

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

March 20, 2006

A regular meeting of the Lapeer City Commission was held on March 20, 2006 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

Present: Mayor Treece
Commissioners Farrington, Marquardt, Robinet, Sprague, and Turkelson.
City Attorney Ron Shamblin
City Manager Dale Kerbyson

Absent: None.

Mayor Treece led the Pledge of Allegiance.

AGENDA APPROVAL

50 2006 03-20

Moved by Marquardt. Seconded by Farrington.

To approve the Agenda for March 20, 2006 as presented. MOTION CARRIED.

MINUTES

51 2006 03-20

Moved by Robinet. Seconded by Sprague.

To approve the minutes of the Regular Meeting held on March 6, 2006, as presented. MOTION CARRIED.

Minutes from Various Boards and Commissions received through March 16, 2006 were received into record.

PUBLIC COMMENTS

There were no public comments.

CONSENT AGENDA

52 2006 03-20

Moved by Farrington. Seconded by Turkelson.

To approve the Consent Agenda for March 20, 2006 resulting in the following:

1. Approval of Special Event Request from Lapeer County Habitat for Humanity for 2nd Annual Habitat for Humanity Duck Race to be held on August 20, 2006 at East and West Cramton Park contingent upon receipt of current insurance.
2. Approval of Special Event Request from Lapeer Community Church for Easter Egg Hunt to be held on April 8, 2006 at Farmer's Market Pavilion.
3. Approval of Special Event Request from Korean Martial Arts Institute Inc for a Walk-A-Thon for Cystic Fibrosis to be held on May 13, 2006.
4. Approval of Resolution Authorizing Installment Purchase Agreement for the Spray Park/Splash Pad.

CITY OF LAPEER
COUNTY OF LAPEER, STATE OF MICHIGAN

RESOLUTION AUTHORIZING INSTALLMENT
PURCHASE AGREEMENT

WHEREAS, the City Commission of the City of Lapeer, County of Lapeer, State of Michigan (the "City") determines it to be necessary for the public health, safety and

welfare of the City and its residents to acquire certain recreational equipment consisting primarily of a Spray Park/Splash Pad to be installed at the City of Lapeer Community Center (the "Equipment") in an amount not to exceed Two Hundred Eighty Eight Thousand Dollars (\$288,000); and

WHEREAS, under the provisions of Act No. 99, Public Acts of Michigan, 1933, as amended ("Act 99"), the City is authorized to enter into any contracts or agreements for the purchase of the Equipment to be paid for in installments over a period of not to exceed the useful life of the Equipment acquired as determined by resolution of the City; and

WHEREAS, the outstanding balance of all purchases by the City under Act 99, exclusive of interest, shall not exceed one and one quarter percent (1-1/4%) of the taxable value of the real and personal property in the City at the date of such contract or agreement; and

WHEREAS, purchase of the Equipment pursuant to an installment purchase agreement or lease purchase agreement will not result in the outstanding balance of all such purchases in excess of the limitation contained within Act 99 as set forth above; and

WHEREAS, it is necessary for the City to arrange for the financing of the Equipment; and

WHEREAS, the City Commission wishes to delegate to the City Manager and the Treasurer to arrange for the financing of the Equipment with a financial institution pursuant to an installment purchase agreement or lease purchase agreement within the parameters set forth herein.

NOW THEREFORE, BE IT RESOLVED THAT;

1. The City Manager and the Treasurer are each hereby authorized to arrange for the financing of the Equipment with a financial institution pursuant to an installment purchase agreement or lease purchase agreement. Interest on the agreement shall not exceed 4% per annum, the principal amount of the agreement shall not exceed Two Hundred Eighty Eight Thousand Dollars (\$288,000), and the term of the agreement shall not exceed the useful life of the Equipment. The Mayor, City Manager, Treasurer or their designee are each hereby authorized to execute the agreement, when in final form, and deliver them to the financial institution.
2. The useful life of the Equipment is hereby determined to be not less than ten (10) years.
3. The Mayor, City Manager, Treasurer or their designee are each authorized to execute such additional documentation as shall be necessary to effectuate the closing contemplated by the agreement.
4. The City hereby agrees to include in its budget for each year, commencing with the present fiscal year, a sum which will be sufficient to pay the principal of and the interest coming due under the agreement during such fiscal year.
5. The City covenants that, to the extent permitted by law, it shall take all actions within its control necessary to maintain the exclusion of the interest component of the payments due under the agreement from adjusted gross income for general federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable.
6. The acquisition of the Equipment and the approval of the agreement hereby are found and declared to be for a valid public purpose and in the best interest of the health and welfare of the residents of the City.
7. The City hereby designates the agreement as a "qualified tax exempt obligation" for purposes of deduction of interest expense by financial institutions pursuant to the Code.

8. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded to the extent of such conflict.
5. Approval of Reimbursement Resolution Declaring Intent To Reimburse For Spray Park/Splash Pad Expenditures.

RESOLUTION DECLARING INTENT TO REIMBURSE
FOR SPRAY PARK/SPLASH PAD EXPENDITURES

City of Lapeer
County of Lapeer, State of Michigan

WHEREAS, the City of Lapeer, County of Lapeer, State of Michigan (the "City") intends to enter into an installment purchase contract, pursuant to Act 99, Public Acts of Michigan, 1933, as amended (the "Contract"), in the amount of Two Hundred Eighty Eight Thousand Dollars (\$288,000), for the purpose of acquiring certain recreational equipment consisting primarily of a Spray Park/Splash Pad to be installed at the City of Lapeer Community Center (the "Project"); and

WHEREAS, the City intends, at this time to state its intentions to be reimbursed from proceeds of the Contract for any expenditures undertaken by the City for the Project prior to issuance of the Contract.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:
 - (a) As of the date hereof, the City reasonably expects to reimburse the City for the expenditures described in (b) below with proceeds of debt to be incurred by the City.
 - (b) The expenditures described in this paragraph (b) are for the costs of acquiring and constructing the Project which were paid subsequent to sixty (60) days prior to the date hereof or which will be paid from available funds of the City prior to the execution of the Contract.
 - (c) The maximum principal amount of debt expected to be issued for the Project is \$288,000.
 - (d) A reimbursement allocation of the expenditures described in (b) above with the proceeds of the borrowing described herein will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the debt to be issued for the Project to reimburse the City for a capital expenditure made pursuant to this resolution.
 - (e) The expenditures described in (b) above are "capital expenditures" as defined in Treas. Reg. § 1.150-1(b), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of placed in service under Treas. Reg. § 1.150-2(c)) under general Federal income tax principles (as determined at the time the expenditure is paid).
 - (f) No proceeds of the borrowing paid to the City in reimbursement pursuant to this resolution will be used in a manner described in

Treas. Reg. § 1.150-2(h) with respect to abusive uses of such proceeds, including, but not limited to, using funds corresponding to the proceeds of the borrowing in a manner that results in the creation of replacement proceeds (within Treas. Reg. § 1.148-1) within one year of the reimbursement allocation described in (d) above.

2. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

MOTION CARRIED. RESOLUTIONS DECLARED ADOPTED.

PUBLIC PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

Proclamation – Arbor Day

53 2006 03-20

Moved by Sprague. Seconded by Robinet.

To approve the Proclamation for Arbor Day.

CITY OF LAPEER ARBOR DAY PROCLAMATION

WHEREAS, In 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, This holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, Trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, Trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, Trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, Trees, wherever they are planted, are a source of joy and spiritual renewal,

THEREFORE, BE IT RESOLVED that I, Charles D. Treece, Mayor of the City of Lapeer and the Lapeer City Commission does hereby declare April 28, 2006 as Arbor Day in the City of Lapeer and urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations. Dated this 20th day of March, 2006.

MOTION CARRIED. PROCLAMATION DECLARED ADOPTED.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

Lapeer Community Schools – Bond Proposal Presentation

Debbie Thompson, Superintendent of Lapeer Community Schools provided a presentation regarding the May 2nd election regarding the schools bond proposals and provided an overview of the projects involved. Discussion was held regarding

combination of high schools, traffic issues regarding the athletic complex, and renovation of the old White Junior High.

54 2006 03-20

Moved by Robinet. Seconded by Marquardt.

That the Lapeer City Commission support the school bond proposal.

MOTION CARRIED.

ESE, LLC – Industrial Facilities Tax Exemption Request

Leslie Elizabeth – Industrial Facilities Tax Exemption Request

PTL Engineering, Inc. – Industrial Facilities Tax Exemption Transfer Request

55 2006 03-20

Moved by Robinet. Seconded by Sprague.

That the Lapeer City Commission approve the Resolution To Schedule A Public Hearing To Consider An Application For An Industrial Facilities Exemption Certificate For ESE, LLC; the Resolution To Schedule A Public Hearing to Consider An Application For An Industrial Facilities Exemption Certificate For Lesley Elizabeth, Inc.; the Resolution To Schedule A Public Hearing To Consider A Transfer Request For An Industrial Facilities Exemption Certificate For PTL Engineering, Inc. for April 3, 2006 at 6:30 p.m. or as soon thereafter as may be heard.

CITY OF LAPEER
RESOLUTION TO SCHEDULE A PUBLIC HEARING TO
CONSIDER AN APPLICATION FOR AN
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE
FOR
ESE, LLC

WHEREAS, pursuant to Act 198 of the Michigan Public Acts of 1974, as amended, MCLA Section 207.551 et sequ., after a duly noticed public hearing held on October 5, 1987, this City Commission by resolution established Industrial Development District No. E; and

WHEREAS, ESE, LLC lessee of the realty described below within said District, has applied for an Industrial Facilities Exemption Certificate, under the provision of 1974 Public Act 198, Section 5 (1); and

WHEREAS, 1974 Public Act 198, Section 5 (2) provides that before acting upon an application for an Industrial Facilities Exemption Certificate, the City Commission shall afford the applicant, the Assessor and a representative of the affected taxing units an opportunity for a hearing.

NOW, THEREFORE, BE IT RESOLVED:

1. That the application of ESE, LLC for Industrial Facilities Exemption Certificate shall remain on file in the office of the City Clerk.
2. That the City Commission shall meet in the City Commission Chambers at 576 Liberty Park, on April 3, 2006, at 6:30 p.m. or as soon thereafter as may be heard. The City Commission will provide the City Assessor and a representative of each of the taxing units an opportunity to be heard on the question of ESE, LLC application for an Industrial Facilities Exemption Certificate with regard to proposed operation within the Industrial Development District No. E.
3. That the City Clerk immediately inform by letter, the City Assessor and the legislative body of each taxing unit which levies ad valorem taxes in the City of Lapeer on the property located within the Industrial Development District No. E described as follows:

Lot #2 of the Lapeer Industrial and Research Park as recorded in Liber 7 of Plats, page 177, Lapeer County Records.

CITY OF LAPEER
RESOLUTION TO SCHEDULE A PUBLIC HEARING TO
CONSIDER AN APPLICATION FOR AN
INDUSTSRIAL FACILITIES EXEMPTION CERTIFICATE
FOR
Lesley Elizabeth, Inc.

WHEREAS, pursuant to Act 198 of the Michigan Public Acts of 1974, as amended, MCLA Section 207.551 et sequ., after a duly noticed public hearing held on December 5, 1983, this City Commission by resolution established Industrial Development District No. A; and

WHEREAS, Lesley Elizabeth, Inc. lessee of the realty described below within said District, has applied for an Industrial Facilities Exemption Certificate, under the provision of 1974 Public Act 198, Section 5 (1); and

WHEREAS, 1974 Public Act 198, Section 5 (2) provides that before acting upon an application for an Industrial Facilities Exemption Certificate, the City Commission shall afford the applicant, the Assessor and a representative of the affected taxing units an opportunity for a hearing.

NOW, THEREFORE, BE IT RESOLVED:

1. That the application of Lesley Elizabeth, Inc. for Industrial Facilities Exemption Certificate shall remain on file in the office of the City Clerk.
2. That the City Commission shall meet in the City Commission Chambers at 576 Liberty Park, on April 3, 2006, at 6:30 p.m. or as soon thereafter as may be heard. The City Commission will provide the City Assessor and a representative of each of the taxing units an opportunity to be heard on the question of Lesley Elizabeth, Inc. application for an Industrial Facilities Exemption Certificate with regard to proposed operation within the Industrial Development District No. A.
3. That the City Clerk immediately inform by letter, the City Assessor and the legislative body of each taxing unit which levies ad valorem taxes in the City of Lapeer on the property located within the Industrial Development District No. A described as follows:

Lot #20 of DeMille Commercial Park, part of the Northeast ¼ of Section 8, T7N-R10E, City of Lapeer, Lapeer County, Michigan, as recorded in Liber 7 of plats, page 98 and 99, Lapeer County Records.

CITY OF LAPEER
RESOLUTION TO SCHEDULE A PUBLIC HEARING TO
CONSIDER A TRANSFER REQUEST FOR AN
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE
FOR
PTL ENGINEERING, INC.

WHEREAS, pursuant to Act 198 of the Michigan Public Acts of 1974, as amended, MCLA Section 207.551 et sequ., after a duly noticed public hearing held on October 5, 1987, this City Commission by resolution established Industrial Development District No. E; and

WHEREAS, PTL Engineering, Inc. owner of the realty described below within said Districts, has applied for an Industrial Facilities Exemption Certificate, under the provision of 1974 Public Act 198, Section 5 (1); and

WHEREAS, 1974 Public Act 198, Section 5 (2) provides that before acting upon an application for an Industrial Facilities Exemption Certificate, the City Commission shall afford the applicant, the Assessor and a representative of the affected taxing units an opportunity for a hearing.

NOW, THEREFORE, BE IT RESOLVED:

1. That the application of PTL Engineering, Inc. for Industrial Facilities Exemption Certificate shall remain on file in the office of the City Clerk.
2. That the City Commission shall meet in the City Commission Chambers at 576 Liberty Park, on April 3, 2006, at 6:30 p.m. or as soon thereafter as may be heard. The City Commission will provide the City Assessor and a representative of each of the taxing units an opportunity to be heard on the question of PTL Engineering, Inc. application for an Industrial Facilities Exemption Certificate with regard to proposed operation within the Industrial Development District No. E.
3. That the City Clerk immediately inform by letter, the City Assessor and the legislative body of each taxing unit which levies ad valorem taxes in the City of Lapeer on the property located within the Industrial Development District No. E described as follows:

Lot #10 of the Lapeer Industrial and Research Park as recorded in Liber 7 of Plats page 177, Lapeer County Records.

More commonly known as: 3333 John Conley Drive, Lapeer, MI

MOTION CARRIED. RESOLUTIONS DECLARED ADOPTED.

Industrial Development District I

56 2006 03-20

Moved by Robinet. Seconded by Sprague.

To approve the Resolution Setting Public Hearing For The Establishment of An Industrial Development District I to be held April 3, 2006 at 6:30 p.m. or as soon thereafter as may be heard.

LAPEER CITY COMMISSION
RESOLUTION SETTING PUBLIC HEARING FOR THE
ESTABLISHMENT OF AN
INDUSTRIAL DEVELOPMENT DISTRICT I
AND
DESIGNATING NOTICE PROVISIONS THEREFORE

WHEREAS, the establishment of an Industrial Development District pursuant to Act No.: 198 of the Michigan Public Acts of 1974, as amended, has been proposed; and

WHEREAS, Section 4 (3) of the Industrial Development Act provides that before adopting a resolution establishing an Industrial Development District the governing body shall afford an opportunity for a hearing on the establishment of the Industrial Development District at which any of the owners of real property within the proposed Industrial Development District or any other resident or taxpayer may appear and be heard; and

WHEREAS, Section 4 (3) of the Industrial Development Act provides that the governing body shall give written notice by certified mail to the owners of all real property within the proposed Industrial Development District and give public notice of the hearing; and

WHEREAS, the Industrial Development District proposed is described as follows:

Parcel 1: L21-18-111-040-00 and L21-18-112-040-00

Lots 11 and 12, DeMille Commercial Park, part of the Northeast ¼ of Section 8, T7N-R10E, as recorded in Liber 7 of Plats, pages 98 and 99, Lapeer County Records.

Parcel 2: L20-96-600-040-00

Part of the Northeast quarter of Section 8, Town 7 North, Range 10 East, City of Lapeer, Lapeer County, Michigan, described as beginning at a point in the centerline of DeMille Road that is North 55 degrees 22 minutes 53 seconds West 1,651.21 feet and North 55 degrees 34 minutes 5 seconds West 199.02 feet from the East Quarter corner of said section 8; thence continuing along said centerline, North 55 degrees 34 minutes 5 seconds West 200.50 feet; thence North 2 degrees 49 minutes 47 seconds West 126.35 feet to the North line of the southwest quarter of said Northeast quarter as occupied; thence continuing North 2 degrees 49 minutes 47 seconds West 12.00 feet; thence North 88 degrees 31 minutes 23 seconds East 182.70 feet; thence South 2 degrees 49 minutes 47 seconds East 12.00 feet to the North line of the Southwest quarter of said Northeast quarter as occupied; thence along said line, North 88 degrees 31 minutes 23 seconds East 1.82 feet; thence South 3 degrees 0 minutes 42 seconds West 244.66 feet to the point of beginning.

Parcel 3: L20-96-501-040-00

Commencing 17.5 rods South and 746.3 feet East of North $\frac{1}{4}$ post, thence East 100 feet, thence South 746.4 feet, thence South 11 degrees West 271.3 feet to the center of DeMille Road, thence North 55 degrees 34 minutes West 98.7 feet, thence North 9 degrees 15 minutes East 206.5 feet, thence North 756.4 feet to beginning, Section 8, Town 7 North, Range 10 East, Lapeer Township, City of Lapeer, County of Lapeer, Michigan.

Parcel 4: L20-96-504-040-00

Commencing at the North quarter corner, Section 8, Town 7 North, Range 10 East, City of Lapeer, Lapeer County, Michigan. Thence North 89 degrees 13 minutes East 842.13 feet along the North section line, thence South 03 degrees 11 minutes East 837.17 feet along an old Existing Fence (Meandering fence), thence South 10 degrees 56 minutes West 95.10 feet along an old existing fence (Meandering fence) to the Point of Beginning. Running thence South 10 degrees 56 minutes West 175.20 feet along an old existing fence (Meandering fence), thence South 55 degrees 34 minutes East 72.90 feet along the Centerline of DeMille Road, thence North 88 degrees 18 minutes 25 seconds East 63.92 feet along an old existing fence (Meandering fence), thence North 13 degrees 43 minutes 10 seconds East 200.78 feet, thence North 83 degrees 16 minutes 59 seconds West 139.36 feet to the point of beginning. Being part of the Northeast quarter, Section 8, Town 7 North, Range 10 East, City of Lapeer, Lapeer County, Michigan; above described parcel being recorded in Liber 3 of Surveys, Page 43, Lapeer County Records.

Parcel 5: L20-96-601-040-00

Commencing at the North quarter corner of Section 8, Town 7 North, Range 10 East, City of Lapeer, Lapeer County, Michigan; thence North 89°13' East 842.13 feet along the North section line; thence South 03°11' East 837.17 feet along an old existing fence; thence South 10°56' West 270.30 feet along an old existing fence to the centerline of DeMille Road; thence South 55 degrees 34 minutes East 398.90 feet along the centerline of DeMille Road to the point of beginning; thence continuing Easterly along the centerline of DeMille Road a distance of 199 feet, more or less, to the West line (extended) of Demille Commercial Park, as recorded in Liber 7 of Plats, Pages 98 and 99, Lapeer County Records; thence North 345 feet, more or less, to the North line of the Southwest quarter of the Northeast quarter of Section 8; thence West 132 feet; thence South 227 feet, more or less, to the place of beginning.

Parcel 6: L20-96-502-040-00

Part of the Northeast $\frac{1}{4}$ Section 8, T7N-R10E, City of Lapeer, Lapeer Township, Lapeer County, Michigan, described as beginning at a point that is North 89°13'00" East 842.13 feet along the North line of said section and South 03°11'00" East 830.84 feet from the North $\frac{1}{4}$ corner of said section; thence North 89°13'00" East 467.25 feet to the Northwest corner of Lot 8, "DEMILLE COMMERCIAL PARK", according to the plat as

recorded in Liber 7 of Plats, Page 98, Lapeer County Records; thence South 02°23'00" East 505.64 feet; thence South 88°18'25" West 132.0 feet; thence North 12.0 feet; thence South 88°18'25" West 182.70 feet; thence South 121.68 feet; thence North 55°34'00" West 185.96 feet along the centerline of DeMille Road; thence North 88°18'25" East 63.92 feet; thence North 13°43'10" East 200.78 feet; thence North 83°15'59" West 139.36 feet; thence North 10°56' East 95.10 feet; thence North 03°11'00" West 206.33 feet to the point of beginning. CONTAINS 5.188 ACRES, including that part reserved for DeMille Road so-called. Being subject to any restrictions, easements and/or right of ways of record.

NOW, THREFORE, BE IT RESOLVED that the Lapeer City Commission shall conduct a public hearing in the City Commission Chambers of the Lapeer City Hall on April 3, 2006 at 6:30 p.m., or as soon thereafter as may be heard.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to comply with the notice requirements of Section 4 (3) of the Industrial Development Act.

ROLL CALL VOTE

AYES: Commissioners Turkelson, Marquardt, Sprague, Farrington, and Robinet.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

Industrial Development District J

57 2006 03-20

Moved by Sprague. Seconded by Robinet.

To approve the Resolution Setting Public Hearing For The Establishment Of An Industrial Development District J to be held April 3, 2006 at 6:30 p.m. or as soon thereafter as may be heard.

LAPEER CITY COMMISSION
RESOLUTION SETTING PUBLIC HEARING FOR THE
ESTABLISHMENT OF AN
INDUSTRIAL DEVELOPMENT DISTRICT J
AND
DESIGNATING NOTICE PROVISIONS THEREFORE

WHEREAS, the establishment of an Industrial Development District pursuant to Act No.: 198 of the Michigan Public Acts of 1974, as amended, has been proposed; and

WHEREAS, Section 4 (3) of the Industrial Development Act provides that before adopting a resolution establishing an Industrial Development District the governing body shall afford an opportunity for a hearing on the establishment of the Industrial Development District at which any of the owners of real property within the proposed Industrial Development District or any other resident or taxpayer may appear and be heard; and

WHEREAS, Section 4 (3) of the Industrial Development Act provides that the governing body shall give written notice by certified mail to the owners of all real property within the proposed Industrial Development District and give public notice of the hearing; and

WHEREAS, the Industrial Development District proposed is described as follows:

Parcel A L20-97-301-040-00

The following described property is located in Sec 8, T7N, R10E Com E ¼, th N55°22'45" W along C/L of Demille Rd. 343.91 ft for beg. th cont along SD C/L 195.57 ft, th S2°44'45" 312.92' to E-W ¼ ln, th E along said ln 80 ft, th N 9°14" E 137.7 ft, th N34°37'15" E 78.16 ft to P.O.B. 0.69AC.

Parcel B L20-97-302-040-00

The following described property is located in the City of Lapeer R T7N, R10E Sec 8 beg. E ¼ cor th E alng E-W ¼ ln 349 ft, th N9°14" E 137.7 ft, th N34°37'15" E 78.16 ft to C/L of Demille Rd., th S55°22'45" E alng SD C/L 343.91 ft to P.O.B. 0.94AC

NOW, THREFORE, BE IT RESOLVED that the Lapeer City Commission shall conduct a public hearing in the City Commission Chambers of the Lapeer City Hall on April 3, 2006 at 6:30 p.m., or as soon thereafter as may be heard.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to comply with the notice requirements of Section 4 (3) of the Industrial Development Act.

ROLL CALL VOTE:

AYES: Commissioners Robinet, Marquardt, Sprague, Turkelson, and Farrington.

NAYS: None

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

Rezoning Request for AIS Property Management

Commissioner Robinet introduced a proposed amendment to Chapter 7 (Zoning Ordinance), Section 7.03, G., Number 77, of the General Ordinances of the City of Lapeer.

THE CITY OF LAPEER ORDAINS:

7.03 ZONING DISTRICTS AND MAP

G. ZONING DISTRICT AMENDMENTS:

77. The following property, formerly zoned Industrial District (I-1), is hereby rezoned to General Business District (B-2):

City of Lapeer, T7N, R10E, Sec 4, Commencing South 89°14'30" West 518.8 ft from East 1/4 post; thence South 01°56'04" West 570.01 ft to center line of Genesee Street; thence South 60°55'19" East 500 ft along center line; thence North 01°56'04" East 670.01 ft; thence North 71°44'27" West to point of beginning.

Request to Vacate a Portion of First Street – Scot Atyeo

58 2006 03-20

Moved by Sprague. Seconded by Farrington.

To deny the request from Scot Atyeo to vacate a portion of First Street.

MOTION CARRIED.

Budget Adjustment for Sanitary Sewer Flow Meter Construction Project

Discussion was held regarding sewer flow going through the current system, the ability to track the flow within areas of the city, the need to monitor sewer flow, the impact of the project on fund balance, and future capacity increases.

59 2006 03-20

Moved by Marquardt. Seconded by Farrington.

To approve the Budget Adjustment for Sanitary Sewer Flow Meter Construction Project #18160 in the amount of \$97,500 from 590-000-699999 to 590-557-974000.

MOTION CARRIED.

Sanitary Sewer Flow Meter Construction Project – bid acceptance from O’Laughlin Construction

60 2006 03-20

Moved by Farrington. Seconded by Turkelson.

To approve O'Laughlin Construction bid in the amount of \$97,500 for the Sanitary Sewer Flow Meter Construction Project.

CITY MANAGER'S REPORT

City Manager Kerbyson commented on Lapeer and Oregon Township annexation, downtown parking lot purchase was cancelled, budget update, Mayor's Exchange Day, and Goals and Objectives meeting.

CITY ATTORNEY'S REPORT

City Attorney Shamblin commented on Smith-Oberle Leasing sale on John Conley Drive, no report from Michael's Restaurant representative regarding cleanup issues, and Marcelli vs City of Lapeer.

BILL LISTING FOR MARCH 20, 2006

61 2006 03-20

Moved by Sprague. Seconded by Turkelson.

To approve the Bill Listing for March 20, 2006 in the amount of \$505,759.16.

MOTION CARRIED.

UNFINISHED BUSINESS

62 2006 03-20

Mayor Treece appointed. Moved by Robinet. Seconded by Turkelson.

To appoint the following:

William Murray	Cemetery Board for a term ending 04-01-11..
Scott McCallum	Park Board for a term ending 04-01-09.
Tim Herbert	Park Board for a term ending 04-01-09.
Wes Smith	Brownfield Redevelopment Authority for a term ending 03-01-2012.
Dr. Bruce Sherman	Brownfield Redevelopment Authority for a term ending 03-01-2012.
Art Sieting	Brownfield Redevelopment Authority for a term ending 03-01-2012.

DEPARTMENTAL COMMUNICATIONS

Monthly Reports were received into record.

MAYOR AND COMMISSIONER COMMENTS

Brief comments were made on laptop computer policy, absences during next meeting, FOIA training class, project development and communication with the schools, budget adjustment processing, and Lapeer Metal Stamping layoffs.

ADJOURNMENT

63 2006 03-20

Moved by Turkelson. Seconded by Marquardt.

To adjourn the meeting. MOTION CARRIED.

The meeting adjourned at 7:32 p.m.

Charles D. Treece, Mayor

Donna L. Cronce, City Clerk