

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

**November 16, 2009**

A regular meeting of the Lapeer City Commission was held November 16, 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, Robinet, Farrington, and Bostick-Tullius.  
City Manager Dale Kerbyson.  
City Attorney Mike Nolan.

**Absent:** Commissioner Marquardt (excused)

**Others Present:** City Clerk Donna Cronce; Executive Assistant/Deputy City Clerk Tracey Russell; City Assessor Tom Hubbell; Police Chief Todd Alexander; Fire Chief Terry Kluge; Planning Director Linda Jackman; Director of Finance Paul Boucher, Rowe Professional Services Company representatives Doug Skylis and Tim Bradshaw; Lapeer County Commissioner Lenny Schneider; Lapeer County Press representative Jeff Hogan; Audit Representative Shannon Rodriguez and Georgean Courser.

Mayor Sprague led the Pledge of Allegiance.

City Clerk Donna Cronce provided the Oath of Office to re-elected Commissioner Catherine Bostick-Tullius and re-elected Mayor William Sprague.

**AGENDA APPROVAL**

**218 2009 11-16**

Moved by Robinet. Seconded by Bennett.  
To approve the Agenda for November 16, 2009 as presented.  
MOTION CARRIED.

**MINUTES**

**219 2009 11-16**

Moved by Robinet. Seconded by Farrington.  
To approve the minutes from the Regular Meeting held on November 2, 2009.  
MOTION CARRIED.

Minutes from Various Boards and Commissions were received into record.

**CONSENT AGENDA**

**220 2009 11-16**

Moved by Bostick-Tullius. Seconded by Farrington.  
To approve the Consent Agenda for November 16, 2009 resulting in the following:

1. Approve the Police Department to purchase two new vehicles for a total price of \$45,972.00 through the Oakland County Purchasing Division and authorize the Police Chief to sign required documents.
2. Approve the Budget Adjustment to appropriate the carryover balance to the Fire Prevention Account as presented.
3. Approve Traffic Control Order # 259 and # 260 as presented.
4. Approve the Budget Adjustment for the Police K-9 Fund as presented.
5. Approve the amendment to the Cable Advisory Board By-Laws, Section 4. Meetings to reflect the change in meeting dates from once a month to

- quarterly, changing it from the third Wednesday of each month to the first Tuesday of each quarter of March, June, September, December.
6. Accept into record the Canvass of Votes Cast at the Election held on November 3, 2009 in the City of Lapeer and Canvassed by the Board of Canvassers for the County of Lapeer, Lapeer County, Michigan.
  7. Approve the 3 year contract with NextStep Solutions, Inc. and approve the Mayor and City Manager to sign all related documentation.
- MOTION CARRIED.

## **BILL LISTING FOR NOVEMBER 16, 2009**

### **221 2009 11-16**

Moved by Robinet. Seconded by Bennett.

To approve the Bill Listing for November 16, 2009 in the amount of \$560,678.51.

MOTION CARRIED.

## **PUBLIC COMMENTS**

None.

## **PUBLIC PROCLAMATIONS AND RECOGNITIONS**

Resolution Supporting Project Homeless Connect.

### **222 2009 11-16**

Moved by Robinet. Seconded by Bostick-Tullius

To approve the Resolution Supporting Project Homeless Connect.

City Of Lapeer  
Resolution Supporting  
Project Homeless Connect  
Lapeer County, Michigan

WHEREAS, Michigan Homeless Awareness Week is November 15 – 21, 2009 to bring awareness of the many people who are homeless through circumstances beyond their control and to recognize major factors contributing to homelessness such as lack of affordable housing, debt and/or lack of income, disabilities, and lack of employment; and

WHEREAS, Project Homeless Connect for Lapeer County brings awareness to homeless in Lapeer County and the need to educate and involve citizens, community organizations, and government partnerships in the Lapeer community to collaborate and find solutions for ending homelessness in Lapeer County; and

WHEREAS, Project Homeless Connect for Lapeer County held their first event in January 2009 that reached more than 320 people in Lapeer County living in shelters, vehicles, or those struggling with minimal incomes to provide support services and personal needs items; and

WHEREAS, Project Homeless Connect for Lapeer County has scheduled their second event to provide those who are homeless or at risk of homelessness with access to community resources and housing assistance on January 28, 2010 at the Lapeer County Center Building located at 425 County Center Street, Lapeer.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Lapeer City Commission support the efforts of Project Homeless Connect for Lapeer County and encourage the citizens of the City of Lapeer and Lapeer County to pull together in a collaborative effort to recognize the homeless or those at risk of homelessness in order to address solutions for ending homelessness in our community.

BE IT FURTHER RESOLVED that a copy of this resolution be delivered to Project Homeless Connect for Lapeer County in support of their essential services for the citizens of the City of Lapeer and Lapeer County.  
MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

## **PUBLIC HEARINGS**

None.

## **ADMINISTRATIVE REPORTS**

Director of Finance Paul Boucher introduced the Audit Representative from Layton and Richardson, Shannon Rodriguez who then gave an overview of the Audit Report for Year Ending June 30, 2009 noting it was a Qualified Opinion. Ms. Rodriguez indicated they are making two recommendations; 1) segregation of duties as it relates to payroll; 2) review of check disbursements. Mr. Boucher indicated a check disbursement system has already been implemented, as well as a change in process of payroll checks. Ms. Rodriguez also indicated there will be new GASBY 54 requirements which will go into effect June 15, 2010.

### **223 2009 11-16**

Moved by Robinet. Seconded by Farrington.

To approve the Audit Report for the Year Ending June 30, 2009 as submitted.  
MOTION CARRIED.

### **224 2009 11-16**

Moved by Farrington. Seconded by Bostick-Tullius

To approve the Audit Recommendations for the Year Ending June 30, 2009 as submitted.  
MOTION CARRIED.

## **CITY MANAGER'S REPORT**

City Manager Dale Kerbyson commented that Rowe Professional Services Company would like to arrange a meeting with the Commissioners to review issues with the M24/I69 sewer line. Mr. Kerbyson also informed the Commission that Walgreen's will have a closing on Tuesday, November 17, 2009 and that final engineering plans were approved as of today. Commissioner Bennett questioned Mr. Kerbyson on the status of the Fire Hydrant Committee. Mr. Kerbyson informed the Commission that he is looking for a coordinator to oversee this committee and recruitment of additional members, however, 2 residents have volunteered, 2 business personnel have volunteered and they are continuing to recruit to have a full committee.

## **CITY ATTORNEY'S REPORT**

City Attorney Mike Nolan commented on review of contracts; foreclosed homes in the City that are designated as multi-family use and loss of designation if inspections are not completed on time due to City Ordinance and the implementation of a notification process; and review of medical marijuana law.

## **UNFINISHED BUSINESS**

Discussion was held regarding vacancies to the Lapeer Center for the Arts, Cemetery Board, GLTA, and Zoning Board of Appeals.

### **225 2009 11-16**

Moved by Robinet. Seconded by Bostick-Tullius.

To appoint A. Wayne Bennett to the Zoning Board of Appeals for a term ending April 1, 2012.  
MOTION CARRIED.

**226 2009 11-16**

Appointed by Mayor Sprague. Moved by Bennett. Seconded by Farrington.  
To appoint Mike Robinet to the Cemetery Board for a term ending April 1, 2014.  
MOTION CARRIED.

**DEPARTMENTAL COMMUNICATIONS**

Monthly Departmental Reports and the Monthly Financial Report for the Month of July, 2009 were received into record.

**MAYOR/COMMISSIONER COMMENTS**

Election of Mayor Pro-Tem.

**227 2009 11-16**

Moved by Farrington. Seconded by Bostick-Tullius.  
To elect Commissioner Robinet to serve as Mayor Pro Tem for a term to expire November 8, 2011.  
MOTION CARRIED.

Commissioner Bostick-Tullius commented on the tour of Lapeer Industries and inquired on the schedule for leaf pick-ups.

Commissioner Bennett commented on City Hall closed for Veterans Day and the turn out for the Veterans Day event at Veterans Park.

Commissioner Robinet questioned whether or not the Pine Street walk-way was going to be completed. City Manager Dale Kerbyson informed the Commission it is a grant process for this project and that we have filed our part with Candice Miller's office and are awaiting a response. Commissioner Robinet questioned when the installation of a traffic light at the Walmart entrance would be completed. Director of Planning Linda Jackman indicated this was not part of the offsite agreement and at this point no traffic light was scheduled to be installed at this location. Commissioner Robinet felt the change of DDA meeting time from monthly to every other month reflects badly on the City, Commissioner Bostick-Tullius agreed as did Mayor Sprague. Commissioner Robinet informed the Commission that Charter Communications had an error in their computer system and sent out notices of non-payment to customers.

Mayor Sprague informed the Commission that there is a new law in Michigan that the local Cable Advisory Boards are no longer able to handle citizen complaints in regard to their cable, that we are to recommend the citizens to call the State Public Service Committee; that the Franchise Agreements can no longer be negotiated. City Manager Dale Kerbyson informed the Commission that a representative from Charter will be at the December 1<sup>st</sup> Cable Advisory Board meeting, he also indicated the MML Board has been very vocal on the franchise legislation and are possibly taking steps to have it repealed.

City Manager Dale Kerbyson informed the Commission that there are five new properties that would like to come into the City through the Annexation by Choice process. Mr. Kerbyson is working with Walmart in regards to funding for a traffic light at their entrance.

Mayor Sprague informed the Commission he received a letter of congratulations from Candice Miller's office on his re-election; congratulated Commissioner Marquardt and Bostick-Tullius on their re-election; echoed Commissioner Bennett's comments on the nice turn out Veterans Park and thanked City Manager Dale Kerbyson on the non-tattered flag at Veterans Park.

**ADJOURNMENT**

**228 2009 11-16**

Moved by Farrington. Seconded by Bostick-Tullius.  
To adjourn the meeting.  
MOTION CARRIED.

The regular meeting adjourned at 7:21 p.m.

---

William J. Sprague, Mayor

---

Donna L. Cronce, MMC, City Clerk

---

Tracey S. Russell, Deputy City Clerk