

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
MAY 3, 2021**

A regular meeting of the Lapeer City Commission was held May 3, 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, Pattison, Stroh.

Absent: Commissioner Osentoski (arrived at 6:39 pm).

City Manager: Dale Kerbyson, present.

City Attorney: Michael Nolan, present.

Mayor Marquardt led the Pledge of Allegiance.

093 2021 05-03 AGENDA APPROVAL

Moved by Cattane. Seconded by Pattison.

Approve the Agenda for May 3, 2021.

ON A ROLL CALL VOTE:

Ayes: Atwood, Cattane, Pattison, Stroh.

Nays: None.

Absent: Osentoski.

MOTION CARRIED.

094 2021 05-03 MINUTES

Moved by Pattison. Seconded by Stroh.

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

ON A ROLL CALL VOTE:

Ayes: Atwood, Cattane, Pattison, Stroh.

Nays: None.

Absent: Osentoski.

MOTION CARRIED.

PUBLIC COMMENTS

City Clerk Sanchez read a statement from Bob MacRae on behalf of the Lapeer Tennis Community Inc. regarding positive effects of playing tennis.

095 2021 05-03 CONSENT AGENDA

Moved by Stroh. Seconded by Cattane.

Approve the Consent Agenda for May 3, 2021 resulting in the following:

1. Special Event: Lapeer Tennis Community; Play Tennis Midwest Lapeer.
2. Downtown Development Authority Community Pavilion.

ON A ROLL CALL VOTE:

Ayes: Atwood, Cattane, Pattison, Stroh.

Nays: None.

Absent: Osentoski.

MOTION CARRIED.

Commissioner Osentoski arrived at 6:39 p.m.

096 2021 05-03 BILL LISTING

Moved by Pattison. Seconded by Cattane.

Approve the Bill Listing for May 3, 2021 in the amount of \$542,337.91.

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

Nays: None.

Absent: None.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

097 2021 05-03 ARBOR DAY PROCLAMATION

Moved by Pattison. Seconded by Atwood.

Adopt the Arbor Day Proclamation as presented.

ARBOR DAY PROCLAMATION

WHEREAS, in 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, Trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, Trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, Trees, wherever they are planted, are a source of joy and spiritual renewal,

THEREFORE, BE IT RESOLVED that I, Deborah G. Marquardt, Mayor of the City of Lapeer, and the Lapeer City Commission do hereby declare April 30, 2021 as Arbor Day planting day in the City of Lapeer and urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands and urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Dated this 3rd day of May 2021.

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

Nays: None.
Absent: None.
MOTION CARRIED.

PUBLIC HEARING

None.

ADMINISTRATIVE REPORTS

098 2021 05-03 ORDINANCE AMENDMENT: CHAPTER 59 BUSINESS REGISTRATION

Commissioner Pattison introduced an Ordinance Amendment to Chapter 59 Business Registration.

Chapter 59 - Business Registration

§ 59-1 Purpose.

The purpose of business registration in the City of Lapeer is to promote the general health, safety and welfare of the citizens by identifying business locations and operations within the City to enhance the efficient delivery of City services, including police, fire, water and wastewater services and to promote compliance with all planning, zoning, building, tax, and all related City ordinances and codes.

§ 59-2 Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the meaning respectively ascribed to them except where the context clearly indicates a different meaning:

BUSINESS

Any trade, occupation, work, commerce, profession, and all devices, machines, vehicles, and appurtenances used therein, any of which are conducted for private profit or benefit, either directly or indirectly on any premises in this City or anywhere else within its jurisdiction.

PERSON

Any individual, partnership, association, or corporation sharing in the profits of the business.

§ 59-3 License; registration required.

- A. No person shall engage in a business without having first obtained a business registration from the City of Lapeer in the manner provided for in this chapter. Any person duly registered on the effective date of this chapter shall be deemed registered hereunder for the balance of the current registration year.
- B. It shall be the duty of every person or registered business to report any changes in the information furnished with the current registration within five business days of such change occurring.
- C. Multiple businesses. The granting of a business registration shall not relieve the person to whom such registration is granted from the necessity of securing individual licenses or permits for each individual business.

- D. State-licensed business. The granting of a business registration to any person or business by the state in the operation, conduct or carrying on of any trade, profession, business, or privilege shall not exempt such person from the necessity of securing a business registration from the City if such registration is required by this chapter.

§ 59-4 License year.

- A. The registration year shall begin *January 1* ~~July 1~~ of each year and shall terminate at midnight on *December 31* ~~June 30~~ of the following year. No registration will be issued until the required fees are paid.
- B. The registration fees for periods of *January 1 through August 31* ~~less than one year~~ shall be the same as a full registration year and *the registration fee for periods of September 1 through December 31 shall be one-half of full registration year* and the effective date of such registration shall commence with the date of issuance thereof.

§ 59-5 Registration application.

Unless otherwise provided in this chapter, every person or business required to obtain a registration from the City of Lapeer to engage in a business shall make application for such registration to the City Clerk, or designee, upon forms provided by the City Clerk, or designee, and shall state under oath or affirmation such facts as may be required for, or applicable to, the granting of such registration.

§ 59-6 Registration; conditions of issuance.

- A. The issuing of a business registration from the City of Lapeer does not waive mandated licenses (i.e., state, health, building inspection, fire inspection, etc.).
- B. Acceptance by any person or business of a business registration under this chapter shall constitute permission to any officer of the City to enter upon and inspect the licensed premises at all reasonable times.

§ 59-7 Registration fees.

- A. The initial fee, renewal fee, and late fees for registration shall be set forth in the City of Lapeer Fee Schedule as approved by the City Commission.
- B. No registration shall be issued until the required fees are paid.
- C. All fees for the renewal of any business registration which are not paid at the time such fees are due shall incur late fees as outlined in the City of Lapeer Fee Schedule.
- D. *No rebate or refund shall be made of any license fee or part thereof by reason of the death of the licensee, nonuse of the license or discontinuance of the operation of the business.*

§ 59-8 Registration transferal.

No registration may be transferred from one business to another. A registration may be transferred for a change in location of a business within the City of Lapeer's jurisdiction. Each registration holder shall immediately notify the Clerk's office, or designee, of any change in location of a business, address, or any other change in the information provided in the registration application.

§ 59-9 Violations and penalties.

Any person who shall violate any of the provisions of this chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than \$500 and/or imprisonment for not more than 90 days, or both such fine and imprisonment, and any other relief that may be imposed by the court.

099 2021 05-03 FY 2021-2022 BUDGET NOTICE: SET PUBLIC HEARING

Moved by Stroh. Seconded by Pattison.

Approve setting a public hearing on May 17, 2021 at 6:30 p.m. or as soon thereafter as may be heard regarding the Fiscal Year 2021-2022 City of Lapeer Budget and the first year of the proposed 2021-2027 Capital Improvement Program.

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED.

CITY MANAGER'S REPORT

City Manager Kerbyson commented that we received confirmation of a \$50,000. Consumer Energy Grant for the rain garden/bioswale program. Pleasure to remind you that tomorrow is Fire Chief Terry Kluge's 60th Birthday.

CITY ATTORNEY'S REPORT

City Attorney Nolan wished Fire Chief Kluge a Happy 60th Birthday.

UNFINISHED BUSINESS

None.

DEPARTMENTAL COMMUNICATIONS

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Cattane: Brought to everyone's attention that he failed to acknowledge Commissioner Stroh's birthday, April 24. Had his 2nd COVID shot the day before leaving for a weekend getaway with his wife. Please get your vaccination; happy birthday to both Commissioner Stroh and Fire Chief Kluge. Thank you to City administration for the giving of funds to the Chamber so we can ensure there will be fireworks for the 4th of July celebration in our town.

Commissioner Osentoski: Happy Birthday to Commissioner Stroh and Fire Chief Kluge; thank you to the City for getting the social districting signs up; looking forward to having the pedestrian crossing signs up in the area as well.

Commissioner Atwood: Happy Birthday to the fellas.

Commissioner Stroh: There is great art in the area; Lapeer Art Association is taking over Gallery 194; Stone's Throw Theater has a new gallery show; thanked the Commission and City for extending the approval and invitation of the bench warming project. Thank you for the birthday wishes; have a good evening.

Commissioner Pattison: Happy Birthday to Commissioner Stroh and Fire Chief Kluge; hope you enjoy(ed) it. Ask the Mayor to put the Local State of Emergency on the agenda for the next regular meeting; farmers market was fantastic, good location, lots of room; made a good move there. Everyone be safe, take care and get your shot when you can.

City Manager Kerbyson: Happy belated birthday to Commissioner Stroh and thank you to Commissioner Cattane for the compliment.

Mayor Marquardt: Wished Commissioner Stroh and Chief Kluge a happy birthday; thank you to City Manager Kerbyson and staff for getting the funds for the fireworks; its time to get out and get the community back together. Enjoyed the farmers market and did run out of money. Spoke to many of the vendors; they seemed very happy; preformed a wedding on Saturday morning. Hoping to see the signs for the pedestrian walks in the downtown area soon.

100 2021 05-03 ADJOURNMENT

Moved by Cattane.

Adjourn the regular meeting at 6:55 p.m.

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

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 6:55 p.m.

Debbie Marquardt, Mayor

Romona Sanchez, City Clerk

Tracey S. Russell, Deputy City Clerk