

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
JANUARY 4, 2016**

A regular meeting of the Lapeer City Commission was held January 4, 2016 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

ROLL CALL

Present: Mayor Sprague.
Commissioners Atwood, Bennett, Bostick-Tullius, Gates and Marquardt.
City Manager, Dale Kerbyson
City Attorney, Michael Nolan.
Absent: None.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

1 2016 01-04

Moved by Gates. Seconded by Bostick-Tullius.
Approve the Agenda for January 4, 2016 as presented.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

MINUTES

2 2016 01-04

Moved by Marquardt. Seconded by Gates.
Approve the minutes from a Special meeting held December 14, 2015 and the Regular meeting held December 21, 2015.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

PUBLIC COMMENTS

None.

CONSENT AGENDA

None.

BILL LISTING FOR JANUARY 4, 2016

3 2016 01-04

Moved by Gates. Seconded by Marquardt.
Approve the Bill Listing for January 4, 2016 in the amount of \$959,966.12.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

4 2016 01-04

Moved by Bennett. Seconded by Gates.
Approve the Proclamation In Recognition of David A. Ernst.

WHEREAS, David A. Ernst began employment with the City of Lapeer on March 22, 1993 with the City of Housing Department and promoted to Assistant Superintendent Parks Division on September 29, 1999; and

WHEREAS, David A. Ernst, has given conscientious, responsible, and professional service to the citizens of the City of Lapeer and leaves those in the City of Lapeer proud to have known him and to have served with him; and

WHEREAS, David A. Ernst will retire on January 25, 2016, after 22+ years of service to the City of Lapeer.

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

Dated this 4th day of January, 2016.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED. PROCLAMATION DECLARED ADOPTED.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

None.

CITY MANAGER'S REPORT

Scrap Tire Market Development Program.

City Manager Dale Kerbyson commented on submitting an application for a scrap tire rehab grant, DeMille from Harrison to west Kohl entrance, 50/50 match, request approval of grant application submittal. Discussion followed; road project for Oak Street, response that Oak Street is on TIFA schedule.

5 2016 01-04

Moved by Bostick-Tullius. Seconded by Bennett.

Approve application for a Scrap Tire Market Development Program Grant.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Mr. Kerbyson advised that DTE notified by email that they will be completing improvements around town, meters on homes, around June.

CITY ATTORNEY'S REPORT

City Attorney Michael Nolan commented on listening to "all the buzz" regarding the City Commission in what they have done and what they are going to do next and to keep up the good work.

UNFINISHED BUSINESS

6 2016 01-04

Moved by Marquardt. Seconded by Gates.

To appoint Jeffrey Pattison to Board of Review Alternate, term ending 01-01-17.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

DEPARTMENTAL COMMUNICATIONS

Monthly Financial Report for November 2015 received into record.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Atwood: Happy New Year; excited to be here; a lot to learn.

Commissioner Gates: Happy New Year; thank you to Police, Fire, DPW workers.

Commissioner Bennett: Commissioner Atwood and voting; thank you for putting up with him and will do better in the future.

City Manager Dale Kerbyson: Congratulations to Commissioner Bostick-Tullius and trophy.

Mayor Sprague: Subscription to newspaper.

ADJOURNMENT

7 2016 01-04

Moved by Bennett.

Adjourn the regular meeting.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 6:40 p.m.

William J. Sprague, Mayor

Donna L. Cronce, City Clerk

Tracey S. Russell, Deputy City Clerk

**LAPEER CITY COMMISSION
MINUTES OF A WORKSHOP MEETING
JANUARY 11, 2016**

A workshop meeting of the Lapeer City Commission was held January 11, 2016 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 5:30 p.m.

ROLL CALL

Present: Mayor Sprague.
Commissioners Atwood, Bennett, Bostick-Tullius, Gates and Marquardt.
City Manager, Dale Kerbyson
Absent: None.

Also Present: City Clerk Donna Cronce, Executive Assistant Tracey Russell, Housing Director Denise Soldenski, DPW Director Pam Reid, Finance Director Kerry Helmick, Fire Chief Terry Kluge, Police Chief Todd Alexander, Parks, Recreation & Cemetery Director Ray Turczyn, Jeff Hogan Lapeer County Press.

WORKSHOP

DRAFT Goals and Objectives: 2016-2020.

City Manager reviewed completed goals and objectives and draft goals and objectives for 2016-2020. Discussion followed: goals and objectives are to be accountable, obtainable and measurable; road survey, raise road ratings, identify high volume areas, continue to apply for grant funding, continuation of current maintenance programs; housing, rental compliance, homeowner vs rental, MSHDA programs and changes; continue to monitor downtown development; break from 6:57 p.m. to 7:05 p.m.; General Fund to be within 15% to 25%; City lot downtown (burned building) cleaned up, look at uses, keep as park space; safety priorities, education/partnership; review trail improvements, expansion; marketing of City, use of internet, facebook, newsletter; entrepreneurship, incubator buildings and TIFA; expiration of contracts and renewal.

There being no further discussion, the workshop meeting was adjourned at 8:41 p.m.

William J. Sprague, Mayor

Donna L. Cronce, City Clerk

Tracey S. Russell, Deputy City Clerk

NOTES: Workshop Meeting, January 14, 2016

City Hall

The meeting was called to order at 2:06 p.m.

ROLL CALL

Present: Mayor Pro-Tem Marquardt.
Commissioners Atwood, Bostick-Tullius, Gates.
City Manager, Dale Kerbyson

Absent: None.

Also Present: City Clerk Donna Cronce, DDA Director James Alt, Farmers Market Director Denise Becker, Lapeer County Commissioners Lenny Schneider, Dave Eady, and Dyle Henning, Lapeer County Administrator John Biscoe, and Lapeer County Supervisor of Operations Joe Stock.

The purpose of the meeting was to review and discuss concerns regarding Farmers Market.

Atwood: here to help pull people together; show unity; Farmers Market; kind of shoved around, not in unity; miscommunications between City and County; come together and throw ideas around; use of Court House lawn; no stipulations, of course no petting zoo; respect of lawn; look at other areas.

Bostick Tullius: asked Denise Becker about vendors.

Becker: last year was not as great as in 2013 when had 30-35 vendors on Saturday; last year had 18-22; take into consideration Davison opening; customers liked street to peddle on sidewalk and pavement; if grow will run out of space; Farm Day was only day used lawn area; events such as strawberry shortcake, music, model A cars; Wednesday have 15-20 vendors and expect to go up to 20-25.

Schneider: changes were positive; good problem if growing; see activity downtown.

Becker: main focus is on food; use of grant funds; "buck" give-a-ways.

Kerbyson: goal is to bring people downtown; downtown vacancies dropping 45/50%; approach Mom-to-Mom sale to be downtown as well; need for more space.

Schneider: great to plan now; county can give history; policies and why they are there; how to activity; way to do it; lawn care.

J Stock: petting zoo was not a problem, Lapeer Days was not a problem; 3 days of heavy traffic, grass trampled, after heavy rain looked good; use for rent or deposit is for use of any public space; specific reasons happens with market; landscape plan for court house square, planting of trees; vendors sets up on lawn, tables get up, vendor comes forth and walking from one end to another, kills grass space, compacting it; only after past 2 years is grass getting back; other than that, no problems.

Atwood: placement of a runner?

J Stock: we tried to utilize that, did not work.

J Biscoe: **remember pavilion sits on square owned by county, no agreement, just allowed**; sidewalk expansion, letting vendors on lawn and alienating issue.

Bostick-Tullius: music, do you solicit for this.

Becker: have a current vendor that plays music, others are asked.

Bostick-Tullius: why not put that on lawn?

J Stock: sidewalk placed, effort to help expand space for Farmers Market.

Becker: problem is with east side of lawn and walking ability, facing of sun on vendors.

J Stock: vendors are paying to be there, make spots desirable and ask for more money.

Kerbyson: costs of space.

Becker: truck stalls; \$15/20, dependent on whole season or daily, pavilion; demise is people don't understand, market is a non-profit; expand advertising, events and signs.

J Biscoe: **what kind of entity is it, 501C3 status, just what is the status.**

Becker: have not filed the paperwork, consider a non-profit.

Bostick-Tullius: you can file for a nonprofit.

Schneider: is it a sole proprietorship running as a market.

Bostick-Tullius: your position, regardless of fee or deposit, don't want Farmers Market on lawn period.

J Stock: county does not want our lawn torn up.

Bostick-Tullius: season and time to grow back?

Gates: do you have pictures of the area, trying to figure this out.

Bostick-Tullius. How many Saturday vendors are there?

Becker: can be up to 26.

Schneider: do you have a scale drawing of the area, vested interest of vendors; keeping of property and working with city; any type of orientation of the area

Marquardt: do you have to turn down any vendors.

Becker: no.

Marquardt: if did, how many?

Schneider: room, and work on room availability; may not be a problem if we can look at area and placement.

J tock: how much room doyou need?

Becker: spaces run around 10x10 for tents.

J Stock: other areas to use in area; we have landscaping plan; Court Street sidewalk placement.

J Biscoe: lets get this straight, no problems last year; you are anticipating growth, big bucks program; county sidewalk expansion and availability of use when completed; what is your long term plan, look at expectation of growth, no projections, you two (pointing to Stock and Becker) need to talk, get together, hammer out and come to us.

Becker: last year and fee as well as \$500 bond, gave you a cash bond and told you to hold on to it; recurring expense 2x per week per month, daily fee county charging was hard.

Bostick-Tullius: is the fee for the bathroom, not the lawn.

J Stock: yes, to open it up on Saturday, it is a public area and people use; bathroom door needing to be rebuilt, allow key and/or vendors use only.

J Biscoe: **what is the market, nonprofit, 501C3, public entity, right now it is a private entity, this makes a difference regarding the fee.**

Bostick-Tullius: currently you have a DBA at the moment?

J Biscoe: the fee does not go back into GF.

J Stock: fee goes into Court House Maintenance Fund.

Kerbyson: Lenny, you said fee could be a "quid pro quo" and wash out.

Schneider: what I said was I'd like to see an arrangement as a "quid pro quo"; now we are working through the nuts and bolts, look at all Commissioners here and hope they help.

J Biscoe: they need to come up with a game ball, a plan, with answers, what they have is a loose, very loose plan, need to have a plan.

Schneider: need to see a plan, also look at growth.

Bostick-Tullius: need to get non-profit status, filing of paperwork.

J Biscoe: do you have insurance certificate.

Becker; yes.

Marquardt: like to see a plan in place, that's not unreasonable.

Kerbyson: didn't work out fee schedule.

J Biscoe: others that are put out, public use of bathroom, how can we do this?

Kerbyson: is fee waived or not?

J Stock: for 15 years I waived the fee, I was called on the carpet and told to begin charging.

D Henning: there is a good argument for multiple use and charges.

Bostick-Tullius: **left at 3:05 p.m.**

Kerbyson: you communicated that you charge everyone, what have you charged, who have you charged, what have you done?

J Stock: no one this year; have had weddings, walk-for-warmth; lupus walk.

Kerbyson: any others; Farmers Market designed to benefit downtown; **DDA helped build bathroom, remodeling.**

Schneider: \$20,000 comes out of coffers to DDA, and so they should pay a fee.

D Henning: have Wednesday and Saturday, what about Monday.

Becker: tried on Mondays, but was not very successful.

D Henning: what about burned building downtown and use of area.

General discussion of proximity to downtown area, walking distance, keeping everything in one area.

Kerbyson: look at map of area and use.

There being no further discussion, workshop adjourned at 3:18 p.m.

**LAPEER CITY COMMISSION
MINUTES OF A WORKSHOP MEETING
JANUARY 14, 2016**

A workshop meeting of the Lapeer City Commission was held January 14, 2016 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 2:06 p.m.

ROLL CALL

Present: Mayor Pro-Tem Marquardt.
Commissioners Atwood, Bostick-Tullius, Gates.
City Manager, Dale Kerbyson
Absent: Commissioner Bennett.

Also Present: City Clerk Donna Cronce, DDA Director James Alt, Farmers Market Director Denise Becker, Lapeer County Commissioners Lenny Schneider, Dave Eady, and Dyle Henning, Lapeer County Administrator John Biscoe, and Lapeer County Supervisor of Operations Joe Stock.

WORKSHOP

Farmers Market Discussion.

Discussion held on use of Court House lawn area by Farmers Market; vendors, events planned, expectation of growth; damage of grass by use; landscape plan for area; status of Farmers Market; fees charged; map and plan for area use by vendors. Workshop adjourned at 3:18 p.m.

Deborah G. Marquardt, Mayor Pro-Tem

Donna L. Cronce, City Clerk

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
JANUARY 19, 2016**

A regular meeting of the Lapeer City Commission was held January 19, 2016 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

ROLL CALL

Present: Mayor Sprague.
Commissioners Atwood, Bennett, Bostick-Tullius, Gates and Marquardt.
City Manager, Dale Kerbyson
City Attorney, Michael Nolan.
Absent: None.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

8 2016 01-19

Moved by Gates. Seconded by Bostick-Tullius.
Approve the Agenda for January 19, 2016 as presented.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

MINUTES

9 2016 01-19

Moved by Bennett. Seconded by Gates.
Approve the minutes from a Special meeting held December 29, 2015, Regular meeting held January 4, 2016 and Workshop meeting held January 11, 2016.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

PUBLIC COMMENTS

Jenny Burkhardt, Wilder Road, gave invocation.

CONSENT AGENDA

10 2016 01-19

Moved by Bostick-Tullius. Seconded by Marquardt.
Approve the Consent Agenda for January 19, 2016, resulting in the following:
1. Fixed Asset Disposal as presented.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

BILL LISTING FOR JANUARY 19, 2016

11 2016 01-19

Moved by Gates. Seconded by Marquardt.
Approve the Bill Listing for January 19, 2016 in the amount of \$985,935.60.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

None.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

Mid Valley Transportation LLC.

12 2016 01-19

Moved by Marquardt. Seconded by Gates.

Approve Mid Valley Transportation LLC for Taxi Cab License #2016-01-TAXI.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

CASH 4 ALL: Secondhand Dealer License and Pawnbrokers License.

13 2016 01-19

Mayor Sprague approved. Moved by Bennett. Seconded by Marquardt.

Approve a Secondhand Dealer License and Pawnbrokers License for CASH 4 ALL located at 773 East Street, Lapeer.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED

E. Oregon Street Reconstruction Project – Flint River East to City Limits.
Local Share Payment #7.

14 2016 01-19

Moved by Marquardt. Seconded by Gates.

Approve Local Share Payment Request #7 to the State of Michigan in the amount of \$19,354.19 for the Oregon Street Reconstruction Project.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED

M-24 Reconstruction Project – Pedestrian Tunnel & Water Main Improvements.
Local Share Payment #16.

15 2016 01-19

Moved by Bostick-Tullius. Seconded by Marquardt.

Approve Local Share Payment Request #16 to the State of Michigan in the amount of \$2,424.67 for the M-24 Reconstruction Project.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED

PA 269/SB 571.

16 2016 01-19

Moved by Bostick-Tullius. Seconded by Atwood.

Approve the City of Lapeer Resolution, Opposition To Public Act 269.

CITY OF LAPEER RESOLUTION Opposition to Public Act 269

WHEREAS, Governor Snyder signed into law, with immediate, effect Public Act 269 (Senate Bill 571) despite wide spread calls for a veto of this bill, including from members of his own party; and

WHEREAS, both the Michigan Senate and the Michigan House of Representatives passed Senate Bill 571 late into the night of December 16, 2015, just prior to recessing for the year; and

WHEREAS, one of the last minute amendments made to Senate Bill 571, without the knowledge of the Michigan Municipal League or other local government organization, and approved without any public testimony or awareness, was the new language inserted into Section 57, subsection (3); and

WHEREAS, this new law prohibits a public body, or a person acting for a public body, from using public funds or resources for the purpose of communicating any information to the electorate regarding a local ballot question that is to appear on the ballot, within 60 days of an election, and

WHEREAS, this law places an immediate gag order on entities with ballot questions on the March 8 ballot and every election thereafter; and

WHEREAS, municipal elected and appointed officials have a civic and legal duty to the residents of their communities to fully inform them regarding the issues placed before them, upon which they may exercise their constitutional right to vote; and

WHEREAS, existing laws, including the former language in Section 57, and decades of guidance from the Michigan Secretary of State, already prohibit the use of public funds to advocate for or against ballot issues; and

WHEREAS, existing laws already provided for an allowance for elected and appointed officials to express their views without fear of violating the act; and

WHEREAS, because the new law bans only communication on *local* ballot issues, it creates inconsistent treatment of statewide ballot questions versus local initiatives; and

WHEREAS, there are substantial questions regarding the constitutionality and legality of the new law, including a possible ban on freedom of speech;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Lapeer City Commission call for an immediate repeal of the new language in Section 57, subsection (3) of PA 269 of 2016; and

NOW, THEREFORE, BE IT FINALLY RESOLVED, that a copy of this Resolution be forwarded to representatives in the Michigan House of Representatives and the Michigan Senate.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

CITY MANAGER'S REPORT

City Manager Dale Kerbyson informed that the Goals and Objectives document would be presented at the February 1st meeting; marketing presentation to be provided February 15th at 5:30 p.m.; Kroger re-grand opening on January 27th at 9:00 a.m.; requested an Executive Session regarding real estate.

CITY ATTORNEY'S REPORT

City Attorney Michael Nolan commented on a request for an Executive Session.

UNFINISHED BUSINESS

None.

DEPARTMENTAL COMMUNICATIONS

Monthly Departmental Reports received into record.

PUBLIC COMMENTS

Chris Duco, Don Wayne Drive, spoke on the DTE project.

MAYOR/COMMISSIONER COMMENTS

Commissioner Atwood: Collecting bottled water as well as cash donations for Flint at 232 W. Nepeasing, will deliver it Monday to Flint.

Commissioner Bostick-Tullius: Attended Hamilton Clinic grand opening at Community Mental Health (CMH).

Commissioner Bennett: Thanked the lady for invocation; was not being disrespectful during the pledge by not standing, just was not able to stand at this time.

Commissioner Marquardt: Glad that Commissioner Atwood is collecting donations for water for Flint, will donate.

Mayor Sprague: New job and difficulty in attending openings; Hamilton Clinic is great for the City; Solar Array project is a legacy for our children and grandchildren; review audit booklets for next meeting.

Executive Session Request.

17 2016 01-19

Moved by Bennett. Seconded by Marquardt.

Approve an Executive Session to discuss real estate property.

ON A ROLL CALL VOTE.

AYES: Commissioners Bennett, Atwood, Gates, Bostick-Tullius, Marquardt.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

EXECUTIVE SESSION

The City Commission convened to an Executive Session to discuss real estate property at 6:53 p.m. and returned to its regular meeting at 7:14 p.m.

ADJOURNMENT

18 2016 01-19

Moved by Bennett.

Adjourn the regular meeting.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 7:15 p.m.

William J. Sprague, Mayor

Donna L. Crounce, City Clerk

Tracey S. Russell, Deputy City Clerk

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
FEBRUARY 1, 2016**

A regular meeting of the Lapeer City Commission was held February 1, 2016 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

ROLL CALL

Present: Mayor Sprague.
Commissioners Atwood, Bostick-Tullius, Gates and Marquardt.
City Manager Dale Kerbyson
City Attorney Michael Nolan.
Absent: Commissioner Bennett (excused).

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

19 2016 02-01

Moved by Marquardt. Seconded by Gates.

Approve the Agenda for February 1, 2016 with the addition of Item E.1. Proclamation In Recognition of Lois Edna Planck Keener.

Ayes: Atwood, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: Bennett.

MOTION CARRIED.

MINUTES

20 2016 02-01

Moved by Gates. Seconded by Atwood.

Approve the minutes from a Workshop meeting held January 14, 2016, Regular meeting held January 19, 2016 and Executive Session held January 19, 2016.

Ayes: Atwood, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: Bennett.

MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

PUBLIC COMMENTS

Dave Eady, Metamora, commented on running as a candidate for office of Sherriff.

Scott McKenna, commented on running as a candidate for office of Sherriff.

CONSENT AGENDA

21 2016 02-01

Moved by Bostick-Tullius. Seconded by Gates.

Approve the Consent Agenda for February 1, 2016, resulting in the following:

1. Special Event Request from Historic Farmers Market of Lapeer for Farmers Market, Wednesday's and Saturday's, May 7, 2016 through October 29, 2016, Nepessing Street and Farmers Market Pavilion.
2. Special Event Request from Lapeer Community Church and DDA for Easter Egg Hunt, March 19, 2016 with rain date of March 26, 2016, Farmers Market Pavilion.
3. Special Event Request from Lapeer County Bank & Trust for LCBT 15th Annual Ice Cream Social, June 17, 2016, Farmers Market Pavilion.

Ayes: Atwood, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: Bennett.

MOTION CARRIED.

BILL LISTING FOR FEBRUARY 1, 2016

22 2016 02-01

Moved by Marquardt. Seconded by Gates.

Approve the Bill Listing for February 1, 2016 in the amount of \$1,076,358.46.

Ayes: Atwood, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: Bennett.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

Proclamation In Recognition of Lois Edna Planck Keener.

23 2016 02-01

Moved by Marquardt. Seconded by Gates.

Approve the Proclamation In Recognition of Lois Edna Planck Keener.

CITY OF LAPEER

PROCLAMATION

In Recognition of Lois Edna Planck Keener

WHEREAS, Lois Edna Planck Keener was born on January 29, 1916 in Chicago, Illinois, to Edna and William Planck and had two sisters and one brother; and

WHEREAS, Lois Edna Planck Keener was married to the late Robert Keener and extended their family with 1 son and 3 daughters. Mrs. Planck Keener had various interests in history, dancing, traveling, sewing and as an artist in the social and civic life of her community; and

WHEREAS, Mrs. Planck Keener's family and friends wish to honor her on this occasion and to thank her for her caring, sharing spirit and for allowing them to be a part of her life and to learn from her example.

THEREFORE, BE IT RESOLVED that I, Mayor William J. Sprague and the Lapeer City Commission of the City of Lapeer extend a warm congratulation to Lois Edna Planck Keener in celebration of her 100th birthday.

Ayes: Atwood, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: Bennett.

MOTION CARRIED. PROCLAMATION DECLARED ADOPTED.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

Audit Presentation: Shannon VanderHaar, Layton & Richardson PC.

Shannon VanderHaar of Layton and Richardson reviewed the Audit Report and audit recommendations for the fiscal year ending June 30, 2015 and overall the City had a clean audit.

24 2016 02-01

Moved by Bostick-Tullius. Seconded by Marquardt.

Approve the Audit Report and accept the Audit Recommendations for Year Ending June 30, 2015 as presented by Layton and Richardson PC.

Ayes: Atwood, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: Bennett.

MOTION CARRIED.

Charitable Gaming License Request: Lapeer Regional Medical Center Foundation.

25 2016 02-01

Moved by Gates. Seconded by Marquardt.

Approve the Local Governing Body Resolution For Charitable Gaming License for Lapeer Regional Medical Center Foundation.

Ayes: Atwood, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: Bennett.

MOTION CARRIED.

Taxi Cab License: Bee Right There Taxi LLC.

26 2016 02-01

Moved by Gates. Seconded by Atwood.

Approve Bee Right There Taxi LLC for Taxi Cab License #2016-02-TAXI.

Ayes: Atwood, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: Bennett.

MOTION CARRIED.

CITY MANAGER'S REPORT

Goals & Objectives 2016-2020.

27 2016 02-01

Moved by Marquardt. Seconded by Atwood.

Approve the Resolution Adopting Goals & Objectives 7/1/16 through 6/30/2020.

RESOLUTION

ADOPTING GOALS & OBJECTIVES 7/1/16 THROUGH 6/30/2020.

WHEREAS, the future prosperity of the City of Lapeer is dependent upon rational, purposeful and foresighted leadership; and

WHEREAS, the City of Lapeer is committed to the allocation of resources to the fundamental needs of the City while continuing to pursue higher level needs such as cultural enhancements and assets that contribute to the quality of life of the City and greater Lapeer community; and

WHEREAS, such leadership requires identification, review and prioritization of the City needs so that appropriate resources and activities are devoted toward the fulfillment of said needs; and

WHEREAS, the establishment of goals and objectives promotes unity of purpose between the City Commission and the staff.

NOW, THEREFORE, BE IT RESOLVED THAT: The City Commission adopts the following Goals and Objectives for FY 2016-2020, Mission Statement and Vision Statements and Guiding Principles.

Ayes: Atwood, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: Bennett.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

City Manager Dale Kerbyson indicated a marketing presentation will be provided February 15th at 5:30 just prior to the next Commission meeting. Mayor Sprague commented that for any quotes received, measuring of results and return compensation if results not met.

CITY ATTORNEY'S REPORT

No report.

UNFINISHED BUSINESS

None.

DEPARTMENTAL COMMUNICATIONS

None.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Atwood: Thank you for donation of money or water for Flint, able to purchase 194 gallon jugs and 186 cases of water, Lapeer really stepped up, continue to pray for wisdom, knowledge, and leadership in spending funds where needed.

Commissioner Bostick-Tullius: Attended MML Board meeting, lawsuits filed over PA 269, ad-hoc committee created on heels of Flint water issue regarding municipal finance.

Commissioner Gates: Thank everyone for coming; thank you for years of service to city within police department.

Commissioner Marquardt: Attended Kroger grand re-opening; attended Lois Keener's 100th birthday celebration; thank you to Commissioner Atwood and team for water donation to Flint.

City Manager Dale Kerbyson: Spent time downtown Saturday evening which was busy with a lot of entertainment and activity.

Mayor Sprague: MC for Lapeer Citizen of Year Award, congratulations to Lauraine Ferris and Wayne Jacobs; upcoming meetings and events; Lake Inn remodeling.

ADJOURNMENT

28 2016 02-01

Moved by Bostick-tullius.

Adjourn the regular meeting.

Ayes: Atwood, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: Bennett.

MOTION CARRIED.

The regular meeting adjourned at 7:00 p.m.

William J. Sprague, Mayor

Donna L. Cronce, City Clerk

Tracey S. Russell, Deputy City Clerk

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
FEBRUARY 15, 2016**

A regular meeting of the Lapeer City Commission was held February 15, 2016 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:31 p.m.

ROLL CALL

Present: Mayor Sprague.

Commissioners Atwood, Bennett, Bostick-Tullius, Gates and Marquardt.

Absent: None.

Acting City Manager: Police Chief Todd Alexander; present.

City Attorney: Michael Nolan; present.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

29 2016 02-15

Moved by Bostick-Tullius. Seconded by Gates.

Approve the Agenda for February 15, 2016 as presented.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

MINUTES

30 2016 02-15

Moved by Gates. Seconded by Atwood.

Approve the minutes from a Regular meeting held February 1, 2016 as presented.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

PUBLIC COMMENTS

Janet Adams, Baldwin, gave invocation.

CONSENT AGENDA

31 2016 02-15

Moved by Gates. Seconded by Bostick-Tullius.

Approve the Consent Agenda for February 15, 2016, resulting in the following:

1. Special Event Request from Stone Soup Pantry, Hunger Awareness Week, May 6 & 7, 2016, 9:00 a.m. – 4:00 p.m., various intersections.
2. Special Event Request from Pregnancy Resource Center, 5K Run/Walk/Bike, August 13, 2016, 7:30 a.m. – 3:00 p.m., Rowden Park.
3. Special Event Request from Michigan Lupus Foundation, Timberly Ranshaw Memorial Walk, May 22, 2016, 8:00 a.m. – 4:00 p.m., Rowden Park.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

BILL LISTING FOR FEBRUARY 15, 2016

32 2016 02-15

Moved by Marquardt. Seconded by Gates.

Approve the Bill Listing for February 15, 2016 in the amount of \$1,055,985.89.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.
Absent: None.
MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

None.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

Use It Again Tools: Secondhand Dealer License.

33 2016 02-15

Mayor Sprague Approved. Supported by Gates. Seconded by Atwood.
Approve Secondhand Dealer License for Candice Kedzierski, Use It Again Tools located at 462 W. Genesee Street, Lapeer, contingent upon receipt of required fees and surety bond.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

CITY MANAGER'S REPORT

No report.

CITY ATTORNEY'S REPORT

No report.

UNFINISHED BUSINESS

None.

DEPARTMENTAL COMMUNICATIONS

The Monthly Departmental Reports, the Investment Report for the Quarter Ending December 31, 2015, and the Monthly Financial Report for December 2015 received into record as presented.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Marquardt: Center Building fund raiser February 18th, funds to go towards improvements to the Center Building.

Commissioner Atwood: Spoke at Optimist meeting; Buxton company data would work on relationships with businesses and resident needs.

Commissioner Bennett: Thanked person for invocation; thanked everyone for prayers.

Mayor Sprague: Announced upcoming community events; State contemplating privatizing of mental health care, request motion for a resolution in opposition.

34 2016 02-15

Moved by Bostick-Tullius. Seconded by Gates.

Approve to provide a resolution in opposition of privatizing mental health care.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

ADJOURNMENT

35 2016 02-15

Moved by Bennett.

Adjourn the regular meeting.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 6:43 p.m.

William J. Sprague, Mayor

Donna L. Cronce, City Clerk

Tracey S. Russell, Deputy City Clerk

**LAPEER CITY COMMISSION
MINUTES OF A WORKSHOP MEETING
FEBRUARY 15, 2016**

A workshop meeting of the Lapeer City Commission was held February 15, 2016 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 5:34 p.m.

ROLL CALL

Present: Mayor Sprague.
Commissioners Atwood, Bostick-Tullius, Gates and Marquardt.
Absent: Commissioner Bennett (excused).

Additional: Police Chief Todd Alexander Acting City Manager.

Mayor Sprague opened the meeting at 5:34 p.m.

WORKSHOP

Buxton – Marketing Presentation.

Buxton representative Dennis Maher provided a presentation regarding marketing of the City; use of analytics and demographics to understand wants/needs of community; goal is to work with the City of Lapeer to boost and retain businesses, manage and keep dollars locally. Discussion followed: gathering of data, review data to determine best fit for a variety of retailers/restaurants/entrepreneurs; 3 year partnership, \$50,000 per year, ability to opt out at a 5% penalty provide 60 day notice; company willing to provide information from current clients, case studies of success. Workshop adjourned at 6:31 p.m.

William J. Sprague, Mayor

Donna L. Cronce, City Clerk

Tracey S. Russell, Deputy City Clerk

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
MARCH 7, 2016**

A regular meeting of the Lapeer City Commission was held March 7, 2016 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:31 p.m.

ROLL CALL

Present: Mayor Sprague.
Commissioners Atwood, Bennett, Bostick-Tullius, Gates and Marquardt.
Absent: None.

City Manager: Dale Kerbyson, present.
City Attorney: Michael Nolan, present.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

By General Consensus, Agenda for March 7, 2016 was approved.

MINUTES

36 2016 03-07

Moved by Bostick-Tullius. Seconded by Gates.

Approve the minutes from the Workshop meeting held February 15, 2016 and Regular meeting held February 15, 2016 as presented.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

PUBLIC COMMENTS

None.

CONSENT AGENDA

37 2016 03-07

Moved by Gates. Seconded by Marquardt.

Approve the Consent Agenda for March 7, 2016, resulting in the following:

1. Special Event Request from American Cancer Society, Relay For Life Glow Dash, April 29, 2016, 5:00 p.m. to 9:00 p.m., Prairie and Ponds, contingent upon receipt of required insurance.
2. Participation in the Household Hazardous Waste Collections with Lapeer County and Michigan State University Extension at a cost of \$990.00 from Community Promotions line item 101-101-880000.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

BILL LISTING FOR MARCH 7, 2016

38 2016 03-07

Moved by Bostick-Tullius. Seconded by Atwood.

Approve the Bill Listing for March 7, 2016 in the amount of \$2,006,750.86.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

None.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

Chapter 7 (Zoning Ordinance) Amendment: Introduction

Commissioner Marquardt introduced the proposed amendment to Chapter 7 (Zoning Ordinance), Article 7.02.02 (a) (8) to the General Ordinances of the City of Lapeer.

THE CITY OF LAPEER ORDAINS:

ARTICLE 7.02 MAPPED DISTRICTS

7.02.02 District Boundaries

(a) Zoning District Amendments

- (8) The following property formerly zoned R-2 Single Family Residential is hereby rezoned to B-2 General Business based on a conditional rezoning of the following parcel located on the north side of DeMille Boulevard and west of Farmer's Creek from R-2 Single Family Residential to B-2 General Business:

L20-93-502-040-00 zoned R-2, 11+/- acres W. of Farmer's Creek.

The condition being that the use of the property as zoned would be limited to the use classification of "Publicly owned buildings; public utility buildings; telephone exchange buildings; electrical transformer stations and substations; gas regulator stations with service yards, but without storage yards; water and sewage pumping stations".

CITY MANAGER'S REPORT

Privatization of Mental Health Services: Resolution to Oppose.

39 2016 03-07

Moved by Bostick-Tullius. Seconded by Gates.

Approve the Resolution To Oppose Section 298 Of The Executive Budget Proposal For Fiscal Year 2017.

RESOLUTION TO OPPOSE SECTION 298 OF THE EXECUTIVE BUDGET PROPOSAL FOR FISCAL YEAR 2017

WHEREAS, Lapeer County Community Mental Health has served for more than 45 years as the public mental health and developmental disabilities services provider for this community, directly serving nearly 1,600 residents of Lapeer County each year; and, through collaboration with other local organizations has provided benefits to the entire county; and,

WHEREAS, Lapeer County Community Mental Health was created by the Lapeer County Boards of Commissioners as duly authorized under 330.1205 of the Michigan Mental Health Code; and,

WHEREAS, Lapeer County Community Mental Health and 3 other community mental health service programs representing 4 counties created a regional entity to manage Medicaid specialty services as duly authorized under 330.1204b of the Michigan Mental Health Code; and,

WHEREAS, Lapeer County Community Mental Health includes persons and family members of persons receiving mental health and disability services on the Board of Directors as required under 330.1222 of the Michigan Mental Health Code; and,

WHEREAS, Lapeer County Community Mental Health and 3 other community mental health service programs representing 4 counties have required representation from local communities and persons and/or family members of persons receiving mental health and disability services be included on the regional entity Board of Directors managing Medicaid specialty services; and,

WHEREAS, Section 298 of the Executive Budget recommendation for 2017 effectively nullifies the duly authorized actions taken by Lapeer County Community Mental Health and the 3 other community mental health service programs to create a regional entity under section 330.204b of the Michigan Mental Health Code; and,

WHEREAS, Section 298 of the Executive Budget recommendation for 2017 transfers all Medicaid and Healthy Michigan funding for specialty services to private entities with no accountability to the Lapeer County Board of Commissioners; and,

WHEREAS, Section 298 of the Executive Budget recommendation for 2017 transfers all Medicaid and Healthy Michigan funding for specialty services to private entities with no accountability to persons and/or family members of persons receiving mental health and disability services from Lapeer County Community Mental Health; and,

WHEREAS, Section 298 of the Executive Budget recommendation for 2017 will result in the elimination of specialty mental health services that are accountable to the communities of persons residing in Lapeer County.

THEREFORE BE IT RESOLVED, that I, Mayor William J. Sprague and the Lapeer City Commission opposes Section 298 of the Executive Budget recommendation for 2017 and encourages the Governor, State Senate, and State House of Representatives to prevent it from becoming law.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

City Manager Dale Kerbyson commented on Legislative Affair Conference.

CITY ATTORNEY'S REPORT

Chapter 28 (Cable Television Regulation and Regulatory Board): Introduction

Commissioner Gates introduced the proposed amendment to Chapter 28 (Cable Television Regulation and Regulatory Board Ordinance) of the General Ordinances of the City of Lapeer.

CHAPTER 28 Cable Television Regulation and Regulatory Board

Preamble: The enactment of the Telecommunications Act of 1996 effectively removed local jurisdictional control regarding cable communications system (CATV) franchises and placed it under the Federal Communication Commission (FCC). Under this legislation, Chapter 28 (Community Antenna Television Franchise Regulatory Ordinance) was virtually rendered moot and the City's Cable Advisory Board obsolete. As a result of the present reality under both State and Federal legislation which preempts the essential function of the City's Cable Advisory Board, the City of Lapeer, by and through its duly elected Commission, adopts the following:

28.01 REPEALED AND RENAMED.

By adoption and enactment of this Ordinance, Chapter 28 of the City of Lapeer's General Ordinances, entitled "Community Antenna Television Franchise Regulatory

Ordinance” is repealed in its entirety and renamed Cable Television Regulation and Regulatory Board.

28.02 SHORT TITLE.

This Ordinance shall be known as the Cable Television Regulation and Regulatory Board.

28.03 PURPOSE.

The purpose of this Ordinance is to preserve a means and mechanism by which the City may continue to fulfill its responsibilities concomitant with receipt of cable television franchise fees and provide a mechanism of continued control over local access programming, which may include the appointment of a Board to regulate and administer local cable and communication franchisee’s in the future as law may allow.

28.04 REGULATORY AUTHORITY.

The City may exercise appropriate regulatory authority, financial oversight of cable television franchise fees, and be the depository of cable television franchise fees under the provisions of this chapter and applicable law, as may be appropriate and advisable. This authority may be manifested in one of two ways under the terms and provisions of this ordinance.

- A. The Commission may, by resolution, establish and appoint a five-member Cable Television Regulation and Regulatory Board which shall be advisory in nature and which shall make recommendations to the Commission on matters pertaining to the enforcement of this chapter and on such other matters, including authority to take such actions and make such decisions with respect to preservation, maintenance and restoration of community access equipment and the selection and oversight of content, as well as the administration of such duties and powers, including those related to such duties and to have such powers as this chapter and the Commission may determine; or
- B. Through the office of the City Manager, who in the absence of an authorizing resolution of the Commission appointing a Cable Television Regulation and Regulatory Board, shall have the full authority to take such actions and make such decisions with respect to preservation, maintenance and restoration of community access equipment and the selection and oversight of content, as well as the administration of such duties and powers, including those relating to such duties and to have such powers as this chapter and the Commission may determine.

Summary to be used for publication purposes.

City Attorney Michael Nolan provided an update on Pines of Lapeer resolution.

UNFINISHED BUSINESS

None.

DEPARTMENTAL COMMUNICATIONS

The Downtown Development Authority (DDA) Annual Financial Report and Monthly Financial Report for January 2016 were received into record.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Executive Session Request: City Manager Evaluation.

40 2016 03-07

Moved by Marquardt. Seconded by Gates.

Approve an Executive Session at the end of the Regular meeting for the purpose of discussing the City Manager Evaluation.

ON A ROLL CALL VOTE:

AYES: Commissioners Atwood, Bennett, Marquardt, Gates, Bostick-Tullius.

NAYS: None.

ABSTAIN: None.

ABSENT: None.

MOTION CARRIED.

Commissioner Atwood: Would have been nice to see candidates running for State Representative at tonight's meeting.

Commissioner Bennett: Thank you for patience; still on crutches and will require aid over the next two months, read where President Roosevelt ran country in a wheelchair, feels he can stay on the board.

Commissioner Bostick-Tullius: Clarified she is viewing agenda on her phone and is not being rude.

Commissioner Gates: Thank You Commissioner Atwood for assistance when she was stuck in the snowstorm.

Dale Kerbyson: Driving around town, City looks great, weather has been handled well.

Mayor Sprague: DPW great job during snowstorms as well as police and fire operations; encourage everyone to get out and vote.

EXECUTIVE SESSION.

The Lapeer City Commission convened to an executive session at 6:42 p.m. for the purpose of discussing the City Manager Evaluation and returned to its regular meeting at 8:03 p.m.

41 2016 03-07

Moved by Bennett. Seconded by Gates.

Approve the City Manager salary at an annual rate of \$115,000.00 retroactive to January 1, 2016, extend contract term to December 31, 2017, authorize the City Attorney to prepare the Sixth Addendum to employment contract, and authorize the Mayor to execute said Sixth Addendum to employment contract.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

ADJOURNMENT

42 2016 03-07

Moved by Bennett.

Adjourn the regular meeting.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 8:04 p.m.

William J. Sprague, Mayor

Donna L. Cronce, City Clerk

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
MARCH 21, 2016**

A regular meeting of the Lapeer City Commission was held March 21, 2016 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

ROLL CALL

Present: Mayor Sprague.
Commissioners Atwood, Bennett, Bostick-Tullius, and Marquardt.
Absent: Commissioner Gates (Excused).

City Manager: Dale Kerbyson, present.
City Attorney: Michael Nolan, present.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

43 2016 03-21

Moved by Marquardt. Seconded by Bennett.
Approve the Agenda for March 21, 2016 as presented.
Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt.
Nays: None.
Absent: Gates.
MOTION CARRIED.

MINUTES

44 2016 03-21

Moved by Bennett. Seconded by Bostick-Tullius.
Approve the minutes from the Regular meeting held March 7, 2016 and Executive Session held March 7, 2016 as presented.
Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt.
Nays: None.
Absent: Gates.
MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

PUBLIC COMMENTS

Janet Adams, Baldwin, gave invocation.

CONSENT AGENDA

45 2016 03-21

Moved by Bostick-Tullius. Seconded by Atwood.
Approve the Consent Agenda for March 21, 2016, resulting in the following:

1. Special Event Request from Bishop Kelley School, Annual 21st Walk-A-Thon, April 29, 2016, begin at Bishop Kelley School with use of various sidewalks ending at Crampton Park.
2. Special Event Request from DDA/Center for the Arts of Greater Lapeer, Art on Nepessing Street, June 3 and June 4, 2016, to include street closures.
3. Special Event Request from Center of the Arts of Greater Lapeer, Vintage Baseball Game and picnic, Rowden Park, June 25, 2016.
4. Fixed Asset Disposal as presented.

Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt.
Nays: None.
Absent: Gates.
MOTION CARRIED.

BILL LISTING FOR MARCH 21, 2016

46 2016 03-21

Moved by Marquardt. Seconded by Atwood.
Approve the Bill Listing for March 21, 2016 in the amount of \$822,997.16.
Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt.
Nays: None.
Absent: Gates.
MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS
Resolution for Stanley E. Savage.

47 2016 03-21

Moved by Bostick-Tullius. Seconded by Marquardt.
Approve the Resolution In Recognition of Stanley E. Savage.
Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt.
Nays: None.
Absent: Gates.
MOTION CARRIED.

PUBLIC HEARINGS
None.

ADMINISTRATIVE REPORTS

Chapter 7 (Zoning Ordinance) Amendment: Introduction

48 2016 03-21

Moved by Marquardt. Seconded by Bostick-Tullius.
Approve the amendment to Chapter 7 (Zoning Ordinance), Article 7.02.02 (a) (8) to the General Ordinances of the City of Lapeer.

THE CITY OF LAPEER ORDAINS:

ARTICLE 7.02 MAPPED DISTRICTS

7.02.02 District Boundaries

(a) Zoning District Amendments

- (8) The following property formerly zoned R-2 Single Family Residential is hereby rezoned to B-2 General Business based on a conditional rezoning of the following parcel located on the north side of DeMille Boulevard and west of Farmer's Creek from R-2 Single Family Residential to B-2 General Business:

L20-93-502-040-00 zoned R-2, 11+/- acres W. of Farmer's Creek.

The condition being that the use of the property as zoned would be limited to the use classification of "Publicly owned buildings; public utility buildings; telephone exchange buildings; electrical transformer stations and substations; gas regulator stations with service yards, but without storage yards; water and sewage pumping stations".

ON A ROLL CALL VOTE:

AYES: Commissioners Bennett, Atwood, Marquardt, Bostick-Tullius.
NAYS: None.
ABSENT: Commissioner Gates.
ABSTAIN: None.
MOTION CARRIED. AMENDMENT TO CHAPTER 7 ADOPTED.

Annual Fair Housing Resolution – Housing Improvement Department.

49 2016 03-21

Moved by Bostick-Tullius. Seconded by Marquardt.

Approve the Resolution, Fair Housing Policy.

RESOLUTION TO APPROVE
CITY OF LAPEER
FAIR HOUSING POLICY

WHEREAS, under the Federal Fair Housing Law, Title VIII of the Civil Rights Act of 1968, it is illegal to deny housing to any person because of race, color, religion, gender, physical or mental disabilities or national origin; and,

WHEREAS, under the Michigan Elliott-Larsen Civil Rights Act, PA 453 of 1976, as amended, it is illegal to deny the opportunity to obtain housing to any person because of religion, race, color, national origin, age, sex, height, weight, familial status, or marital status;

NOW THEREFORE, BE IT RESOLVED:

LET IT BE KNOWN TO ALL PERSONS that it is the policy of the City of Lapeer to implement programs to ensure equal opportunity in housing for all persons regardless of religion, race, color, national origin, age, sex, height, weight, familial status, or marital status; and

BE IT FURTHER RESOLVED, that the City of Lapeer shall not discriminate in the sale, rental, leasing, or financing of housing because of religion, race, color, gender, physical or mental disabilities, national origin, age, height, weight, familial status, or marital status; and

BE IT FURTHER RESOLVED, that the City of Lapeer will assist all persons who feel they have been discriminated against because of religion, race, color, gender, physical or mental disabilities, national origin, age, height, weight, familial status or marital status to seek equity under federal and state laws by providing information to said persons on how to file a complaint with the Michigan Department of Civil Rights; and

BE IT FURTHER RESOLVED, that the City of Lapeer will at a minimum post this policy or the Fair Housing poster or other posters, flyers or other information which will bring to the attention of owners of real estate, developers and builders their respective responsibilities and rights under the Federal Fair Housing Law and Michigan Elliott Larsen Act; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect as of March 21st, 2016.

Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt.

Nays: None.

Absent: Gates.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

CITY MANAGER'S REPORT

City Manager Dale Kerbyson informed that excavation will be completed on the riverbank behind the Lapeer County Bank & Trust area.

CITY ATTORNEY'S REPORT

Chapter 28 (Cable Television Regulation and Regulatory Board): Introduction

50 2016 03-21

Moved by Bostick-Tullius. Seconded by Marquardt.

Approve the amendment to Chapter 28 (Cable Television Regulation and Regulatory Board Ordinance) to the General Ordinances of the City of Lapeer.

**CHAPTER 28
Cable Television Regulation and Regulatory Board**

Preamble: The enactment of the Telecommunications Act of 1996 effectively removed local jurisdictional control regarding cable communications system (CATV) franchises and placed it under the Federal Communication Commission (FCC). Under this legislation, Chapter 28 (Community Antenna Television Franchise Regulatory Ordinance) was virtually rendered moot and the City's Cable Advisory Board obsolete. As a result of the present reality under both State and Federal legislation which preempts the essential function of the City's Cable Advisory Board, the City of Lapeer, by and through its duly elected Commission, adopts the following:

28.01 REPEALED AND RENAMED.

By adoption and enactment of this Ordinance, Chapter 28 of the City of Lapeer's General Ordinances, entitled "Community Antenna Television Franchise Regulatory Ordinance" is repealed in its entirety and renamed Cable Television Regulation and Regulatory Board.

28.02 SHORT TITLE.

This Ordinance shall be known as the Cable Television Regulation and Regulatory Board.

28.03 PURPOSE.

The purpose of this Ordinance is to preserve a means and mechanism by which the City may continue to fulfill its responsibilities concomitant with receipt of cable television franchise fees and provide a mechanism of continued control over local access programming, which may include the appointment of a Board to regulate and administer local cable and communication franchisee's in the future as law may allow.

28.04 REGULATORY AUTHORITY.

The City may exercise appropriate regulatory authority, financial oversight of cable television franchise fees, and be the depository of cable television franchise fees under the provisions of this chapter and applicable law, as may be appropriate and advisable. This authority may be manifested in one of two ways under the terms and provisions of this ordinance.

- A. The Commission may, by resolution, establish and appoint a five-member Cable Television Regulation and Regulatory Board which shall be advisory in nature and which shall make recommendations to the Commission on matters pertaining to the enforcement of this chapter and on such other matters, including authority to take such actions and make such decisions with respect to preservation, maintenance and restoration of community access equipment and the selection and oversight of content, as well as the administration of such duties and powers, including those related to such duties and to have such powers as this chapter and the Commission may determine; or
- B. Through the office of the City Manager, who in the absence of an authorizing resolution of the Commission appointing a Cable Television Regulation and Regulatory Board, shall have the full authority to take such actions and make such decisions with respect to preservation, maintenance and restoration of community access equipment and the selection and oversight of content, as well as the administration of such duties and powers, including those relating to such duties and to have such powers as this chapter and the Commission may determine.

Summary to be used for publication purposes.

ON A ROLL CALL VOTE:

AYES: Commissioners Marquardt, Bostick-Tullius, Atwood, Bennett.

NAYS: None.

ABSENT: Commissioner Gates.

ABSTAIN: None.

MOTION CARRIED. AMENDMENT TO CHAPTER 28 ADOPTED.

City Attorney Michael Nolan commented that Pines of Lapeer lawsuit has been resolved.

UNFINISHED BUSINESS

51 2016 03-21

Appointed by Mayor Sprague. Moved by Marquardt. Seconded by Bostick-Tullius.
To appoint Dana Jansen to Cemetery Board, term ending 04-01-21.

Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt.

Nays: None.

Absent: Gates.

MOTION CARRIED.

52 2016 03-21

Appointed by Mayor Sprague. Moved by Bostick-Tullius. Seconded by Atwood.
To appoint the following:

Linda Ambrose Park Board, term ending 04-01-19.

Deborah Marquardt Park Board, term ending 04-01-19.

Dianne Nordberg Park Board, term ending 04-01-19.

Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt.

Nays: None.

Absent: Gates.

MOTION CARRIED.

53 2016 03-21

Moved by Bennett. Seconded by Attwood.

To appoint Todd Alexander and Terry Kluge to Prison Liaison Committee, term ending 04-01-19.

Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt.

Nays: None.

Absent: Gates.

MOTION CARRIED.

54 2016 03-21

Moved by Bostick-Tullius. Seconded by Marquardt.

To appoint Wesley Butterfield and Paul Parsch to Zoning Board of Appeals, term ending 04-01-19.

Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt.

Nays: None.

Absent: Gates.

MOTION CARRIED.

55 2016 03-21

Moved by Marquardt. Seconded by Bennett.

To appoint the following:

Michael Stuart Zoning Board of Appeals – Alternate, term ending 04-01-19.

Jeff Hogan Zoning Board of Appeals – Alternate, term ending 04-01-18.

Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt.

Nays: None.

Absent: Gates.

MOTION CARRIED.

DEPARTMENTAL COMMUNICATIONS

The Departmental Monthly Reports were received into record.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Atwood: Will be hosting “Coffee with a Commish”, monthly at 7:00 p.m. at St. Matthews Church Conference Room beginning March 28, 2016, invited any commissioner to attend, Commissioner Marquardt indicated she would attend.

Commissioner Bennett: Thank you to lady for prayer.

Commissioner Bostick-Tullius: Attended the Marshall's grand opening, also shopped at Michael's on Sunday, MC Sports was also busy on Sunday, attended Community Mental Health (CMH) satellite office grand opening in Imlay City, CMH plans to open another satellite office in North Branch, this is great for the community; will be attending MML Capital Conference Tuesday/Wednesday.

Commissioner Marquardt: Will be attending the MML Capital Conference Tuesday/Wednesday; exciting events planned by DDA/Center for the Arts; attended the Marshall's grand opening, missed Michaels opening but understands they will have specials all week.

Dale Kerbyson: Center for the Arts flyer, Marguerite deAngeli Library will display art found in storage; condemned store front being used as a rental and moving forward to resolve this issue.

Mayor Sprague: Proud that the City received the 2015 Tree City USA Award; attended Guns & Hoses Saturday; started new job just before Christmas and cannot get away to attend local events and appreciates everyone else attending and speaking on behalf of the City.

ADJOURNMENT

56 2016 03-21

Moved by Bennett.

Adjourn the regular meeting.

Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt.

Nays: None.

Absent: Gates.

MOTION CARRIED.

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

William J. Sprague, Mayor

Donna L. Cronce, City Clerk

Tracey S. Russell, Deputy City Clerk

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
APRIL 4, 2016**

A regular meeting of the Lapeer City Commission was held April 4, 2016 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

ROLL CALL

Present: Mayor Sprague.
Commissioners Atwood, Bennett, Gates and Marquardt.
Absent: Commissioner Bostick-Tullius (Excused).

City Manager: Dale Kerbyson, present.
City Attorney Representative: Aleks Bomis, present.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

57 2016 04-04

Moved by Bennett. Seconded by Gates.
Approve the Agenda for April 4, 2016 as presented.
Ayes: Atwood, Bennett, Gates, Marquardt.
Nays: None.
Absent: Bostick-Tullius.
MOTION CARRIED.

MINUTES

58 2016 04-04

Moved by Marquardt. Seconded by Bennett.
Approve the minutes from the Regular meeting held March 21, 2016 as presented.
Ayes: Atwood, Bennett, Gates, Marquardt.
Nays: None.
Absent: Bostick-Tullius.
MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

PUBLIC COMMENTS

None

CONSENT AGENDA

59 2016 04-04

Moved by Gates. Seconded by Atwood.
Approve the Consent Agenda for April 4, 2016, resulting in the following:

1. Special Event Request from Families Against Narcotics, Run Drugs Out of Town, August 21, 2016, Rowden Park.
2. Special Event Request from Flint River Watershed Coalition, River Cleanup, April 30, 2016, Farmers Creek River, City Co-Sponsored event, contingent upon receipt of current insurance.
3. Special Event Request from Lapeer High School, Swing Out, June 9, 2016, Nepessing Street, contingent upon receipt of current insurance.

Ayes: Atwood, Bennett, Gates, Marquardt.
Nays: None.
Absent: Bostick-Tullius.
MOTION CARRIED.

BILL LISTING FOR APRIL 4, 2016

60 2016 04-04

Moved by Marquardt. Seconded by Gates.
Approve the Bill Listing for April 4, 2016 in the amount of \$956,492.45.
Ayes: Atwood, Bennett, Gates, Marquardt.

Nays: None.
Absent: Bostick-Tullius.
MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

Arbor Day Proclamation

61 2016 04-04

Moved by Gates. Seconded by Atwood.
Approve the Arbor Day Proclamation.

CITY OF LAPEER ARBOR DAY PROCLAMATION

WHEREAS, In 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, This holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, Trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, Trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, Trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, Trees, wherever they are planted, are a source of joy and spiritual renewal,

THEREFORE, BE IT RESOLVED that I, William J. Sprague, Mayor of the City of Lapeer and the Lapeer City Commission do hereby declare April 29, 2016 as Arbor Day in the City of Lapeer and urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Ayes: Atwood, Bennett, Gates, Marquardt.

Nays: None.

Absent: Bostick-Tullius.

MOTION CARRIED. PROCLAMATION DECLARED ADOPTED.

Lapeer County Center, Inc.: Charitable Gaming Request.

62 2016 04-04

Moved by Marquardt. Seconded by Gates.

Approve the Local Governing Body Resolution For Charitable Gaming Licenses for Lapeer County Center, Inc.

Local Governing Body Resolution For Charitable Gaming License (Required by MCL 432.103(K)(ii))

That the request from Lapeer County Center, Inc. of Lapeer, county of Lapeer, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses, be considered for approval.

Ayes: Atwood, Bennett, Gates, Marquardt.

Nays: None.

Absent: Bostick-Tullius.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

2016 Annual Spring Clean-up.

63 2016 04-04

Moved by Bennett. Seconded by Gates.

Approve the 2016 Spring Clean-Up Agreement with Rick Rhein Disposal and authorize the City Manager and Director of Public Works to sign said Agreement.

Ayes: Atwood, Bennett, Gates, Marquardt.

Nays: None.

Absent: Bostick-Tullius.

MOTION CARRIED.

Downtown Outdoor Dining Area Right-of-Way Licenses.

64 2016 04-04

Moved by Bennett. Seconded by Gates.

Approve Downtown Outdoor Dining Area Right-of-Way Licenses for:

Blondie's Sweet Boutique/Dagwood's Deli – 193 W. Nepessing Street

Woodchips, LLC – 315 W. Nepessing Street

Pueblo Viejo Restaurant – 393 W. Nepessing Street

Fat Boy's Bar & Grill – 10 E. Nepessing Street

Tilted Axis Brewery – 303 W. Nepessing Street

and authorize the Mayor and City Manager to sign said Right-of-Way Licenses.

Ayes: Atwood, Bennett, Gates, Marquardt.

Nays: None.

Absent: Bostick-Tullius.

MOTION CARRIED.

M-24 Reconstruction Project – Pedestrian Tunnel & Water Main Improvements. Local Share Payment #17 and #18.

65 2016 04-04

Moved by Gates. Seconded by Marquardt.

Approve Local Share Payment Request #17 in the amount of \$128,497.14 and #18 in the amount of \$5,028.13 to the State of Michigan for the M-24 Reconstruction Project.

Ayes: Atwood, Bennett, Gates, Marquardt.

Nays: None.

Absent: Bostick-Tullius.

MOTION CARRIED.

Michigan Department of Transportation (MDOT): Local Bridge Program. Monroe Street Bridge and Genesee Street Bridge.

66 2016 04-04

Moved by Marquardt. Seconded by Gates.

Approve the Municipal Resolution For Preventative Maintenance To The Monroe Street Bridge Through The Michigan Department Of Transportation Local Bridge Program and Municipal Resolution For Preventative Maintenance To The Genesee Street Bridge Through The Michigan Department of Transportation Local Bridge Program.

CITY OF LAPEER
MUNICIPAL RESOLUTION FOR PREVENTATIVE
MAINTENANCE TO THE MONROE STREET BRIDGE
THROUGH THE MICHIGAN DEPARTMENT OF TRANSPORTATION
LOCAL BRIDGE PROGRAM

WHEREAS, the condition of the Monroe Street bridge has deteriorated to such an extent that preventative maintenance is necessary; and

WHEREAS, the budget of the City of Lapeer will not allow preventative maintenance of this bridge without additional funds from other sources;

NOW, THEREFORE, BE IT RESOLVED, that the City of Lapeer requests Michigan Department of Transportation Local Bridge Program Funding for preventative maintenance of the Monroe Street Bridge for MDOT's Fiscal Year 2018-2019.

CITY OF LAPEER
MUNICIPAL RESOLUTION FOR THE
REPLACEMENT OF THE GENESEE STREET BRIDGE
THROUGH THE MICHIGAN DEPARTMENT OF TRANSPORTATION
LOCAL BRIDGE PROGRAM

WHEREAS, the condition of the Genesee Street bridge has deteriorated to such an extent that corrective repairs are not considered feasible to restore the bridge to its original condition, therefore, replacement is necessary; and

WHEREAS, the budget of the City of Lapeer will not allow replacement of this bridge without additional funds from other sources;

NOW, THEREFORE, BE IT RESOLVED, that the City of Lapeer requests Michigan Department of Transportation Local Bridge Program Funding for replacement of the Genesee Street Bridge for MDOT's Fiscal Year 2018-2019.

Ayes: Atwood, Bennett, Gates, Marquardt.

Nays: None.

Absent: Bostick-Tullius.

MOTION CARRIED. RESOLUTIONS DECLARED ADOPTED.

Downtown Development Authority (DDA) Presentation: Geocaching.

DDA Executive Director James Alt provided a presentation on geocaching, currently in downtown area, takes you places where you may not have been before in your community or around the world, geocachers get together and organize things in the community such as clean-up of areas, goal is to preserve and educate.

CITY MANAGER'S REPORT

Executive Session Request: AFSCME Contract.

67 2016 04-04

Moved by Bennett. Seconded by Marquardt.

Approve an Executive Session Request at the end of the regular meeting for the purpose of discussing the AFSCME Union Contract.

ON A ROLL CALL VOTE:

AYES: Commissioners Marquardt, Atwood, Gates, Bennett.

NAYS: None.

ABSTAIN: None.

ABSENT: Commissioner Bostick-Tullius.

MOTION CARRIED.

City Manager Dale Kerbyson commented on contact with the County Jail for inmate cleanup along the highway and ramp area; Euchre fundraiser tournament at Gallery 194 April 15, 2016.

CITY ATTORNEY'S REPORT

None.

UNFINISHED BUSINESS

68 2016 04-04

Appointed by Mayor Sprague. Moved by Marquardt. Seconded by Bennett.

Appoint Patrick Hingst to the Downtown Development Authority, term ending 01-01-18.

Ayes: Atwood, Bennett, Gates, Marquardt.

Nays: None.

Absent: Bostick-Tullius.

MOTION CARRIED.

69 2016 04-04

Moved by Gates. Seconded by Bennett.

Appoint Jeff Hogan to the Zoning Board of Appeals, term ending 04-01-17.

Ayes: Atwood, Bennett, Gates, Marquardt.

Nays: None.

Absent: Bostick-Tullius.

MOTION CARRIED.

DEPARTMENTAL COMMUNICATIONS

The Monthly Financial Report for February 2016 was received into record.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Atwood: Attended MML Conference, informative; "Coffee with a Commish" went well, positive feedback, next session April 25 at 7:00 p.m. at St. Matthews Church.

Commissioner Bennett: Request Police Chief to place speed limit trailer on Lincoln Street during the month of May; attended MML Conference.

Commissioner Marquardt: Apologize for not able to attend last "Coffee with a Commish", family emergency; attended MML Conference, workshop on "Signs of the Times", informative.

Mayor Sprague: Chatfield School celebration of recognition as a "Michigan School to Watch"; glad Commissioner Marquardt attended sign workshop at MML Conference.

EXECUTIVE SESSION:

The City Commission convened to an Executive Session for the purpose of discussing the AFSCME Union Contract at 6:50 p.m. and returned to its regular session at 7:01 p.m.

70 2016 04-04

Moved by Gates. Seconded by Atwood.

Approve the AFSCME Union Contract, April 4, 2016 through June 30, 2019 as presented.

Ayes: Atwood, Bennett, Gates, Marquardt.

Nays: None.

Absent: Bostick-Tullius.

MOTION CARRIED.

ADJOURNMENT

71 2016 04-04

Moved by Bennett.

Adjourn the regular meeting.

Ayes: Atwood, Bennett, Gates, Marquardt.

Nays: None.

Absent: Bostick-Tullius.

MOTION CARRIED.

The regular meeting adjourned at 7:02 p.m.

William J. Sprague, Mayor

Donna L. Cronce, City Clerk

Tracey S. Russell, Deputy City Clerk

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
APRIL 18, 2016**

A regular meeting of the Lapeer City Commission was held April 18, 2016 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

ROLL CALL

Present: Mayor Sprague.
Commissioners Atwood, Bennett, Bostick-Tullius, Gates and Marquardt.
Absent: None.

City Manager: Dale Kerbyson, present.
City Attorney: Michael Nolan, present.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

72 2016 04-18

Moved by Bennett. Seconded by Gates.
Approve the Agenda for April 18, 2016 as presented.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

MINUTES

73 2016 04-18

Moved by Gates. Seconded by Marquardt.
Approve the minutes from the Regular meeting held April 4, 2016 and an Executive Session held April 4, 2016 as presented.
Ayes: Atwood, Bennett, Bostick-Tullius Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

PUBLIC COMMENTS

Harold Green, N.Lapeer Road, gave invocation.

CONSENT AGENDA

74 2016 04-18

Moved by Gates. Seconded by Atwood.
Approve the Consent Agenda for April 18, 2016, resulting in the following:

1. Special Event Request from Lapeer Downtown Development Association, Lapeer Car Cruise, Nepessing Street between Mason Street and Court Street, every Monday night May 9th through September 12th from 5:30 pm – 9:00 pm, excluding the Mondays of Memorial Day, Fourth of July and Labor Day.
2. Special Event Request from Lapeer City Police Officers Charitable Fund, Cops for the Community 5K, July 9, 2016 from 7:00 am – 11:00 am, Lake Drive and Prairies and Ponds.
3. Special Event Request from American Legion Post 16, Memorial Day Parade, City Co-Sponsored event, May 30, 2016 starting at 10:00 am, Nepessing St. to Veterans Park at 11:00 am.
4. Special Event Request from Maple Leaf Amusements LLC, American Legion Carnival, May 12, 2016 through May 15, 2016.
5. Special Event Request from Lapeer County Intermediate School District, Great Start Family Fun Day, June 22, 2016 from 10:00 am until 2:00 pm, Court Street.

6. Special Event Request from the Center for the Arts of Greater Lapeer to hold a celebration for the opening of the Smithsonian's Hometown Team Exhibit on Saturday June 11, 2016 from 1:00 pm until 4:00 pm, requesting Court Street be blocked off from Nepessing to the alley to the north for the event.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

BILL LISTING FOR APRIL 18, 2016

75 2016 04-18

Moved by Marquardt. Seconded by Gates.

Approve the Bill Listing for April 18, 2016 in the amount of \$271,166.09.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

Arthur L. Hatfield, Jr.

76 2016 04-18

Moved by Bostick-Tullius. Seconded by Marquardt.

Approve the Arthur L. Hatfield, Jr. Proclamation.

CITY OF LAPEER ARTHUR L. HATFIELD, JR. PROCLAMATION

WHEREAS, Arthur L Hatfield, Jr. served as a Firefighter with the City of Lapeer Fire & Rescue Department from June 14, 2004 through April 6, 2016; and

WHEREAS, Arthur L Hatfield, Jr. is an individual of great personal integrity and has given conscientious service to the citizens of the City of Lapeer and Lapeer County; and

WHEREAS, Arthur L Hatfield, Jr. exemplifies professionalism, dependability, caring and hard work in his service as a Firefighter; and

WHEREAS, through his persistence, hard work, and dedication, Arthur L Hatfield, Jr. has set an example for all Firefighters and is honored by his community;

NOW, THEREFORE BE IT RESOLVED, that I, William J. Sprague, Mayor of the City of Lapeer, and the Lapeer City Commission, take this opportunity on behalf of the people of the City of Lapeer to express official gratitude and deep appreciation to Arthur L Hatfield, Jr. for his efforts and devotion to public service, and wish him continued success in all his endeavors.

Dated this 18th day of April, 2016.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED. PROCLAMATION DECLARED ADOPTED.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

Lapeer County Human Services Board - Lapeer County Medical Care Facility.
Suncrest Millage Renewal.

77 2016 04-18

Moved by Marquardt. Seconded by Bostick-Tullius.

Approve the Agreement To Share Captured Assessed Value between the Downtown Development Authority, City of Lapeer, and County of Lapeer regarding the Lapeer

County Medical Care Facility – Suncrest Millage and authorize the Mayor and City Manager to sign said Agreement.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Community Center Custodial Service Agreement.

78 2016 04-18

Moved by Bostick-Tullius. Seconded by Gates.

Approve the Community Center Custodial Service Agreement with Wagner Cleaning Services, LLC in the amount of \$31,000 from July 1, 2016 to June 30, 2017; \$31,380 from July 1, 2017 to June 30, 2018; \$31,740 from July 1, 2018 to June 30, 2019; subject to all specifications and conditions of the Invitation to Bid and authorize the City Manager to sign said Agreement.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Video Game Connection – Secondhand Dealers License.

79 2016 04-18

Mayor Approved. Moved by Gates. Seconded by Bennett.

Secondhand Dealer License for Kendra Bostian, Video Game Connection, located at 300 W. Genesee Street, Lapeer, contingent upon receipt of required fees.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Community Development Block Grant: DeMille Road Project.

Close Out Public Hearing.

80 2016 04-18

Moved by Marquardt. Seconded by Gates.

Approve setting a public hearing for closing out the Community Development Block Grant for the DeMille Road Project for May 2, 2016 at 6:30 p.m. or as soon thereafter as may be heard

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Calhoun Street Mill & Resurface Project.

Ace-Saginaw Paving Company Construction Contract.

81 2016 04-18

Moved by Marquardt. Seconded by Bostick-Tullius.

Approve the construction contract for the Calhoun Street Mill & Resurface Project to ACE-Saginaw Paving Company in the amount of \$289,431.50 and authorize the City Manager or Director of Public Works to sign said contract.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

CITY MANAGER'S REPORT

City Manager Dale Kerbyson commented on the success of the new sign in the Public Safety parking lot for an exchange area; internet has received 579,533 hits.

CITY ATTORNEY'S REPORT

None.

UNFINISHED BUSINESS

None.

DEPARTMENTAL COMMUNICATIONS

The Monthly Departmental Reports was received into record.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Bennett: Thanked the Police Chief for placing a speed limit trailer on Lincoln Street.

Commissioner Gates: Attended Lyric Mall open house on Saturday, nice to see people out; parking lot exchange area is a wonderful idea.

Commissioner Atwood: The next "Coffee with a Commish" will be April 25 at 7:00 p.m.; like to start a "Social Saturdays" to promote our community, have people get out and enjoy downtown, parks and socialize, enjoy what our community has to offer.

Commissioner Bostick-Tullius: Place on the next agenda discussion to amend the Goals and Objectives to include homelessness in the City; confirm Budget Workshop scheduled for April 30th, Mayor Sprague confirmed and stated workshop will start at 9:00 a.m.

Commissioner Marquardt: Everyone should get outside visit the parks and rec center; departments providing cleanup and thanked City employees for a job well done.

City Manager Dale Kerbyson: Spring Clean up will be the first week of May; attended PIX Euchre Tournament, surprised that businesses were closed up when they departed at PIX around 10:30 p.m.; saw a lot of bikes downtown on Saturday, spoke with Jim Alt on ability to add bike racks to the downtown area.

Mayor Sprague: Reminder that Budget Workshop is scheduled for April 30th at 9:00 am.; April is Children's Abuse Awareness month; tickets are still available for April 29th – Family Literacy Dinner at the Lapeer Country Club.

ADJOURNMENT

82 2016 04-18

Moved by Bennett.

Adjourn the regular meeting.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 6:47 p.m.

William J. Sprague, Mayor

Donna L. Cronce, City Clerk

Tracey S. Russell, Deputy City Clerk

**MINUTES OF A WORKSHOP MEETING
LAPEER CITY COMMISSION
April 30, 2016**

A workshop meeting of the Lapeer City Commission was held April 30, 2016 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 9:00 a.m.

ROLL CALL

Present: Mayor Sprague.
Commissioners Atwood, Bennett, Bostick-Tullius, Gates.
Absent: Commissioner Marquardt.

City Manager: Dale Kerbyson (present)

Also Present: City Clerk Donna Cronce, Finance Director Kerry Helmick, Director of Housing Denise Soldenski, Director of Parks, Recreation & Cemetery Ray Turczyn, Police Chief Todd Alexander, Director of Public Works Pamela Reid.

Mayor Sprague called the meeting to order at 9:00 a.m.

The City Commission met to discuss the Fiscal Year 2016-2017 City of Lapeer Budget and the 2016-2022 City of Lapeer Capital Improvement Program.

The City Commission reviewed the Fiscal Year 2015-2016 City of Lapeer Budget, first year of the 2015 Capital Improvement Budget. General discussion included development of a dog park project; DDA contribution for new digital sign and DDA contribution to be same as last year; marketing of City; State replacement of voting equipment; Department of Public Works and over-time during winter months; Housing Department and addition of full-time position; contractual services within Planning Department and impact of budget; Major Streets and removal of Baldwin project, to leave budgeted amount in and review possibilities of finishing other road projects, impact of debt funding; Parks and Recreation Department and possibility of kiosk for purchase of tickets at Amtrak station, advertising and possible use of Facebook; Cemetery and plot availability; Mott sale and funding within Land Acquisition; K-9 unit purchase of drug dog instead of bomb dog; Water Fund and reflection of reduction in rates.

By general consensus the meeting adjourned at 2:07 p.m.

William J. Sprague, Mayor

Donna L. Cronce, MMC, City Clerk

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
MAY 2, 2016**

A regular meeting of the Lapeer City Commission was held May 2, 2016 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

ROLL CALL

Present: Mayor Sprague.
Commissioners Atwood, Bennett, Bostick-Tullius, Gates and Marquardt.
Absent: None.

City Manager: Dale Kerbyson, present.
City Attorney: Michael Nolan, present.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

83 2016 05-02

Moved by Marquardt. Seconded by Bennett.
Approve the Agenda for May 2, 2016 as presented.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

MINUTES

84 2016 05-02

Moved by Gates. Seconded by Atwood.
Approve the minutes from the Regular meeting held April 18, 2016 as presented.
Ayes: Atwood, Bennett, Bostick-Tullius Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

PUBLIC COMMENTS

Homeless: Dennis Rocheleau and Keith Atwood.

Mr. Rocheleau, Diehl Road, spoke on the homeless situation, would like to build a homeless resource transition center, met with planner and review of blueprints, business plan, purpose to be a place of shelter and transition, to be a residence for 3-4 months, live there and produce products on-site, products to be sold for funding of center. Mr. Atwood, Baldwin Road, spoke on 35+ years of ministry, center to be a vehicle to meet needs, rehabilitation and opportunities to those that need extra help, wanted to let the Commission know their thoughts and plans, model of center is duplicable, have had interest from Oakland County but would like to start here in Lapeer, nothing like this model in the world; asked if there were any questions.

Wade Jenkins, Madison Street, is involved with the Refuge and dealing with homeless, is not in favor of center.

CONSENT AGENDA

85 2016 05-02

Moved by Marquardt. Seconded by Gates.
Approve the Consent Agenda for May 2, 2016, resulting in the following:
1. Traffic Control Order 182 RESCIND.

RESCIND

CITY OF LAPEER
PERMANENT TRAFFIC CONTROL
ORDER NO. 182

Location: West side of N. Washington Street in front of 445 N. Washington St.

Order: Install handicapped parking space on west side of N. Washington Street in front of the residence at #445.

Reason: In response to a property owner's request for a curbside handicapped parking space in front of his residence. Additionally, the parking space recommended meets the approval of the Public Safety Department.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

BILL LISTING FOR MAY 2, 2016

86 2016 05-02

Moved by Gates. Seconded by Marquardt.

Approve the Bill Listing for May 2, 2016 in the amount of \$503,567.82.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

Resolution: Fredrick H. Rebh

87 2016 05-02

Moved by Bostick-Tullius. Seconded by Bennett.

Approve the Resolution In Recognition of Fredrick H. Rebh.

RESOLUTION
CITY OF LAPEER
In Recognition of Fredrick H. Rebh

WHEREAS, Fredrick H. Rebh learned firsthand the devastation of having one's home be destroyed by fire in February of 1997; and

WHEREAS, Fredrick H. Rebh determined as a result of his personal loss that he wanted to help his community by becoming a firefighter and teaching fire safety to children and adults; and

WHEREAS, Fredrick H. Rebh faithfully served as a Firefighter with the City of Lapeer Fire & Rescue Department from June 29, 1998 through April 18, 2016; and

WHEREAS, Fredrick H. Rebh is an individual of great personal integrity and has given conscientious service to the citizens of the City of Lapeer and Lapeer County; and

WHEREAS, Fredrick H. Rebh exemplifies professionalism, dependability, caring and hard work in his service as a Firefighter; and

WHEREAS, through his persistence, hard work, and dedication, Fredrick H. Rebh has set an example for all Firefighters and is honored by his community;

NOW, THEREFORE BE IT RESOLVED, that I, William J. Sprague, Mayor of the City of Lapeer, and the Lapeer City Commission, take this opportunity on behalf of the people of the City of Lapeer to express official gratitude and deep appreciation to Fredrick H.

Rebh for his efforts and devotion to public service, and wish him continued success in all his endeavors.

Dated this 2nd day of May, 2016.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

Proclamation: Lapeer Elks Lodge #2567, Recognition of Flag Day.

88 2016 05-02

Moved by Marquardt. Seconded by Gates.

Approve a Proclamation Lapeer Elks Lodge #2567 In Recognition of Flag Day.

Proclamation
Lapeer Elks Lodge #2567
In Recognition of Flag Day

WHEREAS, The Benevolent and Protective Order of Elks was formed September 13, 1885; and

WHEREAS, The Lapeer Elks Lodge #2567's charitable endeavors help handicapped children, veterans, and the youth of today; and

WHEREAS, The Lapeer Elks Lodge #2567 has 194+ active members who send handicapped children to camp, run Drug Awareness Programs, provide scholarships for students, and instill the spirit of Americanism and faith in the community.

NOW, THEREFORE, BE IT RESOLVED, that I, William J. Sprague, Mayor of the City of Lapeer, and the Lapeer City Commission do recognize June 14, 2016 as Elks Lodge Flag Day and ask all our citizens to support the Elks Lodge in all their charitable service to the community.

Dated this 2nd day of May 2016.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED. PROCLAMATION DECLARED ADOPTED.

PUBLIC HEARINGS

Community Development Block Grant: DeMille Road Project.
Close Out Public Hearing. Reschedule Public Hearing.

89 2016 05-02

Moved by Gates. Seconded by Bostick-Tullius.

Due to the nonpublication of the public notice, approve setting a public hearing for closing out the Community Development Block Grant for the DeMille Road Project on May 16, 2016 (previously scheduled for May 2, 2016) at 6:30 p.m. or as soon thereafter as may be heard.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

ADMINISTRATIVE REPORTS

Saginaw Street Bridge Maintenance Project.
MDOT Contract #16-5177.

90 2016 05-02

Moved by Marquardt. Seconded by Bostick-Tullius.

Approve the City of Lapeer Municipal Resolution Michigan Department of Transportation Contract No. 16-5177.

CITY OF LAPEER
MUNICIPAL RESOLUTION
MICHIGAN DEPARTMENT OF TRANSPORTATION
CONTRACT NO.: 16-5177

BE IT RESOLVED THAT the Michigan Department of Transportation Contract #16-5177 for the Saginaw Street Bridge Preventative Maintenance 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 required documents.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

FY 2016-2017 Budget Notice.

91 2016 05-02

Moved by Gates. Seconded by Atwood.

Approve setting a public hearing on May 16, 2016 at 6:30 p.m. or as soon thereafter as may be heard regarding the Fiscal Year 2016-2017 City of Lapeer Budget.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Electrical Contract: Paul M. DeWitte.

92 2016 05-02

Moved by Gates. Seconded by Atwood.

Approve the Electrical Contract with Paul M. DeWitte and authorize the Mayor and City Manager to sign said Contract.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

CITY MANAGER'S REPORT

Solar Power Project: DTE Electric Company.

First Amendment To Solar Power Easement Agreement.

93 2016 05-02

Moved by Bostick-Tullius. Seconded by Gates.

Approve the First Amendment To Solar Power Easement Agreement with DTE Electric Company and authorize the City Manager to sign said Agreement.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Affidavit of Possession, Non-Production and Non-Development.

94 2016 05-02

Moved by Bostick-Tullius. Seconded by Gates.

Approve the Affidavit of Possession, Non-Production and Non-Development and authorize the Mayor and City Manager to sign said Affidavit.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Affidavit Of Termination Of Easement By Merger.

95 2016 05-02

Moved by Gates. Seconded by Bostick-Tullius.

Approve the Affidavit Of Termination Of Easement By Merger and authorize the Mayor and City Manager to sign said Affidavit.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Agreement Lapeer County Drain Commission.

96 2016 05-02

Moved by Bostick-Tullius. Seconded by Atwood.

Approve the Agreement with Lapeer County Drain Commission and DTE Electric Company and authorize the Mayor and City Manager to sign said Agreement.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Agreement (Oakdale Cemetery Maintenance)

97 2016 05-02

Moved by Bostick-Tullius. Seconded by Atwood.

Approve the Agreement with DTE Electric Company (reference to the Oakdale Cemetery Maintenance) and authorize the Mayor and City Manager to sign said Agreement.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

DTE Electric Company Overhead Easement (Right of Way).

98 2016 05-02

Moved by Marquardt. Seconded by Gates.

Approve the DTE Electric Company Overhead Easement (Right of Way) No. 44539448-44539491 and authorize the City Manager to sign said Overhead Easement.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Michigan Department of Transportation. Small Urban Program Project.

Baldwin Road: S. City Limits North to M-24.

99 2016 05-02

Moved by Bostick-Tullius. Seconded by Atwood.

Approve the City of Lapeer Municipal Resolution Michigan Department of Transportation Small Urban Program Project for Baldwin Road.

CITY OF LAPEER
MUNICIPAL RESOLUTION
Michigan Department of Transportation
Small Urban Program Project

WHEREAS, the City of Lapeer submitted a Michigan Department of Transportation (MDOT) Small Urban Program Project Application for the following improvements:

Baldwin Road: S. City Limits North to M-24

Reconstruct 1000 ft from City limits north to drives of Lapeer Medical/Taco Bell includes new curb and gutter, storm sewer, underdrain, separator fabric, agg. base, HMA,

signage and striping. Also (2") Mill and resurface north from reconstruct limits to the ROW of M-24 includes, ADA ramp upgrades, new signage and striping.

BE IT RESOLVED THAT:

1. The City of Lapeer is committed to a Local Match of \$248,000.00 in conjunction with the STP-Urban Requested of \$375,000.000 for a Participating Construction/Transit Capital Total of \$623,000.00 for improvements stated above.
2. The Lapeer City Commission authorizes City Manager Dale Kerbyson to act as the City's authorized representative to sign required documents.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

N. End of Saginaw & Oregon Streets: Sag-Trail-N. limits/Oregon Sag.-River.

100 2016 05-02

Moved by Gates. Seconded by Marquardt.

Approve the City of Lapeer Municipal Resolution Michigan Department of Transportation Small Urban Program Project for N. end of Saginaw & Oregon Streets.

CITY OF LAPEER
MUNICIPAL RESOLUTION
Michigan Department of Transportation
Small Urban Program Project

WHEREAS, the City of Lapeer submitted a Michigan Department of Transportation (MDOT) Small Urban Program Project Application for the following improvements:

N end of Saginaw & Oregon Streets: Sag-Trail-N. limits/Oregon Sag.-River
Saginaw St.-reconstruct from north of linear trail to N City limits- includes new curb and gutter, agg. base, storm sewer, HMA, signage and striping. Oregon St. –reconstruct from Saginaw St. east to west side of bridge over Flint River- includes new curb and gutter, agg. base, storm sewer, HMA, signage and striping.

BE IT RESOLVED THAT:

1. The City of Lapeer is committed to a Local Match of \$277,000.00 in conjunction with the STP-Urban Requested of \$375,000.000 for a Participating Construction/Transit Capital Total of \$652,000.00 for improvements stated above.
2. The Lapeer City Commission authorizes City Manager Dale Kerbyson to act as the City's authorized representative to sign required documents.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

Oregon Street.

101 2016 05-02

Moved by Marquardt. Seconded by Gates.

Approve the City of Lapeer Municipal Resolution Michigan Department of Transportation Small Urban Program Project for Oregon Street.

CITY OF LAPEER
MUNICIPAL RESOLUTION
Michigan Department of Transportation
Small Urban Program Project

WHEREAS, the City of Lapeer submitted a Michigan Department of Transportation (MDOT) Small Urban Program Project Application for the following improvements:

Oregon Street

Mill and resurface with 2" of HMA, curb repair, some base and subgrade repair, sidewalk repair, underdrain, upgrade ADA ramps, signage and striping.

BE IT RESOLVED THAT:

1. The City of Lapeer is committed to a Local Match of \$240,000.00 in conjunction with the STP-Urban Requested of \$375,000.000 for a Participating Construction/Transit Capital Total of \$615,000.00 for improvements stated above.
2. The Lapeer City Commission authorizes City Manager Dale Kerbyson to act as the City's authorized representative to sign required documents.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

Various Matters.

City Manager Dale Kerbyson commented on DTE approval on an installation of an Osprey nesting station; Director of Parks, Recreation & Cemetery Ray Turczyn responded that Peter McCreedy was the advocate for the placement in Prairies and Ponds area, nest locations are placed throughout the State with Lapeer being selected as a site; Mr. Kerbyson indicated there is a natural Osprey nest on John Conley Drive.

Executive Session Request.

City Manager Dale Kerbyson requested approval for an Executive Session.

102 2016 05-02

Moved by Gates. Seconded by Bennett.

To convene to an Executive Session at the end of the regular meeting for the purpose of discussing DTE Agreement item.

ON A ROLL CALL VOTE:

AYES: Commissioners Bennett, Atwood, Bostick-Tullius, Gates, Marquardt.

NAYS: None.

ABSTAIN: None.

ABSENT: None.

MOTION CARRIED.

CITY ATTORNEY'S REPORT

City Attorney Michael Nolan commented on DTE contracts presented; great work by City Manager Dale Kerbyson and City Clerk Donna Cronce.

UNFINISHED BUSINESS

None.

DEPARTMENTAL COMMUNICATIONS

None.

PUBLIC COMMENTS

Janet Adams, Baldwin Road, Lapeer, gave invocation.

MAYOR/COMMISSIONER COMMENTS

Commissioner Bennett: Thanked lady for prayer.

Commissioner Gates: Great to see everyone tonight, growth of Lapeer by all working as a team, thank you for coming.

Commissioner Atwood: Second "Coffee with a Commish" went well with larger attendance including County Commissioner Lenny Schneider, City Commissioner Catherine Bostick-Tullius and DDA Director James Alt, next date to be determined.

Commissioner Marquardt: Apologize for non-attendance at Budget Workshop due to family situation, had ability to review budget with City Manager Dale Kerbyson by phone.

Commissioner Bostick-Tullius: Kudos to Commissioner Atwood for “Coffee with a Commish”, lots of people in attendance, great ideas.

Discussion on amending the Goals and Objectives: Commissioner Bostick-Tullius.

Commissioner Bostick-Tullius commented on considerable talk regarding homelessness, feels this is an important issue in our City, look at how we can help to reduce homelessness, should be a part of our Goals and Objectives, review ability and ways to measure achievement.

Discussion was held on goals and vision to obtain achievement, First Lady’s challenge to end Veterans Homelessness and VASH vouchers, to modify Goals and Objectives to set a goal to eliminate homelessness in the City of Lapeer, to not let homelessness turn into helplessness, goal that we are here to help and support, to look at Mr. Rocheleau and Mr. Atwood plan to help homelessness, support teaching and providing tools.

103 2016 05-02

Moved by Bostick-Tullius. Seconded by Gates.

Amend the City of Lapeer Goals and Objectives to add “To End Homelessness in the City of Lapeer”.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Mayor Sprague: Supports amendment to Goals and Objectives, assistance by local organizations/groups, help with leadership to facilitate objective and reach common ground; beginning of clean-up week as well as leaf and brush pick-up.

Convene to Executive Session.

City Commission convened to an Executive Session for the purpose of discussing DTE Agreement item at 7:11 p.m. and returned to its regular session at 7:45 p.m.

ADJOURNMENT

104 2016 05-02

Moved by Bennett.

Adjourn the regular meeting.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 7:46 p.m.

William J. Sprague, Mayor

Donna L. Cronce, City Clerk

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
MAY 16, 2016**

A regular meeting of the Lapeer City Commission was held May 16, 2016 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

ROLL CALL

Present: Mayor Sprague.
Commissioners Atwood, Bennett, Bostick-Tullius, Gates and Marquardt.
Absent: None.

City Manager: Dale Kerbyson, present.
City Attorney Representative: Denis McCarthy, present.

Mayor Sprague led the Pledge of Allegiance.

MINUTES

105 2016 05-16

Moved by Bostick-Tullius. Seconded by Gates.

Approve the minutes from the a Workshop meeting held April 30, 2016, Regular meeting and Executive Session held May 2, 2016 as presented.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

AGENDA APPROVAL

106 2016 05-16

Moved by Marquardt. Seconded by Gates.

Approve the Agenda for May 16, 2016 as presented.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

PUBLIC COMMENTS

Jenny Burkhart, Wilder Road, gave invocation.

CONSENT AGENDA

107 2016 05-16

Moved by Bostick-Tullius. Seconded by Gates.

Approve the Consent Agenda for May 16, 2016, resulting in the following:

1. Traffic Control Order 290.

CITY OF LAPEER
PERMANENT TRAFFIC CONTROL
ORDER NO. 290

Location: Whitney Dr. – Both sides of Whitney Dr. north of DeMille Road.

Order: Install “No Parking” signs on both sides of Whitney Drive north of DeMille Road.

Reason: After several complaints of semi trucks parking on both sides of Whitney Drive loading cars and trucks form a vehicle storage yard located in Lapeer Township, it was requested we remove parking from the street. Temporary parking may be requested from business owners, as needed, on a case by case basis.

2. Special Event Request from Downtown Business Association, Thursday Night

- Concert Series, Lapeer Farmer's Market Pavilion, June 9th through August 11, 2016 from 6:00 to 9:00 p.m.
3. Special Event Request from American Foundation of Suicide Prevention, Out of the Darkness Walk, October 1, 2016, Rowden Park from 9:00 am until after dark.
 4. Sale and Disposal of Forfeited and Used Guns.
 5. Application and Permit for Lapeer Chamber of Commerce for the July 4th fireworks provided by Wolverine Fireworks Display, Inc. and authorize the Mayor or City Manager to sign the required documents.
 6. Amend the Special Event Request from Downtown Business Association, Lapeer Car Cruise to include Nepessing Street between Court and Pine Streets.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

BILL LISTING FOR MAY 16, 2016

108 2016 05-16

Moved by Marquardt. Seconded by Gates.

Approve the Bill Listing for May 16, 2016 in the amount of \$406,706.66.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

None.

PUBLIC HEARINGS

FY 2016-2017 Budget

Mayor Sprague opened the City of Lapeer Fiscal Year 2016-2017 public hearing at 6:33 p.m., no comments from the public, Mayor Sprague closed the public hearing at 6:33 p.m.

109 2016 05-16

Moved by Bostick-Tullius. Seconded by Gates.

Approve the Resolution To Adopt The Budget Of The City Of Lapeer For The Fiscal Year July 1, 2016 to June 30, 2017 And To Make Appropriations Therefore and the 2016 – 2022 Capital Improvement Program.

GENERAL APPROPRIATIONS ACT
RESOLUTION TO ADOPT THE BUDGET
OF THE CITY OF LAPEER FOR THE FISCAL YEAR
JULY 1, 2016 TO JUNE 30, 2017
AND TO MAKE APPROPRIATIONS THEREFORE

WHEREAS, the City Charter requires: That the City Manager submit a budget proposal with his recommendation to the City Commission; that a public hearing be held on said budget proposal; that the City Commission by resolution adopt a budget for the ensuing fiscal year, making an appropriation of the money needed therefore, and designating the sum to be raised by taxation; and

WHEREAS, the Manager has submitted said budget and recommendations along with the proposed tax millage to be levied and a public hearing has been held thereon:

NOW, THEREFORE, BE IT RESOLVED as provided in the City Charter, and in conformity to Public Act 621 of 1978, the Uniform Budgeting and Accounting Act, that the budgets attached hereto and made a part hereof by reference are hereby considered and adopted, to be administered on fund level, as the budgets of the City of Lapeer to cover the operations and expenditures thereof for the fiscal year July 1, 2016 to June 30, 2017.

BE IT FURTHER RESOLVED that in addition to the levy of a City Income Tax in accordance with the State's Uniform City Income Tax Act, the sum of \$2,214,887 be

raised by taxation by the levy of 9.8000 mills for operations on the assessed value of all real and personal property in the City as follows:

General Operation 9.8000 mills \$2,214,887

BE IT FURTHER RESOLVED that the City Manger be authorized to transfer necessary amounts between activities (departments) within a fund and up to \$5,000 between funds.

BE IT FURTHER RESOLVED that a copy of this budget resolution be furnished to the City Assessor, who together with the City Treasurer, shall then proceed to assess and collect the taxes in accordance with the City Charter and State Statutes.

ON A ROLL CALL VOTE:

YEAS: Atwood, Bostick-Tullius, Bennett, Gates, Marquardt.

NAYS: None.

ABSTAIN: None.

ABSENT: None.

MOTION CARRIED AND RESOLUTION DECLARED ADOPTED.

Community Development Block Grant: DeMille/Whitney Road Project.
Close Out Public Hearing.

Mayor Sprague opened the Community Development Block Grant DeMille/Whitney Road Project Close Out public hearing at 6:34 p.m.

Director or Public Works Pam Reid gave a presentation on the Community Development Block Grant (CDBG) DeMille/Whitney Road project, two grants used CDBG and TEDF, project was under budget by 6.87% or \$81,880.70, City match was \$7,102.74, total project cost of \$1,109,158.30, one invoice remaining for payment that will not affect figures. Lapeer Development Corporation Executive Director Patricia Lucas commented that this was a great economic project, low cost for the City, everyone worked well together on this project.

There being no comments received from the public, Mayor Sprague closed the public hearing at 6:41 p.m.

ADMINISTRATIVE REPORTS

Economic Development Update.
Patricia Lucas, Executive Director, Lapeer Development Corporation.

Ms. Lucas gave a presentation on the I-69 Thumb Region that included who they are, strategy, recent accomplishments, LDC publications, business location prospects, business attraction marketing, small business assistance, other assistance, major projects in Lapeer, Lapeer Economic Impact from 1981-2015.

Economic Opportunities Policy for Section 3 Covered Contracts.

110 2016 05-16

Moved by Marquardt . Seconded by Gates.

Approve the Economic Opportunities Policy for Section 3 Covered Contracts.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Smithsonian Museum on Main Street – Hometown Teams Exhibit.
Jill Lyons, Director, Pix Theatre.

Ms. Lyons provided a review of the Smithsonian Museum on Main Street – Hometown Teams Exhibit, events to be held in participation of the event, encouraged everyone to participate, special VIP preview scheduled for June 9th.

111 2016 05-16

Moved by Gates. Seconded by Bennett.

Approve the Proclamation, Smithsonian Museum on Main Street – Hometown Teams Exhibit.

CITY OF LAPEER
PROCLAMATION
SMITHSONIAN MUSEUM ON MAIN STREET
HOMETOWN TEAMS EXHIBIT

WHEREAS, sports and athletics are, and have been, an indelible part of American culture; and

WHEREAS, the love of sports and athletics begins in our hometowns and brings communities together in a social and cultural atmosphere; and

WHEREAS, citizens of the City of Lapeer have, throughout its history, actively engaged in, competed in and enjoyed participation in a wide range of sport and athletic activities; and.

WHEREAS, the Center for the Arts of Greater Lapeer, Inc. has been selected by the Michigan Humanities Council to host the Smithsonian Museum on Main Street Hometown Teams Exhibit; an exhibit that brings recognition to and celebrates the role of sports nationally as well as in the Lapeer Community.

NOW, THEREFORE, BE IT RESOLVED, that I, William J. Sprague, Mayor of the City of Lapeer, and the Lapeer City Commission do hereby proclaim, Saturday, June 11, 2016 as HOMETOWN TEAMS day in the City of Lapeer and encourage all citizens to support efforts in recognition of sports and athletic activities in our community.

Dated this 16th day of May 2016.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED. PROCLAMATION DECLARED ADOPTED.

CITY MANAGER'S REPORT

City of Lapeer Fee Schedule: Building Department Amendment.

112 2016 05-16

Moved by Gates. Seconded by Atwood.

Approve the amendment to City of Lapeer Fee Schedule, Building Department Fees, effective May 17, 2016.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

City of Lapeer Fee Schedule: July 1, 2016.

113 2016 05-16

Moved by Bostick-Tullius. Seconded by Gates.

Approve the City of Lapeer Fee Schedule to be effective July 1, 2016.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Various Matters.

None.

CITY ATTORNEY'S REPORT

None.

UNFINISHED BUSINESS

114 2016 05-16

Moved by Marquardt. Seconded by Gates.

Appoint Thomas (Mike) Robinet to the Lapeer Building Authority, term ending 06-01-19.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

DEPARTMENTAL COMMUNICATIONS

Monthly Departmental Reports were received into record.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Atwood: Next Coffee with a Commish scheduled for May 22nd at 7:00 p.m.; would like to come up with an idea for a City Motto, his idea "A community of unity and economic excellence"; build communication with schools, come up with a questionnaire to hand out, give teens an opportunity to tell Commissioners what they want; they are our next leaders and our future.

Commissioner Bennett: Thanked lady for prayer.

Commissioner Bostick-Tullius: Agreed with building teen communication in schools, maybe have an after school type forum, willing to partner on this idea.

Commissioner Gates: Thanked everyone for attending meeting; reminded everyone to watch out for little ones now that the weather is improving.

Commissioner Marquardt: DTE issue, received the run-around regarding the new smart meter replacements, wondered if other residents were having a similar problem, would like the City Manager to look into this situation; Mayor Sprague asked if something could be placed in writing and publicized.

City Manager Dale Kerbyson: The DTE Solar Project will be putting in a temporary demo plot to show screening buffers; dog park meeting with a field trip to Davison's Dog Park, staff reviewing all aspects of a dog park, Commissioners Bostick-Tullius and Marquardt voiced they would like to be invited to the next field trip.

Mayor Sprague: Reminded everyone of local upcoming events; funding allocated for improvements to Veteran's Park; heard that Flint's water bill will double with KWA due to low participation in water line, Mr. Kerbyson indicated he will be attending a KWA meeting later this week.

ADJOURNMENT

115 2016 05-16

Moved by Bennett.

Adjourn the regular meeting.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 7:30 p.m.

William J. Sprague, Mayor

Donna L. Cronce, City Clerk

Tracey S. Russell, Deputy City Clerk

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
JUNE 6, 2016**

A regular meeting of the Lapeer City Commission was held June 6, 2016 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

ROLL CALL

Present: Mayor Sprague.
Commissioners Atwood, Bennett, Bostick-Tullius, Gates and Marquardt.
Absent: None.

City Manager: Dale Kerbyson, present.
City Attorney: Michael Nolan, present.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

116 2016 06-06

Moved by Marquardt. Seconded by Gates.
Approve the Agenda for June 6, 2016 as presented.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

MINUTES

117 2016 06-06

Moved by Gates. Seconded by Atwood.
Approve the minutes from the Regular meeting held May 16, 2016 as presented.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

PUBLIC COMMENTS

Sheryl Sutter, 727 Monroe Street, commented on mortgage fraud issues and litigation over the past 12 years and impact on finances and health, home and garage are in disrepair, wanted City to know what was going on and asked that the City stand behind her.

Janet Adams, Baldwin Road, gave invocation.

CONSENT AGENDA

118 2016 06-06

Moved by Bostick-Tullius. Seconded by Gates.
Approve the Consent Agenda for June 6, 2016, resulting in the following:

1. Special Event Request from United Way of Lapeer County, Community Colors 5K, Rowden Park, September 24, 2016 from 10:00 AM to 2:00 PM.
2. Special Event Request from Lapeer Area Chamber of Commerce, Lapeer Days Festival, Nepessing Street downtown Lapeer, Rotary and Annrook Park, August 17-21, 2016 as a City Co-Sponsored event.
3. Traffic Control Order 291.

CITY OF LAPEER
TEMPORARY TRAFFIC CONTROL
ORDER NO.
291

To temporarily suspend traffic control order 266 as stated below for the duration of the Saginaw Street closure for bridge construction which begins June 15, 2016.

Location: Oregon Street - Main to Saginaw

Order: Restrict truck traffic on Oregon Street between Main St. and Saginaw St. Install (No Thru Trucks Signs).

Reason: Unnecessary truck traffic has been using this portion of Oregon Street and has generated citizen concern. In conducting a traffic study it was determined that 4.8% or 277 of the vehicles using the road were large trucks in the four day control period. This control would therefore restrict such use.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

BILL LISTING FOR JUNE 6, 2016

119 2016 06-06

Moved by Marquardt. Seconded by Atwood.

Approve the Bill Listing for June 6, 2016 in the amount of \$490,381.19.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

None.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

Delinquent Special Assessments to 2016 Tax Roll.

120 2016 06-06

Moved by Marquardt. Seconded by Gates.

Add Special Assessment Districts 2006-01, 2006-02, 2006-03, 2007-01, 2008-01, 2008-04, 2009-02, 2010-01, 2010-02, 2010-03, Delinquent Special Assessment installments as of May 1, 2016 to the 2016 Summer Tax Roll as authorized by City Charter.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

2016-2017 Solid Waste Licenses.

121 2016 06-06

Moved by Bennett. Seconded by Marquardt.

Approve the 2016-2017 Solid Waste Collection Licenses for:

1. Republic Services.
2. Rick Rhein Disposal.
3. Smith's Disposal, Inc.
4. Deerfield Disposal.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Independent Contractor Agreement: Tim and Linda Spangler.

Water Tower Travel Trailer Park.

122 2016 06-06

Moved by Gates. Seconded by Atwood.

Approve the Independent Contractor Agreement with Tim and Linda Spangler and authorize the City Manager to sign said Agreement.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Downtown Development Authority (DDA) 2016-2017 Operating Budget

123 2016 06-06

Moved by Bostick-Tullius. Seconded by Marquardt.

Approve the Downtown Development Authority (DDA) 2016-2017 Operating Budget as presented.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

CITY MANAGER'S REPORT

Various Matters.

Mr. Kerbyson commented on Great Lakes Water Authority (GLWA) billing, increase of approximately 4.3%; commercial made locally, Police Chief Todd Alexander noted that one of the City's officers, through McClaren Regional, participated in an anti-drunk driving commercial.

CITY ATTORNEY'S REPORT

None.

UNFINISHED BUSINESS

None.

DEPARTMENTAL COMMUNICATIONS

None.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Gates: Exciting activity downtown; thank you to Police, Fire and everyone who keeps our City as great as it is.

Commissioner Marquardt: Resolving of DTE smart meter installation issue, referring telephone number should now be correct; spoke to students from Schickler on behalf of Mayor as Mayor Pro-Tem, have a lot of bright students in our community; attended downtown Art fair; Schilcker/Zemmer students provided a free car wash over weekend; exciting things going on in Lapeer.

City Manager Dale Kerbyson: DDA Director Jim Alt wished to express appreciation to attendance at downtown Art Festival; newspaper article on City fire truck used in our community and sharing of resources.

Mayor Sprague: Upcoming events; downtown Art fair; thank you to all for participation in Memorial Day parade, kids and issues from 60's/70's versus today's generation, overall we have great kids in our City.

ADJOURNMENT

124 2016 06-06

Moved by Bennett.

Adjourn the regular meeting.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 6:55 p.m.

William J. Sprague, Mayor

Donna L. Cronce, City Clerk

Tracey S. Russell, Deputy City Clerk

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
JUNE 20, 2016**

A regular meeting of the Lapeer City Commission was held June 20, 2016 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

ROLL CALL

Present: Mayor Sprague.
Commissioners Atwood, Bennett, Bostick-Tullius, Gates and Marquardt.
Absent: None.

City Manager: Dale Kerbyson, present.
City Attorney: Michael Nolan, present.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

125 2016 06-20

Moved by Bennett. Seconded by Gates.
Approve the Agenda for June 20, 2016 as presented.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

MINUTES

126 2016 06-20

Moved by Gates. Seconded by Atwood.
Approve the minutes from the Regular meeting held June 6, 2016 as presented.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

PUBLIC COMMENTS

Homeless: Dennis Rocheleau and Keith Atwood.

Mr. Rocheleau commented on the Transition Resource Center what it is and how it works, looking at property just east of the prison, request that Commission motion and vote to allow them or consider allowing them to purchase property. Mayor Sprague indicated that offer and negotiation for sale of City property is started through City Manager Dale Kerbyson, to provide Mr. Kerbyson the appropriate information for consideration.

Brian Trombly, business owner on John Conley Drive, provided invocation.

Kevin Daley, Daley Road, Lum, provided literature and advocated for the Suncrest millage renewal on the August 2, 2016 ballot.

CONSENT AGENDA

127 2016 06-20

Moved by Marquardt. Seconded by Gates.
Approve the Consent Agenda for June 20, 2016, resulting in the following:
1. Special Event Request from Project Brotherhood Resolve, Ruck for the Fallen, along M-24, August 13, 2016.

2. Special Event Request from Stone Soup Food Bank, Project Raising Hope, utilize various intersections in Lapeer, July 1, 2016.
MOTION CARRIED.

BILL LISTING FOR JUNE 20, 2016

128 2016 06-20

Moved by Marquardt. Seconded by Gates.

Approve the Bill Listing for June 20, 2016 in the amount of \$311,513.19.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

Lapeer Optimist Club – Resolution.

129 2016 06-20

Moved by Bostick-Tullius. Seconded by Marquardt.

Resolved that the request to authorize the Lapeer Optimist Club to use the City sidewalks and Cedar Street north of Nepessing Street for their beer tent on Friday, August 19, 2016 through Sunday, August 21, 2016 be approved.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

Component Unit 2016-17 Budgets.

130 2016 06-20

Moved by Bostick-Tullius. Seconded by Gates.

Approve the 2016-17 Budgets for the Brownfield Redevelopment Authority, Tax Increment Finance Authority 1, 2 and 3, Local Development Authority and the Economic Development Corporation.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Oak Street Rehabilitation – Rowe Professional Services.
Design & Construction Engineering Agreement.

131 2016 06-20

Moved by Gates. Seconded by Atwood.

Approve the Contract for Engineering Services with Rowe Professional Services Company in the amount of \$77,973 (Design Engineering Services \$30,540; Construction Engineering Services \$47,433) and authorize the DPW Director to sign said Contract for the Oak Street Rehabilitation Project.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

City Buildings Custodial Services Contract.

132 2016 06-20

Moved by Bennett. Seconded by Marquardt.

Approve the Buildings Custodial Service Agreement with Wagner Cleaning of Flint, 2016-17 Annual Cost of \$20,100 with options to renew the contract for 2017-18 and

2018-19 for the Department of Public Works building, City Hall and the Police/Fire building and authorize the Director of DPW to sign said Agreement.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

CITY MANAGER'S REPORT

Closed Session Request: Union Contract.

Mr. Kerbyson requested a Closed Session to discuss a union contract at the end of the regular meeting.

133 2016 06-20

Moved by Bennett. Seconded by Gates.

Approve a Closed Session for the purpose of discussing a union contract at the end of the regular meeting.

ON A ROLL CALL VOTE:

AYES: Bostick-Tullius, Atwood, Bennett, Gates, Marquardt.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

CITY ATTORNEY'S REPORT

Attorney Michael Nolan commented on the Housing Division RAD conversion process.

UNFINISHED BUSINESS

134 2016 06-20

Appointed by Mayor Sprague. Moved by Marquardt. Seconded by Bostick-Tullius.

Bruce Johnson Construction Board of Review, term expiration 07-01-18.

Ken Pike Construction Board of Review, term expiration 07-01-18.

Keith Brace Construction Board of Review, term expiration 07-01-18.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

DEPARTMENTAL COMMUNICATIONS

The Departmental Monthly Reports, 2015 Consumers Confidence Report, Monthly Financial Report for March 2016, Monthly Financial Report for April 2016 and Investment Report for the Quarter Ending March 31, 2016 was received into record.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Bennett: Mr. Rocheleau and Mr. Atwood request to purchase property, will it be considered, keep Commission informed.

Commissioner Gates: Thank you to all for coming; exciting events downtown; issue with people going wrong way on Park Street.

Commissioner Atwood: Coffee with a Commish, June 26th at Dagwood's Deli at 7:00 p.m., Social Saturday and support of Farmers Market.

Commissioner Bostick-Tullius: Smithsonian Exhibit, hometown team support; Open house for Golden Arrow, homelessness and mental health community.

Commissioner Marquardt: Vintage baseball game Saturday; Farmers Market.

City Manager Dale Kerbyson: Improvements at County Center Building, parking lot assessment; invitation by Governor's office to represent State on Greater Lapeer Water Authority (GLWA) Board, if receive nomination will step down from KWA Board.

Mayor Sprague: Upcoming events, Car Cruise, Farmers Market, Great Start Family Fun Day, Vintage Baseball Game, 4th of July fireworks display.

CLOSED SESSION

The City Commission convened to a Closed Session at 6:54 p.m. for the purpose of discussing a union contract and returned to its regular session at 7:34 p.m.

ADJOURNMENT

135 2016 06-20

Moved by Bennett.

Adjourn the regular meeting.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 7:35 p.m.

William J. Sprague, Mayor

Donna L. Cronce, City Clerk

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
July 5, 2016**

A regular meeting of the Lapeer City Commission was held July 5, 2016 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

ROLL CALL

Present: Mayor Pro-Tem Marquardt.
Commissioners Atwood, Bennett, Bostick-Tullius, and Gates.
Absent: Mayor Sprague (excused).

Acting City Manager: Terry Kluge, Fire Chief, present.
City Attorney: Michael Nolan, present.

Mayor Pro-Tem Marquardt led the Pledge of Allegiance.

AGENDA APPROVAL

136 2016 07-05

Moved by Bostick-Tullius. Seconded by Gates.
Approve the Agenda for July 5, 2016 as presented.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

MINUTES

137 2016 07-05

Moved by Bennett. Seconded by Gates.
Approve the minutes from the Regular meeting held June 20, 2016 and Closed Session held June 20, 2016.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

PUBLIC COMMENTS

Janet Adams, Baldwin Road, provided invocation.

CONSENT AGENDA

138 2016 07-05

Moved by Bostick-Tullius. Seconded by Gates.
Approve the Consent Agenda for July 5, 2016, resulting in the following:

1. Special Event Request from Dragon Karate LLC, Downtown Fitness Challenge, Farmers Market Pavilion, Nepessing, Mason, Clay and Court Streets, August 14, 2016.
2. Special Event Request from Lapeer Area Homeschool Athletes (LAHA), Lapeer Lakers 5K Fundraiser, Rowden Park linear trail, September 3, 2016.
3. Special Event Request from Lapeer Robotics Team 1684, 5K Run for Robots, Rowden Park, October 15, 2016, contingent upon receipt of current insurance.
4. DTE Electric Company Overhead and Underground Easement (Right of Way) No. 42968754-42968813 and authorize the City Clerk to sign required document.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

BILL LISTING FOR JULY 5, 2016

139 2016 07-05

Moved by Bennett. Seconded by Atwood.

Approve the Bill Listing for July 5, 2016 in the amount of \$537,435.86.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

None.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

E. Oregon Street Reconstruction Project – Flint River East to City Limits.
Local Share Payment #8.

140 2016 07-05

Moved by Gates. Seconded by Bostick-Tullius.

Approve Local Share Payment Request #8 to State of Michigan in the amount of \$15,786.13 for the Oregon Street Reconstruction Project – Flint River East to City limits.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

DEQ Scrap Tire Project – Calhoun Street.
Payment Request #1.

141 2016 07-05

Moved by Bostick-Tullius. Seconded by Gates.

Approve Local Share Payment Request #1 to Ace-Saginaw Paving Company in the amount of \$267,805.32 for DEQ Scrap Tire Project – Calhoun Street.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Liability/Property Insurance Contract Renewal with Peterson McGregor.

142 2016 07-05

Moved by Bostick-Tullius. Seconded by Gates.

Approve the Liability/Property Insurance Contract with Peterson McGregor in the amount of \$160,381.00 effective July 1, 2016 through June 30, 2017.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Technical Professional & Office Workers Association of Michigan (TPOAM) Union Contract.

143 2016 07-05

Moved by Bennett. Seconded by Gates.

Approve the Technical Professional & Office Workers Association of Michigan (TPOAM) Union Contract, July 1, 2016 to June 30, 2020 and authorize the City Manager to sign said contract.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

CITY MANAGER'S REPORT

None.

CITY ATTORNEY'S REPORT

None.

UNFINISHED BUSINESS

None.

DEPARTMENTAL COMMUNICATIONS

None.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Bennett: North Branch parade.

Commissioner Gates: Vintage Baseball game event.

Commissioner Bostick-Tullius: MML Summer Board Retreat, informative discussion on municipal finance reform; fireworks were great, good job by Fire Department.

Commissioner Marquardt: Vintage baseball game event, maybe develop into a yearly event; upcoming events.

ADJOURNMENT

144 2016 07-05

Moved by Bennett.

Adjourn the regular meeting.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 6:43 p.m.

Deborah G. Marquardt, Mayor Pro-Tem

Donna L. Cronce, City Clerk

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
July 18, 2016**

A regular meeting of the Lapeer City Commission was held July 18, 2016 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

ROLL CALL

Present: Mayor Sprague.
Commissioners Atwood, Bennett, Bostick-Tullius, Gates, and Marquardt.
Absent: None.

City Manager: Dale Kerbyson, present.
City Attorney: Michael Nolan, present.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

145 2016 07-18

Moved by Gates. Seconded by Bostick-Tullius.
Approve the Agenda for July 18, 2016 as presented.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

MINUTES

146 2016 07-18

Moved by Bennett. Seconded by Marquardt.
Approve the minutes from the Regular meeting held July 5, 2016.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

PUBLIC COMMENTS

Lapeer County Prosecutor Tim Turkelson introduced himself, is running for re-election as Prosecutor and asked for support, provided an update on department processes.

Paul Mitchell introduced himself, running as a candidate for Representative in Congress (10th District).

Dave Meoak, South Saginaw Street, gave invocation.

CONSENT AGENDA

None.

BILL LISTING FOR JULY 18, 2016

147 2016 07-18

Moved by Gates. Seconded by Marquardt.
Approve the Bill Listing for July 5, 2016 in the amount of \$1,216,634.75.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

Lapeer Football Association – Charitable Gaming License Resolution.

148 2016 07-18

Moved by Bostick-Tullius. Seconded by Gates.

Approve Charitable Gaming License Resolution for the Lapeer Football Association as presented.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

None.

CITY MANAGER'S REPORT

Personal Employee 457 Retirement Fund.

149 2016 07-18

Moved by Marquardt. Seconded by Atwood.

Approve the move of Employee Funds from the ICMA 457 Retirement Program to the MERS 457 Retirement Program for participating employees; and further, to approve the MERS Uniform 457 Supplemental Retirement Program Resolution; and further, to authorize the City Manager to sign required documents.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

CITY ATTORNEY'S REPORT

City Attorney Mike Nolan commented on the Lapeer Housing RAD Conversion, City has a valuable asset in Housing Director Denise Soldenski.

UNFINISHED BUSINESS

150 2016 07-18

Appointed by Mayor Sprague. Moved by Marquardt. Seconded by Gates.

Rachelle Creighton Lapeer Housing Commission, expires 8-1-2021.

James Mikus Lapeer Neighborhoods, Inc., expires 8-1-2019.

Jennell RaCosta Lapeer Neighborhoods, Inc., expires 8-1-2019.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

DEPARTMENTAL COMMUNICATIONS

Departmental Monthly Reports and Monthly Financial Report for May 2016 were received into record.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Bennett: Thanked Mr. Meoak for invocation; will be attending Veterans homelessness conference.

Commissioner Gates: Thanked everyone for attending today's meeting; went to the PIX Saturday for variety show which was very good; thanked DPW, Police, Fire; would like to suggest that all the Commissioners walk together during the Lapeer Days parade.

Commissioner Atwood: Agreed with walking together for Lapeer Days parade; Coffee with Commish Teen Edition on July 30th at the Farmers Market Pavilion at 5:00 p.m.; Coffee with a Commish on July 31st at Dagwoods for adults and business owners at 7:00 p.m.; likes to hear new ideas; is excited the downtown is hopping, Pokemon craze and nice to see people out and about.

Commissioner Bostick-Tullius: Good idea on hosting teen input; DDA and Michigan Main Street Program visit, review to go to the next level, host a meet and greet on July 27th, invited all Commissioners to attend as well as City Directors.

Commissioner Marquardt: In lieu of the world-wide crisis, would like to thank the Police and Fire as well as all department employees for their support, wants them to know we care.

Commissioner Bennett: Questioned if there was still a 20 day notice before the Commission can discuss election information. Commissioner Bostick-Tullius indicated that the court injunction is no longer applicable, can say whatever you would like.

City Manager Dale Kerbyson: The Michigan Main Street visit is important as they will judge whether the City will go on to the next level, will be at Michigan City Manager Conference and will not be able to attend, it is important to have a good turnout.

Mayor Sprague: Update on local events; thanked Commission Marquardt for filling in on 7/5/16; feels Tim Turkelson has done an outstanding job in updating department processes; loss of police in communities, stands with police force and those across the country; words matter, we need to take a strong look at words being used and start working together; City Commission is non-partisan and our job is to get things done together.

ADJOURNMENT

151 2016 07-18

Moved by Bennett.

Adjourn the regular meeting.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 7:03 p.m.

William Sprague, Mayor

Donna L. Cronce, City Clerk

Tracey S. Russell, Deputy City Clerk

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
August 1, 2016**

A regular meeting of the Lapeer City Commission was held August 1, 2016 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

ROLL CALL

Present: Mayor Sprague.
Commissioners Atwood, Bennett, Bostick-Tullius, Gates, and Marquardt.
Absent: None.

City Manager: Dale Kerbyson, present.
City Attorney: Michael Nolan, present.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

152 2016 08-01

Moved by Marquardt. Seconded by Gates.
Approve the Agenda for August 1, 2016 as presented.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

MINUTES

153 2016 08-01

Moved by Gates. Seconded by Marquardt.
Approve the minutes from the Regular meeting held July 18, 2016.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

PUBLIC COMMENTS

Janet Adams, Baldwin, gave invocation.

CONSENT AGENDA

154 2016 08-01

Moved by Bostick-Tullius. Seconded by Marquardt.
Approve the Consent Agenda for August 1, 2016 resulting in the following:
1. Special Event Request from Lapeer County Community Mental Health, Cycling Local Race, September 18, 2016, Luxington Drive to Lincoln Street loop.
2. Special Event Request from Life Launch Church, Color Run, August 27, 2016, Cramton Park, contingent upon receipt of current insurance.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

BILL LISTING FOR AUGUST 1, 2016

155 2016 08-01

Moved by Gates. Seconded by Atwood.
Approve the Bill Listing for August 1, 2016 in the amount of \$925,987.44.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

None.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

HID Submission of Proposal for 2017-2018 MSHDA HCV Administration.

156 2016 08-01

Moved by Marquardt. Seconded by Bostick-Tullius.

Approve the Resolution, Michigan State Housing Development Authority (MSHDA) Division Of Rental Assistance And Homeless Solutions Housing Choice Voucher Program Proposal For Housing Choice Voucher Administration 2017 And 2018.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

CITY MANAGER'S REPORT

City Manager Dale Kerbyson indicated the Wal-Mart traffic light was activated today.

CITY ATTORNEY'S REPORT

None.

UNFINISHED BUSINESS

157 2016 08-01

Appointed by Mayor Sprague. Moved by Bennett. Seconded by Bostick-Tullius.

Denis McCarthy Local Development Finance Authority, expiration 08-01-19.

Edward Jamison Planning Commission, expiration 08-01-19.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

DEPARTMENTAL COMMUNICATIONS

None.

PUBLIC COMMENTS

Lenny Schneider, Lapeer County Commissioner District 4, commented on Lapeer County EMS millage request; discussion followed.

MAYOR/COMMISSIONER COMMENTS

Commissioner Bennett: Questioned if the City had a motto and if not why, City Manager Dale Kerbyson responded no and that Commissioner Atwood was working on one; had a prize for the person who could tell what the motto for the US was, Mayor Sprague said "E Pluribus Unum", City Manager Dale Kerbyson said "In God We Trust", Mr. Kerbyson received the prize, however there was a discrepancy in what was the actual motto.

Commissioner Gates: Vote tomorrow; will be at County Commission meeting Thursday.

Bostick-Tullius: Kudos to Commissioner Atwood for hosting teen ideas on Saturday and getting teen involvement in community, good ideas; thank you for those that attended the "Meet and Greet" with the Main Street Program; Wal-Mart traffic light.

Commissioner Marquardt: Wal-Mart traffic light; get out and vote tomorrow.

City Manager Dale Kerbyson: Saginaw Street bridge still closed, approaches improperly installed, to be ripped out and replaced; headstones at Cemetery, plan to repair section by section; Conference last week, FBI presentation on alerting public officials on corruption and how to get the ball rolling, very interesting.

Commissioner Atwood: Thank you to Dan Ostentoski, seen picnic tables with inappropriate writing and repainted them; community needs to step up and help take care of things instead of complaining.

Mayor Sprague: Upcoming events; Thank you for Main Street presentation, getting volunteers involved to cleanup downtown area such as washing vacant store windows.

ADJOURNMENT

158 2016 08-01

Moved by Bennett.

Adjourn the regular meeting.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 7:08 p.m.

William Sprague, Mayor

Donna L. Cronce, City Clerk

Tracey S. Russell, Deputy City Clerk

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
August 15, 2016**

A regular meeting of the Lapeer City Commission was held August 15, 2016 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

ROLL CALL

Present: Mayor Sprague.
Commissioners Atwood, Bennett, Bostick-Tullius, Gates, and Marquardt.
Absent: None.

City Manager: Dale Kerbyson, present.
City Attorney: Michael Nolan, present.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

159 2016 08-15

Moved by Bennett. Seconded by Gates.
Approve the Agenda for August 15, 2016 as presented.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

MINUTES

160 2016 08-15

Moved by Gates. Seconded by Bennett.
Approve the minutes from the Regular meeting held August 1, 2016.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

PUBLIC COMMENTS

Kaye Peterson, Wild Cherry Lane, gave invocation.

David Richardson, Attorney located at 301 W. Genesee, introduced himself as a write-in candidate running against Judge Holowka.

Ben Warren, representative for the Optimist Club event, answer any questions the Commission may have.

CONSENT AGENDA

161 2016 08-15

Moved by Bostick-Tullius. Seconded by Gates.
Approve the Consent Agenda for August 15, 2016 resulting in the following:

1. Special Event Request from Lapeer County Hockey Association, View Brew Fest, to be held at Louie's, 3301 Davison Road, September 17, 2016 from 3:00 p.m. until 11:00 p.m.
2. Special Event Request from Lapeer Optimist, with involvement by the Downtown Development Authority; and further, RESOLVED that the request to authorize the Lapeer Optimist Club to use the City sidewalks, parking lot and Cedar Street north of W. Nepepping Street for Lapeer Optimist Halloween Party Downtown Freekfest on Saturday, October 8, 2016 from 6:00 p.m. through 1:00 a.m. be approved.
3. Approve the final project costs for Special Assessment Districts 2006-01 Adams St, 2006-02 Liberty St, 2006-03 Park St, 2007-01 Oregon St, 2008-01 Horton St,

2009-02 Saginaw St, 2010-01 Mill St, 2010-02 Woodbridge Subdivision, and 2010-03 Golfside Subdivision and that any excess funds be transferred to the appropriate Street Funds.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Mayor Sprague asked Mr. Warren to provide a review of the Optimist event; Mr. Warren indicated that the Halloween event will be held downtown, costume contest with prizes, beer tent, 100% of money received to go to local youth, excited to bring people downtown, hope to make a yearly event.

BILL LISTING FOR AUGUST 15, 2016

162 2016 08-15

Moved by Marquardt. Seconded by Gates.

Approve the Bill Listing for August 15, 2016 in the amount of \$2,115,742.43.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

Constitution Week Proclamation: Daughters of the American Revolution, Nipissing Chapter.

163 2016 08-15

Moved by Bennett. Seconded by Atwood.

Approve Constitution Week Proclamation.

PROCLAMATION
CITY OF LAPEER
Constitution Week

WHEREAS, September 17, 2016 marks the two hundred twenty-ninth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week; and

NOW, THEREFORE, BE IT RESOLVED, that I, William J. Sprague, Mayor of the City of Lapeer, and the Lapeer City Commission do hereby proclaim the week of September 17 through 23, 2016 as Constitution Week and encourage all citizens to recognize and appreciate the importance of the Constitution of the United States of America, to honor this founding document's 229th anniversary, and to vigilantly protect the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained. Dated this 15th day of August 2016.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

None.

CITY MANAGER'S REPORT

Michigan Municipal League (MML) Annual Meeting: Designation of Voting Delegates.

164 2016 08-15

Moved by Bennett. Seconded by Gates.

Approve Commissioner Catherine Bostick-Tullius as the Official Representative and Commissioner Deborah Marquardt as the Alternate Official Representative at the Michigan Municipal League (MML) Annual Meeting to be held September 14, 2016.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Various Matters.

City Manager Dale Kerbyson informed the Commission that he is working with a Michigan University graduate, marketing intern on various projects; previous Planner, Matt Modrack's funeral will be on October 1, 2016 at the Brighton Chamber of Commerce; requested a Closed Session following the regular meeting to discuss a real estate purchase.

Closed Session Request.

165 2016 08-15

Moved by Bennett. Seconded by Gates.

Approve a Closed Session at the end of the Regular meeting for the purpose of discussing a real estate purchase.

ROLL CALL VOTE.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

CITY ATTORNEY'S REPORT

City Attorney Michael Nolan commented on working with Denise Soldenski for the Riverview Towers conversion, incredible amount of work completed, Denise did a fantastic job.

UNFINISHED BUSINESS

None.

DEPARTMENTAL COMMUNICATIONS

The Monthly Departmental Reports and the Quarterly Investment Report Ended 6/30/2016 were received into record.

PUBLIC COMMENTS

County Commissioner Lenny Schneider, District 4, commented on County Commission approval of two ballot proposals for Veterans renewal and Lapeer County EMS; discussion followed.

MAYOR/COMMISSIONER COMMENTS

Commissioner Atwood: Thank you to the Optimist for downtown event, hope other groups follow and get involved with downtown; Coffee with a Commish on August 28, 2016, 7:00 p.m. at Dagwoods.

Commissioner Bostick-Tullius: Downtown Development Authority (DDA) table at Lapeer Days promoting the Main Street project, please stop by.

Commissioner Bennett: Thanked prayer lady.

Commissioner Gates: Excited about Halloween event; thanks to everyone for coming to the meeting; attended and enjoyed art gallery show over the weekend.

Commissioner Marquardt: Recent loss of people from the City, passing of Don Miller and Matt Modrack; opening Holiday Depot of Lapeer County next to the Chamber of Commerce; coordinate a Commissioner group activity to serve our community.

City Manager Dale Kerbyson: Mike Robinet is an Optimist member; demographics on store front vacancies, 26 in 2012 and currently only 9; Inovateus Solar will have a booth at Lapeer Days with info on DTE Solar Project.

Mayor Sprague: Upcoming events; would like graph of store vacancies posted on City website; Lapeer Lightning to take on Clarkston at U of M, he will be announcer.

CLOSED SESSION

City Commission convened to a Closed Session for the purpose of discussing a real estate purchase at 6:59 p.m. and returned to its regular session at 7:40 p.m.

ADJOURNMENT

166 2016 08-15

Moved by Bennett.

Adjourn the regular meeting.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 7:40 p.m.

William Sprague, Mayor

Donna L. Cronce, City Clerk

Tracey S. Russell, Deputy City Clerk

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
September 6, 2016**

A regular meeting of the Lapeer City Commission was held September 6, 2016 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

ROLL CALL

Present: Mayor Sprague.
Commissioners Atwood, Bennett, Bostick-Tullius, and Marquardt.
Absent: Commissioner Gates (excused).

City Manager: Dale Kerbyson, present.
City Attorney Representative: Aleks Bomis, present.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

167 2016 09-06

Moved by Marquardt. Seconded by Atwood.
Approve the Agenda for September 6, 2016 as presented.
Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt.
Nays: None.
Absent: Gates.
MOTION CARRIED.

MINUTES

168 2016 09-06

Moved by Bostick-Tullius. Seconded by Marquardt.
Approve the minutes from the Regular meeting held August 15, 2016 and Closed Session held August 15, 2016.
Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt.
Nays: None.
Absent: Gates.
MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

PUBLIC COMMENTS

Janet Adams, Baldwin Road, gave invocation.

CONSENT AGENDA

169 2016 09-06

Moved by Bostick-Tullius. Seconded by Atwood.
Approve the Consent Agenda for September 6, 2016 resulting in the following:

1. Special Event Request from Lapeer High School, Homecoming Parade, September 30, 2016, downtown Lapeer, contingent upon receipt of current insurance.
2. Special Event Request from Lapeer High School, Swing Out, June 1, 2017, downtown Lapeer, contingent upon receipt of current insurance.
3. Special Event Request from Stone Soup Food Bank, Hunger Awareness Week, October 21 & 22, 2016, various intersections on file.
4. Special Event Request from Center for the Arts of Greater Lapeer, Oktoberfest, September 24, 2016, Gallery 194 and Court Street between Nepessing and Alley, contingent upon receipt of current insurance.
5. Special Event Request from Downtown Development Authority, Zombie Walk, October 8, 2016, downtown sidewalks.
6. Special Event Request from Lapeer County Voiture 1536 40th, Fantasy Forest, October 8, 2016, Rowden Park.
7. Special Event Request from Downtown Development Authority, Treat Walk and Pumpkin Fest, October 22, 2016, downtown Lapeer.

8. Special Event Request from Downtown Development Authority, Winterfest and CHEERS to Winterfest Pub Crawl, December 2 & 3, 2016, downtown Lapeer.

Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt.

Nays: None.

Absent: Gates.

MOTION CARRIED.

BILL LISTING FOR SEPTEMBER 6, 2016

170 2016 09-06

Moved by Marquardt. Seconded by Atwood.

Approve the Bill Listing for September 6, 2016 in the amount of \$1,253,317.70.

Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt.

Nays: None.

Absent: Gates.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

Resolution: In Recognition of John C. Murphy.

171 2016 09-06

Moved by Bostick-Tullius. Seconded by Marquardt.

Approve the Resolution In Recognition of John C. Murphy.

RESOLUTION CITY OF LAPEER In Recognition of John C. Murphy

WHEREAS, John C. Murphy served as a Firefighter with the City of Lapeer Fire & Rescue Department from June 14, 2004 through February 20, 2013; and as the Department's Health & Safety Manager from February 20, 2013 until his retirement on July 20, 2016; and

WHEREAS, John C. Murphy was the driving force behind the Department's personnel safety program, and assisted other fire departments with their programs; and

WHEREAS, John C. Murphy is an individual of great personal integrity and has given conscientious service to the citizens of the City of Lapeer and Lapeer County; and

WHEREAS, John C. Murphy exemplifies professionalism, dependability, caring and hard work in his service as a Firefighter and Health & Safety Manager, and

WHEREAS, through his persistence, hard work, and dedication, John C. Murphy has set an example for all Firefighters and is honored by his community;

NOW, THEREFORE BE IT RESOLVED, that I, William J. Sprague, Mayor of the City of Lapeer, and the Lapeer City Commission, take this opportunity on behalf of the people of the City of Lapeer to express official gratitude and deep appreciation to John C. Murphy for his efforts and devotion to public service, and wish him continued success in all his endeavors.

Dated this 6th day of September, 2016.

Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt.

Nays: None.

Absent: Gates.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

Oak Street Rehabilitation Project.

Boddy Construction Company, Inc. Construction Contract.

172 2016 09-06

Moved by Bostick-Tullius. Seconded by Atwood.

Approve the construction contract for the Oak Street Rehabilitation Project to Boddy Construction Company, Inc. in the amount of \$425,403.00 and authorize the Department of Public Works Director to sign required documents.

Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt.

Nays: None.

Absent: Gates.

MOTION CARRIED.

Calhoun Street Rehabilitation Project.

Change Order #1 – Ace-Saginaw Paving Company.

173 2016 09-06

Moved by Bostick-Tullius. Seconded by Marquardt.

Approve Change Order #1 for a net increase of \$12,471.65 with Ace-Saginaw Paving Company revising the contract amount to \$301,903.15 for the Calhoun Street Rehabilitation Project.

Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt.

Nays: None.

Absent: Gates.

MOTION CARRIED.

Calhoun Street Rehabilitation Project.

Payment Request #2 – Ace-Saginaw Paving Company.

174 2016 09-06

Moved by Marquardt. Seconded by Bostick-Tullius.

Approve Payment Request #2 to Ace-Saginaw Paving Company in the amount of \$27,309.77 for the Calhoun Street Rehabilitation Project.

Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt.

Nays: None.

Absent: Gates.

MOTION CARRIED.

CITY MANAGER'S REPORT

City Manager Dale Kerbyson commented on the Oak Street Project, will be done this fall; attended KWA annual meeting, project 25% under estimated budget.

CITY ATTORNEY'S REPORT

By general consensus, the following was approved to be placed into the minutes as read by City Attorney Representative Aleks Bomis.

“Although this does not address legal work being conducted on behalf of the City of Lapeer, Mr. Nolan nevertheless requested that the following statement be read into the record given that this is the first meeting held by the Commission following the Lapeer High School football game held in Ann Arbor against Clarkston High School. Although the final score was not favorable, the impression left with all those in attendance was nothing but complimentary to our District, our community, and the City of Lapeer, thanks in large measure to the efforts of Mayor William Sprague.

For those that may not know, Mayor Sprague served as the public address announcer for the game and all of its festivities to rave reviews. On the night of the game Mayor Sprague greeted the Lapeer faithful with his familiar phrases, his unending enthusiasm and his genuine joy in calling the game. To Clarkston, Mayor Sprague was courteous, congratulatory and inclusive in the night's events. On behalf of the Chad Carr Foundation, Mayor Sprague's voice loudly proclaimed the recognition that through charitable work we can all make a difference and that through the efforts of all those in attendance at the Big House perhaps future children will not suffer as did Chad Carr and his family from that fatal brain cancer.

Following the game and for many days and nights that followed, numerous compliments were received regarding the conduct of the game, the behavior of

the fans and class that was exhibited by the big voice that rang through the Big House. Thank you Mayor Sprague for playing such a major role in once again exhibiting what is best in Lapeer and for so openly portraying Lapeer in such a positive and meaningful manner.”

Mayor Sprague expressed his appreciation.

UNFINISHED BUSINESS

None.

DEPARTMENTAL COMMUNICATIONS

None.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Atwood: Moving Coffee with Commission back to Mondays in September.

Commissioner Bostick-Tullius: Attending MML Convention, running for Vice President; DDA Main Street had an information table during Lapeer Days, great event, went well.

Commissioner Marquardt: Attended Mini Mac walk in Columbiaville; adult cell phone game Munzie, use of stickers on places for people to go and find, ability to share different attractions of our City with others; loss of businesses opening downtown due to issues with Building Department.

City Manager Dale Kerbyson: Issue brought up to DDA about problem getting business opened downtown, advised of fire and building issues before changes, business went ahead with changes without addressing fire and building issues and were closed down until issues were resolved; congratulated staff on Lapeer Days, great event, everything went well.

Mayor Sprague: Thank you to all for Lapeer Days, great job, usual complaints received on Lapeer Days, process to put such a large event together, said in opening speech that those who complain should get involved with the process, volunteer and help out; upcoming events.

ADJOURNMENT

175 2016 09-06

Moved by Bennett.

Adjourn the regular meeting.

Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt.

Nays: None.

Absent: Gates.

MOTION CARRIED.

The regular meeting adjourned at 6:55 p.m.

William Sprague, Mayor

Donna L. Cronce, City Clerk

Tracey S. Russell, Deputy City Clerk

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
September 19, 2016**

A regular meeting of the Lapeer City Commission was held September 19, 2016 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

ROLL CALL

Present: Mayor Pro-Tem Marquardt.
Commissioners Atwood, Bennett, Bostick-Tullius, and Gates.
Absent: Mayor Sprague (excused).

City Manager: Dale Kerbyson, present.
City Attorney: Michael Nolan, present.

Mayor Pro-Tem Marquardt called on Commissioner Bostick-Tullius to lead the Pledge of Allegiance.

AGENDA APPROVAL

176 2016 09-19

Moved by Bennett. Seconded by Gates.
Approve the Agenda for September 19, 2016 as presented.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

MINUTES

177 2016 09-19

Moved by Bostick-Tullius. Seconded by Gates.
Approve the minutes from the Regular meeting held September 6, 2016 as presented.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

PUBLIC COMMENTS

40th Judicial Circuit Court Judge: Honorable Nick O. Holowka.

Honorable Nick O. Holowka introduced himself, is running for re-election in November, gave information on court processes, career history, opponent's comments and write-in status, asked for support and asked for any questions.

Lapeer District Library Update: Melissa Malcolm, Director.

Melissa Malcolm, Director of the Lapeer District Library gave an update on the status of the library relocation.

Jenny Burkhart, Wilder Road, gave invocation.

CONSENT AGENDA

178 2016 09-19

Moved by Bostick-Tullius. Seconded by Gates.
Approve the Consent Agenda for September 19, 2016 resulting in the following:
1. Special Event Request from the Lapeer Kiwanis to hold their annual Cider Sales on various intersection throughout the City and the sidewalk area by the Post Office on October 14, 2016 from 9:00 a.m. through 5:00 p.m.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

BILL LISTING FOR SEPTEMBER 19, 2016

179 2016 09-19

Moved by Gates. Seconded by Atwood.

Approve the Bill Listing for September 19, 2016 in the amount of \$551,963.79.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

Lifesaving Award presented by Chief Todd Alexander to Lt. David Frisch.

Chief Todd Alexander read and presented a Lifesavings Award to Lt. David Frisch and congratulated him on a job well done.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

None.

CITY MANAGER'S REPORT

None.

CITY ATTORNEY'S REPORT

None.

UNFINISHED BUSINESS

None.

DEPARTMENTAL COMMUNICATIONS

None.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Atwood: The next Coffee with Commish will be Monday, September 26, 2016 at Dagwoods; create/implement a Beautification Committee.

Commissioner Bostick-Tullius: Attended the MML conference, great speakers, elected Vice President, look at/review municipal finance structure/reform.

Commissioner Bennett: Thanked lady for prayer.

Commissioner Gates: Congratulated and thanked Lt. Frisch; congratulated Commissioner Bostick-Tullius on her elected position with MML; attended and learned a lot at the MML Conference; thanked Judge Holowka and Melissa Malcolm for their presentations, plan to attend Library Board meeting on October 6th.

City Manager Dale Kerbyson: Thanked Judge Holowka and Melissa Malcolm for the information presented; congratulated Commissioner Bostick-Tullius and Lt. Frisch.

Commissioner Marquardt: Congratulated Lt. Frisch and thanked all law enforcement staff as well as City staff; attended MML Conference, enjoyed sessions, very interesting; review of beautification committee, speaker on correction facilities.

ADJOURNMENT

Commissioner Bennett moved to adjourn the meeting, with no support meeting remained opened with Commissioner Marquardt commenting on local upcoming events.

180 2016 09-19

Moved by Bennett.

Adjourn the regular meeting.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 7:14 p.m.

Deborah Marquardt, Mayor Pro-Tem

Donna L. Cronce, City Clerk

Tracey S. Russell, Deputy City Clerk

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
October 3, 2016**

A regular meeting of the Lapeer City Commission was held October 3, 2016 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

ROLL CALL

Present: Mayor Sprague.
Commissioners Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Absent: None.

City Manager: Dale Kerbyson, present.
City Attorney: Michael Nolan, present.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

181 2016 10-03

Moved by Gates. Seconded by Marquardt.

Approve the Agenda for October 3, 2016 with the addition of a Closed Session for the purpose of discussing real estate transaction at the end of the regular meeting.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

MINUTES

182 2016 10-03

Moved by Bostick-Tullius. Seconded by Gates.

Approve the minutes from the Regular meeting held September 19, 2016 as presented.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

PUBLIC COMMENTS

Brad Haggadone, Delia Street, introduced himself, is running as a candidate for Lapeer Community Schools Board Member on the November ballot.

Harold Green, N. Lapeer Road, gave invocation.

Jan Peabody, Peppermill Circle, introduced herself, is running as a candidate for Lapeer Community Schools Board Member on the November ballot.

CONSENT AGENDA

183 2016 10-03

Moved by Marquardt. Seconded by Gates.

Approve the Consent Agenda for October 3, 2016 resulting in the following:

1. Special Event Request from Lapeer Area Chamber of Commerce, 2016 Annual Christmas Parade, downtown Lapeer, begin line up at 9:30 a.m., parade to begin at 11:00 a.m.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

BILL LISTING FOR OCTOBER 3, 2016

184 2016 10-03

Moved by Marquardt. Seconded by Atwood.
Approve the Bill Listing for October 3, 2016 in the amount of \$336,654.38.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

Proclamation: In Recognition of Raymond M. Turczyn.

185 2016 10-03

Moved by Bostick-Tullius. Seconded by Bennett.
Approve the Proclamation In Recognition of Raymond M. Turczyn.

PROCLAMATION
CITY OF LAPEER
In Recognition of Raymond M. Turczyn

WHEREAS, Raymond M. Turczyn began his employment with the City of Lapeer on June 16, 1980 as Director of Parks and Recreation and to Director of Parks, Recreation and Cemetery on July 1, 2002; and

WHEREAS, Raymond M. Turczyn has served with dedication and distinction for 36 years of service to the City of Lapeer with his innovative and energetic leadership and has provided the City with extensive skill and expertise within the parks, recreation and cemetery services arena; and

WHEREAS, Raymond M. Turczyn has devoted time and effort in providing growth and development to the City of Lapeer in various projects including the building of the Community Center, Prairies and Ponds at Oakdale, soccer fields, walking paths and connection throughout the parks system; and

WHEREAS, Raymond M. Turczyn will retire on October 31, 2016. He leaves those in the City of Lapeer proud to have known him and to have served with him. His presence, commitment, and proficiency will be missed and he is wished the best of luck in his retirement.

NOW, THEREFORE, BE IT RESOLVED, that I, Mayor William J. Sprague, and the Lapeer City Commission, take this opportunity on behalf of the people of the City of Lapeer to express official gratitude and deep appreciation to Raymond M. Turczyn for his outstanding achievements, devotion to public service and profound impact on those he worked with and served and wish him continued success in his retirement; and
Dated this 3rd day of October, 2016.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED. PROCLAMATION DELARED ADOPTED.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

Lincoln Street Reconstruction Project.
Change Order #4 – Glaeser Dawes Corp.

186 2016 10-03

Moved by Marquardt. Seconded by Gates.
Approve Change Order #4 with Glaeser Dawes Corp., revising the final completion date to September 24, 2016 for the Lincoln Street Reconstruction Project.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

Lincoln Street Reconstruction Project.
Payment Request #6 – FINAL – Glaeser Dawes Corp.

187 2016 10-03

Moved by Bennett. Seconded by Gates.

Approve Payment Request #6 – FINAL to Glaeser Dawes Corp. in the amount of \$3,041.93 for the Lincoln Street Reconstruction Project.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

CITY MANAGER'S REPORT

None.

CITY ATTORNEY'S REPORT

None.

UNFINISHED BUSINESS

188 2016 10-03

Mayor Sprague appointed. Moved by Marquardt. Seconded by Gates.

Ed Jamison Local Officers Compensation Commission, term ending 10-01-21.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

DEPARTMENTAL COMMUNICATIONS

None.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Bennett: Past week comment from Archdioces of New York Cardinal Dolan on being questioned what he thought impressing danger of America is, response of America has forgotten God, 1962 Supreme Court decision declaring prayer unconstitutional in schools and Senator Robert Byrd expression declaring that this would be a disastrous decision, agrees with their message.

Commissioner Bostick-Tullius: Attended Senior Celebration Day with Commissioner Marquardt, provided information on housing, Riverview Towers, dog park, Main Street and its importance to downtown, Community Center brochure, felt there was a lot of interest.

Commissioner Atwood: Attended Oktoberfest, Optimist interest in downtown events; suicide and drug overdoses in area, pray and rebuke spirit of death off of City, bullying in schools, do we have anything in place to assist with these things, brief discussion on Community Mental Health programs available and hotline number, place a link on our website, give people someone to listen, requested City Manager to research availability of services.

Commissioner Marquardt: Schools offer programs on bullying, different organizations/groups also have information, will check into it; attended Senior Celebration Day.

City Manager Dale Kerbyson indicated the Fire Department Annual Open House was October 16th.

Mayor Sprague: Upcoming events; homecoming was Friday night, postponed dedication honoring various groups and leaders for athletic complex; Glenn Ream with The American Legion honored the City with a Certificate of Appreciation as follows:

The American Legion

Certificate of Appreciation

This certificate of appreciation is gratefully presented to City of Lapeer. In recognition and sincere appreciation of outstanding service and assistance which contributed to the advancement of The American Legion programs and activities dedicated to God and Country.

Post 16, Lapeer
Department of Michigan
April 8th, 2016

Adjutant Glenn M. Ream and Commander Walter F. Stewart

CLOSED SESSION

189 2016 10-03

Moved by Bennett. Seconded by Gates.

To convene to a Closed Session for the purpose of discussing real estate transaction.

ON A ROLL CALL VOTE:

AYES: Commissioners Marquardt, Atwood, Bostick-Tullius, Gates, Bennett.

NAYS: None.

ABSTAIN: None.

ABSENT: None.

MOTION CARRIED.

Commission convened to a Closed Session at 6:59 p.m. and returned to its regular meeting at 7:22 p.m.

ADJOURNMENT

190 2016 10-03

Moved by Bennett.

Adjourn the regular meeting.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 7:23 p.m.

William J. Sprague, Mayor

Donna L. Cronce, City Clerk

Tracey S. Russell, Deputy City Clerk

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
October 17, 2016**

A regular meeting of the Lapeer City Commission was held October 17, 2016 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

ROLL CALL

Present: Mayor Sprague.
Commissioners Bennett, Bostick-Tullius, Gates, Marquardt.
Absent: Commissioner Atwood.

City Manager: Dale Kerbyson, present.
City Attorney: Michael Nolan, present.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

191 2016 10-17

Moved by Bennett. Seconded by Gates.
Approve the Agenda for October 17, 2016 as presented.
Ayes: Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: Atwood.

MOTION CARRIED.

MINUTES

192 2016 10-17

Moved by Marquardt. Seconded by Gates.
Approve the minutes from the Regular meeting held October 3, 2016 and Closed Session held October 3, 2016 as presented.
Ayes: Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: Atwood.

MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

PUBLIC COMMENTS

Flint River Watershed Coalition – Sondra Severn.

Ms. Severn provided a presentation regarding the Flint River Water Trail, National Water Trail Designation Planning Project, Memorandum of Support (MOU) that would partner the City and would be a 10 year commitment; brief discussion was held regarding areas in support, support by resolution at this time.

193 2016 10-17

Moved by Bostick-Tullius. Seconded by Gates.
Approve a Resolution In Support Flint River Water Trail Partnership.

**CITY OF LAPEER
RESOLUTION IN SUPPORT FLINT RIVER WATER TRAIL PARTNERSHIP**

WHEREAS, the Flint River Water Trail is a valuable resource for non-motorized recreation, education, stewardship and tourism within Lapeer and its surrounding communities;

WHEREAS, a new public/private collaborative is proposed to be formed, known as the Flint Water Trail Partnership, which will endeavor to use the collective and cooperative energy of the Partnership and its prospective members to support projects which:

- Investigate avenues for increasing funding of conservation, restoration and non-motorized recreation along the Flint Water Trail;

- Increase community awareness of the recreational and environmental value of a healthy Flint River;
- Encourage development of canoe and kayak launches at new facilities along the river and facilities that are slated for significant improvements or renovations;
- Provide public information on the Flint River Water Trail through partner websites, as well as promotional and educational materials; and
- Promote the Flint River Water Trail as a valuable resource for non-motorized recreation, education, stewardship and tourism.

WHEREAS, the City of Lapeer understands and agrees that a healthy Flint River and its watershed is important to its citizens and that the recreational, ecological, economic and social opportunities afforded by the development and support of the Flint Water Trail are consistent with this Commission's goals to promote the sustainability and viability of such an important waterway;

NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners of the City of Lapeer supports and encourages the creation of the Flint River Water Trail Partnership and its efforts to improve and promote the Flint River Water Trail and its proposed mission to investigate avenues for increasing funding of conservation, restoration and non-motorized recreation along the Flint Water Trail, increase community awareness of the recreational and environmental value of a healthy Flint River, encourage development of canoe and kayak launches at new facilities along the river and facilities that are slated for significant improvements or renovations, provide public information on the Flint River Water Trail through partner websites, as well as promotional and educational materials, and promote the Flint River Water Trail as a valuable resource for non-motorized recreation, education, stewardship and tourism.

Ayes: Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: Atwood.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

Steve Ruddock, Sherman Court, gave invocation.

Ed Ronders, Lapeer County Veterans Affairs, provide an update on the department; millage renewal on November ballot.

CONSENT AGENDA

194 2016 10-17

Moved by Marquardt. Seconded by Gates.

Approve the Consent Agenda for October 17, 2016 resulting in the following:

1. Halloween Trick or Treat Hours to be 6:00 p.m. until 8:00 p.m. on Halloween night, Monday, October 31, 2016.

Ayes: Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: Atwood.

MOTION CARRIED.

BILL LISTING FOR OCTOBER 17, 2016

195 2016 10-17

Moved by Marquardt. Seconded by Gates.

Approve the Bill Listing for October 17, 2016 in the amount of \$390,015.79.

Ayes: Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: Atwood.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

Proclamation: Presentation to Raymond M. Turczyn.

Mayor Sprague read and presented the Proclamation In Recognition to Raymond M. Turczyn that was approved at the October 3, 2016 meeting. Mr. Turczyn commented that it has been a privilege, feels blessed for the opportunity the City provided him over the many years of his employment.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

Industrial Facilities Tax Exemption Request: Vidon Plastics, Inc.

196 2016 10-17

Moved by Bostick-Tullius. Seconded by Gates.

Approve the Resolution To Schedule A Public Hearing To Consider An Application For An Industrial Facilities Exemption Certificate For Vidon Plastics, Inc. for November 7, 2016 at 6:30 p.m. or as soon thereafter as may be heard.

**CITY OF LAPEER RESOLUTION TO SCHEDULE A PUBLIC HEARING
TO CONSIDER AN APPLICATION FOR AN
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE
FOR Vidon Plastics, Inc.**

WHEREAS, pursuant to Act 198 of the Michigan Public Acts of 1974, as amended, MCLA Section 207.551 et sequ., after a duly noticed public hearing held on October 5, 1987 this City Commission by resolution established Industrial Development District No. E; and

WHEREAS, Vidon Plastics, Inc. owner of the realty described below within said District, has applied for an Industrial Facilities Exemption Certificate, under the provision of 1974 Public Act 198, Section 5 (1); and

WHEREAS, 1974 Public Act 198, Section 5 (2) provides that before acting upon an application for an Industrial Facilities Exemption Certificate, the City Commission shall afford the applicant, the Assessor and a representative of the affected taxing units an opportunity for a hearing.

NOW, THEREFORE, BE IT RESOLVED:

1. That the application of Vidon Plastics, Inc. for Industrial Facilities Exemption Certificate shall remain on file in the office of the City Clerk.
2. That the City Commission shall meet in the City Commission Chambers at 576 Liberty Park, on November 7, 2016 at 6:30 p.m. or as soon thereafter as may be heard. The City Commission will provide the City Assessor and a representative of each of the taxing units an opportunity to be heard on the question of Vidon Plastics, Inc. application for an Industrial Facilities Exemption Certificate with regard to proposed operation within the Industrial Development District No. E.
3. That the City Clerk immediately inform by letter, the City Assessor and the legislative body of each taxing unit which levies ad valorem taxes in the City of Lapeer on the property located within the Industrial Development District No. E described as follows:

Part of the Northeast $\frac{1}{4}$ Section 12 Township 7 North, Range 9 East, City of Lapeer, Lapeer County, Michigan. Described as beginning at a point of the Northerly Line of the "May-White Drain" easement parcel which is located by the following four (4) courses from the North $\frac{1}{4}$ corner of said Section 12: (1) S 01 degrees-38'-19"E, along the North and South $\frac{1}{4}$ Line of said Section 12, 2138.85 feet, and (2) N89 degrees-59'-48"E, 234.32 feet to the Southeast corner of said "May-White Drain" easement parcel, and (3) N 01 degrees-58'-38"E, 160.00 feet along the Westerly Line of said parcel, to the Northwest corner of said parcel, and (4) N 48 degrees-33'-33"E, 20.32 feet to the point of beginning, said point of beginning also being on the Easterly Line of John Conley Drive; thence continuing N 84 degrees-33'-33"E, 1070.00 feet; thence N 21 degrees-40'-31"W, 457.82 feet to the Southerly Line of John Conley Drive; thence along said Southerly and Easterly Line of John Conley Drive the following (3) three courses: (1) on a curve to the right 235.99 feet (said curve having a radius of 764.94 feet, a degree of curve of 07 degrees-29'-25", a central angle of 17 degrees-40'-33", and a chord bearing and distance of S 77 degrees-09'-46"W, 235.05 feet, and (2)

S 86 degrees-00'-02"W, 84.93 feet, and (3) on a curve to the left 795.57 feet, said curve having a radius of 654.17 feet, a degree of curve of 08 degrees-45'-31", a central angle of 69 degrees-40'-49", and a chord bearing and distance of S 51 degrees-09'-38"W, 747.44 feet to the point of beginning. Subject to all easements and restrictions of record. Containing 8.00 acres of land.

More commonly known as: 3171 John Conley Drive

Ayes: Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: Atwood.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

Contract for Engineering Services: City of Lapeer Dog Park.

197 2016 10-17

Moved by Marquardt. Seconded by Bostick-Tullius.

Approve the Contract for Engineering Services with ROWE Professional Services Company for the City of Lapeer Dog Park project in the amount of \$7,000.00 with a donation of services by ROWE of \$2,000.00 for a total fee to be paid by the City of \$5,000.00 and authorize the City Manager to sign said contract.

Ayes: Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: Atwood.

MOTION CARRIED.

Contract for Engineering Services: Woods at Oakdale Project.

198 2016 10-17

Moved by Marquardt. Seconded by Gates.

Approve the Contract for Engineering Services with ROWE Professional Services Company for the Woods at Oakdale project in the amount of \$18,300.00 and authorize the City Manager to sign said contract.

Ayes: Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: Atwood.

MOTION CARRIED.

DDA Savings Account for Online Donations.

199 2016 10-17

Moved by Bostick-Tullius. Seconded by Gates.

Approve the creation of a separate DDA savings account for the purpose of online donations, signatories on the account to be approved by the DDA Board.

Ayes: Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: Atwood.

MOTION CARRIED.

CITY MANAGER'S REPORT

None.

CITY ATTORNEY'S REPORT

None.

UNFINISHED BUSINESS

200 2016 10-17

Moved by Gates. Seconded by Bostick-Tullius.

Brian Wilson Board of Review Alternate, term ending 01-01-17.

Ayes: Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: Atwood.

MOTION CARRIED.

DEPARTMENTAL COMMUNICATIONS

The Monthly Departmental Reports, Monthly Financial Report for July 2016 and Monthly Financial Report for August 2016 received into the record.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Bennett: Thanked person for invocation; stated it is impossible for a veteran to be homeless in the City of Lapeer due to the resources available; indicated Mr. Ronders is doing a great job with the veterans program.

Commissioner Bostick-Tullius: Thanked Mr. Ronders for his facts on veterans; attended Tilted Axis Re-Grand Opening and Jocuns Law Open House; to attend Homeless Conference in Cass City with Commissioner Marquardt; will not be at the next meeting; attending National League of Cities Conference in Pittsburg; congratulations to Ray Turczyn on his retirement.

Commissioner Marquardt: Congratulations to Ray Turczyn on his retirement; attended the Fire Department Open House.

City Manager Dale Kerbyson: Attended the Fire Department Open House and Jocuns Law Open House; congratulations to Ray Turczyn on his retirement.

Mayor Sprague: Upcoming events; October is domestic violence awareness month; unable to attend Jocuns Law Open House; Veterans and goal to make sure no Veteran is homeless, championed by First Lady as well; congratulations to Ray Turczyn on his retirement.

ADJOURNMENT

201 2016 10-17

Moved by Bennett.

Adjourn the regular meeting.

Ayes: Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: Atwood.

MOTION CARRIED.

The regular meeting adjourned at 7:09 p.m.

William J. Sprague, Mayor

Donna L. Cronce, City Clerk

Tracey S. Russell, Deputy City Clerk

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
November 7, 2016**

A regular meeting of the Lapeer City Commission was held November 7, 2016 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

ROLL CALL

Present: Mayor Sprague.
Commissioners Atwood, Bennett, Gates, Marquardt.
Absent: Commissioner Bostick-Tullius.

City Manager: Dale Kerbyson, present.
City Attorney Representative: Denis McCarthy, present.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

202 2016 11-07

Moved by Gates. Seconded by Bennett.
Approve the Agenda for November 7, 2016 as presented.
Ayes: Atwood, Bennett, Gates, Marquardt.
Nays: None.
Absent: Bostick-Tullius.
MOTION CARRIED.

MINUTES

203 2016 11-07

Moved by Marquardt. Seconded by Gates.
Approve the minutes from the Regular meeting held October 17, 2016 as presented.
Ayes: Atwood, Bennett, Gates, Marquardt.
Nays: None.
Absent: Bostick-Tullius.
MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

PUBLIC COMMENTS

Janet Adams, Baldwin Road, gave invocation.

Wade Jenkins, N. Main Street, announced that the Refuge will be open beginning November 20, 2016 through April 2, 2016 each evening from 5:30 p.m. through 6:30 p.m.

Alex Lengemann, Oregon Road, voiced a complaint about having to obtain building permits for what he considers to be ordinary home repairs and that his repairs have been shut down by the City; he sees no valid ordinance indicating he needs permits. Mayor Sprague indicated that City Manager Dale Kerbyson will look into the matter and respond to Mr. Lengemann.

CONSENT AGENDA

204 2016 11-07

Moved by Gates. Seconded by Atwood.
Approve the Consent Agenda for November 7, 2016 resulting in the following:
1. Special Event Request from DDA, A Girlfriends Night Out – A Woman’s Walk, November 17, 2016 downtown Lapeer.
2. Approve the Resolution to Support Submission of Fire Department Grant Application For Assistance To Firefighters Grant Program.

Resolution to Support Submission of Fire Department Grant Application
For ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM

WHEREAS, the City of Lapeer Fire & Rescue Department is eligible to submit one application for funding assistance for the purchase of certain types of fire service vehicles and equipment; and

WHEREAS, the Federal government has funded a grant program for this purpose; and

WHEREAS, the City of Lapeer Fire & Rescue Department would like to submit a request for funding assistance for the purchase of firefighter protective clothing and portable radios at a total cost not to exceed \$100,000; and

WHEREAS, funding for this project is proposed from a grant from the Department of Homeland Security in an amount not to exceed \$90,000 (90%) and \$10,000 (10%) from the City of Lapeer for the requested equipment; and

NOW, THEREFORE, BE IT RESOLVED THAT, the Lapeer City Commission authorizes submission of a Department of Homeland Security grant application under the Assistance to Firefighters Grant Program and commits up to \$10,000 of City funds to provide a match toward the grant application should it be awarded.

This Resolution adopted this 7th day of November 2016.

Ayes: Atwood, Bennett, Gates, Marquardt.

Nays: None.

Absent: Bostick-Tullius.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

BILL LISTING FOR NOVEMBER 7, 2016

205 2016 11-07

Moved by Marquardt. Seconded by Gates.

Approve the Bill Listing for November 7, 2016 in the amount of \$1,297,460.05.

Ayes: Atwood, Bennett, Gates, Marquardt.

Nays: None.

Absent: Bostick-Tullius.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

Lapeer Team Work, Inc. Charitable Gaming License.

206 2016 11-07

Moved by Marquardt. Seconded by Gates.

Approve the Local Governing Body Resolution For Charitable Gaming License For Lapeer Team Work, Inc.

Ayes: Atwood, Bennett, Gates, Marquardt.

Nays: None.

Absent: Bostick-Tullius.

MOTION CARRIED.

PUBLIC HEARINGS

Industrial Facilities Tax Exemption Certificate (IFT): Vidon Plastics, Inc.

Patricia Lucas, Lapeer Development Corporation introduced CEO Don Dubee from Vidon Plastics, Inc.; 12 year exemption; request is for building improvement costs of over \$262K; creation of 3 new jobs; answer any questions the Commission may have.

Mayor Sprague opened the public hearing at 6:43 p.m. Hearing no comments, Mayor Sprague closed the public hearing at 6:43 p.m.

207 2016 11-07

Moved by Marquardt. Seconded by Gates.

Approve Resolution Approving The Application Of Vidon Plastics, Inc. For An Industrial Facilities Tax Exemption Certificate.

CITY OF LAPEER
RESOLUTION APPROVING THE APPLICATION OF
VIDON PLASTICS, INC.
FOR AN INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE

WHEREAS, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on October 5, 1987 this Commission by resolution established the City of Lapeer Industrial Development District No. E as requested by the Lapeer City Commission; and

WHEREAS, Vidon Plastics, Inc. has filed an application for an Industrial Facilities Exemption Certificate with respect to a building addition within the Industrial Development District No. E; and

WHEREAS, before acting on said application, the City of Lapeer held a hearing on November 7, 2016 at the Lapeer City Hall, 576 Liberty Park, at 6:30 p.m. or as soon thereafter as may be heard, prior to which hearing the applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, commencement of the building addition not begun earlier than six (6) months before October 6, 2016, the date of the acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Lapeer, after granting this certificate, will exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW THEREFORE, BE IT RESOLVED by the Lapeer City Commission that:

1. The Board finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974 and Act No. 255 of the Public Acts of 1978, shall not have the effect of substantially impeding the operation of the City of Lapeer, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Lapeer.
2. The application of Vidon Plastics, Inc. for an Industrial Facilities Exemption Certificate with respect to a building addition on the following described parcel of real property situated within the City of Lapeer Industrial Development District No. E, to wit:

Part of the Northeast $\frac{1}{4}$ Section 12 Township 7 North, Range 9 East, City of Lapeer, Lapeer County, Michigan. Described as beginning at a point of the Northerly Line of the "May-White Drain" easement parcel which is located by the following four (4) courses from the North $\frac{1}{4}$ corner of said Section 12: (1) S 01 degrees-38'-19"E, along the North and South $\frac{1}{4}$ Line of said Section 12, 2138.85 feet, and (2) N89 degrees-59'-48"E, 234.32 feet to the Southeast corner of said "May-White Drain" easement parcel, and (3) N 01 degrees-58'-38"E, 160.00 feet along the Westerly Line of said parcel, to the Northwest corner of said parcel, and (4) N 48 degrees-33'-33"E, 20.32 feet to the point of beginning, said point of beginning also being on the Easterly Line of John Conley Drive; thence continuing N 84 degrees-33'-33"E, 1070.00 feet; thence N 21 degrees-40'-31"W, 457.82 feet to the Southerly Line of John Conley Drive; thence along said Southerly and Easterly Line of John Conley Drive the following (3) three courses: (1) on a curve to the right 235.99 feet (said curve having a radius of 764.94 feet, a degree of curve of 07 degrees-29'-25", a central angle of 17 degrees-40'-33", and a chord bearing and distance of S 77 degrees-09'-46"W, 235.05 feet, and (2) S 86 degrees-00'-02"W, 84.93 feet, and (3) on a curve to the left 795.57 feet, said curve having a radius of 654.17 feet, a degree of curve of 08 degrees-45'-31", a central angle of 69 degrees-40'-49", and a chord bearing and distance of S 51 degrees-09'-38"W, 747.44 feet to the point of beginning. Subject to all easements and restrictions of record. Containing 8.00 acres of land.

More commonly known as 3171 John Conley Drive

be and the same is hereby approved.

3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force and effect for a period of 12 years after completion, provided, however, that said certificate shall be subject to the terms and conditions of the Tax Abatement Agreement between the City of Lapeer and Vidon Plastics, Inc. dated October 6, 2016.

AYES: Atwood, Bennett, Gates, Marquardt.

NAYS: None.

ABSENT: Bostick-Tullius

ABSTAIN: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

ADMINISTRATIVE REPORTS

Industrial Facilities Tax Exemption Request: Urgent Design & Manufacturing, Inc.

208 2016 11-07

Moved by Marquardt. Seconded by Atwood.

Approve the Resolution To Schedule A Public Hearing To Consider An Application For An Industrial Facilities Exemption Certificate For Urgent Design & Manufacturing, Inc. for November 21, 2016 at 6:30 p.m. or as soon thereafter as may be heard.

CITY OF LAPEER RESOLUTION TO SCHEDULE A PUBLIC HEARING
TO CONSIDER AN APPLICATION FOR AN
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE
FOR Urgent Design & Manufacturing, Inc.

WHEREAS, pursuant to Act 198 of the Michigan Public Acts of 1974, as amended, MCLA Section 207.551 et sequ., after a duly noticed public hearing held on October 5, 1987 this City Commission by resolution established Industrial Development District No. E; and

WHEREAS, Urgent Design & Manufacturing, Inc. owner of the realty described below within said District, has applied for an Industrial Facilities Exemption Certificate, under the provision of 1974 Public Act 198, Section 5 (1); and

WHEREAS, 1974 Public Act 198, Section 5 (2) provides that before acting upon an application for an Industrial Facilities Exemption Certificate, the City Commission shall afford the applicant, the Assessor and a representative of the affected taxing units an opportunity for a hearing.

NOW, THEREFORE, BE IT RESOLVED:

1. That the application of Urgent Design & Manufacturing, Inc. for Industrial Facilities Exemption Certificate shall remain on file in the office of the City Clerk.
2. That the City Commission shall meet in the City Commission Chambers at 576 Liberty Park, on November 21, 2016 at 6:30 p.m. or as soon thereafter as may be heard. The City Commission will provide the City Assessor and a representative of each of the taxing units an opportunity to be heard on the question of Urgent Design & Manufacturing, Inc. application for an Industrial Facilities Exemption Certificate with regard to proposed operation within the Industrial Development District No. E.
3. That the City Clerk immediately inform by letter, the City Assessor and the legislative body of each taxing unit which levies ad valorem taxes in the City of Lapeer on the property located within the Industrial Development District No. E described as follows:

PART OF NORTHEAST 1/4 OF SECTION 12 T7N-R9E, ELBA TOWNSHIP,
LAPEER COUNTY, MICHIGAN DESCRIBED AS COMMENCING AT THE
NORTH 1/4 CORNER OF SAID SECTION 12 SOUTH 01°38'19" EAST 2138.85
FEET ALONG THE NORTH-SOUTH 1/4 LINE; THENCE NORTH 89°59'48"
EAST 234.32 FEET; THENCE NORTH 18°56'19" WEST .68 FEET; THENCE
959.27 FEET ALONG A CURVE TO THE RIGHT, DELTA ANGLE 8°45'31",
RADIUS OF 654.17 FEET, LONG CHORD BEARING AND DISTANCE OF

NORTH 43°59'30" EAST 875.60 FEET; THENCE NORTH 86 00'02" EAST 84.93 FEET; THENCE NORTH 03°59'58" WEST 86.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 03°59'58" WEST 482.48 FEET; THENCE 386.12 FEET ALONG A CURVE TO THE RIGHT DELTA ANGLE 17°51'47", RADIUS OF 320.75 FEET, LONG CHORD BEARING AND DISTANCE OF NORTH 30°29'13" EAST 363.22 FEET; THENCE NORTH 64°58'23" EAST 360.00 FEET; THENCE SOUTH 25°00'04" EAST 710.10 FEET; THENCE 62.54 FEET ALONG A CURVE TO THE LEFT DELTA ANGLE 44° 57'14", RADIUS 80.00 FEET; LONG CHORD BEARING AND DISTANCE OF SOUTH 56°05'28" WEST 61.17 FEET; THENCE 48.54 FEET ALONG A CURVE TO THE RIGHT DELTA ANGLE 34°45'54", RADIUS OF 80.00 FEET, LONG CHORD BEARING AND DISTANCE OF SOUTH 05°59'45" WEST 47.80 FEET; THENCE SOUTH 68°22'42" WEST 523.00 FEET; THENCE 208.82 FEET ALONG A CURVE TO THE RIGHT, DELTA ANGLE OF 17°37'21" RADIUS OF 678.94 FEET, LONG CHORD BEARING AND DISTANCE OF SOUTH 77°11'22" WEST 208.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 11.43 ACRES AND SUBJECT TO ALL EASEMENTS OR RESTRICTIONS OF RECORD. More commonly known as: 3142 John Conley Drive.

AYES: Atwood, Bennett, Gates, Marquardt.

NAYS: None.

ABSENT: Bostick-Tullius.

ABSTAIN: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

Rotary Park Canoe/Kayak Launch.

209 2016 11-07

Moved by Gates. Seconded by Bennett.

Approve the Resolution Rotary Park Canoe/Kayak Launch.

Resolution

Rotary Park Canoe/Kayak Launch

WHEREAS, the Lapeer Sunrise Kiwanis would like to partner with the City of Lapeer to create a convenient, safe place for launching canoes and kayaks for citizens to enjoy the South Branch of Flint River for the following project:

Rotary Park Canoe/Kayak Launch

South Branch Flint River Launch. The proposed project will construct a canoe/kayak launch on the South Branch of the Flint River in Rotary Park, owned by the City of Lapeer. The Lapeer Sunrise Kiwanis Club will provide financial and administrative support for this project in collaboration with the City of Lapeer Parks Department, the Flint River Watershed Coalition and the City of Lapeer Department of Public Works.

BE IT RESOLVED THAT:

1. The City of Lapeer wishes to partner with the Lapeer Sunrise Kiwanis for the Rotary Park Canoe/Kayak Launch.
2. Approve the Joint Permit Application submittal to Michigan Department of Environmental Quality attached to this Resolution which includes plans of said project.
3. The City of Lapeer will contribute to said project with in-kind labor and permit costs from the Parks Department and the Department of Public Works.
4. Authorize excavated soil from the construction of said project to be deposited on City property, Parcel L22-03-700-040-00.

AYES: Atwood, Bennett, Gates, Marquardt.

NAYS: None.

ABSENT: Bostick-Tullius.

ABSTAIN: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

Ordinance Amendment: Rezoning Request.

885 Baldwin Rd. – Parcel #L21-60-100-040-00.

Commissioner Marquardt introduced the proposed amendment to Chapter 7 (Zoning Ordinance), Article 7.02.02 (a)(9) of the General Ordinances of the City of Lapeer.

THE CITY OF LAPEER ORDAINS:

ARTICLE 7.02 MAPPED DISTRICTS

7.02.02 District Boundaries

(a) Zoning District Amendments

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

885 Baldwin Road; Tax I.D. #L21-60-100-040-00

2016 Oak Street Rehabilitation Project.
Boddy Construction Company – Payment Request #1.

210 2016 11-07

Moved by Gates. Seconded by Atwood.

Approve Payment Request #1 to Boddy Construction in the amount of \$269,668.61 for the 2016 Oak Street Rehabilitation Project.

Ayes: Atwood, Bennett, Gates, Marquardt.

Nays: None.

Absent: Bostick-Tullius.

MOTION CARRIED.

CITY MANAGER'S REPORT

Closed Session Request: Sale of Real Estate.

211 2016 11-07

Moved by Gates. Seconded by Atwood

Approve a Closed Session at the end of the regular meeting for the purpose of discussing the sale of real estate.

ON A ROLL CALL VOTE:

AYES: Commissioners Bennett, Gates, Atwood, Marquardt.

NAYS: None.

ABSTAIN: None.

ABSENT: Commissioner Bostick-Tullius.

MOTION CARRIED.

CITY ATTORNEY'S REPORT

None.

UNFINISHED BUSINESS

None.

DEPARTMENTAL COMMUNICATIONS

The Request for Proposal for MSHDA HOME Funds and Investment Report for the Quarter Ended September 30, 2016 received into the record.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Bennett: Feels Zoning Board of Appeals members needs to be reviewed due lack of attendance and difficulty having a quorum. Mayor Sprague indicated City Manager Dale Kerbyson is to follow up.

Commissioner Gates: Thanks to everyone for coming; Jim Alt always has great things to do downtown; get out and vote tomorrow.

Commissioner Atwood: Announced it has been a year since he was voted in and thanks the citizens for the opportunity; will be holding a “date night” contest with his personal funds to support the local economy; get out and vote tomorrow.

Commissioner Marquardt: Wants to enter date night contest more than once; attended MSHDA Veterans Program and would like Veteran video shown at next commission meeting; would like to learn more about veterans; attended a MML event in Flint regarding Loss/Revenue sharing; attending CCR show at PIX; vote tomorrow.

City Manager Dale Kerbyson: Purchased additional Christmas decorations; Commissioner Atwood will be hosting a contest to name the Christmas figurines.

Mayor Sprague: Thanks to everyone for coming to the meeting; announced local events for the next two weeks.

Convene to Closed Session.

City Commission convened to a Closed Session for the purpose of discussing the sale of real estate at 6:59 p.m. and returned to its regular meeting at 7:22 p.m.

Sale of Real Estate.

212 2016 11-07

Moved by Bennett. Seconded by Gates.

Approve a Purchase Agreement to sell City real estate for parcels L20-98-017-025-00, L20-98-017-027-00, L20-98-017-029-00 and L20-98-017-036-00 and authorize the City Manager to sign required documents.

Ayes: Atwood, Bennett, Gates, Marquardt.

Nays: None.

Absent: Bostick-Tullius.

MOTION CARRIED.

ADJOURNMENT

213 2016 11-07

Moved by Bennett.

Adjourn the regular meeting.

Ayes: Atwood, Bennett, Gates, Marquardt.

Nays: None.

Absent: Bostick-Tullius.

MOTION CARRIED.

The regular meeting adjourned at 7:23 p.m.

William J. Sprague, Mayor

Tracey S. Russell, Deputy City Clerk

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
November 21, 2016**

A regular meeting of the Lapeer City Commission was held November 21, 2016 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

ROLL CALL

Present: Mayor Sprague.
Commissioners Atwood, Bennett, Bostick-Tullius Gates, Marquardt.
Absent: None.

City Manager: Dale Kerbyson, absent (excused).
City Attorney: Michael Nolan, present.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

214 2016 11-21

Moved by Gates. Seconded by Marquardt.
Approve the Agenda for November 21, 2016 as presented.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.

MOTION CARRIED.

MINUTES

215 2016 11-21

Moved by Bennett. Seconded by Gates.
Approve the minutes from the Regular and Closed Session meeting held November 7, 2016 as presented.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.

MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

PUBLIC COMMENTS

Giovanni Bommarito, Cass Lake Township, expressed an interest in opening a marihuana dispensary in the City of Lapeer, would like to see the moratorium lifted and would like to work as a partner with the City for this project. Mayor Sprague indicated the City would take this under advisement.

Lori Kovack, Peppermill Circle, gave invocation.

James Alt, Flint River Road, presented a large letter on a poster board and asked the Commission to sign the letter in support of the Main Street Program.

CONSENT AGENDA

216 2016 11-21

Moved by Bostick-Tullius. Seconded by Marquardt.
Approve the Consent Agenda for November 21, 2016 resulting in the following:
1. Special Event Request from Lapeer Optimist, Nightmare on Nepessing, October 14, 2017, downtown with street closures on Nepessing Street between Cedar and Court Streets contingent upon receipt of current insurance.
2. 2017 City of Lapeer Official Meeting Calendar.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.

MOTION CARRIED.

BILL LISTING FOR NOVEMBER 21, 2016

217 2016 11-21

Moved by Marquardt. Seconded by Gates.

Approve the Bill Listing for November 21, 2016 in the amount of \$439,969.92.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

None.

PUBLIC HEARINGS

Industrial Facilities Tax Exemption Request: Urgent Design & Manufacturing, Inc.

Patricia Lucas, Lapeer Development Corporation introduced Keith Chene, CFO, from Urgent Design & Manufacturing, Inc.; 12 year exemption; request is for building addition costs of over \$4 million; creation of 25 new jobs; answer any questions the Commission may have.

Mayor Sprague opened the public hearing at 6:35 p.m. Hearing no comments, Mayor Sprague closed the public hearing at 6:35 p.m.

218 2016 11-21

Moved by Marquardt. Seconded by Gates.

Approve Resolution Approving The Application Of Urgent Design & Manufacturing, Inc. For An Industrial Facilities Tax Exemption Certificate.

CITY OF LAPEER RESOLUTION APPROVING THE APPLICATION OF URGENT DESIGN & MANUFACTURING, INC FOR AN INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE

WHEREAS, pursuant to Act 198 of the Michigan Public Acts of 1974, as amended, MCLA Section 207.551 et sequ., after a duly noticed public hearing held on October 5, 1987 this City Commission by resolution established Industrial Development District No. E; and

WHEREAS, Urgent Design & Manufacturing, Inc. owner of the realty described below within said District, has applied for an Industrial Facilities Exemption Certificate, under the provision of 1974 Public Act 198, Section 5 (1); and

WHEREAS, 1974 Public Act 198, Section 5 (2) provides that before acting upon an application for an Industrial Facilities Exemption Certificate, the City Commission shall afford the applicant, the Assessor and a representative of the affected taxing units an opportunity for a hearing.

NOW, THEREFORE, BE IT RESOLVED:

1. That the application of Urgent Design & Manufacturing, Inc. for Industrial Facilities Exemption Certificate shall remain on file in the office of the City Clerk.
2. That the City Commission shall meet in the City Commission Chambers at 576 Liberty Park, on November 21, 2016 at 6:30 p.m. or as soon thereafter as may be heard. The City Commission will provide the City Assessor and a representative of each of the taxing units an opportunity to be heard on the question of Urgent Design & Manufacturing, Inc. application for an Industrial Facilities Exemption Certificate with regard to proposed operation within the Industrial Development District No. E.
3. That the City Clerk immediately inform by letter, the City Assessor and the legislative body of each taxing unit which levies ad valorem taxes in the City of Lapeer on the property located within the Industrial Development District No. E described as follows:

PART OF NORTHEAST 1/4 OF SECTION 12 T7N-R9E, ELBA TOWNSHIP, LAPEER COUNTY, MICHIGAN DESCRIBED AS COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 12 SOUTH 01°38'19" EAST 2138.85 FEET ALONG THE NORTH-SOUTH 1/4 LINE; THENCE NORTH 89°59'48" EAST 234.32 FEET; THENCE NORTH 18°56'19" WEST .68 FEET; THENCE 959.27 FEET ALONG A CURVE TO THE RIGHT, DELTA ANGLE 8°45'31", RADIUS OF 654.17 FEET, LONG CHORD BEARING AND DISTANCE OF NORTH 43°59'30" EAST 875.60 FEET; THENCE NORTH 86 00'02" EAST 84.93 FEET; THENCE NORTH 03°59'58" WEST 86.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 03°59'58" WEST 482.48 FEET; THENCE 386.12 FEET ALONG A CURVE TO THE RIGHT DELTA ANGLE 17°51'47", RADIUS OF 320.75 FEET, LONG CHORD BEARING AND DISTANCE OF NORTH 30°29'13" EAST 363.22 FEET; THENCE NORTH 64°58'23" EAST 360.00 FEET; THENCE SOUTH 25°00'04" EAST 710.10 FEET; THENCE 62.54 FEET ALONG A CURVE TO THE LEFT DELTA ANGLE 44° 57'14", RADIUS 80.00 FEET; LONG CHORD BEARING AND DISTANCE OF SOUTH 56°05'28" WEST 61.17 FEET; THENCE 48.54 FEET ALONG A CURVE TO THE RIGHT DELTA ANGLE 34°45'54", RADIUS OF 80.00 FEET, LONG CHORD BEARING AND DISTANCE OF SOUTH 05°59'45" WEST 47.80 FEET; THENCE SOUTH 68°22'42" WEST 523.00 FEET; THENCE 208.82 FEET ALONG A CURVE TO THE RIGHT, DELTA ANGLE OF 17°37'21" RADIUS OF 678.94 FEET, LONG CHORD BEARING AND DISTANCE OF SOUTH 77°11'22" WEST 208.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 11.43 ACRES AND SUBJECT TO ALL EASEMENTS OR RESTRICTIONS OF RECORD. More commonly known as: 3142 John Conley Drive.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

ADMINISTRATIVE REPORTS

Ordinance Amendment: Rezoning Request.
885 Baldwin Rd. – Parcel #L21-60-100-040-00.

219 2016 11-21

Moved by Marquardt. Seconded by Gates.

Adopt the amendment to Chapter 7 (Zoning Ordinance). Article 7.02.02 (a)(9) of the General Ordinance of the City of Lapeer.

THE CITY OF LAPEER ORDAINS:

ARTICLE 7.02 MAPPED DISTRICTS

7.02.02 District Boundaries

(a) Zoning District Amendments

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

885 Baldwin Road; Tax I.D. #L21-60-100-040-00

ON A ROLL CALL VOTE:

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED. AMENDMENT DECLARED ADOPTED.

Michigan Main Street Program – Select Level Support

220 2016 11-21

Moved by Atwood. Seconded by Gates.

Approve the Resolution Of Support And Cooperation Michigan Main Street Program.

LAPEER CITY COMMISSION
RESOLUTION OF SUPPORT AND COOPERATION
MICHIGAN MAIN STREET PROGRAM

WHEREAS, the City of Lapeer Downtown Development Authority has fulfilled the requirements of the Associate Level of the Michigan Main Street Program and will apply to become a Select Level Main Street community; and

WHEREAS, the Lapeer City Commission and its Downtown Development Authority recognize the importance of the downtown district to the community and region; and

WHEREAS, the downtown district is vital to our community's identity and quality of life and it is the City's intent to reverse the historic trend which has led to the loss of population, jobs and businesses in the downtown district and to work on the continued improvement, revitalization and development of the downtown district.

NOW, THEREFORE, BE IT RESOLVED that the Lapeer City Commission will support and provide cooperation with its Downtown Development Authority to fulfill the requirements of the Select Level Michigan Main Street Program in 2017

ON A ROLL CALL VOTE:

AYES: Atwood, Bennett, Gates, Bostick-Tullius, and Marquardt.

NAYES: None.

ABSTAIN: None.

ABSENT: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

CITY MANAGER'S REPORT

Veterans Video.

Veterans Video was presented, giving various veteran statistics. Mayor Sprague commented that it is the City's goal to have no homeless vets.

CITY ATTORNEY'S REPORT

City Attorney Michael Nolan reported that he will have information on the DTE contract to discuss at the next meeting.

UNFINISHED BUSINESS

221 2016 11-21

Moved by Marquardt. Seconded by Gates.

Appointed Scott McCallum to the Income Tax Board of Review for a three year term, expiring December 1, 2019.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

DEPARTMENTAL COMMUNICATIONS

The Monthly Departmental Reports and the Downtown Development Authority Reports for September and October, 2016 were received into the record.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Bennett: Veterans Day Memorial, Mayor Sprague gave a great speech; questioned if the Commission was interested in marihuana dispensaries in the city, more information is needed, would like a workshop on the topic. Discussion was held on having a workshop on the topic, to have more education provided, expert to explain the laws and implications to the city if allowed. It was the consensus of the Commission to have a Workshop on Marihuana dispensaries sometime after the holidays.

Commissioner Gates: Thanked Commissioner Bennett for making the workshop suggestion; downtown looks great with a lot going on; have a safe and happy Thanksgiving.

Commissioner Atwood: "Date Night" contest has started, thanked Mr. Hogan for the article on the contest, businesses are coming together for this contest, winner will be selected 12/24/2016 with a basket of prizes valued at \$500.00; is working with the City Manager on a contest to name the snowman and two penguins with local businesses donating prizes; indicated that the businesses are excited that the community is working together; have a great Thanksgiving.

Commissioner Bostick-Tullius: Missed a few meetings, was in Washington DC with daughter; went to Pittsburgh with MML Board and learned a lot of beneficial information which included VA partnerships, abuse of prescription drugs and the opiate epidemic, community engagement with businesses; happy Thanksgiving; questioned if there was a resolution regarding the homelessness showering at the community center? City Attorney Michael Nolan indicated there is no resolution as of yet.

Commissioner Marquardt: Happy Thanksgiving; thanks for the Veteran video, understands the Veteran homelessness is not a problem in the City, wanted the commission to recognize that some veterans cannot ask for help even though they need it; work being done on her sidewalks, asked for clarification of what was being done; questioned if the commission was willing to have an ugly sweater/sweatshirt contest this year, Commissioner Atwood said the contest would be 12/19/16.

Commissioner Bennett questioned who the crowd of young boys were in the audience, it was stated they were from the Boy Scouts, the troop was welcomed and thanked for attending.

Mayor Sprague: Announced local events for the next two weeks; thanked everyone for coming to the meeting; indicated you can say "Merry Christmas" on the parade floats; attended Veterans Day Memorial, the park looked great, had a lot of compliments on how well the park is kept up.

ADJOURNMENT

222 2016 11-21

Moved by Bennett.

Adjourn the regular meeting.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 7:06 p.m.

William J. Sprague, Mayor

Tracey S. Russell, Deputy City Clerk

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
December 5, 2016**

A regular meeting of the Lapeer City Commission was held December 5, 2016 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

ROLL CALL

Present: Mayor Sprague.
Commissioners Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Absent: None.

City Manager: Dale Kerbyson, present.
City Attorney: Michael Nolan, present.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

223 2016 12-05

Moved by Marquardt. Seconded by Gates.

Approve the Agenda for December 5, 2016 with the addition of The Refuge Showers and move Consent Agenda Item C.2. Contract for Planning Services Rowe Professional Services Company to Administrative Reports for further discussion.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

MINUTES

224 2016 12-05

Moved by Bennett. Seconded by Gates.

Approve the minutes from the Regular meeting held November 21, 2016 as presented.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

PUBLIC COMMENTS

Janet Adams, Baldwin Road, gave invocation.

CONSENT AGENDA

225 2016 12-05

Moved by Gates. Seconded by Marquardt.

Approve the Consent Agenda for December 5, 2016 resulting in the following:

1. Special Event Request from Lapeer Community Church and DDA, Annual Easter Egg Hunt, April 8, 2017 with a rain date of April 15, 2017, Farmers Market Pavillion.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

BILL LISTING FOR DECEMBER 5, 2016

226 2016 12-05

Moved by Marquardt. Seconded by Bostick-Tullius.

Approve the Bill Listing for December 5, 2016 in the amount of \$1,417,160.07.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

None.

PUBLIC HEARINGS

ADMINISTRATIVE REPORTS

MSHDA Staff Contracts.

227 2016 12-05

Moved by Marquardt. Seconded by Gates.

Approve the Independent Contractor Agreement with Sarah Taylor for Housing Choice Voucher Inspector (01-01-17 through 12-31-18), Independent Contractor Agreement with Jodi Mauk (aka Two Ts) for Housing Choice Voucher Processor (01-01-17 through 12-31-18), Independent Contractor Agreement with Shannon Smith (aka GH Smith) for Housing Choice Voucher Specialist (01-01-17 through 12-31-18) and authorize the Mayor and City Manager to sign said Agreements.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Proposed Amendment to Lapeer Township Fire Protection Agreement.

228 2016 12-05

Moved by Gates. Seconded by Atwood.

Approve the City of Lapeer – Lapeer Township First Amendment To Fire Protection Agreement and authorize the Mayor and City Manager to sign said Amendment.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Ordinance Amendment: Chapter 18 (Fire Code) Ordinance.

Commissioner Bostick-Tullius introduced the proposed amendment to Chapter 18 (Fire Code) Ordinance of the General Ordinances of the City of Lapeer.

THE CITY OF LAPEER ORDAINS:

CHAPTER 18 (FIRE CODE) Ordinance”

18.01 Adoption by Reference.

There is hereby adopted by reference, pursuant to the provisions of Act 279 of Michigan Public Acts of 1909, as amended, the International Fire Code, 2015 Edition, copyrighted in 2014, promulgated and adopted by the International Code Council, of 4051 W. Flossmoor Road, Country Club Hills, Illinois 60478-5795.

(History: Amnd 01-10-13;-)

18.02 to 18.04 No change.

18.05 Changes in Code. The following subsections are modified or deleted as follows:

(History: This section was amended to provide the flow of information in numerical order: Amnd 01-10-13;-)

105.3.3 No change.

105.6 – Required operational permits. The fire code official is authorized to issue operational permits or otherwise give approvals for the operations set forth in sub-sections 105.6.1 through 105.6.48.

105.6.32 – Open Burning Without exception as to type, kind or location, an operational permit is *required* for the kindling or maintaining of an open fire or a fire on any public street, alley, road,

or other public or private ground. Instructions and requirements of the permit shall be strictly followed.

(History: Amnd 01-11-07;-)

108.1 No change.

109.4 No change.

110.1 No change.

111.4 No change.

Section 202 – General Definitions.

302.1 – Definitions. The following words and terms shall, for purposes of this chapter and as used elsewhere in this code, have the meaning shown herein.

Bonfire, Hi-Boy, High Voltage Transmission Line, Portable Outdoor Fireplace, Powered Industrial Truck, Recreational Fire, and Sky Lantern – all unchanged.

304.3.3, 304.3.4 No change.

307.1.1 – Prohibited Burning. Open burning, bon fires, and recreational fires (including use of portable outdoor fireplaces) are prohibited within the corporate limits of the City. This restriction shall not apply to the use of charcoal and similar materials for the purpose of food preparation. The lighting of, use, and release of untethered *sky lanterns* is also prohibited.

(History: Amnd 01-10-13;-)

Exceptions: No change.

307.2 No change.

307.4.1, 307.4.2, and 307.4.3 No change.

307.5 No change.

403.11.1.5 – Tenant Identification. Tenant identification shall be provided for secondary exits from occupied tenant spaces that lead to an exit corridor or directly to the exterior of the building. Tenant identification shall be posted on the exterior side of the exit or exit access door and shall identify the business name and address using plainly legible letters and numbers that contrast with their background. There are no exceptions.

503.3 No change.

504.1 – Required Access.

- 1) Exterior doors and openings required by this code or the Michigan Building Codes shall be maintained readily accessible for emergency access by the fire department. An approved access walkway leading from fire apparatus access road to exterior openings shall be provided when required by the fire code official.
- 2) All required rescue windows shall be accessible by a 35 foot ground extension ladder placed so that the inclination of the ladder does not exceed 70 degrees. An area of discharge, 36 inches in all directions around the base of the ladder, shall be provided. Ladders and associated areas of discharge shall be located within the property line.

(History: Amnd 01-11-07;-)

505.1 – Address numbers. New and existing buildings shall have approved address numbers, building numbers, or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall not be spelled out and each character shall be a minimum of six (6) inches high with a

minimum stroke width of 0.5 inch. Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.

(History: Amnd 01-11-07;-)

506.1 No change.

507.5.1 No change.

509.1 No change.

609.3.3.1 No change.

609.3.3.3 No change.

901.6.2 No change.

903.3.7 – Fire department connection. The location of fire department connections shall be approved by the fire code official as outlined in sections 912.2 through 912.2.2.

(History: Amnd 01-11-07;-)

907.3.1 – Duct smoke detectors. Smoke detectors installed in ducts shall be listed for the air velocity, temperature and humidity present in the duct. Duct smoke detectors shall be connected to the building's fire alarm control unit when a fire alarm system is required by Section 907.2. Activation of a duct smoke detector shall initiate a visible and audible supervisory signal at a constantly attended location and shall perform the intended fire safety function in accordance with this code and the Michigan Mechanical Code. In facilities that are required to be monitored by a supervising station, duct smoke detectors shall report as a fire alarm. They shall not be used as a substitute for required open area detection. *The remainder of this section remains unchanged.*

912.4 – Access. Immediate access to fire department connections shall be maintained at all times and without obstruction by vehicle parking, carports, garages, refuse storage containers, fences, landscaping or other obscuring features for a minimum of three (3) feet. Access to fire department connections shall be approved by the fire chief.

(History: Amnd 01-10-13;-)

5601.1.3 No change.

5601.2.2 No change.

18.06 Additions to Code.

The following provisions are hereby added to the International Fire Code:

104.12 No change.

105.1.7 – Building Permit Requirements. No building permit shall be issued by any City department until all plans required by this section have been submitted and approved in accordance with the provisions of this section.

No change to remaining sections.

A summary was used for publication purposes.

Oak Street Rehabilitation Project.

Change Order #1 – Boddy Construction Company.

229 2016 12-05

Moved by Atwood. Seconded by Marquardt.

Approve Change Order #1 with Boddy Construction Company for a net decrease of \$6,442.55 revising the contract amount to \$418,960.45 for the Oak Street Rehabilitation Project.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Oak Street Rehabilitation Project.
Payment Request #2 – Boddy Construction Company.

230 2016 12-05

Moved by Gates. Seconded by Bostick-Tullius.
Approve Payment Request #2 to Boddy Construction Company in the amount of \$142,505.31 for the Oak Street Rehabilitation Project.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Calhoun Street Rehabilitation Project.
Change Order #2 – Ace-Saginaw Paving Company.

231 2016 12-05

Moved by Marquardt. Seconded by Gates.
Approve Change Order #2 with Ace-Saginaw Paving Company to adjust the substantial completion date to November 18, 2016 to allow for turf establishment for the Calhoun Street Rehabilitation Project.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Calhoun Street Rehabilitation Project.
Payment Request #3 – FINAL.

232 2016 12-05

Moved by Bostick-Tullius. Seconded by Gates.
Approve Payment Request #3 – FINAL to Ace-Saginaw Paving Company in the amount of \$6,788.06 for the Calhoun Street Rehabilitation Project.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Fixed Asset Disposal.

233 2016 12-05

Moved by Bostick-Tullius. Seconded by Atwood.
Approve the disposal of Fixed Assets as presented.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

2017 Calhoun Street and Court Street Reconstruction Projects – Special Assessment.

234 2016 12-05

Moved by Bennett. Seconded by Bostick-Tullius.
Direct City Staff to proceed with the Special Assessment process for the Calhoun Street and Court Street Reconstruction Projects.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

2017 Calhoun Street and Court Street Reconstruction Project.
Rowe Professional Services Co. – Contract for Engineering Services.

235 2016 12-05

Moved by Marquardt. Seconded by Gates.
Approve the Contract for Engineering Services with Rowe Professional Services Company in the amount of \$85,630.00 for the 2017 Calhoun Street and Court Street Reconstruction Project and authorize the Director of Public Works to sign said Contract.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

2017 DeMille Road Rehabilitation – Scrap Tire Grant Project.
Rowe Professional Services Co. – Contract for Engineering Services.

236 2016 12-05

Moved by Gates. Seconded by Atwood.

Approve the Contract for Engineering Services with Rowe Professional Services Co. in the amount of \$26,550.00 for the 2017 DeMille Road Rehabilitation – Scrap Tire Grant Project and authorize the Director of Public Works to sign said Contract.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Contract for Planning Services: Rowe Professional Services Company.

City Manager Dale Kerbyson indicated this was for the continuation of the Planning Services Contract with Rowe. Discussion was held regarding whether or not it was beneficial to have services in-house vs contract, what was the savings in costs, how many hours and what was services for, what has been worked on in the past 14 months, is the department more efficient, were the charges fixed on an annual costs or hours worked, would like to see a comparison of costs.

By general consent, approved to place discussion regarding the Contract for Planning Services with Rowe Professional Services Company on the next meeting agenda and to have comparison information for review.

The Refuge Showers.

Commissioner Marquardt commented on the contact made by The Refuge for use of showers at the Rec Center, purchase of vouchers and who would give out the vouchers, housing by churches in area during winter, can the City provide what is needed. Discussion was held regarding request made and vouchers that were purchased, review and decision to allow day pass purchases like everyone else has to pay, concerns with how can the homeless pay, possibility to develop a way to fund by donation, the need by the City to assist and collaborate on this issue, current contact with The Refuge, bill in Michigan legislature called Homeless Bill of Rights where homeless persons cannot be discriminated against services, unfair to charge for day pass as they are only using shower and not other services at the Rec Center. City needs to look at whole picture, if offer shower passes would need personnel to monitor, increasing costs of health care for employees and financial impact going forward with budgets getting tighter, budget and cost burden of Rec Center and the need to keep as an asset to the community, look at needs of community at-large, review alternatives and what is best solution, that there is a lot of information the City doesn't have and the need to have a person from The Refuge come to the next meeting for further discussion.

By general consent, approved to place discussion regarding The Refuge Shower Request on the next meeting agenda.

CITY MANAGER'S REPORT

Special Assessment: DeMille Road Rehabilitation.

City Manager Dale Kerbyson commented on use of the special assessment process for the DeMille Road project, project does include a Scrap Tire Grant, this is a major street and property owners would be assessed 15% of the remaining costs, and direction by Commission should they wish to proceed with a special assessment.

By general consent, approved to have City Staff proceed with the Special Assessment process for the 2017 DeMille Road Rehabilitation project.

Various Matters.

Mr. Kerbyson commented that reimbursement check for light in front of WalMart has been received.

CITY ATTORNEY'S REPORT

City Attorney Michael Nolan presented the First Amendment to Solar Power Easement Agreement and Encroachment Agreement Mirror Lake Drain and requested approval.

237 2016 12-05

Moved by Marquardt. Seconded by Gates.

Approve the First Amendment to Solar Power Easement Agreement and the Encroachment Agreement Mirror Lake Drain and to authorize the Mayor and/or City Manager to sign required documents.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

UNFINISHED BUSINESS

None.

DEPARTMENTAL COMMUNICATIONS

The Monthly Financial Report for September 2016, DDA Status Report dated November 18, 2016 and Project Homeless Connect 2016 were received into record.

PUBLIC COMMENTS

Wade Jenkins, N. Madison Street, commented that he was on the Board for The Refuge, willing to answer any questions, currently have 10 people in the system however only serving 5, sold home at 655 N. Saginaw, current building has no shower, Rec Center was a viable use, their intention is to have someone at every meeting to provide an update.

MAYOR/COMMISSIONER COMMENTS

Commissioner Bennett: Thanked lady for prayer; Christmas parade.

Commissioner Gates: Christmas Tree Lighting Friday; set a workshop in February to discuss dispensaries, new legislation.

Commissioner Atwood: Naming Snowman and Penguin Contest; Ugly Sweater Contest.

City Manager Dale Kerbyson: Direction at workshop, does Commission want to look at legalizing marihuana in town or dispensaries. Response was to look at the new legislation that was just enacted.

ADJOURNMENT

238 2016 12-05

Moved by Bennett.

Adjourn the regular meeting.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 7:26 p.m.

William J. Sprague, Mayor

Donna L. Cronce, City Clerk

Tracey S. Russell, Deputy City Clerk

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
December 19, 2016**

A regular meeting of the Lapeer City Commission was held December 19, 2016 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

ROLL CALL

Present: Mayor Sprague.
Commissioners Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Absent: None.

City Manager: Dale Kerbyson, present.
City Attorney: Michael Nolan, present.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

239 2016 12-19

Moved by Bostick-Tullius. Seconded by Gates.
Approve the Agenda for December 19, 2016 as presented.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.

MOTION CARRIED.

MINUTES

240 2016 12-19

Moved by Gates. Seconded by Bennett.
Approve the minutes from the Regular meeting held December 5, 2016 as presented.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.

MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

PUBLIC COMMENTS

Jenny Burkhart, Wilder Road, gave invocation.

Gary Howell, State Representative: goal to attend every place in the county, input from the area and its citizens; update on legislation during lame duck session; introduced Legislative Director Mike Goshka. Mr. Goshka introduced himself, brief overview, is there to serve community, thank you for the opportunity to address the Commission.

CONSENT AGENDA

241 2016 12-19

Moved by Bostick-Tullius. Seconded by Gates.
Approve the Consent Agenda for December 19, 2016 resulting in the following:

1. Purchase of two new patrol units in the amount of \$56,406.00.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.

MOTION CARRIED.

BILL LISTING FOR DECEMBER 19, 2016

242 2016 12-19

Moved by Marquardt. Seconded by Bennett.
Approve the Bill Listing for December 19, 2016 in the amount of \$695,558.23.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

City of Lapeer School of Choice Week.

243 2016 12-19

Moved by Bennett. Seconded by Atwood

Approve the Proclamation Commemorating the City of Lapeer School Choice Week.

CITY OF LAPEER
Proclamation
Commemorating City of Lapeer School Choice Week

WHEREAS, all children in the City of Lapeer should have access to the highest-quality education possible; and

WHEREAS, the City of Lapeer recognizes the important role that an effective education plays in preparing all students in the City of Lapeer to be successful adults; and

WHEREAS, quality education is critically important to the economic vitality of the City of Lapeer and that educational variety not only helps to diversify our economy but also enhances the vibrancy of our community; and

WHEREAS, the City of Lapeer is home to a multitude of excellent education options from which parents can choose for their children; and

WHEREAS, our area has many high-quality teaching professionals who are committed to educating our children; and

WHEREAS, School Choice Week is celebrated across the country by millions of students, parents, educators, schools and organizations to raise awareness of the need for effective educational options.

NOW, THEREFORE, BE IT RESOLVED, that I, William J. Sprague, Mayor of the City of Lapeer, and the Lapeer City Commission do hereby recognize January 22-28, 2017 as City of Lapeer SCHOOL CHOICE WEEK and encourage all citizens to recognize the important role of education in preparing our children for a successful future.

Dated this 19th day of December, 2016.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED. PROCLAMATION DECLARED ADOPTED.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

Ordinance Amendment: Chapter 18 (Fire Code) Ordinance.

244 2016 12-19

Moved by Marquardt. Seconded by Gates.

Approve and adopt the amendments to Chapter 18 (Fire Code) Ordinance of the General Ordinances of the City of Lapeer.

THE CITY OF LAPEER ORDAINS:

CHAPTER 18 (FIRE CODE) Ordinance”

18.01 Adoption by Reference.

There is hereby adopted by reference, pursuant to the provisions of Act 279 of Michigan Public Acts of 1909, as amended, the International Fire Code, 2015 Edition, copyrighted in 2014, promulgated and adopted by the International Code Council, of 4051 W. Flossmoor Road, Country Club Hills, Illinois 60478-5795.

(History: Amnd 01-10-13;-)

18.02 to 18.04 No change.

18.05 Changes in Code. The following subsections are modified or deleted as follows:

(History: This section was amended to provide the flow of information in numerical order: Amnd 01-10-13;-)

105.3.3 No change.

105.6 – Required operational permits. The fire code official is authorized to issue operational permits or otherwise give approvals for the operations set forth in sub-sections 105.6.1 through 105.6.48.

105.6.32 – Open Burning Without exception as to type, kind or location, an operational permit is *required* for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and requirements of the permit shall be strictly followed.

(History: Amnd 01-11-07;-)

108.1 No change.

109.4 No change.

110.1 No change.

111.4 No change.

Section 202 – General Definitions.

302.1 – Definitions. The following words and terms shall, for purposes of this chapter and as used elsewhere in this code, have the meaning shown herein.

Bonfire, Hi-Boy, High Voltage Transmission Line, Portable Outdoor Fireplace, Powered Industrial Truck, Recreational Fire, and Sky Lantern – all unchanged.

304.3.3, 304.3.4 No change.

307.1.1 – Prohibited Burning. Open burning, bon fires, and recreational fires (including use of portable outdoor fireplaces) are prohibited within the corporate limits of the City. This restriction shall not apply to the use of charcoal and similar materials for the purpose of food preparation. The lighting of, use, and release of untethered *sky lanterns* is also prohibited.

(History: Amnd 01-10-13;-)

Exceptions: No change.

307.2 No change.

307.4.1, 307.4.2, and 307.4.3 No change.

307.5 No change.

403.11.1.5 – Tenant Identification. Tenant identification shall be provided for secondary exits from occupied tenant spaces that lead to an exit corridor or directly to the exterior of the building. Tenant identification shall be posted on the exterior side of the exit or exit access door and shall identify the business name and address using plainly legible letters and numbers that contrast with their background. There are no exceptions.

503.3 No change.

504.1 – Required Access.

1) Exterior doors and openings required by this code or the Michigan Building Codes shall be maintained readily accessible for emergency access by the fire department. An

approved access walkway leading from fire apparatus access road to exterior openings shall be provided when required by the fire code official.

- 2) All required rescue windows shall be accessible by a 35 foot ground extension ladder placed so that the inclination of the ladder does not exceed 70 degrees. An area of discharge, 36 inches in all directions around the base of the ladder, shall be provided. Ladders and associated areas of discharge shall be located within the property line.

(History: Amnd 01-11-07;-)

505.1 – Address numbers. New and existing buildings shall have approved address numbers, building numbers, or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall not be spelled out and each character shall be a minimum of six (6) inches high with a minimum stroke width of 0.5 inch. Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.

(History: Amnd 01-11-07;-)

506.1 No change.

507.5.1 No change.

509.1 No change.

609.3.3.1 No change.

609.3.3.3 No change.

901.6.2 No change.

903.3.7 – Fire department connection. The location of fire department connections shall be approved by the fire code official as outlined in sections 912.2 through 912.2.2.

(History: Amnd 01-11-07;-)

907.3.1 – Duct smoke detectors. Smoke detectors installed in ducts shall be listed for the air velocity, temperature and humidity present in the duct. Duct smoke detectors shall be connected to the building's fire alarm control unit when a fire alarm system is required by Section 907.2. Activation of a duct smoke detector shall initiate a visible and audible supervisory signal at a constantly attended location and shall perform the intended fire safety function in accordance with this code and the Michigan Mechanical Code. In facilities that are required to be monitored by a supervising station, duct smoke detectors shall report as a fire alarm. They shall not be used as a substitute for required open area detection. *The remainder of this section remains unchanged.*

912.4 – Access. Immediate access to fire department connections shall be maintained at all times and without obstruction by vehicle parking, carports, garages, refuse storage containers, fences, landscaping or other obscuring features for a minimum of three (3) feet. Access to fire department connections shall be approved by the fire chief.

(History: Amnd 01-10-13;-)

5601.1.3 No change.

5601.2.2 No change.

18.06

Additions to Code.

The following provisions are hereby added to the International Fire Code:

104.12 No change.

105.1.7 – Building Permit Requirements. No building permit shall be issued by any City department until all plans required by this section have been submitted and approved in accordance with the provisions of this section.

No change to remaining sections.

A summary will be used for publication purposes.

ON A ROLL CALL VOTE:

AYES: Commissioners Bostick-Tullius, Atwood, Bennett, Gates, Marquardt.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED. AMENDMENTS TO CHAPTER 18 ADOPTED.

Saginaw St. Bridge – Preventative Maintenance Project.

Local Share Payment #1.

245 2016 12-19

Moved by Marquardt. Seconded by Gates.

Approve Local Share Payment #1 to the State of Michigan for the Saginaw Street Bridge Preventative Maintenance Project in the amount of \$6,870.82.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Contract for Planning Services: Rowe Professional Services Company.

246 2016 12-19

Moved by Bostick-Tullius. Seconded by Bennett.

Approve the Contract for Planning Services with Rowe Professional Services Company and authorize the Mayor and City Manager to sign said Contract.

ON A ROLL CALL VOTE:

AYES: Commissioners Bennett, Atwood, Gates, Marquardt, Bostick-Tullius.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

CITY MANAGER'S REPORT

Refuge Shower Solution – Update.

City Manager Dale Kerbyson indicated he had met with Kendra Petty, use of The Golden Arrow for shower and laundry, possibility of obtaining grant funding to assist with shower facilities at their current site, concerns have been resolved. Lapeer County Commissioner Lenny Schneider commented that he will provide Dale (Kerbyson) with a contact name for the Lapeer County Community Collaborative, resource for collaboration of agencies, non-profits and business that are working together in Lapeer County to bring services and aid. Commissioner Bostick-Tullius indicated that the information was appreciated, make sure that the City follows up and help them obtain funding, to not lose track of this.

Annexation by Choice Area: Turrill Farms LLC, 1073 Cliff Drive.

247 2016 12-19

Moved by Bennett. Seconded by Marquadt.

Approve the Resolution Authorizing Annexation Of Property Into The City Of Lapeer Turrill Farms LLC.

CITY OF LAPEER
RESOLUTION AUTHORIZING ANNEXATION
OF PROPERTY TO THE CITY OF LAPEER
Turrill Farms LLC

WHEREAS, Turrill Farms LLC, located at Sec 8 T7N R10E Churchill Farms Subdivision, Lot 27 (1073 Cliff Drive) has petitioned for Annexation of Property from Lapeer Township into the City of Lapeer; and

WHEREAS, Section 9(8) of the Michigan Home Rule Cities Act authorizes annexation of property from township to cities by resolutions approved by an affirmative majority vote of the City Commission and the Township Board, after a petition signed by property owners has been submitted to the City and the Township; and

WHEREAS, Petitioners holding equitable title as land contract vendees or holding record legal title to more than fifty (50%) percent of the area described in Exhibit A have petitioned to be annexed to the City of Lapeer from the Township of Lapeer; and

WHEREAS, a public hearing was held on July 20, 2006 by the Lapeer City Commission and the Lapeer Township Board as to a proposed Interlocal Agreement for the Sharing of Revenue and Annexation of Property between the City of Lapeer and the Township of Lapeer which would allow for the annexation of property described in Exhibit A; and

WHEREAS, no referendum petitions were filed as to the proposed Interlocal Agreement during the prescribed statutory period; and

WHEREAS, said Interlocal Agreement was executed by both the City of Lapeer and the Township of Lapeer on December 4, 2006, and reaffirmed on March 19, 2007 and was filed with the Office of the Great Seal of the Michigan Secretary of State; and

WHEREAS, the Lapeer Township Board has approved the annexation of the property described in Exhibit A by Resolution of its governing board.

THEREFORE, BE IT RESOLVED, that annexation of the property legally described in Exhibit A attached hereto is approved by the City of Lapeer Commission as authorized by statute and the Interlocal Agreement.

BE IT FURTHER RESOLVED that said annexation shall become immediately effective upon the filing of the Township and City Resolutions with the Office of the Great Seal of the Michigan Secretary of State.

ON A ROLL CALL VOTE:

AYES: Commissioners Bennett, Marquardt, Atwood, Gates, Bostick-Tullius.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

Various Matters.

Mr. Kerbyson asked for a Closed Session at the end of the meeting to discuss attorney-client communication.

CITY ATTORNEY'S REPORT

City Attorney Michael Nolan commented on the Construction Board of Appeals meeting and hearing; appeal from the Zoning Board of Appeal board regarding signs and that Judge Holowka ruled in favor of the City.

UNFINISHED BUSINESS

248 2016 12-19

Mayor Sprague appointed. Moved by Bostick-Tullius. Seconded by Bennett.

Appoint the following:

Daniel Gerlach Downtown Development Authority, term ending 01-01-21.

Anthony Macksoud Downtown Development Authority, term ending 01-01-21.

Tom Benton Downtown Development Authority, term ending 01-01-21.

Dan Osentoski Downtown Development Authority, term ending 01-01-21.

MOTION CARRIED.

249 2016 12-19

Mayor Sprague Appointed. Moved by Marquardt. Seconded by Bennett.

Appoint the following:

Cheyenne Brodt to the Lapeer Housing Commission for a term ending 08-01-18, Lapeer Housing Board of Appeals term ending 05-01-17, and Lapeer Neighborhoods, Inc. for a term ending 08-01-17.

MOTION CARRIED.

250 2016 12-19

Moved by Gates. Seconded by Atwood.

Appoint the following:

John Michelson Board of Review, term ending 01-01-20.
Brian Wilson Board of Review Alternate, term ending 01-01-20.

MOTION CARRIED.

251 2016 12-19

Moved by Marquardt. Seconded by Gates.

Appoint the following:

Todd Alexander Civil Defense Coordinator, term ending 01-01-18.
Donna Cronce Election Commission, term ending 01-01-18.
Mike Nolan Election Commission, term ending 01-01-18.
Jaime Barra Election Commission, term ending 01-01-18.

MOTION CARRIED.

DEPARTMENTAL COMMUNICATIONS

Departmental Monthly Reports, Monthly Financial Report for October 2016 were received into record.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Bennett: Merry Christmas.

Commissioner Gates: Thanked everyone for coming to meeting; Merry Christmas and a safe and happy New Year; thank DPW, Police, Fire for all they do to keep citizens safe.

Commissioner Bostick-Tullius: DDA submission of Main Street application; attended MML Board Meeting and legislation; Happy Holidays.

Commissioner Atwood: Snowman and Penguin naming contest tonight to pick winner; ugly sweater contest; Merry Christmas and happy New Year.

Commissioner Marquardt: Thank you to Commissioner Atwood for putting contests together; interesting to see list of projects Rowe has worked on; thank you to Tracey and Donna for the pretzels; Merry Christmas to all; special thank you to DPW crew on snow removal.

City Manager Dale Kerbyson: Review of natural gas contract, rates are on a variable scale, switch back to Consumers Energy, will continue to review and watch; King Buffet grand opening, DPW comments on facebook were good; thank you to Commissioner Atwood for contests, a lot of work; Director's holiday meeting, employees honored for years of service; Sheriff Kalanquin update.

Mayor Sprague: Ugly sweater contest, by audience participation Commissioner Atwood won the title; Snowman and Penguin naming contest to be held after the Closed Session.

CLOSED SESSION

252 2016 12-19

Moved by Bennett. Seconded by Gates.

Approve to go into a Closed Session for the purpose of discussing attorney-client privilege communication.

ON A ROLL CALL VOTE:

AYES: Commissioners Atwood, Bostick-Tullius, Bennett, Gates, Marquardt.

NAYS: None.

ABSTAIN: None.

ABSENT: None.

MOTION CARRIED.

The Commission convened to a Closed Session at 7:16 p.m. and returned to a regular session at 7:37 p.m.

Commissioner Bostick-Tullius left the meeting at 7:40 p.m.

Naming of Snowman and Penguin Contest.

Commissioner Atwood reviewed the names posted from the website contest.

By general consensus with a show of hands, the following winners were chosen:

Penguin Names: Jacqueline Wellington Tux and Bow Tie

Snowman Name: Lisa Huff La Pierre

Commissioner Atwood will contact the winners and invite them to the next City Commission meeting.

ADJOURNMENT

253 2016 12-19

Moved by Atwood.

Adjourn the regular meeting.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 8:01 p.m.

William J. Sprague, Mayor

Donna L. Cronce, City Clerk

Tracey S. Russell, Deputy City Clerk