

CITY OF CLIO
Regular Commission Meeting
Monday, February 6, 2017
6:00 p.m.

1. CALL TO ORDER/ROLL CALL

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

ROLL CALL:

Commission Members Present:

Commissioner Duane Mosher
Commissioner Doug Vance
Commissioner D.J. Williams
Commissioner David Fejedelem
Commissioner Reuben Garcia
Mayor Pro Tem Bonnie Bare
Mayor Robert Smith

Staff Present:

City Administrator, Eric Wiederhold
City Clerk, Linda Kingston
Police Chief, Rick Witham
City Treasurer, Don Dowell
City Engineer, Dean Oparka
City Attorney, Otis Stout

ABSENT: None

2. PUBLIC COMMENT

1. **Thomas Kamen** – 233 Campbell Street, Clio, MI 48420
Former property owner of 233 Campbell Street foreclosed property. Kamen requested from the City Commissioners to be placed on the next City's agenda in order to make a plea to halt demolition and keep his property.

3. Approval of Agenda

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

Voice Vote

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

Voting No: None

Absent: None

Motion Carried

4. Approval of Minutes

Motion by Mayor Pro Tem Bonnie Bare, second by Commissioner Mosher to approve the January 17, 2017 regular Commission meeting minutes

Voice Vote

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

Voting No: None

Absent: None

Motion Carried

5. Approval of Bills

Motion by Commissioner Mosher, second by Commissioner Vance to approve the bills in the amount of \$195,923.83

Roll Call

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

2 **Voting No: None**

3 **Absent: None**

4 **Motion Carried**

5
6 **6. Unfinished Business -none**

7
8 **7. New Business**

9 **A. O'Reilly Easement**

10 Consensus from the Commissioners for City Administrator, Eric Wiederhold and City Attorney,
11 Otis Stout to begin the negotiation of \$5000.00 when O'Reilly's submits a request for the
12 purchase of the public easement, without water, sewer, and utility rights.

13
14 **B. Commission meeting change, May 1, 2017 - 5:00 pm**

15 **Motion by Mayor Pro Tem Bonnie Bare, second by Commissioner Garcia** to approve the
16 Commission meeting time change, May 1, 2017 to 5:00 pm

17 **Voice Vote**

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

19 **Voting No: None**

20 **Absent: None**

21 **Motion Carried**

22
23 **C. Upland Drive Discussion**

24 City Administrator, Eric Wiederhold presented the Commissioners with a slide presentation of the
25 platted map of the parcel in question. In 2004 the City Commission voted to vacate and abandon
26 Upland Drive. However, the deed was not registered within the statutory timeframe according to
27 MCL 560.256 (See below). This error was discovered January 6, 2017 by opposing counsel
28 representing the owner of 217 East Vienna Street against violations of the City's property
29 maintenance code. Resolution 04-06 was adopted on May 3, 2004, and not recorded by Attorney
30 Stout until January 31, 2007.

**560.256 Opening, vacating, extending, widening, or changing name of street or alley;
recording certified copy of ordinance or resolution; copy to director of energy, labor, and
economic growth.**

Sec. 256. Subject to the restrictions prescribed in section 255a, when the governing body of a municipality by resolution or ordinance opens or vacates a street or alley or a portion of a street or alley, or extends, widens, or changes the name of an existing street or alley, the clerk of the municipality within 30 days shall record a certified copy with the register of deeds, giving the name of the plat or plats affected, and shall send a copy to the director of the department of energy, labor, and economic growth. Until recorded, the ordinance or resolution shall not have force or effect.

History: 1967, Act 288, Eff. Jan. 1, 1968;—Am. 1978, Act 556, Imd. Eff. Dec. 22, 1978;—Am. 2010, Act 63, Imd. Eff. May 6, 2010

31
32 The Clio Area School District has maintained the northern part of Upland Drive and has made
33 improvements to the area. Additionally, they have installed a sidewalk along its eastern boundary
34 from the Carter Middle School to East Vienna Street. After discussion, the City Administrator and
35 City Attorney will continue to investigate in order to assess what rights the city maintains.

36 **8. Staff Reports**

37 **City Administrator** – Wiederhold reviewed 306 South Mill Street, a lot that measures 26 feet
38 wide; a property the City acquired through tax foreclosure. The City demolished the structure and
39 would like to offer it for sale by seeking requests for proposals. Any lots platted prior to the
40 adoption of the City's zoning code are defined as a buildable lot. The belief is that the City will
41 best be served by selling the property. Possibly to the adjoining property owners who would

1 consolidate it with their lot(s). Eric will inquire, if the property is sold, should it be required to
2 have the parcel replatted. There are three adjoining properties which include 302 South Mill
3 Street, 312 South Mill Street and 113 West Johnson Street.

4 Wiederhold also answered questions regarding the Amphitheater sign, located on city property,
5 which has no electronics and is in need of being operational. The Clio school district will be
6 updating all of their signs.

7 **City Attorney** – Stout is working on title opinions for all the USDA water and sewer easements
8 for the water supply project.

9 **Chief of Police** – reported that the 2017 Citizen Police Academy volunteer program will begin
10 Tuesday, February 21, 2017. Chief is looking for more volunteers.

11 **Treasurer** – none

12 **City Engineer**- Oparka reported that the 2017 paving project bid opening will take place
13 February 10 for Pine and Hughes Streets and February 13 for Vienna Road.

14 **DPS Superintendent**- n/a

15 **Clerk** – none

17 9. Commissioner comments/Committee reports

18 **Commissioner Fejedelem**- none

19 **Commissioner Mosher** – attended Metro Alliance and Water and Waste. Mosher reported on
20 Water and Waste possibly not being ready to make the switch by the end of the year. It will take
21 the City of Flint three years to build a new water plant, which is the direction they are heading.

22 **Commissioner Vance** – attended Fire Authority and reported that they continue to pay extra on
23 the fire truck to avoid interest on the loan. 911 Consortium hosted a special meeting to discuss the
24 proposed price increase from \$1.24 to \$1.86 per customer. If the increase is approved by the
25 Genesee County Commissioners, it will be placed on the ballot for the May 2, 2017 election for a
26 vote of the people. Planning Commission did not meet in December. The Old Newsboy
27 fundraiser was successful. Thank you for all those that came out and supported.

28 **Commissioner Garcia** – Clio Cast & Crew and Clio Proud & Strong is hosting a Murder-
29 Mystery fundraiser dinner March 25, 2017. Clio Rotary is spending their dollars in the City to
30 help with Clio's improvements and beautification.

31 **Commissioner Williams** – inquired what the law is in reference to open-carry in the City Hall.
32 Williams also reported on a fire call to an assisted living center, where the caregiver did an
33 excellent job moving eight residents to safety.

34 **Mayor Pro Tem Bare**- none

35 **Mayor Bob Smith** - none

37 10. Excuse Absent Members – none

39 11. Mayor Smith adjourned the meeting at 7:13 p.m.

44 _____
45 Robert Smith, Mayor

Date

Linda Kingston, City Clerk

Date