

MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR MEETING HELD TUESDAY, JUNE 15, 2004 AT 7:30 P.M. IN CITY HALL

Present: Mayor Postma
Commissioners Symonds, McNitt, Bennett, Timmons, Vollbach and Klooster

Absent: None

Mayor Postma called the meeting to order at 7:30 p.m. and led the pledge of allegiance.

ITEM #3 Inquiry of Conflicts of Interest

No conflicts of interest were voiced.

CONSENT AGENDA

Motion offered by Symonds, supported by Vollbach, to approve the minutes of Regular Commission meeting dated June 1, 2004, as submitted.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

Motion offered by Symonds, supported by Vollbach, to acknowledge receipt of Paid Bill List dated June 9, 2004, totaling \$178,075.49.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

Motion offered by Symonds, supported by Vollbach, to acknowledge receipt of Bid Opening minutes, Civic Center renovations, May 27, 2004.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

Motion offered by Symonds, supported by Vollbach, to acknowledge receipt of Zoning Activity Report, May 2004.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

Motion offered by Symonds, supported by Vollbach, to acknowledge receipt of Funds on Hand Report, May 2004.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR MEETING HELD TUESDAY, JUNE 15, 2004 AT 7:30 P.M. IN CITY HALL

Motion offered by Symonds, supported by Vollbach, to acknowledge receipt of minutes from the following Boards and Commissions:

- A. Planning Public Hearing, May 27, 2004
- B. Planning, May 27, 2004
- C. Housing Commission, May 11, 2004

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

Motion offered by Symonds, supported by Vollbach, to acknowledge receipt of an Introduction to Ordinance #142W, an Ordinance to Amend the Zoning map of the City of East Jordan.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

REGULAR AGENDA

ITEM #11 Jim McKimmy, candidate for 105th District

Jim McKimmy introduced himself and reviewed his concerns for the 105th district. He thanked the Commission for the opportunity to address them.

ITEM #12 Ordinance #189C, Fiscal Year 2003/2004 Budget Amendment

The following ordinance was offered for adoption by Symonds, supported by McNitt:

**ORDINANCE #189-C
FISCAL YEAR 2003/2004 BUDGET AMENDMENT**

The City of East Jordan Hereby Ordains:

That the Budget for the fiscal year beginning July 1, 2003 and ending June 30, 2004 shall be amended for operating the City of East Jordan. Ordinance #189 Budget Appropriations Act of 2003-2004 is hereby amended as follows:

Sec 1: Adoption of Budget

GENERAL FUND:

ADOPTED AMENDED

MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR MEETING HELD TUESDAY, JUNE 15, 2004 AT 7:30 P.M. IN CITY HALL

Revenues:

699.010 Fund Balance \$516,367. \$497,327. (decrease \$19040)

Expenditures:

Department of Public Works Dept. 441:

818.002 Contractual Clean Up/City Wide -0- \$19,040. (increase \$19040)

AYES: Klooster, Vollbach, Timmons, Bennett, McNitt, Symonds and Postma

NAYS: None

ABSENT: None

ADOPTED: June 15, 2004

PUBLISHED: June 23, 2004

EFFECTIVE: June 30, 2004

ITEM #13 Jordan Valley Freedom Festival fireworks permit

Motion offered by Symonds, supported by McNitt, to approve the Jordan Valley Freedom Festival application for a fireworks permit for June 26, 2004, as submitted.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

Administrator White informed Commission of a possible grant for Wellhead Protection. He presented the Commission with a resolution to authorize the application for assistance from the State of Michigan and if the grant is approved authorizes the Wellhead Protection program to be started.

The following resolution was offered for adoption by McNitt, supported by Symonds:

Resolution No. 108/2004

City of East Jordan
Charlevoix County, Michigan

**MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR
MEETING HELD TUESDAY, JUNE 15, 2004 AT 7:30 P.M. IN CITY HALL**

June 15, 2004

**WELLHEAD PROTECTION POLICY AND
ADMINISTRATIVE PROCEDURES**

PREAMBLE:

Statement of Purpose

The purpose of this Resolution is to set forth the policy and administrative procedures which will be used by the City of East Jordan to protect the municipal ground water supply.

Background

Ground water is an essential source of fresh water for the municipal water supply system of the City of East Jordan.

Virtually any activity on the surface of the ground which involves hazardous substances may contaminate ground water. Once polluted, ground water is difficult and sometimes impossible to clean. The natural micro-organisms which help break down some pollutants on the surface of the ground and top soil layers are not present (or not present in significant quantities) in ground water. The slow rates of ground water flow, ranging from one foot per day to one foot in 50 years, limit dilution or dispersal of contaminants. Ground water contaminated by today's land uses and activities may remain contaminated for hundreds of years.

The State of Michigan Wellhead Protection Program is asking municipalities with public water supplies to develop local wellhead protection programs. A complete program submission includes the following key elements:

- Identification of roles and duties
- Delineation of the wellhead protection area(s)
- Identification of potential sources of contamination
- Establishment of management approaches for the wellhead protection area
- Development of a contingency plan for emergencies
- Incorporation of new wells into a wellhead protection program
- Provide and encourage public participation

As defined by the Federal Safe Drinking Water Act, the wellhead protection area is "the surface and subsurface area surrounding a water well or wellfield,

MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR MEETING HELD TUESDAY, JUNE 15, 2004 AT 7:30 P.M. IN CITY HALL

supplying a public water system, through which contaminants are reasonably likely to move toward and reach such water well or wellfield." For the wellhead protection area, each of the seven elements must be addressed.

The Michigan Wellhead Protection Program recognizes the importance of local leadership and commitment for effective wellhead protection. A wide range of approaches including land use planning, zoning, subdivision regulations, interagency cooperation and community education may be useful in a wellhead protection program.

It is the intent of the City of East Jordan to alert persons applying for land use, building, or subdivision approval about State requirements for environmental protection. Any land uses or activities which may pose a threat to the municipal water supply and ground water shall be properly managed to minimize the possibility of contamination.

RESOLUTION:

WHEREAS, the City of East Jordan recognizes the importance of its ground water supply as a natural resource used for drinking; and

WHEREAS, it is within the responsibility of the City of East Jordan as a public water supplier, to consider the health, safety, and welfare of its customers, and

WHEREAS, ground water contamination can and does occur as a consequence of a variety of land use activities; and

WHEREAS, it is desirable to preserve and protect the quantity and quality of our ground water resources to assure a continued safe, adequate, and useable supply, now and in the future; and

WHEREAS, the protection of current and potential future sources of ground water used for drinking water is worthwhile from the standpoint of resource protection; and

WHEREAS, State and County laws and regulations require certain land uses to obtain permits and approvals for construction and operation; and

WHEREAS, State agencies are not always aware of new development proposals and the owners or developers of proposed new land uses are not always aware of State and County permit and approval requirements; and

MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR MEETING HELD TUESDAY, JUNE 15, 2004 AT 7:30 P.M. IN CITY HALL

WHEREAS, local government officials, through adopted Zoning Ordinances, have the legal authority to review and/or approve land uses for the purposes of meeting the needs of the State's residents for natural resource protection and public services, including public water supply.

NOW THEREFORE BE IT RESOLVED that the City of East Jordan does hereby agree to take action to protect their immediate wellhead area and to take steps to determine the zone of contribution to the wells or wellfield(s) in compliance with the State of Michigan Wellhead Protection Program; and

BE IT FURTHER RESOLVED that the City Commission request the establishment of a "budget line item" for determining the zone of contribution to their wells or wellfield(s) at such time that funds become available.

Adopted this 15th day of June, 2004.

AYES: Klooster, Vollbach, Timmons, Bennett, McNitt, Symonds and Postma

NAYS: None

ABSENT: None

ITEM #14 DDA Update

No report, DDA meets on June 21, 2004.

ITEM #15 Administrator's Report

ADMINISTRATOR'S REPORT
JUNE 15, 2004

1. The city applied for a \$20,000 Cool Cities grant from the State to be used toward construction of the Bandshell. East Jordan was not one of 12 cities selected but donations continue locally and through foundation grants. Construction on the new Bandshell is scheduled to begin in mid July. It is estimated the Bandshell will be completed by fall.
2. The Friends of the Jordan has made a request that the fence surrounding the sewer lift station by Sportsman's Park be moved back so a walkway can be completed between their new building and Sportsman's Park. The Friends of the Jordan have secured a price of \$1,200 to move the fence, which I think, is a very good idea. I will be working with the DDA to see if

MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR MEETING HELD TUESDAY, JUNE 15, 2004 AT 7:30 P.M. IN CITY HALL

they will fund the fence relocation to allow for the new pathway. I will keep the Commission up to date as this project progresses.

3. A long standing issue in our downtown has finally come to a workable solution. The issue of the location of the grease dumpster and trash containers at the Lumberjack and Old Round Table has been a bone of contention for many years. Soon after both properties changed hands a solution was proposed. The grease dumpster will be moved behind the new Lumberjack Grill and placed on a concrete slab which will be fenced and serviced from Mill Street. The owners of the Lumberjack Grill and Jan's Corner Café are requesting permission to use the asphalt right behind the power box to locate a trash dumpster. The asphalt section would be fenced and serviced from Spring Street. I would recommend that the Commission allow the restaurants to use the asphalt as requested for their shared dumpster. The grease dumpster issue can be approved through zoning. I would be happy to address any questions Commissioners may have.

Motion offered by Bennett, supported by Vollbach, to approve the placement of a trash dumpster for the Lumberjack Grill and Jan's Corner Café on the pavement behind the electrical box on Spring Street and allow for fencing around the dumpster area and to allow for placement of the grease dumpster for the Lumberjack Grill with a concrete slab and fencing.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

ITEM #16 Mayor's Report

No items to report.

ITEM #17 Attorney's Report

Attorney Beatty informed the Commission that the title situation for the property located at 415 South Lake Street is currently being resolved.

ITEM #18 Commissioners

Commissioner Symonds requested the City consider placement of an aesthetically pleasing guardrail on Elizabeth Street where the creek passes under the road and washes away the roadside gravel.

Administrator White stated he would review the situation with DPW Superintendent Breakey.

**MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR
MEETING HELD TUESDAY, JUNE 15, 2004 AT 7:30 P.M. IN CITY HALL**

Commissioner McNitt questioned the status of the beach maintenance at Tourist Park. He also asked the procedure for naming a neighborhood.

White stated the beach rake is currently being reviewed by Parks Director Murray.

Attorney Beatty stated that if the desire was to change the legal description of the property there are legal issues to be addressed. He noted that if the desire was just to name an area there is no need for approval. He also noted that the street addresses and names must remain the same.

Commissioner Bennett questioned the removal of the emergency phone at the Tourist Park.

White stated the new phone is currently being placed. He informed Commission that SBC had dropped the new line and the City is awaiting the delivery of the 911 phone.

Commissioner Vollbach inquired as to the status of a town clock. He noted previous discussions involving the placement at the Main Street Center.

White stated the City funds that were considered for that purpose have been used for the purchase of benches and trash receptacles.

Commissioner Klooster again thanked the City for the placement of the sidewalk and picnic table at Elm Pointe.

ITEM #19 Speaker Requests

No speaker request slips were received.

Mayor Postma adjourned the meeting at 7:56 p.m.

Respectfully,

Mark Postma, Mayor

Lori M. Campbell, City Clerk