

AGENDA REPORT

To: Mayor Pat Humphrey and the Clare City Commission
From: Jeremy Howard, City Manager
Date: February 1, 2024
Regarding: Renewal of Fire Service Agreements

For the Agenda of February 5, 2024

Background The City has long-enjoyed formal agreements with four surrounding townships (Grant, Sheridan, Vernon, & Wise) that outline the basic terms of responsibilities and compensation for fire services provided to those townships by the Clare Fire Department. Wise Township's agreement has expired and they now desire to renew that agreement without revision except for the term of the agreement.

The City Commission is asked to approve the expired agreement.

Issues & Questions Should the City Commission approve the renewal of Fire Service Agreement with Wise Township?

Alternatives

1. Approve the renewal of the Fire Service Agreement.
2. Approve the renewal of the Fire Service Agreement with amendment or modifications.
3. Do not approve renewal of the Agreement.
4. Set the decision aside to a subsequently scheduled public meeting.

Financial Impact All subscribers (including the City of Clare) to the agreements pay the equivalent of 1.1 mil of their respective taxable value to the Clare Fire Fund for these services.

Recommendation I recommend that the City Commission renew the expiring Fire Service Agreement with Wise Township by adoption of Resolutions 2024-007.

Attachments

1. Wise Township Fire Service Agreement.
2. Resolution 2024-007.

**CITY OF CLARE
&
WISE TOWNSHIP
FIRE PROTECTION SERVICES AGREEMENT**

1. **Parties.** This agreement is made and entered into this date by and between the City of Clare, a municipal corporation hereinafter referred to as the “City”, and Wise Township, hereinafter referred to as the “Township”.
2. **Term of Agreement.** This contract shall bind both parties once signed; and shall be in effect from January 1, 2024, through December 31, 2026.
3. **Scope of Services.** The City hereby agrees to provide fire protection services for all properties and structures within a designated geographical area within Wise Township mutually agreed to by the City and the Township and outlined on the map attached to this Agreement as Attachment A. The City shall be responsible for furnishing all required fire protection personnel, equipment, and supplies to provide said services.
4. **Compensation.** The Township shall annually contribute .9 mill of its total taxable valuation of both real and personal property within the boundaries of the service area for the duration of the agreement period. Any changes to the stated compensation shall require the mutual consent of the City and the Township. The City shall invoice the Township for fire services annually in January for each year of the agreement period. Annual compensation is due to the City within 45 days of the date of the invoice unless otherwise agreed to by the City.
5. **Division of Township.** The Township may opt to divide the geographical boundaries for fire protection services among more than one fire department. If the Township opts to modify or amend the serviced geographical area, the Township must notify the City in writing not less than one hundred and eighty (180) days before said modification or amendment is to take effect. The notification must include the proposed new geographical boundaries of the fire service area for the Clare Fire Department and the assessed valuation of all real and personal property within the new boundaries.
6. **Fire Council.** A Fire Council shall be established by the Clare City Commission to serve in an advisory role in matters related to fire

protection services provided by the Clare Fire Department. Membership on the Council shall include a Clare City Commissioner, the Fire Chief of the Clare Fire Department, a firefighter of the Clare Fire Department selected by the members of the Department, the Clare City Manager, and a representative of each Township that is provided fire services by the Clare Fire Department. The Clare City Commissioner designated to serve on the Council shall be the Council's Chairperson; one of the Council's township members shall be selected by the township representatives to serve as Fire Council Vice Chairperson; the Clare City Manager shall serve as the Council's Secretary/Recorder. The Fire Council may consider any/all matters it deems appropriate in respect to fire protection services provided by the Clare Fire Department *except* any issue or topic related to the internal organization or management of the Clare Fire Department – specifically, operating procedures or guidelines; matters related to the fire department chain of command process; selection or discharge of firefighters; disciplinary matters; selection of Clare Fire Department officers; and administration or training issues related to the Department. The Fire Council shall meet at least twice annually at a place and time determined by the Chairperson. One of these meetings shall be in conjunction with the formulation of the Clare Fire Department's annual operating budget to review and provide recommendations regarding said budget prior to its submission to the Clare City Commission for approval. The Council Chairperson or Vice Chairperson may call additional or special meetings at their discretion. All meetings shall be open to the public and announced accordingly by the Council Secretary.

7. **Reports.** The Fire Chief of the Clare Fire Department shall provide, not later than the first Monday of each month, a written fire report to the Township. Said reports shall stipulate, as a minimum, the number of fire runs made to the Township during the preceding month, the reason(s) for said runs, and the extent of fire damage (if any). At least once each year, the Fire Chief or his designated representative shall attend a scheduled Township meeting to present an overview of fire services provided to the Township, to respond to questions of the Township Board and Township residents, and discuss any other topic requested by the Board in respect to fire services.
8. **Amendment or Termination.** This agreement is binding upon both parties hereto. No amendment, except as outlined in Paragraph 5 of

this agreement, shall be made without the consent of both parties. All amendments shall be in writing and signed by the designated representatives of both parties. Either party may terminate this agreement by providing the other party formal written notice at least one hundred and eighty (180) days prior to said termination.

- 9. **Renewal.** This agreement shall automatically renew upon the term date. If either party does not intend to renew the agreement, they shall provide written notice to that effect to the other said party at least one hundred and eighty (180) days prior to the expiration date with the consent of both parties.

FOR THE CITY OF CLARE:

Pat Humphrey, Mayor

Date

Diane Lyon, City Clerk

Date

FOR WISE TOWNSHIP:

Robert Moore, Supervisor

Date

Renee Filhart, Treasurer

Date

Attachment A – Map of Fire Service Area

RESOLUTION 2024-007

A RESOLUTION OF THE CLARE CITY COMMISSION APPROVING THE RENEWAL OF A FIRE SERVICES AGREEMENT WITH WISE TOWNSHIP.

WHEREAS, the City of Clare and Wise Township have long enjoyed a fire services Agreement that outlines terms, conditions, and parameters of fire services provided to Wise Township by the Clare Fire Department; and

WHEREAS, said Agreement has expired; and

WHEREAS, both governmental entities mutually desire and have agreed to extend the terms of said service Agreement for three years.

NOW THEREFORE BE IT RESOLVED THAT the City Commission hereby approves the renewal of a Fire Services Agreement between Wise Township and the City of Clare, said agreement to be effective January 1, 2024, and expire on December 31, 2026, with all other terms and conditions as outlined therein.

ALL RESOLUTIONS AND PARTS OF RESOLUTIONS INsofar AS THEY CONFLICT WITH THE PROVISIONS OF THIS RESOLUTION BE AND THE SAME ARE HEREBY RESCINDED.

**The Resolution was introduced by Commissioner _____ and supported by Commissioner _____.
The Resolution declared adopted by the following roll call vote:**

YEAS:

NAYS:

ABSENT:

Resolution approved for adoption on this 5th day of February 2024.

Diane Lyon, City Clerk