

**LAPEER CITY COMMISSION  
MINUTES OF A REGULAR MEETING  
April 16, 2018**

A regular meeting of the Lapeer City Commission was held April 16, 2018 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

**ROLL CALL**

Present: Mayor Sprague.

Commissioners Atwood, Bennett, Bostick-Tullius, Marquardt, Osentoski.

Absent: None.

City Manager: Dale Kerbyson, present.

City Attorney: Michael Nolan, present.

Mayor Sprague led the Pledge of Allegiance.

**AGENDA APPROVAL**

**75 2018 04-16**

Moved by Bennett. Seconded by Marquardt.

Approve the Agenda for April 16, 2018 as presented.

Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt, Osentoski.

Nays: None.

Absent: None.

MOTION CARRIED.

**MINUTES**

**76 2018 04-16**

Moved by Bostick-Tullius. Seconded by Bennett.

Approve the minutes of the Regular Meeting held April 2, 2018 as presented.

Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt, Osentoski.

Nays: None.

Absent: None.

MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

**PUBLIC COMMENTS**

Stephen Ruddock, gave invocation.

Justus Scott, Lapeer County Probate Judge commented on duties/responsibilities of office, running for re-election on November ballot.

**CONSENT AGENDA**

**77 2018 04-16**

Moved by Marquardt. Seconded by Bostick-Tullius.

Approve the Consent Agenda for April 16, 2018 resulting in the following.

1. Special Event Request from Lapeer Optimist Club, Nightmare on Nepessing, October 13-14, 2018, downtown with street closures on Nepessing, between Cedar and Court Streets, contingent upon receipt of current insurance.
2. Special Event Request from American Foundation for Suicide Prevention, Out of the Darkness Walk, September 29, 2018, Rowden Park.
3. Special Event Request from Families Against Narcotics (FAN), Run Drugs Out of Town Run/Walk, August 19, 2018, Rowden Park, contingent upon receipt of current insurance.
4. Traffic Control Order #295.

CITY OF LAPEER  
PERMANENT TRAFFIC CONTROL  
ORDER NO. 295

Location: Municipal Parking Lot Number 8 – Located west of Cedar Street, east of Mason Street, north of Clay Street and south of Nepessing Street.

Municipal Parking Lot Number 4 – Located east of Pine Street, south of Park Street.

Order: To establish 72 hour parking areas within municipal parking lots of #4 and #8, for the convenience and safety of the residents living within the downtown area and to assist the Department of Public Works with snow removal efforts.

Reason: City Lot #8 –Residents are required to walk from a city/county parking lot located on the south side of Clay Street. This situation has resulted in residents being issued citations for violation of No Parking 2AM-6AM along with having their vehicles towed for hampering DPW snow removal efforts.

City Lot #4 – No 72 hour parking area has existed within this parking lot. Residents within this area have been utilizing on street parking areas at times resulting in citations for violation of No Parking 2AM-6AM along with having their vehicles towed for hampering DPW snow removal efforts.

5. Traffic Control Order #296.

CITY OF LAPEER  
PERMANENT TRAFFIC CONTROL  
ORDER NO. 296

Location: Pine Street north of Nepessing Street, west side of roadway and south of alley.

Order: To install No Parking 2:00AM to 6:00AM November 1<sup>st</sup> thru April 1<sup>st</sup> in this area.

Reason: The City Police Department has received a request from the City Department of Public Works to create a No Parking 2:00AM to 6:00AM November 1<sup>st</sup> thru April 1<sup>st</sup> zone along the west side of Pine Street north of Nepessing Street and south of the alleyway. The DPW has stated that vehicles are continually parking overnight in this area and these vehicles are hindering their efforts to effectively and efficiently remove snow. A 72 Hour parking area is available (TCO 295) a very short distance away in City lot #4, which is located at the south east corner of the intersection of Pine and Park Streets for these vehicles to park.

Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt, Osentoski.

Nays: None.

Absent: None.

MOTION CARRIED.

**BILL LISTING FOR APRIL 16, 2018**

**78 2018 04-16**

Moved by Marquardt. Seconded by Osentoski.

Approve the Bill Listing for April 16, 2018 in the amount of \$558,694.26.

Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt, Osentoski.

Nays: None.

Absent: None.

MOTION CARRIED.

**PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS**

Arbor Day Proclamation.

**79 2018 04-16**

Moved by Bostick-Tullius. Seconded by Atwood.

Approve the Arbor Day Proclamation as presented.

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, William J. Sprague, Mayor of the City of Lapeer and the Lapeer City Commission do hereby declare April 27, 2018 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 16<sup>th</sup> day of April, 2018.

Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt, Osentoski.

Nays: None.

Absent: None.

MOTION CARRIED. PROCLAMATION DECLARED ADOPTED.

## **PUBLIC HEARINGS**

None.

## **ADMINISTRATIVE REPORTS**

### Redevelopment Ready Community (RRC) Presentation – Report of Findings (MEDC)

Christopher Germain, AICP, Senior RRC Planner provided an update on program criteria, highlighted steps the City has completed and what is left to do; should the City wish to continue towards RRC certification the next step is to adopt a resolution indicating intent to continue in program.

### Lapeer County Superheroes Presentation – Youth Council

Commissioner Atwood and Youth Council members Taylor Gerrity, Sam Howard, Maria Reitz and Morgan Castle gave a presentation on the Lapeer City Superheroes volunteer program, request motion to adopt this as official volunteer program and funding of program, will work on getting word out about the program and ways to engage community. Discussion held on available funding, program, recruiting volunteers and finding sponsors

### **80 2018 04-16**

Moved by Marquardt. Seconded by Bennett.

To reimburse Commissioner Atwood \$304 for expenses incurred for the Lapeer Superheroes Program and discuss continued funding for the program during the upcoming budget meeting.

Commissioner Atwood clarified the amount of reimbursement is less than \$304 as he is not seeking reimbursement for the \$126 spent on hats (\$178 total reimbursement).

Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt, Osentoski.

Nays: None.

Absent: None.

MOTION CARRIED

### 2018 Street Rehabilitation Project

**81 2018 04-16**

Moved by Marquardt. Seconded by Atwood.

Award the construction contract for the 2018 Street Rehabilitation and Baldwin Road projects to L.J. Construction, Inc. in the amount of \$1,298,397.00 and authorize the Director of Public Works to sign the required documents.

Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt, Osentoski.

Nays: None.

Absent: None.

MOTION CARRIED

Housing Division Public Hearing Request

**82 2018 04-16**

Moved by Bostick-Tullius. Seconded by Bennett.

Approve setting a Public Hearing on May 7, 2018 at 6:30 PM or as soon thereafter as may be heard regarding the "2018 Lapeer Homeowner Rehabilitation Grant Program" application and updates on the City's current Homeowner Rehabilitation Grants and HUD \$1 Home initiative.

Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt, Osentoski.

Nays: None.

Absent: None.

MOTION CARRIED

**CITY MANAGER'S REPORT**

Retirement Healthcare Funding

**83 2018 04-16**

Moved by Bostick-Tullius. Seconded by Bennett.

Approve City of Lapeer Resolution Retirement Health Benefits Systems.

CITY OF LAPEER  
RESOLUTION  
RETIREMENT HEALTH BENEFIT SYSTEMS

WHEREAS, the State of Michigan Department of Treasury released a Local Unit Retirement System Summary, Retirement Pension System Summary and Retirement Health Care System Summary as of March 23, 2018 which noted PA 202 of 2017 defines "underfunded status" to mean the following: 1.) For retirement pension systems, the triggers for primary units (cities, villages, counties, and townships) are if the unit is less than 60% funded and has an annual required contribution that is over 10% of governmental fund revenues. The non-primary unit trigger is if the unit is less than 60% funded. 2.) For retirement health care systems, the triggers for primary units (cities, villages, counties and townships) are if the unit is less than 40% funded and has an annual required contribution greater than 12% of governmental fund revenues. The non-primary unit trigger is if the unit is less than 40% funded; and

WHEREAS, the City of Lapeer has adequately addressed its underfunded status and has commitments that have been formally enacted and documented and represents accurate information that the City of Lapeer is not underfunded.

NOW, THEREFORE, BE IT RESOLVED, that the Lapeer City Commission has reviewed and approves submittal to file the Protecting Local Government Retirement and Benefits Act Application for Waiver and Plan: Retirement Health Benefit Systems issued under authority of Public Act 202 of 2017 to correct the Michigan Department of Treasury's preliminary review that resulted in an underfunded status and authorizes the City Manager to sign said Application.

Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt, Osentoski.

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

Closed Session Request

City Manager Kerbyson requested a Closed Session at the end of the regular meeting to discuss the sale of property.

## **CITY ATTORNEY'S REPORT**

### Merit Policy Panel Appointments

City Attorney Nolan recommended engaging ICF to score the Provisioning Center applications, City to maintain objectivity as best it can for a fair/equal open review, City Manager negotiated for a reduced price of \$850 per person per review.

### **84 2018 04-16**

Moved by Marquardt. Seconded by Osentoski.

Approve a contract with ICF for the scoring criteria portion of the Provisioning Center applications at a cost not to exceed \$850.00 per person per review and authorize the City Manager to sign required documents.

Ayes: Atwood, Bostick-Tullius, Marquardt, Osentoski.

Nays: Bennett.

Absent: None.

**MOTION CARRIED**

## **UNFINISHED BUSINESS**

None.

## **DEPARTMENTAL COMMUNICATIONS**

The Monthly Department Reports, Monthly Financial Report and 2018 Point in Time Count Information were received into record.

## **PUBLIC COMMENTS**

None.

## **MAYOR/COMMISSIONER COMMENTS**

Commissioner Marquardt: thanked Youth Council and Commissioner Atwood for work on the Superheroes program, is looking forward to seeing the program progress.

City Manager Kerbyson thanked Youth Council members and Commissioner Atwood for their work on the Superheroes project, thinks the program will really grow, will look for sponsors; Center Building fundraiser April 26<sup>th</sup>.

Mayor Sprague: update on local events, Budget Workshop scheduled for May 3<sup>rd</sup> at 5:30 p.m. at City Hall.

## **CLOSED SESSION**

### **85 2018 04-16**

Moved by Bennett. Seconded by Bostick-Tullius.

Approve going into Closed Session to discuss the sale of property.

**ON A ROLL CALL VOTE:**

**YEAS:** Commissioners Bennett, Osentoski, Marquardt, Bostick-Tullius, Atwood.

**NAYS:** None.

**ABSTAIN:** None.

**ABSENT:** None.

**MOTION CARRIED.**

The City Commission convened to a Closed Session for the purpose of discussing the sale of property at 7:40 p.m. and returned to its regular meeting at 7:51 p.m.

## **ADJOURNMENT**

### **86 2018 04-16**

Moved by Bennett.

Adjourn the regular meeting.

Ayes: Atwood, Bennett, Bostick-Tullius, Marquardt, Osentoski.

Nays: None.

Absent: None.

**MOTION CARRIED.**

The regular meeting adjourned at 7:51p.m.

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Mayor William J. Sprague

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Donna L. Cronicc, MMC, City Clerk

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Renee Wilson, Chief Deputy City Clerk