

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

September 7, 2010

A regular meeting of the Lapeer City Commission was held September 7, 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, Farrington, and Bostick-Tullius.
City Manager Dale Kerbyson.
City Attorney Mike Nolan.

Absent: Commissioner Robinet (excused).

Others Present: City Clerk Donna Cronce; Executive Assistant Tracey Russell; Police Chief Todd Alexander; Fire Chief Terry Kluge; Finance Director Paul Boucher; City Assessor Tom Hubbell; DPW Director John Lyons; Water/Sewer Superintendent Pam Reid; Rowe PSC Doug Skylis; Lapeer County Press Jeff Hogan; State Representative Kevin Daley; Brent Hershberger; Clare Longoria; Melanie DiCenso; Jule Dahn; Michelle Hart; Tim Turkelson; and Bob Morningstar.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

198 2010 09-07

Moved by Farrington. Seconded by Bennett.

To approve the Agenda for September 7, 2010 with the addition of Consent Agenda Item C.7. Special Event Request: Lapeer Michigan HOG Chapter, Inc. for Annual Gypsy Tour.

Ayes: Bennett, Marquardt, Farrington, Bostick-Tullius.

Nays: None.

Absent: Robinet.

MOTION CARRIED.

MINUTES

199 2010 09-07

Moved by Bostick-Tullius. Seconded by Farrington.

To approve the minutes from the Regular Meeting held August 16, 2010 as presented.

Ayes: Bennett, Marquardt, Farrington, Bostick-Tullius.

Nays: None.

Absent: Robinet.

MOTION CARRIED.

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

PUBLIC COMMENTS

Michelle Hart, Dryden Road, Metamora Township, offered invocation.

Clare Longoria, Lapeer City Business owner, expressed concerns regarding her first Special Assessment bill for M-24 Sewer Extension Project; bonding amount of \$9,500 was included twice and understands although bonding error on roll, the roll was approved as is; helpfulness of staff in explaining process; bids came in lower than amount assessed; advised that total project costs will not be reviewed until all bills are in; any credit in excess of 5% would be credited back to property owners beginning with year 10 installment in reverse order; wanted to make Commission aware that project costs were less than what was assessed; believes there is an excess of \$50,000 charged on assessment; economic times and credit would ease assessment billing; and asked if there was a way the Commission could make an adjustment.

Bob Morningstar, Jefferson Street, commented on foreclosed homes becoming rentals; the City has too many rentals with renters not taking care of homes as a homeowner would; could the City do anything about this; the City is doing a good job in trying to fix up rentals into single family homes.

Kevin Daley, State Representative, commented that the state budget is not near completion contrary to rumors that the state budget is done and a vote is coming soon; November elections and new representation in offices; and would answer any questions the Commission may have.

CONSENT AGENDA

200 2010 09-07

Moved by Farrington. Seconded by Bostick-Tullius.

To approve the Consent Agenda for September 7, 2010. Commissioner Farrington commented on purchase of breathing air compressor system, bid process, trade in value, Chief request to donate equipment to Sheriff's Department Dive Team, effect of matching funds, and commended the Fire Chief for creative thinking. The question was called to a vote.

1. Special Event Request from Lapeer Farmers Market and Lapeer Downtown Business Association for Scarecrow Decorating Contest on October 8th thru October 27, 2010 on light poles throughout downtown area.
2. Local Share Payment #4 to State of Michigan in the amount of \$105,339.08 for the Saginaw Street Reconstruction Project.
3. Payment Request #3 to Sinatech Construction Company in the amount of \$5,276.25 for the S. Main Street Sanitary Sewer Extension Project.
4. Special Event Request from American Legion Post 16 for Cage Fighting event on September 11, 2010 to be held outside in the ball diamond area located behind the American Legion Post contingent upon receipt of insurance certificate.
5. Special Event Request from Kiwanis Club of Lapeer for Kiwanis Cider Sale on October 7th thru 9th, 2010 at the intersections of Saginaw/Nepessing, Court/Nepessing, DeMille/Harrison, Baldwin/Harrison contingent upon receipt of insurance certificate.
6. Bid submitted by Pro Air, Inc. for Breathing Air Compressor System, authorize donation of existing system to Lapeer County Sheriff's Department with appropriate document transferring said system, and authorize the Fire Chief to sign all required documents.
7. Special Event Request from Lapeer Michigan HOG Chapter, Inc. for Lapeer HOG Annual Gypsy Tour to be held September 29, 2010 at Rowden Park.

Ayes: Bennett, Marquardt, Farrington, Bostick-Tullius.

Nays: None.

Absent: Robinet.

MOTION CARRIED.

BILL LISTING FOR SEPTEMBER 7, 2010

201 2010 09-07

Moved by Bennett. Seconded by Farrington.

To approve the Bill Listing for September 7, 2010 in the amount of \$3,713,360.60.

Ayes: Bennett, Marquardt, Farrington, Bostick-Tullius.

Nays: None.

Absent: Robinet.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

None.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

None.

CITY MANAGER'S REPORT

Executive Session Request

City Manager Dale Kerbyson requested an Executive Session to discuss the project that leads to the agreement request under Item H.1. G-2 Consulting Group proposal for Groundwater Observation, Well Installations, and Pump Tests and possible litigation.

202 2010 09-07

Moved by Bennett. Seconded by Farrington.

To approve an Executive Session for discussion on project that leads to the agreement request under Item H.1. G-2 Consulting Group proposal for Groundwater Observation, Well Installations, and Pump Tests and possible litigation.

ON A ROLL CALL VOTE:

AYES: Commissioners Bennett, Marquardt, Farrington, and Bostick-Tullius.

NAYS: None.

ABSTAIN: None.

ABSENT: Commissioner Robinet.

MOTION CARRIED.

By general consensus the Commission will adjourn to Executive Session prior to Mayor/Commissioner Comments.

City Manager Dale Kerbyson commented on the replacement of the Cushman vehicle for parking enforcement.

CITY ATTORNEY'S REPORT

None.

UNFINISHED BUSINESS

203 2010 09-07

Mayor Sprague appointed. Moved by Farrington. Seconded by Marquardt.

To appoint the following:

Craig Watson EDC/TIFA/Brownfield Board for a term ending 06-01-2015.

Gary Bates EDC/TIFA/Brownfield Board for a term ending 06-01-2015.

Ayes: Bennett, Marquardt, Farrington, Bostick-Tullius.

Nays: None.

Absent: Robinet.

MOTION CARRIED.

204 2010 09-07

Moved by Marquardt. Seconded by Farrington.

To appoint John Lyons to the Greater Lapeer Transportation Authority Board.

Ayes: Bennett, Marquardt, Farrington, Bostick-Tullius.

Nays: None.

Absent: Robinet.

MOTION CARRIED.

DEPARTMENTAL COMMUNICATIONS

The Precious Metal and Gem Dealer License: Qwick Cash, Inc. and Parking Vehicle Purchase were received into record.

EXECUTIVE SESSION: Project that leads to the agreement request under Item H.1. G-2 Consulting Group proposal for Groundwater Observation, Well Installations, and Pump Tests and possible litigation.

The Commission adjourned to an Executive Session at 6:47 p.m. and returned to its regular meeting at 7:34 p.m.

G-2 Consulting Group: Proposal for Groundwater Observation, Well Installations, and Pump Tests

205 2010 09-07

Moved by Marquardt. Seconded by Farrington.

To approve the G-2 Consulting Group Proposal for Groundwater Observation, Well Installations, and Pump Tests in the amount of \$26,800.00 and authorize the City Manger to sign required documents. Commissioner Bennett commented that he would vote in favor of the request to get the project completed.

Ayes: Bennett, Marquardt, Farrington, Bostick-Tullius.

Nays: None.

Absent: Robinet.

MOTION CARRIED.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENT

Commissioner Bennett thanked Officer Larry Taylor on a job well done; thanked the Election Department on their help with a citizen; requested a listing of all open contracts and indicated the City should try to renegotiate for lower pricing due the economy.

Commissioner Marquardt commented that it is good to be back.

Commissioner Farrington commented on rental homes and properties, how does the City keep track of these? City Manager Dale Kerbyson indicated through homestead exemption, water bills, etc.

City Manager Dale Kerbyson indicated that the 2nd bill for the Special Assessment has been sent out; the Mott Lease is in negotiations for the next 5 years; a wind turbin contract is in negotiations for Chatfield.

Mayor Sprague commented on the Housing Department is attempting to keep good housing within the City; Lapeer is recognized throughout the state on housing, including HUD; M-24 sewer project Special Assessment cannot be changed due to it being in the Charter, that the citizens failed to vote it into the ordinances where it can be changed.

ADJOURNMENT

206 2010 09-07

Moved by Bennett. Seconded by Bostick-Tullius

Ayes: Bennett, Farrington, Bostick-Tullius, Marquardt.

Nays: None.

Absent: Robinet.

MOTION CARRIED.

The regular meeting adjourned at 7:47 p.m.

William J. Sprague, Mayor

Donna L. Cronce, MMC, City Clerk