

**LAPEER CITY COMMISSION  
MINUTES OF A REGULAR MEETING  
AUGUST 3, 2015**

A regular meeting of the Lapeer City Commission was held August 3, 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.  
City Manager Dale Kerbyson.  
City Attorney Representative Denis McCarthy.

Absent: Commissioner Lyons (excused).

Mayor Sprague led the Pledge of Allegiance.

**AGENDA APPROVAL**

**157 2015 08-03**

Moved by Robinet. Seconded by Gates.

Approve the Agenda for August 3, 2015 as presented.

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

Nays: None.

Absent: Lyons.

MOTION CARRIED.

**MINUTES**

**158 2015 08-03**

Moved by Bostick-Tullius. Seconded by Gates.

Approve the minutes from the regular meeting held July 20, 2015 as presented.

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

Nays: None.

Absent: Lyons.

MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

**PUBLIC COMMENTS**

Georgeann Courser, Fish Lake Road, gave invocation.

Barb Lubick, 1537 W. Oregon Road, commented on Day Care next door; City Manager to provide them with an update.

Jake Davis, Farnsworth Road, commented on running as a candidate for State Representative.

**CONSENT AGENDA**

None.

**BILL LISTING FOR AUGUST 3, 2015**

**159 2015 08-03**

Moved by Robinet. Seconded by Gates .

Approve the Bill Listing for August 3, 2015 in the amount of \$1,598,624.10.

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

Nays: None.

Absent: Lyons.

MOTION CARRIED.

**PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS**

None.

## **PUBLIC HEARINGS**

None.

## **ADMINISTRATIVE REPORTS**

Industrial Facilities Tax Exemption Request: Vidon Plastics, Inc.

### **160 2015 08-03**

Moved by Bostick-Tullius. Seconded by Bennett.

Approve the Resolution To Schedule A Public Hearing To Consider An Application For An Industrial Facilities Exemption Certificate For Vidon Plastics, Inc. for August 17, 2015 at 6:30 p.m. or as soon thereafter as may be heard.

CITY OF LAPEER  
RESOLUTION TO SCHEDULE A PUBLIC HEARING  
TO CONSIDER AN APPLICATION FOR AN  
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE  
FOR  
Vidon Plastics, Inc.

WHEREAS, pursuant to Act 198 of the Michigan Public Acts of 1974, as amended, MCLA Section 207.551 et sequ., after a duly noticed public hearing held on October 5, 1987 this City Commission by resolution established Industrial Development District No. E; and

WHEREAS, Vidon Plastics, Inc. owner of the realty described below within said District, has applied for an Industrial Facilities Exemption Certificate, under the provision of 1974 Public Act 198, Section 5 (1); and

WHEREAS, 1974 Public Act 198, Section 5 (2) provides that before acting upon an application for an Industrial Facilities Exemption Certificate, the City Commission shall afford the applicant, the Assessor and a representative of the affected taxing units an opportunity for a hearing.

NOW, THEREFORE, BE IT RESOLVED:

1. That the application of Vidon Plastics, Inc. for Industrial Facilities Exemption Certificate shall remain on file in the office of the City Clerk.
2. That the City Commission shall meet in the City Commission Chambers at 576 Liberty Park, on August 17, 2015 at 6:30 p.m. or as soon thereafter as may be heard. The City Commission will provide the City Assessor and a representative of each of the taxing units an opportunity to be heard on the question of Vidon Plastics, Inc. application for an Industrial Facilities Exemption Certificate with regard to proposed operation within the Industrial Development District No. E.
3. That the City Clerk immediately inform by letter, the City Assessor and the legislative body of each taxing unit which levies ad valorem taxes in the City of Lapeer on the property located within the Industrial Development District No. E described as follows:

Part of the Northeast  $\frac{1}{4}$  Section 12 Township 7 North, Range 9 East, City of Lapeer, Lapeer County, Michigan. Described as beginning at a point of the Northerly Line of the "May-White Drain" easement parcel which is located by the following four (4) courses from the North  $\frac{1}{4}$  corner of said Section 12: (1) S 01 degrees-38'-19"E, along the North and South  $\frac{1}{4}$  Line of said Section 12, 2138.85 feet, and (2) N89 degrees-59'-48"E, 234.32 feet to the Southeast corner of said "May-White Drain" easement parcel, and (3) N 01 degrees-58'-38"E, 160.00 feet along the Westerly Line of said parcel, to the Northwest corner of said parcel, and (4) N 48 degrees-33'-33"E, 20.32 feet to the point of beginning, said point of beginning also being on the Easterly Line of John Conley Drive; thence continuing N 84 degrees-33'-33"E, 1070.00 feet; thence N 21 degrees-40'-31"W,

457.82 feet to the Southerly Line of John Conley Drive; thence along said Southerly and Easterly Line of John Conley Drive the following (3) three courses: (1) on a curve to the right 235.99 feet (said curve having a radius of 764.94 feet, a degree of curve of 07 degrees-29'-25", a central angle of 17 degrees-40'-33", and a chord bearing and distance of S 77 degrees-09'-46"W, 235.05 feet, and (2) S 86 degrees-00'-02"W, 84.93 feet, and (3) on a curve to the left 795.57 feet, said curve having a radius of 654.17 feet, a degree of curve of 08 degrees-45'-31", a central angle of 69 degrees-40'-49", and a chord bearing and distance of S 51 degrees-09'-38"W, 747.44 feet to the point of beginning. Subject to all easements and restrictions of record. Containing 8.00 acres of land.

More commonly known as: 3171 John Conley Drive

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

Nays: None.

Absent: Lyons.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

Public Hearing Request: Turrill Avenue Area Neighborhood Target Housing Grant Application.

**161 2015 08-03**

Moved by Gates. Seconded by Bostick-Tullius.

Set a public hearing for August 17, 2015 for the Turrill Avenue Area Neighborhood Target Housing Grant application, update on the Heart of Lapeer Neighborhood Target Housing Grant, HUD \$1 Home Update and Fair Housing Policy Review.

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

Nays: None.

Absent: Lyons.

MOTION CARRIED.

E. Oregon Street Reconstruction Project – Flint River East to City Limits.  
Local Share Payment #2.

**162 2015 08-03**

Moved by Gates. Seconded by Robinet.

Approve Local Share Payment #2 to the State of Michigan in the amount of \$413,719.29 for the Oregon Street Reconstruction Project.

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

Nays: None.

Absent: Lyons.

MOTION CARRIED.

M-24 Reconstruction Project – Water Main Improvements.  
Local Share Payment #9.

**163 2015 08-03**

Moved by Robinet. Seconded by Gates.

Approve Local Share Payment #9 to the State of Michigan in the amount of \$12,819.60 for the M-24 Reconstruction Project – Water Main Improvements.

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

Nays: None.

Absent: Lyons.

MOTION CARRIED.

DeMille Road / Whitney Drive Rehabilitation Project.  
James P. Contracting, Inc. Construction Contract.

**164 2015 08-03**

Moved by Gates. Seconded by Robinet.

Award the bid and approve the Construction Contract with James P. Contracting, Inc. in the amount of \$998,132.00 for the DeMille Road/Whitney Drive Rehabilitation Project and authorize the City Manager to sign required documents.

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

Nays: None.

Absent: Lyons.

MOTION CARRIED.

Lincoln Street Rehabilitation Project.  
Glaeser-Dawes Corporation – Payment Request #2.

**165 2015 08-03**

Moved by Robinet. Seconded by Gates.

Approve Payment Request #2 to Glaeser-Dawes Corporation in the amount of \$97,485.21 for the Lincoln Street Rehabilitation Project.

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

Nays: None.

Absent: Lyons.

MOTION CARRIED.

**CITY MANAGER'S REPORT**

City Manager Dale Kerbyson indicated that a presentation on the Roadway Asset Management Plan will be provided at the next City Commission Meeting; DeMille/Whitney Project will begin August 7, 2015; Purchasing Policy and process for approval of budgetary items, discussion on policy for those items \$20,000 or more, if approve vehicles within the budget why have to bring back for approval again, ability to review items contained within the approved budget for changes in cost, review language change to policy at next meeting.

**CITY ATTORNEY'S REPORT**

No report.

**UNFINISHED BUSINESS**

None.

**DEPARTMENTAL COMMUNICATIONS**

The Monthly Financial Report for May 2015 was received into record.

**PUBLIC COMMENTS**

None.

**MAYOR/COMMISSIONER COMMENTS**

Commissioner Bennett commented on Lincoln Street project, people doing great job.

Commissioner Bostick-Tullius commented on road stripping this year, look at M-21 and Bentley Street, directional arrow sign, DPW Director Pam Reid responded that yes, will do later in the year due to on-going construction and traffic congestion.

City Manager Dale Kerbyson commented on demo permit pulled for house on Second Street; Housing Board of Appeals hearing August 6<sup>th</sup> at 6:00 p.m. regarding Pines of Lapeer appeal; Pines of Lapeer court date; recognize Debbie Marquardt in attendance.

Mayor Sprague commented on upcoming events; City Election has 8 candidates running for 4 seats, most turned in since 2001, saddened that John Lyons and Mike Robinet are not running, Commission does not always agree and to do best for the City, hope candidates who do not win will still serve on other boards; review of Purchasing Policy, economy down and City had strong financial position, budget review, review of items again for cost changes, not like to see it eliminated, voting ability and impact to budget.

**ADJOURNMENT**

**166 2015 08-03**

Moved by Bennett.

Adjourn the regular meeting.

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

Nays: None.

Absent: Lyons.

MOTION CARRIED.

The regular meeting adjourned at 6:54 p.m.

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William J. Sprague, Mayor

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Donna L. Cronce, City Clerk

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Tracey S. Russell, Deputy City Clerk