

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, and Maegan Jenkins. Absent: Kim Bussell & Carolyn (Gus) Murphy. Also, present were: Jeremy Howard, City Manager; Shannon Sirpilla, City Treasurer; and Diane Lyon, City Clerk.

2. CONSENT AGENDA:

Moved by Commissioner Jenkins second by Commissioner Bonham to approve the items listed with an asterisk (\*) (Agenda, Minutes, Department Reports, Communications, Professional Development, 2<sup>nd</sup> reading of Ordinance 2023-003 & 2023-004, and Bills) that are considered routine by the City Commission. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, and Maegan Jenkins. Nays: None. Absent: Kim Bussell and 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 AND ADOPTION OF ORDINANCE 2023-003, CLARENDON GLEN APARTMENTS PILOT**

The City heard and considered extensive information related to the PILOT request of Chris Austin of CRA Development, at the October 2nd meeting. The City Commission held a public hearing and approved a first reading of the proposed ordinance related to the request.

Since CRA Development intends to utilize the Low-Income Housing Tax Credit Program (LIHTC) administered by the Michigan State Housing Development Authority (MSHDA), MSHDA has completed a review of the proposed ordinance and it has requested minor revisions to proposed Ordinance 2023-003; those revisions have been incorporated into the attached Ordinance.

The affected taxing jurisdictions were notified of the proposed ordinance to afford them the opportunity to provide comments regarding the ordinance. The City received only one comment which came from Mid Michigan College President Tim Hood in support of the PILOT.

The City Commission is now asked to render a decision regarding the PILOT request. In making that decision, I suggest that the City Commission consider the value and the need of the housing offered to the community by CRA Development and the tax calculations that would be received by granting the PILOT; that each PILOT should be evaluated based upon its own merits; that this PILOT request is for 10%; and other factors that the Commission deems pertinent to this topic. If the Commission deems that a PILOT should be granted, approval of a second reading of the proposed ordinance is required. Whereas, if the City Commission does not believe the granting of the PILOT request is in the best interests of the community, a denial of proceeding to a second reading and disapproval of the PILOT request is needed.

Motion by Commissioner Jenkins second by Commissioner Bonham to direct a second reading and approve the Ordinance amendment by adoption of Resolution 2023-082. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, and Maegan Jenkins. Nays: None. Absent: Kim Bussell and Carolyn (Gus) Murphy. *Motion Carried.*

**B. SECOND READING AND ADOPTION OF ORDINANCE 2023-004, UTILITIES-COLLECTION (SECURITY DEPOSIT)**

Subsequent to holding a public hearing at its October 2, 2023, regular meeting, the Clare City Commission considered and approved a first reading of a proposed amendment to Section 46-278 of the City of Clare Code of Ordinances concerning rental property

security deposits for utility services. The City received no public comment regarding the proposed ordinance amendment.

The city's current policy is to return deposits to renters after one year of consecutive on-time payments, but this has led to the city having to write off sizeable utility bills when rental properties are vacated without the bill being paid. The City Attorney has recommended an ordinance amendment to address this issue by eliminating the return of the security deposit until the rental agreement is terminated. At that time the security deposit will be applied to any outstanding balance of the utility bill to minimize these losses to the city. The ordinance amendment further clarifies that the security deposit applies to rental units only and not to homeowners.

The City Commission may now direct a second reading and adopt the proposed ordinance change if it determines that it is in the City's best interests to do so.

Motion by Commissioner Bonham second by Commissioner Jenkins to direct a second reading and approve the Ordinance amendment by adoption of Resolution 2023-083. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, and Maegan Jenkins. Nays: None. Absent: Kim Bussell and Carolyn (Gus) Murphy. *Motion Carried.*

**C. INTERGOVERNMENTAL AGREEMENT WITH CLARE PUBLIC SCHOOLS-CROSSING GUARDS**

Michigan Compiled Laws, Section 257.613c places the responsibility of school crossing guards on the local law enforcement agency having jurisdiction over the local school crossing. Locating, hiring, and retaining qualified individuals to serve in this very part-time, low-paid position has become increasingly difficult. As such, Chief Saad and I met with Clare Public Schools (CPS) Superintendent Jim Walter to discuss funding a wage increase for this critical position. The City Staff has negotiated the terms of the Agreement with the CPS Superintendent. Consequently, we asked our City Attorney to craft an intergovernmental agreement. The City Commission is asked to consider and approve the agreement.

I also recommend that the City Commission authorize its City Manager to execute any and all documents related to the said agreement 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 Bonham second by Commissioner Jenkins to approve the intergovernmental agreement by adoption of Resolution 2023-084. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, and Maegan Jenkins. Nays: None. Absent: Kim Bussell and Carolyn (Gus) Murphy. *Motion Carried.*

**D. ACCEPTANCE OF FIRE DEPARTMENT GRANT-MI FIRE EQUIPMENT GRANT PROGRAM**

The city was recently notified that we were successful in being awarded grant funds for the MI Fire Equipment Grant Program. The grant application was submitted based on the number of local government entities that the Fire Department supports. The Clare City Commission is now asked to consider approving the acceptance of the grant award and the terms therein as well as authorizing the City Manager and City Treasurer to sign any necessary documents and allow for any necessary budget amendments required to accept the funds.

Motion by Commissioner Jenkins second by Commissioner Bonham to approve the intergovernmental agreement by adoption of Resolution 2023-085. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, and Maegan Jenkins. Nays: None. Absent: Kim Bussell and Carolyn (Gus) Murphy. *Motion Carried.*

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

9. \*DEPARTMENT REPORTS: *Approved by Consent Agenda.*

10. CITY MANAGER'S REPORT

Planning Commission Meeting. The Planning Commission approved site plan applications of Bishop Automotive for a façade improvement, remodeling, and expansion of the office, showroom, and service area, and a 1,687-square-foot addition to the southwest side of the building. They will also add a 5,200 sf service bay to the north side

of the building. The Commission also approved a site plan of the City of Clare for the construction of a well house at Emerald Isle as part of the WRI project.

Lake Shamrock Dredging and Dam Project. Mechanical dredging by the City is progressing even though we have had some equipment issues. Our operator is now working five 8-hour days instead of four 10-hour days during the week. Savin Lake Services is still waiting on the EGLE permit so that they can put the hydraulic dredge in the water, but work on the holding cell at the airport is nearly complete and they plan to install the liner in the holding cell starting October 16<sup>th</sup>. The Dam feasibility study work is on track and we anticipate that we will have options and prices in November.

Last Civil War Veterans of Clare County Ceremony at Cherry Grove Cemetery. The Last Civil War Veterans of Clare County Ceremony at Cherry Grove Cemetery was held on Saturday, October 7, 2023. The ceremony detailed the incredible Civil War journeys of Reverend William N. Younglove and Mr. Elias Riegle. Their life stories proved to be very interesting. The ceremony featured General Orlando M. Poe Camp 444 - Sons of Union Veterans of the Civil War Honor Guard dressed in Union Engineer and Infantry uniforms and firing 3 volleys with reproduction Civil War era rifles with Echo Taps being performed by high school students of Clare Bands.

Rail Trail - Clare Gap. MDOT recently informed the city that the letting for the project has occurred and the Preliminary Bids have come in 2.57% less than the MDOT Engineers estimate. This is great news and should keep the project moving forward with construction to begin in the Spring of 2024.

City Department Tours. Due to scheduling conflicts, we will do our next tour at the first meeting in November at the Police Department.

11. \*COMMUNICATIONS: *Approved by Consent Agenda.*
12. EXTENDED PUBLIC COMMENT: None.
13. COMMISSION DISCUSSION TOPICS: Mayor Humphrey inquired about the availability of counseling services for emergency responders who participated in the double fatal accident that took place in the city last week. Commissioner Jenkins serves on the Fire Department; she offered that counseling is available. The City also provides an Employee Assistance Program through our life insurance carrier for employees who desire counseling services.
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 Jenkins to adjourn the meeting. Roll call vote: Yeas: Commissioners Bob Bonham, Pat Humphrey, and Maegan Jenkins. Nays: None. Absent: Kim Bussell and Carolyn (Gus) Murphy. *Motion Carried.* The meeting adjourned at 6:13 p.m.

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Pat Humphrey, Mayor

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Diane Lyon, City Clerk