

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

**September 20, 2010**

A regular meeting of the Lapeer City Commission was held September 20, 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, Robinet, Marquardt, Farrington, and Bostick-Tullius.  
City Manager Dale Kerbyson.  
City Attorney Mike Nolan.

**Absent:** None.

**Others Present:** Executive Assistant Tracey Russell; Police Chief Todd Alexander; Fire Chief Terry Kluge; Finance Director Paul Boucher; City Assessor Tom Hubbell; DPW Director John Lyons; Director of Planning Linda Jackman; Rowe PSC Doug Skylis; Lapeer County Press Jeff Hogan; County Commissioner Lenny Schneider; Brent Hershberger; Clare Longoria; Melanie DiCenso; and Barb Westerfield.

Mayor Sprague led the Pledge of Allegiance.

**AGENDA APPROVAL**

**207 2010 09-20**

Moved by Marquardt. Seconded by Bostick-Tullius.

To approve the Agenda for September 20, 2010 as presented.

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

Nays: None.

Absent: None.

MOTION CARRIED.

**MINUTES**

**208 2010 09-20**

Moved by Bennett. Seconded by Marquardt.

To approve the minutes from the Regular Meeting held September 7, 2010 as presented.

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

Nays: None.

Absent: None.

MOTION CARRIED.

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

**PUBLIC COMMENTS**

Barb Westerfield, 3391 Wildflower Lane presented a petition signed by the majority of property owners within her subdivision to the Commission to have streets lights added to the subdivision. Mayor Sprague indicated that City Manager Dale Kerbyson would look into this.

**CONSENT AGENDA**

**209 2010 09-20**

Moved by Bostick-Tullius. Seconded by Marquardt.

To approve the Consent Agenda for September 20, 2010 as follows:

1. Special Event Request. Green & Gold Homecoming March Parade to be held on September 24, 2010 at 5:00 pm on Nepessing Street from Washington Street to Saginaw Street.

2. To Approve Payment Request #1 to Boddy Construction Company, Inc. in the amount of \$174,153.73 for services completed on the Mill Street Sewer Interceptor Replacement Project.
3. To Approval Local Share Payment #5 – to the State of Michigan for the Saginaw Street Improvement Project in the amount of \$7,875.64.
4. To Approve equipment which has reached the end of useful operation to the City of Lapeer within the Department of Public Works to be put up for Auction on October 17, 2010.
5. To Approve the Application for Payment ONE from James P. Contracting, Inc. in the amount of \$147,365.74 for the Lapeer Community Foundation Access to Recreation Grant and TIFA III.
6. To Approve the Budget Adjustment for the TIFA Projects in the amount of \$9,070.00 for resurfacing the tunnel face as part of the linear path project for the Mott Road Extension and Parking lots.

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

Nays: None.

Absent: None.

MOTION CARRIED.

## **BILL LISTING FOR SEPTEMBER 20, 2010**

### **210 2010 09-20**

Moved by Robinet. Seconded by Marquardt.

To approve the Bill Listing for September 20, 2010 in the amount of \$602,498.23.

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

Nays: None.

Absent: None.

MOTION CARRIED.

## **PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS**

None.

## **PUBLIC HEARINGS**

None.

## **ADMINISTRATIVE REPORTS**

### **Industrial Facilities Tax Exemption Request: Quest Industries, Inc.:**

1. 3309 John Conley Drive Transfer # 2004-064
2. 3309 John Conley Drive Transfer # 2006-070
3. 3309 John Conley Drive Transfer # 2006-055
4. 3309 John Conley Drive Transfer # 2006-067
5. 3309 John Conley Drive New

### **211 2010 09-20**

Moved by Farrington. Seconded by Bostick-Tullius.

To approve Resolutions To Schedule A Public Hearing To Consider An Application For An Industrial Facilities Exemption Certificate For Quest Industries, Inc. for 3309 John Conley Drive; Transfer #2004-064, Transfer #2006-070, Transfer # 2007-055, Transfer # 2008-067, and New request on October 4, 2010 at 6:30 p.m. or as soon thereafter as may be heard.

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

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTIONS DECLARED ADOPTED.

### **Woodbridge Park Condominiums - Special Assessment District #2010-02.**

### **212 2010 09-20**

Moved by Robinet. Seconded by Bostick-Tullius.

Approve Resolution #1 which prepares reports regarding the Woodbridge Park Condominiums Special Assessment District #2010-02.

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

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

**213 2010 09-20**

Moved by Farrington. Seconded by Marquardt.

Approve Resolution #2 that includes setting a public hearing on October 4, 2010 at 6:30 p.m. or as soon thereafter as may be heard to determine the necessity regarding the Woodbridge Park Condominiums Special Assessment District #2010-02.

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

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

Golfside Drive - Special Assessment District #2010-03.

**214 2010 09-20**

Moved by Robinet. Seconded by Farrington.

Approve Resolution #1 which prepares reports regarding the Woodbridge Park Condominiums Special Assessment District #2010-03.

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

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

**215 2010 09-20**

Moved by Robinet. Seconded by Marquardt.

Approve Resolution #2 that includes setting a public hearing on October 4, 2010 at 6:30 p.m. or as soon thereafter as may be heard to determine the necessity regarding the Golfside Drive Special Assessment District #2010-02.

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

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

**CITY MANAGER'S REPORT**

City Manager Dale Kerbyson reported a listing of open contracts as requested by Commissioner Bennett at the September 7, 2010 meeting. Commissioner Bennett commented he would like to see the Alarm contract go out for bid. Mr. Kerbyson indicated pricing isn't always a factor in selection and that the value and quality of service is considered within the selection process. Mayor Sprague indicated he agrees with Commissioner Bennett and that price is not the only factor in the selection process.

**CITY ATTORNEY'S REPORT**

City Attorney Mike Nolan informed the Commission that they are working with Chatfield School on the Wind Turbine agreement and are awaiting a description to finalize. He also informed the Commission that we will be following 9.205 of the City Ordinance on the Rental Inspection Process which may include search warrants. This is an extreme process and landlords may be contacting Commissioners to complain. Rental inspections are good for 1 year and landlords must renewal every year. Mayor Sprague indicated HUD requires a new inspection every time a new renter is processed into a rental and the City's attempt to turn rentals into single family homes.

**UNFINISHED BUSINESS**

**216 2010 09-20**

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

To appoint the following:

Mike Monville Lapeer Center for the Arts Council for a term ending 10-01-2013.

Pete McCreedy Lapeer Center for the Arts Council for a term ending 10-01-2013.

Sam Williams Local Officers Compensation Commission for a term ending 10-01-2015.

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

Nays: None.

Absent: None.

MOTION CARRIED.

## **DEPARTMENTAL COMMUNICATIONS**

The following reports were received into records as presented: Monthly Departmental Reports; I-69/M24 Corridor Utility Project Special Assessments; and S. Main Street Sanitary Sewer Project – District #2009-01.

## **PUBLIC COMMENTS**

Clare Longoria, Lapeer City Business owner, expressed concerns regarding the Commission not commenting on Agenda Item K-3 and that she was expecting information regarding credit back to the property owners. Mayor Sprague commented that Agenda Item K-3 was informational to the Commission and that the City would provide a copy to property owners.

## **MAYOR/COMMISSIONER COMMENT**

Commissioner Bennett commented on the Constitutional Celebration and indicated he would have liked to see more in attendance.

Commissioner Marquardt commented that everything looks good within the City and that she was unaware of the Constitutional Celebration.

Commissioner Farrington commented that he understands and supports citizen's request for information in regards to special assessments, the process is regulated by City Charter, and City attempt to change Charter but the citizens voted it down. Commissioner Farrington also requested clarification on the streets being petitioned for lighting via Wildflower/Whisper Ridge; and requested the process for obtaining street lighting. City Manager Dale Kerbyson explained the street lighting process is through DTE.

Commissioner Bostick-Tullius attended the Perfect Storm presentation that reviewed various fiscal impacts on local municipalities and appreciates how well established the City of Lapeer is.

City Manager Dale Kerbyson informed the Commission that the TIGER grant will not be awarded until January, 2011 but does not see any reason why the City would not have a chance in obtaining it; and he would be attending the MML Conference in Dearborn for the rest of this week.

Commissioner Farrington and Commissioner Robinet informed the Commission they would not be in attendance for the October 4, 2010 City Commission meeting.

Mayor Sprague commented on the Ribbon Cutting Ceremony for Annrook Park on Wednesday, September 22, 2010; City attempt to change Charter regarding special assessment process; and attendance of the 9-1-1 Celebration.

## **ADJOURNMENT**

### **217 2010 09-20**

Moved by Bennett. Seconded by Robinet.

To adjourn the meeting.

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

Nays: None.

Absent: None.

**MOTION CARRIED.**

The regular meeting adjourned at 7:18 p.m.

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William J. Sprague, Mayor

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Tracey S. Russell, Deputy City Clerk