



CITY OF ALBION CITY COUNCIL MEETING AGENDA

Meetings: First and Third Mondays – 7:00 p.m.

City Council Chambers ♦ Second Floor ♦ 112 West Cass Street ♦ Albion, MI 49224

COUNCIL-MANAGER
GOVERNMENT

Council members and
other officials normally in
attendance.

David Atchison
Mayor

Council Member
1st Precinct

Lenn Reid
Council Member
2nd Precinct

Sonya Brown
Mayor Pro-Tem
Council Member
3rd Precinct

Marcola Lawler
Council Member
4th Precinct

Jeanette Spicer
Council Member
5th Precinct

Shane Williamson
Council Member
6th Precinct

LaTonya Rufus
City Manager

The Harkness Law Firm
Atty Cullen Harkness

Jill Domingo
City Clerk

NOTICE FOR PERSONS WITH
HEARING IMPAIRMENTS
WHO REQUIRE THE USE OF A
PORTABLE LISTENING DEVICE

Please contact the City
Clerk's office at
517.629.5535 and a listening
device will be provided
upon notification. If you
require a signer, please
notify City Hall at least five
(5) days prior to the posted
meeting time.

AGENDA

COUNCIL MEETING Monday, January 7, 2019

7:00 P.M.

PLEASE TURN OFF CELL PHONES DURING MEETING

- I. CALL TO ORDER
- II. MOMENT OF SILENCE TO BE OBSERVED
- III. PLEDGE OF ALLEGIANCE
- IV. ROLL CALL
- V. APPROVAL OF THE AGENDA (Includes any proposed additions, deletions or other changes to the agenda)
- VI. PRESENTATIONS AND RECOGNITIONS
 - A. Project Rising Tide Update-Linda LaNoue
- VII. PUBLIC HEARING
- VIII. PUBLIC COMMENTS (Persons addressing the City Council shall limit their comments to **agenda items only** and to no more than three (3) minutes. Proper decorum is required.)
- IX. CLOSED SESSION
- X. CONSENT CALENDAR (VV) (Items on Consent Calendar are voted on as one unit)
 - A. Approval Regular Session Minutes, December 17, 2018
- XI. ITEMS FOR INDIVIDUAL DISCUSSION
 - A. Request Approval 1st Reading Ordinance # 2019-01, An Ordinance to Add Chapter 37 Emergency Services Cost Recovery
 - B. Discussion/Approval 1st Reading Ordinance # 2019-02, An Ordinance to Prohibit Marihuana Establishments and Create Article VI of Chapter 22 of the Albion Code of Ordinances
 - C. Discussion-Process for Precinct 1 Applications



CITY OF ALBION

CITY COUNCIL MEETING AGENDA

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City Council Chambers ♦ Second Floor ♦ 112 West Cass Street ♦ Albion, MI 49224

D. Discussion/Amendment to Ordinance # 95-3, Section 2-384,
Purchases and Bids Generally

E. Request Approval of Bills

- Wightman-\$13,623.98
- Wightman-\$13,366.25
- Calhoun County Dispatch-\$23,739.55

F. Discussion City Manager Goals

G. Discussion MML Training Opportunities for City Council

H. Request Approval for Boards & Commissions Appointments & Re-Appointments:

- Nidia Wolf-DDA, Reappointment, Term to Expire 12-31-2022
- Joyce Washington, Albion Housing Commission, Reappointment, Term to Expire 12-31-2023

XII. FUTURE AGENDA ITEMS

XIII. PUBLIC COMMENTS (Persons addressing the City Council shall limit their comments to no more than three (3) minutes. Proper decorum is required).

XIV. CITY MANAGER REPORT

XV. MAYOR AND COUNCIL MEMBER COMMENTS

XVI. MOTION TO EXCUSE ABSENT COUNCIL MEMBER (S)

XVII. ROLL CALL

XVIII. ADJOURN

City of Albion
Council Session Minutes
December 17, 2018

I. CALL TO ORDER

Mayor Atchison called the regular meeting to order at 7:00 p.m.

II. MOMENT OF SILENCE TO BE OBSERVED

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

PRESENT: Lenn Reid (2), Sonya Brown (3), Marcola Lawler (4), Jeanette Spicer (5), Shane Williamson (6) and Mayor Atchison.

ABSENT: All members were present

STAFF PRESENT:

LaTonya Rufus, City Manager; Scott Kipp, Chief Public Safety; Cullen Harkness, City Attorney, Jill Domingo, City Clerk; Kent Phillips, Interim Director Public Services; Tom Mead, Finance Director, John Tracy, Director Planning, Building & Code Enforcement; Jason Kern, Deputy Chief Public Safety; Larry Williams, Recreation Director and Haley Snyder, Deputy Clerk Treasurer.

V. APPROVAL OF THE AGENDA (Includes any proposed additions, deletions or other changes to the agenda)

Brown moved, Reid supported, CARRIED, to Approve the Agenda as presented. (6-0, vv)

VI. PRESENTATIONS

A. Certificate of Recognition for Ian Lee's Eagle Scout Award

Mayor Atchison read aloud and presented to Ian Lee the Certificate of Recognition for his Eagle Scout Award.

B. City Auction

Deputy Chief Public Safety Kern gave an overview the City auction equipment. It will first be offered to City employees at fair market value per ordinance and then will be offered to the public.

C. Wellness Program

City Manager Rufus gave a brief introduction to the Wellness Program. Deputy Chief Public Safety Kern stated the old fire barn will be converted into an employee gym utilizing equipment received from the military program. The wellness program will help to drop the health insurance rates for the City.

D. S Squared Project (sidewalks and street signs)

Kent Phillips, Interim Director Public Services and Emily Smith, AmeriCorps Vista member gave a brief presentation on the S Squared project. The program will be an assessment of sidewalks and street signs by precinct which will then be entered on the City's GIS system. On January 5th, 2019 at 1:00 p.m., members of the AmeriCorps Vista program, Build Albion Fellows and members of the community are asked to meet at City Hall for a brief training and then will begin the assessment process. Council Members are encouraged to take part in the program in their precinct.

Comments were received from Council Members Reid, Brown and Spicer and City Manager Rufus.

E. SAW Grant Presentation

Jeff Wingard, Fleis & Vanderbrink gave a brief overview of the SAW grant and stated the sewer rate study was the last piece of the grant so the grant is now complete. He then introduced Dawn Lund, Utility Financial Solutions, LLC. To discuss the sewer rate study.

Ms. Lund discussed the following analysis for the City:

- Financial Projections & Targets
 - Debt coverage ratio
 - Minimum cash
 - Target operating income
- Recommended Rate Track
- Recommended rate design & impacts

Ms. Lund recommends a 7.5% increase in the sewer rates per year for the next five (5) years.

F. Vista Presentation

Andrew French, AmeriCorps Vista Supervisor gave a brief overview of the AmeriCorps Vista Program. This is the second of the third year of the

program. The AmeriCorps Vista team have participated in the Albion Job Fair, Fun Fit Food, Diabetes Cooking Class, Famers Market Kick-Off, Albion Aglow Parade just to name a few. He stated they have partnered with several entities throughout the City and hopes to have continued support of the program in 2019.

VII. PUBLIC HEARINGS-None

VIII. PUBLIC Comments (Persons addressing the City Council shall limit their comments to agenda items and to no more than three (3) minutes. Proper decorum is required.)

Comments were received from Al Smith, 1209 Adams St; Susan Conner, 811 E. Michigan Avenue; Andrew French, 702 E. Erie St; Garrett Brown, 1016 S. Superior St; Council Member Reid and Mayor Atchison.

IX. CLOSED SESSION-None

X. CONSENT CALENDAR (vv) (Items on Consent Calendar are voted on as one unit)

A. Approval of Regular Session Minutes, December 3, 2018

Comments were received from Mayor Atchison and City Manager Rufus.

**Council Member Brown called for Point of Order as there should be no discussion on the Consent Calendar items.*

Spicer moved, Reid supported, CARRIED, to Approve the Consent Calendar as presented. (6-0, vv)

XI. ITEMS FOR INDIVIDUAL DISCUSSION

A. Request Approval Resolution # 2018-32, To Reaffirm Faith in Albion's Government

Comments were received from Council Members Brown, Lawler, Williamson, Reid and Spicer; Mayor Atchison and City Manager Rufus.

Council Member Williamson Called the Question.

Williamson moved, Brown supported, CARRIED, to Call the Question. (6-0, vv)

Brown moved, Williamson supported, to **POSTPONE**, Approval of Resolution # 2018-32, To Reaffirm Faith in Albion's Government until a later date. (6-0, vv)

B. Request Approval Resolution # 2018-33, Fiscal Year 2019 Budget Appropriation

Comments were received from Council Members Williamson and Brown; Mayor Atchison and City Manager Rufus.

Brown moved, Lawler supported, **CARRIED**, To Approve Resolution # 2018-33, Fiscal Year 2019 Budget Appropriation as presented. (6-0, rcv)

C. Request Approval Resolution # 2018-34, FY 2018 Budget Amendment

Brown moved, Williamson supported, **CARRIED**, to Approve Resolution # 2018-34, FY 2018 Budget Amendment as presented. (6-0, rcv)

D. Request Approval Resolution # 2018-35, A Resolution to Declare Precinct #1 Council Seat Vacant

Comments were received from Council Members Brown, Spicer and Williamson; Mayor Atchison and City Attorney Harkness.

Brown moved, Reid supported, **CARRIED**, To Approve Resolution # 2018-35, A Resolution to Declare Precinct #1 Council Seat Vacant as presented. (6-0, rcv)

Council will take applications for Precinct 1 Council Seat up until Wednesday, January 16, 2019.

**Council Member Lawler asked for Privilege. She left at 9:00 p.m.*

E. Request Approval for \$10,000 Grant Application from Marshall Community Foundation for Albion Trail Expansion

Comments were received from Council Member Spicer, City Manager Rufus and Mark Lelle.

**Council Member Brown asked for Point of Order, a motion must be made before discussion.*

Williamson moved, Reid supported, **CARRIED** to Approve \$10,000 Grant Application from Marshall Community Foundation for Albion Trail Expansion as presented. (5-0, rcv)

F. Discussion Ordinance # 2019-01, Emergency Service Cost of Recovery

City Attorney Harkness stated that currently Public Safety only seeks recovery of costs as a result of dealing with operating while intoxicated offenses. MCL 41.806a allows the council to adopt an ordinance to collect fees to the provision of police and fire emergency responses. Ordinance # 2019-01 outlines when the city will seek reimbursement for emergency response in certain situations. This ordinance will defray some costs in having to providing certain emergency services.

Comments were received from City Manager Rufus.

G. Request Approval of Consent Agreement with Sheridan Township

Comments were received from Council Members Spicer, Williamson and Brown and City Attorney Harkness.

Spicer moved, Brown supported, CARRIED to Approve Consent Agreement with Sheridan Township as presented. (5-0, rcv)

H. Request Approval of Bills

- Wex Bank \$5,573.71 (Fuel for City Departments)
- Consumers Energy-\$13,348.41 (Street Lights)
- Michigan AgriBusiness Solutions-\$19,047.60 (Liquid land application)
- Carr Brothers-\$5,750.00 (Crushed stone)
- Consumers Energy-\$10,665.22 (WWTP Electric)

Mayor Atchison asked for a motion to approve all five bills with one motion.

Comments were received from Council Members Williamson and Brown and City Manager Rufus.

Brown moved, Spicer supported, CARRIED, To Approve Bills as presented. (5-0, rcv)

I. Request to Close City Hall on Thursday (December 20th) & Friday (December 21st) from 1 p.m. to 5 p.m.

Comments were received from Council Member Williamson and Mayor Atchison.

Spicer moved, Brown supported, CARRIED, To Approve Close City Hall on Thursday (December 20th) & Friday (December 21st) from 1 p.m. to 5 p.m. (5-0, vv)

XII. Future Agenda Items

The following items were requested for the next agenda:

- City Attorney Harkness asked for 1st reading of Ordinance # 2019-01
- Council Member Williamson stated Council Member Lawler asked before leaving to add a study session to review Attorney Smith video
- Council Member Spicer asked to add increasing/changing the City Manager's \$5,000 approval for bills
- Council Member Brown asked for Council training through the Michigan Municipal League. *City Manager Rufus stated dates for the MML training will not be available until January.*

XIII. PUBLIC COMMENTS (Persons addressing the City Council shall limit their comments to no more than three (3) minutes. Proper decorum is required).

Comments were received from Serena Smith, 903 Burr Oak and Mark Lane, 301 W. Erie St, Apt 118.

XIV. CITY MANAGER REPORT

City Manager Rufus gave the following report:

She is working on the following:

Calhoun County Land Bank- discuss projects and working together to ensure that all parties are benefitting from the CCLB projects

Economic Development Committee Meeting-the Board approved a raise for the Executive Director and discussed the Food Hub's space being utilized for holiday baking and cooking needs.

Commissioner Gary Thompkins- discuss the plans for working towards rebuilding Albion. The initial meeting was very informal and we discussed various development plans and community engagement projects.

Community Partners Meeting- The meeting consists of representatives from the City, EDC, ARC, and the College. During this meeting we received updates to various projects that are underway within the City of Albion.

MML Training

On Tuesday, December 11, 2018, Ms. Snyder, Ms. Domingo and I attended MML training in Lansing. This training session discussed the following topics:

- Overview of basic local government
- Roles and Responsibilities of local elected officials

- Open Meetings Act
- Freedom of Information Act (FOIA)
- Government Finance

Meeting with the Mayor-On Wednesday, December 12, 2018 – Ms. Snyder, Mr. Mead, Attorney Harkness, and I met with Mayor Atchison. During the meeting we discussed the 2019 budget, committee vacancies, and provided updates on various concerns. Councilwoman Lawler was also in attendance.

S Squared Project

The second meeting to discuss this project outlined the following:

- Ensuring community engagement (VISTAS, Fellows, Councilpersons, and Citizens)
- The project training session will take place on January 5, 2018 1 PM at City Hall

Albion Building Association- Discussed obtaining a Request for Qualifications for Management Services at Maple Grove and researching additional projects needed to increase safety and the needed upgrade any mechanical or maintenance items within the complex including but not limited to new exterior lighting.

Citizens to Beautify Albion-I will work to ensure that the City continues to provide assistance to the organization. The planters and benches that have been installed at the entry points and downtown have increased the aesthetic value of our community.

Irwin Avenue Project-detailed information in written report submitted to Council

Blighted Structure Demolition Update-detailed information in written report to Council

New Phone Installation-The City of Albion has installed a new phone system throughout all City buildings. The new system should be more efficient and user friendly. WOW Cable company is supplying this service for the City of Albion. The phone numbers are the same and the extension numbers have changed for internal calls only.

Rental Registration Subcommittee Meeting-The Council Subcommittee met to discuss possibilities of the ordinance and gather information to provide the purpose and reasons for this registration. Staff provided input to assist in this process. Staff has decided to provide a check list for landlords should this process be approved. A date to meet with the landlords has not yet been established but the committee hopes to meet in late January.

Joint Board Meeting-The City Manager hosted a meeting with the Boards to discuss working together for development purposes and become a Redevelopment Ready Community. The Redevelopment Ready Communities® (RRC) program is available to communities across the state. It's a voluntary, no-cost certification program designed to promote effective redevelopment strategies through a set of best practices. The program measures and then certifies communities that integrate transparency, predictability and efficiency into their daily development practices. The RRC certification is a formal recognition that your community has a vision for the future - and the fundamental practices in place to get there. There were representatives from Plan Commission, EDC, DDA, ABA, Housing Commission, Sister Cities, and Albion College were in attendance along with Mayor Atchison, Chief Kipp, Mr. Tracy, Ms. Snyder, Ms. LaNoue, Councilwoman Brown, and Garrett Brown.

The meeting truly allowed the communities to talk about the City's needs and how we can work together to ensure that Albion receives the benefits of all projects and grant request that are utilizing the City census track numbers to assist in leveraging project resources.

Employee Christmas Party

On Thursday, December 20, 2018 from 1 PM – 5 PM, the City of Albion's Employee Christmas Party will take place at the Ismon House. Anyone that would like to donate can give all monies to Councilwoman Reid.

Holiday Hours

City Hall will be closed on Monday, December 24, 2018 and Tuesday, December 25, 2018 in observance of the Christmas Holiday. City Hall will also be closed on Monday, December 31, 2018 and Tuesday, January 1, 2019 in observance of the New Year's Holiday.

Bridging the Gap between Community and Government Press Release

Albion's new city manager LaTonya Rufus invites the community to come out for two open meetings on Wednesday, January 16 and Tuesday, January 29. "Bridging the Gap between Government and Community allows residents the opportunity to talk with me and city staff to discuss our projects, programs, and initiatives," says City Manager Rufus. "It also allows me to hear directly from the community about their concerns. I am excited to be a part of Albion being a great place to live, work, and raise a family. I look forward to being an integral part of the growth and expansion of this wonderful community." Both meetings will take place from 6 - 8 p.m. On Wednesday, January 16th the meeting will be held at the Marshall Opportunity High School (225 E. Watson Street). The Tuesday, January 29 meeting takes place in the Naomi Lane room of the Albion District Library (501 S. Superior Street).

Comments were received from Mayor Atchison who thanked City Manager Rufus for providing the Council with a written report.

XV. MAYOR AND COUNCIL MEMBER'S COMMENTS

Comments were received from Council Members Brown and Williamson, Mayor Atchison and City Manager Rufus.

XVI. Motion to Excuse Absent Council Member (s)

No action was necessary as all members were present.

XVII. ROLL CALL

PRESENT: Lenn Reid (2), Sonya Brown (3), Jeanette Spicer (5), Shane Williamson (6) and Mayor Atchison.

ABSENT: Marcola Lawler asked for Privilege and left at 9:00 p.m.

XVIII. ADJOURNMENT

Brown moved, Spicer supported, CARRIED, to adjourn the regular session. (5-0, vv)

Mayor Atchison adjourned the Regular Session at 9:35 p.m.

Date

Jill Domingo
City Clerk

CITY OF ALBION ORDINANCE 2019-01

AN ORDINANCE TO ADD CHAPTER 37 EMERGENCY SERVICES COST RECOVERY

FINDINGS AND PURPOSE: As the council is aware, the City of Albion provides local police and fire services to the residents of the City of Albion. Presently, the public safety department only seeks recovery of costs as a result of dealing with operating while intoxicated offenses. MCL 41.806a allows the council to adopt an ordinance to collect fees to the provision of police and fire emergency responses. To that end, the following ordinance outlines when the city will seek reimbursement for emergency response in certain situations. This ordinance will defray some costs in having to providing certain emergency services.

THE CITY OF ALBION ORDAINS THAT THE CODE OF ORDINANCES, CITY OF ALBION, MICHIGAN, IS HEREBY AMENDED BY CREATING CHAPTER 37, ADDING ARTICLE I, AND ADDING SECTIONS 37-1, 37-2, 37-3, 37-4, 37-5, 37-6, 37-7 WHICH READS AS FOLLOWS:

Section 1:

CHAPTER 37: EMERGENCY SERVICES COST RECOVERY

ARTICLE I:

Sec. 37-1: Definitions

1. "City" means the City of Albion, Michigan.
2. "Emergency response" means a response by the Public Safety Department, or other responders on behalf of the City to an emergency incident, or to a call for assistance.
3. "Emergency Service Fee" means the costs incurred by the City of Albion as a result of providing emergency services including police, fire, public safety, or other support services to a person or business within the City of Albion including, but not limited to the following:
 - a. Officer expenses incurred by the Public Safety Department, other public officials, or bodies, third-parties engaged by the City in responding to the incident. Costs and expenses shall include cost of equipment, operations, personnel, materials used and other expenses including without limitation employee wages, fringe benefits, administrative overhead, costs of equipment.

- b. Other costs and expenses incurred by the City in providing the emergency service or attempting to collect a fee for emergency services including legal fees, litigation costs and expenses, and supplies used directly or indirectly in the incident.
 - c. Costs incurred in accounting for emergency services including billing and collection costs.
 - d. Costs associated with deployment, including costs associated with dispatch and return of emergency resources.
- 4. "Hazardous substance" means hazardous substances as defined by the Natural Resources and Environmental Protection Act, MCL 324.101, et seq.
 - 5. "Non-Resident" means a person or entity that does not have a private residence in the City of Albion, own real property in the City of Albion, or have a principal office or place of business in the City of Albion;
 - 6. "Responsible Party" means, except as otherwise set forth in this Chapter, any person, individual, firm, business, corporation, limited liability company, or any other legal entity responsible in whole or in part for causing the need for emergency service, or any person receiving emergency services, or any owner, tenant, occupant, or party in control of real property from which, onto which, or related to which, there is an emergency response incident and service provided.
 - 7. "Vehicle" means all motor vehicles as defined by the Motor Vehicle Code, MCL 257.1, et seq.

Sec. 37-2: Liability for Emergency Services

- 1. Except as otherwise set forth in this Chapter, an individual or business shall be responsible for an emergency service fee for any of the following emergency services provided:
 - a. Any response to a false alarm at a property address in excess of two (2) times in a calendar year;
 - b. Any incident requiring a response by the City that involves any public or private utility property and requires City equipment or personnel to remain at the incident to protect the health, safety, and welfare of the public until the utility provider responds to the incident and takes corrective measures;
 - c. The extrication of an individual from a vehicle involved in an accident;

- d. Extinguishing any vehicle fire;
- e. Emergency response to any call for service involving hazardous substances;
- f. Emergency response to any fire which could be set with a permit, but for which a permit was not obtained;
- g. Emergency response to any fire which could be set with a permit, but which becomes uncontrolled regardless of whether a permit was obtained;
- h. Emergency response provided to any non-resident of the City within the areas of the City which are generally open to the public, including, but not limited to: parks, roads, highways, and places of business;
- i. Emergency response to a fire caused by a violation of local, state, or federal law;
- j. Emergency response to an incident involving fireworks or malicious destruction of property, which violates local, state, or federal law;
- k. Any emergency service response to a particular location, if an emergency response has occurred at such particular location in excess of three times within the current quarter of a calendar year.

Sec. 37-3: Exemptions

1. The City of Albion is exempt from all charges authorized by this Chapter.
2. The following events shall not constitute a false alarm:
 - a. An alarm activated by damage to a public utility lines when the affected public utility corroborates that the damage to such lines caused the alarm;
 - b. An alarm caused by storm, tornado, or other act of nature beyond the control of the individual whose property is served by the alarm.
3. In the case of an emergency response involving hazardous substances, an individual, business, or other legal entity shall not be liable for emergency service fees if the release or threat of release of hazardous substances was caused solely by an act or omission of a third party.

Sec. 37-4: Billing

1. The City Manager or his/her designee shall submit a bill or invoice for the expense of emergency services by first-class mail or personal service to the individual or business responsible for the emergency service expenses as set forth under this Chapter. The bill or invoice shall require payment within thirty (30) days.

Sec. 37-5: Appeal

1. An individual or business determined to be responsible for an emergency service fee may appeal that determination, within twenty-one (21) days of mailing or personal delivery of the emergency service fee bill or invoice, by filing a written statement of Appeal with the Office of the City Manager setting forth the reasons for the appeal. The City shall not take any collection action while the appeal is pending. The individual or business may present information and evidence to the City Manager as part of the appeal. The City Manager shall make a final determination on any appeal within twenty-one (21) days of the filing of any appeal. The determination by the City Manager shall be in writing.

Sec. 37-6: Failure to Pay Charges

1. Any failure by a person or business responsible for an emergency service fee to pay said fee within thirty (30) days of the date of mailing or personal service shall be considered a default. In the event of a default, the City may commence a civil suit or any other actions permitted by law or equity to recover and collect the expenses of the emergency response.

Sec. 37-7: Other Ordinances Unaffected

1. Nothing in this Chapter shall be deemed to inhibit the City's ability to seek cost recovery or reimbursement of funds for the City's emergency response, investigation, or prosecution of incidents for which cost recovery or reimbursement is otherwise provided for by law.

Section 2: Validity and Severability. The provisions of this Ordinance are severable and the invalidity of any phrase, clause or part of this Ordinance shall not affect the validity or effectiveness of the remainder of the Ordinance.

This Ordinance shall take effect February 21, 2019 after publication.

First Reading:
January 7, 2019

Ayes _____
Nays _____
Absent _____

Second Reading & Adoption:
January 21, 2019

Ayes _____
Nays _____
Absent _____

Jill Domingo,
City Clerk

David Atchison,
Mayor

DRAFT

CITY OF ALBION ORDINANCE 2019-2

AN ORDINANCE TO PROHIBIT MARIHUANA ESTABLISHMENTS AND CREATE ARTICLE VI OF CHAPTER 22 OF THE ALBION CODE OF ORDINANCES

FINDINGS AND PURPOSE: As the council is aware, in the November 2018 general election the voters approve Proposition 1, also referred to as the Michigan Regulation and Taxation of Marihuana Act (MRTMA). The MRTMA essentially legalizes recreational marijuana use and possession in specified amounts for individuals who are 21 or over. It also creates various facilities for the growth and production of recreational marijuana. These facilities share many common characteristics as the medical marijuana facilities. As with the medical marijuana facilities the Michigan Department of Licensing Affairs (LARA) has been tasked with the development of administrative rules to govern these new facilities. These rules, however, are not anticipated to be in place with the State until late 2019 or early 2020. As such, it would be inadvisable to have unregulated facilities in the City. Unlike medical marijuana facilities, municipalities must opt out of the recreational marijuana facilities. It is recommended that the City opt out of permitting recreational facilities until LARA develops rules to regulate the facilities at the state level. This opt out would not in any way affect the medical marihuana facilities already in place under the Medical Marihuana Facilities Licensing Act (MMFLA) and our local ordinance(s) which regulate facilities established under the MMFLA. This ordinance also would not affect those rights afforded to individuals under the MRTMA.

THE CITY OF ALBION ORDAINS THAT THE CODE OF ORDINANCES, CITY OF ALBION, MICHIGAN, IS HEREBY AMENDED BY ADDING ARTICLE VI TO CHAPTER 22, WHICH READS AS FOLLOWS:

Section 1:

CHAPTER 22, ARTICLE VI: PROHIBITION OF MARIHUANA ESTABLISHMENTS

1. Pursuant to Section six (6), subsection (1) one of the Michigan Regulation and Taxation of Marihuana Act (MRTMA) (also referred to as Proposition 1 of 2018), the City of Albion hereby prohibits marihuana establishments, as defined in Section three (3), subsection (h) of the MRTMA, within the City of Albion.
2. Nothing in this Ordinance shall be construed to prohibit marihuana facilities, as defined and authorized by Chapter 22, Article V of the City of Albion Code of Ordinances.

Section 2: Validity and Severability. The provisions of this Ordinance are severable and the invalidity of any phrase, clause or part of this Ordinance shall not affect the validity or effectiveness of the remainder of the Ordinance.

This Ordinance shall take effect February 21, 2019 after publication.

First Reading:
January 7, 2019

Ayes _____
Nays _____
Absent _____

Second Reading & Adoption:
January 21, 2019

Ayes _____
Nays _____
Absent _____

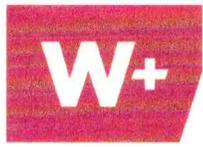
Jill Domingo,
City Clerk

David Atchison,
Mayor

Sec. 2-384. - Purchases and bids generally.

- (a) The purchasing agent shall have the power to authorize purchases of budgeted supplies, materials, services and equipment costing \$5,000.00 or less for each order without pyramiding. All supplies, materials, services and equipment costing more than \$5,000.00 shall be purchased by a written purchase order or contract as authorized by the city council after due notice inviting proposals has been given by the city as provided in this division.
- (b) The city council shall award all contracts when the budgeted cost of the purchase or service covered by such contract is in excess of \$5,000.00 after receiving the recommendation of the purchasing agent. The city council shall award all contracts for the purchase of nonbudgeted, nonemergency services or goods in excess of \$2,000.00, after bid and recommendation by the purchasing agent.
- (c) The purchasing agent, as a matter of procedure, shall notify the city council in writing of any purchases in excess of \$1,000.00.

(Code 1984, § 2-79; Ord. No. 95-3, § 2(2-79), 7-17-95)



WIGHTMAN

2018

ARCHITECTURE • ENGINEERING
ENVIRONMENTAL • GIS • INTERIOR DESIGN
LANDSCAPE ARCHITECTURE
PLANNING • SURVEY

City of Albion
112 W. Cass Street
Albion, MI 49224
James Lenardson

Invoice number 61590
Date 12/21/2018
Project **172028 IRWIN AVENUE IMPROVEMENTS**

Description	Billed Amount
Design Engineering	12,878.83
Total	12,878.83

Fee
1-2-19

452-514-801.00

Invoice total **12,878.83**

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
61318	11/30/2018	9,766.25	9,766.25				
61590	12/21/2018	12,878.83	12,878.83				
	Total	22,645.08	22,645.08	0.00	0.00	0.00	0.00

****Please remit to 2303 Pipestone Road, Benton Harbor, MI 49022 and include invoice number****
****If you would like to pay with a credit card, please call 269-927-0100****

SERVICE CHARGE: A delinquency charge of 1 1/2% per month (which is an ANNUAL PERCENTAGE RATE of 18%) will be added to all amounts not paid 30 days after invoice date.



WIGHTMAN

2018

ARCHITECTURE • ENGINEERING
ENVIRONMENTAL • GIS • INTERIOR DESIGN
LANDSCAPE ARCHITECTURE
PLANNING • SURVEY

City of Albion
112 West Cass Street
Albion, MI 49224

Invoice number 61591
Date 12/21/2018

Project **182148 E. NORTH STREET IMPROVEMENTS PROJECT**

Description	Billed Amount
Design Engineering	745.15
Total	745.15

*Free
1-2-19*

452-505-806.00

Invoice total **745.15**

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
61319	11/30/2018	2,000.00	2,000.00				
61591	12/21/2018	745.15	745.15				
Total		2,745.15	2,745.15	0.00	0.00	0.00	0.00

****Please remit to 2303 Pipestone Road, Benton Harbor, MI 49022 and include invoice number****
****If you would like to pay with a credit card, please call 269-927-0100****

SERVICE CHARGE: A delinquency charge of 1 1/2% per month (which is an ANNUAL PERCENTAGE RATE of 18%) will be added to all amounts not paid 30 days after invoice date.



ARCHITECTURE • ENGINEERING
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 LANDSCAPE ARCHITECTURE
 PLANNING • SURVEY

City of Albion
 112 W. Cass Street
 Albion, MI 49224
 James Lenardson

Invoice number 61318
 Date 11/30/2018
 Project **172028 IRWIN AVENUE IMPROVEMENTS**

Description	Billed Amount
Topographic Survey	4,138.75
Design Engineering	5,627.50
Total	9,766.25

12-27-18 *452-514-801.00*

Aging Summary							Invoice total
Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
61318	11/30/2018	9,766.25	9,766.25				
	Total	9,766.25	9,766.25	0.00	0.00	0.00	0.00

****Please remit to 2303 Pipestone Road, Benton Harbor, MI 49022 and include invoice number****
****If you would like to pay with a credit card, please call 269-927-0100****

SERVICE CHARGE: A delinquency charge of 1 1/2% per month (which is an ANNUAL PERCENTAGE RATE of 18%) will be added to all amounts not paid 30 days after invoice date.



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City of Albion
 112 West Cass Street
 Albion, MI 49224

Invoice number 61319
 Date 11/30/2018

Project **182148 E. NORTH STREET IMPROVEMENTS PROJECT**

Description	Billed Amount
Design Engineering	2,000.00
Total	2,000.00

PAID
12-27-18

452-505-801.00

Invoice total **2,000.00**

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
60946	10/31/2018	23,979.05		23,979.05			
61319	11/30/2018	2,000.00	2,000.00				
	Total	25,979.05	2,000.00	23,979.05	0.00	0.00	0.00

****Please remit to 2303 Pipestone Road, Benton Harbor, MI 49022 and include invoice number****
****If you would like to pay with a credit card, please call 269-927-0100****

SERVICE CHARGE: A delinquency charge of 1 1/2% per month (which is an ANNUAL PERCENTAGE RATE of 18%) will be added to all amounts not paid 30 days after invoice date.



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 PLANNING • SURVEY

City of Albion
 112 West Cass Street
 Albion, MI 49224

Invoice number 61320
 Date 11/30/2018

Project **172151 ASH STREET PARKING LOT IMPROVEMENTS**

Description	Billed Amount
Construction Engineering	1,600.00
Total	1,600.00

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
60947	10/31/2018	5,180.00		5,180.00			
61320	11/30/2018	1,600.00	1,600.00				
	Total	6,780.00	1,600.00	5,180.00	0.00	0.00	0.00

Handwritten: 12-27-18 101-447-801.00

Invoice total **1,600.00**

****Please remit to 2303 Pipestone Road, Benton Harbor, MI 49022 and include invoice number****
****If you would like to pay with a credit card, please call 269-927-0100****

SERVICE CHARGE: A delinquency charge of 1 1/2% per month (which is an ANNUAL PERCENTAGE RATE of 18%) will be added to all amounts not paid 30 days after invoice date.

INVOICE

**Remit Payment To:**

Calhoun County Dispatch Authority
315 W Green Street
Marshall, MI 49068

Billing Date: 12/17/2018

Due Date: 01/17/2019

Invoice Number: 911-GOV AGENCY-2018-00000093

Total Due: \$23,739.55

MB-7936%

CITY OF ALBION
112 W CASS ST

ALBION, MI 49224

Please remit the top portion with payment

**Remit Payment To:**

Calhoun County Treasurer
315 W Green Street
Marshall, MI 49068

Billing Date: 12/17/2018

Due Date: 01/17/2019

Invoice Number: 911-GOV AGENCY-2018-00000093

Total Due: \$23,739.55

MB-7936%

Description: 2019 1st Quarter Calls for Service

Description	Total Price
Call for Service Formula 5.5870% of \$424,907	\$23,739.55

Please make check payable to Calhoun County Consolidated Dispatch Authority.

Invoice Total:	\$23,739.55
Prepaid Amount:	(\$0.00)
Balance Due:	\$23,739.55

If you have any questions regarding this invoice please contact Richard Feole at (269)781-9713 or rfeole@calhouncountymi.gov.

2018 Initial City Manager Goals

1. Administration & Oversight

- Continue to review administration policy and procedures
- Review Staffing configurations

2. Infrastructure

- Assess funding options for sidewalks, street lights, street lighting and street signs. (research & report)
- Options for high speed internet downtown (research & report)
- Options for local transportation (research & report)

3. Neighborhoods

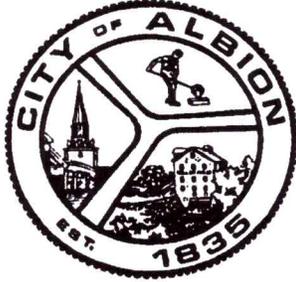
- Continue to improve code enforcement function for the City
- Work with Neighborhood Planning Council

4. Community & Economic Development

- Food & child care options
- Work with Planning sub-committee on zoning re-write

5. Training

- Attend trainings provided by MML and other agencies



City of Albion

William L. Rieger Municipal Building
112 West Cass Street • Albion, Michigan 49224
(517) 629-5535 • Fax (517) 629-4168

APPLICATION FOR MEMBERSHIP AND/OR REAPPOINTMENT ON CITY BOARDS OR COMMISSIONS

Mail or Deliver Completed Application to: City Clerk
City of Albion
112 W. Cass Street
Albion, MI 49224

The information in this Application is requested to assist the Mayor and/or City Council in selecting individuals to serve on City Boards & Commissions. Completion of the Application and Consent and Certification is mandatory for consideration of appointment.

Thank you for your interest in serving on a City of Albion board or commission. The Albion City Council requires that every member of a board or commission meet the following qualifications:

- Appointee is not in default to the City (appointee does not have unpaid water/sewer bills, property taxes, income taxes).
- For most Boards & Commissions, appointee should be a resident of the City.

Name: Nidia G Wolf
(First) (Middle) (Last)

Home Address: 409 Irwin Ave. Telephone #: 517-581-4041

Place of Employment: Retired

Business Address: _____ Telephone #: _____

E-Mail: boss lady47@hotmail.com Fax: _____

Title/Type of Work: _____

Length of Residence in City: 66 years Own/Rent: own US Citizen: Y X N _____

Educational Background: KCC Associated Degree in General Studies; attended Spring Arbor College

Community Activities: Albion-Homer Substance Abuse and Prevention Coalition-Chair; Albion High School Alumni Association member, past President; Albion DDA member; Prayer Leader for First United Methodist Church. I continue to work with individuals in the community who need to navigate through city, county, State and Federal, or health forms. Many do not have computer knowledge.

List Board or Commission on which you are interested in serving (see detailed descriptions on the City of Albion website):

1) Albion Downtown Development Authority 2) _____

3) _____ 4) _____

Additional information on experience, qualifications, etc.:

Previous experience as Executive Director of the DDA 2002-2012; previous business owner of the Albion Shell from 1990-2000; current co-owner with my husband of downtown property at 116 E. Erie St. (formerly Wolf's Auto Service) for 24 years, this business had been in the d.t. for over 35 years. I have a working knowledge of the city budget process, city processes and policies. I was on the DDA board for 7 years prior to being named Ex. Dir. I sat on the board when the DDA did a great deal of work with the d.t. Streetscape, the building of the Cass St. bridge, I worked on the grants for the Albion River Trail, the Anderson Marketing Study, the upper level apartments, knowledge of OPRA, MSHDA, MEDC and many of the other State programs and organizations.

Please comment briefly on why you wish to serve on a particular board or commission. Be specific as to your goals and ideas regarding how you wish to contribute to the work of the board or commission: Though the DDA does not have the funds to allow it to do much work at this time, there is still a host of things that need to be done as a requirement by the State. Currently, I am working on a revision of the 2000 DDA Plan. While there are many plans for the Downtown, we are required by the State to have our own plan, which we would need if we applied for grants, etc. When city workers removed our files from the old EDC/DDA building, everything was put in a truck and hauled to the city garage and elsewhere. I believe I can go through those files and eliminate what is NOT needed, but we MUST retain historical files and find a secure place to store them. Many include plans for Stoffer Plaza and that area, along with many other downtown plans. My passion has always been for the improvement of the downtown and thus I am willing to do this as a volunteer just because it is necessary to have done. There are many administrative things that I did as the executive director which unless I bring them up, people are unaware that they should be done on an annual basis. E.g. the DDA plan should be done regularly around 5-7 years, keeping track of the files, the annual fiscal report that needs to be filed with the State, etc. Knowledge of the DDA bylaws.

Relationship to City Officials/Department Heads: Are you, your spouse, or other close family members related to any City Officials or Department Heads? If yes, please explain: NO

Business relationship: Do you, your spouse, or any close family member currently have a business relationship with the City of Albion? If yes, please explain: Elaine Rice and I continue to work to secure funds for downtown Christmas lights to complete the renewal of aging lights on display.

Convictions: Have you ever been convicted of any criminal violation? Have you ever been convicted of a felony while holding public office or public employment? If yes, please explain: NO

REFERENCES:

Name: Michael Tymkew Relationship: DDA Chair when I was Executive Director Telephone #: 629-3936

Name: Joyce Spicer Relationship: friend/former co-worker. I replaced Joyce in her position for the AHCA when she retired in 2012. Telephone #: 629-8413

The following information and consent is necessary in order to conduct a proper review of your application for appointment. This information will be kept confidential.

CONSENT AND CERTIFICATION

I consent to the release of information concerning my ability and fitness for the position to which I seek appointment by my employer(s), school(s), law enforcement agencies, and other individuals and organizations to the City of Albion Office of the City Manager.

I hereby authorize the City of Albion to verify all the information I have provided on my application. I also agree to execute any additional written authorizations necessary for the City to obtain access to and copies of records pertaining to this information. I release the City of Albion and agencies who have released information from all liability arising from information given or received.

I certify that I can and will, upon request, substantiate all statements made by me on this application; that such statements are true, complete and correct to the best of my knowledge. I understand that a false statement, dishonest answer, misrepresentation or omission to any question will be sufficient for rejection of my application, removal of my name from the eligible list or my immediate removal should such falsifications or misrepresentation be discovered after I am sworn in to any Board or Commission.

I, Nidia G. Wolf, certify that the information provided
(Please Print)

in this application is, to the best of my knowledge, true and accurate.

Date of Birth: 5/31/47

Signature: Nidia G Wolf Date: 12/26/2018



City of Albion

William L. Rieger Municipal Building
112 West Cass Street • Albion, Michigan 49224
(517) 629-5535 • Fax (517) 629-4168

APPLICATION FOR MEMBERSHIP AND/OR REAPPOINTMENT ON CITY BOARDS OR COMMISSIONS

Mail or Deliver Completed Application to: City Clerk
City of Albion
112 W. Cass Street
Albion, MI 49224

The information in this Application is requested to assist the Mayor and/or City Council in selecting individuals to serve on City Boards & Commissions. Completion of the Application and Consent and Certification is mandatory for consideration of appointment.

Thank you for your interest in serving on a City of Albion board or commission. The Albion City Council requires that every member of a board or commission meet the following qualifications:

- Appointee is not in default to the City (appointee does not have unpaid water/sewer bills, property taxes, income taxes).
- For most Boards & Commissions, appointee should be a resident of the City.

Name: _____
Joyce _____ Ann _____ Washington _____
(First) (Middle) (Last)

Home Address: 502 W. Broadwell Street, Apt#2 Albion, MI 49224 _____ Telephone #: 517- 629-2537

Place of Employment: Retired _____

Business Address: N/A _____ Telephone #: _____

E-Mail: NONE _____ Fax: _____

Title/Type of Work: N/A _____

Length of Residence in City: 71 years Own/Rent: Rent _____ US Citizen: Yes N _____

Educational Background: I am a high school graduate of Albion High School

Community Activities: Faithful church member. I have served on the usher board for over 50 years.

List Board or Commission on which you are interested in serving (see detailed descriptions on the City of Albion website):

- 1) Albion Housing Commission 2) _____
3) _____ 4) _____

Additional information on experience, qualifications, etc.:

I have served on the housing commission for twenty five years I have the knowledge of HUD rules and regulations, operating budgets and a voice of fair treatment for the residents and employees of the Albion Housing Commission. It would be a pleasure to continue to serve as the Resident Commissioner for the Albion Housing Commission.

Please comment briefly on why you wish to serve on a particular board or commission. Be specific as to your goals and ideas regarding how you wish to contribute to the work of the board or commission:

I have been a resident of the Albion Housing Commission since May 1969, this is my home and I have a vested interest in where I live. During my tenure it will be imperative that residents and employees follow the rules and policy that are set forth. I also have a close relationship with the residents. Therefore, I wish to continue to serve on the Albion Housing Commission's Board of Commissioners. It is my goal to continue to ensure fair, decent, safe and affordable housing for the residents of the housing commission.

Relationship to City Officials/Department Heads: Are you, your spouse, or other close family members related to any City Officials or Department Heads? If yes, please explain: No _____

Business relationship: Do you, your spouse, or any close family member currently have a business relationship with the City of Albion? If yes, please explain: No _____

Convictions: Have you ever been convicted of any criminal violation? Have you ever been convicted of a felony while holding public office or public employment? If yes, please explain: No _____

REFERENCES:

Name: LaRose Bradley _____ Relationship: Friend and Current Board member

Telephone #: 517-494-0088

Name: James Arnett _____ Relationship: Current Board Member

Telephone #: 517 - 629-2537

Application for Membership

Page 3 of 3

The following information and consent is necessary in order to conduct a proper review of your application for appointment. This information will be kept confidential.

CONSENT AND CERTIFICATION

I consent to the release of information concerning my ability and fitness for the position to which I seek appointment by my employer(s), school(s), law enforcement agencies, and other individuals and organizations to the City of Albion Office of the City Manager.

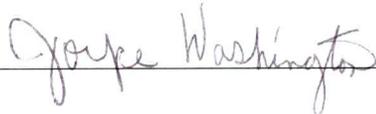
I hereby authorize the City of Albion to verify all the information I have provided on my application. I also agree to execute any additional written authorizations necessary for the City to obtain access to and copies of records pertaining to this information. I release the City of Albion and agencies who have released information from all liability arising from information given or received.

I certify that I can and will, upon request, substantiate all statements made by me on this application; that such statements are true, complete and correct to the best of my knowledge. I understand that a false statement, dishonest answer, misrepresentation or omission to any question will be sufficient for rejection of my application, removal of my name from the eligible list or my immediate removal should such falsifications or misrepresentation be discovered after I am sworn in to any Board or Commission.

*I, Joyce A. Washington _____, certify that the information provided
(Please Print)*

in this application is, to the best of my knowledge, true and accurate.

Date of Birth: 05/30/1947

Signature:  Date: December 11, 2018