

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; Dave Saad, Police Chief; Terry Acton, Zoning & Code Enforcement; and Diane Lyon, City Clerk.

2. **CONSENT AGENDA:**

Moved by Commissioner Bonham second by Commissioner Murphy to approve the items listed with an asterisk (*) (Agenda, Minutes, Department Reports, Communications, Professional Development, 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:** None.

6. **UNFINISHED BUSINESS:** None.

7. **NEW BUSINESS:**

A. APPROVE CERTIFIED GRANT ADMINISTRATOR

The City Commission authorized the submittal of a grant to MEDC for their CDBG WRI project grant. Per the requirements of the grant, the city solicited bids for a Certified Grant Administrator (CGA). The City received only one bid from Carter Consulting LLC. the City Commission is asked to authorize the selection and approve the contract with Carter Consulting LLC as the City's selected firm to perform as the CGA for the WRI grant. MEDC has reviewed the bid and has given written approval to enter into contract with Carter Consulting, LLC.

Motion by Commissioner Murphy second by Commissioner Loomis to approve the CGA Contractual Agreement with Carter Consulting, LLC. by adoption of Resolution 2022-093. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, Maegan Jenkins, Nick Loomis and Carolyn (Gus) Murphy. Nays: None. Absent: None. *Motion Carried.*

B. CODE ENFORCEMENT DISCUSSION TOPIC-ORDINANCE 52-308

There has been some question from the community and city staff on the enforcement of Section 52-308 (specifically the second half of the paragraph that deals with parking and storage of campers/boats/trailers/etc. in the driveway or in the front yard. Consequently, this matter was placed on the Agenda as a discussion topic.

The City contracts with Clare County for its Code Enforcement needs. As discussed in previous meetings, the desire of the Commission was to continue, as well as increase, the enforcement of the existing ordinances and zoning regulations as previously adopted. The process of starting with education and asking for compliance before having to move to ticket writing or enforcement has shown some positive results.

City staff and Code Enforcement have kept track of items/questions/ideas/concerns that have come up over the last year since we have been addressing the code issues. We are looking for direction and recommendations for changes to the Ordinance in order to start the Code amendment process with the City Attorney and Planning Commission to draft an amended ordinance. The desire is to address the concerns on both sides of this issue as well as clean up some of the "holes" that we have found in the ordinance.

A list of the items that should be addressed are:

Ordinance doesn't address corner lots.

Ordinance doesn't address house address on a street without a driveway but a driveway on the other street.

- Ordinance does address vacant lots.
- Ordinance does not define front yard and back yard for lakefront and riverside lots.
- Trailers that come and go. What constitutes moving?
- Option to set a specific timeframe (i.e. Labor Day to Memorial Day) that driveway storage would be allowed?
- If boats/campers allowed during those set months should enclosed trailers, open trailers, or flatbed trailers also be allowed or would that exception only apply to things like boats and campers?
- Should tickets/fines be incremental or just one "higher" amount?
- If storage of these types of things are allowed, should we address "on blocks", on ground (boats), etc.
- If allowed during a timeframe, does all storage need to be in the driveway or can it be in the "yard" in the front yard.

The code below is provided for reference.

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)

Zoning and Code Enforcement Officer Terry Acton, who was in attendance at the October 17 meeting, informed the Commission that after October 1, 75-80% of the trailer/camper/boat Ordinance violations cease because the summer season ends and for the most part, this particular zoning violation it isn't a big problem in this community. However, for those individuals who continue to violate the Code following a verbal advisement of the regulation and/or written notices, it may be more effective and less cumbersome to start civil fines at a higher amount (\$250 rather than \$75) and have only two levels of fines (\$250 & \$500) rather than four levels (\$75 1st Offense, \$150, 2nd Offense, \$325 3rd Offense, \$500 4th Offense) to get compliance with Code regulations in a timely manner. Clare City Police Chief Saad agreed with Mr. Acton in changing the civil fine levels. Mr. Acton further offered that some communities allow parking/storage of seasonal trailers/campers/boats from May 15-October 15 annually, while other communities allow off-season storage behind the home. Some communities provide specific side yard setbacks to address corner lot issues.

Commissioners leaned toward authorizing the parking of recreational equipment (boats/trailers/campers/snowmobiles) in the driveway during the season that it is in use, but then the equipment should be parked in a rear or side yard when it is out of season (summer vs. winter).

The City Commission directed the City Manager to pose the recreational vehicle/trailer parking issue on the City Manager's listserv for feedback and to present the list of Ordinance issues to the Planning Commission so that the Planning Commission can work through some of these issues and provide recommendations to draft an Ordinance amendment. The City Commission further requested that Code Enforcement Officer Terry Acton be an active participant in this process of developing an Ordinance amendment with the Planning Commission.

8. TREASURER'S REPORT: The Treasurer provided a report to the Commission.
9. *DEPARTMENT REPORTS: *Approved by Consent Agenda.*
10. CITY MANAGER'S REPORT
MDOT 5th Street (M-115) Project. Work is substantially complete on the project. Felt bags still need to be pulled from the storm sewers and the barricades still need to be picked up, but both of those should be getting done the week of the 17th. The project ended up getting completed early and looks great.

City Hall Windows. Work on the windows has been continuing as time permits with DPW staff completing the work. The work on the front of the building (5th Street side) is more

time consuming with the aluminum trim having to be removed. The windows that are in look great. We had our first substantial rain the other day and we had no leaks on the new windows that used to allow a lot of water into the building and onto the sills and floor.

Lake Shamrock Dredging Project. EGLE has stated that they are looking at possibly issuing us a permit for the first section of the lake. As of the time of writing this report they had not clarified where they were considering approving the spoils to be located or a timeframe that they would issue the permit. I will take this as some good news at this point in the project and the delays we have had from EGLE.

Verizon Cell Tower. I have had some conversations with the Lease Holder, Southern Tower, and they are working to get me a start date for the construction of the tower. They are saying the tower will be built yet this year, but there are no timeframes yet for Verizon to get the antennas on and functioning. This can take several weeks to several months I was told. The base and platform should be started the week of the 17th as well and then the installation of the meter bank can begin.

Fall Decorations. Be sure to check out all the Fall/Halloween decorations around town including some city buildings and parks. Also, we have the giant pumpkins back thanks to Todd Swarts and his family. If you have a chance to check them out you should as they are pretty impressive. The location of the giant pumpkins is:

Pere Marquette District Library – 1,051 lbs.

Fire Safety Building – 980 lbs.

Clare Union Railroad Depot – 1,378 lbs.

Whitehouse block – 1,160 lbs.

Emerald Isle Recreation Complex – 1,593 lbs.

City Hall – 944 lbs.

Subway block – 944 lbs.

Theater Tour. Continuing with our periodic tours we have been able to schedule a tour of the Ideal Theater to check out the renovation/restoration progress that has been completed so far. On Monday, we can plan on adjourning the meeting after we finish the Ordinance/Code discussion and then head over to the theater for an informal tour.

11. *COMMUNICATIONS: *Approved by Consent Agenda.*
12. EXTENDED PUBLIC COMMENT: None.
13. COMMISSION DISCUSSION TOPICS: None.
14. *APPROVAL OF BILLS: *Approved by Consent Agenda.*
15. *PROFESSIONAL & EDUCATIONAL TRAINING OPPORTUNITIES: *Approved by Consent Agenda.*
16. ADJOURNMENT: Motion by Commissioner Bonham second by Commissioner Murphy 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 6:50 p.m.

Pat Humphrey, Mayor

Diane Lyon, City Clerk