

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
SEPTEMBER 5, 2017**

A regular meeting of the Lapeer City Commission was held September 5, 2017 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, Marquardt.

Absent: None.

City Manager: Dale Kerbyson, present.

City Attorney: Michael Nolan, present.

AGENDA APPROVAL

215 2017 09-05

Moved by Gates. Seconded by Marquardt.

Approve the Agenda for September 5, 2017 with the addition of Item C.3. Special Event Request Project Brotherhood Resolve, Ruck for the Fallen 2017.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

MINUTES

216 2017 09-05

Moved by Marquardt. Seconded by Gates.

Approve the minutes from the Regular meeting held August 21, 2017 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

Dog Park Special Event Update.

Director of Parks, Recreation & Cemetery Rodney Church provided an update on the Dog Park event, September 24th at Rotary Park which is the future home for the dog park.

Janet Adams, Baldwin Road, gave invocation.

Andrew Kluck, Adams Street, commented on candidacy for City Commission seat, thanked and appreciates City board and personnel for serving City.

CONSENT AGENDA

217 2017 09-05

Moved by Bostick-Tullius. Seconded by Gates.

Approve the Consent Agenda for September 5, 2017 as follows:

1. Special Event Request from Lapeer County Community Mental Health and Area 13 Special Olympic, Special Olympic Cycling Local Race, September 16, 2017, Luxington Drive to Lincoln Street loop, contingent upon receipt of current insurance
2. Special Event Request from Tilted Axis Brewing Company, Oktoberfest, September 30, 2017, Cedar Street (south of Nepessing Street to alley) and Farmers Market Pavilion, contingent upon receipt of current insurance.
3. Special Event Request from Project Brotherhood Resolve, Ruck for the Fallen 2017, along M-24 south to City limits, contingent upon receipt of current insurance.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.
MOTION CARRIED.

BILL LISTING FOR SETEMBER 5, 2017

218 2017 09-05

Moved by Marquardt. Seconded by Gates.
Approve the Bill Listing for September 5, 2017 in the amount of \$503,828.51.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

Proclamation: Constitution Week.

219 3017 09-05

Moved by Marquardt. Seconded by Bennett.
Approve the Proclamation for Constitution Week.

CITY OF LAPEER
Proclamation
Constitution Week

WHEREAS, September 17, 2017 marks the two hundred thirtieth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week; and.

NOW, THEREFORE, BE IT RESOLVED, that I, William J. Sprague, Mayor of the City of Lapeer, and the Lapeer City Commission do hereby proclaim the week of September 17 through 23, 2017 as Constitution Week and encourage all citizens to recognize and appreciate the importance of the Constitution of the United States of America, to honor this founding document's 230th anniversary, and to vigilantly protect the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED. PROCLAMATION DECLARED ADOPTED.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

Lapeer Township Fire Inspection Services Agreement.

220 2017 09-05

Moved by Gates. Seconded by Marquardt.
Approve the City of Lapeer – Lapeer Township Fire Inspection Services Agreement and authorize the Mayor and City Manager to sign said Agreement.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.
MOTION CARRIED.

Lapeer District Library – Little Free Libraries.

Steve Zott, Intermediate School Superintendent, commented on Little Free Libraries, is a volunteer program; concept is to drive up, take a book and bring back or bring back

other books, idea is to share with others; construction of the small libraries through Construction Trades Program through Education Technology Center; letters to entities in Lapeer County asking for interest, appoint a person responsible for maintaining them, keep an eye out for vandalism, graffiti, remove any inappropriate material, person will coordinate with library; parent groups and the like will review replenishing books, drives to collect books and would love to have one in the City. Discussion was held regarding policing of materials; good idea for our community; project for Youth Council to undertake; box will be provided, ideas for placement, can be housed inside or outside.

221 2017 09-05

Moved by Bostick-Tullius. Seconded by Gates.

Approve to pursue the placement of a Little Free Library in the City of Lapeer.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

2017 Court St. & Calhoun St. Reconstruction Project.
Rohde Brothers Excavating, Inc. – Payment Request #3.

222 2017 09-05

Moved by Gates. Seconded by Atwood.

Approve Payment Request #3 to Rohde Brothers Excavating, Inc. in the amount of \$270,846.62 for 2017 Court St. & Calhoun St. Reconstruction Project.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

Fixed Asset Disposal

223 2017 09-05

Moved by Bostick-Tullius. Seconded by Gates.

Approve the disposal of Parks Division, 2009 Scag Mower.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

CITY MANAGER'S REPORT

Banners on City/State Property: Fence along M-24.

City Manager Dale Kerbyson commented on letter addressing issue by City Attorney Michael Nolan, as Commission sets policy asking for direction to take on banner placement or leave as is. Commissioner Bostick-Tullius commented on attorney opinion, different organizations in County, is located in MDOT right-of-way, feels is not a good idea, not place City in position to decide who can place or not place especially if receive several requests at once. Commissioner Marquardt commented on review of information, may not agree but understands, request City Manager to contact person interested and follow up and copy Commission with response.

Various Matters.

City Manager Dale Kerbyson indicated he spoke with Ms. Johnson regarding a road closure at the end of Railroad Street. Commissioner Marquardt asked about not closing roads, Lapeer Grain on Saginaw Street and closing of James Street was the street actually closed, Mr. Kerbyson commented on a current interest in the closure of James Street, discussion was held on old request by Lapeer Lumber and closure by agreement in place. Mr. Kerbyson commented on MDEQ and removal of underground storage tank; Recreation Center is closed for complete clean-up and will reopen on the 7th. Received report regarding building fees on Saturday, had several questions and would like to speak with Darryl Oliver to clarify questions prior to sending, to send out by tomorrow; discussion held on sending report for Commission to review and could highlight or make notes on questioned items, collection of data from comparable places, the need to continue moving this along, do not want to receive scrubbed data, would like to see data sent, able to see errors by either City or company providing the information.

CITY ATTORNEY'S REPORT

City Attorney Michael Nolan indicated the Lapeer Industrial Railroad case is over; banner issue.

UNFINISHED BUSINESS

None.

DEPARTMENTAL COMMUNICATIONS

DDA Status Report for August 2017 and Investment Report for Quarter Ended June 30, 2017 was received into record.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Bennett: Enjoyed being in parade (Lapeer Days).

Commissioner Gates: Thanked everyone for coming to meeting; love idea of Little Libraries; Dog Park update and look forward to attending event; thank you to DPW, Fire, Police and all they do.

Commissioner Atwood: Filming for trail, kudos to Peter McCreedy for taking on project; downtown Saturday with family and feeling the sense of community, watching people enjoy being out and around each other; kayaking through the City, didn't know this was here; noticing overall what the City has to offer; was at the parade (Lapeer Days) but was not in it.

Commissioner Bostick-Tullius: Youth Council update, application and flyer; First Lady Classic golf outing sponsored by The View; Monroe Street and stop sign at M-24 at the end of a hill, cannot see traffic and is dangerous, need to review this part of the street; MML convention next week in Holland, will be speaking on placemaking and council-management relations, announcing community excellence awards.

Commissioner Marquardt: Parks and trail system is an awesome commodity in our community for outdoor activities; enjoyed Lapeer Days.

City Manager Dale Kerbyson: Mountain Bike event on new trail path Saturday.

Mayor Sprague: Upcoming events; truck traffic on Liberty and Harris due to M-24 work, will MDOT provide funds to restore street, Mr. Kerbyson indicated MDOT was not providing additional funding but is on the hook to repair anything damaged, their use of smaller trucks, working with contractor and reviewing routes, MDOT is working with City and paving of bigger section on Oregon than planned.

ADJOURNMENT

224 2017 09-05

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 7:12 p.m.

William J. Sprague, Mayor

Donna L. Cronce, MMC, City Clerk