

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
NOVEMBER 18, 2019**

Prior to the start of the regular meeting, Honorable Laura Cheger Barnard, 71A District Court Judge presided over the Swearing-In Ceremony of the Mayor Elect Debbie Marquardt and Commissioners Elect Joshua Atwood, Eric Cattane, Jeff Pattison and Tony Stroh.

A regular meeting of the Lapeer City Commission was held November 18, 2019 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:35 p.m.

ROLL CALL

Present: Mayor Marquardt.

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

Absent: None.

City Manager: Dale Kerbyson, present.

City Attorney, Michael Nolan

Mayor Marquardt led the Pledge of Allegiance.

241 2019 11-18 ELECTION OF MAYOR PRO-TEM.

Moved by Cattane. Seconded by Stroh.

Approve Commissioner Pattison as Mayor Pro-Tem.

Ayes: Cattane, Osentoski, Pattison, Stroh.

Nays: Atwood.

MOTION CARRIED.

242 2019 11-18 ADDITION TO AGENDA.

Moved by Pattison. Seconded by Osentoski.

Add Item H-2 presentation of Public Advisory for Drinking Water Customers.

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

Nays: None.

MOTION CARRIED.

243 2019 11-18 AGENDA APPROVAL.

Moved by Osentoski. Seconded by Pattison.

Approve the Agenda for November 18, 2019 with addition.

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

Nays: None.

MOTION CARRIED.

244 2019 11-18 MINUTES.

Moved by Osentoski. Seconded by Cattane.

Approve the minutes of the Regular & Closed Session meeting held November 4, 2019 and Special Meeting held November 7, 2019.

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

Nays: None.

MOTION CARRIED.

PUBLIC COMMENTS.

Mike Bahoura congratulated the Mayor and asked the Commission to consider allowing recreational marihuana into the City of Lapeer.

Jenny Burkhart, Lapeer, gave an invocation.

245 2019 11-18 CONSENT AGENDA.

Moved by Osentoski. Seconded by Stroh.

Approve the Consent Agenda for November 18 2019 resulting in the following:

1. Special Event Request: Lapeer Downtown Development Authority.

2. Budget Adjustment for Interfund Transfer.

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

Nays: None.

MOTION CARRIED.

246 2019 11-18 BILL LISTING FOR NOVEMBER 18, 2019.

Moved by Atwood. Seconded by Pattison.

Approve the Bill Listing for November 18, 2019 in the amount of \$467,056.30.

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

Nays: None.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

None.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

247 2019 11-18 Medical Marihuana Assessment 2019.

Moved by Osentoski. Seconded by Stroh.

To keep the same number limit for medical marihuana facilities as is.

Caitlyn Habben, Planning Consultant from Rowe Professional Services provided the Commission with an update of the Medical Marihuana establishments in the City and a review of the entire City of Lapeer as well, since June of 2018.

Commissioner Stroh asked how the City arrived at the decision to limit provisioning centers to six (6) throughout the City. Ms. Habben stated that there was a review of what other communities of similar size were doing and it is a quantifiable number in comparison to the number of drug stores in the area. City Manager Kerbyson stated that we were anticipating 21 applications were going to be submitted which was also taken into consideration.

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

Nays: None.

MOTION CARRIED.

248 2019 11-18 Capital Improvement Program (CIP) Public Safety – Police In-Car Video Recording Equipment. Project #20050.

Moved by Atwood. Seconded by Cattane.

Approve the purchase of In-Car Video recording equipment and related computer server system in the amount of \$17,743.00.

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

Nays: None.

MOTION CARRIED.

249 2019 11-18 Lapeer Main Street, Michigan Main Street Program – Selected Level Continued.

Moved by Osentoski. Seconded by Pattison.

To approve the City Manager to sign the Michigan Main Street Program Community Requirements and Expectations Agreement and to approve the resolution of support and cooperation of Michigan Main Street.

LAPEER CITY COMMISSION
RESOLUTION OF SUPPORT AND COOPERATION
MICHIGAN MAIN STREET PROGRAM

WHEREAS, the City of Lapeer Downtown Development Authority has fulfilled the requirements of the Associate Level of the Michigan Main Street Program and has been awarded the status of Select Level Michigan Main Street community; and

WHEREAS, the Lapeer City Commission and its Downtown Development Authority recognize the importance of the downtown district to the community and region; and

WHEREAS, the downtown district is vital to our community's identity and quality of life and it is the City's intent to reverse the historic trend which has led to the loss of

population, jobs and businesses in the downtown district and to work on the continued improvement, revitalization and development of the downtown district.

NOW, THEREFORE, BE IT RESOLVED that the Lapeer City Commission will support and provide cooperation with its Downtown Development Authority to fulfill the requirements of the Select Level Michigan Main Street Program in 2020.

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

Nays: None.

MOTION CARRIED. RESOLUTION DECLARED ADOPTED.

250 2019 11-18 Contract With Rowe Professional Services For Millville Road Rehabilitation. Project #22300.

Moved by Atwood. Seconded by Osentoski.

Approve the contract with Rowe Professional Services for Design Engineering Services for the Millville Road Rehabilitation project in the amount of \$85,300.

City Manager Kerbyson stated this a part of a Michigan Department of Transportation Illustrative grant project to reconstruct Millville Road, which was submitted under the Small Urban Task Force. Matching funds was committed to the project at the October 21, 2019 meeting.

Commissioner Stroh asked how much of the total project is being funded by the City. City Manager Kerbyson stated the grant cap is \$375,000. on Small Urban Projects.

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

Nays: None.

MOTION CARRIED.

251 2019 11-18 Contract With Rowe Professional Services for Millville Road Water Main. Project #22310.

Moved by Cattane. Seconded by Stroh.

Approve the contract with Rowe Professional Services for Design Engineering Services for the Millville Road Water Main Replacement project in the amount of \$29,400.

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

Nays: None.

MOTION CARRIED.

252 2019 11-18 Strength Environmental Service Agreement for Removal and Processing of PFOS tainted Biosolid within the Waste Water Treatment Plant.

Moved by Pattison. Seconded by Osentoski.

Approve the service agreement with Strength Environmental in the amount of \$350,400; not to exceed \$375,000.

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

Nays: None.

MOTION CARRIED.

CITY MANAGER'S REPORT

City Manager Dale Kerbyson reported that there will be an informational class on the hazards of Carbon Monoxide in grow facilities December 2, 2019 at the Public Safety Building.

Department of Public Works Director Pam Reid gave a presentation on Public Advisory for Drinking Water Customers.

CITY ATTORNEY'S REPORT

City Attorney Michael Nolan congratulated the new Mayor and Commissioners and stated the City Department Heads are really good at what they do. Also, of the five (5) original lawsuits regarding Medical Marihuana, only two (2) remain and are in the discovery phase.

UNFINISHED BUSINESS:

253 2019 11-18 Appointment to Planning Commission.

Appointed by Mayor Marquardt. Moved by Pattison. Seconded by Cattane.

Appoint Catherine Bostick-Tullius to the Planning Commission, terming ending 08-01-2022.

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

Nays: None.

MOTION CARRIED.

254 2019 11-18 Appointment to Greater Lapeer Transportation Authority (GLTA).

Moved by Commissioner Stroh. Seconded by Cattane.

Appoint Russell Adams to the Greater Lapeer Transportation Authority, as a City Representative.

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

Nays: None.

MOTION CARRIED.

255 2019 11-18 Appointment to Zoning Board of Appeals.

Moved by Commissioner Stroh. Seconded by Pattison.

Appoint Eric Cattane to the Zoning Board of Appeals, term ending with Commission Appointment (Nov 2023).

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

Nays: None.

MOTION CARRIED.

DEPARTMENTAL COMMUNICATIONS

The Downtown Development Authority Status Update and the Medical Marihuana Licenses Provisioning Center, Grower, Processor, Secure Transporter, Safety Compliance Facility Update were received into the record.

PUBLIC COMMENTS

None.

MAYOR/COMMISSIONER COMMENTS

Commissioner Cattane: Thanked everyone for coming; appreciates community; thanked previous commissioners and looks forward to working with the group.

Commissioner Atwood: Congratulated the new Mayor and Commissioners; thanked voters for re-election; looks forward to working with the new commission.

Commissioner Stroh: Echoed everyone's comments; happy to be back in Michigan; this is a great opportunity to make significant growth; thank you for the support.

Commissioner Osentoski: Congratulated the Mayor and fellow commissioners; of the 1700 cities in the State of Michigan, roughly 1300 or 70% have opted out of recreational marihuana sales in those cities.

Commissioner Pattison: Lapeer is home; proud of the City; thanked everyone; and is available by phone.

City Manager Kerbyson: It will be a lot of fun working with this commission and this will be a very busy time to come; thanked those that volunteered for boards.

Mayor Marquardt: provided reminders of upcoming events; wished everyone a Happy Thanksgiving; excited for the next couple of years; thank you for your support and encouragement; looks forward to working with the Department Heads and know that the City is in good hands.

256 2019 11-18 ADJOURNMENT

Moved by Cattane.

Adjourn the regular meeting.

MOTION CARRIED.

The regular meeting adjourned at 7:43 p.m.

Mayor Debbie Marquardt

Romona Sanchez, City Clerk

Tracey S. Russell, Deputy City Clerk