

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
OCTOBER 5, 2015**

A regular meeting of the Lapeer City Commission was held October 5, 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.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

205 2015 10-05

Moved by Bennett. Seconded by Bostick-Tullius.
Approve the Agenda for October 5, 2015 as presented.

Ayes: Bennett, Robinet, Bostick-Tullius, Lyons.
Nays: None.
Absent: Gates.

MOTION CARRIED.

MINUTES

206 2015 10-05

Moved by Robinet. Seconded by Bennett.
Approve the minutes from the regular meeting held September 21, 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

No public comments.

CONSENT AGENDA

207 2015 10-05

Moved by Robinet. Seconded by Lyons.
Approve the Consent Agenda for October 5, 2015, resulting in the following:

1. Special Event Request from Stone Soup Pantry, Hunger Awareness Week, October 23 & 24, 2015, various intersections.
2. Special Event Request from Kiwanis Club of Lapeer, Annual Cider Sale, October 15-17, 2015, various intersections.
3. Traffic Control Order 287.

**CITY OF LAPEER
PERMANENT TRAFFIC CONTROL
ORDER NO. 287**

Location: City Parking Lot #8 (Northwest corner of Cedar and Clay Streets).

Order: To remove signs requiring permit parking only and to add two additional Handicap Parking Spaces in this lot to follow the parking plan that was submitted to the City Commission on 09-21-2015.

Reason: City Commission, by consensus, requested these signs be removed and that no charges be sent to the County of Lapeer for the care, maintenance, and enforcement of these parking spaces and to return them to general use.

4. Special Event Request from Voiture 1536 of Lapeer County, Fantasy Forest, October 10, 2015, Rowden Park.
5. Special Event Request from Lapeer Area Chamber of Commerce, Christmas Parade, December 5, 2015, downtown.
6. Fixed Asset Disposal as presented.

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

Nays: None.

Absent: Gates.

MOTION CARRIED.

BILL LISTING FOR OCTOBER 5, 2015

208 2015 10-05

Moved by Bostick-Tullius. Seconded by Robinet.

Approve the Bill Listing for October 5, 2015 in the amount of \$617,719.53.

Ayes: Bennett, Robinet, Bostick-Tullius.

Nays: Lyons.

Absent: Gates.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

None.

PUBLIC HEARINGS

City of Lapeer Home Improvement Program 2015 Application and other Housing Department topics.

Grant Administrator Shelley Lincoln reviewed the Heart of Lapeer Neighborhood Target Housing Grant which has received grant funds of \$129,998 which will help develop five homeowner properties and one home buyer property. Ms. Lincoln also reviewed the new City of Lapeer Home Improvement Program Grant. This grant will encompass the whole city as its territory with grant funds in the amount of \$240,000 for homeowner properties with 50/50 owner payments/forgiven loans and will have a separate landscaping grant of \$1,000 per property which is 100% forgiven. Ms. Lincoln gave an update on the HUD foreclosed homes, the Fair Housing Review and the CDBG/Home Grant funding as well.

Mayor Sprague opened the public hearing at 6:45 p.m. Hearing no comments from the public, Mayor Sprague closed the public hearing at 6:45 p.m.

209 2015 10-05

Moved by Robinet. Seconded by Bennett .

Approve the Resolution, Michigan State Housing Development Authority (MSHDA) Housing Resource Fund, City of Lapeer Home Improvement Program 2015 Application.

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

Nays: None.

Absent: Gates.

MOTION CARRIED.

ADMINISTRATIVE REPORTS

M-24 Reconstruction Project – Water Main Improvements.

Local Share Payment #11.

210 2015 10-05

Moved by Robinet. Seconded by Lyons.

Approve Local Share Payment #11 to State of Michigan in the amount of \$1,882.50 for M-24 Reconstruction Project – Water Main Improvements.

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

Nays: None.

Absent: Gates.

MOTION CARRIED.

E. Oregon Street Reconstruction Project – Flint River East to City Limits.

Local Share Payment #4.

211 2015 10-05

Moved by Robinet. Seconded by Lyons.

Approve Local Share Payment #4 to State of Michigan in the amount of \$178,989.23 for E. Oregon Street Reconstruction Project.

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

Nays: None.

Absent: Gates.

MOTION CARRIED.

Ordinance Amendment: Chapter 7 (Zoning Ordinance).

Commissioner Bostick-Tullius introduced the proposed amendment to Chapter 7 (Zoning Ordinance), Article 7.17.02 (j)(1) of the General Ordinances of the City of Lapeer.

THE CITY OF LAPEER ORDAINS:

ARTICLE 7.17.02 Signs Not Requiring a Permit

(j) Non-Commercial Message Sign. A political sign shall not exceed eight (8) square feet per side and a total of 16 square feet in a residential district. A political sign shall not exceed 16 square feet per side and a total of 32 square feet in a non-residential district. The maximum height of a political sign is 6 feet. The sign shall not be placed within a side yard setback area, as required under the zoning ordinance in the district in which the property is situated.

(1) There shall be only one non-commercial message sign not pertaining to a specific event allowed per lot or parcel. If related to a specific event, the sign must be removed within 10 days of the event. The 10 day removal does not include political signs placed between a primary election prior to a general election for those primary winners standing the general election. The owner of the property or the person in charge thereof shall be responsible for the removal of the signs.”

(2) thru (3) No Change.

Chapter 20 (Business Licenses and Regulations Ordinance).

Commissioner Bostick-Tullius introduced the proposed amendment to Chapter 20 (Business Licenses and Regulations Ordinance), Section 20.08 (E) of the General Ordinances of the City of Lapeer.

THE CITY OF LAPEER ORDAINS:

SECTION 20.08 ERECTION AND POSTING OF SIGNS

A. thru D. No Change.

E. Political, campaign, or election signs will follow regulations as specified under Chapter 7 (Zoning Ordinance), Article 7.17.02, (j) Non-commercial Message Sign.

DeMille Road & Whitney Drive Rehabilitation Project.

James P. Contracting, Inc. – Payment Request #2.

212 2015 10-05

Moved by Bostick-Tullius. Seconded by Robinet.

Approve Payment Request #2 to James P. Contracting, Inc. in the amount of \$645,692.09 for the DeMille Road and Whitney Drive Rehabilitation Project.

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

Nays: None.

Absent: Gates.

MOTION CARRIED.

Public Hearing Request: Closeout Hearing for CDBG DIG Grant MSC 213010-DIG
Clay and Court Street, Rain Garden, County Retaining Wall.

213 2015 10-05

Moved by Robinet. Seconded by Lyons.

Approve a public hearing for October 19, 2015 at 6:30 p.m. or as soon thereafter as may be heard to close out the Community Development Block Grant (CDBG), Downtown Infrastructure Grant (DIG), MSC 213010-DIG.

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

Nays: None.

Absent: Gates.

MOTION CARRIED.

CITY MANAGER'S REPORT

City Manager Dale Kerbyson announced that the Annual Fire Station Open House will be this Sunday, October 11, 2015 from noon to 3:00 p.m. Mr. Kerbyson also reported that he received a second bid in the amount of \$1,800 for the microphone replacements and is awaiting a third bid.

CITY ATTORNEY'S REPORT

City Attorney Michael Nolan requested an Executive Session for property contracts.

UNFINISHED BUSINESS

No unfinished business.

DEPARTMENTAL COMMUNICATIONS

None.

PUBLIC COMMENTS

No public comments.

MAYOR/COMMISSIONER COMMENTS

Commissioner Bennett thanked the Chief of Police for erecting the speed limit signs on Lincoln Street.

Commissioner Lyons thanked everyone who worked on or had to deal with the Oregon contract situation and gave kudos to DPW Director Pam Reid, and to Doug Skylis and Darlene from Rowe Engineering.

Commissioner Bostick-Tullius commented on attending the Senior Celebration Day indicating it was well attended with hundreds of people.

Mayor Sprague commented on upcoming events and requested a motion to move into Executive Session.

Executive Session Request.

214 2015 10-05

Moved by Bennett. Seconded by Robinet.

Approve convening to an Executive Session at the end of the regular meeting to discuss property contracts.

ON A ROLL CALL VOTE.

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

NAYS: None.

ABSENT: Commissioner Gates.

ABSTAIN: None.

MOTION CARRIED.

EXECUTIVE SESSION

The City Commission convened to an Executive Session to discuss property contracts at 6:54 p.m. Commissioner Robinet left the meeting at 7:25 p.m. The City Commission returned to its regular meeting at 7:44 p.m.

ADJOURNMENT

215 2015 10-05

Moved by Bennett.

Adjourn the regular meeting.

Ayes: Bennett, Bostick-Tullius, Lyons.

Nays: None.

Absent: Gates, Robinet.

MOTION CARRIED.

The regular meeting adjourned at 7:45 p.m.

William J. Sprague, Mayor

Tracey S. Russell, Deputy City Clerk