

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

A regular meeting of the Lapeer City Commission was held July 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 Representative: Aleksandrs Bomis, present.

Mayor Sprague led the Pledge of Allegiance.

**AGENDA APPROVAL**

**154 2018 07-16**

Moved by Bostick-Tullius. Seconded by Marquardt.

Approve the Agenda for July 16, 2018 with the addition of Item E-1, Proclamation for Mark Latesky as presented.

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

Nays: None.

Absent: None.

**MOTION CARRIED.**

**MINUTES**

**155 2018 07-16**

Moved by Marquardt. Seconded by Osentoski.

Approve the minutes of a Regular Meeting held July 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**

Jenny Burkhardt, Wilder Road, gave invocation.

Doug Falkenhagen indicated he is here to be the voice of the Youth Council and wants to help.

**CONSENT AGENDA**

**156 2018 07-16**

Moved by Bennett. Seconded by Atwood.

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

1. Special Event Request from the Lapeer County Hockey Association to hold an event on Saturday, September 15, 2018 from 2:00 pm to 11:00 pm at Louie's Sports Tavern, 3301 Davison Road, Lapeer, MI 48446.

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

Nays: None.

Absent: None.

**MOTION CARRIED.**

**BILL LISTING FOR JULY 16, 2018**

**157 2018 07-16**

Moved by Marquardt. Seconded by Bostick-Tullius.

Approve the Bill Listing for July 16, 2018 in the amount of \$603,910.64.

Commissioner Osentoski questioned the payment for new trucks, why approve payment if they have not approved the purchase? City Manager Dale Kerbyson explained the

trucks are in the Capital Improvement Plan and have already been approved; they are on the agenda as a courtesy to let Commissioners know it is time for the purchase.

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

Nays: None.

Absent: None.

MOTION CARRIED.

## **PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS**

### **Proclamation – Mark Latesky**

#### **158 2018 07-16**

Moved by Bostick-Tullius. Seconded by Bennett.

Approve a proclamation for Mark Latesky.

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

Nays: None.

Absent: None.

MOTION CARRIED.

## **PUBLIC HEARINGS**

None.

## **ADMINISTRATIVE REPORTS**

### **Rezoning – I-1 Industrial to B-2 General Business**

**552 Imlay City Road – Parcel #L21-36-503-040-00**

#### **159 2018 07-16**

Moved by Bostick-Tullius. Seconded by Osentoski.

Commissioner Bennett questioned if the reason for re-zoning was questioned at the Planning Commission level? City Manager Dale Kerbyson indicated that yes it was; this re-zoning gives the owner better options when selling. Mr. Bennett question if the re-zoning was for medical marihuana grow operation. City Manager Dale Kerbyson indicated no, the re-zoning actually make it unavailable for a grow operation and there has been no indication of it becoming a grow facility.

Approved the amendment to Chapter 7 (Zoning Ordinance) of the General Ordinances of the City of Lapeer as follows:

7.02.02 District Boundaries

(a) Zoning District Amendments

(14) The following parcel formerly zoned I-1 Industrial is hereby rezoned to B-2 General Business:

Parcel #L21-36-503-040-00 (552 Imlay City Road)

CITY OF LAPEER ROOD'S PAVED-WAY PLAT (L=1 P=76 SEC 4,  
T7N-R10E) LOT 3 44-12-560-003-00

#### **ROLL CALL VOTE**

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

Nays: None.

Absent: None.

MOTION CARRIED.

### **Rezoning – R-2 Single-Family Residential /OS-1 Office Service to RM-1 Multiple Family Residential**

**Vacant Parcel Baldwin Road – Parcel #L20-94-902-040-00**

#### **160 2018 07-16**

Moved by Osentoski. Seconded by Bennett.

Approve the amendment to Chapter 7 (Zoning Ordinance) of the General Ordinances of the City of Lapeer.

7.02.02 District Boundaries

(a) Zoning District Amendments

- (15) The following parcel formerly zoned R-2 Single-Family Residential/OS-1 Office Service is hereby rezoned to RM-1 Multiple Family Residential:

Parcel #L20-94-902-040-00

CITY OF LAPEER T7N, R10E, SEC 7, COM N88°48'27"W 520.58 FT ( PREVIOUSLY RECORDED AS N88°50'00"W 520.96) & N28°56'40"E 281.16 FT & N88°52'51"W 267 FT ( PREVIOUSLY RECORDED AS N88°53'00"W 267.00) FRM E 1/4 COR, SEC 7, TO THE POB; TH N0°06'38"W 740.89 FT; TH N88°55'50"W (PREVIOUSLY RECORDED AS N88°55'54"W) 673.98 FT; TH S0°06'38"E ( PREVIOUSLY RECORDED AS S00°05'24" E) 740.31 FT; TH S88°52'51 E 673.99 FT TO POB 11.46 A+/-

**ROLL CALL VOTE**

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

Nays: None.

Absent: None.

**MOTION CARRIED.**

**2018 Local Street Rehabilitation Projects.**

**L.J. Construction, Inc. – Payment Request #2.**

**161 2018 07-16**

Moved by Marquardt. Seconded by Bostick-Tullius.

Approve Payment Request #2 to L.J. Construction, Inc. in the amount of \$187,681.05 for services completed on the 2018 Local Street Rehabilitation Projects.

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

Nays: None.

Absent: None.

**MOTION CARRIED.**

**GovtPortal.com Signature Authority.**

**162 2018 07-16**

Moved by Bostick-Tullius. Seconded by Marquardt.

Approve and authorize the Director of Parks, Recreation & Cemetery to open an account through GovtPortal with Priority Payments, be the approved signer on the account, and sign required documents related to the new recreation software program with GovtPortal.

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

Nays: None.

Absent: None.

**MOTION CARRIED.**

**163 2018 07-16**

Moved by Bostick-Tullius. Seconded by Bennett.

Approve the purchase of a Utility Vehicle (Project #21000) from Signature Ford, in the amount of \$30,720.00 and a Two Door Pick-up Truck (Project #21010) from Todd Wenzel Buick GMC, in the amount of \$27,573.00.

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

Nays: None.

Absent: None.

**MOTION CARRIED.**

**CITY MANAGER'S REPORT**

City Manager Dale Kerbyson requested Director of Parks, Recreation & Cemetery Rodney Church to announce his good news. Mr. Church indicated the Optimist Club donated \$35,000 for improvements to the playground equipment at Cramton Park.

**CITY ATTORNEY'S REPORT**

None.

## **UNFINISHED BUSINESS**

### **164 2018 07-16**

Appointed by Mayor Sprague. Moved by Bostick-Tullius. Seconded by Atwood.

Appoint the following board members:

Charles Dixon, Lapeer Housing Commission, term ending 8-1-2023.

James Mikus, Lapeer Neighborhoods, Inc., term ending, 8-1-2020.

Jennell RaCosta, Lapeer Neighborhoods, Inc., term ending 8-1-2020.

Anne Shenck, Planning Commission, term ending 8-1-2021.

Jennell RaCosta, Planning Commission, term ending 8-1-2021.

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

Nays: None.

Absent: None.

**MOTION CARRIED.**

### **District Library Board Appointment**

### **165 2018 07-16**

Moved by Marquardt. Seconded by Bostick-Tullius.

To Take from the Table consideration of the District Library Board appointment.

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

Nays: None.

Absent: None.

**MOTION CARRIED.**

### **District Library Board Appointment**

### **166 2018 07-16**

Moved by Marquardt. Seconded by Bennett.

Postpone consideration of the District Library Board appointment to the August 20, 2018 City Commission meeting.

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

Nays: None.

Absent: None.

**MOTION CARRIED.**

## **DEPARTMENTAL COMMUNICATIONS**

The Monthly Departmental Reports was received into record.

## **PUBLIC COMMENTS**

None.

## **MAYOR/COMMISSIONER COMMENTS**

Commissioner Atwood: Attended 160 year Anniversary party for the police department, good tours, met the new K-9 team, had a great time.

Commissioner Bostick-Tullius: Also attended 160 year Anniversary party for the police department, it was cool, saw demos of lifting prints with Detective Gormley, a lot of officers were there with their families. Attended Youth Council meeting, they are working hard towards obtaining a bench for Veterans Park, expect to bring budget to next Commission meeting, had to keep them on target, learned about needing a quorum to vote.

Commissioner Bennett: Also attended 160 year Anniversary party for the police department, learned about DNA, you may want to wear gloves as they can pick up your DNA anywhere, was time well spent.

Commissioner Osentoski: Thanked the Optimist Club for their donation to the Parks Department; has library signs that say YES for yards for anyone wanting to put one in their yard for the library millage; questioned the Woodbridge subdivision – when are they going to move forward, is the City doing what it needs to help move this forward? City Manager Dale Kerbyson indicated he recently met with investors and the owner; a road map is laid out, just a matter of time before it begins moving forward again with condo and home structures. Mr. Kerbyson also commented the City's vacant lots are starting to attract builders for new homes.

Commissioner Marquardt: Also attended 160 year Anniversary party for the police department, very nice celebration; attended fireworks.

City Manager Dale Kerbyson: Is working of finalizing property sales; will be off the rest of the week at the Mangers Conference in Charlevoix.

Commissioner Osentoski commented on "invoices" emails that are getting worse.

Mayor Sprague: Commented on "invoices" emails and is now having someone making calls using his phone number. Update on local events. Thanked the Lapeer and Elba Fire Departments for a job well done on saving his home in a fire a week ago; thanked staff that helped him, it is a shocking event and he is so grateful for everyone that helped put the fire out and helped with his dogs.

## **ADJOURNMENT**

### **167 2018 07-16**

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 6:57 p.m.

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Mayor William J. Sprague

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Donna L. Cronce, MMC, City Clerk

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Tracey S. Russell, Deputy City Clerk