

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

April 17, 2006

A regular meeting of the Lapeer City Commission was held on April 17, 2006 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

Present: Mayor Treece
Commissioners Marquardt, Robinet, and Sprague.
City Attorney Ron Shamblin
City Manager Dale Kerbyson

Absent: Commissioner Farrington – excused (personal)
Commissioner Turkelson – excused (personal)

Mayor Treece led the Pledge of Allegiance.

AGENDA APPROVAL

82 2006 04-17

Moved by Robinet. Seconded by Marquardt.

To approve the Agenda for April 17, 2006 as presented. MOTION CARRIED.

MINUTES

83 2006 04-17

Moved by Robinet. Seconded by Marquardt.

To approve the minutes of the Regular Meeting held on April 3, 2006, as presented. MOTION CARRIED.

Minutes from Various Boards and Commissions received through April 13, 2006 were received into record.

PUBLIC COMMENTS

Mary Panos, Executive Director of GLTA requested permission to place a millage proposal on the August ballot.

Bob Eliassen, representing Michael's Restaurant, commented on insurance issues and provided a letter from the construction company regarding site progress.

CONSENT AGENDA

84 2006 04-17

Moved by Sprague. Seconded by Robinet.

To approve the Consent Agenda for April 17, 2006 resulting in the following:

1. Approval of Budget Adjustment for MSHDA Neighborhood Preservation Grant.
2. Approval of Special Event Request from Classic Cruisers Car Club of Lapeer for Classic Cruisers 16th Benefit Car Show to be held June 11, 2006 in Downtown Lapeer.
3. Approval of Special Event Request from American Legion Post 16 for Memorial Day to be held May 29, 2006 at Veterans Park.
4. Approval of Special Event Request from Lapeer Community Schools for Swing Out to be held June 1 in Downtown Lapeer contingent upon receipt of current insurance.
5. Approval of Special Event Request from Bishop Kelley School for Walk-a-thon to be held April 28, 2006 at Cramton Park and Linear Park Path.
6. Approval of Budget Adjustment for Inter-Fund Loan for Motor Pool Equipment.

MOTION CARRIED.

PUBLIC PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

Resolution Supporting Local Control Municipal Cable Franchising

Mayor Treece read the Resolution into record and introduced State Representative John Stahl. State Representative John Stahl commented that he would not defend nor oppose cable franchising, the newspaper misrepresented his position, he did not co-sponsor the legislation, disagrees with the Resolution, that such a resolution is preemptive at this time, and that the state has not begun committee on the subject.

Discussion was held regarding Michigan Municipal League support of the Resolution, cable markets, current infrastructure, market shifts, franchise fees, local control, responsibilities to citizens, deregulations in energy field, review of ethanol plants and regulations, communication issues, and cable fees and costs.

State Representative John Stahl commented that he would update the board as this subject progresses through State Committees.

85 2006 04-17

Moved by Robinet. Seconded by Sprague.

To approve the Resolution Supporting Local Control Municipal Cable Franchising.

CITY OF LAPEER RESOLUTION SUPPORTING LOCAL CONTROL MUNICIPAL CABLE FRANCHISING

WHEREAS, cities have a long and very successful history of supporting the introduction of cable services by the cable industry, a successful deployment made possible in large part by the current system of local cable franchising; and

WHEREAS, SBC and Verizon have been actively advocating across the country that local franchise agreements should be eliminated and replaced with a state-wide franchise agreements; and

WHEREAS, local government participation in cable franchising process ensures that all residents irrespective of age, race, education, or income level, receive the same service; and

WHEREAS, franchise agreements assure that the public education channels are provided for the community; and

WHEREAS, a state-wide franchise system would deny consumers local resolution of problems; and

WHEREAS, the Lapeer City Commission is not naive enough to believe that this legislation will provide any long term savings to our citizens and/or constituents.

NOW, THEREFORE BE IT RESOLVED, that the Lapeer City Commission hereby affirms its support for municipal broadband initiatives creating broadband wireless service.

BE IT FURTHER RESOLVED, that the Lapeer City Commission is opposed to any effort by the State Legislature to place a moratorium, or further limitations, on the expansion of municipal broadband in the State of Michigan.

BE IT FURTHER RESOLVED, that the Lapeer City Commission hereby affirms opposition to a state-wide franchise agreement system.

BE IT FURTHER RESOLVED, that the Lapeer City Commission hereby supports the current local cable franchise agreement system.

BE IT FURTHER RESOLVED, that the City Clerk is to forward a copy of this adopted resolution to the Governor of Michigan, State Representative John Stahl, State Representative in Congress Candice Miller, the House Energy and Technology Committee, the Senate Technology & Energy Committee, and the Michigan Public Service Commission.

Dated this 17th day of April, 2006.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

Resolution Honoring National Nurses Week

86 2006 04-17

Moved by Sprague. Seconded by Robinet.

To approve the Resolution Honoring National Nurses Week.

CITY OF LAPEER RESOLUTION HONORING NATIONAL NURSES WEEK

WHEREAS, the nearly 2.8 million registered nurses in the United States comprise our nation's largest health care profession; and

WHEREAS, the depth and breadth of the registered nursing profession meets the different and emerging health care needs of the American population in a wide range of settings; and

WHEREAS, the American Nurses Association, as the voice for the registered nurses of this country, is working to chart a new course for a healthy nation that relies on increasing delivery of primary and preventative health care; and

WHEREAS, a renewed emphasis on primary and preventative health care will require the better utilization of all our nation's registered nursing resources; and

WHEREAS, professional nursing has been demonstrated to be an indispensable component in the safety and quality of care of hospitalized patients; and

WHEREAS, the demand for registered nursing services will be greater than ever because of the aging of the American population, the continuing expansion of life-sustaining technology, and the explosive growth of home health care services; and

WHEREAS, that more qualified registered nurses will be needed in the future to meet the increasingly complex needs of health care consumers in this community; and

WHEREAS, the cost-effective, safe and quality health care services provided by registered nurses will be an ever more important component of the U.S. health care delivery system in the future; and

WHEREAS, along with the American Nurses Association, Lapeer Regional Medical Center has declared the week of May 6-12 as National Nurses Week with the theme "Nurses Strength, Commitment, Compassion" in celebration of the ways in which registered nurse strive to provide safe and high quality patient care and map out the way to improve our health care system.

NOW, THEREFORE BE IT RESOLVED, that I, Mayor Charles Treece and the City Commission of the City of Lapeer ask that all residents of this state/community joining me in honoring the registered nurse who care for all of us; and

BE IT FURTHER RESOLED, that the residents of Lapeer, MI celebrate registered nursing's accomplishments and efforts to improve our health care system and show our appreciation for the nation's registered nurses not just during this week, but at every opportunity throughout the year.

Dated this 17th day of April, 2006.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

PUBLIC HEARINGS

None Scheduled.

ADMINISTRATIVE REPORTS

Downtown Outdoor Dining Area Right-of-Way Licenses

87 2006 04-17

Moved by Sprague. Seconded by Robinet.
To approve the Outdoor Dining Area Right-of-Way License for:
Blondie’s Sweet Boutique – 193 W. Nepessing Street
Abruzzo’s Piano Grille – 315 W. Nepessing Street
MOTION CARRIED.

Transfer of Liquor Control Commission License from Eva Marie’s to Isola’s Inc.

88 2006 04-17

Moved by Robinet. Seconded by Marquardt.
To approve the State of Michigan Department of Labor & Economic Growth Liquor Control Commission Resolution to transfer license from Eva Marie’s to Isola’s Inc.

REQ ID #330600

STATE OF MICHIGAN
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES
LIQUOR CONTROL COMMISSION

RESOLUTION

Moved by Commissioner Robinet and supported by Commissioner Marquardt that the request from ISOLA’s, Inc. to transfer ownership of 2005 Class C Licensed Business with Dance-Entertainment Permit, located in escrow at 348 W. Nepessing, Lapeer, MI 48446, Lapeer County, from Eva Marie’s Inc.

be considered for approval.

	APPROVAL		DISAPPROVAL
Ayes:	Commissioners Robinet, Marquardt, and Sprague	Ayes:	None
Nays:	None	Nays:	None
Absent:	Commissioners Farrington and Turkelson	Absent:	None

It is the consensus of this legislative body that the application be recommended for issuance.
MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

Westwood Commons Condominium Plan

89 2006 04-17

Moved by Sprague. Seconded by Robinet.
To approve the Condominium Project for Westwood Commons located at 1783 W. Genesee Street.
MOTION CARRIED.

CITY MANAGER’S REPORT

City Manager Kerbyson commented on Lapeer Development Corporation Projects.

CITY ATTORNEY'S REPORT

City Attorney Shamblin commented on the Louis C. Cramton home.

City Property Lease Agreements

90 2006 04-17

Moved by Robinet. Seconded by Sprague.

To approve the Lease Agreements with Hunt Farms and R & D Green for a one year period and to authorize the Mayor and City Manager to sign said Lease Agreements.

MOTION CARRIED.

BILL LISTING FOR APRIL 17, 2006

91 2006 04-17

Moved by Sprague. Seconded by Robinet.

To approve the Bill Listing for April 17, 2006 in the amount of \$506,183.60.

MOTION CARRIED.

UNFINISHED BUSINESS

92 2006 04-17

Moved by Sprague. Seconded by Marquardt.

To appoint Dan Farrington and Geoff Savage to the Zoning Board of Appeals for a term ending April 1, 2009.

MOTION CARRIED.

DEPARTMENTAL COMMUNICATIONS

Monthly Reports were received into record.

The Financial Report for February 2006 was received into record.

MAYOR AND COMMISSIONER COMMENTS

The Commission thanked State Representative John Stahl and Lapeer County Commissioner Len Schneider for attending the meeting.

ADJOURNMENT

93 2006 04-17

Moved by Sprague. Seconded by Marquardt.

To adjourn the meeting. **MOTION CARRIED.**

The meeting adjourned at 7:10 p.m.

Charles D. Treece, Mayor

Donna L. Cronce, City Clerk