

**LAPEER CITY COMMISSION  
MINUTES OF A REGULAR MEETING  
MAY 20, 2019**

A regular meeting of the Lapeer City Commission was held May 20, 2019 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

**ROLL CALL**

Present: Commissioners Atwood, Bennett, Marquardt, Osentoski.

Absent: Mayor Sprague(excused) and Commissioner Bostick-Tullius (excused).

City Manager: Dale Kerbyson, present.

City Attorney: Michael Nolan, present.

Mayor Pro-Tem Marquardt led the Pledge of Allegiance.

**AGENDA APPROVAL**

**102 2019 05-20**

Moved by Osentoski. Seconded by Bennett.

Approve the Agenda for May 20, 2019 with the addition of Item G-4 – Michigan Council for the Arts and Cultural Affairs Resolution.

Ayes: Atwood, Bennett, Marquardt, Osentoski.

Nays: None.

Absent: Bostick-Tullius.

MOTION CARRIED.

**MINUTES**

**103 2019 05-20**

Moved by Osentoski. Seconded by Atwood.

Approve the minutes of the Regular and Closed Session meetings held May 6, 2019 as presented.

Ayes: Atwood, Bennett, Marquardt, Osentoski.

Nays: None.

Absent: Bostick-Tullius.

MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

**PUBLIC COMMENTS**

None.

**CONSENT AGENDA**

**104 2019 05-20**

Moved by Osentoski. Seconded by Atwood.

Approve the Consent Agenda for May 20, 2019 resulting in the following:

1. Special Event Request from Lapeer City Police Officers Charitable Fund, Cops for the Community 5k, July 6, 2019 from 7 AM – 11 AM, on the Mott Campus utilizing Lake Drive and the Prairies and Ponds areas, contingent upon receipt of current insurance.
2. Special Event Request from Lapeer Suicide Prevention Network, Into the Light Walk, September 28, 2019 from 11 AM – 5 PM, Rowden Park, contingent upon receipt of current insurance.
3. Special Event Request from Lapeer Area Home School Athletes, Lapeer Lakers 5k, August 24, 2019 from 8 AM – 2 PM, Rowden Park, traveling through Audubon Park, contingent upon receipt of current insurance.

Ayes: Atwood, Bennett, Marquardt, Osentoski.

Nays: None.

Absent: Bostick-Tullius.

MOTION CARRIED.

**BILL LISTING FOR MAY 20, 2019**

**105 2019 05-20**

Moved by Atwood. Seconded by Osentoski.

Approve the Bill Listing for May 20, 2019 in the amount of \$403,387.98.

Ayes: Atwood, Bennett, Marquardt, Osentoski.

Nays: None.

Absent: Bostick-Tullius.

MOTION CARRIED.

## **PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS**

### In Recognition of Timothy Bentley.

#### **106 2019 05-20**

Moved by Bennett. Seconded by Marquardt.

Approve Proclamation in Recognition of Timothy Bentley as presented.

CITY OF LAPEER  
Proclamation  
In Recognition of Timothy Bentley

WHEREAS, Timothy (Tim) Bentley began employment with the City of Lapeer on August 23, 1995 with the City of Lapeer Police Department as a Patrolman and rose through the ranks to be promoted to Patrolman IV on July 1, 2016.

WHEREAS, Tim Bentley has given conscientious, responsible, and professional service who has taken the Oath to serve the citizens of the City of Lapeer in the law enforcement profession; and

WHEREAS, Tim Bentley has received multiple commendations, including a Life Saving Citation Award for going over and above his normal duties; and

WHEREAS, Tim Bentley will retire on May 31, 2019 after over 23 years of service to the City of Lapeer and leaves those in the City of Lapeer proud to have known him and to have served with him.

THEREFORE, LET IT BE KNOWN, that I, Mayor William J. Sprague and the Lapeer City Commission wish to honor and express deep appreciation to Timothy (Tim) Bentley for his efforts and devotion to public service and wish him continued success in his retirement.

Dated this 20<sup>th</sup> day of May 2019.

Ayes: Atwood, Bennett, Marquardt, Osentoski.

Nays: None.

Absent: Bostick-Tullius.

MOTION CARRIED. PROCLAMATION DECLARED ADOPTED.

## **PUBLIC HEARINGS**

### FY 2019-2020 Budget Public Hearing.

Mayor Pro-tem Marquardt opened the public hearing at 6:33 p.m., hearing no comments, closed the public hearing at 6:33 p.m.

#### **107 2019 05-20**

Moved by Marquardt. Seconded by Bennett.

Approved postponing agenda item 'Resolution for the Budget of the City of Lapeer for the Fiscal Year July 1, 2019 to June 30, 2020 and to Make Appropriations Therefore, and the first year of the proposed 2019-2025 Capital Improvement Program' and to schedule a Special City Commission meeting for Tuesday, May 21, 2019 at 6:00 PM for consideration of this item.

Ayes: Atwood, Bennett, Marquardt, Osentoski.

Nays: None.

Absent: Bostick-Tullius.

MOTION CARRIED.

## **ADMINISTRATIVE REPORTS**

### Rezoning – R-2 Single-Family Residential to B-2 General Business.

Parcel #L20-94-600-030-00 – DeMille Boulevard.

#### **108 2019 05-20**

Commissioner Bennett introduced the following amendment to Chapter 7 (Zoning Ordinance), Article 7.02.02(a) (18) of the General Ordinances of the City of Lapeer.

ARTICLE 7.02 MAPPED DISTRICTS

7.02.02 District Boundaries

(a) Zoning District Amendments

(18) The following property formerly zoned R-2 Single-Family Residential is hereby rezoned to B-2 General Business:

Parcel #L20-94-600-030-00  
CITY OF LAPEER T7N, R10E, SEC 6 W 350.09 FT OF S 350.09 OF SE  
1/4 EX RD R/W.

Ayes: Atwood, Bennett, Marquardt, Osentoski.

Nays: None.

Absent: Bostick-Tullius.

MOTION CARRIED.

Davison Road Resurfacing Project.

MDOT Contract #19-5240.

**109 2019 05-20**

Moved by Osentoski. Seconded by Atwood.

Approve the City entering into Contract #19-5240 with the Michigan Department of Transportation by approving City of Lapeer Municipal Resolution Michigan Department of Transportation Contract No.: 19-5240 – Category “F” Funded Project.

CITY OF LAPEER  
MUNICIPAL RESOLUTION  
MICHIGAN DEPARTMENT OF TRANSPORTATION  
CONTRACT NO.: 19-5240 - Category “F” Funded Project

Municipal Resolution for acceptance of Contract #19-5240 for the Davison Road Rehabilitation Project including:

Rehabilitation of Davison Road from the roundabout at the Lake Nepessing Road intersection eastward to the west side of the DeMille Blvd./Millville Road intersection. The project will include cold milling existing HMA surface and Constructing HMA overlay, replace existing culvert’s and ditch cleanout for improved drainage, shoulder improvements, striping and new street signs.

BE IT RESOLVED THAT the Michigan Department of Transportation Contract #19-5240 for the Davison Road Rehabilitation Project – Category “F” Funded Project as described above between the Michigan Department of Transportation and the City of Lapeer is hereby accepted and City Manager Dale Kerbyson and Director of Public Works Pam Reid are authorized to sign the required documents.

Ayes: Atwood, Bennett, Marquardt, Osentoski.

Nays: None.

Absent: Bostick-Tullius.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

City Wide Fee Schedule.

**110 2019 05-20**

Moved by Bennett. Seconded by Osentoski.

Approve the City Wide Fee Schedule, effective July 1, 2019 as presented.

Ayes: Atwood, Bennett, Marquardt, Osentoski.

Nays: None.

Absent: Bostick-Tullius.

MOTION CARRIED.

Michigan Council for Arts and Cultural Affairs Resolution.

**111 2019 05-20**

Moved by Osentoski. Seconded by Marquardt.

Approve Michigan Council for Arts and Cultural Affairs Resolution as presented.

RESOLUTION TO APPROVE  
MICHIGAN COUNCIL FOR ARTS AND CULTURAL AFFAIRS (MCACA)  
CITY OF LAPEER HOUSING IMPROVEMENT GRANT APPLICATION

Approve the Michigan Council for Arts and Cultural Affairs grant application resolution for the City of Lapeer Center for the Arts of Greater Lapeer Lower Level Renovation Project.

Municipal Resolution for acceptance of Contract #19-5240 for the Davison Road Rehabilitation Project including:

Rehabilitation of Davison Road from the roundabout at the Lake Nepessing Road intersection eastward to the west side of the DeMille Blvd./Millville Road intersection. The project will include cold milling existing HMA surface and Constructing HMA overlay, replace existing culvert's and ditch cleanout for improved drainage, shoulder improvements, striping and new street signs.

BE IT RESOLVED THAT the Michigan Department of Transportation Contract #19-5240 for the Davison Road Rehabilitation Project – Category “F” Funded Project as described above between the Michigan Department of Transportation and the City of Lapeer is hereby accepted and City Manager Dale Kerbyson and Director of Public Works Pam Reid are authorized to sign the required documents.

Ayes: Atwood, Bennett, Marquardt, Osentoski.

Nays: None.

Absent: Bostick-Tullius.

MOTION CARRIED.

### **CITY MANAGER'S REPORT**

City Manager Dale Kerbyson reminded everyone to attend the DDA Main Street Branding Workshop at 4:30 PM this Wednesday, brand unveiling will be Thursday at 5:30 PM at the historic courthouse; met with a potential investor to purchase the old foundry building on Court Street, they are looking at making a \$12 million dollar investment in a medical marihuana grow and process facility; currently in negotiations with AFSCME; an offer of employment has been extended for the LDC Executive Director position who will start June 1<sup>st</sup>; DTW is working on Demille replacing/repairing the lights.

### **CITY ATTORNEY'S REPORT**

None.

### **UNFINISHED BUSINESS**

None.

### **DEPARTMENTAL COMMUNICATIONS**

The Monthly Departmental Reports were received into the record as presented.

### **PUBLIC COMMENTS**

None.

### **MAYOR/COMMISSIONER COMMENTS**

Commissioner Atwood: Superheroes swept sidewalks downtown Saturday, meet once per month, let him know of any project ideas; attended mid-Michigan Builders Association meeting with City Manager and City Building Official, made some good connections and had good brainstorming sessions.

Commissioner Bennett: Sent letter of interest to fill Mayoral vacancy.

Commissioner Osentoski: Branding for the DDA will be at the old courthouse Thursday at 5:30 pm, would be great if everyone could come.

City Manager Dale Kerbyson: Attended mid-Michigan Builders Association meeting which is a merging of Lapeer, Genesee and Shiawassee counties, there were a lot of trades at this meeting including CCA, there were approximately 70 attendees; he volunteered City Hall for their next meeting. Cramton Park is now open and ready for the holiday weekend. The Mayor's first day at his new job, he had to take cover two times due to tornado warnings.

Mayor Pro-Tem Marquardt: Attended the Beverly Hillbillies at the PIX, was good to see how active the downtown was Saturday; announced local events; also sent letter of interest to fill Mayoral vacancy; discussed the need for a special meeting to discuss Mayoral candidates, it was the consensus of the Commission that a special meeting is unnecessary.

**ADJOURNMENT**

**112 2019 05-20**

Moved by Bennett.

Adjourn the regular meeting.

Ayes: Atwood, Bennett, Marquardt, Osentoski.

Nays: None.

Absent: Bostick-Tullius.

**MOTION CARRIED.**

The regular meeting adjourned at 6:52 p.m.

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Mayor Pro-Tem Deborah Marquardt

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Renee L. Bullen, City Clerk, CMC

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Tracey S. Russell, Deputy City Clerk