

**LAPEER CITY COMMISSION  
MINUTES OF A REGULAR MEETING  
AUGUST 3, 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, Osentoski, Pattison, Stroh.

Absent: None.

City Manager: Dale Kerbyson, present.

City Attorney: Michael Nolan, present.

Mayor Marquardt led the Pledge of Allegiance.

**151 2020 08-03 AGENDA**

Motion by Stroh. Seconded by Pattison.

Approve the Agenda for August 3, 2020 as presented.

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED.

**152 2020 08-03 MINUTES**

Motion by Osentoski. Seconded by Pattison.

Approve the minutes of the Regular Meeting held July 20, 2020 as presented.

Commissioner Stroh questioned if a person could make a motion to approve the minutes if they were not at the meeting the minutes were for. City Attorney Nolan confirmed that Commissioner Osentoski could not make the motion due to not being at the July 20, 2020 Commission meeting.

Motion of support withdrawn by Pattison. Motion withdrawn by Osentoski.

Motion by Stroh. Seconded by Pattison.

Approve the minutes of the Regular Meeting held July 20, 2020 as presented.

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED.

**PUBLIC COMMENTS**

None.

**153 2020 08-03 CONSENT AGENDA**

Motion by Atwood. Seconded by Cattane.

Approve the Consent Agenda for August 3, 2020 resulting in the following:

1. Special Event Request for Stone Soup Food Bank to hold a food give away on August 6, 2020 from 8:00 a.m. to 3:00 p.m. @ 475 S. Court Street.

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED.

### **PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS**

Discussion was held regarding World Day Against Trafficking In Persons which was July 30, 2020. Commissioner Atwood indicated that everyone should be more aware of these crimes every day of the year, not just on July 30<sup>th</sup>; more and more young adults and children are faced with human trafficking; it is not age or gender specific; everyone is at risk; it is considered modern day form of slavery; public needs to be educated; not bringing it up to create fear but to make people aware of it; there has been a significant increase in missing children compared to last year; encouraged to do your research; victims are not sought out by only strangers but could be inter family involved with the crime.

Mayor Marquardt requested a resolution be prepared prior to January 2021 as that is the official month of awareness for this crime; maybe a committee or a “Stand Up For Our Children” at City Hall next July. set up to help take care of our community – do not let this issue die, stand up for our children in front of City Hall, figure out how we can make others aware of this.

Commissioner Stroh indicated that men are also victims to human trafficking; and this involves labor and slave labor that is being exported. We need to be more vigilant; possibly combine our efforts with a National or State organization.

Commissioner Atwood stated Operation Underground Railroad is a volunteer based program provides training; that focuses on this crime; Genesee Sherriff Chris Swanson has a GHOST team in place for this type of crime.

Commission Cattane thanked Commissioner Atwood from bringing this topic to the Commission and is support of helping.

Police Chief Frisch informed the Commission the Police Department has been putting on a program at the Lapeer High School for several years that addresses this issue. This is not a gender specific or age related problem. Here in Lapeer, the president of the Child Advocacy Center is Detective Sargent Gormley; we have a team program with the elementary schools; we very involved and transparent; includes statistics in his monthly report to the Commission; have literature that is given out and participate in public information; very good partners in hotel ownership for watching for things that are not quite right; education and awareness need to start at home.

### **PUBLIC HEARINGS**

None.

## **ADMINISTRATIVE REPORTS**

### **154 2020 08-03 ZONING ORDINANCE – TEXT AMENDMENTS**

Motion by Cattane. Seconded by Stroh.

Adopt the proposed amendments to Chapter 7 (Zoning Ordinance) of the General Ordinance of the City of Lapeer; Sec 7-16.04, 7-16.05, 7-16.08, and 7-18.04 regarding the off-street parking lot area and terminology.

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED.

### **155 2020 08-03 STREET ADMINISTRATOR – MDOT ACT 51 PROGRAM**

Motion by Pattison. Seconded by Atwood.

Adopt the Municipal Resolution for Designation of Street Administrator appointing Ross Slusher as Street Administrator for the City of Lapeer.

#### MUNICIPAL RESOLUTION FOR DESIGNATION OF STREET ADMINISTRATOR

**Whereas**, Section 13(9) of Act 51, Public Acts of 1951 provided that each incorporated city and village to which funds are returned under the provisions of this section, that, "the responsibility for street improvements, maintenance, and traffic operations work, and the development, construction, or repair of off-street parking facilities and construction or repair of street lighting shall be coordinated by a single administrator to be designated by the governing body who shall be responsible for and shall represent the municipality in transactions with the State Transportation Department pursuant to this act." and

**Therefore, be it further resolved**, that Ross Slusher is designated single Street Administrator for the City of Lapeer in all transactions with the State Transportation Department as provided in Section 13 of the Act.

City Manager Kerbyson updated the Commission on the Streets Department and that Pam Reid will be retiring therefore, with Ross Slusher's experience, he will be assigned as the MDOT contact designee which the City is required to have per MDOT. This new designation for Mr. Slusher is simply a housekeeping issue, nothing more.

Commissioner Stroh asked if we are currently searching for a replacement for Department of Public Works Director, Pam Reid. City Manager Kerbyson stated we have completed an extensive search without a replacement found and may contract the position out while we continue the search for a full-time replacement.

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED.

**156 2020 08-03 MICHIGAN DEPARTMENT OF TRANSPORTATION CONTRACT #2019-0716 & RESOLUTION**

Motion by Pattison. Seconded by Osentoski.

Approve the Municipal Resolution, Michigan Department of Transportation Contract #2019-0716 for State Trunkline Maintenance effective for the period of October 1, 2019 through September 30, 2024.

City Manager Kerbyson explained that for the upcoming years of the contract, Mr. Slusher would be the person working directly with MDOT as Street Administrator for the M-24 corridor. Commission Stroh asked whether or not this line item has a threshold that this person is limited to? City Manager Kerbyson and DPW Director Reid indicated the MDOT contract annually has been for \$68,000, however, this has dropped to \$35,000 which the City stays within the boundaries of funding; the City has a close communication with MDOT in maintaining the assets and is a pretty fail-safe system.

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED.

**CITY MANAGER'S REPORT**

None.

**CITY ATTORNEY'S REPORT**

City Attorney requested to speak in regards to a question he was asked. Mayor Marquardt read the statement, indicated everyone is aware and has read the information, a lot of words have been thrown out from all sides and she wants to move on to other City business. If you would like to let everyone know that everybody has done everything properly according to the rules and the City Charter. Mr. Nolan indicated the Mayor touched on it perfectly and wanted to be able to comment if anyone had any further questions or comments.

Mr. Nolan also informed the Commission he has had both marihuana cases challenged that did not receive licenses; has filed motions asking both cases to be dismissed, motions were denied as there are still issues of fact that remain to be resolved. He will be sending copies of the Judge's written opinions to you; cases are progressing and will hopefully come to a conclusion in the next couple of months, however we are involved with the scoring company out of Virginia which will probably be logistically difficult to get it taken care of. In any event, the cases are moving forward and will send any correspondence in this regard.

**UNFINISHED BUSINESS**

None.

**PUBLIC COMMENTS**

None.

## **DEPARTMENTAL COMMUNICATIONS**

Medical Marihuana Licenses Provisioning Center, Grower, Processor, Secure Transporter, Safety Compliance Facility Update therefore; it was received into the record as presented.

## **MAYOR/COMMISSIONER COMMENTS**

Commissioner Stroh: There are 3 Art Shows opening this weekend, Stones Throw, Gallery 194, and Upper Gallery Art Association; would like to get an update on the reports and City projects over the last four months, will email the City Manager with his list so Dale can update the whole Commission his response to the list of items.

Commissioner Atwood: Thanks to Chief Frisch for information regarding Human Trafficking; police department does a fantastic job with that and it is tough work; looks forward to seeing a Proclamation on the Human Trafficking. Appreciates the Sheriff and the Chief for holding school events; a lot of technology out there and this happens at the local levels; if you see something, say something; be aware, educated and keep safe.

Commissioner Cattane: Going to echo Commissioner Atwood; thanks to everyone. Thanked the City Clerk and all of the Clerks for the election work they do; we are blessed to have Romona; worried about not having enough election workers, people need to step up; Commissioners are not allowed to work the City's election but he will be working for Lapeer Township to help out; need to find more people for the November election which is a bigger concern for worker attendance.

Commissioner Pattison: Thanks to Commissioner Atwood for bringing information on the Human Trafficking situation; important to vote tomorrow; thanks.

Mayor Marquardt: Get out and vote; sincere appreciation to Romona Sanchez for all her hard work, give her a day off as soon as she wants it; thanks to all the City staff, Chief Frisch and the police department, regarding Human Trafficking, maybe have a training and Chief Frisch may check with Sherriff McKenna.

## **157 2020 08-03 ADJOURNMENT**

Motion by Cattane.

Adjourn the regular meeting at 7:15 p.m.

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

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 7:15 p.m.

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Debbie Marquardt, Mayor

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Tracey S. Russell, Deputy City Clerk