

The regular meeting of the Clare City Planning Commission was called to order in the City Commission Chambers, at 6:30 p.m. by Co-Chair Jan Winter who led the Pledge of Allegiance. Present were: Commissioners Darren Acton, Glenda Carmoney, Josh Clark, Elaine Demasi, Steve Barnes, Angie Cozat, Jan Winter and John Kline, Absent: Dave Prawdzik. Also present were Ken Hibl, City Manager; Steve Kingsbury, Treasurer; and Sarah Schumacher, Deputy City Clerk.

APPROVAL OF MINUTES:

Moved by Commissioner Demasi, second by Commissioner Acton to approve the minutes of July 9, 2014. Ayes: All. Nays: None. Absent: Dave Prawdzik. *Motion approved.*

APPROVAL OF AGENDA:

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

PUBLIC COMMENT: None.

UNFINISHED BUSINESS: None

New Planning Commissioner Angie Cozat was officially welcomed by the City Manager and the Planning Commission.

Moved by Commissioner Kline, second by Commissioner Barnes to approve an addition to the agenda to include the required public hearing for Consumer's Energy Site Plan. Ayes: All, Nays: None. Absent: Dave Prawdzik. *Motion Approved.*

NEW BUSINESS:

Site Plan – Consumers Energy Regional Service Center

Consumers Energy was the first entity to purchase property (20) acres in the City's new north industrial park for the construction of a new regional service center, thereby combining the existing service centers of Gladwin, which has already been closed, and Clare, which will be vacated upon construction of the new service center complex.

The proposed new service center will include a new 17,600 square foot main building, equipment garages, storage facilities, pole yard, and ancillary supporting facilities.

Consumers Energy and the City of Clare were hopeful that the site plan would be ready for presentation to the Clare Industrial Corporation and the City Planning Commission as early as July and then again in August. But due to challenges experienced by Consumers Energy with soil borings that indicated the sub-surface soils on their 20-acre site would not support the foundations for their planned buildings in the desired locations, the site plan layouts were repetitively changed/modified during the mentioned two-month period. After several coordination meetings between the City Staff and the Consumers Energy Project Manager and his Staff, a site plan layout that satisfies Consumers Energy's needs and concurrently meets the City's zoning and building requirements was agreed upon and is being presented to the Clare IDC and Clare Planning Commission.

The Clare Industrial Development Corporation (IDC), the City entity responsible for oversight and development of the City's industrial parks, is scheduled to meet at noon on Wednesday, September 10th to review the proposed site plan in accordance with the stipulations outlined in the City's ordinance codes; we will present the results of that review to the Planning Commission at the scheduled 6:30pm meeting on September 10th.

Prior to formal discussion and consideration of the proposed plan, the Planning Commission is required to hold a public hearing related to the proposed site plan. Proper notice regarding the site plan application has been made by the City. To date the City has received no stated objections to the proposed construction.

City Manager Ken Hibl informed the commission that earlier today the IDC reviewed and approved the proposed site plan as presented. The building project meets all setbacks and all ordinance codes

Representatives from Sidock Group, Robert Jordan, Architect; David Neal, Project Manager; John Franci, Corporate Architect; and Bill Frazier, Civil Engineer; and from Serenus Johnson, Dan Sequin, project manager; were present to answer any questions.

Robert Jordan gave an overview of the project. The property is 20 acres and includes the main service center building which is 17,600 sq. ft., two vehicle ports, a cold storage building and small equipment shed, and concrete material bins. The property will have approximately 13 acres green area with an irrigation system, landscaping and low maintenance natural, native, and adaptive plantings. Also included is a large detention basin and fore bay designed over engineering standards. The address of the property will be 1 Consumers Energy Parkway with the main entry off of this parkway. There will be a second access point off Colonville Road. The building will be LEED Certified aimed at saving energy and the environment.

Elaine Demasi asked what the detention pond was used for. Mr. Jordan explained that any water runoff to the site enters the fore bay first, held for a period of time, and then what doesn't seep into the ground will enter the detention basin and be released at a controlled flow so as not to overwhelm the downstream system.

Darren Acton asked about procedures with possible contamination from transformers and the pole area. The pole bunkers have collection areas and filter materials and a liner system. Spill kits are located throughout the site.

Commissioner Acton also asked if the pole trucks would be pulling out onto Colonville road from the first driveway and what is the distance from that driveway to the hill to the east on Colonville. This distance is approximately 600 feet which is felt to be more than adequate for a road with a 35 mph speed limit. (630 feet is the recommended distance in a 55mph zone) City Manager Ken Hibl pointed out that the distance will be taken into consideration when the final speed limit is set.

Moved by Commissioner Demasi second by Commissioner Clark to open a public hearing. Ayes: All. Nays: None. Absent: Dave Prawdzik. *Motion approved.*

PUBLIC COMMENT: None.

Moved by Commissioner Carmoney second by Commissioner Acton to close the public hearing. Ayes: All. Nays: None. Absent: Dave Prawdzik. *Motion approved.*

Moved by Commissioner Acton second by Commissioner Barnes to approve the site plan application by adoption of Resolution 2014-006PC. Ayes: Commissioners Demasi, Barnes, Carmoney, Kline, Cozat, Winter, Acton and Clark. Nays: None. Absent: Dave Prawdzik. *Motion approved.*

Ordinance 2014-008

In 2010 the State Legislature adopted and the Governor signed into law Public Act 135, which encouraged and supported the concept of Complete Streets (a national program to enhance all facets of transportation and incorporate vehicular and non-vehicular/motorized and non-motorized transportation as one in design and construction), thereby promoting walkable/bikeable communities. The City Staff is recommending that these provisions be implemented within the City of Clare and thus are asking the City Planning Commission and the City Commission to require these standards by ordinance code to ensure the principles of Complete Streets are considered and incorporated, where feasible and affordable, in all future development within the City. Ordinance 2014-008

All ordinance code changes or amendments require the approval of the Clare City Commission. Chapter 52 (Zoning) amendments first require the review and recommendation 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. Notice of the requisite hearing for the Planning Commission has been made

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 2014-008.

Moved by Commissioner Kline second by Commissioner Barnes to open a public hearing. Ayes: All. Nays: None. Absent: Dave Prawdzik. *Motion approved.*

PUBLIC COMMENT: None.

Moved by Commissioner Acton second by Commissioner Clark to close the public hearing. Ayes: All. Nays: None. Absent: Dave Prawdzik. *Motion approved.*

Moved by Commissioner Barnes second by Commissioner Demasi to approve Ordinance 2014-08 by adoption of Resolution 2014-007PC. Ayes: Commissioners Demasi, Barnes, Carmoney, Kline, Cozat, Winter, Acton and Clark. Nays: None. Absent: Dave Prawdzik. *Motion approved.*

Ordinance 2014-009

The City has received a request from local residents to consider allowing the keeping and raising of ducks in the City – thereby providing equal rights for ducks and their owners☺. We have incorporated this request in a proposed change (see yellow highlights in copy of att'd Ordinance 2014-009) to Article V, Section 52-350 of our existing Ordinance Codes and ask that the Planning Commission consider and provide a recommendation 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 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. Notice of the requisite hearing for the Planning Commission has been made (copy att'd).

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 2014-009.

Moved by Commissioner Carmoney second by Commissioner Clark to open a public hearing. Ayes: All. Nays: None. Absent: Dave Prawdzik. *Motion approved.*

PUBLIC COMMENT: Kim Funnell, the City's first Chicken Permit applicant, thanked the Commission allowing residents to have chickens in the City.

Moved by Commissioner Acton second by Commissioner Clark to close the public hearing. Ayes: All. Nays: None. Absent: Dave Prawdzik. *Motion approved.*

Moved by Commissioner Barnes second by Commissioner Clark to approve Ordinance 2014-09 by adoption of Resolution 2014-008PC. Ayes: Commissioners Demasi, Barnes, Carmoney, Kline, Cozat, Winter, Acton and Clark. Nays: None. Absent: Dave Prawdzik. *Motion approved.*

INTRA-COMMISSION COMMUNICATIONS

Clare RR Depot. A volunteer day was held the first Saturday in August to conduct a general clean-up of the interior of the depot and remove the old siding. Windows have been installed and a fund-raising event was held to "sell" the windows. All windows have been installed, raising approximately \$18K, which will be used to purchase new concrete siding for the building. Plans for the remainder of the year include pouring the concrete floor in the basement; commencement of basic plumbing and electrical work; purchase and install new siding; and installation of temporary doors.

Site Plan- Clare Northern Group. Clare Northern Group has delayed the purchase of the property from the IDC and construction of the new building approved by the Planning Commission in April. They may proceed with their plans next spring dependent upon demand and the economy at that time. The site plan approval is required to be reviewed if construction is not commenced within one year of initial approval; it has to be totally reconsidered if construction is not commenced within two years of initial approval.

Site Plan – Northern Dry Bulk. This site plan has similarly been placed on “hold”. The plan was originally approved in December 2013 by the Planning Commission; validity of the approval is as outlined above.

Industrial Park Project. All contracts have been awarded and pre-construction meetings have been held. We are awaiting approval from the EDA to allow us to issue the Notice to Proceed to our contractors (Dunigan Bros. of Jackson, MI and Maguire Ironworks of Sioux Falls, SD); we anticipate receiving that approval the week of Sep 8th. Dunigan Bros. plan to commence construction the week of Sep 15th. Colonville Road will be closed except to local traffic for periods of the construction period.

Colonville Road Project. Malley Construction of Rosebush will coordinate his start date (anticipated to be late September/early October) with Dunigan Bros to ensure there is not conflict as both contractors will be working in the same project area. Barring any weather or unforeseen delays, Malley intends to complete basic construction and apply an asphalt base coat this year and return next spring for a final asphalt coat, painting, and restoration work.

Marihuana Ballot Initiative. The City received an initiatory petition with sufficient signatures of registered Clare electorate to allow Clare registered voters decide whether they will allow a change to the City Charter decriminalizing the possession and use of marihuana in the City of Clare. The petition was forwarded to the Governor for approval as required by state law; the Governor rejected the petition as it is contradictory to state and federal law. But as the petition complies with the requirements of our City Charter, we are obliged to place the matter before the Clare electorate for decision – so the topic will appear on our November ballot, and the Clare electorate will be provided an opportunity to vote on the issue. The result will be irrelevant if the majority of Clare’s voters approve the ballot item as the possession and use of marihuana remains a violation of state and federal law, thus all law enforcement officers are obligated to enforce those laws.

COMMISSION DISCUSSION TOPICS

The commission expressed their desire to memorialize former Commissioner Ben Walters; possibly a joint memento with Clare Rotary Club. It was decided that they would research prices on benches, trees, etc., and report back with their findings in the spring of 2015.

Commissioner Jan Winter announced her desire to resign as vice chair of the Planning Commission and will formally present that decision at the next Planning Commission meeting.

Commissioner Glenda Carmony expressed her desire to have a **STOP HERE** sign placed at the intersection of McEwan and Schoolcrest so McEwan southbound vehicles will know not to proceed into the intersection. City Manager Ken Hibl responded that it would be given to the Traffic Safety Committee for consideration.

ADJOURNMENT

Moved by Commissioner Kline and seconded by Commissioner Demasi to adjourn. Ayes: All. Nays: None. Absent: David Prawdzik. *Motion approved.* Meeting adjourned at 7:52 p.m.

Sarah Schumacher, Deputy Clerk