

A regular meeting of the Leslie City Council was held at 7:00 p.m. on Tuesday, September 2, 2008 at Leslie City Hall, 107 E. Bellevue Street, with Mayor Ron Schmit presiding.

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

ABSENT: NONE. (One seat vacant.)

ALSO PRESENT: City Manager Brian Reed, City Clerk Vyrna Dotte Weideman, Attorney Carrie Ihrig, *Jackson Citizen Patriot* writer Larry Hook, guests John Stewart, Christine Ward, Billie J. O'Berry, and Leonard, Mitchell, Olivia and Cindy Eaton.

Guest John Stewart led those present in the Pledge of Allegiance.

AGENDA ITEM I. APPROVAL OF THE AGENDA.

Mgr. Reed requested the addition of item V-J, Amend the Weight Limit on the Mill Street Bridge. Moved by Beegle, seconded by Motes, to approve the agenda as with the addition of item V-J, Amend the Weight Limit on the Mill Street Bridge. All yes. Motion carried.

AGENDA ITEM II. CONSENT AGENDA:

A. Approve the minutes of the regular Council meeting of August 4, 2008.

B. Approve Payment of the Bills as presented.

Moved by Zamora, seconded by Fox, to approve the Consent Agenda as presented. All yes. Motion carried.

BILLS ON FILE AS APPROVED

AGENDA ITEM III. PUBLIC COMMENT - Non-Agenda Items that Cannot be Handled During Regular Business Hours.

Attorney Billie O'Berry introduced herself to Council as candidate for 55th District Court.

AGENDA ITEM IV. UNFINISHED BUSINESS:

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

Mgr. Reed observed the City is seeking viable candidates to fill this position. Discussion. No action at this time.

B. Appointment to fill vacancy on City Council, term to end November, 2011.

Mayor Schmit noted two letters of interest had been received. Discussion.

Moved by Fox, seconded by Beyer, to appoint John Stewart to fill the vacancy on City Council with a term to end November, 2011. Discussion with Mr. Stewart, present at this time. All yes. Motion carried.

Clerk Weideman administered the official Oath of Office to John Stewart, who then assumed a chair as the new Councilmember.

AGENDA ITEM V. NEW BUSINESS:

A. Audit Presentation by Christine Ward, Willis & Jurasek.

Christine Ward reviewed Financial Highlights of the City of Leslie summarizing audit findings from the 2007-08 budget year. She explained they have presented the City with an "Unqualified Opinion" which is the highest opinion they can offer, noting the Fund Balance is healthy. Discussion. Ward offered to answer any questions.

Moved by Motes, seconded by Beegle, to accept and place on file the official audit for the City of Leslie Budget Year of July 1, 2007 through June 30, 2008. All yes. Motion carried.

B. Appeal of Melissa Chesney RE: Water and Sewer Bills, late fee.

Mgr. Reed reviewed Ms. Chesney's letter of appeal, and reported her payment history is good. Discussion. Councilmember Zamora noted at one time or another most everyone is late, but this would set a dangerous precedent.

Moved by Beegle, seconded by Motes to grant a waiver of the late fees for two water and sewer bills of Melissa Chesney as noted in her letter dated August 5, 2008. No yes votes. All noes. Motion defeated; waiver denied.

C. Adopt Resolution 2008-18 - remove parking restrictions for Franklin Street.

Review by Mgr. Reed, who responded to the request of a local resident.

Police Chief Delamarter has reviewed this request and has no objection. Discussion.

Moved by Zamora, seconded by Stewart, to adopt Resolution No. 2008-18 as follows.

ROLL CALL VOTE.

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

NOES: NONE.

Motion carried; Resolution declared adopted.

CITY OF LESLIE

RESOLUTION NO. 2008-18

Resolution to Remove Parking Restrictions from Franklin Street

WHEREAS, for safety purposes parking on the South side of Franklin Street has been prohibited for many years on the North side of Franklin Street due to presence of school buses serving the building located at 112 Woodworth Street; and

WHEREAS, for the past four years the structure at 112 Woodworth Street has been vacant and no school buses have been parked on Franklin Street; and

WHEREAS, the Leslie Chief of Police has reviewed the traffic and parking on Franklin Street and has recommended parking restrictions be removed.

NOW, THEREFORE, BE IT RESOLVED, that parking restrictions for the South side of Franklin Street be discontinued and any signs restricting parking on that street be removed effective immediately; and

RESOLVED, FURTHER, that any other parking regulations observed in the City of Leslie, such as no parking on any City street between the hours of 3:00 a.m. and 5:00 a.m. shall remain in force; and

RESOLVED, that this removal of parking restrictions shall become effective immediately.

Vyrna Dotte Weideman, Leslie City Clerk

D. Approve Leslie Fire Department Fundraiser for Friday, September 5, 2008.

Review by Mgr. Reed, who clarified the Firefighters are only asking to conduct this fundraiser at the intersection of Main and Bellevue Streets, and possibly on private property at the Marathon station and at McDonald's.

Moved by Fox, seconded by Beegle to approve the Leslie Fire Department Fundraiser for Friday, September 5, 2008. All yes. Motion carried.

E. Approve Curb Cut request #004 for Leslie Depot Diner.

Review by Mgr. Reed of the curb cut application and accompanying drawing, as well as the City Ordinance requiring Council approval for new curb cuts. Police Chief Delamarter and DPW Director Owen have reviewed this request and have no objections.

Moved by Beyer, seconded by Motes, to approve the Curb Cut Request #004 of Jerry & Rosalie Miers, Leslie Depot Diner, 107 Covert Street, to allow additional access to their parking area. Discussion. All yes. Motion carried.

F. Approve Official Representative to cast vote at Annual Michigan Municipal League election.

Review by Mgr. Reed, who will be attending the Annual MML Conference.

Moved by Stewart, seconded by Fox, to approve City Manager Brian Reed to cast votes representing the City of Leslie at the Annual Michigan Municipal League election. All yes. Motion carried.

G. Reappointment to DDA: Jim Mitchell and Toby Teague, terms expired 7/1/2008; new terms to 7/1/2012.

Mgr. Reed suggested Council delay action on this item pending recommendation of DDA.

Moved by Motes, seconded by Beyer to table action on DDA appointments. All yes Carried.

H. Review Bids for Crack Sealing, consider approval of bid and authorize City Manager to sign related documents.

Review by Mgr. Reed that the request for bids was advertised and invitations to bid were mailed. One bid was received, from a qualified bidder, and is within the budgeted amount for this project. Mgr. Reed recommended that Council award the bid to this single bidder. Discussion.

Moved by Beegle, seconded by Fox, to approve the bid for crack sealing of various major and local streets in the City of Leslie as discussed and as listed on the bid form, to Scodeller Construction, Inc. in the amount of \$15,831.00 (Fifteen thousand eight hundred thirty-one dollars). All yes. Carried.

I. Water and Sewer Fees - Seasonal Cancellations.

Review by Mgr. Reed, and discussion and questions followed.

Consensus to request the Water and Sewer Committee to meet and study this situation and make a recommendation to Council.

I-2. Approve City Planning Commission Recommendations to Renew Special Use Applications:

- 1. 1981-SU-2, East End (Bellevue) Apartments, Zoned R-M1, Multiple Family. Special Use allow multiple buildings (5 Yr. Renewal, to July 6, 2018.)**
- 2. 2002-SU-4, John Stewart, for 100 S. Main St., Zoned B-1, General Business. Special Use allows 2nd floor for residential use. (5 Yr. Renewal, to August 20, 2013.)**
- 3. 2007-SU-1, J.C. Adams Funeral Home, 109 Church St., Zoned Residential. Special use allows floral sales. (Expired July 10, 2008. Extend use until "Blossoms" relocates to the Main Street location, not to exceed the end of the 2008 calendar year.)**

Review by Mgr. Reed who recommended approval of these Planning Commission recommendations. Moved by Zamora, seconded by Motes, to approve the Leslie City Planning Commission recommendations as noted above for Special Use Permits 1981-SU-2, 2002-SU-4 and 2007-SU-1.

Yes: 6 Abstain: Councilmember Stewart.

Motion carried; renewals approved.

J. Amend Weight Limit to the Mill Street Bridge.

Review of the Memorandum from DPW Director Martha Owen, which reports recent observations of further deterioration of the Mill Street Bridge. This led Owen to request further inspection of the bridge by the engineer, recommending reduction of the current weight/load restrictions. Extensive discussion followed.

Councilmember Beyer noted he will vote against this Resolution because he feels the load limit should be even lower.

**CITY OF LESLIE
RESOLUTION NO. 2008-19**

Resolution Amending Res. 2008-16, Weight Restrictions and Posting Signs, Mill Street Bridge

At a regular meeting of the Leslie City Council conducted on Tuesday, September 2, 2008 at Leslie City Hall, 107 E. Bellevue Street, the following Resolution was offered by Councilmember Fox and supported by Councilmember Stewart:

WHEREAS, the Leslie City Council did, on June 3, 2008 adopt Resolution No. 2008-16, placing specific weight restrictions on the Mill Street bridge in the City of Leslie; and

WHEREAS, an additional more recent bridge inspection of the Mill Street over Huntoon Creek Bridge was ordered by the City of Leslie; and

WHEREAS, further deterioration is occurring at a faster pace than anticipated on and around the Mill Street Bridge; and

WHEREAS, the engineer has made further recommendation to place more restrictions on the use of the Mill Street Bridge.

NOW, THEREFORE, BE IT RESOLVED, that per the engineer's and the City Director of Public Work's recommendation, the Load Limit on the Mill Street shall be reduced to 20 Gross Tons effective immediately and signs clearly stating the Load Limit of 20 Gross Tons for the Mill Street Bridge be posted appropriately; and

RESOLVED, FURTHER, that appropriate warning signs be posted along the City of Leslie Truck Route clearly indicating the alternate route.

ROLL CALL VOTE.

AYES: Councilmembers Motes, Zamora, Fox, Stewart, Mayor Schmit, Councilmember Beegle.

NOES: Councilmember Beyer. ABSENT: NONE. ABSTAIN: NONE.

MOTION CARRIED; RESOLUTION DECLARED ADOPTED.

Vyrna Dotte Weideman, Leslie City Clerk

AGENDA ITEM VI. COUNCIL AGENDA:

A. Committee Reports.

Councilmember Beegle reported the Leslie Area Chamber of Commerce lunch meeting will be at Leslie Township Hall, to recognize the Leslie Township officials. She invited everyone to attend. Councilmember Fox noted his concern that the roof on the DPW building is rusting badly.

B. Manager's Report.

Manager Reed reported:

- He has submitted a grant application for tree planting, for replacement of dead and damaged trees in the City right of way.
- He is working with DPW Director Owen on a Strategic Plan.
- The DDA has approved removal of the brick from the crosswalks at the Main and Bellevue intersection, and replacement with asphalt at this time.
- On September 18, 2008 at 6:00 p.m. at Leslie City Hall a meeting will be held to facilitate discussion of a local newspaper.
- The Adams St. Bridge is showing erosion problems.
- He met with the President of a wireless internet provider asking to place an antenna on the City's water tower.

Mayor Schmit announced an intermission at 8:47 p.m.

Meeting resumed, 8:58 p.m.

C. Closed Council Session at the request of City Mgr. Brian Reed.

Moved by Fox, seconded by Beegle, to go into closed session at the request of Mgr. Reed for the purpose of: Manager Evaluation. All yes. Motion carried.

Closed Session began, 8:58 p.m.

Open meeting resumed, 9:13 p.m.

D. Approve increase in salary of City Manager Brian Reed.

Moved by Fox, seconded by Beegle to increase City Manager Brian Reed's salary from \$55,000/annually (Fifty-five thousand dollars per year) to \$57,000/annually (Fifty-seven thousand dollars per year) per the official Employment Agreement between the City of Leslie and Brian Reed. All yes. Motion carried.

E. Motion to Adjourn.

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

Meeting adjourned, 9:16 p.m.

Respectfully submitted,

Vyrna Dotte Weideman, Leslie City Clerk