

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
APRIL 1, 2024**

A regular meeting of the Lapeer City Commission was held on April 1, 2024, 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, Brady, Glisman, Petrie, Swindell.

Absent: None.

City Manager: Mike Womack, present.

Mayor Marquardt led the Pledge of Allegiance.

70 2024 04-01 AGENDA APPROVAL

Moved by Glisman. Seconded by Petrie.

Approve the Agenda for April 1, 2024, as presented.

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

Nays: None.

MOTION CARRIED.

71 2024 04-01 MINUTES

Moved by Glisman. Seconded by Swindell.

Approve the minutes of the regular meeting held on March 18, 2024, and the special meeting held on March 21, 2024, as presented.

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

Nays: None.

MOTION CARRIED.

PUBLIC COMMENTS

John DeAngelis spoke about an article in the newspaper regarding a new city hall.

Catherine Bostick-Tullius, chairwoman of the DDA, gave an update on events and happenings of the Downtown Development Authority.

Jacob LaRay spoke about a new city hall.

Dan Cousineau asked about water line replacement in the downtown; other items of concern in the downtown area.

Melissa Petrie gave an invocation.

72 2024 04-01 CONSENT AGENDA

Moved by Atwood. Seconded by Brady.

Approve the consent agenda for April 1, 2024, as presented:

1. 2024 Annual Spring Clean-up – May 6, 2024.

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

Nays: None.

MOTION CARRIED.

73 2024 04-01 BILL LISTING

Moved by Brady. Seconded by Glisman.

Approve the bill listing for April 1, 2024, in the amount of \$282,074.51.

ON A ROLL CALL VOTE.

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

Nays: None.

MOTION CARRIED.

PROCLAMATION, RECOGNITIONS AND RESOLUTIONS:

None.

ADMINISTRATIVE REPORTS:

74 2024 04-01 DOWNTOWN RIGHT OF WAY LICENSES

Moved by Swindell. Seconded by Glisman.

Approve the nine (9) Downtown Right-of-Way Licenses, as presented.

1. Blondie’s Sweet Boutique/Dagwood’s Deli – 193 W. Nepessing Street (Seasonal Enclosure).
2. Popovich Properties, LLC (Vinyl Bar & Grill) – 393 W. Nepessing Street (Permanent Enclosure).
3. Popovich Properties, LLC (Vinyl Bar & Grill) – 393 W. Nepessing Street (Overhead String Lights in adjacent Fox Street Mall).
4. Tilted Axis Brewery – 303 W. Nepessing Street (Permanent Enclosure).
5. Tilted Axis Brewery – 303 W. Nepessing Street (Expanded Seasonal Enclosure).
6. Woodchips, LLC – 315 W. Nepessing Street (Permanent Enclosure).
7. Cheers Pub – 440 N. Saginaw Street (Seasonal Enclosure).
8. Blend Frozen Yogurt Bar – 392 W. Nepessing (Overhead Lighting in adjacent Fox Street Mall).
9. Hernandez Mexican Food – 4 E. Nepessing (Seasonal Enclosure).

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

Nays: None.

MOTION CARRIED.

75 2024 04-01 ANNUAL FAIR HOUSING RESOLUTION

Moved by Swindell. Seconded by Brady.

Adopt the resolution to approve the Fair Housing Policy.

RESOLUTION # 2024-06
 RESOLUTION TO APPROVE
 CITY OF LAPEER
 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, sexual orientation, gender identity or expression, 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 race, color, national origin, religion, sex (including gender identity and sexual orientation), age, height, weight, familial status, marital status, and disability; and

BE IT FURTHER RESOLVED, that the **City of Lapeer** shall not discriminate in the sale, rental, leasing, or financing of housing because of race, color, national origin, religion, sex (including gender identity and sexual orientation), age, height, weight, familial status, marital status and disability; and

BE IT FURTHER RESOLVED, that the **City of Lapeer** will assist all persons who feel they have been discriminated against because of race, color, national origin, religion, sex (including gender identity and sexual orientation), age, height, weight, familial status, marital status and disability, 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 April 1, 2024.

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

Nays: None.

MOTION CARRIED.

76 2024 04-01 MDOT LOCAL BRIDGE RESOLUTION – FOX STREET

Moved by Glisman. Seconded by Brady.

Adopt the resolution for the MDOT Local Bridge Program for the Fox Street Bridge.

CITY OF LAPEER
MUNICIPAL RESOLUTION #2024-07
FOR PREVENTATIVE MAINTENANCE OF THE
FOX STREET BRIDGE THROUGH
MICHIGAN DEPARTMENT OF TRANSPORTATION
LOCAL BRIDGE PROGRAM

WHEREAS, the condition of the Fox Street bridge has deteriorated to such an extent that preventative maintenance is necessary; and

WHEREAS, the budget of the City of Lapeer will not allow preventative maintenance of this bridge without additional funds from other sources.

NOW, THEREFORE, BE IT RESOLVED, that the City of Lapeer requests Michigan Department of Transportation Local Bridge Program funding for preventative maintenance of the Fox Street bridge for MDOT's Funding Year 2027.

This resolution was adopted on the 1st day of April 2024.

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

Nays: None.

MOTION CARRIED.

77 2024 04-01 MDOT LOCAL BRIDGE RESOLUTION – NEPESSING STREET

Moved by Glisman. Seconded by Brady.

Adopt the resolution for the MDOT Local Bridge Program for the Nepessing Street Bridge.

CITY OF LAPEER
MUNICIPAL RESOLUTION #2024-08
FOR PREVENTATIVE MAINTENANCE OF THE
NEPESSING STREET BRIDGE THROUGH
MICHIGAN DEPARTMENT OF TRANSPORTATION
LOCAL BRIDGE PROGRAM

WHEREAS, the condition of the Nepessing Street bridge has deteriorated to such an extent that preventative maintenance is necessary; and

WHEREAS, the budget of the City of Lapeer will not allow preventative maintenance of this bridge without additional funds from other sources.

NOW, THEREFORE, BE IT RESOLVED, that the City of Lapeer requests Michigan Department of Transportation Local Bridge Program funding for preventative maintenance of the Nepessing Street bridge for MDOT's Funding Year 2027.

This resolution was adopted on the 1st day of April 2024.

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

Nays: None.

MOTION CARRIED.

78 2024 04-01 MDOT LOCAL BRIDGE RESOLUTION – OREGON STREET

Moved by Brady. Seconded by Glisman.

Adopt the resolution for the MDOT Local Bridge Program for the Oregon Street Bridge.

CITY OF LAPEER
MUNICIPAL RESOLUTION #2024-09
FOR PREVENTATIVE MAINTENANCE OF THE
OREGON STREET BRIDGE THROUGH
MICHIGAN DEPARTMENT OF TRANSPORTATION
LOCAL BRIDGE PROGRAM

WHEREAS, the condition of the Oregon Street bridge has deteriorated to such an extent that preventative maintenance is necessary; and

WHEREAS, the budget of the City of Lapeer will not allow preventative maintenance of this bridge without additional funds from other sources.

NOW, THEREFORE, BE IT RESOLVED, that the City of Lapeer requests Michigan Department of Transportation Local Bridge Program funding for preventative maintenance of the Oregon Street bridge for MDOT's Funding Year 2027.

This resolution was adopted on the 1st day of April 2024.

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

Nays: None.

MOTION CARRIED.

**79 2024 04-01 DEMILLE BLVD./OAKDALE & MT. HOPE CEMETERY
GROUNDS MAINTENANCE**

Moved by Brady. Seconded by Atwood.

Approve the grounds maintenance agreement for DeMille Blvd./Oakdale Grounds and Mt. Hope Cemetery with Green Meadows Landscape, Inc. for the 2024 season, not to exceed \$11,900 for DeMille Blvd./Oakdale Grounds and \$31,752 for Mt. Hope Cemetery, and authorize the Mayor and City Manager to sign the contracts.

ON A ROLL CALL VOTE:

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

Nays: None.

MOTION CARRIED.

80 2024 04-01 LIGHT POLE RIBBON POLICY

Moved by Swindell. Seconded by Atwood.

Adopt the Light Pole Ribbon Policy for the City of Lapeer, as presented.

Ayes: Atwood, Swindell.

Nays: Brady, Glisman, Petrie.

MOTION FAILED 2-3.

81 2024 04-01 SPECIAL EVENT: FLINT RIVER WATERSHED COALITION

Moved by Swindell. Seconded by Glisman.

Approve the Special Event Application for the Flint River Watershed Coalition, Flint River Clean up on April 27, 2024.

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

Nays: None.

MOTION CARRIED.

82 2024 04-01 MICHIGAN MAIN STREET PROGRAM – MASTER LEVEL.

Moved by Glisman. Seconded by Atwood.

Approve an agreement of continued support and cooperation in the Main Street Program at the Master Level with the MEDC and allow the City Manager to sign the Master Level program agreement.

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

Nays: None.

MOTION CARRIED.

CITY MANAGER'S REPORT

Per the request of Commissioner Petrie, City Manager Womack requested a quote from the City Attorney for the cost of having him in attendance at the regular commission meetings. Commissioners then engaged in an open discussion about this. Commissioners expressed their thoughts and opinions on what they feel are the benefits of having the attorney present;

while others felt it is not necessary and the cost to do so is very high. It was decided that the City Manager would reach out to the City Attorney again to discuss the cost of having the attorney attend the regular meetings virtually. Commissioner Petrie asked that this topic be added to the next agenda.

City Manager Womack commented he will be on vacation at the end of the month, and the charter indicates that the Commission may appoint an Acting City Manager during the absence of the City Manager. He will be asking that the Commission appoint Fire Chief Vogt as Acting City Manager while he is away on vacation.

CITY ATTORNEY'S REPORT

None.

UNFINISHED BUSINESS

83 2024 04-01 REAPPOINTMENT – LAPEER HOUSING BOARD OF APPEALS

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

To reappoint James Mikus and Brad Chayka to the Lapeer Housing Board of Appeals for a term to expire May 1, 2027.

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

Nays: None.

MOTION CARRIED.

DEPARTMENTAL REPORTS

The Downtown Development Authority Monthly Report was received into the record.

PUBLIC COMMENTS

Bryan Cloutier spoke about the City Attorney being present at the meetings.

MAYOR/COMMISSIONER COMMENTS

Commissioner Swindell: City Hall is not conducive to conducting city business; rooms are too small, and we have outgrown the building. Likes the ideas that have been shared about the buildings in the downtown that had the fire, however, the City does not own those buildings so we have no say in what happens to them. Spring Clean-up is May 6, 2024, will be helping to get the word out to residents.

Commissioner Petrie: Feels that we are resisting something; there are many things that the City Attorney protects us from. Lawsuits are more expensive than retainer fees or hourly fees and having the attorney here can prevent us from doing something that should not be done. She ran to make a change; while knocking on doors and accepting campaign contributions, residents said they wanted her to be responsible and not rubber stamp everything and pay attention to what is being approved. This position requires a lot of time and work if done efficiently and correctly and thoughtfully, which is what she is trying to do. Wants to do the right thing for this City so that it will thrive.

Commissioner Glisman: Hopes everyone had a blessed Easter. In 1976 on this day, Steve Wozniak and Steve Jobs founded the Apple Computer Company in the garage of Steve Jobs' parents. Also, in 1924 the Van Dyke house on Pine Street was a hospital. Amazingly it is still there; Lapeer has a wonderful history; we need to keep these old buildings in good shape. Pray for our first responders all the time; keep our people in our prayers to keep them safe and our city safe.

Commissioner Atwood: Asked if we put stickers on the water bills indicating the details about Spring Clean-up.

City Manager Womack: With the approval of the Master Level for the DDA, this gives financial support for helping businesses go through planning and zoning requirements. These funds will help both the fire site and the opera house with planning and zoning work that needs to be done.

Mayor Marquardt: A new city hall, if we were to do it, has to be planned ahead of time. There are certain properties we cannot do anything about because we do not own them. Hope everyone had a wonderful Easter.

84 2024 04-01 ADJOURNMENT

Having no further business, Mayor Marquardt adjourned the regular meeting at 7:59 p.m.

Debbie Marquardt, Mayor

Romona Sanchez, City Clerk