

**MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR MEETING  
HELD TUESDAY, DECEMBER 4, 2007 AT 7:30 P.M. IN CITY HALL**

Present: Mayor Bennett  
Commissioners Symonds, Fisher, Timmons, Klooster, Moes and Postma

Absent: None

Mayor Bennett 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, second by Klooster, to approve the minutes of the Regular Commission meeting dated November 20, 2007, as submitted.

MOTION CARRIED ALL AYES  
BY ROLL CALL VOTE

Motion offered by Symonds, second by Klooster, to acknowledge receipt of the Paid Bill List dated November 29, 2007, totaling \$161,936.97.

MOTION CARRIED ALL AYES  
BY ROLL CALL VOTE

Motion offered by Symonds, second by Klooster, to acknowledge receipt of the following minutes:

- A. Jordan Valley District Library, September 19, 2007

MOTION CARRIED ALL AYES  
BY ROLL CALL VOTE

**REGULAR AGENDA**

ITEM # 7 Applewood Village and Highland Terrace PILOT request

Steven Werth, Werth Development, presented the Commission with a proposed PILOT ordinance. He reviewed the projected, including the \$1.1 million planned renovations to Applewood Village and Highland Terrace.

Commissioner Moes questioned how long it would take for the PILOT payment to equal the current taxes.

**MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR MEETING  
HELD TUESDAY, DECEMBER 4, 2007 AT 7:30 P.M. IN CITY HALL**

Commissioner Timmons questioned if the ordinance did not pass would that prevent them from operating their business on these properties.

Mr. Werth stated it would not prevent them from operating but it may restrict the renovations.

Commissioner Moes stated the income loss would be equal to three of her property tax amount compared to the 40 families housed by the project.

Commission discussed the renovations and the estimated time to complete them.

Ken Werth stated the work would take approximately three months. Residents will not be displaced during the renovations.

Timmons questioned the occupancy level.

Mr. Werth stated they have four vacant units at Highland Terrace.

Commissioner Timmons asked the Commission to consider the loss of income.

Consensus of the Commission was to refer the proposed PILOT to staff to finalize the details and present the ordinance for introduction at the next meeting.

ITEM #8 Resolution 128-2007, Resolution Authorizing Issuance and Sale of  
Capital Improvement Bonds Series 2007B

RESOLUTION AUTHORIZING ISSUANCE AND SALE OF  
CAPITAL IMPROVEMENT BONDS SERIES 2007B  
(LIMITED TAX GENERAL OBLIGATION)  
(BOAT LAUNCH PROJECT)

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City of East Jordan  
County of Charlevoix, State of Michigan

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Minutes of a regular meeting of the City Commission of the City of East Jordan, County of Charlevoix, State of Michigan (the "Issuer"), held on December 4, 2007, at 7:30 o'clock p.m., prevailing Eastern Time.

PRESENT: Mayor Bennett and Commissioners Symonds, Fisher,  
Timmons, Klooster, Moes and Postma

ABSENT: None

**MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR MEETING  
HELD TUESDAY, DECEMBER 4, 2007 AT 7:30 P.M. IN CITY HALL**

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

WHEREAS, the Issuer does hereby determine that it is necessary to acquire property to be used to expand and improve the Issuer's existing boat launch facilities including demolition, related site improvements, appurtenances and attachments thereto (the "Project"); and

WHEREAS, to finance the cost of the Project, the City Commission deems it necessary to borrow the principal sum of Two Hundred Fifty Thousand Dollars (\$250,000) and issue capital improvement bonds pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), to pay all or part of the cost of the Project; and

WHEREAS, the City Clerk directed the publication of a notice of intent to issue the Bonds in the *Petoskey News-Review*, a newspaper of general circulation in the Issuer, on July 13, 2007 (the "Notice of Intent"); and

WHEREAS, the Notice of Intent was in due form and the manner of the publication of the Notice of Intent was the method best calculated to give notice to the Issuer's taxpayers and electors of the City Commission's intent to issue the Bonds, the purpose of the Bonds, the security for the Bonds, and the right of referendum relating thereto; and

WHEREAS, a petition requesting a vote of the electors on the issuance of the Bonds signed by not less than 10% of the registered electors of the Issuer (the "Petition") was filed with the Clerk within forty-five (45) days after the publication of the Notice of Intent; and

WHEREAS, the Clerk and the Issuer caused the submission of the following question (the "Question") to the qualified electors of the Issuer for a vote as requested by the Petition, at a special election held on the Tuesday, the 6<sup>th</sup> day of November, 2007 (the "Election"):

HARBOR MARINA BOND PROPOSAL

Shall the City of East Jordan, Charlevoix County, Michigan, borrow the principal sum of not to exceed Two Hundred Fifty Thousand Dollars (\$250,000) and issue its general obligation limited tax bonds in one or more series, payable over a period not to exceed fifteen (15) years from date of issuance, to be used by the City for the purpose of paying the cost of acquiring property to be used to expand and improve the City's existing boat launch facilities including demolition, related site improvements, appurtenances and attachments thereto? The source of revenue intended to retire the bonds shall consist of revenues from the City's Harbor Marina Fund.

**MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR MEETING  
HELD TUESDAY, DECEMBER 4, 2007 AT 7:30 P.M. IN CITY HALL**

AND WHEREAS, the Election was duly called, held and canvassed in accordance with Michigan law, including Act 34; and

WHEREAS, a majority of the qualified electors of the Issuer voted in favor of the Question and the issuance of the Bonds as set forth therein; and

WHEREAS, it has been determined by the City Commission that the Bonds as now authorized by the electors of the Issuer should be issued, in an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000) at this time; and

WHEREAS, Charlevoix State Bank, East Jordan, Michigan (the "Bank") has indicated that it is willing to purchase the Bonds and the Issuer intends to negotiate the sale of the bonds with the Bank.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Authorization of Bonds; Bond Terms. Bonds of the Issuer designated CAPITAL IMPROVEMENT BONDS SERIES 2007B (LIMITED TAX GENERAL OBLIGATION) (the "Bonds") are authorized to be issued in the aggregate principal sum of not to exceed Two Hundred Fifty Thousand Dollars (\$250,000) for the purpose of paying the costs of the Project, including the costs incidental to the issuance, sale and delivery of the Bonds. The issue shall consist of bonds in fully-registered form of the denomination of \$1,000, or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, numbered consecutively in order of registration, and dated as of the date of delivery. The Bonds shall bear interest, mature, be subject to redemption prior to maturity and be payable at the times and in the manner set forth in Exhibit A attached hereto.

Interest shall be payable to the registered owner of record as of the 15th day of the month prior to the payment date for each interest payment. The record date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the Issuer to conform to market practice in the future. Interest shall be payable to the registered owner of record as of the 15th day of the month preceding the payment date for each interest payment. The principal of the Bonds shall be payable at the Bank who is hereby selected to serve as registrar and transfer agent for the Bonds (the "Transfer Agent").

2. Execution of Bonds. The Bonds of this issue shall be executed in the name of the Issuer with the manual or facsimile signatures of the Mayor and Clerk of the Issuer and shall have the seal of the Issuer, or a facsimile thereof, printed or impressed on the Bonds. No Bond 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

**MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR MEETING  
HELD TUESDAY, DECEMBER 4, 2007 AT 7:30 P.M. IN CITY HALL**

Transfer Agent to the purchaser or other person in accordance with instructions from the City Administrator or Treasurer of the Issuer upon payment of the purchase price for the Bonds in accordance with the bid therefor when accepted.

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

4. Limited Tax Pledge; Debt Retirement Fund; Defeasance of Bonds. The Issuer hereby pledges its limited tax full faith and credit for the prompt payment of the Bonds. The Issuer shall, each year budget the amount of the debt service coming due in the next fiscal year on the principal of and interest on the Bonds and shall advance as a first budget obligation from its general funds available therefor, or, if necessary, levy taxes upon all taxable property in the Issuer subject to applicable constitutional, statutory and charter tax rate limitations, such sums as may be necessary to pay such debt service in said fiscal year.

The Treasurer is authorized and directed to open a depository account with a bank or trust company designated by the City Commission, to be designated CAPITAL IMPROVEMENT BONDS SERIES 2007B (LIMITED TAX GENERAL OBLIGATION) 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 mature.

In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on the Bonds, shall be deposited in trust, this resolution shall be defeased and the owners of the Bonds shall have no further rights under this resolution except to receive payment of the principal of, premium, if any, and interest on the Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided herein.

5. Construction Fund; Proceeds of Bond Sale. The Treasurer is

**MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR MEETING  
HELD TUESDAY, DECEMBER 4, 2007 AT 7:30 P.M. IN CITY HALL**

authorized and directed to open a separate depository account with a bank or trust company designated by the City Commission, to be designated CAPITAL IMPROVEMENT BONDS SERIES 2007B (LIMITED TAX GENERAL OBLIGATION) CONSTRUCTION FUND (the "Construction Fund") and deposit into said Construction Fund the proceeds of the Bonds less accrued interest and premium, if any, which shall be deposited into the Debt Retirement Fund. The moneys in the Construction Fund shall be used solely to pay the costs of the Project and the costs of issuance of the Bonds.

6. Bond Form. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA  
STATE OF MICHIGAN  
COUNTY OF CHARLEVOIX

CITY OF EAST JORDAN  
CAPITAL IMPROVEMENT BOND SERIES 2007B  
(LIMITED TAX GENERAL OBLIGATION)

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
4.20%	August 1, 2022	December 20, 2007	

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 (computed on the basis of a 360-day year consisting of twelve 30-day months) 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 August 1, 2008 and semiannually thereafter. Principal of this bond is payable at the designated office of Charlevoix State Bank, East Jordan, 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 (15<sup>th</sup>) 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.

**MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR MEETING  
HELD TUESDAY, DECEMBER 4, 2007 AT 7:30 P.M. IN CITY HALL**

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 \$250,000, issued for the purpose of paying all or part of the cost of certain capital improvements in the Issuer. 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 maturing in the years 2008 shall not be subject to redemption prior to maturity. Bonds or portions of bonds of this issue in multiples of \$1,000 maturing in the years 2009 and thereafter 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 any date on or after August 1, 2008, 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, statutory and charter 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

**MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR MEETING  
HELD TUESDAY, DECEMBER 4, 2007 AT 7:30 P.M. IN CITY HALL**

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, statutory or charter 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.

IN WITNESS WHEREOF, the Issuer, by its City Commission, has caused this bond to be signed in the name of the Issuer by the facsimile signatures of its Mayor and 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 \_\_\_\_\_

Daniel G. Bennett

Its Mayor

(SEAL)

By \_\_\_\_\_  
Lori M. Campbell, CMC  
Its 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.

**MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR MEETING  
HELD TUESDAY, DECEMBER 4, 2007 AT 7:30 P.M. IN CITY HALL**

Charlevoix State Bank  
East Jordan, Michigan  
Transfer Agent

By \_\_\_\_\_  
Authorized Signatory

7. Negotiated Sale Authorized. The Issuer 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.

The offer of the Bank to purchase the Bonds in the principal amount of \$250,000, at par, bearing interest and subject to redemption prior to maturity as shown on Exhibit A attached hereto is hereby accepted and approved.

8. Useful Life of Project. The estimated period of usefulness of the Project is hereby declared to be not less than fifteen (15) years.

9. Tax Covenant; Qualified Tax Exempt Obligations. The Issuer shall, to the extent permitted by law, take all actions within its control necessary to maintain the exclusion of the interest on the Bonds from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including, but not limited to, actions relating to any required rebate of arbitrage earnings and the expenditures and investment of Bond proceeds and moneys deemed to be Bond proceeds. The Issuer hereby designates the Bonds as "qualified tax exempt obligations" for purposes of deduction of interest expense by financial institutions pursuant to the Code.

10. Authorization of Other Actions. The City Administrator, City Treasurer and City Clerk are each hereby authorized to take all other action necessary or advisable as any shall deem appropriate so as to enable the issuance and delivery of the Bonds as contemplated herein including adjusting the final Bond details set forth herein to the extent necessary or convenient to complete the transaction authorized herein, and in pursuance of the foregoing are authorized to exercise the authority and make the determinations authorized pursuant to Section 315(1)(d) of Act 34, Public Acts of Michigan, 2001, as amended, including but not limited to, determinations regarding aggregate principal amount, interest rates, prices, discounts, maturities, principal

**MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR MEETING  
HELD TUESDAY, DECEMBER 4, 2007 AT 7:30 P.M. IN CITY HALL**

amounts, denominations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, and other matters, provided that the principal amount of Bonds issued shall not exceed the principal amount authorized in this resolution, the interest rate per annum on the Bonds shall not exceed four and two-tenths percent (4.20%), and the Bonds shall mature in not more than fifteen (15) principal installments.

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

AYES: Symonds, Fisher, Timmons, Klooster, Moes, Postma  
and Bennett

NAYS: None

RESOLUTION DECLARED ADOPTED.

EXHIBIT A

CITY OF EAST JORDAN  
CAPITAL IMPROVEMENT BONDS SERIES 2007B  
(LIMITED TAX GENERAL OBLIGATION)

Principal Amount: \$250,000

Dated Date: Date of Delivery

First Interest: August 1, 2008, and semiannually thereafter

Price: 100%

Maturity Schedule, Interest Rates:

<u>Maturity</u> <u>August 1</u>	<u>Principal</u> <u>Amount</u>	<u>Interest</u> <u>Rate (%)</u>
2008	\$13,000	4.20%
2009	13,000	4.20
2010	13,000	4.20
2011	14,000	4.20
2012	15,000	4.20
2013	15,000	4.20
2014	16,000	4.20
2015	16,000	4.20

**MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR MEETING  
HELD TUESDAY, DECEMBER 4, 2007 AT 7:30 P.M. IN CITY HALL**

2016	17,000	4.20
2017	18,000	4.20
2018	19,000	4.20
2019	19,000	4.20
2020	20,000	4.20
2021	21,000	4.20
2022	21,000	4.20

Optional Redemption

Bonds of this issue maturity in the year 2008 shall not be subject to redemption prior to maturity.

Bonds or portions of bonds in multiples of \$1,000 of this issue maturing in the years 2009 and thereafter, shall be subject to redemption prior to maturity, at the option of the Issuer, in such order as the Issuer shall determine, on any date on or after August 1, 2008, at par and accrued interest to the date fixed for redemption.

Commissioner Timmons stated he has been swamped by comments from citizens stating the debt better be paid by the Harbor Fund like they were told. He also questioned how the Harbor Fund would pay the debt.

Commissioner Symonds stated resolution 129-2007 would address the issue; once the dredging is complete the unused slips can be rented and the additional income will make the payments.

Commissioner Postma noted the demolition of the building was paid from the Harbor Fund which will be reimbursed with the bond proceeds.

ITEM #9 Resolution 129-2007, Resolution Authorizing Execution of the Agreement (MDNR) Resolution 130-2007,

**RESOLUTION 129-2007  
RESOLUTION TO ACCEPT THE TERMS OF THE AGREEMENT FROM THE  
MICHIGAN DEPARTMENT OF NATURAL RESOURCES**

Upon motion made by Commissioner Postma, seconded by Commissioner Symonds the following Resolution was adopted:

“RESOLVED, that the City of East Jordan, Michigan, accepts the terms of the Agreement as received from the Michigan Department of Natural Resources and that the City agrees, but not by way of limitation, as follows:

1. To appropriate the sum of Ninety-two Thousand Three Hundred Sixty-five dollars (\$92,365.00) State grant authorized by the Department.

**MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR MEETING  
HELD TUESDAY, DECEMBER 4, 2007 AT 7:30 P.M. IN CITY HALL**

2. To maintain satisfactory financial accounts, documents, and records, and to make them available to the Department for auditing at reasonable times.

3. To construct the facilities and provide the funds, services, and materials as may be necessary to satisfy the terms of the Agreement.

4. To insure that all premises, buildings, and equipment related procedures comply with all applicable State and federal regulations.

5. To establish and appoint the City of East Jordan to regulate the use of the facilities constructed under this Agreement to assure the use thereof by the public on equal and reasonable terms.

6. To enforce all State statutes and local ordinances pertaining to marine safety and to enforce statutes of the State of Michigan within the confines of the City pertaining to the licensing of watercraft. Watercraft not fully complying with the laws of the State of Michigan relative to licensing shall not be permitted to use the facility until full compliance with those laws has been made.

7. To comply with all terms of the Agreement, including all terms not specifically set forth in the foregoing portions of this Resolution.”

The following aye votes were recorded: Symonds, Fisher, Timmons, Klooster, Moes, Postma and Bennett

The following nay votes were recorded: None

STATE OF MICHIGAN            )  
  )  
COUNTY OF CHARLEVOIX        )

**RESOLUTION 130-2007  
RESOLUTION ACCEPTING THE TERMS OF THE AGREEMENT ADDENDUM  
FROM THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES**

Upon Motion made by Commissioner Postma, seconded by Commissioner Symonds, the following Resolution was adopted:

“RESOLVED, that the City of East Jordan, Charlevoix County, Michigan, does hereby accept the terms of the Agreement Addendum as received from the Michigan Department of Natural Resources, and the City does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate the sum of Ninety-two Thousand Three Hundred Sixty-five dollars (\$92,365.00), to match the grant authorized by the Department.

**MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR MEETING  
HELD TUESDAY, DECEMBER 4, 2007 AT 7:30 P.M. IN CITY HALL**

2. To maintain satisfactory financial accounts, documents, and records, and to make them available to the Department for auditing at reasonable times.

3. To construct the facility improvements and provide such funds, services, and materials as may be necessary to satisfy the terms of the said Agreement Addendum.

4. To insure that all premises, buildings, and equipment related procedures comply with all applicable State and federal regulations.

5. To comply with any and all terms of the said Agreement Addendum including all terms not specifically set forth in the foregoing portions of the Resolution.”

The following aye votes were recorded: Symonds, Fisher, Timmons, Klooster, Moes, Postma and Bennett

The following nay votes were recorded: None

STATE OF MICHIGAN            )  
  )  
COUNTY OF CHARLEVOIX    )

ITEM #10 DDA Update

Mayor Bennett informed the Commission that the DDA had approved the replacement of the lights that were burned out on Main Street.

Bennett also informed the Commission the DDA has decided to remove some of the banners from the light poles as during the recent high winds, some of the brackets were damaged and they wanted to save what was left of the banner. Replacement of the brackets will be done at a later date.

Bennett showed the Commissioners a check that was presented to the City from MiSHDA in the amount of \$640,000 for the hotel project.

ITEM #11 Administrator’s Report

**ADMINISTRATOR’S REPORT  
DECEMBER 4, 2007**

1. Parks Director Cannon has informed me that the Civic Center will be seeing more usage as a gym with the switching of the High School

**MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR MEETING  
HELD TUESDAY, DECEMBER 4, 2007 AT 7:30 P.M. IN CITY HALL**

basketball seasons this year. We do not know the impact of the increased usage since this is the first year.

2. Many projects continue to be ongoing, at this time there is nothing new to update over and above what has been reported. As our many projects move toward completion I will continue to keep the Commission up to date.

ITEM #12 Mayor's Report

Mayor Bennett reminded all Commissioners of the Community Night on Thursday, December 6.

Bennett informed the Commission that he had recently attended a District Library Board meeting in which the Library board discussed much concern for the PILOT program development of their property located on M-66.

Bennett stated after the DDA meeting on Monday night he and the DDA members attended the Business after Hours at the House on the Hill in Ellsworth and felt the Community was well represented there.

Bennett also stated he attended a breezeway meeting prior to the Commission meeting regarding a proposal to extend M-32 to US 31 in Atwood. At this point the proposition has been dropped and it is being looked at to possibly upgrade this road to a Class A standard road.

Bennett stated there was a lot of support from the area communities regarding this proposal.

Bennett spoke to the Commission on a letter that each Commissioner received which contained confidential information.

Commissioner Timmons requested to go into closed session.

Attorney Beatty stated closed session is an option for council but council is not obligated to do so.

Beatty stated the statute permits the council to meet in closed session for certain enumerated purposes.

Beatty read the Open Meeting Act statute to the Commission.

Motion by Fisher, second by Postma to conduct closed session.

**MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR MEETING  
HELD TUESDAY, DECEMBER 4, 2007 AT 7:30 P.M. IN CITY HALL**

Mayor Bennett stated he would like to reserve the closed session for the end of the meeting.

Motion offered by Fisher, second by Postma to conduct closed session at the end of the regular meeting.

MOTION CARRIED ALL AYES  
BY ROLL CALL VOTE

ITEM #13 Attorney's Report

No items to report.

ITEM #14 Commissioners

Commissioner Postma stated he knows how busy the Mayor's job can be and feels Mayor Bennett is doing a good job.

Commissioner Moes inquired on the hiring of a new police officer.

Administrator White stated yes.

Moes asked if that was something that needs to go before the commission or is noticed or noticed to the Commissioners.

White and Bennett stated no and that this was a budgeted position.

Moes inquired about the parking issue resolved regarding the Lumberjack Restaurant.

Mayor Bennett stated the letter to all the Downtown businesses just went out from the DDA just this past week.

Moes questioned if the City had responded back as of this date.

Bennett stated he doesn't believe it has been done yet.

White stated it was directed to the Commission to resolve.

Bennett questioned the Commission on if they would like to draft a response.

Commissioner Symonds stated no as he felt this issue should be resolved with the businesses on Main Street.

Bennett stated parking has always been an on going issue with the businesses on Main Street.

**MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR MEETING  
HELD TUESDAY, DECEMBER 4, 2007 AT 7:30 P.M. IN CITY HALL**

Bennett also informed the Commission that currently the DDA is looking for ways to help resolve this long on going issue without having to enforce parking meters. If they are unsuccessful in resolving this issue, then the issue will come back to the Commission for a resolution.

Postma stated the DDA had proposed earlier this year that they did not want to have timed parking on Main Street or in the Main Street Parking Lot.

Commissioner Timmons inquired about the employment status and the possibility of three lay-off's to help balance the budget.

White stated it was part of budget discussions.

Timmons inquired if this was something that was still going to be looked at by the Commission.

White stated if the budget doesn't come together it could be a possibility.

Timmons stated he was under the understanding that these were budgeted at part time positions.

White stated the position was budgeted as full time.

Timmons felt the Commission should have been notified specifically for informational purposes.

Bennett stated that in their budget discussions they had discussed retirement packages and insurance savings.

ITEM #15 Speaker Requests

Speaker Request #1: Thomas Breakey

Mr. Breakey addressed the Commission on behalf of the East Jordan Fire and EMS new building committee, he would like to inform the Commission on their new sign that was put up earlier that day on the building site.

Breakey also stated he would like to invite all of the Commissioners to a photo opportunity at the site on Saturday, December 8 at 2:00 p.m.

Breakey informed the Commission that the project is moving along and a new building fund has been established with the city and any and all donations are appreciated.

Motion offered by Postma, second by Symonds to enter into closed session.

**MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR MEETING  
HELD TUESDAY, DECEMBER 4, 2007 AT 7:30 P.M. IN CITY HALL**

MOTION CARRIED ALL AYES  
BY ROLL CALL VOTE

Commissioner entered into closed executive session at 8:22 p.m.

Commissioner reconvened open session at 8:43 p.m.

Attorney Beatty reported that discussion was held regarding Commissioner Timmons on the Commission per his separation agreement with the City. No action was taken.

Mayor Bennett adjourned the meeting at 8:43 p.m.

Respectfully,

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Daniel G. Bennett  
Mayor

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Lori M. Campbell, CMC  
City Clerk