

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

October 20, 2008

A regular meeting of the Lapeer City Commission was held October 20, 2008 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

Present: Commissioners Bennett, Marquardt, Farrington, and Bostick-Tullius.
City Manager Dale Kerbyson.
City Attorney Representative Bill Ogden.

Absent: Mayor Sprague
Commissioner Robinet

Commissioner Marquardt led the Pledge of Allegiance.

Acting Mayor

254 2008 10-20

Moved by Farrington. Seconded by Bostick-Tullius.

To appoint Commissioner Marquardt as Acting Mayor for the October 20, 2008 City Commission meeting.

MOTION CARRIED.

AGENDA APPROVAL

255 2008 10-20

Moved by Farrington. Seconded by Bennett.

To approve the Agenda for October 20, 2008 with the deletion of Item B.4. Water Shut-off Limit.

MOTION CARRIED.

MINUTES

256 2008 10-20

Moved by Bennett. Seconded by Bostick-Tullius.

To approve the minutes from the Regular Meeting held on October 6, 2008.

MOTION CARRIED.

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

CONSENT AGENDA

257 2008 10-20

Moved by Robinet. Seconded by Marquardt.

To approve the Consent Agenda for October 20, 2008 resulting in the following:

1. Approval of Trick or Treat hours from 6:00 p.m. until 8:00 p.m. on Halloween night, Friday, October 31, 2008.
2. Approval of Payment Request #10 – Final Payment to Trojan Development Company, Inc. for Oregon Street Lift Station Project in the amount of \$9,367.53.
3. Approval of Payment Request #3 to AW Excavating, Inc. for Horton Street Reconstruction Project in the amount of \$148,648.46.
5. Approval of the Work Agreement with Peake Asphalt, Inc. for the Mt. Hope Cemetery Capital Improvements in the amount of \$55,075 and authorize the Mayor and City Manager to sign required documents.
6. Approval of the Budget Adjustment for the Mt. Hope Cemetery Capital Improvements.

MOTION CARRIED.

BILL LISTING FOR OCTOBER 20, 2008

258 2008 10-20

Moved by Bostick-Tullius. Seconded by Bennett.

To approve the Bill Listing for October 20, 2008 in the amount of \$371,530.51.

MOTION CARRIED.

PUBLIC COMMENTS

There were no public comments.

PUBLIC PROCLAMATIONS AND RECOGNITIONS

None.

PUBLIC HEARINGS

City of Lapeer Park and Recreation Master Plan

Commissioner Bennett questioned when the City Commission set the public hearing for the Park and Recreation Master Plan. Parks, Recreation, and Cemetery Director Ray Turczyn commented on public hearing requirements, that notification of the public hearing was published, and introduced Sara Schillinger with LSL Planning, Inc.

Senior Planner with LSL Planning, Inc. Sara Schillinger provided a presentation on the Park and Recreation Master Plan that included an overall review of the purpose of the plan, inventory of park facilities, school facilities inventory, regional facilities inventory, and pathways system. She further commented on the analysis of the project that included parkland and service area, facilities, Parks and Recreation goals, as well as general and key recommendations. Ms. Schillinger reviewed the planning and administrative contents of the plan that included the adoption process, submittal to regional agencies and MDR, and the implementation process of the plan. Ms. Schillinger requested comments and/or questions from the Commission.

Commissioner Farrington questioned the monitoring of joint programs. Ms. Schillinger advised that this would encompass the monitoring of classes for attendance, registration, current trend interest such as belly-dancing classes, and review of other programs offered by various organizations and schools to avoid duplication.

Acting Mayor Marquardt opened the public hearing at 6:46 p.m. to hear comments regarding the City of Lapeer Park and Recreation Master Plan.

Bill Ogden, 96 Rosemary Street, commented on being a big proponent of the pathway system and to do what is needed to accomplish the project.

There being no further comments, Acting Mayor Marquardt closed the public hearing at 6:47 p.m.

259 2008 10-20

Moved by Bostick-Tullius. Seconded by Bennett.

To approve the Resolution of Adoption for the Lapeer Parks and Recreation Master Plan.

City of Lapeer
City Commission
Resolution of Adoption
for the
Lapeer Parks and Recreation Master Plan
October 20, 2008

WHEREAS, development of adequate parks and recreation facilities requires a pro-active plan based on a combination of community input, analysis of existing conditions, analysis of the basic needs for current and future residents, parks and recreation planning

expertise, as well as a prioritized improvements programs and potential funding opportunities; and

WHEREAS, the foundation of the plan is established with the Action Program consisting of overall goals and supporting objectives and specific Action Program for the next five years; and

WHEREAS, the plan provides detailed recommendations for park and recreation facilities, and recreation programming with a list of capital improvements for the next five years; and

WHEREAS, the Lapeer Park Board, Planning Commission, City Commission, and Parks and Recreation Department staff along with the assistance of LSL Planning, Inc., has prepared the Lapeer Parks and Recreation Master Plan which includes all the above elements; and

WHEREAS, said plan meets the requirements of the Michigan Department of Natural Resources, thereby making Lapeer eligible for State and Federal grants administered by the Michigan Department of Natural Resources; and

WHEREAS, Lapeer followed a planning process that contained public involvement, including a public meeting for the purpose of soliciting community input on said plan; and

WHEREAS, the Park Board adopted a resolution to endorse and recommend adoption of said plan;

WHEREAS, a public hearing was held by the City Commission on October 20, 2008; and

NOW, THEREFORE BE IT RESOLVED that the City of Lapeer City Commission hereby adopts the City of Lapeer Parks and Recreation Master Plan as a guideline for improving recreation for the residents of the City of Lapeer.

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

NAYS: None.

ABSENT: Commissioner Robinet.

ABSTAIN: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED

Parks, Recreation and Cemetery Director Ray Turczyn commented that the plan will act as a guideline for improving recreation for residents, that the plan will be a part of the budget process, and budgeted funds this year relating to the pathway study. Brief discussion was held regarding the pathway in St. Clair County.

ADMINISTRATIVE REPORTS

Chapter 7 (Zoning Ordinance) Rezoning Request: westerly portion of Rolling Hills Golf Course

260 2008 10-20

Moved by Farrington. Seconded by Bennett.

To approve the amendment to Chapter 7 (Zoning Ordinance), Section 7.03., G., Number 91, of the General Ordinances of the City of Lapeer.

THE CITY OF LAPEER ORDAINS:

7.03 ZONING DISTRICTS AND MAP

G. ZONING DISTRICT AMENDMENTS:

91. The following property, formerly conditionally zoned RM Multiple-Family District, is hereby rezoned to R-4 One-Family Residential:

Part of the East ½ of Section 1, T7N, R9E, City of Lapeer, Desc as: Beginning at the E1/4 Corner of Sec 1, th N89°57'50"W 910.15 ft to the E line of Essex Subdivision; th S10°07'00"W 294.22 ft along the E line of Essex Subdivision to the N 60.00 ft right-of-way line of Genesee St (M-21); th along the N 60.00 ft right-of-way line of Genesee St along the arc of a 541.26 ft curve to the left, a radius of 1970.08 ft, delta 15°44'28.9"; th N61°29'00"E 1398.26 ft to the N-S ¼line of Sec 1; th N00°52'30"E 432.57' along the N-S ¼ line of Sec 1, th S61°28'33"W 656.49 ft to the Point of Beginning; th S28°31'06"E 376.87 ft; th S61°28'30"W 200.00 ft; th S28°31'33"W 676.50 ft; th S28°31'30"E 189.99 ft to the N 60.00 ft right-of-way line of Genesee St (M-21); the along the N 60.00 ft right-of-way line of Genesee St S61°29'00"W 195.73 ft; th N01°08'52"E 1733.48 ft; th S88°56'33"W 723.38 ft; th S88°56'44"W 599.99 ft; th N01°03'01" 669.02 ft; th N88°56'43"E 2495.67 fto to the SW corner of Rolling Hills Subdivision No. 3; th Southwesterly 1645± ft to the Point of Beginning. Containing 64+/- acres.

ON A ROLL CALL VOTE:

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

NAYS: None.

ABSENT: Commissioner Robinet.

ABSTAIN: None.

MOTION CARRIED. AMENDMENTS TO CHAPTER 7 ADOPTED.

Chapter 7 (Zoning Ordinance) Rezoning Request: 538 Imlay City Road

261 2008 10-20

Moved by Bostick-Tullius. Seconded by Bennett.

To approve the proposed amendment to Chapter 7 (Zoning Ordinance), Section 7.03., G., Number 92, of the General Ordinances of the City of Lapeer.

THE CITY OF LAPEER ORDAINS:

7.03 ZONING DISTRICTS AND MAP

G. ZONING DISTRICT AMENDMENTS:

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

City of Lapeer Rood's Paved Way Plat Lot 1.

ON A ROLL CALL VOTE:

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

NAYS: None.

ABSENT: Commissioner Robinet.

ABSTAIN: None.

MOTION CARRIED. AMENDMENTS TO CHAPTER 7 ADOPTED.

Zoning Ordinance Agreement

262 2008 10-20

Moved by Bennett. Seconded by Bostick-Tullius.

To approve the Planning Agreement for Zoning Ordinance Update with Rowe Incorporated in the amount of \$30,000 and authorize the Mayor and/or Director of Planning and Community Development to sign the required documents.

MOTION CARRIED.

CITY MANAGER'S REPORT

City Manager Dale Kerbyson commented on the attendance to the Greater Cities conference and information to be presented to the Commission.

CITY ATTORNEY'S REPORT

No report provided.

UNFINISHED BUSINESS

No Board appointments were made.

DEPARTMENTAL COMMUNICATIONS

Departmental Monthly Reports were received into record.

MAYOR/COMMISSIONER COMMENTS

Commissioner Bostick-Tullius commented on the attendance regarding the Zonta Fantasy Forrest. She also inquired into the yield signs at State and Monroe and another sign just further north and whether there had been a study done to determine safety issues.

Commissioner Farrington commented on use of consultants or outside contracted services versus use of City staff and opinion of the Commission regarding when these services should be used.

Acting Mayor Marquardt commented to take time and read the Parks and Recreation Master Plan, services we have in the community, and letter received from Faith Christian Family Church.

ADJOURNMENT

263 2008 10-20

Moved by Farrington. Seconded by Bennett.

To adjourn the meeting.

MOTION CARRIED.

The meeting adjourned at 7:06 p.m.

Deborah Marquardt, Acting Mayor

Donna L. Cronce, CMC City Clerk