

**LAPEER CITY COMMISSION  
MINUTES OF A REGULAR MEETING  
NOVEMBER 20, 2017**

Prior to the start of the regular meeting, Honorable Laura Cheger Barnard, 71A District Court Judge presided over the Swearing-In Ceremony of the Mayor Elect William Sprague and Commissioner Elect Daniel Osentoski.

A regular meeting of the Lapeer City Commission was held November 20, 2017 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, Marquardt, Osentoski.

Absent: None.

City Manager: Dale Kerbyson, present.

City Attorney: Michael Nolan, present.

**ELECTION OF MAYOR PRO-TEM**

Mayor Sprague asked for nominations for Mayor Pro-Tem. Commissioner Bostick-Tullius nominated Commissioner Debbie Marquardt. There being no other nominations, the question was called to a vote.

**270 2017 11-20**

Moved by Bostick-Tullius. Seconded by Osentoski.

Approve Commissioner Marquardt as Mayor Pro-Tem.

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

Nays: None.

Absent: None.

MOTION CARRIED.

**AGENDA APPROVAL**

**271 2017 11-20**

Moved by Bennett. Seconded Marquardt.

Approve the Agenda for November 20, 2017 as presented.

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

Nays: None.

Absent: None.

MOTION CARRIED.

**MINUTES**

**272 2017 11-20**

Moved by Marquardt. Seconded by Bostick-Tullius.

Approve the minutes from the Regular meeting held November 6, 2017 as presented.

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

Nays: None.

Absent: None.

MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

**PUBLIC COMMENTS**

Steven Ruddock, Sherman Court, glad to be here for swearing in of Mayor Sprague and Commissioner Osentoski, gave invocation.

**CONSENT AGENDA**

**273 2017 11-20**

Moved by Marquardt. Seconded by Atwood.

Approve the Consent Agenda for November 20, 2017 resulting in the following.

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1. Traffic Control Order #292.

CITY OF LAPEER  
PERMANENT TRAFFIC CONTROL  
ORDER NO. 292

Location: First Street beginning at Cedar Street continuing west and ending at North Monroe Street.

Order: To install "No Parking November thru April" signs along the north side of First Street.

Reason: The Department of Public Works has reported that they cannot adequately remove snow from the roadway with their snow removal trucks due to both the north and south sides of First Street in this area currently allowing vehicle parking in the road right-of-way. In the spring and summer months parking in the right-of-way on both sides of the street would be available.

2. Traffic Control Order #293.

CITY OF LAPEER  
PERMANENT TRAFFIC CONTROL  
ORDER NO. 293

Location: Railroad Street north of East Park Street.

Order: To install No Through Traffic signage at the north end of Railroad Street at East Oregon Street. Install a permanent guardrail structure across the south end of Railroad Street north of East Park Street.

Reason: Six property owners on Railroad Street have requested that Railroad Street be made a non-through roadway by closing Railroad Street at the intersection of East Park Street. Request is due to non-resident traffic use of the roadway in an unsafe manner and traffic encroachment onto private property. City of Lapeer Departments of Police, Fire and DPW have reviewed this request and support the closure of Railroad Street to through traffic.

3. Special Event Request from Lapeer Area Chamber of Commerce for Annual Christmas Parade, December 2, 2017, Nepessing Street within the downtown area.

4. Special Event Request from Lapeer Downtown Development Authority for Winterfest and Pub Crawl, December 1 – 2, 2017, downtown area.

5. Accept and confirm the Canvass of Votes Cast at the Election held on November 7, 2017 in the City of Lapeer as Canvassed by the Board of Canvassers for the County of Lapeer, Michigan

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

Nays: None.

Absent: None.

MOTION CARRIED.

**BILL LISTING FOR NOVEMBER 20, 2017**

**274 2017 11-20**

Moved by Marquardt. Seconded by Osentoski.

Approve the Bill Listing for November 20, 2017 in the amount of \$944,886.76.

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

Nays: None.

Absent: None.

MOTION CARRIED.

**PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS**

None.

**PUBLIC HEARINGS**

None.

**ADMINISTRATIVE REPORTS**

Ordinance Amendment: Chapter 7 (Zoning Ordinance)

Rezoning – OS-1 Office Service to B-2 General Business.

239 S. Main St. – Parcel #'s L21-54-501-040-00 & L21-53-301-040-00.

**275 2017 11-20**

Moved by Bostick-Tullius. Seconded by Marquardt.

Approve the proposed amendment to Chapter 7 (Zoning Ordinance), Article 7.02, 7.02.02 (a)(11) 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

- (11) The following properties formerly zoned OS-1 Office Service are hereby rezoned to B-2 General Business:

239 S. Main Street; Tax I.D. #21-54-501-040-00; CITY OF LAPEER PLAT OF WHITESVILLE LOT 31 & S 47 FT OF LOT 33 (L=1 P=73 SEC 5, T7N-R10E) ALSO INCLUDING THAT PORTION OF THE VACATED ALLEY, CONTIGUOUS TO THE E'LY PROPERTY LINES

239 S. Main Street; Tax I.D. #L21-53-301-040-00; CITY OF LAPEER PLAT OF WHITESVILLE LOTS 38, 40, 42, 44, 46 & THAT PART LOT 48 LYG S OF RR R/W; ALSO W 1/2 VAC OAK ST ADJ THERETO, ALSO INCLUDING THAT PORTION OF THE VACATED ALLEY, CONTIGUOUS TO THE W'LY PROPERTY LINES (L=1 P=73 SEC 5, T7N-R10E)

ON A ROLL CALL VOTE:

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

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED. AMENDMENTS TO CHAPTER 7 ADOPTED.

Capital Improvement Program – Backhoe Purchase FY 2017-2018.

**276 2017 11-20**

Moved by Bennett. Seconded by Bostick-Tullius

Approve the purchase of a John Deere Backhoe from AIS Construction Equipment Corp. at a cost of \$91,303.00 and disposal of a 2002 Cat Backhoe as submitted and authorize the Director of Public Works to sign required documents.

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

Nays: None.

Absent: None.

MOTION CARRIED.

**CITY MANAGER’S REPORT**

City Manager Dale Kerbyson commented on repair to fire truck, at DPW for review and should be back in service next week; LDFA lot in Industrial Park, DEQ ruling that this lot is not a wetland, leveling of site and drilling for peet depth will occur; Tim Horton’s driveway/barricade issue.

**CITY ATTORNEY’S REPORT**

None.

**PUBLIC COMMENTS**

None.

**UNFINISHED BUSINESS**

**277 2017 11-20**

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

Appoint the following:

William Sprague Downtown Development Authority, term ending 11-07-21.

William Sprague Planning Commission, term ending 11-07-21.

Dale Kerbyson Planning Commission, term ending 11-07-21.

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

Nays: None.  
Absent: None.  
MOTION CARRIED.

**278 2017 11-20**

Moved by Marquardt. Seconded by Bostick-Tullius.  
Appoint Anthony Macksoud to the Income Tax Board of Review, term ending 12-01-20.  
Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt, Osentoski.  
Nays: None.  
Absent: None.  
MOTION CARRIED.

**DEPARTMENTAL COMMUNICATIONS**

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

**MAYOR/COMMISSIONER COMMENTS**

Commissioner Bostick-Tullius: Attended the National League of Cities (NLC), wore City shirt, great sessions with Gabby Gifford/Mark Kelley, NLC promoting large/small cities in fight against Federal/State preemption of local authority, maintaining status on municipal bonding and state/local tax deductions, Magic Johnson, singing group The Commodores, impressive session on opioid crisis and utilize tracking ability on GIS system and mapping to educate community on various areas, would like to see this coordinated with our public safety and GIS system.

Commissioner Atwood: Reached out to churches in the community and interest in collaborating/discussing opiate issue, action plan to help those in need, gather team of volunteers and community leaders as well as city/county law enforcement. Congratulations to Commissioner Osentoski on being elected; Happy Thanksgiving; names put up for ornaments on City lawn, contest for naming bear; Youth Council is coming along, expect to meet end of November or early December.

Commissioner Osentoski: Thank you to those of you who voted for me; looking forward to working with everyone; ensure citizens are happy with City services.

Commissioner Marquardt: Happy Thanksgiving, have a safe holiday.

City Manager Dale Kerbyson: Ornaments on City Hall lawn; Happy Thanksgiving; receive dates for workshop to review building department reports, consultant will attend meeting, discussion to have workshop after regular meeting, questions should be prepared and sent to Mr. Kerbyson prior to workshop.

Mayor Sprague: Happy Thanksgiving; congratulations to Commission Osentoski on being elected, thank you to other candidates who ran as well and hope they will continue to support the community; upcoming events; Veterans Day was well attended; Court House gala event November 30<sup>th</sup>; Lapeer County Community Foundation moved to lower level of historic Court House.

**ADJOURNMENT**

**279 2017 11-20**

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 6:52 p.m.

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Mayor William J. Sprague

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Donna L. Cronce, MMC, City Clerk

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Tracey S. Russell, Deputy City Clerk