

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
FEBRUARY 2, 2015**

A regular meeting of the Lapeer City Commission was held February 2, 2015 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, Robinet, Lyons.
City Attorney Michael Nolan.
City Manager Dale Kerbyson.
Absent: None.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

17 2015 02-02

Moved by Gates. Seconded by Bostick-Tullius.
Approve the Agenda for February 2, 2015 as presented.

Ayes: Bennett, Bostick-Tullius, Gates, Robinet, Lyons.
Nays: None.
Absent: None.

MOTION CARRIED.

MINUTES

18 2015 02-02

Moved by Robinet. Seconded by Gates.
Approve the minutes from the regular meeting held January 20, 2015 as presented.

Ayes: Bennett, Bostick-Tullius, Gates, Robinet, Lyons.
Nays: None.
Absent: None.

MOTION CARRIED.

PUBLIC COMMENTS

Matt Wandrie – Status of White Junior High.

School Superintendent Matt Wandrie provided an update on the White Junior High Building. Brief discussion was held regarding condition of property, continue to have City Attorney look into demolishing, marketing of property, City review of available Federal grants to help with this situation.

Georgeann Courser, Fish Lake Road, gave invocation.

CONSENT AGENDA

19 2015 02-02

Moved by Robinet. Seconded by Gates.
Approve the Consent Agenda for February 2, 2015, resulting in the following:

1. Special Event Request from Lapeer County Bank & Trust for 14th Annual Ice Cream Social, use of pavilion, June 19, 2015.
2. Special Event Request from American Foundation for Suicide Prevention for Out of the Darkness Walk at Rowden Park, September 26, 2015.
3. Special Event Request from Stone Soup Food Pantry for Easter Egg Hunt at Rowden Park, March 28, 2015.
4. Special Event Request from Stone Soup Food Pantry for Hunger Awareness Week, May 8 and 9, 2015 at various intersections on file.

Ayes: Bennett, Bostick-Tullius, Gates, Robinet, Lyons.
Nays: None.
Absent: None.

MOTION CARRIED.

BILL LISTING FOR FEBRUARY 2, 2015

20 2015 02-02

Moved by Robinet. Seconded by Gates.

Approve the Bill Listing for February 2, 2015 in the amount of \$1,091,706.87.

Ayes: Bennett, Bostick-Tullius, Gates, Robinet,

Nays: None.

Absent: Lyons.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

None.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

Ordinance Amendment: Chapter 7 (Zoning Ordinance.
Rezoning of 1177 S. Main Street.

21 2015 02-02

Moved by Robinet. Seconded by Lyons.

Adopt the amendment to Chapter 7 (Zoning Ordinance), Article 7.02.02 (a)(6) to the General Ordinances of the City of Lapeer.

THE CITY OF LAPEER ORDAINS:

7.02.02 District Boundaries

(a) Zoning District Amendments

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

1177 S. Main Street; Tax I.D. #L21-16-550-015-00"

Ayes: Bennett, Bostick-Tullius, Gates, Robinet, Lyons.

Nays: None.

Absent: None.

Abstain: None.

MOTION CARRIED. AMENDMENT TO CHAPTER 7 ADOPTED.

Audit Report and Audit Recommendations for Year Ending June 30, 2014.
Presentation of Audit by Shannon Rodriguez of Layton and Richardson.

Shannon VanderHaar of Layton and Richardson reviewed the Audit Report and audit recommendations for the current year and overall the City had a clean audit. Brief discussion was held regarding whether or not the recommendations were required to be implemented; how long Layton and Richardson have been providing the Audit. Ms. VanderHaar indicated the company has been doing the City's audit since 1984, she has been doing the audit for the last 15 years, she has employees doing different parts of the audit each year so they aren't focused on the same thing; Richardson and Layton are audited every three years.

22 2015 02-02

Moved by Bostick-Tullius. Seconded by Gates.

Approve the Audit Report and accept the Audit Recommendations for Year Ending June 30, 2014 as presented by Layton and Richardson.

Ayes: Bennett, Bostick-Tullius, Gates, Robinet, Lyons.

Nays: None.

Absent: None.

MOTION CARRIED.

Housing Department.

Rental Assistance Demonstration (RAD) conversion for Riverview Towers.

Director of Housing, Denise Soldenski informed the Commission that she is looking at converting Riverview Towers from HUD Public Housing funded to a HUD rent subsidized independently owned property; the Rental Assistance Demonstration (RAD) program allows Public Housing properties to be converted into private ownership yet retain subsidy funding in the form of Project Based Vouchers or Project Based Rental Assistance; Lapeer Housing Commission (LHC) currently administers the Housing Choice Voucher Program for Riverview Towers and would be consistent with current skill set; estimated to be an increase in revenue over current funding; will hold a tenant meeting so they are well informed of the situation and process. Brief discussion was held regarding how long transition would take with response of 1-2 years. Ms. Soldenski also informed the Commission that if it is found that this process is not right for Riverview, there is an opportunity to back out of the process right up until the closing of the deal.

It was the consensus of the Commission to support the Rental Assistance Demonstration (RAD) conversion for Riverview Towers and to move forward with the process.

E. Oregon Street Reconstruction Project – Flint River to East City Limits.
MDOT Contract #14-5649.

23 2015 02-02

Moved by Robinet. Seconded by Gates.

Approve the City of Lapeer Municipal Resolution Michigan Department of Transportation Contract No.: 14-5649.

CITY OF LAPEER
MUNICIPAL RESOLUTION
MICHIGAN DEPARTMENT OF TRANSPORTATION
CONTRACT NO.: 14-5649

At a regular meeting of the Lapeer City Commission on Monday, February 2, 2015 at 6:30 p.m. in the Lapeer City Commission Chambers of Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan, Commissioner Robinet moved for the adoption of the Municipal Resolution for acceptance of Contract #14-5649 for the East Oregon Street Reconstruction Project including:

Part A:

Reconstruction work along East Oregon Street from the Flint River to the east city limits; including pavement removal, machine grading, subbase, aggregate base, storm sewer, drainage improvement, hot mix asphalt paving, concrete curb and gutter, concrete sidewalk, sidewalk ramp, and guardrail work; and all together with necessary related work.

Part B:

Watermain and sanitary sewer work along East Oregon Street from the Flint River to the east city limits; and all together with necessary related work.

The motion was seconded by Commissioner Gates.

BE IT RESOLVED THAT the Michigan Department of Transportation Contract #14-5649 for the East Oregon Street Reconstruction project as described above between the Michigan Department of Transportation and the City of Lapeer is hereby accepted and City Manager Dale Kerbyson and Director of Public Works Pam Reid are authorized to sign the required documents.

Ayes: Bennett, Bostick-Tullius, Gates, Robinet, Lyons.

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

CITY MANAGER'S REPORT

Future Water Supply Information.

City Manager Dale Kerbyson reviewed the charts indicating that Karagondi Water Authority (KWA) is the better water option financially. Discussion was held regarding storage cost, independent storage, percentage increases 4% versus 7%, contract lengths and language, capital expenditures – who pays, how many employees would be added if any; when would there be a return on investment; transition time if going with KWA, additional charges from Detroit; nothing is in writing so there are no guarantees at this point; what will be the future water bill, average customer bill now versus 10-25 years from now; are the sewer costs included in the figures shown on the graphs – if not, will sewer rates go up as well; new piping with KWA versus outdated materials needing repair with Detroit and who pays for the repairs for either choice; having a seat on the KWA board versus no seat on the Detroit board; who controls access to the lines if KWA is selected; Flint is already in the KWA – why are they looking to return to Detroit; should an independent consultant be hired to review both sides to help select which choice would be better for the City; should a Detroit and KWA representative return to discuss their information further; how do we negotiate if nothing is in writing; what will happen if the City does not sign with either Detroit and KWA by June 1st; if a decision is made will there be water quality issues; all figures are assumptions with no guarantees on pricing or language. Commissioner Bennett commented that we should have the citizens decide and put it on a ballot. Commissioner Lyons indicated he is not prepared to vote at this time. Commissioner Robinet indicated he doesn't understand why we would want to change now as we have had no major problems with Detroit and has heard nothing from the Director of the DPW and takes her silence as she is against KWA. Commissioner Bostick-Tullius commented she does not understand why everyone does not see what she sees and why no one wants to go with the KWA opportunity, to have a seat on the board versus no seat on the board with Detroit, that this would be a huge advantage. Mayor Sprague was concerned on the 10 year contract with KWA, if we decide at that point to go back to Detroit, who is stuck with the debt, doesn't feel to bond this would be legal, although he doesn't get a vote, would stay with Detroit at this point.

24 2015 02-02

Moved by Bostick-Tullius. Seconded by Gates.

Approve the City to move forward with the Karagondi Water Authority (KWA) for the City's water supply.

ON A ROLL CALL VOTE:

Ayes: Bostick-Tullius, Gates.
Nays: Lyons, Robinet, Bennett.
Absent: None.
Abstain: None.

MOTION FAILED.

City Manager Dale Kerbyson informed the Commission that a grant has been awarded for DeMille and Whitney for a CBDG Grant of \$1.2 million with a \$45,000 match from the City.

CITY ATTORNEY'S REPORT

Charter Amendment or Revision.

City Attorney Michael Nolan reported that the Election Commission met and discussed entertaining a Charter amendment or a re-write, looking for direction from the City Commission on how to move forward. City Manager Dale Kerbyson indicated a Charter Review Commission is in the budget.

Mr. Nolan updated the Commission regarding the Pines of Lapeer lawsuit.

UNFINISHED BUSINESS

None.

DEPARTMENTAL COMMUNICATIONS

None.

PUBLIC COMMENTS

Bernadette Treece commented that she does not think the Commission should be making such a large decision regarding the water for the City, that it should be left up to the citizens. She would like to see a public meeting inviting residents so they can hear information from both offers. Ms. Treece also indicated she would never see a return on investment.

MAYOR/COMMISSIONER COMMENTS

Commissioner Bennett commented that this evening was interesting; disappointed that there was a vote, felt the people should decide.

Commissioner Gates commented that this evening was interesting; attended the Fire Association dinner; thanked DPW/Police/Fire for keeping the City safe.

Commissioner Bostick-Tullius thanked the DPW for the great job with the snow removal; feels Commission is elected to make the big decisions that affect the City.

Commissioner Lyons commented that he voted no on the water decision due to not enough facts, not that he is against Karagondi Water Authority, disagrees with Commissioner Bennett on letting the people vote, feels these decisions should be made by the Commission, that is what they were elected for. Thanked the DPW, great job on snow removal.

Commissioner Robinet agrees with Commissioners Bostick-Tullius and Lyons on why they are elected; feels a public hearing is necessary to discuss the water issue.

City Manager Dale Kerbyson welcomed Debbie Marquardt, Bernadette Treece and Judy Robinet for attending tonight's meeting.

Mayor Sprague read the reminders for community events; indicated there is a new project at the Center Building which has started "The Kitchen Incubator"; likes being Mayor and that there can be a difference of opinion, things can be handled respectfully; water storage is a good idea and no matter what water choice is decided, the water storage should be put in the budget.

ADJOURNMENT

25 2015 02-02

Moved by Lyons.

Adjourn the regular meeting.

Ayes: Bennett, Bostick-Tullius, Gates, Robinet, Lyons.

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 8:42 p.m.

William J. Sprague, Mayor

Tracey S. Russell, Deputy City Clerk