

A regular meeting of the Leslie City Council was held at 7:00 p.m. on Monday, August 4, 2008 at Leslie City Hall, 107 E. Bellevue Street, with Mayor Ron Schmit presiding.

PRESENT: Councilmembers Motes, Beegle, Zamora, Beyer, Fox, Mayor Schmit.

ABSENT: Councilmember Wood.

ALSO PRESENT: City Manager Brian Reed, City Clerk Vyrna Dotte Weideman, City Attorney Mark Grua, and guest Wayne Babin.

Mayor Schmit led those present in the Pledge of Allegiance.

AGENDA ITEM I. APPROVAL OF THE AGENDA.

Moved by Beegle, seconded by Zamora, to approve the agenda as presented. All yes. Motion carried.

AGENDA ITEM II. CONSENT AGENDA:

A. Approve the minutes of the regular meeting of July 1, 2008.

Moved by Beyer, seconded by Beyer, to approve the minutes as presented. All yes. Motion carried.

B. Approve Payment of the Bills as presented.

Moved by Fox, seconded by Beegle, to approve payment of the bills. All yes. Motion carried.

BILLS ON FILE AS APPROVED

C. Council Correspondence:

1. Michigan Municipal League - authorize vote to be cast for Trustees of the MML Workers' Compensation Fund.

Moved by Beegle, seconded by Fox to authorize the City Clerk to cast the vote for Trustees of the MML Workers' Compensation Fund on the City's behalf. All yes. Motion carried.

2. Municipal Employees' Retirement system - 62nd Annual Meeting.

Moved by Fox, seconded by Beyer, to place this correspondence on file. All yes. Motion carried.

AGENDA ITEM III. PUBLIC COMMENT - Non-Agenda Items that Cannot be Handled During Regular Business Hours. NONE.

AGENDA ITEM IV. UNFINISHED BUSINESS:

A. Appointment to City Zoning Board of Appeals - New term to June 30, 2011.

Review by Mgr. Reed; discussion. No action at this time.

B. Appointment to City Planning Commission, term to end November 1, 2009.

Review by Mgr. Reed, who reported that Wayne Babin, present at this time, has indicated he would be willing to serve on the Planning Commission.

Moved by Fox, seconded by Zamora, to appoint Wayne Babin to the Leslie City Planning Commission with a term to end November 1, 2009. All yes. Motion carried.

C. Appointment to City Downtown Development Authority, term to end 7/1/2011.

Review by Mgr. Reed that three candidates have expressed interest in serving on the DDA: Susan Lathrop, Greg Sinicropi, and Bob Howe. He noted that Mr. Howe had expressed interest in being a member of the DDA Board numerous times in the past to various City officials. Ms. Lathrop and Mr. Sinicropi, when contacted, stated they were willing to defer and accept a future appointment. Moved by Zamora, seconded by Beegle, to appoint Bob Howe to the Leslie City Downtown Development Authority with a term to end July 1, 2011.

Yes: Councilmembers Motes, Beegle, Zamora, Beyer, Mayor Schmit.

No: Councilmember Fox.

Motion carried.

D. Adopt Resolution No. 2008-17, Ingham County Drain Commission.

Review by Mgr. Reed, who recalled that a representative of the Ingham County Drain Commission (ICDC) addressed Council at the July 1, 2008 meeting, requesting approval of this "spending resolution". Mgr. Reed explained again the Drain Commission's method of funding, noting that if this resolution is not passed by Council: 1) the ICDC could hold off on important drain repairs, or 2) the ICDC could invoke their statutory powers for costs of repairs.

Attorney Grua recalled Council approved a similar resolution in 2006, and suggested adding a "not to exceed \$7800" to the current proposed resolution.

Moved by Zamora, seconded by Motes, to adopt Resolution No. 2008-17 as proposed and reviewed.

Discussion. Councilmember Fox commented the ICDC frequently had to return to complete this recent project, due to weather issues with equipment, etc., which basically is due to mismanagement.

Councilmember Zamora cautioned the City might need ICDC cooperation on a future project, and further noted the ICDC can get these funds regardless of Council action or non-action. Further discussion.

Roll Call Vote: Yes: Councilmembers Motes, Beegle, Zamora, Mayor Schmit.

Noes: Councilmembers Beyer, Fox.

Motion carried; Resolution declared adopted.

**STATE OF MICHIGAN
COUNTY OF INGHAM
CITY OF LESLIE
RESOLUTION NO. 2008-17**

Resolution to Authorize Spending by Ingham County Drain Commission

WHEREAS, the Ingham County Drain Commissioner, Patrick E. Lindemann, has advised the Leslie City Council that, pursuant to Section 196 of the Michigan Drain Code (MCL 280.196; MSA 11.1196) an inspection has been made of the Harris Drain and it has been determined, as a result of the inspection, that certain maintenance must be performed upon the Drain; and

WHEREAS, the Ingham County Drain Commissioner, Patrick E. Lindemann, has the authority to expend Two Thousand Five Hundred and no/100 Dollars (\$2,500.00) per mile in any one (1) year for the maintenance of the drain, and where it is estimated that expenditures in excess of Two Thousand Five Hundred and no/100 Dollars (\$2,500.00) per mile are necessary, those amounts may not be expended until approved by Resolution of the governing body of each township, city and village affected by more than twenty percent (20%) of the cost; and

WHEREAS, the Ingham County Drain Commissioner, Patrick E. Lindemann has advised the City Council of the City of Leslie that it will be necessary to expend funds in excess of Two Thousand Five Hundred and no/100 dollars (\$2,500.00) per mile for the maintenance of the Harris Drain and that the City of Leslie is affected by more than twenty percent (20%) of the cost; and

WHEREAS, the Ingham County Drain Commissioner, Patrick E. Lindemann, estimates that the cost for the remainder of the maintenance of the Harris Drain will be approximately Seven Thousand Eight Hundred and no/100 Dollars (\$7,800.00), which

constitutes approximately Five Thousand Three Hundred and no/100 Dollars (\$5,300.00) in excess of the authorized Two Thousand Five Hundred and no/100 Dollars (\$2,500.00) based on the total drain length.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Council of the City of Leslie, that pursuant to Section 196 of the Drain Code, the Ingham County Drain Commissioner, Patrick E. Lindemann, is authorized to expend money for the maintenance and repair of the Harris Drain in excess of Two Thousand Five Hundred and no/100 Dollars (\$2,500.00) per mile and, to the extent that the drain fund for the Drain contains insufficient funds for the payment of costs incurred for the maintenance or repair of the Drain, then the Ingham County Drain Commissioner, Patrick E. Lindemann, is authorized to levy a special assessment not to exceed Seven Thousand Eight Hundred Dollars (\$7,800.00) as allowed by law.

**RESOLUTION APPROVED THIS 4TH DAY OF AUGUST, 2008 BY THE
COUNCIL OF THE CITY OF LESLIE, INGHAM COUNTY, MICHIGAN.**

Brian Reed, Leslie City Manager

Vyrna Dotte Weideman, Leslie City Clerk

AGENDA ITEM V. NEW BUSINESS:

A. Accept with Regrets the resignation of Councilmember Paul Wood.

Moved by Beegle, seconded by Fox, to accept with regrets and thanks for his years of service the resignation of Paul Wood from the Leslie City Council. All yes. Motion carried.

Discussion followed of the City Charter requirement for filling this vacancy by Council appointment, with the appointee to serve the remainder of the elected term. There is a 30-day deadline for Council action to fill this vacancy.

B. Confirm recommendation of Mayor Schmit for appointment to the Woodlawn Cemetery Board.

Discussion that Councilmember Wood was the Council representative to the Woodlawn Cemetery Board, leaving a vacancy to fill.

Mgr. Reed reported he has polled Council to find someone willing to take on this responsibility.

Mayor Schmit recommended the appointment of Councilmember Motes.

Moved by Zamora, seconded by Beyer, to confirm the appointment of Councilmember Motes to be the Council Representative on the Woodlawn Cemetery Board. All yes. Motion carried.

AGENDA ITEM VI. COUNCIL AGENDA:

A. Committee Reports.

Councilmember Beegle reported the Chamber of Commerce Luncheon meeting scheduled for Wednesday, August 6, 2008 is scheduled for noon at the Leslie City Hall. The program is to honor and recognize the City Employees; Councilmember Beegle asked all who are available to attend.

Councilmember Zamora thanked the Council, City, School, and Leslie Township for a successful 5th Annual Softball Tournament, Beverage Tent, and Street Dance. This annual event raises funds for the

Leslie Area Education Foundation (LAEF) Leslie Blackhawk Summer Adventure Camp. This year over \$4,000 was raised; Councilmember Zamora stated attendance is growing each year, and the event was well-attended.

Mayor Schmit reported he had attended a recent DDA meeting, and recognized that the DDA had paid for the newly-placed "Community Sign Board" for local announcements.

B. Manager's Report.

Mgr. Reed congratulated Councilmember Zamora on the success of the recent Softball Tournament event. Discussion. Mgr. Reed also reported:

- Curb and Gutter is being installed in the Leslie Business Park, funded by the LDFA.
- Woodlawn Cemetery Board has not yet replaced the position formerly held by Art Raymond, and is considering restructuring responsibilities there.
- A second electronic newsletter was sent last week, and seems well-received.
- A company wanting to use the City's water tower for their antenna to provide wireless internet has approached the City.
- The City DPW is currently doing asphalt patch work in various areas.

General discussion followed.

C. Closed Council Session: Discussion of Union Contract Negotiations.

Mayor Schmit announced a brief intermission at 7:48 p.m. (Clerk Weideman, Attorney Grua, and guest Wayne Babin left the meeting.)

Meeting resumed, 7:55 p.m.

Moved by Beegle, seconded by Beyer, to go into Closed Session for the purpose of discussion of Union Contract Negotiations. All yes. Motion carried.

Closed Session started: 7:56 p.m.

Open meeting resumed, 8:20 p.m. Clerk Weideman returned to the room.

D. Consider Ratification of Contracts between the City of Leslie and:

1. AFSCME (American Federation of State, County and Municipal Employees), Local 1390.02.

Moved by Motes, seconded by Beyer to ratify the contract between the City of Leslie and AFSCME Local 1390.02 as on file and authorize the City Manager and City Clerk to execute all appropriate documents. All yes. Motion carried.

2. Capitol City Lodge No. 141 of the Fraternal Order of Police (FOP).

Moved by Beegle, seconded by Fox to ratify the contract between the City of Leslie and Capitol City Lodge No. 141 of the FOP as on file and authorize the City Manager and City Clerk to execute all appropriate documents. All yes. Motion carried.

E. Motion to Adjourn the Meeting.

Moved by Beyer, seconded by Fox, to adjourn the meeting. All yes. Motion carried.

Meeting adjourned, 8:25 p.m.

Respectfully submitted,

Vyrna Dotte Weideman, Leslie City Clerk