

**LAPEER CITY COMMISSION  
MINUTES OF A REGULAR MEETING  
OCTOBER 21, 2024**

A regular meeting of the Lapeer City Commission was held October 21, 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, Swindell.

Absent: Commissioner Petrie.

City Manager: Mike Womack, present.

City Attorney: T. Allen Francis, present.

Mayor Marquardt led the Pledge of Allegiance.

**239 2024 10-21 EXCUSE COMMISSIONER**

Moved by Brady. Seconded by Glisman.

To excuse Commissioner Petrie from tonight's meeting.

Ayes: Atwood, Brady, Glisman, Swindell.

Nays: None.

MOTION CARRIED.

**240 2024 10-21 AGENDA APPROVAL**

Moved by Brady. Seconded by Glisman.

Approve the Agenda for October 21, 2024, as presented.

Ayes: Atwood, Brady, Glisman, Swindell.

Nays: None.

MOTION CARRIED.

**241 2024 10-21 MINUTES**

Moved by Glisman. Seconded by Swindell.

Approve the minutes of the regular meeting held October 7, 2024, as presented.

Ayes: Atwood, Brady, Glisman, 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, S. Saginaw, gave an invocation.

Dave Klaffer, Oregon Township, commented on the agenda.

John DeAngelis, Metamora Township, commented on the agenda.

Jacob LaRoy, Mayfield Township, commented on the agenda.

**242 2024 10-21 CONSENT AGENDA**

Moved by Atwood. Seconded by Swindell.

Approve the consent agenda for October 21, 2024, as presented:

1. Special Event: Treat Walk, Saturday, October 26, 2024, 12 p.m. – 2 p.m.
2. Special Event: Ladies Night Out, Friday, November 15, 2024, 5 p.m. – 9 p.m.
3. Special Event: Winterfest, Friday, December 6, 2024, 4 p.m. – 9 p.m. and Saturday, December 7, 2024.
4. City Wide Trick or Treat Hours – Thursday, October 31, 2024, 6 p.m.-8 p.m.

Ayes: Atwood, Brady, Glisman, Swindell.

Nays: None.

MOTION CARRIED.

**243 2024 10-21 BILL LISTING**

Moved by Glisman. Seconded by Atwood.

Approve the bill listing for October 21, 2024, in the amount of \$1,929,653.05.

ON A ROLL CALL VOTE.

Ayes: Atwood, Brady, Glisman, Swindell.

Nays: None.

MOTION CARRIED.

**PROCLAMATION, RECOGNITIONS AND RESOLUTIONS:**

**244 2024 10-21 PROCLAMATION - THOMAS WOOLLEY - RETIREMENT**

Moved by Brady. Seconded by Glisman.

Adopt the proclamation in recognition of Thomas Woolley as presented.

***CITY OF LAPEER  
Proclamation  
In Recognition of Thomas Woolley***

**WHEREAS**, Thomas Woolley officially began his employment with the City of Lapeer on September 14, 1988, as an Operator – Trainee; he was promoted to Operator/Industrial Surveillance in July 1994, and Operator/Lab Technician in August 2005, and to Waste Water Treatment Plant Superintendent in July 2020; and

**WHEREAS**, Tom, has given conscientious, responsible, and professional service to the citizens of the City of Lapeer and leaves those in the City of Lapeer proud to have known him and to have served with him; and

**WHEREAS**, Tom will retire on October 31, 2024, after more than 36 years of dedicated service to the City of Lapeer.

**THEREFORE, LET IT BE KNOWN**, that I, Mayor Debbie Marquardt, and the Lapeer City Commission wish to honor and express deep appreciation to **Thomas Woolley** for his efforts and devotion to public service and wish him continued success in his retirement.

**Dated this 21<sup>st</sup> day of October 2024.**

Ayes: Atwood, Brady, Glisman, Swindell.

Nays: None.

MOTION CARRIED.

**ADMINISTRATIVE REPORTS:**

**245 2024 10-21 ORDINANCE AMENDMENT – CHAPTER 38 BLIGHT**

Moved by Swindell. Seconded by Brady.

Adopt an amendment to Chapter 38 (Blight), § 38-5 Violations and penalties, of the General Ordinances of the City of Lapeer.

**CITY OF LAPEER  
LAPEER COUNTY, MICHIGAN  
ORDINANCE #: 2024-04**

**THE CITY OF LAPEER, LAPEER COUNTY, MICHIGAN ORDAINS:**

***ARTICLE I.***

That § 38-5 Violations and penalties, of the Lapeer Code of Ordinances, is modified to read in its entirety as follows:

§ 38-5 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 municipal civil infraction and subject to the provisions of Chapter 62, Civil Infractions, of the Code of the City of Lapeer.

***ARTICLE II. 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 III. CONFLICT.***

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

***ARTICLE IV. ADOPTION.***

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

Ayes: Atwood, Brady, Glisman, Swindell.

Nays: None.

MOTION CARRIED. AMENDMENT TO CHAPTER 38 DECLARED ADOPTED.

**246 2024 10-21 ORDINANCE AMENDMENT – CHAPTER 59 BUSINESS  
REGISTRATION**

Moved by Brady. Seconded by Swindell.

Adopt an amendment to Chapter 59, (Business Registration), § 59-9 Violations and penalties, of the General Ordinances of the City of Lapeer.

**CITY OF LAPEER  
LAPEER COUNTY, MICHIGAN  
ORDINANCE #: 2024-05**

**THE CITY OF LAPEER, LAPEER COUNTY, MICHIGAN ORDAINS:**

## **ARTICLE I.**

That § 59-9 Violations and penalties, of the Lapeer Code of Ordinances, is modified to read in its entirety as follows:

§ 59-9 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 municipal civil infraction and subject to the provisions of Chapter 62, Civil Infractions, of the Code of the City of Lapeer.

## **ARTICLE II. 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 III. CONFLICT**

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

## **ARTICLE IV. ADOPTION**

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

Ayes: Atwood, Brady, Glisman, Swindell.

Nays: None.

MOTION CARRIED. AMENDMENT TO CHAPTER 59 DECLARED ADOPTED.

## **247 2024 10-21 ORDINANCE AMENDMENT – CHAPTER 7 ZONING - REZONING – 3301 DAVISON ROAD**

Moved by Brady. Seconded by Glisman.

Adopt an Ordinance Amendment to Chapter 7 (Zoning Ordinance), Article 7.02.02(a)(38) of the General Ordinances of the City of Lapeer.

### **Ordinance No. 2024-08**

THE CITY OF LAPEER ORDAINS:

## **ARTICLE 7.02 MAPPED DISTRICTS 7.02.02 District Boundaries**

### **(a) Zoning District Amendments**

(38) The following described property formerly zoned I-1 Industrial is hereby rezoned to B-2 General Business:

- 3301 Davison Road (Parcel #L20-83-321-040-00)

AYES: Atwood, Brady, Glisman, Swindell,

NAYS: None.

MOTION CARRIED. AMENDMENT TO CHAPTER 7 ADOPTED.

**248 2024 10-21 MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY (MSHDA) MI-NEIGHBORHOOD GRANT APPLICATION.**

Moved by Glisman. Seconded by Swindell.

Adopt the resolution to allow the Housing Department to apply to the Michigan State Housing Development Authority (MSHDA) for the MI-Neighborhood Grant application round, in the amount of \$200,000.

**RESOLUTION TO APPROVE**

**MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY (MSHDA)  
MI-NEIGHBOR GRANT PROGRAM  
CITY OF LAPEER HOUSING IMPROVEMENT GRANT APPLICATION**

**RESOLUTION #2024-21**

**WHEREAS**, the City of Lapeer is interested in the continuing effort that is consistent with the local community development plan as described in the Application; and

**WHEREAS**, the Lapeer City Commission accepts the recommendation of the City of Lapeer Housing Improvement Department to apply for \$200,000 through the Michigan State Housing Development Authority MI-Neighborhood Grant Program for City of Lapeer Housing Improvement Grant; and

**WHEREAS**, the Michigan State Housing Development Authority requires a resolution authorizing the submission of the aforementioned grant application; and

**WHEREAS**, said City Commission authorizes the mayor to sign the grant application forms, grant agreement and related documents as required by MSHDA and allow the Director of Housing and Neighborhood Development and Grant Administrator to sign related grant documents, financial status reports for payment, and other required reports when allowed by MSHDA as required; and

**THEREFORE, BE IT RESOLVED** that the Lapeer City Commission authorizes the City of Lapeer Housing Improvement Department to submit the application for funding through the Michigan State Housing Development Authority's MI-Neighborhood Program for a City of Lapeer Housing Improvement Grant, authorizes the Mayor to sign grant application forms, grant agreement and related documents, and allow the Director of Housing and Neighborhood Development and Grant Administrator to sign related grant documents, financial status reports for payment, and other required reports when allowed by MSHDA as required on behalf of the City of Lapeer.

AYES: Atwood, Brady, Glisman, Swindell.

NAYES: None.

MOTION CARRIED AND RESOLUTION ADOPTED.

**249 2024 10-21 POSTPONE - AMENDMENT - RULES OF PROCEDURES OF THE CITY COMMISSION**

Moved by Glisman. Seconded by Brady.

Table the motion, amendment to the Rules of Procedures of the City of Lapeer, Public Participation at City Commission meetings, until the November 4, 2024, regular meeting.

Ayes: Atwood, Brady, Glisman, Swindell.

Nays: None.

MOTION CARRIED.

**250 2024 10-21 CITY OF LAPEER FRAUD POLICY**

Moved by Swindell. Seconded by Brady.

Adopt the Fraud Policy, with the change: Breaking of ~~some~~ any rules could result in formal action.

Ayes: Atwood, Brady, Glisman, Swindell.

Nays: None.

MOTION CARRIED.

**251 2024 10-21 COURT STREET BRIDGE MURAL**

Moved by Swindell. Seconded by Atwood.

Approve painting a mural on the Court Street Bridge, and authorize the Director of Parks, Recreation and Cemetery to sign all necessary documents.

There was a discussion about painting of murals on city property; questions if there is a policy about this; what has been done in the past and is there a precedence for this type of activity. Commissioners indicated they would like to see the design before any approval is given, rather than allowing complete artist freedom.

Commissioner Atwood withdrew his support for the motion. Commissioner Swindell withdrew her motion. There being no objections from the commission, the motion is withdrawn.

**252 2024 10-21 R.O.W. ENCROACHMENT, PUBLIC SIDEWALK AND SANITARY SEWER EASEMENT – WOODCHIPS**

Moved by Brady. Seconded by Atwood.

Approve of the Right-of-Way Encroachment Easement, the Public Sidewalk Easement and the Sanitary Sewer Easement with the Encroachment Easement being conditioned upon submission of a title commitment to the City and authorize the City Manager to sign all necessary documents.

Ayes: Atwood, Brady, Glisman, Swindell.

Nays: None.

MOTION CARRIED.

**253 2024 10-21 STORM AND SANITARY SEWER EASEMENTS - BOSTICK-TULLIUS**

Moved by Brady. Seconded by Atwood.

Approve of the Permanent Storm Sewer Line and Appurtenance Easement Agreement for Operation and Maintenance and Permanent Sanitary Sewer Line and Appurtenance Easement Agreement for Operation and Maintenance for parcel No. L20-83-304-240-06 and authorize the City Manager to sign all necessary documents.

Ayes: Atwood, Brady, Glisman, Swindell.

Nays: None.

MOTION CARRIED.

**CITY MANAGER'S REPORT**

City Manager Womack commented that there are six proposed ordinance amendments for the Commission to consider which would modify the Marihuana Ordinances; four are zoning related and two are regulatory. We are required to send these ordinances to the Planning Commission. There is a timing issue to consider, the Planning Commission meets on November 14, 2024, and the next City Commission meeting is November 18, 2024. If the City Commission does the first reading of the ordinance amendments at the November 18, 2024,

meeting, it would be possible to adopt the amendments into law at the first meeting in December. However, there is one more regular meeting, December 16, 2024. It is the recommendation to introduce the ordinances as suggested.

City Manager Womack suggested that the Goals and Objectives take place in January 2025, as can the first step in the budget process. Parking lot #5 has been completed and looks great. Halloween is the most dangerous time of the year for kids to be hit by cars. The Housing Department, Police and Fire Departments have Halloween lights available for kids this year; stop by the public safety building to pick them up.

We have been working on IT safety recently; we are working on identifying our shortcomings and weaknesses. We are a little behind where we originally thought we were; however, we will continue to improve.

The four (4) day/10-hour work schedule has been overwhelmingly positive for all those involved. This has been a very positive experience for both citizens and staff. Several unions have voted in favor. Without objection, we would like to extend this schedule as permanent. We want to be more accessible to the public. If there are any concerns, please contact the City Manager's office. As a reminder, the DPW will revert to a 5-day work schedule for the winter months to reduce the number of overtime hours for snowplowing.

### **CITY ATTORNEY'S REPORT**

City Attorney Francis echoed the City Manager's comments on the work that has been done on the marijuana ordinances.

### **UNFINISHED BUSINESS**

#### **254 2024 10-21 APPOINTMENT – DOWNTOWN DEVELOPMENT AUTHORITY**

Moved by Brady. Seconded by Atwood.

To confirm the mayor's appointment of Tamara Cutcher to the Downtown Development Authority for a term to expire January 1, 2028.

Ayes: Atwood, Brady, Glisman, Swindell.

Nays: None.

MOTION CARRIED.

### **DEPARTMENTAL REPORTS**

The Monthly Departmental Reports were received into the record.

### **PUBLIC COMMENTS**

Bernadette Treece commented on commissioner contact information.

### **MAYOR/COMMISSIONER COMMENTS**

Commissioner Brady: Thanked the City Manager for his hard work and getting parking lot #5 completed.

Commissioner Swindell: Halloween is coming; there are many events in and around the city, please be vigilant and watch out for the kids. It is the most dangerous time of year for kids.

Commissioner Glisman: Thanked Ms. Hanna for talking with her about the fraud policy. Thanked Mr. Church for giving her a tour of the city parks. Attended her first cemetery board meeting last week, the cemetery looks good. Gives kudos to the Cemetery Board members

and is very impressed with all of them. Special kudos to Marge Alexander for all her hard work with the data entry, photography and record keeping regarding the cemetery, she has done a stellar job. Shared some comments from Commissioner Petrie. Don't forget to Vote.

Commissioner Atwood: Rides his bike with a purpose, looking at areas in and around the city, then reports back to the City Manager. We have accomplished a lot this year and thanked City staff for all their efforts and grant funding received.

City Manager Womack: Thanks Commissioner Atwood for all his texts about issues, as he likes to know if there are issues that need to be addressed. Thanked city staff for all their hard work. Today, October 21, 1805, was the battle of Trafalgar between the British Royal Navy and the combined fleets of the French and Spanish Navies.

Mayor Marquardt: Read the list of local events. Absentee ballots are available. Early in-person voting begins this Saturday, October 26, 2024, and runs through Sunday, November 3, 2024, between the hours of 8:30 am and 4:30 pm. Get out and vote, your vote counts. Thrilled with parking lot #5. Thanked the staff.

**254 2024 10-21 ADJOURNMENT**

Having no further business, Mayor Marquardt adjourned the regular meeting at 7:33 p.m.

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Debbie Marquardt, Mayor

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Romona Sanchez, City Clerk