

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
JULY 6, 2021**

A regular meeting of the Lapeer City Commission was held July 6, 2021, 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, Osentoski, Pattison, Stroh.

Absent: None.

City Manager: Dale Kerbyson, absent.

City Attorney: Michael Nolan, present.

Mayor Marquardt led the Pledge of Allegiance.

148 2021 07-06 AGENDA APPROVAL

Moved by Pattison. Seconded by Cattane.

Approve the Agenda for July 6, 2021.

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

Nays: None.

Absent: None.

MOTION CARRIED.

149 2021 07-06 MINUTES

Moved by Stroh. Seconded by Osentoski.

Approve the minutes of the Regular meeting held June 21, 2021, as presented.

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

Nays: None.

Absent: None.

MOTION CARRIED.

PUBLIC COMMENTS

None.

150 2021 07-06 CONSENT AGENDA

Moved by Stroh. Seconded by Cattane.

Approve the Consent Agenda for July 6, 2021, resulting in the following:

1. Special Event: DDA Sidewalk Sale, July 23-24, 2021, and September 10-11, 2021.

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

Nays: None.

Absent: None.

MOTION CARRIED.

151 2021 07-06 BILL LISTING

Moved by Pattison. Seconded by Atwood.

Approve the Bill Listing for July 6, 2021, in the amount of \$552,179.44.

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

Nays: None.

Absent: None.
 MOTION CARRIED.

ADMINISTRATIVE REPORTS

152 2021 07-06 TEXT AMEMDMENT – ANIMAL CREMATORIUM

Moved by Cattane. Seconded by Pattison.

Adopt an Ordinance Amendment to Chapter 7 Zoning to Secs. 7-08.02, 7-16.02, 7-13.04, and 7-24.03; removing 7-13.04 E(10); of the General Ordinance of the City of Lapeer.

Commissioner Stroh asked for clarification of this amendment. City Attorney Nolan stated that this allows Crematoriums in the City of Lapeer, but with much more regulation. Mayor Marquardt added that there had been a question on how close to a residence a Crematorium was allowed; therefore, the Planning Commission drafted this amendment to make sure the residents were protected.

**City of Lapeer
 Animal Crematorium Text Amendments**

Article 8 Industrial Districts

Sec. 7-08.02 Schedule of uses.

Table 7.08.1 Business and Office Districts Schedule of Uses

Use	I-1	I-2	Additional Requirements
Retail Uses			
Animal Crematorium		SLU	Sec. 7-13.04.E

Article 16 Parking, Loading, Access and Circulation Requirements

Sec. 7-16.02 Number of spaces required.

Table 7.16.1 Parking Space Numerical Requirements

Commercial	
Animal Crematorium	One (1) parking space per employee, plus three (3) parking spaces.

Article 13 Use Requirements

E. Animal Crematorium

- (1) All Crematoriums shall be a minimum of 300 feet from any residential use, school, or day care center. The distance shall be measured from the nearest portion of the crematorium building to the nearest portion of the residential, school, or day care parcel.
- (2) All activity relating to the dead shall be handled discreetly and be screened from public view to the maximum extent possible, including delivery and storage of the remains.
- (3) Crematoriums shall not be used for the disposal of any waste materials.
- (4) Animal crematoriums shall not emit any visible air emissions nor generate odors which are discernable beyond their lot lines.
- (5) The applicant or applicant’s representative for a Crematorium shall make a presentation to the Planning Commission on the proposed cremation equipment including emission control devices and chimney stack height. Such

presentation shall include plans for ongoing emission monitoring and performance testing and documentation that all emissions fall within accepted industry practices and meet all applicable state or federal air quality standards. In the case of use of an existing building, the information shall be provided to Planning Department Staff.

- (6) Crematoriums shall be constructed, installed, operated and maintained in accordance with all manufacturers' specifications and all applicable federal, state and local permits, as amended.
- (7) The applicant shall identify and provide copies of any certifications that will be required to operate the Crematorium both from a facility standpoint and an operator's standpoint.
- (8) Any additional standards or operation requirements that are needed to protect the public health, safety and welfare or to address unique characteristics of a particular site as defined by the city Planning Commission shall be complied with by the landowner and/or developer and Crematorium operator and owner.
- (9) Animal crematoriums shall be for domesticated animals only.
- ~~(10) Animal crematoriums shall not be used for the disposal of any waste materials.~~
- (11) Animal crematorium may provide room(s) for private viewing of the cremation by member of the animal's family but may not be used to conduct public or private funeral services.
- (12) Animal's remains may not be stored on the property for more than five (5) days. The storage container shall prevent decay and odor.

Article 24 Terminology

Sec. 7-24.03 Definitions.

ANIMAL CREMATORIUM – A building or part thereof used for animal funeral/disposal services. Services that may be included are preparation of the dead for burial, storage of caskets, funeral urns, and other related funeral supplies.

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED. AMENDMENTS TO CHAPTER 7 DECLARED ADOPTED.

153 2021 07-06 RE-ZONING – 35 S. COURT ST., 130 HOWARD ST. & VACANT PARCEL #L21-24-700-040-00

Moved by Stroh. Seconded by Cattane.

Adopt an Ordinance Amendment to rezone the properties known as 35 S. Court St., 130 Howard St. and vacant parcel L#21-24-700-040-00 from B-2 General Business to I-1 Industrial.

THE CITY OF LAPEER ORDAINS:

ARTICLE 7.02 MAPPED DISTRICTS

7.02.02 District Boundaries

(a) Zoning District Amendments

- (29) The following described properties formerly zoned B-2 General Business are hereby rezoned to I-1 Industrial:

35 S. Court Street – Parcel #L21-24-400-040-00
CITY OF LAPEER JENNING'S ADDITION LOT 12 & LOT 13, BLOCK 1
(L=9 P=598 SEC 5, T7N-R9E)

130 Howard Street – Parcel #L-21-24-600-040-00
CITY OF LAPEER JENNING'S ADDITION LOT 14 BLOCK 1 (L=9 P=598
SEC 5, T7N-R9E)

Vacant Parcel #21-24-700-040-00
CITY OF LAPEER JENNING'S ADDITION LOT 15 BLOCK 1 (L=9 P=598
SEC 5, T7N-R9E)

ON A ROLL CALL VOTE:

Ayes: Cattane, Pattison, Stroh.

Nays: Atwood, Osentoski.

Absent: None.

MOTION CARRIED 3-2. AMENDMENTS TO CHAPTER 7 DECLARED ADOPTED.

154 2021 07-06 2021-2022 PROPERTY AND LIABILITY INSURANCE

RENEWAL

Moved by Pattison . Seconded by Stroh.

Approve Peterson McGregor & Associates for the City of Lapeer's Property and Liability Insurance at a cost of \$199,849. for fiscal year July 1, 2021, through June 30, 2022, and authorize the City Manager to sign all required documents.

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

Nays: None.

Absent: None.

MOTION CARRIED.

155 2021 07-06 PARKS AND RECREATION MASTER PLAN

Moved by Stroh. Seconded by Atwood.

Approve the proposal with ROWE Professional Services to update the City of Lapeer Parks and Recreation Plan in the amount of \$8,500 and authorize the City Manager to sign all necessary documents.

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

Nays: None.

Absent: None.

MOTION CARRIED.

UNFINISHED BUSINESS

156 2021 07-06 REAPPOINTMENT – LAPEER HOUSING COMMISSION

Moved by Mayor Marquardt. Motion by Stroh. Seconded by Cattane.

To appoint Robin Chestnutt to the Lapeer Housing Commission for a five-year term to expire August 1, 2026.

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

157 2021 07-06 REAPPOINTMENT – LAPEER NEIGHBORHOODS, INC.

Moved by Mayor Marquardt. Motion by Pattison. Seconded by Stroh.
To appoint Robin Chestnutt, Kerri Roberts, Lisa Lie, to the Lapeer Neighborhoods, Inc. for a two-year term to expire August 1, 2023.

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

158 2021 07-06 REAPPOINTMENT – LOCAL DEVELOPMENT FINANCE AUTHORITY

Moved by Mayor Marquardt. Motion by Pattison. Seconded by Atwood.
To appoint Dale Kerbyson to the Local Development Finance Authority for a four-year term to expire August 1, 2025.

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

159 2021 07-06 REAPPOINTMENT – PLANNING COMMISSION

Moved by Mayor Marquardt. Motion by Pattison. Seconded by Osentoski.
To appoint Jennell RaCosta to the Planning Commission for a three-year term to expire August 1, 2024.

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

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Cattane: Nice to see everyone in the flesh; great stories in the newspapers this week. Great weekend, weather cooperated; Downtown Lapeer was hopping with Bike Night; happy to see the life back downtown; economy is booming which is wonderful. Fireworks were awesome; thrilled with the City's involvement. Asked that City Attorney provide more detail on the M-24 project and the proposal for the tunnel, he needs education on it.

Commissioner Atwood: Welcome back everyone and thanks for all your hard work before, during the pandemic, and now; thinks we work well together as a team, appreciates all City Staff and what they do.

Commissioner Stroh: Good to see everyone in the flesh, and their expressions without the filter of a computer screen. A lot going on at the Center for the Arts, Lapeer Art Association, Lapeer Community Theater, and Stone's Throw Theater all have a show. Making great strides in creating events and getting traffic in our downtown community; one thing we need to pay attention to is many businesses are facing employee issues; reached out to the DDA to assist in brainstorming to get more employees for those businesses, how can we help those businesses meet their employee needs. We do not want patrons to have difficulties during these great events. Would like to see if we can assist.

Commissioner Pattison: Great to see everyone; better than time delays and lost connections we had with virtual meetings; coming out of the pandemic but are not there yet. Support local businesses, buy in Lapeer when you can.

Mayor Marquardt: Spoke with Neda Payne from the Chamber of Commerce and thanked her and all the City Departments that were involved with the fireworks for a fantastic show. It was needed and people had a really nice time. Great to be back in person, thanked the departments for all they have done; appreciates all that they have done; we have a lot to accomplish, and we have accomplished a lot. Next meeting will be July 19, 2021.

160 2021 07-06 ADJOURNMENT

Moved by Cattane.

Adjourn the regular meeting at 6:52 p.m.

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

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 6:52 p.m.

Debbie Marquardt, Mayor

Romona Sanchez, City Clerk