

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
AUGUST 21, 2023**

A regular meeting of the Lapeer City Commission was held August 21, 2023, 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, Cattane, Pattison, Stroh, Swindell.

Absent: None.

City Manager: Mike Womack, present.

Mayor Marquardt led the Pledge of Allegiance.

191 2023 08-21 AGENDA APPROVAL

Moved by Cattane. Seconded by Stroh.

Approve the Agenda for August 21, 2023, as presented.

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

Nays: None.

MOTION CARRIED.

192 2023 08-21 MINUTES

Moved by Cattane. Seconded by Swindell.

Approve the minutes of the regular meeting held August 7, 2023, as presented.

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

Nays: None.

MOTION CARRIED.

PUBLIC COMMENTS

Brad Haggadone, Lapeer County Commissioner, provided an update to the Commission regarding the Lapeer County Board of Commissioners proceedings.

Jeremy Hing, spoke about some dead ash trees that are on a parcel that abuts up to his property; upset about the rudeness he encountered at the Department of Public Works.

Melissa Petrie gave an invocation.

Brent from Above Par Disc Golf gave an update on the course and is looking forward to the grand opening on September 24, 2023.

Sam Howard, commented on the Youth Council and hoped to see it continue.

Linda Glisman complimented the Chamber of Commerce for the organization of the Lapeer Days event.

193 2023 08-21 CONSENT AGENDA

Moved by Cattane. Seconded by Swindell.

Approve the consent agenda for August 21, 2023, as presented:

1. Fixed Asset Disposal – Scag Mower.
2. Metro Act Right of Way Permit Extension – AT&T.
3. Special Event: Disc Golf Grand Opening, September 24, 2023.
4. Authorize City Manager or Police Chief to designate a Code Enforcement Officer.

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

Nays: None.

MOTION CARRIED.

194 2023 08-21 BILL LISTING

Moved by Pattison. Seconded by Stroh.

Approve the bill listing for August 21, 2023, in the amount of \$3,437,272.84.

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

Nays: None.

MOTION CARRIED.

PROCLAMATION, RECOGNITIONS AND RESOLUTIONS:

195 2023 08-21 PROCLAMATION – JAMES E. MUXLOW

Moved by Swindell. Seconded by Pattison.

Adopt the proclamation for James Muxlow, as presented.

**Proclamation
In Recognition of James E. Muxlow**

WHEREAS, James E. Muxlow served as a Firefighter with the City of Lapeer Fire & Rescue Department from March 19, 1991, through June 10, 2023; and

WHEREAS, James E. Muxlow is an individual of great personal integrity and has given conscientious service to the citizens of the City of Lapeer and Lapeer County; and

WHEREAS, James E. Muxlow exemplifies professionalism, dependability, caring and hard work in his service as a Firefighter; and

WHEREAS, through his persistence, hard work, and dedication, James E. Muxlow has set an example for all Firefighters and is honored by his community.

NOW, THEREFORE BE IT RESOLVED, that I, Debbie Marquardt, Mayor of the City of Lapeer, and the Lapeer City Commission, take this opportunity on behalf of the people of the City of Lapeer to express official gratitude and deep appreciation to James E. Muxlow for his efforts and devotion to public service, and wish him continued success in all his endeavors.

Dated this 21st day of August 2023.

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

Nays: None.

MOTION CARRIED.

PUBLIC HEARINGS

Mayor Marquardt opened the public hearing for Andrew's River Estates No. 2, Street Improvement, Special Assessment District at 6:50 p.m.

Mike Higgins, 334 Old Farm Lane, thanked the Commission for taking an interest in this project. Stated the City was negligent in collecting the bonds at the beginning of this project and feels many of the residents' object to this project and it is wrong. He would like the project to go forward, however, they do not what to pay for the project.

Jeremy Hing, spoke against the special assessment. He feels the City should take responsibility for this expense and stated residents have hired an attorney out of Royal Oak to represent them.

Donna Whittier, 46 Old Carriage Lane, stated the letter she received for the road was only for an estimate of the cost. She understands we have a new City Manager and would like to see the project put on hold.

Aaron Hartley, 63 Old Farm Ct., objects to this special assessment.

Jim Zabel, 427 Old Farm Lane, was at the last meeting, objects to the unethical findings and actions.

There being no further comments, Mayor Marquardt closed the public hearing at 7:02 p.m.

196 2023 08-21 ANDREW'S RIVER ESTATES NO. 2, SPECIAL ASSESSMENT DISTRICT

Moved by Pattison. Seconded by Cattane.

To table the public hearing of Andrew's River Estates No. 2, Special Assessment District until the next regular meeting.

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

Nays: None.

MOTION CARRIED.

AMENDMENT TO SOMETHING PREVIOUSLY ADOPTED – MOTION 196 2023 08-21

197 2023 08-21 ANDREW'S RIVER ESTATES NO. 2, SPECIAL ASSESSMENT DISTRICT

Moved by Pattison. Seconded by Cattane.

To table the public hearing of Andrew's River Estates No. 2, Special Assessment District until the regular meeting of September 18, 2023.

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

Nays: None.

MOTION CARRIED.

198 2023 08-21 RECESS

Moved by Cattane. Seconded by Pattison.

To take a five (5) minute recess.

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

Nays: None.

MOTION CARRIED.

The Commission took a recess from the regular meeting from 7:41 p.m. – 7:47 p.m.

ADMINISTRATIVE REPORTS:

199 2023 08-21 HYDROCORP CONTRACT – CROSS CONNECTION PROGRAM

Moved by Pattison. Seconded by Cattane.

Approve the contract with HydroCorp for Cross Connection Services not to exceed \$23,874.00 and authorize the Director of Public Works to sign all necessary documents.

ON A ROLL CALL VOTE:

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

Nays: None.

MOTION CARRIED.

200 2023 08-21 BUDGET AMENDMENTS FY2023-24

Moved by Cattane. Seconded by Swindell.

Approve the budget amendments for FY2023-2024 as presented.

All Budget adjustments must be whole dollars. Negative numbers should be in parenthesis ().

	<u>ACCOUNT #</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT OF ADJUST. (+/-)</u>
1	101-262-901.000	Election Printing	3,000.00
2	101-336-741.000	Fire Uniforms	20,000.00
2	101-336-815.000	Fire Contractual Services	7,000.00
3	590-555-974.000	WWTP Land Improvements	70,000.00
4	450-966-995.590	Transfer to Wastewater	103,941.00
4	590-964-699.450	Transfer from Land Acquisition	103,941.00
5	101-721-815.000	Planning contractual services	4,500.00
6	202-463-815.000	Major St - contractual services	2,800.00
7	101-721-815.000	Planning contractual services	11,700.00
8	101-172-815.000	Planning contractual services	5,000.00
TOTAL NET INCREASE			331,882.00

ON A ROLL CALL VOTE:

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

Nays: None.

MOTION CARRIED.

201 2023 08-21 CREDIT CARD USE POLICY

Moved by Cattane. Seconded by Swindell.

Adopt the Resolution to approve the Credit Card/Purchasing Card Policy.

Resolution #2023-27
City of Lapeer
Credit Card Use Policy
In accordance with P.A. 266 of 1995

Whereas, the Michigan Legislature has enacted Public Act 266 of 1995 authorizing and regulating credit card transactions involving units of government, such as cities, and also providing that the City officers and employees may use credit cards/purchasing cards for the purchase of goods and services for the official business of the City provided that the governing body of the City has adopted by resolution a written policy regulating the use of said credit cards/purchasing cards; and

Whereas, the City of Lapeer, pursuant to Public Act 266 of 1995, desires to establish a policy for the use of City issued credit card/purchasing cards; and

Whereas, the Director of Financial Services shall be responsible for administering and generally overseeing this purchasing card policy.

NOW, THEREFORE, BE IT RESOLVED that the Lapeer City Commission approves and adopts the City of Lapeer Credit Card/Purchasing Cards and Procedures which is attached hereto and incorporated by reference herein, with said policies and procedures applying to all employees who are issued a City of Lapeer Purchasing Card.

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

Nays: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

CITY MANAGER'S REPORT

City Manager Womack stated he enjoyed his first Lapeer Days. It has been very busy at City Hall; staff is doing a great job; proud to serve alongside them. Fire Chief Vogt did a great job at the dunk tank. Appreciates the Commissions support on the governmental transparency and the other things that we are working on. Tonight's discussion was difficult, and there are equally ethical and appropriate philosophies on how to run a government and we saw a great exercise in that tonight.

CITY ATTORNEY'S REPORT

None.

UNFINISHED BUSINESS

202 2023 08-21 REAPPOINTMENT TO LAPEER COUNTY CENTRAL DISPATCH AUTHORITY

Moved by Stroh. Seconded by Cattane.

To reappoint Michael Vogt to the Lapeer County Central Dispatch Authority for a term to expire September 2026.

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

Nays: None.

MOTION CARRIED.

DEPARTMENTAL REPORTS

The Monthly Departmental Reports, the DDA Monthly Report, and the Marihuana License Update Report were received into the record, as presented.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Cattane: Lapeer Days was great; thanked all City employees for their efforts in helping with this event; the clean-up started quickly but the Parks Department will be dealing with the grass at Annrook Park. Praised City Administration as the agenda packages are now available for the public online to view; members of the public will be able to see everything that we see.

Commissioner Atwood: Thanked the Chamber of Commerce and all the volunteers for their efforts on Lapeer Days. Thanked City staff for all their hard work getting the downtown cleaned up for tonight's car show. In regard to the Special Assessment, he supports city staff as they are only doing what they are directed to do; the Commission should have said no to this from the beginning or tried to figure something else out; feels we can come to a conclusion. Many of us were not here when this took place 25 years ago.

Commissioner Stroh: Echoes the comments of Commissioner Atwood; thanked the Chamber of Commerce for an amazing event; thanked City staff for turning the downtown around for yet another DDA event on the heels of Lapeer Days. Not his intent to frustrate staff; believes everyone is doing an amazing job. This issue has carried over through administrations and now we need to correct it; we need more information. Thanked everyone for their hard work and due diligence that everyone continues to do. Does feel we can find a resolution to this issue; happy to be working through this with such good people.

Commissioner Swindell: Thanked everyone for all their efforts on Lapeer Days; it takes a large amount of people to pull this event off. Went to the grand opening of the disc golf course at Torzewski Park, county came together and got it done. September 23, 2023, is a busy day in the City of Lapeer with three different events happening. Disc Golf opening is September 24, 2023. Enjoy the city and be outside, lots of things to do.

Commissioner Pattison: While visiting relatives in Detroit over the weekend, went to Eastern Market and they have blocked off some roadways and painted pickle ball courts on them. City did a great job for Lapeer days; couldn't be prouder.

City Manager Womack: Staff has been great and very ethical; happy to work with. Visited a park in another City yesterday; likes to see what we can do better for our citizens.

Mayor Marquardt: Spent a decent amount of time at Lapeer Days; attended the opening ceremony and the parade. Thanked all the City employees for all their efforts to the event. This event takes a long time to plan; had the privilege of judging a couple of contests. Read the list of local events.

203 2023 08-21 ADJOURNMENT

Having no further business, Mayor Marquardt adjourned the regular meeting at 8:08 p.m.

Debbie Marquardt, Mayor

Romona Sanchez, City Clerk