

MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR MEETING HELD TUESDAY, AUGUST 17, 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

Commissioner McNitt informed the Commission that he had a conflict with Item #12 East Jordan High School request, as he is employed by the East Jordan Public Schools.

CONSENT AGENDA

Administrator White stated there was a request to remove Item #5 and 6 from the Consent Agenda for discussion.

The remainder of the consent agenda was approved as follows:

Motion offered by Klooster, supported by Symonds, to approve the minutes of the East Jordan City Commission regular meeting dated July 20, 2004, as submitted.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

Motion offered by Klooster, supported by Symonds, to acknowledge receipt of Zoning Activity Report, July 2004.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

Motion offered by Klooster, supported by Symonds, to acknowledge receipt of the Police Department Monthly Report, July 2004.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

Motion offered by Klooster, supported by Symonds, to acknowledge receipt of the Funds on Hand Report, July 2004.

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MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

Motion offered by Klooster, supported by Symonds, to acknowledge receipt of Bid Opening minutes RE: 2005 ¾ Ton DPW Pickup.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

ITEM #5 Acknowledge Receipt of Paid Bill List dated July 29, 2004, totaling \$329,352.22 and ITEM #6 Acknowledge Receipt of Paid Bill List dated August 12, 2004, totaling \$632,589.66

Commissioner Timmons questioned the expense for legal fees in item #6 and why the City had hired an additional attorney instead of using City Attorney Beatty.

Administrator White stated that as in the past when the City has a labor issue to address they hire a specialist in labor law.

Attorney Beatty informed the Commission that the City has always hired a Labor Attorney to deal with labor issues and that this is a practice used by many cities as labor law differs from the normal courts in which attorneys routinely appear.

Motion offered by Symonds, supported by McNitt, to acknowledge receipt of Paid Bill List dated July 29, 2004, totaling \$329,352.22 and the Paid Bill List dated August 12, 2004, totaling \$632,589.66.

MOTION CARRIED
BY ROLL CALL VOTE

AYES: KLOOSTER, VOLLBACH, BENNETT, MCNITT, SYMONDS AND POSTMA
NAYS: TIMMONS

REGULAR AGENDA

ITEM # 11 Bandshell Committee presentation

Carl Bloom updated the Commission on the Bandshell project and informed them of the need for either a variance or an additional parking space for the placement of the bandshell.

Motion offered by Symonds, supported by Vollbach, to vacate an additional parking space in the Harbor parking lot for the placement of the bandshell.

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MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

ITEM #12 East Jordan High School request

Commissioner McNitt abstained from discussion and voting on this issue as he is employed by the East Jordan Public School system.

Motion offered by Bennett, supported by Symonds, to approve the East Jordan High School request for use of Community Park for the soccer team and to allow an ambulance at the home football games.

MOTION CARRIED
BY ROLL CALL VOTE

AYES: KLOOSTER, VOLLBACH, TIMMONS, BENNETT, SYMONDS AND POSTMA
ABSTAIN: MCNITT

ITEM #13 Jordan River Sportsman's Club request

Motion offered by Klooster, supported by Symonds, to approve the Jordan River Sportsman's Club request for use of the Civic Center for a Gun and Knife show and to waive the rental fee.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

ITEM #14 Administrative Policy #134

Motion offered by Symonds, supported by McNitt, to adopt Administrative Policy #134, Personal Property located in street right-of-way, as follows:

PERSONAL PROPERTY IN ROAD RIGHT-OF-WAY

1. A mailbox damaged by snow or ice thrown by a snowplow will not be repaired and/or replaced.
2. Because mailboxes are on city streets by sufferance, the City will not be responsible for removing snow or ice from areas near mailboxes.
3. The City will repair or replace a mailbox damaged by contact with one of its snowplows.

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- 3a. Replacement mailbox and post shall be standard types carried in inventory by the City, regardless of type and size of the original mailbox.

The following suggestions may help save your mailbox this winter.

1. If you are leaving for the winter, please remove your mailbox and post.
2. If you have an expensive decorative mailbox, please put up an inexpensive mailbox for the winter.
3. Make sure your mailbox and base are securely attached to the post. Place a snowboard if possible on mailbox post. This will help prevent plowed snow from hitting your mailbox.

Keep snow and ice cleaned away from your mailbox and post.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

ITEM #15 East Jordan Lions Club request

Lion David Campbell presented the Commission with a proposal to place an ice machine and sell bagged ice in the Tourist Park with the arrangement that the profits would be split 50/50, one half to improvements in the park and the other half for other Lions Club projects throughout the city.

Motion offered by McNitt, supported by Vollbach, to approve the Lions Club request to place an ice machine and sell bagged ice in the Tourist Park with the profits split 50/50 with one half for improvement in the park and the other half for other Lions Club projects throughout the city.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

ITEM #16 Alley vacating request

Commission reviewed DPW Superintendent Breakey's request to vacate the alley from Bowen Street (east and west) to Porter Street (north and south).

Commission discussed not vacating the alley but eliminating the winter plowing of the alley.

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Consensus of the Commission was to contact the property owners affected by the change and inform them of the discussion to be on the agenda for the September 7, 2004 meeting.

ITEM #17 Award 2005 DPW Pickup Truck bid

Motion offered by Symonds, supported by Vollbach, to award the 2005 pickup truck bid to Brown Motors in the amount of \$24,593.09.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

ITEM #18 Approve DPW Garage roof proposal

DPW Superintendent Breakey has requested that the Commission waive the bid process and authorize the replacement of the roof on the DPW garage.

Motion offered by Symonds, supported by McNitt, to waive the bid process and authorize the insulation and replacement of the DPW garage roof by Thermal-Tec in the amount of \$12,054. and Christian Brothers Insulation in the amount of \$11,907.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

ITEM #19 East Jordan Area Chamber of Commerce request

Motion offered by Klooster, supported by Symonds, to approve the East Jordan Area Chamber of Commerce request for use of all City parks for the planned Heritage Day, October 9, 2004.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

ITEM #20 DDA Update

No items to report.

ITEM #21 Administrator's Report

ADMINISTRATOR'S REPORT
AUGUST 17, 2004

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1. I am happy to report that the City of East Jordan has been chosen to receive an award at the Michigan Municipal League Convention for the Main Street Center. All Commissioners are encouraged to attend the convention from September 29-October 2. As I receive more details on the award I will keep the Commission informed.
2. I am also happy to report that an agreement in principal has been agreed to on the Dura property. The proposed purchaser has 30 days to do their due diligence before the final purchase order is agreed too. As more develops on this very important development I will keep the Commission up to date.
3. As I informed the Commission earlier the best way to encourage new housing development in our community was to review the possibility of opening streets that are currently platted but unopened. I asked the Public Works Director to put together a rough estimate for me. The streets I asked him to give me estimates on are Barker, Ontario, Downing, Grant and Edwards. Mr. Breakey's estimate is for water, paving and hydrants. Mr. Breakey's estimate does not include engineering. The total estimate is \$435,960.80 it could be reduced by 30% if the streets remained unpaved. Should the Commission wish to pursue this further I could have a street by street estimate completed along with engineering. I would be happy to address any questions the Commission may have.
4. At the last meeting Habitat for Humanity requested the opening of Grant Street. To do the street to specifications including water, hydrants and paving would be about \$70,000. While it is important to help Habitat with this very worthy project. The City at this time can not fund the street opening without financing. I feel that Grant Street opening should be part of the total project if it is approved.

Administrator White requested the Commissions direction regarding the opening of city streets.

Consensus of the Commission was to review the issue during budget discussions.

ITEM #22 Mayor's Report

Mayor Postma informed Commission of the City staff visit to see the President in Traverse City. He thanked Senator Jason Allen for the invitation and tickets.

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ITEM #23 Attorney's Report

No items to report.

ITEM #24 Commissioners

Commissioner Timmons inquired on the status of the review by the engineers on the driveways on Main Street.

Administrator White informed Commission that he has a meeting scheduled in the next couple of weeks to receive the MDOT evaluation.

Timmons also stated that she felt that the Commission is for the citizens and that Administrator White should be held accountable for expenses from all departments.

Commissioner Symonds inquired who should be accountable for what items.

Timmons stated that there is all the upheaval and she would like to know why this is happening. She wondered if as the Administrator was he overseeing the departments.

Commissioner Vollbach inquired on the status of the new boat ramps.

White stated he has met with the Charlevoix County Community Foundation and he and Mr. Tambellini will be meeting with the Waterways Commission for funding options.

Vollbach also inquired on the status of weeds and grass violations.

Police Chief Reece stated there has been a great response to notices sent.

White stated that a particular home has been noticed and he will be meeting with parties at a Board meeting on Friday and will be discussing the situation.

Commissioner Klooster questioned the tall weeds on the southeast corner of Echo and Bridge Street.

White stated that undeveloped lots are not subject to the ordinance violations regarding noxious weeds.

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Klooster asked that the handicap parking space in front of the Post Office be repainted so that it will be more noticeable.

White stated he would pass this request on to the DPW Superintendent.

ITEM #25 Speaker Requests

Angie Wilson presented the Commission with copies of the policies she wanted to address. (copy attached and made a part of these original minutes)

Mayor Postma informed Ms. Wilson that the Commission would not, without a vote, discuss personnel issues.

Mayor Postma adjourned the meeting at 8:31 p.m.

Respectfully,

Mark Postma, Mayor

Lori M. Campbell, City Clerk