

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
August 6, 2018**

A regular meeting of the Lapeer City Commission was held August 6, 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

168 2018 08-06

Moved by Bennett. Seconded by Atwood.

Approve the Agenda for August 6, 2018 as presented.

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

Nays: None.

Absent: None.

MOTION CARRIED.

MINUTES

169 2018 08-06

Moved by Marquardt. Seconded by Osentoski.

Approve the minutes of a Regular Meeting held July 16, 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

Janet Adams, Baldwin, gave invocation.

CONSENT AGENDA

170 2018 08-06

Moved by Bostick-Tullius. Seconded by Marquardt.

Approve the Consent Agenda for August 6, 2018 resulting in the following.

1. Special Event Request from Jim Riehl Friendly Automotive Group – Lapeer, Farmer Appreciation Day, Tuesday, August 7, 2018 10:00AM-2:00PM, at the Jim Riehl dealership located at 1515 South Lapeer Road.
2. Special Event Request from Project Brotherhood Resolve, Ruck for the Fallen 2018, along M-24 to City Limits, contingent upon receipt of current insurance.
3. Approve the amendments to the City of Lapeer Fee Schedule relating to the Building Department, effective August 6, 2018.

Commissioner Marquardt had questions on Item C-3 City of Lapeer Fee Schedule amendments. Mayor Sprague requested a modification of the motion to remove Item C-3 from the Consent Agenda for further discussion.

Moved by Bostick-Tullius. Seconded by Osentoski.

To amend the motion to remove Item C-3 from the Consent Agenda for further discussion.

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

Nays: None.

Absent: None.

MOTION CARRIED.

Amended Main Motion:

Approve the Consent Agenda for August 6, 2018 resulting in the following.

1. Special Event Request from Jim Riehl Friendly Automotive Group – Lapeer, Farmer Appreciation Day, Tuesday, August 7, 2018 10:00AM-2:00PM, at the Jim Riehl dealership located at 1515 South Lapeer Road.
2. Special Event Request from Project Brotherhood Resolve, Ruck for the Fallen 2018, along M-24 to City Limits, contingent upon receipt of current insurance.

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

Nays: None.

Absent: None.

MOTION CARRIED.

City of Lapeer Fee Schedule: Building Department Fees.

171 2018 08-06

Moved by Bostick-Tullius. Seconded by Bennett.

Approve the amendments to the City of Lapeer Fee Schedule relating to the Building Department, effective August 6, 2018.

Commissioner Marquardt questioned several fees, felt fees were inaccurate, she reviewed it extensively, sees big increases, may be interpreting it incorrectly. Mayor Sprague stated that the Commission approved the fees which were to match CCA with no differences, if anyone feels they were charged more than what CCA charged then they could show evidence and receive a refund of the difference. Commissioner Marquardt stated questions, does not agree with this, still has more questions, not in favor of the fees presented.

ON A ROLL CALL VOTE:

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

Nays: Marquardt.

Absent: None.

MOTION CARRIED.

BILL LISTING FOR AUGUST 6, 2018

172 2018 08-06

Moved by Bostick-Tullius. Seconded by Osentoski.

Approve the Bill Listing for August 6, 2018 in the amount of \$1,867,638.06.

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

Nays: None.

Absent: None.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

Charitable Gaming License: Lapeer Lightning Music Boosters

173 2018 08-06

Moved by Osenstoski. Seconded by Bostick-Tullius.

Approve the Local Governing Body Resolution for Charitable Gaming License for Lapeer Lightning Music Boosters.

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES

That the request from Lapeer Lightning Music Boosters of Lapeer, county of Lapeer, asking that they be recognized as a nonprofit organization operating in the community, for the purpose of obtaining charitable gaming licenses, be considered for approval.

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

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

Capital Improvement Program – AED Purchase

174 2018 08-06

Moved by Marquardt. Seconded by Atwood.

Approve the purchase of four AED units from Zoll, Inc. (Project #20560) in the amount of \$5,730.00.

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

Nays: None.

Absent: None.

MOTION CARRIED.

2018 Local Street Rehabilitation Projects

L.J. Construction, Inc. – Payment Request #3

175 2018 08-06

Moved by Bostick-Tullius. Seconded by Osenstoski.

Approve Payment Request #3 to L.J. Construction, Inc. in the amount of \$191,565.90 for services completed on the 2018 Local Street Rehabilitation Projects.

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

Nays: None.

Absent: None.

MOTION CARRIED.

CITY MANAGER’S REPORT

Vacant Land - Clark Road Property: Resolution Annexing Property, Lapeer Township to the City of Lapeer.

176 2018 08-06

Moved by Bennett. Seconded by Bostick-Tullius.

Approve the Resolution Annexing Property Lapeer Township to the City of Lapeer.

CITY OF LAPEER
RESOLUTION ANNEXING PROPERTY
Lapeer Township to the City of Lapeer

WHEREAS:

A. The City of Lapeer owns real property recorded in Liber 2964 Page 572 of the Lapeer County Registrar of Deeds that is currently within the municipal boundaries of the Lapeer Township, Lapeer County, Michigan; Parcel #44-012-009-008-10. More particularly described as:

The South ½ of the Southwest ¼ of the Southwest ¼ of Section 9, Town 7 North, Range 10 East, Lapeer Township, Lapeer County, Michigan.

Commonly known as “Vacant Land, Clark Road, Lapeer, Michigan 48446” and described in Lapeer Township Assessing Records as:

SEC 9 T7N R10E PARCEL 1 BEG AT SW COR TH N 663.54 FT TH E 1308.88 FT TH S 663.35 FT TH W 1307.72 FT TO THE POB. 19.92 AC M/L.

- B. The property is immediately adjacent to the corporate limits of the City of Lapeer.
- C. There are no registered voters within the property area.
- D. There are no businesses or proposed businesses that will be affected by the annexation that have a Michigan Liquor Control Commission license.
- E. The property is vacant and otherwise meets all the statutory requirements contained in MCL §117.9 for annexation to the City of Lapeer by resolution of the Lapeer City Commission.

BE IT RESOLVED THAT:

- 1. The property owned by the City of Lapeer and located in Lapeer Township, immediately adjacent to the Lapeer City limits, described above, is hereby annexed into the City of Lapeer pursuant to the authority of MCL §117.9.

2. A copy of this resolution be filed with the Michigan Department of State Office of the Great Seal, Lapeer County Clerk, Lapeer Township Board and Lapeer County Register of Deeds.

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

CITY ATTORNEY'S REPORT

City Attorney Michel Nolan reported on the pending medical marihuana lawsuit with 39 Genesee, Inc.

UNFINISHED BUSINESS

None.

DEPARTMENTAL COMMUNICATIONS

The Monthly Financial Report for May 2018 and the DDA Status Report dated July 20, 2018 was received into record.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Bostick-Tullius: Michigan Main Street will be in town on August 15th, meeting with the Commissioners at 5:30 p.m.; attended the Elite Dance Project Grand Opening which had a good turn out and is happy another business has opened in town.

Commissioner Osentoski: Vote tomorrow; update on White Junior High Building, Mayor Sprague indicated still in due diligence; condolences to burn family.

Commissioner Marquardt: Confidence in our law enforcement staff to find the culprits of the burn victims, thoughts/prayers go out to family; Brotherhood Resolve Walk from Lapeer to Lake Orion to support our veterans.

City Manager Dale Kerbyson: The Brotherhood Walk is a tremendous event; putting in all efforts to find out what happened and person(s) responsible for the burn victims.

Mayor Sprague: Reminded everyone of local events; condolences to burn victims, inappropriate to spread rumors on the burn incident; has total confidence in our law enforcement staff to find the person(s) responsible.

ADJOURNMENT

177 2018 08-06

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 6:52 p.m.

Mayor William J. Sprague

Donna L. Cronce, MMC, City Clerk

Tracey S. Russell, Deputy City Clerk