

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
AUGUST 17, 2015**

A regular meeting of the Lapeer City Commission was held August 17, 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 Manager Dale Kerbyson.
City Attorney Michael Nolan.

Absent: None.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

167 2015 08-17

Moved by Robinet. Seconded by Gates.

Approve the Agenda for August 17, 2015 as presented.

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

Nays: None.

Absent: None.

MOTION CARRIED.

MINUTES

168 2015 08-17

Moved by Bostick-Tullius. Seconded by Gates.

Approve the minutes from the regular meeting held August 3, 2015 as presented.

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

Jenny Burkhardt, Wilder Road, gave invocation.

CONSENT AGENDA

169 2015 08-17

Moved by Gates. Seconded by Robinet.

Approve the Consent Agenda for August 17, 2015, resulting in the following:

1. Special Event Request from Lapeer County Community Mental Health, Special Olympics Cycling Local Race, September 20, 2015 from 3:00 p.m. to 6:00 p.m. on Luxington and Lincoln Streets.
2. Special Event Request from Lapeer County Hockey Association, View Brew Fest, Louie's Sports Tavern, September 19, 2015 from 3:00 p.m. to 11:00 p.m.
3. Dale Kerbyson as the Officer Delegate and Tracey Russell as the Employee Delegate with Donna Cronce as the Alternate Employee Delegate for the 2015 Municipal Employees' Retirement System (MERS) Annual Meeting.
4. Disposal of Fixed Asset Items as presented.
5. Special Event Request from the Center for the Arts of Greater Lapeer, Oktoberfest, use of Center for the Arts building and Court Street from Nepessing Street to the North Alley, September 26, 2015 from 6:00 p.m. to 10:00 p.m.

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

Nays: None.

Absent: None.

MOTION CARRIED.

BILL LISTING FOR AUGUST 17, 2015

170 2015 08-17

Moved by Robinet. Seconded by Gates.

Approve the Bill Listing for August 17, 2015 in the amount of \$2,893,426.16.

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

Nays: None.

Absent: Lyons.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

Chief of Police Todd Alexander presented Life Saving Awards to Mark and Anna Ushman. Mayor Sprague thanked them for their quick actions.

PUBLIC HEARINGS

Industrial Facilities Tax Exemption Request: Vidon Plastics, Inc.

Patricia Lucas, Lapeer Development Corporation introduced Dave Dubee from Vidon; 20,000 square feet of building improvements; total project costs of \$2,836,000; currently 58 employees, will added 8 jobs; answer any questions the Commission may have.

Mayor Sprague opened the public hearing at 6:35 p.m. Hearing no comments from the public, Mayor Sprague closed the public hearing at 6:35 p.m.

171 2015 08-17

Moved by Robinet. Seconded by Bostick-Tullius

Approve the Resolution Approving The Application Of Vidon Plastics, Inc. For An Industrial Facilities Tax Exemption Certificate.

CITY OF LAPEER
RESOLUTION APPROVING THE APPLICATION OF
VIDON PLASTICS, INC.
FOR AN INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE

WHEREAS, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on October 5, 1987 this Commission by resolution established the City of Lapeer Industrial Development District No. E as requested by the Lapeer City Commission; and

WHEREAS, Vidon Plastics, Inc. has filed an application for an Industrial Facilities Exemption Certificate with respect to building improvements and the purchase of new machinery and equipment to be acquired and installed within the Industrial Development District No. E; and

WHEREAS, before acting on said application, the City of Lapeer held a public hearing on August 17, 2015 at the Lapeer City Hall, 576 Liberty Park, at 6:30 p.m. or as soon thereafter as may be heard, prior to which hearing the applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, commencement of the installation of new machinery and equipment had not begun earlier than six (6) months before July 6, 2015, the date of the acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Lapeer, after granting this certificate, will exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW THEREFORE, BE IT RESOLVED by the Lapeer City Commission that:

1. The Board finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of

1974 and Act No. 255 of the Public Acts of 1978, shall not have the effect of substantially impeding the operation of the City of Lapeer, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Lapeer.

2. The application of Vidon Plastics, Inc. for an Industrial Facilities Exemption Certificate with respect to building improvements and the purchase of new machinery and equipment to be installed on the following described parcel of real property situated within the City of Lapeer Industrial Development District No. E, to wit:

Part of the Northeast ¼ 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 ¼ corner of said Section 12: (1) S 01 degrees-38'-19"E, along the North and South 1/4 Line of said Section 12, 2138.85 feet, and (2) N 89 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
be and the same is hereby approved.

3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force and effect for a period of 12 years after completion, provided, however, that said certificate shall be subject to the terms and conditions of the Tax Abatement Agreement between the City of Lapeer and Vidon Plastics, Inc. dated July 6, 2015.

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

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

Turrill Avenue Area Neighborhood Target Housing Grant Application.

By general consensus, the Commission approved cancellation of the Public Hearing regarding the Turrill Avenue Area Neighborhood Target Housing Grant Application.

ADMINISTRATIVE REPORTS

Saginaw Street Bridge Repairs (Preventive Maintenance).

Local Bridge Grant Program - Design & Construction Engineering.

Spicer Group Agreement.

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Moved by Bostick-Tullius. Seconded by Lyons .

Approve the proposal from Spicer Group for Design, Construction and Project Closeout Services in the amount of \$42,000 for the Saginaw Street Bridge over the Flint River and authorize the Director of Public Works to sign required documents.

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

Nays: None.

Absent: None.

MOTION CARRIED.

CITY MANAGER'S REPORT

Purchasing Policy.

173 2015 08-17

Moved by Bostick-Tullius. Seconded by Gates.

Approve the amendment to the Purchasing Policy, Section VII. Awarding of Bids and Contracts as presented.

Discussion was held regarding ability to vote on budgeted items and amending budget, advise of purchases within reports, Mayor Sprague spoke against the change in policy, request City Attorney opinion.

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

Abstain: None.

MOTION CARRIED.

Various Matters.

City Manager Dale Kerbyson commented on quote received to repair sound system of \$5,850, general consensus of Commission to obtain additional quotes; forward movement with Walmart regarding traffic light; schedule workshop to discuss City street millage on upcoming ballot, general consensus of the Commission to have workshop following the September 8, 2015 City Commission meeting.

CITY ATTORNEY'S REPORT

City Attorney Michael Nolan provided an update on the Pines Lapeer West lawsuit and Housing Board of Appeals hearing; will review purchasing policy.

UNFINISHED BUSINESS

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Appointed by Mayor Sprague. Moved by Bostick-Tullius. Seconded by Gates.

Appoint Rachelle Creighton to the Housing Board of Appeals, term ending 05-01-17.

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

Nays: None.

Absent: None.

MOTION CARRIED.

DEPARTMENTAL COMMUNICATIONS

The Monthly Departmental Reports; the Rental Assistance Demonstration (RAD) conversion for Riverview Towers; and the DeMille and Whitney Drive Resurface Project Timeline/Update was received into record as presented.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Gates commented it was great that the awards were given to Mark and Anna Ushman, loves to hear stories like this; Lapeer has been receiving a lot of negative press; thanks to City employees for keeping everyone safe.

Todd Courser Resignation

175 2015 08-17

Moved by Gates. Seconded by Bostick-Tullius.

To have the City Commission support by Resolution:

RESOLVED, that Todd Courser immediately resign from his position as State Representative.

ON A ROLL CALL VOTE:

Ayes: Gates, Bostick-Tullius, Lyons.

Nays: Bennett, Robinet.

Absent: None.
Abstain: None
MOTION CARRIED.

Commissioner Bennett thanked the lady for prayer; requested installation of speed limit signs on Lincoln Street, Police Chief Todd Alexander informed that 25 mph speed signs will be placed after construction.

Commissioner Lyons thanked the lady for prayer; applaud City employees in working through the road construction, let public know business are still open in construction areas.

Commissioner Bostick-Tullius commented on workshop date for the millage proposal, important to make clear to the citizens what direction the City will be going in with the funds collected, if millage passes should not special assess during years approved.

Commissioner Robinet commented on Lapeer Days, hopes everyone has fun.

City Manager Dale Kerbyson commented that City staff has been getting ready for Lapeer Days; DeMille Road project; brewery to open after Lapeer Days; will not be present during Lapeer Days due to wedding commitment.

Mayor Sprague commented on upcoming events; City employees are doing a great job getting ready for Lapeer Days; Run Drugs Out of Town event at Rowden Park; ZF Lemforder celebrate 100 year anniversary and prepare proclamation honoring them; agrees that Todd Courser should resign immediately, reputation of City and County outweighs one person's individual gain.

ADJOURNMENT

176 2015 08-17

Moved by Bennett.

Adjourn the regular meeting.

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

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 7:03 p.m.

William J. Sprague, Mayor

Donna L. Cronce, City Clerk

Tracey S. Russell, Deputy City Clerk