

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
AUGUST 19, 2024**

A regular meeting of the Lapeer City Commission was held on August 19, 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.

188 2024 08-19 AGENDA APPROVAL

Moved by Glisman. Seconded by Swindell.

Approve the Agenda for August 19, 2024, as presented.

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

Nays: None.

MOTION CARRIED.

189 2024 08-19 MINUTES

Moved by Glisman. Seconded by Swindell.

Approve the minutes of the regular meeting held on August 5, 2024, and the special meeting of August 12, 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.

Anne Shenck read a quote from the newspaper printed on August 7, 2024, "I feel they (RaCosta and Shenck) may have violated some rules and procedures of the Planning Commission, and possibly city ordinance", and requested in writing an accounting of specifically what occurred, as she is unaware of what those violations were. She will share that information with everyone and use it as a learning experience.

190 2024 08-19 CONSENT AGENDA

Moved by Swindell. Seconded by Atwood.

Approve the consent agenda for August 19, 2024, as presented:

1. Special Event: Lapeer County Suicide Prevention Network "Into the Light Walk" – Rowden Park - September 21, 2024, 12:00 P.M. to 4:00 P.M.

2. Special Event: Beaver Dash Bash – Oakdale Trails - September 21, 2024, 8:00 A.M. to 8:00 P.M.

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

191 2024 08-19 BILL LISTING

Moved by Swindell. Seconded by Glisman.

Approve the bill listing for August 19, 2024, in the amount of \$3,713,320.76.

ON A ROLL CALL VOTE.

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

PROCLAMATION, RECOGNITIONS, AND RESOLUTIONS

None.

ADMINISTRATIVE REPORTS:

192 2024 08-19 ROWDEN PARK SPARK GRANT – BENNETT ASPHALT AGREEMENT

Moved by Glisman. Seconded by Swindell.

Approve the agreement with Bennett Asphalt for Phase 2 of the Rowden Park Spark Grant project, for a cost not to exceed \$257,017.36, and authorize the City Manager to sign the necessary documents.

ON A ROLL CALL VOTE:

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

193 2024 08-19 ORDINANCE AMENDMENT: REZONING – B-1 NEIGHBORHOOD BUSINESS TO B-2 GENERAL BUSINESS

Moved by Swindell. Seconded by Atwood.

Adopt the ordinance amendment to Chapter 7 (Zoning Ordinance), Article 7.02.02(a)(37) of the General Ordinances of the City of Lapeer.

ORDINANCE NO. 2024-06

THE CITY OF LAPEER ORDAINS:

ARTICLE 7.02 MAPPED DISTRICTS 7.02.02 District Boundaries

(a) Zoning District Amendments

- (37) The following described properties formerly zoned B-1 Neighborhood Business are hereby rezoned to B-2 General Business:

- 2938 W. Genesee Street (Parcel #L21-20-900-040-00)
- 2946 W. Genesee Street (Parcel #L21-20-800-040-00)
- 2960 W. Genesee Street (Parcel #L21-20-701-040-00)
- 2990 W. Genesee Street (Parcel #L21-20-700-040-00)

Ayes: Atwood, Brady, Swindell.
Nays: Glisman, Petrie.
MOTION CARRIED 3-2.

**194 2024 08-19 M-24 TUNNEL CONNECTOR TO CRAMTON PARK -
ENGINEERING SERVICES PROPOSAL**

Moved by Swindell. Seconded by Glisman.

Approve the ROWE Professional Services proposal for pre-construction engineering on the M-24 Tunnel Connector to Cramton Park project, for a cost not to exceed \$67,500, and authorize the Director of Parks, Recreation & Cemetery to sign the agreement.

ON A ROLL CALL VOTE:

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

Nays: None.

MOTION CARRIED.

CITY MANAGER'S REPORT

City Manager Womack provided a summary of the changes to the marihuana ordinances that are being proposed, which include limiting the number of types of licenses, i.e. growers, processors, etc., limiting where these businesses are allowed to locate, and requiring all marihuana licenses to be a Special Land Use. He will continue to work with the City Attorney on the draft of the ordinance as written addressing the concerns of the Commission.

Currently, the penalty for failure to complete the rental inspection process is a criminal misdemeanor, which can make it more difficult to enforce. He would like to change that to a civil infraction which will make it easier to enforce the non-compliance. He will bring the changes to the Commission at a future meeting.

195 2024 08-19 CLOSED SESSION

Moved by Swindell. Seconded by Brady.

Approve going into a Closed Session under Section 8(d) of the Open Meetings Act, MCL 15.268(d), at the end of the regular meeting.

ON A ROLL CALL VOTE:

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

Nays: None.

MOTION CARRIED.

CITY ATTORNEY'S REPORT

City Attorney Francis commented that there was a hearing for the marihuana grow facility that went well. It is not over, but it is progressing.

UNFINISHED BUSINESS

196 2024 08-19 APPOINTMENT – CONSTRUCTION BOARD OF REVIEW

Moved by Mayor Marquardt. Moved by Glisman. Seconded by Swindell.

To appoint Brian Britton and Jeffrey Van Camp to the Construction Board of Review for terms to expire July 1, 2026.

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

Nays: None.

MOTION CARRIED.

**197 2024 08-19 APPOINTMENT – EDC/TIFA/BROWNFIELD REDEVELOPMENT
AUTHORITY**

Moved by Mayor Marquardt. Moved by Swindell. Seconded by Glisman.

To appoint Ashley Fanson to the EDC/TIFA/Brownfield Redevelopment Authority for a term to expire on March 1, 2025.

Ayes: Atwood, Swindell.

Nays: Brady, Glisman, Petrie.

MOTION FAILED 2-3.

DEPARTMENTAL REPORTS

The Monthly Departmental Reports were received into the record.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Glisman: Thanked all the city employees who worked during Lapeer Days to make it a successful event. Good meeting on August 12, 2024, with good comments and suggestions to make Lapeer even better than it is. Surprised to see the support for the Lilac Festival; she will begin working on it. Reminder about America 250, which will be the semi-quincentennial. Today's date in 1921, Detroit Tiger Ty Cobb hit his 3,000th career hit against the Boston Red Sox.

Commissioner Brady: Has been actively reaching out to find people to apply for vacant positions on the various boards and commissions. Ask that staff follow up with Anne Shenck so that she has an explanation. Feels the property on the end of W. Genesee which is currently zoned I-1, would be more appropriate to go back to what it was previously zoned as.

Commissioner Petrie: Welcomed Matt Hart to the team; was asked to tell Clerk Sanchez how impressed the County Board of Canvassers were with the City of Lapeer's election paperwork; thanked her for all the hard work. Stated that the only question that's a dumb question is the unasked question. Wants the department heads to understand that when she is asking questions it is to glean information for herself or those watching the meeting; it is by no means meant to make anyone look inefficient in their jobs. She appreciates all they do and trusts each of them in their jobs. Forgiveness cannot be earned, it is freely given; however, trust must be earned. We lost some important people this week who gave so much to Lapeer. Expressed her condolences to the Sullivan Family and the Adams family for their losses. Thankful for the blight enforcement that is taking place around town.

Commissioner Swindell: Missed Lapeer Days for the first time in many years. Urges all residents who are available, to apply for a board or commission that has vacancy. Not supporting the Mayor in her appointments is sending a message to people, a message that is not positive. Blight is an issue throughout the City and not just on M-24; all blight issues should be treated equally.

Commissioner Atwood: Thanked the Chamber of Commerce, volunteers, donors, and all the city staff for working so hard to make the Lapeer Days event a success. The downtown looked great the next day.

City Manager Womack: Experimenting with live streaming vs. recording and then uploading. Would prefer to have a higher-quality recording for the public to view. Blight needs to be fair regardless of where it is located and blight can be an issue all around the town, and we will need some policy direction from the Commission regarding blight in the future. Today in 1812,

the USS Constitution defeated the British HMS Guerrier off the coast of Nova Scotia, earning its nickname "Old Ironsides".

Mayor Marquardt: Asked the Commissioners what their feelings are about live streaming the meetings vs. recording it and uploading the next day. Commissioners Atwood, Brady, Glisman, and Swindell are in favor of recording the meetings and uploading the next day. Commissioner Petrie is in favor of live streaming for the sake of transparency. Thanked the City Clerk and Deputy Clerk, and all the election workers for all their hard work on election day; grateful to everyone. Thanked the Police, Fire, DPW, and all the employees who worked on Lapeer Days. Saddened to learn of the passing of Jan Adams, expressed her condolences to the family. Also, shared her condolences to the family of Dave Sommerville.

CLOSED SESSION

The Lapeer City Commission convened a closed session to discuss an item under Section 8(d) of the Open Meetings Act, MCL 15.268(d) at 7:44 p.m. and returned to its regular meeting at 8:30 p.m.

198 2024 08-19 RFQ FOR 201 JEFFERSON

Motion by Swindell. Seconded by Brady.

To direct the City Manager to continue to work on and release the Request for Quote for 201 Jefferson.

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

Nays: None.

MOTION CARRIED.

199 2024 08-19 ADJOURNMENT

Having no further business, Mayor Marquardt adjourned the regular meeting at 8:31 p.m.

Debbie Marquardt, Mayor

Romona Sanchez, City Clerk