

MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR MEETING HELD TUESDAY, SEPTEMBER 7, 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 McNitt, to approve the minutes of the Commission meeting dated August 17, 2004, as submitted.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

Motion offered by Symonds, supported by McNitt, to acknowledge receipt of the Paid Bill List dated September 1, 2004, totaling \$291,744.91.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

Motion offered by Symonds, supported by McNitt, to acknowledge receipt of the Zoning Activity Report, August 2004.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

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

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

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

- A. ZBA Public Hearing, March 22, 2004
- B. ZBA, March 22, 2004

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C. ZBA, June 28, 2004

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

REGULAR AGENDA

ITEM #9 EJ & S Locomotive

Gene Barfield, Historic Consultant, discussed with the Commission his proposal to have Engine #6 placed on the National Historic Register. He noted that he would be working with students from the Middle School and High School to complete the research and nomination request. He asked for access to the City records regarding the acquisition of the locomotive and stated he will need to have someone delegated to sign for the City, possibly the Mayor or City Administrator. He also stated he would need physical access to the engine to complete the research.

Motion offered by McNitt, supported by Symonds, to grant permission to Mr. Barfield to research and nominate Engine #6 for the National Register, allowing him access to City records regarding the acquisition and physical access for additional research and to authorize the City Administrator as the designated signer for the City for this purpose.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

Attorney Beatty will prepare a waiver to be signed by Mr. Barfield.

ITEM #10 Empey's Addition Alley discussion

DPW Superintendent Breakey reviewed with Commission his concerns regarding the maintenance and plowing of the alley located in Empey's addition. He stated that the fences placed around the alley specifically on the corner make plowing the alley difficult.

Margaret Skop, 607 Mill Street, stated she would like to see the City continue to maintain the alley.

Dennis Shea, 205 Maple Street, stated he would like to maintain access to the rear of his property, which gives him direct access to his basement. He also noted that he uses the rear of his property for additional parking in the winter months. He would like to see the alley open and maintained.

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Paul Caldecott, 611 Mill Street, stated he did not feel a need for the east/west portion of the alley located behind his residence. He felt that the City could close the east/west portion and continue to maintain the north/south portion.

Gladys Johnson, 210 Bowen Street, would like to close the east/west portion of the alley with the City continuing to maintain the north/south portion.

Frank Campbell, 605 Mill Street, stated he was the owner of the fence that is located at the corner of the alley. He felt he did not need the east/west portion of the alley but would like to see the north/south portion remain.

Vince Gardner, 206 Bowen Street, stated his access to his garage is located off the alley.

Bill Johnson, 203 Maple Street, felt that the City should continue to maintain the alley.

ITEM #11 Applications for Temporary Liquor Licenses, Hugger-Mugger Inc.

Motion offered by Symonds, supported by McNitt, to approve Hugger-Mugger Inc. (Jordan Inn) request for temporary outdoor liquor service for September 11, 2004.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

Motion offered by Symonds, supported by McNitt, to approve Hugger-Mugger Inc. (Jordan Inn) request for temporary outdoor liquor service for October 2, 2004.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

ITEM #12 Resolution #111/2004

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

CITY OF EAST JORDAN, COUNTY OF CHARLEVOIX
STATE OF MICHIGAN

**RESOLUTION #111/2004
RESOLUTION AUTHORIZING GENERAL OBLIGATION CAPITAL**

**MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR
MEETING HELD TUESDAY, SEPTEMBER 7, 2004 AT 7:30 P.M. IN CITY
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IMPROVEMENT BONDS, SERIES 2004

Minutes of a regular meeting of the City Commission of the City of East Jordan, County of Charlevoix, State of Michigan, held on September 7, 2004, at 7:33 p.m., Eastern Daylight Time.

PRESENT: Members: Klooster, Vollbach, Timmons, Bennett, McNitt, Symonds and Postma

ABSENT: None

The following preamble and resolution were offered by Commissioner Symonds and supported by Commissioner Vollbach:

WHEREAS, the City of East Jordan, County of Charlevoix, State of Michigan (the "City") intends to issue and sell general obligation capital improvement bonds, pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), in the amount of Ninety Thousand Dollars (\$90,000) for the purpose of paying part of acquiring, constructing and installing a non-motorized pathway for recreational purposes within the City (the "Project"); and

WHEREAS, the City is authorized by Act 34 to issue and sell capital improvement bonds to finance the Project; and

WHEREAS, the City intends to negotiate the sale of the bonds with the Charlevoix State Bank, Charlevoix, Michigan (the "Bank"), the financial institution whose proposal is deemed to be financially advantageous to the City; and

WHEREAS, the City has published the requisite notice of intent to issue an obligation as required by Section 517 of Act 34; and

WHEREAS, more than 45 days have elapsed since the date of such publication without the filing of a petition for referendum thereon; and

WHEREAS, it is the determination of the City Commission (the "Commission") that limited tax general obligation bonds in the principal amount of Ninety Thousand Dollars (\$90,000) should be issued to pay the cost of the Project.

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NOW, THEREFORE, BE IT RESOLVED THAT:

1. Bonds of the City, designated GENERAL OBLIGATION CAPITAL IMPROVEMENT BONDS, SERIES 2004 (the "Bonds") shall be issued in the aggregate principal sum of Ninety Thousand Dollars (\$90,000) to the Bank for the purpose of paying part of the costs of the Project, including the costs incidental to the issuance, sale and delivery of the Bonds. The Bonds shall be issued in fully-registered form in denominations of \$5,000, or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, numbered in order of registration, and dated the date of delivery. The Bonds shall bear interest, mature, be subject to redemption and be payable at the times and in the manner as set forth in Exhibit A, as attached hereto.

2. Interest on the Bonds shall be payable to the registered owner of record as of the 15th day of the month preceding each interest payment date. The record date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the City to conform to market practice in the future. Interest shall be payable by check or draft drawn on the Transfer Agent (as hereinafter defined) mailed to the registered owner at the registered address, as shown on the registration books of the City maintained by the Transfer Agent. The principal of the Bonds shall be payable upon presentation and surrender to the Transfer Agent.

Charlevoix State Bank, Charlevoix, Michigan is hereby appointed to act as bond registrar, paying agent and transfer agent (the "Transfer Agent") for this issue. The Mayor, City Clerk, City Administrator and City Treasurer (the "Authorized Officers" and each an "Authorized Officer") each is hereby authorized to execute one or more agreements with the Transfer Agent on behalf of the City. The City reserves the right to replace the Transfer Agent at any time upon written notice to the registered owners of record of the Bonds not less than sixty (60) days prior to an interest payment date.

3. The Bonds of this issue shall be executed in the name of the City with the manual or facsimile signatures of the City Mayor and the City Clerk and shall have the seal of the City, or a facsimile thereof, printed or impressed on the Bonds. No Bonds shall be valid until authenticated by an authorized officer or representative of the Transfer Agent. The Bonds shall be delivered to the Transfer Agent for authentication and be delivered by the Transfer Agent to the purchaser or other person in accordance with instructions from an Authorized Officer upon payment of the purchase price for the Bonds in accordance with the bid therefor when accepted.

4. The Transfer Agent shall keep the books of registration for this issue on behalf of the City. Any Bond may be transferred upon such registration books by the registered owner of record, in person or by the registered owner's

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duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any Bond or Bonds shall be surrendered for transfer, the City shall execute and the Transfer Agent shall authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. The Transfer Agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.

Unless waived by any registered owner of bonds to be redeemed, official notice of redemption shall be given by the Transfer Agent on behalf of the City. Such notice shall be dated and shall contain at a minimum the following information: original issue date; maturity dates; interest rates; CUSIP numbers, if any; certificate numbers and (in the case of partial redemption) the called amounts of each certificate; the redemption date; the redemption price or premium, if any; the place where bonds called for redemption are to be surrendered for payment; and that interest on bonds or portions thereof called for redemption shall cease to accrue from and after the redemption date.

In addition, further notice shall be given by the Transfer Agent in such manner as may be required or suggested by regulations or market practice at the applicable time, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein.

5. The City Treasurer is authorized and directed to open a separate depository account with a bank or trust company designated as the GENERAL OBLIGATION CAPITAL IMPROVEMENT BONDS, SERIES 2004 DEBT RETIREMENT FUND (the "Debt Retirement Fund"), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds as they become due. All proceeds from taxes levied for the Debt Retirement Fund shall be deposited into the Debt Retirement Fund as collected. Commencing with the current fiscal year, there shall be levied upon the tax rolls of the City for the purpose of the Debt Retirement Fund each year, in the manner required by the provisions of Act 34, an amount sufficient so that the estimated collection therefrom will be sufficient to promptly pay, when due, the principal of and interest on the Bonds becoming due prior to the next annual tax levy; provided, however, that if at the time of making any such annual tax levy there shall be moneys on hand in the Debt Retirement Fund earmarked and set aside for the payment of principal of and interest on the Bonds, then credit therefor may be taken against such annual levy for the Debt Retirement Fund. Such annual tax levy shall be subject to applicable constitutional, charter and statutory tax rate limitations.

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Notwithstanding the foregoing, however, should the monies on deposit in the Debt Retirement Fund at any time be insufficient to pay the principal of and interest on the Bonds as the same become due, then the City shall advance from any fund legally available therefor such sums as may be necessary to pay such principal and interest.

The moneys in the Debt Retirement Fund shall be invested in accordance with Act 20, Public Acts of Michigan, 1943, as amended, and profit realized or income earned on such investment shall be used to pay or prepay principal of and interest on the Bonds.

If sufficient cash or Sufficient Government Obligations (hereafter defined) have been deposited in trust for payments in full of the Bonds then outstanding, principal and interest on such Bonds to maturity, or, if called for redemption, to the date fixed for redemption together with the amount of the redemption premium, if any, then upon deposit of cash or Sufficient Government Obligations, as provided in this previous sentence, the holders of the Bonds shall have no further rights except for payment from the deposited funds and the Bonds shall no longer be considered to be outstanding.

“Sufficient Government Obligations” means direct obligations of the United States of America or obligations the principal and interest on which is fully guaranteed by the United States of America, not redeemable at the option of the issuer, the principal and interest payments upon which without reinvestment of the interest, come due at such times and in such amounts as to be fully sufficient to pay the interest as it comes due on the Bonds and the principal and redemption premium, if any, on the Bonds as it comes due whether on the stated maturity date or upon earlier redemption. Securities representing such obligations shall be placed in trust with a bank or trust company, and if the Bonds are to be called for redemption prior to maturity, irrevocable instructions to call the Bonds for redemption shall be given to the Transfer Agent.

6. The Treasurer is authorized and directed to establish a separate depository account to be known as the 2004 CAPITAL IMPROVEMENT PROJECT FUND (the “Project Fund”). The proceeds of the Bonds, including premium, if any, and no other moneys other than proceeds of the Bonds, shall be deposited in the Project Fund.

After completion of the Project and disposition of remaining proceeds, if any, of the Bonds pursuant to the provisions of this Section, the Project Fund shall be closed.

7. The Bonds shall be in substantially the following form with such changes as determined by an Authorized Officer with the advice of bond counsel:

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**UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF CHARLEVOIX**

CITY OF EAST JORDAN
GENERAL OBLIGATION CAPITAL IMPROVEMENT BOND, SERIES 2004

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>
<u>CUSIP</u> 4.50%	October 1, ____	September 9, 2004

Registered Owner: Charlevoix State Bank

Principal Amount: Dollars

The City of East Jordan, County of Charlevoix, State of Michigan (the "Issuer"), acknowledges itself to owe and for value received hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Maturity Date specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on April 1, 2005 and semiannually thereafter. Principal of this bond is payable at Charlevoix State Bank, Charlevoix, Michigan, or such other transfer agent as the Issuer may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to any interest payment date (the "Transfer Agent"). Interest on this bond is payable to the registered owner of record as of the fifteenth (15th) day of the month preceding the interest payment date as shown on the registration books of the Issuer kept by the Transfer Agent by check or draft mailed to the registered owner of record at the registered address. For prompt payment of this bond, both principal and interest, the full faith, credit and resources of the Issuer are hereby irrevocably pledged.

This bond is one of a series of bonds aggregating the principal sum of \$90,000, issued for the purpose of paying the cost of acquiring, constructing and installing a non-motorized pathway for recreational purposes within the Issuer and other site improvements and appurtenances related thereto. This bond is issued under the provisions of Act 34, Public Acts of Michigan, 2001, as amended, and a duly adopted resolution of the Issuer.

Bonds of this issue shall be subject to redemption prior to maturity, at the option of the Issuer, in any order of maturity and by lot within any maturity, on

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any date on or after October 1, 2010 at par and accrued interest to the date fixed for redemption.

In case less than the full amount of an outstanding bond is called for redemption, the Transfer Agent, upon presentation of the bond called in part for redemption, shall register, authenticate and deliver to the registered owner of record a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to the registered owner of any bond or portion thereof called for redemption by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered address of the registered owner of record. A bond or portion thereof so called for redemption shall not bear interest after the date fixed for redemption provided funds are on hand with the Transfer Agent to redeem said bond or portion thereof.

This bond is transferable only upon the registration books of the Issuer kept by the Transfer Agent by the registered owner of record in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing this bond and upon the payment of the charges, if any, therein prescribed.

This bond, including the interest thereon, is payable as a first budget obligation from the general funds of the Issuer, and the Issuer is required, if necessary, to levy ad valorem taxes on all taxable property in the Issuer for the payment thereof, subject to applicable constitutional, charter and statutory tax rate limitations.

It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond and the series of bonds of which this is one, exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the Issuer, including this bond, does not exceed any constitutional, charter or statutory debt limitation.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

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IN WITNESS WHEREOF, the Issuer, by its Commission, has caused this bond to be signed in the name of the Issuer by the facsimile signatures of its Mayor and its City Clerk and a facsimile of its corporate seal to be printed hereon, all as of the Date of Original Issue.

CITY OF EAST JORDAN,
County of Charlevoix
State of Michigan

By: _____ [facsimile] _____

Its: Mayor

(SEAL)

By: _____ [facsimile] _____

Its: City Clerk

(Form of Transfer Agent's Certificate of Authentication)

DATE OF AUTHENTICATION:

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within-mentioned resolution.

Charlevoix State Bank
Charlevoix, Michigan
Transfer Agent

By: _____
Authorized Signatory

[Bond printer to insert form of assignment]

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8. The estimated period of usefulness of the Project is hereby declared to be not less than ten (10) years from completion and the total cost of the Project is estimated to be not less than Ninety Thousand Dollars (\$90,000).

9. The City hereby covenants that, to the extent permitted by law, it shall take all actions within its control necessary to maintain the exclusion of the interest on the Bonds from adjusted gross income for general federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable, and the expenditure and investment of proceeds of the Bonds and moneys deemed to be proceeds of the Bonds.

10. The City reserves the right to issue additional bonds to pay part of the cost of the Project, to refund or advance refund the Bonds, or to pay the cost of additional improvements to the Project.

11. The City hereby declares that it has pursued a negotiated sale because of the opportunities provided by a negotiated sale to select and adjust terms for the Bonds and to price and sell the Bonds at the times that may be expected to best achieve the most advantageous interest rates, lowest issuance costs and the opportunity to prepay the principal of the Bonds without premium.

12. The City reasonably expects that it will not issue more than \$10,000,000 in tax exempt obligations in calendar year 2004. The Bonds are designated as "qualified tax exempt obligations" for the purpose of deduction of interest expense by financial institutions.

13. The Authorized Officers and other officers, agents and employees of the City are authorized to execute such additional documents and certificates and to take all further steps and actions necessary and convenient to effect the sale, issuance and delivery of the Bonds as contemplated by this resolution.

14. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

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

NAYS: None

RESOLUTION DECLARED ADOPTED.

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EXHIBIT A

**CITY OF EAST JORDAN
GENERAL OBLIGATION CAPITAL IMPROVEMENT BONDS, SERIES 2004**

Principal Amount: \$90,000

Dated Date: Date of Delivery

First Interest: April 1, 2005, and semiannually thereafter

Price: 100%

Maturity Schedule, Interest Rates:

<u>Maturity</u> <u>October 1</u>	<u>Principal</u> <u>Amount</u>	<u>Interest</u> <u>Rate (%)</u>
2005	\$5,000	4.50
2006	\$5,000	4.50
2007	\$10,000	4.50
2008	\$10,000	4.50
2009	\$10,000	4.50
2010	\$10,000	4.50
2011	\$10,000	4.50
2012	\$10,000	4.50
2013	\$10,000	4.50
2014	\$10,000	4.50

Optional Redemption

Bonds of this issue are subject to redemption prior to maturity, at the option of the City, in any order of maturity and by lot within any maturity, on any date on or after October 1, 2010, at par and accrued interest to the date fixed for redemption, without premium or penalty.

Administrator White presented the Commission with a resolution regarding the M66 non-motorized pathway.

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

RESOLUTION # 110/2004

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**RESOLUTION TO AUTHORIZE A REPRESENTATIVE FOR ALL ACTIVITIES ASSOCIATED WITH THE LANDSCAPING AND NON-MOTORIZED PATHWAY PROJECT ALONG LAKE STREET (M66)
MDOT CONTRACT NO. 04-5264, JOB NO. 50921, CONTROL SECTION STE 15012**

WHEREAS, the City of East Jordan is proposing to undertake the landscaping and non-motorized pathway work along Lake Street (M66) from Erie Street to approximately 0.04 miles north of Water Street; and all together with necessary work; and

WHEREAS, the Project Cost shall be paid 80 percent by the Michigan Department of Transportation up to an amount not to exceed \$104,927. All excess of this amount shall be the responsibility of the CITY.

NOW, THEREFORE, BE IT RESOLVED, that the City Administrator, a position currently held by David M. White, is designated as the authorized representative for all activities associated with the project referenced above.

Roll Call Vote:

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

Nays: None

Absent: None

RESOLUTION DECLARED ADOPTED SEPTEMBER 7, 2004.

ITEM #13 DDA Update

The DDA met prior to the Commission meeting to discuss the financing of the non-motorized pathway.

ITEM #14 Administrator's Report

ADMINISTRATOR'S REPORT
SEPTEMBER 7, 2004

1. I am happy to announce that a new Parks Director has been hired and will start September 8th. Our new director is Mr. Tom Cannon from Escanaba and has specific experience operating skate parks and Municipal Harbors as well as all Park operations and maintenance. Tom holds a degree in

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- Parks and Recreation from Central Michigan University. As you see Tom please help welcome him to East Jordan.
2. Our two major economic development projects continue to move forward. Regarding the motel, the financing package is being finalized then it will be offered to additional investors. The MEDC is on board to help finance the needed public improvements. Finally, it has been decided that the new motel will be a Best Western. As more items become finalized I will keep the Commission up to date. The Dura building sale is being finalized with no closing date set at this point. The developer is looking at a multi-use facility with warehousing and manufacturing. A business incubator is also contemplated working in conjunction with the State, Northern Lakes Economic Alliance, and the City of East Jordan. As this project starts to finalize I will update the City Commission.
 3. Attached for your review is a copy of a letter from the Lumberjack Grill regarding the electrical power box at the rear of their property. This issue is a longstanding one that dates back to 1997-98. The DDA and City Commission have had many meetings on the "box". The box sits on the site of a prior utility pole. When the power was placed underground, Consumers needed to secure a location for their switch boxes. The box in question was set to be placed on a private easement between Jan's and the Lumberjack. Consumers was unable to secure the right-of-way as a large rent payment was being requested. Consumers, DDA and the City agreed to the present location after repeated attempts failed to secure the original location. The City Attorney will be able to address the access issue with the Commission. The last estimate to relocate the "box" was approximately \$9,000.00, 100% City cost. After reviewing this request and attached letter I would be happy to address any questions the Commissioners may have.
 4. Finally the ground breaking for the bandshell is to take place at 7:00pm on the 7th of September before our regular meeting. We will be meeting at the bandshell site to kick off this very important project.

Administrator White thanked the Commission for attending the groundbreaking ceremony for the Bandshell.

Commission discussed item 3 of the Administrator's Report.

Attorney Beatty informed the Commission that he has researched this issue in the past and has found that the City acted properly when placing the electrical box in its current location. He will be doing additional research and will respond to the City or the Lumberjack. He also noted that he would inquire to the

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Lumberjack as to any authority or legal facts that he should know about and if so to forward them to his attention.

ITEM #15 Mayor's Report

Mayor Postma informed the Commission that the City will be receiving an award at the Michigan Municipal League Annual Meeting for Public/Private Partnership on the Main Street Center project. The MML will be making a presentation to the City Commission at a later date.

ITEM #16 Attorney's Report

Attorney Beatty informed the Commission that he is working with the Assessor for the City of East Jordan, as they will be attending a hearing at the Michigan Tax Tribunal regarding the multiplier used for the assessment on Michigan Consolidated Gas personal property which has been disputed for several years.

Beatty also noted that the Commission would be having a closed session this evening regarding property purchase and labor negotiations.

ITEM #17 Commissioners

Commissioner McNitt inquired on the income for the season at the Tourist Park.

Administrator White informed the Commission that the Tourist Park revenues were up approximately \$500 from last season. He noted that the Harbor revenues from transient rentals are down about \$20,000 from last season.

Commissioner Bennett commented on Mrs. Tobias' request for relief from the rainwater that puddles on her property. He commended DPW Superintendent Breakey for his response in the evening during a rainstorm to assess the situation.

Commissioner Vollbach inquired on the status of the rental situation on LaLonde Road.

Administrator White stated the owner would now only be using the residence for his own personal use.

Vollbach also questioned whether the property at 206 Nicholls Street could be posted for a nuisance violation.

The Police Department and the City Clerk will work on posting the property so that we may proceed with the removal of the trash.

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Vollbach questioned when the painting and repairs were to begin on the Senior Center.

White stated that Petrie Construction was working on completing work at the East Jordan Public Schools before beginning work on the Senior Center.

Vollbach questioned where the City stood on purchasing the Four Corner Market for the expansion of the Boat Launch facilities.

White stated there is no update on the purchase at this time.

ITEM #18 Speaker Requests

Joyce Wardwell questioned whether the City Commission had discussed the Jordan Valley District Library deeding the Carnegie Building on Main Street to the City and whether the City Attorney had been requested to research legal issues regarding deeding the Carnegie Building to the City.

The City Commission stated they did receive a letter from the Jordan River Arts Council but the Commission never discussed the item.

Attorney Beatty stated he had not been requested to do research on the Carnegie Building.

Joe Krumholz asked the Commission to consider designating GAR Park as a snowmobile parking area for the winter months. He also questioned if the new motel project would allow for a trail easement on their property and if the City would consider allowing parking on the north side of the first block of Williams Street.

Administrator White stated the City would have to research any restrictions on GAR Park before designating it for snowmobile parking. He assured Mr. Krumholz that the snowmobile trail would continue to have an easement through the motel property.

Commission discussed the parking issue on Williams Street and did not feel that parking should be allowed on the north side of the street.

ITEM #19 Closed Session

Motion offered by Symonds, supported by McNitt to enter into closed session for collective bargaining and property purchase discussions.

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MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

Commission entered into closed Executive Session at 8:44 p.m.

Mayor Postma reconvened Regular Session at 9:13 p.m. and reported that police union contract negotiations and a property purchase were discussed with no action taken.

Mayor Postma adjourned the meeting at 9:14 p.m.

Respectfully,

Mark Postma, Mayor

Lori M. Campbell, City Clerk