

A regular meeting of the Leslie City Council was held at 7:00 pm on Tuesday, July 7, 2009 at Leslie City Hall, 107 E Bellevue Street, with Mayor Schmit presiding.

PRESENT: Council members Beegle, Beyer, Fox, Motes, Stewart, and Mayor Schmit.

ABSENT: Zamora (exc)

ALSO PRESENT: City Manager Brian Reed, City Clerk Denae Davenport, City Attorney Carrie Ihrig, Jackson Citizen Patriot writer Larry Hook, The Leslie Weekly Guardian Editor Jennifer Shuster, DDA & EDC Chair Barbara Winslow, Leslie Public School Superintendent Corey Netzley, City Residents Jeff Lantis and Christina Wilcox. Denae Davenport led those present in the Pledge of Allegiance.

I. APPROVAL OF THE AGENDA.

Moved by Stewart, seconded by Beyer to approve the agenda. All ayes. Motion carried.

II. CONSENT AGENDA:

- A. Approve the minutes of the June 2, 2009 special council workshop.
- B. Approve the minutes of the June 2, 2009 council meeting.
- C. Approve the minutes of the June 29, 2009 special council meeting.
- D. Approve Payment of the Bills as presented.
- E. Council Correspondence

Moved by Fox, seconded by Motes to approve the consent agenda. All yes. Motion carried.

INVOICE SUMMARY

Date: 07/2/2009 COUNCIL BILLS FOR JULY 7, 2009 COUNCIL MEETING Page: 1
 DETAILS AVAILABLE UPON REQUEST

| VENDOR | DESCRIPTION | AMOUNT | STATUS | JNLIZED ? |
|-------------------------------------|--|--------------------|--------|-----------|
| VANTAGEPOINT TRANSFER AGENTS-106605 | CITY MGR RETIREMENT FOR 7/2/09 PR | \$188.31 | Paid | Y |
| PAYROLL ACCOUNT | PAYROLL DATED 7/2/09 | \$25,422.96 | Paid | Y |
| PAYROLL ACCOUNT | CITY SOC SEC FOR 7/2/09 | | | |
| | PAYROLL | \$1,917.55 | Paid | Y |
| U.S. POSTAL SERVICE | POSTAGE TO MAIL TAX & UTILITY | | | |
| | BILLS | \$530.14 | Paid | Y |
| VERIZON WIRELESS | LPD MOBILE INTERNET | \$97.22 | Open | Y |
| VERIZON WIRELESS | CELL PHONES- MGR & LPD CHIEF | \$80.08 | Open | Y |
| LESLIE COIN LAUNDRY, INC | LESLIE POLICE UNIFORM | | | |
| WILLIS INFORMATION TECH., INC. | CLEANING | \$152.00 | Open | Y |
| | LPD PC INCIDENT REPORT | | | |
| | ISSUES; MALWARE | \$237.50 | Open | Y |
| CITY OF LESLIE | CITY QUARTERLY WATER & SEWER BILLS | \$2,680.16 | Open | Y |
| SIGN CREATIONS | DDA SPONSOR BANNER- CADL | \$35.00 | Open | Y |
| MICHIGAN MUNICIPAL LEAGUE | MML MEMBERSHIP RENEWAL 7.1.09-6.30.10 | \$1,913.00 | Open | Y |
| CITY OF LESLIE | 1997 BELL SPECIAL ASSESS RIGHTS OF WAY | \$4,126.42 | Open | Y |
| CITY OF LESLIE | 1997 BELL SPECIAL ASSESS TUTTLE PARK | \$342.69 | Open | Y |
| CITY OF LESLIE | 1998 E BELL SPEC ASSESS E BELL PROPERTY | \$256.39 | Open | Y |
| CITY OF LESLIE | 97 BELL S/A CITY HALL | \$140.18 | Open | Y |
| CITY OF LESLIE | 97 BELL S/A CITY OFFICES | \$83.07 | Open | Y |
| CITY OF LESLIE | 98 E BELL S/A E BELLEVUE PROPERTY | \$1,359.27 | Open | Y |
| CITY OF LESLIE | 1998 E BELL S/A V/L E BELLEVUE | \$772.96 | Open | Y |
| SIGN CREATIONS | DDA SPONSOR BANNER-MULLIN'S AUTO (REUSE) | \$15.00 | Open | Y |
| ELHORN ENGINEERING CO. | DPW CHEMICALS WELLS | \$772.50 | Open | Y |
| | MAT CLEANING SERV LCO, LCH, LCP | \$47.40 | Open | Y |
| CINTAS CORPORATION #725 | MERS MONTHLY RPT JUNE 2009- | | | |
| MUNICIPAL EMPLOYEES' RETIREMEN | EMPLR PORTION | \$4,675.95 | Paid | Y |
| | TUTTLE PARK MAINTENANCE | | | |
| TRACY EWING | 5/17/09-6/23/09 | \$322.50 | Paid | Y |
| PAYROLL ACCOUNT | FIRE PAYROLL DATED 7/2/09 | \$8,320.00 | Paid | Y |
| PAYROLL ACCOUNT | CITY SOC SEC FOR FIRE | | | |
| | PAYROLL DATED 7/2 | \$636.50 | Paid | Y |
| | CEM/DPW UNIFORM CLEANING | | | |
| ARROW UNIFORM | 6.19, 6.26, 7.3 | \$138.84 | Open | Y |
| BYRUM HARDWARE | LFD 1/2 TWP PLEXIGLASS | \$72.52 | Open | Y |
| WILD SANITATION | PARKS BALLFIELD PORTAPOT | \$170.00 | Open | Y |
| CHARLES S ZEMLA | ASSESSOR MONTHLY CONTRACT | \$1,500.00 | Open | Y |
| INFRASTRUCTURE | | | | |
| ALTERNATIVES | WWTP MONTHLY CONTRACT | \$13,454.56 | Open | Y |
| WOODLAWN CEMETERY ASSOC. | QUARTERLY ALLOCATION | \$6,250.00 | Open | Y |
| | Total: | \$76,710.67 | | |

- III. PUBLIC COMMENT - Non-Agenda Items that cannot be Handled During Regular Business Hours. None.
- IV. UNFINISHED BUSINESS:
- A. Planning Commission Appointment: term of office Nov 1, 2011.
Moved by Fox, seconded by Beegle to appoint Steve Hainstock to the Planning Commission. All yes. Motion carried.
- B. LDFA Board Appointment: term of office April 3, 2013. No action at this time.

V. NEW BUSINESS:

A. 2009 Main Street Mill and Cap Project - Public Forum.

Reed reminded council that at the Special Council meeting on June 29, 2009, the council consensus was to move forward with planning for a mill and cap on North and South Main. Reed noted Greg Minshall from Fitzgerald Henne is here to present the preliminary details of the Main Street project including the design and bidding process. Minshall explained that project will entail milling and capping North and South Main including the four corners intersection at Main and Bellevue. We will have to dig out the current temporary crosswalks. The project may also entail some drainage corrections on N. Main as well as some additional repair work as deemed necessary. Minshall and Reed fielded questions from the public and council. When asked for an estimate for the project Minshall replied that we would not have a true idea until we walk the entire project and seek bids and the best estimate at this time is \$188,000. Reed explained that a mill and cap is a temporary fix and would give the city time to put in place proper funding for a complete reconstruct noting that at this time there will be no special assessment to the property owners. Reed mentioned that the City of Leslie is grouped in with other rural areas and there is not real access to Federal Highway Funds. Reed reported that funding for the project will come from four places; the DDA, LDFA, EDC have all approved funds to assist the City with this project and that the majority of the project will be funded through Major Street funds.

B. Approve Resolution No 2009-11 - Main Street Mill and Cap.

Reed mentioned that this resolution would authorize us to hire Fitzgerald Henne to prepare the designs for the mill and cap of North and South Main Street including the intersection at the four corners. It also authorizes us to publish the project and solicit bids. We would then need to bring it back to Council to authorize the project.

CITY OF LESLIE

RESOLUTION NO. 2009-11

2009 Main Street Mill and Cap Project, Design and Bid Process

At a regular meeting of the Leslie City Council conducted on Tuesday, July 7, 2009 7:00 pm at Leslie City Hall, 107 E. Bellevue Street, the following resolution was offered by Councilmember Stewart and supported by Councilmember Beegle:

WHEREAS, the Leslie City Council has identified as a priority a proposal to Mill and Cap the following sections of Main Street; North Main from Bellevue Street north to the City Limits, South Main from Carney Street to Mill Street.

WHEREAS, the Leslie City Council scheduled and held a Public Forum July 7, 2009 and published this Public Forum.

WHEREAS, the Leslie Local Development Finance Authority, the Leslie Downtown Development Authority, and the Leslie Economic Development Corporation have each allocated money for a portion of the Main Street Mill and Cap Project.

WHEREAS, the Leslie City Council declares its intention to mill and cap North Main Bellevue Street north to the City Limits and South Main from Carney to Mill Street.

NOW THEREFORE BE IT RESOLVED, the Leslie City Council authorizes the administration to begin the Design and Bid process for the 2009 Main Street Mill and Cap Project.

BE IT HEREBY RESOLVED:

1. To identify the proposed project as the 2009 Main Street Mill and Cap Project, and
2. To instruct the Engineer to prepare maps, plans, and estimates of the proposed project and its costs including plans and specifications of the improvement to be made and to solicit bids for the proposed project.

ROLL CALL VOTE.

AYES: Mayor Schmit, Councilmembers Stewart, Beegle, Beyer, Fox and Motes.

NOES: None.

ABSENT: Zamora.

ABSTAIN: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

I hereby certify that the foregoing document is a true and complete copy of a resolution duly adopted by the City of Leslie, County of Ingham, State of Michigan, at a special meeting held on Tuesday, July 7, 2009, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Denae Davenport, Leslie City Clerk

C. First Reading of Ordinance 191, Water and Sewer Rates, Charges, and Billing Procedure.

Reed explained that during the budget and utility rates discussion, Tom Traciak recommended setting a specific percentage that the utility bills could increase each year. Currently the ordinance reads that it will increase based on the U.S. Department of Labor, Bureau of Labor Statistics, consumer Price Index, for All Urban Consumers, United States City Average on All Items and Commodity Groups. Reed noted that this is confusing for residents, confusing for our staff to track down each year and does not give the feeling of transparency. Mr. Traciak recommended 3.5% as a good proxy for inflation each year to replace the current index stated in the ordinance. The last four years of the current index have been 3.85%, 2.80%, 3.23%, and 4.07%. Reed announced that this is the first reading of Ordinance 191. The ordinance will be brought back to council at its next meeting for the second reading.

D. First Reading of Ordinance 192, Abatement of Noxious Weeds and Grasses.

Reed explained that this ordinance revision would increase the timeframe in which the City could take corrective action on residents who do not mow their grass or weeds. Currently the ordinance states that grasses or weeds not cut by June 1 will be cut by the City. This revision would extend and clarify the time frame from May 1st through October 31st each year. This revision will help us enforce the mowing ordinance earlier in years where grasses get unsightly earlier because of rains. Reed noted often by June 1st grasses are much higher than 8 inches. Reed announced that this is the first reading Ordinance 192. The ordinance will be brought back to council at its next meeting for the second reading.

E. Butler Street Block Party Request.

Jennifer Schuster and several Butler Street residents have requested a street closure on Butler from 4pm to 11pm on Saturday August 15th. Moved by Beegle, seconded by Stewart to allow the street closure on Butler Street from 4pm to 11pm on Saturday August 15, 2009.

At this time city resident Christina Wilcox from 115 Spring Street made a complaint about her treatment from the Leslie Police Department during her arrest earlier this year and requested that council do a formal investigation. Wilcox went on to report ordinance violations of properties within the City that she felt the City was not enforcing.

VI. COUNCIL AGENDA:**A. Committee Reports.**

Motes reported that Dallas Henney, Leslie Township Supervisor has resigned from the cemetery board and has been replaced by Leslie Township Trustee Judy Vickers. Davenport reminded council that nominating petitions are now available and are due back to the clerk by August 10, 2009.

B. Manager's Report.

Reed reported that the work on commercial drive was due to the storm sewer pipe settling and collapsing onto the sanitary pipe. Sherrell's Excavating is working on this job due to the fact that the pipes are too deep for the City of Leslie equipment. Reed mentioned that DPW Director Owen has asked a company to look at the bricks that have heaved in the sidewalk at the post office. Reed mentioned that city staff went through a training on sewer backups recently that was very helpful to all. Reed told council of ordinance revisions that he and Attorney Mark Grua are working on and will be bringing to council in the near future.

Closed session; potential litigation.

Mayor Schmit announced that council will go into closed session at 7:38 pm. Brief break, to clear room.

Mayor Schmit announced that the council meeting is now in open session at 8:39 pm.

Reed added to his manager's report to Council that he had spoken to Ms. Wilcox and she had lodged complaint with him. Reed explained her complaint and said he had looked into it. He also reported that the basketball net that was in the right of way had been removed by the neighbor and was no longer an issue.

C. Motion to Adjourn.

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

Meeting adjourned at 8:40 pm.

Respectfully Submitted,

Denae Davenport
Leslie City Clerk

Minutes of Leslie City Council meetings are available after Council approval through the City Clerk's Office.