

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
JULY 20, 2020**

A regular meeting of the Lapeer City Commission was held July 20, 2020 electronically via GoToMeeting and 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.

City Manager: Dale Kerbyson, present.

City Attorney: Michael Nolan, present.

Mayor Marquardt led the Pledge of Allegiance.

142 2020 07-20 AGENDA

Motion by Cattane. Seconded by Stroh.

Approve the Agenda for July 20, 2020 as presented.

ON A ROLL CALL VOTE:

Ayes: Atwood, Cattane, Pattison, Stroh.

Nays: None.

Absent: Osentoski.

MOTION CARRIED.

143 2020 07-20 MINUTES

Motion by Cattane. Seconded by Stroh.

Approve the minutes of the Regular Meeting held July 6, 2020 and a Special Meeting held July 13, 2020 as presented.

ON A ROLL CALL VOTE:

Ayes: Atwood, Cattane, Pattison, Stroh.

Nays: None.

Absent: Osentoski.

MOTION CARRIED.

PUBLIC COMMENTS

Mayor Marquardt read public comments from: Jacob Dikhow, James Stutesman, Lorinda Youness, and Jason Iser.

City Clerk Romona Sanchez read public comments from: Lane Wilson, Logan Hoover, Jody McDougall, Beth Miller and Cynthia Arnold.

Mike Bahoura, Pure Lapeer, commented on recreational marihuana and on Commissioner Osentoski's backtracking and going against what the Commission voted on. Explained Pure Lapeer has been nothing but an advocate for the City; phones are finally ringing again for future business; does not want to see the vote become undone.

Cindy LaBaza, S. Lapeer Road, has an item on the Planning Commission agenda, has been cancelled for June & July, requests that the August Planning Commission meeting be held to address her topic on the agenda.

Gabe Lee, Northwest Confections, thanked the Commission, appreciates everyone's work on the Ordinance Amendment, is looking forward to working in the City, is excited and thankful the City opted in. Would like to further explain their process to Commissioners Atwood and Osentoski to prove they can be good operators for the City.

George Pittenturf, Releaf Center, thanked the Commission for holding the July 13, 2020 meeting, agrees with Mr. Bahoura, has had no police issues or no issues with anyone; wants to become a part of the community, marihuana is not the nasty beast that everyone thinks it is, wants to make it clear that those who need medical marihuana will still be able to purchase it; invited anyone to come to their facility to see how it is run.

Bernard Jocuns, Nepessing Street, has concerns; thanked everyone for their diligence to get the appropriate things done; some Commissioners do not care to understand the

people and the processes; no one gets a do-over. Some Commissioners do not understand the reason behind the ballot initiatives, the processes or what their jobs are; some of what is going on is ridiculous; would be great if marihuana was a gateway drug.

Marlana Swindell, employee from a local marihuana shop, read headlines of Sunday's paper and thought – who does Commission Osentoski think he is – a 4 year old throwing a fit. Doesn't understand why this is on the table, cannot trust Commissioner Osentoski due to what he is doing, he is supposed to represent the people; very disappointed in his actions and is disgusted with him. Bottom line, she feels they help the people, recreational marihuana will help those that cannot afford the \$150 medical card.

CONSENT AGENDA

None.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

None.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

144 2020 07-20 BUDGET ADJUSTMENT FY2020/2021.

Motion by Cattane. Seconded by Atwood.

Approve the CIP Project #20050 In-Car Video budget adjustment to be increased by \$15,000.

ON A ROLL CALL VOTE:

Ayes: Atwood, Cattane Pattison, Stroh.

Nays: None.

Absent: Osentoski.

MOTION CARRIED.

145 2020 07-20 BUDGET ADJUSTMENT FY2020/2021.

Motion by Pattison. Seconded by Stroh.

Approve the Fire Department budget adjustment to be increased by \$3,762.

ON A ROLL CALL VOTE:

Ayes: Atwood, Cattane Pattison, Stroh.

Nays: None.

Absent: Osentoski.

MOTION CARRIED.

146 2020 07-20 BUDGET ADJUSTMENT FY2020/2021.

Motion by Cattane. Seconded by Pattison.

Approve the Police and Fire Department budget adjustment to be increased by \$9,900.

ON A ROLL CALL VOTE:

Ayes: Atwood, Cattane Pattison, Stroh.

Nays: None.

Absent: Osentoski.

MOTION CARRIED.

147 2020 07-20 BUDGET ADJUSTMENT FY2020/2021.

Motion by Stroh. Seconded by Cattane.

Approve the Project #21160 – Water System Mapping GIS budget adjustment to be increased by \$23,140.

Commissioner Stroh questioned if this project was discussed during the budget workshop? City Manager Kerbyson indicated, yes, the GIS system was in last years' CIP and the balance of what needs to be completed needs to be carried over to this years' budget.

ON A ROLL CALL VOTE:

Ayes: Atwood, Cattane Pattison, Stroh.

Nays: None.

Absent: Osentoski.

MOTION CARRIED.

148 2020 07-20 BUDGET ADJUSTMENT FY2020/2021.

Motion by Pattison. Seconded by Cattane.

Approve Project #22310 – Millville Road Water Main Project budget adjustment to be increased by \$291,000.

Commissioner Stroh questioned if the additional funds for this project are due to the surge and water main breaks that have occurred recently? City Manager Kerbyson indicated yes, and that he has had conversations with Great Lakes Water Authority to recoup funds from their insurance and will continue to make efforts to do so, however, is unsure if we will get any funds returned. Commissioner Stroh was concerned on how this will affect the budget and that we need to keep a close eye on this going forward.

ON A ROLL CALL VOTE:

Ayes: Atwood, Cattane Pattison, Stroh.

Nays: None.

Absent: Osentoski.

MOTION CARRIED.

**149 2020 07-20 MILLVILLE RD. WATER MAIN REPLACEMENT PROJECT
SUPERIOR EXCAVATING, INC. – PAYMENT REQUEST #1.**

Motion by Pattison. Seconded by Cattane.

Approve Payment Request #1 to Superior Excavating in the amount of \$374,841.62 for services completed on the Millville Road Water Main Replacement Project.

ON A ROLL CALL VOTE:

Ayes: Atwood, Cattane Pattison, Stroh.

Nays: None.

Absent: Osentoski.

MOTION CARRIED.

CITY MANAGER'S REPORT

City Manager Kerbyson informed the Commission of several items: 1) yard waste from the storm will be delayed for pickup due to road prep for the upcoming road project; 2) White Junior High needs an ALTA survey to prepare for development, this was started last Friday and should be completed today by Spicer; 3) Muffler Man location will be staked out this week so we can determine who is responsible for the debris behind this location and get it taken care of; 4) the new lights for downtown should be arriving this week; 5) the City is well into the Cyber Security Survey with meetings taking place with myself and Kelly Hanna on equipment information; the expectation is that it will take approximately another 45 days to complete the survey.

CITY ATTORNEY'S REPORT

None.

UNFINISHED BUSINESS

None.

PUBLIC COMMENTS

None.

DEPARTMENTAL COMMUNICATIONS

The Monthly Departmental Reports, Monthly Downtown Development Authority Report, and the Bill Listing were received into the record as presented.

MAYOR/COMMISSIONER COMMENTS

Commissioner Cattane: Questioned City Attorney Mike Nolan if there were any precedence on the ballot initiative that is going on right now. Mr. Nolan asked by a Commissioner, not that he was aware of. Commissioner Cattane indicated he would appreciate Mr. Nolan looking into this situation.

Commissioner Stroh: Glad to see everyone smiling; enjoyed the ribbon cutting for Culver's this morning; the City needs to reach out to other organizations and work on relationships such as the DDA and the Chamber, to extend a friendly hand to other businesses; would like to see a monthly report from the Center of Arts showing what they are doing, what they are forecasting and anticipating with what is going on, it is important to know their needs.

Commissioner Pattison: Apologized for his internet issues; best of health to everyone; hope everyone is following the guidelines and wearing masks, maintaining social distancing and hopes to see the kids back to school.

City Manager Kerbyson: Reached out to Consumers to put a rush on the house across the street from Rite Aid to remove the gas line, as soon as it is removed the demo team

can come in to tear the house down. Spoke with Commission Osentoski regarding his conversations with the businesses downtown about the tables in the street, which most indicate are not being used but taking up needed parking spaces, would like to decide by next week whether or not to remove the tables.

Mayor Marquardt: Noticed the pocket park and the tables next to Blend are being used but no one at the tables in the street.

City Clerk Sanchez: The budget and CIP books are ready for distribution, if the Commissioners would like to call ahead to come to City Hall for pick up, we will be happy to meet them at the door and give them their books.

Mayor Marquardt: Attended the Culver's ribbon cutting and was able to tour the back cooking area and see what they are doing regarding social distancing for their employees, was very clean and attractive – the electricity was out at the time of the opening, but it was still nice to see their facility. Toured the Team Work apartments, 5 new ones, all but one are already rented, thanked Ann Zettle and the Executive Board, as well as the City of Lapeer for putting this project together. Informed Cindy LaBaza, that to her knowledge, the Planning Commission will be doing a virtual meeting for August.

150 2020 07-20 ADJOURNMENT

Motion by Cattane.

Adjourn the regular meeting at 7:31p.m.

Ayes: Atwood, Stroh, Cattane, Pattison.

Nays: None.

Absent: Osentoski.

MOTION CARRIED.

The regular meeting adjourned at 7:31 p.m.

Debbie Marquardt, Mayor

Romona Sanchez, City Clerk

Tracey S. Russell, Deputy City Clerk