

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
JULY 15, 2024**

A regular meeting of the Lapeer City Commission was held on July 15, 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.

162 2024 07-15 AGENDA APPROVAL

Moved by Glisman. Seconded by Brady.

Approve the Agenda for July 15, 2024, with the addition of G-3 Purchase of a Mini Excavator with trailer.

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

Nays: None.

MOTION CARRIED.

163 2024 07-15 MINUTES

Moved by Glisman. Seconded by Swindell.

Approve the minutes of the special meeting held on June 26, 2024, and the regular meeting of July 1, 2024, as presented.

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

Nays: None.

MOTION CARRIED.

PUBLIC COMMENTS

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

Karin Lackey gave an invocation.

Jennell RaCosta spoke about appointments to the Planning Commission.

Anne Shenck spoke about appointments to the Planning Commission.

CONSENT AGENDA

None.

164 2024 07-15 BILL LISTING

Moved by Brady. Seconded by Swindell.

Approve the bill listing for July 15, 2024, in the amount of \$646,962.66.

ON A ROLL CALL VOTE.

Ayes: Atwood, Brady, Glisman, Petrie, Swindell.
Nays: None.
MOTION CARRIED.

PROCLAMATION, RECOGNITIONS AND RESOLUTIONS:

165 2024 07-15 PROCLAMATION – DETECTIVE SERGEANT CRAIG GORMLEY

Moved by Swindell. Seconded by Glisman.

Adopt the proclamation in recognition of Detective Sergeant Craig Gormley, as presented.

***CITY OF LAPEER
Proclamation
In Recognition of Craig Gormley***

WHEREAS, Officer Craig Gormley, officially began his career with the City of Lapeer Police Department on October 28, 1998, as a part-time Police Reserve Officer; he rose through the ranks to be promoted to Patrolman in 1999; and Patrolman I in 2004; and, then promoted to Detective Sergeant in 2008; promoted to Sergeant II in 2014; and was again promoted to Sergeant III in 2019; and

WHEREAS, Detective Sergeant Gormley, while performing his duties serving the citizens of the City of Lapeer, has received four Formal Supervisory Commendations; was named the Child Advocacy Center of Lapeer Officer of the Year (2012) and Investigator of the Year (2010); received the Lapeer City Police Award of Merit (2007); Lapeer City Police Department Officer of the Year (2005); a Lapeer County Prosecutor Notice of Appreciation (2004); as well as several letters of thank you and of appreciation for his efforts; all while safeguarding life and the innocent in the City of Lapeer; and

WHEREAS, Detective Sergeant Gormley has devoted his time and effort to training and education which includes, D.A.R.E. Michigan Instructor for 192 hours; 56 hours of Field Training Officer, 63 hours of Death Investigation, 281 hours of Fire Investigation and 400 hours of School of Staff and Command; and

WHEREAS, Detective Sergeant Gormley, has brought a vast range of skills and expertise in the aspects of police administration and a wealth of experience from proudly serving this community for over 25 years; and

WHEREAS, Detective Sergeant Gormley, will retire on July 24, 2024, 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 **Craig Gormley** for his efforts and devotion to public service and wish him continued success in his retirement.

Dated this 15th day of July 2024.

Ayes: Atwood, Brady, Glisman, Petrie, Swindell.
Nays: None.
MOTION CARRIED.

ADMINISTRATIVE REPORTS:

166 2024 07-15 BOUNDARY TRANSFER – 348 & 350 COUNTY CENTER STREET – PARCEL #L20-92-001-040-00

Moved by Swindell. Seconded by Atwood.

Adopt the resolution to approve the Boundary Transfer Request for 348 & 350 County Center Street, parcel #L20-92-001-040-00.

**RESOLUTION #2024-17
RESOLUTION TO APPROVE
PARCEL SPLIT REQUEST FOR
Marz, LLC
348 & 350 County Center Street**

WHEREAS Marz, LLC, owner of the property located at 348 & 350 County Center Street, represented by Robert Thomas, 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 Split 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:

L20-92-001-040-10 City of Lapeer, T7N R10E SE Cor of Sec 5, Com at the NW Cor, Sec 6 of Jennings Addition, S13°45' W 206.07 ft along W ln of said Blk 6 to the POB, thence S 00°13'45" W 210.60 ft; thence N 88°54'26" W 73.19 ft to the NE'ly ROW ln of County Center St; thence along ROW ln in the following two courses; N 18°34'09 W 72.79 ft and curve to the Left, Radius 245.00 ft 72.45 ft Long Chord N 27°02'23" W 72.18 ft; thence N 41°24' 44" E 71.77 ft; thence N 60°49'39" E 46.09 ft; thence S 89°28'55" E 42.30 ft to the Point of Beginning. Contains .46 Acres +/- Subject to Ingress Egress, Parking and all ROW and Restrictions of Record.

and

L20-92-001-040-20 City of Lapeer, T7N R10E SE Cor of Sec 5, Beginning at the NW Cor, Sec 6 of Jennings Addition S 00°13'45" W 206.07 ft along W line of said Jennings Addition; thence N 89°28'55" W 42.30 ft; thence S 60°49'39" W 46.09 ft; thence S 41°24'44" W 71.77 ft to the NE'ly ROW of County Center Street; thence along ROW on a Curve to the Left Radius 245.00 ft, Length 74.59 ft and LC is N44°15'39"W 74.30 ft' thence N 37°02'41"E 59.58 ft; thence N03°41'12" W 80.50 ft; thence N86°19'02" E 12.50 ft; thence N 03°32'54" W 90.77 ft to a point on the S'ly ROW line of Grand Trunk Railroad; thence N86°16'13" E 145.41 ft along said ROW to the NW corner of Block 6 of Jennings Addition and Point of Beginning. Contains .79 Acres +/- subject to Ingress/Egress, Parking, and all Easements, and Restrictions of Record.

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 Marz LLC.

This resolution was adopted and effective on the 15th day of July 2024.

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

Nays: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

**167 2024 07-15 ANNROOK/ROTARY PARK LINEAR PATHWAY
RECONSTRUCTION PROJECT**

Moved by Brady. Seconded by Atwood.

To award the Annrook/Rotary Park Linear Pathway Reconstruction Project to Birmingham Sealcoat, Inc., not to exceed \$145,900.25 and ROWE Professional Services not to exceed \$22,900.00 and authorize the Director of Parks, Recreation & Cemetery to sign the necessary documents.

ON A ROLL CALL VOTE:

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

Nays: None.

MOTION CARRIED.

**168 2024 07-15 ANNROOK/ROTARY PARK LINEAR PATHWAY
RECONSTRUCTION PROJECT - FUNDING**

Moved by Brady. Seconded by Atwood.

Approve the budget amendment transfer from General Fund to Park Fund, as presented.

ON A ROLL CALL VOTE:

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

Nays: None.

MOTION CARRIED.

169 2024 07-15 PURCHASE OF MINI EXCAVATOR WITH TRAILER

Moved by Brady. Seconded by Glisman.

Approve the purchase of the mini excavator with trailer, not to exceed \$148,625.

ON A ROLL CALL VOTE:

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

Nays: None.

MOTION CARRIED.

CITY MANAGER'S REPORT

City Manager Womack commented that the joint meeting will be held on Monday, August 12, 2024, at 5:30 p.m. at the Community Center. There will be an educational component, and all are welcome to attend.

The Probate Court Administrator contacted the Clerk's office regarding a possible Potters Field Agreement. We are waiting for more information from them and will bring more information to the Commission when we have it.

The Boards and Commission appointments policy needed to be written and is being presented to the Commission tonight for consideration with the addition of an advertisement component which can help build a pool of applications for vacant positions.

The City Commission discussed the policy presented for the Boards and Commissions; including mayoral appointments, the timing of introducing this policy, and why some individuals were reappointed at the last commission meeting while others were not.

City Manager Womack stated that SDRK Group, LLC, requested the opportunity to give a presentation at this meeting. Mayor Marquardt granted permission. Rick Thornton, Facility Manager for SDRK Group, LLC spoke about the company's solution to control odors, which has two parts. Andy Shango, owner of SDRK Group, LLC commented that he is going to take care of the issue at his facility. City Manager Womack commented that the plans for the facility were included in the agenda packet. He added that he and the City Attorney have been in constant contact with members of SDRK Group, LLC for several months.

CITY ATTORNEY'S REPORT

City Attorney Francis commented that he does not have anything outstanding that he owes to Mr. Shango's attorney. Additionally, he reviewed the proposal in the packet and his comments are in the memo.

UNFINISHED BUSINESS

None.

DEPARTMENTAL REPORTS

The Monthly Departmental Reports were received into the record.

PUBLIC COMMENTS

Jennell RaCosta spoke about not being re-appointed to the Planning Commission.

Rick Thornton, Facility Manager of SDRK Group, LLC., spoke about their plans.

Anne Shenck spoke about not being re-appointed to the Planning Commission.

Bryan Cloutier commented about appointments to the Planning Commission.

Joe Isreal commented about the marihuana odor at SDRK Group, LLC.

Andy Shango wants to know the procedure to have sign the attestation with the State of Michigan.

Austin Kelly, member of the Planning Commission, spoke about the Boards and Commissions Policy.

MAYOR/COMMISSIONER COMMENTS

Commissioner Brady: Would like to remind everyone that the process and procedures are being followed. It is up to the Mayor to make mayoral appointments, and the Commission to vote on those appointments and it's up to the people to elect the Mayor.

Commissioner Glisman: Rembrandt's birthday today. Disappointed and feels bad for the ladies on the Planning commission who were not reappointed and wants this to be resolved; we need to be consistent. The policy written by Mr. Womack is good, however, we need to get settled with the Planning Commission, and then we can talk about the policy. Congratulations to the Police Department, proud of all the officers. Good Luck to Sergeant Gormley.

Commissioner Swindell: We did not have all the information needed for the positions and there are several mayoral appointments, and she has the option to make those appointments. Criticizing the Mayor does not seem like something that should be done, it does not show well for the City. We are supposed to work together and not embarrass the City.

Commissioner Petrie: All about transparency; three new people were elected because the people wanted to see change. She is not opposed to the policy; always interested in everything about this City, and often will have a different opinion than others. Agrees with Commissioner Glisman, the timing of this new policy does not look good to the public. We have several vacancies because people are busy. Appreciative of these two ladies who have served on the Planning Commission and have been very dedicated to the city. This makes us look bad and she wants to be fair. Asks about emails being posted to the website. Remembers when Mr. Shango came to Lapeer, however, everybody has to play by the rules. Thanked Ms. RaCosta and Ms. Shenck for their volunteerism. Loves this city and cares about what it looks like, smells like, sounds like, and wants to be a part of the team.

Commissioner Atwood: Thanked everyone for coming; the timing of the policy is a little off.

City Manager Womack: The Spanish Inquisition was disbanded today in 1834; the Rosetta Stone was found in 1799. We can put Commissioner emails on the website. Wants the city to be business-friendly, lots of discussions on how to move the city forward. We lost a big developer last week by no fault of the City. Today is a new day and hopes to be viewed as a business-friendly community.

Mayor Marquardt: Read the list of local events. Early voting begins on Saturday, July 27, 2024. Bike night was a nice evening, 12 children's bikes were given away by the Steel Patriots. The next Commission meeting is on August 5, 2024. Porch Fest is this weekend.

170 2024 07-15 ADJOURNMENT

There being no further business, Mayor Marquardt adjourned the regular meeting at 8:01 p.m.

Debbie Marquardt, Mayor

Romona Sanchez, City Clerk