

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
JUNE 15, 2015**

A regular meeting of the Lapeer City Commission was held June 15, 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, Robinet, Bostick-Tullius, Lyons.
City Manager Dale Kerbyson.
City Attorney Michael Nolan.

Absent: Commissioner Gates (excused).

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

112 2015 06-15

Moved by Robinet. Seconded by Bostick-Tullius.

Approve the Agenda for June 15, 2015 as presented.

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

Nays: None.

Absent: Gates.

MOTION CARRIED.

MINUTES

113 2015 06-15

Moved by Lyons. Seconded by Bostick-Tullius.

Approve the minutes from the regular meeting held June 1, 2015 as presented.

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

Nays: None.

Absent: Gates.

MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

PUBLIC COMMENTS

Janet Adams, Baldwin Road, gave invocation.

CONSENT AGENDA

114 2015 06-15

Moved by Robinet. Seconded by Lyons.

Approve the Consent Agenda for June 15, 2015, resulting in the following:

1. Add Special Assessment Districts 2010-01, 2008-04, 2006-01, 2006-02, 2006-03, 2007-01, 2007-03, 2008-01, 2009-02, 2010-02, 2010-03 Delinquent Special Assessment installments as of May 1, 2015 to the 2015 Summer Tax Roll as authorized by City Charter.
2. Special Event Stone Soup Food Bank, annual Project Raising Hope, June 26-27, 2015 at various intersections throughout the City.

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

Nays: None.

Absent: Gates.

MOTION CARRIED.

BILL LISTING FOR JUNE 15, 2015

115 2015 06-15

Moved by Robinet. Seconded by Bennett.

Approve the Bill Listing for June 15, 2015 in the amount of \$364,637.34.

Ayes: Bennett, Robinet, Bostick-Tullius.

Nays: Lyons.

Absent: Gates.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

Proclamation – Thomas Hubbell.

116 2015 06-15

Moved by Bostick-Tullius. Seconded by Robinet.

Approve the Proclamation In Recognition of Thomas L. Hubbell.

CITY OF LAPEER
Proclamation
In Recognition of Thomas L. Hubbell

WHEREAS, Thomas L. Hubbell began his employment with the City of Lapeer on March 8, 1982 as the City Assessor; and

WHEREAS, Thomas L. Hubbell, has given conscientious, responsible, and professional service to the citizens of the City of Lapeer and leaves those in the City of Lapeer proud to have known him and to have served with him; and

WHEREAS, Thomas L. Hubbell will retire on June 15, 2015, after 33+ years of faithful service to the City of Lapeer and will be honored with a luncheon on his last day.

THEREFORE, LET IT BE KNOWN, that I, Mayor William J. Sprague and the Lapeer City Commission wish to honor and express deep appreciation to Thomas L. Hubbell for his efforts and devotion to public service and wish him continued success in his retirement.

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

Nays: None.

Absent: Gates.

MOTION CARRIED. PROCLAMATION DECLARED ADOPTED.

Resolution – Lapeer Optimist Club.

117 2015 06-15

Moved by Bostick-Tullius. Seconded by Lyons.

Approve the Resolution for the Lapeer Optimist Club, Beer Tent on Friday, August 21, 2015 through Sunday, August 23, 2015 during Lapeer Days.

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

Nays: None.

Absent: Gates.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

Zoning Ordinance Amendment.

118 2015 06-15

Moved by Robinet. Seconded by Bostick-Tullius.

Approve the amendment to Chapter 7 (Zoning Ordinance), Article 7.15 of the General Ordinances of the City of Lapeer.

THE CITY OF LAPEER ORDAINS:

Article 7.15 General Site Development Requirements

Section 7.15.01(c) Exterior Building Design – delete subsection (4); renumber subsections (5) and (6) to (4) and (5)

Section 7.15.02(b)(2) Applicability – add to end of paragraph: “In the case of an Administrative Review, the Planning Department may grant an exception based on the same site conditions.”

Section 7.15.02(b)(3) – delete subsection (l); renumber subsections (m) and (n) to (l) and (m); revise (m) to add “or Planning Department” after Planning Commission.

Section 7.15.02(c) Replacement of Removed Trees – add to end of first sentence: “and for additions to or expansion of existing development.”

Section 7.15.02(d) Incentives to Preserve Existing Trees – revise to read: “The standards listed below are intended to encourage the preservation of quality and mature trees within a development area by providing credits toward required landscaping components.”

Section 7.15.02(e) Greenbelts

- (1) Second sentence, delete “The Planning Commission may allow such planting” and replace with “Such plantings may”.
- (3) Add “whenever possible” after comma in mid-sentence.
- (4) Second sentence, delete “The Planning Commission may approve the substitution of evergreen trees” and replace with “Evergreen trees may be substituted”.
- (7) Second sentence, delete “the Planning Commission may adjust the location of the required materials” and replace with “the location of the required materials may be adjusted”.

Section 7.15.02(g)(8) Parking Lot Landscaping – delete from second and third sentences: “as determined by the Planning Commission. The Planning Commission may approve”; begin third sentence with “A privacy fence may be approved”

Add new Section 7.15.02(h) “Foundation Plantings. A portion of the on-site landscaping shall abut the walls of the main building so that the vegetation combined with the architectural features significantly reduce the visual impact of the building mass as viewed from the street.”

Renumber existing Sections 7.15.02(h) through (m) to (i) through (n)

Section 7.15.02(k)(4) (revised to 7.15.02(l)(4)) – delete “by the Planning Commission”

Section 7.15.02(m) (revised to 7.15.02(n)) Compliance for Existing Sites – delete “as determined by the Planning Commission”

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: Commissioner Gates.

MOTION CARRIED. AMENDMENT DECLARED ADOPTED.

2016 DDA Operating Budget.

119 2015 06-15

Moved by Robinet. Seconded by Bostick-Tullius.

Approve the FY 2015-2016 Operating Budget for the Downtown Development Authority as presented.

Discussion was held regarding DDA Executive Director salary, list detailing responsibilities and expectations will be made, monthly reviews to be completed.

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

Nays: None.

Absent: Gates.

MOTION CARRIED

Street Millage – Ballot Proposal.

November 3, 2015 Ballot.

Discussion was held regarding whether or not to place a millage, amount of millage, term of millage, should City millage pass it would hinder any millage the County may consider, the millage would be used only for the repair and maintenance of City streets, the intent of the extra millage funds would not reduce current allocation for street repair. City Attorney Michael Nolan commented on reduction due to Headley rollback and effects on any renewal requests.

It was the general consensus of the Commission to proceed with a millage increase of 2 mills with a 6 year term on the November 2015 ballot.

CITY MANAGER'S REPORT

City Manager Dale Kerbyson commented on Standard and Poors rating from an A to an A+ due to City's financial standing; award for Court and Clay Street Projects from American Society of Civil Engineers for the 2015 Quality of Life Certificate of Merit and American Public Works Association 2015 Project of the Year; article in the Flint Journal indicating the City of Lapeer was ranked in the top 30 in the State for raising children on the niche.com website; retirement luncheon for Tom Hubbell.

CITY ATTORNEY'S REPORT

City Attorney Michael Nolan commented on the difficulty of receiving a Bond Rating of an A+; Pix Theatre work is looking great.

UNFINISHED BUSINESS

None.

DEPARTMENTAL COMMUNICATIONS

The Monthly Departmental Reports; Component Units Annual Financial Statements and Audit Reports for the Year Ended June 30, 2014; Monthly Financial Report for December 2014; Investment Report for the Quarter Ending December 31, 2014; Monthly Financial Report for January 2015; Monthly Financial Report for February 2015; and 2014 Consumers Confidence Report were received into record.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Bennett commented on police departments and lawsuits, does the City have employees that was hired and fired from another authority, he spoke with Police Chief who indicated that we do not, liability insurance coverage for these types of incidents.

Commissioner Lyons commented that GLTA has a new Director and Finance Manager, he is anticipating a millage from GLTA, ridership in the City; Police and Fire personnel to be careful and safe during 4th of July events.

Commissioner Bostick-Tullius commented that the Pix Theatre is looking good; tour of the Tilted Axis Brewery, great restoration job; attending MML Conference next week; has been through the new round about and thinks there will be minor problems as citizens become accustomed to how it works.

Commissioner Robinet asked if Burke's Flowers would be doing the same bricking as the Pix Theatre? Mr. Kerbyson indicated they have had discussion with their insurance carrier and will be placing brick or block on the bottom half of the building; Building Department complaint for a \$300,000 to \$400,000 remodeling of building and permit fees would cost \$10,000, need to look at prices. Mayor Sprague asked if documentation could be received, costs should never be more than CCA prices, if City is charging more than we should refund or do whatever is necessary to make it right. Commissioner Lyons commented that he receives complaints on a regular basis wherein he tells the complainers to bring in their issue so we can investigate but no one comes forward. Commissioner Robinet commented on the Fire Department Inspectors, doing a good job, businesses no longer complain about the fire inspections.

City Manager Dale Kerbyson commented on Pines of Lapeer lawsuit.

Mayor Sprague commented on upcoming City events.

ADJOURNMENT

120 2015 06-15

Moved by Bennett.

Adjourn the regular meeting.

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

Nays: None.

Absent: Gates.

MOTION CARRIED

The regular meeting adjourned at 6:58 p.m.

William J. Sprague, Mayor

Donna L. Cronce, City Clerk

Tracey S. Russell, Deputy City Clerk