

## AGENDA REPORT

TO: Mayor & City Commissioners  
FROM: Jeremy Howard, City Manager  
DATE: March 29, 2024

RE: Decertify/Vacate portions of Jackson Street and South Rainbow Drive Between 4<sup>th</sup> and 5<sup>th</sup> Street

For the Agenda of April 1, 2024

---

**Background.** In 2003, the Michigan Department of Transportation (MDOT) informed the City of its intention to complete a major reconstruction project in 2004 for U.S. Business Route 10/Michigan 115 through the City of Clare. In conjunction with that project, MDOT requested the City's permission to close two street openings, Jackson Street and South Rainbow Drive, for reasons of public safety. The City Commission approved the street closures with the adoption of Resolution 2003-140 (copy att'd).

MDOT recently informed us that an audit was completed of the certified Act 51 map. It was discovered that the aforementioned streets were not updated on the Act 51 map to show that they are no longer open to public traffic, and Resolution 2003-140 does not meet all of their requirements for decertifying the roadways, thus MDOT has requested the City submit new MDOT approved Resolutions, to officially decertify/vacate those portions of Jackson Street (77 feet) and South Rainbow Drive (100 feet) that were affected by the reconstruction project in 2004.

The Commission is now asked to officially decertify and vacate portions of Jackson Street and South Rainbow Drive as requested by MDOT.

**Issues & Questions Specified.** Should the City Commission decertify/vacate portions of Jackson Street and South Rainbow Drive that were abandoned years ago as requested by MDOT?

**Alternatives.**

1. Approve the street decertifications.
2. Disapprove the decertifications.
3. Set aside a decision regarding this matter to another meeting.

**Financial Impact.** None.

**Recommendation.** I recommend that the City Commission decertify/vacate the portions of Jackson Street and South Rainbow Drive that were abandoned at the request of MDOT in conjunction with the BR10/M115 reconstruction project of 2004 by adoption of Resolutions 2024-020 and 2024-021 (*copies att'd*).

**Attachments.**

1. Resolution 2003-140.
2. Resolution 2024-020.
3. Resolution 2024-021.

**RESOLUTION 2003-140**

**A RESOLUTION OF THE CLARE CITY COMMISSION APPROVING TWO MICHIGAN DEPARTMENT OF TRANSPORTATION PERMITS FOR STREET ENTRANCE CLOSURES.**

**WHEREAS**, the Michigan Department of Transportation (MDOT) has scheduled a major road reconstruction project for U.S. Business Route 10/Michigan 115 through the City of Clare in 2004; and

**WHEREAS**, MDOT has requested that, in conjunction with said project, the City approve permits to close existing City street entrances, specifically, Jackson Street and East Fourth Street, onto said highway; and

**WHEREAS**, the City Commission has determined that said closures are in the best public interest and safety of the City and its residents.

**NOW THEREFORE BE IT RESOLVED THAT** the Clare City Commission hereby approves the permits to close the existing entrances of East Fourth Street and Jackson Street onto U.S. Business Route 10/Michigan 115 in conjunction with a scheduled MDOT construction project in 2004.

**BE IT FURTHER RESOLVED THAT** the Clare City Manager is hereby authorized to execute all MDOT documents related to said permits on behalf of the City of Clare.

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

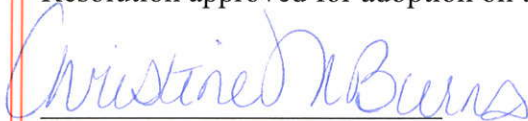
**The Resolution was introduced by Commissioner Steven Kingsbury and supported by Commissioner Renee Crawford. The Resolution declared adopted by the following roll call vote:**

**YEAS:** Commissioners Renee Crawford, Steven Kingsbury, Jim Allen, & John Panches.

**NAYS:** None.

**ABSENT:** Commissioner Pat Humphrey.

Resolution approved for adoption on this 18<sup>th</sup> day of August 2003.



Christine M. Burns, City Clerk

**RESOLUTION 2024-020**

**A RESOLUTION OF THE CLARE CITY COMMISSION APPROVING THE DECERTIFICATION/VACATION OF A PORTION OF JACKSON STREET**

**WHEREAS**, under ACT 51, the Michigan Department of Transportation requires a municipality to decertify portions of streets that have been vacated.

**WHEREAS**, the City of Clare does wish to decertify/vacate a portion of Jackson Street.

**WHEREAS**, this decertification/vacation of Jackson Street is located between East Fourth Street and East Fifth Street, from South Rainbow Drive to East Fifth Street, for a total decertification/vacation length of 77 feet.

**NOW THEREFORE BE IT RESOLVED THAT** at a regular meeting of the Clare City Commission of Clare, Michigan, held at the Clare City Hall on April 1, 2024, the Clare City Commission hereby approved the decertification/vacation of the aforementioned portion of Jackson Street in Clare, Michigan.

**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 1st day of April 2024.

---

Diane M. Lyon, City Clerk

I hereby certify that the foregoing is a true and complete copy of the City of Clare approved Resolution as adopted by the City Commission of the City of Clare, Counties of Clare and Isabella, State of Michigan at a regular Clare City Commission meeting held on April 1, 2024; and that said meeting was conducted and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended.

---

Diane M. Lyon, City Clerk

**RESOLUTION 2024-021**

**A RESOLUTION OF THE CLARE CITY COMMISSION APPROVING THE DECERTIFICATION/VACATION OF A PORTION OF SOUTH RAINBOW DRIVE**

**WHEREAS**, under ACT 51, the Michigan Department of Transportation requires a municipality to decertify portions of streets that have been vacated.

**WHEREAS**, the City of Clare does wish to decertify/vacate a portion of South Rainbow Drive.

**WHEREAS**, this decertification/vacation of South Rainbow Drive is located between East Fourth Street and East Fifth Street, from Jackson Street to East Fifth Street for a total decertification/vacation length of 100 feet.

**NOW THEREFORE BE IT RESOLVED THAT** at a regular meeting of the Clare City Commission of Clare, Michigan, held at the Clare City Hall on April 1, 2024, the Clare City Commission hereby approved the decertification/vacation of the aforementioned portion of South Rainbow Drive in Clare, Michigan.

**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 1st day of April 2024.

---

Diane M. Lyon, City Clerk

I hereby certify that the foregoing is a true and complete copy of the City of Clare approved Resolution as adopted by the City Commission of the City of Clare, Counties of Clare and Isabella, State of Michigan at a regular Clare City Commission meeting held on April 1, 2024; and that said meeting was conducted and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended.

---

Diane M. Lyon, City Clerk