

**Lake Linden Village Council
Regular Meeting
January 11th, 2007**

The Lake Linden Village Council met on the above date in the Village Hall at 6:30pm. President Aittama presided. The following Trustees responded to roll call: Fisher, Hoffman, Frohmader, and Frendewey.

Approval of Minutes:

A motion was made by Trustee Fisher and supported by Trustee Frendewey to approve the December regular meeting minutes as presented. All were in favor. Motion was carried.

Approval of Agenda:

A motion was made to approve the agenda as presented by Trustee Fisher and supported by Trustee Hoffman. All were in favor. Motion was carried.

Public Comments:

Mary Sager made the following comments:

- She asked about further progress on the Charter cable franchise agreement.
- She asked if the Council members were bonded
- She asked about enforcement of the junk ordinance and the possibility of placing charges for cleanup on the tax roll
- She asked about noise ordinance enforcement
- She asked about the progress of the codification of the village ordinances

Bills and Financial Statement:

The bills and financials were introduced. After a brief discussion a motion was made by Trustee Fisher and supported by Trustee Frendewey to approve the bills as presented. Poll vote; Yes; Fisher, Frendewey, Frohmader, Hoffman and Aittama. No; None. Motion was carried.

Correspondence:

Clerk Poirier read the letter of resignation from Chief Marjorie Chandonais. No other action was required.

Clerk Poirier read a notice from Portage Health System for a Community Update Luncheon on Friday, January 12th. No other action was required.

An ad solicitation from lake Superior Magazine was read. After a brief discussion, a motion was made by Trustee Hoffman and supported by Trustee Frendewey to pass on the ad for this year and to consider it again next year. All were in favor. Motion was carried.

Committee Reports:

Finance(Chair:Trustee Frendewey):

Clerk Poirier introduced Position Control Budgets for the employees of the Village and their costs and also a preliminary general fund budget for the council

to look over. He stated that budgets for the other funds would be forthcoming next week so that councilmen would have ample time to look them over for the February meeting.

Domestic Water(Chair: Trustee Fisher):

No report.

Buildings & Parks(Chair: Trustee Fisher):

Trustee Friendewey said that the ice rink for this year would most likely not happen. The weather had been very warm and by the time several inches of ice could be made the weather would again be turning warmer. He said that the donations from the organizations would be delayed until a decision could be made on the rink status and then he would discuss with them the money for succeeding winters operations.

Trustee Frohmader said that he was not aware the council had even made the decision to reopen the rink and that he had been approached by village employees regarding the change of course. Trustee Fisher explained that no decision had been made and only that steps had been taken in case the rink would be opened. Trustee Frohmader said decisions to proceed should only be determined by the Council in the future.

Trustee Fisher explained that Trustee Friendewey had been given the materials for developing the new 5-year recreation plan and would be getting to that very shortly. This document is essential in getting grant and loan funds for future park projects.

Trustee Fisher explained that he had been approached by someone willing to pay for an expansion of one of the docks and was trying to get an estimate on what the expansion would cost. He also said that no further action had been taken on the pump-out equipment for expanding marina services but that topics for improving the marina and it's facilities were still being discussed.

Sanitation(Chair: Trustee Pummill):

No report.

Equipment(Chair: Trustee Frohmader):

No report.

Streets(Chair: Trustee Heide):

Clerk Poirier stated that the light poles for the streetscape project had been delivered but that installation was still some weeks or months away. The fixtures for the poles had not yet been delivered and the schedule had not yet been determined by UPPCo.

Executive(Chair: Trustee Fisher):

Trustee Fisher explained that the collective bargaining agreement with AFSCME was almost complete. Only a few minor changes were needed and it would be ready for signing.

Trustee Fisher gave a brief background on the recent decision of the executive committee, as brought before the Council in preceding meetings, to look at the possibility of raising the operating millage rate to increase general

fund revenue. To that end he introduced a resolution to move forward on this matter by agreeing to hold the Truth in Taxation hearing as the first step in “a commitment to the process”. After a brief discussion, the following resolution was offered by Trustee Friendewey and supported by Trustee Frohmader:

RESOLUTION

Whereas, the Lake Linden Village Council has taken necessary steps to address shortfalls in the general fund budget over the past four months, and
Whereas, cuts have been made to expenses where possible and layoffs have reduced payroll costs to manageable levels, and
Whereas, revenue sources within the general fund are relatively static and significant revenue increases are not practical in most areas,
Therefore, be it resolved, that the Lake Linden Village Council will seek to increase the operating millage rate from its current level of 10.2438 and that a Truth in Taxation Hearing will be held and posted in accordance with all Michigan laws and requirements.

This resolution presented this 11th day of January, 2007.

Presented by: Trustee Friendewey
Supported by: Trustee Frohmader

AYES: Friendewey, Frohmader, Hoffman, Fisher and Aittama

NAYS: None.

ABSENT: Heide, Hamlin

Resolution carried.

Public Safety(Chair: Trustee Hoffman):

Trustee Hoffman read the Decmber Police report. A motion was made by Trustee Friendwey and supported by Trustee Fisher to approve the report as read. All were in favor. Motion was carried.

Trustee Hoffman introduced an agreement to return Josh Peters to the Village police as the Chief. The agreement is below:

AGREEMENT

The Lake Linden Village Council has agreed to re-hire Josh Peters, because of the resignation of Chief Marjorie Chandonais, under the following terms:

- Work will begin on Friday, January 12th, 2007 beginning at the rate of \$15.72 per hour, the rate of pay designated for the chief’s position. He will begin work as the Lake Linden Village Police Chief.
- The schedule will consist of two 8-hour shifts on Fridays and Saturdays of each week, plus time during the week as needed for administration, call-outs and court appearances, until April 1st.
- Beginning on April 1st, full-time, 40-hour per week status will begin. The work week shall consist of 5 8-hour shifts. The schedule shall be flexible as required for best coverage of the Village as determined by Chief Peters, subject to review and recommendation by the Village Council. He will continue to receive the stipend

for hospitalization and be reinstated on the Village retirement plan at that time with a continuation of his years of service earned before the layoff.

- This agreement does not imply a guarantee of continuation for this position, although every effort shall be made by the Council to maintain and budget for a police department in the future.

He said that Mr. Peters had agreed to the provisions but wanted to be more flexible with regard to the scheduling. The Council stipulated that this was not a problem. Trustee Fisher explained that the previous chief had been reviewing an At-Will Employee Agreement that would eventually be required by non-union Village employees and recommended that the agreement be approved as an interim agreement. With this proviso, a motion was made by Trustee Frohmader and supported by Trustee Frendey to approve this interim agreement. All were in favor. Motion was carried.

Downtown Development Authority:

Trustee Fisher said that he had been working with DDA Chairman Steve Pummill and had worked out an arrangement to repay the back monies owed to the DDA from the Village for TIF payments. That resolution is below:

RESOLUTION CONFIRMING INTENT OF VILLAGE OF LAKE LINDEN TO MAKE PAYMENT TO DOWNTOWN DEVELOPMENT AUTHORITY OF THE VILLAGE

The following Preamble and Resolution were offered by Trustee Frendey and supported by Trustee Frohmader:

WHEREAS, the Village of Lake Linden has established a Downtown Development Authority pursuant to law, and has done all things necessary for it to be a separate body corporate; and,

WHEREAS, the Village must pay to the Downtown Development Authority certain payments resulting from Tax Increment Financing, and has every intention of doing so; and

WHEREAS, this Resolution authorizes the payment by the Village of monies collected by it for Tax Increment Financing, for the years 2004, 2005, and 2006; and

WHEREAS, the Village shall pay, at its convenience, all funds due to the Downtown Development Authority for said years; and

WHEREAS, the Downtown Development Authority has agreed to cover all costs for the Lake Linden StreetScape Project including assuming the obligation of the Village of Lake Linden to make payments for the bonded indebtedness of One Hundred Twenty five Thousand (\$125,000.00) Dollars arising from the 2006 General Obligation StreetScape Bonds.

NOW, THEREFORE, be it resolved:

1. The Village of Lake Linden shall pay to the Village of Lake Linden Downtown Development Authority the sums due and owing it resulting from the Tax Increment Financing; said sums due and payable in the total amount of \$45,392, for the years 2004, 2005 and 2006, as shown in Exhibit A, attached, and

2. The Downtown Development Authority will accept as partial payment the sum of \$12,553 made by the Village of Lake Linden toward the StreetScape Project as detailed in Exhibit C, attached, and
3. The Village of Lake Linden shall make payment to the Downtown Development Authority of the Village of Lake Linden, when and if it is financially capable of doing so, of the remaining Tax Increment Financing funds for the years 2004, 2005 and 2006 in installments as outlined in Exhibit C; and
4. The Downtown Development Authority shall by a specific resolution assume and agree to pay all sums due and owing by the Village with regard to its General Obligation StreetScape Bond (limited tax) having a maturity on April 1, 2013 and April 1, 2020. The total amount of the bonds is One Hundred Twenty-five Thousand (\$125,000.00) Dollars.

After a brief discussion the resolution was offered by Trustee Friendewey and supported by Trustee Frohmader. Poll vote: Yes; Friendewey, Frohmader, Hoffman, Fisher and Aittama. No; none. Motion was carried.

Torch Lake Area Sewage Authority

President Aittama said financing for improvements to the system were still progressing.

Lake Linden Housing Commission

Housing Commissioner Alyce Hoffman was on hand to inform the council of a situation at the Housing Commission. She said that one of the employees had been terminated and Sandra Goodell, the Housing Director had hired in his place her son, without advertising the position.

Mary Sager, a housing commissioner, stated that the hiring had been done by Sandy but that she had phoned three members of the commission and gotten approval for doing this at that time. She said that Ron Wooster, the contact at H.U.D., was contacted and said that this was okay.

Trustee Friendewey, among others on the Council, said that this was in direct violation of the Open meetings Act and that "round-robin" phone-calling was illegal. President Aittama stated that not posting the job to the public also constituted a violation of the law and that, regardless of who was eventually hired for the position, the process had to be followed. He directed Ms. Sager and Mrs. Hoffman to make sure that this process was done properly.

Houghton County Historical Museum:

No report.

Torch Lake Area Fire Protection Authority:

No report.

Late Agenda Items:

None.

New Business:

None.

Old Business:

None.

Announcements:

Adjournment:

Trustee Hoffman supported by Trustee Frohmader made a motion to adjourn the meeting at 7:27 pm. All were in favor. Meeting adjourned.

There were 13 members of the public in attendance.

James M. Aittama, President

Robert A. Poirier, Village Clerk