

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
MAY 20, 2024**

A regular meeting of the Lapeer City Commission was held on May 20, 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.

City Attorney: T. Allen Francis, present.

Mayor Marquardt led the Pledge of Allegiance.

111 2024 05-20 AGENDA APPROVAL

Moved by Glisman. Seconded by Brady.

Approve the Agenda for May 20, 2024, as presented.

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

Nays: None.

MOTION CARRIED.

112 2024 05-20 MINUTES

Moved by Glisman. Seconded by Atwood.

Approve the minutes of the regular meeting held on May 6, 2024, as presented.

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

Nays: None.

MOTION CARRIED.

PUBLIC COMMENTS

Karin Lackey, S. Saginaw St., gave an invocation.

Brad Haggadone, Lapeer County Commissioner, updated the City Commission regarding the Lapeer County Board of Commissioners' proceedings.

113 2024 05-20 CONSENT AGENDA – REMOVE ITEMS

Moved by Petrie. Seconded by Glisman.

To remove item C-10 DTE Easement Right of Way and item C-12 Boundary Transfer from the consent agenda for discussion.

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

Nays: None.

MOTION CARRIED.

114 2024 05-20 CONSENT AGENDA

Moved by Atwood. Seconded by Glisman.

Approve the consent agenda for May 20, 2024, as presented:

1. Uniform Video Service Local Franchise Agreement – Direct TV.
2. Fixed Asset Disposal – 1991 Ford F350 Brush Truck – Fire Department.

3. Fixed Asset Disposal – 2018 Ford Utility – Building Department.
4. Fixed Asset Disposal – 2016 Ford Utility – DPW.
5. Fixed Asset Disposal – 2016 Case Backhoe with attachments - DPW.
6. Fixed Asset Disposal – 2016 Komatsu Wheeled Loader - DPW.
7. Fixed Asset Disposal – 2005 Cummins Onan Generator 100kw - DPW.
8. Special Event – Great Lakes Music Studio Recital – Annrook Park – June 2, 2024.
9. Special Event – American Legion Post – Memorial Day Parade – May 27,
11. Delinquent Special Assessments – add to 2024 Tax Roll.
13. Charitable Gaming License – Love, Inc.

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

Nays: None.

MOTION CARRIED.

115 2024 05-20 DTE EASEMENT RIGHT OF WAY – L20-83-358-080-40

Moved by Brady. Seconded by Petrie.

To approve DTE Easement Right of Way – John Conley - L20-83-358-080-40, as presented.

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

Nays: None.

MOTION CARRIED.

116 2024 05-20 BOUNDARY TRANSFER - 35 S. COURT STREET & 130 HOWARD STREET

Moved by Brady. Seconded by Petrie.

To approve the Boundary Transfer - 35 S. Court Street and 130 Howard St., as presented.

**RESOLUTION # 2024-11
RESOLUTION TO APPROVE
BOUNDARY TRANSFER REQUEST
FOR DERRICK ZOCK
35 SOUTH COURT & 130 HOWARD ST**

WHEREAS, Derrick Zock, owner of the property located at 35 South Court Street & 130 Howard Street, has filed a Boundary Transfer Request for a parcel split; and

WHEREAS, Chapter 6 (Land Division Ordinance), Section 6.05 Lot Splits, of the General Ordinances of the City of Lapeer, provides that approval shall be by resolution of the City Commission.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Boundary Transfer Request is in conformity with Chapter 7 (Zoning Ordinance) of the General Ordinances of the City of Lapeer.
2. That the Boundary Transfer Request is in conformity with The Land Division Act of P.A. 288 of 1967, as amended.
3. That the Boundary Transfer Request is approved resulting in the following legal description:

L21-24-400-040-20 City of Lapeer, Jennings' Addition, Lots 12 & 13, Block 1
(I=9 p=598, Section 5, T7N-R9E)

and

L21-24-600-040-10 City of Lapeer, Jennings's Addition, Lot 14 Block 1

(I=9 p=598, Section 5, T7N-R9E)

4. That the Boundary Transfer Request preserves all easement and master utility plans.
5. That any future site development complies with all setbacks and other applicable requirements established by the City of Lapeer Zoning Ordinance.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed with the Lapeer County Register of Deeds.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the City Assessor and to Derrick Zock.

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

Nays: None.

MOTION CARRIED.

117 2024 05-20 BILL LISTING

Moved by Swindell. Seconded by Glisman.

Approve the bill listing for May 20, 2024, in the amount of \$407,908.18.

ON A ROLL CALL VOTE:

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

Nays: None.

MOTION CARRIED.

PROCLAMATION, RECOGNITIONS, AND RESOLUTIONS:

None.

ADMINISTRATIVE REPORTS:

118 2024 05-20 FY2023-24 BUDGET AMENDMENTS

Moved by Brady. Seconded by Petrie.

Approve the budget amendment for FY23-24, as presented.

ON A ROLL CALL VOTE:

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

Nays: None.

MOTION CARRIED.

119 2024 05-20 COMMITMENT TO PURCHASE – CATERPILLAR LOADER

Moved by Brady. Seconded by Atwood.

Approve the commitment to purchase a Caterpillar Loader, not to exceed \$255,000, and authorize the Department of Public Works Director and City Manager to sign on behalf of the City.

ON A ROLL CALL VOTE:

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

Nays: None.

MOTION CARRIED.

120 2024 05-20 ROWDEN PARK PATHWAY PROJECT – ADDITIONS TO SCOPE – SPARK GRANT

Moved by Swindell. Seconded by Glisman.

Approve adding additional scope items to the Rowden Park Linear Pathway Project funded by the Spark Grant, not to exceed \$389,685.20, the remaining grant balance.

ON A ROLL CALL VOTE:

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

Nays: None.

MOTION CARRIED.

121 2024 05-20 SIDEWALK REPAIR & REPLACEMENT - PRECISION CONCRETE CUTTING

Moved by Brady. Seconded by Petrie.

Approve the contract with Precision Concrete Cutting for sidewalk repair and replacement, not to exceed \$35,000, and authorize the Department of Public Works Director and City Manager to sign on behalf of the City.

ON A ROLL CALL VOTE:

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

Nays: None.

MOTION CARRIED.

122 2024 05-20 PARKING LOT #5 – T.G. PRIEHS ASPHALT

Moved by Swindell. Seconded by Atwood.

Approve the proposal from T.G. Priehs Asphalt, as presented for Parking Lot #5; repave, drainage improvements, and green space creation, not to exceed \$271,850.00, and authorize the Department of Public Works Director and City Manager to sign on behalf of the City.

ON A ROLL CALL VOTE:

Ayes: Atwood, Brady, Glisman, Swindell.

Nays: Petrie.

MOTION CARRIED 4-1.

CITY MANAGER'S REPORT

123 2024 05-20 FRESHWATER GARDENS LAND SWAP

Moved by Brady. Seconded by Swindell.

Authorize the City Manager to continue negotiations with Freshwater Gardens to develop a proposed land swap.

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

Nays: None.

MOTION CARRIED.

CITY ATTORNEY'S REPORT

City Attorney Francis commented that he is pursuing various matters that will be brought forward to the commission soon.

UNFINISHED BUSINESS

None.

DEPARTMENTAL REPORTS

The Monthly Departmental Reports were received into the record.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Petrie: Loves the weather. Would like to know the Commission’s thoughts about the petition submitted by Mr. Higgins; wants a discussion about the marihuana odor on a future agenda. Has concerns about odor enforcement for grow facilities. Asked how many citations have been written regarding odor and if those citations are submitted to the State of Michigan.

Commissioner Glisman: Thanked Chief Howe and the Police Department for their service to the City of Lapeer. Looking forward to summer activities; Memorial Day weekend is coming up and we owe a great deal to our military services; may we remember their sacrifices when we say the Pledge of Allegiance, which is a symbol of their service. Read a recollection of Red Skelton’s teacher’s explanation of the words and meanings of the Pledge of Allegiance.

Commissioner Atwood: Attended the Elected Officials Academy hosted by the Michigan Municipal League (MML). He was a moderator for one of the classes. He shared his thoughts with some newly elected officials that they need to find their “why” on why they want to do this. Topics covered at the event were effective public service, fundamentals of leadership, fundamentals of financial management, and fundamentals of planning and zoning.

City Manager Womack: Went to the food truck festival. He is considering making Friday, July 5, 2024, a staff in-service day with the building closed to the public. The weather is great, we are getting a lot of projects underway. Feels the public will appreciate the direction we are taking regarding upgrading all the infrastructure.

Mayor Marquardt: Read the list of local events.

124 2024 05-20 ADJOURNMENT

Having no further business, Mayor Marquardt adjourned the regular meeting at 7:22 p.m.

Debbie Marquardt, Mayor

Romona Sanchez, City Clerk