

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
November 21, 2016**

A regular meeting of the Lapeer City Commission was held November 21, 2016 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 Gates, Marquardt.
Absent: None.

City Manager: Dale Kerbyson, absent (excused).
City Attorney: Michael Nolan, present.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

214 2016 11-21

Moved by Gates. Seconded by Marquardt.
Approve the Agenda for November 21, 2016 as presented.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.

MOTION CARRIED.

MINUTES

215 2016 11-21

Moved by Bennett. Seconded by Gates.
Approve the minutes from the Regular and Closed Session meeting held November 7, 2016 as presented.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.

MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

PUBLIC COMMENTS

Giovanni Bommarito, Cass Lake Township, expressed an interest in opening a marihuana dispensary in the City of Lapeer, would like to see the moratorium lifted and would like to work as a partner with the City for this project. Mayor Sprague indicated the City would take this under advisement.

Lori Kovack, Peppermill Circle, gave invocation.

James Alt, Flint River Road, presented a large letter on a poster board and asked the Commission to sign the letter in support of the Main Street Program.

CONSENT AGENDA

216 2016 11-21

Moved by Bostick-Tullius. Seconded by Marquardt.
Approve the Consent Agenda for November 21, 2016 resulting in the following:
1. Special Event Request from Lapeer Optimist, Nightmare on Nepessing, October 14, 2017, downtown with street closures on Nepessing Street between Cedar and Court Streets contingent upon receipt of current insurance.
2. 2017 City of Lapeer Official Meeting Calendar.
Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.

MOTION CARRIED.

BILL LISTING FOR NOVEMBER 21, 2016

217 2016 11-21

Moved by Marquardt. Seconded by Gates.

Approve the Bill Listing for November 21, 2016 in the amount of \$439,969.92.

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

Nays: None.

Absent: None.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

None.

PUBLIC HEARINGS

Industrial Facilities Tax Exemption Request: Urgent Design & Manufacturing, Inc.

Patricia Lucas, Lapeer Development Corporation introduced Keith Chene, CFO, from Urgent Design & Manufacturing, Inc.; 12 year exemption; request is for building addition costs of over \$4 million; creation of 25 new jobs; answer any questions the Commission may have.

Mayor Sprague opened the public hearing at 6:35 p.m. Hearing no comments, Mayor Sprague closed the public hearing at 6:35 p.m.

218 2016 11-21

Moved by Marquardt. Seconded by Gates.

Approve Resolution Approving The Application Of Urgent Design & Manufacturing, Inc. For An Industrial Facilities Tax Exemption Certificate.

CITY OF LAPEER RESOLUTION APPROVING THE APPLICATION OF URGENT DESIGN & MANUFACTURING, INC FOR AN INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE

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

WHEREAS, Urgent Design & Manufacturing, Inc. owner of the realty described below within said District, has applied for an Industrial Facilities Exemption Certificate, under the provision of 1974 Public Act 198, Section 5 (1); and

WHEREAS, 1974 Public Act 198, Section 5 (2) provides that before acting upon an application for an Industrial Facilities Exemption Certificate, the City Commission shall afford the applicant, the Assessor and a representative of the affected taxing units an opportunity for a hearing.

NOW, THEREFORE, BE IT RESOLVED:

1. That the application of Urgent Design & Manufacturing, Inc. for Industrial Facilities Exemption Certificate shall remain on file in the office of the City Clerk.
2. That the City Commission shall meet in the City Commission Chambers at 576 Liberty Park, on November 21, 2016 at 6:30 p.m. or as soon thereafter as may be heard. The City Commission will provide the City Assessor and a representative of each of the taxing units an opportunity to be heard on the question of Urgent Design & Manufacturing, Inc. application for an Industrial Facilities Exemption Certificate with regard to proposed operation within the Industrial Development District No. E.
3. That the City Clerk immediately inform by letter, the City Assessor and the legislative body of each taxing unit which levies ad valorem taxes in the City of Lapeer on the property located within the Industrial Development District No. E described as follows:

PART OF NORTHEAST 1/4 OF SECTION 12 T7N-R9E, ELBA TOWNSHIP, LAPEER COUNTY, MICHIGAN DESCRIBED AS COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 12 SOUTH 01°38'19" EAST 2138.85 FEET ALONG THE NORTH-SOUTH 1/4 LINE; THENCE NORTH 89°59'48" EAST 234.32 FEET; THENCE NORTH 18°56'19" WEST .68 FEET; THENCE 959.27 FEET ALONG A CURVE TO THE RIGHT, DELTA ANGLE 8°45'31", RADIUS OF 654.17 FEET, LONG CHORD BEARING AND DISTANCE OF NORTH 43°59'30" EAST 875.60 FEET; THENCE NORTH 86 00'02" EAST 84.93 FEET; THENCE NORTH 03°59'58" WEST 86.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 03°59'58" WEST 482.48 FEET; THENCE 386.12 FEET ALONG A CURVE TO THE RIGHT DELTA ANGLE 17°51'47", RADIUS OF 320.75 FEET, LONG CHORD BEARING AND DISTANCE OF NORTH 30°29'13" EAST 363.22 FEET; THENCE NORTH 64°58'23" EAST 360.00 FEET; THENCE SOUTH 25°00'04" EAST 710.10 FEET; THENCE 62.54 FEET ALONG A CURVE TO THE LEFT DELTA ANGLE 44° 57'14", RADIUS 80.00 FEET; LONG CHORD BEARING AND DISTANCE OF SOUTH 56°05'28" WEST 61.17 FEET; THENCE 48.54 FEET ALONG A CURVE TO THE RIGHT DELTA ANGLE 34°45'54", RADIUS OF 80.00 FEET, LONG CHORD BEARING AND DISTANCE OF SOUTH 05°59'45" WEST 47.80 FEET; THENCE SOUTH 68°22'42" WEST 523.00 FEET; THENCE 208.82 FEET ALONG A CURVE TO THE RIGHT, DELTA ANGLE OF 17°37'21" RADIUS OF 678.94 FEET, LONG CHORD BEARING AND DISTANCE OF SOUTH 77°11'22" WEST 208.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 11.43 ACRES AND SUBJECT TO ALL EASEMENTS OR RESTRICTIONS OF RECORD. More commonly known as: 3142 John Conley Drive.

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

Nays: None.

Absent: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

ADMINISTRATIVE REPORTS

Ordinance Amendment: Rezoning Request.
885 Baldwin Rd. – Parcel #L21-60-100-040-00.

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Moved by Marquardt. Seconded by Gates.

Adopt the amendment to Chapter 7 (Zoning Ordinance). Article 7.02.02 (a)(9) of the General Ordinance of the City of Lapeer.

THE CITY OF LAPEER ORDAINS:

ARTICLE 7.02 MAPPED DISTRICTS

7.02.02 District Boundaries

(a) Zoning District Amendments

- (9) The following property formerly zoned R-2 Single Family Residential is hereby rezoned to B-2 General Business.

885 Baldwin Road; Tax I.D. #L21-60-100-040-00

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED. AMENDMENT DECLARED ADOPTED.

Michigan Main Street Program – Select Level Support

220 2016 11-21

Moved by Atwood. Seconded by Gates.

Approve the Resolution Of Support And Cooperation Michigan Main Street Program.

LAPEER CITY COMMISSION
RESOLUTION OF SUPPORT AND COOPERATION
MICHIGAN MAIN STREET PROGRAM

WHEREAS, the City of Lapeer Downtown Development Authority has fulfilled the requirements of the Associate Level of the Michigan Main Street Program and will apply to become a Select Level Main Street community; and

WHEREAS, the Lapeer City Commission and its Downtown Development Authority recognize the importance of the downtown district to the community and region; and

WHEREAS, the downtown district is vital to our community's identity and quality of life and it is the City's intent to reverse the historic trend which has led to the loss of population, jobs and businesses in the downtown district and to work on the continued improvement, revitalization and development of the downtown district.

NOW, THEREFORE, BE IT RESOLVED that the Lapeer City Commission will support and provide cooperation with its Downtown Development Authority to fulfill the requirements of the Select Level Michigan Main Street Program in 2017

ON A ROLL CALL VOTE:

AYES: Atwood, Bennett, Gates, Bostick-Tullius, and Marquardt.

NAYES: None.

ABSTAIN: None.

ABSENT: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

CITY MANAGER'S REPORT

Veterans Video.

Veterans Video was presented, giving various veteran statistics. Mayor Sprague commented that it is the City's goal to have no homeless vets.

CITY ATTORNEY'S REPORT

City Attorney Michael Nolan reported that he will have information on the DTE contract to discuss at the next meeting.

UNFINISHED BUSINESS

221 2016 11-21

Moved by Marquardt. Seconded by Gates.

Appointed Scott McCallum to the Income Tax Board of Review for a three year term, expiring December 1, 2019.

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

Nays: None.

Absent: None.

MOTION CARRIED.

DEPARTMENTAL COMMUNICATIONS

The Monthly Departmental Reports and the Downtown Development Authority Reports for September and October, 2016 were received into the record.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Bennett: Veterans Day Memorial, Mayor Sprague gave a great speech; questioned if the Commission was interested in marihuana dispensaries in the city, more information is needed, would like a workshop on the topic. Discussion was held on having a workshop on the topic, to have more education provided, expert to explain the laws and implications to the city if allowed. It was the consensus of the Commission to have a Workshop on Marihuana dispensaries sometime after the holidays.

Commissioner Gates: Thanked Commissioner Bennett for making the workshop suggestion; downtown looks great with a lot going on; have a safe and happy Thanksgiving.

Commissioner Atwood: "Date Night" contest has started, thanked Mr. Hogan for the article on the contest, businesses are coming together for this contest, winner will be selected 12/24/2016 with a basket of prizes valued at \$500.00; is working with the City Manager on a contest to name the snowman and two penguins with local businesses donating prizes; indicated that the businesses are excited that the community is working together; have a great Thanksgiving.

Commissioner Bostick-Tullius: Missed a few meetings, was in Washington DC with daughter; went to Pittsburgh with MML Board and learned a lot of beneficial information which included VA partnerships, abuse of prescription drugs and the opiate epidemic, community engagement with businesses; happy Thanksgiving; questioned if there was a resolution regarding the homelessness showering at the community center? City Attorney Michael Nolan indicated there is no resolution as of yet.

Commissioner Marquardt: Happy Thanksgiving; thanks for the Veteran video, understands the Veteran homelessness is not a problem in the City, wanted the commission to recognize that some veterans cannot ask for help even though they need it; work being done on her sidewalks, asked for clarification of what was being done; questioned if the commission was willing to have an ugly sweater/sweatshirt contest this year, Commissioner Atwood said the contest would be 12/19/16.

Commissioner Bennett questioned who the crowd of young boys were in the audience, it was stated they were from the Boy Scouts, the troop was welcomed and thanked for attending.

Mayor Sprague: Announced local events for the next two weeks; thanked everyone for coming to the meeting; indicated you can say "Merry Christmas" on the parade floats; attended Veterans Day Memorial, the park looked great, had a lot of compliments on how well the park is kept up.

ADJOURNMENT

222 2016 11-21

Moved by Bennett.

Adjourn the regular meeting.

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

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 7:06 p.m.

William J. Sprague, Mayor

Tracey S. Russell, Deputy City Clerk