



**AGENDA
CITY OF LAPEER
CITY COMMISSION
576 LIBERTY PARK, LAPEER, MI 48446
OCTOBER 21, 2024**

6:30 P.M. CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF OCTOBER 21, 2024, AGENDA

A. MINUTES:

1. Minutes of the Regular meeting held October 7, 2024.

B. PUBLIC COMMENTS:

1. Lapeer County Commissioner - Brad Haggadone.

C. CONSENT AGENDA:

1. Special Event: Treat Walk, Saturday, October 26, 2024, 12 p.m. – 2 p.m.
2. Special Event: Ladies Night Out, Friday, November 15, 2024, 5 p.m. – 9 p.m.
3. Special Event: Winterfest, Friday, December 6, 2024, 4 p.m. – 9 p.m. and Saturday, December 7, 2024.
4. City Wide Trick or Treat Hours – Thursday, October 31, 2024, 6 p.m.-8 p.m.

SUGGESTED MOTION:

Approve the Consent Agenda for October 21, 2024.

D. BILL LISTING: FOR DATE, 2024.

1. Bill Listing for October 21, 2024.

SUGGESTED MOTION: ON A ROLL CALL VOTE.

Approve the Bill Listing for October 21, 2024, in the amount of \$1,929,653.05.

E. PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS:

1. Proclamation - Thomas Woolley, Retirement.

SUGGESTED MOTION:

Adopt the proclamation in recognition of Thomas Woolley as presented.

F. PUBLIC HEARINGS:

G. ADMINISTRATIVE REPORTS:

1. Ordinance Amendment – Chapter 38 Blight.

SUGGESTED MOTION: INTRODUCED BY COMMISSIONER BRADY.

Adopt an amendment to Chapter 38 (Blight), § 38-5 Violations and penalties, of the General Ordinances of the City of Lapeer.

2. Ordinance Amendment – Chapter 59 Business Registration.
SUGGESTED MOTION: INTRODUCED BY COMMISSIONER GLISMAN.
Adopt an amendment to Chapter 59, (Business Registration), § 59-9 Violations and penalties, of the General Ordinances of the City of Lapeer.
3. Ordinance Amendment – Chapter 7 Zoning - Rezoning – 3301 Davison Road – L20-83-321-040-00, I-1 Industrial to B-2 General Business.
SUGGESTED MOTION: INTRODUCED BY COMMISSIONER BRADY.
Adopt an Ordinance Amendment to Chapter 7 (Zoning Ordinance), Article 7.02.02(a)(38) of the General Ordinances of the City of Lapeer.
4. Michigan State Housing Development Authority (MSHDA).
MI-Neighborhood Grant Application.
SUGGESTED MOTION:
Adopt the resolution to allow the Housing Department to apply to the Michigan State Housing Development Authority (MSHDA) for the MI-Neighborhood Grant application round, in the amount of \$200,000.
5. Amendment - Rules of Procedures of the City Commission.
SUGGESTED MOTION:
Adopt the amendment to the Rules of Procedures of the City of Lapeer, Public Participation at City Commission meetings, as presented.
6. City of Lapeer Fraud Policy.
SUGGESTED MOTION:
Adopt the Fraud Policy as presented.
7. Court Street Bridge Mural.
SUGGESTED MOTION:
Approve painting a mural on the Court Street Bridge, and authorize the Director of Parks, Recreation and Cemetery to sign all necessary documents.
8. R.O.W. Encroachment, Public Sidewalk and Sanitary Sewer Easement - Woodchips.
SUGGESTED MOTION:
Approve of the Right-of-Way Encroachment Easement, the Public Sidewalk Easement and the Sanitary Sewer Easement with the Encroachment Easement being conditioned upon submission of a title commitment to the City and authorize the City Manager to sign all necessary documents.
9. Storm and Sanitary Sewer Easements - Bostick-Tullius.
SUGGESTED MOTION:
Approve of the Permanent Storm Sewer Line and Appurtenance Easement Agreement for Operation and Maintenance and Permanent Sanitary Sewer Line and Appurtenance Easement Agreement for Operation and Maintenance for parcel No. L20-83-304-240-06 and authorize the City Manager to sign all necessary documents.

H. CITY MANAGER’S REPORT:

- 1.** Marihuana Ordinance Amendment.
- 2.** Various matters.

I. CITY ATTORNEY’S REPORT:

- 1.** Various matters.

J. UNFINISHED BUSINESS:

- 1.** Appointments to Boards and Commissions.

K. DEPARTMENTAL COMMUNICATIONS:

- 1.** Departmental Monthly Reports.

L. PUBLIC COMMENTS:

M. CLOSING COMMENTS:

- 1.** Commissioners.
- 2.** City Manager.
- 3.** Mayor.

N. REMINDER OF MEETINGS:

Next City Commission Meeting: **MONDAY, NOVEMBER 4, 2024, Regular**

O. REMINDER OF PUBLIC HEARINGS:

ADJOURNMENT

MATERIAL TRANSMITTAL

Notice:

Persons with disabilities needing accommodations for effective participation through electronic means in this meeting should contact the City Clerk at (810) 664-5231 or by email at clerk@ci.lapeer.mi.us at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
OCTOBER 7, 2024**

A regular meeting of the Lapeer City Commission was held October 7, 2024, at the Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

ROLL CALL

Present: Commissioners: Atwood, Brady, Glisman, Petrie, Swindell.

Absent: Mayor Marquardt.

City Manager: Mike Womack, present.

City Attorney: T. Allen Francis, present.

Mayor Pro Tem Atwood led the Pledge of Allegiance.

222 2024 10-07 MOTION TO EXCUSE

Moved by Glisman. Seconded by Brady.

To excuse Mayor Marquardt from tonight's meeting.

Ayes: Atwood, Brady, Glisman, Petrie, Swindell.

Nays: None.

MOTION CARRIED.

223 2024 10-07 AGENDA APPROVAL

Moved by Petrie. Seconded by Brady.

Approve the Agenda for October 7, 2024, with the removal of Item C-2 Easement Agreement: Right-of-Way Balcony Encroachments, Sanitary Sewer and Sidewalk for Woodchips Mixed Use, 480 W. Nepessing St., L20-10-900-040-00; to remove C-3 City of Lapeer Fraud Policy, and C-4 Amendment to City of Lapeer – Rules and procedures of the City of Lapeer from this agenda and add them to the October 21, 2024, regular meeting agenda; add Item H-3 Carport Public Safety Building to tonight's agenda.

Ayes: Atwood, Brady, Glisman, Petrie, Swindell.

Nays: None.

MOTION CARRIED.

224 2024 10-07 MINUTES

Moved by Glisman. Seconded by Brady.

Approve the minutes of the regular meeting held September 16, 2024, as presented.

Ayes: Atwood, Brady, Glisman, Petrie, Swindell.

Nays: None.

MOTION CARRIED.

PUBLIC COMMENTS

Written public comments were received about the pump track and Commissioner Glisman.

Anne Schenk read a letter addressed to the City Manager.

Christopher Herr, representative of the Downtown Development Authority provided an update to the City Commission.

Pete McCreedy, spoke about the pump track and the Oakdale Trails.

Austin Kelly, spoke about the pump track.

Jeff Hogan thanked everyone for all the support to him and his family during his wife's funeral.

Melissa Petrie gave an invocation.

Jacob LeRoy spoke about the quality of the video recording.

225 2024 10-07 CONSENT AGENDA

Moved by Glisman. Seconded by Petrie.

Approve the consent agenda for October 7, 2024, as presented:

1. Special Event: Homecoming Parade, Friday, October 18, 2024, 4 p.m. – 6 p.m.
5. DTE Apollo Stormwater Maintenance Agreement.

Ayes: Atwood, Brady, Glisman, Petrie, Swindell.

Nays: None.

MOTION CARRIED.

226 2024 10-07 BILL LISTING

Moved by Brady. Seconded by Swindell.

Approve the bill listing for October 7, 2024, in the amount of \$620,706.65.

ON A ROLL CALL VOTE.

Ayes: Atwood, Brady, Glisman, Petrie, Swindell.

Nays: None.

MOTION CARRIED.

PROCLAMATION, RECOGNITIONS AND RESOLUTIONS:

None.

ADMINISTRATIVE REPORTS:

227 2024 10-07 COMMUNITY CENTER – FITNESS EQUIPMENT

Moved by Glisman. Seconded by Swindell.

Approve the purchase of eight (8) new treadmills and two (2) new recumbent ellipticals in the amount of \$44,260.

ON A ROLL CALL VOTE.

Ayes: Brady, Glisman, Petrie, Swindell, Atwood.

Nays: None.

MOTION CARRIED.

228 2024 10-07 ORDINANCE AMENDMENT – CHAPTER 9 HOUSING.

Moved by Brady. Seconded by Swindell.

Adopt an amendment to Chapter 9, (Housing), Article IV Administration, Enforcement and Penalty, §9-66 and §9-67, of the General Ordinances of the City of Lapeer.

CITY OF LAPEER
LAPEER COUNTY, MICHIGAN

ORDINANCE #:2024-07

THE CITY OF LAPEER, LAPEER COUNTY, MICHIGAN ORDAINS:

ARTICLE I.

That § 9-66 Delaying or terminating prosecution, of the Lapeer Code of Ordinances is deleted and removed entirely:

~~§ 9-66 Delaying or terminating prosecution.~~

~~Nothing in this article shall delay or be cause for terminating the criminal prosecution of a responsible party for violation of this Housing Ordinance.~~

ARTICLE II.

That § 9-67 Violations and penalties, of the Lapeer Code of Ordinances is modified to read in its entirety as follows:

§ 9-67 Violations and penalties. Except as otherwise provided in other sections or articles of this chapter, a violation of any section, article or provision shall be considered a civil infraction and subject to the provisions of Chapter 62, Civil Infractions, of the Code of the City of Lapeer.

ARTICLE III. SEVERABILITY

This ordinance and its various articles, paragraphs and clauses thereof are hereby declared to be severable. If any article, paragraph or clause is adjudged unconstitutional or invalid, the remainder of this amendatory ordinance shall not be affected thereby.

ARTICLE IV. CONFLICT

All ordinances and provisions of ordinances of the City of Lapeer in conflict herewith are hereby repealed.

ARTICLE V. ADOPTION

This amendatory ordinance shall be published as required by law and shall take effect 7 days after publication.

Ayes: Atwood, Brady, Glisman, Petrie, Swindell.

Nays: None.

MOTION CARRIED.

229 2024 10-07 ORDINANCE AMENDMENT – CHAPTER 38 BLIGHT

Commissioner Brady introduced an amendment to Chapter 38 (Blight), § 38-5 Violations and penalties, of the General Ordinances of the City of Lapeer.

ORDINANCE #: 2024-04

THE CITY OF LAPEER, LAPEER COUNTY, MICHIGAN ORDAINS:

ARTICLE I.

That § 38-5 Violations and penalties, of the Lapeer Code of Ordinances, is modified to read in its entirety as follows:

§ 38-5 Violations and penalties. Except as otherwise provided in other sections or articles of this chapter, a violation of any section, article or provision shall be considered a municipal civil infraction and subject to the provisions of Chapter 62, Civil Infractions, of the Code of the City of Lapeer.

ARTICLE II. SEVERABILITY

This ordinance and its various articles, paragraphs and clauses thereof are hereby declared to be severable. If any article, paragraph or clause is adjudged unconstitutional or invalid, the remainder of this amendatory ordinance shall not be affected thereby.

ARTICLE III. CONFLICT

All ordinances and provisions of ordinances of the City of Lapeer in conflict herewith are hereby repealed.

ARTICLE IV. ADOPTION

This amendatory ordinance shall be published as required by law and shall take effect 7 days after publication.

230 2024 10-07 ORDINANCE AMENDMENT – CHAPTER 59 BUSINESS REGISTRATION

Commissioner Glisman introduce an amendment to Chapter 59, (Business Registration), § 59-9 Violations and penalties, of the General Ordinances of the City of Lapeer.

ORDINANCE #: 2024-05

THE CITY OF LAPEER, LAPEER COUNTY, MICHIGAN ORDAINS:

ARTICLE I.

That § 59-9 Violations and penalties, of the Lapeer Code of Ordinances, is modified to read in its entirety as follows:

§ 59-9 Violations and penalties. Except as otherwise provided in other sections or articles of this chapter, a violation of any section, article or provision shall be considered a municipal civil infraction and subject to the provisions of Chapter 62, Civil Infractions, of the Code of the City of Lapeer.

ARTICLE II. SEVERABILITY

This ordinance and its various articles, paragraphs and clauses thereof are hereby declared to be severable. If any article, paragraph or clause is adjudged unconstitutional or invalid, the remainder of this amendatory ordinance shall not be affected thereby.

ARTICLE III. CONFLICT

All ordinances and provisions of ordinances of the City of Lapeer in conflict herewith are hereby repealed.

ARTICLE IV. ADOPTION

This amendatory ordinance shall be published as required by law and shall take effect 7 days after publication.

**231 2024 10-07 ORDINANCE AMENDMENT – CHAPTER 7 ZONING -
REZONING – 3301 DAVISON ROAD – L20-83-321-040-00 I-1 INDUSTRIAL TO B-2
GENERAL BUSINESS**

Commissioner Brady introduced an Ordinance Amendment to Chapter 7 (Zoning Ordinance), Article 7.02.02(a)(38) of the General Ordinances of the City of Lapeer.

ORDINANCE NO. 2024-08

THE CITY OF LAPEER ORDAINS:

ARTICLE 7.02 MAPPED DISTRICTS 7.02.02 District Boundaries

(a) Zoning District Amendments

(38) The following described property formerly zoned I-1 Industrial is hereby rezoned to B-2 General Business:

- 3301 Davison Road (Parcel #L20-83-321-040-00)

**232 2024 10-07 COMMUNITY CENTER – DESIGN & BUILD NEW WATERSLIDE
& STAIRCASE – WHITEWATER**

Moved by Glisman. Seconded by Brady.

Approve Whitewater's proposal to design and build a new water slide and staircase tower at the Lapeer Community Center, not to exceed \$206,994, and authorize the Director of Parks, Recreation & Cemetery to sign all necessary documentation.

Ayes: Glisman, Petrie, Swindell, Atwood, Brady.

Nays: None.

MOTION CARRIED.

**233 2024 10-07 PUMP TRACK DESIGN CONTRACT – ROWE PROFESSIONAL
SERVICES**

Moved by Brady. Seconded by Glisman.

To approve the contract amendment with ROWE Professional Services, in the amount of \$14,400, for design assistance of the pump track and the attached budget amendment and authorize the Director of Parks, Recreation & Cemetery to sign the necessary documents.

The City Commission held a discussion about the funding for this project and the fund raising needed for this project.

ON A ROLL CALL VOTE.

Ayes: Petrie, Swindell, Atwood, Brady, Glisman.

Nays: None.

MOTION CARRIED.

CITY MANAGER'S REPORT

City Manager Womack commented that he has been investigating allegations about a business selling exotic pets that are not caring for the pets in the proper manner. Currently, the store

does appear to be closed. Asked the Commission if they would like to see changes in the planning and zoning ordinances for any future pet stores and/or exotic pet stores that may want to open in the City. Amending this would allow the City to control this type of retail activity and allow the planning and zoning ordinances the authority by ordinances to check on the welfare of animals at these businesses.

234 2024 10-07 CARPORT – PUBLIC SAFETY BUILDING

Moved by Brady. Seconded by Swindell.

Approve the Carport Structures proposal to install carports for the police/fire departments, at the price not to exceed \$113,200, and authorize the Police Chief to sign all the necessary documents.

ON A ROLL CALL VOTE.

Ayes: Swindell, Atwood, Brady, Glisman, Petrie.

Nays: None.

MOTION CARRIED.

The City Commission held a discussion about the quality of the recordings for the meetings. It was suggested to air it live as we currently do, record it but upload later; allocate funds to have experts come in to upgrade the system; use Facebook live; record to YouTube and upload it at a later date. City Manager Womack will explore different options to live feed the Commission meetings. We want public transparency.

235 2024 10-07 CLOSED SESSION

Moved by Brady. Seconded by Swindell.

Approve going into a Closed Session under Section 8(d) of the Open Meetings Act, MCL 15.268(d), at the end of the regular meeting.

ON A ROLL CALL VOTE.

Ayes: Swindell, Atwood, Brady, Glisman, Petrie.

Nays: None.

MOTION CARRIED.

CITY ATTORNEY'S REPORT

None.

UNFINISHED BUSINESS

236 2024 10-07 RESIGNATION FROM DOWNTOWN DEVELOPMENT AUTHORITY

Moved by Swindell. Seconded by Glisman.

Accept the resignation of Elizabeth Moffitt from the Downtown Development Authority and declare the seat vacant.

Ayes: Atwood, Brady, Glisman, Petrie, Swindell.

Nays: None.

MOTION CARRIED.

DEPARTMENTAL REPORTS

The DDA Monthly Departmental Report was received into the record.

PUBLIC COMMENTS

Pete McCreedy, spoke about the pump track.

Anne Schenk read a letter addressed to the City Manager.

John DeAngelis spoke about the recordings of the meetings.

MAYOR/COMMISSIONER COMMENTS

Commissioner Glisman: Pray for peace in the Middle East; October 14, is Columbus Day and Indigenous People's Day. Looking forward to the Cemetery meeting, excited about a future lilac festival; suggested people try to patronize the local businesses; remember to vote next month; America 250 is not too far away.

Commissioner Petrie: Thought there was good conversation this evening. Thanked Ms. Schenk for coming tonight and for her service. Thanked the McCreedy family for coming to tonight's meeting. Expressed how beautiful the service was for Jeff Hogan's wife. Expressed condolences to the family of Dave Knapp.

City Manager Womack: Detroit Tigers won today. Today is the birthday of Yo-Yo Ma.

Mayor Pro Tem Atwood: Reminded the public to tell people how you feel before it's too late. With the devastation we've had in the south, you never know when things are going to happen. Take the time to breath. Thanked Jeff Hogan for being here and asked him to take the time he needs to heal from his recent loss.

CLOSED SESSION

The Lapeer City Commission convened to a closed session to discuss an item under Section 8(d) of the Open Meetings Act, MCL 15.268(d) at 8:09 p.m. and returned to its regular meeting at 8:54 p.m.

237 2024 10-07 FRESHWATER GARDENS LAND SWAP

Moved by Swindell. Seconded by Glisman.

Authorize the City Manager to negotiate and finalize "land swap" agreement with Freshwater Gardens (FWG) and execute all necessary documents.

Ayes: Atwood, Brady, Glisman, Petrie, Swindell.

Nays: None.

MOTION CARRIED.

238 2024 10-07 ADJOURNMENT

Motion by Swindell.

To adjourn the regular meeting at 9:02 p.m.

Joshua Atwood, Mayor Pro Tem

Romona Sanchez, City Clerk

To: Mike Womack, City Manager
From: Jeremy Howe, Chief of Police
Date: October 8, 2024
RE: Special Event – Treat Walk

STAFF RECOMMENDATION

Approve the event. Insurance required.

CURRENT OR NEW INFORMATION

We have received a request from the Lapeer Downtown Development Authority to hold their annual downtown treat walk on Saturday, October 26, 2024, from 12:00 PM - 2:00 PM. The purpose of this event is to provide children and parents the opportunity to Trick-or-Treat throughout the downtown business district.

This event will not require any assistance from any City Departments.

See PDF File SE Treat Walk 2024.

BACKGROUND OR PREVIOUSLY SUBMITTED INFORMATION

Annual Event

AGENDA ITEM REVIEW

Meeting Date: October 21, 2024

Date Reviewed: October 14, 2024

Consent: X

Administrative:

Reviewed By: City Clerk's Office

Public Hearing:

City of Lapeer

SPECIAL EVENT APPLICATION (SEA)



DIRECTIONS: Complete this application per the City of Lapeer Special Events Ordinance (Ch.52 Special Event) and the Rules and Regulations and return it to the either Parks & Rec Department (for events at a City Park) or the City Clerk's Office at a minimum of 45 calendar days before the starting date of the event.

If you request an event in a CITY PARK, YOU MUST SUBMIT YOUR PARK RESERVATION WITH YOUR APPLICATION. All Special Event Applications should be submitted directly to the City Clerk's Office, 576 Liberty Park, Lapeer, MI, 48446 or it can be emailed to clerk@ci.lapeer.mi.us.

Sponsoring Organization (Legal Name)	Lapeer Main Street DDA	Phone #	810-728-6598
Address	410 W. Nepessing St.		
Organization Event Coordinator/Contact	James Alt	Phone #	810-728-6598
Event Coordinator/ Contact Address	410 W. Nepessing St.		
Coordinator/Contact Email	James@lapeerdda.com		

Event Name Historic Downtown Lapeer - Treat Walk

Purpose of Event The annual merchant trick or treating in Historic Downtown Lapeer. This is a community event with the goal of bringing people to the downtown, creating a positive experience, building awareness of businesses within the downtown that could also lead to future sales.

Event Location	Downtown- Primarily along Nepessing Street between Mason St. and Saginaw Street.	Have you reserved your park/pavilion?	Yes / No <i>If yes, provide copy of reservation form with this application, if no and planning a park event, reservations need to be made.*</i>
Date of Event	Oct. 26	Event Time	Noon - 2:00pm
# of Event Organizational Team	2	# of Expected Attendees:	1500
Describe the activities taking place at your event:	Residents of Lapeer and the surrounding areas are invited to visit participating businesses in the DDA district for an afternoon of trick or treating. Participating businesses pass out candy, hot chocolate, have activities, etc.		

Please check what will be part of your event:

☐ Music**	☐ Animals** (such as a petting zoo)	☐ Selling of food*	☐ Posted Signage of Event*
☐ Tents	☐ Wedding	☐ Selling of drinks*	☐ Liquor/Beer or Wine*

**Please list here what type of music (DJ/Band/Individual singers, etc.) and/or list animals: _____

*See Rules and Regulations

Please check what you request the City to supply:

FOR OFFICE USE ONLY:
SPECIAL EVENT REVIEW COMMITTEE APPROVALS

☐ City Manager	☐ Police Chief
☐ Fire Chief	☐ DPW Director
☐ Parks & Rec Director	☐

	Picnic Tables Qty:		Electricity Turned on/off		Other:	
	Trash Containers Qty:		Road Crossing Guards Qty:			
X	Road Closures List:	Nepessing Street between Mason and Saginaw				

Please attach a letter indicating all requests of City services if something other than above.

Please check what type of event is this:

A description of the type of event can be found on page 4, B.1-5.

X	City Operated Event		Other Non-Profit Event		Political or Ballot Issue Event
X	Co-Sponsored Event		Other For-Profit Event		

INDEMNIFICATION AGREEMENT

The Lapeer Downtown Development Authority agree(s) to defend, indemnify, and hold harmless the City of Lapeer, Michigan, its officers, employees and agents, from and against any claim, demand, suit, loss, cost or expense, or any damage, which may be asserted, claimed or recovered against or from the City of Lapeer, its officers employees agents, by reason of any damage to property, bodily injury or death, sustained by any person whomsoever and which damage, injury or death arises out of or is incident to or in any way connected with or related to the special event.

Signature: James Alt Date: 16/09/24
James Alt (Sep 16, 2024 13:02 EDT)

Witnesss: Jill Bristow Date: 16/09/24

1. **ANNUAL EVENT:** Is this event expected to occur next year? **[YES] [No]**

If yes, you may reserve a date for next year with this application. To reserve dates for next year, please provide the following information:

Normal Event Schedule

(e.g., third weekend in July): October 25, 2025

2. **AN EVENT MAP [IS] [IS NOT]** attached. If your event will use streets and/or sidewalks (for a parade, run, etc.), or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. Also, show streets or parking lots that you are requesting to be blocked off. **Crossing Guards are required if crossing any roads.**

3. **FREE PARKING:** Are you requesting free parking (see the Rules and Regulations)? **[YES] [NO]**

If yes, list the lots or locations where free parking is requested:

4. **Alcoholic Beverages:** Will they be served? **[YES] [NO]**

Who holds the Liquor Control Commission license?

5. **CERTIFICATION AND SIGNATURE:** I understand and agree on behalf of the sponsoring organization that:

- a. A certificate of insurance must be provided which names the City of Lapeer as an additional named insured party on the policy. (See the Rules and Regulations for insurance requirements)
- b. Event sponsors and participants will be required to sign Indemnification Agreement forms.
- c. If the event includes solicitation by workers standing in street intersections, the required safety requirements and use of traffic cones will be maintained at all times in accordance with the City's general policies and practices. The City does not recommend standing in the street or making any solicitations from the street.
- d. All food vendors must be approved by the Lapeer County Health Department, and each food and/or other vendor must provide the City with a certificate of insurance in an amount approved by the City which names the City of Lapeer as an additional named insured party on the policy.
- e. The approval of this special event may include additional requirements and/or limitations, based on the City's review of this application, in accordance with the City's Special Events Ordinance and Regulations. The event will be operated in conformance with the Written Confirmation of Approval.
- f. The sponsoring organization will provide a security deposit for the estimated fees as may be required by the City of Lapeer and will promptly pay any billing for City services which may be rendered.

As the authorized agent of the sponsoring organization, I hereby apply for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with City's Special Events Ordinance and Regulations, the terms of the Written Confirmation of Approval, and all other City requirements, ordinances and other laws which may apply to this Special Event.

16/09/24

Date

James Alt
James Alt (Sep 16, 2024 13:02 EDT)

Signature of Sponsoring Organization's Agent

SUBMIT THIS APPLICATION at least **45** calendar days before the first day of the event to the City of Lapeer, City Clerk's Office, 576 Liberty Park, Lapeer MI 48446.

Be sure to include the following with the application:

- ☐ Complete Signed Application.
- ☐ Park Reservation (as needed).
- ☐ Certificate of Insurance –Naming City of Lapeer as additionally insured.
- ☐ Event Map.
- ☐ If Non-Profit provide proof of IRS 501c(3) status.

Lapeer Treat Walk 2024

Final Audit Report

2024-09-16

Created:	2024-09-16
By:	Jim Alt (jim@man4thejob.net)
Status:	Signed
Transaction ID:	CBJCHBCAABAxAxkH6AXJ_MUQHLomgpW8d2iOszHr15Tmu

"Lapeer Treat Walk 2024" History

-  Document created by Jim Alt (jim@man4thejob.net)
2024-09-16 - 4:56:46 PM GMT- IP address: 97.95.3.79
-  Document emailed to James Alt (james@lapeerdda.com) for signature
2024-09-16 - 4:56:53 PM GMT
-  Document emailed to Jill Bristow (jbristow@lapeerdda.com) for signature
2024-09-16 - 4:56:53 PM GMT
-  Email viewed by Jill Bristow (jbristow@lapeerdda.com)
2024-09-16 - 4:58:10 PM GMT- IP address: 97.95.3.79
-  Email viewed by James Alt (james@lapeerdda.com)
2024-09-16 - 5:00:17 PM GMT- IP address: 97.95.3.79
-  Document e-signed by James Alt (james@lapeerdda.com)
Signature Date: 2024-09-16 - 5:02:00 PM GMT - Time Source: server- IP address: 97.95.3.79
-  Document e-signed by Jill Bristow (jbristow@lapeerdda.com)
Signature Date: 2024-09-16 - 5:15:34 PM GMT - Time Source: server- IP address: 97.95.3.79
-  Agreement completed.
2024-09-16 - 5:15:34 PM GMT



Adobe Acrobat Sign



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

7/9/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Highstreet Insurance Services Great Lakes Inc. 305 West Front Street, Suite 201 Traverse City MI 49684	CONTACT NAME: Tammy Manders PHONE (A/C, No, Ext): 231-489-7037 FAX (A/C, No): 231-922-7275 E-MAIL ADDRESS: tammy.manders@highstreetins.com
	INSURER(S) AFFORDING COVERAGE INSURER A : Ascot Insurance Company INSURER B : INSURER C : INSURER D : INSURER E : INSURER F :
INSURED City of Lapeer 576 Liberty Park Lapeer MI 48446	LAPEER0-01 NAIC # 23752

COVERAGES

CERTIFICATE NUMBER: 1084513207

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC OTHER:			TRPK-4001274-00	7/2/2024	7/2/2025	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 2,500 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 6,000,000 PRODUCTS - COMP/OP AGG \$ 6,000,000 \$
A	AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY			TRPK-4001274-00	7/2/2024	7/2/2025	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	UMBRELLA LIAB ☒ OCCUR ☒ EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$			TRPK-4001274-00	7/2/2024	7/2/2025	EACH OCCURRENCE \$ 9,000,000 AGGREGATE \$ 9,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y / N ☐	N / A				PER STATUTE E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Public Officials Liability			TRPK-4001274-00	7/2/2024	7/2/2025	Limit Aggregate 1,000,000 6,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Insured is covered for all special events held by the DDA within the City of Lapeer.

CERTIFICATE HOLDER**CANCELLATION**

Lapeer Down Town Development

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.

To: Mike Womack, City Manager
From: Jeremy Howe, Chief of Police
Date: October 8, 2024
RE: Special Event – Ladies Night Out Fall 2024

STAFF RECOMMENDATION

Approve the event.

CURRENT OR NEW INFORMATION

We have received a request from the Downtown Development Authority Director James Alt to hold a spring version of the Ladies Night Out event within the downtown area. The event will be held on November 15th, from 5:00pm to 9:00pm. The event is designed to bring more traffic to the downtown area. The Pocket Park area is also included as a space to be utilized during this event for a DJ.

See PDF SE Ladies Night Out 2024.

BACKGROUND OR PREVIOUSLY SUBMITTED INFORMATION

Annual Event.

AGENDA ITEM REVIEW

Meeting Date: October 21, 2024

Date Reviewed: October 14, 2024

Consent: X

Administrative:

Reviewed By: City Clerk's Office

Public Hearing:

City of Lapeer

SPECIAL EVENT APPLICATION (SEA)



DIRECTIONS: Complete this application in accordance with the City of Lapeer Special Events Ordinance and Regulations, and return it to the either Parks & Rec department (for events at a City Park) or to the City Manager's Office at least 30 Calendar days prior to the starting date of the event.

If you are requesting an event to take place in a CITY PARK, YOU MUST SUBMIT YOUR SEA DIRECTLY TO THE PARKS & RECS DEPARTMENT Sara Tilley Stilley@ci.lapeer.mi.us). If your event is NOT in a City Park, your SEA should come directly to the City Manager's Office (Tracey Russell, Trussell@ci.lapeer.mi.us).

Sponsoring Organization (Legal Name)	Lapeer Downtown Development	Phone #	810-728-6598
Address	410 W. Nepessing St. Ste 106 Lapeer, MI 48446		
Organization Event Coordinator/Contact	James Alt	Phone #	810-728-6598
Event Coordinator/Contact Address	410 W. Nepessing St. Ste 106 Lapeer, MI 48446		
Coordinator/Contact Email	james@lapeerdda.com		

Event Name	Fall Ladies Night Out		
Purpose of Event	To create a retail shopping event. This is an annual retail event designed to bring more people downtown and support the various retail and food establishments throughout downtown.		
Event Location	Downtown – DDA District	Have you reserved your park/pavilion?	Yes / No <i>If yes, provide copy of reservation form with this application, if no and planning a park event, reservations need to be made.*</i>
Date of Event	Friday, November 15, 2024	Event Time	5:00pm - 9:00pm
# of Event Organizational Team	4	# of Expected Attendees:	550+
Describe the activities taking place at your event:	This is a retail event designed to bring people to downtown Lapeer for a night of shopping at downtown businesses. Participants are encouraged to shop, dine, and support local throughout the event. A DJ will welcome participants at the starting location, Beyer's Furniture. Participants are also able to bring needed supplies for LACADA to support their mission.		

Please check what will be part of your event:

☒ Music**	☐ Animals** (such as a petting zoo)	☐ Selling of food*	☒ Posted Signage of Event*
☐ Tents	☐ Wedding	☐ Selling of drinks*	☐ Liquor/Beer or Wine*

**Please list here what type of music (DJ/Band/Individual singers, etc.) and/or list animals: DJ

Please check what you request the City to supply:

Picnic Tables Qty:	Electricity Turned on/off	Other:	
Inflatables	Road Crossing Guards Qty:	Trash Containers Qty:	
Road Closures List:			

Please attach a letter indicating all requests of City services if something other than above.

What type of event is this:

☒ City Operated Event	☐ Other Non-Profit Event	☒ Co-Sponsored Event
	☐ Other For-Profit Event	☐ Political or Ballot Issue Event

INDEMNIFICATION AGREEMENT

The Lapeer Downtown Development Authority agree(s) to defend, indemnify, and hold harmless the City of Lapeer, Michigan, its officers, employees and agents, from and against any claim, demand, suit, loss, cost or expense, or any damage, which may be asserted, claimed or recovered against or from the City of Lapeer, its officers employees agents, by reason of any damage to property, bodily injury or death, sustained by any person whomsoever and which damage, injury or death arises out of or is incident to or in any way connected with or related to the special event.

Signature: James Alt Date: 08/10/24
James Alt (Oct 8, 2024 11:01 EDT)

Witnesss: Jill Bristow Date: 08/10/24
Jill Bristow (Oct 8, 2024 11:33 EDT)

1. **ANNUAL EVENT:** Is this event expected to occur next year? **[YES] [No]**

If yes, you may reserve a date for next year with this application. To reserve dates for next year, please provide the following information: Saturday after Thanksgiving

Normal Event Schedule

(e.g., third weekend in July): November 14 of
2025 _____

2. **AN EVENT MAP [IS] [IS NOT]** attached. If your event will use streets and/or sidewalks (for a parade, run, etc.), or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. Also show streets or parking lots that you are requesting to be blocked off. **Crossing Guards are required if crossing any roads.**

3. **FREE PARKING:** Are you requesting free parking (see the Rules and Regulations)?

[YES] [NO]

If yes, list the lots or locations where free parking is requested:

The individual establishments providing the beverages: I.E. Challice Craft Winery

4. **Alcoholic Beverages:** Will they be served? **[YES] [NO]**

Who holds the Liquor Control Commission license?

The individual establishments providing the beverages I.E. Challice Craft Winery

5. **CERTIFICATION AND SIGNATURE:** I understand and agree on behalf of the sponsoring organization that:

- a. A certificate of insurance must be provided which names the City of Lapeer as an additional named insured party on the policy. (See the Rules and Regulations for insurance requirements)
- b. Event sponsors and participants will be required to sign Indemnification Agreement forms.
- c. If the event includes solicitation by workers standing in street intersections, the required safety requirements and use of traffic cones will be maintained at all times in accordance with the City's general policies and practices. The City does not recommend standing in the street or making any solicitations from the street.
- d. All food vendors must be approved by the Lapeer County Health Department, and each food and/or other vendor must provide the City with a certificate of insurance in an amount approved by the City which names the City of Lapeer as an additional named insured party on the policy.
- e. The approval of this special event may include additional requirements and/or limitations, based on the City's review of this application, in accordance with the City's Special Events Ordinance and Regulations. The event will be operated in conformance with the Written Confirmation of Approval.
- f. The sponsoring organization will provide a security deposit for the estimated fees as may be required by the City of Lapeer and will promptly pay any billing for City services which may be rendered.

As the authorized agent of the sponsoring organization, I hereby apply for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with City's Special Events Ordinance and Regulations, the terms of the Written Confirmation of Approval, and all other City requirements, ordinances and other laws which may apply to this Special Event.

08/10/24

Date

James Alt
James Alt (Oct 8, 2024 11:01 EDT)

Signature of Sponsoring Organization's Agent

RETURN THIS APPLICATION at least thirty (30) days prior to the first day of the event to:

Special Event, City of Lapeer, City Manager's Office, 576 Liberty Park, Lapeer MI 48446.

Fall Ladies Night Out Special Event App - 2023 (003)

Final Audit Report

2024-10-08

Created:	2024-10-08
By:	Jim Alt (jim@man4thejob.net)
Status:	Signed
Transaction ID:	CBJCHBCAABAA42yM3Jw2RsPqugoThWUmxYapP8RsoVp7

"Fall Ladies Night Out Special Event App - 2023 (003)" History

-  Document created by Jim Alt (jim@man4thejob.net)
2024-10-08 - 2:59:59 PM GMT- IP address: 97.95.3.79
-  Document emailed to James Alt (james@lapeerdda.com) for signature
2024-10-08 - 3:00:05 PM GMT
-  Document emailed to Jill Bristow (jbristow@lapeerdda.com) for signature
2024-10-08 - 3:00:05 PM GMT
-  Email viewed by James Alt (james@lapeerdda.com)
2024-10-08 - 3:00:34 PM GMT- IP address: 97.95.3.79
-  Document e-signed by James Alt (james@lapeerdda.com)
Signature Date: 2024-10-08 - 3:01:40 PM GMT - Time Source: server- IP address: 97.95.3.79
-  Email viewed by Jill Bristow (jbristow@lapeerdda.com)
2024-10-08 - 3:11:24 PM GMT- IP address: 97.95.3.79
-  Document e-signed by Jill Bristow (jbristow@lapeerdda.com)
Signature Date: 2024-10-08 - 3:13:27 PM GMT - Time Source: server- IP address: 97.95.3.79
-  Agreement completed.
2024-10-08 - 3:13:27 PM GMT



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

7/9/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Highstreet Insurance Services Great Lakes Inc. 305 West Front Street, Suite 201 Traverse City MI 49684	CONTACT NAME: Tammy Manders PHONE (A/C, No, Ext): 231-489-7037 FAX (A/C, No): 231-922-7275 E-MAIL ADDRESS: tammy.manders@highstreetins.com
	INSURER(S) AFFORDING COVERAGE INSURER A : Ascot Insurance Company INSURER B : INSURER C : INSURER D : INSURER E : INSURER F :
INSURED City of Lapeer 576 Liberty Park Lapeer MI 48446	LAPEER0-01 NAIC # 23752

COVERAGES

CERTIFICATE NUMBER: 1084513207

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC OTHER:			TRPK-4001274-00	7/2/2024	7/2/2025	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 2,500 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 6,000,000 PRODUCTS - COMP/OP AGG \$ 6,000,000 \$
A	AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY			TRPK-4001274-00	7/2/2024	7/2/2025	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	UMBRELLA LIAB ☒ OCCUR ☒ EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$			TRPK-4001274-00	7/2/2024	7/2/2025	EACH OCCURRENCE \$ 9,000,000 AGGREGATE \$ 9,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y / N ☐	N / A				PER STATUTE E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Public Officials Liability			TRPK-4001274-00	7/2/2024	7/2/2025	Limit Aggregate 1,000,000 6,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Insured is covered for all special events held by the DDA within the City of Lapeer.

CERTIFICATE HOLDER**CANCELLATION**

Lapeer Down Town Development

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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To: Mike Womack, City Manager
From: Jeremy Howe, Chief of Police
Date: October 8, 2024
RE: Special Event – Winterfest

STAFF RECOMMENDATION

Approve the event. Insurance required.

CURRENT OR NEW INFORMATION

We have received a request from the Downtown Development Authority Director James Alt for their annual Winterfest event to be held on two nights; Friday, December 6, 2024, from 4PM to 9PM and on Saturday, December 7, 2024 during business hours. This event will be held throughout the downtown area of the City of Lapeer. This event does not require assistance from any City of Lapeer department.

See PDF SE Winterfest 2024.

BACKGROUND OR PREVIOUSLY SUBMITTED INFORMATION

Annual Event

AGENDA ITEM REVIEW

Meeting Date: October 21, 2024
Consent: X
Administrative:
Public Hearing:

Date Reviewed: October 14, 2024
Reviewed By: City Clerk's Office

City of Lapeer

SPECIAL EVENT APPLICATION (SEA)



DIRECTIONS: Complete this application per the City of Lapeer Special Events Ordinance (Ch.52 Special Event) and the Rules and Regulations and return it to the either Parks & Rec Department (for events at a City Park) or the City Clerk's Office at a minimum of 45 calendar days before the starting date of the event.

If you request an event in a CITY PARK, YOU MUST SUBMIT YOUR PARK RESERVATION WITH YOUR APPLICATION. All Special Event Applications should be submitted directly to the City Clerk's Office, 576 Liberty Park, Lapeer, MI, 48446 or it can be emailed to clerk@ci.lapeer.mi.us.

Sponsoring Organization (Legal Name)	Lapeer Main Street DDA	Phone #	810-728-6598
Address	410 W. St Ste 106.		
Organization Event Coordinator/Contact	James Alt	Phone #	810-728-6598
Event Coordinator/ Contact Address	410 W. Nepessing St.		
Coordinator/Contact Email	james@lapeerdda.com		

Event Name	Winterfest		
Purpose of Event	The annual holiday event designed to bring traffic to Historic Lapeer, Celebrate the holidays, boost community pride and increase sales for downtown businesses.		
Event Location	Throughout the DDA District	Have you reserved your park/pavilion?	Yes / No <i>If yes, provide copy of reservation form with this application, if no and planning a park event, reservations need to be made.*</i>
Date of Event	Dec. 6 & 7	Event Time	4:00pm-9:00pm of Friday, and all day Saturday (during business hours)
# of Event Organizational Team	8	# of Expected Attendees:	1200

Describe the activities taking place at your event: Residents of Lapeer and the surrounding areas are invited to visit participating businesses in the DDA district for the annual treat walk, horse carriage rides, hot cocoa, holiday shopping, music and more.

Please check what will be part of your event:

☒ Music**	☐ Animals** (such as a petting zoo)	☐ Selling of food*	☒ Posted Signage of Event*
☐ Tents	☐ Wedding	☐ Selling of drinks*	☐ Liquor/Beer or Wine*

**Please list here what type of music (DJ/Band/Individual singers, etc.) and/or list animals: _____

*See Rules and Regulations

Please check what you request the City to supply:

FOR OFFICE USE ONLY:
SPECIAL EVENT REVIEW COMMITTEE APPROVALS

City Manager	Police Chief
Fire Chief	DPW Director
Parks & Rec Director	

Picnic Tables Qty:	Electricity Turned on/off	Other:
Trash Containers Qty:	Road Crossing Guards Qty:	
Road Closures List:		

Please attach a letter indicating all requests of City services if something other than above.

Please check what type of event is this:

A description of the type of event can be found on page 4, B.1-5.

☒	City Operated Event	☐	Other Non-Profit Event	☐	Political or Ballot Issue Event
☒	Co-Sponsored Event	☐	Other For-Profit Event	☐	

INDEMNIFICATION AGREEMENT

The Lapeer Downtown Development Authority agree(s) to defend, indemnify, and hold harmless the City of Lapeer, Michigan, its officers, employees and agents, from and against any claim, demand, suit, loss, cost or expense, or any damage, which may be asserted, claimed or recovered against or from the City of Lapeer, its officers employees agents, by reason of any damage to property, bodily injury or death, sustained by any person whomsoever and which damage, injury or death arises out of or is incident to or in any way connected with or related to the special event.

Signature: James Alt Date: 08/10/24
James Alt (Oct 8, 2024 12:29 EDT)

Witness: Jill Bristow Date: 08/10/24
Jill Bristow (Oct 8, 2024 12:27 EDT)

1. **ANNUAL EVENT:** Is this event expected to occur next year? **[YES] [No]**

If yes, you may reserve a date for next year with this application. To reserve dates for next year, please provide the following information:

Normal Event Schedule

(e.g., third weekend in July): December 5 & 6 2025

2. **AN EVENT MAP [IS] [IS NOT]** attached. If your event will use streets and/or sidewalks (for a parade, run, etc.), or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. Also, show streets or parking lots that you are requesting to be blocked off. **Crossing Guards are required if crossing any roads.**

3. **FREE PARKING:** Are you requesting free parking (see the Rules and Regulations)?

[YES] [NO]

If yes, list the lots or locations where free parking is requested:

4. **Alcoholic Beverages:** Will they be served? **[YES] [NO]**
Who holds the Liquor Control Commission license?
-

5. **CERTIFICATION AND SIGNATURE:** I understand and agree on behalf of the sponsoring organization that:

- a. A certificate of insurance must be provided which names the City of Lapeer as an additional named insured party on the policy. (See the Rules and Regulations for insurance requirements)
- b. Event sponsors and participants will be required to sign Indemnification Agreement forms.
- c. If the event includes solicitation by workers standing in street intersections, the required safety requirements and use of traffic cones will be maintained at all times in accordance with the City's general policies and practices. The City does not recommend standing in the street or making any solicitations from the street.
- d. All food vendors must be approved by the Lapeer County Health Department, and each food and/or other vendor must provide the City with a certificate of insurance in an amount approved by the City which names the City of Lapeer as an additional named insured party on the policy.
- e. The approval of this special event may include additional requirements and/or limitations, based on the City's review of this application, in accordance with the City's Special Events Ordinance and Regulations. The event will be operated in conformance with the Written Confirmation of Approval.
- f. The sponsoring organization will provide a security deposit for the estimated fees as may be required by the City of Lapeer and will promptly pay any billing for City services which may be rendered.

As the authorized agent of the sponsoring organization, I hereby apply for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with City's Special Events Ordinance and Regulations, the terms of the Written Confirmation of Approval, and all other City requirements, ordinances and other laws which may apply to this Special Event.

08/10/24

Date

James Alt
James Alt (Oct 8, 2024 12:29 EDT)

Signature of Sponsoring Organization's Agent

SUBMIT THIS APPLICATION at least **45** calendar days before the first day of the event to the City of Lapeer, City Clerk's Office, 576 Liberty Park, Lapeer MI 48446.

Be sure to include the following with the application:

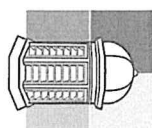
- ☐ Complete Signed Application.
- ☐ Park Reservation (as needed).
- ☐ Certificate of Insurance –Naming City of Lapeer as additionally insured.
- ☐ Event Map.
- ☐ If Non-Profit provide proof of IRS 501c(3) status.



NORTH

WINTERFEST

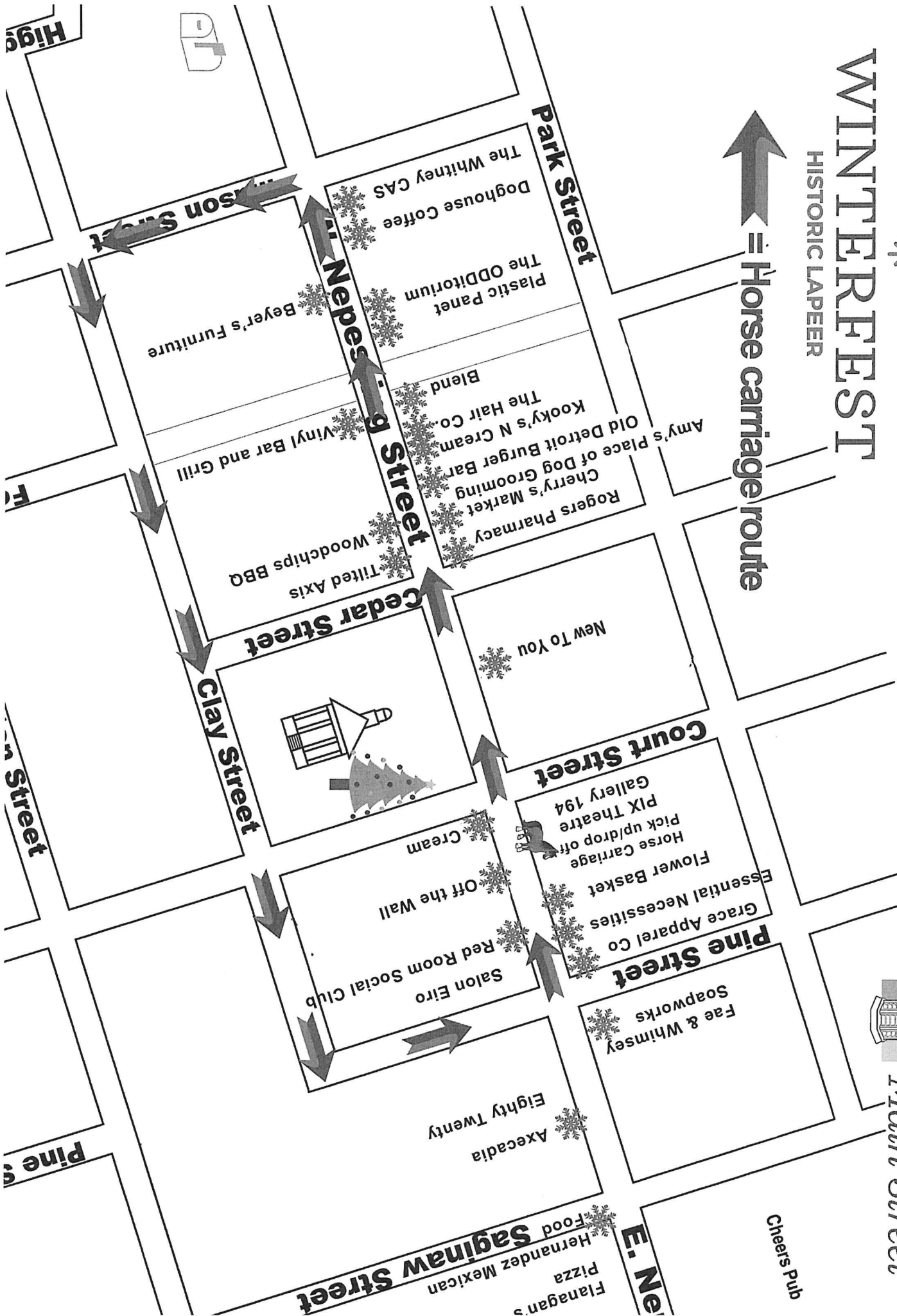
HISTORIC LAPEER



LAPPEER
Main Street

Cheers Pub

= Horse carriage route



Flanagan's
Pizza
Hernandez Mexican
Food

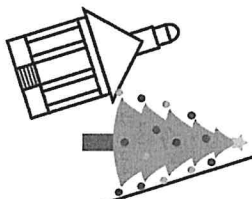
Axecadia
Eighty Twenty

Salon Euro
Red Room Social Club

Off the Wall
Cream

Pine Street
Fae & Whimsey
Soapworks
Grace Apparel Co
Essential Necessities
Flower Basket
Horse Carriage
Pick up/drop off
PIX Theatre
Gallery 194

New To You



Cedar Street
Tilted Axis
Woodchips BBQ

Rogers Pharmacy
Cherry's Market
Old Detroit Burger Bar
Kooky's N Cream
The Hair Co.

Blend
Plastic Panet
The ODDitorium
Doghouse Coffee
The Whitney CAS

Beyer's Furniture

Clay Street

Higgs Street

2024 Winterfest Special Event App (002)

Final Audit Report

2024-10-08

Created:	2024-10-08
By:	Jim Alt (jim@man4thejob.net)
Status:	Signed
Transaction ID:	CBJCHBCAABAAHt6EZB94amfJv4T5NodWBOYohyfm5Rk9

"2024 Winterfest Special Event App (002)" History

-  Document created by Jim Alt (jim@man4thejob.net)
2024-10-08 - 4:25:54 PM GMT- IP address: 97.95.3.79
-  Document emailed to James Alt (james@lapeerdda.com) for signature
2024-10-08 - 4:26:01 PM GMT
-  Document emailed to Jill Bristow (jbristow@lapeerdda.com) for signature
2024-10-08 - 4:26:01 PM GMT
-  Email viewed by Jill Bristow (jbristow@lapeerdda.com)
2024-10-08 - 4:26:14 PM GMT- IP address: 97.95.3.79
-  Email viewed by James Alt (james@lapeerdda.com)
2024-10-08 - 4:27:36 PM GMT- IP address: 97.95.3.79
-  Document e-signed by Jill Bristow (jbristow@lapeerdda.com)
Signature Date: 2024-10-08 - 4:27:49 PM GMT - Time Source: server- IP address: 97.95.3.79
-  Document e-signed by James Alt (james@lapeerdda.com)
Signature Date: 2024-10-08 - 4:29:03 PM GMT - Time Source: server- IP address: 97.95.3.79
-  Agreement completed.
2024-10-08 - 4:29:03 PM GMT



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

7/9/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Highstreet Insurance Services Great Lakes Inc. 305 West Front Street, Suite 201 Traverse City MI 49684	CONTACT NAME: Tammy Manders PHONE (A/C, No, Ext): 231-489-7037 FAX (A/C, No): 231-922-7275 E-MAIL ADDRESS: tammy.manders@highstreetins.com
	INSURER(S) AFFORDING COVERAGE INSURER A : Ascot Insurance Company INSURER B : INSURER C : INSURER D : INSURER E : INSURER F :
INSURED City of Lapeer 576 Liberty Park Lapeer MI 48446	LAPEER0-01 NAIC # 23752

COVERAGES**CERTIFICATE NUMBER:** 1084513207**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC OTHER:			TRPK-4001274-00	7/2/2024	7/2/2025	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 2,500 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 6,000,000 PRODUCTS - COMP/OP AGG \$ 6,000,000 \$
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY			TRPK-4001274-00	7/2/2024	7/2/2025	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	☐ UMBRELLA LIAB ☒ OCCUR ☒ EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$			TRPK-4001274-00	7/2/2024	7/2/2025	EACH OCCURRENCE \$ 9,000,000 AGGREGATE \$ 9,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☐ Y / N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N / A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Public Officials Liability			TRPK-4001274-00	7/2/2024	7/2/2025	Limit Aggregate 1,000,000 6,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Insured is covered for all special events held by the DDA within the City of Lapeer.

CERTIFICATE HOLDER**CANCELLATION**

Lapeer Down Town Development

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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To: Mike Womack, City Manager
From: Jeremy Howe, Chief of Police
Date: October 16, 2024
RE: Halloween Hours 2024

STAFF RECOMMENDATION

To recommend that the hours for the annual City-wide Trick or Treat event be from 6:00 PM until 8:00 PM on Halloween night Thursday, October 31, 2024.

CURRENT OR NEW INFORMATION

Notice of these hours should be published in the local newspaper. It is also recommended that the announcement be broadcast on the cable access station.

The homeowners in the city should be advised to turn on their porch lights on at 6:00 PM and off at 8:00 PM.

BACKGROUND OR PREVIOUSLY SUBMITTED INFORMATION

Annual Event

AGENDA ITEM REVIEW

Meeting Date: October 21, 2024

Date Reviewed: October 16, 2024

Consent: X

Administrative:

Reviewed By: Clerk's Office

Public Hearing:



ITEM D-1

To: Mayor and City Commission
From: Kelly Hanna, Director of Financial Services
Date: October 15, 2024
RE: Bill Listing – October 1, 2024, through October 14, 2024

STAFF RECOMMENDATION

Approve the bill listing as presented.

CURRENT OR NEW INFORMATION

I, Kelly Hanna, Director of Financial Services, have reviewed the bills for October 1, 2024, through October 14, 2024, in the total amount of **\$1,929,653.05** and find them to be proper charges.

AGENDA ITEM REVIEW

Meeting Date:	October 21, 0224	Date Reviewed:	October 15, 2024
Consent:			
Administrative:	X	Reviewed By:	Clerk's Office
Public Hearing:			

CHECK REGISTER FOR CITY OF LAPEER
CHECK DATE FROM 10/01/2024 - 10/14/2024

Check Date	Check	Vendor Name	Amount
10/10/2024	598361	CITY OF LAPEER	1,000,000.00
10/10/2024	2445(A)	BENNETT ASPHALT PAVING INC.	241,175.37
10/10/2024	2471(A)	THE BANK OF NEW YORK MELLON	188,756.25
10/10/2024	2446(A)	BIRMINGHAM SEALCOAT, INC.	128,253.09
10/10/2024	598354	T. G. PRIEHS PAVING CO	98,900.00
10/10/2024	2472(E)	BLUE CROSS & BLUE SHIELD OF MI	68,220.63
10/10/2024	598318	CARPORT STRUCTURES CORP	34,675.00
10/10/2024	598337	LAPEER CO TREASURER	33,618.37
10/10/2024	598341	MLR ENGINEERING	19,900.00
10/10/2024	2465(A)	REHMANN LLC	15,000.00
10/10/2024	2467(A)	ROWE INC	10,945.00
10/10/2024	2443(A)	ABM COMMERCIAL CLEANING	7,580.00
10/10/2024	2461(A)	MERSINO MANAGEMENT CO, LLC	7,288.00
10/10/2024	598313	ALLEN EDWIN HOMES	6,000.00
10/10/2024	2449(A)	FLETCHER FEALKO SHOUDY & FRANCIS PC	5,621.84
10/10/2024	598331	IMMACULATE CONCEPTION CHURCH	5,250.00
10/10/2024	598348	RESERVE ACCOUNT	5,000.00
10/10/2024	2455(A)	KENNEDY INDUSTRIES	4,289.91
10/10/2024	598342	MOTOROLA	4,289.26
10/10/2024	2453(A)	INFINITE-DATA LLC	3,762.28
10/10/2024	598323	ETNA SUPPLY	3,521.67
10/10/2024	2456(A)	LEGACY ASSESSING SERVICES INC	3,400.00
10/10/2024	598357	ULINE, INC.	2,818.58
10/10/2024	2469(A)	SZOTT FORD	2,168.21
10/10/2024	598329	HOUSING CONSULTING SERVICES LLC	1,997.50
10/10/2024	2452(A)	HYDRO CORP	1,989.50
10/10/2024	2458(A)	MAUK, JODI	1,807.70
10/10/2024	2468(A)	SMITH, SHANNON	1,807.70
10/10/2024	2447(A)	CORRIGAN OIL II, INC.	1,477.73
10/10/2024	2474(E)	METROPOLITAN LIFE INSURANCE COMPANY	1,408.01
10/10/2024	2457(A)	LEXIPOL, LLC	1,300.00
10/10/2024	598355	T. P. ISRAEL CO INC	1,260.00
10/10/2024	598358	VERIZON WIRELESS	1,179.64
10/10/2024	2470(A)	TAYLOR, SARAH	1,000.00
10/10/2024	598338	LAPEER M-21 INC.	1,000.00
10/10/2024	2444(A)	AERO FILTER INC	820.05
10/10/2024	598314	AMERICAN SEWER CLEANERS	685.00
10/10/2024	2460(A)	MEI TOTAL ELEVATOR SOLUTIONS	681.37
10/10/2024	598321	DELYNN'S DESIGNS, INC	651.00
10/10/2024	598356	TRW LANDSCAPES LLC	649.15
10/10/2024	598352	SIGNS BY CRANNIE INC	617.00
10/10/2024	2454(A)	KEITH BRACE INC.	550.00
10/10/2024	598340	MGS ELECTRIC INC.	540.00
10/10/2024	598315	APEX SOFTWARE	520.00
10/10/2024	598351	SIGMA TECHNOLOGIES	500.00
10/10/2024	2466(A)	RICK RHEIN DISPOSAL	496.00
10/10/2024	598327	GREAT LAKES ENVIRONMENTAL TEST. LLC	450.00
10/10/2024	2462(A)	ON DUTY GEAR, LLC	419.97

10/10/2024	598349	RUSSELL, TRACEY	399.91
10/10/2024	2459(A)	MAURER'S TEXTILE RENTAL SERVICES	389.45
10/10/2024	598335	JAY'S SEPTIC	340.00
10/10/2024	598359	WELCH, NICHOLAS	299.98
10/02/2024	598311	POSTMASTER	273.80
10/10/2024	598320	CONSUMERS ENERGY COMPANY	250.00
10/10/2024	598344	PIPE DOCTOR 247, LLC	250.00
10/10/2024	598350	SANCHEZ CONCRETE DESIGN	250.00
10/10/2024	598334	JADACH, CHRIS	221.25
10/10/2024	598339	MARCO TECHNOLOGIES, LLC	205.52
10/10/2024	598322	ECKER MECHANICAL CONTRACTORS, INC	200.00
10/10/2024	598345	PRINTING SYSTEMS	196.88
10/10/2024	598346	PTM DOCUMENT SYSTEMS	158.46
10/10/2024	2473(E)	INVOICE CLOUD	145.00
10/10/2024	598316	ARNOLD'S AUTO WASH	128.00
10/10/2024	2463(A)	PARAGON LABORATORIES, INC.	118.00
10/10/2024	2451(A)	FLUSHING URGENT CARE PLC	100.00
10/10/2024	598312	A-1 MECHANICAL	100.00
10/10/2024	598324	FOUNDATION SYSTEMS OF MICHIGAN	100.00
10/10/2024	598326	GOYETTE MECHANICAL	100.00
10/10/2024	598328	HOLLAND HEATING & COOLING, INC	100.00
10/10/2024	598332	INCOME POWER LLC	100.00
10/10/2024	598333	JACK'S HEATING & COOLING	100.00
10/10/2024	598343	NORTHERN SIGN CO	100.00
10/10/2024	598347	RENEWAL BY ANDERSEN	100.00
10/10/2024	598353	STRATTON HOME IMPROVEMENT	100.00
10/10/2024	598317	BEAUCHAMP, HAIDYNN	88.50
10/10/2024	598319	CIPIELEWSKI, JOHN	88.50
10/10/2024	598330	HOWE, JEREMY	88.50
10/10/2024	2464(A)	PREMIER OCCUPATIONAL HEALTH	88.00
10/10/2024	2450(A)	FLINT WELDING SUPPLY CO	81.25
10/10/2024	598336	LAPEER CO REGISTER OF DEEDS	60.00
10/10/2024	598360	WINNINGER FIRE PROTECTION LLC	40.00
10/10/2024	598325	GAVAN, CASEY	32.83
10/10/2024	2448(A)	FASTENAL COMPANY	18.44
			1,929,653.05

CITY OF LAPEER
Proclamation
In Recognition of Thomas Woolley

WHEREAS, Thomas Woolley officially began his employment with the City of Lapeer on September 14, 1988, as an Operator – Trainee; he was promoted to Operator/Industrial Surveillance in July 1994, and Operator/Lab Technician in August 2005, and to Waste Water Treatment Plant Superintendent in July 2020; and

WHEREAS, Tom, has given conscientious, responsible, and professional service to the citizens of the City of Lapeer and leaves those in the City of Lapeer proud to have known him and to have served with him; and

WHEREAS, Tom will retire on October 31, 2024, after more than 36 years of dedicated service to the City of Lapeer.

THEREFORE, LET IT BE KNOWN, that I, Mayor Debbie Marquardt, and the Lapeer City Commission wish to honor and express deep appreciation to **Thomas Woolley** for his efforts and devotion to public service and wish him continued success in his retirement.

Dated this 21st day of October 2024.



Debbie G. Marquardt, Mayor



Joshua Atwood, Mayor Pro Tem



Stefan Brady, Commissioner



Linda Glisman, Commissioner



Melissa Petrie, Commissioner



Marlana Swindell, Commissioner



Mike Womack, City Manager



ITEM G-1

To: City Commission
From: Mike Womack-City Manager
Date: October 14, 2024
RE: Amend Chapter 38 Blight § 38-5 Violations and penalties

STAFF RECOMMENDATION

Adopt an amendment to Chapter 38, Blight, § 38-5 Violations and penalties, of the General Ordinances of the City of Lapeer.

CURRENT OR NEW INFORMATION

Modify §38-5 Violations and penalties to read as presented.

Following the last Commission meeting, staff identified several ordinances that currently make their penalty a criminal offense, as explained at that meeting, staff believe that changing that criminal offense to a municipal civil infraction is better overall for the enforcement of the blight ordinance.

Due to the complexity and expense related to criminal prosecution, staff believe that we can more effectively enforce the blight ordinances if the punishment for non-compliance is changed from criminal prosecution to a civil infraction, which is what these proposed changes accomplish. The proposed language being presented for change under 38-5 is identical to language in other ordinances and sets the punishment as a municipal civil infraction as permitted under Chapter 62, Civil Infractions of the Code of Ordinances.

BACKGROUND OR PREVIOUSLY SUBMITTED INFORMATION

The Commission has previously been informed on an informal basis of the City's desire to make this change, but this is the first time that it has been brought before the Commission on a formal basis.

The amendment was introduced on October 7, 2024.

AGENDA ITEM REVIEW

Meeting Date:	October 21, 2024	Date Reviewed:	September 30, 2024
Consent:		Reviewed By:	City Clerk's Office
Administrative:	X		
Public Hearing:			

CITY OF LAPEER
LAPEER COUNTY, MICHIGAN

Ordinance #: 2024-04

An ordinance to amend the City of Lapeer blight ordinance by amending Chapter 38 Blight, § 38-5 Violations and penalties.

THE CITY OF LAPEER, LAPEER COUNTY, MICHIGAN ORDAINS:

ARTICLE I. Body of text amendment

That § 38-5 Violations and penalties, of the Lapeer Code of Ordinances, is modified to read in its entirety as follows:

§ 38-5 Violations and penalties. Except as otherwise provided in other sections or articles of this chapter, a violation of any section, article or provision shall be considered a municipal civil infraction and subject to the provisions of Chapter 62, Civil Infractions, of the Code of the City of Lapeer.

ARTICLE II. SEVERABILITY

This ordinance and its various articles, paragraphs and clauses thereof are hereby declared to be severable. If any article, paragraph or clause is adjudged unconstitutional or invalid, the remainder of this amendatory ordinance shall not be affected thereby.

ARTICLE III. CONFLICT

All ordinances and provisions of ordinances of the City of Lapeer in conflict herewith are hereby repealed.

ARTICLE IV ADOPTION

This amendatory ordinance shall be published as required by law and shall take effect 7 days after publication.

CERTIFICATION

The foregoing ordinance is hereby certified to be the authentic record of the ordinance which was duly adopted by the City Commission of the City of Lapeer on the [REDACTED] 2024 and published on the [REDACTED], 2024.

YEAS:

NAYS:

ABSENT:

STATE OF MICHIGAN)) SS
COUNTY OF LAPEER)

I, the undersigned, the fully qualified and acting Clerk of the City of Lapeer, Lapeer County, Michigan, do hereby certify that the foregoing is a true and complete Copy of an ordinance adopted at a regular meeting of the City Commission of the City of Lapeer, Michigan, held on the [REDACTED], 2024, the original of said meeting was given to and in compliance with Act 267, Public Acts of Michigan, 1976.

I further certify that on the [REDACTED], 2024, I caused a notice of such adoption to be published in the County Press, a newspaper circulated in the City of Lapeer, and that said Ordinance and the record of publication was duly recorded in the Municipal Code of the City of Lapeer and is available for public use and inspection at the offices of the City of Lapeer Clerk.

IN WITNESS WHEREOF, I have hereunto fixed my official signature on this [REDACTED], 2024.

Romana Sanchez, City Clerk
City of Lapeer

§ 38-5. Violations and penalties.

Failure to comply with the notice given by the enforcement officer within the time allowed shall be punishable, upon conviction, by a fine of not more than \$500 or by imprisonment of not more than 90 days, or by both such fine and imprisonment, in the discretion of the court.



ITEM G-2

To: City Commission
From: Mike Womack-City Manager
Date: October 14, 2024
RE: Amend Chapter 59 Business Registration § 59-9 Violations and penalties

STAFF RECOMMENDATION

Adopt an amendment to Chapter 59 Business Registration § 59-9 Violations and penalties, of the General Ordinances of the City of Lapeer.

CURRENT OR NEW INFORMATION

Modify § 59-9 Violations and penalties to read as presented.

Following the last Commission meeting, staff identified several ordinances that currently make their penalty a criminal offense, as explained at that meeting, staff believe that changing that criminal offense to a municipal civil infraction is better overall for the enforcement of the business registration ordinance.

Due to the complexity and expense related to criminal prosecution, staff believe that we can more effectively enforce the business registration ordinances if the punishment for non-compliance is changed from criminal prosecution to a civil infraction, which is what these proposed changes accomplish. The proposed language being presented for change under Ord. 59-9 is identical to language in other ordinances and sets the punishment as a municipal civil infraction as permitted under Chapter 62, Civil Infractions of the Code of Ordinances.

BACKGROUND OR PREVIOUSLY SUBMITTED INFORMATION

The Commission has previously been informed on an informal basis of the City's desire to make this change, but this is the first time that it has been brought before the Commission on a formal basis.

The ordinance amendment was introduced on October 7, 2024.

AGENDA ITEM REVIEW

Meeting Date:	October 21, 2024	Date Reviewed:	October 14, 2024
Consent:		Reviewed By:	City Clerk's Office
Administrative:	X		
Public Hearing:			

CITY OF LAPEER
LAPEER COUNTY, MICHIGAN

Ordinance #: 2024-05

An ordinance to amend City of Lapeer business registration ordinance by amending Chapter 59 Business Registration, § 59-9 Violations and penalties.

THE CITY OF LAPEER, LAPEER COUNTY, MICHIGAN ORDAINS:

ARTICLE I. Body of text amendment

That § 59-9 Violations and penalties, of the Lapeer Code of Ordinances, is modified to read in its entirety as follows:

§ 59-9 Violations and penalties. Except as otherwise provided in other sections or articles of this chapter, a violation of any section, article or provision shall be considered a municipal civil infraction and subject to the provisions of Chapter 62, Civil Infractions, of the Code of the City of Lapeer.

ARTICLE II. SEVERABILITY

This ordinance and its various articles, paragraphs and clauses thereof are hereby declared to be severable. If any article, paragraph or clause is adjudged unconstitutional or invalid, the remainder of this amendatory ordinance shall not be affected thereby.

ARTICLE III. CONFLICT

All ordinances and provisions of ordinances of the City of Lapeer in conflict herewith are hereby repealed.

ARTICLE IV ADOPTION

This amendatory ordinance shall be published as required by law and shall take effect 7 days after publication.

CERTIFICATION

The foregoing ordinance is hereby certified to be the authentic record of the ordinance which was duly adopted by the City Commission of the City of Lapeer on the [REDACTED] 2024, and published on the [REDACTED], 2024.

YEAS:

NAYS:

ABSENT:

STATE OF MICHIGAN)) SS
COUNTY OF LAPEER)

I, the undersigned, the fully qualified and acting Clerk of the City of Lapeer, Lapeer County, Michigan, do hereby certify that the foregoing is a true and complete Copy of an ordinance adopted at a regular meeting of the City Commission of the City of Lapeer, Michigan, held on the [REDACTED], 2024, the original of said meeting was given to and in compliance with Act 267, Public Acts of Michigan, 1976.

I further certify that on the [REDACTED], 2024, I caused a notice of such adoption to be published in the County Press, a newspaper circulated in the City of Lapeer, and that said Ordinance and the record of publication was duly recorded in the Municipal Code of the City of Lapeer and is available for public use and inspection at the offices of the City of Lapeer Clerk.

IN WITNESS WHEREOF, I have hereunto fixed my official signature on this [REDACTED], 2024.

Romana Sanchez, Clerk
City of Lapeer

§ 59-9. Violations and penalties.

Any person who shall violate any of the provisions of this chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than \$500 and/or imprisonment for not more than 90 days, or both such fine and imprisonment, and any other relief that may be imposed by the court.



ITEM G-3

To: Lapeer City Commission
From: Alex Hritcu, Planning Consultant
Date: October 14, 2024
RE: Rezoning – 3301 Davison Road (Former Polar Palace Ice Arena)
I-1 Industrial to B-2 General Business

STAFF RECOMMENDATION

Adopt an Ordinance Amendment to rezone the property known as 3301 Davison Road (Parcel #L20-83-321-040-00) from I-1 Industrial to B-2 General Business.

CURRENT OR NEW INFORMATION

On September 12, 2024, the Planning Commission held a public hearing to consider a request from Hani Kassab Jr. of 3301 Davison Road LLC to rezone the former Polar Palace ice arena & Louie's Sports Tavern property located at 3301 Davison Road from I-1 Industrial to B-2 General Business. The applicant has indicated the rezoning is being requested in order to utilize the property for a Sports/Community Center/Commercial Retail use.

The Planning Commission recommended approval due to the request meeting Standard 1 of Section 7-23.06(b) finding that it is in compliance with the Master Plan. Please see attached excerpt of the draft minutes of the September 12, 2024, Planning Commission meeting. Also attached is the memo of staff findings to the Planning Commission analyzing the request.

Attachments

This amendment was introduced on October 7, 2024.

AGENDA ITEM REVIEW

Meeting Date: October 21, 2024

Date Reviewed: October 14, 2024

Consent:

Administrative: X

Reviewed By: City Clerk's Office

Public Hearing:

Ordinance No. 2024-08

At a regular meeting of the Lapeer City Commission on Monday, October 21, 2024, at 6:30 p.m. in the Lapeer City Commission Chambers of Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan, Commissioner _____ introduced the following amendment to Chapter 7 (Zoning) of the General Ordinances of the City of Lapeer.

THE CITY OF LAPEER ORDAINS:

ARTICLE 7.02 MAPPED DISTRICTS 7.02.02 District Boundaries

(a) Zoning District Amendments

(38) The following described property formerly zoned I-1 Industrial is hereby rezoned to B-2 General Business:

- 3301 Davison Road (Parcel #L20-83-321-040-00)

Ordinance Effective Date: After adoption, ordinance shall take effect 7 days after publication, unless given immediate effect by City Commission.

**CITY OF LAPEER
MINUTES OF A REGULAR
PLANNING COMMISSION MEETING
SEPTEMBER 12, 2024**



DRAFT

A regular meeting of the City of Lapeer Planning Commission was held at 6:30 p.m. on Thursday, September 12, 2024 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan.

Members Present: Vice Chair Austin Kelly and Commissioners Mike Womack, Debbie Marquardt, Catherine Bostick-Tullius, Doug Roberts and Marty Johnson.

Members Absent: Commissioner Josh Atwood.

Also Present: Rowe Professional Services Company Planning Consultant Alex Hritcu and Recording Secretary Kimberly Hodge.

Vice Chair Kelly called the meeting to order at 6:30 p.m.

AGENDA APPROVAL

214	2024	9-12	Agenda Approval
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Motion by Bostick-Tullius. Seconded by Marquardt.

To approve the agenda for the September 12, 2024 meeting.

Ayes: Commissioners Kelly, Womack, Marquardt, Bostick-Tullius, Roberts and Johnson.

Nays: None.

Absent: Commissioner Atwood.

MOTION CARRIED.

MINUTES

215	2024	9-12	Meeting Minutes
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Motion by Marquardt. Seconded by Roberts.

Approve the minutes of the regular meeting held on August 8, 2024 and the joint meeting held on August 12, 2024 as presented.

Ayes: Commissioners Kelly, Womack, Marquardt, Bostick-Tullius, Roberts and Johnson.

Nays: None.

Absent: Commissioner Atwood.

MOTION CARRIED.

PUBLIC COMMENTS

There were no public comments at this time.

PUBLIC HEARING SCHEDULED

Rezoning – 3301 Davison Road – I-1 Industrial to B-2 General Business

Consultant Hritcu reviewed the request received from Hani Kassab Jr. to rezone 3301 Davison Road (Parcel #L20-83-321-040-00) from I-1 Industrial to B-2 General Business stating the property is the location of the former Polar Palace ice arena and Louie's Sports Tavern. Hritcu reviewed the site location, aerial photos, the Master Plan Future Land Use designation of Commercial – General Business and the applicant's current intention to utilize the property for a Sports/Community Center/Commercial Retail facility. Hritcu reviewed the standards of approval and staff findings related to the request.



Vice Chair Kelly opened the public hearing at 6:34 p.m.

There being no comments, the public hearing was closed.

Discussion was held on the fact the rezoning request does not require a site plan, the request meeting the Master Plan Future Land Use designation, the applicant's current intention for use of the property and the previous rezoning of the property by the former owner from B-2 General Business to I-1 Industrial.

216 2024 9-12 Rezoning – 3301 Davison Rd. – I-1 to B-2

Motion by Bostick-Tullius. Seconded by Womack.

To recommend the City Commission approve the rezoning requested by Hani Kassab, of Parcel #L20-83-321-040-00 located at 3301 Davison Road from I-1 Industrial to B-2 General Business because the request meets Standard 1 in Section 7.26.03.(b) for the approval of a rezoning.

Ayes: Commissioners Kelly, Womack, Marquardt, Bostick-Tullius, Roberts and Johnson.

Nays: None.

Absent: Commissioner Atwood.

MOTION CARRIED.

SITE PLAN REVIEWS

Lapeer Cultivation (Fresh Water Gardens) John Conley Dr.–Parcel #L20-83-358-030-00

Consultant Hritcu reviewed the site plan received from Richard Swaine for construction of Lapeer Cultivation (Fresh Water Gardens) a 11,480 sq. ft. industrial building on a portion of Parcel #L20-83-358-030-00 located on John Conley Drive. Hritcu reviewed the I-2 Planning Industrial zoned site location, aerial photos and the proposed site plan including the truck turning plan, site lighting plan, storm water management plan, landscaping plan, exterior building materials and design plan and the intention to utilize the facility as a marihuana grow operation.

Hritcu summarized outstanding issues of the proposed plan including ownership, hours of operation, security plan, approved tree species, waste disposal plan, mechanical equipment screening, the required property purchase and lot split and various Fire Department, Department of Public Works, storm water and sanitary sewer utility requirements. Hritcu also reviewed the standards of approval for the site plan.

James McNelis of Stucky Vitale Architects stated the applicants are willing to address and comply with all staff review requirements, that the hours of operation are planned for 7:00 a.m. to 11:00 p.m., that the previously submitted security plan has not changed, that Red Maple trees will be replaced with an approved tree species, that no dumpster is planned due to the plan to handle waste disposal internally and that mechanical equipment will be screened with a higher landscaping material.

Discussion was held on the project being an alternative location for the previous site on W. Genesee Street, setbacks from the proposed property lines and the requirement to meet all setbacks once the property is split.

Kevin Heffernan of Stonefield Engineering summarized the reasons for the proposed north and west building setbacks which include visibility and utility distance issues, site topography and efforts to maintain the natural wooded areas on the site.



Memorandum

To: City of Lapeer, Planning Commission
From: Alex Hritcu, Planning Consultant
Date: September 5, 2024
RE: **Rezoning Request** – 3301 Davison Road – Parcel #L20-83-321-040-00
I-1 Industrial to B-2 General Business

The subject parcel, 3301 Davison Road Parcel #L20-83-3210040-00, is proposed to be rezoned by owner Hani Kassab for a proposed youth sports center/community center with retail shops. The subject property is currently zoned I-1 Industrial. This was formerly the site of the “Polar Palace” ice skating rink and “Louie’s Sports Tavern.”

In 2019, this parcel was rezoned from B-2 to I-1 by Eric Burrough with the intent of occupying the structure as an industrial use.

STANDARDS

To grant approval of the rezoning one of the following must be found true per Section 7.23.06.(b):

(1) The requested amendment is in compliance with the City Master Plan or that a mistake in the plan or changes in conditions or City policy have occurred that are relevant to the request. If the Planning Commission recommends approval of a request that is not in compliance with the current plan due to a mistake or change in conditions or policy, it shall immediately initiate an amendment to the plan to address the identified mistake or change.

(2) The property cannot be reasonably used as it is currently zoned and the proposed request represents the most suitable alternative zoning classification based on the City Master Plan.

APPLICANT’S RESPONSE

The applicant’s reason for requesting the rezoning is referenced below and included in the application:

“Commercial Retail Sports/Community Center.” No concept plan was included for the site.

STAFF FINDINGS

The subject property is located just East of the Lake Nepessing Rd. / Davison Rd. round-about as shown in the aerial map on page #3 of this memo. Surrounding the subject property to the North is B-2 and R-2 zoning (Rolling Hills Golf Course). To the East is B-2 zoning (Liberty Medical Center a variety of small doctors’ offices). To the West, is B-2 zoning (vacant land). To the South is B-2 zoning (vacant land).

City of Lapeer

Page 2

The requested amendment is in direct compliance with the City's Master Plan. The City Future Land Use Map, located on page #5, shows this area classified as "Commercial – General Business."

Additionally, the B-2 zoning classification allows for a wider variety of permitted uses compared to the I-1 district. The B-2 zoning classification will allow the applicant to turn the existing 80,000 sq. ft. structure into a mixed-use space.

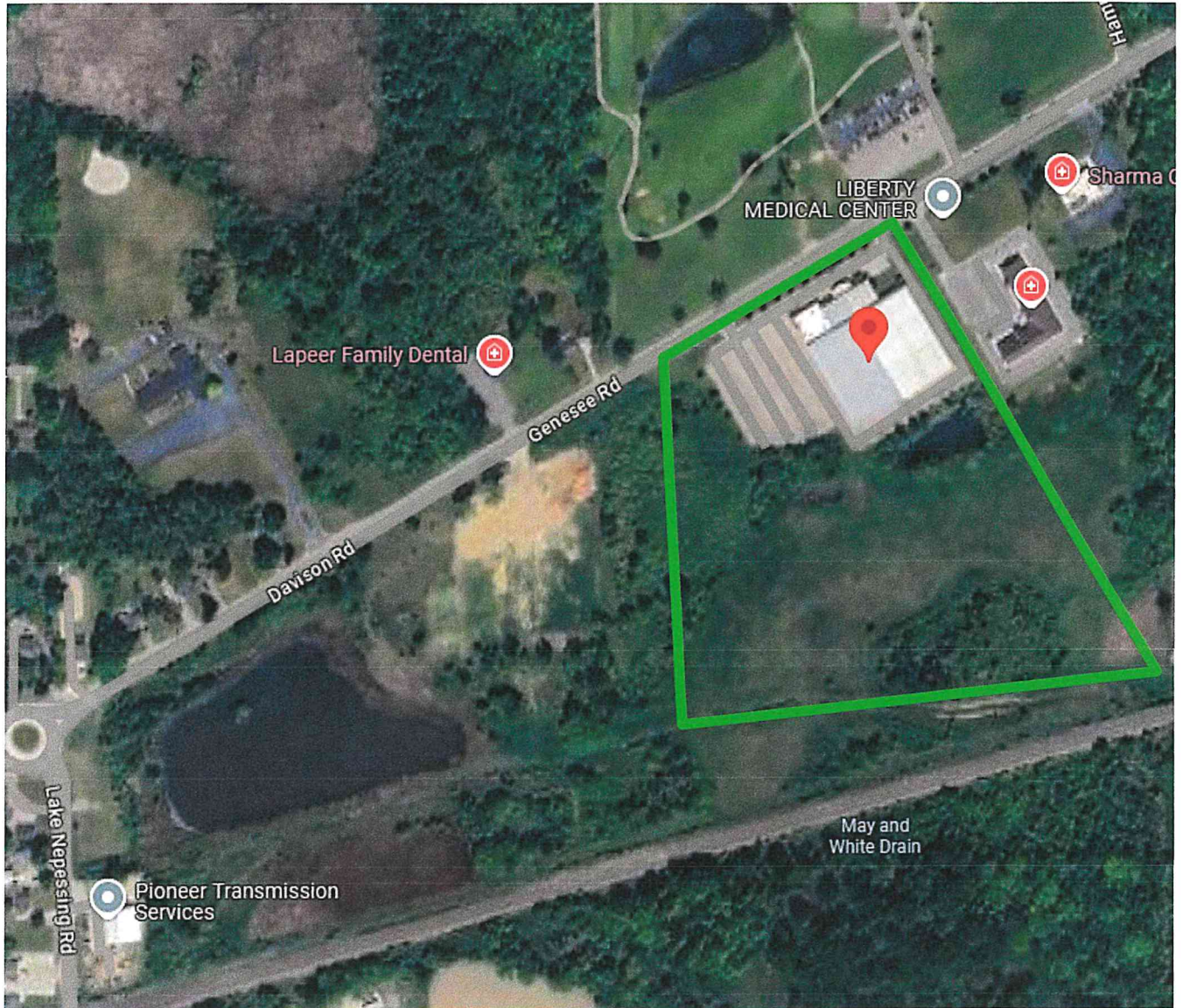
RECOMMENDATIONS

The proposed rezoning from I-1 to B-2 is consistent with the City's Master Plan. Staff recommends that the Planning Commission recommend approval to the City Commission for the rezoning of 3301 Davison Rd. (Parcel #L20-83-321-040-00) from I-1 Industrial to B-2 General Business because it meets Standard 1 in Sec. 7.23.06.(b).

L:\PLANNING COMMISSION & FULL SITE PLAN REVIEWS\PC Rezoning Applications\Polar Palace #2 - Kassab - 3301 Davison - Sept 2024\Rezoning Memo - Polar Palace #2 - 3301 Davison.docx

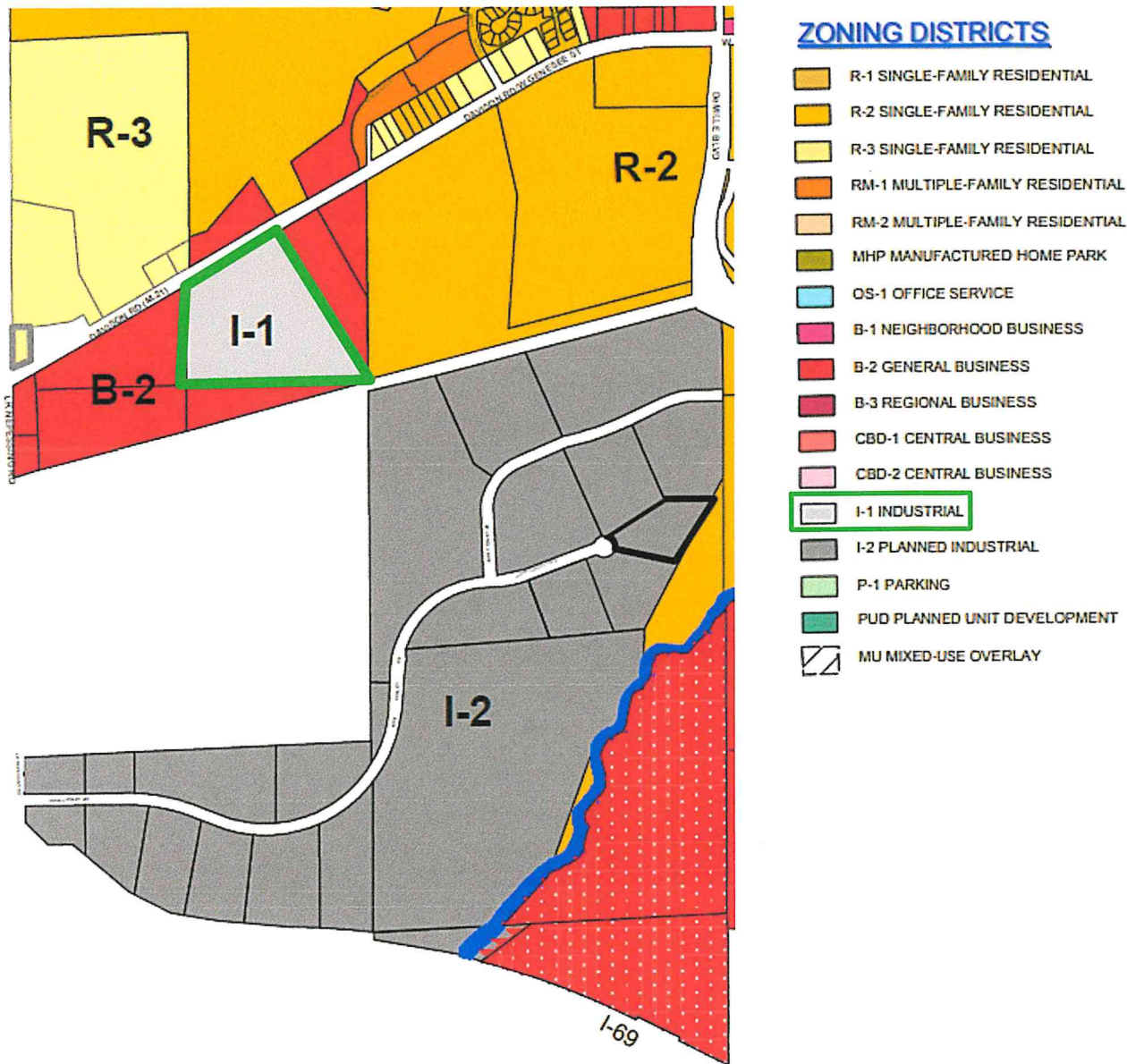
REFERENCE MATERIAL

Aerial Map

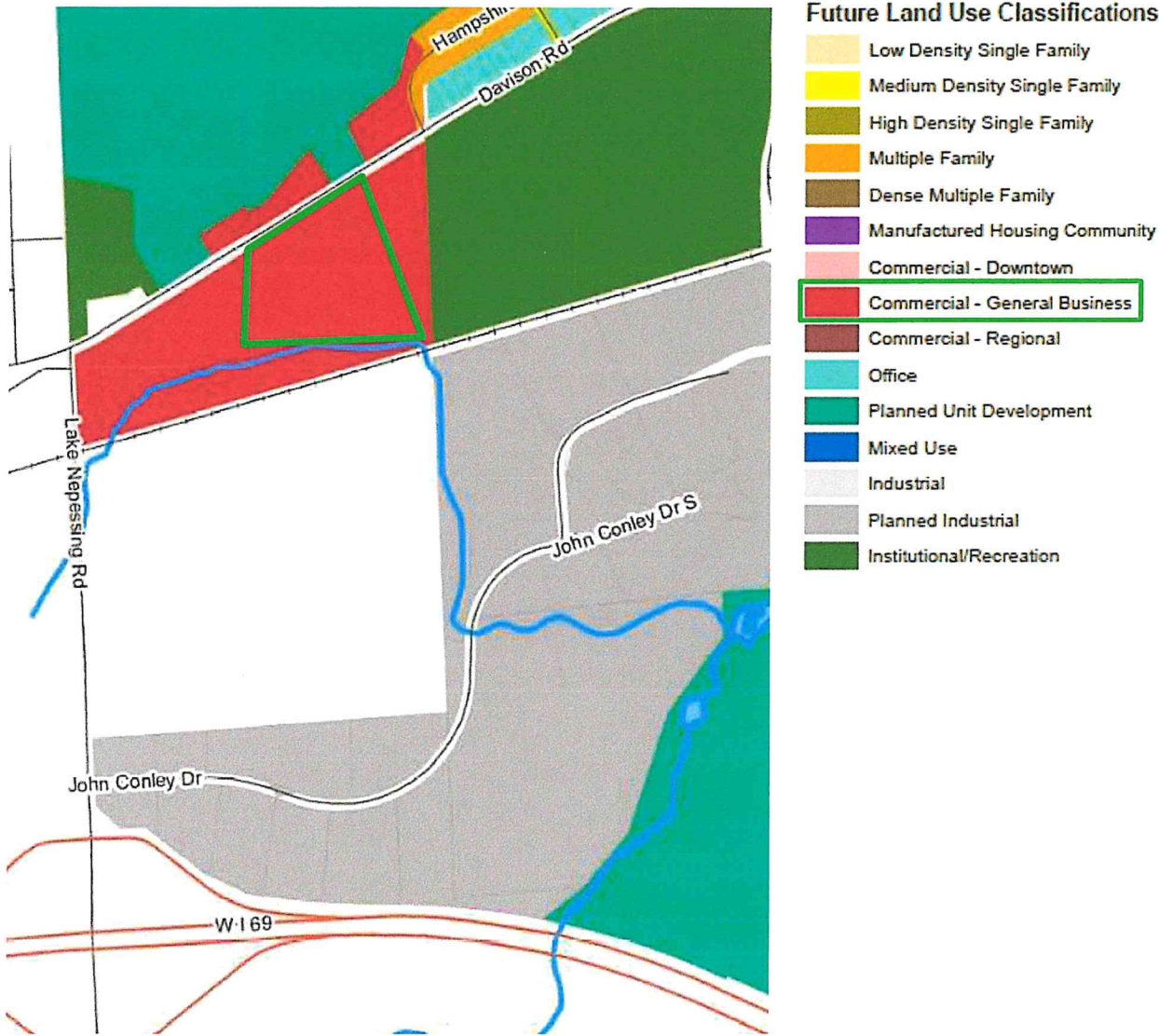


Key:  = Approximate Boundary Lines

Current City of Lapeer Zoning Map



Current Future Land Use Map





ITEM G-4

To: Lapeer City Commission, Mayor, City Manager and City Attorney
From: Shelley Lincoln, Housing Grant Administrator
Date: October 10, 2024
RE: MSHDA MI-Neighborhood Grant Application

STAFF RECOMMENDATION

Adopt the resolution to allow the Housing Department to apply to the Michigan State Housing Development Authority (MSHDA) for the MI-Neighborhood Grant application round, in the amount of \$200,000.

CURRENT OR NEW INFORMATION

MI-Neighborhood is a program created by the Michigan State Housing Development Authority (MSHDA) that blends \$87.2 million in funding as a response to the regional action plans' strategic alignment with the Michigan Statewide Housing Plan. The grant application will request \$200,000 in funding to assist 5 or more income qualified single-family homeowner rehabilitation up to \$40,000 per unit during a 24-month grant term. This grant is focused on stabilizing city properties and the prevention of blighted structures, creating longevity, and increasing property values.

Eligibility criteria:

Homeowner Eligibility	Property Eligibility
Applicant must own the home	Home must be within city limits of Lapeer
Must be Applicant's primary residence	Home must be zoned single-family
Household income must be under 2024 AMI selected limits: 80% of applicants under 120% AMI 20% of applicants under 60% AMI	Must have taxes paid up to date
	Must have homeowners' insurance

Grant Terms:

- Each eligible project property is eligible for up to \$40,000 in rehabilitation funds.
- Any grant award in the amount of \$10,000 or more will require a 5-year, pro-rated mortgage lien, which is 100% forgivable after the 5-year term is met. If the property is sold prior to the 5-year term, the pro-rated balance is due back to MSHDA upon sale.
- Eligible repairs consist of the following (not a complete list): Roofing, windows, doors, siding, insulation, HVAC, electrical, and plumbing.
- Items needing prior MSHDA approval: Masonry repair, lead and/or asbestos remediation, interior walls, ceilings, drywall, porch/deck repair, private driveways, and sidewalks (concrete and asphalt).

The grant allows for administrative costs in addition to the grant total for staff to administer the grant program. The percentage of administrative costs is determined by which funding source is selected during the application review by MSHDA. Grant term expected to run through Fall 2026. **Resolution requested.**

BACKGROUND OR PREVIOUSLY SUBMITTED INFORMATION

N/A

AGENDA ITEM REVIEW

Meeting Date:	October 21, 2024	Date Reviewed:	October 14, 2024
Consent:		Reviewed By:	Clerk's Office
Administrative:	X		
Public Hearing:			

RESOLUTION TO APPROVE
MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY (MSHDA)
MI-NEIGHBOR GRANT PROGRAM
CITY OF LAPEER HOUSING IMPROVEMENT GRANT APPLICATION

RESOLUTION #2024-21

At a regular meeting of the Lapeer City Commission of the City of Lapeer, County of Lapeer, Michigan, held in said City on the 21st day of October 2024 there were:

PRESENT: Mayor Marquardt. Commissioners Atwood, Brady, Glisman, Petrie, Swindell.
ABSENT: None.

MOVED BY: Commissioner

SECONDED BY: Commissioner

WHEREAS, the City of Lapeer is interested in the continuing effort that is consistent with the local community development plan as described in the Application; and

WHEREAS, the Lapeer City Commission accepts the recommendation of the City of Lapeer Housing Improvement Department to apply for \$200,000 through the Michigan State Housing Development Authority MI-Neighborhood Grant Program for City of Lapeer Housing Improvement Grant; and

WHEREAS, the Michigan State Housing Development Authority requires a resolution authorizing the submission of the aforementioned grant application; and

WHEREAS, said City Commission authorizes the mayor to sign the grant application forms, grant agreement and related documents as required by MSHDA and allow the Director of Housing and Neighborhood Development and Grant Administrator to sign related grant documents, financial status reports for payment, and other required reports when allowed by MSHDA as required; and

THEREFORE, BE IT RESOLVED that the Lapeer City Commission authorizes the City of Lapeer Housing Improvement Department to submit the application for funding through the Michigan State Housing Development Authority's MI-Neighborhood Program for a City of Lapeer Housing Improvement Grant, authorizes the Mayor to sign grant application forms, grant agreement and related documents, and allow the Director of Housing and Neighborhood Development and Grant Administrator to sign related grant documents, financial status reports for payment, and other required reports when allowed by MSHDA as required on behalf of the City of Lapeer.

AYES:

NAYES:

ABSTAIN:

ABSENT:

MOTION CARRIED AND RESOLUTION ADOPTED.

CERTIFICATION:

I, Romona Sanchez, being the duly appointed and qualified Clerk of the City of Lapeer, Lapeer, County, Michigan, do hereby certify and declare that the foregoing is a true and correct copy of the Resolution adopted by the City of Lapeer Commission at a regular meeting held on October 21, 2024.

Romona Sanchez, MMC
City Clerk, City of Lapeer



ITEM G-5

To: City Commission
From: Mike Womack-City Manager
Date: September 30, 2024
RE: Rules of Procedure-Public Participation

STAFF RECOMMENDATION

Approve and adopt the proposed changes as presented.

CURRENT OR NEW INFORMATION

I have heard some pretty disturbing reports of public comment and public participation gone way awry at City Commission meetings, both in Michigan and in other states. Unfortunately, we appear to be in a new era of politics where vitriol can and sometimes does boil over at public meetings, I asked the City Attorney to weigh in on the City's current language for Citizen Participation at City Commission meetings and to propose new language that will best help protect the City in the case of inappropriate disruptive behavior from the public.

The proposed changes are to #2, #3, #5 and #7 of the "Citizen Participation" section of the City Commission's rules and procedures.

#2 is being proposed to clarify that a person can speak on behalf of a "defined group" and not just a "neighborhood group" but that we don't allow the "yielding of time" from one person to another, which is not addressed under current policy

#3 is being proposed to clarify that people may speak on any matter under the City's jurisdiction, not simply "new information" or agenda items from previous meetings. It also gives guidance that the City can limit public comment to matters that the City actually controls or has power, control or influence over.

#5 is being proposed to clarify and add on to the language used in #3

#7 is being proposed to clarify what language (and other actions) will be construed as being disruptive to the meeting or "profane" which is an important legal definition.

The rest of the policy would remain the same, excepting the changes to parts 2, 3, 5 and 7.

The City respects and encourages the public to attend and participate in the local government process, but that participation must be done in a way that does not prevent the operations of the government.

BACKGROUND OR PREVIOUSLY SUBMITTED INFORMATION

While City Commission meetings are generally considered a open public venue and we are obligated under the Open Meetings Act to provide an opportunity for the public to speak at the meeting, the right to speak and participate in the meetings is a limited one, not unlimited.

AGENDA ITEM REVIEW

Meeting Date:	October 21, 2024	Date Reviewed:	October 1, 2024
Consent:	X	Reviewed By:	City Clerk's Office
Administrative:			
Public Hearing:			



CITY OF LAPEER RULES AND PROCEDURES OF THE CITY COMMISSION

Revised 10/07/2024

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**CITY OF LAPEER
RULES AND PROCEDURES
OF THE CITY COMMISSION**

A. MEETINGS

1. Place of Meetings:

All meetings of the City Commission shall be held in the Commission Chambers of the Lapeer City Hall unless otherwise provided in the public notice of such meeting.

2. Regular Meetings:

Regular meetings of the City Commission will be held on the first and third Monday of each month beginning at 6:30 p.m., local prevailing time, at City Hall. Regular meetings may be rescheduled to other times by a vote of the Commission.

(REF: Charter: Chapter 6, Section 6.1;-)

3. Special Meetings:

A special meeting may be called by the Mayor, Clerk, or by three Commissioners. Meeting Notice (Posting) Requirements (Section A., Item 7b.) will apply.

(REF: Charter: Chapter 6, Section 6.1;-)

4. Business At Special Meetings:

No business shall be transacted at any special meeting of the Commission unless the same has been stated in the notice of such meeting. Any business which may come before a regular meeting may be transacted at a special meeting if all the members of the Commission in office at that time are present.

(REF: Charter: Chapter 6, Section 6.3;-)

5. Workshop and/or Study Session Meetings:

A workshop or study session of the City Commission will be held as necessary and as scheduled by the Commission. No business shall be transacted, only generalized discussion relating to the topic for which the meeting was called. The City Manager and/or City Clerk will prepare an agenda for these meetings. Meeting Notice (Posting) Requirements (Section A., Item 7b) will apply.

6. Public Hearings:

The City Commission, by a majority vote, will set public hearings to be heard in front of the City Commission at least one meeting prior to such public hearing or as outlined by Charter, Ordinance, or statute. No public hearings will be held in front of the City Commission without City Commission approval.

7. Meeting Notice (Posting) Requirements:

All meetings will be posted in accordance with the Open Meetings Act, PA 267 of 1976, as amended.

- a. For regular meetings of the Commission, the Clerk shall post at the City Hall, within ten (10) days after the first meeting of the Commission in each calendar year, a public notice stating the dates, times, and places of its regular meetings for the year. If a change in the regular meeting schedule occurs, a public notice will be made within three (3) days after the meeting at which the change is made.

(REF: PA 267 of 1976: Open Meetings Act, Section 5;-)

- b. For a rescheduled regular, special, or a workshop and/or study session meeting of the Commission, a public notice stating the date, time and place of the meeting shall be posted at least eighteen (18) hours before the meeting.

(REF: PA 267 of 1976: Open Meetings Act, Section 5;-)

- c. A regular, special, or a workshop and/or study session meeting of the Commission, which is recessed for more than thirty-six (36) hours, can only be reconvened if a notice is posted eighteen (18) hours in advance.

(REF: PA 267 of 1976: Open Meetings Act, Section 5;-)

8. Emergency Meeting:

The Commission may meet in an emergency session without complying with the Meeting Notice (Posting) Requirements (Section A., Item 7.), in the event that it is necessary to hold a meeting to deal with a severe and imminent threat to the health, safety, or welfare of the public when two-thirds of the members of the Commission decide that delay would be detrimental to the City's efforts in responding to the threat.

(REF: PA 267 of 1976: Open Meetings Act, Section 5;-)

9. Mailing of Meeting Agendas:

Upon written request of an individual, organization, firm, or corporation, and upon payment of an annual fee of not more than the reasonable estimated cost for printing and posting of such notices, the Clerk shall send to the requesting party, by first class mail, a copy of regular meeting agendas.

(REF: PA 267 of 1976: Open Meetings Act, Section 6;-)

10. Minutes of Regular, Special, Workshop and/or Study Session Meetings:

- a. A journal of the proceedings of each meeting will be kept in the English language by the Clerk and shall be signed by the presiding officer and City Clerk upon approval by the Commission.

(REF: Charter: Chapter 4, Section 4.11; Chapter 6, Section 6.7(a);-)

- b. Proceedings of the Commission, or a brief synopsis thereof, will be published in a newspaper of general circulation within the City within seven (7) days following the date of approval.
(REF: Charter: Chapter 6, Section 6.7(c);-)
- c. Proposed minutes of meetings will be available for public inspection not more than eight (8) business days after such meeting.
(REF: PA 267 of 1976: Open Meetings Act, Section 9;-)
- d. Approved minutes will be available for public inspection not later than five (5) business days after the meeting at which the minutes were approved.
(REF: PA 267 of 1976: Open Meetings Act, Section 9;-)
- e. Minutes shall include action items of the Commission with respect to motions and show the “yes”, “no”, and “abstention” of each member.
- f. The Clerk shall not be responsible for a written record or summary of discussion or comments of the Commission. Upon direction of the presiding officer, the Clerk may provide a summary of individual comments.
- g. Minutes of public time will include individual’s name, address (if applicable), and a brief synopsis of the individual’s comments and concerns.

B. MEETING PROCEDURE

1. Meetings to be Public:

All meetings of the City Commission shall be open to the public and citizens shall have a reasonable opportunity to be heard under such rules and regulations as the Commission may prescribe.

(REF: Charter: Chapter 6, Section 6.4; PA 267 of 1976: Open Meetings Act, Section 3;-)

2. Order of Business:

An agenda for each Regular Commission meeting shall be prepared by the City Manager, City Clerk, or designee, in accordance with the following order of business:

- Call To Order
- Roll Call
- Pledge of Allegiance
- Approval of Agenda
 - A. Minutes
 - B. Public Comments
 - C. Consent Agenda

- D. Bill Listing
 - E. Proclamations, Recognitions, and Resolutions
 - F. Public Hearings
 - G. Administrative Reports
 - H. City Manager's Report
 - I. City Attorney's Report
 - J. Unfinished Business
 - K. Departmental Communications
 - L. Public Comments
 - M. Mayor/Commissioner Comments
 - N. Reminder of Meetings
 - O. Reminder of Public Hearings
- ADJOURNMENT

(Amended 06-01-2020)
(Amended 04-19-2021)

3. Quorum:

Three (3) members of the Commission in office at the time shall be a quorum for the transaction of business. In absence of a quorum, a lesser number may adjourn any meeting to a later time or date for not longer than one week. Any meeting which is recessed for more than thirty-six (36) hours will comply with Meeting Notice (Posting) Requirements (Section A., Item 7c.)

(REF: Charter: Chapter 6, Section 6.5; PA 267 of 1976: Open Meetings Act, Section 5;-)

4. Presiding Officer:

The Mayor shall be the presiding officer of the Commission. The presiding officer shall be responsible for enforcing the Rules and Procedures of the City Commission, contained herein, as well as the Code of Conduct. In the absence of or disability of the Mayor, the Mayor Pro-Tem shall be the presiding officer of the Commission. In the absence or disability of both, the Commission may designate another of its members to serve as Acting Mayor during such absence or disability. The Commission member serving as Mayor Pro-Tem or Acting Mayor does not lose their vote.

(REF: Charter: Chapter 4, Section 4.4, Section 4.5(b);-)

C. CLOSED MEETINGS

1. Purpose:

The City Commission may only meet in closed session for the purposes defined in the Michigan Open Meetings Act, PA 267 of 1976, as amended, summarized as follows:

- a. To consider the dismissal, suspension or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing.

- b. For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either negotiating party requests a closed hearing.
- c. To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.
- d. To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the Commission.
- e. To review and consider the contents of an application for employment or appointment to a public office if the candidate requests that the application remain confidential. All interviews by a public body for employment or appointment to a public office shall be held in an open meeting pursuant to this act.
- f. To consider material exempt from discussion or disclosure by state or federal statute.

Closed session may also be referred to as an Executive Session.

2. Calling Closed Sessions:

A two-thirds roll call vote of the Commission members elected and serving shall be required, except under Sections (a) and (b) above. The roll call vote shall be taken at an open meeting and the purpose for calling the closed session shall be entered into the minutes of the meeting at which the vote is taken.

(REF: PA 267 of 1976: Open Meetings Act, Section 7;-)

3. Minutes of Closed Meetings:

A separate set of minutes shall be taken by the Clerk or the designated Secretary of the City at the closed session. These minutes shall be retained by the Clerk of the City, are not available to the public, and shall only be disclosed if required by a civil action filed under section 10, 11, or 13 of the Open Meetings Act. These minutes may be destroyed 1 year and 1 day after approval of the minutes of the regular meeting at which the closed session was approved.

(REF: PA 267 of 1976: Open Meetings Act, Section 7;-)

4. Confidentiality of Closed Meeting Information:

A City Commission member shall not divulge to any unauthorized person confidential information discussed in a closed session in advance of the time prescribed for its authorized release to the public by the City Commission. Commission members shall honor the confidentiality of the

debate, discussion, and preliminary action taken in closed session, and be aware of the potential financial liability and/or harm to the reputation of the City by premature disclosure. A violation of confidentiality shall be construed as misconduct in office.

D. VOTING AND DISCUSSION

1. Roll Call:

In a roll call vote, the names of the Commission shall be called and entered upon the record. The names of the Commission may be called alphabetically or in random order.

2. Tie Vote:

The Mayor shall have a voice in all proceedings of the Commission but shall have no vote except in case of a tie. In case of a tie, the Mayor shall cast the deciding vote.

(REF: Charter: Chapter 4, Section 4.5;-)

3. Results of Voting:

In all cases where a vote is taken, the presiding officer shall declare the result.

4. Duty to Vote:

Whenever a question is put before the presiding officer, every member shall vote, provided however, that no member shall be required to if:

a) That member shall have a conflict of interest and shall state his/her conflict of interest; or

(REF: Charter: Chapter 6, Section 6.7b;-)

b) That member shall state that he/she has inadequate information upon which to base a reasonably informed vote and shall state the particulars of the information desired before a reasonable informed vote can be cast. Absence from a prior meeting shall not constitute the basis of the lack of information.

If a member is precluded from voting pursuant to a conflict of interest, that member shall refrain from participating in the discussion on the issue.

EXCEPTION:

A Commission member should not vote on the question of approving minutes to be corrected or amended of a meeting at which a member was absent for the reason that such member is unable to determine the accuracy of such minutes.

5. Rules of Parliamentary Procedure:

The rules of parliamentary practice as contained in Robert's Rules of Order, most recent edition, shall govern the Commission in all cases to which they are applicable, provided they are not in conflict with these Rules or with the Ordinances and Charter of the City of Lapeer.

6. Conduct of Discussion:

During Commission discussion and debate, the conduct of discussion will be, but not limited to, the following:

- Discussion and debate on agenda items will be limited to thirty (30) minutes each and five (5) minutes each for non-agenda items.
- Matter requiring a more in-depth, longer presentation and discussion will be scheduled for a workshop and/or study session.
- The maker of the motion shall speak first.
- The supporter of the motion shall speak second.
- No member shall speak until recognized for such purpose by the presiding officer. After such recognition, the member shall confine discussion to the question at hand.
- Personal comments about other individuals should be avoided.
- When addressing other members of the Commission, they should be addressed by title and/or last name but not by first name.
- No member should request to speak a second time on a motion as long as another is requesting recognition to speak for a first time.

7. General Consensus:

General consent or consensus may be used to give direction, and the minutes should indicate that a majority consented.

E. CITIZEN PARTICIPATION

1. General:

Each Commission meeting agenda shall provide for reserve time for audience participation, as requested, known as Public Comments.
(REF: Charter: Chapter 6, Section 6.4; PA 267 of 1976: Open Meetings Act, Section 3(5);-)

2. Length of Presentation:

Members of the public at the meeting shall not speak unless recognized by the presiding officer. Members of the public shall be limited to speaking for a maximum of three (3) minutes during any public hearing or public comment. A person representing a defined group and speaking on behalf of same shall be allowed up to ten (10) minutes to address the Commission with permission of the presiding officer. Other speakers not representing a defined group may not yield their time to other speakers.

(Amended 10-21-2024)

3. Persons Addressing the Commission:

Prior to addressing the Commission, members of the public shall come before the public podium, state their name, address and, if appropriate, group affiliation. Members of the public shall have a reasonable opportunity to be heard on any matter under the City's jurisdiction.

(Amended 10-21-2024)

4. Requests to Speak during Public Hearings:

- a. For the purpose of public participation during public hearings, every speaker, after being recognized by the presiding officer, is to approach the public podium and give his/her name prior to speaking on the public hearing issue. Each speaker will be allowed three (3) minutes maximum to address the Commission. A speaker representing a subdivision association or group will be allowed ten (10) minutes to address the Commission.
- b. City officials and employees should not speak in explanation or rebuttal, but save comments until the public portion of the hearing is over, unless authorized by the presiding officer.
- c. City officials and employees shall speak after the public participation is over in explanation or rebuttal of matters discussed at the hearing when recognized by the presiding officer. The public should not be heard from at this time.

5. Requests to Speak during Public Comments:

Any person who wishes to speak on a matter under the City's jurisdiction, may speak at this time.

(Amended 10-21-2024)

6. Requests by Citizen(s) to be placed on Agenda:

Any person(s) who wishes to be placed on the agenda to address the City Commission shall submit written request with all necessary supporting data as outlined under section F. AGENDA, Item 3. Such request shall be allowed fifteen (15) minutes to address the Commission.

7. Disorderly Conduct at Meetings:

Person(s) addressing the Commission shall make responsible comments and shall refrain from making attacks against the conduct or character of a person that is unrelated to the manner in which he or she performs his or her duties or qualifications for the job; slanderous remarks; threats of violence, or profane remarks, defined as explicit or offensive references to sex or bodily functions, that cause a disruption to the meeting. The presiding officer may call to order any person who is being disorderly by speaking when not recognized by the presiding officer or otherwise

disrupting the proceeding by failing to be germane or by speaking longer than the allotted time. Such persons shall thereupon be seated until the presiding officer shall have determined whether the person is in order. If a person so engaged in presentation shall be out of order, he or she will not be permitted to speak at the same meeting, except upon special leave by the Commission. If the person shall continue to be disorderly and disrupt the meeting, the presiding officer may order the Police Chief or Police Department to remove the person from the meeting.

(REF: Charter: Chapter 4, Section 4.5 and Chapter 6, Section 6.6; PA 267 of 1976: Open Meetings Act, Section 3(6); -
(Amended 10-21-2024)

F. AGENDA

1. Preparation:

The City Manager, City Clerk, and/or designee shall prepare an agenda for each regular, special, workshop and/or study session meeting of the Commission. The deadline for submitting items for a regular Commission agenda is 12:00 noon on the Wednesday preceding the Commission meeting. Agenda items from the Commission should be in writing by the same time. Requested items will appear on a meeting agenda within three meetings after a request is made.

2. Distribution:

Agendas, ordinances, and all related background material will be delivered to Commission members at their residence at least 36 hours before the scheduled regular meeting, or at least eighteen (18) hours before a scheduled special, workshop and/or special meeting.

3. Agenda Material:

Department Heads and all others shall submit written requests for inclusion on the agenda to the City Manager, City Clerk, and/or designee with all necessary supporting data. Written presentations shall be submitted by 12:00 noon on the Wednesday preceding the Commission meeting for circulation with agendas. Agenda requests could be delayed if related information is not received in a timely manner.

G. CONSENT AGENDA:

1. Purpose:

A consent agenda will be used to allow the Commission to act on numerous administration or non-controversial items at one time.

2. Consent Agenda Items:

A consent agenda will be developed by the City Manager, City Clerk, and/or designee. Any member of the Commission may request that an item be removed from the consent agenda and placed on the regular agenda for discussion.

H. RECORDING OF COMMISSION MEETINGS:

1. Meetings may be recorded:

- a) The City may record any meeting of the City Commission through the use of a tape recorder, video, or other electronic device. Such recordings will be under the control and supervision of the City Clerk.
- b) A member of the public may record any meeting of the City Commission through the use of a tape recorder, video, or other electronic device.

2. Retention of Records:

If a meeting or meetings are recorded pursuant to paragraph 1 a) above, those recordings may be retained by the City Clerk according to the Retention Schedule of the City of Lapeer or may be retained by the City Clerk for a period of one (1) year from the date of the meeting recorded.

(Amended 04-01-2019)

I. COMMISSION VACANCY

- 1. Any vacancy in the office of Commission or Mayor may be filled within thirty days by a majority vote of the remaining members of the Commission for any balance of the unexpired original term. If any vacancy is not filled within thirty days, or if three or more vacancies exist simultaneously in the office of Commissioner, such vacancies shall be filled for the respective unexpired terms at a special election unless such vacancies occur and be unfilled less than ninety days prior to a regular election.
(REF: Charter: Chapter 5, Section 5.5;-)
- 2. To fill a vacancy within thirty days, the Commission will accept letters of interest from interested citizens. All letters of interest will be filed with the City Clerk. Letters of Interest will be accepted until an appointment to the vacancy has occurred. Vacancies to be filled by election will follow Charter requirements.
- 3. The City Clerk will certify to the Commission qualifications of the candidate(s):
 - a) That the candidate has been a resident of the City for at least one year prior.
 - b) That the candidate is a qualified and registered elector of the City for at least thirty days.
 - c) That the candidate is not a defaulter to the City.

- d) That the candidate is a taxpayer, or exempt from taxes by operation of the law, to the City for at least six months.
 - e) All other qualifications as required by Charter.
(REF: Charter: Chapter 5, Section 5.1 lists qualifications;-)
- 4. The City Clerk shall transmit all letters of interest and certification of the candidate(s) to the Commission. The Commission may set a date and time for a regular or special meeting to invite candidate(s) to address the Commission and submit to questions by the Commission.
 - 5. The Commission may hold a regular or special meeting at any time prior to the thirty-day deadline to nominate a candidate or candidates.
 - 6. Voting on candidates shall be by roll call vote with each Commission member naming the candidate of his/her choice. In the event that no candidate receives a majority vote on the first ballot, candidates receiving no votes will be eliminated. If two top candidates are tied, those with a fewer number of votes will be eliminated. Voting will continue until a majority vote for a candidate is achieved.
 - 7. The candidate appointed must take the Oath of Office and may take office immediately or at the next regularly scheduled Commission meeting.
 - 8. The candidate appointed will hold office until the Monday following the election at which such vacancy shall be filled for any balance of the unexpired term.
(REF: Charter: Chapter 5, Section 5.5;-)
 - 9. The provisions of this section shall not apply to the filling of vacancies resulting from recall.
(REF: Charter: Chapter 5, Section 5.5;-)

J. MISCELLANEOUS

- 1. Amendments to Rules:
The rules and procedures of the City Commission may be altered or amended by a two-thirds vote of the entire Commission.
- 2. Suspension of Rules:
The rules and procedures of the City Commission may be suspended for good cause for a specified portion of a meeting by a two-thirds vote of the entire Commission.
- 3. Controlling Authority:
These rules and procedures shall control unless preempted by City Charter, State laws or the courts.

K. COMMITTEE ASSIGNMENTS

1. Assignments:

The Mayor may assign Commission members to any committee as is deemed necessary, with approval of the Commission.

2. Responsibilities:

Commission members responsibilities as a committee member will be generally limited to policy and not the administration of a department or appointed organization.

L. APPROVAL AND AMENDMENTS: RULES AND PROCEDURES OF THE CITY COMMISSION

Approved:	Motion #	Moved By:	Seconded By:
04-19-10	#78 2010 04-19	Bostick-Tullius	Robinet
Amended:	Motion #	Moved By:	Seconded By:
04-01-19	#75 2019 04-01	Bostick-Tullius	Osentoski
Amended:	Motion #	Moved By:	Seconded By:
06-01-20	#105 2020 06-01	Pattison	Osentoski
Amended:	Motion #	Moved By:	Seconded By:
04-19-21	#085 2021 04-19	Cattane	Osentoski



ITEM G-6

To: City Commission
From: Mike Womack-City Manager
Date: September 30, 2024
RE: Draft Fraud Policy

STAFF RECOMMENDATION

Approve and adopt the draft Fraud Policy as presented.

CURRENT OR NEW INFORMATION

The City is proud to maintain robust policies and procedures relating to the safety and security of the public's money. It is the intent of this policy to help foster a fair and honest workplace culture that reduces the opportunity for fraud, theft and corruption. While the City has always prohibited fraud, theft and corruption, this policy fleshes out definitions and procedures and provides information about how best to prevent it from happening and investigating any allegations.

BACKGROUND OR PREVIOUSLY SUBMITTED INFORMATION

The City has various prohibitions against fraudulent activities, theft and corruption but this policy provides a greater and more specific prohibition against it, and it also provides a greater framework for preventing it and dealing with it after the fact if necessary.

AGENDA ITEM REVIEW

Meeting Date:	October 21, 2024	Date Reviewed:	October 1, 2024
Consent:	X	Reviewed By:	City Clerk's Office
Administrative:			
Public Hearing:			

CITY OF LAPEER, MICHIGAN
ANTI-FRAUD, ANTI-THEFT & ANTI-CORRUPTION POLICY

Purpose

It is the general intent and purpose of this policy to reduce the opportunity for fraud, theft, and corruption to the lowest possible risk. Systems and procedures for the prevention and detection of fraud and theft have been designed and implemented to ensure a culture and environment that promotes honesty and ethical behavior.

As an important part of this commitment, this policy will serve to advise and guide the employees, volunteers, various board members, and the Commission on the City's approach to these serious issues. All individuals connected with the City are expected to be fair and honest, and to provide the City any help, information, and support necessary to deal with fraud, theft, and corruption.

Definitions

Fraud is defined as deception by persons internal or external to the City, which is carried out to conceal the misappropriation of assets or otherwise for gain.

Theft is defined as the dishonest taking of property belonging to another with the intention of depriving the owner permanently of its possession.

Corruption is defined as the offering, giving, soliciting, or acceptance of an inducement or reward, which may inappropriately influence the action of any person.

Procedures

The City of Lapeer has written procedures and rules to ensure that financial, working, and organizational procedures are properly controlled. It is vital that suitable levels of checks and balances are included in these procedures. These procedures are an important part of our internal control process and these documents are reviewed regularly to address changes in the business and working environment. The most important are listed below, but are not to be considered all inclusive:

- Employee Handbook
 - a) Credit Card Use
 - b) Information Technology Resources
 - c) Guidelines of Appropriate Conduct
- Accounting Procedures
- Investment Policy
- Purchasing Policy

- State of Michigan Accounting Procedure Manual

It is expected that all employees and volunteers will read and understand the rules and procedures that apply to them and act in line with them. Breaking of some rules could result in formal action.

1. Expected Behavior

The City of Lapeer, its employees, volunteers, and Commission must at all times comply with all applicable laws and regulations. The staff is expected to lead by example in a professional and businesslike manner. Activities which achieve results based on unethical business practices or through violation of the law will not be condoned. No activity will be permitted that fails to stand the closest possible public scrutiny.

Employees and Commissioners will perform their duties conscientiously, honestly, and in accordance with the best interest of the City. Neither employees nor Commissioners may use their position or the knowledge gained as a result of their position for private or personal advantage or to obtain financial gain.

The City staff is an integral part in dealing with fraud, theft, and corruption and is encouraged to inform a department head, City Manager or Police department if they suspect a case of fraud, theft, or corruption.

All information received will be considered as fairly and confidentially as possible. The City Manager will deal with anyone who is responsible for fraud, theft, or corruption in a firm and quick manner. Any investigative process will not be misused and any abuse such as raising unfounded malicious allegations will be dealt with as a disciplinary matter.

2. Preventing fraud, theft, and corruption

The City's belief is that if we are to beat fraud, theft, and corruption we must prevent it from happening in the first place. It is essential to have clear rules and procedures in the workplace. Written rules and procedures will be reviewed and updated on a regular basis to address change in the business environment. Each department must ensure that suitable levels of internal checks are included in the working procedures, particularly financial procedures. It is important that duties are organized so that no one person can carry out a complete transaction without some form of verification process built into that system. As part of the city's procedures the city will routinely document business risks and assess and document the internal financial controls, as detailed in the accounting procedures.

The City is committed to working and cooperating with other organizations to prevent organized fraud, theft, and corruption. Wherever possible, we will be prepared to help and exchange information with other organizations to deal with these issues.

3. Detecting and investigating fraud, theft, and corruption.

The City is committed to the highest possible standards of openness, fairness, and accountability in all its affairs. The goal is to maintain a culture of honesty and an opposition to fraud, theft, and corruption.

The staff plays a vital role in dealing with fraud, theft, and corruption. The employees are often the first to detect a possible issue. The City encourages employees to raise a concern rather than overlooking a problem. The policy is to encourage and enable employees, volunteers, and the Commissioners to report any suspected fraud, theft, and corruption.

Should an outside party suspect fraud, theft, or corruption they should contact the City Manager. The allegations will be dealt with in the same manner as allegations raised by an employee.

4. Handling allegations

For issues raised, the action taken will depend upon the nature of the concern. The matters may:

- Be investigated internally and/or
- Be referred to the police.

Within ten (10) working days of a concern being received, the City Manager or designated representative will respond to the complainant:

- Acknowledge the concern has been received;
- Indicate how the matter will be dealt with;
- Give an estimate of how long it will take to provide a final response;
- Communicate if any initial inquiries have been made; and
- Communicate if any further investigations will take place, and if not, the reason.

The investigation will be planned giving due consideration to the following:

- Resources required to investigate the allegation;
- Legal status of the allegation (i.e., theft or breach of procedure);
- Internal disciplinary procedures;
- Level of evidence required;
- Protection of data and documents required;
- Minimizing the effect on staff and third parties;
- Recovery of any lost funds and minimizing the potential for further loss;
- Review of any improvement required to prevent re-occurrence.

Those individuals whom report the alleged fraud, theft or corruption need to be assured that the matter has been properly addressed. Thus, where appropriate and subject to legal constraints, they will receive information about the outcome of any investigation.

5. Training

The key to successful anti-fraud, anti-theft, and anti-corruption policy is training and awareness. It is expected that employees read, understand, and comply with the policies and procedures that apply to them. Disregard for these policies and procedures may lead to formal disciplinary action, up to and including termination of employment.

Training will be provided for employees who are involved in and/or manage internal control systems to assure that their responsibilities are regularly reviewed and reinforced.

How to be a
**FRAUD
FIGHTER**
in your organization

To fight fraud in your organization, you first have to learn what fraud is, why it's important to stop it, red flags to look for and ways to prevent it.



What is fraud?

In the broadest sense, the term *fraud* encompasses actions that are meant to deceive for financial or personal gain. It's any intentional or deliberate act to deprive another of property or money by guile, deception or other unfair means. Occupational fraud is fraud committed by people who work for, or do business with, an organization. This specific form of fraud represents a real and large risk to any organization that employs individuals.

Why should we care about fraud?

Fraud causes billions of dollars in damage to companies, governments and individuals each year. Additionally, fraud can dramatically affect the quality of life of its victims — and the employees of its victims — resulting in job losses, the loss of savings and investments, weakened trust in public institutions and a significant strain on resources.

In the Association of Certified Fraud Examiner's (ACFE) [*Report to the Nations*](#), anti-fraud professionals estimate that the typical organization loses 5% of its revenue annually to fraud. Think about your organization. The loss of those funds in your company could mean fewer raises, potential layoffs, greater pressure to increase revenue or cut costs, or decreases in employee benefits. Occupational fraud also affects your company's reputation. Would you feel comfortable opening an account with a bank that had a reputation of being defrauded by its employees? Do you think investors want to put their money into companies that cannot properly protect their assets?



What constitutes occupational fraud?

The ACFE classifies occupational fraud into three main categories:

1

ASSET MISAPPROPRIATION

Schemes in which an employee steals or misuses an organization's assets. Common examples include skimming payments received from customers, intercepting outgoing vendor payments and overstating reimbursable expenses.

2

CORRUPTION

Schemes involving a fraudster wrongfully using their influence in a business transaction to obtain a personal benefit or a benefit for another person (e.g., their spouse, children, or friends). Examples of corruption schemes include failing to disclose conflicts of interest, accepting illegal gratuities and paying bribes for favorable business decisions.

3

FINANCIAL STATEMENT FRAUD

Schemes involving the intentional misreporting of an organization's financial information with the intent to mislead others (e.g., investors, debtors or government authorities). Examples include creating fictitious revenues and concealing liabilities or expenses.

What are some of the most common occupational fraud schemes committed by employees?

Some of the more common frauds committed by employees include the theft of company assets, such as cash or inventory, and the misuse of company assets, such as using a company car for a personal trip. Here are more details about the schemes.



Stealing cash

Unsurprisingly, most people prefer to steal cash because the theft of physical cash is easier to conceal than many other types of theft. Skimming is the process by which an employee removes cash from the business before it enters the accounting system. This includes not recording a sale, or recording a sale for a lower amount than its actual cost, and pocketing the unrecorded amount.

Payment tampering schemes

Payment tampering is a type of fraudulent disbursement scheme whereby an employee either prepares a fraudulent payment for their own benefit or intercepts a legitimate payment intended for a third party and converts it to their own benefit. In these schemes, fraudsters manipulate either traditional check payments or some form of electronic payments — such as automated clearing house (ACH) payments, online bill payments or wire transfers. Some fraudsters abuse their legitimate access to their employer's payment system. Others gain access through social engineering or password theft, or by exploiting weaknesses in their employer's internal control or payment system. Regardless of how they access the system, the perpetrators use this access to fraudulently disburse or divert payments to themselves or their accomplices.

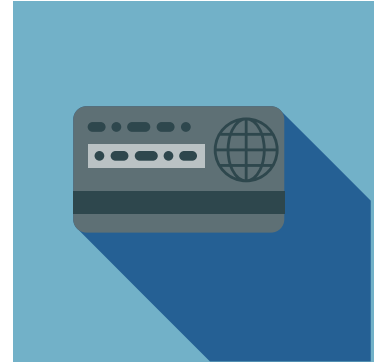


Billing schemes

Billing schemes cause the victim organization to buy goods or services that are nonexistent, overpriced or unnecessary. In a typical scheme, the perpetrator creates false support for a fraudulent purchase. The fraudulent support documents, which can include invoices, purchase orders, purchase requisitions, receiving reports and others, cause the victim organization to issue a payment for the purchase. However, the fraudster directs the payment to their own address or bank account, thereby reaping an illegal gain.

Expense reimbursement schemes

Travel and expense budgets are common targets for occupational fraud. Employees might falsify information about their business expenses, enabling them to receive inflated expense reimbursements. Fraudsters can perpetrate this scheme by overstating real expenses or creating fictitious expenses in areas such as client entertainment and business travel.



Payroll schemes

Payroll schemes occur when an employee fraudulently generates overcompensation on their behalf. These schemes are similar to billing schemes in that the perpetrator generally produces a false document or otherwise makes a false claim for a distribution of funds by their employer.

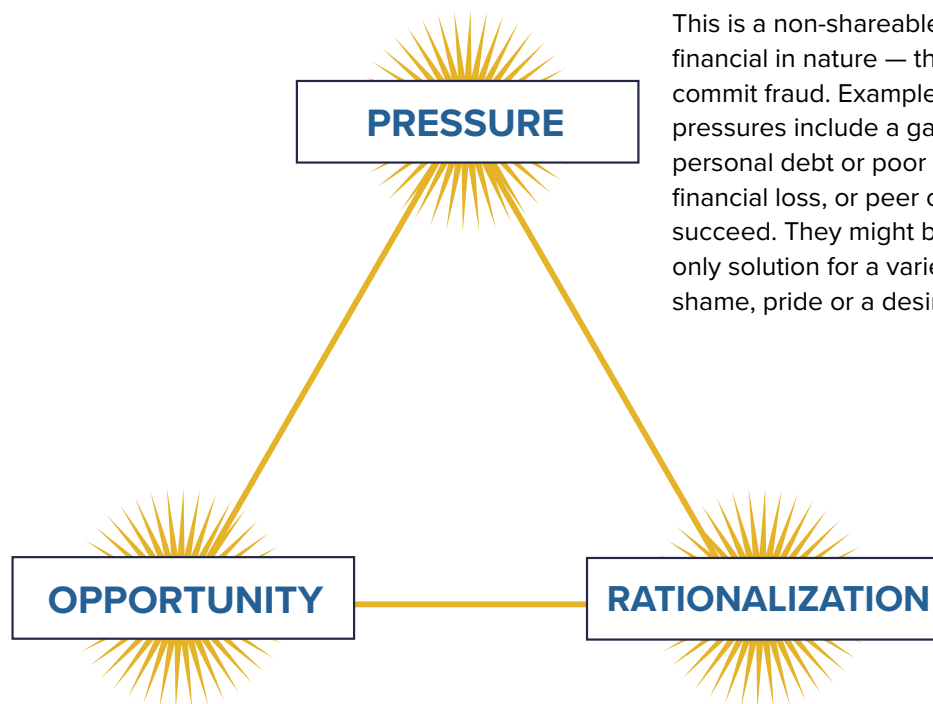
Inventory fraud schemes

Most inventory and warehousing frauds involve misappropriating or stealing inventory for personal use or resale. For example, an employee might order excess inventory and then resell that inventory at a discount to another business. Likewise, the personal use of company assets, such as consuming office supplies for non-work-related purposes, can develop into a fraud or an abuse situation if management does not address it.



Why do people commit fraud?

Dr. Donald Cressey was one of the first individuals to study how white-collar criminals differ from violent offenders. Part of Dr. Cressey's work on occupational fraud included the development of the Fraud Triangle. According to this theory, three elements must be present for occupational fraud to occur:



This is a non-shareable problem — typically financial in nature — that drives a person to commit fraud. Examples of these types of pressures include a gambling or drug habit, personal debt or poor credit, a significant financial loss, or peer or family pressure to succeed. They might believe fraud is the only solution for a variety of reasons, such as shame, pride or a desire to prove oneself.

This refers to the perceived ability to commit fraud. An employee must perceive that they have the opportunity to execute their scheme successfully. This opportunity could present itself as a lack in anti-fraud controls, like having no separation of duties, that they have discovered.

Offenders use rationalization to justify or excuse their criminal behavior and to maintain a positive image of themselves. People are often unwilling to view their behavior as bad or morally questionable. To keep a positive self-image, offenders rationalize their fraudulent actions in a variety of ways. They might tell themselves that they're only "borrowing" the money and will repay it at the first chance they get, or they could believe they're underpaid for their work and therefore deserve extra compensation.

What are behavioral red flags of fraud?

Fraud can be committed by anyone, making it important for all employees to be aware and observant of behavioral red flags that might indicate a potential fraudster. However, it is important to note that sometimes these indicators also apply to honest people, so their presence alone does not mean that someone is committing fraud. Based on ACFE research, here are the six most common behavioral red flags of fraud:

1



Living beyond means

Big spending is often an indicator of fraudulent behavior, especially if an employee's salary does not line up with their lifestyle.

2



Financial difficulties

Financial problems are often cited as a motivation by those who commit occupational fraud. Examples include high student loan debt, car loans, mortgages, taxes or high credit card debt.

3



A close personal relationship with vendors or customers

This might indicate a conflict of interest or collusion between an employee and a vendor or customer.

4



Control issues or an unwillingness to share duties

Fraudsters might fear that they will be caught if they share their job duties with another employee. They may not use their allotted time off, or they might come up with excuses to gatekeep information from their colleagues.

5



Irritability, suspiciousness or defensiveness

Fraudsters may act unusually paranoid or harsh with colleagues in order to project suspicion onto others or to discourage questions.

6



“Wheeler-dealer” attitude

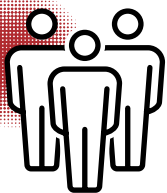
A fraudster may display an attitude involving shrewd or unscrupulous behavior.

What can be done to prevent fraud?

Every employee, regardless of position, can help prevent fraud.

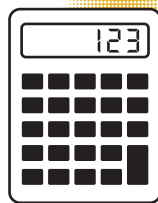
Organizations should consider putting anti-fraud controls in place that are proven to reduce the cost of fraud. According to the *Report to the Nations*, the six anti-fraud controls that showed the greatest association with lower fraud losses were:

1



An established,
company-wide code
of conduct

2



An internal audit
department

3



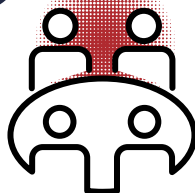
Management
certification of
financial statements

4



External audit of
internal controls over
financial reporting

5



Management
review

6



Hotlines

What can I do to protect my organization?

In addition to organization-wide controls, individual employees are essential in preventing and detecting fraud. Here's how you, and your colleagues, can make a difference.



Conduct fraud training and raise awareness

Organizations that provided fraud training for employees saw a 38% reduction in the median loss per fraud instance. If your organization doesn't have dedicated anti-fraud professionals to lead trainings, you can take the initiative and share the free resources found on [FraudWeek.com](https://www.fraudweek.com) or [ask a CFE](#) to give a presentation at your organization. Even just starting conversations about fraud and raising awareness of the issue may dissuade potential fraudsters from acting.



Be aware of red flags and trust your instincts

Now that you have learned some of the red flags, you can remain vigilant. While the majority of employees are honest, if you observe something that does not seem right, you should evaluate the situation. Then, if you still have doubts or suspicions, it might be necessary to take action.



Report irregularities

Most companies have a reporting mechanism, such as a hotline, that allows employees to report wrongdoing anonymously. If your company does not have a hotline, or if you prefer not to use it, you could write an anonymous letter to the appropriate official in your company or to the internal audit or anti-fraud team if your organization has one. If the allegation involves the company's top management, it can be reported to the board of directors, the board's audit committee or the company's independent auditors.

Preventing fraud is not just the responsibility
of management, the board of directors,
the inspector general or the audit team.

**Everyone has a role to play in the prevention
of fraud. Help your organization protect its
finances — and its reputation — from harm.**

Be alert to potential fraud and educate your
colleagues on how they can be fraud fighters too.



FraudWeek.com



ITEM G-7

To: Mike Womack, City Manager
From: Rodney Church, Director of Parks, Recreation & Cemetery
Date: October 14, 2024
RE: Approve painting a mural on the Court St. Bridge

STAFF RECOMMENDATION

To approve painting a mural on the Court St. bridge and authorize the Director of Parks, Recreation & Cemetery to sign all necessary documents.

CURRENT OR NEW INFORMATION

A local artist named Sophia Phillips has volunteered her time and skills to paint a mural on the Court St. bridge. The city will cover costs for material and apply an anti-graffiti solution to the mural once completed similarly to what was done to the tunnel murals on the Oakdale property. Included in the packet is an email from Sophia explaining what she plans to do and example of what it may look like.

BACKGROUND OR PREVIOUSLY SUBMITTED INFORMATION

None.

AGENDA ITEM REVIEW

Meeting Date:	October 21, 2024	Date Reviewed:	October 15, 2024
Consent:			
Administrative:	X	Reviewed By:	Clerk's Office
Public Hearing:			

Rodney Church

From: Eric Schmitt
Sent: Tuesday, October 8, 2024 8:43 AM
To: Rodney Church
Subject: Fw: Court St Bridge Art

From: Sophia Phillips <phillipssophia2001@gmail.com>
Sent: Monday, October 7, 2024 11:04 PM
To: Eric Schmitt <eschmitt@ci.lapeer.mi.us>
Subject: Re: Court St Bridge Art

Hi Eric, I've attached some files to this email to give you an idea of what I'm thinking of. I enjoy the flow of the colors I have in the first image, so I've included the hexadecimal codes of each shade. I've also got VERY rough examples of what could possibly be done in both a "flowy" manner, or "geometric" style. I wasn't sure if you had a preference, so let me know what you think. I liked your idea of adding text to the bridge(s), how do you feel about the park side saying "Anrook park" while the other side says "farmer's creek"?

In addition to this, I've also attached some very simple stock images that can be used as an example/inspiration to show the city. For me personally, I believe a more flowy style would be easier to execute in the allotted time but I'm open to suggestions and interpretation. If there is anything else you need from me, don't hesitate to ask! I hope this helps and I look forward to hearing from you

● - Railing/accnt

● - EF476F

● - F78C6B

● - FFD166

● - Q6D6A0

● - 118AB2

● - Q73B4C



Abstract
"Flowy"
example

one side says
"Ahrook park" other bridge
says "Farmer's Creek"

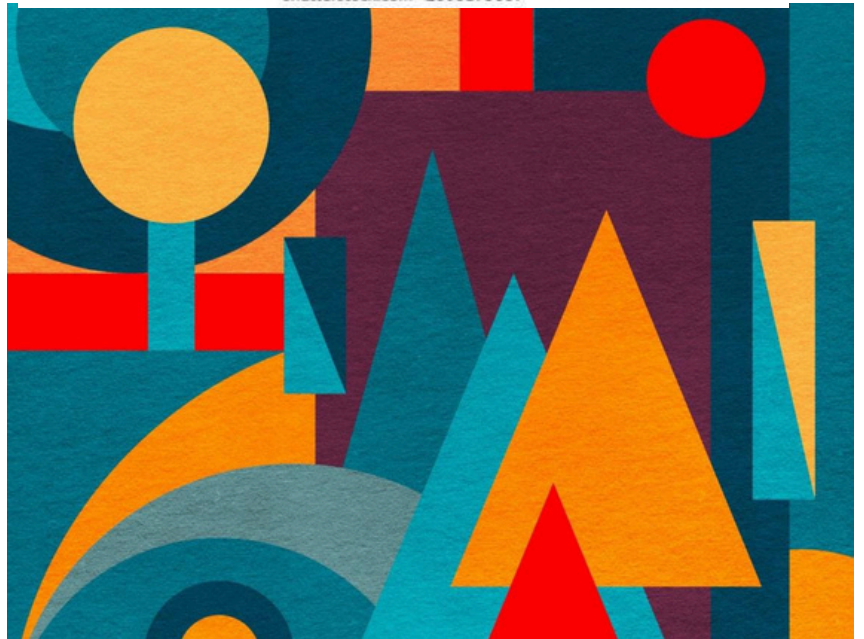
↑ overlapping?

↑ Abstract
Geometric
example





shutterstock.com - 2308195369





ITEM G-8

To: City Commission
From: Mike Womack-City Manager
Date: October 14, 2024
RE: Woodchips Easements

STAFF RECOMMENDATION

Approve the proposed easements as presented for Woodchips/Patrick Hingst, subject to a title commitment being submitted to the City by property owner.

Motion to approve of the Right of Way Encroachment Easement, the Public Sidewalk Easement and the Sanitary Sewer Easement with the Encroachment Easement being conditioned upon submission of a title commitment to the City and authorize the City Manager to sign all necessary documents.

CURRENT OR NEW INFORMATION

The proposed easements consist of:

1. Right of Way encroachment revocable easement for the second story balconies of the proposed building to hang over the City's sidewalk. This easement should be conditioned upon submission of a title commitment by property owner to show authority to sign binding all parties to agreement.
2. Sidewalk easement where Patrick Hingst/Woodchips is giving the City the authority to maintain a sidewalk located behind the proposed building. A sidewalk already exists at that location but we need to easement in order to rebuild the sidewalk in the future either on its own or in conjunction with the sewer pipe that exists underneath the sidewalk.
3. Sewer easement where Patrick Hingst/Woodchips is giving the City the authority to maintain the sewer located behind the proposed building. The sewer already exists but we do not appear to have an easement over it, this is correcting an error from the past.

The City and Woodchips/Hingst will also have to work out a temporary license for their construction crew to place a construction tent on the City's sidewalk and also to use the most western area of the City's parking lot for construction parking/staging.

BACKGROUND OR PREVIOUSLY SUBMITTED INFORMATION

At your last meeting, I identified a couple of errors in what was included in these items, those have been corrected in these versions of the proposed easement documents.

AGENDA ITEM REVIEW

Meeting Date:	October 21, 2024	Date Reviewed:	October 15, 2024
Consent:			
Administrative:	X	Reviewed By:	Clerk's Office
Public Hearing:			

EASEMENT AGREEMENT
(RIGHT OF AWAY ENCROACHMENT)

THIS EASEMENT AGREEMENT is entered into on this ____ day of _____, 2024, between Patrick Hingst, 315 W. Nepessing, Lapeer, Michigan 48446 ("Grantee") and the City of Lapeer, a municipal corporation, 576 Liberty Park, Lapeer, Michigan 48446 ("Grantor").

RECITALS

- A. Grantor controls and has jurisdiction over certain streets, roads, sidewalks, and associated rights of way within the City of Lapeer, including, but not limited to, the right of way associated with W. Nepessing Street and its adjacent sidewalks between Mason Street and Cedar Street in Lapeer, Michigan (the "Right of Way"). The Right of Way extends vertically above the ground level.
- B. Grantee owns certain real property located in the City of Lapeer commonly known as 315 W. Nepessing, Lapeer, Michigan ("Grantee's Property"). Grantee's Property is more particularly described as:

THE SOUTHWESTERLY 40 FEET OF LOT 80 OF 'LAPEER
VILLAGE PLAT', BEING A SUBDIVISION OF PART OF
SECTION 5, TOWN 7 NORTH, RANGE 10 EAST, CITY OF
LAPEER, LAPEER COUNTY, MICHIGAN. AS RECORDED IN
LIBER 1 OF PLATS, PAGE 73 OF LAPEER COUNTY
RECORDS.

- C. Grantee desires to install balconies on the upper floor(s) of Grantee's Property which will extend over and encroach upon a portion of the sidewalk located in the Right of Way (collectively the "Balconies").
- D. In addition to other permits and permissions, Grantee requires City approval to allow the Balconies to partially encroach above the sidewalk that is located in the Right of Way.
- E. The City is willing to grant Grantee revocable permission for the Balconies to partially encroach above the sidewalk located in the Right of Way.

NOW, THEREFORE, Grantor and Grantee for and in consideration of the sum of one Dollar (\$1.00), the receipt and sufficiency of which is acknowledged agree as follows:

1. Recitals and Authority. The Recitals are true and accurate. Each party executing this Agreement has full power and authority to execute this Agreement.

2. Grant of Easement. Grantor grants to Grantee a nonexclusive easement (the "Easement") for the sole purpose of allowing the Balconies to partially encroach above the sidewalk in the Right of Way as depicted below (the "Easement Area").

See easement as described in attached exhibit A

It is the intent of the parties and condition to this Easement that the Balconies do not extend any further toward W. Nepessing Street than as depicted and that the Balconies be at least twenty-six (26) feet above the surface of the sidewalk in the Easement Area.

3. Conditions. Grantee's right to this Easement and the right for the Balconies to encroach upon the Right of way are conditioned upon Grantee complying at all times with the following:

- a. Grantee shall be responsible for the cost to construct, install, maintain, alter, and remove, if requested by the City, the Balconies.
- b. The Balconies shall not be constructed, installed, or used prior to Grantee obtaining all necessary permits.
- c. The Balconies shall not extend beyond the Easement Area as depicted herein.
- d. The Balconies shall be at least twenty-six (26) feet about the surface of the sidewalk located in the Easement Area.
- e. Grantee shall, at its sole expense, maintain the Balconies in a good and safe condition reasonably fit for their intended purposes.
- f. Grantee shall comply with all City specifications and requirements in construction the Balconies. All work shall be performed by licensed contractors in a good and workmanlike manner, on a lien-free basis and consistent with plans and specifications approved by the City.
- g. The Balconies shall not interfere, restrict, or impair, in anyway, the operation, maintenance, or use: (1) of W. Nepessing Street; (2) of the sidewalk located in the Right of Way; or (3) any other facilities located in the Right of Way.

- h. At all times this Easement is in place, Grantee shall maintain a policy of general liability insurance insuring Grantee and Grantee's Property in an amount deemed reasonable by the City and which policy identifies the City as an additional insured with respect to Grantee's Property. Grantee shall provide the City with a certificate of insurance identifying the City as an additional insured on a policy of insurance that complies with this subsection prior to constructing the Balconies.

4. Term. This Easement shall be permanent unless revoked by the City as permitted herein.

5. City of Lapeer's Right to Revoke Easement. The City of Lapeer, in its sole and absolute discretion, may revoke this Easement in the following circumstances:

- a. In the event of a breach of or default on the Conditions detailed in Paragraph 3 of this Agreement.
- b. If the City, in its sole discretion, determines this Easement or the Balconies pose a danger or inconvenience to the public in any way.
- c. If the City decides, in its sole discretion, to expand W. Nepessing Street or make other improvements within the Right of Way.
- d. The City determines, in its sole discretion, that the Easement Area is required for any other purpose, including a public purpose.
- e. The City determines, in its sole discretion, that the Balconies interfere with the use, operation, repair, or maintenance of the Right of Way, including, future uses of the Right of Way.
- f. This Easement is determined to be unenforceable, in whole or in part.

Upon the City's termination of this Easement, all improvements installed by Grantee within the Easement Area and the Right of Way shall be considered unpermitted encroachments. If the City terminates the Easement, the City shall send written notice of termination to Grantee. The City may also record a termination notice with the Lapeer County Register of Deeds. Upon termination, Grantee shall remove all encroachments within the Easement Area and the Right of Way, including the Balconies, at Grantee's sole cost and expense within the time directed by the City. If such are not removed as directed, the City may remove the same with all costs and expenses incurred to do so constituting a lien to assessed against Grantee's Property collected in the same manner and the same time as real property taxes.

6. Reservation of Rights. The City retains all rights with respect to the Easement Area and the Right of Way which are not contrary to the terms of this Agreement, including, but not limited to: (a) the right to access and/or inspect the Easement Area and Right of Way and any improvements therein; (b) the right to utilize the Easement Area and Right of Way to locate utilities; (c) the right to use the Easement Area to maintain or repair the Right of Way; and (d) the right to use the Easement Area and the Right of Way for any purpose, including a public purpose. Nothing herein shall be construed as granting Grantee any rights to the Right of Way or the Easement area which are not expressly provided herein.

7. Indemnification. Regardless of fault, Grantee, shall indemnify, defend and hold the City, its officials, employees, agents, and insurers, harmless from all claims, causes of actions, damages, fines, injuries (including personal injury or death), complaints, lawsuits, judgments, third party claims, damages, and/or property damage, arising in any way out of or related in any way to the Easement Area, Grantee's Property, or the Balconies.

8. Easement Runs with the Land. This Easement and the obligations it imposes upon Grantee are binding not only upon Grantee but also upon Grantee's successors, heirs and assigns. The Easement and obligations herein shall be deemed to run with and bind Grantee's Property. This Easement may be recorded with the Lapeer County Register of Deeds.

IN WITNESS WHEREOF, the Grantor has executed this instrument as of the day and year first above written.

WITNESSES:

GRANTOR

By: Mike Womack
Its: City Manager

STATE OF MICHIGAN)
) ss.
COUNTY OF _____)

On _____, 2024, before me, a Notary Public in and for said County,
appeared _____, the _____ of _____, a
_____, for and on behalf of said _____.

Notary Public, _____ County, Michigan
Acting in _____
My Commission Expires: _____

GRANTEE

By: Patrick Hingst

STATE OF MICHIGAN)
) ss.
COUNTY OF _____)

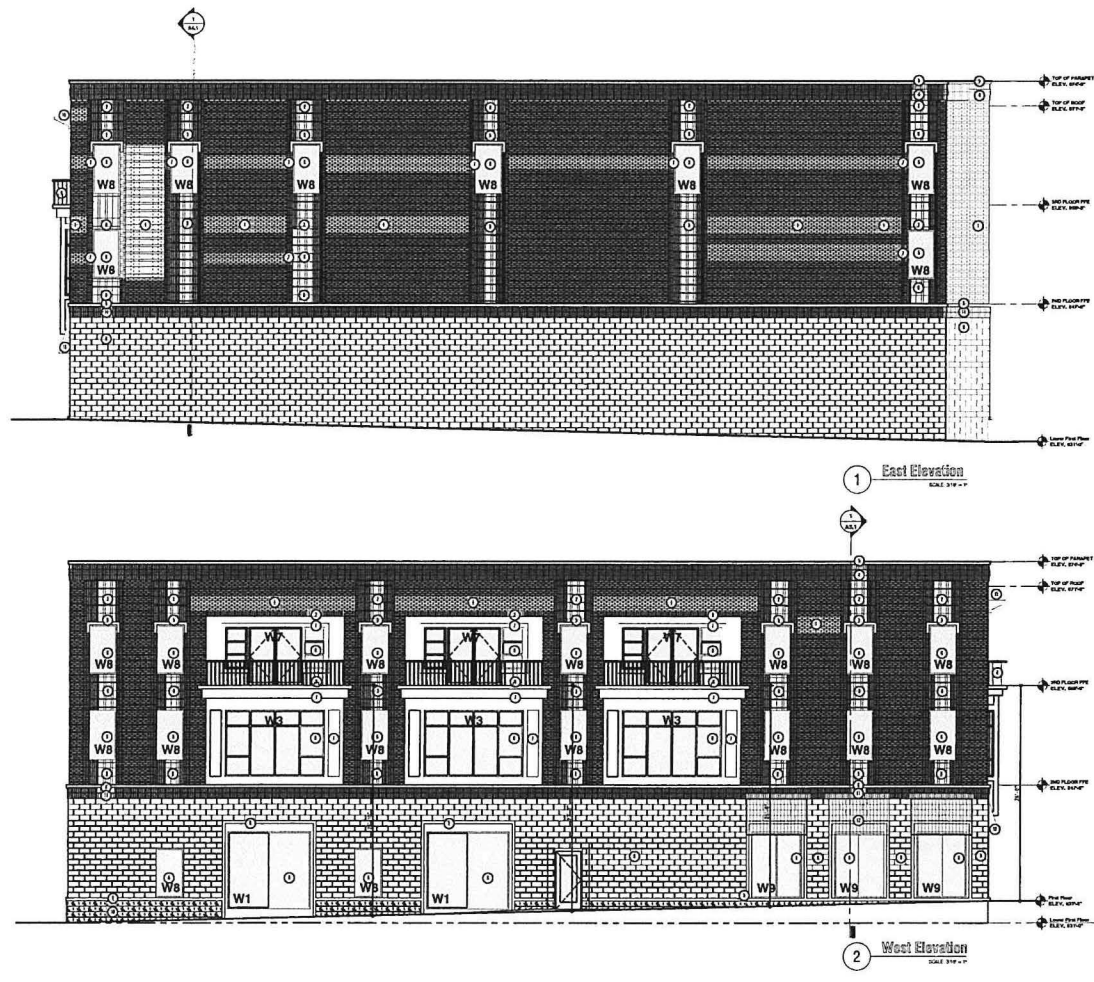
On _____, 2024, before me, a Notary Public in and for said County,
appeared _____, the _____ of _____, a
_____, for and on behalf of said _____.

Notary Public, _____ County, Michigan
Acting in _____
My Commission Expires: _____

AS.1 East and West Elevations.dwg

7/26/2024

Design



ELEVATION SYMBOL NOTES	
Symbol	Description
○	SPRINK
○	SPRINK SOLIDEN COURSE
○	TERRAZZO GLAZED BRICK SOLIDEN COURSE
○	PRECAST CONCRETE SILL
○	GLAZING
○	HATCH FOR FIBER GLASS INSULATION
○	METAL RAILING
○	CHIM
○	CHIM SPILT FACED
○	SPRINK SOLIDEN COURSE LUMESTONE
○	FABRIC AWNING
○	CEDAR TRANSPARENT GREEN

WINDOW LEGEND		
MARK	SIZE	TYPE
FIRST FLOOR		
W8	8'-0" X 3'-4"	FIXED
W1	8'-0" X 10'-0"	FIXED
W9	8'-0" X 8'-0"	FIXED
W11	10'-0" X 10'-0"	FIXED
W13	8'-0" X 8'-0"	FIXED
W8	8'-0" X 8'-0"	FIXED
SECOND FLOOR		
W8	8'-0" X 3'-4"	FIXED
W1	8'-0" X 10'-0"	FIXED
W4	8'-0" X 2'-0"	FIXED
W5	8'-0" X 8'-0"	FIXED
THIRD FLOOR		
W8	8'-0" X 3'-4"	FIXED
W1	8'-0" X 10'-0"	FIXED
W7	7'-0" X 10'-0"	FIXED
W2	8'-0" X 12'-0"	FIXED

EXHIBIT A

EST 1999

DESIGNHAUS ARCHITECTURE

2500 AUBURN RD., SUITE 200
AUBURN HILLS, MI 48326
724.651.4422 / 724.651.4884
WWW.DESIGNHAUS.COM
INFO@DESIGNHAUS.COM

Woodchips Mixed Use

400 Hopewell Rd.
Lapeer, MI 48846

East and West Elevations

021302

A3.1

PERMANENT EASEMENT
(PUBLIC SIDEWALK)

THIS PERMANENT EASEMENT FOR PUBLIC SIDEWALK PURPOSES (this “Easement”) is made this _____ day of _____, 2024, between Patrick Hingst, 315 W. Nepessing, Lapeer, Michigan 48446 (“Grantor”) and the City of Lapeer, a municipal corporation, 576 Liberty Park, Lapeer, Michigan 48446 (“Grantee”).

Grantor is the titled owner of the following parcel of real property located within the City of Lapeer fully described on the attached Exhibit A (“Grantor’s Property”), which is incorporated by reference herein.

Grantor, in exchange for good and valuable consideration, receipt and sufficiency of which is acknowledged, does hereby grant and convey to Grantee a perpetual permanent easement to make surveys, lay, construct, maintain, alter, inspect, replace, repair, and remove at any time hereafter a public sidewalk and related appurtenances and facilities (collectively the “Sidewalk”) on, over, under and across the portion of Grantor’s Property described as a the sidewalk easement in the attached Exhibit A (the “Easement Area”). The grant of an easement over the Easement Area also includes the right of entry and egress over and on Grantor’s Property on the part of Grantee, and its officers, agents, employees, and contractors and assigns for any and all purposes related to the Sidewalk, including, but not limited to, construction, maintenance, repair, removal, replacement, and inspection of and to the Sidewalk, including also the delivery thereto and therefrom of materials, supplies and machinery, incidental to the Sidewalk. Grantor further grants the public the right to use the Sidewalk for ingress/egress to and from Grantor’s Property and/or for general traveling by foot, bicycle or similar conveyance as permitted by Grantee. During excavations for said Sidewalk, Grantee, its successors and assigns and its contractors, shall have the right to temporarily store in convenient piles the excavated material upon the Easement Area and Grantor’s Property, if such deemed necessary by Grantee.

Grantor retains all other property rights in the Easement Area not inconsistent with the rights granted to Grantee pursuant to this Easement. Grantor shall not construct any buildings or structures within or make improvements to the Easement Area or take any other actions that interferes with Grantee’s rights granted herein.

This Easement is binding upon the parties hereto and their heirs, successors and assigns. This Easement binds Grantor’s Property and shall run with the land such that Grantor’s successors in interest to Grantor’s Property are bound by this Easement. This Easement shall not amended, modified, or terminated without the express written agreement of Grantee.

This Easement may be executed in counterparts which, when taken together, shall be considered and construed as a single enforceable document. This Easement constitutes all the terms, conditions and understandings regarding the Easement Area.

This Easement is in consideration of less than \$100.00 and is exempt from the provisions of the County Transfer Tax in accordance with MCL 207.505(5)(a); and State Transfer Tax in accordance with MCL 207.526(6)(a).

SIGNATURES APPEAR ON THE FOLLOWING PAGES

____ day of _____, 2024.

GRANTOR

By: Patrick Hingst

STATE OF _____)
)ss

COUNTY OF _____)

On this day ____ of _____, 2024, before me, personally appeared the above named _____ as _____ of _____, to me known to be the person described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

Notary Public

____ County, _____
My commission expires:

IN WITNESS WHEREOF, the undersigned Grantee has affixed _____ signature this
 ____ day of _____, 2024.

City of Lapeer

By:

Its:

STATE OF _____)
)ss

COUNTY OF _____)

On this day ____ of _____, 2024, before me, personally appeared the above named _____, _____ of the City of Lapeer to me known to be the person described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

Notary Public

____ County, _____
My commission expires:

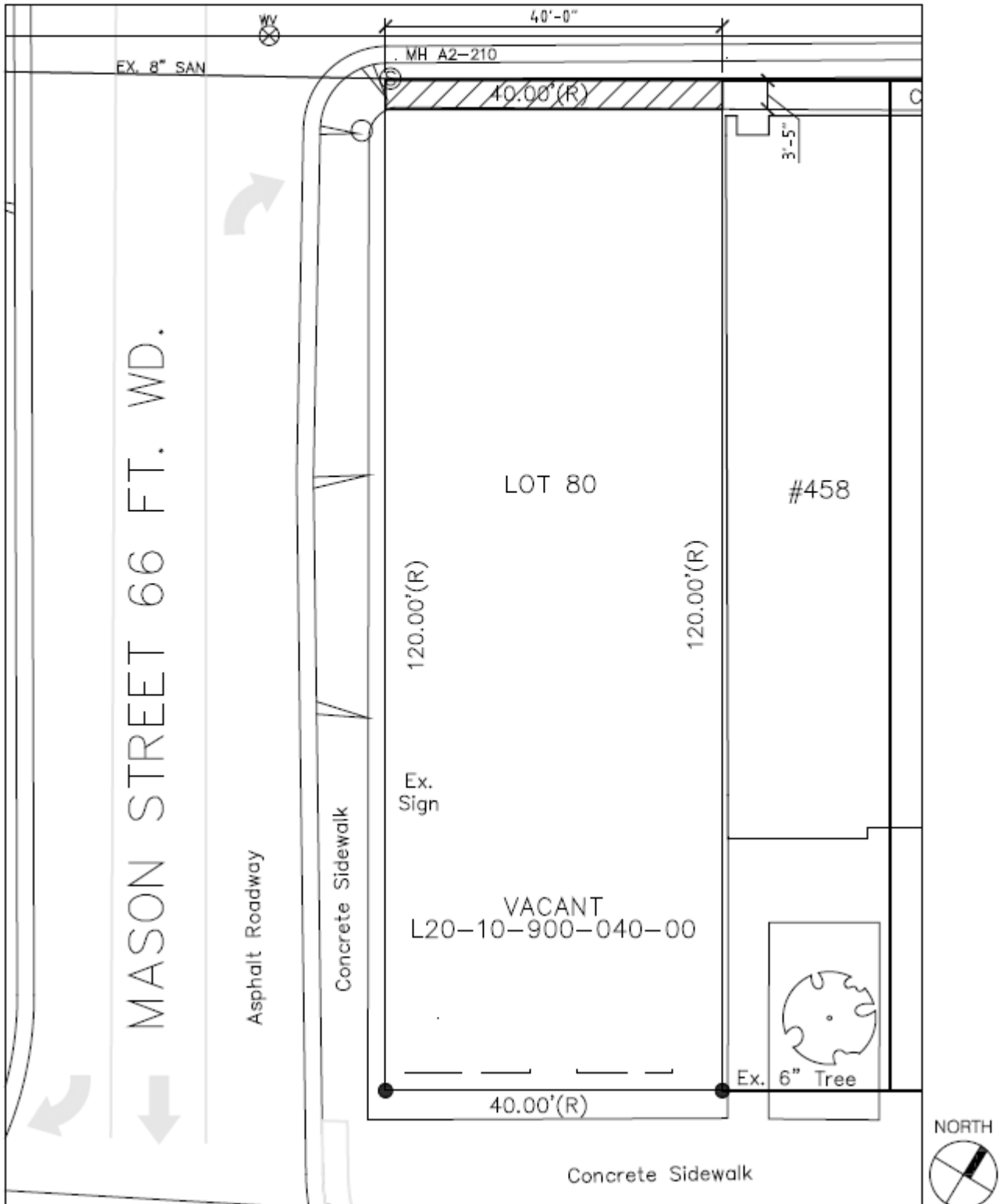
THIS INSTRUMENT DRAFTED BY
AND WHEN RECORDED RETURN TO:
T. Allen Francis
Fletcher Fealko Shoudy Francis, P.C.
c/o City of Lapeer
1411 Third St. Ste. F
Port Huron, Michigan 48060
(810) 987-8444

EXHIBIT A

PARCEL NUMBER: L20-10-900-040-00
THE SOUTHWESTERLY 40 FEET OF LOT 80 OF "LAPEER VILLAGE PLAT", BEING A SUBDIVISION OF PART OF SECTION 5, TOWN 7 NORTH, RANGE 10 EAST, CITY OF LAPEER, LAPEER COUNTY, MICHIGAN, AS RECORDED IN LIBER 1 OF PLATS, PAGE 73 OF LAPEER COUNTY RECORDS.

SIDEWALK EASEMENT DESCRIBED AS BEING THE NORTHWESTERLY 3 FEET 5 INCHES (3'-5") OF THE PROPERTY DESCRIBED ABOVE.

SIDEWALK EASEMENT AS SHOWN BELOW:



PERMANENT EASEMENT
(SANITARY SEWER)

THIS PERMANENT EASEMENT FOR SANITARY SEWER PURPOSES (this “Easement”) is made this _____ day of _____, 2024, between Patrick Hingst, 315 W. Nepessing, Lapeer, Michigan 48446 (“Grantor”) and the City of Lapeer, a municipal corporation, 576 Liberty Park, Lapeer, Michigan 48446 (“Grantee”).

Grantor is the titled owner of the following parcel of real property located within the City of Lapeer fully described on the attached Exhibit A (“Grantor’s Property”), which is incorporated by reference herein.

Grantor, in exchange for good and valuable consideration, receipt and sufficiency of which is acknowledged, does hereby grant and convey to Grantee a perpetual permanent easement to make surveys, lay, construct, maintain, operate, alter, inspect, replace, repair, and remove at any time hereafter a public sanitary sewer main and related appurtenances and facilities (collectively the “Sewer Utilities”) on, over, under and across the portion of Grantor’s Property described as a the sanitary sewer easement in the attached Exhibit A (the “Easement Area”). The grant of an easement over the Easement Area also includes the right of entry and egress over and on Grantor’s Property on the part of Grantee, and its officers, agents, employees, and contractors and assigns for any and all purposes related to the Sewer Utilities, including, but not limited to, construction, maintenance, repair, removal, operation, replacement, and inspection of and to the Sewer Utilities, including also the delivery thereto and therefrom of materials, supplies and machinery, incidental to the Sewer Utilities. During excavations for said Sewer Utilities, Grantee, its successors and assigns and its contractors, shall have the right to temporarily store in convenient piles the excavated material upon the Easement Area and Grantor’s Property, if such deemed necessary by Grantee.

Grantor retains all other property rights in the Easement Area not inconsistent with the rights granted to Grantee pursuant to this Easement. Grantor shall not construct any buildings or structures within or make improvements to the Easement Area or take any other actions that interferes with Grantee’s rights granted herein.

This Easement is binding upon the parties hereto and their heirs, successors and assigns. This Easement binds Grantor’s Property and shall run with the land such that Grantor’s successors in interest to Grantor’s Property are bound by this Easement. This Easement shall not amended, modified, or terminated without the express written agreement of Grantee.

This Easement may be executed in counterparts which, when taken together, shall be considered and construed as a single enforceable document. This Easement constitutes all the terms, conditions and understandings regarding the Easement Area.

This Easement is in consideration of less than \$100.00 and is exempt from the provisions of the County Transfer Tax in accordance with MCL 207.505(5)(a); and State Transfer Tax in accordance with MCL 207.526(6)(a).

SIGNATURES APPEAR ON THE FOLLOWING PAGES

IN WITNESS WHEREOF, the undersigned Grantor has affixed _____ signature this
___ day of _____, 2024.

GRANTOR

By: Patrick Hingst

STATE OF _____)
)ss

COUNTY OF _____)

On this day ___ of _____, 2024, before me, personally appeared the above named
_____ as _____ of _____, to me known to be the person described in and
who executed the foregoing instrument and acknowledged that they executed the same as their free act and
deed.

Notary Public
_____ County, _____
My commission expires:

IN WITNESS WHEREOF, the undersigned Grantee has affixed _____ signature this _____ day of _____, 2024.

City of Lapeer

By:

Its:

STATE OF _____)
)ss

COUNTY OF _____)

On this day ____ of _____, 2024, before me, personally appeared the above named _____, _____ of the City of Lapeer to me known to be the person described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

Notary Public

_____, County, _____

My commission expires:

THIS INSTRUMENT DRAFTED BY
AND WHEN RECORDED RETURN TO:

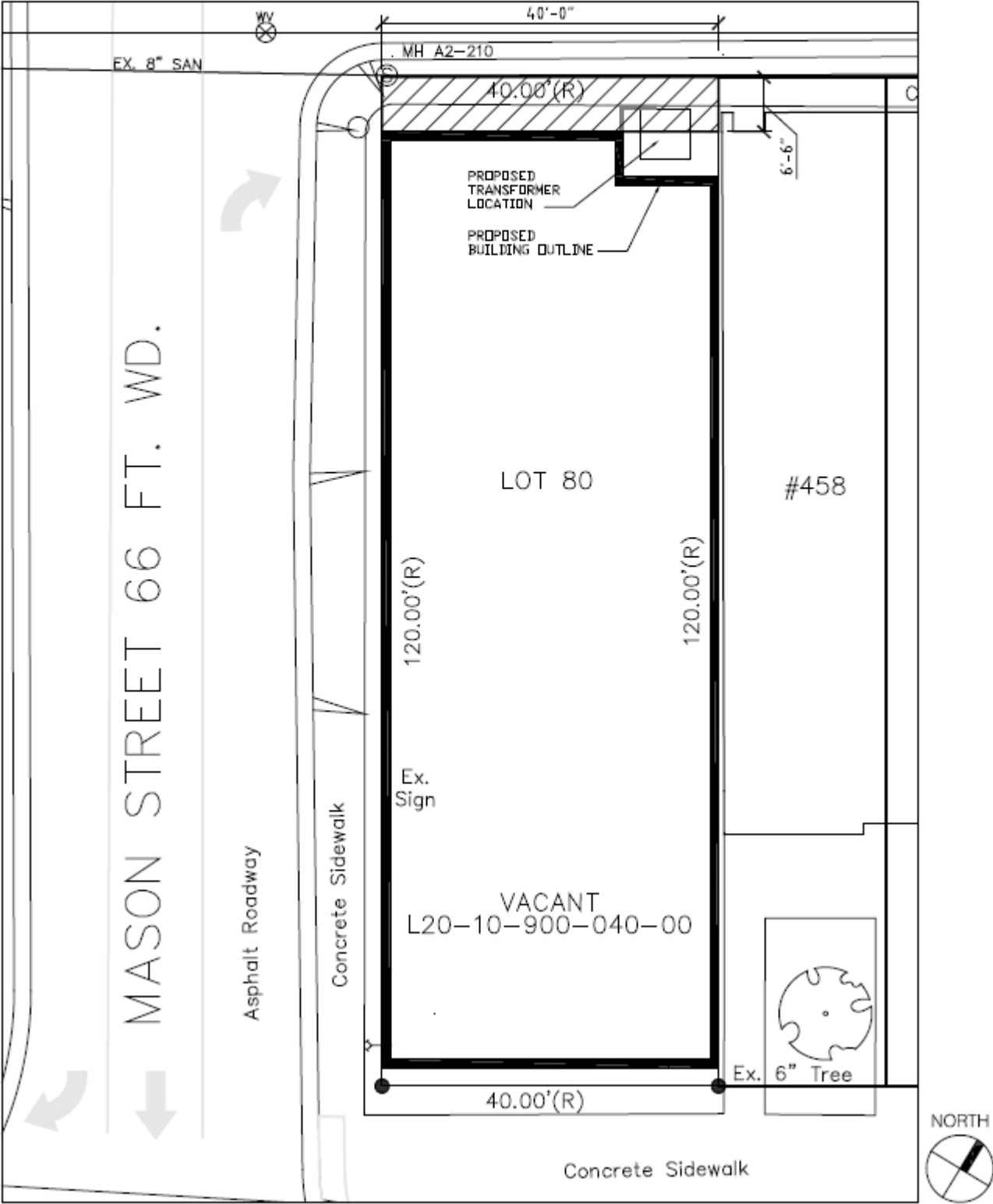
T. Allen Francis
Fletcher Fealko Shoudy Francis, P.C.
c/o City of Lapeer
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EXHIBIT A

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SANITARY SEWER EASEMENT DESCRIBED AS BEING THE NORTHWESTERLY 6 FEET 6 INCHES (6'-6") OF THE PROPERTY DESCRIBED ABOVE.

SANITARY SEWER EASEMENT AS SHOWN BELOW:





ITEM G-9

To: City Commission
From: Mike Womack-City Manager
Date: October 15, 2024
RE: Storm and Sanitary Sewer Easements-Bostick-Tullius

STAFF RECOMMENDATION

Approve of the Permanent Storm Sewer Line and Appurtenance Easement Agreement for Operation and Maintenance and Permanent Sanitary Sewer Line and Appurtenance Easement Agreement for Operation and Maintenance for parcel No. L20-83-304-240-06 and authorize the City Manager to sign all necessary documents.

CURRENT OR NEW INFORMATION

Troy and Catherine Bostick-Tullius have agreed to grant the City an easement over their property so that the City can maintain a storm sewer and a sanitary sewer line that runs through their property. The City wants these easements because there are several other property owners that will continue to benefit from the City's ability to continue to maintain these pipes.

BACKGROUND OR PREVIOUSLY SUBMITTED INFORMATION

This property appears to originally have been intended to be a neighborhood extension for the surrounding neighborhood, that just never got developed. The Bostick-Tullius's then purchased the land to build their private residence. The storm and sanitary sewer lines are both built within an area that appears to be the planned neighborhood road extension, which will now be part of the private driveway for the home being built on the property. As the developer had intended to have those pipes within a road right of way, no easement appears to have been placed over these pipes that were already in the ground. Several homes are connected to the storm and sanitary sewer lines and it would be an extreme hardship to those property owners to have to reroute those lines.

AGENDA ITEM REVIEW

Meeting Date:	October 21, 2024	Date Reviewed:	October 15, 2024
Consent:			
Administrative:	X	Reviewed By:	Clerk's Office
Public Hearing:			

**PERMANENT STORM SEWER LINE and APPURTENANCE EASEMENT
AGREEMENT FOR OPERATION AND MAINTENANCE**

KNOW ALL MEN BY THESE PRESENTS: that *Troy Bostick-Tullius and Catherine Bostick-Tullius* whose address is, 1041 Lancaster Street, Lapeer Michigan 48446 ("Grantor"), does hereby grant, convey and release in perpetuity to the City of Lapeer, whose address is 576 Liberty Park, Lapeer, Michigan 48446 ("Grantee"), a permanent easement for storm sewer line and appurtenances for the purposes to operate, maintain, repair and/or replace storm sewer over, across, under and through the following parcel of land upon the terms and conditions set forth herein in the form of this easement and easement agreement governing the terms and conditions under which this conveyance is made, as regards the property described hereinafter.

RECITALS:

The facts underlying the execution of this Easement are as follows:

- A. Grantor is the owner of the following described parcel of land (the "Property ") which is located in the City of Lapeer, Michigan and has authority to enter into this Agreement without further consents, signatures or approvals:

Lapeer County Parcel No. L20-83-304-240-06

B. Grantee desires an easement under and across the portion of the Property described in Exhibit A hereto as the 20' Wide Easement for Storm Sewer Purposes (the "Easement Premises"), for the purpose of constructing, repairing, removing, inspecting, operating, replacing and maintaining public storm sewer line and related appurtenances (collectively the "Storm Utilities").

C. Grantor, for the consideration of the benefits accruing to Grantor and the Property from the Storm Utilities in the Easement Premises on the terms and conditions set forth herein.

Now, therefore, in consideration of the mutual covenants contained herein, the parties agree as follows:

1. **Grant of Easement.** Grantor does hereby grant and convey to the Grantee, a perpetual and exclusive easement for the purposes of operating, maintaining, repairing and/or replacing a storm sewer line and appurtenances, over, across, under and through the Easement Premises (the "Easement"). The grant of an Easement over the Easement Premises also includes the right of entry and egress over and on the Property on the part of Grantee, and its officers, agents, employees, and contractors and assigns for any and all purposes related to the Storm Utilities, including, but not limited to, construction, maintenance, repair, removal, operation, replacement, and inspection of and to the Storm Utilities, including also the delivery thereto and therefrom of materials, supplies and machinery, incidental to the Storm Utilities. During excavations for said Storm Utilities, Grantee, its successors and assigns and its contractors, shall have the right to temporarily store in convenient piles the excavated material upon the Easement Premises and the Property, if such deemed necessary by Grantee.

2. **Limitations.** Grantor expressly reserves for himself/herself/themselves/itself and his/her/their/its successors and assigns the right to grant or convey any use, access, tenancy or other right, title and interest of Grantor in and to the Easement Premises which do not interfere with, damage, or disrupt, Grantee's rights to the Easement or the Easement Premises as described herein. This Easement is exclusive, accordingly, Grantor shall not and may not grant any other rights to the Easement Premises, including but not limited to, the right of co-location to other utility providers (including, but not limited to cable television, fiber optic cable or other digital transmission lines). Grantor nor its successors or assigns to the Property shall not have the right to construct any building or structure within the Easement Premises.

3. **Construction Work.** Any construction, reconstruction, repair, replacement or maintenance work performed by the Grantee or its agents or contractors pursuant to this Easement Agreement shall be performed by a licensed and insured contractor or employee of the Grantee and shall be performed in a workmanlike manner. All construction activities performed on the Easement Premises shall be in compliance with all applicable laws, rules, regulations, orders, and ordinances of the city, county, state, and federal government and any department or agency of those entities having jurisdiction.

4. **Binding Effect.** This Easement Agreement shall run with the Property, and inure to the benefit of the parties hereto and their respective successors, heirs, tenants and assigns. The Grantee will record the complete easement and easement agreement containing all exhibits contemplated herein with the Lapeer County Register of Deeds with a copy provided to the Grantor following recordation.

5. **Miscellaneous.** This Easement Agreement shall be governed by the laws of the State of Michigan. This Easement Agreement represents the entire and integrated agreement between the parties and supersedes and cancels any prior or contemporaneous arrangements, understandings or agreements, whether written or oral, by and between the parties relative to the subject matter hereof.

The Grantor executed this document this 20th day of September, 2024.

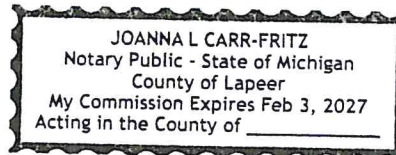
By: Catherine Bosch-Tullius
Print Name: Catherine Bosch-Tullius
Print Title:

By: [Signature]

STATE OF MICHIGAN }
 } SS
COUNTY OF LAPEER }

On this 20th day of September, 2024, in and for said County, personally appeared Catherine Bosch-Tullius Troy Bosch-Tullius some known to be the person(s) described herein and who executed the same as his/her free act and deed.

[Signature]
_____, Notary Public
Lapeer County, Michigan
My Commission Expires:



This transaction is exempt from transfer tax pursuant to MCLA 207.505 (h), and MCLA 207.526 (h)

Dated: _____, 2024

City of Lapeer

By: _____
Its: Mayor

Drafted by and return to:
City of Lapeer
576 Liberty Park
Lapeer, MI 48446

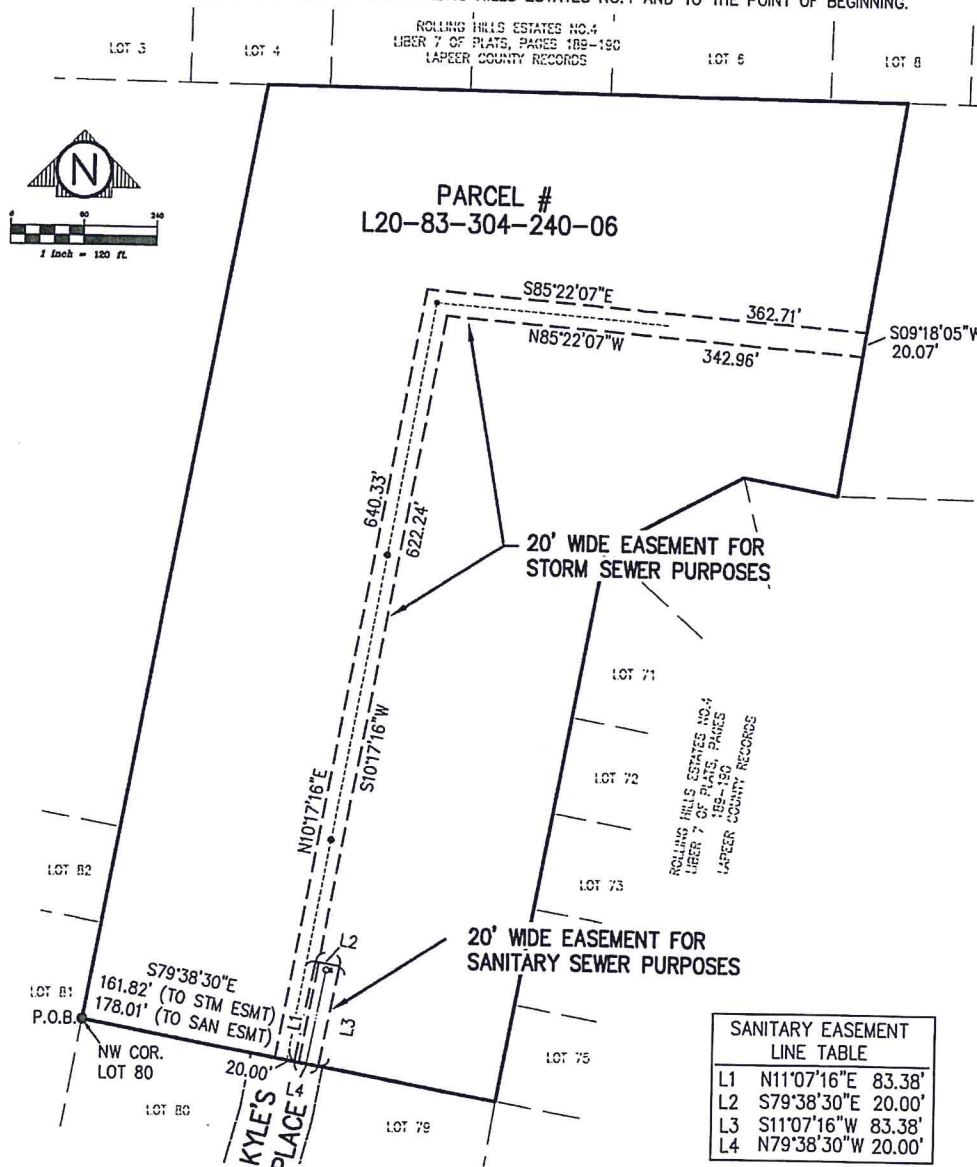
EXHIBIT "A" - SKETCH OF EASEMENT

LEGAL DESCRIPTION: 20' WIDE EASEMENT FOR STORM SEWER PURPOSES

PART OF THE NORTHWEST QUARTER OF SECTION 6, T7N-R9E, CITY OF LAPEER, LAPEER COUNTY; MORE PARTICULARLY DESCRIBED AS, COMMENCING AT THE NORTHWEST CORNER OF LOT 80 OF ROLLING HILLS ESTATES NO. 4 (AS RECORDED IN LIBER 7 OF PLATS, PAGES 189-190, LAPEER COUNTY RECORDS); THENCE, SOUTH 79 DEGREES 38 MINUTES 30 SECONDS EAST 161.82 FEET ALONG THE NORTH PLAT LINE SAID ROLLING HILLS ESTATES NO. 4 TO THE POINT OF BEGINNING; THENCE, NORTH 10 DEGREES 17 MINUTES 16 SECONDS EAST 640.33 FEET; THENCE, SOUTH 85 DEGREES 22 MINUTES 07 SECONDS EAST 362.71 FEET TO THE EAST PROPERTY LINE OF PARCEL #L20-83-304-240-06; THENCE, SOUTH 09 DEGREES 18 MINUTES 05 SECONDS WEST 20.00' ALONG SAID EAST PROPERTY LINE; THENCE, NORTH 85 DEGREES 22 MINUTES 07 SECONDS WEST 342.96 FEET; THENCE, SOUTH 10 DEGREES 17 MINUTES 16 SECONDS WEST 622.24 FEET TO A POINT ON THE NORTH PLAT LINE OF SAID ROLLING HILLS ESTATES NO. 4; THENCE, NORTH 79 DEGREES 38 MINUTES 30 SECONDS WEST 20.00 FEET ALONG THE NORTH PLAT LINE OF SAID ROLLING HILLS ESTATES NO.4 AND TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION: 20' WIDE EASEMENT FOR SANITARY SEWER PURPOSES

PART OF THE NORTHWEST QUARTER OF SECTION 6, T7N-R9E, CITY OF LAPEER, LAPEER COUNTY; MORE PARTICULARLY DESCRIBED AS, COMMENCING AT THE NORTHWEST CORNER OF LOT 80 OF ROLLING HILLS ESTATES NO. 4 (AS RECORDED IN LIBER 7 OF PLATS, PAGES 189-190, LAPEER COUNTY RECORDS); THENCE, SOUTH 79 DEGREES 38 MINUTES 30 SECONDS EAST 178.01 FEET ALONG THE NORTH PLAT LINE SAID ROLLING HILLS ESTATES NO. 4 TO THE POINT OF BEGINNING; THENCE, NORTH 11 DEGREES 07 MINUTES 16 SECONDS EAST 83.38 FEET; THENCE, SOUTH 11 DEGREES 07 MINUTES 16 SECONDS WEST 83.38 FEET TO A POINT ON THE NORTH PLAT LINE OF SAID ROLLING HILLS ESTATES NO. 4; THENCE, NORTH 79 DEGREES 38 MINUTES 30 SECONDS WEST 20.00 FEET ALONG THE NORTH PLAT LINE OF SAID ROLLING HILLS ESTATES NO.4 AND TO THE POINT OF BEGINNING.



**PERMANENT SANITARY SEWER LINE and APPURTENANCE EASEMENT
AGREEMENT FOR OPERATION AND MAINTENANCE**

KNOW ALL MEN BY THESE PRESENTS: that *Troy Bostick-Tullius and Catherine Bostick-Tullius* whose address is, 1041 Lancaster Street, Lapeer Michigan 48446 ("Grantor"), does hereby grant, convey and release in perpetuity to the City of Lapeer, whose address is 576 Liberty Park, Lapeer, Michigan 48446 ("Grantee"), a permanent easement for sanitary sewer line and appurtenances for the purposes to operate, maintain, repair and/or replace sanitary sewer over, across, under and through the following parcel of land upon the terms and conditions set forth herein in the form of this easement and easement agreement governing the terms and conditions under which this conveyance is made, as regards the property described hereinafter.

RECITALS:

The facts underlying the execution of this Easement are as follows:

A. Grantor is the owner of the following described parcel of land (the "Property") which is located in the City of Lapeer, Michigan and has authority to enter into this Agreement without further consents, signatures or approvals:

Lapeer County Parcel No. L20-83-304-240-06

B. Grantee desires an easement under and across the portion of the Property described in Exhibit A hereto as the 20' Wide Easement for Sanitary Sewer Purposes (the "Easement Premises"), for the purpose of constructing, repairing, replacing, removing, inspecting, operating, and maintaining public sanitary sewer line and related appurtenances (collectively the "Sewer Utilities").

C. Grantor, for the consideration of the benefits accruing to Grantor and the Property from Sewer Utilities, grants Grantee an easement in the Easement Premises on the terms and conditions set forth herein.

Now, therefore, in consideration of the mutual covenants contained herein, the parties agree as follows:

1. **Grant of Easement.** Grantor does hereby grant and convey to the Grantee, a perpetual and exclusive easement for the purposes of operating, maintaining, repairing and/or replacing a sanitary sewer line and appurtenances, over, across, under and through the Easement Premises (the "Easement"). The grant of an Easement over the Easement Premises also includes the right of entry and egress over and on the Property on the part of Grantee, and its officers, agents, employees, and contractors and assigns for any and all purposes related to the Sewer Utilities, including, but not limited to, construction, maintenance, repair, removal, operation, replacement, and inspection of and to the Sewer Utilities, including also the delivery thereto and therefrom of materials, supplies and machinery, incidental to the Sewer Utilities. During excavations for said Sewer Utilities, Grantee, its successors and assigns and its contractors, shall have the right to temporarily store in convenient piles the excavated material upon the Easement Premises and the Property, if such deemed necessary by Grantee.

2. **Limitations.** Grantor expressly reserves for himself/herself/themselves/itself and his/her/their/its successors and assigns the right to grant or convey any use, access, tenancy or other right, title and interest of Grantor in and to the Easement Premises which do not interfere with, damage, or disrupt, Grantee's rights to the Easement or the Easement Premises as described herein. This Easement is exclusive, accordingly, Grantor shall not and may not grant any others rights to the Easement Premises, including, but not limited to, the right of co-location to other utility providers (including, but not limited to cable television, fiber optic cable or other digital transmission lines). Grantor nor its successors or assigns to the Property shall not have the right to construct any building or structure within the Easement Premises.

3. **Construction Work.** Any construction, reconstruction, repair, replacement or maintenance work performed by the Grantee or its agents or contractors pursuant to this Easement Agreement shall be performed by a licensed and insured contractor or employee of the Grantee and shall be performed in a workmanlike manner. All construction activities performed on the Easement Premises shall be in compliance with all applicable laws, rules, regulations, orders, and ordinances of the city, county, state, and federal government and any department or agency of those entities having jurisdiction.

4. **Binding Effect.** This Easement Agreement shall run with the Property, and inure to the benefit of the parties hereto and their respective successors, heirs, tenants and assigns. The Grantee will record the complete easement and easement agreement containing all exhibits contemplated herein with the Lapeer County Register of Deeds with a copy provided to the Grantor following recordation.

5. **Miscellaneous.** This Easement Agreement shall be governed by the laws of the State of Michigan. This Easement Agreement represents the entire and integrated agreement between the parties and supersedes and cancels any prior or contemporaneous arrangements, understandings or agreements, whether written or oral, by and between the parties relative to the subject matter hereof.

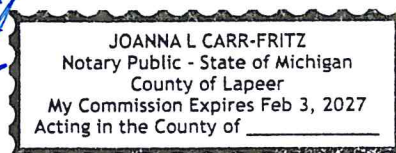
The Grantor executed this document this 20th day of September, 2024.

By: Catherine Bostick-Tullius
Print Name: Catherine Bostick-Tullius By: [Signature]
Print Title: _____

STATE OF MICHIGAN }
 } SS
COUNTY OF LAPEER }

On this 20th day of September, 2024, in and for said County, personally appeared Catherine Bostick-Tullius Tracy Bostick-Tullius to me known to be the person(s) described herein and who executed the same as his/her free act and deed.

[Signature]
_____, Notary Public
Lapeer County, Michigan
My Commission Expires: _____



This transaction is exempt from transfer tax pursuant to MCLA 207.505 (h), and MCLA 207.526 (h)

Dated: _____, 2024

City of Lapeer

By: _____
Its: Mayor

Drafted by and return to:
City of Lapeer
576 Liberty Park
Lapeer, MI 48446

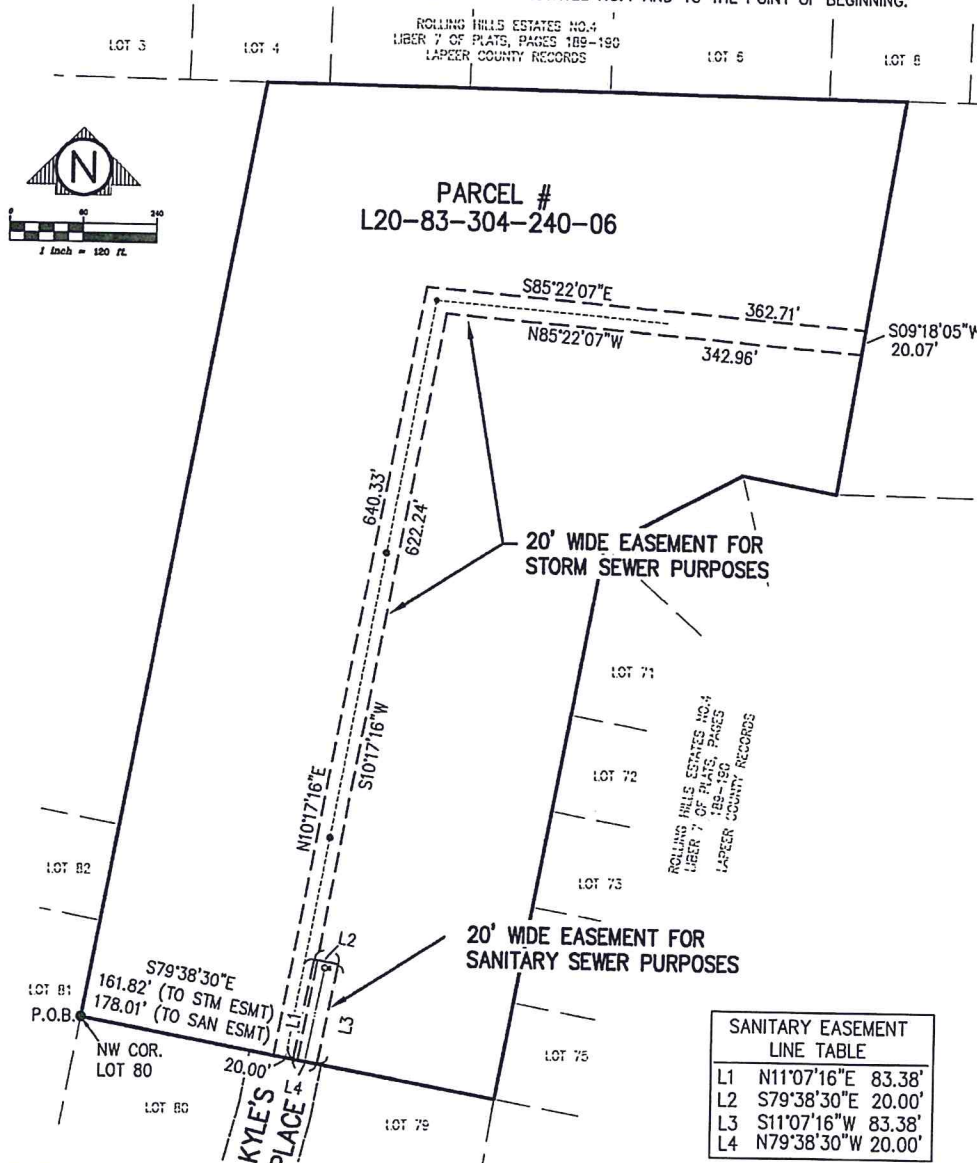
EXHIBIT "A" - SKETCH OF EASEMENT

LEGAL DESCRIPTION: 20' WIDE EASEMENT FOR STORM SEWER PURPOSES

PART OF THE NORTHWEST QUARTER OF SECTION 6, T7N-R9E, CITY OF LAPEER, LAPEER COUNTY; MORE PARTICULARLY DESCRIBED AS, COMMENCING AT THE NORTHWEST CORNER OF LOT 80 OF ROLLING HILLS ESTATES NO. 4 (AS RECORDED IN LIBER 7 OF PLATS, PAGES 189-190, LAPEER COUNTY RECORDS); THENCE, SOUTH 79 DEGREES 38 MINUTES 30 SECONDS EAST 161.82 FEET ALONG THE NORTH PLAT LINE SAID ROLLING HILLS ESTATES NO. 4 TO THE POINT OF BEGINNING; THENCE, NORTH 10 DEGREES 17 MINUTES 16 SECONDS EAST 640.33 FEET; THENCE, SOUTH 85 DEGREES 22 MINUTES 07 SECONDS EAST 362.71 FEET TO THE EAST PROPERTY LINE OF PARCEL #L20-83-304-240-06; THENCE, SOUTH 09 DEGREES 18 MINUTES 05 SECONDS WEST 20.00' ALONG SAID EAST PROPERTY LINE; THENCE, NORTH 85 DEGREES 22 MINUTES 07 SECONDS WEST 342.96 FEET; THENCE, SOUTH 10 DEGREES 17 MINUTES 16 SECONDS WEST 622.24 FEET TO A POINT ON THE NORTH PLAT LINE OF SAID ROLLING HILLS ESTATES NO. 4; THENCE, NORTH 79 DEGREES 38 MINUTES 30 SECONDS WEST 20.00 FEET ALONG THE NORTH PLAT LINE OF SAID ROLLING HILLS ESTATES NO.4 AND TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION: 20' WIDE EASEMENT FOR SANITARY SEWER PURPOSES

PART OF THE NORTHWEST QUARTER OF SECTION 6, T7N-R9E, CITY OF LAPEER, LAPEER COUNTY; MORE PARTICULARLY DESCRIBED AS, COMMENCING AT THE NORTHWEST CORNER OF LOT 80 OF ROLLING HILLS ESTATES NO. 4 (AS RECORDED IN LIBER 7 OF PLATS, PAGES 189-190, LAPEER COUNTY RECORDS); THENCE, SOUTH 79 DEGREES 38 MINUTES 30 SECONDS EAST 178.01 FEET ALONG THE NORTH PLAT LINE SAID ROLLING HILLS ESTATES NO. 4 TO THE POINT OF BEGINNING; THENCE, NORTH 11 DEGREES 07 MINUTES 16 SECONDS EAST 83.38 FEET; THENCE, SOUTH 79 DEGREES 38 MINUTES 30 SECONDS EAST 20.00 FEET; THENCE, SOUTH 11 DEGREES 07 MINUTES 16 SECONDS WEST 83.38 FEET TO A POINT ON THE NORTH PLAT LINE OF SAID ROLLING HILLS ESTATES NO. 4; THENCE, NORTH 79 DEGREES 38 MINUTES 30 SECONDS WEST 20.00 FEET ALONG THE NORTH PLAT LINE OF SAID ROLLING HILLS ESTATES NO.4 AND TO THE POINT OF BEGINNING.



DAVIS LAND SURVEYING & ENGINEERING, P.C.

415 W. NEPESSING STREET
LAPEER, MICHIGAN 48446
PHONE: (810) 667-6789

CLIENT:

TROY & CATHERINE BOSTICK-TULLIUS

NW 1/4, SEC.16, T7N-R9E, CITY OF LAPEER LAPEER COUNTY, MI.

DATE: 8/16/24

DRAWN: CPM

SCALE: 1" = 120'

CHECKED: GGB

FIELD: -/-

REVISED:

SHEET: 1 OF 1

JOB NO. 244128



ITEM H-1

To: City Commission
From: Mike Womack-City Manager
Date: October 15, 2024
RE: City Marihuana Ordinance amendments

STAFF RECOMMENDATION

Review proposed ordinance amendments and discuss as desired, refer the four zoning ordinances (7-6.02, 7-9.02, 7-10.02 and 7-13.12) to the Planning Commission for them to conduct a public hearing at their next meeting.

CURRENT OR NEW INFORMATION

In consultation with the individual commission members, I have drafted a series of ordinance amendments which should correct the problems/concerns that we have with the existing marihuana ordinances. The City Attorney and City Planner have also worked with me on getting the language right and ensuring that we are appropriately and legally addressing the concerns of the Commission.

Zoning ordinances are required to be reviewed by the Planning Commission following a public hearing, the Planning Commission has already set that public hearing for their November meeting. The Planning Commission then can recommend those ordinances to the City Commission for approval or not.

There are also two non-zoning ordinances (68-1 and 69-1) which do not need to be reviewed by the Planning Commission, but for timing sake and for public transparency, it's probably best to not act on those until the City Commission hears back on the zoning ordinances from the Planning Commission.

The City is currently on the tail-end of our second 6 month moratorium on accepting or acting on any new marihuana license applications, I believe that period ends on December 31st. If the Planning Commission makes a recommendation at their meeting on the 14th of November, the City Commission can complete a first reading of all ordinances on November 18th and adopt on the 2nd of December. We do also have a meeting the 16th of December and we can set a special meeting if necessary but I would recommend that we act on these ordinances before December 31st, if not it may be appropriate to lengthen that moratorium.

BACKGROUND OR PREVIOUSLY SUBMITTED INFORMATION

This has been complex and a significant amount of work for me over the last year, getting these draft ordinance amendments to a place where I believe I will have support from the majority of the Commission. As with any controversial topic, I'm certain that not everyone will be happy with everything proposed in these changes, but this final proposed draft should comport with the stated intentions that have been provided to the Commission and Public multiple times in the past, including at the August 12th Joint Meeting.

Amongst the goals that I have attempted to meet in these proposed changes:

1. Limit the number of permitted marihuana licenses, both adult and medical and provide the City with greater flexibility in reducing that number if appropriate in the future.
2. Clarify language on co-location requirements for retailers/dispensaries.
3. Clarify prohibition of marihuana stores in the downtown area.
4. Prohibit outdoor storage of marihuana waste
5. Create a new 1500-foot buffer between marihuana growers and all R-1 zoning district areas.

City of Lapeer

Page 2

6. Create new requirement that all marihuana odor control systems must be designed and stamped by a licensed engineer that specialized in odor control.
7. Clarify and strengthen language about property owner's responsibility to control marihuana odor from leaving their property.
8. Prohibit marihuana businesses from opening in the Business and Office Zoning Districts.
9. Prohibit Industrial uses or marihuana uses in the Mixed Use Overlay Zone.
10. Allow all marihuana uses in the I-2 zoning district and allow marihuana businesses other than growers to operate in an I-1 district. (must still meet buffer requirements)
11. Make all marihuana businesses special land uses.
12. Clarify the City's process for license transfers for existing marihuana businesses.

To be clear, due to the legal rights of non-conforming uses, many of these changes will only apply to newly proposed businesses or if an existing business undertakes certain significant changes to their current operations. However, the proposed changes to odor control should make it easier to prosecute any offenders who fail to control any marihuana odor that leaves their property.

AGENDA ITEM REVIEW

Meeting Date: **October 21, 2024**

Date Reviewed: **October 15, 2024**

Reviewed By: **Clerk's Office**

§ 7-6.02. Schedule of uses.

Buildings or land shall not be used and buildings shall not be erected except for one or more of the following specified uses, unless otherwise provided for in this chapter. Land and/or buildings in the districts indicated at the top of Table 7.06.1 may be used for the purposes denoted by the following abbreviations:

Key:

Permitted use (P): Land and/or buildings in this district may be used for the purposes listed by right.

Special land use (SLU): Uses which may be permitted by obtaining special land use approval when all applicable requirements in Article XIII, Use Requirements, and the standards of § 7-19.04, Review standards, are met.

Additional requirements: Indicates requirements or conditions applicable to the use.

Table 7.06.1: Business and Office Districts Schedule of Uses					
Use	OS-1	B-1	B-2	B-3	Additional Requirements
Residential Uses					
Transitional housing			SLU	SLU	§ 7-13.01D
Animal and Agricultural Uses					
Veterinary facilities and clinics	—	—	P	—	—
Public and Institutional Uses					
Business schools, or private schools, operated for profit	—	—	P	P	—
Institutional uses, places of public assembly and places of worship, including other facilities normally incidental thereto, excluding large-scale churches	P	P	P	P	§ 7-13.03C
Large-scale places of public assembly and places of worship with a seating capacity of 500 people or more or parking for 250 vehicles or more	—	—	SLU	SLU	§ 7-13.03D

Table 7.06.1: Business and Office Districts Schedule of Uses

Use	OS-1	B-1	B-2	B-3	Additional Requirements
Municipal buildings and post office	—	P	P	P	—
Private clubs or lodge halls	—	—	P	—	—
Publicly owned buildings, public utility buildings, telephone exchange buildings; electric transformer stations and substations; gas regulator stations with service yards, but without storage yards; water and sewage pumping stations	SLU	SLU	P	—	—
Wireless telecommunication tower			SLU	SLU	§ 7-13.10E
Retail Uses					
Dry-cleaning establishments, or pickup stations, dealing directly with the consumer	—	P	P	—	—
Commercial establishments up to 80,000 square feet of gross floor area	—	P	P	P	
Commercial establishments consisting of 1 or more uses and a minimum of 80,000 square feet in total gross floor area	—	—	SLU	P	§ 7-13.04A
Funeral homes and mortuary establishments	SLU	P	P	—	§ 7-13.04D
Greenhouses and plant nurseries	—	—	SLU	—	
Home centers and lumber yards	—	—	SLU	P	§ 7-13.04C
Newspaper offices and printing plants	—	—	P	—	—

Table 7.06.1: Business and Office Districts Schedule of Uses

Use	OS-1	B-1	B-2	B-3	Additional Requirements
Offices and showrooms of plumbers, electricians, decorator or similar trades, in connection with which not more than 25% of the floor area of the building or part of the building occupied by said establishment is used for making, assembling, remodeling, repairing, altering, finishing, or refinishing its products or merchandise	—	—	P	—	—
Personal service establishments which perform services on the premises, such as but not limited to: repair shops (watches, radio, television, shoe and etc), tailor shops, beauty parlors or barber shops, tattoo parlors, day spas, hair salons, photographic studios	P	P	P	—	—
Retail cold storage establishments	—	—	P	—	—
Self-service laundry	—	P	P	—	—
Motor Vehicle Uses					
Automobile car wash, automatic or self-service	—	—	P	—	§ 7-13.05F
Automobile service station for sale of gasoline, oil, and minor accessories only	—	—	SLU	SLU	§ 7-13.05A and B
Minor automobile repair shops	—	—	P	—	§ 7-13.05C
Automobile sales or showroom	—	—	P	—	

Table 7.06.1: Business and Office Districts Schedule of Uses

Use	OS-1	B-1	B-2	B-3	Additional Requirements
Outdoor sales space for exclusive sale of secondhand automobiles	—	—	SLU	—	§ 7-13.05E
Lodging and Food Service Uses					
Drive-through restaurants	—	—	SLU	SLU	§ 7-13.04B
Bed-and-breakfast	—	—	P	P	—
Motels and hotels	—	—	SLU	SLU	§ 7-13.06A
Standard restaurants, brew pubs and taverns where the patrons are served while seated within the building occupied by such establishment, and wherein said establishment does not extend as an integral part of, or accessory thereto, any service of a drive-in or open-front store	—	—	P	P	—
Sale and service of food and drink out of doors, provided such use is incidental to a similar principal use indoors and conducted adjacent to said principal use	—	—	P	P	—
Entertainment and Recreation Uses					
Adult entertainment uses	—	—	SLU	—	§ 7-13.07A
Amusement arcades which provide space for patrons to engage in playing of electronic and mechanical video amusement devices or similar activities	—	—	SLU	—	§ 7-13.07B

Table 7.06.1: Business and Office Districts Schedule of Uses

Use	OS-1	B-1	B-2	B-3	Additional Requirements
Bowling alleys, pool or billiard parlor or clubs, indoor archery and indoor tennis clubs, fitness centers, athletic clubs, and other similar indoor commercial recreation establishments	—	—	P	—	—
Commercial or institutional outdoor recreation facilities, including golf courses, water parks, tennis clubs and similar outdoor recreation establishments	—	—	P	P	§ 7-13.07D
Commercially used outdoor recreational space for children's amusement parks, miniature golf courses	—	—	SLU	—	§ 7-13.07C
Multi-screen movie theaters	—	—	—	SLU	§ 7-13.07E
Theaters when completely enclosed	—	—	P		
Finance, Insurance, Real Estate and Professional Uses					
Banks, credit unions, savings-and-loan association, and similar uses					
Drive-through facilities as an accessory use only	P	P	P	P	§ 7-13.04B
Standalone drive-through ATM facilities	—	—	P	P	§ 7-13.04B

Table 7.06.1: Business and Office Districts Schedule of Uses

Use	OS-1	B-1	B-2	B-3	Additional Requirements
Office buildings for any of the following occupations: executive, administrative, professional, accounting, writing, clerical, stenographic, drafting and sales	P	P	P	—	—
Business services such as mailing, copying, data processing and retail office supplies	P	P	P	—	—
Data processing and computer centers, including service and maintenance of electronic data processing equipment	P	P	P	—	—
Health and Human Care and Uses					
Adult day-care centers	SLU	P	P	—	
Ambulance service stations	SLU	—	P	P	§ 7-13.09E
Child-care center, nursery schools and day nurseries	SLU	P	P	—	§ 7-13.09A
Convalescent homes, nursing homes and child-care institutions	P	P	P	—	§ 7-13.09B
Hospices	—	—	P	P	
Hospitals	SLU	—	P	P	§ 7-13.09C
Medical office and clinics	P	P	P	—	—
Transportation and Warehousing Uses					
Bus passenger stations	—	—	P	—	—
Off-street parking lots	P	P	P	—	—
Parking lots and parking structures			P	—	—

Table 7.06.1: Business and Office Districts Schedule of Uses

Use	OS-1	B-1	B-2	B-3	Additional Requirements
Warehouse and storage facilities when incident to and physically connected with any principal use permitted, provided that such facility be within the confines of the building or part thereof occupied by said establishment	—	—	P	—	—
Accessory and Similar Uses					
Accessory building and uses, customarily incident to any of the above permitted uses	P	P	P	P	—
Drive-through pharmacy as an accessory use only, when customarily incident to a principal use permitted in the district	SLU	SLU	P	SLU	§ 7-13.04B
Tent sales and sidewalk sales	P	P	P	P	§ 7-13.10B
Other uses similar to the above uses	SLU	SLU	SLU	SLU	§ 7-13.11
Wireless telecommunication antenna	P	P	P	P	§ 7-13.10D
Other temporary uses	P/SLU	P/SLU	P/SLU	P/SLU	§ 7-13.10C
Shipping containers, temporary			P	P	§ 7-13.10F

Medical and Adult-Use Marihuana Facility and Establishment Uses					
Use	OS-1	B-1	B-2	B-3	Additional Requirements
Marihuana provisioning center/ marihuana retailer	—	—	—	—	Not Permitted
Marihuana safety compliance facility/establishment	—	—	—	—	Not Permitted
Marihuana grow facility/ marihuana grower	—	—	—	—	Not Permitted
Other marihuana uses	—	—	—	—	Not Permitted

§ 7-8.02. Schedule of uses.

Buildings or land shall be not used and buildings shall not be erected except for one or more of the following specified uses, unless otherwise provided for in this chapter. Land and/or buildings in the districts indicated at the top of Table 7.08.1 may be used for the purposes denoted by the following abbreviations:

Key:

Permitted use (P): Land and/or buildings in this district may be used for the purposes listed by right.

Special land use (SLU): Uses which may be permitted by obtaining special land use approval when all applicable requirements in Article XIII, Use Requirements, and the standards of § 7-19.04, Review standards, are met.

Additional requirements: Indicates requirements or conditions applicable to the use.

Table 7.08.1: Industrial Districts Schedule of Uses			
Use	I-1	I-2	Additional Requirements
Animal and Agricultural Uses			
Commercial kennels	SLU	—	§ 7-13.02A
Public and Institutional Uses			
Public utilities, including buildings, necessary structures, storage yards and other related uses	P	P	—
Trade or industrial schools	P	P	—
Wireless telecommunication tower	P	P	§ 7-13.10E
Motor Vehicle Uses			

Table 7.08.1: Industrial Districts Schedule of Uses

Use	I-1	I-2	Additional Requirements
Automobile service stations for sale of gasoline, oil and minor accessories when developed in conjunction with convenience market and accessory services such as fast food facilities or automated automobile washes	P	SLU	§ 7-13.05B
Major auto repair shops when completely enclosed	SLU	—	§ 7-13.05D
Finance, Insurance, Real Estate and Professional Uses			
Research and development establishment	P	P	—
Research and office uses related to permitted industrial operations and sales offices	P	P	—
Health and Human Care and Uses			
Ambulance service stations	SLU	—	§ 7-13.09E
Child-care center, nursery schools and day nurseries	SLU	SLU	§ 7-13.09A
Transportation and Warehousing Uses			
Mini-warehouses and storage buildings for lease to the public including the office and residence of a caretaker	P	P	§ 7-13.08D

Table 7.08.1: Industrial Districts Schedule of Uses

Use	I-1	I-2	Additional Requirements
Storage facilities for building materials, sand, gravel, stone, lumber, open storage of contractor's equipment and supplies	SLU	SLU	§ 7-13.08A
Warehousing and wholesale establishments when conducted within buildings or within a completely obscured yard area	P	P	—
Warehousing and wholesale establishments, and trucking facilities	P	P	—
Incineration of garbage or refuse when conducted within an approved and enclosed incinerator plant	SLU	—	—
Junkyards and places for the dismantling, wrecking and disposing of the junk and/or refuse material	SLU	—	§ 7-13.08E

Table 7.08.1: Industrial Districts Schedule of Uses

Use	I-1	I-2	Additional Requirements
Warehouse, storage and transfer and electric and gas service buildings and yards, water supply and sewage disposal plants, water and gas tank holders, heating and electric power generating plants, and all necessary related uses	P	P	—
Railroad transfer and storage tracks, railroad rights-of-way and freight terminals	P	P	—
Manufacturing, Testing and Assembly Uses			
Laboratories: experimental, film or testing	P	P	—
Lumber and planing mills when completely enclosed	SLU	SLU	§ 7-13.08F
Manufacture of corrosive acid or alkali, cement, lime, gypsum or plaster of Paris or any other potentially noxious material	SLU	SLU	§ 7-13.08G

Table 7.08.1: Industrial Districts Schedule of Uses

Use	I-1	I-2	Additional Requirements
Manufacture of musical instruments, toys, novelties, metal or rubber stamps, small molded rubber products, pottery and figurines or other similar ceramic products (using kilns fired only by electricity or gas), electronic instruments and devices, or similar products	P	P	—
Manufacture, compounding, assembling or treatment of articles or merchandise from previously prepared materials such as, but not limited to: bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stones, sheet metal, shell, textiles, tobacco, wax, wire, wood and yarns	P	P	—

Table 7.08.1: Industrial Districts Schedule of Uses

Use	I-1	I-2	Additional Requirements
Manufacture, compounding, processing, packaging or treatment of such products as, but not limited to: bakery goods, candy, cosmetics, pharmaceuticals, toiletries, food products, hardware and cutlery; tool, die, gauge and machine shops	P	P	—
Manufacturing and repair of electric or neon signs, light sheet metal products, including heating and ventilating equipment, cornices, eaves and similar items	P	P	—
Metal plating, buffing and polishing, subject to appropriate measures to control the type of process to prevent noxious results and/or nuisances	SLU	SLU	—

Table 7.08.1: Industrial Districts Schedule of Uses

Use	I-1	I-2	Additional Requirements
Production, processing, cleaning, servicing, testing, repair or storage of materials, goods or products that are not injurious to the occupants of adjacent premises by reasons of the emission or creation of noise, vibration, smoke, dust and other particulate matter, toxic and noxious materials, odors, fire or explosive hazards, or glare or heat	P	P	—
Uses permitted in General Business Districts when such uses are for the convenience of persons in the I-1 Industrial District, subject to the regulations applicable to such uses	SLU	—	—
Restaurants			
Restaurants located within a building occupied by another use(s) allowed by this chapter and not including any service of a drive-in or open front store	SLU	SLU	—
Retail Uses			

Table 7.08.1: Industrial Districts Schedule of Uses

Use	I-1	I-2	Additional Requirements
Construction contractors establishment	P	P	—
Animal crematorium		SLU	§ 7-13.04E
Accessory and Similar Uses			
Outdoor storage, when accessory to a principal use	SLU	SLU	§ 7-13.08B
Accessory building and uses, customarily incident to any of the above permitted uses	P	P	—
Other uses similar to the above uses	SLU	SLU	§ 7-13.11
Wireless telecommunications antenna	P	P	§ 7-13.10D
Wireless telecommunications tower	P	P	§ 7-13.10E
Other temporary uses	P/SLU	P/SLU	§ 7-13.10C
Shipping container temporary	P	P	§ 7-13.10F

Marihuana Facility and Establishment Uses			
Marihuana grow facility/ marihuana grower	—	SLU	§ 7-13.12
Marihuana processor/ processing facility/ establishment	SLU	SLU	§ 7-13.12
Marihuana safety compliance facility/ establishment	SLU	SLU	§ 7-13.12
Marihuana provisioning center/ marihuana retailer	SLU	SLU	§ 7-13.12

§ 7-10.02. Schedule of uses.

Buildings or land shall be not used and buildings shall not be erected except for one or more of the following specified uses, unless otherwise provided for in this chapter. Land and/or buildings in the districts indicated at the top of Table 7.10.1 may be used for the purposes denoted by the following abbreviations:

KEY:

Permitted use (P): Land and/or buildings in this district may be used for the purposes listed by right.

Special land use (SLU): Uses which may be permitted by obtaining special land use approval when all applicable requirements in Article XIII, Use Requirements, and the standards of § 7-19.04, Review standards, are met.

Additional requirements: Indicates requirements or conditions applicable to the use.

Table 7.10.1: Mixed-Use Overlay Districts Schedule of Uses¹

Use	MU	Additional Requirements
Uses		
Principal uses permitted in the underlying zoning district and which meet the requirements in the underlying zoning district for that use	P	
All uses allowed subject to special conditions in the underlying zoning district and which meet the requirements in the underlying zoning district for that use	SLU	
All uses allowed in the R-1, RM, OS-1, B-1, B-2 and CBD-1 zoning districts as a principal use but not allowed in the underlying zoning district	SLU	____ ^{2, 3}
All uses allowed in the R-1, RM, OS-1, B-1, B-2 and CBD zoning districts as a special land use but not allowed by right in the underlying zoning district	SLU	____ ^{2, 3}

Table 7.10.1: Mixed-Use Overlay Districts Schedule of Uses¹		
Use	MU	Additional Requirements
Accessory building and uses, customarily incidental to any of the above permitted uses	P	§ 7-13.11
Industrial Uses	—	Not Permitted
Marihuana provisioning center/marihuana retailer	—	Not Permitted
Marihuana safety compliance facility/establishment	—	Not Permitted
Other marihuana uses	—	Not Permitted

NOTES:

1

More than one principal use may be permitted on a lot of record with site plan approval by the Planning Commission.

2

The use shall meet the requirements in the zoning district in which the use is allowed except as provided for in § 7-10.03 below. Where the use is allowed in more than one district, the Planning Commission shall apply the standards that are closest in intensity as the underlying zoning district.

3

Uses permitted under note 2 shall also comply with the following:

a.

The Planning Commission may impose conditions on the operation of the proposed use, including hours of operation, outdoor operations and delivery and shipping of material that is necessary to ensure the uses compatibility with surrounding uses.

b.

In portions of the Mixed-Use District where residences and offices predominate, any structure proposed for construction or expansion shall have an exterior appearance consistent with the general character of the area, including scale and mass of the building, arrangement of windows, pitch of roof and type of siding material.

c.

The Planning Commission

may reduce minimum number of parking spaces required for property involving two or more uses if their parking demand could expect to overlap.

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§ 7-13.12. Medical marihuana facilities and adult-use (recreational) marihuana establishments.

- A. Notwithstanding any provision of this Ordinance, any uses or activities found by the State of Michigan or a court with jurisdiction to be unconstitutional or otherwise not permitted by state law are not be permitted by the City of Lapeer. In the event that a court with jurisdiction declares some or all of this article invalid, then the City of Lapeer may suspend the acceptance of applications for uses permitted herein and/or suspend processing submitted application pending final resolution of the legal issue in question.
- B. At the time of application for a permit, the marihuana facility/establishment must be prequalified for licensure and/or licensed by the State of Michigan and then must be at all times in compliance with the laws of the State of Michigan, including, but not limited to, the Michigan Medical Marihuana Act, MCLA 333.26421 et seq.; the Medical Marihuana Facilities Licensing Act, MCLA 333.27101 et seq.; the Marihuana Tracking Act, MCLA 333.27901 et seq.; and the Michigan Regulation and Taxation of Marihuana Act, MCLA 333.27951; and all other applicable rules promulgated by the State of Michigan.
- C. All marihuana facilities and establishments shall provide a security plan in compliance with State of Michigan rules.
- D. The medical marihuana or adult-use use marihuana, establishment or facility must at all times be in compliance with all applicable state laws and ordinances of the City of Lapeer.
- E. Marihuana, alcohol and tobacco products shall not be smoked, ingested, or otherwise consumed inside the building space occupied by a marihuana facility/establishment.
- F. All marihuana facility/establishment activity shall be conducted in a fully enclosed secure building. The outdoor display, outdoor production, outdoor sales, or outdoor storage of any marihuana, or marihuana products is prohibited. Marihuana waste shall not be stored outdoors except for the minimum time necessary to be picked up by a licensed waste hauler, being no longer than 12 hours. Any waste stored outside shall be made unusable as required by law.
- G. A marihuana facility/establishment, or activities associated with the growing, processing, testing, transporting, or sales of marihuana, are not permitted as a home business or accessory use, nor may they include accessory uses except as otherwise provided in this chapter.
- H. Hours of operation.
 - (1) Hours of operation of provisioning center facilities, marihuana retailer establishments, and all other marihuana businesses that are open to the public shall be restricted to be between the hours of 9:00 a.m. to 10:00 p.m. of the same day.

Buffer requirements are considered a setback or separation area in which a marihuana facility/establishment permitted under this chapter must maintain a defined spacing from an existing use as stated below. Buffer distances shall be measured in a straight line (regardless of building or other obstructions) from the nearest property line of a protected use to the nearest property line of the parcel(s) where the proposed marihuana facility/establishment is to be located including distances that lie outside of the City of Lapeer. The location of property lines shall be determined by the City of Lapeer Assessing Department. A proposed marihuana facility/establishment must be outside of designated buffer areas as described below.

- (2) A 1,000-foot buffer is required from all preexisting public, parochial and other private schools offering courses in general education and consisting of any grade levels from kindergarten through 12th grade.
 - (3) A 500-foot buffer is required from all preexisting licensed child-care centers, child day-care centers, nursery schools and child-care institutions. All facilities listed herein pertain to child-care facilities that primarily serve children under the age of 18 but excluding those operating out of a private home such as child-care group home and child-care family home licenses. Such facilities, centers and institutions are further defined in Subsection A ("child-care or day-care center") and Subsection B ("child care institution" of the term "child-care facilities") in § 7.24.03 of this chapter.
 - (4) A 500-foot buffer is required from all preexisting federal owned, used, or operated property. Such federal uses currently include the United States National Guard Armory of Michigan, Telecommunication Exchange Federal Facility, and the United States Postal Office, excluding transportation facilities such as the railroad and Interstate I-69.
 - (5) A 200-foot buffer is required from all designated preexisting public parks within the City of Lapeer, excluding trail ways and cemeteries such as Linear Park and Oakdale Cemetery.
 - (6) Marihuana grower facilities/establishments must be at least 1500 feet away from all R-1 Single Family Residentially zoned properties within the City of Lapeer.
- I. All buildings and properties used for any licensed or unlicensed marihuana related use shall be equipped with an appropriate and effective odor control system, such as an activated carbon filtration system, which ensures that air leaving the building and property first passes through the odor control system. The filtration system shall, at all times, prevent marihuana odor from being detectable to a reasonable person of normal sensitivities beyond the property line of the licensed or unlicensed marihuana property. The filtration system shall be maintained in good working order and shall be in use at all times.. The filters shall be changed a minimum of once every 365 days or as determined by the manufacturer's recommendations, whichever requires more frequent changes. Negative air pressure shall be maintained inside the building at all times so that all air and marihuana odor must pass through the odor control system prior to leaving the building. Doors and windows shall remain closed, except for the minimum length of time needed to allow ingress or egress of the building.
- (1) All marihuana odor control systems shall be designed and stamped by a Michigan licensed engineer who specializes in odor control, signifying that in their professional opinion, the odor control system will be effective at controlling the marihuana odor.
 - (2) An alternative odor control system is permitted if the applicant submits and the City of Lapeer Planning Commission accepts a report by an engineer licensed in the State of Michigan who specializes in odor control, attesting and demonstrating that the alternative system will control odor as well or better than what is required pursuant to this Ordinance. The City of Lapeer may hire an outside expert to review the alternative system design and advise as to its comparability and whether, in the opinion of the expert, it should be accepted. The applicant shall be responsible for all costs and expenses incurred by the City of Lapeer to evaluate an alternative odor control system requested by an applicant.
 - (3) All odor control systems shall be installed and operated in conformity with the licensed

engineer's plans and all manufacturer requirements.

- (4) In addition to the requirement that all licensed or unlicensed marihuana uses, buildings, and properties install and operate an odor control system, all owners, operators, employees, agents and licensees of all licensed or unlicensed marihuana uses, buildings and properties shall have a continuing obligation and duty to actually prevent marihuana odors from being detectable to a reasonable person of normal sensitivities beyond the property line of the property where the marihuana use is located.
- (5) Installation of an odor control system, including an alternative odor control system, approved by this Ordinance or the City of Lapeer is not a warranty or representation by the City of Lapeer that such system will prevent marihuana odor from being detectable to a reasonable person of normal sensitivities beyond the property line as required by this Ordinance.

Chapter 68

MEDICAL MARIHUANA FACILITIES

§ 68-1.	Purpose.	§ 68-6.	License renewal.
§ 68-2.	Definitions.	§ 68-7.	Applicability.
§ 68-3.	Authorization of facilities and fee.	§ 68-8.	Violations and penalties; enforcement.
§ 68-4.	Requirements and procedure for issuing license.	§ 68-9.	Severability.
§ 68-5.	Denial or revocation of license and appeal process.	§ 68-10.	Effective date.

§ 68-1. Purpose.

- A. It is the intent of this chapter to authorize the establishment of certain types of medical marihuana facilities in the City of Lapeer and provide for the adoption of reasonable restrictions to protect the public health, safety, and general welfare of the community at large; retain the character of neighborhoods; and mitigate potential impacts on surrounding properties and persons. It is also the intent of this chapter to help defray administrative and enforcement costs associated with the operation of a marihuana facility in the City of Lapeer through imposition of an annual, nonrefundable fee of not more than \$5,000 on each medical marihuana facility licensee. Authority for the enactment of these provisions is set forth in the Medical Marihuana Facilities Licensing Act, MCLA § 333.27101 et seq. The City of Lapeer specifically incorporates the terms and provisions of the Michigan Medical Marihuana Act and the Medical Marihuana Facilities Licensing Act herein as if set forth hereunder.
- B. Nothing in this chapter is intended to grant immunity from criminal or civil prosecution, penalty, or sanction for the cultivation, manufacture, possession, use, sale, or distribution of marihuana, in any form, that is not in compliance with the Michigan Medical Marihuana Act, Initiated Law 1 of 2008, MCLA § 333.26421 et seq.; the Medical Marihuana Facilities Licensing Act, MCLA § 333.27101 et seq.; the Marihuana Tracking Act, MCLA § 333.27901 et seq.; and all other applicable rules promulgated by the State of Michigan. This chapter permits authorizations for activity based on the Medical Marihuana Facilities Licensing Act, MCLA § 333.27101 et seq. Nothing in this chapter shall be construed as allowing persons to engage in conduct that endangers others or causes a public nuisance, or to allow marihuana uses and activities not in strict accordance with the express authorizations of the Medical Marihuana Facilities Licensing Act, MCLA § 333.27101 et seq.
- C. As of the effective date of this chapter, marihuana remains classified as a Schedule 1 controlled substance under the Federal Controlled Substances Act, 21 U.S.C. § 801 et seq., which makes it unlawful to manufacture, distribute, or dispense marihuana, or possess marihuana with intent to manufacture, distribute, or dispense marihuana under federal law. Nothing in this chapter is intended to grant immunity from any criminal prosecution under state or federal laws as they may be enforced by either the federal or state governments relative to such uses and activities. Thus, the authorization of activity

and the approval of a license under this chapter shall not have the effect of superseding or nullifying federal or state law applicable to the cultivation, manufacture, possession, use, sale, or distribution of marihuana, in any form, and all applicants and grantees of licenses are on notice that they may be subject to prosecution and civil penalty, including forfeiture of property.

§ 68-2. Definitions.

For the purposes of this chapter:

- A. Any term defined by the Michigan Medical Marihuana Act, MCLA § 333.26421 et seq., shall have the definition given in the Michigan Medical Marihuana Act.
- B. Any term defined by the Medical Marihuana Facilities Licensing Act, MCLA § 333.27101 et seq., shall have the definition given in the Medical Marihuana Facilities Licensing Act.
- C. Any term defined by the Marihuana Tracking Act, MCLA § 333.27901 et seq., shall have the definition given in the Marihuana Tracking Act.
- D. Terms defined. As used in this chapter, the following terms shall have the meanings indicated:

GROWER — A licensee that is a commercial entity located in this state that cultivates, dries, trims, or cures and packages marihuana for sale to a processor or provisioning center.

LICENSEE — A person holding a state operating license issued under the Medical Marihuana Facilities Licensing Act, MCLA § 333.27101 et seq.

MARIHUANA FACILITY — An enterprise at a specific location at which a licensee is licensed to operate under the Medical Marihuana Facilities Licensing Act, MCLA § 333.27101 et seq., including a marihuana grower, marihuana processor, marihuana provisioning center, marihuana secure transporter, or marihuana safety compliance facility. The term does not include or apply to a "primary caregiver" or "caregiver" as that term is defined in the Michigan Medical Marihuana Act, MCLA § 333.26421 et seq.

MARIJUANA or MARIHUANA — That term as defined in the Public Health Code, MCLA § 333.1101 et seq.; the Michigan Medical Marihuana Act, MCLA § 333.26421 et seq.; the Medical Marihuana Facilities Licensing Act, MCLA § 333.27101 et seq.; and the Marihuana Tracking Act, MCLA § 333.27901 et seq.

PERSON — An individual, corporation, limited-liability company, partnership, limited partnership, limited-liability partnership, limited-liability limited partnership, trust, or other legal entity.

PROCESSOR — A licensee that is a commercial entity located in Michigan that purchases marihuana from a grower and that extracts resin from the marihuana or creates a marihuana-infused product for sale and transfer in packaged form to a provisioning center.

PROVISIONING CENTER — A licensee that is a commercial entity located in Michigan that purchases marihuana from a grower or processor and sells, supplies, or provides marihuana to registered qualifying patients directly or through the patients' registered primary caregivers. "Provisioning center" includes any commercial property where marihuana is sold at retail to registered qualifying patients or registered primary caregivers. A noncommercial location used by a primary caregiver to assist a qualifying patient connected to the caregiver in accordance with the Michigan Medical Marihuana Act, MCLA § 333.26421 et seq., is not a provisioning center for purposes of this article.

SAFETY COMPLIANCE FACILITY — A licensee that is a commercial entity that receives

marihuana from a marihuana facility or registered primary caregiver, tests it for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results, and may return the marihuana to the marihuana facility.

SECURE TRANSPORTER — A licensee that is a commercial entity located in this state that stores marihuana and transports marihuana between marihuana facilities for a fee.

§ 68-3. Authorization of facilities and fee.

- A. The following medical marihuana facilities may be authorized to operate in the City of Lapeer by the holder of a state operating license, subject to compliance with MCLA § 333.27101 et seq. as may be amended, the rules promulgated thereunder and this chapter:

Facility	Number
Provisioning Center	Six (6) unless increased or decreased by resolution of City Commission.
Grower	Two (2) unless increased or decreased by resolution of City Commission.
Processor	Three (3) unless increased or decreased by resolution of City Commission.
Safety Compliance Facility	Unlimited unless increased or decreased by resolution of City Commission.

Although the maximum number of each type of marihuana facility permitted in the City of Lapeer is established above, no marihuana facility of any type may be located within the Central Business Zoning District or Downtown Development District.

- B. If the City Commission reduces, by resolution, the number of licenses available under this Ordinance to a number less than the number of valid licenses issued at the time, such shall not be construed to limit, restrict or prohibit existing Licensees right to request renewal of existing Licenses.
- C. If a license that was issued under this Ordinance is terminated, lapses, vacated, abandoned, revoked, not renewed, or is returned to the City for any reason, such license(s) are not available to be applied for or reissued until/unless the City of Lapeer City Commission adopts a resolution seeking applicants for the same.
- D. The City Clerk shall keep the City Commission informed regarding the status of the marihuana businesses located within the City on a regular basis.
- E. An annual nonrefundable fee shall be paid by each marihuana facility licensed under this chapter in an annual amount of not more than \$5,000 as set forth in the City of Lapeer Fee Schedule as approved by the City Commission.
- (1) Should any person, for whatever reason, not receive a license under § 68-4C(1), Application, or § 68-4C(2), Provisional license, 1/2 of the application fee may be returned, provided that no appeal process has occurred.

§ 68-4. Requirements and procedure for issuing license.

- A. No person shall operate a marihuana facility in the City of Lapeer without a valid marihuana facility license issued by the City of Lapeer pursuant to the provisions of this chapter as authorized by the Medical Marihuana Facilities Licensing Act, MCLA § 333.27101 et seq.
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- B. Licenses issued pursuant to this Ordinance are issued based, in part, upon the location of the proposed Marihuana Facility, identity of the Licensee, and the owners Licensee. A marihuana facility license and/or ownership interests in a Licensee are not transferable except as permitted herein.
- (1) The transfer, sale, gift, assignment or other conveyance of any ownership interest in a Licensee and/or a license which are solely amongst persons or entities who had an ownership interest in the Licensee or Licensee at the time the License was issued and who were identified on the application for a license are permitted only if:
 - a. The Licensee provides the City Clerk at least thirty days advanced written notice of the proposed transfer which: (1) details the full ownership structure of Licensee prior to and after the proposed transfer; (2) contains a signed affirmation from all persons that will have an ownership interest in the Licensee after the proposed transfer that they have not been charged with or convicted of any criminal offenses since the License was issued; (3) contains a signed reaffirmation from all persons that will have an ownership interest in the Licensee after the proposed transfer and from Licensee that Licensee will comply with all provisions of the City Ordinance, including the City Zoning Ordinance; and (4) contains such other information as the City requests.
 - b. The Department has approved or preapproved the proposed transfer.
 - c. The City Clerk verifies the Licensee is not in default with respect to any obligations with respect to City.
 - d. The City Clerk verifies with City Administration, the City Police Department, the City Building Department, and the City Fire Department that Licensee's Marihuana Facility is not in violation of any rule, regulation, or Ordinance applicable to such facility.
 - e. The City Clerk determines the Licensee has complied with this subsection and issues a written approval of the proposed transfer to the Licensee.
 - (2) The transfer, sale, gift, assignment or other conveyance of any ownership in a Licensee and/or a license which, in whole or part, are amongst persons or entities who did not have an ownership interest in the Licensee or the license the time the license was issued or who were not identified on the application for a license are not permitted unless approved by the City Commission. In such case, the Licensee shall apply for the proposed transfer, sale, gift, assignment or other conveyance and the same will be subject to the same application, review, and approval process applicable to Applicants for a new license under this Ordinance.
 - (3) Any transfer, sale, gift, assignment or other conveyance permitted in a Licensee or license under this section shall be only for the remainder of the unexpired annual license term. The term of the license shall not be affected.
- C. The City Clerk has broad authority, consistent with the terms of this Ordinance, to establish policies, criteria and forms to implement administrative policies and processes for the application, renewal and reapplication of Licenses under this ordinance. The City Clerk may only accept applications for licenses issued under this Ordinance if directed to do so by the City of Lapeer City Commission. Applications received outside of any application window approved by the City of Lapeer City Commission shall be returned.
- D. The procedure in processing a request for a marihuana facility license will involve three steps as follows:

(1) Application.

- (a) File an application with the City Clerk's office upon a form provided by the City of Lapeer and submittal of the annual nonrefundable fee. Such application shall include, in addition to all other items set forth in the application itself:
 - [1] A criminal background report on the applicant's criminal history. Such reports shall be obtained by the applicant and, if applicable, each stakeholder through the Internet Criminal History Access Tool (ICHAT) for applicants or stakeholders residing in Michigan and/or through another state-sponsored or authorized criminal history access source for applicants or stakeholders who reside in other states or have resided in other states within five years prior to the date of the application. The applicant or stakeholder is responsible for all charges incurred in requesting and receiving the criminal history report, and the report must be dated within 30 days of the date of the application. The applicant shall disclose all arrests, prosecutions and dispositions, whether identified in the applicant's or each stakeholder's ICHAT report or not. Failure to submit a complete criminal history report or supplemental report by the applicant and the stakeholders will result in disqualification from licensure and removal of the applicant's application from the licensure application process.
 - [2] A complete disclosure of the applicant's and each stakeholder's litigation history, by case name, date, jurisdiction and nature or type of litigation. Failure to submit a complete litigation history by the applicant and the stakeholders will result in disqualification from licensure and removal of the applicant's application from the licensure application process.
 - (b) Upon the applicant's completion of the application form and furnishing all required information and documentation, the City Clerk shall accept the application. The City Clerk is authorized to develop a policy that outlines the procedure to be used in determining the issuance of the provisional licenses for marihuana facilities. Said policy to be approved by the City Commission.
 - (c) The City Clerk's office shall refer the application to the Assessing Department to verify that the proposed site is outside the buffer zones stipulated in Chapter 7, Zoning, and to the Planning Department to verify that the property is located in a zoning district that allows the proposed use. The Assessing Department and the Planning Department shall respond to the City Clerk's office as soon as practicably possible.
 - (d) The City Clerk's office shall act to approve or deny an application not later than 20 business days from the date the fully completed application was accepted.
 - (e) If approved, the City Clerk's office shall issue the applicant a provisional license.
- (2) Standards for issuance of provisional license. The Clerk shall issue a provisional license under this chapter when, from a consideration of the application and from such other information as may otherwise be obtained, the Clerk determines that:
- (a) The application (including any required attachments and submissions) is complete and signed by the applicant;
 - (b) The applicant has paid the nonrefundable application fee and any other fees required;
 - (c) The application does not contain a material falsehood or misrepresentation;
 - (d) The proposed location of the facility is permitted in the location sought to be approved is located in a proper zoning district, that the proposed facility is not located in a required buffer zone and the applicant shall not locate or operate a marihuana facility without obtaining all other permits and approvals required by all other applicable ordinances and

regulations of the City of Lapeer.

(3) Provisional license.

- (a) A provisional license means only that the applicant has submitted a valid application for a marihuana facility license, that the proposed facility is located in a proper zoning district, that the proposed facility is not located in a required buffer zone and the applicant shall not locate or operate a marihuana facility without obtaining all other permits and approvals required by all other applicable ordinances and regulations of the City of Lapeer.
 - (b) A provisional license will lapse and be void if such permits and approvals are not diligently pursued as follows:
 - [1] Existing structure with no site changes: 90 days.
 - [2] Existing structure with minimal site changes requiring an administrative zoning review: one year.
 - [3] Proposed construction of a structure requiring site plan review by the Planning Commission: one year.
 - (c) After submission of all other permits and approvals required under the provisional license, and payment of the annual nonrefundable fee, the City Clerk's office shall approve or deny the marihuana facility license within 20 business days.
- (4) Marihuana facility license. A permit issued pursuant to this chapter does not eliminate the need for the applicant to obtain other required licenses and permits related to the operation of the facility(ies) sought to be approved hereunder, including, without limitation, any and all necessary business registration and licenses, building permits, mechanical permits, plumbing permits, or electrical permits. Before a marihuana facility license can be issued under this chapter, all requirements as listed below, including all other applicable provisions within the City of Lapeer's Code, must be met.
- (a) Submit a photocopy of the applicant's valid and current license issued by the State of Michigan in accordance with the Medical Marihuana Facilities Licensing Act, MCLA § 333.27101 et seq.
 - (b) Maintaining a valid marihuana facility license by the State of Michigan is a condition for the issuance and maintenance of a marihuana facility license under this chapter and continued operation of any marihuana facility.
 - (c) Site plan approval and/or other necessary approved permits per Chapter 7, Zoning, are required before the City Clerk is permitted to issue a license.
 - (d) All City of Lapeer departments are required to sign off on their review of the marihuana facility license once approval has been determined. The City of Lapeer Departments and licensed professionals that are part of the review and approval process are as follows:

- [1] Planning Department, Planner/Planning Consultant.
 - [2] Department of Public Works, Director of Public Works.
 - [3] Building Department, Building Official.
 - [4] Assessing Department, Assessor.
 - [5] Fire Department, Fire Chief.
 - [6] Police Department, Police Chief.
 - [7] City Engineering Consultant (site plan reviews only).
- (e) Execute a statement to be initialed by the applicant that the applicant and the employees of the facility(ies) may be subject to prosecution under federal marijuana laws.
 - (f) Execute a statement to be initialed by the applicant that the City of Lapeer accepts no legal liability in connection with the approval and subsequent operation of the facility.
- E. Extension of expiration dates. Extension of an expiration date for those applicants who hold a provisional license with the City of Lapeer due to the delay of issuance of a license at the state level may be considered as follows:
- (1) The applicant may provide a written request to the City for an extension of time prior to the expiration date of a City-approved provisional license when such request for extension is premised on either of the following:
 - (a) A state decision to deny a prequalification application or final application and the applicant is actively appealing such denial as provided under the Act or such other available appellate remedies as allowed by law.
 - (b) State delay of issuance of a license for approval of a prequalification application or final application.
 - (2) The written request shall contain the following:
 - (a) Explanation of the reason(s) for the extension.
 - (b) Whether the applicant has been denied by the state for a prequalification application or final application, and proof the applicant has filed an appeal with the state or as otherwise allowed by law.
 - (3) The City Clerk will review the information provided and make a determination as to the accuracy of the information. After said review, the City Clerk may authorize an extension of the expiration date for up to six months.
 - (4) Upon determination and authorization by the City Clerk for an extension of the expiration date, the City Clerk shall provide the City Commission information relating to the request and length of extension.

§ 68-5. Denial or revocation of license and appeal process.

- A. Denial. An application may be denied by the City Clerk in writing setting forth the grounds for such denial for one or more of the following criteria:
 - (1) A failure to meet the conditions or maintain compliance with the standards and requirements established by this chapter in reference to the operation of a licensed facility;
 - (2) One or more violations of the Medical Marihuana Facilities Licensing Act, MCLA § 333.27101 et seq., or any City ordinance on the premises;
 - (3) Maintenance of a nuisance on the premises, including a failure to control marihuana odor as required by law;
 - (4) Nonpayment of real and/or personal property taxes, fines, liens, income tax, hydrant and sprinkler fees or any fees owed to the City;
 - (5) A demonstrated history of excessive calls for public safety (police, fire and ambulance); or
 - (6) Applicant has made or provided false information in the application or has otherwise become disqualified for the issuance of a marihuana facility license within any part of the requirement and procedure for issuing a license.
- B. Revocation. A marihuana facility license may be revoked by the City Clerk based on the following:
 - (1) Violation of the standards for approval in § 68-5A of this chapter.
 - (2) Denial, suspension, revocation or restriction of license by the State of Michigan.
 - (3) A violation of the Act, any state or local regulations, the provisions of this chapter or the provisions of a license.
 - (4) Failure to control marihuana odor from exiting the property as required under this ordinance.
 - (5) Convictions.
 - (a) Conviction of or release from incarceration for a felony under the laws of this state, or any other state, or the United States of the applicant or the applicant's managerial employees within the past 10 years or has been convicted of a controlled-substance-related felony within the past 10 years.
 - (b) Conviction of an applicant or an applicant's managerial employees of a misdemeanor involving a controlled substance, theft, dishonesty, or fraud in any state or has been found responsible for violating a local ordinance in any state involving a controlled substance, dishonesty, theft, or fraud that substantially corresponds to a misdemeanor in that state within the last five years.
 - (6) Operations have ceased at the facility for more than 90 days, including during a change of ownership of the facility.
 - (7) Ownership of the facility has been transferred without the new owner obtaining a marihuana facility license pursuant to this chapter.
- C. Notice of decision. The Clerk shall notify the applicant of the decision to deny an application for or the revocation of a marihuana facility license under the terms and provisions of this chapter within three business days of rendering the decision. Notice shall be given by mailing a copy of the Clerk's decision to the applicant or license holder by certified mail and/or personal service postage prepaid, at the address shown in the application. Notice is deemed to have been properly given upon mailing by certified mail and/or personal service.

- D. Appeal process. An applicant or licensee has the right to appeal the Clerk's denial of an application for or the revocation of a marihuana facility license to the Lapeer City Commission.
- (1) Any person whose application or license has been denied, suspended, revoked or restricted by the State of Michigan has no recourse through the appeal process with the City of Lapeer.
 - (2) Any person whose application or license has been denied or revoked under § 68-5A or 68-5B by the City of Lapeer will have 30 days from the date of the notice to provide a written response and request for appeal to the City of Lapeer.
 - (3) The applicant or licensee shall be provided with not less than 10 days' prior written notice of the appeal hearing to be held by the City Commission.
 - (4) The burden of proof in an appeal filed under this section shall be on the applicant or licensee.
 - (5) If the Lapeer City Commission finds by a preponderance of the evidence that the decision of the Clerk was correct, the Lapeer City Commission shall uphold the decision of the Clerk. If the Lapeer City Commission finds by a preponderance of the evidence that the decision of the Clerk was incorrect, the Clerk's decision shall be set aside and the marihuana facility license issued (if it was previously denied) or reinstated (if it was previously revoked).
 - (6) Any decision made by the Lapeer City Commission pursuant to this section shall be a final decision and may be appealed to a court of competent jurisdiction by any person within 30 days of the date of the City Commission decision. The applicant's or licensee's failure to timely appeal the decision is a waiver the applicant's or licensee's right to contest the denial of the application or the revocation of the marihuana facility license.
 - (7) Any person whose license has been denied or revoked shall not be able to reapply for any type of license allowed under this chapter for one year from the date a denial or revocation became effective.

§ 68-6. License renewal.

- A. A marihuana facility license shall be valid for one year from the date of issuance, unless revoked as provided by law.
- B. A valid marihuana facility license shall be renewed on an annual basis by submitting a renewal application upon a form provided by the City of Lapeer and payment of the annual license fee. Application to renew a marihuana facility license shall be filed at least 30 days prior to the date of its expiration.

§ 68-7. Applicability.

The provisions of this chapter shall be applicable to all persons and facilities described herein, whether the operations or activities associated with a marihuana facility were established without authorization before the effective date of this chapter.

§ 68-8. Violations and penalties; enforcement.

- A. Any person who violates any of the provisions of this chapter shall be responsible for a municipal civil infraction and subject to the payment of a civil fine as outlined in Chapter 62, Civil Infractions, § 62-4, of the Code of the City of Lapeer. A violator of this chapter shall also be subject to such additional sanctions, remedies and judicial orders as are authorized under Michigan law.

- B. A violation of this chapter is deemed to be a nuisance per se. In addition to any other remedy available at law, the City of Lapeer may bring an action for an injunction or other process against a person to restrain, prevent, or abate any violation of this chapter.
- C. This chapter shall be enforced and administered by the City of Lapeer Police Department, Code Enforcement Officer or Building Official or such other City of Lapeer official as may be designated from time to time by resolution of the Lapeer City Commission.

§ 68-9. Severability.

In the event that any one or more sections, provisions, phrases or words of this chapter shall be found to be invalid by a court of competent jurisdiction, such holding shall not affect the validity or the enforceability of the remaining sections, provisions, phrases or words of this chapter.

§ 68-10. Effective date.

This chapter shall take effect upon publication in a local newspaper of general jurisdiction or as otherwise required by law.

Chapter 69

ADULT USE MARIHUANA BUSINESSES AND FACILITIES

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§ 69-1. Purpose.

- A. Recognizing that there is a potential conflict between federal and state law with respect to the operation of adult use marihuana businesses, it is the purpose and intent of this chapter to give effect to the intent of Initiated Law 1 of 2018, the Michigan Regulation and Taxation of Marihuana Act, MCLA 333.27951 et seq. (the "Act"), as approved by the electors. It is the further intent of this chapter to protect the public health, safety, and general welfare of persons and property, and to license certain locations as specified below, as allowed by the Act.
 - B. This chapter is designed to recognize the fundamental intent of the Act to facilitate the statutory authorization for the limited cultivation, distribution, and use of marihuana in lawful amounts by those adults 21 and over as allowed by the Act; and to regulate around this fundamental intent in a manner that does not conflict with the Act. It is also the intent of this chapter to help defray administrative and enforcement costs associated with the operation of a marihuana facility in the City of Lapeer through imposition of an annual, nonrefundable fee of not more than \$5,000, or such other amount as may be authorized by law or regulation, on each marihuana facility licensee granted by the City of Lapeer under Michigan law and this chapter. Authority for the enactment of these provisions is set forth in the Michigan Regulation and Taxation of Marihuana Act, MCLA 333.27951 et seq.
 - C. Nothing in this chapter shall be construed as allowing persons to engage in conduct that endangers others or causes a public nuisance, or to allow use, cultivation, growth, possession or control of marihuana not in strict accordance with the express authorizations of the Act and this chapter; and nothing in this chapter shall be construed to undermine or provide immunity from federal law or state law as it may be enforced by the federal or state government relative to the cultivation, distribution, or use of marihuana. Thus, the authorization of activity and the approval of a license under this chapter shall not have the effect of superseding or nullifying federal or state law applicable to the cultivation, use, and possession of marihuana, and all applicants and grantees of licenses are on notice that they may be subject to prosecution and civil penalty, including forfeiture of property.
 - D. As of the effective date of this chapter, marihuana remains classified as a Schedule 1 controlled substance under the Federal Controlled Substances Act, 21 U.S.C. § 801 et seq., which makes it unlawful under federal law to manufacture, distribute, or dispense marihuana, or possess marihuana
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with intent to manufacture, distribute, or dispense marihuana. Nothing in this chapter is intended to grant immunity from any criminal prosecution under state or federal laws as they may be enforced by either the federal or state governments relative to such uses and activities. Thus, the authorization of activity and the approval of a license under this chapter shall not have the effect of superseding or nullifying federal or state law applicable to the cultivation, manufacture, possession, use, sale, or distribution of marihuana, in any form, and all applicants and grantees of licenses are on notice that they may be subject to prosecution and civil penalty, including forfeiture of property.

§ 69-2. Definitions.

- A. For the purposes of this chapter, the following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. All definitions have been drawn from and are intended to have the same meaning as those terms are ascribed in the Act or its Rules as provided in the Act:

ACT — The Michigan Regulation and Taxation of Marihuana Act, 2018 Initiated Law 1, MCLA 333.27951 to 333.27967.

AGENCY — The Marijuana Regulatory Agency.

APPLICANT — A person who applies for a license in the City of Lapeer pursuant to this chapter to operate a marihuana retailer, marihuana grower, marihuana processor, marihuana secure transporter, marihuana safety compliance facility or marihuana microbusiness under this chapter.

- (1) For purposes of this definition, an applicant includes a managerial employee of the applicant, a person holding a direct or indirect ownership interest of more than 10% in the applicant, and the following for each type of applicant:
- (a) For an individual or sole proprietorship: the proprietor and spouse.
 - (b) For a partnership and limited liability partnership: all partners and their spouses.
 - (c) For a limited partnership and limited liability limited partnership: all general and limited partners, not including a limited partner holding a direct or indirect ownership interest of 10% or less and who does not exercise control over or participate in the management of the partnership, and their spouses.
 - (d) For a limited liability company: all members and managers, not including a member holding a direct or indirect ownership interest of 10% or less and who does not exercise control over or participate in the management of the company, and their spouses.
 - (e) For a privately held corporation: all corporate officers or persons with equivalent titles and their spouses, all directors and their spouses, and all stockholders, not including those holding a direct or indirect ownership interest of 10% or less, and their spouses.
 - (f) For a publicly held corporation: all corporate officers or persons with equivalent titles and their spouses, all directors and their spouses, and all stockholders, not including those holding a direct or indirect ownership interest of 10% or less, and their spouses.
 - (g) For a multilevel ownership enterprise: any entity or person that receives or has the right to receive more than 10% of the gross or net profit from the enterprise during any full or partial calendar or fiscal year.
 - (h) For a nonprofit corporation: all individuals and entities with membership or shareholder

rights in accordance with the articles of incorporation or the bylaws, and their spouses.

(2) For purposes of this definition, an applicant does not include:

- (a) A person who provides financing to an applicant or licensee under a bona fide financing agreement at a reasonable interest rate.
- (b) A franchisor who grants a franchise to an applicant, provided that the franchisor does not have the right to receive royalties based upon the sale of marihuana or marihuana-infused products by the applicant who is a franchisee. Nothing in this chapter shall be construed to preclude a franchisor from charging an applicant who is a franchisee a fixed fee. As used in this definition, the terms "franchise," "franchisor," and "franchisee" shall have the meanings set forth in Section 2 of the Franchise Investment Law, 1974 PA 269, MCLA 445.1502.
- (c) A person receiving reasonable payment for rent on a fixed basis under a bona fide lease or rental obligation.
- (d) A person receiving reasonable payment under a licensing agreement or contract approved by the agency concerning the licensing of intellectual property, including, but not limited to, brands and recipes.

AUTHORIZED ESTABLISHMENT — That type of marihuana establishment authorized to be licensed in this ordinance within the City of Lapeer.

BUILDING — A combination of materials forming a structure affording an establishment or shelter for use or occupancy by individuals or property. Building includes a part or parts of the building and all equipment in the building. A building shall not be construed to mean a building incidental to the use for agricultural purposes of the land on which the building is located.

BUREAU OF FIRE SERVICES or BFS — The Bureau of Fire Services in the Department of Licensing and Regulatory Affairs.

CITY — The City of Lapeer.

CO-LOCATE — To locate or be in jointly or together; to share or designate to share the same place.

COMMON OWNERSHIP — Two or more state licenses or two or more equivalent licenses held by one person.

COMPLETE APPLICATION — An application that includes all the information required as established in this ordinance or by the City Clerk

CULTIVATE — To propagate, breed, grow, harvest, dry, cure, or separate parts of the marihuana plant by manual or mechanical means.

DEPARTMENT — The Michigan Department of Licensing and Regulatory Affairs or its successor agency.

DESIGNATED CONSUMPTION ESTABLISHMENT — A commercial space that is licensed by the agency and authorized to permit adults 21 years of age and older to consume marihuana products at the location indicated on the state license as permitted by the Rules and Regulations adopted by the Bureau of Marihuana Regulation (BMR).

EMPLOYEE — A person performing work or service for compensation. An employee does not mean individuals providing trade services who are not normally engaged in the operation of a marihuana establishment.

EQUIVALENT LICENSES — Any of the following held by a single licensee:

- (1) A marihuana grower license, of any class, issued under the Act and a grower license, of any class, issued under the MMFLA.
- (2) A marihuana processor license issued under the Act and a processor license issued under the MMFLA.
- (3) A marihuana retailer license issued under the Act and a provisioning center license issued under the MMFLA.
- (4) A marihuana secure transporter license issued under the Act and a secure transporter license issued under the MMFLA.
- (5) A marihuana safety compliance facility license issued under the Act and a safety compliance facility license issued under the MMFLA.

EXCESS MARIHUANA GROWER — A license issued to a person holding five Class C marihuana grower licenses or more and licensed to cultivate marihuana and sell or otherwise transfer marihuana to marihuana establishments.

LICENSEE — A person holding a state license under the Act or a person holding a municipal license granted by the City of Lapeer, or both.

MARIHUANA or MARIJUANA — All parts of the plant of the genus cannabis, growing or not; the seeds of the plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin, including marihuana concentrate and marihuana-infused products. For purposes of this chapter, marihuana does not include:

- (1) The mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted from those stalks, fiber, oil, or cake, or any sterilized seed of the plant that is incapable of germination;
- (2) Industrial hemp; or
- (3) Any other ingredient combined with marihuana to prepare topical or oral administrations, food, drink, or other products.

MARIHUANA ACCESSORIES — Any equipment, product, material, or combination of equipment, products, or materials, which is specifically designed for use of planting, propagating, cultivation, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, ingesting, inhaling, or otherwise introducing marihuana into the human body.

MARIHUANA ESTABLISHMENT — A marihuana grower, marihuana safety compliance facility, marihuana processor, marihuana microbusiness, marihuana retailer, marihuana secure transporter, marihuana designated consumption establishment, or any other type of marihuana-related business licensed to operate by the Agency under the Act.

MARIHUANA EVENT ORGANIZER — A person licensed to apply for a temporary marihuana event license under these rules.

MARIHUANA GROWER — A person licensed to cultivate marihuana and sell or otherwise transfer marihuana to marihuana establishments.

MARIHUANA MICROBUSINESS — A person licensed to cultivate not more than 150 marihuana plants; process and package marihuana; and sell or otherwise transfer marihuana to individuals who are 21 years of age or older or to a marihuana safety compliance facility, but not to other marihuana establishments.

MARIHUANA PROCESSOR — A person licensed to obtain marihuana from marihuana establishments; process and package marihuana; and sell or otherwise transfer marihuana to marihuana establishments.

MARIHUANA RETAILER — A person licensed to obtain marihuana from marihuana establishments and to sell or otherwise transfer marihuana to marihuana establishments and to individuals who are 21 years of age or older.

MARIHUANA SAFETY COMPLIANCE FACILITY — A person licensed to test marihuana, including certification for potency and the presence of contaminants.

MARIHUANA SECURE TRANSPORTER — A person licensed to obtain marihuana from marihuana establishments in order to transport marihuana to marihuana establishments.

MEDICAL MARIHUANA FACILITIES LICENSING ACT or MMFLA — 2016 PA 281, MCLA 333.27101 to 333.27801, which allows for the licensing of medical marihuana facilities.

MUNICIPAL or CITY LICENSE — A license issued by a municipality pursuant to Section 16 of the Act that allows a person to operate a marihuana establishment in that municipality where the Department has failed to timely accept or process an application under the Act.

MUNICIPALITY — The City of Lapeer.

PERSON — An individual, corporation, limited liability company, partnership of any type, trust, or other legal entity.

PROPOSED MARIHUANA ESTABLISHMENT — A location at which an applicant plans to operate a marihuana establishment under the Act and this chapter if the applicant is issued a license.

STAKEHOLDER — The officers, directors, and managerial employees of an applicant and any persons who hold any direct or indirect ownership interest in the applicant.

STATE LICENSE — A license issued by the Department that allows a person to operate a marihuana establishment.

TEMPORARY MARIHUANA EVENT LICENSE — A state license held by a marihuana event organizer for an event where the on-site sale or consumption of marihuana products, or both, are authorized at the location indicated on the state license during the dates indicated on the state license.

- B. To the extent that any terms defined herein are not consistent with the definitions of those same terms under the Act, or any Rules promulgated in furtherance of the Act, then those terms as defined in the Act and Rules shall be the controlling definition.

§ 69-3. Licensing and appeals.

- A. License required. It shall be unlawful for any person to operate a marihuana facility or a marihuana establishment in the City of Lapeer without a valid license for such marihuana facility or a marihuana establishment issued by the City Clerk in accordance with the provisions of this chapter.
- B. Authorization of marihuana establishment licenses; licensing and administrative fees.
- (1) Type of authorized license.

- (a) Pursuant to Section 6 of the MRTMA, MCLA 333.27956, the following adult use business licenses may be authorized to operate in the City of Lapeer by the holder of a state operating license, subject to compliance with the Act, as may be amended, the Rules promulgated thereunder, and this chapter:

License Type	Number
Marihuana Retailer	Six (6) unless increased or decreased by resolution of City Commission.
Marihuana Grower (Class A, B or C)	Eight (8) unless increased or decreased by resolution of the City Commission.
Marihuana Processor	Five (5) unless increased or decreased by resolution of the City Commission
Marihuana Safety Compliance Facility	Unlimited unless increased or decreased by resolution of the City Commission

- (b) If the City Commission reduces, by resolution, the number of licenses available under this Ordinance to a number less than the number of valid licenses issued at the time, such shall not be construed to limit, restrict or prohibit existing Licensees right to request renewal of existing Licenses.
- (c) If a license that was issued under this Ordinance is terminated, lapses, vacated, abandoned, revoked, not renewed, or is returned to the City for any reason, such license(s) are not available to be applied for or reissued until/unless the City of Lapeer City Commission adopts a resolution seeking applicants for the same.
- (d) A marihuana retailer is an authorized establishment under this chapter and Section 6 of the MRTMA, MCLA 333.27956, but only at a location where a medical marihuana provisioning center license has also been approved (co-located). Any operation of the medical marijuana provisioning center, a marijuana retailer, or combination of the two, shall comply with all zoning and regulatory conditions of the original licensure and site plan approval for the licensed location.
- (e) Although the maximum number of each type of marihuana facility permitted in the City of Lapeer is established above, no marihuana facility or a marihuana establishment of any type may be located within the Downtown Development Authority District or Central Business Zoning District.
- (2) No other licenses authorized. Pursuant to Section 6 of the MRTMA, MCLA 333.27956, the City shall not authorize any licenses not listed above in subpart (a). The City specifically prohibits the opening or operation of marihuana microbusiness, designated consumption establishments, marihuana event organizers or temporary marihuana events in the City.
- (3) Application, licensing and administrative fees.
- (a) The city clerk has broad authority, consistent with the terms of this ordinance and the Act, to implement administrative policies and processes for the application and reapplication of licenses under this ordinance.
- (b) The city clerk will establish written policies, criteria, processes, and forms for the application and reapplication for a license under this ordinance.

- (c) Pursuant to Section 6 of the MRTMA, an application for a license shall be accompanied by a nonrefundable application fee to help defray administrative and enforcement costs associated with the operation of the proposed authorized establishment, which shall be in the amount as listed in the City of Lapeer Fee Schedule as approved by the City Commission, per license requested.
- (d) Additionally, for each year in which an applicant has submitted an application for license renewal, a nonrefundable fee shall be paid by each applicant for such renewal, including upon an application for renewal of any license issued pursuant to this chapter, in the amount as listed in the City of Lapeer Fee Schedule as approved by the City Commission, per license requested to defray application, administrative, and enforcement costs associated with the renewal application review and operation of those types of marihuana establishments authorized within the City of Lapeer.

§ 69-4. License applications.

A. Applications required.

- (1) Application from applicant that has applied and received state license prequalification. Any person seeking to operate an authorized marihuana establishment as provided in § 69-3 and who has submitted and received license prequalification from the State of Michigan pursuant to Section 9 of the MRTMA, MCLA 333.27959, shall file a license application with the City Clerk upon a form provided by the City. The application shall include the following information:
 - (a) The full name, date of birth, physical address, email address, and telephone number of the applicant in the case of an individual; or, in the case of an entity, all stakeholders thereof.
 - (b) If the applicant is an entity, the entity's articles of incorporation or organizational documents.
 - (c) If the applicant is an entity, the entity's employer identification number.
 - (d) If the applicant is an entity, the entity's operating agreement or bylaws.
 - (e) A proposed marketing, advertising, and business promotion plan for the proposed authorized establishment.
 - (f) A description of planned tangible capital investment in the City of Lapeer.
 - (g) An explanation of the economic benefits to the City of Lapeer and job creation to be achieved, including the number and type of jobs the authorized establishment is expected to create, the amount and type of compensation expected to be paid for such jobs, and the projected annual budget and revenue of the authorized establishment.
 - (h) A description of the financial structure and financing for the proposed authorized establishment.
 - (i) Short-term and long-term business goals and objectives for the proposed authorized establishment.
 - (j) A criminal background report on the applicant's criminal history. Such reports shall be

obtained by the applicant and, if applicable, each stakeholder through the Internet Criminal History Access Tool (ICHAT) for applicants or stakeholders residing in Michigan and/or through another state-sponsored or authorized criminal history access source for applicants or stakeholders who reside in other states or have resided in other states within five years prior to the date of the application. The applicant or stakeholder is responsible for all charges incurred in requesting and receiving the criminal history report, and the report must be dated within 30 days of the date of the application. The applicant shall disclose all arrests, prosecutions and dispositions, whether identified in the applicant's or each stakeholder's ICHAT report or not. Failure to submit a complete criminal history report or supplemental report by the applicant and the stakeholders will result in disqualification from licensure and removal of the applicant's application from the licensure application process.

- (k) A description of the security plan for the proposed authorized establishment that is consistent with the requirements of the Department.
 - (l) A floor plan of the proposed authorized establishment.
 - (m) A scale diagram illustrating the property upon which the proposed authorized establishment is to be operated, including all available parking spaces, and specifying which parking spaces are handicapped-accessible.
 - (n) A depiction of any proposed text or graphic materials to be shown on the exterior of the proposed authorized establishment.
 - (o) An affidavit that neither the applicant nor any stakeholder of the applicant is in default to the City of Lapeer.
 - (p) A statement by the applicant that the applicant has submitted a valid application for an authorized establishment license under this chapter, that the proposed authorized establishment is located in a proper zoning district, that the proposed authorized establishment is not located in a required buffer zone, and that the applicant understands, acknowledges and agrees that the applicant cannot and shall not locate or operate a proposed authorized establishment without obtaining all other permits and approvals required by all other applicable ordinances and regulations of the City of Lapeer.
 - (q) A complete disclosure of the applicant's and each stakeholder's litigation history, by case name, date, jurisdiction and nature or type of litigation. Failure to submit a complete litigation history by the applicant and the stakeholders will result in disqualification from licensure and removal of the applicant's application from the licensure application process.
- (2) Application from applicant for a municipal license upon Department's failure to timely accept or process applicant's state application, pursuant to Section 16 of the MRTMA, MCLA 333.27966. Any person seeking to operate an authorized marijuana establishment as provided in § 69-3B and who has submitted an application for licensure to the Department, but the Department has failed to timely accept or process the applicant's application as required by Section 16 of the MRTMA, MCLA 333.27966, then the applicant shall provide to the City the applicant's entire application and provide all such information and submissions so as to provide the City with a complete application for review as required by Section 9 of the MRTMA, MCLA 333.27959. In such case, all provisions of the Act and the Rules promulgated by the Department shall be applicable to the applicant's application, the application's review and the operations of the applicant under any resulting municipal license issued by the City. The City shall have available to it all powers and authority reserved to the State of Michigan and the Department not otherwise applicable to the City had the Department issued the applicant a state license under the Act.

- B. Applications exempt from disclosure. Except as provided by law, all materials submitted to the City of Lapeer as part of an application shall be exempt from disclosure under the Freedom of Information

Act and exempt from disclosure pursuant to Section 9 of the MRTMA, MCLA 333.27959(7).

C. Application review.

- (1) The City Clerk may only accept applications for licenses issued under this Ordinance if directed to do so by the City of Lapeer City Commission. Applications received outside of any application window approved by the City of Lapeer City Commission shall be returned.
- (2) The City Clerk shall review each application to ensure that it is complete, that the information required by this chapter has been submitted, and that the application fee has been paid. The City Clerk may reject any application that is not complete and may deny an application for failure to pay the full application fee.
- (3) Upon receipt of a completed application meeting the requirements of this chapter and the appropriate license application fee, the City Clerk shall refer a copy of the application to each

of the following for their approval: the Police Chief, the Fire Chief, the Building Inspector, the City Planner, and the City Treasurer.

- (4) No application shall be approved, and no license shall issue, unless:
 - (a) The Police Chief has reviewed the completeness and accuracy of the background information provided by the applicant in the application.
 - (b) The Fire Chief and the Building Inspector have inspected the proposed location for compliance with all applicable laws for which they are charged with enforcement and for compliance with the requirements of this chapter.
 - (c) The City Planner has confirmed that the proposed location complies with the relevant provisions of the City of Lapeer Zoning Ordinance, the zoning requirements of this chapter and any necessary administrative, Planning Commission or Zoning Board of Appeals approvals.
 - (d) The City Treasurer has confirmed that the applicant and each stakeholder of the applicant are not in default to the City of Lapeer.
- (5) Licenses shall be approved on a first come first served basis, upon receipt, review and approval of all required application materials and planning/zoning approval.

D. Transfer of licenses.

- (1) A license issued pursuant to this chapter is valid only for the Licensee named thereon, the type of business disclosed on the application for the license, and the location for which the license is issued. Licenses issued pursuant to this Ordinance are issued based, in part, upon the location of the proposed Marihuana Establishment, identity of the Licensee, and the Stakeholders of the Licensee.
- (2) A Licensee may not transfer the location of an Authorized Establishment for which a license was issued under this Ordinance. In the event a Licensee desires to transfer the location of an Authorized Establishment, the Licensee shall submit an application for the proposed location transfer and the same will be subject to the same application, review, and approval process applicable to Applicants for a new license under this Ordinance.
- (3) Licenses and/or ownership interests in a Licensee are not transferable except as permitted herein.
 - (a) The transfer, sale, gift, assignment or other conveyance of any ownership interest in a Licensee and/or a license which are solely amongst persons or entities who had an ownership interest in the Licensee or Licensee at the time the License was issued and who were identified on the application for a license as Stakeholders are permitted only if:
 - i. The Licensee provides the City Clerk at least thirty days advanced written notice of the proposed transfer which: (1) details the full ownership structure of Licensee prior to and after the proposed transfer; (2) contains a signed affirmation from all persons that will have an ownership interest in the Licensee after the proposed transfer that they have not been charged with or convicted of any criminal offenses since the License was issued; (3) contains a signed reaffirmation from all persons that will have an ownership interest in the Licensee after the proposed transfer and from Licensee that Licensee will comply with all provisions of the City Ordinance, including the City Zoning Ordinance; and (4) contains such other information as the City requests.
 - ii. The Department has approved or preapproved the proposed transfer.

- iii. The City Clerk verifies the Licensee is not in default with respect to any obligations with respect to City.
 - iv. The City Clerk verifies with City Administration, the City Police Department, the City Building Department, and the City Fire Department that Licensee's Authorized Establishment(s) are not in violation of any rule, regulation, or Ordinance applicable to the Authorized Establishment(s).
 - v. The City Clerk determines the Licensee has complied with this subsection and issues a written approval of the proposed transfer to the Licensee.
- (b) The transfer, sale, gift, assignment or other conveyance of any ownership in a Licensee and/or a license which, in whole or part, are amongst persons or entities who did not have an ownership interest in the Licensee or the license at the time the License was issued or who were not identified on the application for a license as a Stakeholder are not permitted unless approved by the City Commission. In such case, the Licensee shall apply for the proposed transfer, sale, gift, assignment or other conveyance and the same will be subject to the same application, review, and approval process applicable to Applicants for a new license under this Ordinance.
- (c) Any transfer, sale, gift, assignment or other conveyance permitted in a Licensee or license under this section shall be only for the remainder of the unexpired annual license term. The term of the license shall not be affected.
- (4) The licensee shall report all proposed material changes to the Department and the City Clerk prior to making such material changes. For purposes of this section, material changes include, but are not limited to, the following:
 - (a) A proposed change in owners, officers, members, or managers of Licensee;
 - (b) A proposed change of location of licensee;
 - (c) The addition or removal of persons named in the application or disclosed; and
 - (d) Any change in Licensee's name, assumed name, or doing business as name;
- (5) A license granted pursuant to this chapter and the Act is a revocable privilege granted by the City and is not a property right. The issuance of a license does not create or vest any right, title, franchise, or other property interest. Each license is exclusive to the licensee, and a licensee or any other person must apply for and receive the City's approval before a license is transferred, sold, or purchased. A licensee or any other person shall not lease, pledge, or borrow or loan money against a license. The attempted transfer, sale, or other conveyance of an interest in a license without prior City and Department approval is grounds for suspension or revocation of the license or for other sanction considered appropriate by the City.
- E. Term of licenses. Approval of a license shall be for a period of one calendar year, subject to review by the City Clerk upon continued compliance with the regulations of this chapter.
- F. Renewal of licensees.
 - (1) Application for a license renewal shall be made in writing to the City Clerk 30 days prior to the expiration of an existing license.
 - (2) An application for a license renewal required by this chapter shall be made under oath on forms provided by the City Clerk and shall contain substantially all the information required in an initial application.
 - (3) An application for a license renewal shall be accompanied by a renewal fee as set forth in the

City of Lapeer Fee Schedule as approved by the City Commission.

- (4) Upon receipt of a completed application for a license renewal meeting the requirements of this chapter and the license renewal fee, the City Clerk shall refer a copy of the renewal application to the Police Chief, Fire Chief, Building Inspector and Treasurer.
- (5) No application for a license renewal shall be approved unless:
 - (a) The Fire Chief and the Building Inspector or another relevant department have, within the past calendar year, inspected the location for compliance with all state and local building, electrical, fire, mechanical and plumbing requirements.
 - (b) The City Planner or another relevant department has confirmed that the location complied with the relevant provisions of the City of Lapeer Zoning Ordinance at the time the license was granted.
 - (c) The licensee possesses the necessary state licenses or approvals, including those issued pursuant to the Act.
 - (d) The licensee has operated the authorized establishment in accordance with the conditions and requirements of this chapter.
 - (e) The licensee is operating the authorized establishment in accordance with the Act.
- (6) If written approval is given by each department or entity identified in this section, the City Clerk shall issue a license renewal to the licensee. The renewal shall be deemed approved if the City has not issued formal notice of denial within 60 days of the filing date of the application for renewal.
- (7) Pursuant to the MRTMA, any license issued by the City of Lapeer shall expire one year from the date of its issuance. Failure to submit a completed application for renewal of an existing license along with the required renewal fee to the City Clerk before the license expiration date shall be grounds for the revocation or suspension of a license as set forth in Subsection G next below. Any authorized establishment that has not timely submitted a renewal application as required herein shall suspend all business operations until such time as a renewal license has been obtained in accordance with this chapter.
- G. Revocation or suspension of a license. Each authorized establishment within the City of Lapeer for which a license is granted shall be operated and maintained in accordance with all applicable laws, rules, and regulations. Upon any violation of this section or any section of this chapter, the City Clerk may, after a notice and hearing, revoke or suspend such license as hereinafter provided.
- H. Procedure for nonrenewal, suspension, or revocation of license. The City Clerk shall notify an applicant or licensee of the reasons for denial of an application for a license or license renewal or for revocation of a license or any adverse decision under this chapter and provide the applicant or licensee with the opportunity to be heard. Any applicant or licensee aggrieved by the denial or revocation of a license or adverse decision under this chapter may appeal to the Lapeer City Commission. Such appeal shall be taken by filing with the City Clerk, within 21 days after notice of the action complained of has been mailed to the applicant or licensee's last known address on the records of the City Clerk, a written statement setting forth fully the grounds for the appeal. The City Clerk shall transmit all written materials received from the applicant or licensee directly to the Lapeer City Commission. The review on appeal of a denial or revocation or adverse action shall be by the Commission pursuant to this chapter. Any decision by the City Commission on an appeal shall be final. The City Clerk and the Lapeer City Commission may engage professional experts to assist with the proceedings under this section.
- I. Criteria for nonrenewal, suspension, or revocation of license. In addition to any other reasons set forth in this chapter, the City may refuse to issue a license or grant renewal of the license or suspend or

revoke the license for any of the following reasons:

- (1) A material violation of any provision of this chapter or other City ordinances.
- (2) Any conviction of a disqualifying felony by the licensee or any stakeholder of the licensee.
- (3) Denial, suspension, revocation or restriction of an applicable license by the State of Michigan.
- (4) Sufficient evidence that the applicant(s) lack, or have failed to demonstrate, the requisite professionalism and/or business experience required to assure strict adherence to this chapter and the rules and regulations governing the MRTMA and the State of Michigan.
- (5) Nonpayment of real and/or personal property taxes, fines, liens, income tax, hydrant and sprinkler fees or any fees owed to the City.
- (6) The applicant has made or provided false information in the application or has otherwise become disqualified for the issuance of a license.
- (7) Operations have ceased at the licensed location for more than 90 days, including during a change of ownership or transfer of license.
- (8) Transfer of the license for any reason without the new owner or transferee having first notified the Department and the City of any material change in owners, officers, members, or managers and having first received from approval by the Department and the City for any such material change as described in the Rules promulgated by the Department in furtherance of the Act.

§ 69-5. Regulations.

- A. License requirements. A license issued to an authorized establishment under this chapter shall be subject to the following conditions:
- (1) Compliance with the requirements of this chapter, other applicable City of Lapeer ordinances and codes, including all applicable zoning ordinances and requirements, building, property maintenance, electrical, plumbing and mechanical codes, fire codes and all other applicable state laws, including, but not limited to, the MRTMA and the Rules promulgated in conjunction therewith.
 - (2) Signs displayed on the exterior and interior of any authorized establishment shall conform to City of Lapeer sign ordinance requirements as well as all other applicable provisions of Article XVII of Chapter 7, the City Zoning Ordinance.
 - (3) No licensee or authorized establishment shall use advertising material that is misleading, deceptive or false or that, as evidenced by the content of the advertising material or by the medium or the manner in which the advertising material is disseminated, is designed to appeal to minors or otherwise advertise in a manner that is inconsistent with the provisions of the Act or Rules of the Department.
 - (4) Operation of an authorized establishment shall not, either directly or indirectly, cause or create any noise, dust, vibration, glare, fumes, or odors constituting a nuisance and also detectable to the human senses of a reasonable person beyond the boundaries of the property on which the facility is operated.
 - (5) A license that is issued under this chapter shall be posted at all times inside the authorized establishment in a conspicuous location and must be visible to the public near the entrance.
 - (6) Consumption of marihuana or alcohol is prohibited at the facility, and a sign shall be posted on the premises indicating that consumption of marihuana or alcohol is prohibited on the premises.
 - (7) There shall be posted in a conspicuous location and visible to the public in each establishment a

legible sign containing the content of this section warning that:

- (a) The possession, use or distribution of marihuana is a violation of federal law;
 - (b) It is illegal under state law to drive a motor vehicle or to operate machinery when under the influence of, or impaired by, marihuana; and
 - (c) No one under the age of 21 years is permitted on the premises or be in possession of marihuana.
- (8) The authorized establishment shall not allow the sale, consumption, or use of alcohol or tobacco products on the premises.
- (9) The facility shall be free from infestation by insects, rodents, birds, or vermin of any kind.

B. Sales prohibited during certain hours.

- (1) No licensee, employee, or agent of a licensee shall sell or purchase, by sale, barter, exchange, or otherwise, any item under a license issued pursuant to this chapter from or to any person or entity between the hours of 10:01 p.m. and 8:59 a.m. of the following day.
- (2) No marihuana business shall be open to the public except between the hours of 9:00 a.m. to 10:00 p.m. of the same day, only.

C. Prohibited acts.

- (1) It shall be unlawful:
 - (a) For any licensee or authorized establishment to permit the consumption of marihuana or alcohol beverages on the licensed premises.
 - (b) For any licensee or authorized establishment holding a marihuana retailer license, or for any agent, manager or employee thereof, to:
 - [1] Sell, give, dispense or otherwise distribute marihuana from any outdoor location;
 - [2] Display marihuana or marihuana accessories so as to be visible from a public place outside of the marihuana establishment;
 - [3] Sell or display any marihuana accessory targeted to persons under the age of 21 or minors, such as those fashioned as superhero comic book characters, cartoon characters, children's television characters and the like;
 - [4] Sell or display any unsafe marihuana accessories or glass accessories made of non-Pyrex[®] rated glass materials;
 - [5] Manufacture, sell or display any marihuana accessory fashioned to look like guns or other weapons;
 - [6] Manufacture, sell or display any accessory that contains any name, emblem, badge, mark, seal or logo of the City of Lapeer or its departments or a reasonable facsimile thereof.
 - (c) For retail marihuana establishments to distribute marihuana or marihuana-infused products to a consumer free of charge.
 - (d) For any licensee or authorized establishment to permit the consumption of marihuana or marihuana products on the licensed premises.

- (2) In conformance with the Michigan Regulation and Taxation of Marihuana Act, the sale or consumption of marihuana in any form and the sale or display of marihuana accessories, as defined by that Act, is prohibited in any public places owned, occupied, or managed by the City of Lapeer.
 - (3) This section does not supersede rights and obligations with respect to the transfer and consumption of marihuana on private property to the extent authorized by the person who owns, occupies or operates such property, as provided and authorized by the Act, and does not supersede rights and obligations with respect to the use of marihuana for medicinal purposes as provided by any law of the State of Michigan allowing for or regulating marihuana for medical use.
- D. Compliance with state laws. Each licensee and employee must comply with the terms of state laws, including, but not limited to, the MMFLA and the MRTMA, any amendments thereto, as well as any Rules promulgated pursuant to the MMFLA or the MRTMA. Nothing in this chapter is intended to grant immunity from criminal or civil prosecution, penalty, or sanction for the cultivation, manufacture, possession, use, sale, or distribution of marihuana, in any form, that is not in compliance with the Michigan Medical Marihuana Act, Initiated Law 1 of 2008, MCLA 333.26421 et seq.; the Medical Marihuana Facilities Licensing Act, MCLA 333.27101 et seq.; the Marihuana Tracking Act, MCLA 333.27901 et seq.; the Michigan Regulation and Taxation of Marihuana Act, MCLA 333.27951 et seq., and all other applicable Rules promulgated by the State of Michigan. This chapter permits authorizations for activity based on the Michigan Regulation and Taxation of Marihuana Act, MCLA 333.27951 et seq. Nothing in this chapter shall be construed as allowing persons to engage in conduct that endangers others or causes a public nuisance, or to allow marihuana uses and activities not in strict accordance with the express authorizations of the Michigan Regulation and Taxation of Marihuana Act, MCLA 333.27951 et seq., or the Medical Marihuana Facilities Licensing Act, MCLA 333.27101 et seq.
- E. Compliance with zoning and other ordinances. Every licensee and employee shall comply with all requirements for the business location at which work, pursuant to any license issued under this chapter, occurs as provided in any applicable zoning and other ordinances of the City of Lapeer.
- F. Minors prohibited. No person shall permit any person under the age of 21 years to come upon or remain on the premises of any business licensed herein, except as provided by the MMFLA.

§ 69-6. Penalties and enforcement.

Any person who violates this chapter shall be responsible for a municipal civil infraction and punished by a fine of not more than \$500 pursuant to Section 6 of the MRTMA, MCLA 333.27956. This chapter shall be enforced and administered by the City of Lapeer Police Department, code enforcement officer, city manager and city attorney or such other City of Lapeer official as may be designated from time to time by resolution of the City Commission. In addition to any remedies available at law, the City may bring an action for an injunction or other process against a person to restrain, prevent, or abate any violation of the ordinance.

§ 69-7. Repealer.

All ordinances and resolutions heretofore adopted inconsistent herewith are hereby repealed to the extent that the provisions thereof are inconsistent with the provisions hereof.

§ 69-8. Severability.

In the event that any one or more sections, provisions, phrases or words of this chapter shall be found to be

invalid by a court of competent jurisdiction, such holding shall not affect the validity or the enforceability of the remaining sections, provisions, phrases or words of this chapter.

§ 69-9. When effective.

This ordinance shall take effect upon publication in a newspaper of general circulation in the City or as otherwise may be required by law and shall be maintained in the office of the City Clerk.

DRAFT



ITEM J-1

To: Mayor and City Commission
Date: October 15, 2024
RE: Boards & Commissions Appointments

MAYORAL APPOINTMENT

BOARD OR COMMISSION	MEMBER NAME	CURRENT TERM EXPIRES	TERM LENGTH	NEW TERM EXPIRATION	COMMENTS Re: STATUS
County Center Board	Vacancy	Jan 1, 2025	1 Year		
Downtown Development Authority	Vacancy Vacancy	Jan 1, 2025 Jan 1, 2028	4 Year		
EDC/TIFA/Brownfield	Vacancy	Mar 1, 2025	6 Year		
Planning Commission	Vacancy Vacancy	Aug 1, 2027 Aug 1, 2027	3 Year 3 Year		

COMMISSION APPOINTMENTS

BOARD OR COMMISSION	MEMBER NAME	EXPIRATION	TERM LENGTH	NEW TERM EXPIRATION	COMMENTS Re: STATUS
Board of Review	Vacancy	Jan 1, 2026	3 Year		
Prison Liaison Committee	Vacancy	Apr 1, 2025	3 Year		
Zoning Board of Appeals	Vacancy – Alternate	Apr 1, 2027	3 Year		

The following residents have applied to a Board or Commission:

Board/Commission:	Name:	Date Submitted:
Downtown Development Authority	Tamara Cutcher	July 26, 2024, DDA BOARD RECOMMENDS
Planning Commission	Audrey Brady	August 12, 2024
Planning Commission	Mackey White	August 16, 2024
Planning Commission	Jannice Ferdon	August 20, 2024
EDC/TIFA/Brownfield	Jannice Ferdon	August 20, 2024

AGENDA ITEM REVIEW

Meeting Date: October 21, 2024

Date Reviewed: October 15, 2024

Reviewed By: City Clerk's Office



DRAFT

171 2024 9-25 DDA TIF Revenue Sharing Program

Moved by Roodvoets. Supported by Gillingham.

To authorize the Executive Director to begin discussions with the appropriate parties concerning potential options for a DDA TIF Revenue Sharing Program.

Yeas: Members Bostick-Tullius, Roodvoets, Fanson, Marquardt, Herr, Beyer, Gillingham, Schwab and Rogers.

Nays: None.

Absent: Hogan and Sharkey.

MOTION CARRIED.

Board Resignation – Moffitt

172 2024 9-25 Board Resignation - Moffitt

Moved by Fanson. Supported by Schwab.

To accept the resignation of Elizabeth Moffitt from the DDA Board.

Yeas: Members Bostick-Tullius, Roodvoets, Fanson, Marquardt, Herr, Beyer, Gillingham, Schwab and Rogers.

Nays: None.

Absent: Hogan and Sharkey.

MOTION CARRIED.

Board Vacancy Recommendation – Cutcher

The board reviewed the application received from Tamara Cutcher to serve on the DDA and discussion was held on Cutcher's qualifications and service on the Events Committee and the WinterFest sub-committee.

173 2024 9-25 Board Recommendation - Cutcher

Moved by Herr. Supported by Gillingham.

To recommend the Mayor/City Commission appoint Tamara Cutcher to the Downtown Development Authority.

Yeas: Members Bostick-Tullius, Roodvoets, Fanson, Marquardt, Herr, Beyer, Gillingham, Schwab and Rogers.

Nays: None.

Absent: Hogan and Sharkey.

MOTION CARRIED.

BOARD MEMBER COMMENTS

There were no additional board member comments.

ADJOURNMENT

It was moved by Marquardt to adjourn the meeting at 8:30 a.m.

MEETING ADJOURNED.



DRAFT

Ashley Fanson, Secretary



Application for Boards and/or Commissions

Please complete, sign and date the application and return to:
City Clerk's Office, 576 Liberty Park, Lapeer, MI 48446
810-664-5231

Email: clerk@ci.lapeer.mi.us

☐ Accuracy Board	☒ Downtown Development Authority	☐ Lapeer Neighborhoods, Inc.
☐ Board of Review	☐ Economic Development Corporation / Tax Increment Financing Authority / Brownfield Redevelopment Authority	☐ Local Development Finance Authority
☐ Cemetery Board	☐ Greater Lapeer Transportation Authority	☐ Local Officers Compensation Commission
☐ Center for the Arts of Greater Lapeer	☐ Income Tax Board of Review	☐ Park Board
☐ Construction Board of Review	☐ Lapeer Building Authority	☐ Planning Commission
☐ County Center Board	☐ Lapeer Housing Commission	☐ Zoning Board of Appeals
☐ District Library Board	☐ Lapeer Housing Board of Appeals	

Please tell us why you wish to serve on this Board or Commission; describe your relevant experience; and what do you feel you can contribute to the Board or Commission:

I own a store in Downtown Lapeer, I enjoy the events and watching families having fun. I am already on the Event Committee and Winterfest Committee. I would like to help out in other areas and see more improvements and a more positive attitude, upbeat in any way to bring more visitors and businesses into our lovely Downtown.

Applicant Information:

Print Name: Tamara Cutcher
(First) (Last)

Street Address: [REDACTED]

Home Phone: [REDACTED]

Email: [REDACTED]

Employer: Self employed Occupation: Retail Store owner

Educational Background:

Associate of Applied Science MA/PA

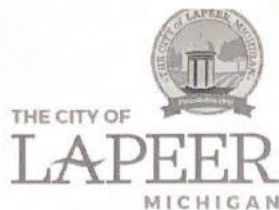
Community Activities and/or Work Experience:

I was in the Medical field for over 20 years, Hospice. Now own my own business and moved it Downtown 5 years ago. Active member of Strength in Numbers, SSA Winterfest and event Committees.

Tamara Cutcher
Signature

July 26, 2024
Date

Thank you for your interest in serving on one of our Boards or Commission. All information on this application is public information and subject to disclosure in response to public records request made pursuant to the Freedom of Information Act.



Application for Boards and/or Commissions

Please complete, sign and date the application and return to:
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810-664-5231

Email: clerk@ci.lapeer.mi.us

☐ Accuracy Board	☐ Downtown Development Authority	☐ Lapeer Neighborhoods, Inc.
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☐ Construction Board of Review	☐ Lapeer Building Authority	☒ Planning Commission
☐ County Center Board	☐ Lapeer Housing Commission	☐ Zoning Board of Appeals
☐ District Library Board	☐ Lapeer Housing Board of Appeals	

Please tell us why you wish to serve on this Board or Commission; describe your relevant experience; and what do you feel you can contribute to the Board or Commission:

I like to consider the big-picture plan in every situation and thoughtfully make decisions that support the overall strategy or mission of a group. I have experience working with various teams of people at local churches to accomplish desired outcomes and events. I will bring thoughtfulness and thoroughness to the planning commission.

Applicant Information:

Print Name: Audrey Brady
(First) (Last)

Street Address: West Genesee Street

Home Phone: [REDACTED] Cell Phone: [REDACTED]

Email: [REDACTED]@gmail.com

Employer: Lapeer Community Schools Occupation: Virtual Partnership Classroom Mentor

Educational Background: Associates Degree in Applied Science: Interior Design from Baker College

Community Activities and/or Work Experience: Lapeer Community Church Student Ministries
Faith Christian Family Church Children's Ministry
Chaffield School Teacher Assistant Sub
Beautiful U Salon + Spa Reception Manager

Signature: Audrey Brady

Date: 8-11-24

Thank you for your interest in serving on one of our Boards or Commission. All information on this application is public information and subject to disclosure in response to public records request made pursuant to the Freedom of Information Act.



RECEIVED

Application for Boards and/or Commissions

Please complete, sign and date the application and return to:

AUG 16 2024

City Clerk's Office, 576 Liberty Park, Lapeer, MI 48446

810-664-5231

CITY MANAGER
LAPEER, MI

Email: clerk@ci.lapeer.mi.us

☐ Accuracy Board	☐ Downtown Development Authority	☐ Lapeer Neighborhoods, Inc.
☐ Board of Review	☐ Economic Development Corporation / Tax Increment Financing Authority / Brownfield Redevelopment Authority	☐ Local Development Finance Authority
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☐ Construction Board of Review	☐ Lapeer Building Authority	☒ Planning Commission
☐ County Center Board	☐ Lapeer Housing Commission	☐ Zoning Board of Appeals
☐ District Library Board	☐ Lapeer Housing Board of Appeals	

Please tell us why you wish to serve on this Board or Commission; describe your relevant experience; and what do you feel you can contribute to the Board or Commission:

I believe it is right and necessary for citizens of a community to sacrifice and take responsibility for the welfare of that community. As a resident of the City of Lapeer, I want to give my time and effort to help keep this place great. I know the Planning Commission has an opening and that it is an important part of our city government. With my training in philosophy, theology, and teaching, I am able to study, learn, and understand the City's Master Plan and Zoning Ordinances which will allow me to be a successful commissioner. My training in the Marines, likewise, has prepared me for working in a team, as well as using tact to engage with people of different personalities and temperaments. Altogether, I will be able to contribute to the success of the Planning Commission and to the success of the City of Lapeer.

Applicant Information:

Print Name:

Mackey

(First)

White

(Last)

Street Address: [REDACTED] N. Calhoun St. Lapeer

Home Phone: N/A

Cell Phone: [REDACTED]

Email: [REDACTED]@gmail.com

Employer: Powers Catholic High School

Occupation: Teacher

Educational Background:

Bachelor's Degree in Philosophy & Theology

Community Activities and/or Work Experience:

*Knights of Columbus Fundraisers

*United States Marine Corps

*Support the Downtown

*Teacher

*Immaculate Conception Church

*Participant in City events & activities

Signature

Date

8/16/24

Thank you for your interest in serving on one of our Boards or Commission. All information on this application is public information and subject to disclosure in response to public records request made pursuant to the Freedom of Information Act.



Application for Boards and/or Commissions

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810-664-5231

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☐ Cemetery Board	☐ Greater Lapeer Transportation Authority	☒ Local Officers Compensation Commission
☐ Center for the Arts of Greater Lapeer	☒ Income Tax Board of Review	☐ Park Board
☐ Construction Board of Review	☐ Lapeer Building Authority	☒ Planning Commission
☐ County Center Board	☐ Lapeer Housing Commission	☐ Zoning Board of Appeals
☐ District Library Board	☐ Lapeer Housing Board of Appeals	

Please tell us why you wish to serve on this Board or Commission; describe your relevant experience; and what do you feel you can contribute to the Board or Commission:

I am a strategic, creative, compliance-focused, integrity-driven Human Resource Generalist and leader of three in collaborative planning and execution of strategic business initiatives and the implementation of new and approved processes. I welcome the challenge of problem-solving and working through obstacles that hinder progress. I am an advocate for the employee and employer, I am energized by coaching and mentoring all professional levels for organizational excellence.

Applicant Information:

Print Name: Jannice Feldon
(First) (Last)

Street Address: Lincoln St Lapeer

Home Phone: [REDACTED]

Cell Phone: [REDACTED]

Email: [REDACTED]@yahoo.com

Employer: Hutchinson Corporation

Occupation: HR Generalist

Educational Background: Certification - American Society of Employees Human Resource Generalist. 10 years Human Resource experience

Community Activities and/or Work Experience: Volunteer for Habitat for Humanity 3 yrs

Leader and First Responder of the Safety & Sustainability Committee

First Aid including Stop the Bleed

Member of Faith Christian Family Church

Signature

Date

Thank you for your interest in serving on one of our Boards or Commission. All information on this application is public information and subject to disclosure in response to public records request made pursuant to the Freedom of Information Act.



ITEM K-1

To: Mayor and City Commission
Date: October 14, 2024
RE: MONTHLY OPERATIONAL REPORTS

CITY DEPARTMENTS:

- 1. BUILDING DEPARTMENT**
- 2. FINANCIAL SERVICES DEPARTMENT**
 - A. ASSESSING DIVISION
 - B. INCOME TAX DIVISION
 - C. ACCOUNTING/DATA PROCESSING DIVISION
- 3. FIRE AND RESCUE DEPARTMENT**
- 4. HOUSING AND NEIGHBORHOOD DEVELOPMENT DEPARTMENT**
 - A. LAPEER HOUSING COMMISSION (LHC)
 - B. LAPEER NEIGHBORHOOD'S INC. (LNI)
 - C. COMMUNITY DEVELOPMENT
- 5. PLANNING DEPARTMENT**
 - A. DEVELOPMENT ACTIVITIES
- 6. POLICE DEPARTMENT**
 - A. POLICE
 - B. ORDINANCE ENFORCEMENT
 - C. PARKING DIVISION
- 7. PUBLIC WORKS DEPARTMENT**
 - A. SEWER UTILITY DIVISION
 - B. STREET DIVISION
 - C. WATER DIVISION
 - D. WASTEWATER DIVISION
- 8. MARIJUANA MONTHLY REPORT**

AGENDA ITEM REVIEW

Meeting Date: October 21, 2024

Date Reviewed: October 14, 2024

Reviewed By: City Clerk's Office

Permit Summary Report

Building Department
576 Liberty Park
Lapeer, MI 48446
810-245-9621

DATE ISSUED	PERMIT TYPE	PERMIT CATEGORY	ADDRESS	FEES PAID	STATUS
09/18/2024	Building	Single Family Home	265 DEVONSHIRE DR	\$1,458.00	ISSUED
09/18/2024	Building	Single Family Home	267 DEVONSHIRE DR	\$1,458.00	ISSUED
09/18/2024	Building	Single Family Home	279 DEVONSHIRE DR	\$1,458.00	ISSUED
09/10/2024	Building	Commercial, Add/Alter/Repair	715 S MAIN ST	\$2,888.00	ISSUED
09/12/2024	Building	Tenant Space Finish	558 S MAIN ST	\$2,895.00	ISSUED
09/24/2024	Building	Tenant Space Finish	240 W NEPESSING ST	\$1,650.00	ISSUED
09/10/2024	Building	Single Family Home	2825 SOMERSET ST	\$1,477.00	ISSUED
09/11/2024	Building	Single Family Home	1466 LINCOLN ST	\$1,294.00	ISSUED
09/11/2024	Building	Single Family Home	1468 LINCOLN ST	\$1,294.00	ISSUED
09/11/2024	Building	Single Family Home	1470 LINCOLN ST	\$1,294.00	ISSUED
09/16/2024	Building	Sign	1779 W GENESEE ST	\$181.00	ISSUED
09/16/2024	Building	Roof	108 HOWARD ST	\$262.00	ISSUED
09/24/2024	Building	Residential Add/Alter/Repair	938 W OREGON ST	\$558.00	ISSUED
09/24/2024	Building	Residential Add/Alter/Repair	424 S SAGINAW ST	\$268.00	ISSUED
09/23/2024	Building	Window Replacement	108 W PARK ST	\$181.00	ISSUED
10/01/2024	Building	Commercial, Add/Alter/Repair	9 E GENESEE ST	\$1,072.00	ISSUED
09/25/2024	Building	Roof	936 LINCOLN ST	\$196.00	ISSUED
09/30/2024	Building	Residential Add/Alter/Repair	205 PARK WAY	\$181.00	ISSUED
09/30/2024	Building	Residential Add/Alter/Repair	3061 W OREGON ST	\$258.00	ISSUED
09/30/2024	Building	Sign	606 N SAGINAW ST STE G	\$100.00	ISSUED
10/02/2024	Building	Roof	156 LINCOLN ST	\$524.00	ISSUED
10/02/2024	Building	Carport	2300 W GENESEE ST	\$0.00	ISSUED
10/09/2024	Building	Roof	15 E GENESEE ST	\$358.00	ISSUED
10/10/2024	Building	Roof	33 UNION ST	\$196.00	ISSUED
09/26/2024	Electrical	Electrical	780 WHITNEY DR	\$567.00	ISSUED
09/17/2024	Electrical	Electrical	835 S SAGINAW ST	\$171.00	ISSUED
10/03/2024	Electrical	Electrical	905 WASHINGTON ST	\$98.00	ISSUED
10/09/2024	Electrical	Electrical	715 S MAIN ST	\$575.00	ISSUED
10/08/2024	Electrical	Electrical	706 WASHINGTON ST	\$195.00	ISSUED

Permit Summary Report

10/10/24

Building Department
576 Liberty Park
Lapeer, MI 48446
810-245-9621

DATE ISSUED	PERMIT TYPE	PERMIT CATEGORY	ADDRESS	FEES PAID	STATUS
09/10/2024	Mechanical	Mechanical	1073 S MAIN ST	\$567.00	ISSUED
09/11/2024	Mechanical	Mechanical	1013 LANCASTER ST	\$243.00	ISSUED
09/17/2024	Mechanical	Mechanical	835 S SAGINAW ST	\$172.80	ISSUED
09/26/2024	Mechanical	Mechanical	407 GOLFSIDE DR	\$324.00	ISSUED
10/07/2024	Mechanical	Mechanical	814 W NEPESSING ST	\$325.00	ISSUED
10/01/2024	Mechanical	Mechanical	323 KYLES PL	\$429.00	ISSUED
10/03/2024	Mechanical	Mechanical	905 WASHINGTON ST	\$217.00	ISSUED
10/07/2024	Mechanical	Mechanical	55 HARTLEY ST	\$217.00	ISSUED
10/07/2024	Mechanical	Mechanical	1315 FIRST ST	\$227.00	ISSUED
10/10/2024	Mechanical	Mechanical	917 W PARK ST	\$185.00	ISSUED
09/25/2024	Plumbing	Plumbing	1234 RUTHERFORD ST	\$465.00	ISSUED
09/26/2024	Plumbing	Plumbing	407 GOLFSIDE DR	\$324.00	ISSUED
09/11/2024	R.O.W.	Right of Way	1466 LINCOLN ST	\$250.00	ISSUED
09/11/2024	R.O.W.	Right of Way	1468 LINCOLN ST	\$250.00	ISSUED
09/11/2024	R.O.W.	Right of Way	1470 LINCOLN ST	\$250.00	ISSUED
09/25/2024	R.O.W.	Right of Way	19 LAW ST	\$250.00	ISSUED
10/07/2024	R.O.W.	Right of Way	163 LINCOLN ST	\$250.00	ISSUED
09/18/2024	Sewer	Sewer	265 DEVONSHIRE DR	\$4,000.00	ISSUED
09/18/2024	Sewer	Sewer	267 DEVONSHIRE DR	\$4,000.00	ISSUED
09/18/2024	Sewer	Sewer	279 DEVONSHIRE DR	\$4,000.00	ISSUED
09/11/2024	Sewer	Sewer	1466 LINCOLN ST	\$4,000.00	ISSUED
09/11/2024	Sewer	Sewer	1468 LINCOLN ST	\$4,000.00	ISSUED
09/11/2024	Sewer	Sewer	1470 LINCOLN ST	\$4,000.00	ISSUED
09/18/2024	Water	Water	265 DEVONSHIRE DR	\$2,750.00	ISSUED
09/18/2024	Water	Water	267 DEVONSHIRE DR	\$2,750.00	ISSUED
09/18/2024	Water	Water	279 DEVONSHIRE DR	\$2,750.00	ISSUED
09/11/2024	Water	Water	1466 LINCOLN ST	\$2,750.00	ISSUED
09/11/2024	Water	Water	1468 LINCOLN ST	\$2,750.00	ISSUED
09/11/2024	Water	Water	1470 LINCOLN ST	\$2,750.00	ISSUED

Permit Summary Report

10/10/24

Building Department
576 Liberty Park
Lapeer, MI 48446
810-245-9621

DATE ISSUED	PERMIT TYPE	PERMIT CATEGORY	ADDRESS	FEES PAID	STATUS
09/24/2024	COMPLIANCE PERMIT	Certificate of Compliance/Occu	700 S MAIN ST STE 102	\$81.00	ISSUED
09/26/2024	COMPLIANCE PERMIT	Certificate of Compliance/Occu	104 W NEPESSING ST A	\$81.00	ISSUED
09/30/2024	COMPLIANCE PERMIT	Shed	2725 BERKSHIRE ST	\$42.00	ISSUED
10/03/2024	COMPLIANCE PERMIT	Porch	634 W PARK ST	\$162.00	ISSUED
10/07/2024	COMPLIANCE PERMIT	Miscellaneous	1365 FIRST ST	\$162.00	ISSUED
10/10/2024	COMPLIANCE PERMIT	Shed	219 W FAIR ST	\$42.00	ISSUED
10/10/2024	COMPLIANCE PERMIT	Fence	834 N MAIN ST	\$81.00	ISSUED
10/10/2024	COMPLIANCE PERMIT	Certificate of Compliance/Occu	108 HOWARD ST	\$81.00	ISSUED

TOTAL FEES PAID: \$69,284.80

Monthly Rental Certificates

BUILDING DEPARTMENT
576 LIBERTY PARK
LAPEER, MI 48446
810-245-9621

Property Address	Holder Name	Certificate Number	Status	Date Issued	Date Expires	Total Amount
207 N COURT ST 2	EDGERTON, WAYNE & PAULA	CR23-0212	Certified	10/07/2024	02/25/2025	40.00
829 CEDAR ST	MARQUARDT, DANIEL LYNN	CR24-0365	Certified	09/10/2024	07/24/2026	150.00
523 N MADISON ST 1	HUTCHINS, WILLIAM J & STE	CR24-0382	Certified	09/11/2024	06/26/2026	231.00
109 N COURT ST	GERLACH'S PROPERTIES LLC	CR24-0395	Certified	09/10/2024	07/16/2026	150.00
256 W GENESEE ST 1	GERLACH'S PROPERTIES LLC	CR24-0397	Certified	09/10/2024	07/16/2026	250.00
256 W GENESEE ST 2	GERLACH'S PROPERTIES LLC	CR24-0398	Certified	09/10/2024	07/16/2026	50.00
256 W GENESEE ST 3	GERLACH'S PROPERTIES LLC	CR24-0399	Certified	09/10/2024	07/16/2026	50.00
288 W GENESEE ST 4	GERLACH'S PROPERTIES LLC	CR24-0400	Certified	09/10/2024	07/16/2026	50.00
288 W GENESEE ST 5	GERLACH'S PROPERTIES LLC	CR24-0401	Certified	09/10/2024	07/16/2026	50.00
308 W GENESEE ST 6	GERLACH'S PROPERTIES LLC	CR24-0402	Certified	09/10/2024	07/16/2026	50.00
308 W GENESEE ST 8	GERLACH'S PROPERTIES LLC	CR24-0404	Certified	09/10/2024	07/16/2026	50.00
331 HORTON ST	GERLACH'S PROPERTIES LLC	CR24-0406	Certified	09/10/2024	07/16/2026	150.00
823 N CALHOUN ST 1	GERLACHS PROPERTIES LLC	CR24-0407	Certified	09/10/2024	07/16/2026	200.00
823 N CALHOUN ST 2	GERLACHS PROPERTIES LLC	CR24-0408	Certified	09/17/2024	07/16/2026	50.00
825 N CALHOUN ST	GERLACHS PROPERTIES LLC	CR24-0409	Certified	09/16/2024	07/16/2026	50.00
1677 WOOD BRIDGE PARK AVE 102	IVY TERRACE LAPEER LLC	CR24-0419	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 103	IVY TERRACE LAPEER LLC	CR24-0420	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 104	IVY TERRACE LAPEER LLC	CR24-0421	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 105	IVY TERRACE LAPEER LLC	CR24-0422	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 106	IVY TERRACE LAPEER LLC	CR24-0423	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 107	IVY TERRACE LAPEER LLC	CR24-0424	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 108	IVY TERRACE LAPEER LLC	CR24-0425	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 109	IVY TERRACE LAPEER LLC	CR24-0426	Certified	09/24/2024	08/20/2026	50.00

Property Address	Holder Name	Certificate Number	Status	Date Issued	Date Expires	Total Amount
1677 WOOD BRIDGE PARK AVE 110	IVY TERRACE LAPEER LLC	CR24-0427	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 111	IVY TERRACE LAPEER LLC	CR24-0428	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 112	IVY TERRACE LAPEER LLC	CR24-0429	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 113	IVY TERRACE LAPEER LLC	CR24-0430	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 114	IVY TERRACE LAPEER LLC	CR24-0431	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 115	IVY TERRACE LAPEER LLC	CR24-0432	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 201	IVY TERRACE LAPEER LLC	CR24-0433	Certified	09/24/2024	08/20/2026	150.00
1677 WOOD BRIDGE PARK AVE 202	IVY TERRACE LAPEER LLC	CR24-0434	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 203	IVY TERRACE LAPEER LLC	CR24-0435	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 204	IVY TERRACE LAPEER LLC	CR24-0436	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 205	IVY TERRACE LAPEER LLC	CR24-0437	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 206	IVY TERRACE LAPEER LLC	CR24-0438	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 207	IVY TERRACE LAPEER LLC	CR24-0439	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 208	IVY TERRACE LAPEER LLC	CR24-0440	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 209	IVY TERRACE LAPEER LLC	CR24-0441	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 210	IVY TERRACE LAPEER LLC	CR24-0442	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 211	IVY TERRACE LAPEER LLC	CR24-0443	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 212	IVY TERRACE LAPEER LLC	CR24-0444	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 213	IVY TERRACE LAPEER LLC	CR24-0445	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 214	IVY TERRACE LAPEER LLC	CR24-0446	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 215	IVY TERRACE LAPEER LLC	CR24-0447	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 216	IVY TERRACE LAPEER LLC	CR24-0448	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 217	IVY TERRACE LAPEER LLC	CR24-0449	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 301	IVY TERRACE LAPEER LLC	CR24-0450	Certified	09/24/2024	08/20/2026	150.00
1677 WOOD BRIDGE PARK AVE 302	IVY TERRACE LAPEER LLC	CR24-0451	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 303	IVY TERRACE LAPEER LLC	CR24-0452	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 304	IVY TERRACE LAPEER LLC	CR24-0453	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 305	IVY TERRACE LAPEER LLC	CR24-0454	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 306	IVY TERRACE LAPEER LLC	CR24-0455	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 307	IVY TERRACE LAPEER LLC	CR24-0456	Certified	09/24/2024	08/20/2026	50.00

Property Address	Holder Name	Certificate Number	Status	Date Issued	Date Expires	Total Amount
1677 WOOD BRIDGE PARK AVE 308	IVY TERRACE LAPEER LLC	CR24-0457	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 309	IVY TERRACE LAPEER LLC	CR24-0458	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 310	IVY TERRACE LAPEER LLC	CR24-0459	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 311	IVY TERRACE LAPEER LLC	CR24-0460	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 312	IVY TERRACE LAPEER LLC	CR24-0461	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 313	IVY TERRACE LAPEER LLC	CR24-0462	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 314	IVY TERRACE LAPEER LLC	CR24-0463	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 315	IVY TERRACE LAPEER LLC	CR24-0464	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 316	IVY TERRACE LAPEER LLC	CR24-0465	Certified	09/24/2024	08/20/2026	50.00
1677 WOOD BRIDGE PARK AVE 317	IVY TERRACE LAPEER LLC	CR24-0466	Certified	09/24/2024	08/20/2026	50.00
632 TURRILL AVE	MARLER HARLOW	CR24-0469	Certified	09/16/2024	09/06/2026	150.00
1081 N SAGINAW ST	SMALL BLESSINGS LLC	CR24-0470	Certified	09/16/2024	09/06/2026	150.00
1085 N SAGINAW ST	SMALL BLESSINGS LLC	CR24-0471	Certified	09/16/2024	09/06/2026	50.00
75 MILL ST	CASTILLO-AGUILAR, EDUAR	CR24-0472	Certified	09/18/2024	09/11/2026	150.00
405 CEDAR ST 1	JMR HOLDINGS & INVESTME	CR24-0473	Certified	09/26/2024	09/26/2026	150.00
405 CEDAR ST 2	JMR HOLDINGS & INVESTME	CR24-0474	Certified	09/26/2024	09/26/2026	50.00
405 CEDAR ST 3	JMR HOLDINGS & INVESTME	CR24-0475	Certified	09/26/2024	09/26/2026	50.00
405 CEDAR ST 4	JMR HOLDINGS & INVESTME	CR24-0476	Certified	09/26/2024	09/26/2026	50.00
1315 FIRST ST	GOLM, JONATHAN A & KATHE	CR24-0478	Certified	10/08/2024	10/08/2026	150.00
544 N SAGINAW ST #101	LAPEER HOUSING COMMISSI	CR24-0480	Certified	10/03/2024	10/16/2026	800.00
544 N SAGINAW ST #102	LAPEER HOUSING COMMISSI	CR24-0481	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #103	LAPEER HOUSING COMMISSI	CR24-0482	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #104	LAPEER HOUSING COMMISSI	CR24-0483	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #105	LAPEER HOUSING COMMISSI	CR24-0484	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #201	LAPEER HOUSING COMMISSI	CR24-0485	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #202	LAPEER HOUSING COMMISSI	CR24-0486	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #203	LAPEER HOUSING COMMISSI	CR24-0487	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #204	LAPEER HOUSING COMMISSI	CR24-0488	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #205	LAPEER HOUSING COMMISSI	CR24-0489	Certified	10/03/2024	10/16/2026	50.00

Property Address	Holder Name	Certificate Number	Status	Date Issued	Date Expires	Total Amount
544 N SAGINAW ST #206	LAPEER HOUSING COMMISSI	CR24-0490	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #207	LAPEER HOUSING COMMISSI	CR24-0491	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #208	LAPEER HOUSING COMMISSI	CR24-0492	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #209	LAPEER HOUSING COMMISSI	CR24-0493	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #210	LAPEER HOUSING COMMISSI	CR24-0494	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #211	LAPEER HOUSING COMMISSI	CR24-0495	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #301	LAPEER HOUSING COMMISSI	CR24-0496	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #302	LAPEER HOUSING COMMISSI	CR24-0497	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #303	LAPEER HOUSING COMMISSI	CR24-0498	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #304	LAPEER HOUSING COMMISSI	CR24-0499	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #305	LAPEER HOUSING COMMISSI	CR24-0500	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #306	LAPEER HOUSING COMMISSI	CR24-0501	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #307	LAPEER HOUSING COMMISSI	CR24-0502	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #308	LAPEER HOUSING COMMISSI	CR24-0503	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #309	LAPEER HOUSING COMMISSI	CR24-0504	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #310	LAPEER HOUSING COMMISSI	CR24-0505	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #311	LAPEER HOUSING COMMISSI	CR24-0506	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #401	LAPEER HOUSING COMMISSI	CR24-0507	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #402	LAPEER HOUSING COMMISSI	CR24-0508	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #403	LAPEER HOUSING COMMISSI	CR24-0509	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #404	LAPEER HOUSING COMMISSI	CR24-0510	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #405	LAPEER HOUSING COMMISSI	CR24-0511	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #406	LAPEER HOUSING COMMISSI	CR24-0512	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #407	LAPEER HOUSING COMMISSI	CR24-0513	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #408	LAPEER HOUSING COMMISSI	CR24-0514	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #409	LAPEER HOUSING COMMISSI	CR24-0515	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #410	LAPEER HOUSING COMMISSI	CR24-0516	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #411	LAPEER HOUSING COMMISSI	CR24-0517	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #501	LAPEER HOUSING COMMISSI	CR24-0518	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #502	LAPEER HOUSING COMMISSI	CR24-0519	Certified	10/03/2024	10/16/2026	50.00

Property Address	Holder Name	Certificate Number	Status	Date Issued	Date Expires	Total Amount
544 N SAGINAW ST #503	LAPEER HOUSING COMMISSI	CR24-0520	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #504	LAPEER HOUSING COMMISSI	CR24-0521	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #505	LAPEER HOUSING COMMISSI	CR24-0522	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #506	LAPEER HOUSING COMMISSI	CR24-0523	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #507	LAPEER HOUSING COMMISSI	CR24-0524	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #508	LAPEER HOUSING COMMISSI	CR24-0525	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #509	LAPEER HOUSING COMMISSI	CR24-0526	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #510	LAPEER HOUSING COMMISSI	CR24-0527	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #511	LAPEER HOUSING COMMISSI	CR24-0528	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #601	LAPEER HOUSING COMMISSI	CR24-0529	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #602	LAPEER HOUSING COMMISSI	CR24-0530	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #603	LAPEER HOUSING COMMISSI	CR24-0531	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #604	LAPEER HOUSING COMMISSI	CR24-0532	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #605	LAPEER HOUSING COMMISSI	CR24-0533	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #606	LAPEER HOUSING COMMISSI	CR24-0534	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #607	LAPEER HOUSING COMMISSI	CR24-0535	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #608	LAPEER HOUSING COMMISSI	CR24-0536	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #609	LAPEER HOUSING COMMISSI	CR24-0537	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #610	LAPEER HOUSING COMMISSI	CR24-0538	Certified	10/03/2024	10/16/2026	50.00
544 N SAGINAW ST #611	LAPEER HOUSING COMMISSI	CR24-0539	Certified	10/03/2024	10/16/2026	50.00
140 S MAIN ST 3	COFFEE TREE CAFE LLC	CR24-0540	Certified	09/30/2024	09/30/2026	150.00
140 S MAIN ST 4	COFFEE TREE CAFE LLC	CR24-0541	Certified	09/30/2024	09/30/2026	50.00
746 N CALHOUN ST	COREY, CARTER J	CR24-0544	Certified	10/02/2024	09/26/2026	150.00
748 N CALHOUN ST	COREY, CARTER J	CR24-0545	Certified	10/02/2024	09/26/2026	50.00

Total # of Certificates: 136

Total Amount Billed: \$9271.00

Total Amount

Certificate.CertType = Rental



ITEM K-1-2-A

To: Mike Womack, City Manager
C.C. City Board of Commissioners
From: Denise Marinelli, Assessor
Date: October 10, 2024
RE: Monthly Departmental Report

ASSESSING DEPARTMENT CONCENTRATION:

- Property Transfers are processed and are currently up to date. Deeds and Property Transfer Affidavits have been processed through September.
- Current Deed breakdown:

Deeds	September	Vacant land	New Construction	Prior Month
Transfers	16	6	1	16
Non-Transfers	10			14
Forcl/Redmptn	0			0
Total	26			30

- We are extremely happy to congratulate that Deputy Assessor, Tim Mayer for accomplishing his Michigan Certified Assessing Officer Certification Level . Tim has achieved his MCAST and MCAO Certifications through the State of Michigan within the span of a year.
- The current concentration for the Assessing Department is the 20% Review and Building Permit Construction Review, Departmental Training and State Certified Training, also ESRI/MapInfo Reconciliation (Currently working with Planning Department).
- We currently have one Michigan Tax Tribunal Small Claims case for the 2024 tax year.
- The department continues to investigate, correct, and update property description discrepancies, omissions, errors, and changes. We assist departments, property owners, realtors and appraisers with questions and concerns as well as processing address and lot split requests.
- As always, please contact me if you have any questions or concerns.



Item # K-1-2-B

To: Mike Womack, City Manager
From: Kelly Hanna, Director of Financial Services
Date: October 8, 2024
RE: Income Tax Monthly Report for September 2024

Monthly Financial Statement
Income Tax Department
September 2024

Fiscal Year	Net Monthly Income	Net Total Yr-to-date	Original Budget for year	Current Budget for year	Actual Total for year	Excess (Deficit) Revenue
2014/15	\$136,919	\$742,946	\$2,590,000	\$2,590,000	\$2,953,553	\$363,553
2015/16	\$144,415	\$740,471	\$2,785,000	\$2,785,000	\$3,069,571	\$284,571
2016/17	\$126,337	\$738,194	\$3,065,000	\$3,065,000	\$3,212,298	\$147,298
2017/18	\$186,482	\$827,068	\$3,165,000	\$3,165,000	\$3,349,223	\$184,223
2018/19	\$155,483	\$809,055	\$3,175,000	\$3,175,000	\$3,520,679	\$345,679
2019/20	\$162,317	\$811,798	\$3,265,000	\$3,265,000	\$3,881,826	\$616,826
2020/21	\$162,944	\$830,098	\$3,495,000	\$3,495,000	\$3,783,095	\$288,095
2021/22	\$298,438	\$992,051	\$3,476,000	\$3,476,000	\$4,527,734	\$1,051,734
2022/23	\$237,605	\$1,006,478	\$4,090,000	\$4,140,076	\$4,984,764	\$844,688
2023/24	\$202,222	\$1,017,813	\$4,833,000	\$4,833,000	\$5,145,549	\$312,549
2024/25	\$142,723	\$994,411	\$5,428,000	\$5,428,000		

Original Budget and Current Year Budget columns for FYE 2013- 2023 adjusted to include budgeted p&l & prosecution



Item # K-1-2-C

To: Mike Womack, City Manager
From: Kelly Hanna, Director of Financial Services
Date: October 14, 2024
RE: Finance Department Report for September 2024

- 1) 184 – accounts payable checks were issued.
- 2) 290 - payroll payments were issued (there were 3 pays in August).
- 3) 78 - income tax refund checks were issued.
- 4) Records were reviewed with those needing information on burial location. There were two (2) graves purchased (both non-resident); two (2) full burials (one on a Saturday); three (3) burials of cremains; and one (1) foundation was purchased (for a total of \$179.20).
- 5) 137 summer 2024 property tax bills were receipted for \$121,007.06; two (2) delinquent 2023 personal property tax bills were receipted for \$60.13; and one (1) delinquent 2020 personal property tax bill was receipted for \$75.00.
- 6) There were 67 additions and 68 cancellations received regarding the voter registration records.



ITEM K-1-3

To: Mike Womack, City Manager
From: Mike Vogt, Fire Chief
Date: October 7, 2024
RE: September 2024

MONTH SUMMARIZED:

Training: The department conducted a total of eight training sessions (4 days/4 nights). A total of 182.5 personnel-hours were spent in training during the month.

Community Risk Reduction: The department participated in one public education event during the month. The event took place in the City of Lapeer which included 20 children and 10 adults. Department personnel also participated in the last food truck festival for the season.

Fire & Life Safety: 10 annual inspections, six re-inspections, five other types of inspections, and five site visits were completed in the city, with 19 violations being identified. There were five businesses inspected that were without any fire code violations. One fire alarm plan, one site plan and one remodel plan were reviewed for the Building Department and two site plans were reviewed for the Planning Department for the month of September.

Responses: The department responded to a total of 56 incidents during the month, requiring a total of 480.5 personnel-hours. This is 30 more responses than we had for the same period in 2023. 43% of these responses occurred Monday-Friday between the hours of 6:00 am and 6:00 pm. The estimated dollar loss for the month was \$515,000, bringing the estimated annual dollar loss for the year to \$1,458,736. The losses for the month resulted from a commercial building fire in the City of Lapeer, a vehicle fire in Lapeer Township, a combine fire and a building fire in Mayfield Township, and a building fire in Oregon Township.

The number of responses for the month by municipality was: City of Lapeer-33, Lapeer Twp-5, Mayfield Twp-15, Oregon Twp-1, Automatic/Mutual Aid-2.

The average emergency response time (in minutes) to each municipality was: City of Lapeer-8.3, Lapeer Twp-0.0, Mayfield Twp-15.0, Oregon Twp-11.0.

The calendar year annual percentage of responses by municipality is: City of Lapeer-56.23%, Lapeer Twp-11.67%, Mayfield Twp-18.30%, Oregon Twp-7.16%, Assists-6.63%.

The number of burn permits issued for the month by the municipality was: Lapeer Twp-46, Mayfield Twp-56, Oregon Twp-28.

The breakdown of responses by type is as follows:

Fire Alarm-Malicious	0	Fire Alarm-Unintentional	9
Fire Alarm-Malfunction	0	Fire Alarm-Residential	3
Building Fire-Residential	1	Building Fire-Commercial	1
Building Fire-Other	1	Vehicle Fire	1
Grass/Brush Fire	2	Rescue	1
Good Intent	9	Electrical Related	2
Smoke Investigation	1	Gasoline/Diesel Spill/Leak	0
Natural Gas/Propane Leak	2	Carbon Monoxide (alarm & actual)	2
Other Type Fires	2	Other Type Response	16
Assist to Other Agencies	2	Washdown	1

City of Lapeer Activities Calendar

City of Lapeer Fire & Rescue						
September 2024						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 Incident 24-321 Incident 24-322	2	3 Incident 24-323 Incident 24-324 Incident 24-325	4 Incident 24-326 Incident 24-327 Incident 24-328 Incident 24-329 Incident 24-330 Incident 24-331 Incident 24-332 Incident 24-333	5	6 Incident 24-334	7
8	9 Incident 24-335 Incident 24-336 Food Truck Festival Training	10 Incident 24-337	11 Incident 24-338 Incident 24-339 Incident 24-340	12 Incident 24-341 Incident 24-342 Incident 24-343	13 Incident 24-344	14 Incident 24-345 Incident 24-346
15 Truck Presentation	16 Incident 24-347 Incident 24-348 Incident 24-349 Training	17 Incident 24-350	18 Incident 24-351 Incident 24-352	19	20 Incident 24-353 Incident 24-354 Incident 24-355 Incident 24-356 Annual Hose Testing	21 Incident 24-357 Incident 24-358
22 Incident 24-359 Incident 24-360 Incident 24-361	23 Incident 24-362 Incident 24-363 Training	24	25 Incident 24-364 Incident 24-365 Incident 24-366 Incident 24-367 New Hire Process	26 Incident 24-368 Grease 161	27 Incident 24-369 Incident 24-370	28 Incident 24-371 Incident 24-372 Fall Festival Parade
29 Incident 24-373	30 Incident 24-374 Incident 24-375 Incident 24-376 Training					
		Notes Incidents (Monthly Total - 56) Training Public Events Meetings/Department Work New Hiring Process Public Assistance				



Dept: Housing Improvement Department
Submitted To: Mr. Mike Womack, City Manager
From: Denise Soldenski, Director of Housing and Neighborhood Development
Date: October 17th, 2024
RE: September 11th, 2024 – October 8th, 2024
copy: Lapeer Housing Commission/Lapeer Riverview Towers, LLC

LAPEER HOUSING COMMISSION (LHC)/LAPEER RIVERVIEW TOWERS, LLC (LRT)

A. RIVERVIEW TOWERS: HUD PROJECT BASED VOUCHER (PBV)

1. As of October 7, Riverview Towers has one vacant unit which is expected to be filled on or before 12/1/2024.
2. The Riverview waitlist contains a sufficient supply of applicants to fill future vacant units.

B. HOUSING CHOICE VOUCHER PROGRAM (HCV)

1. As of October 7, 93 vouchers are under contract.
2. Pulling applicants from the waitlist will continue as funding allows to fill vacant vouchers.

C. ADMINISTRATION

1. **Attachment #1** Lapeer Housing Commission/Lapeer Riverview Towers, LLC financials.
2. Since October is our annual meeting, Ms. Soldenski would like to confirm and gain approval for the Commissioner positions. ***Ms. Soldenski would like a motion to confirm/elect the following members of both Lapeer Housing Commission/Lapeer Riverview Towers, LLC boards: James Mikus, Chair; Kerri Roberts, Vice-Chair; Robin Chesnutt, Treasurer; Lisa Lie, Secretary; Brad Chayka, Member.*** As part of our annual meeting, it is also time to update the annual Conflict of Interest forms. ***Ms. Soldenski will distribute and collect after the meeting.***
3. ***Ms. Soldenski would like approval from the board to complete the signature authority approval for the Lapeer Riverview Towers, LLC Insured Cash Sweep (ICS) Account.*** All members with signature authority will need to sign and documents will be brought to the meeting. Back in Feb. 2024, we all signed for the Lapeer Housing Commission Insured Cash Sweep account, but this account was mistakenly not included. There has not been a need for any signatures for the ICS accounts, so no harm done; however, this should be signed to match our signature authority for the LHC ICS account.
4. The single audit for the LHC/LRT for FYE 6/30/2024 is underway. Staff has been providing information to our audit firm, Anderson, Tackman, and Company, PLC and we may have a final report by the November meeting.
5. Riverview Towers completed the City of Lapeer's rental inspection on Oct. 3rd with no deficiencies. Thanks so very much to Mr. Lewis for all of his hard work in preparation!
6. HUD released the Final Rule of the Housing Opportunity Through Modernization Act (HOTMA) of 2016, Sections 102, 103 and 104 on February 14th, 2023. This rule provides for income and asset changes that will affect the HCV and PBV programs. HUD released PIH Notice 2023-27 which provides implementation guidance. ***On 4/24/24 HUD released PIH Notice 2024-12 that covers "Housing Information Portal (HIP) Implementation"; however, that notice was officially rescinded by HUD on 7/3/24 with***

further guidance pending. LHC must be on-boarded to the new HUD HIP prior to implementing HOTMA. Prior to full implementation, staff training and tenant/landlord notifications must take place. LHC HCV Admin Plan has been modified for HOTMA Sections 102 & 104; yet cannot be approved for use until HIP implementation is completed. HUD released a notice on 9/18/24 that PHAs will NOT be required to be compliant with HOTMA Sections 102 & 104 by 1/1/2025 except for the Earned Income Disregard provision due to HIP not being ready.

7. HUD has changed the process/standard for Housing Quality Standard Inspections (HQS) to National Standards for the Physical Inspection of Real Estate (NSPIRE). The new standard is an inspection model that is now common across the various HUD programs. HUD has issued PIH Notice 2023-28 for implementation guidance and administrative procedures for HCV/PBV. *On 6/14/24, HUD announced that they have delayed the mandatory conversion to NSPIRE until October 1st, 2025 due to the burden on PHAs with so many other HUD changes in progress. The LHC will need to use a HUD NSPIRE cell phone application which has not yet been released. HUD has initiated many "office hours" and webinars through the end of 2024 in preparation for NSPIRE compliance deadline of 10/1/2025.*
8. HUD is moving forward with a more clear proposed rule for Affirmatively Furthering Fair Housing. HUD's intent is to "affirmatively further fair housing by creating strong, sustainable, inclusive communities and quality affordable housing for all." More information to come as this proposed rule approaches final rule.
9. HUD has been releasing updated chapters in the "Housing Choice Voucher Program Guidebook". As the chapters are released, Ms. Soldenski reviews, updates and requests approval for our HCV Administrative Plan, if necessary. *There are no updates to the Guidebook this month that affect policy.*



To: Housing Improvement Department
Submitted To: Mr. Mike Womack, City Manager
From: Denise Soldenski, Director of Housing and Neighborhood Development
Date: October 17th, 2024
RE: September 11th, 2024 – October 8th, 2024
copy: Lapeer Neighborhoods Inc.

A. HOUSING IMPROVEMENT DEPARTMENT (HID) - See attachment #2 for project photos.

1. **MSHDA NEP – MSHDA Round 9 Grant Program:** This grant is now open and accepting applications.
 - a. **Project 1 - Annrook Park:** - Completed
 - b. **Project 5 – W. Genesee St. - Homeowner** – Driveway/Stairs – Completed
2. **MSHDA MI-HOPE Grant:** Ms. Lincoln is working on gathering bids and additional documents to start the process for each applicant.
 - a. **Project 3 – Dewey St. – Homeowner** – Project in process.
 - b. **Project 5 – N. Monroe St. – Rental** – Project completed.
 - c. **Project 6 – Hartley St. – Homeowner** – Project in process.
 - d. **Project 7 – Park Way – Homeowner** - Roof and Insulation – Project in process.
 - e. **Project 9 – N. Main St. – Homeowner** - Windows, Appliances and HVAC – One bid has been received. Awaiting second bid to determine project components.
 - f. **Project 10 – First St. – Rental** – Insulation, Doors and Windows – Project in process.
 - g. **Project 11 – 2nd St. – Homeowner** - Windows/Doors – Project in process.
 - h. **Project 12 – N. Monroe St. – Rental** - Roof/Windows/Doors/Insulation – Contracts being signed.
 - i. **Project 13 – Jefferson St. – Homeowner** – Doors, HVAC, Insulation, Electrical and Appliances – Project out for bid.
3. **MSHDA MI Neighborhood**
 - a. **MI-Neighborhood Grant 2024:** – Ms. Lincoln received notification that the City of Lapeer has been awarded \$59,150 to provide community improvements throughout the City of Lapeer. Items include Veteran's Park flag pole replacement, wayfinding signage, park murals/pocket park, Annrook and Cramton parks plants/tree planting, Rowden park restroom rehab and installation of plants.
 - b. **MI-Neighborhood Grant 2025 application:** Ms. Lincoln has begun the next MI-Neighborhood grant application for homeowner rehabilitation projects. Grant components are currently being determine as well as funding request.
4. **MSHDA Housing Choice Vouchers / Section 8**
 - a. Lapeer County's voucher allocation is 342 regular Housing Choice Vouchers, 6 Project Based Vouchers, 15 Emergency Housing Vouchers for a total in Lapeer County of 363. Tuscola County allocation is 88 Housing Choice Vouchers, 5 Project Based Vouchers, and 3 Emergency Housing Vouchers for a total in Tuscola County

of 96. Huron County allocation is a total of 47 Housing Choice Vouchers, and 1 Emergency Housing Vouchers for a total of 48. Our total VASH allocation remains at 35, Moving Up is 3, and Balance of State is 1. MSHDA has discontinued reporting the allowable over-allocation of 4% maximum. The total allocation is 507.

- b. Current lease up rate is at 99.40%, as MSHDA is waiving lease up for everything except the PBV while waitlist pulls are on hold currently.
- c. Due to budget constraints from HUD, MSHDA will not be releasing any new vouchers for the foreseeable future. They have closed HCV waitlists effective July 1st, 2024 including Homeless waitlists and will not be recertifying applicants currently on the homeless waitlists. This budget issue does not affect the Project Based Voucher, VASH or Stability Voucher programs. Any client in need of housing will be referred to the local Housing Assessment and Resource Agency (HARA), Human Development Commission, for assistance. MSHDA will notify as soon as waitlists can again be populated.

B. LAPEER NEIGHBORHOODS INCORPORATED (LNI)

1. Projects –

- a. 405 S. Elm: Vacant: Board has decided to hold on to this property for a future new build. The survey and topography have been completed, so ownership of boundary fences and vegetation are defined.

C. FINANCE

- 1. Attachment #1: Financial report.

D. ADMINISTRATION

- 1. Since October is our annual meeting, Ms. Soldenski would like to confirm and gain approval for the Commissioner positions. ***Ms. Soldenski would like a motion to confirm/elect the following members of Lapeer Neighborhoods, Inc. board: James Mikus, Chair; Kerri Roberts, Vice-Chair; Robin Chesnutt, Treasurer; Lisa Lie, Secretary; Brad Chayka, Member.***
- 2. HUD has released a study titled “Eliminating Zoning Barriers to Affordable Housing”. A full copy can be found at: <https://files.hudexchange.info/resources/documents/Eliminating-Zoning-Barriers-to-Affordable-Housing-Guidebook.pdf>. Key topics for potential reform include the following:
 - a. Review the zoning ordinance to identify restrictive and inequitable land use policies that impact housing affordability and supply.
 - b. Allow for, and encourage, infill development by-right in all residential and commercial zoning designations to create mixed-use, location efficient housing.
 - c. Ensure conformity between the zoning ordinance and comprehensive plan, especially regarding housing preservation and creation.
 - d. Expand all residential zones to allow for all housing typologies and increased densities by-right.

TO: Lapeer City Planning Commission
FROM: Planning Department
DATE: October 1, 2024
RE: **October 2024 Development Activities Report**



This report summarizes activity on various development projects in the City over the past month listed by full site plans for developments reviewed and approved by the Planning Commission and administratively reviewed site plans for projects currently in the review and development process.

Site Plans Reviewed by Planning Commission

1. Lapeer County Animal Control Addition – 2396 W. Genesee St.

General Information – Construction of a 3,265 sq. ft. addition to the existing 3,500 sq. ft. Animal Control facility owned and operated by Lapeer County.

Project Status – The site plans were received on September 3, 2024. Staff comments were provided to the applicant on Sept. 17, 2024. Revised plans were received Sept. 26, 2024. The site plan is scheduled for approval consideration at the October 10th Planning Commission meeting.

2. Lapeer Cultivation (#3) – John Conley Dr. Parcel #L20-83-358-030-00

General Information – Construction of a new 11,480 sq. ft. marihuana grow facility.

Project Status – The site plans were received on August 29, 2024. The site plan was approved with conditions by the Planning Commission on September 12, 2024. City staff is currently waiting on submittal of revised plans.

3. Urgent Design Addition – 3123 John Conley Dr.

General Information – Construction of a 70,514 sq. ft. addition to the existing 55,866 sq. ft. industrial facility.

Project Status – The site plans were received on July 1 and August 5, 2024 and approved with conditions at the August 8, 2024 Planning Commission meeting. City is waiting on revised plans.

4. Farley Commercial Building – DeMille Blvd.

General Information – Construction of a new 5,000 sq. ft. commercial building on the north side of DeMille Blvd. The previous plan submittal in February 2021 has expired and the project is now being re-submitted for a full review.

Project Status – The 2nd full review submission of the site plan was received on June 28, 2024 and revised plans were received on July 25, 2024. The site plan was approved at the August 8, 2024 Planning Commission meeting with the condition of receiving confirmation whether a permit is required from the Lapeer County Drain Commission.

5. Tommy's Express Car Wash – 1068 S. Main Street

General Information – Construction of a new automatic car wash with vacuum stations with related site improvements.

Project Status – The 2nd full review submission of the site plan was received on May 31, 2024 and revised plans were received on June 24, 2024. Site plan was approved with conditions at the July 11, 2024 Planning Commission meeting and the applicant is working on the required easement, EGLE Permit and Wakkott Road paving agreement.

6. EL Cozumel Restaurant – 1109 S. Main Street

General Information – Construction of new 5,692 sq. ft. restaurant and related site improvements.

Project Status – The site plan was submitted on October 31, 2023 and conditionally approved at the December 14, 2023 Planning Commission meeting. Site plan submission #3 was received on May 3, 2024. Submission #4 received on July 29, 2024 are ready for approval pending receipt of MDOT Permit and recorded easements.

7. DTE Energy – Apollo Substation – 3135 John Conley Dr. South

General Information – Construction of a new electrical substation and control building.

Project Status – The site plan was submitted on October 27, 2023 and approved with conditions at the January 11, 2024 Planning Commission meeting. On February 26, 2024 the ZBA approved a variance to allow a gravel drive and vehicle maneuvering area and revised plans were received March 14, 2024. Revised plans received April 12, 2024 were approved, signed and distributed on April 26, 2024. Building permits applications have been submitted and are being reviewed.

8. Security Credit Union – 1073 S. Main St.

General Information – Construction of a 3,438 sq. ft. credit union facility with 4 drive through lanes.

Project Status – The site plan was submitted on August 31, 2023. Revised plans were submitted on September 27, 2023 and approved with conditions by the Planning Commission on October 12, 2023. Revised plans were submitted on January 12 and April 1, 2024. Revised plans received April 10, 2024 were approved, signed and distributed April 26, 2024. Construction is underway.

9. Carriage Hill Circle – New Multiple-Family Residential Units

General Information – Construction of a new phased multiple-family residential development consisting of 32 units on Carriage Hills Circle.

Project Status – The site plan was submitted on April 3, 2023 and revised plans were received on April 26th, June 9th, July 21st. The Planning Commission approved the site plan with conditions on August 10, 2023. Revised plans were received on Aug. 31st & Oct. 19th 2023. The site plan was approved on Oct. 19, 2023 and final signed plans were distributed Oct. 31, 2023. The applicant indicated final building plans would be submitted in Spring 2024. A one-year site plan approval extension until Aug. 10, 2025 was approved by the Planning Commission on July 11, 2024.

10. Sunoco Station – 715 S. Main St.

General Information – Construction of a 2,135 sq. ft. addition to the existing Sunoco Gas Station.

Project Status – The site plan was submitted on April 3, 2023 and conditionally approved on July 13, 2023. Final plans were approved on September 14, 2023. A one-year site plan approval extension until July 13, 2025 was approved by the Planning Commission on July 11, 2024. Building Department has issued permits and construction is underway.

11. Lapeer Villas – Baldwin Rd. – Site Plan Amendment

General Information – Construction of 147 Multiple-Family units on a vacant parcel on the north side of Baldwin Road. An amendment to the previous plan was approved to convert some of apartment building (5, 6 & 7) garage spaces into apartments and construct a club house with pool.

Project Status – The site plan was originally submitted and approved in 2019. An amended site plan was received July 26, 2022 and approved on August 11, 2022. Construction of the clubhouse and pool is planned for future Phases (3 and 4). The applicant's request for a waiver from landscaping buffer requirements to not construct a perimeter privacy fence was denied at the November 2023 Planning Commission meeting. The City requested final as-built site plan prior to building plan review given the number of changes to the site with various phases and minor changes to exterior improvements. The applicant submitted a revised performance bond to the Planning Department for remaining work items, a Final C of O has been issued for Buildings #1-4 and temporary occupancy has been issued for buildings 5, 6 and 7. The property owner has submitted a ZBA application for a variance to the fencing requirement on the west side of the property which is scheduled to be considered at the October 22, 2024 ZBA meeting.

12. Woodchips Mixed Use Building #2 – Vacant Lot - 480 W. Nepessing St.

General Information – Construction of a new three-story mixed-use building on the vacant lot with commercial and restaurant uses on the 1st floor and apartments on the 2nd and 3rd floors.

Project Status – Site plans originally received in May 3, 2022 and contingently approved on June 9, 2022 have expired. A new site plan submittal was received on June 12, 2024 and approved with conditions at the July 11, 2024 Planning Commission meeting. Planning Department is waiting for final approved and recorded easements. Building Department has reviewed and approved the building plans and is waiting on permit application submittals from the General Contractor.

13. Beasley – Building Remodel and Parking Lot Improvements – 891 Baldwin Rd

General Information – Construction of a rear parking lot area, with landscaping, and building exterior remodeling to an existing building for a professional office.

Project Status – The site plan was received on November 18, 2021 and received contingent approval by the Planning Commission on January 13, 2022. Final approved plans were distributed November 29, 2022. The Zoning Board of Appeals approved a variance for exterior materials on April 24, 2023. Building permit was issued in June 2023 and construction is underway.

14. Popeye’s – Drive-Through Facilities – 1040 S. Lapeer Rd.

General Information – Construction of two new buildings (a 2,143 sq. ft. building to the north and a 2,529 sq. ft. to the south) for drive-through facilities and shared parking.

Project Status – The site plan for Phase 1 was received on November 1, 2021. Special land use was approved December 9, 2021 and the site plan received contingent approval on January 13, 2022. MDOT required changes to the access drive location on M-24. A site plan extension was approved until January 13, 2024. Revised plans were received on March 24, June 14 and August 9 and September 27, 2023. Recorded Easement agreements have been received and EGLE permits have been issued. Final site plans were approved on February 21, 2024. Signed plans were distributed March 13, 2024. Demolition of the existing structures has been completed.

15. Woodbridge Park II – North and West of existing Woodbridge Park Development

General Information - Construction of 58 additional attached conventional condominium units north and west of the existing Woodbridge Park development. Individual condo units will be constructed in two, three and four unit attached structures.

Project Status - The site plan was approved by the Planning Commission on January 10, 2019. Revised site plans were received on June 7, 2019 and approved by staff on June 14, 2019. The required performance bond was submitted on March 3, 2020 and final approved/signed were distributed March 4, 2020. Permits were renewed in June 2023. Construction is underway.

Administrative Review Site Plans in Process

None at this time.

Projects on Hold:

HTF Hydraulic Tubes & Fittings – 524 McCormick St.

General Information – Construction of a 3,645 sq. ft. building addition and resurfacing of the existing parking lot at the existing site.

Project Status – The site plan was received on Sept. 29, 2020. Site plans were approved on Nov. 10, 2020. The Building Department has revoked their Temporary Certificate of Occupancy. The City is waiting for construction to be completed in accordance with the approved site plan.



MEMORANDUM

CITY OF LAPEER POLICE DEPARTMENT

TO: Mike Womack, City Manager

FROM: Jeremy Howe, Chief of Police

DATE: 10/09/2024

RE: Monthly Report; September 1 – September 30, 2024

In the month of September 2024, our Police Department Officers responded to 870 calls for service. Of these 870 calls for service, 117 or approximately 16% were criminal activity reports, of which 48 required submissions to the Michigan Incident Crime Reporting System (MICRS). Our officers made 19 arrests in September, 8 felony crimes and 11 misdemeanor crimes, with 1 arrest for operating under the influence of alcohol or drugs.

This month our officers made 175 traffics stops, issued 26 citations, and gave 149 verbal warnings. Officers also handled 45 vehicle crashes.

Code enforcement had 75 self-initiated complaints for the month of September. 31 of those were sign violations, 30 were grass violations and 4 were blight related cases.

No overdose cases were reported in the month of September, there were no fatalities.

Officers from the department attended 96 hours of advanced training which included Accreditation Training/Conference, Crime Prevention for Educational Facilities and Emergency Vehicle Operations. As well as numerous on-line trainings required by MCOLES.

Officers participated in several Special Events during the month of September. The total number of overtime hours for the month was 175 hrs. The majority of those hours coming from holiday pay at 78 hrs., per CBA. The remaining 97 hours of overtime were from FTO training, mandatory court appearances and investigations. Lapeer Community Schools also requested additional services that required overtime which was 25 hours.

The City of Lapeer Police Department was officially awarded, by the Michigan Chief's of Police and the MLEAC, as an Accredited Police Department. We are the only police department in Lapeer County to be recognized as an accredited police department. The MACP will be at a November CC meeting to present our award.

Monthly Report			
SEPTEMBER 2024			
	<u>Current</u>	<u>Calendar Year</u>	<u>Previous Year</u>
	<u>Month</u>	<u>To Date</u>	<u>To Date</u>
Complaints Received and Investigated	870	7652	8550
District Court Fines Received	\$ 1,243.77	\$ 10,681.44	\$ 11,367.18
OUIL-Cost of Prosecution	\$ 400.00	\$ 3,520.00	\$ 4,125.00
Charges for Copies of Police Reports	\$ 168.09	\$ 1,428.04	\$ 2,356.50
<u>ACCIDENTS:</u>			
Fatal	0	0	1
Property Damage	26	234	211
Private Property Damage	14	156	166
Personal Injury	5	34	44
<u>ARRESTS:</u>			
Misdemeanor	11	155	133
Felony	8	83	49
<u>HEROIN/OVERDOSE INCIDENTS:</u>			
Heroin Possession/Usage	0	1	2
Overdose	0	0	6
Overdose Deaths	0	0	0

CITY MANAGER REVIEW

Meeting Date: 10/21/2024

Date of Review:

Completed by Mike Womack, City Manager



Interoffice Memo

ITEM K-1-7

To: Mike Womack, City Manager
From: Jeff Graham, Director of Public Works
Date: October 14, 2024
RE: Public Works Monthly Report – September 2024

Department of Public Works Division Summary:

Water/Sewer Utilities Division and Streets Division:

In September the DPW has been focused on Hydro excavating unknown water services. Started winterizing fire hydrants and pouring concrete throughout the city.

Other tasks completed in this month include but are not limited to the following items:

- Repaired water main break on S. Elm St.
- Repaired water main break on Turnbull St.
- Repaired water main break on Essex Dr.
- Hired contractor for hydro excavating water services.
- Trim trees at Rowden Park.
- Camera sewer main on Oregon St.
- Inspect and camera City Hall sewer service.
- Cleaned storm sewer at Rowden Park.
- Repaired storm catch basin on Lincoln St.
- Stump grinding for sidewalk repairs.
- Landscape repairs on lead service lead replacement areas.
- Cleaned tops of catch basins with leaf machine.
- Installed salters in 2 trucks.

Training and Safety:

Attended MRWA water math classes
Safe Lifting Techniques

Water/Sewer/ Streets Monthly Routine Task included:

- Water Samples: Bacteria samples, Water Quality testing of distribution system
- Operate Wells and well house maintenance.
- Meter Reading and Meter Repair
- Miss Dig Staking

City of Lapeer

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- Routine water samples (backup water supply)
- Rotation of PRV's in GLWA LA-02 Meter pit
- Barricade placement Downtown.
- Dump maintenance, haul compost.
- Brush Pickup

Wastewater Treatment Plant Summary:

Waste Treatment

- Check all lift stations 2 times a week with 2 employees
- Read meters, record utility and chemical usage
- Read, record, and email all weather conditions to the National Weather Service
- Daily WWTP inspection
- Weekly equipment greasing
- Rotate equipment sequences
- Empty trash cans, disinfect, clean break room, clean grounds
- Weekend work schedule
- Holiday work schedule

NPDES/IPP

- Daily Laboratory Analysis
- Monthly PFAS sampling for WWTP effluent and biosolids
- NPDES monthly Selenium sampling
- Monitor weekly PFAS sampling via LP&P
- PFAS file updates
- Submitted monthly NPDES PFAS POTW effluent monitoring report via MiEnviro
- Submitted monthly DMR via MiEnviro
- Submitted quarterly NPDES PFAS status report via MiEnviro
- Quarterly bio-solids sampling for land application
- Meeting regarding McLaren Lapeer Region South outfall request

Electrical Work

- Lift station generators checks and repairs
- Community Center lighting repair
- Installed new fiber Optic cards for SCADA
- Light repair at City Hall
- Installed light at Rotary Park Pavilion
- Community Center Handicap door repair

Mechanical/Operations

- I-69 lift station pump coolant change
- Replaced Raw Screw Lube pump
- Oregon 1 lift station pump coolant change
- Oregon 2 lift station pump oil change
- Call-In for I-69 lift station Low Level alarm
- Replaced gland studs on Plant Effluent water pumps
- Call In for Secondary Effluent Wet Well High-level alarm
- Assisted Bio-Tech with biosolids land application
- Community Center pump rebuild
- Unplugged check valve at Oregon 2 lift station

Miscellaneous

- Mowed lift stations
- Sealed gap Service building
- Oakdale Bar Screen Maintenance
- Cleaned storage shed
- Painted McCormick lift station alarm cabinet

Safety/Training

- IT computer training
- Jake Mann Agility Test for Crew leader promotion
- Jake Mann and Gage Robinson IPP Seminar
- Jake Mann Technical Learning College

Bio-Solids Disposal Status

- 2-North tanks hold 474,980 gallons /we have 0 gallons in storage
- 2-south tanks hold 430,120 gallons/we have 0 gallons in storage
- Total – 0 gallons in storage
- Bio-Tech emptied biosolids storage tanks via land application

CITY OF LAPEER

SEWER DEPARTMENT - MONTHLY REPORT

	HOURS
DPW maintenance	7
Fill sink hole on Turrill Ave.	1
Catch basin repair	1
Troubleshoot sewer issue at City Hall	11
Take 5 for Safety - Safe Lifting Techniques	0.5
Confined Space Entry on Oregon Rd.	10
Clean storm sewer at Rowden Park	1
Sanitary sewer inspections	2
Check other trouble areas	6
Start Oregon Rd. sewer repair	18

OVERTIME SEWER MONTHLY REPORT

[illegible]

CITY OF LAPEER
STREET DEPARTMENT - MONTHLY REPORT

	HOURS
Tree trimming/removal throughout the city	4
DPW maintenance	66
Dump maintenance	4
Equipment maintenance	8
Brush/compost	79
Stump grinding	5
Driveway inspection	0.5
Sidewalk inspections	4
Take 5 for Safety - Safe Lifting Techniques	1.5
Assist with manhole repair	10
Load/haul woodchips	2
City Hall building maintenance	13
Salt shed maintenance	3
Traffic signal maintenance	1
Cold patch city streets	12
Barricades & cones	13
Sweep city streets	10
Trim trees in Rowden Park	4
Clean catch basins	6
Sidewalk repair - remove/prep/pour/restore	264

OVERTIME STREETS MONTHLY REPORT

[illegible]

CITY OF LAPEER
WATER DEPARTMENT - MONTHLY REPORT

	HOURS
Meter reading	3
Service requests	54
Number of work orders, re-reads, service line checks & MXU repairs	88
DPW building/grounds maintenance	72
Miss Dig	47
Vehicle maintenance	7
Concrete repair	45
Daylight water service lines	63.5
Investigate high water loss - result was GLWA meter in LA 2	33
Locate and mark services for daylighting	25
Operator II testing	6
Restorations of water service line sites and daylighting	14.5
Re-set manhole for water gate valve	10
Take 5 For Safety - Safe Lifting Techniques	2
Set up traffic control for Oregon Rd. sewer repair	8
Main break repair on S Elm St.	50
Curb stop repair	6
Rotate PRV's	2
Fill in vac holes from daylighting	59
Fire hydrant winterization	133
Main break repair on Essex Dr. due to spike	32
Equipment maintenance	12
Two Day Math review class	64
City Hall building maintenance	9
Main break repair in Andrew's River Estates	36
Prep for sewer repair on Oregon Rd.	2
Flow test on John Conley Dr.	1
Water service turn ons/turn offs	2
Water/Well samples - take to Lansing	37
Assist Monchilov with water service line checks	46
Office work	14
Water tap assistance at bus garage	2
Water/sewer inspections	3
Inspection work with the Building Dept.	21
Water Shut offs	25

OVERTIME WATER MONTHLY REPORT

[illegible]

WWTP MONTHLY REPORT

WWTP	HOURS
AM walk through	40
Wasting	77
Process	113
Headworks	6
Lift Stations	85
Minor repairs	9
Major repairs	
Greasing	15
Cleaning	44
PM walk through	39
Painting	5
Grounds	5
Meetings	4
Equipment	9
Lab	160
Computer	44
IPP	28
Electrical	131
Agility test	1
IPP Seminar	16

OVERTIME WWTP - MONTHLY REPORT

WWTP	HOURS
AM walk through	9
Wasting	15
Process	12
Headworks	
Lift Stations	7
Minor repairs	
Major repairs	
Greasing	
Cleaning	
PM walk through	1
Painting	
Grounds	
Meetings	
Equipment	
Lab	15
Computer	
IPP	
Electrical	

MEDICAL MARIHUANA LICENSES
PROVISIONING CENTER - GROWER – PROCESSOR –
SECURE TRANSPORTER – SAFETY COMPLIANCE FACILITY

Approved Licenses:				Updated: September 2024
Applicant Name	DBA	Address	License	Status
PROVISIONING CENTERS				
TRC Lapeer LLC	The ReLeaf Center of Lapeer	200 E Genesee St	Facility	App: Exp 10-23-24
Ox Tail, Inc.	Heads	111 W Genesee St	Facility	App: Exp 11-19-24
SPMI LLC	Shango Lapeer	224 E Genesee St	Facility	App: Exp 12-12-24
FB Lapeer PRV, LLC	The Jazz Club Center	1333 Imlay City Road	Provisional	App: Exp 04-26-25
DNVK Lapeer Inc	The Pier Provisioning Center	2401 W Genesee St	Facility	App: Exp 06-11-25
The Pure Lapeer, LLC	Pure Lapeer	1330 Imlay City Road Units C&D	Facility	App: Exp 06-21-25
Alternative RX, LLC	Xplore Cannabis	824 S Main Street	Facility	App: Exp 10-30-25
GROWER				
Green Thumb Growers	Green Thumb Growers	840 Whitney	Prov – Class A	App: Exp 04-24-25
PROCESSOR				
Berry Green Management, Inc	Berry Green Management, Inc	1356 Imlay City Road	Facility	App: Exp 12-11-24
Berry Green Management, Inc.	Berry Green Management, Inc	1330 Imlay City Road	Facility	App: Exp 08-28-25
Northwest Confections Michigan LLC	WYLD	525 S. Court Street, Suite 110	Facility	App: Exp 10-07-25
SECURE TRANSPORTER				
None.				
SAFETY COMPLIANCE FACILITY				
None.				

ADULT USE MARIHUANA LICENSES
PROVISIONING CENTER – GROWER – PROCESSOR –
SECURE TRANSPORTER – SAFETY COMPLIANCE FACILITY

Approved Licenses:				Updated: September 2024
Applicant Name	DBA	Address	License	Status
PROVISIONING CENTERS				
DNVK Lapeer Inc	The Pier Provisioning Center	2401 W Genesee St	Facility	App: Exp 11-19-24
The Pure Lapeer, LLC	Pure Lapeer	1330 Imlay City Road Units C&D	Facility	App: Exp 12-03-24
TRC Lapeer LLC	The ReLeaf Center of Lapeer	200 E Genesee St	Facility	App: Exp 12-03-24
Ox Tail, Inc.	Heads	111 W Genesee St	Facility	App: Exp 12-16-24
SPMI, LLC	Shango Lapeer	224 E. Genesee St	Facility	App: Exp 12-15-24
Alternative RX	Xplore	824 S. Main St.	Facility	App: Exp 12-21-24
GROWER				
Fresh Water Gardens, LLC		39 W. Genesee	Prov – Class C	App: Exp 12-16-24
SDRK Group, LLC #1		207 S. Saginaw St.	Facility – Class C	App: Exp 12-18-24
SDRK Group, LLC #2		207 S. Saginaw St.	Facility – Class C	App: Exp 12-18-24
SDRK Group, LLC #3		207 S. Saginaw St.	Facility – Class C	App: Exp 02-12-25
Old School Organics, LLC	Old School Organics, LLC	350 County Center Street	Facility – Class C	App: Exp 04-08-25
Ka Ulu Ana LLC #1		244 S. Court St	Facility – Class C	App: Exp 10-15-25
Ka Ulu Ana LLC #2		244 S. Court St	Facility – Class C	App: Exp 10-15-25
PROCESSOR				
Berry Green Management		1356 Imlay City Road	Facility	App: Exp 01-05-25
Atwater Management LLC	Culture Complex	525 S. Court St., Suite 120	Facility	App: Exp 01-25-25
Berry Green Management, Inc.	Berry Green Management, Inc	1330 Imlay City Rd, Ste F-G-H	Facility	App: Exp 08-28-25
Northwest Confections Michigan	WYLD	525 S. Court Street, Suite 110	Facility	App: Exp 10-07-25
SECURE TRANSPORTER				
None.				
SAFETY COMPLIANCE FACILITY				
None.				

CITY OF LAPEER, 576 LIBERTY PARK, LAPEER, LAPEER COUNTY, MICHIGAN 48446
2024 MEETING DATES

N-1

In accordance with the Open Meetings Act, MCL 15.261 et. Seq., notice is hereby given that every meeting of the City Council, Boards, Authorities and Commissions of the City of Lapeer shall be open to the public. Notice is further given that the following City Council, Boards, Authorities and Commissions are regular meeting dates for 2024. A public notice of each special or rescheduled meeting will be posted at least 18 hours prior to the time of the meeting.

Board/Commission	Location	Time	January	February	March	April	May	June	July	August	September	October	November	December
City Commission	Commission Chambers	6:30 P.M.	2, 16	5, 20	4, 18	1, 15	6, 20	3, 17	1, 15	5, 19	3, 16	7, 21	4, 18	2, 16
1 st & 3 rd Monday	of each Month													
Cemetery Board	Mt. Hope Cemetery	2:00 P.M.	--	--	--	--	--	--	--	--	--	17	--	--
3 rd Thursday of Oct	Building													
Downtown Development Authority	2 nd Floor Conference Room	8:00 A.M.	24	28	27	24	22	26	24	28	25	23	27	25
4 th Wednesday	of each Month													
Economic Development Corp (EDC) & Tax Increment Finance Auth (TIFA)	2 nd Floor Conference Room	8:00 A.M.	10	14	13	10	8	12	10	14	11	9	13	11
2 nd Wednesday	As needed													
Housing Commission	2 nd Floor	4:00 P.M.	18	15	21	18	16	20	18	15	19	17	21	19
3 rd Thursday	Conference Room													
of each Month														
Local Development Finance Authority (LDFA)	2 nd Floor Conference Room	8:00 A.M			5			4			3			3
1 st Tuesday March/June/Sept/	Dec as Needed													
Park Board			--	--	--	--	--	--	--	--	--	--	6	--
Planning Commission	Commission Chambers	6:30 P.M.	11	8	14	11	9	13	11	8	12	10	14	12
2 nd Thursday	of each Month													
Zoning Board of Appeals	Commission Chambers	6:30 P.M.	22	26	25	22	27	24	22	26	23	28	25	23
4 th Monday	of each Month													

Address of the above locations are as follows:

Commission Chambers: City Hall, 576 Liberty Park
Mt. Hope Cemetery: 1230 Park Street

Romona Sanchez, CMC
City Clerk

City of Lapeer
576 Liberty Park, Lapeer
Lapeer County, Michigan 48446 (810) 664-5231



MAT. TRANS.

To: City Commission
Date: October 14, 2024
RE: Material Transmittals

1. Lapeer County Board of Commissioners – September 26, 2024, Meeting Minutes.
2. 2024 Neighbors Helping Neighbors Results.

LAPEER COUNTY BOARD OF COMMISSIONERS
September 26, 2024
9:00 A.M.

Vice-Chairman Mast called the meeting to order at 9:03 a.m. in the Commission Chambers on the lower level of the County Complex Building. Commissioner Mast opened the meeting with prayer. The Pledge of Allegiance was recited.

Present:	Gary Howell	District #2
	Kevin Knisely	District #3
	Brad Haggadone	District #4
	Truman Mast	District #5
	William Hamilton	District #6
	Bryan Zender	District #7
Absent:	Tom Kohlman	District #1

AGENDA

The agenda and draft minutes from the August 22, 2024 Regular Board Meeting were reviewed.

298-2024

Motion by Zender, supported by Haggadone, to accept the agenda with the addition of a motion to give Committee of the Whole Meeting authority to act through the end of the year. Motion carried.

299-2024

Motion by Howell, supported by Knisely, to approve the August 22, 2024 Regular Board Meeting minutes and the September 5, 2024 Budget Hearing Minutes, as presented. Motion carried.

ELECTED OFFICIAL/DEPARTMENT HEAD UPDATES

No comments were received.

PUBLIC TIME – Two people spoke during public time.

300-2024

Motion by Haggadone, supported by Zender, to approve the 2024 Disbursement of the County Bridge funds in the amount of \$337,041.69 from line 101-990-995.105. Motion carried.

301-2024

Motion by Haggadone, supported by Zender, to approve and sign the physician contract for the Lapeer county Sheriff's Office/Jail. The physician contract is paid from line 207-351-802.000. Motion carried.

302-2024

Motion by Haggadone, supported by Zender, to approve the purchase of Detox Program Medications from the Opioid Settlement in the amount of \$40,971.08, to be paid from line item number 284-351-820.010, and at no additional cost to the County. Motion carried.

303-2024

Motion by Haggadone, supported by Zender, to allow the Sheriff's Office to accept the Secondary Road Patrol Grant (416) (CFDA# 2025-SRP-44) for the year 2024-2025 in the amount up to \$183,612.00. Motion carried.

304-2024

Motion by Haggadone, supported by Zender, to approve the submission of the Child Care Budget Fund 2091 for October 1, 2024 through September 30, 2025 in the amount of \$1,813,070.00 to the State of Michigan; and further, to authorize the Chairman to sign. Motion carried.

305-2024

Motion by Howell, supported by Hamilton, to adopt the following Resolution 2024-R15 approving the special assessment roll and computations of costs for the Merritt Lake – Lake Level as presented by the Lapeer County Drain Commissioner:

LAPEER COUNTY BOARD OF COMMISSIONERS

**MERRITT LAKE – LAKE LEVEL
RESOLUTION NO. 2024-R15**

WHEREAS, the Lapeer County Drain Commissioner ("Drain Commissioner"), as the delegated authority designated by the Lapeer County Board of Commissioners (the "Board") under Part 307 of the Natural Resources and Environmental Protection Act, Act 451 of 1994, as amended ("Part 307"), has jurisdiction to Operate and maintain the normal lake level of Merritt Lake; and

WHEREAS, a special assessment district was established by the Lapeer County Circuit Court for Merritt Lake, located in Metamora Township, Lapeer County, Michigan, under Part 307. MCL 324.30704; and

WHEREAS, the Drain Commissioner held a public hearing on September 18, 2024 to review the computation of costs of a lake level project and a corresponding special assessment roll consistent with the requirements of Part 307. MCL 324.30714(2); and

WHEREAS, the Drain Commissioner presented the computation of costs of the project and the special assessment roll to the Board for final approval; and

WHEREAS, the Board has reviewed the computation of costs of the project and the special assessment roll presented by the Drain Commissioner.

NOW, THEREFORE, BE IT RESOLVED:

(Resolution 2024-R15 continued)

1. The Board approves the computation of costs of the project and the special assessment roll as presented by the Drain Commissioner and attached to this resolution.
2. The special assessment roll with the assessments listed shall be final and conclusive unless appealed in a court within 15 days of the adoption of this Resolution. MCL 324.30714(4).
3. The Lapeer County Clerk shall forward to the Drain Commissioner a copy of this Resolution so that action can be instituted by Lapeer County in an expedient manner.
4. All resolutions and parts of resolutions insofar as the same that may be in conflict herewith are hereby rescinded.

Roll call vote: Howell, aye; Haggadone, aye; Knisely, aye; Zender, aye; Hamilton, aye; Mast, aye; Kohlman, absent. 6 ayes, 1 absent. Motion carried.

306-2024

Motion by Hamilton, supported by Knisely, to adopt the following Resolution 2024-R16 approving the special assessment roll and computation of costs for the Lake Metamora – Lake Level as presented by the Lapeer County Drain Commissioner:

LAPEER COUNTY BOARD OF COMMISSIONERS

**LAKE METAMORA – LAKE LEVEL
RESOLUTION NO. 2024-R16**

WHEREAS, the Lapeer County Drain Commissioner (“Drain Commissioner”), as the delegated authority designated by the Lapeer County Board of Commissioners (the “Board”) under Part 307 of the Natural Resources and Environmental Protection Act, Act 451 of 1994, as amended (“Part 307”), has jurisdiction to Operate and maintain the normal lake level of Lake Metamora; and

WHEREAS, a special assessment district was established by the Lapeer County Circuit Court for Lake Metamora, located in Metamora Township, Lapeer County, Michigan, under Part 307. MCL 324.30704; and

WHEREAS, the Drain Commissioner held a public hearing on September 18, 2024 to review the computation of costs of a lake level project and a corresponding special assessment roll consistent with the requirements of Part 307. MCL 324.30714(2); and

WHEREAS, the Drain Commissioner presented the computation of costs of the project and the special assessment roll to the Board for final approval; and

WHEREAS, the Board has reviewed the computation of costs of the project and the special assessment roll presented by the Drain Commissioner.

(Resolution 2024-R16 continued)

NOW, THEREFORE, BE IT RESOLVED:

1. The Board approves the computation of costs of the project and the special assessment roll as presented by the Drain Commissioner and attached to this resolution.
2. The special assessment roll with the assessments listed shall be final and conclusive unless appealed in a court within 15 days of the adoption of this Resolution. MCL 324.30714(4).
3. The Lapeer County Clerk shall forward to the Drain Commissioner a copy of this Resolution so that action can be instituted by Lapeer County in an expedient manner.
4. All resolutions and parts of resolutions insofar as the same that may be in conflict herewith are hereby rescinded.

Roll call vote: Hamilton, aye; Howell, aye; Haggadone, aye; Zender, aye; Knisley, aye; Mast, aye; Kohlman, absent. 6 ayes, 1 absent. Motion carried.

307-2024

Motion by Knisely, supported by Howell, to adopt the following Resolution 2024-R17 approving the special assessment roll and computation of costs for the Lake Nepessing – Lake Level as presented by the Lapeer County Drain Commissioner:

LAPEER COUNTY BOARD OF COMMISSIONERS

**LAKE NEPESSING – LAKE LEVEL
RESOLUTION NO. 2024-R17**

WHEREAS, the Lapeer County Drain Commissioner (“Drain Commissioner”), as the delegated authority designated by the Lapeer County Board of Commissioners (the “Board”) under Part 307 of the Natural Resources and Environmental Protection Act, Act 451 of 1994, as amended (“Part 307”), has jurisdiction to Operate and maintain the normal lake level of Lake Nepessing; and

WHEREAS, a special assessment district was established by the Lapeer County Circuit Court for Lake Nepessing, located in Elba Township, Lapeer County, Michigan, under Part 307. MCL 324.30704; and

WHEREAS, the Drain Commissioner held a public hearing on September 18, 2024 to review the computation of costs of a lake level project and a corresponding special assessment roll consistent with the requirements of Part 307. MCL 324.30714(2); and

WHEREAS, the Drain Commissioner presented the computation of costs of the project and the special assessment roll to the Board for final approval; and

(Resolution 2024-R17 continued)

WHEREAS, the Board has reviewed the computation of costs of the project and the special assessment roll presented by the Drain Commissioner.

NOW, THEREFORE, BE IT RESOLVED:

1. The Board approves the computation of costs of the project and the special assessment roll as presented by the Drain Commissioner and attached to this resolution.
2. The special assessment roll with the assessments listed shall be final and conclusive unless appealed in a court within 15 days of the adoption of this Resolution. MCL 324.30714(4).
3. The Lapeer County Clerk shall forward to the Drain Commissioner a copy of this Resolution so that action can be instituted by Lapeer County in an expedient manner.
4. All resolutions and parts of resolutions insofar as the same that may be in conflict herewith are hereby rescinded.

Roll call vote: Knisely, aye; Haggadone, aye; Hamilton, aye; Zender, aye; Howell, aye; Mast, aye; Kohlman, absent. 6 ayes, 1 absent. Motion carried.

308-2024

Motion by Hamilton, supported by Zender, to adopt the proposed Resolution 2024-R18 approving the special assessment roll and computation of costs for the Winn Lake – Lake Level as presented by the Lapeer County Drain Commissioner:

LAPEER COUNTY BOARD OF COMMISSIONERS

**WINN LAKE – LAKE LEVEL
RESOLUTION NO. 2024-R18**

WHEREAS, the Lapeer County Drain Commissioner ("Drain Commissioner"), as the delegated authority designated by the Lapeer County Board of Commissioners (the "Board") under Part 307 of the Natural Resources and Environmental Protection Act, Act 451 of 1994, as amended ("Part 307"), has jurisdiction to Operate and maintain the normal lake level of Winn Lake; and

WHEREAS, a special assessment district was established by the Lapeer County Circuit Court for Winn Lake, located in Lapeer Township, Lapeer County, Michigan, under Part 307. MCL 324.30704; and

WHEREAS, the Drain Commissioner held a public hearing on September 18, 2024 to review the computation of costs of a lake level project and a corresponding special assessment roll consistent with the requirements of Part 307. MCL 324.30714(2); and

(Resolution 2024-R18 continued)

WHEREAS, the Drain Commissioner presented the computation of costs of the project and the special assessment roll to the Board for final approval; and

WHEREAS, the Board has reviewed the computation of costs of the project and the special assessment roll presented by the Drain Commissioner.

NOW, THEREFORE, BE IT RESOLVED:

1. The Board approves the computation of costs of the project and the special assessment roll as presented by the Drain Commissioner and attached to this resolution.
2. The special assessment roll with the assessments listed shall be final and conclusive unless appealed in a court within 15 days of the adoption of this Resolution. MCL 324.30714(4).
3. The Lapeer County Clerk shall forward to the Drain Commissioner a copy of this Resolution so that action can be instituted by Lapeer County in an expedient manner.
4. All resolutions and parts of resolutions insofar as the same that may be in conflict herewith are hereby rescinded.

Roll call vote: Hamilton, **aye**; Haggadone, **aye**; Howell, **aye**; Knisley, **aye**; Zender, **aye**; Mast, **aye**; Kohlman, **absent**. 6 **ayes**, 1 **absent**. Motion carried.

309-2024

Motion by Haggadone, supported by Hamilton, to approve the Mutual Aid Agreements for the Emergency Response to Accidents Involving Livestock (ERAIL) Trailer with both Genesee and Tuscola Counties and those that may arise in the future with neighboring counties; and further, to authorize the Chair/Vice-Chair and/or County Controller/Administrator to sign said agreements. Motion carried.

310-2024

Motion by Haggadone, supported by Hamilton, to accept the Fiscal Year 2024 Round 2 Contract Amendment between Valley Area Agency on Aging (VAAA) and Lapeer County (Health Department), for Care Management, Congregate and Home Delivered Meals, In-Home Services and In-Home Respite services, as submitted, at no cost to the County's General Fund; and further, that a copy of the electronically submitted grant agreement be forwarded to the County Clerk to be filed as an official exhibit. Motion carried.

311-2024

Motion by Haggadone, supported by Hamilton, to accept the 2024 Michigan Department of Environment, Great Lakes, and Energy (EGLE) Local Health Department Grant Agreement for Fiscal Year 2025 in the amount of \$184,856.00 at no additional cost to the county general fund; and further, to authorize the Health Department Director to electronically sign the agreement, and that a copy be forwarded to the County Clerk to be entered into the official record as an exhibit. Motion carried.

312-2024

Motion by Haggadone, supported by Hamilton, to authorize the Health Department to purchase on vaccine refrigerator at a cost of \$7,113.50, at no additional cost to the County general fund. Motion carried.

313-2024

Motion by Haggadone, supported by Hamilton, to authorize payment to the Kelly Firm, in the amount of \$1,662.50 for corporation counsel legal services rendered through July 31, 2024 to be paid from line item #101-239-801.020. Motion carried.

314-2024

Motion by Haggadone, supported by Hamilton, to authorize payment to Shifman Fournier, PLC, in the amount of \$2,535.00 for labor related legal services rendered through August 31, 2024, to be paid from line item #101-239-801.020. Motion carried.

P.A. 116 Applications – Deerfield Township315-2024

Motion by Hamilton, supported by Zender, that the Lapeer County Planning Commission and Board of Commissioners acknowledges receipt of Deerfield Township's PA 116 Application submitted by applicant, Howell Farm LTD, in Section No. 23 Town No. 9N, Range 10E, Parcels #44-006-023-027-00 and #44-006-023-024-00, for approximately 115 acres, for a period of 10 years, and recommends approval of said application. Roll call vote: Hamilton, aye; Knisely, aye; Zender, aye; Haggadone, aye; Howell, abstain; Mast, aye; Kohlman, absent. 5 ayes, 1 abstain, 1 absent. Motion carried.

316-2024

Motion by Zender, supported by Knisely, pursuant to the recommendation of the Properties Committee, to authorize the Health Department to proceed with the IT Fiber Network project at the Imlay City Senior Center, at a cost not to exceed \$10,417.58, to be paid from line 223-674-813.000; and further, to authorize Chair/Vice Chair to sign said agreement, at no additional cost to the County's General Fund. Motion carried.

317-2024

Motion by Zender, supported by Knisely, pursuant to the recommendation of the Properties Committee, to approve the temporary move of the Children's Department and Autism Services to the Health Department until the end of the Michigan Department of Health and Human Services contract on 9/30/2025 and construction of space has been completed; and further, approve the construction costs at the Health Department pending Lapeer County Community Mental Health Board Approval, at no additional cost to the County's General Fund. Motion carried.

318-2024

Motion by Zender, supported by Knisely, pursuant to the recommendation of the Properties Committee, to authorize Building & Grounds/ Parks Department to sell items no longer needed or used by various County Departments at public auction. Motion carried.

319-2024

Motion by Knisely, supported by Haggadone, pursuant to the recommendation of the ARPA Committee, to authorize Building & Grounds/Parks Director to accept the quote and proceed with the purchase of gutter and installation from Preferred Seamless Gutters on the Amphitheatre at Torzewski County Park, at a cost not to exceed \$1,565.00, which includes a 3-year warranty, to be paid from ARPA Fund 281, Category 6.1. Motion carried.

320-2024

Motion by Knisely, supported by Zender, pursuant to the recommendation of the ARPA Committee, to authorize the Buildings & Grounds/Parks Director to accept the quote from Todd's Glass Mirrors and More, for the purchase and installation of 13 replacement thermal windows, frames and necessary sills at the County Jail, at a total cost not to exceed \$28,000.00, to be paid from ARPA Fund 281, Category 6.1. Motion carried.

321-2024

Motion by Knisely, supported by Zender, pursuant to the recommendation of the ARPA Committee, to authorize Building & Grounds/Parks Director to accept the quote and proceed with the addition and repair of concrete at the Lapeer County Sheriff's Department by WJH Concrete Inc. at a cost not to exceed \$38,000.00, to be paid from ARPA Fund 281, Category 6.1. Motion carried.

322-2024

Motion by Knisely, supported by Haggadone, pursuant to the recommendation of the ARPA Committee, pursuant to the RFP process and subsequent review of the submitted bids by our IT Director, to accept and award the Re-Cabling Technology Project at the County Health Department to Vector Technology Group for a total not to exceed \$128,500 plus \$15,000 for demo expenses to be paid from the ARPA Fund 281 (expense category 6.1). Motion carried.

323-2024

Motion by Knisely, supported by Haggadone, pursuant to the recommendation of the ARPA Committee, to authorize an additional expenditure of up to \$500,000.00 of ARPA funds related to the Historic Courthouse Renovation Project due to the denial of the Save America's Treasures Grant funds, as related to the previously authorized in Motion #361-2023 from the November 30, 2023 Regular Board Meeting, for a new grand total of \$1.25M commitment for the project, to be paid from Fund 281 (expense category 2.35, Tourism). Motion carried.

324-2024

Motion by Knisely, supported by Haggadone, to give all Committee of the Whole authority to act between now and December 31, 2024, on any matter brought before them, including the Historic Courthouse Renovation Project and the Animal Control Building Project, to keep them moving forward as required by federal guidelines and requirements for American Rescue Plan Act Committee (ARPA) Funding. Motion carried.

325-2024

Motion by Haggadone, supported by Zender, pursuant to the recommendation of the Personnel Committee, to authorize the Family Court designee to be added to the list of authorized personnel to receive On-Call payments as previously approved in both the original Motion #41-06 from the February 2, 2006 Regular Board Meeting and the amended motion #142-00 from the May 21, 2020 Regular Board. Motion carried.

326-2024

Motion by Haggadone, supported by Zender, pursuant to the recommendation of the Personnel Committee, to amend the Table of Organization for Buildings & Grounds/Parks Department to add and hire one full-time Maintenance position (#TBD, Pay Grade 15), with the understanding that 40 hours a week would be dedicated to work at Community Mental Health, to be paid for by CMH's budget. Motion carried.

327-2024

Motion by Haggadone, supported by Zender, pursuant to the recommendation of the Personnel Committee, to authorize Community Mental Health to make a one-time payment in the amount of \$2,000,000.00 to the MERS Fund for Divisions 06 and 60, based on the actuarial accrued liabilities and valuation assets as of December 31, 2023. Motion carried.

328-2024

Motion by Haggadone, supported by Hamilton, pursuant to the recommendation of the Personnel Committee, to authorize the Sheriff's Department to fill the vacant Corrections (#149, Pay Grade S4) with a lateral hire at Step 1 due to the candidates 3.5 years of experience and pursuant to the Letter of Understanding with the union, at no additional cost to the County's General Fund. Motion carried.

329-2024

Motion by Zender, supported by Hamilton, to rescind motion number 281-2024 of the August 22, 2024 Regular Board Meeting, which approved funds for the new Payroll System and authorized the PayCom Agreement, which was a duplication of Motion number 287-2024 of the August 22, 2024 Regular Board Meeting. Motion carried.

330-2024

Motion by Zender, supported by Hamilton, pursuant to the adopted Budget Calendar, to authorize the County Clerk to publish in the October 13, 2024 edition of a newspaper of general circulation, the required public hearing notice regarding the 2025 and 2026 Biennial Budget, which will be held on October 24, 2024 at 9:00 a.m. Motion carried.

P.A. 116 Application – Metamora Township**331-2024**

Motion by Howell, supported by Knisely, that the Lapeer County Planning Commission and Board of Commissioners acknowledges receipt of Metamora Township's PA 116 Application #001 submitted by applicants, Michael Epling and Aimee Hagen, for approximately 23.16 acres in Section No. 12, Town No. 6N, Range 10E, parcels #44-015-012-001-03 and #44-015-012-001-04, for a period of 10 years, and on September 26, 2024 recommends approval of said application. Motion carried.

P.A. 116 Applications – North Branch Township**332-2024**

Motion by Howell, supported by Knisely, that the Lapeer County Planning Commission and Board of Commissioners acknowledges receipt of North Branch Township's PA 116 Application 003 submitted by applicant Gary Murray for Section No. 16, Town No. 9N, Range 11E, Parcel #44-016-016-001-00, approximately 50.27 acres for a period of 10 years, and on September 26, 2024 recommends approval of said application. Motion carried.

333-2024

Motion by Howell, supported by Knisely, that the Lapeer County Planning Commission and Board of Commissioners acknowledges receipt of North Branch Township's PA 116 Application 004 submitted by applicant Gary Murray for Section No. 29, Town No. 9N, Range 11E, Parcel #44-016-029-004-00, approximately 37.627 acres for a period of 10 years, and on September 26, 2024 recommends approval of said application. Motion carried.

334-2024

Motion by Howell, supported by Knisely, that the Lapeer County Planning Commission and Board of Commissioners acknowledges receipt of North Branch Township's PA 116 Application 005 submitted by applicant Gary Murray for Section No. 16, Town No. 9N, Range 11E, Parcel #44-016-016-001-95, approximately 5.63 acres for a period of 10 years, and on September 26, 2024 recommends approval of said application. Motion carried.

P.A. 116 Applications – Burlington Township**335-2024**

Motion by Howell, supported by Knisely, that the Lapeer County Planning Commission and Board of Commissioners acknowledges receipt of Burlington Township's PA 116 Application 001 submitted by applicant Gary Murray for Section No. 34, Town No. 10N, Range 11E, Parcel #44-004-034-002-02, approximately 20 acres for a period of 10 years, and on September 26, 2024 recommends approval of said application. Motion carried.

336-2024

Motion by Howell, supported by Knisely, that the Lapeer County Planning Commission and Board of Commissioners acknowledges receipt of Burlington Township's PA 116 Application 002 submitted by applicant Gary Murray for Section No. 34, Town No. 10N, Range 11E, Parcel #44-004-034-006-00, approximately 40 acres for a period of 10 years, and on September 26, 2024 recommends approval of said application. Motion carried.

337-2024

Motion by Howell, supported by Knisely, that the Lapeer County Planning Commission and Board of Commissioners acknowledges receipt of Burlington Township's PA 116 Application 003 submitted by applicant Gary Murray for Section No. 34, Town No. 10N, Range 11E, Parcel #44-004-034-004-00, approximately 80 acres for a period of 10 years, and on September 26, 2024 recommends approval of said application. Motion carried.

338-2024

Motion by Howell, supported by Knisely, that the Lapeer County Planning Commission and Board of Commissioners acknowledges receipt of Burlington Township's PA 116 Application 004 submitted by applicant Gary Murray for Section No. 29, Town No. 10N, Range 11E, Parcel #44-004-029-001-70, approximately 5.134 acres for a period of 10 years, and on September 26, 2024 recommends approval of said application. Motion carried.

339-2024

Motion by Howell, supported by Knisely, that the Lapeer County Planning Commission and Board of Commissioners acknowledges receipt of Burlington Township's PA 116 Application 005 submitted by applicant Gary Murray for Section No. 29, Town No. 10N, Range 11E, Parcel #44-004-029-001-80, approximately 5.134 acres for a period of 10 years, and on September 26, 2024 recommends approval of said application. Motion carried.

340-2024

Motion by Howell, supported by Knisely, that the Lapeer County Planning Commission and Board of Commissioners acknowledges receipt of Burlington Township's PA 116 Application 006 submitted by applicant Gary Murray for Section No. 29, Town No. 10N, Range 11E, Parcel #44-004-029-001-90, approximately 10.05 acres for a period of 10 years, and on September 26, 2024 recommends approval of said application. Motion carried.

341-2024

Motion by Howell, supported by Knisely, that the Lapeer County Planning Commission and Board of Commissioners acknowledges receipt of Burlington Township's PA 116 Application 007 submitted by applicant Gary Murray for Section No. 28, Town No. 10N, Range 11E, Parcel #44-004-028-008-04, approximately 41.55 acres for a period of 10 years, and on September 26, 2024 recommends approval of said application. Motion carried.

342-2024

Motion by Zender, supported by Hamilton, to renew the Sophos Antivirus subscription for Fiscal Year 2024/2025 in the amount of \$11,766.00, to be paid from line item 101-228-850.200. Motion carried.

343-2024

Moved by Zender, supported by Hamilton, to approve the following Lapeer County Community Mental Health FY25 contracts with annual subscriptions, as attached, to be paid from within CMH's budget, and at no cost to the County's General Fund; and further to authorize the Chair/Vice-Chair to sign any required documents:

- Brady's Business Systems
- CDW-Microsoft 365 (Single Source Vendor)
- Insight
- ReGroup
- Relias LLC
- Rose Pest Control
- Sage/Net@Work
- Sopho (Single Source Vendor)
- SmartSheets (Single Source Vendor)
- TBD Solutions (Single Source Vendor)
- TMG-Microsoft Business Central (Single Source Vendor)
- Zoom Video Communications, Inc. (Single Source Vendor)

Motion carried.

344-2024

Motion by Howell, supported by Knisely, to enter into the record the County's Audit Motions for September 6th and 20th, 2024 and the Road Commissions Audit Motion for disbursements dated September 5th and 19th, 2024. Roll call vote: Howell, aye; Haggadone, aye; Hamilton, aye; Zender, aye; Knisely, aye; Mast, aye; Kohlman, absent. 6 ayes, 1 absent. Motion carried.

Emergency Management Advisory Council345-2024

Motion by Haggadone, supported by Howell, to appoint William Kalmar, as a replacement to serve in the position currently held by Steven Zott, to serve on the Emergency Management Advisory Council, for an unexpired term ending December 31, 2024. Motion carried.

PUBLIC TIME – Two people spoke during public time.

COMMISSIONER REPORTS

At this time, the Commissioners had an opportunity to offer personal perspectives and individual comments on topics discussed at this Board meeting, share future plans, thank citizens for the participation today, as well as give brief reports on meetings and conferences that they have recently attended, as well as upcoming meetings and events, along with statements regarding public time comments.

ADMINISTRATOR/CHIEF FINANCIAL OFFICER UPDATES

No update given.

346-2024

Motion by Haggadone, supported by Knisely, to go into Closed Session pursuant to the Michigan Open Meetings Act (PA 267 of 1967, section 15.263) for the purpose of discussing negotiation strategy related to collective bargaining labor agreements and to permit the Human Resource Manager and Administration Office Manager to remain in the Closed Session. Roll Call Vote: Haggadone, aye; Hamilton, aye; Howell, aye; Knisely, aye; Zender, aye; Mast, aye; Kohlman, absent. 6 ayes, 1 absent. Motion carried. 9:54 a.m.

The meeting recessed. 9:54 a.m.

The meeting reconvened. 10:10 a.m.

347-2024

Motion by Knisely, supported by Zender, to go out of closed session. Motion carried. 11:04 a.m.

348-2024

Motion by Zender, supported by Hamilton, to approve the minutes of the closed session. Motion carried.

349-2024

Motion by Howell, supported by Haggadone, to change the currently scheduled December 26, 2024 Regular Board Meeting, to instead be held on Thursday, December 19, 2024. Motion carried.

350-2024

Motion by Haggadone, supported by Zender, to relocate the October 24, 2024 Regular Board Meeting from the Commission Chamber to the Historic Courthouse, 2nd floor Courtroom, 235 W. Nepeessing Street, Lapeer, Michigan. Motion carried.

351-2024

Motion by Haggadone, supported by Zender, to adjourn the meeting. Motion carried. 11:06 a.m.

Truman Mast, Vice-Chair
Board of Commissioners

Theresa M. Spencer, County Clerk
Clerk of the Board

To: Mike Womack, City Manager; City Commissioners & City Attorney
From: Denise Soldenski, Director of Housing & Neighborhood Development
Date: October 15, 2024
RE: Neighbors Helping Neighbors Event 2024 – formerly Project Homeless Connect

STAFF RECOMMENDATION

The Housing Improvement Department (HID) would like to update the Commission on the results of the 2024 Neighbors Helping Neighbors event (formerly Project Homeless Connect). No action is necessary.

CURRENT OR NEW INFORMATION

The 2024 Neighbors Helping Neighbors event was held on Thursday, Oct. 3rd from 10am to 2pm at the American Legion Hall. The event is held to offer services to homeless, at risk of homeless and low income individuals/families in the Lapeer area – see attached event flyer. The City of Lapeer's HID donated 100 unisex personal care packages and approximately 50 women's personal hygiene products that were distributed during the event. City of Lapeer HID staff attended as an event vendor.

According to Brianna Kammer, an organizer of the event, 237 households attended the event affecting 584 people with 40 community vendors in attendance. Food parcels for approximately 250 individuals/households were given to guests courtesy of the Eastern Michigan Food Bank.

BACKGROUND OR PREVIOUSLY SUBMITTED INFORMATION

The City of Lapeer's Housing Improvement Department has participated in the Neighbors Helping Neighbors event (formerly Project Homeless Connect) since its inception in January of 2009.

AGENDA ITEM REVIEW

Meeting Date:

Date Reviewed:

Consent:

Administrative:

Reviewed By:

Public Hearing:



NEIGHBORS HELPING NEIGHBORS

THURSDAY, OCTOBER 3

10 AM- 2 PM American Legion
Hall in Lapeer

**ALL SERVICES & ITEMS AT THE
EVENT ARE FREE.**

Services available at the event include Housing, Employment & Utility Assistance, Veteran Services, Personal Care Items, Job Training, Clothing, Counseling, Hair Cuts & more!

**FOOD PROVIDED BY THE FOOD BANK OF
EASTERN MICHIGAN AND FREE LUNCH
PROVIDED BY THE UNITED WAY OF LAPEER
COUNTY AVAILABLE WHILE SUPPLIES LAST.**



For more information or to volunteer or become a vendor, visit
www.one-christ-ministries.org

This institution is an equal
opportunity provider.