

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 Carolyn (Gus) Murphy. Absent: Nick Loomis. Also, present: Jeremy Howard, City Manager; Gary Todd, Airport Manager; Dale Clare, WWTP Superintendent; Michelle Bott, Interim City Treasurer; and Sarah Schumacher, Deputy Clerk.

2. CONSENT AGENDA:

Moved by Commissioner Bonham second by Commissioner Murphy to approve the items listed with an asterisk (*) (Agenda, Minutes, Communications, Department Reports, Professional Development, Board & Committee Appointments, 1st Reading of Ordinance 2021-003 and 2021-004, and Bills) that are considered to be routine by the City Commission. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins, and Carolyn (Gus) Murphy. Nays: None. Absent: Nick Loomis. *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. SERVICE RECOGNITION-AIRPORT ADVISORY BOARD - MR. NYLE HAGGART

Mr. Nyle Haggart has faithfully and dutifully served the City of Clare as a member of the Airport Advisory Board for the past 23 plus years, since its inception on March 10, 1998. His services to the city are deemed worthy of special recognition and honor. The City Commission is asked to formally recognize Nyle for his outstanding service and accomplishments.

Motion by Commissioner Murphy second by Commissioner Bonham to recognize the service of Nyle Haggart by adoption of Resolution 2021-050. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins, and Carolyn (Gus) Murphy. Nays: None. Absent: Nick Loomis. *Motion Carried*

B. ORDINANCE 2021-003 – REQUEST FOR CHANGE IN ZONING – 211 EAST SECOND STREET

Mark Bolle recently requested a building permit to put a house on vacant land at 211 East Second Street. The home is to be placed on Lot 9 and 10 of block 34 on East Second Street. The land has been vacant for many years after the previous home burned down years ago. As we were reviewing the Zoning Authorization form to enable Mr. Bolle to obtain a building permit, it was discovered that Lot 9 was zoned Industrial (I) and Lot 10 was zoned Residential (R2). In order for the house to be placed on site, the zoning must be changed on Lot 9 from Industrial (I) to Residential (R2). A Request for Rezoning application to accomplish this change and allow for both lots to be zoned residential was submitted by Mark Bolle.

In evaluating the parcel's location, and the fact that it is actually a combined single parcel with half being zoned Residential (R2) and the other half Industrial (I), and it is on a residential street surrounded by other residential zoned structures, and it is identified on the City's Future Land Use Map as residential, we determined that all factors are clear indications R2 is the best use/zoning of this property long term.

As the proposed ordinance falls under the purview of the Planning Commission, a review of the proposed ordinance by that entity is required. The Planning Commission completed the required review at its scheduled meeting of July 14, 2021 and recommended the proposed ordinance be approved.

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 option of allowing a First Reading of the proposed Ordinance or denying the conduct of a First Reading, thereby rejecting the proposed new ordinance.

The City Commission is asked to conduct the required public hearing and approve or deny a First Reading of the 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. Nays: None. Absent: Nick Loomis. *Motion Carried*

Public Comment: None

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

In response to Commissioner Bonham's question regarding the distance from the public easement containing the city sewer line, Mr. Bolle indicated that the west side of the home is approximately 50 feet away from the public easement.

C. ORDINANCE 2021-004-SMALL CELL ORDINANCE

With the passage of the Michigan small cell Act 2018 PA 365, authorizing deployment of small wireless facilities and their use of municipal rights-of-ways (ROW), municipalities now have a limited ability to regulate the use of their rights-of-way (ROW). In response to this Act and the Federal Communications Commission (FCC) 2018 small cell orders, the attached small cell ordinance amendment is designed to preserve the city's zoning, aesthetics and integrity within the city proper. The City Commission is now asked to formally initiate the process to consider the proposed ordinance.

As the proposed ordinance falls under the purview of the Planning Commission, a review of the proposed ordinance by that entity is required. The Planning Commission completed the required review at its scheduled meeting of July 14, 2021 and recommended the proposed ordinance be approved.

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

Public Comment: None

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

D. RESOLUTION TO ACCEPT ARPA FUNDS

The State of Michigan recently opened up the process for non-entitlement cities to request our allocation of funding through the federal American Rescue Plan. The current estimates are that the City of Clare would receive approximately \$320,000 based on our census population number.

The guidance is unclear whether the City Manager as the Chief Administrative Officer may accept the distribution of funds or whether the governing board must provide specific authorization for the Chief Administrative Officer to do so. To err on the side of caution, we are recommending the City Commission approve the attached resolution which authorizes the City Manager to accept the funds and to execute all associated documents.

Any decision on how to allocate the funds will not occur until additional information is obtained as discussed at previous meetings.

Motion by Commissioner Bonham second by Commissioner Murphy to authorize the City Manager to accept the ARPA funds and to execute all associated documents by adoption of Resolution 2021-051. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins, and Carolyn (Gus) Murphy). Nays: None. Absent: Nick Loomis *Motion Carried*

E. *BOARD AND COMMITTEED APPOINTMENTS – AIRPORT ADVISORY BOARD (ALEXANDRA STARK MYERS)

**Approved by Consent Agenda. Resolution 2021-052.*

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

9. *DEPARTMENT REPORTS

**Approved by Consent Agenda*

10. CITY MANAGER’S REPORT

Hiring Process: In regards to the City Treasurer/Finance Director position, the position is still open until filled and we have been continuing the interview process for candidates as well as reference checking.

Planning Commission Meeting. The most recent Planning Commission meeting was held June 14, 2021. The Planning Commission approved the Special Use Permit and Site Plan Review for 545 Industrial Drive (Vault MI, LLC) and their Recreational Grow license. They also approved the Request for Rezoning for Mark Bolle’s property which he is putting a house on 211 East Second Street which you saw on your agenda tonight. Also on your agenda tonight was their approval and recommendation for the Small Cell Ordinance to move forward. Additionally, a façade change approval was given for 605 North McEwan Street. The board also had another discussion on tiny homes and their allowance in the city based on additional research from our consultant. They are continuing to move forward with the conversation and will hopefully be looking at a draft ordinance to regulate the placement of tiny homes in the city next month at their meeting.

Code Enforcement. Last meeting, I told you about my recent conversations regarding code issues and enforcement with the county. I was able to meet with Dave Lipovsky and the new hire Terry Acton on July 15th. We went over some of the concerns with how things have gone with the contract and discussed moving forward. Terry will be in attendance at the meeting Monday to introduce himself. He has already been driving around the city familiarizing himself with the neighborhoods and looking for issues. They have also agreed to pick up the grass piece that we were doing in house as well. I am hopeful that this will be a step in the right direction for us to deal with both complaints (reactive) and the more proactive issues that are also just as important.

Verizon Cell Tower. I have had continued conversations with Verizon regarding the placement of a cell tower here at city hall. They have sent a final drawing for our reference. I am waiting on them to send a draft contract for the lease of the property. The next steps will be talking about zoning and working with the Planning Commission to get the approvals needed. I have sent Verizon a copy of our current codes related to cell towers as well.

Clare Art Alley Event. I wanted to point out an upcoming event happening August 6 from 5-10 in the downtown. This is not a city event, but is instead sponsored completely by the businesses downtown. In coordination with the city, they will be blocking off the Alley between Fifth and Fourth Streets (Art Alley) as well as fencing in the area behind the buildings in the parking lot between Fourth and Third. People will be able to have drinks and wander inside the fenced in area (per LCC rules). There will be bands in Art Alley and in the parking lot during the intermission of the bands in Art Alley. This event took place a few years ago and it is being brought back again now. Fingers crossed we will have some great weather and will have some great crowds wandering in and around downtown Clare and seeing our great community.

Clare Michigan’s very own Kari Lynch along with her band will perform 5pm - 7pm.

During band change out 7pm - 8pm take a walk and enjoy a bite to eat and some beverages.

8pm - 10pm enjoy The Big Riggs Band, and yes, the Big Riggs Band has been in the Clare area making music videos. So come out and enjoy an evening of Country Music in Downtown Clare, Michigan’s Art Alley. This is a FREE event for all to enjoy. Bring your favorite lawn/camp chair and relax. This FREE event is made possible by Clare area businesses.

City Hall Hours of Operation. I am sure you noticed the signs on the doors when you came in tonight noticing our new hours of operation for city hall. As you will remember, a little over a year ago Ken changed City Halls hours from M-F 8-5 to M-Th 7:30-5:30 and F 7:30-11:30. This has gone very well and we have not heard any complaints or had any issues to my knowledge. Recently, I took the time to poll the employees who work in City Hall and the Department Heads to see what their thoughts were or if they had any issues or concerns with us

changing them again on a trial basis. After the conversations, we changed City Halls hours to Monday through Thursday from 7:00 a.m. to 5:30 p.m. and then the building would be closed on Fridays. All other city buildings will remain on the current hours that they are operating on now. They have much less traffic and are actually already on different hours than City Hall (DPW, Water, Wastewater 7-3:30 and Police have their normal day/night shifts).

Based on my research and conversations, there are several reasons why I think this is a good idea.

1. We are able to see how this slight change in hours works on a trial basis (signs on windows instead of changing door paint) for no cost.
2. Extending our hours to before and after citizens arrive at and leave work is a better service to our customers. Often times we have people waiting at the door at 7:30, and they are likely trying to perform their needed service with city hall before going to work at 8:00. These extended hours Monday through Thursday give citizens an opportunity to conduct city business before and after their normal work hours. This is not possible when open just normal 8-5 hours.
3. Many other, especially smaller, jurisdictions are moving to four, 10-hour days a week.
4. There should be a cost savings at least to some small degree (lights, electricity, heating, cooling, water uses, etc. should be reduced).
5. We tend to see much lower in person traffic on Fridays typically, especially during the summer hours.
6. If we need to change back to our current hours if the trial doesn't work, we can do that easily.
7. Studies show various benefits such as reduced stress, increased productivity, and happier more engaged employees with a 4-day work week.
8. Flexible schedules can be used as a recruiting tool for new hires as many employees see a 4-day work week as a benefit as it can help with child care or other family needs.

Water Plan Tour. Recently, the Commission requested a tour of the Water Treatment Plant. Since the agenda for July 19th is relatively light, I have asked Dale Clark, Water/Wastewater Treatment Superintendent, to join us tonight and after the meeting is complete, we can walk over to the plant a couple blocks over and see the facility. If this is something that you would like to do with other city buildings, please let me know and I will setup similar tours when we can after meetings.

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: Mr. Terry Acton introduced himself to the commission. Mr. Acton has recently been hired by Clare County Community Development to assist Dave Lipovsky with code enforcement and zoning issues and concerns. The Commission agreed to forward a list of current concerns within the city for Mr. Acton to address in his new position.
12. COMMISSION DISCUSSION TOPICS: Commissioner Bonham asked for some clarification regarding the process for changing the zoning on a parcel. He also asked if setbacks were being physically checked prior to permits being approved. Dave Lipovski approves zoning authorization requests once he has determined that the project complies with all city codes including setbacks.
13. *APPROVAL OF BILLS: *Approved by Consent Agenda.*

14. *PROFESSIONAL & EDUCATIONAL TRAINING OPPORTUNITIES: *Approved by Consent Agenda.*

15. ADJOURNMENT: Motion by Commissioner Jenkins second by Commissioner Murphy to adjourn the meeting. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins, and Carolyn (Gus) Murphy. Nays: None. Absent: Nick Loomis. *Motion Carried.* Meeting adjourned at 6:36 p.m.

Pat Humphrey, Mayor

Sarah Schumacher, Deputy Clerk