

**MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR MEETING
HELD TUESDAY, JUNE 21, 2005 AT 7:30 P.M. IN CITY HALL**

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

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

Commissioner Timmons asked that item #5 be removed from the consent agenda.

Commissioners Bennett and Timmons also asked that items #9 and #10 be removed from the consent agenda. The remainder of the consent agenda was approved as follows:

Motion offered by Symonds, second by Klooster, to approve the minutes of the regular City Commission meeting held June 7, 2005, as submitted.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

Motion offered by Symonds, second by Klooster, to acknowledge receipt of the Bid Opening Minutes dated June 1, 2005, RE: Community Park Press Box Building

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

Motion offered by Symonds, second by Klooster, to acknowledge receipt of the Bid Opening Minutes dated June 8, 2005, RE: Edward Street Water Main Project

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

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

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- A. DDA, May 2, 2005
- B. Housing, May 10, 2005

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

REGULAR AGENDA

ITEM #5 Acknowledge Receipt of the Paid Bill List dated June 16, 2005, totaling \$156,303.57

Commissioner Timmons disagreed with the Betz and Bloss bills on pages 2 and 4.

Mayor Postma informed the Commissioners that this was just an acknowledgement of a list of stated bills that have been paid, not an authorization for payment.

Commissioner Timmons stated that she has been against the Betz and Bloss bills and that she will continue.

Commissioner McNitt questioned page 5, the hospitalization and fringes for the Airport.

Administrator White informed the Commission that some of his wages and some DPW wages come from the airport line items.

Commissioner McNitt also questioned the supplies under the Parks and Recreation Department for Charlevoix State Bank.

Administrator White and Parks Director Cannon informed the Commission that these could have been checks or a payment on the Visa card from Charlevoix State Bank.

Motion offered by Symonds, second by Klooster, to approve the Paid Bill List dated June 16, 2005, in the amount of \$156,303.57 as submitted.

MOTION CARRIED
BY ROLL CALL VOTE

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

ITEM #9 Acknowledge Receipt of an Introduction to Ordinance #197, An Ordinance to Amend the East Jordan Zoning Code Article XXI, Section 21.04. Signs Permitted in All Districts

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Mayor Postma informed the Commissioners that this amendment was an addition to the existing zoning code, Section 21.04 Signs Permitted in All Districts.

Motion offered by Symonds, second by McNitt, to acknowledge receipt of an Introduction to Ordinance #197, An Ordinance to Amend the East Jordan Zoning Code Article XXI, Section 21.04. Signs Permitted in All Districts

MOTION CARRIED
BY ROLL CALL VOTE

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

ITEM #10 Danette Cutler, Tourist Park Request

Mayor Postma informed the Commission that the need for Commission approval was a request to have alcohol not a fee waiver.

Commissioner Bennett questioned if smoking was prohibited in this building.

Parks Director Cannon informed him that no smoking is allowed in any of the City's facilities.

Motion offered by Symonds, second by McNitt, to approve Danette Cutlers' Tourist Park request for July 8, 2005.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

Sheri Rhoads, Northern Lakes Economic Development

Sheri Rhoads presented the Commission with the close out information to the East Jordan Downtown Revitalization Project. She informed the Commission that the grant was to be closed out on June 30, 2005 and that all of the grant work was complete.

ITEM #11 Community Park Discussion

Commissioner McNitt questioned the vandalism rate at Community Park.

Parks Director Cannon informed the Commission that there has been no vandalism there in the 9 months that he has worked here.

Commissioner McNitt questioned the lights at the park and if a study has been done to compare with other towns their use of lights to deter vandalism.

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Cannon explained that all of the parks he is responsible for have lights on all year. He stated he is unaware of a study but would recommend one be done and he felt that there should be lights in all public areas.

Police Chief Reece elaborated on the need for lights to be on at all public facilities. He noted it has helped the Police Department solve some of the vandalism complaints in the past.

Commissioner McNitt questioned the cost of the lights compared to the vandalism rate.

Administrator White informed the Commissioners that as of the close of May 31st, the total electrical bill for Community Park for FY 04/05 is \$509.60, which also included the irrigation and ball fields.

Commissioner Bennett found a newspaper article that he felt went along with this discussion. He read a portion to the Commission. (Article attached)

ITEM #12 Lions Club Wood and Ice Sales Discussion

Commissioner McNitt questioned the whether it is legal to allow the wood and ice sales in the Tourist Park.

Attorney Beatty stated felt that we were doing things in a legal manner as long as the agreement was with a non-profit organization.

Mayor Postma explained the history of the Tourist Park firewood sales and the Commission's decisions to allow the sales.

Parks Director Cannon addressed the concerns of the Commission and stated this is a nice convenience for the campers.

Speaker Request #1: Tom Durecki

Mr. Durecki read a statement to the Commission regarding the Firewood and Ice sales and what he felt the City was doing illegally. He also requested the Commissioners overturn their decision to allow the firewood and ice sales in the Tourist Park. He was asking individual Commissioners if they had personally signed the agreement with the Lions Club.

Attorney Beatty informed Mr. Durecki that the Commission passes items with motions and directs the City staff to sign these items.

Lion Dave Campbell addressed Mr. Durecki's concerns and did not feel that the City or the Lion's Club were in violation of any laws.

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Commissioner Bennett questioned how Mr. Durecki felt the City was taking advantage of the Lions club.

Mr. Durecki stated that the City was using the Lions Club name to sell items at the Tourist Park.

Commissioner Bennett informed Mr. Durecki that the 50% of the profits remain with the City to be put back into the Tourist Park for updates, repairs, or whatever the Lion's Club feels needs to be done in the Tourist Park.

Mayor Postma informed Mr. Durecki that the City needs to please our visitors to bring them into our town which will help our town's businesses grow.

Speaker Request #2 – Mike Thompkins

Mr. Thompkins addressed the Commissioners regarding the Firewood and Ice Sales. He read his statement to the Commission on what he felt needed to be addressed.

Mayor Postma requested Attorney Beatty review the firewood and ice sales and present a recommendation at the next commission meeting.

ITEM #13 East Jordan Little League Request

Motion offered by Bennett, second by McNitt, to approve the Little League request for the use of Elm Pointe and to waive the rental fee.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

ITEM #14 Resolution #107/2005, Resolution to Appoint Environmental Review
Certifying Officer

Administrator White explained to the Commission the need for the Certifying Officer on a CBDG project.

Commissioners Timmons and McNitt inquired on the qualifications for the officer.

Administrator White will get the specific qualifications from Sheri Rhoads. He stated the Certifying Officer would be the point person for decisions and the signing of all documentation.

The following Resolution was offered for adoption by McNitt, second by Vollbach:

RESOLUTION #107/2005

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Resolution to Appoint Environmental Review Certifying Officer

RESOLVED, that David White, City Administrator, is hereby appointed as the Environmental Review Certifying Officer for the East Jordan Downtown Infrastructure CDBG Project.

Ayes: SYMONDS, MCNITT, BENNETT, TIMMONS, VOLLBACH, KLOOSTER AND POSTMA

Nays: NONE

Absent: NONE

RESOLUTION DECLARED ADOPTED ON JUNE 21, 2005.

ITEM #15 Hilltop, Inc. Request

Attorney Beatty recommended that the City do a "License to Use" instead of doing the easement, just until the city develops this street. He will get all of the necessary paperwork.

Motion offered by McNitt, second by Vollbach, to authorize a "License to Use" agreement with Hilltop, Inc., for use of Grant Street as a drive until the City develops this street.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

ITEM #16 DDA Update

Administrator White informed the Commission that the DDA will be reviewing the plans from MDOT on the M-32 project Thursday, June 23, 2005 from 12-4 pm at City Hall. The City will also be closing on the MEDC grant for the Main Street center.

ITEM #17 Administrator's Report

**ADMINISTRATOR'S REPORT
JUNE 21, 2005**

1. MDOT is promoting heavily their open house on the M-32 project on June 23rd from 12-4 at City Hall. The M-32 project will be the first major reconstruction of that section of M-32 in a very long time. I urge all Commissioners if they are available to attend the MDOT Open House.

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2. I would like to thank all the city employees for their hard work once again in preparation for the Freedom Festival. Long hours go into getting the city ready for the many visitors to our community. Once again thank you all for another job well done.
3. As I am sure you read the Band Shell Dedication was done on Saturday June 12th. The keys were officially presented to the City. Landscaping needs to be completed after the irrigation has been installed. The Band Shell will be scheduled through City Hall as are other facilities. The securing of events to the band shell will be handled by the Jordan River Arts Council or the Chamber. I wish to thank the many donors for their support so East Jordan could once again have a Community Band Shell.
4. On the Economic Development front, Lake Street Center continues to do building upgrades and talk to prospective tenants. The Motel project now has hard construction figures and they are being reviewed with prospective investors. Interest continues in the downtown with a couple of buildings being looked at by potential new business owners.

ITEM #18 Mayor's Report

Mayor Postma wanted to thank all of those who sent cards and came to visit him while he was in the hospital.

ITEM #19 Attorney's Report

No items to report.

ITEM #20 Commissioners

Commissioner McNitt inquired on any requirement for how long the employees needed to remain working for job portion of the Main Street Center MEDC Grant.

Administrator White informed the Commissioners that there is no requirement, just that the required amount be reported at the time of the grant closing.

Commissioner McNitt stated he felt the Freedom Festival went well and that he and his family enjoyed it.

McNitt also inquired about replacing the roof over the train in Memorial Park.

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Mayor Postma informed the Commissioners that there has been some discussion on the roof and possibly turning the train. It is in need of a new roof and there are some groups interested in this project.

McNitt also questioned the playground equipment for the Community Park.

Parks Director Cannon reviewed with the Commission the location of the equipment and stated that there would be no interference with any other activity spaces at Community Park.

McNitt questioned the possible update of the equipment at the Tourist Park.

Cannon informed the Commission that everything has been recently inspected and that the old cement bases were removed. He also stated that once the equipment becomes unsafe, it will be removed.

Commissioner Bennett commented on the Jordan Valley Freedom Festival and he thought it went well. He also commented on the opening of the museum here at City Hall.

Commissioner Vollbach informed the Commission that the Elm Pointe Museum would be opening Saturday, June 25, 2005.

Commissioner Vollbach inquired on previous discussions about having a Commission Meeting out at Elm Pointe.

Administrator White asked if the Commission would like to have a tour of the Historical Museum before the July 5, 2005 meeting.

Consensus of the Commission was to have a tour and the meeting at Elm Pointe.

Attorney Beatty informed the Commission that they should schedule a tour of the museum then have the Commission meeting inside the city limits.

Commissioner Klooster stated the Coffee House band that used the band shell on Friday night for the Freedom Festival. They were very pleased with the look and the sound of the band shell. He has received other comments from surrounding areas that East Jordan is doing a lot of neat things.

ITEM #21 Speaker Requests

Tom Durecki addressed the Commission on the abandoned signs ordinance. He read a statement to the Commission on what he felt should be addressed.

Administrator White informed Mr. Durecki and the Commission that the owners of Nettie's Triple Gas located at 101 Water Street have been noticed twice. In the

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last conversation with Mr. Behling, he asked for an extension as he had a replacement sign coming. It is now being turned over to Attorney Beatty to address and for further action.

Attorney Beatty addressed Mr. Durecki on the process of getting a sign removed.

Mayor Postma adjourned the meeting at 8:40 p.m.

Respectfully,

Mark Postma, Mayor

Lori M. Campbell, City Clerk