

**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