

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
FEBRUARY 1, 2021**

A regular meeting of the Lapeer City Commission was held February 1, 2021 electronically via Zoom at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

ROLL CALL

Present: Mayor Marquardt.

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

Absent: None.

City Manager: Dale Kerbyson, present.

City Attorney: Michael Nolan, present.

Mayor Marquardt led the Pledge of Allegiance.

015 2021 02-01 AGENDA APPROVAL

Moved by Pattison. Seconded by Osentoski.

Approve the Agenda for February 1, 2021 with the addition of Item F-6.

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED.

016 2021 02-01 MINUTES

Moved by Osentoski. Seconded by Stroh.

Approve the minutes of a Regular meeting held January 19, 2021, as presented.

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED.

PUBLIC COMMENTS

None.

017 2021 02-01 CONSENT AGENDA

Moved by Cattane. Seconded by Stroh.

Approve the Consent Agenda for February 1, 2021 resulting in the following:

1. Comcast – Uniform Service Local Franchise Agreement.
2. Asset Disposal: 2013 Ford Interceptor Sedan.
3. Asset Disposal: 2008 Chevrolet Uplander Van.

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

None.

018 2021 02-01 PUBLIC HEARING

Mayor Marquardt opened the public hearing at 6:38 p.m.

Grant Administrator Shelley Lincoln gave a presentation of the Michigan Community Development Block Grant (CDBG) Lapeer Team Work Façade Project.

Ann Zettle, Team Work, thanked many of the participants who participated in this project, specifically Shelley Lincoln, Denise Soldenski, Choice One Bank, First Contracting, Creekwood Architecture, Lapeer Police and Fire Departments, as well as Police Chief Frisch and Fire Chief Kluge. Finally, this building will leave a lasting impression on the City of Lapeer and with the revenue generated from the five apartments; it will help Team Work to remain a viable agency in this community. This project had a very positive effect on the area.

City Manager Kerbyson stated this project turned out fantastic and with the amount of debris that was in the upstairs at the beginning of this project – to see the final project, it is fantastic; good job everybody. Ann Zettle stated they used the Lapeer County Sheriff's Department Community Corrections to clean up the debris in the building.

The public hearing was closed at 6:59 p.m.

Mayor Marquardt commented the project turned out beautiful; and amazing to see the before and after pictures.

ADMINISTRATIVE REPORTS

019 2021 02-01 BILL LISTING APPROVAL

Moved by Cattane. Seconded by Atwood.

Approve the Bill Listing for January 13, 2021 through January 27, 2021 in the amount of \$623,172.99.

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED.

020 2021 02-01 MDOT LOCAL BRIDGE BUNDLE PILOT PROJECT

Moved by Stroh. Seconded by Cattane.

Adopt the Resolution of Support and Commitment for the Statewide Local Agency Bridge Bundle Pilot Project.

RESOLUTION OF SUPPORT AND COMMITMENT FOR THE STATEWIDE LOCAL AGENCY BRIDGE BUNDLE PILOT PROJECT

WHEREAS, The Michigan Department of Transportation ("MDOT") announced in the Spring of 2018 an initiative to address the needs of Michigan's local bridge conditions through an innovative delivery method known as "bridge bundling;"

WHEREAS, MDOT reached out to the County Road Association of Michigan (“CRA”) and the Michigan Municipal League (“MML”) to work together on such an initiative for the benefit of their mutual communities, and in the interest of public safety and the Michigan taxpayers.

WHEREAS, MDOT studied the feasibility of such an efficiency initiative in 2019 with input from local agency bridge owners, engineers and other key stakeholders statewide;

WHEREAS, the study recommended implementing an “early works” bundle pilot project (“PILOT”) to provide opportunity for state and local partners to establish the necessary partnerships and processes for a successful overall program;

WHEREAS, MDOT has identified \$23 million dollars in federal highway funds for such a PILOT, and has screened and selected a number of local bridges from a statewide review of local bridges for inclusion in same, with no local cash match or local funding required for any phase of the PILOT;

WHEREAS, the City of Lapeer has agreed to the inclusion of the following bridge(s) in the PILOT, with associated planned work:

Bentley Street Bridge

subject to final approval by MDOT and FHWA;

WHEREAS, the City of Lapeer understands that the work as planned will be undertaken in a design-build contract to be let and awarded by MDOT at no cost to the City of Lapeer;

WHEREAS, the City of Lapeer acknowledges that the purpose of the PILOT is to address critical structural preservation needs only and agrees that any requests to add or include work identified by MDOT to be either maintenance-related, a betterment or non-structural improvement to the planned preservation scope shall only be undertaken subject to the approval of MDOT and at 100% City of Lapeer cost;

WHEREAS, the City of Lapeer acknowledges that neither MDOT nor its third-party agents, contractors or consultants are assuming any ownership or responsibility for the future operation or maintenance of the improvements constructed in connection with the PILOT, and that MDOT shall turn over design and as-built plans to the City of Lapeer upon completion of construction;

WHEREAS, upon completion of the construction, the City of Lapeer shall accept the facilities constructed as built to specifications within the construction contract documents. It is understood that the City of Lapeer shall own the facilities and shall operate and maintain the facilities in accordance with applicable law at no cost to MDOT;

WHEREAS, the City of Lapeer agrees to perform long-term, life-cycle maintenance of the improvements made to its bridge(s) included in the PILOT in accordance with sound principles of asset management upon completion of the work;

WHEREAS, the City of Lapeer has designated an employee representative (“CHAMPION”) to serve as a point person for the agency with necessary authority and resources to act and direct its staff and third-party agents to facilitate coordination of its portion of the PILOT with MDOT;

WHEREAS, the City of Lapeer hereby acknowledges that MDOT and its consultants have the appropriate authority to act on its behalf in the planning, design, construction and administration of the PILOT, while allowing City of Lapeer staff input during design and reasonable access during construction to perform its own observations and inspections if desired;

WHEREAS, the City of Lapeer agrees to support implementation of the PILOT consistent with the attached “Responsibilities of Local Agency Champions” as approved by MDOT in September 2020;

WHEREAS, the City of Lapeer acknowledges and agrees that none of its direct or indirect costs incurred in connection with its participation in the PILOT shall be reimbursable by MDOT or FHWA;

NOW THEREFORE BE IT RESOLVED; the City of Lapeer hereby agrees to support implementation of the PILOT to help facilitate the preservation of Michigan's local bridges.

Approved on 1st day of February 2021 by:

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED.

021 2021 02-01 SECONDHAND DEALER LICENSE AND PAWBORKER LICENSE: CASH FOR ALL PAWN

Moved by Pattison. Seconded by Cattane.

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

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED.

022 2021 02-01 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM

Moved by Stroh. Seconded by Cattane.

Adopt the resolution to support submission of the Fire Department grant application for Assistance to Firefighters Grant.

Resolution to Support Submission of Fire Department Grant Application
For ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM

WHEREAS, the City of Lapeer Fire & Rescue Department is eligible to submit one application for funding assistance for the purchase of certain types of fire service vehicles and equipment; and

WHEREAS, the Federal government has funded a grant program for this purpose; and

WHEREAS, the City of Lapeer Fire & Rescue Department would like to submit a request for funding assistance for the purchase of equipment to help reduce the incidence of cancers in the fire service at a total cost not to exceed \$80,000; and

WHEREAS, funding for this project is proposed from a grant from the Department of Homeland Security in an amount not to exceed \$72,000 (90%) and \$8,000 (10%) from the City of Lapeer for the requested equipment; and

NOW, THEREFORE, BE IT RESOLVED THAT, the Lapeer City Commission authorizes submission of a Department of Homeland Security grant application under the Assistance to Firefighters Grant Program and commits up to \$8,000 of City funds to provide a match toward the grant application should it be awarded.

This Resolution adopted this 1st day of February 2021.

ON A ROLL CALL VOTE:

Ayes: Atwood, Cattane, Osentoski, Pattison, Stroh.
Nays: None.
Absent: None.
MOTION CARRIED.

023 2021 02-01 AUDIT REPORT – FYE 06/30/2020

Clark Schaefer Hackett & Co Representative Luke Downing presented the City's Audit Report for Year End 06/30/2020 with an unmodified opinion which is the best opinion you can have and thanked Director of Financial Services Kelly Hanna and her staff for all their hard work. He also stated if the Commission has any questions or comments please reach out to him.

Moved by Cattane. Seconded by Pattison.
Approve and accept the Audit Report for Fiscal Year Ended 06/30/2020 by Clark Schaefer Hackett & Co as presented.

ON A ROLL CALL VOTE:

Ayes: Atwood, Cattane, Osentoski, Pattison, Stroh.
Nays: None.
Absent: None.
MOTION CARRIED.

024 2021 02-01 DWRP GRANT – SPICER GROUP

Moved by Pattison. Seconded by Atwood.
Approve the Spicer Group proposal for engineering services and allow the City Manager to sign the necessary documents.

Discussion regarding the need for the contract, grant preparation, terms of the contract. City Manager Kerbyson clarified that if we are not awarded the grant we will not move forward with the project. The engineering project work is necessary regardless of grant funding to find the remaining lead water lines in the City so that we can comply with the drinking water standard. The State of Michigan is requiring the removal and upgrade of these lead lines by 2025. Commissioner Atwood stated this is an investment in our infrastructure and we will be required to do this regardless of where the funding comes from.

ON A ROLL CALL VOTE:

Ayes: Atwood, Cattane, Osentoski, Pattison, Stroh.
Nays: None.
Absent: None.
MOTION CARRIED.

CITY MANAGER'S REPORT

City Manager Kerbyson provided an update to the Commission regarding the ice-skating rink. He has spoken to several communities who have used synthetic ice-skating rinks; however, they are using smaller sized rinks and the rink is used for a very limited time. He has researched the cost of a portable chiller to build a true ice rink which will be discussed during the Goals and Objectives meeting to determine size and sites. The approximate size and cost of some include a 40x60 is \$45,000, 40x80 is \$60,000 and 60X100 is \$115,000, all of which includes the boards. The City will not incur any additional cost on our insurance for having this in the

community. Discussions continued regarding location of site; synthetic vs. real ice; options of having community involvement; possible financial assistance; cost perspective and how quickly we can take action if it is decided to move forward with the project.

City Manager Kerbyson provided the Commission with an update on the White Junior High Building which has been very active in the last few weeks. Estimates on demolition costs are being obtained, wherein it is being found there is a greater cost relating to specific items remaining in the building.

Discussion ensued relating to salvage of items in the building that may be sold; difficulty with disposal of certain items in the building; DDA fund raiser to sell the bricks; environmental issues that are arising relating to specific items in the building that cannot be disposed of in a general way; lights, old televisions, etc.; wanting to be environmentally conscious of the way we address the hazards.

Auditor mentioned that income tax has continued to climb over the years; working with other income tax-based communities specifically Grand Rapids, to get the legislature to set aside some of the COVID funds to stabilize local governments income tax revenues. There is a fear that the income tax revenue will decrease over the next year. Want to get the legislature to support the bill to support local communities.

We have a candidate that we will be reviewing and talking to soon about the Department of Public Works Director position.

Spent time working with the Survival Grant for business that applied in Lapeer County and the Chairman of the LDC is reviewing and they will be notifying the list before Friday.

Spent many staff and attorney hours on the case against Lapeer Plating and Plastics; moving it forward; depositions will begin next week; things are going fine, and we are ready for the depositions.

CITY ATTORNEY'S REPORT

None.

UNFINISHED BUSINESS

025 2021 02-01 EDC/TIFA/BROWNFIELD

Appointed by Mayor Marquart. Moved by Osentoski. Seconded by Atwood. To re-appoint Dale Kerbyson to Economic Development Corporation/TIFA/Brownfield for a term to expire June 1, 2027.

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED.

DEPARTMENTAL COMMUNICATIONS

The Marihuana Licenses Provisioning Center, Processor, Secure Transporter, Safety Compliance Facility Update report was received into the record as presented.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Osentoski: Thanked Kelly Hanna and her staff and City Manager Kerbyson for the clean audit report for the City of Lapeer.

Commissioner Cattane: Second Commissioner Osentoski comments about the audit report; Team Work great job it looks beautiful. Frustration of retirees and some medical personnel who want a vaccine but have not yet been able to get one or feel like they got skipped; please be patient those administering the vaccines are working diligently and very hard.

Commissioner Atwood: Thanks to all City staff who worked on our audit; fantastic job; Thanks to Josh McCreedy from Trail Sense and CRAMBA for grooming the trails; the volunteer group does a great job, allowing the trail to be used year round.

Commissioner Pattison: City staff did a great job on the audit; restaurants are open at 25% occupancy; wear your masks; maintain social distance and please support your local businesses.

Mayor Marquardt: Thank you to City staff and everyone involved in the Team Work project; an asset to our community and has set off our beautiful downtown. Clerical worker needed to help with vaccines, contact the Lapeer County Health Department. Implementation of audit recommendation in the current year and no new recommendations, that is something to be proud of.

026 2021 02-01 ADJOURNMENT

Moved by Cattane.

Adjourn the regular meeting at 8:00 p.m.

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

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 8:00 p.m.

Debbie Marquardt, Mayor

Romona Sanchez, City Clerk

Tracey S. Russell, Deputy City Clerk