

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING**

A regular meeting of the Lapeer City Commission was held December 4, 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, Marquardt, Osentoski.

Absent: None.

City Manager: Dale Kerbyson, present.

City Attorney: Michael Nolan, present.

AGENDA APPROVAL

280 2017 12-04

Moved by Bostick-Tullius. Seconded Bennett.

Approve the Agenda for December 4, 2017 as presented.

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

Nays: None.

Absent: None.

MOTION CARRIED.

MINUTES

281 2017 12-04

Moved by Marquardt. Seconded by Osentoski.

Approve the minutes from the Regular meeting held November 20, 2017 as presented.

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

Nays: None.

Absent: None.

MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

PUBLIC COMMENTS

Janet Adams, Baldwin Road, gave invocation.

Gary Glenn, Auburn, Michigan, introduced himself, running as a candidate for State Senate, can be reached at garyglenn.us.

Bernie Jocuns, Pine Street, Planning Commission and issues moving forward on MMFLA, issues of smell and other smells that are bad or worse and City should do something about those smells; Daughters of the American Revolution monument and celebration of Columbus Day and what they represent, City should pass a resolution to approve an Indigenous Persons Day.

Chief of Police Dave Frisch introduced Officer AJ Wetzel who is the school liaison, will have an officer at every meeting to match a name to a face prior to the open house event scheduled in 2018, give idea on what we do and will answer any questions.

Director of Community Center, Recreation and Cemetery, Rodney Church commented on Dog Park Fund Raiser event at Buffalo Wild Wings on December 11th.

Marlana Swindell, Pleasant Street, commented the State has finalized the Emergency Rules and check list for applying for MMFLA, distributed information to Commission.

CONSENT AGENDA

282 2017 12-04

Moved by Marquardt. Seconded by Bostick-Tullius.

Approve the Consent Agenda for December 4, 2017 resulting in the following.

1. City of Lapeer 2018 "Official" Meeting Calendar.

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

Nays: None.

Absent: None.

MOTION CARRIED.

BILL LISTING FOR DECEMBER 4, 2017

283 2017 12-04

Moved by Marquardt. Seconded by Osentoski.

Approve the Bill Listing for December 4, 2017 in the amount of \$371,608.31.

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

Nays: None.

Absent: None.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

None.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

Agreement for Funding of Downtown Development Authority Executive Director Compensation.

284 2017 12-04

Moved by Bostick-Tullius. Seconded by Osentoski.

Approve the Agreement for Funding of Downtown Development Authority Executive Director Compensation.

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

Nays: None.

Absent: None.

MOTION CARRIED.

285 2017 12-04

Moved by Bostick-Tullius. Seconded by Osentoski.

Approve the budget adjustment for additional funding for the Agreement for Funding of Downtown Development Authority (DDA) Executive Director Compensation.

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

Nays: None.

Absent: None.

MOTION CARRIED.

2017 Court St. & Calhoun St. Reconstruction Projects.
Rohde Brothers Excavating, Inc. – Payment Request #6.

286 2017 12-04

Moved by Bostick-Tullius. Seconded by Marquardt.

Approve Payment Request #6 to Rohde Brothers Excavating, Inc. in the amount of \$10,070.00 for the 2017 Court St. and Calhoun St. Reconstruction Projects.

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

Nays: None.

Absent: None.

MOTION CARRIED.

Building Department Presentation: Jeffrey Bowdell, Wade Trim.

Jeffrey Bowdell with Wade Trim, asked if there were any questions regarding his report, Building Inspectors handle their jobs differently, City had CCA, then first Inspector and now current Inspector, all have interpreted and reacted differently to how they handle the job; indicated Mr. Oliver does a good job, up to Commission to voice what they want, codes are very broad with a lot of choices and it can become difficult understanding the codes; the message from Mr. Oliver can sometimes be delivered incorrectly causing hostility and misunderstandings from the receiver, department is there to help customers. If feeling is fees are too high, review and make changes but you do not want to give services away, you need to cover your costs and expenses, Commission needs to discuss if permits are needed and instruct Mr. Oliver of what is wanted, what is important to the City; department needs to be revenue neutral.

Safety is the most important item in the building department, City should not be playing the “gotcha” game they should be playing the “how can I help you with your project” game; knowledge of codes is important, City needs an imbedded department, not have flat fee services, have regular hours, inspectors need to have a foothold in the City and have the best interest of the City in mind; Oakland County and 1-Stop-Shopping with all departments involved in a project meeting; differences in Building Code and Residential Code and changes over the years in each code, books come out faster than one can learn them; department processes, is plan reviewed and if an answer is no then show the customer options on how to resolve the issues and providing direction from the code. Mr. Oliver is currently completing communications training which is great; Commission needs to review the processes and fees, if fees are too high, why, what are the fees for, have a full third party review of process, entrench the building department just like departments of police and fire, have regular hours. Mr. Bowdell asked for any questions, very hard to review what is required for a permit as codes are very broad.

Discussion was held on having a checklist/flow chart for customers on what does my project need and what are all the fees up front before the project begins, Mr. Bowdell commented on lists being very difficult as cannot control all aspects of a project, if City does a list make sure to have the words “not inclusive” on the list itself, City currently working on check list for common things which is being done in-house. Discussion continued on the need to understand the comparison schedule of fee samples presented, possibly review and discuss at future meeting, all departments should work together as well as reach out to each other on new projects that come into the City. Mr. Bowdell indicated he called the department to speak with Mr. Oliver and was placed into his voicemail immediately, this is not good customer service and needs to be corrected. City Manager Dale Kerbyson commented that the fee comparison was not completed by a third party, not Mr. Bowdell, from like cities. Mayor Sprague commented he only wants to see comparisons with Mayfield Township and CCA, others have no relevance, feels the others were thrown in to balance out the numbers, feels these numbers lie, original goal was to have better service and cheaper than CCA, questioned how Home Depot could be in business if selling items that need permits to be put in, should be illegal for them to sell, feels rental inspections have been positive but he is still frustrated. Discussion continued on application fee, what does the \$75 application fee cover, department should be revenue neutral, recommendation is to bring in someone to do a full cost analysis, cost is based on the total cost of a project, need to review flat rates, vendors say City fees are too high, like to see incremental breakdown of costs, have someone from CCA and Mayfield come to Commission meeting, need to review other items on original list and continue talking on them, when can City Manager have more information, Mr. Kerbyson indicated with day-to-day work and other projects, hard to give a timeframe, talk about one topic at each meeting, first topic in January and move forward from there, getting CCA and Mayfield costs and may have to FOIA for them, why not take CCA fee structure and implement same costs in City, will fees cover the costs of running department, do not want taxpayers paying for it, do not want to go to a part time department. Mayor Sprague stated the Commission could vote to change direction of the building department from cheaper than CCA with better quality to a true building department, establish a bureaucracy that is self-sustaining, but that was not the original intent. Commissioner Bostick-Tullius commented to not do anything until understand what the current spending and costs are, have all the valid information before decisions are made to do anything, review and see if department is revenue neutral, have Mr. Oliver at next meeting to ask questions. Commissioner Atwood indicated that the building department is for safety and development, look at it like a business, check customer service, are we under staffed, is the receptionist handling customers properly, are bills being paid, we don't want any costs to go to the taxpayers, are fees competitive and cover costs per employee. Commissioner Bostick-Tullius indicated it isn't good customer service to have a part-time building department – this would be poor customer service, we don't want to go backwards. Commissioner Marquardt feels all issues were not addressed from the first workshop, like to see minutes.

CITY MANAGER'S REPORT

City Manager Dale Kerbyson asked Police Chief to give update on a new project. Police Chief Dave Frisch indicated that he, Matt Wandrie and Scott McKenna will be

hosting a program at Zemmer on Social Media with young people tomorrow at 6:30 pm and another on December 11th, if available would love to see Commissioners there.

CITY ATTORNEY'S REPORT

City Attorney Mike Nolan commented on lawsuits involving an arcade on Saginaw Street and gas station owner regarding signage in windows which is against ordinances, both lawsuits were resolved; should be proud of Officer Wetzel as School Liaison, does an amazing job, great partnership with schools, fantastic program.

PUBLIC COMMENTS

Bernadette Treece, Washington Street, commented on the building department fees, vacant home down from them, if someone wants to fix it up would that person pay a \$75 application fee for replacing toilet, another fee for hot water tank, etc., adds up, would discourage homeowners, this is very concerning.

Marlana Swindell, Pleasant Street, commented parking entrance at Tim Hortons, why isn't this being fixed. Mr. Kerbyson indicated owners are aware and in process of getting fixed, should be by December 11th.

UNFINISHED BUSINESS

287 2017 12-04

Appointed by Mayor Sprague. Moved by Bostick Tullius. Seconded by Bennett. Appoint Commissioner Joshua Atwood to the Youth Council, term ends 7-1-2018.

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

Nays: None.

Absent: None.

MOTION CARRIED.

DEPARTMENTAL COMMUNICATIONS

The Truck Traffic on Oregon Street and Monthly Financial Report for October 2017 Reports were placed into the record as presented.

MAYOR/COMMISSIONER COMMENTS

Commissioner Bennett: Thanked the prayer lady; hope Officer doesn't tell his fellow officers the length of this meeting, others will not come.

Commissioner Osentoski: New digital sign on M-24 going in this week; attended Winterfest event and thanked local businesses for donations; Main Street marketing process, 500 hours of volunteer work so far, thanks to these volunteers as well.

Commissioner Atwood: First Youth Council meeting on December 14th at City Hall at 5:15 pm; selfie photo contest for naming the polar bear is underway and businesses donated prizes; ugly sweater contest next meeting; thanks to Officer Wetzel, there is a lot of pressure on the teens, tough time in their lives, thank you.

Commissioner Bostick-Tullius: Attended Court House Gala; thank you to Officer Wetzel, presence has had a great impact, kids have a good connection to law enforcement, feel safer since your arrival.

Commissioner Marquardt: Thank you to Officer Wetzel; Winterfest event; attended parade; weather changes are coming.

City Manager Dale Kerbyson: Commissioner Osentoski's ability to track volunteer hours, that's a great part of the solution to making a better downtown; pursuing legislators regarding bills that will affect municipal employees.

Mayor Sprague: Update on local events; Buffalo Wild Wings event for Dog Park, Chamber nominations for Citizen of the Year by December 18th, luncheon to be held at Devil's Ridge, may not be in immediate area but they are a long time support of the Chamber and has donated facility for event, event has outgrown Mott; attended Board Meeting at Mott, great partner in our community, when started first projected 500 students and now service over 15,000 students; overall have a good Building

Department, Commission may disagree but still continue to get things done, not intended to be personal but to attack a problem and get things done; Planning Commission meeting on December 14th to discuss MMFLA.

ADJOURNMENT

289 2017 12-04

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 8:31 p.m.

Mayor William J. Sprague

Donna L. Cronce, MMC, City Clerk

Tracey S. Russell, Deputy City Clerk