

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
MARCH 20, 2023**

A regular meeting of the Lapeer City Commission was held March 20, 2023, 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 Marquardt.

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

Absent: None.

City Manager: Dale Kerbyson, present.

City Attorney: Denis McCarthy, present.

Mayor Marquardt led the Pledge of Allegiance.

70 2023 03-20 AGENDA APPROVAL

Moved by Pattison. Seconded by Swindell.

Approve the Agenda for March 20, 2023, with the addition of Item H-4, Interim City Manager.

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

Nays: None.

Absent: None.

MOTION CARRIED.

71 2023 03-20 MINUTES

Moved by Cattane. Seconded by Stroh.

Approve the minutes of the special meeting held March 4, 2023; regular meeting held March 6, 2023; special meeting held March 9, 2023; and special meeting held March 11, 2023, as presented.

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

Nays: None.

Absent: None.

MOTION CARRIED.

PUBLIC COMMENTS

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

Melissa Petrie gave an invocation. She also thanked City Manager Kerbyson for all he has done for the City of Lapeer.

Art Sieting, resident, thanked City Manager Kerbyson for always keeping the residents of the city in mind.

72 2023 03-20 CONSENT AGENDA

Moved by Cattane. Seconded by Swindell.

Approve the consent agenda for March 20, 2023, as presented:

1. Special Event: Easter Egg Hunt – April 1, 2023.
2. Special Event: Heart Warrior 5K Walk – May 27, 2023.

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

73 2023 03-20 BILL LISTING

Moved by Cattane. Seconded by Stroh.

Approve the bill listing for March 20, 2023, in the amount of \$315,189.42.

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

Nays: None.

Absent: None.

MOTION CARRIED.

PROCLAMATION, RECOGNITIONS AND RESOLUTIONS:

74 2023 03-20 PROCLAMATION – CITY MANAGER, DALE KERBYSON

Moved by Stroh. Seconded by Pattison.

Adopt the proclamation for City Manager, Dale Kerybson's retirement.

***CITY OF LAPEER
Proclamation
In Recognition of Dale L. Kerbyson***

WHEREAS, Dale L. Kerbyson, officially began his career with the City of Lapeer on December 6, 2004, as its City Manager; and

WHEREAS, Dale has, in performance of his duties serving the citizens of the City of Lapeer, received millions of dollars in grant funding for improvements to the City of Lapeer; created a fully functional Building Department demonstrating huge improvements and safety to City housing; leased property to DTE for 20 years to bring an \$800 million Solar Park project; completed an environmental clean-up and demolition of former White Jr. High property to allow for future development; worked with staff to complete RRC Program; finalized sale of property to build the Pedestrian Tunnel under M-24; and

WHEREAS, Dale has played a significant role in several projects throughout the City, such as, being a founding member and current Chairman of the I-69 Next Michigan Development Corporation; which is responsible for significant economic development in the region; founding member of the Karegnondi Water Authority (KWA); past President of the Michigan Municipal Executives; past board member of Michigan Municipal League; and

WHEREAS, Dale, has devoted his time and effort being involved in the Lapeer Development Corporation, Shiawassee Local Development Finance Authority, Brownfield Redevelopment Authority, Tax Increment Finance Authority, Economic Development Authority, Lapeer Building Authority, Planning Commission, Michigan Municipal Executives, International City/County Management Association, Michigan Transportation Asset Manager and Next Michigan Development Corporation; and

WHEREAS, Dale, has brought a vast range of skills and expertise to the City of Lapeer, as the City Manager and has given a wealth of experience to this community for over 18 years; and

WHEREAS, Dale, will retire on March 31, 2023, after having given conscientious, responsible, and professional service to the citizens of the City of Lapeer and leaves those in the City of Lapeer proud to have known him and to have served with him.

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

Dated this 20th day of March 2023.

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

Nays: None.

Absent: None.

MOTION CARRIED.

ADMINISTRATIVE REPORTS:

75 2023 03-20 RESOLUTION – ANNUAL FAIR HOUSING

Moved by Stroh. Seconded by Cattane.

Adopt the Fair Housing resolution.

**CITY OF LAPEER
RESOLUTION #2023-07
FAIR HOUSING POLICY**

WHEREAS, under the Federal Fair Housing Law, Title VIII of the Civil Rights Act of 1968, it is illegal to deny housing to any person because of race, color, national origin, religion, sex (including gender identity and sexual orientation, familial status, and disability; and,

WHEREAS, under the Michigan Elliott-Larsen Civil Rights Act, PA 453 of 1976, as amended, it is illegal to deny the opportunity to obtain housing to any person because of religion, race, color, national origin, age, sex, height, weight, familial status, or marital status.

NOW THEREFORE, BE IT RESOLVED:

LET IT BE KNOWN TO ALL PERSONS, that the **City of Lapeer** will follow the adopted Fair Housing Policy to implement programs to ensure equal opportunity in housing for all persons regardless of religion, race, color, age, national origin, age, sex, height, weight, disability, familial status, or marital status; and

BE IT FURTHER RESOLVED, that the **City of Lapeer** shall not discriminate in the sale, rental, leasing, or financing of housing because of religion, race, color, sex, physical or mental disabilities, national origin, age, height, weight, familial status, or marital status; and

BE IT FURTHER RESOLVED, that the **City of Lapeer** will assist all persons who feel they have been discriminated against because of religion, race, color, sex, physical or mental disabilities, national origin, age, height, weight, familial status or marital status to seek equity under federal and state laws by providing information to said persons on how to file a complaint with the Michigan Department of Civil Rights; and

BE IT FURTHER RESOLVED, that the **City of Lapeer** will at a minimum post this policy or the Fair Housing poster or other posters, flyers or other information which will bring to the attention

of owners of real estate, developers and builders their respective responsibilities and rights under the Federal Fair Housing Law and Michigan Elliott Larsen Act; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect as of March 20, 2023.

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

Nays: None.

Absent: None.

MOTION CARRIED.

**76 2023 03-20 SECONDHAND DEALER AND PAWNBROKER LICENSE:
LAPEER GOLD & LOANS**

Moved by Cattane. Seconded by Pattison.

Mayor to approve a secondhand dealer license and pawnbroker license for Lapeer Gold & Loans located at 801 East Street.

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

Nays: None.

Absent: None.

MOTION CARRIED.

CITY MANAGER'S REPORT

77 2023 03-20 SCHOOL RESOURCE OFFICER

Moved by Stroh. Seconded by Swindell.

Approve the agreement with Lapeer Community School District to provide two (2) School Resource Officers (SRO's) and authorize the Mayor and City Manager to sign all necessary documents.

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

Nays: None.

Absent: None.

MOTION CARRIED.

City Manager Kerbyson requested a Closed Session to discuss the POLC Union Contract which is exempt from disclosure as provided for under Section 8 of the Open Meetings Act.

78 2023 03-20 CLOSED SESSION

Moved by Cattane. Seconded by Stroh.

Approve entering a closed session after the regular meeting to discuss the POLC Union Contract at the end of the regular meeting.

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED.

City Manager Kerbyson stated he recently renewed a contract with Constellation Energy to save significant money on our natural gas purchases over the next two years. We began the lead and galvanized water line replacements today, should be wrapped up by June. Last Friday, he did a very lengthy tour with Mr. Womack, showing him the entire city and the projects being worked on.

Mayor Marquardt stated there will be a five (5) week period where we will need to have an acting City Manager. This will cover the period between the retirement of current City Manager Kerbyson and the start of new City Manager Womack. She would like the commission to consider Director of Financial Services, Kelly Hanna, to fill in as Interim City Manager.

79 2023 03-20 INTERIM CITY MANAGER

Moved by Pattison. Seconded by Stroh.

To appoint Kelly Hanna as interim City Manager from the retirement date of current City Manager (April 1, 2023) and the start of the new City Manager (May 7, 2023).

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

Nays: None.

Absent: None.

MOTION CARRIED.

CITY ATTORNEY'S REPORT

City Attorney McCarthy stated he has met with three department heads in the last couple of weeks giving him some items to address.

UNFINISHED BUSINESS

80 2023 03-20 YOUTH COUNCIL - RESIGNATION

Moved by Stroh. Seconded by Cattane.

To accept the resignation of Sophia Pietrykowski from the Youth Council and declare the seat vacant.

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

Nays: None.

Absent: None.

MOTION CARRIED.

DEPARTMENTAL REPORTS

The Monthly Departmental Reports and the Marihuana License Update were received into the record.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Stroh: Thanked City Manager Kerbyson for all he has done for this City; it has been a pleasure; there are so many things that he has done so well; wishes him the best on his retirement; looks forward to seeing how Lapeer moves forward. Requested an update on the Youth Council on the next agenda so we can understand where this board is going. Requested a workshop to discuss a proposed Hospitality Tax, a tax for hotels and Airbnb's as a possible additional tax.

Commissioner Swindell: Thankful for all the years that City Manager Kerbyson has given to the city and the shape he is leaving our city in, which is so much better than years ago. Excited for the change that is coming and to see the growth of the city.

Commissioner Atwood: Thanked the Kerbyson family for all they have sacrificed in having City Manager Kerbyson here with us for the last 18 years.

Commissioner Cattane: We work to live, not live to work, so enjoy your retirement; it has been a long career and he looks forward to the day he can do the same. Appreciates our service organizations here in our community; Optimists had Vegas night this past weekend; Kiwanis will be hosting a Kiwanis Kapers show April 20-23, 2023. Thanked the Fire Department for their service this weekend; thanked the library board and staff and local police for keeping the five-hour meeting in check.

Commissioner Pattison: Thanked City Manager Kerbyson; the city is better because of him. Looks forward to working with Ms. Hanna as Acting City Manager. Looking forward to moving the city forward and enjoy the spring.

City Manager Kerbyson: It has been a pleasure to work here; all the decision he has made has always been for the betterment of this City. It has been a pleasure working with the team and he is proud of all that has been accomplished over the years.

Mayor Marquardt: Read the list of local events taking place over the next two weeks. Thanked City Manager Kerbyson for all he has done for the City of Lapeer; has served with him for 18 years; it has been a pleasure; he has done a lot for the city and hopes he enjoys his retirement.

CLOSED SESSION

The Lapeer City Commission convened to a closed session for the purpose of discussing the POLC Union Contract at 7:00 p.m. and returned to its regular meeting at 7:30 p.m.

81 2023 03-20 POLC UNION CONTRACT

Moved by Pattison. Seconded by Cattane.

To accept the POLC Union Contract.

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

Nays: None.

Absent: None.

MOTION CARRIED.

82 2023 03-20 ADJOURNMENT

Moved by Cattane.

Adjourn the regular meeting at 7:31 p.m.

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

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 7:31 p.m.

Debbie Marquardt, Mayor

Romona Sanchez, City Clerk