

CITY OF CLIO
Regular Commission Meeting
Monday, October 15, 2018
6:00 p.m.

1. CALL TO ORDER/ROLL CALL

The Clio City Commission meeting was called to order by Mayor Bare at 6:00 p.m.

ROLL CALL:

Commission Members Present:

Commissioner Duane Mosher
Commissioner David Fejedelem
Commissioner Reuben Garcia
Commissioner DJ Williams
Commissioner Robert Smith
Mayor Pro Tem Vance
Mayor Bonnie Bare

Staff Present:

City Administrator, Eric Wiederhold
Deputy Clerk, Tracy Myers
Police Chief, Rick Witham
City Treasurer, Donald Dowell
DPS Superintendent, Arnold Brown
City Attorney, Otis Stout
Rowe Engineer, Dean Oparka

ABSENT: City Clerk Linda Kingston

2. A. Public Comment

1) Shannon Ciszek-Genesee Health Plan – The millage renewal will be on the November 6, 2018 ballot. This millage was first approved by voters in 2006 and renewed in 2012. The millage generates approximately \$9 million every year and 100% of the money raised from this millage is spent on direct health care services. Over 5,000 people have benefited from the Health Plan in the 48420 zip code. It provides basic affordable health care coverage for people who work one, two or even three jobs but don't receive health care coverage from their employer, or people who have lost their jobs and health benefits. It ensures all residents of Genesee County have access to basic health coverage and routine care. They also offer a Senior Dental Program. More information can be found on their website at www.geneseehealthplan.org

B. 701 N Mill Street - Eric Rutan, 2562 Nolan Rd., Flint – Not present until later in the meeting

3. Approval of Agenda

Motion by Commissioner Smith, second by Commissioner Mosher to approve the agenda as presented

Voice Vote

Voting Yes: Mosher, Fejedelem, Garcia, Smith, Williams, Vance, Bare

Voting No: None

Absent: None

Motion Carried

4. Approval of Minutes

Motion by Commissioner Garcia, second by Commissioner Mosher to approve the October 1, 2018 regular Commission meeting minutes

Voice Vote

Voting Yes: Mosher, Fejedelem, Garcia, Smith, Williams, Vance, Bare

1 **Voting No: None**

2 **Absent: None**

3 **Motion Carried**

4

5 **5. Approval of Bills**

6 **a. Motion by Commissioner Mosher, second by Commissioner Garcia** to approve the bills in
7 the amount of **\$323,277.94**

8 **Roll Call**

9 **Voting Yes: Mosher, Fejedelem, Garcia, Smith, Williams, Vance, Bare**

10 **Voting No: None**

11 **Absent: None**

12 **Motion Carried**

13

14 **b. Motion by Commissioner Mosher, second by Mayor Pro Tem Vance** to approve the USDA
15 bill in the amount of **\$313,169.64**

16 **Roll Call**

17 **Voting Yes: Mosher, Fejedelem, Garcia, Smith, Williams, Smith, Vance, Bare**

18 **Voting No: None**

19 **Absent: None**

20 **Motion Carried**

21

22 **6. Unfinished Business**

23 **A. Emterra 5 year contract extension**

24 Dan Garman from Emterra presented the five year extension proposal; 2020 \$10.24; 2021 \$10.44;
25 2022 \$10.44; 2023 \$10.60 and 2024 \$10.60

26 **Motion by Commissioner Mosher, second by Mayor Pro Tem Vance** to approve the 5 year
27 Emterra contract extension for residential curbside waste, recycling and yard waste disposal. This
28 will also include annual tire recycling day with free recycling for the first 25 tires and \$4 for
29 additional tires.

30 **Roll Call**

31 **Voting Yes: Mosher, Fejedelem, Garcia, Smith, Williams, Smith, Vance, Bare**

32 **Voting No: None**

33 **Absent: None**

34 **Motion Carried**

35

36 **7. New Business**

37 **A. Resolution 18-46 approving the sale of 233 Campbell Street**

38 Marie Thompson was engaged to list the property for sale and the City was presented an offer of
39 \$34,000 to purchase the property on September 4, 2018. Devon Title Agency will be providing
40 the insurance and Marie is hoping to close on the property by Friday.

41 **Motion by Commissioner Mosher, second by Commissioner Williams** to approve Resolution
42 18-46 reaffirming the sale of 233 Campbell Street

43 **Voice Vote**

44 **Voting Yes: Mosher, Fejedelem, Vance, Williams, Smith, Garcia, Bare**

45 **Voting No: None**

46 **Absent: None**

47 **Motion Carried**

48

49

50

1 **B. Tacoma Productions annual report**

2 Tacoma Productions has submitted their annual report to the Commission per the Concessions
3 Agreement.

4
5 **C. 1st quarter investment report**

6 City Treasurer, Donald Dowell presented the 1st quarter investment report and explained how
7 bank credits offset the expenses. Dowell will begin moving funds to Independent Bank for better
8 rates.

9
10 **D. 1st quarter variance report**

11 City Treasurer, Donald Dowell presented the 1st quarter variance report and reviewed the various
12 changes.

13
14 **E. Resolution 18-47 approving 1st quarter budget amendments**

15 **Motion by Commissioner Mosher, second by Commissioner Fejedelem** to approve Resolution
16 18-47, 1st quarter budget amendments

17 **Voice Vote**

18 **Voting Yes: Mosher, Fejedelem, Vance, Smith, Garcia, Williams, Bare**

19 **Voting No: None**

20 **Absent: None**

21 **Motion Carried**

22
23 **F. Resolution 18-48 approving 1st quarter budget amendments for Administrative Staff**

24 **Motion by Commissioner Mosher, second by Commissioner Fejedelem** to approve Resolution
25 18-48, 1st quarter budget amendments for Administrative Staff

26 **Voice Vote**

27 **Voting Yes: Mosher, Fejedelem, Vance, Smith, Garcia, Williams, Bare**

28 **Voting No: None**

29 **Absent: None**

30 **Motion Carried**

31
32 **G. MDEQ's Lead and Copper Rules – Concurrence with Petitioners' Request for
33 Declaratory Ruling**

34 Commissioner Mosher presented the subject of the Lead and Copper Rule to the Commission's
35 attention during its last regular meeting of October 1, 2018.

36 **Motion by Commissioner Mosher, second by Commissioner Garcia** to approve the
37 Concurrence with Petitioners' Request for Declaratory Ruling regarding MDEQ's Lead and
38 Copper Rules

39 **Voice Vote**

40 **Voting Yes: Mosher, Fejedelem, Vance, Smith, Garcia, Williams, Bare**

41 **Voting No: None**

42 **Absent: None**

43 **Motion Carried**

44
45 **2B. 701 N Mill Street - Eric Rutan, 701 N Mill Street, Clio** –requested from the Commissioners
46 that he be placed on the City Commission agenda to make his appeal heard regarding his 701 N.
47 Mill Street property. Mr. Rutan received Vacant and Abandoned Property code violations that
48 Were dismissed voluntarily by the city. He handed out a letter to each Commissioner stating the
49 properties background; his objections; and purpose for speaking. Mr. Rutan has been told
50 multiple times that the property is zoned R-1 One Family Residential on the official Zoning Map;

1 he argues that it is commercial use on the land use map. Having a business at this location is a
2 violation of Zoning. City Attorney Otis Stout mentioned during court proceedings Mr.
3 Rutan's attorney was told they could seek a rezoning request or use as home occupancy. Stout
4 was told by Rutan's attorney they declined the offer and wanted the hearing. When asked by a
5 Commissioner he stated he currently lives at 701 N Mill Street, not Nolan Drive in Flint and his
6 Crypto business is no longer being pursued so he has no need to request a rezoning change to
7 have a business at this location. He evaded questions on whether the building was finished on
8 the inside and habitable; only stating he lives there.

9
10 *Commissioner Williams and Mayor Pro Tem Vance left the meeting at 7:09pm*

11 12 **8. Staff Reports**

13 **City Administrator** – Wiederhold reported that water improvements are progressing; it has been
14 a long frustrating process. South Mill Street is scheduled to be open tomorrow; they will be
15 completing connections to New, Hughes and Pine Streets. Wiederhold sent letters out Friday to
16 Tacoma Court business owners. Chippewa Asphalt will be paving on Saturday. He is also
17 getting a quote from Chippewa to asphalt Griffes Street. The City will seek right of access to 701
18 N Mill Street to ensure the building is habitable.

19 **City Attorney** – Stout updated Commissioners on Court activities from last week. 209 New
20 Street has until the review date in November to finish repairs that include siding and roof work,
21 she has hired a contractor. She was fined \$400 with the agreement of paying it off by January
22 2019. Family is working on clean-up at 531 Pine Street. Gerald Burton finally has his fines paid.

23 **City Treasurer**- Dowell reported he received 5 late payments in the mail for taxes. Summer
24 taxes were due by September 30th and he accepted them until 8:00am on October 1st. Postmarks
25 are not accepted. Letters were sent to those owners and all but one has paid the penalty.

26 **Chief of Police** – Chief Witham reported Officer Schmidt is back to work in the School. E crash
27 reports will be required by 2020; passed Federal Inventory check; have volunteers lined up for
28 Zombie Walk; implementing performance standards for all officers; starting police reserve
29 program offering certified officers the opportunity to work 288 volunteer hours of training. After
30 conclusion of training, could activate them as part time officer.

31 **City Engineer**- Oparka reported the water projects are winding up, they have started restoration
32 work. The contractors will be replacing broken hydrants and valves. South Mill Street should be
33 open tomorrow.

34 **DPS Superintendent**- Brown reported lead and copper testing will begin again shortly. Working
35 on cleaning the storm drains.

36 **Clerk** – Kingston is on vacation. Myers has been busy issuing absentee ballots.

37 **9. Commissioner comments/Committee reports**

38 **Commissioner Fejedelem**- Candle Walk meeting October 25th at the Masonic Temple 7pm; last
39 Saturday Open House at Fire Station 1 was huge success; Sergeant Urbina made a presence and
40 the kids really enjoyed that. Fejedelem proposed to his girlfriend of 10 years – she said yes

41 **Commissioner Mosher** – nothing

42 **Commissioner Smith** – Amphitheater Board meets this Wednesday

43 **Mayor Pro Tem Vance** –not present

44 **Commissioner Garcia** – Clio Rotary hosting Candidate Forum October 16th from 5:30pm-
45 7:30pm at Rogers Lodge; Chamber hosting ribbon cutting for Elga Credit Union on Friday at
46 noon

47 **Commissioner Williams** – not present

48 **Mayor Bare** – Parks & Rec will be hosting a Zombie walk October 27th from 6pm-8pm; Library
49 book sale made \$1,400; Fire Authority held 5 interviews for firefighters; Station 2 Battalion
50 Chief retiring and will be replaced with Leanne Pennington in January; Halloween at Station 2 on

