

CITY OF CLIO
Regular Commission Meeting
Monday, December 16, 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

3. Approval of Agenda

Motion by Commissioner Girard, second by Commissioner Williams to approve the agenda as presented

Voice Vote

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

Voting No: None

Absent: None

Motion Carried

4. Approval of Minutes

Motion by Mayor Pro Tem Vance, second by Commissioner Mosher to approve the December 2, 2019 Regular Commission meeting minutes

Voice Vote

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

Voting No: None

Absent: None

Motion Carried

5. Approval of Bills

Motion by Commissioner Mosher, second Mayor Pro Tem Vance to approve the bills in the amount of \$43,162.45

Roll Call

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

Voting No: None

Absent: None

Motion Carried

1 **6. Unfinished Business**

2 **A. Water Loss**

3 City Administrator, Eric Wiederhold presented a power-point showing the history of the city's
4 water loss. It appears after the watermain leak repair, the city is noticing an eight percent decrease
5 in water usage. It is still too soon to determine the water repair effect. Wiederhold suggested to
6 make a determination come February and/or March. The 4 major leaks were discovered by
7 Aqualine. Water loss continues to be a problem for the City of Clio with a Fiscal Year 2019 water
8 loss of 28.14%; the City's largest recorded loss over the past 10 years. The current Fiscal Year
9 YTD water loss is 28.51%. This loss is outpacing the Fiscal Year water loss of 28.14% by 0.37%

10
11 **7. New Business**

12 **A. Resolution 19-54 second reading and adoption of Ordinance 509 amending and revising**
13 **Article 2 Definitions, §2.132 Temporary Buildings or Structures of the City of Clio Zoning**
14 **Ordinance**

15 **Motion by Mayor Pro Tem Vance, second by Commissioner Promenchenkel** to approve
16 Resolution 19-54 second reading and adoption of Ordinance 509 amending and revising Article 2
17 Definitions, §2.132 Temporary Buildings or Structures of the City of Clio Zoning Ordinance

18 **Roll Call**

19 **Voting Yes: Mosher, Fejedelem, Williams, Promenchenkel, Vance**

20 **Voting No: Girard, Bare**

21 **Absent: None**

22 **Motion Carried**

23
24 **B. Resolution 19-55 second reading and adoption of Ordinance 510 amending and revising**
25 **Article 3 General Provisions, §3.02 Building Regulations, by adding (H) (Temporary**
26 **Structure) of the City of Clio Zoning Ordinance, striking number 3 of 3.02**

27 **Motion by Commissioner Mosher, second by Mayor Pro Tem Vance** to approve Resolution
28 19-55 second reading and adoption of Ordinance 510 amending and revising Article 3 General
29 Provisions, §3.02 Building Regulations, by adding (H) (Temporary Structure) of the City of Clio
30 Zoning Ordinance, striking number 3 of 3.02

31 **Roll Call**

32 **Voting Yes: Mosher, Fejedelem, Williams, Promenchenkel, Vance**

33 **Voting No: Girard, Bare**

34 **Absent: None**

35 **Motion Carried**

36
37 **C. Genesee County Metropolitan Alliance representatives**

38 **a. Motion by Mayor Pro Tem Vance, second by Commissioner Girard** to approve the
39 Genesee County Metropolitan Alliance representative, Commissioner Duane Mosher

40 **Voice Vote**

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

42 **Voting No: None**

43 **Absent: None**

44 **Motion Carried**

45
46 **b. Motion by Commissioner Girard, second by Commissioner Mosher,** to approve the
47 Genesee County Metropolitan Alliance Citizen at Large, City Administrator, Eric Wiederhold

48 **Voice Vote**

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

50 **Voting No: None**

1 **Absent: None**
2 **Motion Carried**

3
4 **c. Motion by Commissioner Mosher, second by Mayor Pro Tem Vance** to approve the
5 Genesee County Metropolitan Alliance alternate representative, Mayor Bonnie Bare

6 **Voice Vote**

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

8 **Voting No: None**

9 **Absent: None**

10 **Motion Carried**

11
12 **D. Smith Street mill and resurface plans intent to bid**

13 **Motion by Mayor Pro Tem Vance, second by Commissioner Mosher** to approve Smith Street
14 mill and resurface plans intent to bid

15 **Voice Vote**

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

17 **Voting No: None**

18 **Absent: None**

19 **Motion Carried**

20
21 **E. Commissioner Compensation discussion**

22 City Administrator Eric Wiederhold inquired with Fahey, Schultz, Burzych, Rhode, the City labor
23 attorney Helen Mills, if a City Commissioner may refuse or otherwise elect not to receive
24 compensation from the City of Clio. While the City must pay the Commissioner, the salary
25 provided by the Compensation Committee, the Commissioner is not obligated to retain it upon
26 receipt. In summary, the compensation of a Commissioner is set by a statutory process and may
27 not simply be waived by the Commissioner. Given the conflict from the employer, the
28 Commissioner may be able to donate the pay to a charity of their choosing in satisfaction of this
29 obligation from an outside source.

30
31 **F. Incompatible Office discussion**

32 City Administrator Eric Wiederhold inquired whether a City Commissioner may continue as a
33 crossing guard. Fahey, Schultz, Burzych, Rhode, the City labor attorney Helen Mills replied the
34 they do not see a technical issue. Rather, this is a ‘soft’ or ‘political’ issue requiring care.

35 If the City wishes to continue with the Commissioners employment, the City Commission may
36 pass a motion or adopt a resolution specifically authorizing the continued practice. The scope of
37 permission for public officials to provide “other additional services” is broad and it is our opinion
38 that it applies to election workers, thus permitting the Mayor to assist at elections.

- 39
40 **8. City Administrator** –Wiederhold continued a power point presentation with regard to the
41 Citizen’s Guide and Governmental Fund finances, indicating the requirements of posting the
42 audit results online. Wiederhold reviewed sources of revenue and displayed on a pie chart to
43 show Commissioners what percentage of revenue comes from taxes, revenue sharing, Act 51
44 monies, etc. Wiederhold also reviewed with the Commissioners both Pension and OPEB
45 liabilities
46 **City Attorney** – regarding Consumer’s issue, it is best to not have an attorney present. Stout
47 created DDA property Quit Claim Deeds and filed the deed transfers with the Genesee County
48 Register of Deeds. Hopefully, they will be back next week.

1 **City Treasurer-** submitted F-65. Dowell needs to replace meter gun at an estimated \$5000.00, he
2 will have Wiederhold present at next Commission meeting.

3 **Chief of Police** – nothing much to report. Nice time attending ‘Coffee with a Cop’.

4 **City Engineer-** updating the city’s water system map.

5 **DPS Superintendent-** West Johnson was discovered as a major water leak. Last week it was
6 repaired and restored. They have learned a lot from Glaser Dawes. Brown reported that he did not
7 pass his water license exam. He is not sure what the Commission would like to do since he has
8 failed the required license test. Weinstein Electric will quote a price to repair the City Hall
9 parking lot lights. Sweer’s Roofers came out and put the final touches on the City Hall roof
10 installing steel in areas where it was required. Merry Christmas everyone!

11 **City Clerk** –Kingston reported that 2020 will be a busy year for elections, Currently, the city has
12 four elections scheduled, March, May, August and November. The Secretary of State – Election
13 Bureau Director thanked the City of Clio for participating in the Election Bureau pilot program
14 for RLA (Risk Limiting Audit). Kingston is working on year-end payroll reports, and completed
15 the Michigan Department of Transportation Act 51 report, the Michigan Department of Treasury
16 Pension, OPEB 5572 reports and Qualifying Statement.

17
18 **9. Commissioner comments/Committee reports**

19 **Commissioner Fejedelem-** thank you all for making Candle Lite Nite a success.

20 **Commissioner Mosher** –Metro Alliance was cancelled, and Water & Waste is scheduled for this
21 Wednesday, however it is more like a Holiday event, mostly social. Mosher may not attend.
22 Additionally, thank you to Biggby coffee for suppling us with a large free sample coffee for all.

23 **Commissioner Promenchenkel** – Merry Christmas and Happy New Year to all

24 **Mayor Pro Tem Vance** – Candle Lite Nite went pretty well, always something that comes up
25 last minute. No Planning Commission and Vance did not attend 911 Consortium. Merry
26 Christmas and Happy New Year

27 **Commissioner Girard** – no report

28 **Commissioner Williams** – Merry Christmas and Happy New Year. Williams will not be able to
29 make the Christmas lunch, nor will he be able to attend the Special Commission meeting
30 tomorrow because of a work conflict.

31 **Mayor Bare** – the Fire Authority continues to double fire truck payments. They have had five
32 new people hired, ready to train. Total of 17 fire runs. Park & Rec met and they discussed the
33 Zombie walk, installing the Ice Rink and sponsoring pony rides. Small Cities was hosted by
34 Village of Otisville, no speaker, however the Forest Township’s Supervisor’s husband catered the
35 meeting and it was one of the best meals, by far.

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37 **10. Excuse Absent Members – None**

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39 **11. Mayor Bare adjourned the meeting at 7:06 p.m.**

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Bonnie Bare, Mayor
