

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, Nick Loomis and Carolyn (Gus) Murphy. Absent: None. Also, present: Jeremy Howard, City Manager; Shannon Sirpilla, City Treasurer; all of the WWTP Staff; Luke Potter, DPW Director; Mary Warner, DPW Secretary; Terry Acton, Code Enforcement Officer; 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, 2nd Reading of Ordinance 2021-005 and Bills) that are considered to be routine by the City Commission. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins, Nick Loomis and Carolyn (Gus) Murphy. 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: Fire Chief Jim Chapman introduced Firefighter Claire Kaisler as the city's first female officer who was appointed as Lieutenant Fire Prevention Officer position with the Clare Fire Department.

6. UNFINISHED BUSINESS: None.

7. NEW BUSINESS:

A. SERVICE RECOGNITION- MS. MARY WARNER, 10-YEARS OF SERVICE

Mary Warner has completed ten years of faithful, dedicated service to the City of Clare as the utility billing clerk and secretary of the City's Public Works Department. We ask that the City Commission recognize Mary for her extraordinarily outstanding service.

Motion by Commissioner Murphy second by Commissioner Bonham to recognize the service of Mary Warner by adoption of Resolution 2021-068. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins, Nick Loomis and Carolyn (Gus) Murphy. Nays: None. Absent: None. *Motion Carried*

B. ORDINANCE 2021-005, CHAPTER 52 LIGHTING STANDARDS

Now that many of the city's streetlights have been or will be soon converted over to LED from Metal Halide, this ordinance amendment simply changes the wording in our code to call for the use of LED instead of the older style Metal Halide lights. LED is a much more cost effective and efficient source of light and also lasts much longer and is a better quality of light. Whenever a Metal Halide streetlight dies in the city, Consumers Energy has been replacing them with LED. This ordinance is a simple amendment to our current codes to match the evolution of lighting technology and necessary requirements.

As the proposed ordinance falls under the purview of the Planning Commission, a review of the ordinance is required by that body. The Planning Commission completed their review at the August 11, 2021, regularly scheduled meeting and recommended approval of the proposed ordinance (Resolution 2021-017PC).

The City Commission was asked at its meeting of August 16, 2021 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 2021-005 or denying the conduct of a Second Reading, thereby rejecting the proposed new ordinance.

The Commission is now asked to allow a Second Reading and either approve or deny the adoption of the proposed Ordinance.

Motion by Commissioner Loomis second by Commissioner Murphy to approve Ordinance 2021-005 by adoption of Resolution 2021-069. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins, Nick Loomis and Carolyn (Gus) Murphy. Nays: None. Absent: None. *Motion Carried*

C. ANNUAL REVIEW OF TITLE VI POLICY & PLAN

MDOT requires that all recipients, which we are, of Federal-aid highway funds are required to have a Title VI Plan and Policy. The respective Plan and Policy is required to be submitted to MDOT for review and is required to be renewed annually by the governing body of the respective governmental entities. The City Commission is asked to review and renew our Plan and the Policy to ensure our compliance with Federal and State requirements.

Motion by Commissioner Bonham second by Commissioner Jenkins to approve the Title VI Policy & Plan review by adoption of Resolution 2021-070. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins, Nick Loomis and Carolyn (Gus) Murphy. Nays: None. Absent: None. *Motion Carried*

D. APPROVE BANK ACCOUNT SIGNATORIES, APPOINT INVESTMENT OFFICER, AND DESIGNATE ELECTRONIC BANKING ADMINISTRATOR

With the selection and appointment of Shannon Sirpilla as the City of Clare's Treasurer/Finance Director the personnel approved to sign checks and other documents on the City's bank accounts requires updating.

The City Commission is asked to approve the list of signatories and designate Shannon Sirpilla as the City's Investment Officer and Electronic Banking Administrator.

Motion by Commissioner Murphy second by Commissioner Bonham to approve the update to the list of bank account signatories and appoint Shannon Sirpilla as the City's investment officer and electronic banking administrator of Resolution 2021-071. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins, Nick Loomis and Carolyn (Gus) Murphy. Nays: None. Absent: None. *Motion Carried*

E. APPROVE CITY'S 2021 TRICK OR TREAT HOURS

Historically, the City Commission has set the date and time for Halloween Trick or Treat within the City. Generally, these hours are set for 6:00 p.m. to 8:00 p.m. on October 31st – which falls on Sunday this year.

We have coordinated with our neighboring communities to determine their hours for trick or treating. Two of our closest neighbors have set their hours for 5:30 p.m. to 7:30 p.m. (Farwell & Harrison) and two have set their times for 6:00 p.m. to 8:00 p.m. (Coleman & Rosebush).

Motion by Commissioner Murphy second by Commissioner Loomis to set the City's Halloween Trick or Treating hours for Sunday, October 31st from 6:00 p.m. to 8:00 p.m. by adoption of Resolution 2021-072. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins, Nick Loomis and Carolyn (Gus) Murphy. Nays: None. Absent: None. *Motion Carried*

F. DISCUSSION TOPIC

The City contracts with Clare County for our Code Enforcement needs. As the Commission has discussed in previous meetings, it is the desire of the Commission to continue, as well as increase, the enforcement of the existing ordinances and zoning regulations as have been previously adopted. Recently the County added another employee that has been able to begin more diligently enforcing those codes and zoning as was requested by the Commission. This has resulted in some positive results and our process of starting with education and asking for compliance before having to move to any actually ticket writing or enforcement is working well.

Earlier this month Code Officer, Terry Acton, approached me with questions on some areas of enforcement and direction. Much of the enforcement that he has been doing is under the city's blight ordinance. However, there is a section of code that deals with vehicle storage and parking that is an area that though has been part of the code for many years, hasn't always been enforced. I have included the section of code below for reference. Since this is a departure from enforcement in recent years, we thought it wise to bring this before the entire Commission. Consequently, we have placed this matter on the Commission Agenda as a discussion topic. If the Commission decides this is not something they would like to continue to enforce for some reason the other option would be to amend the zoning ordinances accordingly. If that is the desire and outcome of the discussion, I would be looking for direction on what your recommended changes would be to start the process with the Planning Commission.

- Sec. 52-308. - Vehicle storage and parking.

No vehicle shall be parked in any portion of a front yard within the city unless in a prepared driveway or parking area of aggregate or hard surfaced material. The parking or storage of a commercial vehicle, excluding an emergency vehicle, of more than two-ton capacity is prohibited within any residential district. The parking and storage of a recreational vehicle, including a trailer, camper, boat or other similar object shall be permitted only in a required side or rear yard.

(Code 1985, § 5.108; Ord. No. 2008-01, 3-3-2008)

Mr. Acton requested direction from the Commission with respect to Section 52-308 because there has been little enforcement of the Code in the past and there are at least 30-35 violations that he has noted to date.

Following Commission discussion, the Commission directed Mr. Acton to enforce the Ordinance as written.

Mr. Acton further presented that he has issued 14 grass/weed letters and a number of other code violations on which he is completing follow-up. There is a dead tree whose branches are intertwined with electrical lines at 405 Wheaton which presents a safety hazard and we may need to discuss the issue with the City Attorney due to its location on private property.

Mr. Acton requested further guidance on the odors emanating from THC on Industrial Drive. The City's Ordinance prohibits odors from leaving the premises however, there are occasions when the smell of marijuana is discernable within the city's roadway in front of the facility that is currently in operation. The owners and managers of THC have taken measures to eliminate odors escaping the facility but there are times when the smell is not contained. To date, the City has had only one individual who complains about the odor and he does so on a regular basis as he drives by THC daily.

Following discussion, the City Commission directed the City Manager to initiate a discussion with the City Attorney to prepare an Ordinance Amendment that would not be as restrictive with respect to odors emanating from marijuana facilities.

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

9. CITY MANAGER'S REPORT

2021 Water Utility of the Year Award. The City of Clare is the recipient of the 2021 Water Utility of the Year Award from the Michigan Rural Water Association. After securing funding from US Rural Development, the city overhauled their 2,250-gpm iron removal plant. This update to the city's infrastructure will increase efficiency at the water plant. Dale and his team worked through several challenges throughout this upgrade. The Project included replacing three 25'x10' diameter horizontal pressure filters, three outdated filters from the 1960s, and face piping on the filters. The plant's flow meter, valves, and discharge piping were replaced as well. The project also included repainting of the interior of the plant and epoxy coating of the new piping. Congratulations to Dale and his team for this project and for receiving the 2021 Water Utility of the Year Award. We were given two signs to put up as well and are currently looking for some prominent area to display them (possibly at the WTP).

Little Tobacco Drain Project. As I am sure you can see the project is progressing nicely. Fisher Contracting is finishing up on the West Half of the McEwan and Maple Street is moving along. It won't be too much longer until they are reopened hopefully.

K9 Police Car Accident. I wanted to give you a quick update on this item. We ended up working with the insurance company to get the car back for just the cost of the salvage. The insurance value of the car was approximately \$11,600, so the city was able to "pay" the \$1,000 salvage cost and retain the vehicle. This allowed the insurance company to cut the city a check for approximately \$10,600. We were able to get the repair done for \$11,600. As usual there ended up be more extensive "hidden damage", but a big thank you to Jim's Body Shop for working with us to reduce the repair cost. This is a win for the city as we will basically be able to get this very important K9 unit back into service for basically a little over the cost of the insurance policy. I don't have all the final numbers yet, but will be hopefully bringing that to you next meeting for approval to pay utilizing the insurance money.

Lake Shamrock Dredging. The project continues to move forward. We are interviewing an operator the week of the 6th hopefully. The barge has been completed and it should be being delivered in the next week or so. Watch for its arrival at the corner of Wilcox and McEwan. Contracts are being finalized by the city attorney for hauling and spoils disposal. Turbidity curtains have been ordered and have arrived at the DPW garage. You will see their placement soon at the dam and then around the work site. Unfortunately, we still are experiencing strange delays on needed products. The latest is that we are unable to find the large stone needed to make the roadway and bank improvements.

Streetscape. You may have noticed some settling of some of the new streetscape that was completed this year in the downtown. We have contacted the installer and they will be repairing/remediating the situation.

MDOT. MDOT is in town with their equipment and they are working on grinding the bumps in the streets on the trunklines. This will be nice when it's completed.

Tree Planting Grant Award. Once again, this year Utility Billing Clerk Mary Warner applied to Consumers Energy on behalf of the city for trees and once again, we were awarded the grant. Great job Mary.

Old 27 Car Tour. This event was recently held again downtown and was put on by the Tour, Chamber of Commerce, and downtown businesses. We closed off the streets and it was a great night. There were over 300 cars in attendance, and as my wife and I walked around all evening it seemed like everyone was excited to be out and at an event again. It almost felt like we were getting back to normal a little.

10. *COMMUNICATIONS: *Approved by Consent Agenda.*
11. EXTENDED PUBLIC COMMENT: None.
12. COMMISSION DISCUSSION TOPICS: None.
13. *APPROVAL OF BILLS: *Approved by Consent Agenda.*
14. *PROFESSIONAL & EDUCATIONAL TRAINING OPPORTUNITIES: *Approved by Consent Agenda.*
15. ADJOURNMENT: Motion by Commissioner Bonham second by Commissioner Jenkins to adjourn the meeting. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins, Nick Loomis and Carolyn (Gus) Murphy. Nays: None. Absent: None. *Motion Carried.* Meeting adjourned at 6:53p.m.

Pat Humphrey, Mayor

Diane Lyon, City Clerk