

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

**February 1, 2010**

A regular meeting of the Lapeer City Commission was held February 1, 2010 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, Robinet, Farrington, and Bostick-Tullius.  
City Manager Dale Kerbyson  
City Attorney Representative Tim Turkelson

**Absent:** None.

**Others Present:** City Clerk Donna Cronce; Deputy City Clerk Tracey Russell; Police Chief Todd Alexander; City Assessor Tom Hubbell; Director of Public Works John Lyons; Director of Financial Services Paul Boucher; Planning Director Linda Jackman; Rowe Professional Services Company representative Doug Skylis; Lapeer County Press representative Jeff Hogan; Brent Herschberger; Dan Gerlach; and Lapeer County Commissioner Lenny Schneider.

Mayor Sprague led the Pledge of Allegiance.

**AGENDA APPROVAL**

**24 2010 02-01**

Moved by Marquardt. Seconded by Bennett.  
To approve the Agenda for February 1, 2010 as presented.  
MOTION CARRIED.

**MINUTES**

**25 2010 02-01**

Moved by Robinet. Seconded by Bennett.  
To approve the minutes from the Regular Meeting held on January 19, 2010.  
MOTION CARRIED.

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

**CONSENT AGENDA**

**26 2010 02-01**

Moved by Bostick-Tullius. Seconded by Marquardt.  
To approve the Consent Agenda for February 1, 2010 resulting in the following:

1. Approve Payment Request #2 to Glaeser Dawes Corp. in the amount of \$3,591.69 for Greens Way Boulevard Water Main Project.
2. Approve the Contract for Engineering Services with Rowe Professional Services Company in the amount of \$16,130.00 for the S. Main Street Sanitary Sewer and authorize the Director of Public Works to sign required documents.
3. Approve the Special Event Request from Human Development Commission for a Walk for Warmth to be held on February 27, 2010.
4. Approve the Special Event Request from Pregnancy Resource Center of Lapeer for a Walk-a-thon and Run for Life to be held on September 18, 2010 with charges as presented.

MOTION CARRIED.

## **BILL LISTING FOR FEBRUARY 1, 2010**

### **27 2010 02-01**

Moved by Robinet. Seconded by Farrington.

To approve the Bill Listing for February 1, 2010 in the amount of \$1,057,782.76.

MOTION CARRIED.

### **PUBLIC COMMENTS**

No public comments.

### **PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS**

Resolution: Supporting Community Access Preservation (CAP) Act of 2009.

### **28 2010 02-01**

Moved by Bennett. Seconded by Farrington.

To approve the Resolution Supporting Community Access Preservation (CAP) Act of 2009.

#### CITY OF LAPEER RESOLUTION SUPPORTING Community Access Preservation (CAP) Act of 2009

WHEREAS, Congresswoman Tammy Baldwin (Wisconsin) has introduced the Community Access Preservation (CAP) Act of 2009 under H.R. 3745 to address challenges faced by public, educational, and governmental (PEG) TV channels and community access television stations; and

WHEREAS, the PEG channel is a unique and valuable resource for local information; and

WHEREAS, the PEG channel is a critical access point to the community citizenry; and

WHEREAS, PEG channels provide a window through which residents can view the diversity of cultures, recreational activities and artistic endeavors in their local community and reflect the unique identity of the communities they service; and

WHEREAS, it is important to preserve PEG channels and funding for PEG channels, and to ensure the channels continue to be available to their entire communities and for the local PEG channel to continue to serve; and

WHEREAS, HR 3745, the Community Access Preservation Act, addresses critical and immediate threats to PEG.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Lapeer City Commission support the efforts of Congresswoman Tammy Baldwin (Wisconsin) by supporting HR 3745, the Community Access Preservation Act, and encourage our Congressional delegation to pull together in a collaborative effort to take all possible actions in support of passage of HR 3745, including but not limited to endorsing, co-sponsoring and voting for HR 3745.

BE IT FURTHER RESOLVED THAT a copy of this resolution be delivered to Governor Jennifer Granholm, United States Senator's Carl Levin and Debbie Stabenow, Representative in Congress District Candice Miller, State Senator Jud Gilbert, State Representative Kevin Daley and Congresswoman Tammy Baldwin (Wisconsin).

Dated this 1<sup>st</sup> day of February, 2010.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

### **PUBLIC HEARINGS**

No public hearings scheduled.

## **ADMINISTRATIVE REPORTS**

Zoning Ordinance Amendment: Gerlach's Bowling Center  
Rezone 258 W. Genesee Street and 135, 143, and 151 N. Court Street.

Commissioner Robinet introduced the proposed amendment to Chapter 7 (Zoning Ordinance), Section 7.03, H., Number 94, of the General Ordinances of the City of Lapeer.

THE CITY OF LAPEER ORDAINS:

### **7.03 ZONING DISTRICTS AND MAP**

#### **H. ZONING DISTRICT AMENDMENTS:**

94. The following property, formerly zoned RM Multiple Family Residential & P1 Vehicular Parking is hereby rezoned to General Business District (B-2):

CITY OF LAPEER ORIGINAL PLAT NE 1/4 VAC CEDAR ST LYG NLY OF GENESEE ST & SLY OF HORTON ST EX NLY 48 FT OF SLY 120 FT THEREOF & CITY OF LAPEER ORIGINAL PLAT NE 1/4 THAT PART OF BLK 34, COM AT NW COR OF BLK 34; TH NE'LY ON NW'LY LN OF SD BLK 34 100 FT; TH SE'LY PAR WITH COURT ST 170 FT; TH NE'LY PAR WITH N LN OF BLK 34 20 FT; TH SE'LY PAR WITH COURT ST 50 FT; TH SW'LY PAR WITH N LN OF BLK 34 52 FT; TH SE'LY PAR WITH COURT ST TO N LN OF GENESEE ST; TH W'LY ALG GENESEE ST TO E LN OF VAC CEDAR ST; TH NW'LY ALG SD E LN SE'LY LN MAPLE ST (NOW HORTON ST); TH NE'LY ALG MAPLE ST 18 FT TO BEG EX THAT PART THEREOF LYG SLY OF SWLY LINE SD BLK 34 (portion of 258 W. Genesee St.)

CITY OF LAPEER, ORIGINAL PLAT NE 1/4, BLK 34 NW'LY 50 FT OF SE'LY 80 FT OF LOTS 7 & 8 AND THAT PART OF LOT 6 DESC AS BEG SE COR LOT 6 TH SW'LY ALG S LN LOT 6 26.75 FT; TH N 11\*09'20" W 52.93 FT; TH NE;LY ALNG N LN LOT 6 9.65 FT TO POB; CITY OF LAPEER ORIGINAL PLAT NE 1/4 NW'LY 40 FT OF NE'LY 20 FT OF LOT 6 & NW'LY 40 FT OF LOTS 7 & 8, BLK 34; & CITY OF LAPEER ORIGINAL PLAT NE 1/4 SE'LY 30 FT OF LOTS 1 AND 2 AND SE'LY 30 FT OF NE'LY 20 FT OF LOT 3 AND NE'LY 120 FT OF VACATED ALLEY RUNNING E & W THRU BLOCK ALL IN BLK 34 (135, 143, & 151 N. Court St.)

### **CITY MANAGER'S REPORT**

City Manager Dale Kerbyson commented that Lake Nepessing Road will be reconstructed in the summer from the corner to the bridge assisted by grant funding and the City received a Critical Bridge Grant for Court Street Bridge to be completed in 2011-2012.

### **CITY ATTORNEY'S REPORT**

City Attorney Representative Tim Turkelson commented on the consolidation of precincts for the School Election May 4, 2010.

### **UNFINISHED BUSINESS**

No board appointments were made.

## **DEPARTMENTAL COMMUNICATIONS**

None.

## **MAYOR/COMMISSIONER COMMENTS**

Commissioner Marquardt commented on Project Homeless Connect and thanked the Commission for its support and Walk For Warmth scheduled for February 27<sup>th</sup>.

Commissioner Robinet commented on attending a presentation by Warden Dave Bergh on programs offered at the prison.

City Manager Dale Kerbyson commented that he will be attending the City Manager's conference this week.

## **ADJOURNMENT**

**29 2010 02-01**

Moved by Bennett.

To adjourn the meeting.

MOTION CARRIED.

The regular meeting adjourned at 6:38 p.m.

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William J. Sprague, Mayor

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Donna L. Cronce, MMC, City Clerk