

CITY OF CLIO
Regular Commission Meeting
Monday, November 18, 2019
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 D.J. Williams
Commissioner A.J. Girard
Commissioner Cynthia Promenchenkel
Mayor Pro Tem Doug Vance
Mayor Bonnie Bare

Staff Present:

City Administrator, Eric Wiederhold
City Clerk, Linda Kingston
Police Chief, Jamie Zecman
City Treasurer, Donald Dowell
DPS Superintendent, Arnold Brown
City Attorney, Otis Stout
City Engineer, Dean Oparka

ABSENT: none

2. A. Public Comment – none

B. Public Hearings

1. Public Hearing- New police vehicle purchase with assistance from the USDA

Mayor Bonnie Bare **opened the Public Hearing at 6:01 pm**, City Administrator, Eric Wiederhold reported that USDA could help us with up to forty to fifty-five percent of the vehicle purchase. Mayor Bonnie Bare **closed the Public Hearing at 6:03 pm**

2. Public Hearing- USDA Rural Development/Rural Utility Services (RD/RUS) loan and grant application for sanitary sewer improvements

Mayor Bonnie Bare **opened the Public Hearing at 6:03 pm**, City Administrator, Eric Wiederhold reported to the Commissioners regarding the USDA application process. The City Commission is asked to consider a United States Department of Agriculture – Rural Development Community Facilities Direct Loan & Grant application for financing of sanitary sewer improvements. The intent of this application is to secure financing for a combination of loan and grant monies in the amount of \$2.7 to \$2.8 million for sanitary sewer improvements. Mayor Bonnie Bare **closed the Public Hearing at 6:12 pm**

3. Approval of Agenda

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

Voice Vote

Voting Yes: Mosher, Fejedelem, Williams, Girard, Promenchenkel, Vance, Bare

Voting No: None

Absent: None

Motion Carried

- 1 **4. Approval of Minutes**
2 **a. Motion by Commissioner Mosher, second by Commissioner Williams** to approve the
3 November 4, 2019 Regular Commission meeting minutes
4 **Voice Vote**
5 **Voting Yes: Mosher, Fejedelem, Williams, Girard, Promenchenkel, Vance, Bare**
6 **Voting No: None**
7 **Absent: None**
8 **Motion Carried**
9
10 **b. Motion by Commissioner Fejedelem, second by Commissioner Promenchenkel** to approve
11 the November 12, 2019 Regular Commission meeting minutes
12 **Voice Vote**
13 **Voting Yes: Mosher, Fejedelem, Williams, Girard, Promenchenkel, Vance, Bare**
14 **Voting No: None**
15 **Absent: None**
16 **Motion Carried**
17
18 **5. Approval of Bills**
19 **a. Motion by Commissioner Vance, second by Commissioner Mosher** to approve the bills in
20 the amount of \$54,798.44
21 **Roll Call**
22 **Voting Yes: Mosher, Fejedelem, Williams, Girard, Promenchenkel, Vance, Bare**
23 **Voting No: None**
24 **Absent: None**
25 **Motion Carried**
26
27 **b. Motion by Commissioner Promenchenkel, second by Commissioner Mosher** to approve
28 the USDA bills in the amount of 20,437.50
29 **Roll Call**
30 **Voting Yes: Mosher, Fejedelem, Williams, Girard, Promenchenkel, Vance, Bare**
31 **Voting No: None**
32 **Absent: None**
33 **Motion Carried**
34
35 **6. Unfinished Business - none**
36
37 **7. New Business**
38 **A. Mayor Pro Tem**
39 **Motion by Mayor Bare, second by Commissioner Mosher** to approve the appointment of Mayor
40 Pro Tem, Doug Vance
41 **Voice Vote**
42 **Voting Yes: Mosher, Fejedelem, Williams, Girard, Promenchenkel, Vance, Bare**
43 **Voting No: None**
44 **Absent: None**
45 **Motion Carried**
46
47 **B. MDOT Contract – 2019-0664**
48 **Motion by Mayor Pro Tem Vance, second by Commissioner Girard** to approve the MDOT
49 Contract – 2019-0664
50 **Voice Vote**

1 **Voting Yes: Mosher, Fejedelem, Williams, Girard, Promenchenkel, Vance, Bare**

2 **Voting No: None**

3 **Absent: None**

4 **Motion Carried**

5
6 **C. Revised City of Clio Personnel Policies Draft**

7 City Administrator, Eric Wiederhold reviewed the Revised City of Clio Personnel Policies
8 with the Commissioners.

9 Section 1.10 (A) These represent the current employment policies for the City of Clio
10 employees who are not otherwise subject to a collective bargaining agreement. The City
11 reserves the right to amend, delete, supplement, or rescind these policies as the City deems
12 necessary and appropriate, with or without advance notice. These policies shall not be
13 construed to create contractual rights or any type of promise or guarantee of specific treatment
14 upon which any employee may rely. The City also reserves the right to deviate from these
15 policies, in order to achieve its primary objective of providing orderly and cost-efficient
16 services to its citizens.

17 **SIGNIFICANT CHANGES 1: COMPENSATORY TIME** Y Compensatory Time – Exempt
18 employees are not covered by the Fair Labor Standard Act; however, the City presently awards
19 compensatory time to exempt employees on a 1:1 basis (though there is no documentation of
20 this policies origins). Y The draft revision of the City’s Personnel Policies will continue to
21 provide for the award of compensatory time to exempt employees, but at a 1:1½ basis
22 consistent with overtime pay awarded non-exempt employees. Y The draft revision of the
23 City’s Personnel Policies will also impose restrictions on the award of compensatory time to
24 exempt employees, to include: 1) prior approval, in writing, except in cases of extreme
25 emergencies; 2) accumulations capped at 30 hours; and 3) specific provisions for after-hour
26 meetings.

27 **SIGNIFICANT CHANGES 2: BENEFITS, LEAVES AND TIME OFF** Y Life Insurance: Paid
28 life insurance policy for “retirees” limited to employees hired on or before December 31, 2019
29 (Section 6.30 (B)). Y Paid-Time-Off: 1) All Vacation, Sick Days and Personnel Days are
30 accumulated and defined as Paid-time Off consistent with the City’s collective bargaining
31 agreements with the Government Employees Labor Council the Police Officers Labor
32 Council. 2) Two tier Paid-time Off tables consistent with the City’s collective bargaining
33 agreements with the Government Employees Labor Council the Police Officers Labor
34 Council. Note: A paid-time-off “buy back” proposal may yet be presented for the City
35 Commission’s consideration.

36 **SIGNIFICANT CHANGES 3: LEAVES OF ABSENCES AND TIME OFF** Y Section 7.20.
37 The City recognizes that employees may have a need to take time off from work for family
38 and medical reasons. The City is a covered employer under the Family and Medical Leave Act
39 (FMLA) and will fulfill any obligations it may have pursuant to that Act. Employees who have
40 been employed by the City for twelve months; have worked at least 1,250 hours during the
41 previous twelve months; and work at a location with fifty or more employees or within
42 seventy-five miles of locations that together have a total of fifty or more employees, may be
43 eligible for up to twelve weeks of unpaid, job-protected leave per twelve-month period for
44 certain family and medical reasons, and up to twenty-six weeks of unpaid, job-protected leave
45 per twelve-month period for certain military-related reasons. Eligible employees who request
46 and are granted such leave, must use all of their available accrued and unused paid leave as
47 part of FMLA leave. Y Section 7.30 (A) All exempt employees and those non-exempt
48 employees who have satisfactorily completed their trial period are eligible for leave without
49 pay.

1 SIGNIFICANT CHANGES 4: VAPING AND SOCIAL MEDIA Y Vaping: For health and
2 safety considerations, the City prohibits smoking (including use of e-cigarettes, vape pens and
3 like items) by employees on the premises or property of the City, including City owned
4 buildings, vehicles, and all other enclosed facilities. This prohibition also includes other
5 facilities rented or leased by the City. Y Social Media: 1) City employees are responsible for
6 their actions; 2) Be conscious when mixing your business and personal lives; and 3) If an
7 employee's personal social media activities reference the City or the employee's association
8 with the City, or state an opinion regarding any City activities, the employee must abide by the
9 guidelines presented in Section 8.140.

10
11 **D. USDA Police Vehicle Financing**

12 **Motion by Mayor Pro Tem Vance, second by Commissioner Williams** to approve the
13 application for USDA financing for a Police Vehicle.

14 **Voice Vote**

15 **Voting Yes: Mosher, Fejedelem, Williams, Girard, Promenchenkel, Vance, Bare**

16 **Voting No: None**

17 **Absent: None**

18 **Motion Carried**

19
20 **E. USDA Rural Development/Rural Utility Services (RD/RUS) loan and grant application**
21 **for sanitary sewer improvements**

22 **Motion by Commissioner Promenchenkel, second by Commissioner Mosher** to approve the
23 USDA Rural Development/Rural Utility Services (RD/RUS) loan and grant application for
24 sanitary sewer improvements

25 **Voice Vote**

26 **Voting Yes: Mosher, Fejedelem, Williams, Girard, Promenchenkel, Vance, Bare**

27 **Voting No: None**

28 **Absent: None**

29 **Motion Carried**

- 30
31 **8. City Administrator** – Aqua-line should be here tomorrow to begin water-leak detection.
32 Wiederhold has been in contact with Power Source/McKerchie Lighting regarding the lights
33 downtown and the parking lot. Department reports are in the packets. MML hosts an Academy
34 for Newly Elected, let him know if interested in attending.

35 **City Attorney** – last court date Stout introduced Chief Zecman to all. Many contested hearings
36 this week, case load heavier.

37 **City Treasurer**- busy with DDA and NIA TIF reports, as well as audit

38 **Chief of Police** – attended new chief school in East Lansing, learned many things and enjoyed
39 networking. Posted for a full-time officer and clerk. Thank you to Arnold Brown and Donald
40 Dowell for painting her office.

41 **City Engineer**- nothing new to report. Last of the designs have been submitted.

42 **DPS Superintendent**- absent

43 **City Clerk** –the election held November 5, 2019 ran very smooth with a little over 8% voter
44 turnout. Kingston was hoping for ten percent with the new no-reason absentee voting. Kingston
45 has been busy with HR (new employees) and audit. She will be gone the week of Thanksgiving,
46 visiting family.

47
48 **9. Commissioner comments/Committee reports**

49 **Commissioner Fejedelem**- Welcome to Commissioner A.J. Girard and Commissioner Cynthia
50 Promenchenkel.

1 **Commissioner Mosher** – has two meetings scheduled for next week. Metro Alliance will need a
2 new alternate appointee, since Garcia is no longer a Commissioner.

3 **Commissioner Promenchenkel** – happy to be serving

4 **Mayor Pro Tem Vance** – Planning Commission will meet this Wednesday, where they will be
5 looking at the Temporary Structure Ordinance again. Did not attend 911. Candle Lite Nite is
6 scheduled for December 6th. This Saturday, they will be decorating the tree for Christmas at 9:00
7 am

8 **Commissioner Girard** – glad to be here!

9 **Commissioner Williams** – reported that he attended the Veterans meeting. Great turnout for the
10 parade. Talked about future Veterans Park projects. The Pancake Breakfast with Santa is
11 scheduled for December 14th. Williams will deliver fliers when available.

12 **Mayor Bare** – reported that the Fire Authority had four new applicants. Mary is back and feeling
13 better. Library is very busy with the GM strike. They will have installed new wall plugs for the
14 Maker Space. Parks & Rec met and discussed new additions to the Zombie Walk. They also
15 discussed moving the Ice Rink to the Library, parking will not be such an issue. No DDA
16 meeting this month. Small Cities was held in Mt. Morris where the Mayor spoke. They lost a
17 long-time member, past Mayor of Swartz Creek Richard Abrams.

18
19 **10. Excuse Absent Members – None**

20
21 **11. Mayor Bare adjourned the meeting at 7:10 p.m.**

22
23
24
25
26
27 _____
Bonnie Bare, Mayor
