

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

December 3, 2007

A regular meeting of the Lapeer City Commission was held on December 3, 2007 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

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

Absent: None.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

291 2007 12-03

Moved by Robinet. Seconded by Marquardt.
To approve the agenda for December 3, 2007 as presented.
MOTION CARRIED.

MINUTES

292 2007 12-03

Moved by Robinet. Seconded by Turkelson.
To approve the minutes of the Workshop Meeting held on November 19, 2007 and the Regular Meeting held on November 19, 2007 as presented.
MOTION CARRIED.

Minutes from the various Boards and Commissions were received into record.

CONSENT AGENDA

293 2007 12-03

Moved by Farrington. Seconded by Marquardt.
To approve the Consent Agenda for December 3, 2007 resulting in the following.
1. Accept and approve the Nonexclusive Water Main Easement with ESSC Investments, LLC (Energy Steel) and authorize the Mayor and City Manager to sign the required document.
MOTION CARRIED.

BILL LISTING FOR DECMEBER 3, 2007

294 2007 12-03

Moved by Robinet. Seconded by Turkelson.
To approve the Bill Listing for December 3, 2007 in the amount of \$818,554.84.
MOTION CARRIED.

PUBLIC COMMENTS

There were no public comments.

PUBLIC PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

None.

PUBLIC HEARINGS

No public hearings were scheduled.

ADMINISTRATIVE REPORTS

Audit Report for Year Ending June 30, 2007

Finance Director Paul Boucher introduced Shannon Rodriguez from the auditing firm Layton and Richardson. Ms. Rodriguez reviewed the audit for the Year Ending June 30, 2007, new GASB 34 statements, that the audit recommendation has been implemented, and that the City's financial health is strong.

295 2007 12-03

Moved by Turkelson. Seconded by Farrington.
To approve the Audit Report for Year Ending June 30, 2007.
MOTION CARRIED.

Audit Recommendations for Year Ending June 30, 2007

296 2007 12-03

Moved by Turkelson. Seconded by Robinet.
To approve the Audit Recommendations for Year Ending June 30, 2007.

Master Plan Draft

297 2007 12-03

Moved by Robinet. Seconded by Marquardt.
To authorize the distribution of the Draft Master Plan as directed by the Michigan Municipal Planning Act (Section 7.b, subsection 2.).
ON A ROLL CALL VOTE:
AYES: Commissioners Turkelson, Marquardt, Robinet, Farrington, and Bennett.
NAYS: None.
ABSTAIN: None.
ABSENT: None.
MOTION CARRIED.

CITY MANAGER'S REPORT

Support of M-24 Expansion Project (Pratt Road to Brauer Road)

298 2007 12-03

Moved by Robinet. Seconded by Turkelson.
To approve the Resolution In Support of the M-24 Expansion Project – Pratt Road to Brauer Road.

City of Lapeer
Lapeer County
Resolution

In Support of the M-24 Expansion Project
Pratt Road to Brauer Road

WHEREAS, M-24 is one of the major north/south transportation arteries that serves our community with an average daily traffic count of 22,000 vehicles; and

WHEREAS, the M-24 expansion project has been a high priority for the community for at least 20 years; and

WHEREAS, the expansion south of Pratt Road to Brauer Road will improve transportation flow and safety along this vital corridor; and

WHEREAS, the City of Lapeer wishes to express our dismay and concern over the cancellation of the expansion of the section of M-24 from Pratt Road to Brauer Road in southern Lapeer County that was scheduled for 2004, especially since the Michigan Department of Transportation has already spent funds to design the road and complete the environmental studies; and

WHEREAS, the City of Lapeer has serious concerns about the three facilities, 460 accidents and 152 injuries that occurred on this stretch of M-24 during the period of 2003-2006; and

WHEREAS, the expansion is extremely important to our ability to create jobs by attracting and retaining business.

NOW, THEREFORE, BE IT RESOLVED, that the City of Lapeer, formerly requests that the Michigan Department of Transportation take the necessary steps to improve M-24 by expanding to a four lane boulevard as proposed; and

BE IT FURTHER RESOLVED, a copy of this Resolution be forwarded to Governor Granholm, State Senator Jud Gilbert, State Representative John Stahl, U.S. Senator Debbie Stabenow, U.S. Senator Carl Levin and U.S. Congresswoman Candice Miller.
MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

2008 Official Meeting Calendar

299 2007 12-03

Moved by Turkelson. Seconded by Farrington
To approve the 2008 Official Meeting Calendar.
MOTION CARRIED.

TPOAM Union Contract – Executive Session Request.

City Manager Dale Kerbyson requested an Executive Session to discuss the TPOAM (Technical, Professional and Officeworkers Association of Michigan) Union Contract.

300 2007 12-03

Moved by Robinet. Seconded by Turkelson.
To approve an Executive Session at the end of the regular meeting to discuss the TPOAM Union Contract.
ON A ROLL CALL VOTE:
AYES: Commissioners Bennett, Farrington, Robinet, Marquardt, and Turkelson.
NAYS: None.
ABSTAIN: None.
ABSENT: None.
MOTION CARRIED.

City Manager Dale Kerbyson commented on the Employee Appreciation event December 7th, Goals and Objectives workshop interest – with a date set for January 12, 2008, annexation requests within the annexation by choice area in Lapeer Township, and resolution passed by Lapeer Township regarding annexation fee charged to those property owners. Brief discussion was held on the need to review and discuss with Lapeer Township officials regarding the resolution and annexation fee. Mr. Kerbyson commented on the inability to attend GLTA meetings and interest in serving on this board, that I-69 corridor is moving forward, and future IFT request from Quest Industries.

Mr. Kerbyson commented on a letter from Elba Township requesting to open negotiations regarding the Elba Island annexation. Mr. Kerbyson's recommendation would be to not do so as the Boundary Commission has rendered a decision regarding this area and is in the process of finalizing this matter. Discussion was held regarding receipt of letter by Commission members from Elba Township Attorney Mike Gildner,

appeal process of Boundary Commission determination, that annexation agreement discussions were attempted with Elba Township prior to property owners appeal to the Boundary Commission, and that it was the Boundary Commission's decision to include the Elba Island within the annexation request.

CITY ATTORNEY'S REPORT

No report provided.

Mayor Sprague commented that the City Manager's contract expired on December 3, 2007 and requested approval to extend the contract while negotiations begin with the understanding that any wage variations would be retro back to December 3rd.

301 2007 12-03

Moved by Turkelson. Seconded by Robinet.

To approve a 60-day contract extension with City Manager Dale Kerbyson and that wage variations would be retro back to December 3rd.

MOTION CARRIED.

UNFINISHED BUSINESS

302 2007 12-03

Appointed by Mayor Sprague. Moved by Robinet. Seconded by Turkelson.

To appoint Jason Rogers to the Downtown Development Authority for a term ending January 1, 2010.

MOTION CARRIED.

DEPARTMENTAL COMMUNICATIONS

Monthly Operational Reports and DDA Annual Financial Report were received into record.

MAYOR/COMMISSIONER COMMENTS

Brief comments were made regarding I-69 annexation area and Lapeer Township revenue sharing; that the City's has an impressive financial situation and a job well done by City Manager Kerbyson, department heads, and staff; and that the Christmas Parade was well attended.

Executive Session

303 2007 12-03

Moved by Robinet. Seconded by Farrington.

To convene to an Executive Session to discuss the TPOAM Union Contract.

MOTION CARRIED.

The Lapeer City Commission convened to an Executive Session at 7:03 p.m. and returned to its regular meeting at 7:21 p.m.

TPOAM Union Contract

304 2007 12-03

Moved by Marquardt. Seconded by Turkelson.

To approve the TPOAM Union Contract and authorize the Mayor and City Manager to sign the required document.

MOTION CARRIED.

ADJOURNMENT

305 2007 12-03

Moved by Turkelson. Seconded by Marquardt.

To adjourn the meeting.

MOTION CARRIED.

The meeting adjourned at 7:22 p.m.

William J. Sprague, Mayor

Donna L. Cronce, CMC, City Clerk