

City of Albion
Council Session Minutes
January 21, 2020

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: Vicky Clark (1); Lenn Reid (2); Al Smith (3); Marcola Lawler (4); Jeanette Spicer (5); Shane Williamson (6) and Mayor Atchison.

ABSENT: All members were present

STAFF PRESENT:

Darwin McClary, City Manager; Cullen Harkness, City Attorney; Jill Domingo, City; Haley Snyder, Interim Assistant City Manager/Deputy Clerk/Treasurer; John Tracy, Director Planning, Building & Code Enforcement; Tom Mead, Finance Director and Scott Kipp, Chief Public Safety.

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

- Mayor Atchison asked to add a Proclamation for the Harrington Elementary School MLK Jr. Essay Contest Winners
- Mayor Atchison asked to Move Items for Individual Discussion (E) to Item A
- Council Member Spicer asked to Add Discussion/Approval to Individual Items for Discussion (C)
- Council Member Smith asked to Add Discussion/Approval to Individual Items for Discussion (D)

Clark moved, Smith supported, CARRIED, to Approve the Agenda with the above additions to the agenda. (7-0, vv)

VI. PRESENTATIONS

- A. Creating Downtown OPRA District-Amy Deprez, President Albion Economic Development Corporation

Amy Deprez, President of the Albion Economic Development Corporation provided the following information on Downtown OPRA District:

- OPRA's provide a tax incentive to encourage redevelopment
- To be eligible:
 - Community must be a qualified local unit of government
 - Local government must establish and OPRA district
 - Projects must include an obsolete property and result in commercial or mixed-use development
- How does it work?
 - Community freezes the existing table value on a designated facility for up to 12 years
 - By freezing the taxable value, it allows the developer to make significant improvements to the buildings without increasing property taxes for a period of time
- Why would a Community consider this?
 - Encourage redevelopment of blighted, functionally obsolete and contaminated buildings
 - Reserved for qualified local units of government-core communities or distressed areas
 - Adds another development tool to the toolbox
 - Act Sunsets December 21, 2016
- Step 1
 - Proactively Approve an OPRA District
 - Allows projects to request OPRA exemptions
 - Projects outside district can still request consideration of a district
 - Increases tools that can be leveraged to make a project feasible
- Approving Exemptions:
 - Project Requirements
 - Statement of obsolescence by local assessor
 - Policy
 - "But For" Analysis-demonstrate financial need
 - Aggregate benefit (cost improvements x% of property's value at time of project commencement)
- Put Albion on the Path for Redevelopment
 - Approve an OPRA District
 - Invite redevelopment
 - Partner with developers for sustainable redevelopments

Comments were received from Council Members Reid and Smith and Mayor Atchison.

- B. Proclamation for Harrington Elementary School MLK Jr. Essay Contest Winners
Mayor Atchison read aloud the Proclamation for Harrington Elementary School MLK Jr. Essay Contest Winners. Kalin Vargo and Sophia Williams read their essays aloud and received a standing ovation.

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 Karen Yankie, 104 Irwin Avenue; Garrett Brown, 1016 S. Superior St. and Sonya Brown, 713 Orchard Dr.

IX. CLOSED SESSION- None

- X. CONSENT CALENDAR (VV) Items on the Consent Calendar are voted on as one unit)

- A. Approval Regular Session Minutes, January 6, 2020
B. Approval Special Session Minutes, January 14, 2020
C. Approval of \$6,555.00 Elevator Repair

Williamson moved, Smith supported, CARRIED, to approve the Consent Calendar as presented. (7-0, rcv)

XI. ITEMS FOR INDIVIDUAL DISCUSSION

- A. Request Approval Resolution # 2020-01, A Resolution Requesting Approving from the U.S. Economic Development Administration to Terminate the Federal Share of the Albion Area Revolving Loan Fund

Comments were received from Council Members Lawler, Clark and Spicer; Mayor Atchison, City Manager McClary and Amy Deprez, President Albion Economic Development Corporation.

Williamson moved, Reid supported, CARRIED, to Approve Resolution # 2020-01, A Resolution Requesting Approving from the U.S. Economic Development Administration to Terminate the Federal Share of the Albion Area Revolving Loan Fund and to Require the Albion Economic Development Corporation President and Board of Directors to Formulate and Submit to the City Council for Approval Local Revolving Loan Fund Standard Terms and Conditions to Replace the Federal Standards for the Proper

Administration of the Albion Revolving Loan Fund Program Prior to any Additional Loans Being Granted. (7-0, rcv)

- B. Request Approval 2nd Reading & Adoption Ordinance # 2019-11, An Ordinance to Amend Chapter 2, Article IV, To Add Division 5, Sections 2-280 through 2-284, Recreation Advisory Commission

Comments were received from Council Members Lawler, Reid, Spicer, Williamson and Clark and City Manager McClary.

Clark moved, Williamson supported, CARRIED, to Approve 2nd Reading & Adoption Ordinance # 2019-11, An Ordinance to Amend Chapter 2, Article IV, To Add Division 5, Sections 2-280 through 2-284, Recreation Advisory Commission. (5-2, rcv) (Lawler and Spicer dissenting)

- C. Discussion/Approval 1st Reading Ordinance # 2020-01, An Ordinance to Amend Chapter 2, Article IV, To Add Division 6, Sections 2-320 through 2-327 Arts Commission

Comments were received from Mayor Atchison who asked to change the membership from five (5) members to seven (7) members.

City Attorney Harkness stated the membership terms would change to the following:

Two Members for a One-Year Term
Two Members for a Two-Year Term
Three Members for a Three-Year Term

Additional comments were received from Council Member Spicer.

Williamson moved, Reid supported, CARRIED, to Approve 1st Reading Ordinance # 2020-01, An Ordinance to Amend Chapter 2, Article IV, To Add Division 6, Sections 2-320 through 2-327 Arts Commission with the change of membership to seven (7) members and the membership term to Two Members for a One-Year Term; Two Members for a Two-Year Term and Three Members for a Three-Year Term. (7-0, rcv)

- D. Discussion/Approval to Establish Work Group for Sidewalks, Define Tasking, Scope of Work and Membership

Comments were received from Council Members Reid, Spicer, Williamson, Lawler and Smith; Mayor Atchison; City Manager McClary and City Attorney Harkness.

Williamson moved, Smith supported, CARRIED, To Establish an Ad Hoc Sidewalk Program Fund Review Committee Comprising the City Manager, Director of Public Services and One Citizen Representative from Each of the Six Precincts of the City Selected by the Council Member from that Precinct for the Purposes of (1) Reviewing the Legal Concerns Regarding the Establishment and Collection of the Previous Sidewalk Special Assessments and Sidewalk Program Fund and (2) Identifying and Recommending to City Council Appropriate, Legal, Equitable Uses of the Special Assessment Proceeds Collected and Remaining in the Sidewalk Program Fund; with the Term of the Committee to Expire on October 31, 2020. Council Members Shall Select and Submit the Names of the Respective Precinct Representatives for the Committee to the City Manager not Later than January 31, 2020. (5-2, rcv) (Lawler and Spicer dissenting)

E. Discussion/Approval of 2020 Fee Schedule

Comments were received from Council Member Smith and City Manager McClary.

Smith moved, Williamson supported, CARRIED, to **TABLE** Approval of the 2020 Fee Schedule to Clarify Sewer Connection Charges. (7-0, vv)

F. Schedule Study Session for Rental Certification

Comments were received from Council Members Lawler and Williamson; City Manager McClary and Mayor Atchison.

Council Consensus is to set Monday, February 10th, 2020 at 6:00 p.m. at the Ludington Center for a Study Session for Rental Certification.

G. Schedule Study Session for Solid Waste Collection Contract

Comments were received from City Attorney Harkness and City Manager McClary.

City Manager McClary will send out poll to schedule a date/time for the following week for discussion on the Solid Waste Contract.

H. Discussion/Approval Changes/Updates to Ordinance # 2017-06, An Ordinance to Amend Ordinance 22-181 Sidewalk Cafes

Comments were received from City Attorney Harkness who stated the Ordinance will need to be updated due to the new zoning changes.

Council Member Williamson stated he would like the ordinance to outline what is permissible on side streets and if the season of operation can be extended. He would also like additional information on sidewalk pass thru on the public right of way.

Director of Planning, Building & Code Enforcement Tracy stated that many of the items are covered in the updated zoning ordinance.

Additional comments were received from Council Member Reid.

Smith moved, Clark supported, CARRIED, to **TABLE** Approval Changes/Updates to Ordinance # 2017-06, An Ordinance to Amend Ordinance 22-181 Sidewalk Cafes. (7-0, vv)

I. Discussion/Approval 2020 City Goals

Williamson moved, Smith supported, CARRIED, to **TABLE** Approval of 2020 City Goals. (7-0, vv)

J. Request Approval to Set Date for Town Hall Meeting

Comments were received from Council Members Reid and Williamson and Mayor Atchison.

Council Consensus is to set Monday, March 9th, 2020 at 7:00 p.m. with the location to be determined for a Town Hall Meeting.

K. Request Approval for Purchase of City Owned Property Located at 211 Culver St (Parcel # 51-012-352-01) to Ronnie Sims

Comments were received from Council Members Reid and Williamson; City Manager McClary and City Attorney Harkness.

Spicer moved, Williamson supported, **FAILED**, to Approve Purchase of City Owned Property Located at 211 Culver St (Parcel # 51-012-352-01) to Ronnie Sims as presented. (0-7, rcv)

L. Discussion-Scheduling City Manager Initial Performance Review

Mayor Atchison asked to have a template/process for a 360 review from the Labor Attorney and if Council Members to include input from key stakeholders in the community.

Council Member Reid asked to have the standard template form that has been used in the past.

Council Member Williamson stated he wants to be sure that the process is fair and consistent for the City Managers review.

XII. FUTURE AGENDA ITEMS

The following items were requested for the next agenda:

- Council Member Clark asked for a Presentation for the Grocery Store Desert Update and Precinct 1 Meeting.
- Mayor Atchison asked for a discussion to put a process in place for the remainder of the sidewalks that need to be done throughout the City.

*** Council Member cited Privilege and left at 9:24 p.m.*

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 Jason Bomia, 531 N. Marshall St; Karen Yankie, 104 Irwin Avenue; Marquette Frost, 520 W. Cass St.; Sonya Brown, 713 Orchard Dr; Garrett Brown, 1016 S. Superior St and Gary Tompkins, Calhoun County Commissioner.

XIV. CITY MANAGER REPORT

City Manager McClary included a written report in the Council packets detailing the following:

- Recycling Center Agreement with County
- Website Design Project
- North Clark Street MTEDF Category A Grant
- Kalamazoo River Improvement Funding
- Staffing
- SAW Grant Sanitary Sewer Asset Management Report and Plan
- IT Contract Renewal
- City Manager Extended Hours
- Upcoming Agenda Items

Comments were received from Council Members Reid and Williamson and Calhoun County Commissioner Tompkins.

XV. MAYOR AND COUNCIL MEMBER'S COMMENTS

Comments were received from Council Member Clark and Spicer and Mayor Atchison.

XVI. EXCUSE ABSENT COUNCIL MEMBER (S)

*** Council Member cited Privilege and left at 9:24 p.m.*

XVII. ROLL CALL

PRESENT: Vicky Clark (1); Lenn Reid (2); Al Smith (3); Jeanette Spicer (5); Shane Williamson (6) and Mayor Atchison.

ABSENT: *** Council Member cited Privilege and left at 9:24 p.m.*

XVIII. ADJOURNMENT

Spicer moved, Smith supported, CARRIED, to adjourn the regular session.
(6-0, vv)

Mayor Atchison adjourned the Regular Session at 10:00 p.m.

Date

Jill Domingo
City Clerk