

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

A regular meeting of the Lapeer City Commission was held March 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, Gates, Marquardt.
Absent: None.

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

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

70 2017 03-20

Moved by Bennett. Seconded by Gates.
Approve the Agenda for March 20, 2017 as presented.
Ayes: Atwood, Bennett, Gates, Marquardt.
Nays: None.
Absent: Bostick-Tullius.
MOTION CARRIED.

Commissioner Bostick-Tullius arrived at 6:32 p.m.

MINUTES

71 2017 03-20

Moved by Gates. Seconded by Marquardt.
Approve the minutes from the Regular Meeting and Closed Session held March 6, 2017 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

Jeff Hick, Elm Street, vocalized his concern of an incident with the City Building Inspector, indicating the inspector came into his home uninvited while he had workers sanding floors, feels this was inappropriate and a violation of his rights, that the City should train the inspector on what his job is and wants an apology.

Kelly Pietrykowski, Fish Lake Road, gave invocation.

CONSENT AGENDA

72 2017 03-20

Moved by Gates. Seconded by Atwood.
Approve the Consent Agenda for March 20, 2017 resulting in the following.

1. Special Event Application from Stone Soup Pantry, Hunger Awareness Week, May 12 and 13, 2017 from 9:00 am – 5:00 pm, at various intersections on file.
2. Special Event Application from Michigan Lupus Foundation, Timberly Ranshaw Memorial Walk, May 21, 2017 from 8:00 am – 5:00 pm at Rowden Park.
3. Special Event Application from Bishop Kelly School, Annual Walk-A-Thon, April 28, 2017 from 9:00 am – 3:30 p.m. at Cramton Park.
4. Special Event Application from WMPC Radio Station and Calvary Bible Church, Praise in the Park, June 24, 2017 from 9:00 am – 4:00 pm at Rowden Park.

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

Absent: None.
MOTION CARRIED.

BILL LISTING FOR MARCH 20, 2017

73 2017 03-20

Moved by Marquardt. Seconded by Gates.
Approve the Bill Listing for March 20, 2017 in the amount of \$832,792.97.

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

Nays: None.

Absent: None.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

None.

PUBLIC HEARINGS

Public Hearing: Focus on Lapeer Home Improvement Program 2017 Application.

Mayor Sprague opened the public hearing at 6:36 p.m. Grant Administrator Shelley Lincoln provided a presentation on: Homeowner Rehab Grant update, funds of \$160,000, to rehab at least four properties; new grant proposed Focus on Lapeer Home Improvement Program, grant territory, amount of \$80,000 to serve at least two homes, possibly three, program criteria; additional Housing updates on potential Michigan Economic Development Corporation (MEDC) Grant for work on the Team Works building downtown for façade improvements and create five new residential apartments; Lapeer Neighborhoods Inc. (LNI) grant application of \$50,000 for an enhancement project, focus to be placed on beautification of the round-about and placement of a copula and to refurbish the downtown copulas; update on the HUD foreclosed homes; review of Fair Housing Policy; and positive impact of CDBG/Home Grant Funding.

Hearing no comments from the public, Mayor Sprague closed the public hearing at 6:46 p.m.

Brief discussion was held on outstanding job provided by the Housing Department, exciting to see projects in the City, look forward to entrance improvements, amount of funds and benefit to City for projects completed through Housing.

74 2017 03-20

Moved by Bennett. Seconded by Gates.

Approve the Resolution To Approve Michigan State Housing Development Authority (MSHDA) Housing Resource Fund City of Lapeer Home Improvement Program.

MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY (MSHDA) HOUSING RESOURCE FUND - CITY OF LAPEER HOME IMPROVEMENT PROGRAM

WHEREAS, the City of Lapeer is interested in the continuing effort to improve the housing stock and provide affordable housing opportunities for its moderate, low and very low income residents; and

WHEREAS, the Lapeer City Commission accepts the recommendation of the City of Lapeer Housing Improvement Department to apply for \$80,000 through the Michigan State Housing Development Authority Housing Resource Fund for City of Lapeer Housing Improvement Grant; and

WHEREAS, the Michigan State Housing Development Authority requires a resolution authorizing the submission of the aforementioned grant application; and

WHEREAS, said City Commission authorizes the Mayor to sign the grant application form and related documents such as Environmental Review and Collaboration/Leverage Agreements as required by MSHDA and allow the Director of Housing and Neighborhood Development to sign related grant documents when allowed by MSHDA as required; and

WHEREAS, said City Commission held a public hearing on March 20th, 2017 regarding the proposed City of Lapeer Housing Improvement Grant and status up-date on currently funded activities.

THEREFORE, BE IT RESOLVED that the Lapeer City Commission authorizes the City of Lapeer Housing Improvement Department to submit the application for funding through the Michigan State Housing Development Authority's Housing Resource Fund for a City of Lapeer Housing Improvement Grant, authorizes the Mayor and Director of Housing and Neighborhood Development to sign grant related documents on behalf of the City of Lapeer, and held a public hearing regarding housing grants on March 20th, 2017.

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

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

75 2017 03-20

Moved by Marquardt. Seconded by Gates.

Approve the Resolution To Approve City Of Lapeer Fair Housing Policy.

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 20th, 2017.

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

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

Public Hearing: Michigan Natural Resources Trust Fund.

Mayor Sprague opened the public hearing at 6:49 p.m. City Manager Dale Kerbyson indicated that the process requires a public hearing, Michigan Natural Resources Trust Fund Grant Application is to purchase 0.44 acres of property to build an ADA-accessible pathway ramp to connect the Pedestrian Tunnel with the sidewalk on the west side of M-24, total project cost is approximately \$145,200, City is expected to match 25% at a

cost of \$37,200. Brief discussion held on distance to turnaround of about 400 feet, cost comparison of MDOT purchase of property to complete tunnel, to be on west side of tunnel, east side of tunnel is Cramton Park, assist in completing connection to park access instead of crossing at a major intersection.

Marlana Swindell, Pleasant Street, questioned the location of the ramp, would it connect to her property, what impact would it have to her property and which side of the river would it be on. Mr. Kerbyson indicated that it would not connect to her property, the property connects to vacant land, ramp would connect west entrance of tunnel and back to sidewalk on M-24.

Hearing no further comments, Mayor Sprague closed the public hearing at 6:58 p.m.

76 2017 03-20

Moved by Bostick-Tullius. Seconded by Marquardt.

Approve the Resolution the City of Lapeer Municipal Resolution Michigan Natural Resources Trust Fund Application 2017.

**CITY OF LAPEER MUNICIPAL RESOLUTION
Michigan Natural Resources Trust Fund Application 2017**

WHEREAS, the City of Lapeer seeks to submit a Michigan Natural Resources Trust Fund Application 2017 for the following improvement:

Acquire 0.44 acres of land along Farmers Creek to construct an ADA accessible pathway connection between Cramton Park and the sidewalk/pathway along the west side of Highway M-24, through a pedestrian tunnel that MDOT construction when it replaced the M-24 bridge over the creek. This will provide an important connection for Lapeer's Non-Motorized Transportation System, allowing users to safely gain access east/west of M-24 without having to cross the busy highway. They will have access to local business on M-24 and non-motorized travelways west of M-24. It will also provide easy entrance into Cramton Park. Potential non-motorized users would be walkers, bicyclists, rollerbladers, skateboarders, joggers, hikers and wheelchair users. Because the parcel has the commercial frontage on M-24, the land is very expensive and the City needs grant assistance in order to purchase it.

BE IT RESOLVED THAT the Lapeer City Commission approves submittal of a Michigan Natural Resources Trust Fund Application for the above stated improvement and authorizes the City Manager to act as the City's authorized representative to sign required documents.

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

Nays: Bennett.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

ADMINISTRATIVE REPORTS

Chapter 66 (To Regulate DAS/Small Cell/Wireless Facilities In The Public Rights Of Way Ordinance).

77 2017 03-20

Moved by Marquardt. Seconded by Bennett.

Adopt Chapter 66 (To Regulate DAS/Small Cell/Wireless Facilities in the Pubic Rights Of Way Ordinance) of the General Ordinances of the City of Lapeer.

**CHAPTER 66
TO REGULATE DAS/SMALL CELL/WIRELESS FACILITIES
IN THE PUBLIC RIGHTS OF WAY**

THE CITY OF LAPEER ORDAINS:

66.01 DEFINITION.

For purposes of this section, the following terms and phrases shall be defined as follows:

DAS/Small Cell/Wireless Network shall mean any distributed antennae system or small cell telecommunication or data wireless network.

DAS/Small Cell/Wireless Facilities or DAS/Small Cell/Wireless Network Facilities means structures of any nature installed and/or operated for the provision of telecommunication or wireless services, including without limitation, antennas, supporting structures for antennas, poles, equipment shelters or houses, and any ancillary equipment.

66.02 LICENSE AGREEMENT

No person shall install or operate, in whole or in part, DAS/Small Cell/Wireless Facilities or DAS/Small Cell/Wireless Network Facilities in a City public right-of-way or other public place without first applying for and receiving a DAS/Small Cell/Wireless license from the City in a form and subject to such terms and conditions as is acceptable to the City. Nothing herein shall be interpreted to require the City to issue such a license and the City reserves to itself discretion to grant, deny or modify a request for such a license as it determines to be in the best interest of the City and its citizens.

66.03 METRO ACT PERMIT.

No person shall install or operate “telecommunications facilities,” as defined in the Metropolitan Extension Telecommunications Rights-Of-Way Oversight Act, Act No. 48 of the Public Acts of 2002, as amended (the “Act”) without first obtaining a permit under the Act from the City, including any part of a DAS/Small Cell/Wireless system constituting telecommunication facilities.

66.04 DESIGN PARAMETERS

Where permitted by the City, the following minimal design parameters shall apply to DAS/Small Cells/Wireless Network Facilities in City public rights-of-way:

1. The required map(s) for proposed DAS/Small Cell/Wireless Facilities shall be legible, to scale, labeled with streets, and contain sufficient detail to clearly identify the proposed DAS/Small Cell/Wireless Network Facilities’ locations and surroundings. Where applicable, the required map or list shall include and identify any requested pole height(s).
2. The maximum height of a pole or other supporting structure installed to accommodate a DAS/Small Cell/Wireless Network shall be 40 feet.
3. Unless otherwise permitted in Section (d) 6, DAS/Small Cell/Wireless Facilities shall be located no closer than 18 inches from an existing sidewalk/face of curb or 18 inches from a proposed future sidewalk/face of curb location.
4. Unless otherwise permitted in Section (d) 6., DAS/Small Cell/Wireless Facilities shall be located no closer than 10 feet from any driveway.
5. In residential areas, DAS/Small Cell/Wireless Facilities shall be located in line with a side lot line whenever possible and not in front of a house.
6. The licensee shall field-stake all proposed locations for DAS/Small Cell/Wireless Facilities which shall be subject to the approval of the City, Lapeer County Road Commission and/or the Michigan Department of Transportation as applicable. All approved DAS/Small Cell/Wireless Facilities’ locations shall be on a per pole/equipment/other basis. Such approvals shall be memorialized by the City and licensee.
7. Once precise locations have been approved in accordance with Section 66.04, 6., the licensee shall provide latitude and longitude coordinates for the DAS/Small Cell/Wireless Facilities’ locations to the City’s Department of Public Works.
8. The licensee shall be responsible to obtain such other permits and approvals as required by law.

66.05 COMPLIANCE WITH APPLICABLE LAW.

The City, in reviewing and authorizing a permit under the Act and/or a license referred to in this section, and the licensee, in the establishment and operation of any DAS/Small Cell/Wireless Network Facilities, shall comply with all applicable federal and state laws.

66.06 FEES.

Fees for the agreement and permits required shall be as provided for in the Act or those documents and as periodically authorized by resolution of the City Commission.

66.07 EFFECTIVE DATE.

This Ordinance will become effective as of its publication of adoption in a newspaper in general circulation within the City as provided by law.

ON A ROLL CALL VOTE:

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

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED. CHAPTER 66 ADOPTED.

Summary of Chapter 66 to be used for publication purposes.

78 2017 03-20

Moved by Marquardt. Seconded by Gates.

Approve Resolution To Establish Administrative And Monthly Fees And To Approve A License And Tiered Map Relative To The Issuance Of DAS/Small Cell Wireless Licenses.

CITY OF LAPEER - LAPEER COUNTY, MICHIGAN

A RESOLUTION TO ESTABLISH ADMINISTRATIVE AND MONTHLY FEES AND TO APPROVE A LICENSE AND TIERED MAP RELATIVE TO THE ISSUANCE OF DAS/SMALL CELL WIRELESS LICENSES

RECITALS

- A. A Distributed Antenna Systems (DAS)/Small Cell Wireless network is composed of spatially separated antenna nodes that are connected to a common source by a medium that provides wireless service within a geographic area or structure.
- B. Pursuant to Michigan law and Chapter 66 (To Regulate DAS/Small Cell/Wireless Facilities In The Public Rights Of Way Ordinance) of the General Ordinances of the City of Lapeer, the City of Lapeer's public rights of way are a recognized and valuable public resource, entrusted to the City of Lapeer citizens and taxpayers acting through the City of Lapeer.
- C. Pursuant to Michigan law Chapter 66 (To Regulate DAS/Small Cell/Wireless Facilities In The Public Rights Of Way Ordinance) of the General Ordinances of the City of Lapeer, the City of Lapeer is tasked with administering and managing the City of Lapeer's public rights of way in a reasonable manner and subject to reasonable oversight.
- D. The City of Lapeer desires to facilitate the availability of new technologies in a reasonable and uniform manner.
- E. The City of Lapeer has adopted an ordinance, being Chapter 66 (To Regulate DAS/Small Cell/Wireless Facilities In The Public Rights Of Way Ordinance), which makes express the need of a DAS/Small Cell Wireless provider to pay uniform fees for the privilege of installing and operating poles, antennas and accessory equipment in the public rights of way.
- F. The City of Lapeer recognizes the need to compensate the City of Lapeer for the use of the City of Lapeer public property and to regulate in a reasonable fashion the use its public rights of way for the general health, safety and welfare.

- G. In cooperation with other communities in the metropolitan area, the City of Lapeer has studied and consulted with various stakeholders, including providers of DAS/Small Cell Wireless services, regarding a reasonable set of fees to be imposed for the use of the City of Lapeer's approved public rights of way and a method by which the City of Lapeer can exercise its proprietary rights.
- H. Based on those studies and consultations the City of Lapeer has determined that the fees and charges as set forth in the attached Fee Structure, attached as Exhibit A hereto and incorporated by reference, are appropriate and should be utilized by the City of Lapeer in conjunction with the License, attached as Exhibit B hereto and incorporated by reference, in administering the placement and operation of DAS/Small Cell Wireless facilities in the City of Lapeer's public rights of way.

NOW THEREFORE IT IS RESOLVED:

1. The Recitals set forth above are acknowledged to be accurate and are hereby adopted as if fully set forth.
2. The Fee Structure attached as Exhibit A is hereby adopted and approved for the licensing of DAS/Small Cell Wireless networks [as authorized and permitted by City of Lapeer Chapter 66 (To Regulate DAS/Small Cell/Wireless Facilities In The Public Rights Of Way Ordinance) of the General Ordinances of the City of Lapeer].
3. The DAS/Small Cell Wireless License Agreement template attached as Exhibit B is adopted and approved for use by City of Lapeer staff and the Department of Public Work's office.
4. The Tiered Map of the City of Lapeer, attached as Exhibit C hereto and incorporated by reference, is hereby adopted for purposes of determining the appropriate tiered monthly fees provided for in this Resolution and the License.
5. All resolutions and parts of resolutions in conflict herewith are, to the extent of such conflicts, hereby repealed.

ON A ROLL CALL VOTE:

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

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

MDOT Local Bridge Program Resolutions for Four Bridge Projects.

79 2017 03-20

Moved by Bostick-Tullius. Seconded by Gates.

Approve City of Lapeer Municipal Resolutions Through The Michigan Department Of Transportation Local Bridge Program for:

1. Replacement of the Genesee Street Bridge.
2. Preventative Maintenance to the Monroe Street Bridge.
3. Replacement of the Bentley Street Bridge.
4. Five (5) Preventative Maintenance Projects to the following bridges:
 - McCormick Street Bridge
 - Imlay City Road Bridge
 - Mason Street Bridge
 - Fox Street Bridge
 - DeMille Street Bridge

CITY OF LAPEER
MUNICIPAL RESOLUTION FOR 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 replacement is necessary; and

WHEREAS, the budget of the City of Lapeer will not allow for 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 2020.

This resolution adopted this 20th day of March 2017.

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

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

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 2020.

This resolution adopted this 20th day of March 2017.

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

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

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

WHEREAS, the condition of the Bentley Street bridge has deteriorated to such an extent that replacement is necessary; and

WHEREAS, the budget of the City of Lapeer will not allow for 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 Bentley Street Bridge for MDOT's Fiscal Year 2020.

This resolution adopted this 20th day of March 2017.

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

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

CITY OF LAPEER
MUNICIPAL RESOLUTION FOR FIVE (5) BRIDGE PREVENTATIVE
MAINTENANCE PROJECTS TO THE FOLLOWING BRIDGES:
MCCORMICK STREET, IMLAY CITY ROAD, MASON STREET, FOX STREET AND
DEMILLE STREET THROUGH THE MICHIGAN DEPARTMENT OF
TRANSPORTATION LOCAL BRIDGE PROGRAM

WHEREAS, the condition of the McCormick Street, Imlay City Road, Mason Street, Fox Street and DeMille Street bridges have 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 these bridges 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 five (5) bridge epoxy seal preventative maintenance projects for the McCormick Street, Imlay City Road, Mason Street, Fox Street and DeMille Street bridges for MDOT's Fiscal Year 2020.

This resolution adopted this 20th day of March 2017.

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

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

Authorization to Participation in the Redevelopment Ready Communities (RRC) Program.

80 2017 03-20

Moved by Bostick-Tullius. Seconded by Gates.

Resolution Authorizing the City of Lapeer to Participate in the Michigan Economic Development Corporation (MEDC) Redevelopment Ready Communities Program.

CITY OF LAPEER

Resolution Authorizing the City of Lapeer to Participate in the
Michigan Economic Development Corporation (MEDC)
Redevelopment Ready Communities Program

WHEREAS, the Michigan Economic Development Corporation (MEDC) has established the statewide Redevelopment Ready Communities (RRC) Program to empower communities to shape their future and maximize economic potential; and

WHEREAS, the RRC is a program that provides technical assistance to and certifies Michigan communities who actively engage stakeholders and plan deliberate, fair and consistent processes; and

WHEREAS, a City of Lapeer representative has attended all six Best Practice Training; and

WHEREAS, the City of Lapeer recognizes the value of the RRC Program and seeks to improve its development readiness through a detailed review of its development processes including its Master Plan, Downtown Development Plan, Tax Increment Finance Plan, Development Review Process, Community Outreach Programs as well as its Zoning Ordinances; and

WHEREAS, the RRC Program includes evaluating and strengthening the development-related partnerships between the City Commission and stakeholder organizations such as the MEDC, Downtown Development Authority, Tax Increment Finance Authority, Lapeer Economic Development Corporation, City of Lapeer Zoning Board of Appeals and Planning Commission; and

WHEREAS, any of the MEDC recommendations that require ordinance changes, including those related to the review of site plans, will require public hearings, review and recommendation by the City of Lapeer Planning Commission and additional action by the City Commission.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Lapeer City Commission authorizes the City of Lapeer to participate in the Michigan Economic Development Corporation's Redevelopment Ready Community (RRC) Program. The City of Lapeer is willing to allow use of limited resources within its current budget or in accordance with future budgetary action to support the RRC Program. The City of Lapeer is committed to the RRC Best Practices and evaluation process with the intent to improve our processes and communications with our stakeholders and will continue to work with stakeholders and MEDC as our community moves forward in seeking RRC Certification. Resolution Adopted this 20th day of March, 2017.

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

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

81 2017 03-20

Moved by Gates. Seconded by Bostick-Tullius.

Resolution Acknowledging the City of Lapeer's Ordinances, Policies and Plans.

CITY OF LAPEER
Resolution Acknowledging the City of Lapeer's
Ordinances, Policies and Plans

WHEREAS, the City of Lapeer has several Ordinances, Policies and Plans in place to prepare for future needs of the City that promote Community Development, Health and Safety, Economic Growth, Efficiency and Housing needs; and

WHEREAS, the City has the following Ordinance, Policies and Plans in place:

1. Annual Budget: Adopted by City Commission in May of each year; current FY 2016-2017 Budget adopted May 16, 2016.
2. Capital Improvement Program: Adopted by City Commission in May of each year consisting of a Five-Year Program; current 2016-2022 CIP adopted May 16, 2016.
3. City of Lapeer Master Plan: Purpose: The plan as developed is an effective tool in guiding and accomplishing a coordinated, adjusted, and harmonious development of the City and its environs which will, in accordance with present and future needs, best promote health, safety, morals, order, convenience, prosperity, and general welfare as well as efficiency and economy in the process of development; including, among other things adequate provision for traffic, promotion of the healthful and convenient distribution of population, the promotion of good civic design and arrangement, wise and efficient expenditure of public funds, and the adequate provision of public utilities and other public requirements. Adopted May 19, 2008; Adopted updates April 11, 2014.
4. Parks and Recreation Master Plan: Purpose: Parks and recreation services enhance a community's quality of life. The Master Plan is intended to guide decision makers with future development and improvement of the community's parks, recreation facilities, and programs. Adopted City Park Board May 21, 2014 and City Commission August 4, 2014.
5. Goals and Objectives: Objectives include: marketing of our City; Infrastructure Improvements; Neighborhood Revitalization; and General Fund balance; current 2016-2022 Goals & Objectives Plan adopted May 2, 2016.
6. Complete Streets Policy: Policy adopted, by Resolution, to improve the safety and efficiency of the transportation system located within the City and to promote the health and economic opportunities of its residents and visitors to encourage the development of "complete streets" by including complete streets design considerations as a routine part of infrastructure planning and implementation while recognizing the need for flexibility in identifying solutions that fit with the context of the community. Adopted by City Commission February 6, 2012.
7. Non-Motorized Master Plan: Purpose: The City of Lapeer has an existing non-motorized system (off-road trails and a sidewalk network) that has begun to connect regional anchor institutions, residential neighborhoods, key commercial districts, the traditional downtown and riverfront, and several parks and protected lands. As the trail system has emerged, the City desired to have a long-term vision for a walkable and bikeable community. This Non-Motorized Master Plan has been developed in order to provide a vision for how people, schools, businesses, parks, natural resources, and cultural and historic landmarks can be connected. The plan outlines the non-motorized facilities and improvements that are desired within the community including elements such as sidewalks, trails, crossings, on-street bike lanes, shared use routes, bridge improvements, and pedestrian connections. This plan is intended to serve as a guide to non-motorized and complete street planning, design and construction into the future. Adopted by City Commission February 6, 2012.
 - a. 2010 Walkability Report: Purpose: Walking audit to review improvements in development of transportation as well as the City's focus toward walkability and placemaking, to create the potential to attract new jobs and enrich the lives of those living and working in the City of Lapeer.

8. Resolution to Approve Michigan State housing Development Authority (MSHDA) Housing Resource Fund City of Lapeer Home Improvement Program: Purpose: to apply for \$80,000 through MSHDA Housing Resource Fund for Housing Improvements Grants. Administered by the City of Lapeer Housing Department; Adopted by City Commission March 20, 2017.
 - a. Homeowner Rehabilitation Program: MSHDA HOME grant to rehabilitate at least four (4) Homeowner Rehabilitations. Administered by the City of Lapeer Housing Department; Grant received on January 1, 2016.
 - b. Housing Choice Voucher Program: Administration of 120+ Housing Choice Voucher Rental Subsidies funded by US Department of Housing and Urban Development (HUD). Administered by the City of Lapeer Housing Department.
9. City of Lapeer Fair Housing Policy: Policy adopted, by Resolution, to implement programs to ensure equal opportunity in housing and to not discriminate in the sale, rental, leasing or financing of housing for all persons regardless of religion, race, color, national origin, age, sex, height, weight, familial status or marital status. Administered by the City of Lapeer Housing Department; Adopted by City Commission March 20, 2017, policy is reviewed and adopted annually.
10. Economics Opportunities Policy for Section 3 Covered Contracts: Policy Statement: The City of Lapeer shall provide opportunities to low- and very low-income people living in the targeted area of the City of Lapeer, Lapeer County and to businesses meeting the definition of "Section 3 Business Concern". Adopted by City Commission May 16, 2016.
11. City of Lapeer Title VI Non-Discrimination Plan: Recognizes that the City of Lapeer serves all people of the City, including minority populations, low-income populations, the elderly, persons with disabilities, and those who traverse the State of Michigan. The City of Lapeer recognizes its responsibility to provide fairness and equity in all of its programs, services, and activities, and that it must abide by and enforce federal and state civil rights legislation. Adopted by City Commission December 17, 2012.
12. M-24 Access Management Plan: The City of Lapeer and MDOT are committed to work together on achieving the common goals of a safer roadway by applying access management principles. At the southern end of the corridor, on either side of I-69, future development will occur which could have significant impacts to traffic on M-24 and existing intersections. This includes the 'Annexation by Choice Area' along M-24 between Turrill Road and the south City limits. It is at these new and redeveloped properties where the City, Township, MDOT and the County Road Commission can work cooperatively, along with the developers, to establish "reasonable" and safe access that serves the motorist and their customers. Adopted by City Commission June 1, 2009.
13. Chapter 7 (Zoning Ordinance): Purpose: The purpose of this ordinance is to regulate the use of land and structures to meet the needs of the City's residents for places of residence, recreation, industry, trade, service, and other uses of land to ensure that use of the land is situated in appropriate locations and relationships to facilitate orderly development which is harmonious with the surrounding area and preserves community character, to limit the inappropriate overcrowding of land and congestion of population, transportation systems, and other public facilities, to facilitate adequate, and efficient provision for transportation systems, sewage disposal, water, energy, education, recreation and other public service and facility requirements, and to promote public health, safety and welfare. Adopted as Restated by City Commission June 18, 2011, Effective Date July 28, 2011, last amended March 16, 2017.
14. Chapter 9 (Housing Ordinance): Purpose: To protect the health, safety and welfare of the people of the City by establishing minimum housing standards for dwellings, to provide for the elimination of overcrowding, to provide standards for sanitary conditions in and around structures use for human habitation, to determine the responsibilities of the owner and occupants of dwelling and to

provide for the administration and enforcement of this Housing Ordinance. Amended April 22, 2010.

15. Chapter 23 (Income Tax Ordinance): City adopted by reference the provisions of The City Income Tax Act, Act 284 of 1964, Chapter 2, Uniform City Income Tax Ordinance, as amended in accordance with the provisions of MCL 141.501 et seq., a true copy which is on file with the City Clerk. Effective date January 1, 1967, amended December 27, 2009.
16. Chapter 25 (Public Housing Ordinance): Purpose: Created a municipal Housing Commission for the City of Lapeer to purchase, acquire, construct, maintain, operate, improve, extend or repair housing facilities and to eliminate housing conditions which are detrimental to the public peace, health, safety, morals or welfare of the City of Lapeer. Effective date May 25, 1971.
17. Chapter 29 (State Housing Authority Tax Exemption Ordinance): Purpose: To declare the public necessity of the assistance of the City of Lapeer in developing and preserving housing for its elderly citizens of low and moderate income; to provide a binding agreement with the "owner" or "mortgagor" as defined her in establishing terms and conditions for the continuing status of tax exemption to the housing development; to establish, by ordinance, real estate tax exemption status for elderly citizens of low and moderate income, dwelling within the "housing development" as defined herein, Under Act 346 of the public Acts of 1966, as amended; and to establish annual service charge for public services in lieu of all taxes to be paid by the owner to the City of Lapeer and distribute pursuant to Act 346. Original effective date August 30, 1978, last amended March 4, 2010.
18. Chapter 6 (Land Division Ordinance): Purpose: to provide for the orderly growth and harmonious development of the community; to secure adequate traffic circulation through coordinated street systems with relation to major thoroughfares, adjoining subdivisions and public facilities; to achieve individual property lots of maximum utility and livability; to secure adequate provisions for water supply, drainage and sanitary sewage, and other health requirements; to secure adequate provisions for recreational areas, school sites and other public facilities; and to provide logical procedures for the achievement of these purposes. Effective date of October 15, 2003.

WHEREAS, the City of Lapeer has various Development and Financing Plans in place for Downtown Development Plan and Tax Increment Finance Authority Plan #1, #2 and #3; and

WHEREAS, the City is progressing forward towards Certification as RRC to improve community development, housing needs, create jobs, build tax base; attract investment, and encourage economic development.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Lapeer City Commission acknowledges the City of Lapeer's Ordinances, Policies and Plans in place to promote community development, health and safety, economic growth, efficiency and housing needs and will take the necessary steps in becoming a certified Redevelopment Ready Community.

Resolution adopted this 20th day of March, 2017.

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

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

Public Hearing Request: Michigan Community Development Block Grant (CDBG) Infrastructure Capacity Enhancement (ICE) Funding for Waste Water System Improvements.

82 2017 03-20

Moved by Marquardt. Seconded by Gates.

Set a Public Hearing for April 3, 2017 for Michigan Community Development Block Grant (CDBG) Infrastructure Capacity Enhancement (ICE) Funding Application for Waste Water System Improvements 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.

CITY MANAGER'S REPORT

Timothy Bentley: Purchase Years of Service Credit. Municipal Employees Retirement System (MERS).

83 2017 03-20

Moved by Bostick-Tullius. Seconded by Gates.
Approve City of Lapeer Municipal Resolution To Purchase Years Of Service Credit
Municipal Employees Retirement System (MERS) for Timothy Bentley.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

Purchase of 838 S. Saginaw Street

City Manager Dale Kerbyson requested a motion to purchase 838 S. Saginaw Street in the amount of \$120,000 plus any closing costs. Mayor Sprague indicated where the property was located and that this would square up City-owned property north of the community center.

84 2017 03-20

Moved by Bennett. Seconded by Gates.
Approve the purchase 838 S. Saginaw Street in the amount of \$120,000 plus closing costs and 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

None.

UNFINISHED BUSINESS

85 2017 03-20

Appointed by Mayor Sprague. Moved by Gates. Seconded by Bostick-Tullius.
Appoint Deborah Marquardt to Cemetery Board, term ending 04-01-22.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

86 2017 03-20

Appointed by Mayor Sprague. Moved by Gates. Seconded by Marquardt.
Appoint Jeff Hogan to County Center Board, term ending 01-01-18.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

87 2017 03-20

Appointed by Mayor Sprague. Moved by Marquardt. Seconded by Gates.
Appoint Alyssa Walker to EDC/TIFA/Brownfield Redevelopment Authority, term ending 03-01-21.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

88 2017 03-20

Moved by Gates. Seconded by Atwood.
Appoint A. Wayne Bennett to Prison Liaison Committee, term ending 04-01-20.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

89 2017 03-20

Moved by Gates. Seconded by Marquardt.

Appoint the following:

Joe Black Zoning Board of Appeals, term ending 04-01-20.

Jeff Hogan Zoning Board of Appeals, term ending 04-01-20.

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

Nays: None.

Absent: None.

MOTION CARRIED.

DEPARTMENTAL COMMUNICATIONS

The Departmental Monthly Reports were received into the record.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Bennett: Asked how individuals are selected to serve on City boards, suggest having info on person before appointment is made; thanked lady for prayer.

Commissioner Bostick-Tullius: Baseline Plan Assessment meeting at City Hall on March 30th for Main Street Program, awarded next level; attended National League of Cities in Washington, DC, met with US Senator's and Congressman Paul Mitchell's legal director to inform them of Lapeer's interests, attended good session, sat with a Youth Council group and is looking forward to getting a youth council started here; to attend MML Conference, asked that fellow Commissioners attend the press conference on March 21st at 4:00 pm for support, to review new legislation on dark store issues.

Commissioner Gates: Thanked everyone for attending meeting, workshop for Medical Marihuana on 03-27-17; will attend MML Medical Marihuana workshop and will bring back information for review.

Commissioner Marquardt: Thanks to City Manager on purchase of property information; attending MML Conference, has called and is waiting to hear from State Representative Gary Howell for meeting with them, City Manager Dale Kerbyson commented that he has already taken care of setting up a meeting with Mr. Howell which will also include a tour of the capital per Ms. Marquardt's request from the 03-06-17 meeting.

City Manager Dale Kerbyson: Medical Marihuana workshop to be at EMS Facility located at 3565 W. Genesee Street, can hold up to 200 people, invited surrounding townships and local interests to attend; received confirmation from State Representative Gary Howell to visit his office between sessions during MML Conference for 03-22-17 at 11:00 am at the Capital, Senator Green is unavailable but will have his staff show group around; thanked Commission for approving the Michigan Natural Resources Trust Fund grant; to discuss dinner arrangements for Tuesday night at MML Conference.

Mayor Sprague: Gave an update on local events; expressed his appreciation to everyone for coming to the meeting and being involved with the government process.

ADJOURNMENT

90 2017 03-20

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 7:25 p.m.

William J. Sprague, Mayor

Donna L. Cronce, MMC, City Clerk

Tracey S. Russell, Deputy City Clerk