

**MINUTES OF THE EAST JORDAN CITY COMMISSION REGULAR MEETING
HELD TUESDAY, JUNE 3, 2008 AT 7:48 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 7:48 p.m.

ITEM #5 Inquiry of Conflicts of Interest

No conflicts of interest were voiced.

CONSENT AGENDA

Commissioners Moes and Timmons requested Items #7 & #9 be pulled for discussion.

The remainder of the consent agenda was accepted with the exception of Item #7 and Item #9.

Motion offered by Symonds, second by Klooster, to approve the minutes of the Regular Commission meeting, dated May 20, 2008.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

Motion offered by Symonds, second by Klooster, to approve the minutes of the Public Hearing Meeting RE: 2008 Ambulance purchase, dated May 20, 2008.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

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

- A. Tourist Park Advisory, March 19, 2008

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

ITEM #7 Acknowledge Receipt of the Paid Bill List dated May 29, 2008 totaling \$195,414.99

Commissioner Moes questioned what the bill for Robinson's Landscaping was for from the TIFA fund.

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Administrator White stated these were for the trees planted in front of Huntington Bank of which funds were received as a donation to plant them.

Commissioner Timmons questioned what the bill was for Access Locksmithing in the maintenance line item of the Police Department.

Police Chief Reece stated they were having trouble with the rear entry door to the garage and the hydraulic closer went bad and there were problems with the lock mechanism that needed to be replaced.

ITEM #9 Introduction to Ordinance #201-D, Fiscal Year 2007/2008 Budget Amendment

Commissioner Timmons questioned if this amendment would get us through the end of the current fiscal year.

Administrator White stated this should be the final amendment for this current fiscal year.

Timmons questioned if there were some increases that were not going to be covered by next year's budget.

White stated what Treasurer Moreau presented was balanced.

Timmons stated some funds that were not zeroed out such as in the Civic Center, DPW and Police Department line items.

Timmons also added if you go through and take the time to go through the amendment and take out everything that is zeroed out then add the increases and subtract the decreases, it looks like we are running \$35,000 to the negative.

White stated he would have to check with the Treasurer when she returns from vacation as she has always taken revenues and expenditures from the General Fund and the amendments have always come out even.

Timmons included he was concerned as the Commission had wanted to have a balance left over to start next year's budget and it doesn't look like there will be anything left to rollover.

Commissioner Moes stated the adopted budget of beginning funds was \$216,000 when it was adopted to begin with on July 1st but this amendment would say there would only be \$86,000.

White stated the dollar amount that was adopted in the budget is not all cash but that it is assets and cash.

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Moes verified there would only be \$86,000 in true cash as of July 1st.

White stated that was the figure Treasurer Moreau is proposing.

Moes questioned if bills and such were being rolled over until July 1st.

White informed Commissioner Moes that Treasurer Moreau always pays all bills that are due in the current fiscal year prior to the end of the fiscal year.

Moes passed out a Funds on Hand sheet as of March 2008 for the Commission to review. (Copy made part of these original minutes).

Moes stated she took the funds on hand for March and added in revenues as they have come in and but taking the funds paid out and we are running in the negative.

Moes also added she looked at the amendment and it didn't match what she was looking at.

White stated he and the Treasurer had looked at her beginning figure of \$351,950.87 and the \$41,450.97 funds paid out was already in her beginning figure.

White also added the beginning number should be \$359,489.87 and \$77,805.59 for income in April making the new total \$437,295.46.

White also included actual expenses in April were \$78,333.31 to have a starting balance of \$358,962.15 as of May 1st.

Moes questioned White if he could assure the Commission the money was available to make these amendments.

White stated he could assure the Commission as much as the Treasurers report was in front of him and this was only an introduction to this budget amendment and the amendment would be on the next Commission agenda for a decision.

Commissioner Timmons stated he would like the concerns noted in the minutes.

Timmons also questioned what would happen if prior to the next meeting it is found that the numbers are worse than expected.

White stated he was unsure and he would need to speak to Treasurer Moreau regarding this amendment issue.

Commissioner Moes wanted to inform the Commission she had gone through the minutes and felt they were very well written.

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Motion offered by Postma, Second by Symonds to accept items #7 and #9 as presented.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

Commissioner Timmons stated he accepted both items but was still concerned at not being at a zero balance beginning July 1st.

REGULAR AGENDA

ITEM #11 Speaker Requests

Speaker Request #1-Mitch MacKay

Mr. MacKay stated he felt there was an atmosphere around that the citizens were being ignored and they are being told things are being worked on when in fact nothing is getting done.

MacKay read a recent email he submitted to the Commission regarding the recent water bill situation at his home and the possibility of new ways of meter readings (copy made part of these original minutes).

Commissioner Symonds stated there is a water mediation system in place.

MacKay stated yes it was in the Charter and you have to come to a meeting and request an adjustment be made to your bill.

Commissioner Postma informed Mr. MacKay nobody has to come in person to request an adjustment, most people just send a letter of request.

Postma also added most always undetected leaks are adjusted and he didn't remember not adjusting a bill.

Mayor Bennett stated there have been some citizens complaining of the adjustments the Commission is giving.

MacKay felt there should be some type of mediation board that a person could go to.

Postma stated a simple letter is all it takes and the Commission is the mediation board.

Commissioner Moes clarified if it is an undetected leak it will be adjusted and if they have a leak they did not know about it would not be adjusted.

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Moes wanted to clarify water bill adjustments could be reviewed by either submitting a letter to the Commission or coming to a meeting to discuss their bill.

Mackay questioned the issues of the indoor meters or new meter reading system.

Commissioner Symonds information was provided to the Commission and it would cost the City \$200,000 to implement a drive-by reading system and it would run about \$41.30 per household per year for monthly billings.

Symonds questioned what Mr. Mackay wanted the Commission to do, spend \$200,000 to equipment all houses with new meters or do monthly billings.

Mackay pointed out the City didn't have an extra \$200,000 to spend so in other words nothing was going to happen regarding this issue.

Commissioner Postma stated water leaks only happen a few times per year and when the Commission makes an adjustment everyone ends up having to pay for it in the end.

Mackay stated he wanted a resolution tonight.

Symonds stated the City doesn't have the man power to do monthly billings.

Mayor Bennett agreed a resolution needed to be reached and requested Commissioners Postma, Timmons and Symonds to look at possible solutions more in depth and report back to the Commission on their findings.

Postma added he would hate to take away this mediation away from the Commission as they are ultimately responsible for the decisions made.

Bennett stated Commissioners Postma, Timmons and Symonds would research this subject along with the City Treasurer and Water Department.

ITEM #11 Ordinance #206, Bluffside Apartment Homes Tax Exemption Ordinance

Mayor Bennett stated the Commission heard public comments prior to the Commission meeting and a decision needs to be made.

Commissioner Moes stated the complaints she hears is that city residents pay high taxes and this shouldn't be any different, they should pay their fair share also.

Bennett questioned Commissioner Moes if she would invest 2.3 million dollars into an apartment complex in this Community.

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Moes stated no as she didn't feel all of that money was going to be coming into our community but would go to surrounding areas.

Moes also added if this does go through that Mr. Haan really makes the offers to our contractors for bids and not just using companies he normally would use as she wants East Jordan people doing the work.

Commissioner Symonds stated as he understood Mr. Scheel's presentation, the 2.3 million dollars was the construction cost for the project which would stay here in the Community of East Jordan.

Moes stated he will get bids from all around the area and he will utilize them and she was under the impression that more would stay locally and would like that looked into.

Commissioner Postma questioned what the radius of bidding was.

Symonds stated it was roughly a 30 mile radius.

Mayor Bennett also included some local contractors and builders cannot meet certain requirements.

Moes felt she would like to get more details from Mr. Haan.

Commissioner Fisher stated what he understood was most companies tend to bring items they need with them and if something was to break or needed something, they would have accounts set up at local stores here to go and purchase an item if needed.

Moes felt after speaking with Mr. Haan that a large share of the money wouldn't even see East Jordan and when she had voted to approve this, she was under the impression it was going to be our community and companies doing the work and utilizing our companies for materials and such.

Moes also added this was what she would like to see if this is approved.

Commissioner Postma stated there are a lot of local contractors that work in other communities and it's not really fair to give them stipulations of who they can use.

Moes stated she understood that but she wanted the local companies and contractors to have a fair chance and this would be open to East Jordan companies for them to be utilized.

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Walter Murphy added the experience he has run into is certain companies have certain people they work with and those are the companies they stick with.

Mitch MacKay also added he agreed with Mr. Murphy.

Commissioner Timmons stated the Commission had asked Mr. Scheel what the lease agreement was with problem tenants and such and he sent us a copy of their Mackinaw City lease which didn't tighten anything up regarding these issues.

Timmons included he wondered if these PILOT programs were going to be continually coming to the Commission for consideration and if some guidelines could be done up that they would have to meet before they presented anything to the Commission so this type of situation isn't brought before the Commission again.

Commissioner Symonds stated some requirements are required by MiSHDA and some are not in the city's control.

Commissioner Postma commented that it is important to keep making improvements to the community and drawing things to East Jordan.

Postma added this meets all of the requirements for the property and when Mr. Haan originally brought this proposal to the Commission, all of the Commissions concerns were addressed and resolved.

Symonds added the City is sacrificing approximately \$1,500 per year on this project which is probably the difference between the PILOT fee and the taxes that we'll still be receiving on the total 13 acres right now.

Symonds stated only 3-4 acres are being requested for the PILOT program and the other land is being taxed as normal.

Postma added there would be 12 new water/sewer users.

Mayor Bennett added a total of \$30,000 for tap fees would also be added.

Commissioner Moes stated she was concerned as the citizens who spoke at the last Commission meeting and the people that were speaking tonight, this project will affect their lives and still feels not much of the money from the project will come into East Jordan.

Moes requested this be fine tuned and have some of the Commissions unanswered questions answered by Mr. Haan or Mr. Scheel.

Symonds questioned if the developer was invited to the meeting.

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Administrator White stated he had not been in contact with the developer.

Commissioner Fisher included something will be built there eventually.

Commissioner Moes clarified the request before them was to approve the tax exemption ordinance.

Jane Booze agreed with Mark Robinson during the public hearing section regarding making improvements to the City but questioned if this was the best way to do improvements.

Booze also added everyone would like to see the property sold and the District Library no longer burdened with it but the fact that the Library Board made a bad decision doesn't mean the City should rush into a bad decision.

Commissioner Postma stated he supported this project and we aren't talking about low income housing but good, quality apartments which would be a good asset to our community.

Commissioner Timmons stated this was low to moderate income housing.

Booze added Postma had stated earlier that Mr. Haan had satisfied the concerns of the Commission but she doesn't feel the concerns of the community have been satisfied.

Mayor Bennett questioned residents James and Linda Clifford if they would still feel the same way if an apartment complex was coming in and they were paying the full amount of taxes.

James Clifford stated yes he would still feel the same way and felt the Commission made a decision out of pressure and all of the information and questions weren't answered.

Clifford questioned if this item could be tabled until questions were answered.

Bennett stated this would affect everyone in the community and questioned what the Commission wanted to do regarding this item.

Motion offered by Fisher, second by Timmons to table this item and request a rough draft of a site plan.

Attorney Beatty stated he was unsure if the Commission could ask for special conditions but additional information can be requested.

Commissioner Symonds stated this needed to be decided at the next Commission meeting.

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Commissioner Timmons stated he would like to request information along with the request for the site plan, information on noisy tenants and the processing of dealing with them, maintenance issues, onsite management, and commitment to spending locally with local contractors.

Commissioner Moes stated she felt people who have voiced their concerns should be at the next meeting to help have their questions answered.

Motion offered by Fisher, second by Timmons to request a rough draft of a site plan along with information regarding noisy tenants, maintenance issues, onsite management, and the commitment to spending locally with local contractors.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

Mayor Bennett requested all who attended the meetings to be here at the next meeting and to contact Mr. Haan in writing with the Commissions requests.

ITEM #12 East Jordan Ambulance Association Requests

Motion offered by Postma, second by Klooster to approve all requests as submitted by the East Jordan Ambulance Association.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

ITEM #13 Red Cross Blood Drive, Civic Center Request

Motion offered by Symonds, second by Postma to approve the Civic Center Request for the Red Cross Blood drive and to waive the rental fee.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

ITEM #14 East Jordan Lion's Club, Firewood and Ice Proposal

Lion's Club President Jeff Argetsinger stated he would answer any questions the Commission may have and stated the arrangement has worked quite well for the past few years.

Administrator White questioned if the Lion's Club was still selling ice and if the Lion's club was filling the ice chest.

Argetsinger stated yes they were selling the ice and the ice company should be stacking the ice in the freezer and keeping it stocked.

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Commissioner Postma stated the Lion's club has made a lot of improvements in the Tourist Park.

Motion offered by Fisher, second by Symonds to approve the proposal with the Lion's club to sell firewood and ice at the Tourist Park for the 2008 Season.

ITEM #15 Fire Department Discussion

Commissioner Moes stated she had requested this item be placed on the agenda and inquired on the status of the Full Time Fire Chief's position, and how this was going to be funded.

Moes also stated she had done some research regarding this position and \$4,700 comes in from the townships and still feels strongly that a full time fire chief is needed.

Moes stated the City has 3 full time paramedics and 5 full time Police officers and the Fire Department has a lot of duties, oversees 130 square miles, 5 townships and yet the Chief still has to work full time and do trainings and such.

Fire Department member Thomas Breakey addressed the Commission stating he was the person advocating the department has taken a backseat for many years and feels we need a full time fire chief.

Breakey stated Fire Chief Thorman would graciously accept the position and felt Chief Thorman would be the best person for the job.

Breakey stated Chief Thorman also feels the position is well needed but he isn't the type of person to plead with the Commission that the position is needed. He feels it is evident the position is needed and he would like to have that position if given the opportunity.

Breakey also added the listing of duties of the Fire Chief which was handed out by Commissioner Moes some time ago, all of them are warranted and he believes Chief Thorman can do the items and also save the City money on some things such as maintenance instead of using the City Mechanic.

Breakey also wanted to add a commitment needs to be made regarding the position and it is well warranted.

Mayor Bennett stated he has had discussion with Administrator White and they have discussed different options to make this happen.

Bennett also agreed with Mr. Breakey that Chief Thorman is very qualified to do the job and has been able to help the City in other areas as well.

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Administrator White brought up the subject regarding the inspection of rental housing and a rental inspection program which the City could implement a fee to inspect these homes which would help fund this position.

White also mentioned Chief Thorman inquired about charging insurance companies for fires and such. White, Thorman and Attorney Beatty needed to discuss this option further.

Commissioner Moes stated with the proposed budget cuts she would not vie to hire another employee for the city if we didn't really need to have this position.

Moes also stated she agreed with Mayor Bennett and the possibility of this position starting full time and working into part time in conjunction with the DPW department when things got caught up, could be an option but feels it would be full time for quite a while until the Fire Chief felt everything was up to par and things were where they should be.

Moes stated a decision needed to be made.

Tim Hoffman questioned if it would be a conflict of interest if the new Fire Chief worked for the fire department and for the DPW once the position went to part time.

Attorney Beatty stated it wouldn't be a conflict of interest because you cannot be sitting on the same side of the fence, making decisions that affect the department you work in and also working in that department.

Commissioner Moes stated the townships already give \$4,700.00 and doesn't feel they could afford much more.

Moes also included the city needs this to happen and we are looking at roughly \$56,000 as a salary for this position.

Commissioner Fisher questioned what the salary would be without the benefits.

Administrator White stated it was between \$38,000 – \$39,000.

Motion offered by Postma, second by Klooster to refer the City Administrator to enter into discussions with the townships to increase the yearly contract and to look at possible funding options to make this position a possibility whether it be part time or full time.

**MOTION CARRIED ALL AYES
BY ROLL CALL VOTE**

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Fisher stated there is someone cleaning the ambulances and he would like it discussed with Chief Thorman that the Fire Department would be responsible for cleaning their equipment as he feels all of the departments should be cleaning their own equipment.

Fisher also added we are paying the EMS personnel to be on duty and they should be cleaning their own equipment.

ITEM #16 Budget Proposals and Discussion

Administrator White stated Commissioner Moes requested this item be placed on the agenda and he had asked each department head to submit a memo to him with any additional cuts that could be made.

Commissioner Moes stated she didn't see where many cuts were made by the department heads but still feels some cuts need to be made.

Moes also stated she had met with Sheriff Lasater and he stated he would be glad to come and address the Commission regarding what services they could provide to the City for free and felt a letter should be written to him.

Moes included the Police Department would have to work with any options which they would propose.

Moes stated she felt the magazines/subscription line items still could be cut, cut out the cost at Elm Pointe with paying someone to live there for the summer, and also cut the unemployment under Elm Pointe so they could not get unemployment all year round.

Commissioner Timmons stated at the last commission meeting he brought up that the original proposed budget and the budget which was adopted still could be amended, no cuts were made only increases.

Timmons also included nobody wants to make cuts but we have reached a point that cuts need to be made.

Commissioner Moes stated revenues were increased to match our increased budget so everything could be covered.

Administrator White stated some of the increases were from grant funding, and cable TV franchise agreements.

Moes stated we are spending every penny and there is nothing allotted to us and we are down to nothing if anything should happen, we are having to borrow from other funds to cover necessary expenses.

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Timmons stated he is bothered by having to borrow from the water fund because that is the only fund that has a cushion that we can borrow from and we still need to continue looking at trimming any areas that we can.

Mayor Bennett stated as a Commission we should not be looking just at today but also down the road and taking into account the future of the community, to attract people to our community.

Bennett also added the Commission kept certain money into the budget to repair sidewalks and roads and other things that need to be done.

Timmons stated these things could be accomplished but we need to get some of the other areas under control.

Postma stated he would like to see the Commission maintain the same practice as last year by looking at every month end closing.

Neil Booze stated in looking at the budget line items it isn't necessarily money there, it's money proposed to be spent and when you look at the budget and you see the previous year where zero money was spent, and this year a huge amount is proposed, if you just cut items in half, it would make the ability to spend less money.

Booze also added if something needed to be purchased; a budget amendment could be done.

Bennett stated monthly reviews kept the departments on top of things and felt they knew the Commission was looking at the spending constantly.

Postma added the departments were told all non-essential items were not to be purchased and felt the departments did very well with that.

Commissioner Moes stated sometimes yes and sometimes no. Recently a laptop was purchased by the City Clerk and was told the City has utilized computers from the Computer Center for free for elections and other various times.

Moes stated if we are tight then we need to be conservative and if we have the option to borrow these items, we need to utilize it.

Moes stated if certain department heads were allotted the money, it was spent, and some departments are more frugal than others.

Symonds questioned why it was agreed to purchase a new loader and other items.

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Moes stated these items came out of enterprise funds.

Timmons stated these items were planned for and the other items being randomly purchased aren't.

Motion offered by Timmons, second by Moes to cut all zeroed items from Commissioner Moes proposed budget, to send a letter to Sheriff Lasater asking him to provide a letter or to present what services he could provide to us, and to also not replace the City Clerk's position until we know our financial status.

MOTION FAILED
BY ROLL CALL VOTE
AYES: MOES AND TIMMONS
NAYS: KLOOSTER, FISHER, SYMONDS, POSMA AND BENNETT

Mayor Bennett stated he felt the Commission still needed to watch and keep monitoring the spending by reviewing the month end reports.

Commissioner Symonds requested the Commission still receive the month end reports.

ITEM #17 Fire Works Display Permit

Administrator White informed the Commissioners this permit must be approved by the City Commission.

Motion offered by Postma, second by Fisher, to apply for the Fireworks Display permit and to approve the contract with the launch site and the City.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

ITEM #18 DDA Update

Mayor Bennett informed the Commission there was a good turn out for the flower box planting, thanking everyone involved with the project.

Bennett stated discussions were also held regarding the upcoming PILOT program.

Bennett stated June 7th is the start of the bands in the park starting on Friday and Saturday nights which the DDA has received funding for.

ITEM #19 Administrator's Report

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Administrator White gave an update on the harbor and stated 7-8 slips were not able to be dredged due to a pump seal lost on the dredge but 53 other slips were able to be dredged.

White stated the first games were played under the new lights at the adult ballfield and that Acting City Clerk Wilson received good reports back on the new lights.

White presented a Civic Center rental agreement from the Jordan Valley Freedom Festival which was requesting a fee waiver.

Motion offered by Postma, second by Klooster to approve the Civic Center rental agreement from the Jordan Valley Freedom Festival and to waive the rental fee.

MOTION CARRIED ALL AYES
BY ROLL CALL VOTE

White read a letter received from Shirley Vollbach, past president of the Garden Club, which thanked the Commission, Butch Breakey and the DPW department for all of their help over the years. (Copy made part of these original minutes).

ITEM #20 Mayor's Report

Mayor Bennett commended the Parks department on Memorial Park stating it looked beautiful and he also had a chance to visit Elm Pointe which is looking very nice as well.

Bennett stated during Representative Elsenheimer office hours, he spoke to him regarding the up growth along the lakeshore and at Elm Pointe.

Bennett stated Elsenheimer would do what he could if the City wanted to pursue any options for the Tourist Park, Elm Pointe, Bridge area and all parks necessary.

Administrator White stated he had spoken with Representative Elsenheimer regarding the weir removal but keeping the foot bridge and he stated he would be willing to help with that project also.

Consensus of the Commission was to allow Administrator White to pursue options regarding the up growth at the Tourist Park, Elm Pointe, Bridge area, and all other parks necessary and to discuss options of removing the weir and keeping the foot bridge in the harbor area.

ITEM #21 Attorney's Report

No items to report.

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ITEM #20 Commissioners

No items to report.

Mayor Bennett adjourned the meeting at 10:01 p.m.

Respectfully,

Daniel G. Bennett
Mayor

Cheltzi M. Wilson
Acting City Clerk