

The regular meeting of the Clare City Commission was called to order at 6:05 p.m. via remote audio public meeting attendance as authorized under Public Act 228 of 2020, by Mayor Pat Humphrey who led with the Pledge of Allegiance. Present were: Commissioners Bob Bonham, Josh Clark, Pat Humphrey and Nick Loomis. Absent: Carolyn (Gus) Murphy. Also, present: Jeremy Howard, City Manager; Steve Kingsbury, City Treasurer, and Diane Lyon, City Clerk.

Rules for Public Comment during the conduct of remote electronic meetings were read to the audience by the City Clerk

2. CONSENT AGENDA:

Moved by Commissioner Clark second by Commissioner Loomis to approve the items listed with an asterisk (*) (Agenda, Minutes, Communications, Professional Development, 2nd Reading of Ordinance 2020-010 and Bills) that are considered to be routine by the City Commission. Roll call vote: Yeas: Commissioners Bob Bonham, Josh Clark, Pat Humphrey and Nick Loomis. Nays: None. Absent: Carolyn (Gus) Murphy. *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. SECOND READING OF PROPOSED ZONING ORDINANCE 2020-010, REZONING OF PARCEL 051-621-009-00, 202 WEST STATE STREET

The City of Clare has been working with Dr. Kristin Heintz for the last several months regarding the relocation of her current chiropractic business to a new location (202 West State Street). Kristen submitted a Rezoning Request and Site Plan Application including supporting documents to the Planning Commission for consideration at their November 11th meeting.

The City Staff met with the applicant on November 5th and reviewed the site plan application and rezoning request. The request to rezone the property from Residential to Commercial was looked at by staff and determined that it did meet the criteria for rezoning. The future land use map has the parcel and surrounding area moving to Commercial in the future. In addition, directly across the street is another Commercial use (Ten Sixteen Recovery) so it does fit into the neighborhood. The proposed site plan meets the City's minimum zoning and building code standards and requirements. Existing buffer fencing is in place and Kristen intends to put landscaping along the fence for additional screening as required under section 52-304 and other landscaping on the property to improve the aesthetics. The Staff recommended approval of the site plan and the rezoning of the parcel from residential to commercial.

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 November 11th to consider the request and hold the required and properly noticed public hearing necessary for the site plan approval and zoning change. Following discussion among members of the Planning Commission, the Planning Commission voted to recommend approval of the site plan and zoning designation change by adoption of Resolution 2020-024PC recommending the adoption of Ordinance 2020-010 by the City Commission.

The City Commission was asked at its meeting of November 17th whether it desired to adopt the proposed ordinance amendment (Ordinance 2020-010) – 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 has been published. Subsequent to the conduct of the hearing, the Commission has the option of allowing a Second Reading of the proposed Ordinance 2020-010 or denying the conduct of a Second Reading, thereby rejecting the proposed new ordinance.

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

Motion by Commissioner Loomis second by Commissioner Bonham to approve Ordinance 2020-010 by adoption of Resolution 2020-148. Roll call vote: Yeas: Commissioners Bob Bonham, Josh Clark, Pat Humphrey and Nick Loomis. Nays: None. Absent: Carolyn (Gus) Murphy. *Motion Carried.*

B. APPROVAL OF MERS DEFINED BENEFIT PLAN REAFFIRMATION

The Municipal Employees' Retirement System (MERS) of Michigan is asking all municipalities who have a defined benefit retirement system plan for their employees to reaffirm several of the key provisions of the plans. This reaffirmation is being completed to ensure that all municipalities understand and administer the benefit provisions in the same way that the plan documents indicate and which MERS administers.

The plan provisions that MERS is asking each municipality to reaffirm include: plan participation eligibility; employee probationary periods as applicable; service credit qualification; how leaves of absences are administered; and what employee compensation is to be included and how it is to be reported.

The City of Clare has three MERS defined benefit plans, one for the full-time employees of the Pere Marquette District Library; one for its full-time police officers, and a third for all other full-time employees of the City.

Motion by Commissioner Bonham second by Commissioner Clark to approve acceptance of the MERS Reaffirmation by adoption of Resolution 2020-149. Roll call vote: Yeas: Commissioners Bob Bonham, Josh Clark, and Pat Humphrey. Abstain: Nick Loomis. Nays: None. Absent: Carolyn (Gus) Murphy. *Motion Carried.*

8. TREASURER'S REPORT: The Treasurer presented his report.

9. CITY MANAGER'S REPORT

DNR Recreation Grant Received. Recently the city received news of a \$30,000 grant that was awarded to the city for Emerald Isle Recreation Complex continued Playground Development. Recreation Director Joy Simmer wrote and submitted the grant and was successful in the selection process. Congratulations Joy, job well done and this will be another great addition to the city and the complex. Below is a snippet from the grant award letter to the city.

City of Clare - Clare, Clare

RP20-0033

Emerald Isle Recreation Complex Playground Development

Congratulations! On behalf of Department of Natural Resources (DNR) Director Dan Eichinger, this letter is to inform you that the application noted above was among those approved to receive a Recreation Passport (RP) local development grant in the amount of \$30,000.00.

Holiday Lights. As I am sure you have seen, the holiday lights have been put up throughout the city streets along the main corridors. The lights look great and certainly add to the charm and spirit of the holiday season here in Clare.

Hiring. Some of our departments are currently hiring in the city. Water/Wastewater recently had their job ad close and interviews will be conducted soon to fill the Part Time Water/Wastewater Administrative Assistant position. DPW is also in the middle of an internal job posting for a DPW worker to be filled January 1, 2021, as agreed to with the retirement of Al Jessup and Luke & Sam moving up in the ranks. The Part Time Crossing Guard job is also still available.

DDA and Planning Commission Meetings. The December meetings for the DDA (Friday, December 4th) and the Planning Commission (Wednesday, December 9th) were both cancelled due to lack of agenda items. The Planning Commission is continuing work on the revision of the sign ordinance and will be having further discussion early next year after Giffels Webster completes further work and revisions.

City Buildings Closed to Public: City offices have been closed to the public the last few weeks in order to comply with the most recent MDHHS order that was issued. That order ends at midnight on December 8th. City staff have been working remotely when possible and essential staff have been continuing to work as normal. We have been accommodating requests for appointments when absolutely necessary for the public. Though there were several press conferences last week from the Governor at this time the order has not been extended. If it is extended, the city and staff will continue to comply with the order while still maintaining the important services that are provided each and every day to the citizens of Clare.

10. *COMMUNICATIONS

Clare Area Chamber Holiday Light Tour: The Clare Area Chamber of Commerce has scheduled a self-guided Holiday Light Tour from December 12th through December 25 and encourages residents and businesses to light up the City for the holidays. The map is available from the Clare Chamber office.

Certificates of Certification: The Clare County Board of Canvassers have certified the results of the November 3 election and provided a listing of individuals elected to the office of City Commissioner.

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

11. EXTENDED PUBLIC COMMENT: None.

12. COMMISSION DISCUSSION TOPICS: The Mayor addressed speeding traffic complaints received from residents on John R Street. The CM will direct DPW to install children at play signs along the street.

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 Loomis to adjourn the meeting. Roll call vote: Yeas: Commissioners Bob Bonham, Josh Clark, Pat Humphrey and Nick Loomis. Nays: None. Absent: Carolyn (Gus) Murphy. *Motion Carried.* Meeting adjourned at 6:23 p.m.

Pat Humphrey, Mayor

Diane Lyon, City Clerk