

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

SEPTEMBER 21, 2009

A regular meeting of the Lapeer City Commission was held September 21, 2009 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

Present: Mayor Sprague
Commissioners Bennett, Marquardt, Bostick-Tullius and Farrington.
City Manager Dale Kerbyson.
City Attorney Michael Nolan.

Absent: Commissioner Robinet.

Others Present: City Clerk Donna Cronce; Executive Assistant/Deputy City Clerk Tracey Russell; Police Chief Todd Alexander; Fire Chief Terry Kluge; Director of Financial Services Paul Boucher; Director of Public Works John Lyons; Assessor Tom Hubbell; Planning Director Linda Jackman; Housing Director Sara Coulter; Parks, Recreation & Cemetery Director Ray Turczyn; Rowe Professional Services Company representative Doug Skyllis; and Lapeer County Board of Commissioners Lenny Schneider.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

184 2009 09-21

Moved by Marquardt. Seconded by Bennett.
To approve the Agenda for September 21, 2009.
MOTION CARRIED.

MINUTES

185 2009 09-21

Moved by Bennett. Seconded by Bostick-Tullius.
To approve the minutes from the Regular Meeting held on September 8, 2009.
MOTION CARRIED.

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

CONSENT AGENDA

186 2009 09-21

Moved by Bostick-Tullius. Seconded by Farrington.
To approve the Consent Agenda for September 21, 2009 resulting in the following.

1. Approval of the Budget Adjustment for the Oakdale Fund as presented.
2. Approval of the Budget Adjustment for Park Projects as presented.
3. Approval of the Budget Adjustment for Tree Maintenance as presented.
4. Approval of the Budget Adjustment for Project Balance Carryover from FY 2008-2009.
5. Approval of budget Adjustment for W. Genesee Street Sidewalk.
6. Approval of Vehicles to be auctioned as listed by the Department of Public Works.

MOTION CARRIED.

BILL LISTING FOR SEPTEMBER 21, 2009

187 2009 09-21

Moved by Marquardt. Seconded by Bennett.
To approve the Bill Listing for September 21, 2009 in the amount of \$461,527.78.
MOTION CARRIED.

PUBLIC COMMENTS

There were no public comments.

PUBLIC PROCLAMATIONS AND RECOGNITIONS

None.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

Chapter 7 (Zoning Ordinance) Amendment: Lapeer Commons Revised PUD Rezoning – 1048 S. Lapeer Road.

188 2009 09-21

Moved by Bennett. Seconded by Farrington.
To approve the proposed amendment to Chapter 7 (Zoning Ordinance), Section 7.03, H., #93, of the General Ordinances of the City of Lapeer.

THE CITY OF LAPEER ORDAINS:

7.03 ZONING DISTRICTS AND MAP

H. ZONING DISTRICT AMENDMENTS:

- 93. The following property, formerly zoned One-Family Residential (R-5), is hereby rezoned to Planned Unit Development (PUD):

Section 7 T.7N, R.10E, Supervisor’s Plat #4 Recorded in Plat Liber 1, Page 91: That part of Lot 22 lying Easterly of West line of N-S portion of Lina Drive if extended; also Lots 20 & 21; also Lot 19 & vacated Lina Drive lying South of same; also Lot 25; also Lot 24 & all of vacated Lina Drive lying West of West line of Lot 19 if extended; and Lot 23 & that part of Lot 22 lying West of West line of N-S portion of Lina Drive if extended.”

Contingent upon the following:

- Allow for flexibility during the site plan review to reduce the number of off-street parking spaces required;
- Require a revised Condominium Plan be submitted and approved by the Planning Commission; and
- Require a legal agreement be obtained to ensure provision of a future access to the property located to the north.

This rezoning is based on substantial compliance with the revised conceptual plan by CHMP Architects titled “The Lapeer Commons” with a revision date of 7-1-09, and supersedes the previous rezoning of the property to PUD based on the conceptual plan dated 10-01-08. This rezoning is further based on completion of the site plan process for the various phases of the development within three (3) years from the date of final rezoning approval by the City Commission as per Article 7.14.5.

History: (Amnd 01-29-09;-)”

ON A ROLL CALL VOTE:

AYES: Commissioners Bennett, Marquardt, Bostick-Tullius, and Farrington.
NAYS: None.
ABSENT: Commissioner Robinet.
ABSTAIN: None.
MOTION CARRIED. AMENDMENTS TO CHAPTER 7 ADOPTED.

MSHDA: North Oregon Target Housing Grant Application

Director of Housing Sara Coulter provided an overview of the grant.

189 2009 09-21

Moved by: Farrington. Seconded by Marquardt.

To approve the Resolution To Approve Michigan State Housing Development Authority (MSHDA) Housing Resource Fund North Oregon Target Housing Grant Application that authorizes the Mayor to submit the application on or before the 25th of September, 2009 with full submission pending completion of a public hearing, authorize the Mayor and Director of Housing and Neighborhood Development to sign grant related documents, and to set a public hearing for October 5, 2009 at 6:30 p.m. or as soon thereafter as may be heard regarding said grant application.

RESOLUTION TO APPROVE
MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY (MSHDA)
HOUSING RESOURCE FUND
NORTH OREGON TARGET HOUSING
GRANT APPLICATION

WHEREAS, the City of Lapeer is interested in the continuing effort to improve the housing stock and provide affordable housing opportunities for its moderate, low and very low income residents; and

WHEREAS, said City Commissioners accept the recommendation of the City of Lapeer Housing Improvement Department to apply for \$214,000 through the Michigan State Housing Development Authority Housing Resource Fund for a North Oregon Target Housing Grant; and

WHEREAS, the Michigan State Housing Development Authority requires a resolution authorizing the submission of the aforementioned grant application; and

WHEREAS, said City Commissioners authorize the Mayor to sign the grant application form and related documents such as Environmental Review and Collaboration/Leverage Agreements as required and allow the Director of Housing and Neighborhood Development to sign related grant documents when allowed by MSHDA as required;

WHEREAS, the City Commissioners will hold a public hearing on October 5th, 2009 regarding the proposed North Oregon Target Housing Grant and status update on currently funded activities;

THEREFORE, BE IT RESOLVED that the City of Lapeer authorizes the City of Lapeer Housing Improvement Department to submit the application for funding through the Michigan State Housing Development Authority's Housing Resource Fund for a North Oregon Target Housing Grant, authorizes the Mayor and Director of Housing and Neighborhood Development to sign grant related documents on behalf of the City of Lapeer, and consents to a public hearing regarding housing grants on October 5th, 2009.

AYES: Commissioners Farrington, Marquardt, Bennett, and Bostick-Tullius.
NAYES: None.
ABSTAIN: None.
ABSENT: Commissioner Robinet.
MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

CITY MANAGER'S REPORT

City Manager Dale Kerbyson commented that he would be out of the office Tuesday through Friday to attend the MML Conference.

CITY ATTORNEY'S REPORT

City Attorney Michael Nolan commented that the office has reviewed a number of contracts; prepared a Liability and Indemnity Agreement for a person to ascend the water tower for taking of photographs and that a copy of the photographs will be provided to the City at no charge.

UNFINISHED BUSINESS

None.

DEPARTMENTAL COMMUNICATIONS

Monthly Departmental Reports were received into record.

MAYOR/COMMISSIONER COMMENTS

Commissioner Bennett commented on the reading of the Constitution Saturday.

Commissioner Marquardt commented on the attendance of an Energy Workshop.

Mayor Sprague commented on attending a 2009 Michigan Response to Hate Conference to be held in Lansing on Friday; apologized for not getting the City Manager's appraisal forms out to the Commission, review of form to use, to provide form by next meeting, receipt of feedback, and to meet in mid-October to review responses.

ADJOURNMENT

190 2009 09-21

Moved by Bennett. Seconded by Marquardt.

To adjourn the meeting.

MOTION CARRIED.

The regular meeting adjourned at 6:43 p.m.

William J. Sprague, Mayor

Donna L. Cronce, City Clerk