

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

June 18, 2007

A regular meeting of the Lapeer City Commission was held on June 18, 2007 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

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

Absent: None.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

142 2007 06-18

Moved by Robinet. Seconded by Turkelson.

To approve the agenda for June 18, 2007 with the addition of Resolution Amending Project Plan to Item F.2. H & H Tool, Inc. – Industrial Revenue Bond.

MOTION CARRIED.

MINUTES

143 2007 06-18

Moved by Robinet. Seconded by Marquardt.

To approve the minutes of the Regular meeting held on June 4, 2007.

MOTION CARRIED.

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

CONSENT AGENDA

144 2007 06-18

Moved by Turkelson. Seconded by Robinet.

To approve the consent Agenda for June 18, 2007 resulting in the following.

1. Approval of the Special Event Request from Lapeer County Habitat for Duck Race to be held on August 18, 2007 at East and West Cramton Park.
2. Approval of Pay Request #5 to Trojan Development in the amount of 27,621 for the Oregon Street Lift Station Project.
3. Approval of the 2007 Street Marking Project to M&M Pavement Marking in the amount of \$8,110 and authorize the Director of Public Works to sign the required document.
4. Approval of Change Order #1 from A.W. Excavating, Inc. in the amount of \$2,227.50 for the Fair Street Reconstruction project..
5. Approval of Pay Request #2 to A.W. Excavating, Inc. in the amount of \$232,690.84 for the Fair Street Reconstruction Project.
6. Approval of the Engineering Agreement with Rowe Incorporated in the amount of \$24,250 for the Sewer and Manhole Rehabilitation Project and authorize the Director of Public Works to sign the required document.
7. Approval of the Engineering Agreement with Rowe Incorporated in the amount of \$20,750 for the John Conley Drive Extended Project and authorize the Director of Public Works to sign the required document.

MOTION CARRIED.

BILL LISTING FOR JUNE 18, 2007

145 2007 06-18

Moved by Robinet. Seconded by Farrington.

To approve the Bill Listing for June 18, 2007 in the amount of \$616,546.30.

MOTION CARRIED.

PUBLIC COMMENTS

There were no public comments.

PUBLIC PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

None.

PUBLIC HEARINGS

H & H Tool, Inc. – Industrial Facilities Exemption Certificate

Mayor Sprague opened the public hearing at 6:33 p.m. to hear comments regarding H & H Tool, Inc. Industrial Facilities Exemption Certificate. There being no comments the public hearing was closed at 6:33 p.m.

146 2007 06-18

Moved by Robinet. Seconded by Ogden.

To approve the Resolution Approving Application, H & H Tool, Inc., For An Industrial Facilities Tax Exemption Certificate.

RESOLUTION APPROVING APPLICATION
H & H TOOL, INC.
FOR AN INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE

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

WHEREAS, H & H Tool, Inc., has filed a application for an Industrial Facilities Exemption Certificate with respect to the purchase of new equipment to be acquired and installed within the Industrial Development District No. E; and

WHEREAS, before acting on said application, the City of Lapeer held a hearing on June 18, 2007 at the Lapeer City Hall, 576 Liberty Park at 6:30 p.m. or as soon thereafter as may be heard, prior to which hearing the applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, commencement of the installation of new machinery and equipment had not begun earlier than six (6) months before May 24, 2007, the date of the acceptance of the application for the Industrial Facilities Exemption Certificate; and

NOW, TEHREFORE, BE IT RESOLVED by the Lapeer City Commission that:

1. The Board finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974 and Act No. 255 of the Public Acts of 1978, shall not have the effect of substantially impeding the operation of the City of Lapeer, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Lapeer.

2. The application of H & H Tool, Inc., for an Industrial Facilities Exemption Certificate with respect to new machinery to be acquired and installed on the following described parcel of real property situated within the City of Lapeer Industrial Development District No. E, to wit:

Part of the Southwest 1/4 of Section 12, Township 7 North, Range 9 East, City of Lapeer, Lapeer County, Michigan. Described as beginning at a point on the East-West 1/4 line of said Section 12 which is N86°21'01"E, along said 1/4 line, 1918.63 feet from the West 1/4 corner of said section; thence continuing N86°21'01"E, along said 1/4 line, 700.00 feet to the interior 1/4 corner of said Section 12; thence S01°51'00"E, along the North-South 1/4 line, 165.46 feet; thence 862.51 feet along the arc of a 907.00 foot radius non-tangential curve to the right (with a central angle of 54°29'07", a tangent of 466.99 feet, subtending a chord bearing and distance S56°56'37"W, 830.38 feet); thence N00°47'40"W, 573.81 feet to the point of beginning. Containing 7.25 acres of land and subject to all easements or restrictions of record.

be and the same is hereby approved.

3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force and effect for a period of six (6) years after completion, provided, however, that said certificate shall be subject to the terms and conditions of the Tax Abatement Agreement between the City of Lapeer and H & H Tool, Inc. dated May 24, 2007.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

H & H Tool, Inc. – Industrial Revenue Bond

Mayor Sprague opened the public hearing at 6:33 p.m. to hear comments regarding H & H Tool, Inc. Industrial Revenue Bond.

Patricia Lucas, Executive Director, Lapeer Development Corporation, commented in favor of the bond, introduced James Harrington, President of H & H Tool, Inc., that the bond would be utilized for the purchase of new equipment, scope of the project plan, to amend the plan to increase the maximum principal amount of the bonds to be issued, and requested Commission approval.

Mayor Sprague closed the public hearing at 6:34 p.m.

147 2007 06-18

Moved by Farrington. Seconded by Robinet.

To approve the Resolution Amending Project Plan, EDC Project Plan for JMA Development, Inc./H&H Tool, Inc. Project.

CITY COMMISSION OF THE CITY OF LAPEER

RESOLUTION AMENDING PROJECT PLAN EDC PROJECT PLAN (JMA DEVELOPMENT, INC./H & H TOOL, INC. PROJECT)

WHEREAS, Commissioner Farrington notes that the applicant, H & H Tool, Inc. has requested the City Commission to amend the Project Plan to increase the maximum principal amount of the Bonds to be issued by the EDC from \$2,000,000 to \$4,000,000 because the applicant may wish to increase the amount of equipment to be purchased with the proceeds of the Bonds; and

WHEREAS, Commissioner Farrington moves to amend the Project Plan by resolution of the City Commission, pursuant to the Commission's authority to do so under Section 11

of the EDC Act, to increase the maximum principal amount of Bonds that may be issued by the EDC to \$4,000,000 (which increase in no way obligates or commits the EDC to issue such amount or the applicant to request the EDC's approval to do so); and

BE IT FURTHER RESOLVED that, the Lapeer City Commission resolves to make such amendment to the Project Plan; and

BE IT FURTHER RESOLVED that, the City Clerk is hereby directed to provide four certified copies of this resolution to the Secretary of the Board of the EDC.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

148 2007 06-18

Moved by Robinet. Seconded by Turkelson.

To approve the Resolution, EDC Project Plan for JMA Development, Inc. / H & H Tool, Inc. Project as amended.

CITY COMMISSION
OF THE CITY OF LAPEER

EDC PROJECT PLAN
(JMA DEVELOPMENT, INC./H & H TOOL, INC. PROJECT)

WHEREAS, The Economic Development Corporation of the City of Lapeer (the "EDC") has recommended that the City Commission approve the Project Plan required by the Economic Development Corporations Act (the "Act") for the captioned Project, a copy of which has been presented to this meeting (the "Project Plan"); and

WHEREAS, the EDC's recommendations to the City Commission was based upon its determinations that the Project is reasonable and necessary to effectuate the purposes of the Act and that the Project Plan satisfies all of the requirements of the Act regarding project plans; and

WHEREAS, the City Commission has held a public hearing to consider whether the Project Plan constitutes a public purpose as contemplated by the Act; and

WHEREAS, the City Commission, following such public hearing and its review of the Project Plan, concurs in the determinations of the EDC with respect thereto;

NOW THEREFORE BE IT RESOLVED that, the Project Plan is hereby determined to constitute a public purpose as contemplated by the Act and is hereby approved; and

BE IT FURTHER RESOLVED that, the EDC is hereby authorized to take such steps as are necessary to implement the Project and the financing thereof by the issuance of its limited obligation revenue bonds as contemplated by the Project Plan; and

BE IT FURTHER RESOLVED that, the City Clerk is hereby directed to provide four certified copies of this resolution to the Secretary of the Board of the EDC.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

ADMINISTRATIVE REPORTS

Chapter 21 (Wastewater Treatment Charges) and
Chapter 22 (Water Charges)

Brief discussion was held regarding the increase in sewer rates, that water language only reflected a change in tap-in fees, that charges were in line with Tetra-Tech study, and that rates reflected were equal to or less than charges by surrounding communities.

149 2007 06-18

Moved by Marquardt. Seconded by Robinet.
 To adopt the proposed amendment to Chapter 21 (Wastewater Treatment Charges Ordinance) of the General Ordinances of the City of Lapeer.

THE CITY OF LAPEER ORDAINS:

- Section 21.04 (C) (1): Change Minimum Charge per month to \$3.64
 Change Single metered unit to \$3.64
 Change Commodity charge per 1,000 gallons to \$4.22
- Section 21.04 (C) (2): Change to read as follows: Tap-in fees for industrial, Institutional or governmental structures and facilities shall be \$.25 per square foot of building area, with a minimum charge of \$4,000.00.
- Section 21.04 (C) (3) Change to read as follows: Tap-in fees for office or business facilities shall be \$1.00 per square foot of building area, with a minimum charge of \$4,000.00.
- Section 21.04 (C) (4) Change to read as follows: Tap-in fees for multiple family structures shall be as follows:
- | | |
|---|------------|
| First Dwelling Unit | \$4,000.00 |
| Second through tenth Dwelling Unit | \$ 500.00 |
| Eleventh through Twenty-Fifth Dwelling Unit | \$ 400.00 |
| Twenty-Sixth through Fiftieth Dwelling Unit | \$ 300.00 |
| Fifty-First and each Dwelling Unit thereafter | \$ 200.00 |
- Section 21.04 (C) (5) Change to read as follows: Tap-in fees for single family residences, new or existing, shall be \$4,000.00
- Section 21.04 (C) (6)(a) Change to read as follows: \$1.00 per square foot of building area, with a minimum of \$4,000.00.
- Section 21.04 (C) (6)(b) Change to read as follows: \$4,000.00 plus \$1.00 per square foot of area used for office of business purpose.”

ON A ROLL CALL VOTE:

AYES: Commissioners Farrington, Ogden, Turkelson, Robinet, and Marquardt.
 NAYS: None.
 ABSENT: None.
 ABSTAIN: None.
 MOTION CARRIED. AMENDMENTS TO CHAPTER 21 ADOPTED.

150 2007 06-18

Moved by Marquardt. Seconded by Robinet.
 To adopt the proposed amendment to Chapter 22 (Water Charges Ordinance) of the General Ordinances of the City of Lapeer.

THE CITY OF LAPEER ORDAINS:

Section 22.08 (F) Delete current language and restate as follows:

Tap-in fees for water services will be based upon the size of the Water meter installed per tap according to the following schedule:

<u>Water Meter Size</u>	<u>Tap-In Fee</u>
1"	\$ 833.00
1½"	\$ 1,667.00
2"	\$ 2,667.00
3"	\$ 5,333.00

4" \$ 8,333.00
6" \$16,667.00"

ON A ROLL CALL VOTE:

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

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED. AMENDMENTS TO CHAPTER 22 ADOPTED.

Lot Split Request – 1025 W. Nepessing Street

151 2007 06-18

Moved by Robinet. Seconded by Farrington.

To approve the Resolution To Approve Lot Split Request For Lapeer Community Schools, 1025 W. Nepessing Street.

RESOLUTION TO APPROVE
LOT SPLIT REQUEST
FOR
Lapeer Community Schools
1025 W. Nepessing Street

WHEREAS, Lapeer Community Schools, owner of the property located at 1025 W. Nepessing Street, has filed a Lot Split Request; and

WHEREAS, Chapter 6 (Land Division Ordinance), Section 6.05 Lot Splits, of the General Ordinances of the City of Lapeer, provides that approval shall be by resolution of the City Commission.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Lot Split Request is in conformity with Chapter 7 (Zoning Ordinance) of the General Ordinances of the City of Lapeer.
2. That the Lot Split Request is in conformity with The Land Division Act of P.A. 288 of 1967, as amended.
3. That the Lot Split Request is approved resulting in the following two (2) legal descriptions:

L20-72-500-040-00 (201 Jefferson Street)

City of Lapeer, Original Plat Northwest ¼

Blocks 84, 85, 86 except the north 18.26 feet thereof; block 93 except the north 50 feet and the east 36 feet thereof; the north half of blocks 91 and 92 and all vacated streets lying between same

L20-73-850-040-00 (1025 W Nepessing Street)

City of Lapeer, Original Plat Northwest ¼

Beginning at the southeast corner of block 93 thence S89°40'E

Along Centre Square 244 feet; thence N00°00'34"E 200 ft; thence N89°40'W 280 feet; thence S00°00'34'W 200 feet; thence along the south line of block 93 S89°40'E 36 ft to point of beginning

4. That the Lot Split Request preserve all easement and master utility plans.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed with the Lapeer County Register of Deeds.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the City Assessor and to Lapeer Community Schools.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

Oregon Street – Special Assessment

Discussion was held regarding the adjustment of special assessment district spread from 30% to 15%, final configuration of appropriation, useful life projection, and grant funding.

152 2007 06-18

Moved by Turkelson. Seconded by Ogden.

To approve Resolution No. 1, Oregon Street Reconstruction Project, Special Assessment District #2007-01.

RESOLUTION NO. 1

Oregon Street Reconstruction Project
#2007-01

CITY OF LAPEER
COUNTY OF LAPEER

WHEREAS, pursuant to provisions of Chapter 11 of the City Charter, the City Commission of the City may commence proceedings for the making of local public improvements within the City and determine the tentative necessity thereof without a petition; and

WHEREAS, the Commission of the City deems it in the public interest, health and welfare to make certain public improvements in the City:

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Manager be and is hereby directed to cause to be prepared a report which shall include necessary plans showing the improvement, the location thereof, an estimate of the cost thereof and such other information as is deemed appropriate and is required by the City Charter.
2. When the aforesaid report is completed, the City Manager shall file the same with the City Clerk for presentation to the City Commission.
3. 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. RESOLUTION DECLARED ADOPTED.

153 2007 06-18

Moved by Marquardt. Seconded by Ogden.

To approve Resolution No. 2, Oregon Street Reconstruction Project, Special Assessment District #2007-01, that includes setting a public hearing on July 16, 2007 at 6:30 p.m. or as soon thereafter as may be heard to determine such public improvement necessity.

RESOLUTION NO. 2

Oregon Street Reconstruction Project
#2007-01

City of Lapeer
County of Lapeer, Michigan

Special Assessment District No. 2007-01

WHEREAS, the City Manager has prepared reports concerning certain public improvements as hereinafter described, which reports include all of the information required to be included by the provisions of the City's Charter, Chapter 11 Special Assessments; and

WHEREAS, the City Commission has reviewed said reports; and

WHEREAS, the City Commission of the City determines that it is necessary to acquire and construct the public improvements in the City of Lapeer more particularly hereinafter described in this resolution.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Commission hereby determines that the public improvements described more particularly hereinafter provided for are necessary.
2. The total cost of said public improvements according to frontage (or benefits) is estimated to be \$499,485, \$88,105 of which shall be spread over the special assessment district as hereinafter described, and \$411,380 which shall be paid by the City.
3. Said special assessment district shall consist of all of the lots and parcels of land as herein described:

All those properties adjoining the south line of Oregon Street from the easterly line of Cedar Street to the westerly line of Saginaw Street and all those properties adjoining the north line of Oregon Street from a point 160 feet easterly of the east line of Cedar Street to the west line of Saginaw Street.

4. The estimated life of such improvements is not less than 15 years.
5. The aforesaid reports shall be placed on file in the office of the City Clerk where the same shall be available for public examination.
6. The City Commission will meet on July 16, 2007 at 6:30 o'clock p.m., Local Time, at the City Hall for the purpose of hearing objections to the making of said public improvements and to the special assessment district.
7. The City Clerk is hereby directed to cause notice of said hearing to be published in the LA View, Lapeer, Michigan, a newspaper of general circulation in the City of Lapeer at least seven (7) full days before the date of such hearing, and is further directed to cause notice of such hearing to be mailed by first class mail to each owner of or person in interest in the property in the special assessment district more particularly described in the following notice at the addresses shown on the last general tax assessment roll of the City, at least ten (10) full days prior to the date of such hearing.
8. The notice of said hearing to be published and mailed shall be in substantially the following form:

NOTICE OF SPECIAL ASSESSMENT HEARING TO
HEAR OBJECTIONS TO PROPOSED PUBLIC
IMPROVEMENTS AND TO THE
PROPOSED SPECIAL ASSESSMENT DISTRICT

City of Lapeer
County of Lapeer

TAKE NOTICE that the City Commission of the City of Lapeer, Lapeer County, Michigan, has determined it to be necessary to make the following described public improvement in the City of Lapeer:

OREGON STREET:

Reconstruct Oregon Street to include curb and gutter, sidewalk on south side, storm sewer, water main and sewer main improvements.

The City Commission has determined that part of the cost of the above described public improvements which is estimated to be \$88,105, shall be assessed against all lots and parcels of property abutting the above described improvements which properties are described as follows:

All those properties adjoining the south line of Oregon Street from the easterly line of Cedar Street to the westerly line of Saginaw Street and all those properties adjoining the north line of Oregon Street from a point 160 feet easterly of the east line of Cedar Street to the west line of Saginaw Street.

TAKE FURTHER NOTICE that the City Commission has caused report concerning said public improvements to be prepared, which reports include pertinent information concerning the proposed improvements and the district and these reports are on file in the office of the City Clerk and are available for public examination.

TAKE FURTHER NOTICE THAT THE CITY COMMISSION WILL MEET ON JULY 16, 2007 AT 6:30 O'CLOCK P.M., LOCAL TIME, AT THE CITY HALL IN THE CITY OF LAPEER FOR THE PURPOSE OF HEARING OBJECTIONS TO THE NECESSITY OF MAKING OF SUCH PUBLIC IMPROVEMENTS AND TO THE PROPOSED SPECIAL ASSESSMENT DISTRICT.

THIS NOTICE is given by order of the City Commission of the City of Lapeer, Lapeer County, Michigan.

DONNA L. CRONCE, CMC
CITY CLERK, CITY OF LAPEER

9. 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. RESOLUTION DECLARED ADOPTED.

Horton Street – Special Assessment

154 2007 06-18

Moved by Robinet. Seconded by Farrington.

To approve Resolution No. 1, Horton Street Reconstruction Project, Special Assessment District #2007-02.

RESOLUTION NO. 1

Horton Street Reconstruction Project
#2007-02

CITY OF LAPEER
COUNTY OF LAPEER

WHEREAS, pursuant to provisions of Chapter 11 of the City Charter, the City Commission of the City may commence proceedings for the making of local public improvements within the City and determine the tentative necessity thereof without a petition; and

WHEREAS, the Commission of the City deems it in the public interest, health and welfare to make certain public improvements in the City:

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Manager be and is hereby directed to cause to be prepared a report which shall include necessary plans showing the improvement, the location thereof, an estimate of the cost thereof and such other information as is deemed appropriate and is required by the City Charter.

2. When the aforesaid report is completed, the City Manager shall file the same with the City Clerk for presentation to the City Commission.
3. 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. RESOLUTION DECLARED ADOPTED.

155 2007 06-18

Moved by Turkelson. Seconded by Robinet.

To approve Resolution No. 2, Horton Street Reconstruction Project, Special Assessment District #2007-02, that includes setting a public hearing on July 16, 2007 at 6:30 p.m. or as soon thereafter as may be heard to determine such public improvement necessity.

RESOLUTION NO. 2

Horton Street Reconstruction Project
#2007-02

City of Lapeer
County of Lapeer, Michigan

Special Assessment District No. 2007-02

WHEREAS, the City Manager has prepared reports concerning certain public improvements as hereinafter described, which reports include all of the information required to be included by the provisions of the City's Charter, Chapter 11 Special Assessments; and

WHEREAS, the City Commission has reviewed said reports; and

WHEREAS, the City Commission of the City determines that it is necessary to acquire and construct the public improvements in the City of Lapeer more particularly hereinafter described in this resolution;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Commission hereby determines that the public improvements described more particularly hereinafter provided for are necessary.
2. The total cost of said public improvements according to frontage (or benefits) is estimated to be \$307,500, \$93,000 of which shall be spread over the special assessment district as hereinafter described, and \$214,500 which shall be paid by the City.
3. Said special assessment district shall consist of all of the lots and parcels of land as herein described:

All those properties adjoining Horton Street from the east
line of Fox Street to the west line of Saginaw Street.

4. The estimated life of such improvements is not less than 15 years.
5. The aforesaid reports shall be placed on file in the office of the City Clerk where the same shall be available for public examination.
6. The City Commission will meet on July 16, 2007 at 6:30 o'clock p.m., Local Time, at the City Hall for the purpose of hearing objections to the making of said public improvements and to the special assessment district.
7. The City Clerk is hereby directed to cause notice of said hearing to be published in the LA View, Lapeer, Michigan, a newspaper of general circulation in the City of Lapeer at least seven (7) full days before the date of such hearing, and is

further directed to cause notice of such hearing to be mailed by first class mail to each owner of or person in interest in the property in the special assessment district more particularly described in the following notice at the addresses shown on the last general tax assessment roll of the City, at least ten (10) full days prior to the date of such hearing.

8. The notice of said hearing to be published and mailed shall be in substantially the following form:

NOTICE OF SPECIAL ASSESSMENT HEARING TO
HEAR OBJECTIONS TO PROPOSED PUBLIC
IMPROVEMENTS AND TO THE
PROPOSED SPECIAL ASSESSMENT DISTRICT

City of Lapeer
County of Lapeer

TAKE NOTICE that the City Commission of the City of Lapeer, Lapeer County, Michigan, has determined it to be necessary to make the following described public improvement in the City of Lapeer:

HORTON STREET:

Reconstruct 1,200 linear feet of Horton Street from Fox Street to Saginaw Street. Project will include curb and gutter, sidewalk, 1,200' of 8" water main and sewer improvements.

The City Commission has determined that part of the cost of the above described public improvements which is estimated to be \$93,000, shall be assessed against all lots and parcels of property abutting the above described improvements which properties are described as follows:

All those properties adjoining Horton Street from the east
line of Fox Street to the west line of Saginaw Street.

TAKE FURTHER NOTICE that the City Commission has caused report concerning said public improvements to be prepared, which reports include pertinent information concerning the proposed improvements and the district and these reports are on file in the office of the City Clerk and are available for public examination.

TAKE FURTHER NOTICE THAT THE CITY COMMISSION WILL MEET ON JULY 16, 2007 AT 6:30 O'CLOCK P.M., LOCAL TIME, AT THE CITY HALL IN THE CITY OF LAPEER FOR THE PURPOSE OF HEARING OBJECTIONS TO THE NECESSITY OF MAKING OF SUCH PUBLIC IMPROVEMENTS AND TO THE PROPOSED SPECIAL ASSESSMENT DISTRICT.

THIS NOTICE is given by order of the City Commission of the City of Lapeer, Lapeer County, Michigan.

DONNA L. CRONCE, CMC
CITY CLERK, CITY OF LAPEER

9. 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. RESOLUTION DECLARED ADOPTED.

Jackson-State Streets – Special Assessment

156 2007 06-18

Moved by Turkelson. Seconded by Ogden.

To approve Resolution No. 1, Jackson-State Streets Reconstruction Project, Special Assessment District #2007-03.

RESOLUTION NO. 1
Jackson-State Streets Reconstruction Project
#2007-03

CITY OF LAPEER
COUNTY OF LAPEER

WHEREAS, pursuant to provisions of Chapter 11 of the City Charter, the City Commission of the City may commence proceedings for the making of local public improvements within the City and determine the tentative necessity thereof without a petition; and

WHEREAS, the Commission of the City deems it in the public interest, health and welfare to make certain public improvements in the City:

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Manager be and is hereby directed to cause to be prepared a report which shall include necessary plans showing the improvement, the location thereof, an estimate of the cost thereof and such other information as is deemed appropriate and is required by the City Charter.
2. When the aforesaid report is completed, the City Manager shall file the same with the City Clerk for presentation to the City Commission.
3. 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. RESOLUTION DECLARED ADOPTED.

157 2007 06-18

Moved by Robinet. Seconded by Farrington.

To approve Resolution No. 2, Jackson-State Streets Reconstruction Project, Special Assessment District #2007-03, that includes setting a public hearing on July 16, 2007 at 6:30 p.m. or as soon thereafter as may be heard to determine such public improvement necessity.

RESOLUTION NO. 2
Jackson-State Streets Reconstruction Project
#2007-03

City of Lapeer
County of Lapeer, Michigan

Special Assessment District No. 2007-03

WHEREAS, the City Manager has prepared reports concerning certain public improvements as hereinafter described, which reports include all of the information required to be included by the provisions of the City's Charter, Chapter 11 Special Assessments; and

WHEREAS, the City Commission has reviewed said reports; and

WHEREAS, the City Commission of the City determines that it is necessary to acquire and construct the public improvements in the City of Lapeer more particularly hereinafter described in this resolution;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Commission hereby determines that the public improvements described more particularly hereinafter provided for are necessary.
2. The total cost of said public improvements according to frontage (or benefits) is estimated to be \$248,888, \$76,366 of which shall be spread over the special

assessment district as hereinafter described, and \$172,522 which shall be paid by the City.

3. Said special assessment district shall consist of all of the lots and parcels of land as herein described:

All those properties adjoining Jackson Street from the north line of Liberty Street to the south line of State Street and all those properties adjoining State Street from the east line of Jackson Street to the west line of Adams Street.

4. The estimated life of such improvements is not less than 15 years.
5. The aforesaid reports shall be placed on file in the office of the City Clerk where the same shall be available for public examination.
6. The City Commission will meet on July 16, 2007 at 6:30 o'clock p.m., Local Time, at the City Hall for the purpose of hearing objections to the making of said public improvements and to the special assessment district.
7. The City Clerk is hereby directed to cause notice of said hearing to be published in the LA View, Lapeer, Michigan, a newspaper of general circulation in the City of Lapeer at least seven (7) full days before the date of such hearing, and is further directed to cause notice of such hearing to be mailed by first class mail to each owner of or person in interest in the property in the special assessment district more particularly described in the following notice at the addresses shown on the last general tax assessment roll of the City, at least ten (10) full days prior to the date of such hearing.
8. The notice of said hearing to be published and mailed shall be in substantially the following form:

NOTICE OF SPECIAL ASSESSMENT HEARING TO
HEAR OBJECTIONS TO PROPOSED PUBLIC
IMPROVEMENTS AND TO THE
PROPOSED SPECIAL ASSESSMENT DISTRICT

City of Lapeer
County of Lapeer

TAKE NOTICE that the City Commission of the City of Lapeer, Lapeer County, Michigan, has determined it to be necessary to make the following described public improvement in the City of Lapeer:

JACKSON STREET:

Project includes 600' of new construction to include 8" water main, sanitary sewer, storm, curb and gutter.

STATE STREET:

Reconstruct 250' of roadway to include curb, gutter, storm, sidewalk and water main.

The City Commission has determined that part of the cost of the above described public improvements which is estimated to be \$76,366, shall be assessed against all lots and parcels of property abutting the above described improvements which properties are described as follows:

All those properties adjoining Jackson Street from the north line of Liberty Street to the south line of State Street and all those properties adjoining State Street from the east line of Jackson Street to the west line of Adams Street.

TAKE FURTHER NOTICE that the City Commission has caused report concerning said public improvements to be prepared, which reports include pertinent information concerning the proposed improvements and the district and these reports are on file in the office of the City Clerk and are available for public examination.

TAKE FURTHER NOTICE THAT THE CITY COMMISSION WILL MEET ON JULY 16, 2007 AT 6:30 O'CLOCK P.M., LOCAL TIME, AT THE CITY HALL IN THE CITY OF LAPEER FOR THE PURPOSE OF HEARING OBJECTIONS TO THE NECESSITY OF MAKING OF SUCH PUBLIC IMPROVEMENTS AND TO THE PROPOSED SPECIAL ASSESSMENT DISTRICT.

THIS NOTICE is given by order of the City Commission of the City of Lapeer, Lapeer County, Michigan.

DONNA L. CRONCE, CMC
CITY CLERK, CITY OF LAPEER

9. 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. RESOLUTION DECLARED ADOPTED.

Brief discussion was held regarding dirt roads within the city, review of district area and tying in of projects within surrounding neighborhood, that the special assessment process covers one area within a project, and that projects are reviewed by quadrant and on an as needed basis.

City of Lapeer Property and Liability Insurance

158 2007 06-18

Moved by Marquardt. Seconded by Farrington.

To approve the Stevenson Company, Michigan Township Participating Plan, for the City of Lapeer Property and Liability Insurance at a cost of \$159,438 for the FY July 1, 2007 through June 30, 2008.

MOTION CARRIED.

CITY MANAGER'S REPORT

City Manager Dale Kerbyson provided an update on the Air Advantage agreement and Commission interest in serving on the LNI Board.

CITY ATTORNEY'S REPORT

No report provided.

UNFINISHED BUSINESS

There were no board appointments made.

DEPARTMENTAL COMMUNICATIONS

Departmental Monthly Reports were received into record.

Beautification Commission

City Clerk Donna Cronce provided a review of the Beautification Commission. Brief discussion was held regarding projects assisted by the Beautification Commission, intent of the Beautification Commission, lack of interest in serving on the board, current programs offered by other City departments that include beautification efforts, and budgeted amount. It was the general consensus of the Commission to not have dormant or inactive members within a board and to direct the Clerk to prepare an Ordinance amendment to delete Chapter 39 (Beautification Commission Ordinance).

MAYOR/COMMISSIONER COMMENTS

Brief discussion was held regarding the railroad repairs on Saginaw Street to include the DeMille crossing, County Press coverage on the lawsuit involving City Manager Dale Kerbyson and equal coverage upon dismissal of the case, the availability of entering the railroad station terminal during scheduled stops, new ownership of the golf course, BBQ fund raiser at the Center Building for Energy Conservation Project, and remilling street to add curb and gutters along Madison/Cramton area.

ADJOURNMENT

159 2007 06-18

Moved by Turkelson. Seconded by Robinet.

To adjourn the meeting.

MOTION CARRIED.

The meeting adjourned at 7:08 p.m.

William J. Sprague, Mayor

Donna L. Cronce, CMC, City Clerk