

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

ROLL CALL. PRESENT: Council members Fox, Zamora, Motes, Beyer, Beegle, Mayor Schmit.

ABSENT: Councilmember Wood.

ALSO PRESENT: Interim City Manager Cheryl Neu, City Clerk Vyrna Dotte Weideman, and *Jackson Citizen Patriot* writer Larry Hook.

Mayor Schmit led those present in the Pledge of Allegiance.

AGENDA ITEM I. APPROVAL OF THE AGENDA.

Moved by Beegle, seconded by Motes, to approve the agenda as presented. All ayes. Motion carried.

AGENDA ITEM II. CONSENT AGENDA:

A. Approve the minutes of the Council meetings of February 5, 7, 8, and 19, 2008.

B. Approve Payment of the Bills as presented.

Discussion of several bills.

Moved by Fox, seconded by Zamora, 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. NONE.

AGENDA ITEM IV. UNFINISHED BUSINESS:

A. Appointment to the City Planning Commission to fill vacancy - term to end November 1, 2010.

Interim Mgr. Neu reported resident William Muenzenmaier has indicated an interest in this appointment; Mayor Schmit recommended the appointment of Mr. Muenzenmaier.

Moved by Beegle, seconded by Fox, to approve the appointment of William Muenzenmaier to the Leslie City Planning Commission with a term to end November 1, 2010. All yes. Motion carried.

AGENDA ITEM V. NEW BUSINESS:

A. Adopt Resolution 2008-06, Notice of Intent Resolution, to Set Public Hearing for 7:15 p.m. on Tuesday, April 1, 2008 regarding proposed Special Assessments, 2008 Leslie Street Improvement Project.

Review of proposed Resolution followed. Councilmember Fox stated he wished to be on the record that he feels this is the wrong time. He feels that Council delayed this project in 2007 and the main reason was economic timing, and times have not improved; they are worse. Discussion.

Councilmember Beegle asked if there would be more money to do this project this year.

Interim Mgr. Neu noted the estimates have been updated by the Engineer.

Mayor Schmit observed that last year the people at the hearing wanted more time, and that's what Council has done with the extra year. Discussion continued.

CITY OF LESLIE

RESOLUTION NO. 2008-06

2008 Leslie Street Improvement Project -Notice of Intent for Project

The following resolution was offered by Councilmember Zamora and seconded by Councilmember Beegle:

The City Clerk presented to the Council (a) maps showing the location of the proposed improvements listed in the following resolution and the proposed special assessment district for the improvements, (b) plans describing the improvements, and (c) an estimate of the cost of the improvements.

BE IT RESOLVED by the City Council of the City of Leslie as follows:

1. Under Article 14 of the Leslie City Charter, the Council has the power to determine the necessity of any local or public improvement and to determine that the whole or any part of its expense shall be defrayed by special assessment upon the property especially benefited.

2. The Council hereby declares its intention to make improvements to certain Local Streets as follows and as more specifically set forth in the plans:

<u>Blair Street from Bellevue Street to Williams</u>	- Grade Existing Gravel, Improve Drainage, Pave Street, and Construct 2' Wide Gravel Shoulders.
<u>Blair Street from Williams Street to Mill Street</u>	- Grade Existing Gravel, Improve Drainage, Pave Street, and Construct 2' Wide Gravel Shoulders.
<u>Blair Street from Mill Street to Rice Street</u>	- Grade Existing Gravel, Improve Drainage, Pave Street, and Construct 2' Wide Gravel Shoulders.
<u>Williams Street from Blair Street to Russell</u>	- Grade Existing Gravel, Improve Drainage, Pave Street, and Construct 2' Wide Gravel Shoulders.
<u>Williams Street from Russell to Railroad Street</u>	- Rubblize Existing Pavement, Improve Drainage, Repave Street, and Construct 2' Wide Gravel Shoulders.
<u>Railroad Street from Williams Street to Mill</u>	- Rubblize Existing Pavement, Improve Drainage, Repave Street, and Construct 2' Wide Gravel Shoulders.
<u>Maple Street from Church to Oak Street</u>	- Grade Existing Gravel, Improve Drainage, Repave Street, and Construct 2' Wide Gravel Shoulders.

and to assess the cost of improvements to the lands that will be especially benefited thereby, as set forth in the special assessment district described in Exhibit A attached hereto.

3. The aforesaid maps, plans and cost estimate shall be filed in the office of the City Clerk for public examination.

4. The aforesaid improvements shall be known as the 2008 Leslie Street Improvement Project and the special assessment district therefore shall be known as the 2008 Leslie Street Improvement Project Special Assessment District.

5. The estimated cost of the improvements and the part to be assessed against lands in the special assessment district is as follows:

<u>Local Streets:</u> Total Estimated Cost	\$140,226.50
Amount to be assessed against lands in the special assessment district	\$ 98,158.55
Amount to be a general obligation of the City	\$ 42,067.95

6. The special assessments shall be payable in annual installments that shall become due at such time as the Council shall hereafter determine.

7. The Council declares that the special assessment levied pursuant to this resolution shall be based upon or be in proportion to the benefit derived or to be derived.

8. This Council shall meet at 7:15 p.m., Eastern Daylight Time, on Tuesday, April 1, 2008, at the Leslie City Hall, 107 East Bellevue Street, Leslie, to hear and consider any objections submitted by any interested persons with respect to the making of such improvements and to the assessing of the cost thereof to the special assessment district. The City Clerk shall give notice of such hearing by publication of the same twice in *Ingham Community News* and by sending by first

class United States Mail, postage thereon fully prepaid, a copy addressed to the owner or party in interest in whose name any land in the special assessment district is assessed on the City's last preceding tax assessment roll for ad valorem tax purposes that was reviewed by the City Board of Review, as supplemented by any subsequent changes in the names or the addresses of the owners or parties listed on that roll. The first publication and the mailing shall be at least ten (10) days prior to the date of the hearing.

AYES: Council members Zamora, Motes, Beyer, Beegle, Mayor Schmit.

NOES: Councilmember Fox.

ABSTAIN: NONE.

ABSENT: Councilmember Wood.

RESOLUTION DECLARED ADOPTED.

Vyrna Dotte Weideman, Leslie City Clerk

EXHIBIT A TO RESOLUTION NO. 2008-06
2008 LESLIE STREET IMPROVEMENT PROJECT

Description of Special Assessment District

The 2008 Leslie Street Improvement Project Special Assessment District shall consist of the following parcels located as indicated for the Local Streets or portions of Local Streets listed which have the following tax identification (sidwell) numbers:

LOCAL STREETS

<u>Blair Street, from Bellevue to Williams</u>	<u>Blair Street, from Williams to Mill</u>	<u>Blair Street, from Mill to Rice</u>
33-17-14-28-227-001	33-17-14-28-228-021	33-17-14-28-276-006
33-17-14-28-227-002	33-17-14-28-228-004	33-17-14-28-276-007
33-17-14-28-227-009	33-17-14-28-228-009	33-17-14-28-276-009
33-17-14-28-227-006	33-17-14-28-228-011	33-17-14-28-276-011
33-17-14-28-227-007	33-17-14-28-228-020	33-17-14-28-277-004
33-17-14-28-227-008	33-17-14-28-229-009	33-17-14-28-277-003
33-17-14-28-229-022	33-17-14-28-229-008	33-17-14-28-277-001
33-17-14-28-229-004	33-17-14-28-229-007	
33-17-14-28-229-031	33-17-14-28-229-006	
33-17-14-28-229-024	33-17-14-28-229-023	

Williams Street, from Blair to Russell

33-17-14-28-227-008
 33-17-14-28-228-001
 33-17-14-28-228-021

Williams Street, from Russell to Railroad

33-17-14-28-205-001
 33-17-14-28-205-002
 33-17-14-28-210-001
 33-17-14-28-210-008

Railroad Street, from Williams to Mill

33-17-14-28-210-001
 33-17-14-28-210-002
 33-17-14-28-210-003
 33-17-14-28-210-004
 33-17-14-28-210-005
 33-17-14-28-210-006
 33-17-14-28-210-017
 33-17-14-28-209-001

Maple Street, from Church to Oak

33-17-14-21-404-005
 33-17-14-21-404-012
 33-17-14-21-404-013
 33-17-14-21-404-014
 33-17-14-21-404-015
 33-17-14-21-404-018
 33-17-14-21-452-011

EXHIBIT "A", Resolution No. 2008-06

B. Adopt Resolution 2008-07, amend Consumers Energy Street lighting Contract.

Review by Interim Mgr. Neu of this proposal to add two streetlights to the City's contract.

Moved by Motes, seconded by Zamora, to adopt Resolution No. 2008-07 as follows.

ROLL CALL VOTE

AYES: Council members Zamora, Motes, Beyer, Beegle, Mayor Schmit, Councilmember Fox.

NOES: NONE. ABSTAIN: NONE. ABSENT: Councilmember Wood.

Motion carried; Resolution declared adopted.

RESOLUTION NO. 2008-07

Resolution to Authorize Amendment to the City Street lighting Contract.

RESOLVED, that it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the street lighting service as provided in the Standard Street lighting Contract between the Company and the City of Leslie, dated November 1, 1977, in accordance with the Authorization for Change in Standard Street lighting Contract dated as of March 4, 2008, heretofore submitted to and considered by this Council; and

RESOLVED, FURTHER, that the City Mayor and City Clerk be and are authorized to execute such authorization for change on behalf of the City.

Vyrna Dotte Weideman, Leslie City Clerk

C. Adopt Resolution No. 2008-08, Supporting No Reason Absentee Voting.

Clerk Weideman reviewed the proposed Resolution, giving background and reasons for her recommendation for adoption of this Resolution and support of "No Reason Absentee Voting". Moved by Beegle, seconded by Motes, to adopt Resolution No. 2008-08 as follows:

**CITY OF LESLIE
RESOLUTION NO. 2008-08**

Resolution of Support for No Reason Absentee Voting

WHEREAS, the City Council of the City of Leslie believes that every opportunity should be provided to encourage voter participation; and

WHEREAS, the City of Leslie advocates for the fundamental rights of voters; and

WHEREAS, Michigan Election Law in some cases forces voters to choose between going to work or losing their Constitutional right to vote; and

WHEREAS, there are many voters in the City of Leslie that may find it difficult to vote at the polls due to commuting time to their place of employment or the hours and length of their workday outside the Leslie Community; and

WHEREAS, the current statutory reasons for acquiring an Absentee Ballot do not take into account any voters without transportation and their inability to travel from their homes

to their precinct; and

WHEREAS, all voters should be able to vote without being forced to choose to either not vote or to commit a misdemeanor crime by fraudulently applying for an Absentee Ballot as a means to execute one of their fundamental rights as a United States citizen, and

WHEREAS, at least 23 (twenty-three) states currently allow for a form of early voting.

NOW, THEREFORE, BE IT RESOLVED, that the Leslie City Council hereby **SUPPORTS** No Reason Absent Voting, and encourages our legislators to do the same.

ROLL CALL VOTE. Ayes: Council members Motes, Beyer, Beegle, Mayor Schmit,
Council members Fox, Zamora.
Noes: NONE.
Abstain: NONE.
Absent: Councilmember Wood.

Motion carried.

RESOLUTION DECLARED ADOPTED.

Vyrna Dotte Weideman, Leslie City Clerk

D. Review application for Re-Zoning and Special Use Permit; Set Public Hearing for 8:00 p.m. on Tuesday, April 1, 2008.

Interim Mgr. Neu reported the applicant, Allison Trapp, contacted her on this date (March 4, 2008) and indicated she must request the City to stop the Re-Zoning and Special Use Permit process at this time. Discussion.

Clerk Weideman suggested Council might be able to table action on this subject for as long as possible in case Ms. Trapp might make further arrangements to pursue this application. Discussion. Moved by Zamora, seconded by Fox, to table action on Re-Zoning Application 2008-1 and Special Use Permit Application 2008-1, Allison Trapp, applicant, for as long as possible, to allow the possibility that the applicant may be able to resume moving forward on these applications. All yes. Motion carried.

E. Adopt Resolution 2008-09, Wellhead Protection Plan.

Interim Mgr. Neu reviewed background on this subject, including review of the memo from DPW Director Martha Owen. Review that the proposed Resolution clearly indicates “budget municipal funds for as much as possible”. The cost to the City for this project would depend on availability of Grant Funding through the Michigan Department of Environmental Quality. Discussion.

Moved by Zamora, seconded by Beegle, to adopt Resolution No. 2008-09 as follows:

CITY OF LESLIE

RESOLUTION NO. 2008-09

A RESOLUTION RELATING TO WELLHEAD PROTECTION

WHEREAS, the Leslie City Council deems it appropriate and in the interest of the public health, safety, and welfare of the citizens to implement plans to prevent contamination of the groundwater supplies that provide potable water to the citizens of the City of Leslie; and,

WHEREAS, groundwater contamination can and does occur as a consequence of certain land use activities in our area; and,

WHEREAS, the protection of our current and future groundwater supplies is a worthwhile cause in order to preserve and protect the quantity and quality of our groundwater resources to assure a safe, reliable, and adequate supply, now and in the future; and,

WHEREAS, it is within the responsibility of the City of Leslie as public water supplier, to consider the health, safety and welfare of the community and its customers.

NOW, THEREFORE, BE IT RESOLVED, that the Leslie City Council recognizes that the residents of Leslie rely on groundwater for a safe drinking water supply and that certain land uses can contaminate aquifers. It is the intent to accomplish Wellhead Protection (and to budget municipal funds for), as much as possible, by developing and implementing a Wellhead Protection Plan (WHP) in accordance with, or more stringent than, the guidelines set by the Michigan Department of Environmental Quality (MDEQ).

ROLL CALL VOTE.

AYES: Council members Beyer, Beegle, Mayor Schmit, Council members Fox, Zamora, Motes.

NOES: NONE. ABSTAIN: NONE. ABSENT: Councilmember Wood.

RESOLUTION DECLARED ADOPTED.

Vyrna Dotte Weideman, Leslie City Clerk

F. Set a Special Council Meeting for Tuesday, March 18, 2008 at 7:00 p.m. Discussion of the purpose of this proposed meeting. Mayor Schmit reviewed how negotiations are going to date between the City and prospective City Manager Brian Reed, who hopes to begin working with the City of Leslie on March 20, 2008.

Moved by Beyer, seconded by Beegle, to set a Special Council meeting for Tuesday, March 18, 2008 at 7:00 p.m. for the Purpose of: Approving the Employment Agreement between the City of Leslie and Brian Reed, as new Leslie City Manager. All ayes. Motion carried.

AGENDA ITEM VI. COUNCIL AGENDA:

A. Committee Reports.

Councilmember Beyer reported he had attended the February Chamber of Commerce meeting.

Councilmember Motes asked about the mentioned relocation of the Recycling containers to the City lot North of the Leslie Police Station on Commercial Drive.

Interim Mgr. Neu explained such a move would require concrete, and additional lighting. DPW Director Owen is getting estimates for that work.

Councilmember Zamora reported he will be attending classes this Thursday & Friday regarding Neighborhood Improvement Authorities and Fundamentals of Financial Planning, being presented through the Michigan Municipal League.

Mayor Schmit reported attending the recent City Planning Commission meeting, where they recommended approval of the Re-Zoning and Special Use to allow for a new Daycare facility. The group also updated their Leslie Code books, inserting the recent supplement. Clerk Weideman reported Brian Reed (prospective City Manager) had been to City Offices twice and spent some time just visiting, getting to know some of the Administrative Staff.

B. Manager's Report.

Interim Mgr. Neu reported she and Councilmember Zamora had met in February with Dr. Baruti, owner of property the City might like to incorporate into the Recreation Plan. She noted they suggested Dr. Baruti might consider donating this property for such a use.

Neu then reviewed the status of the City's Water and Sewer issues, reporting regarding a recent meeting with Michigan DEQ representatives.

C. Motion to Adjourn the Meeting.

Moved by Beegle, seconded by Fox, to adjourn the meeting. All yes. Motion carried. Meeting adjourned, 8:19 p.m.

Respectfully submitted,

Vyrna Dotte Weideman, Leslie City Clerk