

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
SEPTEMBER 16, 2024**

A regular meeting of the Lapeer City Commission was held September 16, 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.

Police Chief Howe preformed the swearing-in of Patrol Officer Robert Barron.

209 2024 09-16 AGENDA APPROVAL

Moved by Glisman. Seconded by Brady.

Approve the Agenda for September 16, 2024, as presented.

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

Nays: None.

MOTION CARRIED.

210 2024 09-16 MINUTES

Moved by Glisman. Seconded by Brady.

Approve the minutes of the regular meeting held September 3, 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.

Dave Klaffer, Oregon Township, gave an invocation.

Nine members of the public spoke about the change in business hours of Adam & Eve.

Angela Bollman, owner of Adam and Eve store, spoke about the change in business hours of Adam & Eve.

211 2024 09-16 CONSENT AGENDA

Moved by Glisman. Seconded by Atwood.

Approve the consent agenda for September 16, 2024, as presented:

1. Special Event: Lapeer Buried History, September 28, 2024,
3 p.m. – 8 p.m., Mt. Hope Cemetery.

2. Special Event: Stone Soup Food Bank - Hunger Awareness Week – October 4-5, 2024, 9 a.m. – 2 p.m., Downtown Intersections.

3. Fixed Asset Disposal – Parks Department - 2008 GMC 1500.

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

Nays: None.

MOTION CARRIED.

212 2024 09-16 BILL LISTING

Moved by Brady. Seconded by Petrie.

Approve the bill listing for September 16, 2024, in the amount of \$872,101.17.

ON A ROLL CALL VOTE.

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

Nays: None.

MOTION CARRIED.

PROCLAMATION, RECOGNITIONS AND RESOLUTIONS:

213 2024 09-16 PROCLAMATION NATIONAL SEE TRACKS? THINK TRAIN® WEEK

Moved by Brady. Seconded by Glisman.

Adopt the National See Tracks? Think Train ® Week.

CITY OF LAPEER PROCLAMATION

NATIONAL SEE TRACKS? THINK TRAIN® WEEK

WHEREAS *See Tracks? Think Train®* Week is to be held across the U.S. from September 23 to 29, 2024;

WHEREAS, 2,192 rail grade crossing collisions resulted in 765 personal injuries and were responsible for 248 fatalities in the United States during 2023; and

WHEREAS, 1,378 pedestrian trespassing casualties have occurred in the United States resulting in 663 pedestrians being killed and another 715 injured while trespassing on railroad property rights of way during 2023; and

WHEREAS, educating and informing the public about rail safety (reminding the public that railroad right of ways are private property, enhancing public awareness of the dangers associated with highway rail grade crossings, ensuring pedestrians and motorists are looking and listening while near railways, and obeying established traffic laws) will reduce the number of avoidable fatalities and injuries caused by incidents involving trains and citizens; and

WHEREAS, the International Association of Chiefs of Police, National Operation Lifesaver Inc., United States Department of Transportation, and all local, state, county, and railroad law enforcement officers, first responders, and railroad corporations commit to partnering together in an effort to educate at a national level all aspects of railroad safety, to enforce applicable laws in support of National *See Tracks? Think Train®* Week.

NOW, THEREFORE, BE IT RESOLVED that, I Debbie Marquardt, Mayor of the City of Lapeer and the Lapeer City Commission, declare September 23 to 29, 2024, National *See*

Tracks? Think Train® Week and I encourage all citizens to recognize the importance of rail safety education.

Dated this 16th day of September 2024.

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

Nays: None.

MOTION CARRIED.

ADMINISTRATIVE REPORTS:

214 2024 09-16 MCCORMICK PUMP STATION CAPACITY STUDY

Moved by Brady. Seconded by Atwood.

Approve the Rowe engineering contract for the McCormick Pump Station Capacity Study not to exceed \$21,000 and authorize the Director of Public Works to sign all necessary documents.

ON A ROLL CALL VOTE:

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

Nays: None.

MOTION CARRIED.

215 2024 09-16 COMMITMENT TO PURCHASE – ALTECH INDUSTRIES

Moved by Glisman. Seconded by Swindell.

Approve the commitment to purchase with Altech Industries, for the purchase of Altech Model LR8-60E70RM, a bucket truck, 2025-26 CIP Project #22862.

ON A ROLL CALL VOTE:

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

Nays: None.

MOTION CARRIED.

216 2024 09-16 CHANGE IN BUSINESS HOURS – ADAM & EVE

Moved by Swindell.

To extend Adam & Eve's hours to being open 7 days a week from 10 a.m. to 10 p.m.

MOTION DIED DUE TO LACK OF SUPPORT.

217 2024 09-16 CHANGE IN BUSINESS HOURS – ADAM & EVE

Moved by Swindell. Seconded by Atwood.

To extend Adam & Eve's hours on Friday and Saturday from 10:00 a.m. to 10:00 p.m. and Sunday from Noon – 6:00 pm.

Ayes: Atwood, Swindell.

Nays: Brady, Glisman, Petrie.

MOTION FAILED 2-3.

218 2024 09-16 CHANGE IN BUSINESS HOURS – ADAM & EVE

Moved by Swindell. Seconded by Brady.

To allow Adam & Eve to extend their hours on Friday and Saturday, from 10:00 a.m. to 10:00 p.m.

Ayes: Atwood, Brady, Swindell.

Nays: Glisman, Petrie.

MOTION CARRIED 3-2.

219 2024 09-16 ORDINANCE AMENDMENT – CHAPTER 9 HOUSING.

Commissioner Brady introduced an ordinance amendment to Chapter 9, Housing, Article IV Administration, Enforcement and Penalty, § 9-66 and § 9-67, of the General Ordinance of the City of Lapeer.

**CITY OF LAPEER
LAPEER COUNTY, MICHIGAN**

Ordinance #: 2024-07

An ordinance to amend City of Lapeer housing ordinance by amending Chapter 9 Housing, Article IV Administration, Enforcement and Penalty, § 9-66 to § 9-67.

THE CITY OF LAPEER, LAPEER COUNTY, MICHIGAN ORDAINS:

ARTICLE I.

That § 9-66 Delaying or terminating prosecution, of the Lapeer Code of Ordinances is deleted and removed entirely:

~~§ 9-66 Delaying or terminating prosecution.~~

~~Nothing in this article shall delay or be cause for terminating the criminal prosecution of a responsible party for violation of this Housing Ordinance.~~

ARTICLE II.

That § 9-67 Violations and penalties, of the Lapeer Code of Ordinances, is modified to read in its entirety as follows:

§ 9-67 Violations and penalties. Except as otherwise provided in other sections or articles of this chapter, a violation of any section, article or provision shall be considered a civil infraction and subject to the provisions of Chapter 62, Civil Infractions, of the Code of the City of Lapeer.

ARTICLE IV. SEVERABILITY

This ordinance and its various articles, paragraphs and clauses thereof are hereby declared to be severable. If any article, paragraph or clause is adjudged unconstitutional or invalid, the remainder of this amendatory ordinance shall not be affected thereby.

ARTICLE V. CONFLICT

All ordinances and provisions of ordinances of the City of Lapeer in conflict herewith are hereby repealed.

ARTICLE VI. ADOPTION

This amendatory ordinance shall be published as required by law and shall take effect 7 days after publication.

CITY MANAGER'S REPORT

City Manager Womack commented on the rules of procedure for public comment, which was included in tonight's packet, indicating that with the increase in vitriol in government lately, wants to make sure we have everything in order and legal as the standards we enforce, asked for Commissioner comments on what is being proposed. He continued stating he will be looking at some dates for holding a Goals and Objectives meeting soon. Asked if the Commissioners would like to tour the Wastewater Treatment Plant.

CITY ATTORNEY'S REPORT

City Attorney Francis had no additional comments tonight.

UNFINISHED BUSINESS

220 2024 09-16 RESIGNATION FROM DOWNTOWN DEVELOPMENT AUTHORITY.

Moved by Atwood. Seconded by Swindell.

Accept the resignation of Tom LaMagna from the Downtown Development Authority and declare the seat vacant.

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

Nays: None.

MOTION CARRIED.

DEPARTMENTAL REPORTS

The Monthly Departmental Reports were received into the record.

PUBLIC COMMENTS

Six members of the public spoke about human trafficking and change in hours of the Adam and Eve store.

MAYOR/COMMISSIONER COMMENTS

Commissioner Petrie: Read a devotional; read the definition of complacency, every person needs to be cognizant of what complacency is and what it can do. Does not hate anyone or their business, thinks about how decision will affect our community for the future. In regard to the City hours changing, has had mixed reviews; would have liked the public to have more notice; has heard complaints. She is here to be a watchman on the wall; treats the money spent like her own, looks at everything including bids when it comes to spending. She was elected to be a watchman on the wall, not just for the City residents but for the community. Not all people in this community live in this City, they may be on the outskirts, but our City affects their community. Wants businesses to thrive as long as they are benefiting our City and bringing good to our City for the majority.

Commissioner Glisman: At the end of these meetings, she and Commissioner Petrie get scolded by Commissioner Swindell. Today she is going to do the scolding. There are people in this room that knocked on doors for herself, Commissioners Atwood, Brady, and Petrie and gave money to get them elected because they did not like what the former Commissioners were doing, or what they did to the City. She did not want to run for this seat, she wants to be retired, but she is here because she cares about this City, she cares about this community and cares about the State of Michigan. Commissioner Atwood and Commissioner Brady owe the people in the room an apology, because they did not do right by them. Does not like to scold people, but everyone has to stand up for what's right and their beliefs. If one does not believe in God, America, and the Constitution that is one thing, but if you are a true believe in the Lord Jesus Christ then you stand up for your beliefs.

Commissioner Swindell: Congratulated Commission Atwood for becoming Vice President of the Michigan Municipal League. September is Chiari Malformation Awareness month; she was diagnosed with it at age 36; her son has been diagnosed with it as well. Next weekend there is a fund raiser for the cause. This weekend is the Beaver Dash Bash, go have some fun at the fundraiser. Go check the awesome trails.

Commissioner Atwood: Will not do his preaching up here on the dais but will do that on the streets. Not here to tell people what to do or how to live, will do that on the streets. This ordinance has never been dealt with, and recommends the City Manager toughen it up, so we do not have to do this again. If you want to yell at him; where were all of you when marihuana came to town. Reached out and asked for help, no one came to help. If you want to preach at him, look in the mirror and preach at yourself. Morality is a heart issue, its within. Would the business owner be welcomed into your church service on a Sunday morning; if so, reach out to her, have a conversation with her. What about government overreach. We cannot categorize sin and say this one is worse than that one. It is difficult to sit here and vote and approve someone's business hours; one of the hardest things he's ever had to do as a Commissioner.

City Manager Womack: Thanked Ms. Bollman for showing up tonight, she knew it was going to be very difficult; she showed up and defended her business. We had a good discussion and is thankful for the Commission because we worked through a difficult issue. Some of the members of the public commented about human trafficking tonight and indicated that it is happening in the City. If anyone has knowledge about trafficking occurring, please report it to the police immediately. It is a very serious issue.

Mayor Marquardt: We are looking into what is the best way to have our meeting to be viewed by the public. There have been discussions regarding the poor quality in sound and streaming issues. However, there is no plan to eliminate the video option. Congratulated Commissioner Atwood on his appointment as Vice President of the MML. Read the list of local events. Thanked everyone for coming to the meeting tonight.

221 2024 09-16 ADJOURNMENT

There being no further business, Mayor Marquardt adjourned the regular meeting at 8:15 p.m.

Debbie Marquardt, Mayor

Romona Sanchez, City Clerk