

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
JANUARY 18, 2022**

A regular meeting of the Lapeer City Commission was held January 18, 2022, at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

ROLL CALL

Present: Mayor Marquardt.

Commissioners: Atwood, Cattane, Pattison, Swindell.

Absent: Stroh.

City Manager: Dale Kerbyson, present.

City Attorney: Michael Nolan, present.

Mayor Marquardt led the Pledge of Allegiance.

12 2022 01-18 EXCUSE COMMISSIONER

Moved by Cattane. Seconded by Pattison.

To excuse Commissioner Stroh from tonight's meeting.

Ayes: Atwood, Cattane, Pattison, Swindell.

Nays: None.

Absent: Stroh.

MOTION CARRIED.

13 2022 01-18 AGENDA APPROVAL

Moved by Cattane. Seconded by Pattison.

Approve the Agenda for January 18, 2022, with the addition of G-3 discussion on future meeting location.

Ayes: Atwood, Cattane, Pattison, Swindell.

Nays: None.

Absent: Stroh.

MOTION CARRIED.

14 2022 01-18 MINUTES

Moved by Pattison. Seconded by Swindell.

Approve the minutes of the regular and closed session meeting held January 4, 2022, as presented.

Ayes: Atwood, Cattane, Pattison, Swindell.

Nays: None.

Absent: Stroh.

MOTION CARRIED.

PUBLIC COMMENTS

Nate Scramlin, MEDC, Manager of Redevelopment Services gave a presentation on how the MEDC could assist in marketing the former White Jr. High property for redevelopment to outside developers.

Jenny Burkhart, 865 N. Wilder, gave an invocation.

15 2022 01-18 CONSENT AGENDA

Moved by Pattison. Seconded by Cattane.

Approve the consent agenda for January 18, 2022:

1. Fixed Asset Disposal: 2004 GMC 2500 Truck #605.

Ayes: Atwood, Cattane, Pattison, Swindell.

Nays: None.

Absent: Stroh.

MOTION CARRIED.

16 2022 01-18 BILL LISTING

Moved by Cattane. Seconded by Atwood.

Approve the bill listing for January 18, 2022, in the amount of \$1,158,344.12.

Ayes: Atwood, Cattane, Pattison, Swindell.

Nays: None.

Absent: Stroh.

MOTION CARRIED.

17 2022 01-18 LAPEER COUNTY PARKS & RECREATION PLAN RESOLUTION

Moved by Cattane. Seconded by Pattison.

Adopt the revised Lapeer County Parks and Recreation Plan and associated resolution.

RESOLUTION # 2022-03

LAPEER COUNTY PARKS & RECREATION PLAN 2022-2026

WHEREAS, the County of Lapeer has undertaken a planning process to determine the recreation and natural resource conservation needs and desires of its residents during a five-year period covering the years 2022 through 2026, and

WHEREAS, the City of Lapeer has entered into this planning process in collaboration with County of Lapeer and

WHEREAS, the combined area of the aforementioned local units of government constitutes the planning area, and

WHEREAS, the City Commission is of the understanding that the governing bodies of the aforementioned local units of government intend to pass a similar resolution of adoption of the Lapeer County Parks and Recreation Plan 2022-2026, and

WHEREAS, the County of Lapeer began the process of developing a Parks and Recreation Plan in accordance with the most recent guidelines developed by the Department of Natural Resources and made available to local communities, and

WHEREAS, residents of the County of Lapeer were provided with a well-advertised opportunity during the development of the draft plan to express opinions, ask questions, and discuss all aspects of the recreation and natural resource conservation plan, and

WHEREAS, the public was given a well-advertised opportunity and reasonable accommodations to review the draft Lapeer County Parks and Recreation Plan 2022-2026 for a period of at least 30 days, and

WHEREAS, a public hearing was held on Thursday December 16, 2021, at 9:15 a.m. at the Lapeer County Complex, 255 Clay St. Lapeer, MI 48446 in Commission Chambers to provide an opportunity for all residents of the planning area to express opinions, ask questions, and discuss all aspects of the Lapeer County Parks and Recreation Plan 2022-2026, and

WHEREAS, the City Commission has developed the plan as a guideline for improving recreation and enhancing natural resource conservation for the City Commission, and

WHEREAS, after the public hearing, the City Commission voted to adopt said Lapeer County Parks and Recreation Plan 2022-2026.

NOW, THEREFORE BE IT RESOLVED the City of Lapeer hereby adopts the Lapeer County Parks and Recreation Plan 2022-2026.

Ayes: Atwood, Cattane, Pattison, Swindell.

Nays: None.

Absent: Stroh.

MOTION CARRIED.

18 2022 01-18 SOCIAL DISTRICT EXPANSION

Moved by Cattane. Seconded by Swindell.

Adopt the resolution to modify the social district boundaries and submit with the modified Maintenance Agreement Plan and updated maps to the State of Michigan Liquor Control Commission.

**RESOLUTION # 2022-02
RESOLUTION DESIGNATING THE CITY OF LAPEER,
HISTORIC LAPEER SOCIAL DISTRICT AND DEFINING THE COMMONS AREA**

RESOLVED: The Lapeer City Commission designates the Historic Lapeer Social District for the downtown district on Nepessing Street with Mason Street on the Western Edge and Cedar Street along the Eastern edge of the district. The District would also include the commons area between Tech Smart USA (404 W. Nepessing Street) and Blend Frozen Yogurt (392 W. Nepessing Street) as well as the commons area between Health Quest Physical Therapy (411 W. Nepessing Street) and Vinyl Bar and Grill (393 W. Nepessing Street); the depiction of which is set forth in the attached Exhibit A; and which the depiction is incorporated as part of the minutes; and

FURTHER RESOLVED: The Lapeer City Commission defines a Commons Area within the Historic Lapeer Social District consisting of certain public property and rights of way, the boundaries of which are set forth in the attached Exhibit B and which the depiction is incorporated as part of the minutes; and

FURTHER RESOLVED: The commons area will operate year-round, seven days a week, with the exception, of the 3rd weekend of August during the annual Lapeer Days Celebrations and the 2nd weekend of October. Hours of operation will be Monday – Thursday, between the hours of 11:00 am and 10:00 pm, Friday and Saturday between the hours of 11:00 am and 11:00 pm, and Sunday between the hours of Noon and 10:00 pm, no later; and

FURTHER RESOLVED: The City Manager will review and approve the Management and Maintenance Plan developed by the Lapeer Downtown Development Authority for the Historic Lapeer Social District, which includes hours of operation for the district that are within business hours, but not beyond 11:00 pm; that will conform with Governor's Executive Orders when applicable.

FURTHER RESOLVED: to authorize the City Manager to apply for the Social District permit with the Michigan Liquor Control Commission (MLCC) for the Historic Lapeer Social District as designated by this Resolution.

Ayes: Atwood, Cattane, Pattison, Swindell.

Nays: None.

Absent: Stroh.

MOTION CARRIED.

19 2022 01-18 AUDIT REPORT FOR YEAR ENDED 06/30/2021

Doug Deeter, Rehmann Robson LLC, presented the City's Audit Report for Year End June 30, 2021, with an unmodified opinion, which is the best opinion you can have and thanked Director of Financial Services Kelly Hanna. If the Commission has any questions or comments, happy to answer questions.

Moved by Pattison. Seconded by Cattane.

To accept and approve the Audit Report for the year ended 06/30/2021 as presented by Rehmann Robson LLC.

Ayes: Atwood, Cattane, Pattison, Swindell.

Nays: None.

Absent: Stroh.

MOTION CARRIED.

20 2022 01-18 SECONDHAND DEALER & PAWNBROKER LICENSE

Moved by Cattane. Seconded by Swindell.

Mayor to approve a Secondhand Dealer License and Pawnbroker License for Cash for All Pawn located at 773 East Street, Lapeer.

Ayes: Atwood, Cattane, Pattison, Swindell.

Nays: None.

Absent: Stroh.

MOTION CARRIED.

21 2022 01-18 CITY COMMISSION MEETING FOR FEBRUARY

Mayor and City Commissioners discussed moving the City Commission meetings to a larger venue, due to the rise in Covid cases throughout the county; Focusing on how to protect residents, maintain social distance, and conduct City Commission meeting for the next month.

Motion by Pattison. Seconded by Cattane

To direct the City Manager to find a larger venue for February's meetings.

Ayes: Atwood, Cattane, Pattison, Swindell.

Nays: None.

Absent: Stroh.

MOTION CARRIED.

CITY MANAGER'S REPORT

City Manager Kerbyson commented that all City personnel who answer the phone have been assigned a script to be consistent and welcoming throughout all departments; will continue to assist the American Legion with their parking lot project and we will be opening the bids for them on February 10, 2022, here at city hall. A survey has gone out to those who work directly with the Planning and Building departments to support the RRC survey completed last year. We have had an ongoing issue with a business in town that was grinding pallets, they have moved out of town. Oregon Street Project bids and came in 2.2% under our estimate and will be moving forward in the spring. LDC has been going a lot though changes; working on updating their website; able to gain access to Zoom Prospect where our properties are listed; they have also hired a website consultant and will be making changes soon. Updating the vacant land map for the City of Lapeer which will be uploaded to the website soon. Commissioner Swindell will be attending the MML's newly elected officials training this Saturday.

CITY ATTORNEY'S REPORT

City Attorney Nolan comment on a couple of lawsuits against the City which are stemming from FB Lapeer; the second most recent case had been dismissed; however, they have filed an appeal. Dale Kerbyson and Donna Cronic will be involved in depositions this week with the FB Lapeer case. Looks forward to working with Nate from the MEDC on the White Jr. High project; he will really deliver for you.

UNFINISHED BUSINESS

22 2022 01-18 APPOINTMENT TO ZONING BOARD OF APPEALS

Moved by Pattison. Seconded by Swindell.

To appoint Lynn McCarthy to the Zoning Board of Appeals as an alternate, for a term to expire on April 1, 2024.

Ayes: Atwood, Cattane, Pattison, Swindell.

Nays: None.

Absent: Stroh.

MOTION CARRIED.

DEPARTMENTAL REPORTS

The Monthly Departmental Reports were received into the record.

PUBLIC COMMENTS

Anne Schenck commented on future City Commission meetings and moving them to a new location that may or may not be ADA compliant. She contacted the City many times and spoken to many departments and not had any issue with anyone who answers the phone. City staff is always very friendly and helpful.

Melissa Petrie asked why Lapeer NOW is not doing any videotaping of the meetings; asked why public comment in the City Commission minutes are not verbatim; and asked what we need to do to get Lapeer NOW back here.

MAYOR/COMMISSIONER COMMENTS

Commissioner Swindell: Lapeer NOW does not have enough people to do the filming; maybe the City or one of the Commissioner can Facebook live the meetings; maybe we need to investigate it. Reach out to Hashtag Lapeer; Wayne Bennett started Lapeer NOW to show accountability. Taking the class with the MML this weekend which will be virtual. It's a new year; be patient with everyone, just be a better human, people are becoming more withdrawn. You can make a change in someone's life even if you simply smile.

Commissioner Atwood: Looks forward to working with the MEDC and the MML; must be patient with the process; anything with government takes time; hoping for a great project. Happy to still be meeting in person, as he doesn't like meeting virtually. What we are doing will work; will be more work for City staff, be patient with them; will continue to pray for those in the city and those battling sickness and suffered loss during this time.

Commissioner Cattane: Facebook live; we can do it. The more we interact with the public, the better off we will be. We need more public involvement, sharing their ideas, commenting on future. Loves the MEDC idea and looks forward to seeing the results. Family lost a loved one from Covid; family pastor passed away. Death is scary, 339 deaths in the County who have passed from this virus, many died alone. Son caught Covid last week; he is fine; hopefully will not have any long-term side effects from it. We are two-years into a global pandemic. We need more smiles, please stay safe and get your shot.

Commissioner Pattison: Nate does get our thanks for a very good presentation; thanked Dale Kerbyson and Kelly Hanna for putting us in an excellent financial situation. Reminder that we have not seen a budget from the Youth Council yet, which is late. Everyone please be safe.

City Manager Kerbyson : At the end of the site plan review, he and the Mayor received some very positive statements from the developer of Popeye's Chicken as well as the about working with the City at the Planning Commission meeting. MEDC is coming to town this Thursday to brainstorm and visionary work on the fire block, the planner was invited, and he invited the LDC to be held in basement of the Pix; not sure if it is invitation only. Loved the coverage on the front page of the newspaper highlighting the four (4) new developments in the City; County Supervisor comments in the newspaper were very nice.

Mayor Marquardt: Happy with meeting here in the chambers if we can socially distance or meeting at the American Legion if that works out; was hoping Covid would go away soon; we will get through it by working together. This Saturday the DDA will be having a retreat in Lake Orion.

23 2022 01-18 ADJOURNMENT

Moved by Cattane.

Adjourn the regular meeting at 8:06 p.m.

Ayes: Atwood, Cattane, Pattison, Swindell.

Nays: None.

Absent: Stroh.

MOTION CARRIED.

The regular meeting adjourned at 8:06 p.m.

Debbie Marquardt, Mayor

Romona Sanchez, City Clerk

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