

**LAPEER CITY COMMISSION  
MINUTES OF A REGULAR MEETING  
SEPTEMBER 8, 2020**

A regular meeting of the Lapeer City Commission was held September 8, 2020 electronically via GoToMeeting 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.

**177 2020 09-08 AGENDA APPROVAL**

Moved by Pattison. Seconded by Cattane.

Approve the Agenda for September 8, 2020 as presented.

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED.

**178 2020 09-08 MINUTES**

Moved by Cattane. Seconded by Osentoski.

Approve the minutes of the Regular Meeting held August 17, 2020 and Special Meeting held August 25, 2020 as presented.

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED.

**PUBLIC COMMENTS**

None.

**PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS**

**179 2020 09-08 PROCLAMATION – A. WAYNE BENNETT**

Mayor Marquardt read the following proclamation into the record:

***Proclamation  
In Recognition of A. Wayne Bennett***

***WHEREAS***, A. Wayne Bennett was elected to the City Commission on November 5, 2007 and served the citizens of the City of Lapeer in that capacity until November 2019; and

**WHEREAS**, A. Wayne Bennett, has given conscientious, responsible, and professional service and has taken an Oath to serve the citizens of the City of Lapeer during his time on the City Commission; and

**WHEREAS**, A. Wayne Bennett has devoted time and effort in service to the Zoning Board of Appeals, and has been dedicated to local community affairs and the development of projects during his tenure; and

**WHEREAS**, A. Wayne Bennett served on the Prison Liaison Committee and was instrumental in spearheading the "We Love Lapeer" signs and getting them placed all around the City; as well he has encouraged others to attend City Commission meetings and offer a prayer during public comment whom he always thanked; and

**WHEREAS**, A. Wayne Bennett, has 12 given years of service to 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 the Lapeer City Commission wishes to honor and express deep appreciation to A. Wayne Bennett for his efforts and devotion to public service and wish him continued success.

**180 2020 09-08 PROCLAMATION – CATHERINE BOSTICK-TULLIS**

Mayor Marquardt read the following proclamation into the record:

***Proclamation  
In Recognition of Catherine Bostick-Tullius***

**WHEREAS**, Catherine Bostick-Tullius was appointed to the City Commission on June 30, 2009 and served the citizens of the City of Lapeer in that capacity until November 2019; and

**WHEREAS**, Catherine Bostick-Tullius, has given conscientious, responsible, and professional service and has taken an Oath to serve the citizens of the City of Lapeer during her time on the City Commission; and

**WHEREAS**, Catherine Bostick-Tullius has devoted time and effort in service to the Downtown Development Authority and Zoning Board of Appeals, and has been dedicated to local community affairs and the development of projects during her tenure; and

**WHEREAS**, Catherine Bostick-Tullius served on the board of the Michigan Municipal League (MML), serving as Vice President; and then as President of the MML for 2017-18; participated on the steering committee to establish the Pix Arts Council for Greater Lapeer and has been a member of Lapeer Main Street Committee and Lapeer County Habitat for Humanity; and

**WHEREAS**, Catherine Bostick-Tullius, has given 10 years of service to the City of Lapeer and leaves those in the City of Lapeer proud to have known her and to have served with her.

**THEREFORE, LET IT BE KNOWN** that the Lapeer City Commission wishes to honor and express deep appreciation to Catherine Bostick-Tullius for her efforts and devotion to public service and wish her continued success.

**181 2020 09-08 PROCLAMATION – GLENN ALVERSON**

Mayor Marquardt read the following proclamation into the record:

***Proclamation  
In Recognition of Glenn Alverson***

**WHEREAS**, Glenn Alverson was appointed as Mayor of the City Commission on June 3, 2019 and served the citizens of the City of Lapeer in that capacity until November 2019; and

**WHEREAS**, Glenn Alverson, has given conscientious, responsible, and professional service and has taken an Oath to serve the citizens of the City of Lapeer during his time on the City Commission; and

**WHEREAS**, Glenn Alverson has devoted time and effort in service to the Downtown Development Authority and Planning Commission, and has been dedicated to local community affairs and the development of projects during his tenure; and

**WHEREAS**, Glenn Alverson served on the Greater Lapeer Transportation Authority Board of Directors, Local Officers Compensation Commission, the Lapeer County Board of Canvassers and the Lapeer District Library; and promoted civic activism and volunteerism; and

**WHEREAS**, Glenn Alverson, served the City of Lapeer as Mayor; he leaves those in the City of Lapeer proud to have known him and to have served with him.

**THEREFORE, LET IT BE KNOWN** that the Lapeer City Commission wishes to honor and express deep appreciation to Glenn Alverson for his efforts and devotion to public service and wish him continued success.

## **PUBLIC HEARINGS**

None.

## **ADMINISTRATIVE REPORTS**

### **182 2020 09-08 2020-2021 PROPERTY AND LIABILITY INSURANCE RENEWAL**

Moved by Cattane. Seconded by Pattison.

Approve Peterson McGregor & Associates for the City of Lapeer's Property and Liability Insurance at a cost of \$181,574.50 for Fiscal Year July 1, 2020 to June 30, 2021 and authorize the City Manager to sign required documents.

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED.

### **183 2020 09-08 ORDINANCE AMENDMENT TO CHAPTER 22**

Moved by Pattison. Seconded by Stroh.

Approve an Ordinance Amendment to Chapter 22 Water Regulations, Section 20-11 of the General Ordinances of the City of Lapeer.

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED.

### **184 2020 09-08 CROSS CONNECTION PLAN AMENDMENT**

Moved by Pattison. Seconded by Stroh.

Approve the proposed revisions to the City of Lapeer's Cross Connection Plan.

ON A ROLL CALL VOTE:

Ayes: Atwood, Cattane, Osentoski, Pattison, Stroh.  
Nays: None.  
Absent: None.  
MOTION CARRIED.

**185 2020 09-08 BULLETPROOF VEST REPLACEMENT**

Moved by Stroh. Seconded by Cattane.

Approve the purchase of replacement Bulletproof Vests from On Duty Gear, LLC in the amount of \$15,265.

ON A ROLL CALL VOTE:

Ayes: Atwood, Cattane, Osentoski, Pattison, Stroh.  
Nays: None.  
Absent: None.  
MOTION CARRIED.

**186 2020 09-08 REZONE – RM-1 MULTIPLE-FAMILY RESIDENTIAL TO OS-1  
PARCEL #L21-40-400-040 – 550 S. SAGINAW**

Commissioner Cattane introduced an Ordinance Amendment to Chapter 7 (Zoning Ordinance), Article 7.02, Section 7.02.02 (a)(26) to the General Ordinances of the City of Lapeer.

**187 2020 09-08 REZONE – R-1 SINGLE-FAMILY RESIDENTIAL TO I-1 PARCEL  
L#20-84-901-040-00 – 155 S. SAGINAW**

Commissioner Cattane introduced an Ordinance Amendment to Chapter 7 (Zoning Ordinance), Article 7.02, Section 7.02.02 (a)(27) to the General Ordinance of the City of Lapeer.

**188 2020 09-08 BILL LISTING APPROVAL**

Moved by Pattison. Seconded by Cattane.

Approve the Bill Listing for August 13, through August 31, 2020 in the amount of \$1,291,044.11.

ON A ROLL CALL VOTE:

Ayes: Atwood, Cattane, Osentoski, Pattison, Stroh.  
Nays: None.  
Absent: None.  
MOTION CARRIED.

**CITY MANAGER'S REPORT**

City Manager Kerbyson stated the memo in the packet outlines the two items under consideration which will be presented at the next Commission meeting; as our Planner Caitlyn Habben was unavailable to attend tonight's meeting and needs to ensure adequate time to prepare these items and get them presented to the City Commission.

**CITY ATTORNEY'S REPORT**

City Attorney Nolan stated he is working with Chief Frisch who has provided some latitude on some of the court cases; they have been working together to deal with some of the people who are in the criminal cases to get them into counseling, therapy, drug treatment plans, etc. So far this has been very successful; the people are thankful for the opportunity to get themselves out of the situations they have found themselves in.

He thanked Chief Frisch for allowing us to engage in a program like this; going to court is not just about crime and punishment; sometimes it's about providing assistance to those who need it. This has been a success and he is pleased to be a part of it.

**UNFINISHED BUSINESS:**

**189 2020 09-08 APPOINTMENT TO THE LOCAL OFFICERS COMPENSATION COMMISSION**

Appointment by Mayor Marquardt. Moved by Osentoski. Seconded by Cattane. Re-appoint Sam Williams to the Local Officers Compensation Commission for a term to expire 10-01-2025.

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED.

**190 2020 09-08 APPOINTMENT TO THE LAPEER COUNTY CENTRAL DISPATCH AUTHORITY**

Moved by Pattison. Seconded by Cattane.

Re-appoint Terry Kluge to the Lapeer County Central Dispatch Authority for terms to expire 09-2023.

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED.

**PUBLIC COMMENTS**

None.

**DEPARTMENTAL COMMUNICATIONS**

The Medical Marihuana Licenses Provisioning Center, Grower, Processor, Secure Transport, Safety Compliance Facility Update was received into the record as presented.

**MAYOR/COMMISSIONER COMMENTS**

Commissioner Cattane: His children started back to school today; everyone at school is wearing masks; kids are being asked to do something that some adults are not comfortable doing. Kids are doing it; but some leadership doesn't. Asked why we are always trying to jam south M-24 fast food restaurants drive-thru's and marihuana on the same agenda; these are hot topic items; bring a lot of passion to the residents. This meeting was very happy go lucky; doesn't bring forth the passion of the people. Is it not wise to have both of these topics on the same agenda; thinks they should be separated.

Commissioner Atwood: Give a shout out to our small business owners; pray and hope they continue to survive; hope they all pull through and praying for strength, wisdom, knowledge, courage and creativity for them. Concerns with marihuana and the illegal market; asked if state is working on enforcement; marihuana is being grown in barns throughout the county and we need assistance with both the legal and illegal market.

Commissioner Stroh: Cultural arts are still being impacted by COVID and the Governor's orders; the Pix has been greatly impacted with lack of being able to present; Center for the Arts annual meeting is tonight and he will be checking in on that; Stones Throw Theater seems to be doing okay; the arts are taking it on the chin like everyone else. Asked Mr. Nolan about a comment Mr. Osentoski made that he had endorsed language for the proposal; asked if he could further explain the endorsement of such.

Mr. Nolan stated that the Charter's language is what surrounds this issue; it is the Charter that uses the terminology that the City Attorney shall endorse; which means, before the ballot petition can be circulated it is required to be submitted to the City Attorney's office for his written endorsement; by his review he is approving the form of the ballot initiative. It does not mean that the City Attorney is taking a position one way or another. It is simply a compliance with Charter terminology and he approves the form of the language that is being submitted to the voters.

Commissioner Osentoski: Thanked A. Wayne Bennett, Catherine Bostick-Tullius and Glenn Alverson for their time serving the City of Lapeer.

Commissioner Pattison: Another group of businesses will be opening tomorrow and we need to follow the guidelines; follow the health department social distancing recommendations; must wear our face masks. Stay safe and follow the guidelines.

Mayor Marquardt: Addressed Commissioner Cattane's comments about the next meeting; they are being moved because Caitlyn Habben was not able to attend tonight and wants to be able to address any questions; these topics cannot be put off; be prepared for a long meeting; this is what we have to do. Ask the City Manager to gather information about rebranding, possible branding; the recreation center parking lot and if TIFA has agreed to pay; an ice skating rink if possible; maybe named in honor of Tony Macksoud as he was very active in the community. Regarding Commissioner Atwood's comments, would like to see the illegal market in the county apply for their state licenses.

City Manager Kerbyson: Discussion about RRC program; has developed a list of sites that will be submitted for redevelopment, which will bring us closer to completion with the RRC program; he submitted a note to Senator Daley for the loss of his mother on behalf of the Commission; will be receiving the final report on the IT Assessment soon, prepared to move into RFP for that project; received email about why the marijuana was not on tonight's agenda urging it's need to move it forward and now it's questioned why it is on the next agenda; today is Romona's one year anniversary with us; congratulated her.

#### **191 2020 09-08 ADJOURNMENT**

Moved by Atwood.

Adjourn the regular meeting at 7:20 p.m.

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

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 7:20 p.m.

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Debbie Marquardt, Mayor

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Romona Sanchez, City Clerk

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Tracey S. Russell, Deputy City Clerk