panel track and just needs some cosmetic work. They also have a non-working steam locomotive with tender for sale. Mr. Anderson confirmed a date of Saturday, Jul 11th around noon for several Depot Committee members to visit and inspect the equipment. They will have a number of their railroad people there to meet with us and give us the grand tour.

Industrial Park Update. The first load of steel for the water tower (base and a few stem components) was delivered on May 27th; construction of the tower has commenced. Installation of all public utilities (electric, telephone, cable, data, and natural gas) is nearing completion (only natural gas remains to be completed). Consumers Energy Parkway has been completed and is open for traffic – nice road! The Clare IDC endorsed the decision to extend Consumers Energy Parkway to the western limits of the new industrial park, thereby eliminating the cul-de-sac/turn-around that was included in the original roadway design and providing an alternate thru-way for commercial and industrial park traffic similar to the existing roadway system in our southern industrial park. We have received approval from the EDA to make this change. Public water is now available in the park; as soon as Consumers Energy “electrifies” our new sanitary pumping station, sanitary sewer will be available.

Colonville Road. Construction on the roadway has been completed.

Meeting of Engineers. The City hosted a meeting on May 27th to discuss future transportation planning in light of the anticipated development in the City’s north district. Twelve engineers representing five different entities attended. While no specific decisions or commitments were made, significant idea and information sharing was accomplished with MDOT agreeing in principle to complete some preliminary designs and cost estimates.

Zoning Board of Appeals. The Clare ZBA met on May 12th and unanimously approved a setback variance request to build front deck for the residence at 208 John R Street.

Downtown Façade Grant Update. Our environmental review has been successfully completed with findings of no adverse impact; we received the review from the State Historic Preservation Office (SHPO) in near-record time (usually takes three to four months; we received the results in a month from the date of submittal). Our preliminary application was submitted and accepted by MEDC. The City’s required local match for the façade project is \$10K. We’ve received the award of a grant from the Clare County Community Foundation in the amount of \$6,000 and an additional \$4,000 has been provided to the City from a designated endowment fund of the Foundation to cover the local match portion.

Midland Area, Clare and Gladwin Community Foundation. We were notified that Melissa Kesterson has recently joined the Midland Area, Clare County and Gladwin County Community Foundations as their new Program Officer. Ms. Kesterson started her duties of managing all grant making activities and completing post-award analysis of community impact for the foundations on June 8th.

Blighted/Dangerous Structure Communications. The City sent letters to the owners of blighted structures at 1602 N. McEwan, 203 East Fifth Street and 207 West Third Street in the City; there will be more in future weeks/months.

Parks and Recreation 5-year Master Plan. The Parks and Recreation Department is working on an update of the 5-year Master Plan for Parks and Recreation. A survey was recently designed and is available at City Hall, the Pere Marquette District Library and online and will go out in a mailing sometime this summer. Over the next few months the department will be updating the remaining plan contents.

Recreation Complex. The new Recreation Complex Project now has designated funding and development phases; The Parks and Recreation Advisory Board and city staff are currently looking for grants and fundraising opportunities that can be used towards the development of the park. The Recreation Advisory Committee has made a recommendation to the City Commission that the City bond the first phase of the project; the City Commission has approved the recommendation in principle and has allowed the revenues for the bond to be included in the City’s 2015/2016 budget. If the Commission makes the decision to sell bonds to fund Phase I, commencement of the development will be in spring 2016.

Skate Park. The Skate Park has found a temporary home at the basketball courts behind Imagination Gateway. The Skate Park Committee has decided which equipment they want to purchase and is now working on obtaining the promised pledge amounts from local businesses and organizations. Approval to purchase the equipment is an agenda item for the City Commission's July 6th meeting.

Resident Concerns. The City received a complaint regarding our Ordinance which allows fire pits within the City. We also received a complaint through the City's website portal concerning horse droppings in the streets from horses pulling Amish buggies

Pending Detour. As a reminder, we have a major detour scheduled for our City starting July 7th with the closure of a portion of West Fifth Street due to the replacement and upgrade of the existing railroad crossing.

Police Chief's Conference. Chief Gregory was invited to make a presentation on the use and benefits of body cameras at the state police chief's conference on June 22nd. We were one of the very first police agencies in the state that equipped all of our patrol officers with the cameras.

Tall Cop Seminar. The Communities That Care Coalition of Clare and Gladwin Counties are sponsoring a highly-touted, one-day seminar in Farwell at the Jamie Performing Arts Center on August 31, 2015, from 8:30 am to 3:30 pm titled "High in Plain Sight: Current Alcohol, Drug, and Concealment Trends and Identifiers."

Prescription Drug Drop. The Clare Police Department has established a prescription drug drop location at the City's Public Safety Building; the drop box was provided by the Michigan Community Action Agency and is serviced by our police department.

Plat Amendment-south Clare Industrial Park. The City Attorney, at the request of City Staff, has filed documents with the court to correct an error in the referenced plat which has existed for approximately 19 years.

Little Tobacco Inter-County Drain Meeting. The Little Tobacco Inter-County Drain Board has scheduled a Determination of Necessity and Revision of the Drainage District Boundary meeting to be held on Monday, July 13, 2015. All affected property owners have been invited by letter to the meeting which will be held in the Lower Level Meeting Room B of the Pere Marquette District Library.

515 Art Gallery Event. On Saturday, July 11th the 515 Gallery will be featuring the art of Sandra Doherty and Diane Mooradian during an open house from 7 to 9 p.m. The Art Gallery will also be featuring the music of Casey Lane during the evening program.

Clare County Relay For Life. This year's Relay For Life cancer awareness walk and fund raiser will be held in Clare City Park under the water tower on Saturday, July 18th. The walk which will begin at 10:00 a.m. and conclude at midnight will be completely contained within the park using the existing sidewalks to accommodate the participants.

Blues and Barbeque Downtown Event. Also being held on Saturday, July 18th is the Blues and Barbeque event during which a block of McEwan between Fourth and Fifth Streets will be closed for the musical entertainment and barbeque dinner.

US-27 Auto Tour. This very popular and continuously growing annual event is scheduled for August 20th. We will ask MDOT to allow us to close two more blocks of McEwan this year to accommodate the increased number of tour participants.

Capital Equipment Purchases. The City Commission approved and incorporated in its 2015/2016 all capital equipment purchases (including a new fire apparatus, a new police vehicle, and a new back hoe) considered and recommended for approval by the Planning Commission.

Right-to-Farm Act. Commissioner Demasi had asked for discussion on this topic as there is a resident who is conducting agricultural activity (set up a greenhouse and

farming activities) in an R1 District. The City Attorney and several of her fellow attorneys around the state have given the opinion that the Right to Farm Act Amendment (2014) does not preclude farming activities within an R1 District. However, conversation with a USDA representative and Representative Joel Johnson contradict the city attorney's opinion and interpretation of the law. The City Manager intends to draft a letter to the USDA requesting clarification on the intent of the right-to-farm act as it relates to established city zoning.

INTRA-COMMISSION COMMUNICATIONS

John Kline announced his resignation as the Chair of the Planning Commission. John is moving from Clare and agreed to remain on the Commission for the time being. He will contact the City Clerk if he decides to permanently leave the Commission.

Moved by Commissioner Winter second by Commissioner Acton to nominate Josh Clark as Chair to the Planning Commission. There were no other nominations and approval was made by adoption of Resolution 2015-019PC. Roll Call Vote: Ayes: Commissioners Darren Acton, Steve Barnes, Glenda Carmoney, Josh Clark, Angie Cozat, Elaine Demasi, John Kline, Jan Winter and Nick Wyman. Nays: None. Absent: None. *Motion approved.*

Nominations for Vice Chair were requested.

Moved by Commissioner Wyman second by Commissioner Carmoney to nominate Darren Acton as Vice Chair to the Planning Commission. Approval was made by adoption of Resolution 2015-020PC. Roll Call Vote: Ayes: Commissioners Darren Acton, Steve Barnes, Glenda Carmoney, Josh Clark, Angie Cozat, Elaine Demasi, John Kline, Jan Winter and Nick Wyman. Nays: None. Absent: None. *Motion approved.*

ADJOURNMENT

Moved by Commissioner Demasi and seconded by Commissioner Winter to adjourn. Ayes: All. Nays: None. Absent: None. *Motion approved.* Meeting adjourned at 7:45 p.m.

Diane M. Lyon, City Clerk