



AGENDA
CITY OF LAPEER
LAPEER CITY COMMISSION
576 LIBERTY PARK, LAPEER, MI 48446
SEPTEMBER 8, 2026
810-664-5231 * WWW.CI.LAPEER.MI.US

6:30 P.M. CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF SEPTEMBER 8, 2026, AGENDA

A. MINUTES:

1. Minutes of the Special meeting held August 10, 2026.
2. Minutes of the Regular meeting held August 17, 2026.

B. PUBLIC COMMENTS:

C. CONSENT AGENDA:

1. Special Event: Lapeer Community Schools, Homecoming Parade, Sept. 18, 2026.
2. Special Event: Lapeer Downtown Development Authority, Porch Fest, Sept. 26, 2026.
3. Special Event: Liquid Craft, LLC, Oktoberfest, Sept. 26, 2026.
4. Special Event: Kiwanis Club of Lapeer, Fantasy Forest, Oct. 10, 2026.

SUGGESTED MOTION:

Approve the Consent Agenda for September 8, 2026.

D. BILL LISTING:

1. Bill Listing for September 8, 2026.

SUGGESTED MOTION: ROLL CALL VOTE.

Approve the Bill Listing for September 8, 2026, in the amount of \$6,174,094.85.

E. PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS:

1. Proclamation – Suicide Prevention Month.

SUGGESTED MOTION:

Adopt the proclamation for Suicide Prevention Month.

2. Resolution – Establishing a Public Meeting Protocol, Promoting Suicide Prevention Awareness.

SUGGESTED MOTION:

Adopt the resolution establishing a public meeting protocol, promoting suicide prevention awareness.

F. PUBLIC HEARINGS:

G. ADMINISTRATIVE REPORTS:

1. Construction Engineering Contract Amendment with ROWE.

SUGGESTED MOTION: ROLL CALL VOTE.

To approve ROWE Professional Services Contract Amendment No. 1 for construction engineering services on the W. Park St., Pine St., and parking lot improvements for an amount not to exceed \$13,500, and to authorize the Director of Public Works to sign all necessary documents and approve the budget adjustment as presented.

2. Construction Engineering Services – Genesee St. Bridge - Spicer Group Inc.

SUGGESTED MOTION: ROLL CALL VOTE.

Approve the contract with Spicer Group Inc. for full construction engineering, inspection and testing services for the Genesee St. Bridge over Farmers Creek, for an amount not to exceed \$299,968.00 and authorize the Director of Public Works to sign all necessary documents.

3. Property Disposition Procedure.

SUGGESTED MOTION:

Approve the proposed Property Disposition Procedure to establish a consistent process for City staff to evaluate and process requests for the sale or other disposition of City-owned parcels and buildings.

4. DDA Executive Director Employment Contract.

SUGGESTED MOTION: ROLL CALL VOTE.

Approve the Downtown Development Authority (DDA) Executive Director Employment Contract as approved by the DDA Board on August 26, 2026.

H. CITY MANAGER'S REPORT:

1. Various matters.

I. CITY ATTORNEY'S REPORT:

1. Appeals of three (3) FOIA Requests.
2. Various matters.

J. UNFINISHED BUSINESS:

1. Appointments to Boards and Commissions.
Resignation – Park Board – Didrik Krogh (term expires April 1, 2028).
Resignation – Zoning Board of Appeals – Anne Shenck (term expires April 1, 2028).
 - a. Mayoral Appointments.
 - i. Construction Board of Review – Three (3) Vacancies
Appointment – term to expire July 1, 2028.
 - ii. Park Board
Appointment – term to expire April 1, 2029.
 - iii. Planning Commission
Appointment – term to expire August 1, 2029.
 - b. Commission Appointments.
 - i. Zoning Board of Appeals
Appointment – term to expire April 1, 2029.
 - ii. Zoning Board of Appeals – Alternates
Appointment – term to expire April 1, 2027.
Appointment – term to expire April 1, 2028.

K. DEPARTMENTAL COMMUNICATIONS:

L. PUBLIC COMMENTS:

M. CLOSING COMMENTS:

N. REMINDER OF MEETINGS:

Next City Commission Meeting: **MONDAY, SEPTEMBER 14, 2026, Joint Meeting**

O. REMINDER OF PUBLIC HEARINGS:

ADJOURNMENT

MATERIAL TRANSMITTAL

Notice:

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

**LAPEER CITY COMMISSION
MINUTES OF A SPECIAL MEETING
AUGUST 10, 2026**

A special meeting of the Lapeer City Commission was held August 10, 2026, at the Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 4:08 p.m.

ROLL CALL

Present: Mayor Hing.

Commissioners: Atwood, Brady, Glisman, McCarthy, Petrie.

Absent: None.

Also present: Acting City Manager Hanna, City Attorney Francis, City Clerk Sanchez.

Mayor Hing led the Pledge of Allegiance.

PUBLIC COMMENTS

Leslie Getz commented on leadership.

Eric Gajewski commented about City Manager Womack.

Ken Kopnick commented about City Manager Womack.

Commissioner Brady raised a point of order. Mayor Hing ruled the point of order not well heard.

Appeal the ruling of the chair

Moved by Brady. Second by Atwood.

Appeal the ruling of the chair.

Ayes: Atwood, Brady.

Nays: Glisman, McCarthy, Petrie.

MOTION FAILED.

Mayor Hing ruled a member of the public out of order for speaking out of turn.

John DeAngelis commented on the canvass of the August Election and commented on employee exit interviews.

Sheila Mallon commented on City Manager Womack and the management style of the mayor.

Stephen Schwartz commented that the Commission should accept the City Manager's resignation with severance and attorney fee reimbursement to avoid costly litigation.

Gigi Griffith commented thanked all the election workers and also on the allegations related to the City Manager.

Karen Brashayko commented on City Manager Womack's response to the investigation.

Alexis Hanks commented on the Commission rules.

Heidi Helfer commented on the Bodman investigation and actions of the Commission.

Geraldine Carson commented on other public comments.

Kelly Nolan read previous comments made by Mayor Hing.

John Lyons commented on actions of the Commission.

Julie Fisk commented on the construction on Fox Street.

Wes Weber commented on social media algorithms and City Manager Womack.

ADMINISTRATIVE:

**227 2026 08-10 CLOSED SESSION – ATTORNEY INVESTIGATION
MEMORANDUM**

Moved by Petrie. Second by Glisman.

Enter into a Closed Session to consider the confidential, attorney-client privileged Attorney Investigation Memorandum prepared by the City's outside counsel, together with the City Manager's written response to it, as material exempt from discussion or disclosure by state statute, as permitted under Section 8(1)(h) of the Open Meetings Act (MCL 15.268(1)(h)).

ROLL CALL VOTE:

Ayes: Glisman, McCarthy, Petrie.

Nays: Brady, Atwood.

MOTION FAILED.

Mr. Womack did not request to enter into a closed session.

Mayor Hing read an email statement from Kim Hodge into public comment.

Commissioner Petrie raised a point of order; one Commissioner was using another Commissioner's first name. Mayor Hing ruled in favor that using a commissioner's first name is a violation of the Rules and Procedures of the Commission, D-6.

228 2026 08-10 TERMINATE CITY MANAGER

Moved by McCarthy. Second by Petrie.

To terminate Mr. Womack for cause, based on the findings from the investigation report, and direct the attorney and Mr. Womack's attorney to negotiate a settlement.

Commissioner Atwood raised a point of order. Mayor Hing ruled the point of order not well received.

Commissioner Atwood raised a point of inquiry.

Call the question

Moved by Glisman. Second by Brady.

To call the question.

ROLL CALL VOTE:

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

Nays: None.

MOTION CARRIED.

Vote on main motion:

ROLL CALL VOTE:

Ayes: None.

Nays: McCarthy, Petrie, Atwood, Brady, Glisman.

MOTION FAILED.

Commissioner Brady raised a point of order. Mayor Hing ruled the point of order not well received.

229 2026 08-10 ACCEPT RESIGNATION OF CITY MANAGER

Motion by Brady. Second by Atwood.

To accept the resignation of Mr. Womack, which was his previously negotiated settlement package and attorney fees.

Call the question

Moved by Atwood. Second by Brady.

To call the question.

ROLL CALL VOTE:

Ayes: Atwood, Brady.

Nays: Petrie, Glisman, McCarthy.

MOTION FAILED 2-3.

Commissioner Petrie raised a point of order, stating that Commissioner Brady's actions were dilatory. Mayor Hing sustained the point of order, citing *Robert's Rules of Order* § 19 and 43.

Commissioner Petrie raised a point of order. Mayor Hing sustained the point of order, ruling that Commissioner Brady was out of order because he did not have the floor.

230 2026 08-10 RECESS

Motion by Petrie. Second by McCarthy.

To take a 10-minute recess.

ROLL CALL VOTE:

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

Nays: None.

MOTION CARRIED .

The Commission took a recess at 6:48 p.m. and returned to the special meeting at 6:58 p.m.

Vote on main motion 229 2026 08-10:

ROLL CALL VOTE:

Ayes: Atwood, Brady.

Nays: Petrie, Glisman, McCarthy.

MOTION FAILED 2-3.

231 2026 08-10 CITY MANAGER

Moved by Glisman. Second by Atwood.

Postpone the disciplinary decision until August 24, 2026, and direct the attorneys to negotiate a settlement and set a special meeting for August 24, 2026, at 4:00 p.m.

Commissioner Petrie raised a point of order. Mayor Hing sustained the point of Order, ruling that the subject was not germane to the matter under consideration.

ROLL CALL VOTE:

Ayes: Atwood, Glisman, McCarthy, Petrie.

Nays: Brady.

MOTION CARRIED 4-1.

232 2026 08-10 ADMINISTRATIVE LEAVE

Moved by McCarthy. Second by Atwood.

To continue the paid administrative leave until August 24, 2026, for City Manager Mike Womack.

ROLL CALL VOTE:

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

Nays: None.

MOTION CARRIED.

233 2026 08-10 ACTING CITY MANAGER

Moved by Atwood. Second by Glisman.

To appoint Police Chief Howe as Acting City Manager, with the same stipend until August 24, 2026.

ROLL CALL VOTE:

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

Nays: None.

MOTION CARRIED.

234 2026 08-10 ADJOURNMENT

Having no further business, the special meeting was adjourned at 7:17 p.m.

Jeramy Hing, Mayor

Romona Sanchez, City Clerk

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
AUGUST 17, 2026**

A regular meeting of the Lapeer City Commission was held August 17, 2026, at the Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

ROLL CALL

Present: Mayor Hing. Commissioners: Atwood, Brady, Glisman, McCarthy, Petrie.

Absent: None.

Also present: Acting City Manager Howe, City Attorney Francis, and City Clerk Sanchez.

Mayor Hing led the Pledge of Allegiance.

235 2026 08-17 THIRTY-MINUTE TIME LIMIT

Moved by McCarthy. Second by Petrie.

For this meeting only, discussion of each agenda item remains subject to the thirty-minute limit established by the Rules and Procedures of the City Commission and that each Commissioner be recognized for no more than two (2) speaking turns on each agenda item.

Ayes: Glisman, McCarthy, Petrie.

Nays: Brady, Atwood.

MOTION CARRIED 3-2.

236 2026 08-17 AGENDA APPROVAL

Moved by Petrie. Second by McCarthy.

Approve the Agenda for August 17, 2026, as presented.

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

Nays: None.

MOTION CARRIED.

237 2026 08-17 MINUTES

Moved by Petrie. Second by McCarthy.

Approve the minutes of the Regular Meeting held August 3, 2026, as presented.

Commissioner Atwood raised a point of order, stating the motion maker said the minutes are for tonight's meeting; however, the minutes are for August 3, 2026. Mayor Hing ruled the point of order well received, and the motion was corrected.

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

Nays: None.

MOTION CARRIED.

PUBLIC COMMENTS

Brad Haggadone, Lapeer County Commissioner, provided an update to the City Commission regarding the proceedings of the Lapeer County Board of Commissioners.

Pastor Rod Sanderson-Smith gave an invocation.

Tonna Osko gave an invocation.

Laura Ostrom commented on the Match on Main Grant.

Alexis H. commented on the actions of the Commissioners.

Ken Kopnick commented on the actions of the Commissioners.

Wes Weber, Jr., commented on social media weakening government.

Karen Miller read scripture.

Heidi Helfer commented on comments by the Commissioners.

Yana Yakubchik asked for three minutes of silence.

238 2026 08-17 CONSENT AGENDA

Moved by McCarthy. Second by Glisman.

Approve the consent agenda for August 17, 2026, as presented:

1. Fixed Asset Disposal: 2021 Bobcat Zero-Turn Mower.
2. Fixed Asset Disposal: Kodiak Brush Mower.
3. Fixed Asset Disposal: 2006 Kubota L48 Tractor.

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

Nays: None.

MOTION CARRIED.

239 2026 08-17 BILL LISTING

Moved by McCarthy. Second by Petrie.

Approve the bill listing for August 17, 2026, in the amount of \$1,430,995.12.

Commissioner McCarthy raised a point of order indicating that Commissioner Brady was violating City Charter §C-6.6. Mayor Hing ruled the point of order well received.

Mayor Hing ruled Commissioner Brady out of order, while a point of order was being considered by the chair.

Commissioner Petrie raised a point of order indicating Commissioner Brady was violating the Lapeer City Commission's Rules and Procedures of the Commission, D.6. Mayor Hing ruled the point of order well received and ruled Commissioner Brady out of order.

Commissioner Brady raised a point of order. Mayor Hing ruled that the point of order was not well received and that it violates and disrupts the call to question process.

Call the question:

Moved by McCarthy. Second by Petrie.

Ayes: Glisman, McCarthy, Petrie.

Nays: Atwood, Brady.

MOTION FAILED 3-2.

Mayor Hing ruled Commissioner Brady out of order, stating that the point of order was dilatory, violated the call-to-question process, and was made while Commissioner Brady did not have the floor and did not yield when the Chair called for order.

Vote on main motion:

ROLL CALL VOTE:

Ayes: McCarthy, Petrie, Glisman.

Nays: Atwood, Brady.

MOTION CARRIED 3-2.

240 2026 08-17 BODMAN, PLC

Moved by McCarthy. Second by Petrie.

To increase the Bodman PLC Engagement #1 budget in the amount of \$3,400.

Commissioner Atwood raised a point of order (RONR §41) Orders of the Day. Mayor Hing ruled that the point of order was not well received as this motion was germane to the topic of billing.

Appeal the decision:

Moved by Atwood. Second by Brady.

Appeal the ruling of the chair.

ROLL CALL VOTE.

Ayes: Atwood, Brady.

Nays: Glisman, McCarthy, Petrie.

MOTION FAILED 2-3.

241 2026 08-17 RECESS

Moved by Atwood. Second by McCarthy.

To take a five (5) minute recess.

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

Nays: None.

MOTION CARRIED.

The Commission took a recess at 7:43 p.m. and returned to the regular meeting at 7:48 p.m.

Commissioner Petrie raised a point of order indicating Commissioner Brady violated (RONR §43) speaking without being recognized or interrupting speakers. Mayor Hing ruled that the point of order is well received.

Commissioner McCarthy raised a point of order indicating Commissioner Brady violated (RONR §23 and 64) speaking without being recognized or interrupting speakers. Mayor Hing ruled that the point of order is well received.

Vote on main motion 240 2026 08-17:

Ayes: McCarthy, Petrie, Glisman.

Nays: Atwood, Brady.

MOTION CARRIED 3-2.

ADMINISTRATIVE REPORTS:

242 2026 08-17 TRANSFER OF MARIHUANA LICENSE

Moved by Glisman. Second by Atwood.

Approve the transfer of two (2) marihuana provisioning center licenses from DNVK Lapeer, Inc. to Arctic Falls, LLC, as presented.

ROLL CALL VOTE:

Ayes: Petrie, Atwood, Glisman, McCarthy.

Nays: Brady.

MOTION CARRIED 4-1.

243 2026 08-17 2nd READING – ORDINANCE AMENDMENT – CHAPTER 7

Moved by Glisman. Second by Atwood.

Adopt Ordinance 2026-06, on second reading, amending Chapter 7, Article 7.02.02 (a)(45) of the General Ordinances of the City of Lapeer, to rezone 1029 Baldwin Road, Parcel L21-39-831-032-20, from R-3 Single-Family Residential to B-2 General Business.

Ordinance No. 2026-06

THE CITY OF LAPEER ORDAINS:

ARTICLE 7.02 MAPPED DISTRICTS 7.02.02 District Boundaries

(a) Zoning District Amendments

(45) The following described property formerly zoned R-3 Residential Single Family is hereby rezoned to B-2 General Business:

i. PARCEL #L21-39-831-032-20. CITY OF LAPEER
SEC 7 T7N R10E SUPERVISOR'S PLAT #4
RECORDED IN PLAT LIBER 1, PAGE 91, AND A
PART OF LOT 32

ROLL CALL VOTE:

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

Nays: None.

MOTION CARRIED.

244 2026 08-17 FY 2026/2027 BUDGET AMENDMENT

Moved by Glisman. Second by Atwood.

Approve the FY 2026/2027 Budget Amendment, as presented.

ROLL CALL VOTE:

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

Nays: None.

MOTION CARRIED.

245 2026 08-17 DOWNTOWN SIDEWALK IMPROVEMENTS

Moved by McCarthy. Second by Glisman.

Approve the estimate submitted by Topline Concrete in the amount of \$101,640 for the removal, subbase repair, and reinstallation of the existing brick pavers, and authorize the Director of Public Works to execute the estimate.

ROLL CALL VOTE:

Ayes: Glisman, McCarthy, Petrie, Brady.

Nays: Atwood.

MOTION CARRIED 4-1.

CITY MANAGER'S REPORT

Acting City Manager Howe thanked all the department heads for their help getting him up to speed and thanked all the employees for their hard work on Lapeer Days.

UNFINISHED BUSINESS

246 2026 08-17 REAPPOINTMENT – LAPEER COUNTY CENTRAL DISPATCH AUTHORITY

Moved by McCarthy. Second by Glisman.

To reappoint Mike Vogt to the Lapeer County Central Dispatch Authority for a term to expire September 1, 2029.

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

Nays: None.

MOTION CARRIED.

DEPARTMENTAL REPORTS

The Monthly Departmental Report, Quarterly Financial Report, and Quarterly Investment Reports were received into the record.

PUBLIC COMMENTS

Geraldine Carson commented on City Manager Womack.

Gigi Griffith commented on disabled individuals.

Sheila Mallon commented on actions by the Commissioners.

Cheryl Barnett commented on actions by the Commissioners.

Karen Brashayko commented on actions of the Mayor.

Ken Kopnick commented on actions of the Mayor.

Andrew Johnson commented on actions of the Commissioners.

Heidi Helfer commented on actions by the Commissioners.

Laura Ostrom commented on the comments of the public.

Denise Soldenski commented on her retirement.

John Lyons commented on actions by the Commission.

Wes Weber commented on mistrust.

MAYOR/COMMISSIONER COMMENTS

Mayor and Commissioners made closing remarks. No further business was brought before the Commission.

247 2026 08-17 ADJOURNMENT

Having no further business, the regular meeting was adjourned at 10:03 p.m.

Jeramy Hing, Mayor

Romona Sanchez, City Clerk

DRAFT



ITEM C-1

Meeting Date: September 8, 2026
Department: Police Department
Requestor: Chief Jeremy Howe
Agenda Item: Special event – Homecoming Parade 2026

RECOMMENDATION (motion):

Approve the motion as presented.

AGENDA ITEM INFORMATION:

A request has been received from the Lapeer Community Schools to hold their annual Homecoming Parade on Friday, September 18, 2026. The event will take place in the downtown area on Nepessing Street from 4:00 p.m. – 6:00 p.m. This event does require approximately 20 hours of overtime from the Police Department, along with services from the Department of Public Works for placing of barricades.

See PDF file SE Homecoming Parade 2026

Budgeted Amount:	N/A	Funds Requested:	
Funding Source:		CIP Project #:	
		Budget Amendment Needed:	
# of Bids/Quotes Obtained:		Budget Amendment Attached:	
Explanation:			

RECEIVED

AUG 05 2026

CITY MANAGER
LAPEER, MI



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 Community Schools
933 S Saginaw

Phone #

810-667-2418

Address

Organization Event
Coordinator/Contact

Austin Green

Phone #

810-656-7445

Event Coordinator/
Contact Address

933 S Saginaw

Coordinator/Contact Email

austin.green@lapeerschools.org

Event Name

Homecoming Parade

Purpose of Event

parade

Event Location

Nepassing Rd

Have you
reserved your
park/pavilion?

Yes / ☒ No

*If yes, provide copy of reservation form with this application, if no and planning a park event, reservations need to be made.**

Date of Event

9/18/26

Event Time

5 pm (4:15 prep)

of Event

Organizational Team

20

of Expected
Attendees:

300

Describe the activities

taking place at your event: Parade for homecoming

Please check what will be part of your event:

☒ Music**
☐ Tents

☐ Animals**
(such as a petting zoo)
☐ Wedding

☐ Selling of food*
☐ Selling of drinks*

☐ Posted Signage of
Event*
☐ Liquor/Beer or Wine*

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

Please check what you request the City to supply:

*See Rules and Regulations

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

INDEMNIFICATION AGREEMENT

The Lapeer Community Schools 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: [Signature] Date: 8-5-26

Witness: [Signature] Date: 8/5/26

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): _____

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.

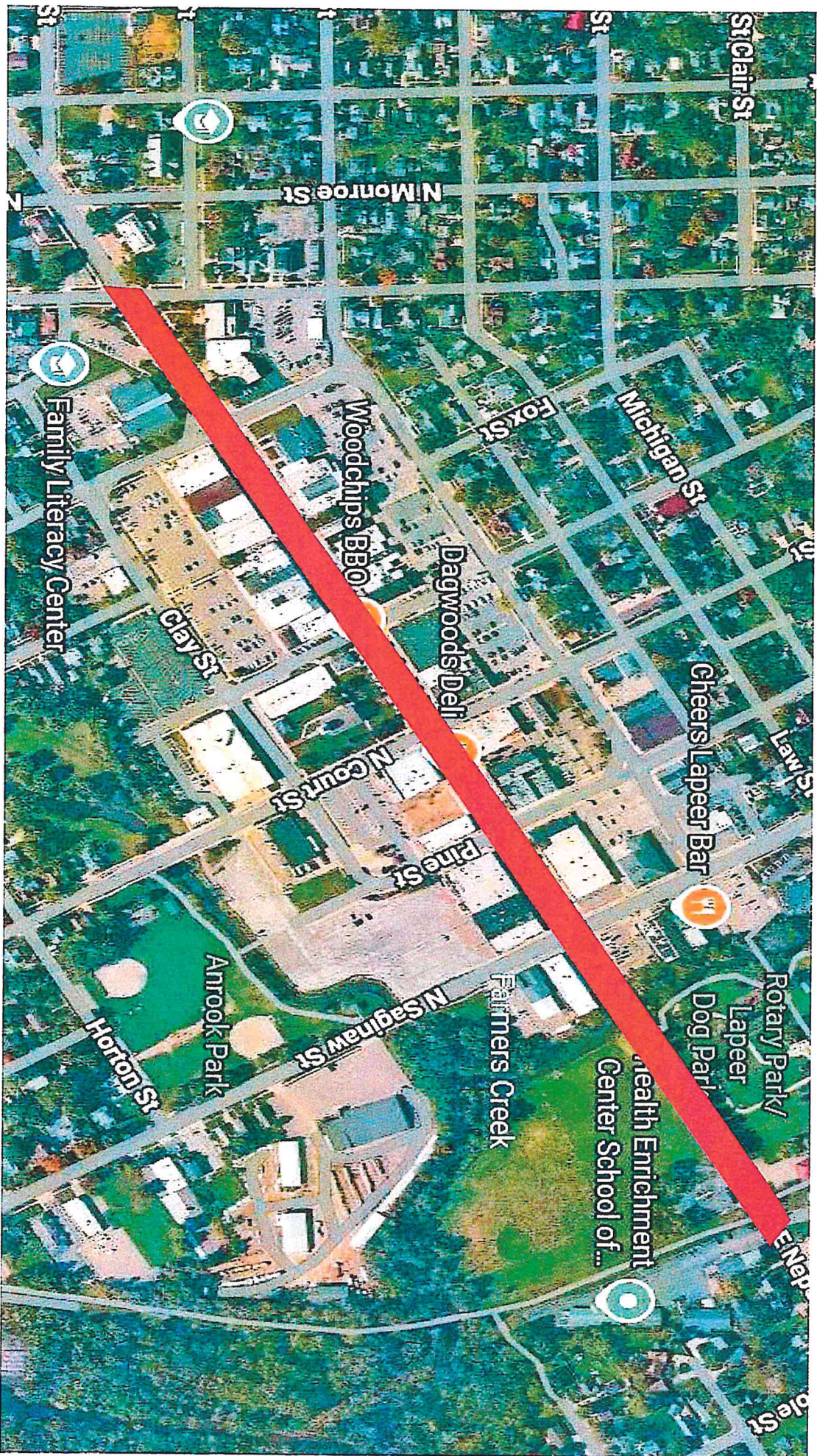
8/5/26
Date


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. |





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
8/5/2026

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 Arthur J. Gallagher Risk Management Services, LLC 300 Ottawa NW Suite 301 Grand Rapids MI 49503	CONTACT NAME: Abby Boumis PHONE (A/C, No, Ext): 616-233-0916 FAX (A/C, No): E-MAIL ADDRESS: Abby.Boumis@ajg.com
INSURED MAISL Joint Risk Management Trust Lapeer Community Schools 250 Second Street Lapeer MI 48446	INSURER(S) AFFORDING COVERAGE INSURER A : Great American Insurance Company INSURER B : Arthur J Gallagher - Grand Rapids INSURER C : INSURER D : INSURER E : INSURER F :
	NAIC # 16691

COVERAGES

CERTIFICATE NUMBER: 1237962500

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
B A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:	Y		INSURER A & B MAC 3128240	7/1/2026 7/1/2026	7/1/2027 7/1/2027	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$1,000,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$Included GENERAL AGGREGATE \$3,000,000 PRODUCTS - COMPIOP AGG \$1,000,000 Agg Applies per \$Member
B A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO OWNED AUTOS ONLY ☐ SCHEDULED AUTOS HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY			INSURER A & B MAC 3128240	7/1/2026 7/1/2026	7/1/2027 7/1/2027	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Physical Damage \$Included
B A	☒ UMBRELLA LIAB ☒ EXCESS LIAB ☐ CLAIMS-MADE DED ☐ RETENTIONS			INSURER A & B MAC 3128240	7/1/2026 7/1/2026	7/1/2027 7/1/2027	EACH OCCURRENCE \$10,000,000 AGGREGATE \$10,000,000 \$
	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 ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	School Board Legal Liability Professional & Errors & Omissions Auto Liability			MAC 3128240	7/1/2026	7/1/2027	Per Claim Limit \$1,000,000 Aggregate Limit \$1,000,000 Maintenance Ded. \$2,500

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

MAISL Joint Risk Management Trust is a qualified and approved self-insurance fund under the laws of the State of Michigan. SIR \$600,000
City of Lapeer is an Additional Insured as respects to the General Liability policy, pursuant to and subject to the policy's terms, definitions, conditions and exclusions.

RE: Lapeer Schools Homecoming Parade held on September 18, 2026.

CERTIFICATE HOLDER

City of Lapeer 576 Liberty Park Lapeer, MI 48446 USA	CANCELLATION 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 Arthur J. Gallagher Risk Management Services, LLC
---	--

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To: City Manager
From: Jeremy Howe, Chief of Police
Date: April 6th, 2026
RE: Special Event – Porch Fest

STAFF RECOMMENDATION

To Approve the Event.

CURRENT OR NEW INFORMATION

We have received a request from the Lapeer Downtown Development Authority Director Jim Alt to hold an event in the downtown area titled: Porch Fest on Saturday, September 26th, 2026, from 12:00 P.M. to 6:30 P.M. The event will occur throughout the downtown area, including Nepessing Street and surrounding residential areas. This is an annual event and is expected to have over 750 attendees.

See PDF SE Porch Fest 2026.

BACKGROUND OR PREVIOUSLY SUBMITTED INFORMATION

This is now an annual event.

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 Downtown Development Authority Phone # 810-728-6598

Address 410 W. Nepessing St. Ste. 106

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 Porch Fest

Purpose of Event To create community involvement that utilizes downtown businesses, and community partners in the effort to engage others through music and entertainment by show casing local artists throughout the downtown area, while also generating sales.

Event Location Throughout the downtown area, including Nepessing and surrounding residential areas.

Date of Event September 26

of Event 8

Organizational Team

Describe the activities taking place at your event: Utilizing residential porches as well as make shift stages such as sidewalk spaces that are in front of retail businesses and restaurants to create an all-day music festival throughout the downtown area.

Have you reserved your park/pavilion? Yes / No
*If yes, provide copy of reservation form with this application, if no and planning a park event, reservations need to be made.**

Event Time Noon - 6:30pm

of Expected Attendees: 750+

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: Live Music from a variety of performers

*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:	x	Electricity Turned on/off Pocket Park		Other:	Electric from street light in front of the Lapeer County Pavilion, Corner of Pine Street and Nepessing St.
	Trash Containers Qty:		Road Crossing Guards Qty:			Planters in front of Doghouse
X	Road Closures List:	Pine Street between Nepessing Street and Ally behind Essential Necessities				

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: _____ Date: _____

Witness: _____ Date: _____

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): Saturday, July 17 - Rain Date September 25

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.

Date

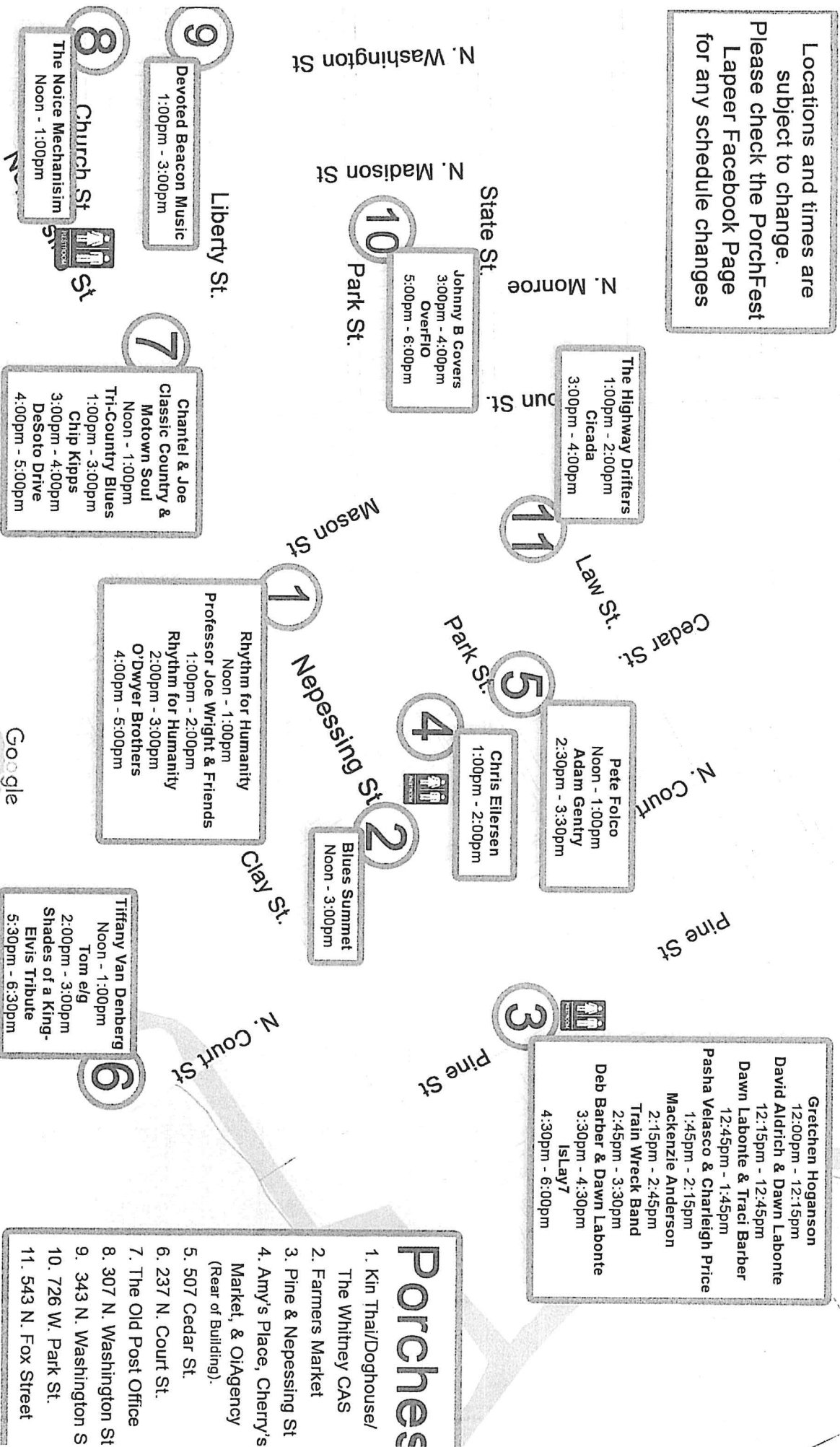
Signature of Sponsoring Organization's Agent

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. |

Locations and times are subject to change. Please check the PorchFest Lapeer Facebook Page for any schedule changes





ITEM C-3

Meeting Date: September 8, 2026
Department: Police Department
Requestor: Chief Jeremy Howe
Agenda Item: Oktoberfest 2026

RECOMMENDATION (motion):

Approve the event as presented.

AGENDA ITEM INFORMATION:

Liquid Craft LLC / Tilted Axis, located at 303 W. Nepessing St., would like to host an event called Oktoberfest. The event will be on September 26, 2026 from 12:00 p.m. to 10:00 p.m. They expect about 150 attendees and would have music, corn hole, pumpkin painting and animals from the paradise animal rescue. This will require a street closure from Cedar St. between Nepessing St. and the parking lot.

This is an annual event and requires city services.

Budgeted Amount:	N/A	Funds Requested:	
Funding Source:		CIP Project #:	
		Budget Amendment Needed:	
# of Bids/Quotes Obtained:		Budget Amendment Attached:	
Explanation:			

RECEIVED

AUG 12 2026

CITY MANAGER
LAPEER, MI



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)

Liquid Craft LLC

Phone #

Address

303 W Nepeessing St

Organization Event
Coordinator/Contact

Mark Simpson

Phone #

586-255-1915

Event Coordinator/
Contact Address

303 W Nepeessing St.

Coordinator/Contact Email

msimpson4474@gmail.com

Event Name

Oktoberfest

Purpose of Event

Oktoberfest Celebration

Event Location

303 W. Nepeessing St.

Have you
reserved your
park/pavilion?

Yes / No

If yes, provide copy of reservation form with this application. If no and planning a park event, reservations need to be made.*

Date of Event

9/12/20 09-26-2026

Event Time

12:00pm - 10:00pm

of Event

Organizational Team

1 Day

of Expected

Attendees:

150

Describe the activities
taking place at your event:

Music, corn hole, pumpkin painting, paradise animal rescue.

Please check what will be part of your event:



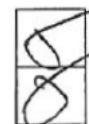
Music**



Animals**
(such as a petting zoo)



Selling of food*



Posted Signage of
Event*
Liquor/Beer or Wine*



Tents



Wedding



Selling of drinks*

**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: <u>12</u>	Electricity Turned on/off <u>ON</u>	Other:
Trash Containers Qty: <u>4</u>	Road Crossing Guards Qty: <u>4</u>	
Road Closures List:	<u>Cedar St between Nepeensing & Parking lot.</u>	

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 Liquid Craft LLC / Tilted Axis 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: [Signature] Date: 8/7/26

Witness: [Signature] Date: 8-7-26

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): September 18, 2027

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?

Liquid Craft LLC

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.

8/7/26
Date

[Signature]
Signature of Sponsoring Organization's Agent

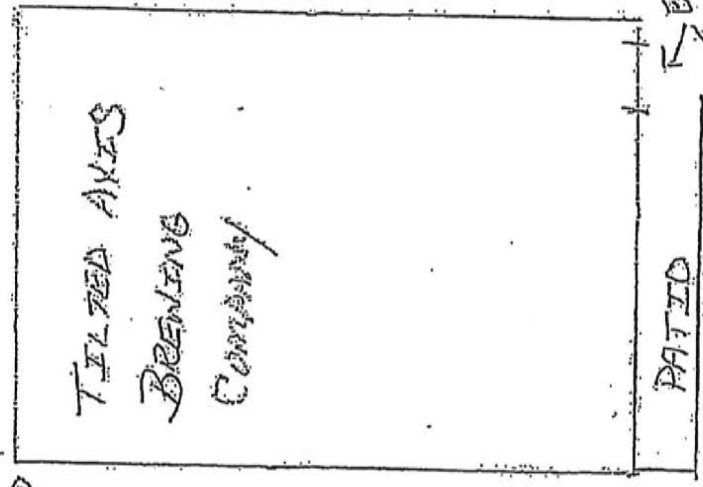
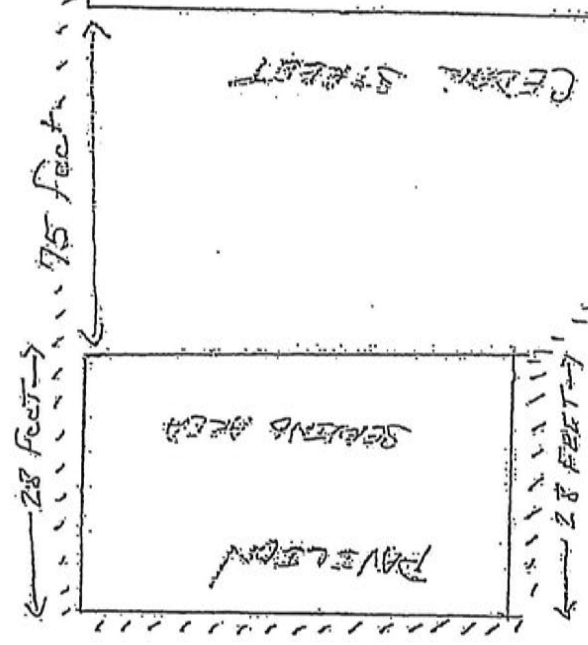
SUBMIT THIS APPLICATION at least **45** calendar days before the first day of the event to the City of Lapeer, City Clerk's Office, 576 Liberty Park, Lapeer MI 48446.

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. |

TILTED AXIS REFINERS COMPANY OK TO BE AFFECTED

LAPER
COUNTY
COURTHOUSE



W. NEPESING STREET



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

8/10/2026

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 Hartland Insurance Agency Inc. PO Box 129 Hartland MI 48353		CONTACT NAME: PHONE (A/C, No, Ext): 810-632-5161 FAX (A/C, No): 810-632-6775 E-MAIL ADDRESS: barbarawalker@hartlandinsurance.com		
INSURED Liquid Craft LLC 303 W Nepessing Lapeer MI 48446		INSURER(S) AFFORDING COVERAGE		NAIC #
		INSURER A: Cincinnati Insurance Companies		10677
		INSURER B:		
		INSURER C:		
		INSURER D:		
		INSURER E:		
INSURER F:				

COVERAGES

CERTIFICATE NUMBER: 1659148079

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:	Y		SL2217633	5/11/2026	5/11/2027	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
							MED EXP (Any one person)	\$ 5,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 1,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$
	☐ AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ HIRED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident)	\$
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
A	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☒ RETENTION \$ 10,000			SL2217634	5/11/2026	5/11/2027	EACH OCCURRENCE	\$ 1,000,000
							AGGREGATE	\$ 1,000,000
								\$
	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	OTH-ER
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

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

See Remarks

See Attached...

CERTIFICATE HOLDER**CANCELLATION**

The City of Lapeer
576 Liberty St
Lapeer MI 48446

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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**ADDITIONAL REMARKS SCHEDULE**Page 1 of 1

AGENCY Hartland Insurance Agency Inc.		NAMED INSURED Liquid Craft LLC 303 W Nepessing Lapeer MI 48446
POLICY NUMBER		
CARRIER	NAIC CODE	EFFECTIVE DATE:

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
FORM NUMBER: 25 FORM TITLE: CERTIFICATE OF LIABILITY INSURANCE

The City of Lapeer is additional insured with respect to Commercial General Liability



ITEM C-4

Meeting Date: September 8, 2026
Department: Police Department
Requestor: Chief Jeremy Howe
Agenda Item: Fantasy Forest 2026

RECOMMENDATION (motion):

To approve the event as presented.

AGENDA ITEM INFORMATION:

We have received a request from the Kiwanis Club of Lapeer to hold the annual Fantasy Forest event on Saturday, October 10, 2026, from 11:00 AM to 4:00 PM at Rowden Park. They request a setup time of 7:00 A.M. and a tear down time of 6:00 P.M. They do expect approximately 2,500 people to attend the event.

This event has been well attended in the past and creates a non-threatening “trick-or-treat” event for children. Children and families walk the Linear Park path through Rowden Park and stop at various participant locations and receive candy.

This event requires minimal police department services. The Police Department does actively participate in this event as a community outreach service.

See PDF File SE Fantasy Forest 2026.

Budgeted Amount:	N/A	Funds Requested:	
Funding Source:		CIP Project #:	
		Budget Amendment Needed:	
# of Bids/Quotes Obtained:		Budget Amendment Attached:	
Explanation:			

City of Lapeer SPECIAL EVENT APPLICATION (SEA)

RECEIVED

AUG 11 2026

CITY MANAGER
LAPEER, MI



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)

Kiwanis Club of Lapeer

Phone # 810-358-0767

Address

PO Box 501, Lapeer, MI 48446

Organization Event
Coordinator/Contact

Jessica Pettit

Phone # 810-358-0767

Event Coordinator/
Contact Address

PO Box 501, Lapeer, MI 48446

Coordinator/Contact Email

lapeerkiwanis@gmail.com

Event Name Fantasy Forest

Purpose of Event 30th Annual Fundraiser/Community Family Event

Event Location

Rowden Park, Pavilions and Trails

Have you
reserved your
park/pavilion?

Yes / No

*If yes, provide copy of reservation form with this application, if no and planning a park event, reservations need to be made.**

Date of Event

October 10, 2026

Event Time

11am-4pm open to public (7am-6pm from setup to teardown)

of Event

Organizational Team 30

of Expected
Attendees:

2,500

Describe the activities
taking place at your event:

Treat walk around the one mile trail with up to 60 service organizations and businesses that provide treats and activities to children. We also give away pumpkins and plan to have 2-3 food/treat trucks. We will potentially have music in pavilion.

Please check what will be part of your event:

☒
☒

Music**

Tents

☐
☐

Animals**
(such as a petting zoo)
Wedding

☒
☒

Selling of food*

Selling of drinks*

☒
☐

Posted Signage of
Event*

Liquor/Beer or Wine*

****Please list here what type of music (DJ/Band/Individual singers, etc.) and/or list animals:** Individual booths may play music as well, but just small speakers.
We hope to have a band to play music under pavilion.

**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: just want is already in pavilion	☒	Electricity Turned on/off on	☐	Other:	
☒	Trash Containers Qty: 4 extra	☒	Road Crossing Guards Qty: Young Marines will be assisting			
☒	Road Closures List:	Close Pine Street between Saginaw and Fair Streets.				

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	☒	Non-Profit Event Co-Sponsored by City of Lapeer

INDEMNIFICATION AGREEMENT

The **Kiwanis Club of Lapeer** 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: Jessica Pettit Date: 08-11-2026

Witness: _____ Date: _____

1. **ANNUAL EVENT:** Is this event expected to occur next year? ☒ ☐

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): 2nd Saturday in October

2. **AN EVENT MAP** ☒ **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:

Rowden Parking Lot for event. Campground guest parking to be used only for vendor set up and tear down.

4. **Alcoholic Beverages:** Will they be served? ☐ ☒
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.

08-11-2026

Date

Jessica A. Pettit
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. |

City of Lapeer

Rowden Park Pavilion (Water Tower)
N. Main Street

Lapeer
MI
48446

Pavilion with electricity, play equipment, ball diamond, three lighted tennis courts, sledding hill, nature trail, and pathway connection to the Linear Path. Restrooms available year-round.

02886447

2026

Fantasy Forest - Kiwanis

10/10/2026 8:00 AM

10/10/2026 9:00 AM

Rowden Park Pavilion (Water Tower): 100

1. Rowden Park Pavilion (Water Tower) – 10/10/2026 8:00 AM – 10/10/2026 9:00 AM

Group Size: 100

- for multi-day reservations

Designed for use with FlexScheduler reservations

1. Rowden Park Pavilion (Water Tower) – 10/10/2026 8:00 AM – 10/10/2026 9:00 AM

Group Size: 100

Facility Fee: \$0.00

Total: \$0.00

Kara Lambourn
1521 Deer Path Drive

Lapeer
MI
48446
(810) 441-7302

lambourn123@gmail.com

0.00

1/27/2026

3:09 PM



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

1/30/2026

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 Hylant - Indianapolis 10401 North Meridian St, Ste 200 Indianapolis IN 46290	CONTACT NAME: Lisa Christenson PHONE (A/C, No, Ext): 317-817-5172 FAX (A/C, No): 317-817-5151 E-MAIL ADDRESS: kiwaniscert@hylant.com
INSURED Kiwani International, All Clubs and Their Members 3636 Woodview Trace Indianapolis IN 46268	INSURER(S) AFFORDING COVERAGE INSURER A: Lexington Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES

CERTIFICATE NUMBER: 1780148029

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 ☒ Liquor Liability GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC ☒ OTHER: District	Y		020744212	10/1/2025	10/1/2026	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 Liquor Liability \$ 1,000,000
A	☐ AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☒ HIRED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ NON-OWNED AUTOS ONLY			020744212	10/1/2025	10/1/2026	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	☐ UMBRELLA LIAB ☐ EXCESS LIAB DED ☐ RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	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 ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Self-Insured Retention			020744212	10/1/2025	10/1/2026	All Claims \$150,000

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

The Certificate Holder and others as defined in the written agreement are additional insured subject to the terms, conditions, and exclusions on the policy with respect to the General Liability only regarding the following Kiwanis event (setup, take down & rain date(s) during the policy term are included).

5K event
Located @ Rowden Park
Kiwani Club of Lapeer

CERTIFICATE HOLDER

CANCELLATION

City of Lapeer
Attn: Mike Womack
576 Liberty Park
Lapeer MI 48446

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

Judy K. Wilson

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ENDORSEMENT

This endorsement, effective 12:01 AM 10/01/2025

Forms a part of policy no.: 020744212

Issued to: KIWANIS INTERNATIONAL, INC.

By: LEXINGTON INSURANCE COMPANY

ADDITIONAL INSURED - DESIGNATED PERSON OR ORGANIZATION

(Based on CG2026 04/13)

This endorsement modifies insurance provided by the following:

COMMERCIAL GENERAL LIABILITY POLICY

SCHEDULE

Name of Additional Insured Person(s) or Organization(s)

City of Lapeer
Attn: Mike Womack
576 Liberty Park
Lapeer, MI 48446

Information required to complete this Schedule, if not shown above, will be shown in the Declarations

A. **Section II - Who Is An Insured** is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

1. In the performance of your ongoing operations; or
2. In connection with your premises owned by or rented to you.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following is added to **Section III - Limits Of Insurance**:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or

2. Available under the applicable Limits of Insurance shown in the Declarations;
whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations

All other terms and conditions of the policy remain the same.



Authorized Representative



Welcome to the

29th Annual

Kiwanis Club of Lapeer

October 11, 2025

Fantasy Forest





ITEM D-1

To: Mayor and City Commission
From: Kelly Hanna, Director of Financial Services
Date: September 8, 2026
RE: Bill Listing – August 6, 2026 – August 27, 2026

STAFF RECOMMENDATION

Approve the bill listing as presented.

CURRENT OR NEW INFORMATION

I, Kelly Hanna, Director of Financial Services, have reviewed the bills for August 6, 2026, through August 27, 2026, in the total amount of **\$6,174,094.85** and find them to be proper charges.

Budgeted Amount:	N/A	Funds Requested:	N/A
Funding Source:		CIP Project #:	
		Budget Amendment Needed:	
# of Bids/Quotes Obtained:		Budget Amendment Attached:	
Explanation:			

CHECK REGISTER FOR CITY OF LAPEER
CHECK DATE FROM 08/06/2026 - 08/27/2026

Check Date	Check	Vendor Name	Amount
08/13/2026	600330	LAPEER CO TREASURER	2,313,416.68
08/13/2026	4101(A)	TIFA 3	1,213,535.34
08/27/2026	600362	DIPONIO CONTRACTING, LLC	718,502.51
08/27/2026	600375	LAPEER CO TREASURER	379,915.83
08/13/2026	600316	ASPHALT SPECIALISTS, LLC	201,091.08
08/13/2026	4081(A)	GREAT LAKES WATER AUTHORITY	168,608.62
08/13/2026	4099(A)	TIFA 1	161,222.25
08/13/2026	4075(A)	DOWNTOWN DEVELOPMENT AUTHORITY	144,234.78
08/13/2026	4100(A)	TIFA 2	141,839.76
08/13/2026	4085(A)	LOCAL DEV FINANCE AUTH	140,678.56
08/13/2026	4096(A)	ROWE INC	85,546.25
08/13/2026	4104(E)	BLUE CROSS & BLUE SHIELD OF MI	84,483.69
08/27/2026	4137(E)	DTE ENERGY	78,024.18
08/13/2026	4079(A)	FLINT NEW HOLLAND, INC.	72,900.14
08/27/2026	600386	STATE OF MICHIGAN	16,475.38
08/13/2026	4092(A)	OHD, LLLP	15,915.00
08/13/2026	4103(A)	WARREN SYSTEMS INC	12,063.00
08/13/2026	600338	STATE OF MICHIGAN	11,151.81
08/13/2026	600314	ALLEN EDWIN HOMES	11,000.00
08/27/2026	4110(A)	ASSESSMENT ADMINISTRATION SERVICE	10,416.66
08/27/2026	4139(E)	WEX BANK	9,906.71
08/27/2026	4136(E)	CITY OF LAPEER	8,676.46
08/13/2026	600340	T. P. ISRAEL CO INC	7,700.00
08/27/2026	600388	T. P. ISRAEL CO INC	7,275.00
08/13/2026	600347	VIRTUAL TECHNOLOGIES GROUP LLC	6,859.00
08/13/2026	4082(A)	GREEN MEADOWS LAWNSCAPE, INC.	6,423.08
08/27/2026	600390	TRI COUNTY EQUIPMENT	5,735.00
08/13/2026	600320	CONSTRUCTION MANAGEMENT SERVICES, L	5,500.00
08/13/2026	600325	FIRST PRESBYTERIAN CHURCH	5,250.00
08/13/2026	600329	KIRK, SHANE & MEGAN	5,250.00
08/13/2026	600318	CENTER FOR THE ARTS	5,000.00
08/13/2026	600341	THE PITNEY BOWES RESERVE ACCOUNT	5,000.00
08/27/2026	4113(A)	D & K TRUCK COMPANY INC.	4,072.27
08/27/2026	4127(A)	REVIZE, LLC	3,900.00
08/13/2026	4105(E)	CONSUMERS ENERGY	3,689.66
08/27/2026	4123(A)	PIONEER DOOR INC	3,519.75
08/13/2026	4094(A)	PAYETTE SALES & SERVICE INC.	3,512.68
08/27/2026	4112(A)	CORRIGAN OIL II, INC.	3,337.43
08/27/2026	4119(A)	HAVILAND PRODUCTS COMPANY	2,940.00
08/13/2026	4078(A)	FLETCHER FEALKO SHOUDY & FRANCIS PC	2,777.50
08/13/2026	600313	ACTION MUNICIPAL SUPPLY, LLC	2,674.70
08/13/2026	4089(A)	MLR ENGINEERING	2,600.00
08/13/2026	4093(A)	PARAGON LABORATORIES, INC.	2,284.00
08/27/2026	600396	VIRTUAL TECHNOLOGIES GROUP LLC	2,280.00
08/13/2026	4072(A)	BIG TEN CLEANING SERVICES LLC	2,250.00

08/13/2026	600319	CLEARVIEW HOMES LLC	2,250.00
08/13/2026	4083(A)	HYDRO CORP	2,213.12
08/27/2026	600376	LAPEER COUNTY SPORTSMENS CLUB	2,200.00
08/27/2026	600391	TRW LANDSCAPES LLC	2,172.50
08/27/2026	4124(A)	PIONEER MANUFACTURING CO. INC	2,166.15
08/13/2026	600334	MGS ELECTRIC INC.	2,124.00
08/13/2026	4102(A)	TRUCK & TRAILER SPECIALTIES INC	2,079.02
08/13/2026	600317	BECKWITH'S BODY SHOP INC	2,031.86
08/27/2026	600361	DELYNN'S DESIGNS, INC	2,013.00
08/13/2026	4086(A)	MAUK, JODI	1,980.77
08/13/2026	4097(A)	SMITH, SHANNON	1,980.77
08/27/2026	4121(A)	MAUK, JODI	1,980.77
08/27/2026	4131(A)	SMITH, SHANNON	1,980.77
08/27/2026	600359	CARQUEST OF LAPEER	1,805.64
08/27/2026	600360	CRAIG'S SIGNS	1,750.00
08/27/2026	4140(E)	WINDSTREAM	1,566.79
08/13/2026	4108(E)	METROPOLITAN LIFE INSURANCE COMPANY	1,505.15
08/25/2026	600354	DTE ENERGY	1,400.00
08/27/2026	600383	RYAN, LLC FOR MICHAELS	1,357.75
08/27/2026	4132(A)	SPICER GROUP	1,138.00
08/13/2026	4084(A)	K & R TRUCK SALES, INC.	1,137.16
08/13/2026	4087(A)	MES SERVICE COMPANY, LLC	1,125.03
08/27/2026	4129(A)	RIGHT TOUCH LANDSCAPING INC	1,100.00
08/13/2026	4098(A)	TAYLOR, SARAH	1,096.15
08/27/2026	4133(A)	TAYLOR, SARAH	1,096.15
08/27/2026	600393	USA BLUE BOOK	1,083.33
08/27/2026	600394	VERIZON WIRELESS	1,074.55
08/27/2026	600381	MODERN OF METAMORA LLC	1,057.00
08/13/2026	600339	SWAINE, RICHARD	1,011.01
08/13/2026	600351	WOODCHIPS	1,000.00
08/27/2026	4120(A)	JOHNSON CONTROLS SEC. SOLUTIONS	932.06
08/13/2026	600333	MARCO TECHNOLOGIES, LLC	920.56
08/13/2026	4090(A)	NORTH CENTRAL LABS	913.87
08/27/2026	4118(A)	FLINT NEW HOLLAND, INC.	895.00
08/13/2026	4071(A)	AERO FILTER INC	858.36
08/27/2026	4111(A)	BLUE FLAME PROPANE INC	845.63
08/27/2026	600364	FAMILY BUILDING COMPANY	800.00
08/13/2026	600326	JAY'S SEPTIC	750.00
08/13/2026	600328	JOHNSON & WOOD L.L.C	750.00
08/27/2026	600358	BMI	735.30
08/27/2026	600369	HIGHSTREET INS. SERV. GR LAKES, INC	696.00
08/27/2026	600365	FENTON MEMORIALS & VAULTS, INC.	648.00
08/13/2026	4095(A)	RICK RHEIN DISPOSAL	631.09
08/13/2026	600332	LAPEER COMMUNITY SCHOOLS	621.02
08/27/2026	600373	JAY'S SEPTIC	610.00
08/27/2026	600379	MARCO TECHNOLOGIES, LLC	569.20
08/27/2026	4135(A)	WADE TRIM	560.00
08/27/2026	600380	MGS ELECTRIC INC.	556.00
08/27/2026	600392	UNIFIRST CORPORATION	542.31

08/13/2026	4091(A)	NYE UNIFORM CO	514.58
08/27/2026	4122(A)	NORTH CENTRAL LABS	513.85
08/27/2026	600387	STATE OF MICHIGAN	513.00
08/27/2026	4134(A)	VIEW NEWSPAPERS	508.50
08/27/2026	600377	LAPEER HOLDINGS LLC	500.00
08/13/2026	600346	VILLAGE PRINTING	480.00
08/13/2026	600343	U.S. POSTMASTER	464.00
08/27/2026	4128(A)	RICK RHEIN DISPOSAL	459.02
08/13/2026	600342	TRW LANDSCAPES LLC	456.00
08/27/2026	4115(A)	EMULSO	444.72
08/27/2026	600374	LAPEER CO PARKS	399.00
08/27/2026	4114(A)	DAVISON OVERHEAD DOOR	337.95
08/13/2026	600344	UNIFIRST CORPORATION	336.49
08/27/2026	600355	ACTION MUNICIPAL SUPPLY, LLC	302.90
08/27/2026	600398	WORDEN, STEVE	300.00
08/13/2026	4107(E)	INVOICE CLOUD	290.00
08/13/2026	600335	PITNEY BOWES INC.	278.02
08/13/2026	4106(E)	GRANITE TELECOMMUNICATIONS, LLC	274.26
08/27/2026	4125(A)	PREIN & NEWHOF	260.00
08/13/2026	4073(A)	CRUISERS, INC	259.50
08/13/2026	600322	DETLOFF, CHRISTOPHER & DAWN	250.00
08/13/2026	600327	JL CUSTOM BUILDERS	250.00
08/27/2026	4130(A)	SCHONS, NEENA SHARMA	210.00
08/13/2026	600352	ZIELINSKI, MICHAEL	200.00
08/27/2026	600367	GOYETTE MECHANICAL	200.00
08/13/2026	600337	SHIRLEY'S DRY CLEAN. & ALTERATIONS	182.96
08/13/2026	4074(A)	DEE CRAMER	175.00
08/27/2026	4116(A)	FASTENAL COMPANY	162.00
08/13/2026	600349	WHITE'S GARAGE DOOR	150.00
08/27/2026	600356	ARNOLD'S AUTO WASH	136.00
08/27/2026	600385	SHIRLEY'S DRY CLEAN. & ALTERATIONS	135.62
08/27/2026	600395	VILLAGE PRINTING	131.00
08/13/2026	600331	LAPEER CO TREASURER	125.90
08/13/2026	4076(A)	ETNA SUPPLY	124.32
08/13/2026	600323	DVM UTILITIES	112.96
08/13/2026	600321	DELYNN'S DESIGNS, INC	103.50
08/13/2026	4080(A)	FLINT WELDING SUPPLY CO	101.25
08/13/2026	600324	ECKER MECHANICAL CONTRACTORS, INC	100.00
08/13/2026	600345	VETCON INC.	100.00
08/13/2026	600348	WARREN SYSTEMS, INC	100.00
08/13/2026	600353	ZIMMERMAN & SONS ELECTRIC	100.00
08/27/2026	4126(A)	PREMIER OCCUPATIONAL HEALTH	100.00
08/27/2026	600357	BARRETT, JANET	100.00
08/27/2026	600363	ECKER MECHANICAL CONTRACTORS, INC	100.00
08/27/2026	600370	HOLLAND HEATING & COOLING, INC	100.00
08/27/2026	600371	HOME PRO EXTERIORS LLC	100.00
08/27/2026	600378	MAJIC WINDOWS	100.00
08/27/2026	600382	RENEWAL BY ANDERSEN	100.00
08/27/2026	4117(A)	FIRE CONTROL LLC	95.00

08/27/2026	4138(E)	ISOLVED, INC.	86.68
08/27/2026	600389	THE COUNTY PRESS	72.00
08/27/2026	600368	GRAINGER	68.98
08/13/2026	600336	SANCHEZ, ROMONA	66.36
08/27/2026	600384	SANCHEZ, ROMONA	55.82
08/13/2026	600350	WINNINGER FIRE PROTECTION LLC	40.00
08/27/2026	600366	GAVAN, CASEY	27.55
08/13/2026	4077(A)	FASTENAL COMPANY	23.67
08/27/2026	600397	VYLLA TITLE, LLC	23.39
08/13/2026	600315	ARNOLD'S AUTO WASH	20.00
08/13/2026	4088(A)	MIDWEST RECEIVABLE SOLUTIONS	14.59
08/27/2026	600372	HUNTERS CREEK MHC	9.73
08/13/2026	4109(E)	STATE OF MICHIGAN	3.18
TOTAL			<u>\$6,174,094.85</u>

CITY OF LAPEER

NATIONAL SUICIDE PREVENTION MONTH

WHEREAS, suicide is a serious public health problem that affects individuals, families, friends, coworkers, and communities across the United States; and

WHEREAS, suicide can have a profound and lasting impact on individuals, families, and communities, and suicide prevention requires awareness, compassion, education, and access to appropriate resources and support; and

WHEREAS, recognizing the warning signs of suicide and encouraging individuals to seek help can save lives; and

WHEREAS, September is recognized nationally as **National Suicide Prevention Month**, providing an opportunity to raise awareness about suicide prevention, reduce stigma surrounding mental health and seeking help, and promoting hope and connection within our communities; and

WHEREAS, the City of Lapeer recognizes the importance of supporting efforts that increase public awareness of suicide prevention resources and encourage individuals who may be experiencing a mental health crisis or thoughts of suicide to seek assistance; and

NOW, THEREFORE, BE IT RESOLVED, that the Lapeer City Commission hereby recognizes suicide as a serious public health problem and expresses its support for the designation of **September as National Suicide Prevention Month**; and

BE IT FURTHER RESOLVED, that the City Commission encourages the residents of the City of Lapeer to promote awareness, compassion, hope, connection, and to support efforts that help prevent suicide and provide assistance to individuals and families affected by suicide.

BE IT FURTHER RESOLVED, that the City Commission encourages residents to learn about available suicide prevention and crisis resources and to seek professional assistance when needed.

Adopted this 8th day of September 2026.



Jeramy Hing, Mayor



Melissa Petrie, Mayor Pro Tem



Joshua Atwood, Commissioner



Linda Glisman, Commissioner



Stefan Brady, Commissioner



Lynne McCarthy, Commissioner

RESOLUTION NO. 2026-07

A RESOLUTION ESTABLISHING A PUBLIC MEETING SAFETY PROTOCOL, PROMOTING SUICIDE PREVENTION AWARENESS, AND AFFIRMING THE CITY OF LAPEER'S COMMITMENT TO A SAFE, RESPECTFUL, AND RESPONSIBLE PUBLIC MEETING ENVIRONMENT

WHEREAS, the City of Lapeer is committed to conducting public meetings that are safe, respectful, transparent, and accessible to all participants and viewers; and

WHEREAS, City Commission meetings are livestreamed, recorded, archived, and remain available for public viewing, extending their reach well beyond those physically present at the meeting; and

WHEREAS, the City Commission recognizes that statements reasonably perceived as involving self-harm, suicide, threats of harm, or an apparent mental health crisis may affect those present during a meeting as well as individuals who later view the official recordings; and

WHEREAS, the Commission recognizes that elected officials are not mental health professionals and should not attempt to determine the intent or seriousness of such statements during a meeting. Instead, concerns should be addressed through a consistent, objective, and safety-focused procedure that protects individuals while preserving the orderly conduct of public business; and

WHEREAS, establishing a uniform response protocol promotes sound governance, supports appropriate documentation, reinforces public confidence, and reflects the City's commitment to the health, safety, and well-being of its residents, visitors, elected officials, employees, and members of the public.

NOW, THEREFORE, BE IT RESOLVED,

That the City Commission adopts the following Public Meeting Safety Protocol:

Section 1 – Recognition of Safety Concerns

Whenever a statement made during a City Commission meeting is perceived by an individual at the meeting as referencing:

- self-harm;
- suicide;
- threats of harm toward another person; or
- an apparent mental health crisis

(all of the above shall be referred to herein as safety concerns)

The individual(s) who heard the safety concern should promptly bring the safety concern to the attention of the presiding officer.

Section 2 – Initial Response

Upon receiving notice of such safety concern, the presiding officer shall as soon as practicable:

- acknowledge that an individual(s) has raised a safety concern;
- determine whether a brief pause or recess is appropriate based on the circumstances of the safety concern;
- ensure the relevant portion of the official meeting record is preserved; and
- determine whether it is necessary to consult with the City Manager, City Attorney, emergency responders, or other appropriate officials to take further action regarding the safety concern.

Section 3 – Documentation

The City Clerk shall preserve the relevant portion of the official meeting recording whenever a safety-related concern is formally raised during a Commission meeting.

RESOLUTION NO. 2026-07

Section 4 – Equal Application

This protocol shall apply equally to elected officials, City employees, appointed officials, consultants, volunteers, speakers, and members of the public participating in City Commission meetings.

Section 5 – Good Faith Reporting

No individual shall be criticized, discouraged, or characterized as disruptive solely because they reported a safety concern pursuant to this policy. There shall be no liability upon any person who reports a safety concern or with respect to any action taken in response to a safety concern. This policy does not create an affirmative duty to raise a safety concern or for the City of Lapeer or any of its employees or officials to take any action in response to a safety concern. The City of Lapeer does not guarantee any action taken in response to safety concern will protect any individuals.

Section 6 – Education and Awareness

The City Commission encourages education regarding suicide prevention, de-escalation, trauma-informed communication, and appropriate referral procedures for elected officials and City staff.

BE IT FURTHER RESOLVED,

The City Commission recognizes the importance of suicide prevention and mental health awareness and may consider a separate annual proclamation recognizing **September as Suicide Prevention Awareness Month**. The proclamation will encourage public awareness, reduce the stigma associated with seeking help, recognize the importance of early intervention, and promote community education regarding suicide prevention and available mental health resources.

The City encourages anyone experiencing emotional distress or thoughts of suicide, or anyone concerned about another person, to contact the **988 Suicide & Crisis Lifeline** by calling or texting **988**, available 24 hours a day, seven days a week. If there is an immediate danger or an imminent risk of serious harm, **911** should be contacted immediately.

BE IT FINALLY RESOLVED, that this Resolution shall serve as the City Commission's policy regarding the procedural handling of statements reasonably perceived as involving self-harm, threats of harm, or an apparent mental health crisis during City Commission meetings, and that the Commission may consider incorporating this protocol into its Rules of Procedure following review by the City Attorney and City Administration.

Adopted this 8th day of September 2026.



Jeramy Hing, Mayor



Melissa Petrie, Mayor Pro Tem



Joshua Atwood, Commissioner



Linda Glisman, Commissioner



Stefan Brady, Commissioner



Lynne McCarthy, Commissioner



ITEM G-1

Meeting Date: September 8, 2026
Department: Department of Public Works
Requestor: Ross Slusher Director of Public Works
Agenda Item: Construction Engineering Contract Amendment with ROWE

RECOMMENDATION (motion):

To approve ROWE Professional Services Contract Amendment No. 1 for construction engineering services on the W. Park St., Pine St and Parking lot improvements for an amount not to exceed \$13,500, and to authorize the Director of Public Works to sign all necessary documents; and approve the budget adjustment as presented.

AGENDA ITEM INFORMATION:

Additional Services to be Performed by Consultant: Construction Observation (full time) and related support for ten workdays due to contract time extension related to delays caused primarily by water main breaks.

Payments to the Consultant: 1. The Client will pay the Consultant for additional services \$13,500 with no other changes to Section 2 of the amended Contract. The current contract value dated February 13, 2026, was \$368,200. The new contract value will be a Not to Exceed value of \$381,700. All terms and conditions of the original contract apply to this amendment unless otherwise noted.

The contract Open to Traffic date has been extended to July 28, 2026. All other end of project activities such as completion of reports, as-built plans, reconciling costs with the Contractor, and completion of the punch list will remain to be completed as planned in the original contract.

Budgeted Amount:		Funds Requested:	\$13,500.00
Funding Source:	591-556-974.000-	CIP Project #:	18060
		Budget Amendment Needed:	Yes
# of Bids/Quotes Obtained:		Budget Amendment Attached:	Yes
Explanation:			

BUDGET ADJUSTMENT
REQUEST FORM

2026/2027

TO: CITY MANAGER

The following budget adjustments are requested. **All Budget adjustments must be whole dollars. Negative numbers should be in parenthesis ().**

ACCOUNT #	ACCOUNT NAME	AMOUNT OF ADJUST. (+/-)
591-556-974.000	Land Improvements	\$ 13,500.00

TOTAL NET AMOUNT 13,500

Enter Description:

Fund/Department: Water - DPW

Ross Slusher, Director of Public Works
Department Head Signature

TO: FINANCE DEPARTMENT

- ☐ The above indicated Budget Adjustments are approved by the City Manager.
- ☒ The above indicated Budget Adjustments were approved by the City Commission at their Commission meeting. Please make the appropriate entries to reflect the approved amount.

Date

City Manager's Signature



ITEM G-2

Meeting Date: September 8, 2026
Department: Public Works
Requestor: Ross Slusher Director of Public Works
Agenda Item: Construction Engineering for Genesee St. Bridge replacement over Farmers Creek.

RECOMMENDATION (motion):

Approve the contract with Spicer Group Inc. for full construction engineering, inspection and testing services for the Genesee St. Bridge over Farmers Creek for an amount not to exceed \$299,968.00 and authorize the Director of Public Works to sign all necessary documents.

AGENDA ITEM INFORMATION:

Spicer Group Scope of work:

Meeting coordination and attendance, Review material source lists and shop drawing submittals, Provide Construction Engineering services, including general project oversight to ensure contract compliance with the plans and specifications, Provide one full-time Construction Services Technician daily during construction, Provide daily inspection reports, calculation sheets, photographs, documented materials, and soil erosion and sedimentation control reports, Provide record keeping per the Construction Document Management Special Provision, utilizing MDOT ProjectWise, and AASHTOW, Process all bi-weekly pay estimates, Provide prevailing wage compliance oversight per the contract specifications, Assist in resolving problems and/or claims related to the project, Provide final documentation and files at the completion of the project, Complete a post construction audit of the project, Provide Materials Testing in accordance with MDOT requirements, Construction Staking of the planned improvements, Respond to inquiries and information requests from MDOT staff.

The City of Lapeer received a grant from the Michigan Department of Transportation (MDOT) Local Bridge Program in the amount of \$3.8 million dollars to demolish and replace the 1933 Genesee St. Bridge. Design and engineering costs are not included in the grant amount. Construction is expected to start in the spring of 2027.

Project Justification:

Replacement of the entire bridge to include super structure and substructures, new hot mix asphalt (HMA) overlay with water proofing membrane, scour counter measures, approach pavement, approach curb and gutter, relocating drainage structure from bridge to road, and sidewalk and rail improvements.

Budgeted Amount:	\$485,000	Funds Requested:	\$299,968.00
Funding Source:	202-473-974.000	CIP Project #:	22934
		Budget Amendment Needed:	N/A
# of Bids/Quotes Obtained:	1	Budget Amendment Attached:	N/A
Explanation:	In May of 2023 the City Commission approved Spicer Group for Design engineering for the Genesee Street bridge replacement.		



July 23, 2026

Mr. Ross Slusher, Director of Public Works
City of Lapeer
217 Bentley Street
Lapeer, MI 48446

RE: Proposal for Full Construction Engineering,
Inspection and Testing Services
Genesee St over Farmers Creek Bridge Replacement
CS 44000 / JN 218988
City of Lapeer

Ross:

We are pleased to submit this proposal to provide construction engineering services for the reconstruction of Genesee St over Farmers Creek bridge. The project is funded through state and federal funding sources and is scheduled for construction in 2027. The project will be subject to MDOT Local Agency Program (LAP) and Federal Aid project requirements.

The cost estimate for construction engineering was calculated based on the progress clause provided in the project documents and an anticipated eighteen-week construction period. The assumed construction schedule and staff hours are attached for clarity.

SCOPE OF PROFESSIONAL SERVICES

The scope of our services, method of payment and the understanding of our professional relationship are more fully described below. They are phased to reflect the orderly and reasonable progress of the project. This proposal will remain valid for 60 days.

I. Construction Phase

During the Construction Phase, all work will be performed in accordance with MDOT standards. We propose to offer full-time construction services for the following tasks:

- A. Meeting coordination and attendance.
 - 1. Pre-Construction meeting.
 - 2. Progress meetings, as required.
 - 3. Project Close-Out.
- B. Review material source lists and shop drawing submittals.
- C. Provide Construction Engineering services, including general project oversight to ensure contract compliance with the plans and specifications.
- D. Provide one full-time Construction Services Technician daily during construction.
- E. Provide daily inspection reports, calculation sheets, photographs, documented materials, and soil erosion and sedimentation control reports.
- F. Provide record keeping per the Construction Document Management Special Provision, utilizing MDOT ProjectWise, and AASHTOWare.
- G. Process all bi-weekly pay estimates.
- H. Provide prevailing wage compliance oversight per the contract specifications.
- I. Assist in resolving problems and/or claims related to the project.
- J. Provide final documentation and files at the completion of the project.

- K. Complete a post construction audit of the project.
- L. Provide Materials Testing in accordance with MDOT requirements, including:
 - 1. Compaction testing for the following:
 - a. Existing subgrade.
 - b. Sand subbase.
 - c. Aggregate base.
 - d. Hot Mix Asphalt.
 - 2. Concrete quality assurance field testing, including compressive strength cylinders for acceptance.
 - 3. Provide laboratory mechanical analysis for granular and dense graded aggregates.
 - 4. Provide material testing reports related to the testing.
 - 5. Provide Fabrication Inspections (by SME) for concrete beams and 2-tube railing
- M. Construction Staking of the planned improvements. Staking will include:
 - 1. Preparation of drawings for stake out and layout.
 - 2. Setup of files for staking for points, alignments, profiles, DXF's, and reports.
 - 3. Set Control:
 - a. Find and recover existing project control.
 - b. Set additional control, if necessary.
 - c. Differential level existing project control to check for accuracy.
 - 4. Construction Staking will include:
 - a. Right-of-way and alignment.
 - b. Layout of bridge pile
 - c. Layout of structure
 - d. Layout of roadway and approach
 - e. Layout permanent signs and guardrail
- N. Respond to inquiries and information requests from MDOT staff.

WORK NOT INCLUDED

We would perform additional services only after you authorize the work. Our fee for those additional services will be determined at the time they are rendered.

FEE SCHEDULE

Our proposed fee schedule as follows: We will submit monthly invoices to you for our professional services, additional authorized services, and any reimbursable expenses. Where the fee is a lump sum, the invoice amount will be based on the proportion of work actually completed during the billing period. Where the fee is hourly, the invoice amount will be based on the actual hours spent by our staff on your project billed at the hourly rate of each staff member.

A. Construction Engineering Cost:

- 1. An estimated hourly amount: \$265,788.00
 - a. *Assumes a total of 18 weeks of full-time inspection.*
- 2. Sub-consultant SME Fee: \$34,180.00
 - a. *Sub-consultant agreement is attached*

Total Estimated Fee: \$299,968.00

We have calculated these fees based on our understanding of the scope of the project. If the scope changes or our understanding was incorrect, we will notify you and discuss the option of adjusting the amount of the fee or adjusting the scope of services.

Included with this letter is a copy of the general conditions for our services that are part of this agreement. Any changes to this agreement must be agreed to by both of us in writing.

Genesee St over Farmers Creek Bridge Replacement
July 23, 2026
Page 3 of 3

If this proposal meets with your approval, please acknowledge with an authorized signature below and return the enclosed copy to us. Upon receipt we will start the project promptly.

We deeply appreciate your confidence in Spicer Group and look forward to working with you on this project.

Sincerely,



Rick E. Born, Principal



Jon Townsend
Regional Manager

SPICER GROUP, INC.
230 S. Washington Avenue
Saginaw, MI 48607
Phone: (810) 955-1310
mail to: jont@spicergroup.com

Cc: SGI File
Acctg.

Above proposal accepted and approved by Owner.

CITY OF LAPEER

By: _____

Authorized Signature

Printed Name

Title

Date: _____

Attachments:
Construction Schedule and Staff Matrix
General Conditions



ITEM G-3

Meeting Date: September 8, 2026
Department: Planning Department
Requestor: Samantha Fountain, Community and Economic Development Director
Agenda Item: Property Disposition Procedure

RECOMMENDATION (motion):

Approve the proposed Property Disposition Procedure to establish a consistent process for City staff to evaluate and process requests for the sale or other disposition of City-owned parcels and buildings.

AGENDA ITEM INFORMATION:

The City owns numerous parcels and buildings throughout its jurisdiction and periodically receives inquiries from developers, investors, and other interested parties regarding the purchase or potential acquisition of City-owned property. Establishing a consistent process for evaluating these requests will help ensure that property disposition decisions are handled in a fair, transparent, and responsible manner.

The proposed Property Disposition Procedure provides a framework for City staff to conduct the appropriate due diligence and evaluation of requests before bringing a recommendation to the City Commission. This process is intended to ensure that the Commission receives sufficient information regarding the property, the proposed purchaser or development, and other relevant considerations before determining whether a sale is in the best interest of the City.

The procedure has been developed through discussions with City staff over the past few months and has been reviewed by the City Attorney. Staff have incorporated the recommended revisions and are presenting the proposed procedure to the City Commission for consideration and approval.

Budgeted Amount:	N/A	Funds Requested:	
Funding Source:		CIP Project #:	
		Budget Amendment Needed:	
# of Bids/Quotes Obtained:		Budget Amendment Attached:	
Explanation:			

CITY OF LAPEER

Real Property Disposition Procedure

Administrative Policy & Procedure

Effective Date:	_____
Approved By:	City Commission, City of Lapeer
Administered By:	Building, Planning and Zoning Department
Supersedes:	N/A
Review Cycle:	Every 3 years or as needed

1. Purpose

This procedure establishes the process by which the City of Lapeer ("City") reviews, approves, and executes the disposition of real property (land and buildings) owned by the City. The goal is to ensure that any transfer, sale, lease, or other disposition of City-owned real property is conducted in a transparent, legally compliant, fiscally responsible, and publicly accountable manner consistent with the best interests of Lapeer residents.

2. Scope

This procedure applies to all City-owned real property, including:

- Vacant land and undeveloped parcels
- City buildings, structures, and facilities no longer needed for municipal purposes
- Easements and rights-of-way proposed for abandonment or transfer
- Fractional interests or partial parcels

This procedure does not apply to:

- Temporary licenses or short-term use agreements of 30 days or less
- Utility, road, or similar easements granted in the normal course of infrastructure operations
- Tax-reverted properties
- Property subject to Court Order or other requirements under the law.
- Properties for which the City Commission has directed disposition in another manner.

3. Legal Authority

The disposition of City-owned real property is governed by the following:

- Michigan Public Act 267 of 1976 (Open Meetings Act)
- Michigan Public Act 442 of 1976 (Freedom of Information Act)
- City of Lapeer City Charter, as amended
- City of Lapeer Charter, [Ch.12](#)
- City of Lapeer Ordinances and Resolutions
- Michigan Compiled Laws (MCL) § 117.4i – Powers of City Commission
- State Ethics Laws and applicable conflict-of-interest statutes

All dispositions require formal approval of the City Commission at a duly noticed public meeting.

4. Definitions

Term	Definition
City Commission	The elected legislative body of the City of Lapeer.
City Manager	The chief administrative officer responsible for executing Commission directives.
Disposition	Any transfer of interest in City real property, including sale, donation, lease, exchange, or easement grant which is subject to this policy.
Fair Market Value	The price at which property would change hands between a willing buyer and willing seller, neither under compulsion, in an arms length transaction.
Surplus Property	Real property determined by the City Manager or City Commission to no longer be necessary for public use or municipal operations.
Qualified Appraisal	An appraisal conducted by a State of Michigan licensed or certified real estate appraiser in conformance with Uniform Standards of Professional Appraisal Practice (USPAP).
Request for Proposals (RFP)	A formal solicitation document issued publicly to invite offers or proposals for the acquisition of City property.

5. Disposition Procedure

5.1 Initiation and Need Assessment

The disposition process may be initiated by the City Manager, Department Head, or by the City Commission. Except for dispositions initiated by the City Commission, the initiating party shall prepare a written Property Disposition Request that includes information such as:

- Legal description and parcel identification number (PIN) of the property
- Current assessed value and most recent tax history (if applicable)
- Current State Equalized Value of the property

- Description of current use and physical condition
- Justification for why the property is surplus or no longer needed for public purposes
- Identification of any encumbrances, liens, environmental concerns, or deed restrictions
- Proposed method of disposition (sale, lease, donation, exchange, etc.)
- Any recommended conditions or restrictions on the transfer

If the disposition is initiated by the City Commission, the City Manager shall prepare the above Property Disposition Request.

5.2 Internal Review

Upon receipt of a Property Disposition Request the City Manager shall circulate the request for internal review to the following departments or officials, as applicable:

- Community Development & Economic Development Director – review for zoning, master plan consistency, and development potential
- City Attorney – review for legal sufficiency, title issues, and compliance
- Finance Director – review for fiscal implications and outstanding assessments
- Public Works / Engineering – review for infrastructure, utilities, and access considerations
- Any other department with operational interest in the property

Each reviewing party shall submit written comments within 15 business days. The City Manager shall compile a summary review report for City Commission consideration.

5.3 Environmental Review

Prior to disposition, the City may conduct or obtain documentation for at least a Phase I Environmental Site Assessment (ESA) for all parcels, and a Phase II ESA if the Phase I identifies recognized environmental conditions (RECs). No disposition shall proceed until environmental review is satisfactory or appropriate indemnification/remediation provisions are incorporated into the transfer documents.

5.4 Evidence of Fair Market Value

For properties with an estimated fair market value of less than \$50,000, fair market value may be established by a written determination from the City Assessor or a comparative market analysis. For properties expected to exceed \$50,000 of fair market value, the City Manager shall determine fair market value using an appropriate evaluation method, including a qualified appraisal, broker price opinion, or market analysis

5.5 Public Notice and Solicitation

Prior to accepting any offer, the City shall provide public notice of its intent to dispose of real property. Notice shall be published once in a newspaper of general circulation in Lapeer County and posted on the City's official website for a minimum of 30 days. The notice shall include:

- Property address and legal description
- Deadline and method for submitting offers or proposals

- Contact information for questions or additional property information

For properties with development potential or where the City seeks specific outcomes, a formal Request for Proposals (RFP) or Request for Qualifications (RFQ) process may be employed in lieu of the above notice and publication.

5.6 Evaluation of Offers and Proposals

The City Manager may establish an evaluation committee to review all timely-submitted offers or proposals. Evaluation criteria may include, but are not limited to:

- Purchase price relative to appraised fair market value
- Proposed use and consistency with City Master Plan and zoning
- Development timeline and economic impact
- Financial capacity and qualifications of the proposer
- Community benefit, job creation, or other public interest factors
- Proposed conditions or contingencies

The evaluation committee shall prepare a written recommendation to the City Manager, who shall forward a disposition recommendation to the City Commission. If no evaluation committee is formed, the City Manager shall prepare a written recommendation to the City Commission. All proposals and offers shall be submitted to the City Commission, even if they are not the recommended option.

5.7 City Commission Approval

No disposition of City real property shall be final or binding without formal approval by the City Commission. City Commission action shall include:

- City Commission deliberation and vote at a duly noticed public meeting
- Adoption of a resolution authorizing the disposition, specifying the property, buyer/recipient, price, and material terms
- Direction to the City Attorney to prepare or review all transfer documents

5.8 Execution and Closing

Following City Commission approval, the City Manager and City Attorney shall coordinate the closing process, which shall include:

- Preparation and execution of all required legal instruments (deed, purchase agreement, closing statement, etc.) to dispose of the property on the terms accepted by the City Commission.
- Title search and issuance of title insurance (where applicable)
- Confirmation that all liens, encumbrances, and outstanding assessments are addressed in the disposition documents.
- Coordination with the City Treasurer for receipt and deposit of proceeds

- Recording of the deed or instrument with the Lapeer County Register of Deeds

5.9 Post-Disposition Reporting

Within 60 days of closing, the City Manager shall provide the City Commission with a written post-disposition report summarizing information such as:

- Final sale price and terms
- Net proceeds to the City after closing costs
- Disposition of proceeds (fund assignment)
- Confirmation of deed recording
- Any post-closing conditions or obligations

6. Exceptions and Alternative Processes

The following circumstances may authorize deviation from the standard disposition procedure, subject to City Commission approval:

6.1 Transfer to Public Agencies

Real property may be transferred to another governmental entity (county, state, school district, or other public agency) for public purposes at less than fair market value, provided the City Commission finds that the transfer serves a legitimate public interest and appropriate documentation is provided.

6.2 Donation or Nominal Consideration

Property may be donated or sold for nominal consideration to a nonprofit organization or community group only when the City Commission, by a majority vote, finds that the transfer furthers a public purpose substantially equivalent to municipal use, and appropriate deed restrictions preserving such use are recorded and that the transfer is otherwise permitted by law

6.3 Land Assembly / Exchange

The City may exchange real property with a private party to facilitate land assembly for a public purpose or economic development project. Exchanges shall be documented with independent appraisals of all properties involved and must be approved by City Commission.

6.4 Economic Development

The City may authorize the sale of City-owned property for less than fair market value when the sale is determined to support an approved economic development project that provides a demonstrable public benefit.

6.5 Emergency Disposition

In situations where delay would result in significant harm to the City's interests, the City Manager may, with written authorization of the Mayor, execute a preliminary non binding agreement pending

formal City Commission ratification at the next regular or special meeting. No such agreement shall be binding and no property shall be transferred pursuant to such agreement unless and until approved by the City Commission.

6.6 Other Transfers Approved by the City Commission

If the City Commission, for reasons in its discretion, approves the disposition of any real property in a manner different from the procedures detailed herein.

7. Conflict of Interest

All City officials, employees, and members of advisory boards involved in the disposition process shall comply with Michigan's conflict of interest statutes (MCL § 15.321 et seq.). Any individual with a direct or indirect financial interest in a proposed disposition shall disclose that interest in writing to the City Clerk and shall recuse themselves from participating in any evaluation, negotiation, or vote related to that disposition.

8. Proceeds from Disposition

Unless otherwise directed by City Commission resolution, net proceeds from the sale of real property shall be deposited into the Capital Improvement Fund or the fund from which the property's operational costs were historically charged as determined by the City's Finance Director. Proceeds shall not be used for recurring operational expenses without specific City Commission authorization.

9. Record Keeping

The City Clerk shall maintain a complete file for each real property disposition, including all correspondence, appraisals, environmental reports, notices, proposals, evaluation materials, Commission resolutions, and executed instruments. Records shall be retained in accordance with the Michigan Local Records Retention Schedule and be available for public inspection upon request under the Freedom of Information Act.

10. Procedure Review and Amendment

This procedure shall be reviewed by the City Manager's Office at least every three (3) years, or sooner if required by changes in state law, City Charter amendments, or City Commission directive. Amendments to this procedure shall be approved by City Commission resolution.

11. Approvals

City Manager City of Lapeer	Mayor City of Lapeer
Date: _____	Date: _____
City Attorney City of Lapeer	
Date: _____	

ITEM G-4

MEMORANDUM

TO: LAPEER CITY COMMISSION

FROM: MINDY SCHWAB, CHAIRPERSON
CITY OF LAPEER DDA

DATE: August 31 , 2026

RE: 2026 DDA EMPLOYMENT CONTRACT

Please find attached a copy of the 2026 City of Lapeer DDA Executive Director Contract approved by the DDA Board on August 26, 2026. The DDA Board is seeking approval from the Lapeer City Commission as to this contract. During the budget process, the DDA Board approved 5% salary increase to \$61,588.80, continue payments of \$977 per month for insurance, three weeks paid time off, and a one-time \$5,200 bonus effective July 1, 2026.

EMPLOYMENT AGREEMENT

This Employment Agreement (this "Agreement") is made effective as of July 1, 2026, by and between the City of Lapeer Downtown Development Authority ("DDA" or "Employer"), a Michigan municipal body corporate organized under the authority of Part 2 of the Recodified Tax Increment Financing Act, MCL 125.4201 et seq., and James Alt, whose address is [REDACTED] ("Employee").

RECITALS

A. Employer is in need of the services of a person possessing the skills and ability required to perform the duties and responsibilities of an Executive Director as described in Exhibit A hereto.

B. Employee, through education and experience, possesses the requisite skills to perform these duties.

C. Employer desires, therefore, to engage the services of Employee as Executive Director under the direction of the DDA's Board of Directors, pursuant to the authority vested in Employer by Chapter 36 of the City of Lapeer's Code of Ordinances and MCL 125.4205.

In consideration of the matters described above, and of the mutual benefits and obligations set forth in this Agreement, the parties agree as follows:

SECTION ONE. MUTUAL ASSENT TO EMPLOYMENT

Employer employs, engages, and hires Employee to act as Executive Director of the City of Lapeer Downtown Development Authority, and Employee accepts and agrees to this employment, engagement, and hiring.

SECTION TWO. GOVERNING LAW

This Agreement and the employment of Employee under this Agreement shall be subject to all applicable provisions of the DDA Bylaws, Michigan statutes, and all amendments to such laws, rules, and regulations.

SECTION THREE. DUTIES OF EMPLOYEE

Employee shall perform all duties and functions expected of the position of Executive Director by the laws of the State of Michigan and as described in Exhibit A attached hereto, and such other duties as the DDA Board of Directors from time to time may require of Employee. The Executive Director's employment performance shall be reviewed on an annual basis by the DDA Board of Directors in or about the month of May of each year of employment.

SECTION FOUR.
PLACE OF EMPLOYMENT

The duties required of Employee under this Agreement shall be principally rendered at the DDA offices located at 410 W. Nepessing Street, #106, Lapeer, Michigan 48446, and at such other place or places as Employer shall in good faith require or as the interests and needs of Employer shall require.

SECTION FIVE.
EMPLOYMENT

This Agreement shall be effective as of the date first set forth above and shall remain in full force and effect until (i) terminated by the DDA Board, (ii) voluntarily terminated by Employee, or (iii) not renewed by either party, all as set forth below.

SECTION SIX.
TERM AND TERMINATION

A. Initial Term and Extension Term. Unless sooner terminated in accordance with the terms of this Agreement, the term of this Agreement will be for an initial period of thirty-six (36) months, beginning July 1, 2026 and ending on June 30, 2029 (the "Initial Term").

This Agreement will automatically renew and extend for one additional period of twelve (12) months, through June 30, 2030 (the "Extension Term"), unless either party provides written notice of nonrenewal to the other party not less than sixty (60) days before June 30, 2029. The Agreement will not renew beyond June 30, 2030 unless the parties execute a further written agreement.

For purposes of this Agreement, "Contract Year" means each successive twelve-month period beginning July 1 and ending June 30 during the Initial Term or Extension Term. The first Contract Year begins July 1, 2026, and ends June 30, 2027.

If either party timely elects not to renew this Agreement, Employer shall pay Employee for all earned and unused ~~Vacation, Sick, or other Paid Time Off~~ Paid Time Off ("PTO") in accordance with Section Ten. For purposes of this Agreement, "PTO" means all paid personal, sick, and vacation time provided to Employee under this Agreement. Employee shall not be entitled to any Severance Payment or benefits arising solely from the nonrenewal.

For the avoidance of doubt, the expiration of this Agreement following a timely notice of nonrenewal shall not constitute a termination without cause under subsection C and shall not entitle Employee to the Severance Payment. If Employer terminates Employee's employment without cause before the applicable expiration date, subsection C below shall apply.

B. This Agreement may be terminated by the Board "for cause" at any time. Employer's exercise of its right to terminate Employee under this provision will be without prejudice to any other remedy to which Employer may be entitled at law, in equity, or under any other provision of this Agreement. For purposes of this Agreement, "for cause" will mean any one or more of the following:

1. A good-faith determination by Employer that Employee has committed a material breach of any provision, term, condition, or undertaking contained in this Agreement;

2. Employee's conviction of, or plea of no contest to, a felony under Michigan law or a crime involving moral turpitude;
3. Misconduct, whether during or outside the course of employment, that substantially impairs Employee's ability to function effectively as Executive Director or brings disrepute to the office of Executive Director or the Downtown Development Authority;
4. Gross negligence in the performance of duties, fraud, or embezzlement;
5. Dishonesty, intentional falsification of records or documents, financial improprieties, misuse of position for personal gain, or deliberate misrepresentation of material facts to the DDA Board;
6. Willful neglect or abandonment of employment duties, or inability to complete employment duties;
7. A drug test confirming the use of substances illegal under Michigan law, or intoxication while working;
8. Violation of federal or state law, the City Charter, the City Code of Ordinances, or the DDA Development Plan that would expose the City or DDA to significant civil liability or affect the validity or enforceability of City actions; or
9. Any gross negligence or willful misconduct in the performance of Employee's duties that results in substantial detriment to Employer.

Such actions shall be grounds for Employer to terminate Employee's employment for cause. In such circumstances, Employer shall pay Employee all amounts due for earned and unused PTO as set forth in Section Ten herein, but no other severance amounts or benefits.

C. Executive Director's employment is contractual but may be by Employer without cause at any time for any legal reason or no reason at all, provided Employer pays the Severance Payment described below. Employee may terminate employment only in accordance with subsection D.

If Employer terminates Employee without cause, Employer shall pay Executive Director a severance payment equal to six (6) months of employment, including Employee's then-current base compensation and the monthly payment for Employee's Section 125 Premium Only Plan (the "Severance Payment"), but no other sums. Any discretionary supplemental compensation described in Section Ten is excluded from the Severance Payment calculation.

The Severance Payment shall be paid incrementally over Employer's customary payroll cycles, subject to all applicable taxes and withholdings, and is contingent upon Executive Director tendering a document that unconditionally releases any and all claims against the DDA Board, its directors, officers, employees, agents, attorneys, or assigns, in a form and substance acceptable to the DDA Board.

D. If Employee chooses to terminate this Agreement for any reason, Employee shall provide sixty (60) days' written notice to the Board. During this period, Employee shall continue regular job duties and assist the Board in advertising for and preparing to onboard the new Executive Director. The Board may waive all or any portion of the working-notice period, but any such waiver shall not reduce or eliminate Employee's compensation and benefits during the waived portion of the sixty

(60)-day notice period. If sixty (60) days' notice is given, Employer shall pay all amounts due for earned and unused PTO as set forth in Section Ten herein, but no other severance amounts or benefits. If less than sixty (60) days' notice is given without a waiver by the Board, Employer shall be obligated to pay compensation only for actual work performed, together with payment for all earned and unused PTO as provided in Section Ten.

SECTION SEVEN. INDEMNIFICATION

The DDA shall indemnify Employee to the fullest extent permitted by Michigan law against all judgments, settlement payments, fines, and reasonable costs and expenses (including attorney fees) incurred in connection with the defense of any action, suit, or proceeding brought or threatened in which Employee is involved due to Employee's actions or status as an employee or agent of the DDA. This right shall be in addition to any rights Employee may otherwise have under Michigan law.

SECTION EIGHT. COMPENSATION

Employer shall pay Employee, and Employee shall accept from Employer, in full payment for Employee's services, compensation at the rate of \$61,588.00 per year. The rate shall be subject to annual or other adjustments negotiated by Employer and Employee, as allowed by the DDA budget.

In addition, Employer shall pay Employee \$977.00 per month for payment of Employee's Section 125 Premium Only Plan. If Employee opts out of that plan, this additional compensation shall be discontinued.

The Board shall evaluate the Executive Director's successful performance of the duties listed in Exhibit A on an annual basis. Following the evaluation, the Board shall determine whether to reopen the compensation provisions of this Agreement to negotiate a prospective increase in the Executive Director's base compensation. Any such negotiations may include consideration of merit, changes in the scope or volume of the Executive Director's duties, cost-of-living adjustments, inflation, comparable compensation, and the DDA's financial condition and adopted budget. Neither the annual evaluation nor the reopening of compensation guarantees an increase. Any adjustment must be approved by the Board and memorialized in a written amendment signed by both parties.

SECTION NINE. OTHER EMPLOYMENT

During the term of this Agreement, Employee shall devote full time, best efforts, ability, skill, and attention exclusively to the furtherance of the DDA's best business objectives and interests. Employee may accept limited consulting, entertainment performances, or other compensated business activities without prior disclosure or approval, provided that the activity does not interfere with Employee's duties under this Agreement, involve the use of Employer's time, property, confidential information, or resources, or create an actual or potential conflict of interest, or interfere with the duties of Executive Director.

Before accepting any outside engagement involving a downtown business, a City or DDA vendor, a grant applicant, a property owner within the DDA district, any other person or entity doing or seeking to do business with the City or DDA, or any activity that could reasonably be expected to interfere with or affect Employee's performance of the duties described in this Agreement, Employee shall disclose the proposed engagement in writing to the Chair of the DDA Board and obtain the DDA Board's advance approval.

Employee shall promptly supplement the disclosure if the nature or scope of the outside engagement changes. Employee shall maintain an appropriate work schedule in light of duties requiring meetings and availability on nights and weekends.

SECTION TEN.

PERSONAL TIME OFF AND HOLIDAYS; BEREAVEMENT; DISCRETIONARY SUPPLEMENTAL COMPENSATION

A. Paid Time Off. Employee will be entitled to fifteen (15) business days of ~~paid Personal Time Off each year~~ PTO during each Contract Year, in addition to holidays regularly observed by the City of Lapeer and its employees, unless participation in a DDA-hosted or sponsored event is required.

PTO may not be taken for more than five (5) consecutive business days unless approved in advance by the DDA Board. Employee shall use best efforts to obtain advance approval for the use of PTO. PTO not used by the end of the applicable Contract Year shall expire and shall not carry over to a subsequent Contract Year.

Although PTO is made available in full at the beginning of each Contract Year, PTO shall be deemed earned on a pro rata basis throughout the Contract Year solely for purposes of calculating the amount payable upon separation from employment. Upon Employee's resignation, nonrenewal, termination for cause, or termination without cause, Employer shall pay Employee for earned and unused PTO through the effective date of separation. The payment shall be calculated by prorating the annual PTO allotment through the effective date of separation, subtracting all PTO used during that Contract Year, and multiplying the remaining number of earned PTO days by Employee's then-current regular daily rate of pay.

B. Employee will be entitled to an additional three (3) days of leave time for bereavement in the event of the death of an immediate family member and family illness in accordance with benefits provided by law.

C. Discretionary Supplemental Compensation. Subject to annual appropriation and specific authorization by Employer's Board of Directors, Employee may receive one Discretionary Supplemental Compensation Payment for each twelve-month Contract Year during the Initial Term and Extension Term. The amount and frequency of the Discretionary Supplemental Compensation Payment is at the full discretion of the Employer's Board of Directors. The decision whether to authorize the payment rests solely with the Board and may be based on available budgeted and appropriated funds and may not be based on Employee's performance or any performance formula, target, or metric.

The payment is additional taxable wages only; it is not a retirement-plan contribution, pension benefit, deferred-compensation benefit, or other vested benefit. Authorization or payment for one Contract Year creates no promise, precedent, entitlement, or expectation for any other Contract Year.

Unless the Board expressly authorizes otherwise in writing, Employee must be actively employed by Employer on the payment date, which may be set at the full discretion of the Employer's Board of Directors. If employment ends before that date for any reason, Employee has no right to any unpaid or prorated payment. The payment shall not be included in base compensation or in calculating severance, paid leave, or any other benefit.

SECTION ELEVEN. FACILITIES, SUPPLIES AND ASSISTANCE

Employer shall furnish Employee, at Employer's expense, with office facilities within the DDA work premises suitable for the performance of duties as Executive Director. Employer shall also provide, at its expense, such supplies, equipment, and materials as may be required.

SECTION TWELVE. GENERAL EXPENSES

All reasonable and necessary nonpersonal, job-related out-of-pocket expenses shall be reimbursed upon written presentation to the DDA Board. These may include mileage, travel, duplication costs, postage, and similar items. Employer shall pay mileage in excess of Employee's normal commute at the published IRS rate. Expenses shall be itemized by receipt or other writing, when available.

SECTION THIRTEEN. RETURN OF PROPRIETARY INFORMATION AND PHYSICAL MATERIALS

Upon termination, Executive Director shall return all records, documents, and other written, printed, photographic, electronic, or physical materials that belong or pertain to the DDA, including proprietary information created on its behalf, computer printouts, lists, DDA files, manuals, drawings, plans, blueprints, specifications, calculations, measurements, formulas, billing and financial information, electronically stored data, and all other DDA documents in Executive Director's possession or control. Executive Director shall not retain any copies or extracts.

SECTION FOURTEEN. ARBITRATION

A. Any dispute or claim relating to Employee's employment, this Agreement, or termination of employment (including claims of contract, tort, wrongful termination, violation of law, discrimination, harassment, or retaliation) shall be resolved by private, binding arbitration conducted by the American Arbitration Association ("AAA") before one arbitrator in Lapeer County, Michigan, under the AAA Employment Arbitration Rules then in effect and available at www.adr.org. The arbitrator shall be a Michigan-licensed attorney with at least five (5) years' employment-law experience. This provision applies to all claims asserted by or against Employee, Employer, its affiliates, and their employees, officers, agents, attorneys, owners, and directors.

B. The arbitrator shall permit reasonable discovery, may award all remedies available in a court of competent jurisdiction, and shall issue a written award stating essential findings and conclusions. Judgment may be entered by any court of competent jurisdiction. Arbitration is the exclusive remedy, and each party knowingly and voluntarily waives trial before a judge or jury and redress in another forum, except for charges filed with applicable administrative agencies. After administrative remedies are exhausted, any remaining claim shall be arbitrated to the extent permitted by law.

C. Each party will bear its own fees, expenses, and costs; provided that Employer will pay any portion of AAA or arbitrator fees applicable law requires Employer to pay to make this agreement enforceable, and the arbitrator may award attorney fees and costs where applicable law permits.

D. If any provision of this arbitration agreement is unenforceable, it shall be modified to the extent necessary to make it enforceable or deleted without affecting the remaining provisions. The parties agree to make any modification needed for enforceability. This arbitration agreement shall be construed under the Revised Uniform Arbitration Act.

Any claims arising under state or federal civil-rights statutes must be brought within 180 days after the event giving rise to the claim or be forever barred. Employee waives contrary limitation periods and agrees this provision is fair and reasonable. The prevailing party in a dispute under this Agreement shall be awarded reasonable and necessary attorney fees and costs.

SECTION FIFTEEN. MODIFICATION

A modification or waiver of this Agreement, or any covenant, condition, or provision, is valid only if in writing and signed by both parties. No course of action shall modify or waive any provision unless reduced to a signed writing.

SECTION SIXTEEN. SEVERABILITY

Every provision of this Agreement shall be construed as a separate and independent covenant. If any provision or its application is invalid or unenforceable, the remainder and all other applications will not be affected. Each provision will be enforced to the extent permitted by law, and the parties will negotiate in good faith any amendment necessary to achieve its intent.

SECTION SEVENTEEN. ENTIRE AGREEMENT

This written Agreement embodies the entire agreement between the parties. There are no inducements, promises, terms, conditions, or obligations other than those contained herein. This Agreement supersedes all prior employment agreements or amendments between the DDA and Executive Director.

The parties have executed this Agreement at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan, effective as of the day and year first written above.

**SECTION EIGHTEEN.
NOTICE AND DELIVERY**

All notices shall be in writing and delivered to the respective mailing addresses of 576 Liberty Park, Lapeer, Michigan 48446, for the DDA Board, and 4706 Pine Street, Columbiaville, Michigan 48421, for Employee. Delivery shall be by first-class U.S. mail, but both parties shall strive to provide actual notice by hand delivery.

By signing below, each party mutually assents to Employer's employment, engagement, and hiring of Employee to act as Executive Director of the City of Lapeer Downtown Development Authority, and Employee accepts and agrees to that employment.

EMPLOYER

EMPLOYEE

Mindy Schwab
Chairperson, City of Lapeer DDA
Date: _____

James Alt
Executive Director, City of Lapeer DDA
Date: _____

EXHIBIT A

CITY OF LAPEER DOWNTOWN DEVELOPMENT AUTHORITY

JOB DESCRIPTION: EXECUTIVE DIRECTOR

1. Communicate regularly with business and property owners within the DDA district.
2. Collaborate with local government regarding DDA matters.
3. Collaborate with local community organizations regarding DDA matters.
4. Advocate for the mission of the DDA.
5. Effectively communicate current goals between DDA committees and the DDA Board of Directors.
6. Develop and organize promotional events and activities, including media and marketing.
7. Use the marketing plan to create a quality image of the DDA as a premier downtown economic-development organization.
8. Develop and implement business-retention, expansion, and recruitment programs within the DDA district.
9. Maintain direct contact with business and property owners to promote business investment.
10. Maintain direct contact with local government to promote business investment.
11. Maintain direct contact with the real-estate community to promote business investment.
12. Compile and maintain an inventory of available downtown space and market information pertinent to business-development and recruitment efforts.
13. Research and apply for economic-development and other grants.
14. Collaborate with the Business Development Committee on retention, expansion, and recruitment of downtown businesses.
15. Possess and employ specialized knowledge, including interpreting local code and zoning ordinances, to assist investors with real-estate projects in the DDA.
16. Assist the Board in developing and prioritizing short- and long-term revitalization strategies within the DDA.
17. Promote DDA goals and objectives at meetings, public hearings, and workshops with the City Commission, governmental agencies, and community organizations.
18. Administer daily DDA operations in accordance with Board-adopted goals and objectives.
19. Allocate and prioritize volunteer, financial, and time-management resources consistent with the Board's highest-priority projects and activities.
20. Develop and maintain a community-outreach program to increase volunteer participation and community support.
21. Train and motivate existing volunteers, recruit new volunteers, and recognize volunteers.
22. Use the DDA Marketing Plan to educate the community and recruit volunteers.
23. Provide guidance and assistance to individual volunteers.

24. Collaborate with all DDA committees and subcommittees.
25. Employ sound fiscal-management policies and practices.
26. With the Executive Committee, prepare the annual budget, proposals, and recommendations for Board consideration and approval.
27. In preparing monthly financial statements, monitor expenses and disbursements against the approved annual budget.
28. Present financial reports and updates regarding the DDA's financial position at each Board meeting.
29. Monitor TIF revenues and communicate changes or pending Tax Tribunal-caused reductions to the Board.
30. Make sound proposals regarding DDA budget allocations and disbursements.
31. Establish and maintain operational systems for the DDA office using computer, telecommunications, and other equipment.
32. Use software to create and maintain office reports, databases, newsletters, and the website.
33. Develop and maintain systems to track DDA progress.
34. Hire, train, and supervise employees, contractors, and professional consultants, and communicate their performance to the Board.
35. Prepare all reports required by local, state, and federal governments and agencies.
36. Schedule and arrange DDA meetings, record and maintain minutes, prepare agendas, and facilitate presentations.
37. Monitor streetscape and downtown-maintenance contracted services and report recommendations as needed.
38. Undertake continuing education regarding current best practices.
39. Perform other related duties and responsibilities as directed by the Board.
40. Prepare, assemble, distribute, and mail the DDA meeting agenda and board packet.
41. Prepare financial information and enter payments and expenses into the BSA accounting system, including remote access to City computer systems, file transfers, transaction entry, and uploading supporting documentation.
42. Mail and distribute checks and other payments.

**CITY OF LAPEER
MINUTES OF A REGULAR MEETING
DOWNTOWN DEVELOPMENT AUTHORITY
LAPEER MAIN STREET MEETING
AUGUST 26, 2026**

A regular meeting of the City of Lapeer Downtown Development Authority and Lapeer Main Street was held at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan on Wednesday, August 26, 2026, at 8:00 A.M.

Members Present: Chair Mindy Schwab, Vice Chair Tim Roodvoets, Buddy Beyer, Catherine Bostick-Tullius, Tammy Cutcher, Megan Gillingham, Linda Glisman, Chris Herr, Jeremy Hing, Jeff Hogan, and Jason Rogers.

Absent: Adam Perry and Dan Sharkey.

Also Present: Executive Director James Alt, Assistant Director Carlos Quiroga, and Center for the Arts Executive Director Jill Lyons.

Chair Schwab called the meeting to order at 8:00 A.M.

274 2026 08-26 Agenda Approval

Moved by Bostick-Tullius. Supported by Beyer.

To approve the agenda for August 26, 2026, as presented.

Yeas: Members Schwab, Roodvoets, Beyer, Bostick-Tullius, Cutcher, Gillingham, Glisman, Herr, Hing, Hogan, and Rogers.

Nays: None.

Absent: Perry and Sharkey.

MOTION CARRIED.

PUBLIC COMMENTS

There were no public comments.

275 2026 08-26 Consent Agenda

Moved by Roodvoets. Supported by Cutcher.

To approve the Consent Agenda for August 26, 2026, as follows:

1. Minutes of DDA meeting held on July 22, 2026.
2. Treasurer Report and Bill Listing.

Yeas: Members Schwab, Roodvoets, Beyer, Bostick-Tullius, Cutcher, Gillingham, Glisman, Herr, Hing, Hogan, and Rogers.

Nays: None.

Absent: Perry and Sharkey.

MOTION CARRIED.

Executive Director Contract

276 2026 08-26 Executive Director Contract

Moved by Bostick-Tullius. Supported by Beyer.

To approve the DDA Executive Director's Contract with the removal of Jim Alt's personal information.

Discussion was held regarding the DDA Executive Director's Contract. Items of discussion included section ten C. of the contract addressing discretionary supplemental compensation; section fourteen regarding arbitration; section six on term and termination; and the review of the contract by DDA members and the DDA's attorney.

Call the Question

Moved by Roodvoets.

To call the question.

Motion died due to lack of support.

Yeas: Members Schwab, Roodvoets, Beyer, Bostick-Tullius, Cutcher, Gillingham, Glisman, Herr, Hogan, and Rogers.

Nays: Hing.

Absent: Perry and Sharkey.

MOTION CARRIED 10-1.

NEW BUSINESS

There was no new business.

OLD BUSINESS

Tax Increment Reimbursement Agreement

Director Alt and board members reviewed the draft of the Performance-Based Tax Increment Reimbursement Agreement between the Lapeer Downtown Development Authority and Thomas Lamagna Enterprises, Inc., to include updates from the DDA's attorney, discussion on base and capture levels, the projections for the twenty-year payback of the tax increment, and the cap on the reimbursement amount. As required by the MEDC, to set the terms and parameters of the agreement, (the duration of 20 years and the cap amount), a draft Resolution was presented to review for approval.

277 2026 08-26 Lapeer Downtown Development Authority – Tax Increment Reimbursement Agreement – Opera House Redevelopment Project

Moved by Roodvoets. Supported by Bostick-Tullius.

Adopt the Lapeer Downtown Development Authority Resolution approving the General Form and Material Parameters of a Performance-Based Tax Increment Reimbursement Agreement for the Opera House Redevelopment Project with the redaction of the words "the lowest of" under item 2.c. and authorize the chairperson and secretary to sign all necessary documents.

**LAPEER DOWNTOWN DEVELOPMENT AUTHORITY
RESOLUTION NO. 01 of 2026**

**RESOLUTION APPROVING THE GENERAL FORM AND MATERIAL
PARAMETERS OF A PERFORMANCE-BASED TAX INCREMENT
REIMBURSEMENT AGREEMENT FOR THE OPERA HOUSE
REDEVELOPMENT PROJECT**

At a regular or special meeting of the Board of the Lapeer Downtown Development Authority held on August 26th, 2026, at which a quorum was present, the following resolution was offered by Board Member Tim Roodvoets and supported by Board Member Catherine Bostick-Tullius:

WHEREAS, the Lapeer Downtown Development Authority ("DDA") is a public body corporate organized pursuant to Part 2 of the Recodified Tax Increment Financing Act, Public Act 57 of 2018, as amended, MCL 125.4201 et seq.; and

WHEREAS, Thomas LaMagna Enterprises, Inc. ("Developer"), proposes to redevelop the historic Opera House property in downtown Lapeer ("Project"); and

WHEREAS, the proposed Project is anticipated to involve substantial private investment and to include the creation of approximately ten residential units, an event space, historic rehabilitation, fire-suppression and accessibility improvements, code-compliance work, and other improvements benefiting downtown Lapeer; and

WHEREAS, the DDA Board finds that encouraging the redevelopment of underutilized downtown property, preserving historic structures, increasing housing and commercial activity, improving public safety and accessibility, encouraging private investment, and increasing taxable value serve public purposes and advance the objectives of the DOA; and

WHEREAS, the DDA has considered the use of a performance-based reimbursement under which the Developer would first complete the Project and make the required investment, after which the Developer could be reimbursed solely from an approved portion of the Project-Generated Tax Increment Revenue actually and lawfully received and retained by the DDA; and

WHEREAS, the contemplated arrangement would not constitute an upfront grant, would not guarantee any particular taxable value or amount of tax-increment revenue, and would not pledge the general funds, taxing power, full faith and credit, operating revenue, or other unrestricted assets of the DDA or City; and

WHEREAS, the DDA Board desires to approve the general form, structure, and material limitations of a performance-based tax-increment reimbursement agreement while allowing reasonable flexibility to complete negotiations, respond to MEDC requirements, correct property and financial information, and make nonmaterial legal or administrative revisions; and

WHEREAS, the DDA Board does not intend by this Resolution to approve every word of any current draft or to authorize staff to alter the material economic limitations established by this Resolution without further Board approval; and

WHEREAS, any reimbursement extending beyond the duration of the DDA's currently effective Development Plan and Tax Increment Financing Plan must remain expressly contingent upon the lawful continuation, renewal, extension, replacement, or amendment of those plans and the continued lawful capture and receipt of Project-Generated Tax Increment Revenue;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. Approval of General Form and Structure. The DDA Board approves the general form and structure of a performance-based tax-increment reimbursement agreement for the Project, subject to the material parameters, conditions, and limitations stated in this Resolution. This approval is an approval of the form and structure of the transaction and is not an approval of any particular draft word-for-word.

2. Material Parameters. Any final agreement executed under the authority of this Resolution must provide, at a minimum, that:

- (a) The Developer must complete the approved Project, make the required private investment, provide the required public benefits, and document its eligible project costs before reimbursement is earned.
- (b) Reimbursement shall be payable solely from the approved percentage of Project-Generated Tax Increment Revenue actually received and lawfully retained by the DDA.
- (c) The annual reimbursement shall not exceed: (i) 100% of the Project-Generated Tax Increment Revenue actually received and lawfully retained by the DDA; (ii) the unpaid balance of the Developer's verified eligible project costs; or (iii) the unpaid balance of the **Maximum Reimbursement Amount**.
- (d) The **Maximum Reimbursement Amount** shall not exceed \$300,000.
- (e) The potential reimbursement period shall not exceed twenty consecutive Reimbursement Years, shall not extend beyond the final Reimbursement Year identified in the agreement, and shall end earlier upon payment of the **Maximum Reimbursement Amount** or reimbursement of all verified eligible project costs.
- (f) Reimbursement after expiration of the currently adopted Development Plan or Tax Increment Financing Plan shall be contingent upon the lawful renewal, extension, replacement, or amendment of the applicable plans and the DDA's continued lawful capture, receipt, retention, and permitted use of Project-Generated Tax Increment Revenue.
- (g) The agreement shall not guarantee renewal or extension of any Development Plan or Tax Increment Financing Plan or continued participation by the County or

another taxing jurisdiction.

- (h) The expiration or nonrenewal of a plan, withdrawal or nonparticipation of a taxing jurisdiction, reduction in capture, or unavailability of Project-Generated Tax Increment Revenue shall not constitute a default by the DDA or City, create a make-up obligation, extend the reimbursement period, or require payment from another public source.
- (i) The agreement shall not pledge City general funds, the City's taxing power, the full faith and credit of the City or DDA, DDA operating funds or fund balance, revenue generated by other properties, or any source other than the Project-Generated Tax Increment Revenue expressly identified in the agreement.
- (j) The agreement shall contain appropriate completion requirements, documentation requirements, public-benefit obligations, audit rights, default remedies, assignment restrictions, insurance requirements, indemnification, and protections against duplicate reimbursement.

3. Authority to Finalize Agreement. Subject to the limitations in this Resolution, the DOA Chairperson and Executive Director, in consultation with DDA counsel and appropriate City officials, are authorized to negotiate, finalize, and execute an agreement that is substantially consistent with the general form and material parameters approved by this Resolution.

4. Permitted Nonmaterial Revisions. Without further Board approval, the authorized representatives may approve revisions that do not materially increase the DDA's financial obligation or reduce the Developer's material obligations, including:

- (a) confirming and correcting addresses, parcel numbers, legal descriptions, ownership information, and parcel-specific taxable values;
- (b) completing dates and administrative deadlines consistent with this Resolution;
- (c) revising definitions, accounting procedures, certification requirements, notices, and reimbursement-request procedures;
- (d) conforming the agreement and exhibits to assessor, treasurer, auditor, City, lender, or MEDC requirements;
- (e) correcting clerical, typographical, grammatical, formatting, and cross-reference errors; and
- (f) making other legal or administrative revisions approved by DDA counsel that are consistent with the purpose and material parameters of this Resolution.

5. Changes Requiring Further Board Approval. Further Board approval shall be required before execution of an agreement containing any change that would:

- (a) increase the approved reimbursement percentage;
- (b) increase the Maximum Reimbursement Amount;

- (c) extend the maximum reimbursement period;
- (d) authorize payment from a source other than Project-Generated Tax Increment Revenue actually received and lawfully retained by the DDA;
- (e) guarantee renewal or extension of a Development Plan or Tax Increment Financing Plan;
- (f) materially reduce the Developer's required investment, project scope, completion requirements, eligible-cost documentation, or required public benefits;
- (g) materially expand the property or project covered by the agreement; or
- (h) otherwise materially increase the DDA's financial or legal exposure.

6. No Present Guarantee of Payment. This Resolution does not appropriate or guarantee any specific amount of money. No reimbursement shall be earned until all conditions stated in the final agreement have been satisfied and the DDA has actually received and lawfully retained the Project-Generated Tax Increment Revenue from which payment is authorized.

7. Public Purpose. Subject to confirmation that the final agreement is consistent with the adopted Development Plan, Tax Increment Financing Plan, and applicable law, the DDA Board determines that the proposed performance-based reimbursement structure and the Project's required improvements and public benefits further the public purposes and redevelopment objectives of the DDA.

8. Prior Actions. All actions previously taken by the DDA's officers, Executive Director, staff, and counsel to investigate, negotiate, and prepare the proposed performance-based reimbursement structure are ratified to the extent consistent with this Resolution.

9. Effective Date. This Resolution shall take effect immediately upon its adoption.

ROLL CALL VOTE:

Yeas: Members Schwab, Roodvoets, Beyer, Bostick-Tullius, Cutcher, Gillingham, Glisman, Herr, Hogan, and Rogers.

Nays: Hing.

Absent: Perry and Sharkey.

MOTION CARRIED 10-1. RESOLUTION DECLARED ADOPTED.

Main Street Accreditation – Community Assessment

The DDA Board members completed the last three sections/standards of the six total sections/standards of the Michigan Main Street self-evaluation for accreditation, giving input and holding discussion on each focus area and indicator area scored. The last three standards completed were Strategy-Driven Programming, Preservation-Based Economic Development, and Demonstrated Impact and Results.

Executive Director Alt will submit the completed self-evaluation through the online portal to Main Street America.

COMMITTEE REPORTS / MINUTES

Outreach Committee

Bostick-Tullius reported that the committee met to continue working on the annual giving campaign sponsorship letters, with a goal to launch by the end of September, beginning of October. This year's campaign will focus on items to include the repair or replacement of the downtown clock.

Business Development Committee

Roodvoets reported the Business Development Committee did not meet in August.

Placemaking Committee

Chair Schwab reported the committee set an August 30th deadline to have everything for 2025-2026 Vibrancy Grant ordered so it can be installed by the end of Summer or early Fall. Items include murals, ballot bins, bike rack, and the story telling components.

Events Committee

Cutcher reported July/August Events included Sidewalk Sales, Wizarding Weekend thanks to Axecadia, the Back to the Bricks event, and the conclusion of the Concert Series; Upcoming events include the Monday Night Car Cruise and Porchfest, which was rescheduled to September 26, 2026, and the planning of the Gilmore Girls event.

OTHER REPORTS

There were no additional sub-committee reports or business.

Center for the Arts

Executive Director Lyons updated the board on current and upcoming Gallery 194 exhibits, art class attendance, the gift shop, Pix Theatre shows, rentals, and event attendance. Topics included the current gallery show "Sacred Spaces" with collages of touchable artwork, a new show in September featuring a glass artist, The Pix Theatre show about Oakdale which will be available for sale in a DVD format in September, and work being done on the new website and ticketing program.

STAFF REPORT

Main Street Program Update

Executive Director Alt spoke on meeting with the County Veteran's Department to plan celebrations throughout November for veterans; moving the October DDA meeting to a different location due to Early Voting; the Owosso DDA doing a walking tour of Lapeer on September 17; the repair of brick pavers on Nepessing at the end of September; putting together the 2026 Lapeer Main Street Pulse Poll survey that helps identify the needs and wants of the community and where improvements can be made and types of businesses recruited.

Discussion was held on the process of the Match on Main Grant and other grant and funding opportunities and resources available through places such as the Local Development Corporation.

Bostick-Tullius left the meeting at 9:11 A.M.

BOARD MEMBER COMMENTS

Glisman spoke on upcoming America 250 Events to include a meeting on August 31, 2026, at 3:30 P.M. at the Lapeer Train Depot; the second flagpole dedication on September 11, 2026, at 5:00 P.M. at the insurance agency building; the liberty tree dedication in October; Constitution Day on September 17, 2026; and lilacs in bloom.

Hing spoke on discussions and procedures that took place earlier in the meeting and the success of Lapeer Days.

Schwab read a portion of the mission statement for Lapeer Main Street.

Beyer left the meeting at 9:27 A.M.

Hogan commented on the Lapeer Days Beer Tent location and new landscaping for the Park Street / Pine Street Parking lot project

Correspondence

Schwab shared complimentary email correspondence from the Health Enrichment Center.

ADJOURNMENT

Having no further business, the meeting was adjourned at 9:29 A.M.

MEETING ADJOURNED.

Tammy Cutcher, Secretary

**CITY OF LAPEER
FREEDOM OF INFORMATION ACT (PA 442 of 1976)
COMMISSION POLICY**

I. PURPOSE:

It is the intent of this policy to:

- A) Provide procedures for citizens and City officials in disclosing public records in accordance with the requirements of the Michigan's Freedom of Information Act (FOIA), PA 442 of 1976 (MCL 15.231 to 15.246).
- B) Comply in all respects of FOIA, but in the unintended event of a conflict, FOIA shall control and be deemed a part of this policy.

II. FOIA COORDINATOR:

- A) The City Manager is designated and delegated the duties of FOIA Coordinator. The FOIA Coordinator may designate another individual to act as FOIA Coordinator.
- B) The FOIA Coordinator shall be responsible to accept and process requests for public records and approve denials. All City officials and employees receiving document disclosure inquiries shall immediately transfer them to the FOIA Coordinator.

III. PROCEDURE:

All requests for information under FOIA shall be forwarded to, received by, and reviewed by the FOIA Coordinator prior to granting the request according to the following procedure:

- A) All FOIA requests must be in writing, and describe the public records sufficiently to enable the public body to find the public record. The FOIA Coordinator will notify the requestor if clarification is needed. Such notice, if sent, shall not be interpreted as a denial of the request for purposes of the FOIA or this policy.

Neither the City nor the FOIA Coordinator are required to make a compilation, summary, report of information, or create a new public record. This exemption includes analyzing, compiling, or summarizing existing information into a new format. Neither the City nor the FOIA Coordinator is obligated to provide answers to oral or written questions.

The City will use its best efforts to respond to all requests made pursuant to a FOIA request. However, the City will search only the most likely locations for responsive public record(s). The City of Lapeer is not required under FOIA to search each and every record it maintains in order to discover material that might pertain to a specific request.

- B) All FOIA requests received by facsimile, electronic mail or other electronic means shall be deemed to have been received the next business day.
- C) The request shall be date-stamped by the FOIA Coordinator.
- D) The FOIA Coordinator shall distribute the request to all applicable departments, who shall return the information to the FOIA Coordinator.
- E) The FOIA Coordinator shall prepare a response in compliance with Section 5 of FOIA, with review by the City Attorney when appropriate.
- F) The FOIA Coordinator shall keep a copy of all written requests for public records on file for no less than one year.
- (G) Should the requestor determine to withdraw a request, the withdrawal shall be in writing. Costs and labor will be charged for the work performed on the request up to the date and time the request was withdrawn.

IV. EXCEPTIONS TO FOIA POLICY:

- A) Routine Information: Requests for information from other departments shall be handled by that department if:
 - 1) The request is for records that are routinely provided to the public by that department, such as taxes and water billings;
 - 2) The records are readily available;
 - 3) The records are not exempt from disclosure under the FOIA;
 - 4) The records exist at the time of the request;
 - 5) The record is sufficiently described; and
 - 6) No other department would be likely to have the requested records.
- B. Any records covered by the Enhanced Access to Public Records Policy.

V. RULES TO PREVENT EXCESSIVE AND UNREASONABLE INTERFERENCE WITH CITY FUNCTIONS:

- A) Records may be personally examined only during normal business hours, between 8:00 A.M. and 5:00 P.M. on City business days.

- B) City staff shall be given ample opportunity to review for separation of exempt or privileged records from non-exempt or unprivileged records prior to allowing public examination after responding in writing to the request as required under Section 5 (2) of FOIA. Due to the nature of the request, a labor charge may be charged for the search, examination, review, and (if appropriate) the deletion and separation of exempt from non-exempt information as provided in Section 4 of FOIA.

VI. RULES TO PROTECT RECCORDS:

To protect records from loss, unauthorized alteration, mutilation or destruction. The following are general records' protection rules for all departments:

- A) Records are to remain in the departmental vicinity while being reviewed.
- B) Records are not to be altered in any manner.
- C) Pens or indelible writing instruments are not allowed in record review rooms.
- D) No notes or writing of any kind shall be made on the documents themselves.
- E) Copies of records are to be made by City staff or its designee.
- F) For documentation purposes, staff shall keep copies of or a list of documents released or copied.
- G) Records may not be removed from binders.
- H) Records within files shall be kept intact and in order.
- I) Copies of City computer records shall be made on computer discs provided by the City.
- J) Copies of tapes shall be made on tapes provided by the City.
- K) Records to be copied may be identified by tape flags or "Post-It" notes, by separate written description, affixation of paper clips, or by inserting loose paper between pages.
- L) Copyrighted material shall not be photocopied.

VII. FEES:

- A) The FOIA Coordinator will be responsible for billing fees and costs incurred by the City to the requestor where appropriate.
- B) Fees are as listed on the City of Lapeer Fee Schedule.
 - Copies
 - Maps
 - Computer Disks
 - Photos
 - Outside Service: if required for duplication or other request.
 - Mailing
- C) Labor:

The labor cost, including fringe benefits, of the lowest paid employee capable of retrieving the information necessary to comply with the request will be charged.

Pursuant to Section 4 (3) of FOIA, a fee will be charged for processing a request that requires more than one hour of time for the search, retrieval, examination, review, and separation and deletion of exempt from nonexempt material, or any part thereof.

In compliance with Section 3 (3) of FOIA which requires the public body to protect public records, labor costs for monitoring an inspection of original records will be calculated using the hourly wage plus fringe benefits of the lowest paid available employee.

- D) Routine Information: Public Records:

Routine information provided by other departments, such as taxes and water billings, will be charged according to the City of Lapeer Fee Schedule or City cost.
- E) Subscriptions:

When a request for copies of regularly published records is made to the FOIA Coordinator, an escrow deposit as listed on the City of Lapeer Fee Schedule will be paid. The City will charge against the escrow for the costs of copying and postage. There will be no labor charges since this must be a public record that is routinely developed. The FOIA Coordinator will maintain an account sheet of the number of copies and costs of mailing. If the escrow deposit is reduced to \$5.00 or less prior to expiration of the request, the FOIA Coordinator will contact the person for an additional deposit or termination of the request.

- F) Miscellaneous Fees:
The FOIA Coordinator is authorized to establish such other fees and charges in situations not covered by this policy
- G) Deposit(s):
At the time a request is made, the City may require a deposit from the person requesting the public record or series of public records if the fees will exceed \$50.00. The deposit shall not exceed one-half of the total fee for the request. Prior to release of requested records, the City may require payment in full by the Requestor for all fees and costs associated with the request.
- H) Indigence:
A copy of a public record shall be furnished without charge for the first \$20.00 of the fee for such request if the individual requesting such information submits an affidavit demonstrating that the individual is receiving public assistance, or if not receiving public assistance, is unable to pay the cost because of indigence.

VIII. APPEALS:

In accordance with Section 10 of FOIA, where a person's request for a public record is denied by the FOIA Coordinator, in whole or in part, the requesting person may do one of the following at his or her option:

- A) Submit to the Lapeer City Commission a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the denial. The City Commission shall receive the appeal at its next regular meeting and, shall respond to the written appeal not more than 10 business days after receiving the written appeal. The City Commission shall take one of the following actions in response to the filing of an appeal.
- 1) Reverse the denial.
 - 2) Issue a written notice to the appellant affirming the denial.
 - 3) Reverse the denial in part and issue a written notice to the appellant affirming the denial in part.
 - 4) If necessary due to unusual circumstances, issue a notice extending for not more than 10 business days the period during which the City Commission shall respond to the written appeal.
- B) Commence an action in the Circuit Court to compel the public body's disclosure of the public records within 180 days after a public body's final determination to deny a request.

IX. EXEMPTIONS:

The FOIA Coordinator is authorized to exempt from disclosure a public record pursuant to Section 13 of FOIA, and on appeal, the City Commission is authorized to so exempt a public record. In addition to exemptions as outlined under Section 13 of FOIA, the following shall apply.

- (A) Records or information of measures designed to protect the security or safety of persons or property, whether public or private, including, but not limited to, building, public works, and public water supply designs to the extent that those designs relate to the ongoing security measures of a public body, capabilities and plans for responding to a violation of the Michigan anti-terrorism act, chapter LXXXIII-A of the Michigan penal code, 1931 PA 328, MCL 750.543a to 750.543z, emergency response plans, risk planning documents, threat assessments, and domestic preparedness strategies, unless disclosure would not impair a public body's ability to protect the security or safety of persons or property or unless the public interest in disclosure outweighs the public interest in nondisclosure in the particular instance.

HISTORY:

	<u>Date:</u>	<u>Moved:</u>	<u>Seconded:</u>
Amended	2012 02-20	Bostick-Tullius	Marquardt

Previous Records Reflect:

Amended	05-19-97
Adopted	11-07-77

Appeal #1

August 17, 2026

Jeremy Howe, City Manager
City of Lapeer
576 Liberty Park
Lapeer, MI 48446
jhowe@ci.lapeer.mi.us
rsanchez@ci.lapeer.mi.us

RE: APPEAL -- FOIA Request No. 2026-68, Itemized Billing Invoices,
Bodman PLC, 04/01/2026 through present

Dear Mr. Howe:

This letter is a written APPEAL submitted under MCL 15.240(1)(a) from the City of Lapeer's August 17, 2026 determination, signed by City Clerk Romona Sanchez, denying Request No. 2026-68 in its entirety. That request sought itemized billing invoices from special counsel Bodman PLC for the period April 1, 2026 through the present. I direct this appeal to you because the City's denial letter identifies the City Manager as the head of this public body.

I ask that you reverse the denial in full, or in the alternative reverse it in part and direct production of the invoices with only genuinely privileged content redacted and each redaction individually justified.

The denial consists of a single operative sentence:

"The records you seek are exempt from disclosure under MCL 15.243(1)(d) because they are protected by the attorney-client privilege and attorney work-product doctrine. Michigan FOIA permits a public body to withhold records that are specifically exempt from disclosure by statute. The requested materials fall within those protections."

That is not a lawful denial under Michigan FOIA, for the following reasons.

1. THE CITY CITED AN EXEMPTION THAT DOES NOT APPLY ON ITS FACE

MCL 15.243(1)(d) exempts "[r]ecords or information specifically described and exempted from disclosure by statute." That subsection requires the City to identify a specific statute that describes and exempts the records. The denial identifies none. It instead restates the subsection's own language back as its justification -- "Michigan FOIA permits a public body to withhold records that are specifically exempt from disclosure by statute" -- which is a tautology, not

a basis for withholding.

The attorney-client privilege is not a creature of statute in Michigan; it arises from the common law and MRE 501. That is precisely why the Legislature wrote a separate and dedicated exemption for it at MCL 15.243(1)(g) ("[i]nformation or records subject to the attorney-client privilege"), and covered court-rule privileges separately at MCL 15.243(1)(h). Subsection (1)(d) is not a vehicle for asserting the privilege. The City did not invoke (1)(g) or (1)(h).

Michigan FOIA exemptions are construed narrowly, and the public body bears the burden of justifying nondisclosure. *Herald Co v City of Bay City*, 463 Mich 111 (2000); *Evening News Ass'n v City of Troy*, 417 Mich 481 (1983); *Bradley v Saranac Community Schools*, 455 Mich 285 (1997).

2. THE DENIAL IS BOILERPLATE AND LACKS THE REQUIRED PARTICULARIZED JUSTIFICATION

MCL 15.235(5)(a) requires a denial to state "[a]n explanation of the basis under this act or other statute for the determination that the public record, or portion of that public record, is exempt from disclosure." Michigan courts require more than a recitation of statutory text: a public body asserting an exemption "should provide complete particularized justification, rather than simply repeat statutory language." *Herald Co v City of Bay City*, 463 Mich 111 (2000); see also *Evening News*, 417 Mich at 503 (separate and distinct justification required for each exemption claimed, and for each record or category withheld).

The City's denial does not state how many Bodman PLC invoices exist, their dates, the matter or matters to which they relate, which specific content on them the City contends is privileged, or why any privilege would reach the non-narrative fields of a bill for services. It asserts a conclusion and nothing more. That is an independent violation of MCL 15.235(5)(a), and on de novo review it cannot carry the City's burden under MCL 15.240(4).

3. THE CITY IGNORED ITS MANDATORY DUTY TO REDACT AND PRODUCE THE REMAINDER

Even if some content on the invoices were privileged, MCL 15.244(1) provides that "[i]f a public record contains material which is not exempt under section 13, as well as material which is exempt from disclosure under section 13, the public body shall separate the exempt and nonexempt material and make the nonexempt material available for examination and copying." MCL 15.244(2) further requires the City to "generally describe the material exempted."

The City did neither. It withheld an entire class of documents categorically, with no severability analysis and no description of what was withheld. That is not a defensible response under Michigan FOIA.

At minimum, the following fields on an attorney invoice are not confidential communications from a client seeking legal advice and must be produced:

- the name of the law firm and of the billing and paying entities;
- invoice number, invoice date, and billing period;
- the general matter name or matter number;
- each timekeeper's name, title, and hourly rate;
- hours billed per timekeeper and in total;
- fee subtotals, disbursement and cost categories, taxes, totals, and amounts paid;
- payment terms, retainer balances, and trust or escrow activity;
- purchase order, requisition, voucher, warrant, or check numbers.

4. THE ATTORNEY-CLIENT PRIVILEGE DOES NOT REACH AN INVOICE'S NON-NARRATIVE CONTENT

In Michigan, "[t]he scope of the attorney-client privilege is narrow, attaching only to confidential communications by the client to his advisor that are made for the purpose of obtaining legal advice." *Leibel v General Motors Corp*, 250 Mich App 229, 236 (2002).

An invoice from Bodman PLC to the City is a demand for payment, not a confidential communication from the client seeking legal advice. The identity of the firm, the fact and dates of the engagement, the rates charged, the hours worked, and the sums the City paid from public funds are not legal advice and disclose no confidence. To the extent a particular narrative time entry describes legal strategy, mental impressions, or the substance of a confidential client communication, the remedy is redaction of that entry under MCL 15.244 -- not suppression of every document in the set.

The City's position, carried to its conclusion, would mean the public may never learn what the City of Lapeer spends on outside counsel. Michigan FOIA's stated purpose is the opposite: "to provide the people of this state with full and complete information regarding the government's affairs and the official actions of governmental officials and employees." MCL 15.231(2).

5. THERE IS NO ATTORNEY WORK-PRODUCT EXEMPTION IN MICHIGAN FOIA, AND
NONE APPLIES
HERE

The denial invokes the "attorney work-product doctrine." Michigan FOIA contains no work-product exemption. The doctrine can reach FOIA only indirectly, through MCL 15.243(1)(h)'s reference to a "privilege recognized by statute or court rule" -- that is, MCR 2.302(B)(3), a civil discovery rule governing materials "prepared in anticipation of litigation or for trial."

The City did not invoke MCL 15.243(1)(h), did not identify the court rule it relies on, and did not explain how a bill for services already rendered was prepared in anticipation of litigation. It was not; it was prepared to collect a fee. A FOIA request is also not civil discovery, and a records request by a member of the public is not a discovery request by an opposing party.

I further note that MCL 15.243(1)(v) -- records relating to a civil action in which the requesting party and the public body are both parties -- is inapplicable, and the City has not asserted it. [CONFIRM OR REVISE.]

6. THESE ARE PUBLIC RECORDS OF THE CITY, AND SOME OF THE WITHHELD
INFORMATION IS
ALREADY PUBLIC

By asserting an exemption rather than contesting the records' status, the City has conceded that the Bodman PLC invoices are public records in its possession. That concession is well founded. Bills prepared by a private entity, received by a municipality, and paid with public funds are records "used" by the public body in the performance of an official function, even where the municipality did not examine them before paying. *Detroit News, Inc v Detroit*, 204 Mich App 720, 723-725 (1994). Records held by outside counsel performing a city's legal function are likewise subject to FOIA. *Bisio v City of the Village of Clarkston*, 506 Mich 37 (2020). And a public body "may not avoid their obligations under the FOIA by contracting for a clerical service that allows them to more efficiently perform an official function." *MacKenzie v Wales Twp*, 247 Mich App 124, 129 (2001).

Separately, to the extent payments to Bodman PLC appear in check registers, warrant lists, or accounts-payable schedules approved by the City Commission in open session, those amounts are already public. The City cannot coherently claim that figures it has already published in its own meeting materials are protected by the attorney-client privilege.

7. THE DENIAL NOTICE ITSELF DOES NOT COMPLY WITH MCL 15.235(5)(d)

MCL 15.235(5)(d) requires a denial to contain "[a] full explanation of the requesting person's right" to appeal and to seek judicial review, including the right to receive attorneys' fees and damages.

The City's letter states only that "the court may award attorney fees and costs." That understates the requester's rights in two respects. First, MCL 15.240(6) provides that if a person asserting the right to inspect or receive a copy of a public record prevails in an action, "the court shall award reasonable attorneys' fees, costs, and disbursements" -- mandatory, not discretionary. Second, the notice omits damages entirely: MCL 15.240(7) requires a court that finds an arbitrary and capricious violation to order a \$1,000 civil fine and to award \$1,000 in punitive damages, and MCL 15.240b requires a civil fine of \$2,500 to \$7,500 for a willful and intentional failure to comply or for acting with a frivolous purpose.

A notice that misdescribes the remedy as discretionary and omits damages is not the "full explanation" the statute requires.

RELIEF REQUESTED

I ask that you, within 10 business days as required by MCL 15.240(2):

1. REVERSE the denial and direct production of all itemized billing invoices, statements of account, and supporting time detail submitted to the City by Bodman PLC for April 1, 2026 to the present; or
2. REVERSE IN PART and direct production with narrative time-entry text redacted only where a specific entry would reveal privileged content, accompanied by a written index that identifies each redaction, the exemption relied upon, and the particularized basis for it, as MCL 15.244(2) and Herald Co require; and
3. Direct production of the following, which are non-exempt under any reading of the Act:
 - a. the engagement letter, retainer agreement, or contract with Bodman PLC, including all rate schedules and amendments;
 - b. the resolution, minutes, or other authorization approving the engagement of Bodman PLC as special counsel, and any budget amendment funding it;
 - c. all check registers, warrant lists, vouchers, purchase orders, and

accounts-payable entries reflecting amounts billed and paid to Bodman PLC from April 1, 2026 to the present; and
d. the total amount billed and the total amount paid to Bodman PLC in that period.

If you uphold the denial or fail to respond within the statutory period, I intend to seek judicial review in the Lapeer County Circuit Court under MCL 15.240(1)(b), where the court "shall determine the matter de novo and the burden is on the public body to sustain its denial." MCL 15.240(4). I reserve all claims to reasonable attorneys' fees, costs, and disbursements under MCL 15.240(6); to punitive damages and a civil fine under MCL 15.240(7); and to a civil fine under MCL 15.240b.

I would prefer to resolve this without litigation, and I am available to discuss a redaction protocol that protects any genuine privilege while honoring the City's disclosure obligations. If the City believes my request was overbroad in any respect, I am willing to discuss narrowing it.

Sincerely,

Kelly Nolan
195 Briarwood Dr, Lapeer, MI 48446
kellypnolan@gmail.com
8103382150

cc: Mayor and City Commission, City of Lapeer
Romona Sanchez, CMC, City Clerk -- rsanchez@ci.lapeer.mi.us
City Attorney, City of Lapeer



City Clerk's Office
810-664-5231

August 17, 2026

Kelly Nolan
195 Briarwood Dr.
Lapeer, MI 48446

RE: 2026-68 Itemized Billing Invoices – Bodman PLC 04/1/2026 through present.

Dear Ms. Nolan:

The City of Lapeer has received your request for public records under the provisions of the Michigan Freedom of Information Act (FOIA), MCL 15.231 et seq.

Your request is denied.

The records you seek are exempt from disclosure under MCL 15.243(1)(d) because they are protected by the attorney-client privilege and attorney work-product doctrine. Michigan FOIA permits a public body to withhold records that are specifically exempt from disclosure by statute. The requested materials fall within those protections.

Under FOIA, section 10, you have the right to submit a written appeal of the denial to the head of this public body, City Manager, or you may commence a civil action for judicial review of the denial. If you prevail in such action, the court may award attorney fees and costs.

The City of Lapeer FOIA procedures and guidelines can be accessed at [https://www.ci.lapeer.mi.us/manager/freedom_of_information_act_\(foia\).php](https://www.ci.lapeer.mi.us/manager/freedom_of_information_act_(foia).php).

Sincerely,

Romona Sanchez, CMC, MiPMC3
City Clerk
City of Lapeer

Dear FOIA Coordinator,

Under the Michigan Freedom of Information Act (PA 442 of 1976), I am requesting a copy of all itemized billing invoices, fee statements, and proof of payments issued by or paid to the law firm Bodman PLC for legal or investigative services rendered to the City of Lapeer between April 1, 2026, and the present date

I am requesting these records as a private individual for personal, non-commercial purposes. Because these invoices involve the expenditure of public taxpayer funds on an outside city administration investigation, disclosure of this information is in the public interest and will benefit the general public. Therefore, I respectfully request a waiver or reduction of all processing and duplication fees associated with this request. If the request for a fee waiver is denied, please inform me if the estimated costs will exceed \$50 before executing the search.

If any portions of these records are exempt from disclosure, please redact those specific sections and provide the remaining non-exempt portions.

Thank you,
Kelly Nolan
195 Briarwood Dr
Lapeer, MI 48446
kellypnolan@gmail.com

Appeal #2

Kelly Nolan
195 Briarwood Dr
Lapeer, MI 48448
8103382150
kellypnolan@gmail.com

August 21, 2026
Chief Jeremy Howe, City Manager
FOIA Coordinator, City of Lapeer
576 Liberty Park
Lapeer, MI 48446

cc: Lapeer City Clerk; Lapeer City Commission

RE: APPEAL of FOIA Denial, Request No. 2026-69

Dear Mr Jeremy Howe:

This is an appeal submitted under MCL 15.240(1)(a). The word "appeal" is used deliberately, and this letter identifies the reasons for reversal of the denial below.

I appeal the City of Lapeer's August 17, 2026 denial of Request No. 2026-69, which sought "All Mayor Hing's notes from 8/3/2026." Copies of the original request and the denial are attached as Exhibit A and Exhibit B.

I. The denial rests on two grounds that cannot both be true

The City's August 17 response states both that "the public records do not exist" and that handwritten notes of a public official are not public records when taken for personal use and not possessed or used by the public body in the performance of a public function.

These are mutually exclusive positions, and Michigan FOIA treats them differently:

If the basis is that no responsive record exists, MCL 15.235(5)(b) requires the denial to contain "a certificate that the public record does not exist under the name given by the requester or by another name reasonably known to the public body." The City's response does not appear to contain that certificate. If nonexistence is the City's position, I request that the certificate be provided.

If the basis is that a record exists but is not a public record, MCL 15.235(5)(a) requires "an explanation of the basis under this act or other statute" for that determination. The City's response supplies a legal conclusion and no facts.

I also ask the City to confirm that the notice of denial was signed by the individual designated as responsible for the denial, as MCL 15.235(6) requires.

The City must choose one position. If the notes do not exist, the City should certify that. If they exist, the City must justify withholding them on the facts.

II. Handwritten notes are "writings" under the statute

The form of the record is not in dispute and cannot be. MCL 15.232(l) defines "writing" to include, by its first word, "handwriting." Whether Mayor Hing's notes were made by hand is therefore irrelevant to their status.

The only question is the one posed by MCL 15.232(i), which defines a public record as:

"a writing prepared, owned, used, in the possession of, or retained by a public body in the performance of an official function, from the time it is created."

Two features of that definition bear on this request. First, the statute reaches writings that are merely "prepared" or "used" in the performance of an official function; actual possession by the City is one of five alternatives, not a precondition. Second, the phrase "from the time it is created" means the character of a record is fixed at creation. A public record does not lose that status because an official later files it away, takes it home, or discards it.

III. Mayor Hing was acting for the public body

To the extent the City relies on the statute's reference to "a public body," Mayor Hing presiding over an August 3, 2026 City meeting and receiving public comment was not acting as a private individual. He was performing the office to which he was elected, in a public meeting of the body he leads. Notes made in that setting are made in the performance of an official function of the City. Any other reading would let a public body place its records beyond FOIA by leaving them in the hands of the official who made them.

IV. Hopkins does not support this denial

The City cites *Hopkins v Duncan Township*, 294 Mich App 401; 812 N.W.2d 27 (2011). *Hopkins* does not establish that an official's notes are categorically outside FOIA, and it does not permit a public body to decline a search.

Hopkins was decided on a developed evidentiary record, after litigation, on specific findings that the notes at issue were never in the public body's possession, were not used in the performance of an official function, were not used for substantive decision making or record keeping, were not considered by other board members, and were not read into the record. Those were findings of fact. They were not presumptions available to a public body at the point of denial.

The City has made none of those findings here, and has identified no facts that would support them. Invoking *Hopkins* is not the same as satisfying it.

At least one *Hopkins* factor points the other way on these facts. During the August 3, 2026 meeting, Mayor Hing referenced his own note-taking on the record. [Insert citation: agenda item,

approximate timestamp of the meeting video or minutes, and a direct quote.] That statement is affirmative evidence that notes were made contemporaneously, in the course of the meeting, by the presiding officer. It is a reasonable basis to believe responsive records exist, and it is inconsistent with a conclusion, reached without inquiry, that any such notes were purely personal.

V. The City bears the burden, and a conclusory justification does not carry it

Under MCL 15.240(4), a reviewing court considers the matter de novo and "the burden is on the public body to sustain its denial."

Michigan law has long required that the justification be specific. In *Evening News Ass'n v City of Troy*, 417 Mich 481 (1983), the Supreme Court held that a public body's justification "must be more than conclusory, i.e., simple repetition of statutory language." A generic recitation does not suffice.

The August 17 denial is a recitation. It restates the Hopkins formulation and offers no facts about these notes: no statement of who was asked, what was searched, whether the mayor was consulted, whether the notes exist, or what evidence supports the conclusion that they were strictly personal.

VI. Physical location is not a defense

If the City's position is that the notes are in Mayor Hing's personal custody rather than in City files, that does not resolve the question. MCL 15.240(4) directs a court to order a public body "to cease withholding or to produce all or a portion of a public record wrongfully withheld, regardless of the location of the public record." The statute anticipates exactly this situation.

VII. What an adequate search and determination requires

I am not asking the City to answer interrogatories or to create a record. I am asking that the City conduct the search and make the findings that FOIA requires before a denial of this kind can stand. To sustain a Hopkins-based denial, the City would need to determine, and be prepared to state:

Whether Mayor Hing created handwritten notes during or concerning the August 3, 2026 meeting or the public comment received at it, which requires actually asking him;

Whether any such notes were used, consulted, or referred to by Mayor Hing in connection with his official duties, including in presiding over the meeting, responding to public comment, or preparing for subsequent City business;

Whether any such notes were shared with, provided to, transmitted to, or reviewed by any other City official, employee, attorney, contractor, or representative;

Whether any such notes were used in connection with any subsequent City action, discussion, communication, decision, or response concerning the August 3 public comment;

Whether any such notes are currently retained by Mayor Hing or otherwise remain within the possession or control of the City or any City official; and

If the City maintains that the notes are not public records, the specific factual basis for that determination, including what inquiry was made, of whom, and what facts support the conclusion that the notes were strictly personal and were not used in the performance of an official function.

VIII. Preservation

MCL 15.233(3) provides that "a public body shall protect public records from loss, unauthorized alteration, mutilation, or destruction." I request that the City and Mayor Hing preserve all records potentially responsive to Request No. 2026-69, in any form, pending final resolution of this appeal and any subsequent proceeding.

If any responsive notes have already been destroyed, I request that the City state that fact, the date of destruction, and the approved retention and disposal schedule under which the destruction was carried out.

IX. Relief requested

I respectfully request that the City:

Reverse the denial of Request No. 2026-69 and produce the requested records; or

If the City maintains that no responsive record exists, provide the certificate required by MCL 15.235(5)(b); or

If the City maintains that responsive records exist but are not public records, provide a specific, factual explanation under MCL 15.235(5)(a) identifying what search was conducted, what inquiry was made of Mayor Hing, and what facts support the conclusion that the notes fall outside MCL 15.232(i).

In any event, I ask that the City state unambiguously which of these two positions it is taking.

To the extent any fee is assessed on further processing, I request a waiver or reduction under MCL 15.234(1) on the ground that furnishing these records "can be considered as primarily benefiting the general public," as they concern the conduct of a public meeting and the handling of public comment.

Reservation of rights

Nothing in this appeal waives any remedy. I note, without any intent to threaten, that Michigan FOIA provides for a civil action in the Lapeer County Circuit Court within 180 days of a final determination under MCL 15.240(1)(b); an award of reasonable attorney fees, costs, and disbursements to a prevailing requester under MCL 15.240(6); a \$1,000 civil fine and \$1,000 in punitive damages where a public body has "arbitrarily and capriciously" violated the act under MCL 15.240(7); and a civil fine of \$2,500 to \$7,500 where a public body "willfully and intentionally failed to comply with this act or otherwise acted in bad faith" under MCL 15.240b.

I would much prefer to resolve this at the administrative level and appreciate your consideration.

Under MCL 15.240(2), I look forward to a response within 10 business days of receipt.

Respectfully,

Kelly Nolan
195 Briarwood Dr
Lapeer, MI 48446
8103382150
kellypnolan@gmail.com

Exhibit A: FOIA Request No. 2026-69, dated [date]

Exhibit B: City of Lapeer response and denial, dated August 17, 2026

Exhibit C: transcript of the August 3, 2026 meeting reference to note-taking



City Clerk's
Office
810-664-5231

August 17, 2026

Kelly Nolan
195 Briarwood Dr.
Lapeer, MI 48446

RE: 2026-69 All Mayor Hing's notes from 8/3/2026

Dear Ms. Nolan:

The City of Lapeer has received your request for public records under the provisions of the Michigan Freedom of Information Act (FOIA), MCL 15.231 et seq.

Your request is denied.

To the best of the public body's knowledge, information, and belief, under the information provided by you or any other description reasonably known to the public body, the public records do not exist. A thorough search was conducted, and no responsive records were located.

Handwritten notes of a public official are not considered public records if taken for personal use and are not possessed or used by the public body in the performance of a public function. *Hopkins v Duncan Twp*, 294 Mich App 401; 812 NW2d 27 (2011).

Under FOIA, section 10, you have the right to submit a written appeal of the denial to the head of this public body, City Manager, or you may commence a civil action for judicial review of the denial. If you prevail in such action, the court may award attorney fees and costs.

The City of Lapeer FOIA procedures and guidelines can be accessed at [https://www.ci.lapeer.mi.us/manager/freedom_of_information_act_\(foia\).php](https://www.ci.lapeer.mi.us/manager/freedom_of_information_act_(foia).php).

Sincerely,

Romona Sanchez, CMC, MiPMC3
City Clerk
City of Lapeer

FREEDOM OF INFORMATION ACT REQUEST

To: City of Lapeer FOIA Coordinator
City of Lapeer, Michigan

Pursuant to the Michigan Freedom of Information Act, MCL 15.231 et seq., I am requesting access to and copies of the following public records:

All written notes created, received, maintained, or possessed by Mayor Jeremy Hing in connection with the City of Lapeer City Commission meeting held on August 3, 2026.

This request is intentionally broad and includes all written notes made or maintained by Mayor Hing in connection with the meeting, regardless of subject matter or format.

Basis for Request

During the August 3, 2026 City Commission meeting, Mayor Hing referenced his own note-taking in the course of the meeting. His reference to his own notes indicates that written notes were being made or maintained by him concerning matters occurring during the meeting.

I am therefore requesting the underlying written records to which Mayor Hing referred. His reference to his own note-taking is the basis for my request and is particularly relevant to determining what records were created and maintained by him during the meeting.

Requested Records

The request includes, but is not limited to:

1. All handwritten notes made by Mayor Hing before, during, or after the August 3, 2026 City Commission meeting.
2. All notes concerning or referring to Kella Carter, her public comment, or any matters raised by her during the meeting.
3. All written notes concerning any other public comments, agenda items, discussions, questions, responses, motions, deliberations, or actions occurring during the meeting.
4. Notes contained in notebooks, legal pads, loose-leaf paper, index cards, folders, meeting materials, or any other physical document.
5. Any electronically created or maintained notes, including typed notes, electronic documents, digital annotations, or other electronic records created or maintained by Mayor Hing in connection with the meeting.

6. Any photographs, scans, photocopies, transcriptions, reproductions, or other copies of the requested notes maintained by the City or any City official.

7. Any responsive notes maintained by the City Manager, City Clerk, or other City employee or official if those notes were created or maintained on behalf of, provided to, or received from Mayor Hing in connection with the August 3, 2026 meeting.

I specifically request the opportunity to inspect the original written records, including original handwritten notes, where those records are maintained by the City or are otherwise subject to the City's custody or control.

Request for Fee Waiver

I am making this request as a private citizen and not on behalf of a commercial entity or for commercial purposes. I will not use the requested records for commercial gain.

I respectfully request that the City waive all fees associated with this FOIA request to the extent permitted by the Michigan Freedom of Information Act.

The request concerns the conduct and recordkeeping of an elected public official in connection with a public City Commission meeting and therefore concerns matters of public interest. Disclosure of the requested records would contribute to public understanding of the activities and conduct of City government.

If the City determines that a fee waiver is not available, please provide an itemized estimate of any fees that would be charged before incurring substantial costs.

Preservation of Records

Please preserve all records responsive to this request, including original written notes, pending completion of this FOIA request and any applicable appeal or review period.

If any responsive record has been destroyed, discarded, altered, or otherwise disposed of, please identify the record, the date and manner of disposition, and the applicable records-retention schedule or other authority under which the disposition occurred.

Exemptions

If the City determines that any responsive record or portion of a record is exempt from disclosure, please identify the specific statutory exemption relied upon and provide all reasonably segregable non-exempt portions.

If the City determines that no responsive records exist, please state that explicitly in the written response.

Please process this request pursuant to the Michigan Freedom of Information Act and provide the City's response within the statutory time period.

Kelly Nolan

Kellypnolan@gmail.com

195 Briarwood Dr, Lapeer, MI 48446

8103382150

Date: August 14, 2026

Transcript from August 3, 2026 City of Lapeer Commission Meeting comment time with Kella Carter

2:13:40

2 hours, 13 minutes, 40 seconds

situation. The problem that I see, and again, Mr. {Hing}, could you please look at me? I mean, it's really rude.

2:13:48

2 hours, 13 minutes, 48 seconds

It's hard for me to even know if you know what I'm saying. Okay.

2:13:52

2 hours, 13 minutes, 52 seconds

Excuse me. I'm not going to take that type of tone in disrespect up on this {dias}. There's been two members of the

2:14:00

2 hours, 14 minutes

public now address this commission, other commissioners, and myself. We're taking notes because we take what you say seriously.

2:14:09

2 hours, 14 minutes, 9 seconds

Okay? And I look up from time to time to make contact when I can. Otherwise, we'll pause for about a minute or two so I can finish my notes after you're done speaking.

2:14:18

2 hours, 14 minutes, 18 seconds

Take my time to please {back}.

2:14:20

2 hours, 14 minutes, 20 seconds

No, I'll take notes while people are speaking and I'll look up from time to time, but you're not going to address this board disrespectfully anymore.

2:14:28

2 hours, 14 minutes, 28 seconds

I'm not being disrespectful. I'm just asking You may {} finish{?}

From: [Parent Data Force](#)
To: [Romona Sanchez](#)
Cc: [Jeremy Howe](#); [cityattorney](#); [Jeremy Hing](#)
Subject: APPEAL — FOIA Request 2026-61 — August 3, 2026 City Commission Notes
Date: Tuesday, August 25, 2026 9:02:39 AM
Attachments: [REPLY Letter- FOIA.pdf](#)

Lapeer City Commission:

This is a written APPEAL under MCL 15.240 and Section VIII of the City of Lapeer's published FOIA Policy from the August 11, 2026 denial of FOIA Request 2026-61. Please forward this appeal to every member of the Lapeer City Commission and place it before the Commission at its next regular meeting as required by the City's published appeal procedure.

I ask the Commission to reverse the denial and direct a renewed, record-specific search and production.

BACKGROUND

On August 5, 2026, I requested the handwritten notes and other markings made by Mayor Jeremy Hing and members of the Lapeer City Commission during the August 3, 2026 regular meeting. The request was deliberately limited to a single meeting and specifically described the records, the likely custodians, the circumstances in which the notes were created, and the legal distinction between purely personal notes and notes prepared, used, possessed, or retained in the performance of an official function.

My request expressly addressed *Hopkins v Duncan Township*, 294 Mich App 401; 812 NW2d 27 (2011). I did not contend that every handwritten note created by an elected official is automatically a public record. Instead, I requested notes whose creation, use, possession, or retention was connected to the Commission's performance of its official functions, including receiving, considering, documenting, evaluating, or following up on public comment.

The City denied the request on August 11. The denial states that "the public records do not exist," says that a "thorough search was conducted, and no responsive records were located," and then separately relies upon *Hopkins* for the proposition that personal handwritten notes are not public records.

The denial should be reversed for the following reasons.

1. HOPKINS DOES NOT CREATE A CATEGORICAL EXCLUSION FOR HANDWRITTEN NOTES.

Hopkins is fact-specific. The Michigan Court of Appeals held that the particular notes there were not public records because they were taken for personal use, were not circulated to other board members, were not used to prepare meeting minutes, and were retained or destroyed solely at the author's discretion. 294 Mich App at 417-418.

But *Hopkins* expressly recognized the opposite proposition as well: an individual decision-maker's notes concerning a governmental issue can be public records when they are taken in furtherance of an official function. The controlling question is not whether a record is handwritten or physically kept by one official. The question is whether the writing was

prepared, owned, used, possessed, or retained by the public body in the performance of an official function. See MCL 15.232(i).

My original request expressly identified this distinction before the City denied it. A blanket citation to Hopkins therefore does not resolve whether the notes from this particular meeting satisfy the factual conditions that made the Hopkins notes personal rather than public.

2. THE PUBLIC STATEMENTS AT THE AUGUST 3 MEETING CREATE A MATERIAL FACTUAL DISTINCTION FROM HOPKINS.

The request identified statements made on the public record that directly tied the note-taking to the Commission's receipt and consideration of public comments.

At approximately 2:13:52 of Part 2, after public commenters raised the fact that officials were looking down while people spoke, Mayor Hing explained:

"There's been two members of the public now address this commission, other commissioners, and myself. We're taking notes because we take what you say seriously."

He further explained that he would "take notes while people are speaking" and look up from time to time.

Later, during commissioner remarks at approximately 2:33:41, a member of the Commission similarly stated that members of the public had the privilege of speaking their minds and that "we are up here either taking notes or listening."

Those statements matter. They do not conclusively establish that every mark on every page is a public record, but they are evidence that at least some note-taking was being performed as part of receiving, listening to, documenting, or considering matters presented to the Commission in an official public meeting. That is precisely why my request called for a record-by-record inquiry rather than a categorical characterization of all notes as "personal."

3. THE DENIAL IS AMBIGUOUS ABOUT WHETHER THE NOTES PHYSICALLY DO NOT EXIST OR WERE LOCATED BUT CLASSIFIED AS NON-PUBLIC.

The response relies on two materially different concepts.

First, it certifies that the requested public records "do not exist" and says no responsive records were located. That is a nonexistence determination under MCL 15.235(5)(b).

Second, it cites Hopkins and explains why handwritten notes that do physically exist may nevertheless fall outside FOIA's definition of a public record.

Those are not interchangeable conclusions. If the City contacted Mayor Hing and each commissioner and determined that no responsive handwritten notes physically existed or remained in their possession, that is one factual scenario. If handwritten notes were located but the City decided they were personal rather than public records, that is a different legal determination that requires application of the official-function test to the facts surrounding the particular writings.

The appeal should therefore not be resolved by simply repeating that “no responsive public records” were found. The Commission should determine what search was actually performed and whether potentially responsive writings were excluded from the search results at the classification stage because officials or staff assumed that handwritten notes were categorically personal.

4. THE MOST LIKELY CUSTODIANS WERE IDENTIFIED IN THE REQUEST AND SHOULD BE INCLUDED IN THE SEARCH.

My August 5 request expressly asked the FOIA Coordinator to contact Mayor Hing and every commissioner who attended the August 3 meeting. Those officials are the obvious and most likely custodians of papers on which they themselves made handwritten notes during the meeting.

I am not asking the City to create a new record, answer interrogatories, or search limitless locations. I am asking it to conduct the search necessary to determine whether the specifically identified officials possess or retained the specifically described writings, and then to apply Michigan FOIA’s public-record definition to any writings located.

If the prior “thorough search” did not include the individual officials who publicly described themselves or the Commission as taking notes, the City should conduct that inquiry now on appeal.

5. MY REQUEST EXPRESSLY INCLUDED NOTES THAT WERE USED, REFERENCED, SHARED, RELIED UPON, OR RETAINED FOR CITY BUSINESS, EVEN IF OTHER NOTES WERE PURELY PERSONAL.

The request was not limited to notes that became part of formal minutes. It expressly sought responsive notes that were reviewed, referenced, relied upon, shared, circulated, discussed, transmitted, placed in City files, consulted when deciding whether to act, used to follow up on a public comment, or otherwise used or retained in the performance of a City function.

Hopkins itself recognizes that a writing can become a public record based upon the way it is used or possessed in the performance of an official function. Therefore, even if some notes from August 3 satisfy Hopkins’s personal-note facts, that would not justify withholding other notes that crossed the line into official use.

6. ANY EXEMPTION ANALYSIS IS DISTINCT FROM THE THRESHOLD “PUBLIC RECORD” QUESTION AND MUST BE APPLIED PARTICULARLY.

The August 11 denial did not invoke MCL 15.243(1)(m) or another substantive exemption. If the City now contends that a particular responsive public record contains advisory, preliminary, deliberative, or similar material, that is a separate statutory analysis from the threshold Hopkins question.

Any exemption should be identified specifically, supported as required by Michigan FOIA, and applied to the particular material withheld. Nonexempt and reasonably segregable material must be disclosed rather than withholding an entire page merely because some portion might qualify for an exemption. See MCL 15.244.

7. THE IDENTIFYING-INFORMATION PARAGRAPH IN THE DENIAL DOES NOT SUPPORT THIS DENIAL AS WRITTEN.

The denial also recites the statutory requirement that certain requesters provide a complete name, address, and contact information. My request, however, expressly invoked the indigency provision of MCL 15.234(2)(a), provided an indigency affidavit, and affirmed that I was not making the request in conjunction with an outside party offering payment or other remuneration.

MCL 15.233(1) expressly distinguishes an individual who qualifies as indigent under MCL 15.234(2)(a) from requesters subject to the complete-address requirement. If the City intended to reject my claimed indigency status, the August 11 response did not identify that as its determination or explain a basis for doing so. The generic identifying-information paragraph therefore should not be treated as an independent ground for denying the requested records.

8. THE CITY'S AUGUST 11 APPEAL INSTRUCTION APPEARS INCONSISTENT WITH THE CITY'S PUBLISHED FOIA POLICY.

The August 11 letter states that I may appeal the denial to the "head of this public body, City Manager." The City's currently published FOIA Policy, however, provides in Section VIII that a person whose request has been denied by the FOIA Coordinator may submit a written appeal to the Lapeer City Commission. The same policy designates the City Manager as FOIA Coordinator and provides for the Coordinator's processing and approval of denials.

I am therefore submitting this as an appeal to the Lapeer City Commission through the City Clerk and copying Acting City Manager Jeremy Howe. Please treat this filing as a timely and procedurally proper appeal under MCL 15.240 and the City's published policy. If the City believes a different official or body is legally designated to decide this appeal, please forward it immediately to that decision-maker and identify the authority for that position rather than requiring a duplicative filing.

REQUESTED RELIEF

For the reasons above, I respectfully request that the Lapeer City Commission:

1. REVERSE the August 11, 2026 denial of FOIA Request 2026-61;
2. DIRECT a renewed search that includes Mayor Hing and every City Commissioner who attended the August 3, 2026 meeting and the locations reasonably likely to contain their responsive meeting notes;
3. PRODUCE each responsive writing that was prepared, used, possessed, or retained in the performance of an official function, including responsive notes used or retained to document, consider, evaluate, remember, respond to, or follow up on public comments or other Commission business;
4. If any responsive material is withheld, ISSUE a particularized written determination stating the factual and legal basis for withholding it and disclose all reasonably segregable nonexempt material; and

5. PRESERVE all potentially responsive original pages, copies, scans, photographs, and other reproductions in their present condition pending final resolution of this administrative appeal and any judicial review.

Nothing in this appeal asks the City to disclose a genuinely personal writing merely because an elected official happened to create it during a meeting. The issue is narrower: Michigan FOIA does not permit the label “personal notes” to substitute for the factual inquiry that Hopkins itself requires, particularly where the officials publicly described the note-taking as part of listening to and taking seriously the public’s statements.

Please confirm receipt and ensure this appeal is presented to the City Commission in accordance with MCL 15.240 and Section VIII of the City’s FOIA Policy.

Sincerely,

Joey Ford



City Clerk's Office

August 11, 2026

Joey Ford

RE: 2026-61

Dear Mr. Ford:

The City of Lapeer has received your request for public records under the provisions of the Michigan Freedom of Information Act (FOIA), MCL 15.231 et seq.

Your request is denied.

To the best of the public body's knowledge, information, and belief, under the information provided by you or any other description reasonably known to the public body, the public records do not exist. A thorough search was conducted, and no responsive records were located.

Handwritten notes of a public official are not considered public records if taken for personal use and are not possessed or used by the public body in the performance of a public function. *Hopkins v Duncan Twp*, 294 Mich App 401; 812 NW2d 27 (2011).

Also, a request from a person, other than an individual who qualifies as indigent under section 4(2)(a), must include the requesting person's complete name, address, and contact information and, if the request is made by a person other than an individual, the complete name, address, and contact information of the person's agent who is an individual. An address must be written in compliance with United Postal Service addressing standards. Contact information must include a valid telephone number or electronic mail address.

Under FOIA, section 10, you have the right to submit a written appeal of the denial to the head of this public body, City Manager, or you may commence a civil action for judicial review of the denial. If you prevail in such action, the court may award attorney fees and costs.

The City of Lapeer FOIA procedures and guidelines can be accessed at [https://www.ci.lapeer.mi.us/manager/freedom_of_information_act_\(foia\).php](https://www.ci.lapeer.mi.us/manager/freedom_of_information_act_(foia).php).

Sincerely,

Romona Sanchez, CMC, MiPMC3
City Clerk
City of Lapeer

From: [Parent Data Force](#)
To: [Romona Sanchez](#)
Subject: FOIA Request – August 3, 2026 City Commission Notes and Complete Front-and-Back Page Images
Date: Wednesday, August 5, 2026 9:27:49 AM

Michigan FOIA Request

August 3, 2026 Lapeer City Commission meeting — handwritten notes and complete page images

Dear City Manager / FOIA Coordinator:

Please accept this as a written request under the Michigan Freedom of Information Act, **MCL 15.231 et seq.** I am submitting it by email through the City Clerk's Office because the City directs emailed FOIA requests there and designates the City Manager as FOIA Coordinator. Please promptly forward it to the appropriate person and confirm receipt.

RECORDS REQUESTED

I request copies of every sheet, page, note card, sticky note, notebook page, legal-pad page, agenda, agenda-packet page, handout, or other physical record on which Mayor Jeremy Hing or any member of the Lapeer City Commission made handwritten notes or any other markings during the regular City Commission meeting held Monday, August 3, 2026.

This includes every commissioner who attended the meeting, whether or not a particular official was clearly visible writing on the recording. It includes records created from the beginning through the conclusion of the meeting and specifically includes notes or markings made during, concerning, identifying, summarizing, characterizing, evaluating, or responding to public comments or individual public commenters.

RECORDED STATEMENTS CONFIRMING THE OFFICIAL PURPOSE OF THE NOTES

The City's meeting recording and YouTube-generated transcript contain multiple statements expressly connecting the note-taking to the Commission's receipt and

consideration of public comments.

At approximately **00:40:24** in Part 2, I commented that Mayor Hing was “barely looking up at your constituents when they speak.”

Later, after another public commenter asked Mayor Hing to look at her while she spoke, the transcript records Mayor Hing stating at approximately **02:13:52**:

“There’s been two members of the public now address this commission, other commissioners, and myself. We’re taking notes because we take what you say seriously.”

He continued that he looked up “from time to time to make contact” and then stated:

“I’ll take notes while people are speaking and I’ll look up from time to time.”

These statements are important because Mayor Hing used the plural “we,” expressly referenced “other commissioners, and myself,” and explained that the notes were being taken because the Commission took the commenters’ statements seriously. His explanation therefore concerned the Commission’s collective performance of its official role, not merely a private mnemonic habit unrelated to City business.

The point was confirmed again during commissioner remarks at approximately **02:33:41**, when a member of the Commission stated:

“You all have the privilege of speaking your mind, and we are up here either taking notes or listening.”

The timestamps are approximate and the transcript is auto-generated. This request does not depend upon perfect transcription. The audiovisual recording itself supplies the context and shows that Commission members publicly characterized the note-taking as part of listening to and taking seriously the public’s comments.

SCOPE OF “NOTES OR OTHER MARKINGS”

Please construe this request to include the entire contents and physical appearance

of each responsive page—not merely conventional written words. It includes, without limitation:

- handwriting, printing, cursive, shorthand, initials, names, numbers, and abbreviations;
- pictographs, drawings, sketches, diagrams, doodles, stick figures, maps, shapes, and other illustrations;
- arrows, checkmarks, stars, circles, boxes, brackets, lines, underlining, highlighting, bullet points, and symbols;
- strike-throughs, cross-outs, erasures, corrections, overwritten material, ink or pencil marks, and any visible indentations or impressions;
- marks in margins, headers, footers, corners, between printed text, or anywhere else on the sheet; and
- any other mark, notation, image, or meaningful content, whether legible, illegible, apparently unfinished, or believed to be unrelated.

FORM OF PRODUCTION — COMPLETE FRONT AND BACK OF EVERY PAGE

Please provide a complete, uncropped, full-color digital image or scan of the **FRONT AND BACK** of every responsive sheet, including the reverse side even if the City or the author believes it is blank.

Each image must show the entire physical page, including all four borders or edges, all corners, margins, holes, folds, tears, staples or staple marks, tabs, page numbers, and blank or unused areas. Please do not crop to the handwriting, omit blank areas, remove the background, convert the image to black and white, retype or recreate the notes, or substitute a transcription, summary, OCR text, excerpt, or description for an image of the original record.

Please preserve and produce the pages in their original sequence and identify the official who authored each page, if known from the record or ordinary recordkeeping. If notes were written on an agenda, packet, handout, or other preexisting document, please provide the entire page—not merely the portion containing handwriting.

Please provide the records electronically by email or secure download link in PDF, TIFF, PNG, or JPEG format, at the original or highest reasonably available resolution.

PUBLIC-RECORD BASIS

Michigan FOIA defines a “public record” as a writing prepared, owned, used, possessed, or retained by a public body in the performance of an official function.

MCL 15.232. The statutory definition of “writing” includes handwriting, pictures, symbols, and combinations of those forms.

I recognize that *Hopkins v. Duncan Township*, 294 Mich App 401 (2011), held that notes shown to be strictly personal, uncirculated, unused in preparing minutes or performing official functions, and retained or destroyed solely at the author’s discretion were not public records. But Hopkins also explains that individual notes taken by a decision-maker on a governmental issue are public records when taken in furtherance of an official function.

The facts publicly stated at this meeting materially distinguish this request from a categorical request for strictly private notes. Mayor Hing and another Commission member affirmatively characterized the note-taking as part of listening to, taking seriously, and receiving statements from public commenters. Those are official Commission functions. Please therefore do not apply a blanket “personal notes” label merely because an elected official physically wrote the notes or retained possession of the paper.

Please produce all responsive notes that were prepared as part of listening to, documenting, understanding, evaluating, or following up on public comments, or that were reviewed, referenced, relied upon, shared, circulated, discussed, transmitted, placed in City files, consulted in deciding whether to act, used to follow up on a public comment, or otherwise used or retained in the performance of a City function.

Please have the FOIA Coordinator contact Mayor Hing and every City Commissioner who attended the August 3 meeting and conduct a record-by-record inquiry rather than limiting the search to the Clerk’s central files. This request includes responsive public records maintained by an official outside City Hall or among mixed personal materials when the record was prepared, used, possessed, or retained in the performance of an official City function.

If the City contends that any responsive page is not a public record or is exempt, please provide a written partial denial identifying the specific legal and factual basis for withholding that particular record. Please also disclose all reasonably segregable

nonexempt material. A transcription or generalized assurance about the notes is not a substitute for the requested complete images.

PRESERVATION

Because handwritten meeting notes may otherwise be discarded, erased, altered, separated from their context, or overwritten, please immediately notify Mayor Hing and every City Commissioner who attended the August 3 meeting to preserve every potentially responsive original page in its present condition, including both sides, pending completion of this request and any administrative or judicial review.

INDIGENCY AFFIDAVIT AND FEE-WAIVER REQUEST

Under **MCL 15.234(2)(a)**, I request the required waiver of the first \$20.00 of any fee. I, Joey Ford, affirm that I am indigent and unable to pay the costs of this request. I have very limited financial resources and support two children with significant disabilities. Both of my children are autistic, and one also has Down syndrome. Payment of FOIA fees would interfere with my ability to meet basic household and caregiving expenses.

I further affirm that I am not making this request in conjunction with any outside party offering or providing me payment or other remuneration to submit it. The foregoing statements are true and are submitted as my indigency affidavit for purposes of **MCL 15.234(2)(a)**.

I also request a complete discretionary waiver or reduction of any remaining fees because disclosure will primarily benefit the general public by showing how elected officials receive, document, and potentially act upon comments made in an open public meeting. The request is limited to one meeting and a discrete category of records, and electronic production should minimize costs.

Please do not incur or assess any charge beyond the applicable waiver without first providing a detailed written itemization and receiving my express written authorization. I do not agree in advance to pay any fee.

Please acknowledge receipt and respond within the time required by Michigan FOIA.

Sincerely,
Joey Ford



ITEM J-1

To: Mayor and City Commission
Date: September 8, 2026
RE: Boards & Commissions Appointments

MAYORAL APPOINTMENT

BOARD OR COMMISSION	MEMBER NAME	CURRENT TERM EXPIRES	TERM LENGTH	NEW TERM EXPIRATION	COMMENTS Re: STATUS
Construction Board of Review	Vacancy Vacancy Vacancy	Jul 1, 2028 Jul 1, 2028 Jul 1, 2028	2 Year 2 Year 2 Year		Awaiting Recommendation
County Center Board	Vacancy	Jan 1, 2027	1 Year		Awaiting Recommendation
Local Development Finance Authority	Vacancy	Aug 1, 2027	4 Year		Awaiting Recommendation
Local Officers Compensation Commission	Vacancy	Oct 1, 2030	5 Year		Awaiting Recommendation
Park Board	Vacancy	April 1, 2029	3 Year		Awaiting Recommendation
Planning Commission	Vacancy	Aug 1, 2029	3 Year		Awaiting Recommendation

COMMISSION APPOINTMENTS

BOARD OR COMMISSION	MEMBER NAME	EXPIRATION	TERM LENGTH	NEW TERM EXPIRATION	COMMENTS Re: STATUS
Board of Review	Vacancy - Alternate	Jan 1, 2029	3 Year		Awaiting Recommendation
Income Tax Board of Review	Vacancy	Dec 1, 2028	3 Year		Awaiting Recommendation
Lapeer Building Authority	Vacancy Vacancy	Jun 1, 2027 Jun 1, 2028	3 Year 3 Year		Awaiting Recommendation
Prison Liaison Committee	Vacancy	Apr 1, 2028	3 Year		Awaiting Recommendation
Zoning Board of Appeals	Vacancy Vacancy – Alternate Vacancy – Alternate	Apr 1, 2029 Apr 1, 2027 Apr 1, 2028	3 Year 3 Year 3 Year		Awaiting Recommendation

RESIGNATIONS:

Didrik Krogh has resigned from the Park Board.

SUGGESTED MOTION:

To accept the resignation of Didrik Krogh from the Park Board and declare the seat vacant.

Anne Shenck has resigned from the Zoning Board of Appeals.

SUGGESTED MOTION:

To accept the resignation of Anne Shenck from the Zoning Board of Appeals and declare the seat vacant.

The following individuals have applied to a Board or Commission:

Board/Commission:	Name:	Application Submitted:	Current Term Ends:
Mayoral Appointments:			
Construction Board of Review	Brian Britton	04/15/2026	07/01/2026
Construction Board of Review	Jacqueline Hoist	04/21/2026	N/A
Construction Board of Review	Andrew Johnson	08/31/2026	N/A
Park Board	Gerald Gaecke	08/06/2026	N/A
Park Board	Linda Glisman	08/14/2026	N/A
Park Board	Anne Shenck	08/03/2026	N/A
Planning Commission	Anne Shenck	04/21/2026	N/A
Planning Commission	Andrew Johnson	08/26/2026	N/A

Current Board Members seeking reappointment:

None.

Applications submitted for Board with NO Vacancy:

EDC/TIFA/Brownfield	Anne Shenck	04/21/2026	N/A
---------------------	-------------	------------	-----

Commission Appointments:

Zoning Board of Appeals	Timothy Galbraith	07/31/2026	N/A
Zoning Board of Appeals	Gerald Gaecke	08/06/2026	N/A
Zoning Board of Appeals	Didrik Krogh	08/21/2026	N/A

Current Board Members seeking reappointment:

None.

From: [Linda Glisman](#)
To: [Jeremy Hing](#); [Rodney Church](#); [Romona Sanchez](#)
Cc: [Melissa Petrie](#)
Subject: Resignation of the Parks Board
Date: Friday, August 14, 2026 3:58:53 PM
Attachments: [Outlook-yfvh3mf4.png](#)

Mayor Jeramy Hing,

Rodney Church, Parks Director

Romona Sanchez, Lapeer Clerk

I am submitting my resignation to the City of Lapeer's Parks Board effective today, August 14, 2026. It has been an honor for me to be a part of this board.

Thank you,

Didrik Krogh

Didrikc@aol.com



Linda Glisman
Commissioner
City of Lapeer
576 Liberty Park
Lapeer, MI 48446
810-664-5231
Lglisman@ci.lapeer.mi.us

Maya Hing
Aug. 31, 2026

This is my formal notice of resignation from the Zoning Board of Appeals. My reasons for resigning are as follows: my past involvement in city government has been in a more active role on the planning commission. No opening existed on that board and I was encouraged to apply for the Zoning Board which had vacancies and when an opening became available on the Planning Commission I could apply for that board as well. More than ever I have become aware of the significance of effective interaction between these two boards.

Thanks for the opportunity to have served on this board. If I am reappointed to the Planning Commission and it is feasible please consider me as an alternate for the Zoning Board of Appeals.

Respectfully
Anne L. Shenck, BSN, MA

RECEIVED

SEP 01 2026

CITY MANAGER
LAPEER, MI



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
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☐ 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:

GENERAL CONTRACTOR FOR OVER 30 YEARS

EXPERIENCED IN RESIDENTIAL AND COMMERCIAL

Applicant Information:

Print Name: BRIAN BRITTON
(First) (Last)

Street Address: _____

Home Phone: (_____) Cell Phone: _____

Email: FAMILYBUILDINGCOMPANY@GMAIL.COM

Employer: SELF EMPLOYED Occupation: GENERAL CONTRACTOR

Educational Background: GRADUATED HIGH SCHOOL

Community Activities and/or Work Experience: 3RD GENERATION BUILDER



Signature

4/15/2026
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.

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APR 15 2026
CITY MANAGER
LAPEER, MI



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☐ 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 licensed architect and certified ICC building inspector, familiar with the building codes. I think that I could be of assistance in reviewing appeals that come before the Construction Board of Review. I am also familiar with the City of Lapeer and have designed renovations for a number of buildings in the city.

Applicant Information:

Print Name: Jacqueline

Hoist

(First)

(Last)

Street Address:

Home Phone:

Email:

Employer: H2A Architects

Occupation: Architect

Educational Background:

Masters Degree from U of M - Architecture

Community Activities and/or Work Experience:

38 years in the architectural field. 25 years was at THA Architects and the past 13 years have been in my own firm H2A Architects.

Current - Davison Township DDA Board, Davison (City) Planning Commission.

Past - American Institute of Architects Flint Chapter Board, Davison Township Planning Commission, State of MI Bureau of Fire Safety board.

Jacqueline Hoist

4-20-2026

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.

RECEIVED

APR 21 2026

CITY MANAGER
LAPEER, MI

emailed to mayor 4-21-26



Application for Boards and/or Commissions

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 City Clerk's Office, 576 Liberty Park, Lapeer, MI 48446
 810-664-5231
 Email: clerk@ci.lapeer.mi.us

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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 would like to use my 30 plus years in the building industry to serve the community. I have run Bruce Johnson Plumbing since 2010. I have owned the business since 2023. Having held these positions I've hired and fired employees, dealt with \$100,000 plus contracts, obtained permits and have had communication with contractors.

Applicant Information:

Print Name: Andrew Johnson
 (First) (Last)

Street Address: _____

Home Phone: _____ Cell Phone: _____

Email: _____

Employer: Bruce Johnson Plumbing Inc. Occupation: _____

Educational Background: 1991 Lapeer East. Master plumber, Licensed mechanical contractor, licensed boiler installer, licensed builder

Community Activities and/or Work Experience: I worked in the plumbing and heating industry since 1992. Attend Hunters Creek Community church. Former youth leader mission committee and deacon board participant

Andrew Johnson
 Signature

8-26-26
 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.

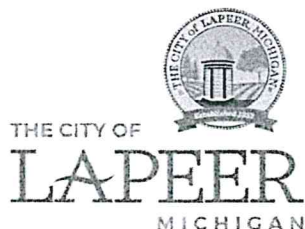
RECEIVED

8-31-26-Andrew Johnson called to add construction Bid of Review to application

AUG 26 2026

**CITY MANAGER
 LAPEER, MI**

emailed to mayor 8-27-26



Application for Boards and/or Commissions

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 810-664-5231
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☐ 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:

See Attachment

Applicant Information:

RECEIVED

Print Name: Gerald Gaecke
 (First) (Last)

AUG 06 2026

Street Address: 85 Rosemay Street

CITY MANAGER
 LAPEER, MI

Cell Phone:

Employer: Henry Ford Health system

Occupation: Cloud Architect

Educational Background:

College Graduate

Community Activities and/or Work Experience:

See Attachment

8.05.2026

Date

Signature

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.

I am interested in serving on the Zoning Board of Appeals and the Parks and Recreation Board because I care about the future of Lapeer and want to help make sure our community continues to grow in a thoughtful and responsible way. Whether it's new development, preserving green space, or improving our parks, I believe it's important to make decisions that benefit both today's residents and future generations.

For the past two years, I have served on the Tax Increment Finance Authority (TIFA) Board, where I've gained firsthand experience working through public meetings, reviewing proposals, evaluating investments in our community, and collaborating with city staff, elected officials, and fellow board members. That experience has given me a strong understanding of how local government works and the importance of balancing community input with sound, long-term decision making.

Professionally, I work as a **Cloud Architect**, where my job requires me to analyze complex information, evaluate risks, apply standards consistently, and solve problems with both technical and practical considerations in mind. Those are the same skills I would bring to reviewing zoning variances or helping guide decisions that affect our parks and public spaces. I believe in making decisions based on facts, fairness, and the intent of the ordinances, while also understanding the real-world impact those decisions have on residents.

Outside of work, I serve as Vice President of the Red Fox Cycling Club and am actively involved in organizing group rides, races, trail advocacy, volunteer projects, and community events. I've worked closely with local organizations to promote cycling, improve trail access, and encourage more people to enjoy our parks and outdoor spaces.

As a father of young children, I also spend a lot of time in our local parks. That gives me a perspective not only as an outdoor enthusiast but also as a parent who understands the importance of safe, accessible, and well-maintained recreational spaces for families. I believe quality parks and trails improve the health, quality of life, and overall appeal of our community while also contributing to economic development and making Lapeer an even better place to live.

If appointed, I would approach the position with an open mind, a willingness to listen, and a commitment to making thoughtful, well-informed decisions. I enjoy finding practical solutions, working collaboratively, and giving back to the community that my family and I call home.

It would be an honor to continue serving the City of Lapeer, whether on the Zoning Board of Appeals or the Parks and Recreation Board. I believe my experience on the TIFA Board, my professional background as a Cloud Architect, my involvement in the local cycling community, and my perspective as a parent would allow me to make a positive contribution to either board.



L:\share\Boards and Commissions\05-21 Updated Boards-Commission Application



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☐ 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:

see Attached

Applicant Information:

Print Name:

ANNE
(First)

Shenck
(Last)

Street Address:

Home Phone:

Email:

Employer:

Retired

Occupation:

RV

Educational Background: ADN- Univ of AK, BSN- U of MI- Flint
MA - MSU emphasis on public relations

Community Activities and/or Work Experience: see attached also

BCLS, Neonatal Resuscitation & Fetal Monitor certification until Retired

Signature

Anne L Shenck

Date

April 6, 2026

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

RECEIVED

APR 21 2026

APR 21 2026

CITY MANAGER
LAPEER, MI

CITY

Relevant Experience

- moved to Lapeer in 1980 to a federally registered historical landmark "The Eagle Tavern". Worked to restore and maintain historical status
- 1983/84 attended MSU extension course Building Leadership in Tourism: attended the Arkansas section; at the end of year long course was nominated by my group to do the Report of our findings to the state Tourism board
- attended sessions of MI congress as representative of group fighting the location of tri-county prison in Lapeer
- was on cemetery board
- Ran for mayor (88/89) - several of my platform goals were adopted
- member of Lapeer 2000 - co-chair of Housing/Land Use Task force
- appointed to Planning Commission (did not resign was forced to leave)
- currently on zoning board
- President/Treasurer of JW Shenck, DMD, PC from 2000 until closure in 2018
- First faculty advisor to MI student nurses association appointed by the state student nurses - served for 2 years

Reason

From school age on I have felt a responsibility to contribute. During my senior senior year of high school the phrase: government of the people, by the people, for the people requires accountability from each capable citizen. The history of Lapeer is unique and I feel privileged to be able to contribute as well as preserve it. During my campaign for mayor I became aware of the intricacies and impact an individual can contribute to local government. I felt my varied background would be most beneficial to the planning commission. I asked mayor Belhausen and he gave me the appointment. I believe my most valuable asset to the planning commission is my lack of ties to any one local entity and my devotion to listening and responding to the citizens concerns over any special groups/individuals.

Dana Jansen

From: Samantha Fountain
Sent: Monday, August 3, 2026 1:20 PM
To: Romona Sanchez
Cc: Dana Jansen
Subject: Board application - addition for Anne Shenck

Categories: Boards&Commissions

Hello there,

Ms. Shenck called me and asked to add "Park board" to the boards she'd like to be added to. Your phone line was busy, so she asked me to share that message with you.

I

Thanks,

Samantha Fountain, CEC
Community and Economic Development Director
Building, Planning & Zoning Department
576 Liberty Park, Lapeer, MI 48446
Planning: 810-664-4553
Cell: 810-705-3958





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☐ 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 WANT TO SERVE LAPEER. I PAY CLOSE ATTENTION TO LOCAL GOVERNMENT AND AM WILLING TO DO THE WORK TO BE AN INFORMED, INDEPENDENT - THINKING CONTRIBUTING MEMBER OF THE ZBA.

RECEIVED

Applicant Information:

Print Name: Timothy GALBRAITH
(First) (Last)

JUL 31 2026

CITY CLERK
LAPEER

Street Address:

Home Phone:

Cell Phone:

Email:

Employer: ICNN

Occupation: STREET OUTREACH COORDINATOR

Educational Background: SOME COLLEGE

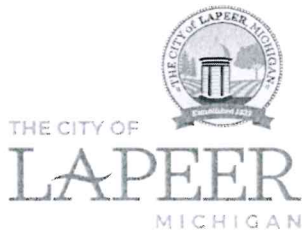
Community Activities and/or Work Experience: DIRECTOR OF THE GOLDEN ARROW FROM 2019

Signature

Date

7.31.26

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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☐ 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 wish to help the city zoning commission with wise choices and deliberations for zoning, especially since the city is going to have a new Master Plan.

I believe I have an abundance of experience in city growth, planning and zoning from my varied professional experiences

Applicant Information:

Print Name: Didrik "Rik" Krogh
 (First) (Last)

Street Address: _____

Employer: Retired Occupation: Appraiser, Realtor, Licensed Inspector

Educational Background:

Wayne State University, Tampa University, National University, Masters of Arts in Management, BA National U.,

Community Activities and/or Work Experience:

Expert Witness Testimony, Adjunct Professor- instruction in real estate courses. Lions Club, America 250 committee,

Didrik Krogh

Signature

August 21, 2026

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.

CITY OF LAPEER, 576 LIBERTY PARK, LAPEER, LAPEER COUNTY, MICHIGAN 48446

N-1

2026 MEETING DATES

In accordance with the Open Meetings Act, MCL 15.261 et. Seq., notice is hereby given that every meeting of the City Commission, Boards, Authorities and Commissions of the City of Lapeer shall be open to the public. Notice is further given that the following City Commission, Boards, Authorities and Commissions are regular meeting dates for 2026. A public notice of each special or rescheduled meeting will be posted at least 18 hours prior to the time of the meeting.

<u>Board/Commission</u>	<u>Location</u>	<u>Time</u>	January	February	March	April	May	June	July	August	September	October	November	December
City Commission 1st & 3rd Monday of each Month	Commission Chambers	6:30 P.M.	5, 20	2, 17	2, 16	6, 20	4, 18	1, 15	6, 20	3, 17	8, 21	5, 19	2, 16	7, 21
Cemetery Board 3rd Thursday of October	Mt. Hope Cemetery Building	2:00 P.M.	--	--	--	--	--	--	--	--	--	15	--	--
Downtown Development Authority 4th Wednesday of each Month	Commission Chambers	8:00 A.M.	28	25	25	22	27	24	22	26	23	28	25	23
Economic Development Corp (EDC) & Tax Increment Finance Auth (TIFA) 1st Wednesday as Needed	City Hall - 2nd Floor Conference Room	8:00 A.M.	7	4	4	1	6	3	1	5	2	7	4	2
Housing Commission 3rd Thursday of each Month	City Hall - 2nd Floor Conference Room	4:00 P.M.	15	19	19	16	21	18	16	20	17	15	19	17
Local Development Finance Authority (LDFA) 1st Tuesday March/June/Sept/Dec As Needed	City Hall - 2nd Floor Conference Room	8:00 A.M.			3			2			1			1
Park Board 1st Wednesday in November	Commission Chambers	6:30 P.M.	--	--	--	--	--	--	--	--	--	--	4	--
Planning Commission 2nd Thursday of each Month	Commission Chambers	6:30 P.M.	8	12	12	9	14	11	9	13	10	8	12	10
Zoning Board of Appeals 4th Monday of each Month As Needed	Commission Chambers	6:30 P.M.	26	23	23	27	25	22	27	24	28	26	23	28

Address of the above locations are as follows:

Commission Chambers City Hall, 576 Liberty Park
City Hall - 2nd Floor
Conference Room City Hall, 576 Liberty Park
Mt. Hope Cemetery 1230 Park Street

Romona Sanchez, CMC, MiPMC3
City Clerk

City of Lapeer
576 Liberty Park, Lapeer
Lapeer County, Michigan 48446
(810) 664-5231

Updated: 3/5/2026



MAT. TRANS.

To: City Commission
Date: September 8, 2026
RE: Material Transmittals

1. Lapeer Housing Commission Meeting Minutes – July 16, 2026.
2. Lapeer County EMS Report – July 2026.
3. Zoning Board of Appeals Meeting Minutes – July 27, 2026.

**CITY OF LAPEER
MINUTES OF A REGULAR
LAPEER HOUSING COMMISSION MEETING
LAPEER RIVERVIEW TOWERS, LLC
JULY 16, 2026**

A regular meeting of Lapeer Housing Commission/Lapeer Riverview Towers, LLC was held at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan on Thursday, July 16, 2026, at 4:13 P.M.

Members Present: Vice Chair Kerri Roberts, Commissioners Robin Chesnutt and Valarie Miller.

Members Absent: Chair Jim Mikus and Commissioner Lisa Lie.

Also Present: Executive Director and Housing Manager Janelle Jackson, Housing Grant Administrator Shelley Lincoln, and Housing Compliance Specialist Casey Gavan.

Vice Chair Roberts called the meeting to order at 4:06 P.M.

MINUTES

It was moved by Commissioner Chesnutt and supported by Commissioner Miller to approve the minutes of the meeting held on June 18, 2026, as presented.

Yeas: Vice Chair Roberts, Commissioners Chesnutt and Miller.

Nays: None.

Absent: Chair Mikus and Commissioner Lie.

MOTION CARRIED.

PUBLIC COMMENTS

There were no public comments.

MONTHLY FINANCIAL REPORT APPROVAL

It was moved by Commissioner Chesnutt and supported by Commissioner Miller to approve the Monthly Financial Report as presented.

Yeas: Vice Chair Roberts, Commissioners Chesnutt and Miller.

Nays: None.

Absent: Chair Mikus and Commissioner Lie.

MOTION CARRIED.

MONTHLY BILL APPROVAL

Housing Compliance Specialist Casey Gavan reviewed the additional checks submitted for payment approval.

It was moved by Commissioner Chesnutt and supported by Commissioner Miller to ratify the monthly bills paid as follows: 1) Riverview Towers LLC Checking; 2) Riverview Towers LLC Reserve for Replacements; 3) Housing Choice Voucher – Monthly Landlord Payments; 4) Housing Choice Voucher - Administrative; and 5) Contractor Payments as presented.

Yeas: Vice Chair Roberts, Commissioners Chesnutt and Miller.

Nays: None.

Absent: Chair Mikus and Commissioner Lie.

MOTION CARRIED.

RIVERVIEW TOWERS

Executive Director Jackson reported the new hires for the housing and maintenance positions are working out well and are a good fit for the department.

COMMISSIONER COMMENTS

There were no commissioner comments.

STAFF REPORTS

Executive Director

Lapeer Riverview Towers

Executive Director Jackson spoke on the rent increase allowed each year by HUD.

LAPEER RIVERVIEW TOWERS CONTRACT RENT INCREASE EFFECTIVE SEPTEMBER 1, 2026.

It was moved by Commissioner Miller and supported by Commissioner Chesnutt to approve the contract rent increase for Lapeer Riverview Towers effective September 1, 2026.

Yeas: Vice Chair Roberts, Commissioners Chesnutt and Miller.

Nays: None.

Absent: Chair Mikus and Commissioner Lie.

MOTION CARRIED.

Executive Director Jackson spoke on the removal of former Executive Director /Lapeer Riverview Towers (LRT) Manager and the addition of the Housing Compliance Specialist Casey Gavan's signature and access authority to Lapeer Riverview Towers bank accounts effective July 16, 2026.

RESOLUTION #22-2026 – For SIGNATURE AND BANK ACCOUNT ACCESS AUTHORITY

It was moved by Commissioner Chesnutt and supported by Commissioner Miller to approve the removal of Executive Director Denise Soldenski as an authorized signer and the removal of her access to existing checking and insured cash sweep accounts, and the addition of Housing Compliance Specialist Casey Gavan to have access physically and electronically to the existing checking and insured cash sweep accounts for Lapeer Riverview Towers, LLC currently at Choice One Bank and approve her as an authorized signer.

RESOLUTION # 22-2026 For Signature and Bank Account Access Authority

WHEREAS, the Lapeer Riverview Towers, LLC is the owner responsible for the management of Riverview Towers, a Rental Assistance Demonstration, Project Based Voucher, senior apartment complex subsidized by HUD under the conditions of the RAD conversion and Notice PIH 2012-32; and

WHEREAS, the Lapeer Riverview Towers, LLC creates a budget annually, with the assistance of a fee accountant for each fiscal year for operations and capital improvements; and

WHEREAS, the staff for Lapeer Riverview Towers, LLC is required to properly manage and maintain the entity's finances per policy and Internal Controls and should have a back up for the Executive Director in case of emergency; and

WHEREAS, the Board authorizes the removal of Executive Director Denise Soldenski as an approved Authorized Signer and removal of access to the existing checking and insured cash sweep accounts for Lapeer Riverview Towers, LLC currently at Choice One Bank; and

WHEREAS, the Board authorizes Housing Compliance Specialist, Casey Gavan, to be permitted access, physically and electronically, to the existing checking and insured cash sweep accounts for Lapeer Riverview Towers, LLC currently at Choice One Bank and approve her to be an Authorized Signer.

THEREFORE, BE IT RESOLVED that Lapeer Riverview Towers, LLC authorizes the removal of Executive Director Denise Soldenski as an Authorized Signer and the removal of her access to existing checking and insured cash sweep accounts, and the

addition of Housing Compliance Specialist, Casey Gavan to have access, physically and electronically, to the existing checking and insured cash sweep accounts for Lapeer Riverview Towers, LLC currently at Choice One Bank and approve her as an Authorized Signer.

The foregoing resolution is declared adopted. I hereby certify that the foregoing resolution was passed and declared adopted by Lapeer Riverview Towers, LLC, on the 16th day of July, 2026.

James Mikus
Chairperson, Lapeer Housing Commission

Date

Janelle Jackson
Executive Director/Manager, Lapeer Riverview Towers, LLC

Date

Yeas: Vice Chair Roberts, Commissioners Chesnutt and Miller.

Nays: None.

Absent: Chair Mikus and Commissioner Lie.

MOTION CARRIED.

Lapeer Housing Commission

Executive Director Jackson spoke on the removal of former Executive Director / Lapeer Housing Commission (LHC) Manager and the addition of Housing Compliance Specialist signature and access authority to Lapeer Housing Commission bank accounts effective July 16, 2026.

RESOLUTION #194-2026 – For SIGNATURE AND BANK ACCOUNT ACCESS AUTHORITY

It was moved by Commissioner Chesnutt and supported by Commissioner Miller to approve the removal of Executive Director Denise Soldenski as an authorized signer and the removal of her access to existing checking and insured cash sweep accounts, and the addition of Housing Compliance Specialist Casey Gavan to have access physically and electronically to the existing checking and insured cash sweep accounts for Lapeer Housing Commission currently at Choice One Bank and approve her as an authorized signer.

**RESOLUTION # 194-2026
For Signature and Bank Account Access Authority**

WHEREAS, the Lapeer Housing Commission is the Public Housing Authority responsible for the administration of RAD Project Based Vouchers for Lapeer Riverview Towers, LLC, and Housing Choice Vouchers within the City of Lapeer funded by HUD; and

WHEREAS, the Lapeer Housing Commission creates a budget annually, with the assistance of a fee accountant for each fiscal year for revenues/expenses relating to the administration of the program as well as the Housing Assistance Payment funding from HUD; and

WHEREAS, the staff for Lapeer Housing Commission is required to properly manage and maintain the entity's finances per policy and Internal Controls and should have a backup for the Executive Director in case of emergency; and

WHEREAS, the Board authorizes the removal of Executive Director Denise Soldenski as an approved Authorized Signer and removal of access to the existing checking and insured cash sweep accounts for Lapeer Housing Commission currently at Choice One Bank; and

WHEREAS, the Board authorizes Housing Compliance Specialist, Casey Gavan, to be permitted access, physically and electronically, to the existing checking and insured cash sweep accounts for Lapeer Housing Commission currently at Choice One Bank and approve her to be an Authorized Signer.

THEREFORE, BE IT RESOLVED that Lapeer Housing Commission authorizes the removal of Executive Director Denise Soldenski as an Authorized Signer and the removal of her access to existing checking and insured cash sweep accounts, and the

addition of Housing Compliance Specialist, Casey Gavan to have access, physically and electronically, to the existing checking and insured cash sweep accounts for Lapeer Housing Commission currently at Choice One Bank and approve her as an Authorized Signer.

The foregoing resolution is declared adopted. I hereby certify that the foregoing resolution was passed and declared adopted by Lapeer Housing Commission, on the 16th day of July, 2026.

James Mikus
Chairperson, Lapeer Housing Commission

Date

Janelle Jackson
Executive Director Lapeer Housing Commission

Date

Yeas: Vice Chair Roberts, Commissioners Chesnutt and Miller.

Nays: None.

Absent:. Chair Mikus and Commissioner Lie.

MOTION CARRIED.

ADJOURNMENT

There being no further business, it was the consensus of the commission to adjourn the meeting at 4:10 P.M. **MEETING ADJOURNED.**

Janelle Jackson, Executive Director

James Mikus, Chairperson



Incident Count by Agency per Municipality

July 2026

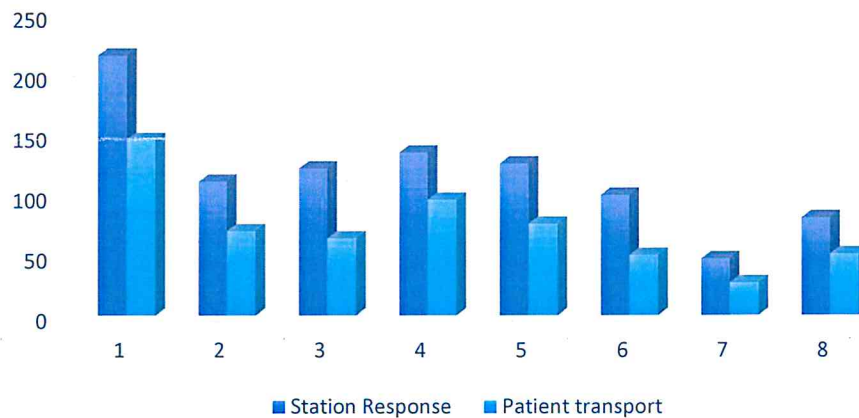


	EMS calls	LCEMS	MEDSTAR	MARLETTE	LCEMS %
Almont Township	22	22			100.00%
Almont Village	20	20			100.00%
Arcadia Township	23	23			100.00%
Attica Township	23	23			100.00%
Burlington Townsip	8	8			100.00%
Burnside Township	12	11		1	91.67%
Clifford Village	4	4			100.00%
Columbiaville Village	10	10			100.00%
Deerfield Township	43	43			100.00%
Dryden Township	20	20			100.00%
Dryden Village	6	6			100.00%
Elba Township	43	43			100.00%
Goodland Township	10	10			100.00%
Hadley Township	24	24			100.00%
Imlay city	64	64			100.00%
Imlay Township	27	27			100.00%
Lapeer City	219	219			100.00%
Lapeer Township	55	55			100.00%
Marathon Township	24	24			100.00%
Mayfield Township	85	85			100.00%
Metamora Township	34	34			100.00%
Metamora Village	4	4			100.00%
North Branch Township	24	24			100.00%
North Branch Village	14	14			100.00%
Oregon Township	41	41			100.00%
Otter Lake Village	7	7			100.00%
Rich Township(Mayville)	10	10		8	100.00%
					0.00%
Totals	876	875	0	9	99.89%

	Station	Call Volume	Transports	Transport % of Volume
Lapeer	Alpha 10	216	146	67.59%
North Branch	Alpha 20	111	70	63.06%
Imlay City	Alpha 30	122	64	52.46%
Elba	Alpha 40	135	96	71.11%
Mayfield	Alpha 50	126	76	60.32%
Metamora	Alpha 60	100	50	50.00%
Goodland	Bravo 70	47	27	57.45%
Dryden	Alpha 80	81	51	62.96%
	Totals	938	580	
		Average Transport %		61.83%
		per call		
	Wheelchair Van			
	TOTAL	819		

Lapeer County Incidents	773
Other Activity (transfers)	0
	773

Station Totals July 2025





CCAD - Monthly Incident Count By Agency for Lapeer Summary By Department By Incident Type

For 07/01/2026 Thru 08/01/2026



For Cities: LAPEER CITY

Agency Code	Type Code	Num Of Incidents
1E - Lapeer County EMS	AB - ASSAULT & BATTERY	3
	ACN - AUTOMATIC CRASH NOTIFICATION	2
	ALARMM - MEDICAL ALARM	19
	AMB - AMBULANCE CALL MEDICAL	166
	CITI ASSIST - ASSIST CITIZEN	1
	DOMESTIC - DOMESTIC/ASSAULT	2
	FAMILY DIST - DOMESTIC/NO ASSAULT	1
	HITRUN - HIT AND RUN ACCIDENT	1
	MENTAL - PERSON WITH MENTAL PROBLEMS	5
	PIA - PERSONAL INJURY ACCIDENT	2
	STRUCTURE-AMA - STRUCTURE FIRE-AMA	1
	SUICIDAL - SUICIDAL PERSON	11
	SUSP - SUSPICIOUS PERSON/VEH/CIRCUMSTANCE	1
	WARR - WARRANT ARREST	1
	WELFAR - WELFARE CHECK	3
Total Incidents for 1E - Lapeer County Ems		219

Sum:

219

**CITY OF LAPEER
MINUTES OF A REGULAR
ZONING BOARD OF APPEALS MEETING
JULY 27, 2026**

A regular meeting of the City of Lapeer Zoning Board of Appeals was held at Lapeer Train Depot, 71 Howard Street, Lapeer, Michigan on Monday, July 27, 2026, at 6:30 p.m.

Members Present: Melissa Petrie, Dwayne Burda, Bryan Cloutier, Ann Shenck, and Wesley Weber Jr.

Members Absent: None.

Also Present: Rowe Professional Services Company Planning Consultant Wade Burkholder, Community and Economic Development Director Samantha Fountain, and Recording Secretary Alexandria McLean.

Chair Wesley Weber Jr called the meeting to order at 6:30 p.m.

098 2026 7-27 AGENDA

Moved by Shenck. Seconded by Petrie.

To approve the ZBA meeting agenda for July 27, 2026, as presented.

Yeas: Burda, Petrie, Cloutier, Shenck, and Weber.

Nays: None.

Absent: None.

MOTION CARRIED.

MINUTES

099 2026 7-27 MINUTES

Moved by Cloutier. Seconded by Shenck.

To approve the minutes of the regular ZBA meeting held on June 22, 2026, as presented.

Yeas: Burda, Petrie, Cloutier, Shenck, and Weber.

Nays: None.

Absent: None.

MOTION CARRIED.

PUBLIC COMMENTS

There were no public comments at this time.

PUBLIC HEARING SCHEDULED

Pence – 417 E Oregon St – Administrative Decision Appeal

100 2026 7-27 Open Public Hearing – Pence Administrative Appeal

Moved by Petrie. Seconded by Cloutier.

To open the Public Hearing at 6:36 p.m. for the administrative decision appeal from Ann & Robert Pence for the zoning permit at 417 E Oregon Street.

Yeas: Burda, Petrie, Cloutier, Shenck, and Weber.

Nays: None.

Absent: None.

MOTION CARRIED.

Consultant Burkholder reviewed the appeal application from Ann & Robert Pence for the administratively denied zoning permit for operating a recovery house at 417 E Oregon Street. Burkholder reviewed the zoning ordinance language and shared his findings that the request was denied because it is not a permitted use in the R-2 zoning district but is permitted in other zoning districts. Burkholder stated that a use variance would be required for this use to operate at this location, that the Zoning Board of Appeals does not have the authority to grant a use variance, and the Zoning Board of Appeals must consider four specific criteria when making an administrative appeal determination.

Discussion was held on the Fair Housing Act and the appellants filing a reasonable accommodation request with the City Manager, Mike Womack, and the Mayor, Jeramy Hing. Additional discussion was held on the nature of the record appearing to be incomplete due to the reasonable accommodation request submitted to city officials not being included.

Applicants Ann & Robert Pence presented their case for filing the appeal. Mr. Pence stated the information in the packet is everything needed from Consultant Burkholder and that he would recommend getting ahold of the correspondence between himself, City Manager Womack, and Mayor Hing. Mr. Pence also commented that "Adult Group Homes" were not discussed, which are allowed as a special land use in the R-2 District.

Discussion was held with the applicants on not possessing a state certification as a substance abuse recovery home, meeting the criteria of the Americans with Disabilities Act, and how the zoning ordinance R-2 District only allows Special Land Use for state certified "Adult Foster Care" facilities.

Chair Weber opened the floor to the public to make their comments.

Michael Brownrigg, 334 E Oregon, spoke on land values and the family neighborhood.

Walter Galat, 345 E Oregon, stated support for the cause but not in a single-family zoned neighborhood.

Jason Ballard, 395 E Nepessing, spoke on substance abuse problems staying out of a family neighborhood.

Andra Norris, 479 E Oregon, spoke about a recovery house not being an allowed use in a residential neighborhood.

Brenda McCabe, 399 Oregon, stated the existing neighborhood is hard enough to police.

Kelly Escamilla, 428 E Nepessing, stated she supports the endeavor but is on the fence about it in her neighborhood and questioned the lack of state license for the facility.

Lynne McCarthy, City of Lapeer, stated the Zoning Board of Appeal members did their due diligence this evening in their questions and thanked the members for their work.

There were no additional public hearing comments.

A letter against appealing the administrative decision from Walter & Andrea Galat, 345 E Oregon Street, was received on July 27, 2026, and was acknowledged by Chair Weber.

A letter against appealing the administrative decision from Theresa Lajewski, 309 E Oregon Street, was received on July 27, 2026, and was acknowledged by Chair Weber.

101 2026 7-27 Close Public Hearing – Pence Administrative Appeal

Moved by Cloutier. Seconded by Shenck.

To close the Public Hearing at 7:40 p.m. for the Administrative Decision Appeal from Ann & Robert Pence for the zoning permit at 417 E Oregon Street.

Yeas: Burda, Petrie, Cloutier, Shenck, and Weber.

Nays: None.

Absent: None.

MOTION CARRIED.

Discussion was held on the zoning ordinance, the fair housing act, disparate treatment, and the definition of a recovery house.

102 2026 7-27 PENCE – ADMINISTRATIVE APPEAL – POSTPONEMENT

Moved by Weber. Seconded by Petrie.

To postpone decision on the administrative determination appeal filed by Ann and Robert Pence regarding the denial of a zoning permit for operating a recovery house at 417 E Oregon Street until the next Zoning Board of Appeals meeting in order to receive a complete administrative record containing the reasonable accommodation request submitted to the City Manager's Office and related written correspondence.

ON A ROLL CALL VOTE

Yeas: Petrie, Shenck, Weber.

Nays: Burda, Cloutier.

Absent: None.

MOTION CARRIED.

OTHER BUSINESS

Zoning Board of Appeals By-Laws – Reading and Adoption

Discussion was held on terminology changes and a proposed amendment to change the language on voting. The board requested the changes be made for the next meeting.

ADJOURNMENT

There being no further business, it was moved by Weber to adjourn the meeting at 8:28 p.m.
MEETING ADJOURNED.

Dwayne Burda, Secretary

Alexandria McLean, Recording Secretary