

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
MAY 4, 2015**

A regular meeting of the Lapeer City Commission was held May 4, 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, Gates, Robinet, Bostick-Tullius, Lyons.
City Attorney Representative Aleks Bomis.
City Manager Dale Kerbyson.

Absent: None.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

83 2015 05-04

Moved by Gates. Seconded by Lyons.
Approve the Agenda for May 4, 2015 as presented.

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

Nays: None.

Absent: None.

MOTION CARRIED.

MINUTES

84 2015 05-04

Moved by Bennett. Seconded by Bostick-Tullius.
Amend the minutes from April 6, 2015 to correct the numbering for the motion to adjourn, approve the minutes from the regular meeting April 20, 2015 as corrected.

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

Nays: None.

Absent: None.

MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

PUBLIC COMMENTS

Georgeann Courser, Fish Lake Road, gave invocation.

CONSENT AGENDA

85 2015 05-04

Moved by Bostick-Tullius. Seconded by Gates.
Approve the Consent Agenda for May 4, 2015, resulting in the following:

1. Special Event Request from Lapeer Community Schools, Swing Out, June 11, 2015, Nepessing Street.

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

Nays: None.

Absent: None.

MOTION CARRIED.

BILL LISTING FOR MAY 4, 2015

86 2015 05-04

Moved by Robinet. Seconded by Gates.
Approve the Bill Listing for May 4, 2015 in the amount of \$442,394.11.

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

Nays: Lyons.

Absent: None.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

None.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

Constituent Outreach Consultants: Elizabeth (Liz) Elliott. Municipal Smartphone Applications.

Liz Elliot, Constituent Outreach Consultants provided an overview of Municipal Smartphone Applications via webinar. Discussion was held regarding costs \$3,500 year plus \$1,250 initial set up fee and various application modules. Ms. Elliott will send a contract for review that will include pricing.

DeMille Road / Whitney Drive Project: MDOT Contract #15-5285.

87 2015 05-04

Moved by Lyons. Seconded by Robinet.

Approve Municipal Resolution Michigan Department of Transportation Contract No.: 15-5285 for the DeMille Road / Whitney Drive Project.

CITY OF LAPEER
MUNICIPAL RESOLUTION
MICHIGAN DEPARTMENT OF TRANSPORTATION
CONTRACT NO.: 15-5285

At a regular meeting of the Lapeer City Commission on Monday, May 4, 2015 at 6:30 p.m. in the Lapeer City Commission Chambers of Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan, Commissioner Lyons moved for the adoption of the Municipal Resolution for acceptance of Contract #15-5285 for the DeMille Road / Whitney Drive Project including:

Reconstruction work along DeMille Road, from McCormick Drive, south-easterly to Saginaw Street, and along Whitney Drive from DeMille Road northerly to the cul-de-sac; including pulverizing and removing existing surface, Hot Mix Asphalt along Whitney Drive, and mill and overlay along DeMille Road; and all together with necessary related work.

The motion was seconded by Commissioner Robinet.

BE IT RESOLVED THAT the Michigan Department of Transportation Contract #15-5285 for the DeMille Road / Whitney Drive Project as described above between the Michigan Department of Transportation and the City of Lapeer is hereby accepted and Mayor William J. Sprague and City Manager Dale Kerbyson are authorized to sign all required documents.

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

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

FY 2015-2016 Budget Notice.

Discussion was held regarding availability of dates to hold the budget workshop, scheduling of budget public hearing to be after workshop, timeframe for public hearing notice, Charter requirement to approve budget during the month of May. By general consensus the Budget Workshop was scheduled for May 13, 2015 at 7:00 p.m.

88 2015 05-04

Moved by Robinet. Seconded by Lyons.

Approve setting a public hearing on May 18, 2016 at 6:30 p.m. or as soon thereafter as may be heard regarding the Fiscal Year 2015-2016 City of Lapeer Budget.

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

Nays: None.

Absent: None.

MOTION CARRIED.

Monroe Street Bridge: MDOT Local Street Bridge Program.

89 2015 05-04

Moved by Bostick-Tullius. Seconded by Lyons.
Approve Resolution For Preventative Maintenance To Monroe Street Bridge Through The Michigan Department Of Transportation Local Bridge Program.

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

MOVED BY: Commissioner Bostick-Tullius SECONDED BY: Commissioner Lyons

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 Monroe Street bridge for MDOT's Fiscal Year 2017-2018.

This resolution adopted this 4th day of May 2015.

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

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

CITY MANAGER'S REPORT

CDBG Grant.

90 2015 05-04

Moved by Bostick-Tullius. Seconded by Gates.
Approve Economic Development Grant Agreement Between The Michigan Strategic Fund And The City Of Lapeer State Of Michigan Community Development Block Grant Program, Grant No. MSC 214043-EDIG and authorize the Mayor to sign said Agreement.

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

Nays: None.

Absent: None.

MOTION CARRIED.

Legislation: Income Tax Collections.

City Manager Dale Kerbyson reviewed the Resolution to support legislation changes to the income tax collections process. Discussion was held on benefit to those cities involved, that it does not increase tax rates, does not relate to lottery winnings - that is a separate legislation, our Income Tax Administrator Kaye Hodges reviewed the legislation and is in favor of the support, ability to streamline process.

91 2015 05-04

Moved by Bostick-Tullius. Seconded by Bennett.
Approve the Resolution To Support Universal Income Tax Withholding And Enhanced Tax Collection.

CITY OF LAPEER
RESOLUTION TO SUPPORT
UNIVERSAL INCOME TAX WITHHOLDING AND ENHANCED TAX COLLECTION

Whereas Michigan law does not require employers situated outside of cities that levy an income tax to withhold the tax from the paychecks of their employees who live in those cities and remit said resources to the jurisdictions;

Whereas Data show the city income tax collection rate is roughly 98 percent among taxpayers who are subject to withholding.

- Whereas Recognizing the latter, leaders of the 22 Michigan cities that levy an income tax recently agreed this loophole in tax law should be closed for employers with annual payrolls of \$250,000 or more;
- Whereas The City Income Tax Act (*Public Act 284 of 1964*) has antiquated collection and other remedies that are less efficient than the collection methodologies employed by the state, and, recognizing this, the leaders of the 22 Michigan cities support an amendment that would permit the cities to use similar collection methodologies as the state to provide for efficient tax collection;
- Whereas Some of those cities also desire to contract with the state for collection of their income taxes, and their leaders further agreed that the Michigan Department of Treasury should be authorized to employ the same collection tools for municipal debts that it uses for outstanding state obligations;
- Whereas The proposed amendments – to both the City Income Tax Act and the Revenue Division of Department of Treasury Act (*Public Act 122 of 1941*) – portend millions in additional income tax money for those cities to expend on basic city services, including policing and fire protection;
- Whereas Said cities sorely need the additional income tax resources, in wake of persistent state revenue sharing cuts that total nearly \$7 billion since state Fiscal Year 2001 and the FY 2016 budget proposal that recommends state aid to locals remain flat;
- Whereas The suggested changes to state law would not raise income tax rates in any of the 22 cities with such a levy, but, rather, only seek to enhance overall collections and yield the locals' payment for services from residents who used them;
- Whereas The Michigan Department of Treasury supports this public policy endeavor, as does the Michigan Municipal League; Now Therefore Be It
- Resolved That the Mayor and City Commission respectfully asks the Michigan Legislature to amend state law before it recesses for the summer to help those income tax-levying cities augment their collection rates; Be It Further
- Resolved That Governor Rick Snyder expeditiously approve said legislation once it is presented to him for his signature into law; and Be It Finally
- Resolved That a copy of this resolution be sent Governor Snyder; legislative caucus leaders; members of the House and Senate Local Government committees; members of the House and Senate Government Operations committees; members of the House Tax Policy Committee; and members of the Senate Finance Committee.

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

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

CITY ATTORNEY'S REPORT

None.

UNFINISHED BUSINESS

None.

DEPARTMENTAL COMMUNICATIONS

DDA Annual Financial Report received into record.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Lyons apologized for outburst on governments and taxation; thank City employees for hard work.

Commissioner Bennett commented on placement of microphones at Commission seats, City Manager to provide cost estimate to do; thanked lady for prayer.

Commissioner Gates commented that smartphone application was interesting, review of pricing; thank City employees, Police, DPW, Fire in keeping streets and citizens safe.

Commissioner Bostick-Tullius commented on voting tomorrow.

City Manager Dale Kerbyson commented on Farmers Market opening; working on Teamwork Project; Lincoln Street information, will hold for budget hearing; Pines of Lapeer lawsuit; Tilted Axis Brewery open house; Art on Nepessing Street; voting tomorrow.

Mayor Sprague commented on upcoming events; requested that City Manager Dale Kerbyson expand on Lincoln Street information.

Commissioner Bostick-Tullius left the meeting at 7:29 p.m.

City Manager Dale Kerbyson commented on TIFA meeting in which an amount was approved to pay towards improvements to B Street, that the amount approved would cover B Street as well as Lincoln Street special assessment, TIFA Board to meet in June and will ask for approval to both costs.

Mayor Sprague commented on senior citizen parking, cost to County of \$2,500 per year, amount was for actual City costs at that time, agreement done at County request, the amount charged to County keeps coming up, look at absolving agreement and stop doing permit control as a way of improving relations with the County. Discussion was held on handicapped parking in area, benefit of parking is for senior citizens, appropriation of millage for senior citizens, why not have City give parking spaces to senior citizens, City residents pay millage, current maintenance cost of area, the point is to not have parking charges to County be a source of contention, what senior programs does the City support.

ADJOURNMENT

92 2015 05-04

Moved by Bennett.

Adjourn the regular meeting.

Ayes: Bennett, Gates, Robinet, Lyons.

Nays: None.

Absent: Bostick-Tullius.

MOTION CARRIED.

The regular meeting adjourned at 7:44 p.m.

William J. Sprague, Mayor

Donna L. Cronce, City Clerk

Tracey S. Russell, Deputy City Clerk