

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
DECEMBER 21, 2020**

A regular meeting of the Lapeer City Commission was held December 21, 2020 electronically via *Zoom* 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.

281 2020 12-21 AGENDA APPROVAL

Moved by Cattane. Seconded by Atwood.

Approve the Agenda for December 21, 2020 as presented.

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED.

282 2020 12-21 MINUTES

Moved by Osentoski. Seconded by Pattison.

Approve the minutes of the Regular Meeting held December 7, 2020, as presented.

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED.

PUBLIC COMMENTS

None.

283 2020 12-21 CONSENT AGENDA

Moved by Cattane. Seconded by Atwood.

Approve the Consent Agenda for December 21, 2020 resulting in the following:

1. Approve the disposal of a 2006 GMC Sierra 1500 4x4 with 80,048 miles; VIN# 3GTEK14V36G198427; Asset # 300023; which will be sold on auction site GovDeals.

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

None.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

284 2020 12-21 BILL LISTING APPROVAL

Moved by Cattane. Seconded by Stroh.

Approve the Bill Listing for December 1, 2020 through December 16, 2020 in the amount of \$1,179,111.19.

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED.

285 2020 12-21 MASTER PLAN FINAL AUTHORITY OPTION

Moved by Cattane. Seconded by Pattison.

Approve the resolution allowing the Lapeer City Commission to have final approval over the City of Lapeer's Master Plan, after it is approved by the City of Lapeer Planning Commission.

LAPEER CITY COMMISSION, LAPEER COUNTY, MICHIGAN CITY OF LAPEER MASTER PLAN

WHEREAS the City Commission established a Planning Commission to prepare plans for the development of the City, and

WHEREAS the Michigan Planning Enabling Act, PA 33 of 2008 establishes the procedures for the development and adoption of Master Plans, and

WHEREAS the Michigan Planning Enabling Act provides the City Commission with the option of assuming for themselves the right of final approval of a Master Plan adopted by the Planning Commission, and

WHEREAS the City of Lapeer Planning Commission has prepared an update to the City of Lapeer Master Plan and has presented it to the City Commission to authorize a public hearing on the plan, now

THEREFORE BE IT RESOLVED that the City Commission reserves for itself the right to final approval of the City of Lapeer Master Plan as authorized under the Michigan Planning Enabling Act.

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED.

286 2020 12-21 IT RIGHT CONTRACT FOR SERVICES

Moved by Osentoski. Seconded by Stroh.

Approve the IT Right Contract for IT Services for the City of Lapeer and allow the City Manager to sign all appropriate documentation.

ON A ROLL CALL VOTE:

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

Nays: None.

Absent: None.

MOTION CARRIED.

287 2020 12-21 INTRODUCTION - TEXT AMENDMENT TO SEC 7-4.02, 7-06.2, 7-16.02, 7-13.01 & 7-24.03

Commissioner Pattison. introduced an Ordinance Amendment to allow of transition housing to be a standalone use in the City of Lapeer because it meets standards 1 and 5 in Sec. 7-23.06.A.

Transitional Housing Text Amendment
Article 4 Multiple – Family Residential Districts

Sec. 7-4.02 Schedule of uses.

Table 7.04.1 Multiple Family Residential Districts Schedule of Uses

| Use | RM-1 | RM-2 | Additional Requirements |
|-------------------------|------|------|-------------------------|
| Residential Uses | | | |
| Transitional Housing | SLU | SLU | Sec. 7-13.01.D |

Article 6 Business and Office Districts

Sec. 7-06.02 Schedule of uses.

Table 7.06.1 Business and Office Districts Schedule of Uses

| Use | OS-1 | B-1 | B-2 | B-3 | Additional Requirements |
|-------------------------|------|-----|-----|-----|-------------------------|
| Residential Uses | | | | | |
| Transitional Housing | | | SLU | SLU | Sec. 7-13.01.D |

Article 16 Parking, Loading, Access and Circulation Requirements

Sec. 7-16.02 Number of spaces required.

Table 7.16.1 Parking Space Numerical Requirements

| Residential | |
|----------------------|--|
| Transitional Housing | Off-street parking shall be provided at a rate of one (1) vehicle parking space per employee/volunteer on the largest shift plus one vehicle parking space for every six (6) beds. |

Article 13 Use Requirements

7-13.01 Residential uses.

D. Transitional Housing

- (1) Community Need Standards. Any application for transitional housing must demonstrate that the housing is needed to take care of the homeless needs that exist within the greater Lapeer area.
- (2) The transitional housing must be associated with a charitable association, such as a 501 (c) organization or a governmental agency.
- (3) Transitional housing shall comply with all applicable federal and Michigan statutory requirements.

- (4) Transitional housing shall comply with all applicable Building and Fire Codes, including maximum occupancy restrictions.
- (5) If the transitional housing organization plans to offer drug or alcohol abuse counseling to residents of the shelter, the applicant shall advise the city on any state licensing that may be required and demonstrate compliance as appropriate.
- (6) Prior to occupancy, the Lapeer Building Code & Fire Code Officials shall approve the maximum number of beds allowed in a facility. In an emergency situation (as declared by local emergency management officials, the Lapeer Fire Marshal may allow a facility to add additional beds as if appropriate given the occupancy constraints of the building.
- (7) The building shall provide 100 square feet of heated building space per person staying overnight at the facility.
- (8) The facility shall not be located within one thousand (1,000) feet of a PreKindergarten through Grade 12 School.
- (9) Overnight sleeping accommodations shall be offered for little or no financial compensation, and shall be operated in a manner that encourages short term occupancy by residents.
- (10) Smoke alarms and carbon monoxide detectors, approved by the Lapeer Building Code & Fire Code Officials, must be provided in all sleeping and food preparation areas. The number of devices required will be dependent on the layout of the facility.
- (11) Adequate management, support staff and security must be present during the hours of operation of the facility. A minimum of one (1) supervisory level staff member must be present on the site during all hours of operation. Management staff must make best efforts to ensure that loitering does not occur on the property at any time and must ensure that clients are not creating a nuisance to the neighborhood.
- (12) Management Policies. An applicant for transitional housing, as part of the application process, shall prepare and file with the City its management policies as they relate to the following:
 - (a) A residential identification process
 - (b) Staffing/volunteer levels and provisions for staff and volunteer training
 - (c) neighborhood outreach
 - (d) length of stay of residents
 - (e) Hours of operation and standard lights-out
 - (f) Policies regarding safety and security and to include emergencies
 - (g) Smoking policy to include identification of areas where smoking is to be permitted on the site
 - (h) A written fire safety and emergency escape plan
- (13) Operators shall keep a list to account for all persons staying at the facility and the register shall be available for inspection by City Public Safety, Housing, Building or Health Officials at any time.

Article 24 Terminology

Sec. 7-24.03 Definitions.

TRANSITIONAL HOUSING - A facility which is operated by a government or a nonprofit agency providing interim sleeping and bath accommodations; interim eating and cooking facilities; and professional services to assist individuals or families in locating permanent housing.

CITY MANAGER'S REPORT

City Manager Kerbyson thanked the Commission for approving the IT Right Contract; it is a cost savings multiple year contract; excited to begin the onboarding process next week; City will be moving to Office365 which should help with some of the issues we have been having.

CITY ATTORNEY'S REPORT

City Attorney Nolan wished everyone a Merry Christmas and Happy Holidays.

UNFINISHED BUSINESS

288 2020 12-21 APPOINTMENT - DOWNTOWN DEVELOPMENT AUTHORITY

Appointment by Mayor Marquardt. Moved by Pattison. Seconded by Atwood.

To appoint Daniel Gerlach, Jeff Hogan and Dan Osentoski to the Downtown Development Authority for a term to expire January 1, 2025.

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

Nays: None.

Absent: None.

MOTION CARRIED.

289 2020 12-21 APPOINTMENT – LAPEER HOUSING COMMISSION

Appointment by Mayor Marquardt. Moved by Osentoski. Seconded by Atwood.

To appoint Lisa Lie to the Lapeer Housing Commission for a term to expire August 1, 2023.

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

Nays: None.

Absent: None.

MOTION CARRIED.

290 2020 12-21 APPOINTMENT – LAPEER HOUSING BOARD OF APPEALS

Appointment by Mayor Marquardt. Moved by Osentoski. Seconded by Pattison.

To appoint Lisa Lie to the Lapeer Housing Board of Appeals for a term to expire May 1, 2023.

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

Nays: None.

Absent: None.

MOTION CARRIED.

291 2020 12-21 APPOINTMENT – LAPEER NEIGHBORHOODS, INC.

Appointment by Mayor Marquardt. Moved by Osentoski. Seconded by Atwood.

To appoint Lisa Lie to the Lapeer Neighborhoods, Inc. for a term to expire August 1, 2021.

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

Nays: None.

Absent: None.

MOTION CARRIED.

292 2020 12-21 APPOINTMENT – BOARD OF REVIEW

Moved by Osentoski. Seconded by Stroh.

To appoint Bruce Huber to the Board of Review for a term to expire January 1, 2022.

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

Nays: None.

Absent: None.

MOTION CARRIED.

DEPARTMENTAL COMMUNICATIONS

The Monthly Departmental Reports; Downtown Development Authority, Quarterly Investment Reports ending, September 30, 2020 and Medical Marihuana Licenses Updated Listing were received into the record.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Atwood: Merry Christmas and Happy New Year; stay safe and healthy.

Commissioner Osentoski: Happy Holidays and stay safe.

Commissioner Cattane: It has been a tough year; Merry Christmas to one and all in the community; goodwill towards to others; helps others when you can; be thankful for your blessings; next year will be better.

Commissioner Stroh: Merry Christmas and Happy New Year; challenge the other Commissioners to make a push for donations this year to area food service programs and such; many families are in need of food service programs this year; be healthy going forward.

Commissioner Pattison: Merry Christmas and Happy Holidays; support Lapeer stores and business where you can; be healthy going forward.

City Manager Kerbyson: Happy Healthy Merry Christmas and Happy New Year and stay safe.

Mayor Marquardt: Very Merry Christmas to all; thank you to all the City staff and department heads; shop small businesses around town and Lapeer. Spoke to a concerned citizen about the rise of COVID-19 cases in and around Lapeer; she would like to see community resources combined to reduce the spread of the virus.

293 2020 12-21 ADJOURNMENT

Moved by Cattane.

Adjourn the regular meeting at 6:57 p.m.

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

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 6:57 p.m.

Debbie Marquardt, Mayor

Romona Sanchez, City Clerk

Tracey S. Russell, Deputy City Clerk