

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, Kim Bussell, Pat Humphrey, Maegan Jenkins, and Carolyn (Gus) Murphy. Absent: None. Also, present: Jeremy Howard, City Manager; Shannon Sirpilla, City Treasurer; Diane Lyon, City Clerk; and David Saad, Police Chief.

2. **CONSENT AGENDA:**

Moved by Commissioner Bussell second by Commissioner Jenkins to approve the items listed with an asterisk (\*) (Agenda, Minutes, Communications, Professional Development, and Bills) that are considered routine by the City Commission. Roll call vote: Yeas: Commissioners Bob Bonham, Kim Bussell, Pat Humphrey, Maegan Jenkins, 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. APPOINTMENT OF MERS 2023 CONFERENCE DELEGATES**

The Michigan Employees Retirement System (MERS) will hold its annual conference in Detroit, Michigan on September 27th, 28th & 29th, 2023. The City Commission has traditionally sent two delegates to the conference, an employee representative elected by the City's employees to represent their interests at the conference and a management delegate to represent management's interests at the conference.

This year the employees eligible to vote have selected David Saad as their primary delegate and Chad Michels as the alternate. Jeremy Howard will be the management primary delegate and Shannon Sirpilla will serve as an alternate.

MERS requires the City's delegates to be appointed by the respective municipal governing body in order to vote on policy matters presented to the delegation for decision. Therefore, the City Commission is asked to formally designate the aforementioned individuals to represent the employees and the City at the annual conference.

Motion by Commissioner Jenkins second by Commissioner Murphy to appoint Dave Saad and Jeremy Howard as Primary Voting Delegates and Chad Michels and Shannon Sirpilla as Secondary Voting Delegates for the 2023 MERS Conference by adoption of Resolution 2023-062. Roll call vote: Yeas: Commissioners Bob Bonham, Kim Bussell, Pat Humphrey, Maegan Jenkins, and Carolyn (Gus) Murphy. Nays: None. Absent: None. *Motion Carried.*

**B. APPOINTMENT OF MML 2023 ANNUAL MEETING DELEGATES**

The MML will hold its annual business meeting on Wednesday, October 18, 2023, in Traverse City, Michigan in conjunction with its annual conference being held October 18-20. The City is requested to designate its voting delegation for that meeting. Historically, multiple Commissioners attend the conference. The Commission is asked to designate one attendee as its primary voting delegate and a second attendee as its alternate voting delegate to cast the City's vote on all business brought before the MML Board of Directors and slated on the agenda for the scheduled meeting.

Motion by Commissioner Bonham second by Commissioner Murphy to appoint Mayor Humphrey as the Primary Voting Delegate, and Commissioner Maegan Jenkins as the Secondary Voting Delegate for the 2023 MML Conference by adoption of Resolution 2023-056. Roll call vote: Yeas: Commissioners Bob Bonham, Kim Bussell, Pat Humphrey, Maegan Jenkins, and Carolyn (Gus) Murphy. Nays: None. Absent: None. *Motion Carried.*

**C. ANNUAL REVIEW AND RENEWAL OF TITLE VI POLICY PLAN**

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

Motion by Commissioner Bonham second by Commissioner Bussell to approve the review and renewal of the Title VI Plan and Policy by adoption of Resolution 2023-057. Roll call vote: Yeas: Commissioners Bob Bonham, Kim Bussell, Pat Humphrey, Maegan Jenkins, and Carolyn (Gus) Murphy. Nays: None. Absent: None. *Motion Carried.*

**D. REVOCATION OF COMMERCIAL FACILITIES EXEMPTION CERTIFICATE-HOTEL DOHERTY**

On May 20, 2019, Hotel Doherty, Inc., was granted a twelve (12) year Commercial Facilities Exemption (CFE) Certificate for abatement of real property taxes in the amount of \$2,008,814, for the cost of building rehabilitation and improvements to the historic section of the Doherty Hotel by the adoption of Resolution 2019-061. As a condition of the tax abatement, the City of Clare required that the construction, restoration, or replacement of the facility would be completed by December 31, 2020. However, the COVID pandemic hit at the beginning of 2020, thus leeway was given for the deadline for the construction and restoration of this facility.

We have now passed the three-year mark for the CFE Application and construction and rehabilitation have not started, thus the City may pass a resolution to revoke the Exemption Certificate (4-19-001) as outlined in PA 255 of 1978, as amended. Additionally, as a side note, the owners of the Doherty Hotel have put the facility up for sale. The new owners of the facility could apply for a new exemption if the work qualifies under the Act.

Motion by Commissioner Murphy second by Commissioner Bonham to revoke the Hotel Doherty Commercial Facilities Exemption Certificate by adoption of Resolution 2023-058. Roll call vote: Yeas: Commissioners Bob Bonham, Kim Bussell, Pat Humphrey, Maegan Jenkins, and Carolyn (Gus) Murphy. Nays: None. Absent: None. *Motion Carried.*

**E. CHANGE TO CONSUMERS ENERGY STANDARD LIGHTING CONTRACT – STREETLIGHT AT RAINBOW DRIVE AND EASTWOOD DRIVE**

The City has Standard Lighting Agreements in effect with Consumers Energy. The City is obliged to provide Consumers Energy with specific authorization for any changes to the Agreements.

At the June 5th, 2023 regular City Commission meeting, the Commission made a request for the installation of a new street light at the corner of Rainbow Drive and Eastwood Drive to illuminate the roadway for the safety of drivers and pedestrians. City staff submitted a request for the new light to Consumers Energy.

The City Commission's approval is required by Consumers Energy to facilitate the change. The Commission is asked to authorize the change.

We also recommend that the City Commission authorize its Director of Public Works to execute any and all documents related to said authorization on behalf of the City of Clare and authorize the City Treasurer/Finance Director to make any and all necessary budget amendments.

Motion by Commissioner Jenkins second by Commissioner Bussell to approve the amendment to the Standard Lighting Agreement by adoption of Resolution 2023-059. Roll call vote: Yeas: Commissioners Bob Bonham, Kim Bussell, Pat Humphrey, Maegan Jenkins, and Carolyn (Gus) Murphy. Nays: None. Absent: None. *Motion Carried.*

**F. RENEWAL OF CITY MANAGER'S CONTRACT**

The current 3-year employment agreement between myself and the City of Clare will expire on August 24, 2023. I began discussions over the past few weeks with the Mayor

and Mayor Pro Tem to negotiate an updated contract for this fiscal year and future years. A new five-year contract was drafted based on those discussions.

Clare is an amazing community, and I am excited to continue working with the City Commission and city staff and to continue serving the City of Clare and its residents and business owners. I ask that the City Commission favorably consider approval of the contract as drafted and reviewed by the Mayor and Mayor Pro Tem.

Motion by Commissioner Jenkins second by Commissioner Murphy to approve the City Manger's contract by adoption of Resolution 2023-060. Roll call vote: Yeas: Commissioners Bob Bonham, Kim Bussell, Pat Humphrey, Maegan Jenkins, and Carolyn (Gus) Murphy. Nays: None. Absent: None. *Motion Carried.*

**G. APPROVE CONTRACTUAL AGREEMENT WITH MAC, LLC. FOR COMPREHENSIVE REAPPRAISAL OF INDUSTRIAL PROPERTIES**

The city contracted for assessing services with Michigan Assessing Coalition (MAC), LLC three months ago (in May of this year) for onsite services for four hours per week, and thus far, we are very happy with the services they have provided. Prior to contracting with MAC, the City experienced a turnover in Assessing staff over the past few years and experienced a severe dampening of assessing services during the COVID Pandemic. The State of Michigan recommends that 20% of a governmental unit be reviewed each year. The review of city parcels has fallen behind at no fault of MAC.

The city has also experienced a tremendous amount of growth with new construction, renovation, and rehabilitation in all sectors of the city, including industrial, commercial, and residential properties. As such, MAC will have difficulty catching up with a review of assessed values through the regular annual review process, thus the city will continue to lose tax dollars. Over the past several years private development within both the North and South Industrial Parks has increased to the point that all lots have been sold and businesses are newly operational or nearly ready to become fully operational. Through a review of some parcels with the new Assessor, it was found that several properties (especially industrial properties and the Industrial Parks) have not been updated or correctly assessed for several years.

Due to this fact, MAC has proposed an additional day and an additional employee be temporarily added to ensure that new and updated assessments can be done and completed in time for them to be added to the tax roll for next year. Incorrect and missed assessments can also be assessed for the previous 2 years. Based on some of the preliminary observations the Assessor and Treasurer believe that the increase in taxes from the assessing updates and corrections will more than pay for the cost of the proposed 6-month contract. The new tax revenues will then continue into the future adding the correct tax assessments for the parcels.

Motion by Commissioner Bonham second by Commissioner Murphy to approve the contractual agreement by adoption of Resolution 2023-061. Roll call vote: Yeas: Commissioners Bob Bonham, Kim Bussell, Pat Humphrey, Maegan Jenkins, and Carolyn (Gus) Murphy. Nays: None. Absent: None. *Motion Carried.*

**H. ANNEXATION OF CITY-OWNED PROPERTIES-VERNON TOWNSHIP**

During recent updates being completed by the State Boundary Commission, the City Clerk discovered that two parcels of land (18-002-20-015-00 & 18-002-30-016-00) that have long been owned by the City in what is now referred to as Industrial Park #3, were never officially annexed into the City. The City Attorney completed additional research to verify this issue. Public Act 279 of 1909 (MCL 117.9(8)) allows the City to annex owned, vacant property that is adjacent to the City's current boundaries by simple resolution. The City Commission is asked to approve the annexation of this property at this time.

Motion by Commissioner Murphy second by Commissioner Bussell to approve the annexation of City-owned property by adoption of Resolution 2023-062. Roll call vote: Yeas: Commissioners Bob Bonham, Kim Bussell, Pat Humphrey, Maegan Jenkins, and Carolyn (Gus) Murphy. Nays: None. Absent: None. *Motion Carried.*

8. TREASURER'S REPORT: The Treasurer provided a report to the Commission.

9. CITY MANAGER'S REPORT

Lake Shamrock Dredging and Dam Project. Mechanical dredging continues and is making good progress moving East in the lake towards Shamrock Park. Savin Lake Services reported that they have submitted the revised permit to EGLE for hydraulic dredging. I have also reached out to the contacts at EGLE and asked them to support and expedite the permit, if at all possible, for this important project. Engineering work for the Dam has begun and crews are out on the lake surveying and gathering data for the design work.

Michigan Municipal Executives Summer Conference. I recently attended the MME Summer Workshop. It was an excellent time of networking and they held many informative sessions. Some of the topics included officer-involved shootings, CDL law updates, elections, legislative updates, ethics in local government, updates and changes from the Michigan Department of Treasury, and managing generational differences in the workplace. Thank you to the Commission for prioritizing continuing education for city staff.

Street Reconstruction Project. Malley Construction has begun work on this year's primary street project. They are making good progress on the street demo portion of the project. As a reminder, the proposed street work includes the removal and replacement of the asphalt as well as the road base, new curb and gutter, and new approaches on North Rainbow Drive from Glendale to Eastwood.

Music and Art in the Alley 2023. Once again, this year Art Alley in Downtown Clare is the place to be for Art and Music. Come join the fun Saturday, August 5<sup>th</sup> from 2 p.m. to 8 p.m. for a celebration of music, art, and community. The craft show will be on 4<sup>th</sup> Street from 2-8pm. Music starts in the Art Alley at 3:30 p.m. with Doc & Dean. Following is Mama Song & The Boogie Child at 5 p.m. and lastly, Jamie on Keys at 6:30 p.m. You can follow the event on Facebook at <https://www.facebook.com/events/806078330976556>.

North Light Movie Nights 2023. North Light Movie nights are continuing this summer and the next three are in the City of Clare at various locations. This is a great community event and hopefully, you will have a chance to check them out. For more information go to their website at <https://www.northlightmovienight.com>.

City Department Tours. The commissioner's tour of the Clare Municipal Airport and its facilities was very informative. We will be heading to the Fire Department following our meeting on August 21<sup>st</sup> for our next facility tour.

11. \*COMMUNICATIONS: *Approved by Consent Agenda.*
12. EXTENDED PUBLIC COMMENT: None.
13. COMMISSION DISCUSSION TOPICS: Commissioner Bussell informed the Commission that she will be absent from the August 21, 2023 meeting. Neighborhood blight: a Cour Street rental property has a large pile of garbage in the yard near the street that needs to be addressed. The owner of the inoperable pontoon on Rainbow Drive has been issued a ticket and court action is in process. We have not received any information from Mr. Ziehm on what his intentions are for the Crossroads Motel now that his tenants have been evicted. The building was never approved for use as apartments and as it currently stands, the motel does not meet building and fire codes even for transient use.
14. \*APPROVAL OF BILLS: *Approved by Consent Agenda.*
15. \*PROFESSIONAL & EDUCATIONAL TRAINING OPPORTUNITIES: *Approved by Consent Agenda.*
16. ADJOURNMENT: Motion by Commissioner Bussell second by Commissioner Murphy to adjourn the meeting. Roll call vote: Yeas: Commissioners Bob Bonham, Kim Bussell, Pat Humphrey, Maegan Jenkins, and Carolyn (Gus) Murphy. Nays: None. Absent: None. *Motion Carried.* Meeting adjourned at 6:38 p.m.

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Pat Humphrey, Mayor

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Diane Lyon, City Clerk