

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
FEBRUARY 3, 2020**

A regular meeting of the Lapeer City Commission was held February 3, 2020 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

ROLL CALL

Present: Mayor Marquardt.

Commissioners: Atwood, Cattane, Osentoski, Pattison, Stroh.

Absent: None.

City Manager: Dale Kerbyson, present.

City Attorney: Michael Nolan, present.

Mayor Marquardt led the Pledge of Allegiance.

11 2020 02-03 AGENDA APPROVAL

Moved by Cattane. Seconded by Stroh.

Approve the Agenda for February 3, 2020 as presented.

Ayes: Atwood, Cattane, Osentoski, Pattison, Stroh.

Nays: None.

Absent: None.

MOTION CARRIED.

12 2020 02-03 MINUTES

Moved by Pattison. Seconded by Osentoski.

Approve the minutes of the Regular Meeting held January 21, 2020.

Ayes: Atwood, Cattane, Osentoski, Pattison, Stroh.

Nays: None.

Absent: None.

MOTION CARRIED.

PUBLIC COMMENTS

Keegan White, Senior at Lapeer High School where he attends Lapeer Education Technology for marketing; currently participating in a co-op training with Mr. Bishop at Lapeer Development Corporation. He attended the contractors' luncheon last week where he met Mayor Marquardt and she invited him to attend a City Commission meeting.

Janet Adams, 1057 Baldwin, gave an invocation.

Steve Elzerman, 1333 Bloomingfield Dr., wished to introduce himself as he is a business owner in the DDA; Edward Jones on Court Street. He and his wife are very active in the community and he would like to be active in the Downtown and hopes to be able to serve the community.

Clare Longoria, owner of property on M-24 which is zoned commercial. She has had another inquiry on her property from a restaurant that wants to have a drive-thru. She has had between six and eight different restaurants that want to come to Lapeer. The restriction on the property is having an adverse effect on her property as well as four others.

13 2020 02-03 CONSENT AGENDA

Moved by Atwood. Seconded by Pattison.

Approve the Consent Agenda for February 3, 2020 resulting in the following:

1. Agreement with Clinton River Area Bike Association, An International Mountain Bicycling Association Chapter.

Ayes: Atwood, Cattane, Osentoski, Pattison, Stroh.

Nays: None.

Absent: None.

MOTION CARRIED.

14 2020 02-03 BILL LISTING FOR FEBRUARY 3, 2020

Moved by Pattison. Seconded by Cattane.
Approve the Bill Listing for February 3, 2020 in the amount of \$748,785.00.
Ayes: Atwood, Cattane, Osentoski, Pattison, Stroh.
Nays: None.
Absent: None.
MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

None.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

15 2020 02-03 SECONDHAND DEALER LICENSE

Moved by Osentoski. Seconded by Stroh.
Mayor to approve a Secondhand Dealer License for ecoATM, LLC located at 540 S. Main.
Ayes: Atwood, Stroh, Cattane, Osentoski, Pattison.
Nays: None.
Absent: None.
MOTION CARRIED.

16 2020 02-03 SECONDHAND DEALER LICENSE

Moved by Cattane. Seconded by Pattison.
Mayor to approve a Secondhand Dealer License for ecoATM, LLC located at 555 E. Genesee St.
Ayes: Atwood, Stroh, Cattane, Osentoski, Pattison.
Nays: None.
Absent: None.
MOTION CARRIED.

17 2020 02-03 AMENDMENT TO DDA EXECUTIVE DIRECTOR EMPLOYMENT AGREEMENT

Moved by Pattison. Seconded by Stroh.
Approve the Amendment to the DDA Executive Director Employment Agreement.
Ayes: Atwood, Stroh, Cattane, Osentoski, Pattison.
Nays: None.
Absent: None.
MOTION CARRIED.

18 2020 02-03 SET PUBLIC HEARING - COMMUNITY DEVELOPMENT BLOCK GRANT

Moved by Osentoski. Seconded by Pattison.
Approve setting a public hearing for March 2, 2020 for the Community Development Block Grant – Ice Grant – Project #20809-2018 Grant # MSC 216031 Close Out.
Ayes: Atwood, Stroh, Cattane, Osentoski, Pattison.
Nays: None.
Absent: None.
MOTION CARRIED.

19 2020 02-03 PERMANENT SEWER EASEMENT AGREEMENT

Moved by Pattison. Seconded by Cattane.
Accept the.

Commissioner Stroh asked for clarification; originally in 2007 the properties were moving into the City; however, this is just an easement for service and does not address the transfer of those properties into the City.

City Manager Kerbyson stated at the time of the original agreement we were to receive those properties, however the project was approved; began and then developer abandoned the project and those properties were never annexed in. Now, in order to

move forward, we are requiring those easements be created and recorded before we approve extending utilities.

Ayes: Atwood, Stroh, Cattane, Osentoski, Pattison.

Nays: None.

Absent: None.

MOTION CARRIED.

HISTORY UPDATE OF MEDICAL/RECREATIONAL MARIHUANA ORDINANCE

Chief Deputy Clerk Cronce presented the commission with a summary of the process for 2008 to date of the impact and City Commission actions regarding the Medical Marihuana Ordinance.

CITY MANAGER'S REPORT

City Manager Kerbyson stated that he has copies of the audit which he will pass out tonight and will be presented and discussed at our next commission meeting; attended a conference last week which he followed the keynote speaker to presentations on cyber security; will be doing a security assessment of our system and then test it; had meeting with MEDC while at conference; very worthwhile conference.

CITY ATTORNEY'S REPORT

None.

UNFINISHED BUSINESS:

20 2020 02-03 APPOINTMENTS TO THE DOWNTOWN DEVELOPMENT AUTHORITY

Moved by Stroh. Seconded by Osentoski.

Re-appoint Ray Davis to the Downtown Development Authority for a term to expire 01-01-2024; appoint Steve Elzerman to the Downtown Development Authority for a term to expire 01-01-2022.

Ayes: Atwood, Stroh, Cattane, Osentoski, Pattison.

Nays: None.

Absent: None.

PUBLIC COMMENTS

Mike Buhaura, part owner in 1330 Imlay City Road, indicated that Medical Marihuana card holders are not renewing their cards therefore they cannot sell to them because they are not allowed to sell recreationally. The provisioning centers have been well received by the community and many people have come to see the facility. If the City does not op-in, they will not be able to compete with other cities that allow recreational marihuana. If they want to grow for both medical and recreational, they want some assurances that the communities will be allowing recreational sales soon.

DEPARTMENTAL COMMUNICATIONS

The Downtown Development Authority Report; Medical Marihuana Licenses Provisioning Center, Grower, Processor, Secure Transporter, Safety Compliance Facility updates and Planning Commission 2019 Annual Report were received into the record as presented.

MAYOR/COMMISSIONER COMMENTS

Commissioner Pattison: Enjoying the weather.

Commissioner Cattane: He began dating his wife in 2012 and at that time the Downtown was a ghost town; he recently took his family for frozen yogurt from Blend, but couldn't find a parking space; very pleased happy to see the rejuvenation of the Downtown; tell your friends the Downtown is alive again.

Commissioner Atwood: Changed the age for the youth council members; now 13-19 years old; looking for applicants; Youth Council members did a presentation for the cub scouts; nice to see them interact with the younger kids.

Mayor Marquardt: Attended the Contractors Luncheon; Building Official Oliver and Caitlyn Habben of Rowe Professional Services did a wonderful job; introduced to many

project managers working in the City; they will be compiling the comments received and she hopes it will be done annually; very informative meeting tonight.

21 2020 02-03 ADJOURNMENT

Moved by Osentoski.

Adjourn the regular meeting.

Ayes: Atwood, Stroh, Cattane, Osentoski, Pattison.

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 7:20 p.m.

Debbie Marquardt, Mayor

Romona Sanchez, City Clerk