

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, Carolyn (Gus) Murphy and Nick Loomis. Absent: None. Also, present: Jeremy Howard, City Manager; Michelle Bott, Deputy City Treasurer; and Diane Lyon, City Clerk.

2. CONSENT AGENDA:

Moved by Commissioner Jenkins second by Commissioner Murphy to approve the items listed with an asterisk (*) (Agenda, Minutes, Communications, Professional Development, Board & Committee Appointments, 2nd Reading of Ordinance 2021-002, and Bills) that are considered to be routine by the City Commission. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins, Carolyn (Gus) Murphy and Nick Loomis and. 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. PRESENTATION OF HISTORICAL PLAQUE AND TIME CAPSULE AS PART OF CLARE'S 150TH YEAR FOUNDING ANNIVERSARY

Local Historians Robert Knapp and Jon Ringelberg presented a Sesquicentennial plaque from the Michigan Historical Society to the City Commission in recognition of Clare's 150th year of the city's founding on March 16, 1871. The Commission also received information on the founding of the city, a historical narrative on the establishment of the city and how the city came to be named Clare from the two historians. The Clare Area Chamber of Commerce presented a time capsule to be opened in 50 years and placed at the Clare Union Railroad Depot in conjunction with the plaque presentation and provided an update on the activities and plans related to the celebration of Clare's 150th Anniversary this year. The Chamber asks anyone with an idea for items to place in the time capsule to contact their office (located in the Clare Union Depot).

B. EMPLOYEE SERVICE RECOGNITION-NORM YODER, 10 YEARS OF SERVICE

Norm Yoder has completed ten years of faithful, dedicated service to the City of Clare as a member of the City's Public Works Department. We ask that the City Commission recognize Norm for his extraordinarily outstanding service.

Motion by Commissioner Murphy second by Commissioner Bonham to recognize the service of Norm Yoder by adoption of Resolution 2021-042. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins, Carolyn (Gus) Murphy and Nick Loomis and. Nays: None. Absent: None. *Motion Carried*

Mayor Humphrey presented the Resolution of recognition to Mr. Yoder.

C. ORDINANCE 2021-002-REZONE CNG PROPERTY

The City has received a rezoning request and site plan application and supporting documents from Clare Northern Group / North Ten LLC to construct two new 60,000 square foot spec buildings at the corner of Consumers Energy Parkway and Rebak Way.

City Staff conducted a formal staff review of the rezoning request and proposed site plan on May 6, 2021 and determined that it does meet the criteria for rezoning and recommend approval of the site plan and rezoning of the two parcels from Commercial (C-2) to Industrial (I). While the property is identified as Regional Commercial on the Future Land Use Map, the parcels that are requested to be rezoned are nearly contiguous to the City's North Industrial Park with only a small strip of land separating the property from the Industrial Park to allow access to areas in the north and east of the parent parcel. In

addition, the property is located on the same road where both sides of the street are zoned industrial and with the North Industrial Park being nearly full with only 1 buildable lot remaining in the park at this time, it makes sense to expand industrial zoning in that area. The surrounding area to the North and the West is currently undeveloped property and would remain C-2 for the time being.

The approval authority for all ordinance changes in the City is the City Commission, but in matters related to Chapter 52 (Zoning), the City Planning Commission is required to provide a formal recommendation to be considered by the City Commission in its discussions regarding the proposed ordinance change. The Planning Commission met on June 9th to consider the request and hold the required public hearing for the site plan approval and zoning change. Following discussion, the Planning Commission voted to recommend approval of the site plan and zoning change by adoption of Resolution 2021-011PC, thereby recommending the adoption of Ordinance 2021-002.

The City Commission was asked at its meeting of June 21st whether it desired to adopt the proposed ordinance amendment – and if so, to commence the process for ordinance adoption. The City Commission held a public hearing and directed the First Reading of the Ordinance at that meeting.

All changes to zoning within the City must be accomplished by ordinance change. All ordinance code changes or amendments require the approval of the City Commission, and all ordinances require two readings and approval of the City Commission subsequent to a public hearing. The required public notice announcing the hearing was published and held.

The Commission now has the option of allowing a Second Reading of the proposed Ordinance 2021-002 or denying the conduct of a Second Reading, thereby rejecting the proposed new ordinance.

Motion by Commissioner Bonham second by Commissioner Murphy to allow a second reading approve the Ordinance Amendment by adoption of Resolution 2021-043. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins, Carolyn (Gus) Murphy and Nick Loomis and. Nays: None. Absent: None. *Motion Carried*

D. CLARE COUNTY EQUALIZATION CONTRACTUAL AGREEMENT

The City recently received a proposed services contract from the Clare County Equalization Department for equalization services. This is a one-year contract that expires each year on June 30th. Most of the services offered in the contract are already completed in house, but after further conversation with the County a modified, option 2 was provided to the City to allow the city to acquire a Fetch GIS username and password in order to view detailed information for the exclusive use by the City and the City's Assessor. It will also provide updated digital mapping data, which is distributed annually, for associated parcel splits and combinations in the form of .SHP files – shape files. The cost for this service is \$.45 cents per parcel. Our total cost per year for this access and service is expected to be less than \$700. Over the past 3 years we have spent between \$720.00 – \$1,755.00 annually to accomplish our mapping so we anticipate a cost savings to the city.

Motion by Commissioner Murphy second by Commissioner Loomis to approve the contract with Clare County Equalization by adoption of Resolution 2021-044. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins, Carolyn (Gus) Murphy and Nick Loomis and. Nays: None. Absent: None. *Motion Carried*

E. APPROVAL OF CONTRACTUAL AGREEMENT WITH V&V ASSESSING SERVICES

Our City Assessor of Record, Edie Hunter, no longer has an Assessing License and resigned her position with the city on June 30, 2021. This also affected the City of Ithaca as she was serving as their Assessor of Record via an Intergovernmental Agreement between the City of Clare and the City of Ithaca. The agreement between the two cities is no longer valid since we are no longer sharing an employee for Assessing services.

State law requires a licensed Assessor of Record to be designated by a municipality. We have been in conversation with several area Assessors to see if there was interest in taking

on the City of Clare. None that we've spoken with were willing or had the capacity to take on our parcels with their current capacity limitations set by law and licensure. We began conversations with V&V Assessing, LLC, who is highly recommended and large assessing firm. I spoke with owner Edward VanderVries, and discussed our needs for Assessing services and a potential contract. We believe it will be a mutually beneficial relationship. Mr. VanderVries has provided a proposed 3-year contract for consideration. The cost for the company's assessing services is \$2,400 a month for an annual total of \$28,800. The base cost of the contract is less than what we were paying for our half of the former assessor's salary and benefits. The City will still receive at least four hours of in-person office time to meet with residents, consult with city staff, and address other assessing issues, and will be available by phone and email 24/7.

Ithaca has also decided to contract with V&V Assessing, LLC, and the company currently provides assessing services to the City of Hart, City of Marshall and Townships of Moran, Sheridan, Holton, Laketon, & Union Charter Township.

I am bringing this to you as a sole source contract because other nearby municipalities have recently gone out for RFP for this service and have either received no response or only one or two responses which included V&V Assessing, LLC. In addition, the city must have an Assessor in place for the Board of Review which takes place in mid-July, hence the need for making this recommendation and expediting a contract with this assessing firm to allow them time to familiarize themselves with our records and get up to speed on city operations and assessing needs.

Mr. Edward VanderVries provided a brief overview of the services offered and informed the Commission that he is available 24/7.

Motion by Commissioner Bonham second by Commissioner Murphy to approve the contractual agreement with V&V Assessing, LLC., by adoption of Resolution 2021-045. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins, Carolyn (Gus) Murphy and Nick Loomis and. Nays: None. Absent: None. *Motion Carried*

F. APPOINTMENT OF INTERIM CITY TREASURER AND FINANCE DIRECTOR

Long time City Treasurer & Finance Director Steve Kingsbury retired on June 25, 2021. We are currently in the process of hiring someone to fill this position but need someone who is willing and able to take on the role of Interim City Treasurer & Finance Director in the interim. Deputy City Treasurer Michelle Bott is more than capable of taking on this responsibility temporarily until we find someone to fill the position. We estimate that it will take several weeks to complete the hiring process and allow for the typical 2-week notice to the current employer of the selected candidate.

Since we need to continue operations in the Finance Department, I am asking that the City Commission appoint Michelle Bott, to the position of Interim Treasurer & Finance Director with an effective date beginning June 28, 2021, and until such time we hire an individual to take on this role permanently. I also recommend that we increase her pay to the pay level of the former Treasurer/Finance Director received at the time of his retirement during this temporary time frame and continue at that rate for a few additional weeks following the appointment of a new full-time Treasurer/Finance Director as it will likely be necessary to provide an overlap in duties in order to get the new individual trained and up to speed on city finances and associated reporting requirements. Michelle has informed me that she is willing to take on this interim role on a temporary basis.

Motion by Commissioner Loomis second by Commissioner Murphy to approve the appointment of Michelle Bott as Interim City Treasurer/Finance Director, and to increase her pay during the interim period, by adoption of Resolution 2021-046. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins, Carolyn (Gus) Murphy and Nick Loomis and. Nays: None. Absent: None. *Motion Carried*

G. *BOARD & COMMITTEE APPOINTMENT-MR. JIM ALLEN, DDA
Approved by Consent Agenda. Resolution 2021-047.

H. LEASE AGREEMENT FOR AIRPORT LOT 206-MICHAEL G. AND MARY A.

HALES

The City owns all of the property at the Clare Municipal Airport and leases specific portions of that property to allow the construction and maintenance of airplane hangars by private owners. The hangar on Lot 206 of the Clare Municipal Airport Plat has been sold to Michael G. and Margaret A. Hales by the previous owner, Jeff Crawford. The City Commission is asked to approve the lease agreement for the property upon which the hangar is located

Motion by Commissioner Murphy second by Commissioner Bonham to approve the lease agreement by adoption of Resolution 2021-048. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins, Carolyn (Gus) Murphy and Nick Loomis and. Nays: None. Absent: None. *Motion Carried*

I. UPDATE OF BANKING SIGNATORIES, INVESTMENT OFFICER AND ELECTRONIC BANKING ADMINISTRATOR

With the retirement of Steven Kingsbury as Treasurer and Finance Director the personnel approved to sign checks and other documents on the City's bank accounts needs to be updated.

A complete review of all of the City's bank accounts has been completed and was summarized for the Commission's review. The City Commission is asked to approve the list of signatories and designate Deputy City Treasurer & Finance Director Michelle Bott as the City's Investment Officer and Electronic Banking Administrator.

Motion by Commissioner Bonham second by Commissioner Murphy to approve the appointment of Michelle Bott as Interim City Treasurer/Finance Director, and to increase her pay during the interim period, by adoption of Resolution 2021-049. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins, Carolyn (Gus) Murphy and Nick Loomis and. Nays: None. Absent: None. *Motion Carried*

8. **TREASURER'S REPORT:** *The Treasurer presented her report.*

9. **CITY MANAGER'S REPORT**

Hiring Process: The City Treasurer/Finance Director position is still open until filled and we are still evaluating candidates.

EGLE Grant Funds: We have been waiting for the first EGLE Grant Funds to hit the city bank account for the Lead and Galvanized Grant funds as the City has already approved a vendor contract for the replacement of service lines at a recent meeting. I am happy to say that 1.5 million of the 2.5 million requested has been allocated and received the week of June 27th. The other 1 million will be paid out when the contractor begins service line work in the fall.

Meeting and Tour – THC, LLC.: Recently City Clerk and I had the opportunity to meet with the owners and employees of the medical and recreational marijuana grower THC at their facility on the south end of town. The operation is very impressive and we had a good conversation with the owners regarding their current and future development plans. They are still looking at the possibility of purchasing the land to the South of their facility and I also made them aware that the city owns approximately 15 acres of land in that area that is not being used at this time by the city. THC's management shared that they would be happy to schedule a tour for the City Commission and Planning Commission if there is interest. Per the City Commission's request to tour the facility, the City Clerk will coordinate a date and time for City Commissioners and Planning Commissioners to tour their facilities.

Sink Hole – Colonville Road. On June 30th a sinkhole was discovered on Colonville Road over the top of a culvert. It originally appeared to be small and a simple fix but the actual hole was discovered to be quite large and dangerous. Luckily no cars or trucks fell into the hole prior to discovery. DPW immediately blocked off the road and began the repair. The existing metal culvert had completely rotted away and had to be fully replaced. It took several hours for the repair, but the crew was able to get the replacement done and the road back open that evening. That section of the road will require asphalt after the subsurface has had time to get compacted down. The DPW Director will review the construction

contract in place when the road was rebuilt 6 years ago to determine whether the culvert was slated to be replaced at that time.

Grants. We have a couple grants that have notice of award dates coming up in the beginning of July. I am hopeful that we were successful in obtaining the awards. One of them is for the \$2,000,000 CDBG funds for infrastructure improvements. Keep your fingers crossed.

Code Enforcement. I held follow-up conversations regarding code issues and enforcement with Clare County after the last meeting. I reached out to Dave Lipovsky, our contracted code enforcement officer, and shared some of the concerns that the Commission had and let him know that we desire proactive enforcement instead of just reactive enforcement. I also had a conversation with Lori Phelps, Community Development Director, who oversees Dave's duties. Lori offered that they have been overwhelmed with permits and she is in the process of hiring additional staff so that the Code Enforcement for Clare can be stepped up and done more proactively. I am hopeful that once that person is hired, we will see an improvement in the area of Code Enforcement.

Fire in the Sky Event. Hopefully you were able to attend some of the activities during the Fire in the Sky event. The rain certainly put a damper on some of the activities and we were not able to have the hotdog cookoff, but there were still many people who did come out to the event. The Gateway Community Band held their concert and the rain even let up a little. The fireworks took place but the vendor did need shoot them off at the dam instead of the island due to the weather and mechanical issues with the boat used to transport the fireworks to the island. Overall, even though the turnout was far less than it has been in past years because of the rain, I think the event was a success. I am looking forward to next year's event and hope that we have nice weather.

COVID-19. The following are excerpts from a posting related to the most updated rules and regulations regarding COVID workplace orders and requirements. As of June 22, both MDHHS and MIOSHA have effectively rescinded any remaining orders and requirements related to masks (vaccinated and unvaccinated), gatherings, social distancing, separation barriers, health screenings, etc. This means we can now remove our signs on city entrances that state masks are required for unvaccinated individuals. Employees are also no longer required fill out daily health screenings and submit them to the city. Vaccinations continue to be widely available and if anyone needs help finding vaccination locations or resources, we are available to assist in providing that information.

I am thankful for all the employees and members of the commission and other boards for their diligence, patience, and understanding as we have navigated these uncharted waters around COVID as a city over the last year and a half.

On June 17, 2021, the Michigan Department of Health and Human Services issued a Recission of Emergency Orders. Finding that the COVID-19 positivity rates, case rates, hospitalization and death numbers have decreased, along with the availability of vaccines reducing the spread of COVID-19 in the U.S., the MDHHS rescinds many of its emergency orders, including the Gatherings and Face Mask Order, effective June 22, 2021.

On June 22, 2021, The Michigan Occupational Safety and Health Administration posted a new set of Emergency Rules on the Department of Labor and Economic Opportunity's COVID-19 Workplace Safety Guidance website. These emergency rules, which "supersede the entirety of the emergency rules filed on May 24, 2021," remove all previous requirements to identify and control COVID-19 hazards in the general workplace. It is no longer necessary for most employers to implement a COVID-19 preparedness and response plan with engineering and administrative controls, basic infection prevention measures (including requiring face coverings and social distancing for unvaccinated workers), daily employee screening, training, and record keeping.

10. *COMMUNICATIONS

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

EDI Bulletin: The EDA's Economic Development Integrators have released a bulletin regarding economic development resources for various businesses and industry as well as for municipal and non-profit entities.

Michigan Public Service Commission: The MPSC has announced a hearing date for Consumers Energy's requests for approval of the reconciliation of its 2020 demand response program costs.

Thank You Clare Jaycees: The City issued a thank you note to the Clare Jaycees for their participation in the rehabilitation and clean-up of Imagination Gateway.

Michigan COVID-19 Vaccination Sweepstakes: Governor Whitmer has announced a \$5 Million Dollar sweepstakes lottery for individuals who have received their COVID-19 vaccination making them eligible to register to win monetary prizes.

11. EXTENDED PUBLIC COMMENT: None.
12. COMMISSION DISCUSSION TOPICS: Commissioners commended the groundskeeping crew at Cherry Grove Cemetery for keeping the grounds in tip-top shape.
- Water bags for new trees aren't filled frequently and the City is losing new trees. Commissioner Jenkins noted that the water bags last about 12 hours, depending on the weather. The CM will discuss this with the DPW Director.
- MDOT has placed a sign out on business 127 that the road is closed (due to bridge construction) however, the road is not and will not be closed and they will only have lane closures to complete the bridge work. The CM will ask DPW to contact MDOT about the sign.
- There is a blight issue at 311 West Sixth Street. The person(s) living there have placed bags of trash in the street. City Ordinance prohibits placing trash out more than 24 hours in advance of pickup, and it is not to be placed in the street. The CM will ask DPW to address this issue as well as the others noted above.
- Trash pickup will not be delayed this week and will be picked up on its regularly scheduled day. The City has placed notices on Facebook and the City's government channel.
- Commissioner Bonham recently toured the water plant on Maple Street and noted how good the plant looks since the paint job that was completed a few months back. He recommended that other Commissioners tour the facility. The CM & Clerk will arrange for the WWT Supervisor to provide a tour following one of the upcoming meetings.
13. *APPROVAL OF BILLS: *Approved by Consent Agenda.*
14. *PROFESSIONAL & EDUCATIONAL TRAINING OPPORTUNITIES: *Approved by Consent Agenda.*
15. ADJOURNMENT: Motion by Commissioner Murphy second by Commissioner Loomis to adjourn the meeting. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins, Carolyn (Gus) Murphy and Nick Loomis and. Nays: None. Absent: None. *Motion Carried.* Meeting adjourned at 6:50 p.m.

Pat Humphrey, Mayor

Diane Lyon, City Clerk