

**LAPEER CITY COMMISSION  
MINUTES OF A REGULAR MEETING  
NOVEMBER 16, 2015**

Prior to the start of the regular meeting, Honorable Laura Cheger Barnard, 71A District Court Judge presided over the Swearing-In Ceremony of the Commissioners Elect Joshua Atwood, A. Wayne Bennett, Catherine Bostick-Tullius, and Deborah G. Marquardt.

A regular meeting of the Lapeer City Commission was held November 16, 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 Atwood, Bennett, Bostick-Tullius, Gates, and Marquardt.  
City Manager, Dale Kerbyson  
City Attorney Michael Nolan.  
Absent: None.

Mayor Sprague led the Pledge of Allegiance.

**ELECTION OF MAYOR PRO-TEM**

Mayor Sprague asked for nominations for Mayor Pro-Tem. Commissioner Bostick-Tullius nominated Commissioner Debbie Marquardt. There being no other nominations, the question was called to a vote.

**245 2015 11-16**

Moved by Bostick-Tullius. Seconded by Gates.  
Approve Commissioner Marquardt as Mayor Pro-Tem.  
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.  
Nays: None.  
Absent: None.

**MOTION CARRIED**

**AGENDA APPROVAL**

**246 2015 11-16**

Moved by Gates. Seconded by Bostick-Tullius.  
Approve the Agenda for November 16, 2015 with the addition of Item G.5, Zoning Ordinance Amendment, City Owned DeMille Blvd. & Turrill Road Parcels – Conditional Rezoning.  
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.  
Nays: None.  
Absent: None.

**MOTION CARRIED.**

**MINUTES**

**247 2015 11-16**

Moved by Bennett. Seconded by Gates.  
Approve the minutes from the regular meeting held November 2, 2015 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**

Senior Citizen Parking:

Lee Scott, Chairman of the Senior Center, commented on senior parking, previous agreement and process, is not sure where the angst came from and would like to

address the person that is having the angst about the spaces, importance of the center to the seniors health and well being, have always paid the bill in the past and there is not a problem paying the bill in the future, requested re-consideration of the senior parking spaces to be returned to the former arrangement and spacing, thanked Commission for their time.

Joseph Csokas, Baldwin Road, commented on senior citizens in wheelchairs, parking spaces, seniors still pay taxes and have value, senior center is a necessity and so is parking, enjoy comradery.

Bonnie Kavalunas, Wilder Road, on Senior Advisory Board, Lapeer Area Aging Board, asked to reinstate signs for parking, provided picture of handicapped space that is between two regular spaces, County provides building, ramps, automatic doors and entertainment, gives place to get up and go for well being, why can't City provide proper parking, seniors shop downtown, visit Farmers Market and only in town from 9 am to 3 pm, asked to have signs reinstated. Thank you.

Glenn Clemence, Bancroft, Imlay City, shops and supports City, on State Advisory Board, center gives a way to meet people, asked to give parking spots they require. Thank You.

Brian Tombley, business on John Connelly Drive, gave invocation.

## **CONSENT AGENDA**

### **248 2015 11-16**

Moved by Marquardt. Seconded by Gates.

Approve the Consent Agenda for November 16, 2015, resulting in the following:

1. Special Event Request from Downtown Business Association, Winterfest, December 4&5, 2015, downtown area.

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

Nays: None.

Absent: None.

MOTION CARRIED.

## **BILL LISTING FOR NOVEMBER 16, 2015**

### **249 2015 11-16**

Moved by Gates. Seconded by Marquardt.

Approve the Bill Listing for November 16, 2015 in the amount of \$612,750.42.

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

Nays: None.

Absent: None.

MOTION CARRIED.

## **PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS**

Proclamation: Roger A. Wilcox.

### **250 2015 11-16**

Moved by Bostick-Tullius. Seconded by Bennett.

Approve the Proclamation In Recognition of Roger A. Wilcox.

PROCLAMATION  
CITY OF LAPEER  
In Recognition of Roger A. Wilcox

WHEREAS, Roger A. Wilcox officially began employment with the City of Lapeer on July 19, 1978 with the City of Lapeer Department of Public Works; and

WHEREAS, Roger A. Wilcox, 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, Roger A. Wilcox will retire on November 30, 2015, after 37 years of faithful service to the City of Lapeer.

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

Dated this 16<sup>th</sup> day of November, 2015.

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

Nays: None.

Absent: None.

MOTION CARRIED. PROCLAMATION DECLARED ADOPTED.

## **PUBLIC HEARINGS**

None.

## **ADMINISTRATIVE REPORTS**

Michigan Main Street Program – Associate Level Renewal.

### **251 2015 11-16**

Moved by Bostick-Tullius. Seconded by Gates.

Approve the Resolution Of Support And Cooperation, Downtown Development Authority, Michigan Main Street Program for 2016.

LAPEER CITY COMMISSION  
RESOLUTION OF SUPPORT AND COOPERATION  
DOWNTOWN DEVELOPMENT AUTHORITY  
MICHIGAN MAIN STREET PROGRAM

WHEREAS, the City of Lapeer Downtown Development Authority passed a Resolution of Commitment to fulfill the requirements of the Associate Level Michigan Main Street Program; and

WHEREAS, the Lapeer City Commission and its Downtown Development Authority recognize the importance of the downtown district to the community and region; and

WHEREAS, the downtown district is vital to our community's identity and quality of life and it is the City's intent to reverse the historic trend which has led to the loss of population, jobs and businesses in the downtown district and to work on the continued improvement, revitalization and development of the downtown district.

NOW, THEREFORE, BE IT RESOLVED that the Lapeer City Commission will support and provide cooperation with its Downtown Development Authority to fulfill the requirements of the Associate Level Michigan Main Street Program in 2016.

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

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

Downtown Development Authority / Downtown Business Association Merger.

DDA Executive Director James Alt commented that he believes this merger will be a good thing for the City and moving along in a positive manner. Commissioner Atwood commented on merger showing unity, heading in right direction and willing to sacrifice to make things work.

Lincoln Street Reconstruction Project.  
Change Order #3 – Glaeser Dawes Corp.

### **252 2015 11-16**

Moved by Bostick-Tullius. Seconded by Gates.

Approve Change Order #3 with Glaeser Dawes for a net increase of \$131.81 revising the contract amount to \$801,893.57 for the Lincoln Street Reconstruction Project.

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

Nays: None.

Absent: None.

MOTION CARRIED.

Lincoln Street Reconstruction Project.

Payment Request #5 – Glaeser Dawes Corp.

**253 2015 11-16**

Moved by Bennett. Seconded by Gates.

Approve Payment Request #5 to Glaeser Dawes Corp. in the amount of \$26,487.60 for the Lincoln Street Reconstruction Project.

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

Nays: None.

Absent: None.

MOTION CARRIED.

Zoning Ordinance Amendment: City-Owned DeMille Blvd. & Turrill Rd. Parcels – Conditional Rezoning.

Commissioner Marquardt Introduced the proposed amendment to Chapter 7 (Zoning Ordinance) of the General Ordinance of the City of Lapeer.

THE CITY OF LAPEER ORDAINS:

ARTICLE 7.02 MAPPED DISTRICTS

7.02.02 District Boundaries

(a) Zoning District Amendments

- (7) The following property formerly zoned R-2 and R-3 Single Family Residential is hereby rezoned to B-2 General Business based on a conditional rezoning of the following parcels located on the south side of DeMille Boulevard and the north side of Turrill Road from R-2 & R-3 to B-2 General Business:

252.68 +/- acres on the south side of DeMille Boulevard, east of Farmer's Creek, consisting of

L20-93-502-050-00 zoned R-2, 3 +/- ac. E. of Farmer's Creek

L20-95-701-040-00 zoned R-2, 20.26 acres

L20-95-704-040-00 zoned R-2, 31.3 acres

L20-95-700-040-00 zoned R-2, 55 +/- ac. E. of Farmer's Creek

L20-95-705-040-00 zoned R-3, 71.33 acres

L20-83-358-050-00 zoned R-2, 46.5 +/- ac. E. of Farmer's Creek

L20-83-357-040-00 zoned R-2, 25.29 acres

And 192.59 acres on the north side of Turrill Road, east of Cliff Drive, consisting of

L20-98-008-003-00 zoned R-2, 111.52 acres

L20-98-008-006-00 zoned R-2 and R-3, 50.78 acres

L20-98-008-005-00 zoned R-2, 30.29 acres

The condition being that the use of the property as zoned would be limited to the use classification of "Publicly owned buildings; public utility buildings; telephone exchange buildings; electric transformer stations & substations; gas regulator stations with service yards, but without storage yards; water & sewage pumping stations".

**CITY MANAGER'S REPORT**

City of Lapeer 2016 "Official" Meeting Calendar.

**254 2015 11-16**

Moved by Bennett. Seconded by Gates.

Approve the City of Lapeer 2016 "Official" Meeting Calendar.

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

Nays: None.

Absent: None.

MOTION CARRIED.

City Manager Dale Kerbyson commented on attending a Transportation Asset Management Council (TAMC) meeting wherein the new legislation for road funding indicated there will be no general funds until 2019, however, for 2017 it is proposed for gas/diesel tax and vehicle tax with estimates of an increase of \$152K for Act 51 Revenue Sharing, about a 15% increase which is lower than what was expected; to set a date for the Goals and Objectives workshop, after discussion the workshop will be sometime in January 2016; attended the Sips & Swords event at the PIX.

**CITY ATTORNEY'S REPORT**

City Attorney Mike Nolan congratulated the new commissioners, looking forward to working with them.

**UNFINISHED BUSINESS**

**255 2015 11-16**

Appointed by Mayor Sprague. Moved by Marquardt. Seconded by Gates.

Appoint Catherine Bostick-Tullius to the Planning Commission, term ending with Commission appointment (Nov 2019).

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

Nays: Bennett.

Absent: None.

MOTION CARRIED.

**256 2015 11-16**

Moved by Bostick-Tullius. Seconded by Marquardt.

Appoint Linda Werner to the Income Tax Board of Review, term ending 12-01-2018.

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

Nays: None.

Absent: None.

MOTION CARRIED.

**257 2015 11-16**

Moved by Bennett. Seconded by Bostick-Tullius.

Appoint Jan Peabody to the Greater Lapeer Transportation Authority (GLTA), as a City Representative.

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

Nays: None.

Absent: None.

MOTION CARRIED.

**258 2015 11-16**

Moved by Bennett. Seconded by Gates.

Appoint Wesley Butterfield to the Zoning Board of Appeals, term ending 4-1-2016.

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

Nays: None.

Absent: None.

MOTION CARRIED.

**259 2015 11-16**

Moved by Bostick-Tullius. Seconded by Marquardt.

Appoint A. Wayne Bennett to the Zoning Board of Appeals, term ending with Commission appointment (Nov 2019).

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

Nays: None.

Absent: None.

MOTION CARRIED.

## **DEPARTMENTAL COMMUNICATIONS**

Monthly Departmental Reports, Project Homeless Connect 2015 Update, and Investment Report for the Quarter Ending September 30, 2015 were received into record.

## **PUBLIC COMMENTS**

Bonnie Kavalunas, Wilder Road, commented on data that 1,724 City citizens attended the senior center.

Ian Kempf, Third Street, Imlay City, Lapeer County Commissioner, congratulated new commissioners, spoke on senior parking, fee not only for maintenance but snow plowing as well, County is not opposed to paying and discussion was since meters have been removed why wasn't fee reduced, there was no discussion to not pay fee, fee comes out of senior millage, proximity of center helps downtown/Farmers Market, would like to work this out.

## **MAYOR/COMMISSIONER COMMENTS**

Commissioner Atwood thanked Lapeer for voting for him, here to represent the citizens, would like to see Lapeer pull together and make improvements, would like to see unity between City, County and organizations, trying times past year and to pull together, unify, and become one.

### Senior Parking

#### **260 2015 11-16**

Moved by Bennett. Seconded by Gate.

Approve to reconsider senior parking spaces.

Discussion was held regarding the use of a committee, lengthy discussion held by Commission regarding the parking issue, committee to create dialog and discuss issues with members from City, County and Senior Center.

Moved by Bennett. Seconded by Gates.

Amend motion to reconsider "at the next City Commission meeting". There being no objections, amendment carried.

The main motion, as amended reads:

Approve to reconsider senior parking spaces at the next City Commission meeting.

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

Nays: None.

Absent: None.

**MOTION CARRIED.**

Commissioner Bennett welcomed the new commissioners and thanked everyone for voting for him.

Commissioner Bostick-Tullius thanked everyone for voting for her.

Commissioner Gates congratulated the new commissioners on being voted in; thanked the audience for coming in to voice their opinions on the senior parking; thanked the DPW, Police, and Fire for keeping the City safe; lighting downtown looks very nice.

Commissioner Marquardt thanked everyone for voting for her, almost a 19% turnout City-wide; glad a committee will be formed for senior parking; DTE and outage due to lumber yard that had burned down and old buildings that had fallen on wires, great job cleaning getting the place cleaned up, glad City has a good working relationship with DTE.

City Manager, Dale Kerbyson welcomed the new commissioners; the building that caused the downed wire was in disrepair is now removed and no longer a threat; Roger Wilcox's retirement party is November 30<sup>th</sup> at the DPW; Happy Thanksgiving; creation of new committee to review parking spaces.

Mayor Sprague gave reminders of upcoming events; parking meters not just maintenance of lot not only parking meters, picture that County has not groused is disingenuous, issue of Farmers Market downtown and County charge, Commission discussed appropriate number of handicap spaces for use, he audited parking several times and spaces were not all being used, feels not all facts were presented, would like to see a solution to this problem.

**ADJOURNMENT**

**261 2015 11-16**

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 7:23 p.m.

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William J. Sprague, Mayor

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Donna L. Crounce, City Clerk

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Tracey S. Russell, Deputy City Clerk