

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
FEBRUARY 5, 2024**

A regular meeting of the Lapeer City Commission was held February 5, 2024, at the Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:35 p.m.

ROLL CALL

Present: Mayor Marquardt.

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

Absent: None.

City Manager: Mike Womack, present.

Mayor Marquardt led the Pledge of Allegiance.

20 2024 02-05 AGENDA APPROVAL

Moved by Petrie. Seconded by Brady.

Approve the Agenda for February 5, 2024, with the removal of Item C-2 Permanent Water & Sewer Line Easements – L21-39-831-032-00; L21-39-831-032-40 and L21-39-831-032-60 from the consent agenda and moving it to Item G-4 for discussion purposes.

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

Nays: None.

MOTION CARRIED.

21 2024 02-05 MINUTES

Moved by Glisman. Seconded by Swindell.

Approve the minutes of the regular meeting held January 16, 2024, the closed session held January 16, 2024, and the special meeting held January 27, 2024, as presented.

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

Nays: None.

MOTION CARRIED.

PUBLIC COMMENTS

Jessica Harold spoke about Bike Night.

Carol Brown, Mayfield Township, gave an invocation and is in favor of Bike Night.

Neda Payne, Chamber of Commerce, spoke about the four special events on tonight's agenda that are held annually.

Twenty people spoke in favor of Friday Night Bikes. Additionally the City Clerk's office received 25 public comments in favor of the event, as well as three (3) public comments against the event.

Patrick Hingst spoke about Bike Night.

Scott Jankovic, owner of Vinyl Bar & Grill, would like the DDA to take over the Bike Night event.

Jeanette Osentoski spoke about Bike Night.

Tony Stroh commented on the Special Event Policy.

Chris Jadach spoke about the last commission meeting.

22 2024 02-05 CONSENT AGENDA

Moved by Brady. Seconded by Atwood.

Approve the consent agenda for February 5, 2024, as presented:

1. Traffic Control Order # 310.

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

Nays: None.

MOTION CARRIED.

23 2024 02-05 BILL LISTING

Moved by Glisman. Seconded by Petrie.

Approve the bill listing for February 5, 2024, in the amount of \$4,251,346.32.

ON A ROLL CALL VOTE.

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

Nays: None.

MOTION CARRIED.

PROCLAMATION, RECOGNITIONS AND RESOLUTIONS:

None.

ADMINISTRATIVE REPORTS:

24 2024 02-05 CHARITABLE GAMING LICENSE – CITY OF LAPEER POLICE OFFICERS CHARITABLE FUND (LCPOCF)

Moved by Swindell. Seconded by Glisman.

Adopt the Local Governing Body Resolution for Charitable Gaming Licenses for the City of Lapeer Police Officers Charitable Fund (LCPOCF).

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

Nays: None.

MOTION CARRIED.

25 2024 02-05 ORDINANCE AMENDMENT – CHAPTER 8 (PROPERTY MAINTENANCE CODE)

Moved by Brady. Seconded by Atwood.

Adopt an ordinance amendment to Chapter 8 (Property Maintenance Code) Article VII, of the General Ordinances of the City of Lapeer.

**CITY OF LAPEER
LAPEER COUNTY, MICHIGAN
Ordinance #: 2024-01**

An ordinance to amend City of Lapeer elections ordinance by amending Chapter 8, Article VII Property Maintenance Code.

THE CITY OF LAPEER, LAPEER COUNTY, MICHIGAN ORDAINS:

ARTICLE I.

That Ordinance § 8-44 Code Adopted is amended to read in its entirety as follows:

§ 8-44 Code adopted.

The International Property Maintenance Code® (IPMC®) establishes minimum requirements for the maintenance of existing buildings through model code regulations that contain clear and specific property maintenance and property improvement provisions.

In accordance with the provisions of the Act, there is hereby adopted by reference the 2021 Edition of the International Property Maintenance Code, with the following insertions:

Section 101.1 Insert “City of Lapeer”

Section 103.1 Insert “Property Maintenance Department”

Section 302.4 Insert “eight (8) inches”

Section 304.14 Insert April First (1st) to November First (1st)

Section 602.3 Insert January First (1st) to December Thirty-First (31st)

Section 602.4 Insert January First (1st) to December Thirty-First (31st)

ARTICLE II. SEVERABILITY

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

ARTICLE III. CONFLICT

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

ARTICLE IV. ADOPTION

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

Ayes: Atwood, Brady, Glisman, Swindell.

Nays: Petrie.

MOTION CARRIED 4-1.

26 2024 02-05 ORDINANCE AMENDMENT – CHAPTER 15 (ELECTIONS)

Moved by Brady. Seconded by Atwood.

To introduce an ordinance amendment to Chapter 15 (Elections) § 15-1 Territory included in each precinct, of the General Ordinances of the City of Lapeer.

**CITY OF LAPEER
LAPEER COUNTY, MICHIGAN
Ordinance #: 2024-02**

An ordinance to amend City of Lapeer elections ordinance by amending § 15-1 Territory included in each precinct.

THE CITY OF LAPEER, LAPEER COUNTY, MICHIGAN ORDAINS:

ARTICLE I.

That Ordinance § 15-1 Territory included in each precinct is amended to read in its entirety as follows:

§ 15-1 Territory included in each precinct.

Hereafter there shall be two election precincts in the City of Lapeer.

- A. Precinct Number One shall include all area north of Genesee Street and west of Fox Street extending to Biddle Street; west of Biddle Street to Cedar Street; west of Cedar Street to Second Street; south of Second street to Main Street; and west of Main Street to end of City Limits.
- B. Precinct Number Two shall include all area east of Main Street north of Second Street; and all areas east of Cedar Street extended to Biddle Street; east of Biddle Street to Fox Street; east of Fox street to Genesee Street to end of City Limits; and all area south of Genesee Street to end of City Limits.

ARTICLE II. SEVERABILITY

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

ARTICLE III. CONFLICT

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

ARTICLE IV. ADOPTION

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

Ayes: Atwood, Brady, Glisman, Petrie, Swindell

Nays: None.

MOTION CARRIED.

27 2024 02-05 PERMANENT WATER & SEWER LINE EASEMENTS – L21-39-831-032-00; L21-39-831-032-40 AND L21-39-831-032-60.

Moved by Brady. Seconded by Atwood.

Approve the Permanent Water & Sewer Line Easements – L-21-39-831-032-00; L21-39-831-032-40 and L21-39-831-032-60.

Ayes: Atwood, Brady, Glisman, Petrie, Swindell

Nays: None.

MOTION CARRIED.

CITY MANAGER’S REPORT

City Manager Womack asked the City Commission to provide him with policy direction on the current Special Event Application policy as well as the actual Special Event Application itself. Currently, the policy reads that for-profit events must pay 100% of all City costs associated with the event. The policy should be applied fairly and equally to all. However, it appears that past practice has been that the City pays for all costs associated with any Special Event, which causes a conflict between current policy and past practice.

City Commissioners held a discussion on the current policy for the Special Event Applications. Commissioners Brady, Glisman, and Petrie are in favor of the current policy, Commissioner Swindell stated the policy needs updating. The discussion continued about the fees that can be charged to City Sponsored Events, Co-Sponsored Events, Non-Profit Events and For-Profit events and the cost associated with the various types of events. It was the consensus of the group to update the application and follow the current policy.

City Manager Womack asked the Commission to provide him with policy direction on the proposed Community Center Policy Changes which include requiring all single visit users to show identification and create a user profile to use the facility and to increase the minimum age children can use the facility unsupervised. The current policy allows children to be 10+ years old to be in the building without supervision. It was the consensus to move forward with the suggested changes and provide the commission with a policy at a future meeting for consideration.

City Manager Womack asked the Commission to provide him direction on the design concept for Parking Lot #5 . The City Engineer stated there are two options for consideration for the parking lot, one being to overlay the existing lot, which is not recommended and would be at a cost of approximately \$180,000 or the second option is to completely overhaul the lot, which will cost approximately \$700,000. Commissioners asked questions of the City Engineer about the design and cost options associated with this parking lot. It was the consensus of the commission to have the parking lot completely redone.

CITY ATTORNEY'S REPORT

None.

UNFINISHED BUSINESS

28 2024 02-05 APPOINTMENT TO DOWNTOWN DEVELOPMENT AUTHORITY

Moved by Mayor Marquardt. Moved by Brady. Seconded by Glisman.

To appoint Christopher Herr to the Downtown Development Authority for a term to expire January 1, 2027.

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

Nays: None.

MOTION CARRIED.

29 2024 02-05 APPOINTMENT TO EDC/TIFA/ BROWNFIELD REDEVELOPMENT

Moved by Mayor Marquardt. Moved by Swindell. Seconded by Glisman.

To re-appoint William Marquardt to Economic Development Corporation, Tax Increment Finance Authority, Brownfield Redevelopment Authority for a term to expire March 1, 2030.

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

Nays: None.

MOTION CARRIED.

30 2024 02-05 RESIGNATION FROM LAPEER HOUSING COMMISSION, LAPEER – HOUSING BOARD OF APPEALS AND LAPEER NEIGHBORHOODS, INC.

Moved by Brady. Seconded by Petrie.

Accept the resignation of Jennell RaCosta from Lapeer Housing Commission, Lapeer – Housing Board of Appeals and Lapeer Neighborhoods, Inc. and declare the seats vacant.

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

Nays: None.

MOTION CARRIED.

**31 2024 02-05 APPOINTMENT TO LAPEER HOUSING COMMISSION, LAPEER
– HOUSING BOARD OF APPEALS AND LAPEER NEIGHBORHOODS, INC.**

Moved by Mayor Marquardt. Moved by Brady. Seconded by Petrie.

To appoint Brad Chayka to the Lapeer Housing Commission for a term to expire August 1, 2027; Lapeer – Housing Board of Appeals for a term to expire May 1, 2024, and Lapeer Neighborhoods, Inc. for a term to expire August 1, 2024.

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

Nays: None.

MOTION CARRIED.

DEPARTMENTAL REPORTS

The DDA Monthly Departmental Report, Planning Commission 2023 Annual Report, Quarterly Financial Report, Quarterly Investment Reports, and Planning Commission Recommendation – Marihuana Grow Facilities were received into the record, as presented.

PUBLIC COMMENTS

Jeanette Osentoski commented on parking lot #5.

Neda Payne commented about non-profits paying half of the costs for events.

MAYOR/COMMISSIONER COMMENTS

Commissioner Swindell: Happy to see so many people here at the meeting tonight. The Chamber of Commerce and DDA did send surveys to business owners, however not many were returned. Likes the bioswale idea at the river. The farmers market needs to be non-profit in order to build a pavilion for them. Thanked Brad Chayka for volunteering to serve on three different boards. Thanked all the other volunteers.

Commissioner Petrie: Grateful for all those who appeared here tonight; however, to hold Bike Night every Friday night is a bit much and we need to think about that, as other groups might like to have an event on a Friday as well. Would like to see the fences mended between the business owners in the downtown; wants to bring peace and unity to the community. Asked the Mayor and City Manager for information about renegotiating the City Attorney's contract so that the City Attorney is here at every meeting and would like on an upcoming meeting agenda.

Commissioner Brady: Asked if there was an action necessary regarding the departmental communication from the Planning Commission regarding the marihuana grow facilities.

Commissioner Glisman: Spoke about the Special Meeting held on January 27, 2024, at the Train Depot; was very informative. Looking for an amicable conclusion to Bike Night; wants it to be fair for all people. Sorry to hear about the fire and glad everyone was safe. Happy Valentine's Day. The Refuge will be holding a fund-raiser in April.

Commissioner Atwood: There is a false narrative that the city is anti-bikes, anti-non-profit, and anti-other things, when really we are just trying to do our jobs as elected officials. There are meaningful conversations that need to take place. We have a large downtown with businesses that want events, while others do not. We need to work for the common good of everyone. Does not want to see division between the organizations. Would recommend that the DDA and City Manager have a meeting to look for a solution to this event; maybe this event can be taken over by a non-profit organization.

City Manager Womack: There is a fracture in the business community and would like to see the DDA take over Bike Night. We want the city to be better.

Mayor Marquardt: Read the list of local events. Gave an explanation on why the DDA no longer hosts the event. Thanks to everyone who was here tonight.

32 2024 02-05 ADJOURNMENT

Having no further business, Mayor Marquardt adjourned the regular meeting at 9:32 p.m.

Debbie Marquardt, Mayor

Romona Sanchez, City Clerk