



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.

AGENDA

COUNCIL MEETING
Tuesday, January 21, 2020
7:00 P.M.

David Atchison
Mayor

Vicky Clark
Council Member
1st Precinct

Lenn Reid
Council Member
2nd Precinct

Al Smith
Council Member
3rd Precinct

Marcola Lawler
Council Member
4th Precinct

Jeanette Spicer
Council Member
5th Precinct

Shane Williamson
Mayor Pro Tempore
Council Member
6th Precinct

Darwin McClary
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.

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. Creating Downtown OPRA District-Amy Deprez, President Albion Economic Development Corporation
- VII. PUBLIC HEARING-None
- 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 –None
- X. CONSENT CALENDAR (VV) (Items on Consent Calendar are voted on as one unit)
 - A. Approval Regular Session Minutes, January 6, 2020
 - B. Approve Study Session Minutes, January 14, 2020
 - C. Approval of \$6,555.00 for Elevator Repair
- XI. ITEMS FOR INDIVIDUAL DISCUSSION
 - A. Request Approval 2nd Reading and 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
 - B. 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



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- C. Request Approval to Establish Work Group for Sidewalks, Define Tasking, Scope of Work and Membership
 - D. Request Approval of 2020 Fee Schedule
 - E. 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
 - F. Schedule Study Session for Rental Certification Program
 - G. Schedule Study Session for Solid Waste Collection Contract
 - H. Discussion/Approval Changes/Updates to Ordinance # 2017-06, An Ordinance to Amend Ordinance 22-181 Sidewalk Cafes
 - I. Discussion/Approval 2020 City Goals
 - J. Request Approval to Set Date for 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
 - L. Discussion-Scheduling City Manager Initial Performance Review
- 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 – Policy

Obsolete Property Rehabilitation Act Exemption

Overview of P.A. 146 of 2000, as amended

A means to encourage the rehabilitation of obsolete property and to increase commercial/residential housing available in downtowns or other areas characterized by underused or functionally obsolete properties.

OPRA provides property tax exemptions for commercial and commercial housing properties that are rehabilitated and meet the requirements of the Act. The property must be in a qualified local governmental unit, such as the City of Albion, and be in an established Obsolete Property Rehabilitation District. Properties must meet eligibility requirements including a statement of obsolescence by a local assessor. Exemptions are approved for a term of up to 12 years, as determined by the City of Albion. The property taxes for the rehabilitated property are based on the previous year's (prior to rehabilitation) taxable value. The taxable value is frozen for the duration of the exemption. Additionally, the State Treasurer may approve reductions of half of the school operating and state education taxes for a period not to exceed 6 years for 25 applications annually. Applications are filed, reviewed and approved by the local unit of government, but are also subject to review at the State level by the Property Services Division.

Exemptions are not effective until approved by the State.

Functionally Obsolete: means that the property is unable to be used to adequately perform the function for which it was intended due to a substantial loss in value resulting from factors such as overcapacity, changes in technology, deficiencies or super adequacies in design, or other similar factors that affect the property itself or the property's relationship with other surrounding property. (Defined 1996 PA 381, MCL 125.2652.)

Functional obsolescence as defined by the state includes inadequate/antiquated electrical, heating and plumbing, oversized or undersized rooms, poor layouts and traffic flow problems. Spaces that are not conducive to the use of modern equipment and technologies or spaces broken up by poorly planned wall dividers that may have been functional 50 or 100 years ago are examples of deficiencies which could qualify a building. Super adequacies include excessive ceiling height, excessive size, etc. The OPRA legislation requires a statement of obsolescence from a level III or IV certified assessor using this criteria.

Once in the OPRA Program, there will be three tax bills for the same property.

1. The tax bill on the land taxed at the full millage;
2. The taxable value on the building is frozen at the pre-improvement level at full millage; and
3. The tax bill on the improvement which only taxes the School Operating (18 mills) and State Education Tax (6 mills) which could be reduced by ½ by the State Treasurer.

OPRA Example: Using the 2018 City of Albion millage rates, the following is an example of how the 12 years OPRA exemption affects property taxes.

School Operating	=	18.0000 mills
State Ed Tax	=	6.0000 mills
Albion Millage	=	65.5040 mills

The property value of the parcel prior to the exemption is \$70,000. Of the taxable value, assume that \$20,000 is the portion attributable to the land. Assume also that the rehabilitation and remodeling result in a total taxable value of \$1,200,000 for the rehabbed property. The tax breakdown would be as follows:

Annual Tax Bill	Taxable Value		Millage		Annual Tax Dollars
1) Land	20,000	X	65.5040	=	\$1,310
2) Frozen Building TV	50,000	X	65.5040	=	\$3,275
3) Non-Frozen TV	1,130,000	X	*18.0000	=	\$27,120
	1,130,000	X	*6.0000		
Total Annual Tax					\$31,705

Annual Tax Without Exemption	\$78,604
Annual Savings	\$46,900
Savings over 12-year term	\$562,800

*The State Treasurer can exempt up to 50% of the State Education Tax and the school operating tax for a period of up to 6 years, which would result in an additional savings of \$13,560 or \$81,360 for the term of the exemption.

The ORPA exemption applies only to existing buildings. Taxable value attributable to increased building size, whether vertical or horizontal, is taxed at the full millage rate.

Additionally, if the rehabbed property is commercial/residential, any portion which qualifies as a primary residence would be exempted from the 18 mills of school operating tax, in the same manner as any other homestead.

The entire process is set by statute.

Unlike other exemptions, OPRA exemptions can be transferred to new property owners. The exemption can be transferred to a new owner during or after rehabilitation with the approval of the City Council. The process starts at the local assessor’s office.

City of Albion Application Process

For consideration of an OPRA District or Exemption, please follow the process outlined below:

Obsolete Property Rehabilitation District (OPRD)

- 1) The governing body of a qualified local unit of government, by resolution, may designate one or more OPRDs within that local governmental unit. The OPRD may consist of one or more parcels or tracts of land that is characterized by obsolete commercial or obsolete commercial housing property.
- 2) The qualified local unit of government may establish an OPRD on its own initiative or upon a written request by at least 50 percent of the owners of the property within the proposed OPRD.
- 3) Written notice of a public hearing is provided by certified mail to all owners of all real property within the proposed district.
- 4) The governing body holds a public hearing with a public

- The governing body adopts a resolution establishing the district and the determination that it meets the requirements under the legislation.

Owner/developer process for obtaining an OPRA Certificate

- An owner of an obsolete property within the district files an application for an OPRA certificate with the clerk of the local government that includes the details of the project.
- Once a completed application is received, the clerk must notify the assessor and each taxing unit that levies property taxes (e.g., county, community college, library, etc.).
- The governing body holds a public hearing prior to acting on the resolution regarding the certificate.
- Within 60 days of receipt of application, the local unit of government shall by resolution approve or disapprove the application for the certification for up to 12 years. The public hearings for the district and the exemption certificate may be held on the same day, but with individual public hearings.
- Once approved locally, the application and resolution must be sent to the State Tax Commission (STC). The STC has 60 days to approve or disapprove the request. To apply for the abatement of school millage, the developer must make note of this on the application form. The STC is responsible for final approval and issuance of all OPRA certificates.

City of Albion Requirements for Consideration

Taxes: In order to be considered for an OPRA Exemption, the Property must be current on taxes. All property taxes must be paid on time, before March 1 each year, or failure to pay taxes may constitute revocation of the exemption.

Principal Residence: If you rehabilitate a portion of the space into your primary residence, you may apply for a Principal Residence Exemption.

Timing: The effective date of the exemption certificate is December 31st immediately following the date of issuance of the certificate by the State Tax Commission. To guarantee same year approval, applications must be completed and received by the State Tax Commission no later than October 31st. Applications received after the October 31st deadline will be processed based on staff availability. The October 31st deadline is with the State Tax Commission; therefore, the City of Albion must consider the application, hold the public hearing and approve the exemption before that time.

Application for OPRA Exemption Certificate

Applications can be found at www.michigan.gov/taxes, Form #3674 or (https://www.michigan.gov/documents/3674f_2640_7.pdf).

The image shows two pages of the Michigan OPRA Exemption Certificate application form. The left page is the 'Application for Obsolete Property Rehabilitation Exemption Certificate' and the right page is the 'LOCAL GOVERNMENT ACTION' section. The forms contain various fields for applicant information, property details, and local government action.

OBSOLETE PROPERTY REHABILITATION ACT - P.A. 146 of 2000, as amended (legislation)

AN ACT to provide for the establishment of obsolete property rehabilitation districts in certain local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of certain local government officials; and to provide penalties.

The People of the State of Michigan enact:

125.2781 Short title.

Sec. 1.

This act shall be known and may be cited as the "obsolete property rehabilitation act".

125.2782 Definitions.

Sec. 2.

As used in this act:

(a) "Commercial housing property" means that portion of real property not occupied by an owner of that real property that is classified as residential real property under section 34c of the general property tax act, 1893 PA 206, MCL 211.34c, is a multiple-unit dwelling, or is a dwelling unit in a multiple-purpose structure, used for residential purposes. Commercial housing property also includes a building or group of contiguous buildings previously used for industrial purposes that will be converted to a multiple-unit dwelling or dwelling unit in a multiple-purpose structure, used for residential purposes.

(b) "Commercial property" means land improvements classified by law for general ad valorem tax purposes as real property including buildings and improvements assessable as real property pursuant to sections 8(d) and 14(6) of the general property tax act, 1893 PA 206, MCL 211.8 and 211.14, the primary purpose and use of which is the operation of a commercial business enterprise. Commercial property shall also include facilities related to a commercial business enterprise under the same ownership at that location, including, but not limited to, office, engineering, research and development, warehousing, parts distribution, retail sales, and other commercial activities. Commercial property also includes a building or group of contiguous buildings previously used for industrial purposes that will be converted to the operation of a commercial business enterprise or a multiple-unit dwelling or a dwelling unit in a multiple-purpose structure, used for residential purposes. Commercial property does not include any of the following:

(i) Land.

(ii) Property of a public utility.

(c) "Commission" means the state tax commission created by 1927 PA 360, MCL 209.101 to 209.107.

(d) "Department" means the department of treasury.

(e) "Facility", except as otherwise provided in this act, means a building or group of contiguous buildings.

(f) "Functionally obsolete" means that term as defined in section 2 of the brownfield redevelopment financing act, 1996 PA 381, MCL 125.2652.

(g) "Obsolete properties tax" means the specific tax levied under this act.

(h) "Obsolete property" means commercial property or commercial housing property, that is 1 or more of the following:

(i) Blighted, as that term is defined in section 2 of the brownfield redevelopment financing act, 1996 PA 381, MCL 125.2652.

(ii) A facility as that term is defined under section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101.

(iii) Functionally obsolete.

(i) "Obsolete property rehabilitation district" means an area of a qualified local governmental unit established as provided in section 3. Only those properties within the district meeting the definition of "obsolete property" are eligible for an exemption certificate issued pursuant to section 6.

(j) "Obsolete property rehabilitation exemption certificate" or "certificate" means the certificate issued pursuant to section 6.

(k) "Qualified local governmental unit" means 1 or more of the following:

(i) A city with a median family income of 150% or less of the statewide median family income as reported in the 1990 federal decennial census that meets 1 or more of the following criteria:

(A) Contains or has within its borders an eligible distressed area as that term is defined in section 11(u)(ii) and (iii) of the state housing development authority act of 1966, 1966 PA 346, MCL 125.1411.

- (B) Is contiguous to a city with a population of 500,000 or more.
- (C) Has a population of 10,000 or more that is located outside of an urbanized area as delineated by the United States bureau of the census.
- (D) Is the central city of a metropolitan area designated by the United States office of management and budget.
- (E) Has a population of 100,000 or more that is located in a county with a population of 2,000,000 or more according to the 1990 federal decennial census.
- (ii) A township with a median family income of 150% or less of the statewide median family income as reported in the 1990 federal decennial census that meets 1 or more of the following criteria:
 - (A) Is contiguous to a city with a population of 500,000 or more.
 - (B) All of the following:
 - (I) Contains or has within its borders an eligible distressed area as that term is defined in section 11(u)(ii) of the state housing development authority act of 1966, 1966 PA 346, MCL 125.1411.
 - (II) Has a population of 10,000 or more.
 - (iii) A village with a population of 500 or more as reported in the 1990 federal decennial census located in an area designated as a rural enterprise community before 1998 under title XIII of the omnibus budget reconciliation act of 1993, Public Law 103-66, 107 Stat. 416.
 - (iv) A city that meets all of the following criteria:
 - (A) Has a population of more than 20,000 or less than 5,000 and is located in a county with a population of 2,000,000 or more according to the 1990 federal decennial census.
 - (B) As of January 1, 2000, has an overall increase in the state equalized valuation of real and personal property of less than 65% of the statewide average increase since 1972 as determined for the designation of eligible distressed areas under section 11(u)(ii)(B) of the state housing development authority act of 1966, 1966 PA 346, MCL 125.1411.
- (l) "Rehabilitation" means changes to obsolete property other than replacement that are required to restore or modify the property, together with all appurtenances, to an economically efficient condition. Rehabilitation includes major renovation and modification including, but not necessarily limited to, the improvement of floor loads, correction of deficient or excessive height, new or improved fixed building equipment, including heating, ventilation, and lighting, reducing multistory facilities to 1 or 2 stories, adding additional stories to a facility or adding additional space on the same floor level not to exceed 100% of the existing floor space on that floor level, improved structural support including foundations, improved roof structure and cover, floor replacement, improved wall placement, improved exterior and interior appearance of buildings, and other physical changes required to restore or change the obsolete property to an economically efficient condition. Rehabilitation shall not include improvements aggregating less than 10% of the true cash value of the property at commencement of the rehabilitation of the obsolete property.
- (m) "Rehabilitated facility" means a commercial property or commercial housing property that has undergone rehabilitation or is in the process of being rehabilitated, including rehabilitation that changes the intended use of the building. A rehabilitated facility does not include property that is to be used as a professional sports stadium. A rehabilitated facility does not include property that is to be used as a casino. As used in this subdivision, "casino" means a casino or a parking lot, hotel, motel, or retail store owned or operated by a casino, an affiliate, or an affiliated company, regulated by this state pursuant to the Michigan gaming control and revenue act, the Initiated Law of 1996, MCL 432.201 to 432.226.
- (n) "Taxable value" means the value determined under section 27a of the general property tax act, 1893 PA 206, MCL 211.27a.

History: 2000, Act 146, Imd. Eff. June 6, 2000 ;-- Am. 2006, Act 70, Imd. Eff. Mar. 20, 2006

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125.2783 Obsolete property rehabilitation districts; creation; conditions; filing written request; notice and hearing; finding and determination.

Sec. 3.

- (1) A qualified local governmental unit, by resolution of its legislative body, may establish 1 or more obsolete property rehabilitation districts that may consist of 1 or more parcels or tracts of land or a portion of a parcel or tract of land, if at the time the resolution is adopted, the parcel or tract of land or portion of a parcel or tract of land within the district is either of the following:
 - (a) Obsolete property in an area characterized by obsolete commercial property or commercial housing property.
 - (b) Commercial property that is obsolete property that was owned by a qualified local governmental unit on the effective date of this act, and subsequently conveyed to a private owner.
- (2) The legislative body of a qualified local governmental unit may establish an obsolete property rehabilitation district on its own initiative or upon a written request filed by the owner or owners of property comprising at least

50% of all taxable value of the property located within a proposed obsolete property rehabilitation district. The written request must be filed with the clerk of the qualified local governmental unit.

(3) Before adopting a resolution establishing an obsolete property rehabilitation district, the legislative body shall give written notice by certified mail to the owners of all real property within the proposed obsolete property rehabilitation district and shall afford an opportunity for a hearing on the establishment of the obsolete property rehabilitation district at which any of those owners and any other resident or taxpayer of the qualified local governmental unit may appear and be heard. The legislative body shall give public notice of the hearing not less than 10 days or more than 30 days before the date of the hearing.

(4) The legislative body of the qualified local governmental unit, in its resolution establishing an obsolete property rehabilitation district, shall set forth a finding and determination that the district meets the requirements set forth in subsection (1).

125.2784 Obsolete property rehabilitation exemption certificate; application; filing; contents; hearing; determination of taxable value.

Sec. 4.

(1) If an obsolete property rehabilitation district is established under section 3, the owner of obsolete property may file an application for an obsolete property rehabilitation exemption certificate with the clerk of the qualified local governmental unit that established the obsolete property rehabilitation district. The application shall be filed in the manner and form prescribed by the commission. The application shall contain or be accompanied by a general description of the obsolete facility and a general description of the proposed use of the rehabilitated facility, the general nature and extent of the rehabilitation to be undertaken, a descriptive list of the fixed building equipment that will be a part of the rehabilitated facility, a time schedule for undertaking and completing the rehabilitation of the facility, a statement of the economic advantages expected from the exemption, including the number of jobs to be retained or created as a result of rehabilitating the facility, including expected construction employment, and information relating to the requirements in section 8.

(2) Upon receipt of an application for an obsolete property rehabilitation exemption certificate, the clerk of the qualified local governmental unit shall notify in writing the assessor of the local tax collecting unit in which the obsolete facility is located, and the legislative body of each taxing unit that levies ad valorem property taxes in the qualified local governmental unit in which the obsolete facility is located. Before acting upon the application, the legislative body of the qualified local governmental unit shall hold a public hearing on the application and give public notice to the applicant, the assessor, a representative of the affected taxing units, and the general public. The hearing on each application shall be held separately from the hearing on the establishment of the obsolete property rehabilitation district.

(3) Upon receipt of an application for an obsolete property rehabilitation exemption certificate for a facility located on property that was owned by a qualified local governmental unit on the effective date of this act, and subsequently conveyed to a private owner, the clerk of the qualified local governmental unit, in addition to the other requirements of this section, shall request the assessor of the local tax collecting unit in which the facility is located to determine the taxable value of the property. This determination shall be made prior to the hearing on the application for an obsolete property rehabilitation exemption certificate held pursuant to subsection (2).

History: 2000, Act 146, Imd. Eff. June 6, 2000

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125.2785 Approval or disapproval of resolution; forward copies.

Sec. 5.

The legislative body of the qualified local governmental unit, not more than 60 days after receipt of the application by the clerk, shall by resolution either approve or disapprove the application for an obsolete property rehabilitation exemption certificate in accordance with section 8 and the other provisions of this act. The clerk shall retain the original of the application and resolution. If approved, the clerk shall forward a copy of the application and resolution to the commission. If disapproved, the reasons shall be set forth in writing in the resolution, and the clerk shall send, by certified mail, a copy of the resolution to the applicant and to the assessor. A resolution is not effective unless approved by the commission as provided in section 6.

History: 2000, Act 146, Imd. Eff. June 6, 2000

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125.2786 Approval or disapproval of resolution by commission; certificate; issuance; form; contents; effective

date; filing; maintenance of record of certificates; copy; discovery of error or mistake in application; amended application; failure to forward approved application; duties of commission.

Sec. 6.

(1) Not more than 60 days after receipt of a copy of the application and resolution adopted under section 5, the commission shall approve or disapprove the resolution.

(2) Following approval of the application by the legislative body of the qualified local governmental unit and the commission, the commission shall issue to the applicant an obsolete property rehabilitation exemption certificate in the form the commission determines, which shall contain all of the following:

(a) A legal description of the real property on which the obsolete facility is located.

(b) A statement that unless revoked as provided in this act the certificate shall remain in force for the period stated in the certificate.

(c) A statement of the taxable value of the obsolete property, separately stated for real and personal property, for the tax year immediately preceding the effective date of the certificate after deducting the taxable value of the land and personal property other than personal property assessed pursuant to sections 8(d) and 14(6) of the general property tax act, 1893 PA 206, MCL 211.8 and 211.14.

(d) A statement of the period of time authorized by the legislative body of the qualified local governmental unit within which the rehabilitation shall be completed.

(e) If the period of time authorized by the legislative body of the qualified local governmental unit pursuant to subdivision (d) is less than 12 years, the exemption certificate shall contain the factors, criteria, and objectives, as determined by the resolution of the qualified local governmental unit, necessary for extending the period of time, if any.

(3) Except as otherwise provided in this section, the effective date of the certificate is the December 31 immediately following the date of issuance of the certificate.

(4) The commission shall file with the clerk of the qualified local governmental unit a copy of the obsolete property rehabilitation exemption certificate, and the commission shall maintain a record of all certificates filed. The commission shall also send, by certified mail, a copy of the obsolete property rehabilitation exemption certificate to the applicant and the assessor of the local tax collecting unit in which the obsolete property is located.

(5) Notwithstanding any other provision of this act, if a qualified local governmental unit passed a resolution approving an application for an obsolete property rehabilitation exemption certificate on November 5, 2008 for a rehabilitated facility located in an obsolete property rehabilitation district established on January 29, 2003 with rehabilitation commencing on July 24, 2007, the effective date of the certificate shall be December 31, 2008.

(6) If an error or mistake in an application for an obsolete property rehabilitation exemption certificate is discovered after the legislative body of the qualified local governmental unit has approved the application or after the commission has issued a certificate for the application, an applicant may submit an amended application in the same manner as an original application under section 4 that corrects the error or mistake. Pursuant to sections 5 and 6, the legislative body of the qualified local governmental unit and the commission may approve or deny the amended application. If the commission previously issued a certificate for the original application and approves an amended application under this subsection, the commission shall issue an amended certificate for the amended application pursuant to section 6 with the same effective date as the original certificate.

(7) If the clerk of the qualified local governmental unit failed to forward an application that was approved by the legislative body of the qualified local governmental unit before October 1 of that year to the commission before October 1 but filed the application before March 30 of the immediately succeeding year and the commission approves the application, notwithstanding any other provision of this act, the certificate shall be considered to be issued on December 31 in the year in which the qualified local governmental unit approved the application.

(8) Beginning October 1, 2013, the commission shall do all of the following for each obsolete property rehabilitation exemption certificate approved or disapproved by the commission under subsection (6) or (7):

(a) Notify the office of the member of the house of representatives of this state and the office of the senator of this state, who represent the geographic area in which the property covered by the application for a certificate is located, that an application for a certificate has been approved or disapproved under subsection (6) or (7).

(b) Publish on its website a copy of the certificate if approved, or a copy of the denial notice if disapproved, under subsection (6) or (7) and whatever additional information the commission considers appropriate regarding the application.

History: 2000, Act 146, Imd. Eff. June 6, 2000 ;-- Am. 2010, Act 137, Imd. Eff. Aug. 4, 2010 ;-- Am. 2011, Act 272, Imd. Eff. Dec. 19, 2011 ;-- Am. 2013, Act 115, Imd. Eff. Sept. 24, 2013

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125.2787 Issuance of certificate; tax exemption; time period; limitation; commencement; extension; review.

Sec. 7.

(1) A rehabilitated facility for which an obsolete property rehabilitation exemption certificate is in effect, but not the land on which the rehabilitated facility is located, or personal property other than personal property assessed pursuant to sections 8(d) and 14(6) of the general property tax act, 1893 PA 206, MCL 211.8 and 211.14, for the period on and after the effective date of the certificate and continuing so long as the obsolete property rehabilitation exemption certificate is in force, is exempt from ad valorem property taxes collected under the general property tax act, 1893 PA 206, MCL 211.1 to 211.157.

(2) Unless earlier revoked as provided in section 12, an obsolete property rehabilitation exemption certificate shall remain in force and effect for a period to be determined by the legislative body of the qualified local governmental unit. The certificate may be issued for a period of at least 1 year, but not to exceed 12 years. If the number of years determined is less than 12, the certificate may be subject to review by the legislative body of the qualified local governmental unit and the certificate may be extended. The total amount of time determined for the certificate including any extensions shall not exceed 12 years after the completion of the rehabilitated facility. The certificate shall commence with its effective date and end on the December 31 immediately following the last day of the number of years determined. The date of issuance of a certificate of occupancy, if required by appropriate authority, shall be the date of completion of the rehabilitated facility.

(3) If the number of years determined by the legislative body of the qualified local governmental unit for the period a certificate remains in force is less than 12 years, the review of the certificate for the purpose of determining an extension shall be based upon factors, criteria, and objectives that shall be placed in writing, determined and approved at the time the certificate is approved by resolution of the legislative body of the qualified local governmental unit and sent, by certified mail, to the applicant, the assessor of the local tax collecting unit in which the obsolete property is located, and the commission.

History: 2000, Act 146, Imd. Eff. June 6, 2000

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125.2788 Taxable value of property proposed to be exempt; application; limitation; separate finding by legislative body of qualified local governmental unit; statement; requirements for approval of application; effective date of certificate.

Sec. 8.

(1) If the taxable value of the property proposed to be exempt pursuant to an application under consideration, considered together with the aggregate taxable value of property exempt under certificates previously granted and currently in force under this act or under 1974 PA 198, MCL 207.551 to 207.572, exceeds 5% of the taxable value of the qualified local governmental unit, the legislative body of the qualified local governmental unit shall make a separate finding and shall include a statement in its resolution approving the application that exceeding that amount shall not have the effect of substantially impeding the operation of the qualified local governmental unit or impairing the financial soundness of an affected taxing unit.

(2) The legislative body of the qualified local governmental unit shall not approve an application for an obsolete property exemption certificate unless the applicant complies with all of the following requirements:

(a) Except as otherwise provided in subsection (3), the commencement of the rehabilitation of the facility does not occur before the establishment of the obsolete property rehabilitation district.

(b) The application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of this act and that shall be situated within an obsolete property rehabilitation district established in a qualified local governmental unit eligible under this act to establish such a district.

(c) Completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate have the reasonable likelihood to, increase commercial activity, create employment, retain employment, prevent a loss of employment, revitalize urban areas, or increase the number of residents in the community in which the facility is situated.

(d) The applicant states, in writing, that the rehabilitation of the facility would not be undertaken without the applicant's receipt of the exemption certificate.

(e) The applicant is not delinquent in the payment of any taxes related to the facility.

(3) The legislative body of a qualified local governmental unit may approve an application for an obsolete property exemption certificate if the commencement of the rehabilitation of the facility occurs before the establishment of the obsolete property rehabilitation district and if 1 or more of the following are met:

(a) All of the following are met:

(i) The building permit for the rehabilitation of the facility was obtained in October 2002.

(ii) The obsolete property rehabilitation district was created in April 2002.

(iii) The rehabilitation of the facility included adding additional stories to the facility.

(b) All of the following are met:

(i) Emergency or temporary repairs or improvements were made before the establishment of the obsolete property rehabilitation district.

(ii) The obsolete property rehabilitation district was created in January 2006.

(iii) The facility is located in a city with a population of more than 20,500 and less than 27,000 and is located in a county with a population of more than 95,000 and less than 105,000.

(c) All of the following are met:

(i) Roof repairs or improvements were completed in March 2006 before the establishment of the obsolete property rehabilitation district.

(ii) The obsolete property rehabilitation district was created in April 2006.

(iii) The application was submitted to the qualified local governmental unit in April 2006.

(iv) The facility is located in a city with a population of more than 10,800 and less than 11,100 and is located in a county with a population of more than 39,000 and less than 42,000.

(d) All of the following are met:

(i) The building permit for the rehabilitation of the facility was obtained in September 2010.

(ii) The obsolete property rehabilitation district was created in October 2012.

(iii) The rehabilitation of the facility included renovation of the entire interior building structure and mold removal.

(e) All of the following are met:

(i) Roof repairs or improvements began before the establishment of the obsolete property rehabilitation district.

(ii) The application for the facility was submitted to the qualified local governmental unit in January 2010.

(iii) The qualified local governmental unit established the district in June 2010 and approved the certificate in October 2010.

(iv) The facility is located in a city with a population of more than 600,000 and is located in a county with a population of more than 1,800,000, according to the most recent decennial census.

(4) Notwithstanding any other provisions of this act, for any certificate issued as a result of the enactment of the amendatory act that added subsection (3)(a), (b), and (c), the effective date of the certificate shall be December 31, 2006.

(5) Notwithstanding any other provisions of this act, for any certificate issued as a result of the enactment of the amendatory act that added subsection (3)(d), the effective date of the certificate shall be December 31, 2011.

(6) Notwithstanding any other provisions of this act, for any certificate issued as a result of the enactment of the amendatory act that added subsection (3)(e), the effective date of the certificate shall be December 31, 2010.

History: 2000, Act 146, Imd. Eff. June 6, 2000 ;-- Am. 2006, Act 667, Imd. Eff. Jan. 10, 2007 ;-- Am. 2008, Act 504, Imd. Eff. Jan. 13, 2009 ;-- Am. 2013, Act 265, Eff. Mar. 14, 2014

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125.2789 Value and taxable value of property; annual determination.

Sec. 9.

The assessor of each qualified local governmental unit in which there is a rehabilitated facility with respect to which 1 or more obsolete property rehabilitation exemption certificates have been issued and are in force shall determine annually as of December 31 the value and taxable value, both for real and personal property, of each rehabilitated facility separately, having the benefit of a certificate and upon receipt of notice of the filing of an application for the issuance of a certificate, shall determine and furnish to the local legislative body the value and the taxable value of the property to which the application pertains and other information as may be necessary to permit the local legislative body to make the determinations required by section 8(2).

History: 2000, Act 146, Imd. Eff. June 6, 2000

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125.2790 Obsolete properties tax; amount; collection, disbursement, and assessment; payment; copy of disbursement amount; form; property located in renaissance zone; exemption of rehabilitated facility of qualified start-up business from tax collection; resolution; "qualified start-up business" defined.

Sec. 10.

(1) There is levied upon every owner of a rehabilitated facility to which an obsolete property rehabilitation exemption certificate is issued a specific tax to be known as the obsolete properties tax.

(2) The amount of the obsolete properties tax, in each year, shall be determined by adding the results of both of the following calculations:

(a) Multiplying the total mills levied as ad valorem taxes for that year by all taxing units within which the rehabilitated facility is located by the taxable value of the real and personal property of the obsolete property on the

December 31 immediately preceding the effective date of the obsolete property rehabilitation exemption certificate after deducting the taxable valuation of the land and of personal property other than personal property assessed pursuant to sections 8(d) and 14(6) of the general property tax act, 1893 PA 206, MCL 211.8 and 211.14, for the tax year immediately preceding the effective date of the obsolete property rehabilitation exemption certificate.

(b) Multiplying the mills levied for school operating purposes for that year under the revised school code, 1976 PA 451, MCL 380.1 to 380.1852, and the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, by the taxable value of the real and personal property of the rehabilitated facility, after deducting all of the following:

(i) The taxable value of the land and of the personal property other than personal property assessed pursuant to sections 8(d) and 14(6) of the general property tax act, 1893 PA 206, MCL 211.8 and 211.14.

(ii) The taxable value used to calculate the tax under subdivision (a).

(3) The obsolete properties tax shall be collected, disbursed, and assessed in accordance with this act.

(4) The obsolete properties tax is an annual tax, payable at the same times, in the same installments, and to the same officer or officers as taxes imposed under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155, are payable. Except as otherwise provided in this section, the officer or officers shall disburse the obsolete properties tax payments received by the officer or officers each year to and among this state, cities, school districts, counties, and authorities, at the same times and in the same proportions as required by law for the disbursement of taxes collected under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155.

(5) For intermediate school districts receiving state aid under sections 56, 62, and 81 of the state school aid act of 1979, 1979 PA 94, MCL 388.1656, 388.1662, and 388.1681, of the amount of obsolete property tax that would otherwise be disbursed to an intermediate school district, all or a portion, to be determined on the basis of the tax rates being utilized to compute the amount of state aid, shall be paid to the state treasury to the credit of the state school aid fund established by section 11 of article IX of the state constitution of 1963.

(6) The amount of obsolete property tax described in subsection (2)(a) that would otherwise be disbursed to a local school district for school operating purposes, and all of the amount described in subsection (2)(b), shall be paid instead to the state treasury and credited to the state school aid fund established by section 11 of article IX of the state constitution of 1963.

(7) The officer or officers shall send a copy of the amount of disbursement made to each unit under this section to the commission on a form provided by the commission.

(8) A rehabilitated facility located in a renaissance zone under the Michigan renaissance zone act, 1996 PA 376, MCL 125.2681 to 125.2696, is exempt from the obsolete properties tax levied under this act to the extent and for the duration provided pursuant to the Michigan renaissance zone act, 1996 PA 376, MCL 125.2681 to 125.2696, except for that portion of the obsolete properties tax attributable to a special assessment or a tax described in section 7ff(2) of the general property tax act, 1893 PA 206, MCL 211.7ff. The obsolete properties tax calculated under this subsection shall be disbursed proportionately to the taxing unit or units that levied the special assessment or the tax described in section 7ff(2) of the general property tax act, 1893 PA 206, MCL 211.7ff.

(9) Upon application for an exemption under this subsection by a qualified start-up business, the governing body of a local tax collecting unit may adopt a resolution to exempt a rehabilitated facility of a qualified start-up business from the collection of the obsolete properties tax levied under this act in the same manner and under the same terms and conditions as provided for the exemption in section 7hh of the general property tax act, 1893 PA 206, MCL 211.7hh. The clerk of the local tax collecting unit shall notify in writing the assessor of the local tax collecting unit and the legislative body of each taxing unit that levies ad valorem property taxes in the local tax collecting unit. Before acting on the resolution, the governing body of the local tax collecting unit shall afford the assessor and a representative of the affected taxing units an opportunity for a hearing. If a resolution authorizing the exemption is adopted in the same manner as provided in section 7hh of the general property tax act, 1893 PA 206, MCL 211.7hh, the rehabilitated facility owned or operated by a qualified start-up business is exempt from the obsolete properties tax levied under this act, except for that portion of the obsolete properties tax attributable to a special assessment or a tax described in section 7ff(2) of the general property tax act, 1893 PA 206, MCL 211.7ff, for the year in which the resolution is adopted. A qualified start-up business is not eligible for an exemption under this subsection for more than 5 years. A qualified start-up business may receive the exemption under this subsection in nonconsecutive years. The obsolete properties tax calculated under this subsection shall be disbursed proportionately to the taxing unit or units that levied the special assessment or the tax described in section 7ff(2) of the general property tax act, 1893 PA 206, MCL 211.7ff. As used in this subsection, "qualified start-up business" means that term as defined in section 31a of the single business tax act, 1975 PA 228, MCL 208.31a, or in section 415 of the Michigan business tax act, 2007 PA 36, MCL 208.1415.

History: 2000, Act 146, Imd. Eff. June 6, 2000 ;-- Am. 2004, Act 251, Imd. Eff. July 23, 2004 ;-- Am. 2007, Act 193, Imd. Eff. Dec. 21, 2007

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125.2791 Lien; proceedings.

Sec. 11.

The amount of the tax applicable to real property, until paid, is a lien upon the real property to which the certificate is applicable. Proceedings upon the lien as provided by law for the foreclosure in the circuit court of mortgage liens upon real property may commence only upon the filing by the appropriate collecting officer of a certificate of nonpayment of the obsolete properties tax applicable to real property, together with an affidavit of proof of service of the certificate of nonpayment upon the owner of the facility by certified mail, with the register of deeds of the county in which the property is situated.

History: 2000, Act 146, Imd. Eff. June 6, 2000

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125.2792 Revocation of certificate; findings; request for revocation or reinstatement of certificate.

Sec. 12.

(1) The legislative body of the qualified local governmental unit may, by resolution, revoke the obsolete property rehabilitation exemption certificate of a facility if it finds that the completion of rehabilitation of the facility has not occurred within the time authorized by the legislative body in the exemption certificate or a duly authorized extension of that time, or that the holder of the obsolete property exemption certificate has not proceeded in good faith with the operation of the rehabilitated facility in a manner consistent with the purposes of this act and in the absence of circumstances that are beyond the control of the holder of the exemption certificate.

(2) Upon receipt of a request by certified mail to the legislative body of the qualified local governmental unit by the holder of an obsolete property rehabilitation exemption certificate requesting revocation of the certificate, the legislative body of the qualified local governmental unit may, by resolution, revoke the certificate.

(3) Upon the written request of the holder of a revoked obsolete property rehabilitation exemption certificate to the legislative body of the qualified local governmental unit and the commission or upon the application of a subsequent owner to the legislative body of the qualified local governmental unit to transfer the revoked obsolete property rehabilitation exemption certificate to a subsequent owner, and the submission to the commission of a resolution of concurrence by the legislative body of the qualified local governmental unit in which the facility is located, and if the facility continues to qualify under this act, the commission may reinstate a revoked obsolete property rehabilitation exemption certificate for the holder or a subsequent owner that has applied for the transfer.

History: 2000, Act 146, Imd. Eff. June 6, 2000 ;-- Am. 2018, Act 251, Imd. Eff. June 28, 2018

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125.2793 Transfer and assignment of certificate.

Sec. 13.

An obsolete property rehabilitation exemption certificate may be transferred and assigned by the holder of the certificate to a new owner of the rehabilitated facility if the qualified local governmental unit approves the transfer after application by the new owner.

History: 2000, Act 146, Imd. Eff. June 6, 2000

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125.2794 Report to commission.

Sec. 14.

Not later than October 15 each year, each qualified local governmental unit granting an obsolete property rehabilitation exemption shall report to the commission on the status of each exemption. The report must include the current value of the property to which the exemption pertains, the value on which the obsolete property rehabilitation tax is based, a current estimate of the number of jobs retained or created by the exemption, and a current estimate of the number of new residents occupying commercial housing property units covered by the exemption.

History: 2000, Act 146, Imd. Eff. June 6, 2000

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125.2795 Report to legislative committees.

Sec. 15.

(1) The department annually shall prepare and submit to the committees of the house of representatives and senate responsible for tax policy and economic development issues a report on the utilization of obsolete property rehabilitation districts, based on the information filed with the commission.

(2) After this act has been in effect for 3 years, the department shall prepare and submit to the committees of the house of representatives and senate responsible for tax policy and economic development issues an economic analysis of the costs and benefits of this act in the 3 qualified local governmental units in which it has been most heavily utilized.

History: 2000, Act 146, Imd. Eff. June 6, 2000

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125.2796 Exemption after December 31, 2026.

Sec. 16.

A new exemption shall not be granted under this act after December 31, 2026, but an exemption then in effect shall continue until the expiration of the exemption certificate.

History: 2000, Act 146, Imd. Eff. June 6, 2000 ;-- Am. 2010, Act 137, Imd. Eff. Aug. 4, 2010 ;-- Am. 2016, Act 222, Imd. Eff. June 23, 2016

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125.2797 Exclusions; limitation.

Sec. 17.

(1) Within 60 days after the granting of an obsolete property rehabilitation exemption certificate under section 6 for a rehabilitated facility, the state treasurer may, for a period not to exceed 6 years, exclude up to 1/2 of the number of mills levied for school operating purposes under the revised school code, 1976 PA 451, MCL 380.1 to 380.1852, and under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, from the specific tax calculation on the facility under section 10(2)(b) if the state treasurer determines that reducing the number of mills used to calculate the specific tax under section 10(2)(b) is necessary to reduce unemployment, promote economic growth, and increase capital investment in qualified local governmental units.

(2) The state treasurer shall not grant more than 25 exclusions under this section each year.

History: 2000, Act 146, Imd. Eff. June 6, 2000

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Michigan Compiled Laws Complete Through PA 93 of 2019

Courtesy of www.legislature.mi.gov

OBSOLETE PROPERTY REHABILITATION ACT (OPRA)

The Obsolete Property Rehabilitation Act (OPRA), [Public Act 146 of 2000](#), provides for a tax incentive to encourage the redevelopment of obsolete buildings. A new exemption will not be granted after December 31, 2026, but an exemption then in effect will continue until the certificate expires. The tax incentive is designed to assist in the redevelopment of older buildings in which a facility is contaminated, blighted or functionally obsolete. The goal is to rehabilitate older buildings into vibrant commercial and mixed-use projects.

Note: This document is offered as a general guide only and the legislation should be reviewed by local officials.

WHO IS ELIGIBLE?

OPRA tax abatements may be given for those eligible projects that take place on an obsolete property and result in a commercial or mixed-use building project located in only the [qualified local units of government](#).

HOW DOES IT WORK?

A community essentially freezes the existing taxable value on a designated facility for up to 12 years. Additionally, the state treasurer may approve reductions of half of the school operating and state education taxes for a period not to exceed six years for 25 applications annually for rehabilitated facilities. By freezing the taxable value, it provides an incentive for the developer to make significant improvements to a building without increasing the property taxes on the building.

WHAT IS THE PROCESS?

Local government process to designate an Obsolete Property Rehabilitation District (OPRD)

1. The governing body of a qualified local unit of government, by resolution, may designate one or more OPRDs within that local governmental unit. The OPRD may consist of one or more parcels or tracts of land that is characterized by obsolete commercial or obsolete commercial housing property.
2. The qualified local unit of government may establish an OPRD on its own initiative or upon a written request by at least 50 percent of the owners of the property within the proposed OPRD.
3. Written notice of a public hearing is provided by certified mail to all owners of all real property within the proposed district.
4. The governing body holds a public hearing with a public
5. The governing body adopts a resolution establishing the district and the determination that it meets the requirements under the legislation.

Owner/developer process for obtaining an OPRA certificate

1. An owner of an obsolete property within the district files an application for an OPRA certificate with the clerk of the local government that includes the details of the project.
2. Once a completed application is received, the clerk must notify the assessor and each taxing unit that levies property taxes (e.g., county, community college, library, etc.).
3. The governing body holds a public hearing prior to acting on the resolution regarding the certificate.
4. Within 60 days of receipt of application, the local unit of government shall by resolution approve or disapprove the application for the certification for up to 12 years. The public hearings for the district and the exemption certificate may be held on the same day, but with individual public hearings.
5. Once approved locally, the application and resolution must be sent to the State Tax Commission (STC). The STC has 60 days to approve or disapprove the request. To apply for the abatement of school millage, the developer must make note of this on the application form. The STC is responsible for final approval and issuance of all OPRA certificates.

WHY WOULD A COMMUNITY WANT TO OFFER AN OBSOLETE PROPERTY TAX REHABILITATION TAX ABATEMENT?

The OPRA incentive is used to encourage the redevelopment of blighted buildings. In many cases, this could be an abandoned, multi-story industrial building that is now more suited for commercial or residential rental units. To the developer, the advantage is savings on property taxes. The tax incentives essentially freeze the local property taxes for up to 12 years, exempting from local property tax all real property improvements. In addition, the state treasurer has the ability to exempt one-half of the school millage for up to six years on 25 projects per year.

SUPPORTING STATUTE

[PA 146 of 2000: Obsolete Property Rehabilitation Act](#)

CONTACT INFORMATION

For more information, contact the [Community Assistance Team \(CAT\) specialist](#) assigned to your territory or visit www.miplace.org.

City of Albion
Notice of Public Hearing

RE: Public Hearing to consider creating an Obsolete Property Rehabilitation Act (OPRA) District

Notice is hereby given that a Public Hearing will be held on **December XX, 2019 at 7:00 p.m.** in the Albion City Council Chambers, 112 West Cass Street, Albion Michigan 49224.

A map for the proposed OPRA district being considered is attached as an addendum to this notice.

This notice is offered under the provisions of Act 146 of 2000, as amended.

Dated: December X, 2019

Jill Domingo, City Clerk
City of Albion

City of Albion
RESOLUTION TO ESTABLISH AN OBSOLETE PROPERTY
REHABILITATION DISTRICT

Minutes of a regular meeting of the City Council of the City of Albion, held on (date), at 112 W. Cass, Albion, in Council Chambers of City Hall at 7:00 p.m.

PRESENT:

ABSENT:

The following preamble and resolution were offered by _____, and supported by _____.

Resolution (resolution number)
Establishing an Obsolete Property Rehabilitation (OPRA) District
for Downtown OPRA District

WHEREAS, pursuant to PA 146 of 2000, the City of Albion has the authority to establish “Obsolete Property Rehabilitation Districts” within the City of Albion; and

WHEREAS, in order to promote redevelopment, the City of Albion desires to establish an Obsolete Property Rehabilitation District for an area located in the downtown business district, City of Albion, hereinafter described; and

WHEREAS, the City Council of the City of Albion determined that the district meets the requirements set forth in section 3(1) of PA 146 of 2000; and

WHEREAS, written notice has been given by mail to all owners of real property located within the proposed district and to the public by newspaper advertisement in the Recorder and/or by public posting of the hearing on the establishment of the proposed district; and

WHEREAS, on (date) a public hearing was held and all residents and taxpayers of the City of Albion were afforded an opportunity to be heard thereon; and

WHEREAS, the City of Albion deems it to be in the public interest of the City of Albion to establish the Obsolete Property Rehabilitation District as proposed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Albion that the following map of the proposed Downtown OPRA District to wit:

(Legal Description of District) – See Attachment A for map

be and here is established as an Obsolete Property Rehabilitation District pursuant to the provisions of PA 146 of 2000 to be known as City of Albion – Downtown Obsolete Property Rehabilitation District No.2.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Council of the City of Albion, County of Calhoun, Michigan at a regular meeting held on (date).

Clerk

City of Albion—Downtown OPRA District

Proposed for Consideration



City of Albion
Council Session Minutes
January 6, 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); Shane Williamson (6) and Mayor Atchison.

ABSENT: Jeanette Spicer (5) was absent.

STAFF PRESENT:

Cullen Harkness, City Attorney; Jill Domingo, City; Kent Phillips, Acting Interim Public Service Director; 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)

Council Member Lawler asked to have Agenda Item A-changed to Request Approval 2nd Reading and Adoption Ordinance # 2019-11, An Ordinance to Amend Chapter 2, Article IV, To Add Division 5, Sections 2-280 through 2-284, Recreation Advisory ~~Committee~~ **Commission**.

Mayor Atchison asked to remove from Agenda Item I-Approval of Kristy Jo Clement, DDA Citizens Advisory Board, Term to Expire 12-31-2020 and Corrine Atchison. DDA Citizens Advisory Board, Term to Expire 12-31-2020.

Atchison moved, Lawler supported, CARRIED, to Approve the Agenda with the above corrections. (6-0, vv)

VI. PRESENTATIONS-None

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 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 Study Session Minutes, December 16, 2019
B. Approval Regular Session Minutes, December 16, 2019

Williamson moved, Lawler supported, CARRIED, to approve the Consent Calendar as presented. (6-0, vv)

- XI. ITEMS FOR INDIVIDUAL DISCUSSION

- A. 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, Arts ~~Committee~~ **Commission**

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

Clark moved, Lawler supported, CARRIED, To **TABLE until the January 21, 2020 Council Meeting**, the 2nd Reading & Adoption Ordinance # 2019-11, An Ordinance to Amend Chapter 2, Article IV, To Add Division 5, Sections 2-280 through 2-284, Arts ~~Committee~~ **Commission**. (6-0, vv)

- B. 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 Council Members Lawler, Smith, Clark and Williamson; Mayor Atchison and City Attorney Harkness.

Clark moved, Lawler supported, CARRIED, to **TABLE until the January 21, 2020 Council Meeting**, the 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. (6-0, vv)

- C. Establish Work Group for Sidewalks

The following individuals were chosen to represent the precincts for the work group for sidewalks:

Precinct 2-Betty Branche
Precinct 3-Harry Bonner Sr.
Precinct 6-Andy French
Mayor-Staci Stuart

The remaining precincts are waiting for responses from individuals asked to participate in the work group.

D. Request Approval to Apply for Grant with the State of Michigan for an AVCB Tabulator

Comments were received from Council Member Lawler and City Clerk Domingo.

Williamson moved, Reid supported, CARRIED, to Approve Applying for Grant with the State of Michigan for an AVCB Tabulator as presented. (6-0, rcv)

E. Request Approval Renewal of Medical Marihuana Grower License for Michael Moore

Comments were received from Council Member Smith and City Attorney Harkness.

Williamson moved, Lawler supported, CARRIED, to Approve Renewal of Medical Marihuana Grower License for Michael Moore as presented. (6-0, rcv)

F. Request Approval Renewal of Medical Marihuana Processor License for Michael Moore

Comments were received from City Attorney Harkness.

Williamson moved, Clark supported, CARRIED, to Approve Renewal of Medical Marihuana Processor License for Michael Moore as presented. (6-0, rcv)

G. Request Approval Renewal of Medical Marihuana Provisioning License for Pincanna

Comments were received from Council Member Smith, City Attorney Harkness and Steve Shaffer, Pincanna.

Williamson moved, Clark supported, CARRIED, to Approve Renewal of Medical Marihuana Provisioning License for Pincanna as presented. (5-1, rcv) (Smith dissenting)

H. Request Approval Renewal of Medical Marihuana Provisioning License for Greenhouse Farms

Comments were received from City Attorney Harkness and Mayor Atchison

Williamson moved, Clark supported, CARRIED, to Approve Renewal of Medical Marihuana Provisioning License for Greenhouse Farms as presented. (5-1, rcv) (Smith dissenting)

I. Request Approval of Boards & Commissions Appointments:

- LoriRene Koehn, Initial Appointment, Albion District Library, Term to Expire 12-31-2023
- Robert Anderson, Initial Appointment, Downtown Development Authority (DDA), Term to Expire 12-31-2023
- ~~Kristy Jo Clement, DDA Citizens Advisory Board, Term to Expire 12-31-2020~~
- ~~Corinne Atchison, DDA Citizens Advisory Board, Term to Expire 12-31-2020~~ — **(Items were removed at agenda approval)**

Comments were received from Council Member Lawler who asked to vote on each Board appointment separately.

Clark moved, Williamson supported, CARRIED, to Approve LoriRene Koehn, Initial Appointment, Albion District Library, Term to Expire 12-31-2023 as presented. (6-0, vv)

Clark moved, Williamson supported, CARRIED, to Approve Robert Anderson, Initial Appointment, Downtown Development Authority (DDA), Term to Expire 12-31-2023 as presented. (6-0, vv)

XII. FUTURE AGENDA ITEMS

The following items were requested for the next agenda:

- Council Member Williamson asked to review outdoor café ordinance
- Council Member Smith asked discussion/approval of the 2020 fee schedule
- Council Member Reid would like to set a date for a Town Hall Meeting

Mayor Atchison would like the following:

- Ordinance # 2019-11
- Ordinance # 2020-01
- 2020 City Goals

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 Garrett Brown, 1016 S. Superior St; Sonya Brown, 713 Orchard Dr; Juanita Solis-Kidder, 1211 Edwards St and Gary Tompkins, Calhoun County Commissioner.

XIV. CITY MANAGER REPORT-None

XV. MAYOR AND COUNCIL MEMBER'S COMMENTS

Comments were received from Council Members Clark, Reid, Smith, Lawler and Williamson and Mayor Atchison.

XVI. EXCUSE ABSENT COUNCIL MEMBER (S)

Lawler moved, Clark supported, CARRIED, to Excuse Council Member Jeanette Spicer (5). (6-0, vv)

XVII. ROLL CALL

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

ABSENT: Jeanette Spicer (5)

XVIII. ADJOURNMENT

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

Mayor Atchison adjourned the Regular Session at 8:30 p.m.

Date

Jill Domingo
City Clerk

City of Albion
Study Session Minutes
January 14, 2020

I. CALL TO ORDER

Mayor Atchison opened the study session at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

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

ABSENT: Marcola Lawler (4) and Shane Williamson (6)

STAFF PRESENT:

Darwin McClary, City Manager; Lauren Ferguson, Assistant City Attorney; Jill Domingo, City Clerk and John Tracy, Director of Planning, Building & Code Enforcement.

IV. ITEMS FOR INDIVIDUAL DISCUSSION

A. Review of Eight (8) Brownfield Redevelopment Authority Plans for Downtown Albion Projects

Amy Deprez, President of the Albion Economic Development Corporation gave the following update:

- The Big Albion Plan initially began with the City creating the 2017 Comprehensive Plan which lead to the EDC creating the Economic Development Strategic Plan and the ARC Advancing Albion Action Plan
- The Big Albion Plan-Brownfield TIF consists of 8 redevelopment projects which are as follows:
 - 101-109 S. Superior St-Albion Reinvestment Corporation (ARC)
 - 111-119 S. Superior St- Albion Reinvestment Corporation (ARC)
 - 104-108 S. Superior St.- Albion Reinvestment Corporation (ARC)
 - 213-221 S. Superior St.- Albion Reinvestment Corporation (ARC)
 - 313-315 S. Superior St.- Albion Reinvestment Corporation (ARC)
 - 106-108 E. Erie St.- Albion Reinvestment Corporation (ARC)
 - 300-304 S. Superior St-ACE Investment Properties
 - 403 S. Superior St-ACE Investment Properties
- The terms of the plan range from 18 to 30 years
- Tax Increment Financing Overview:

- **Eligibility:**
- Contaminated
- Functionally Obsolete
- Blighted
- Targeted Redevelopment Area
- **Eligible Activities:**
- Environmental Assessments
- Environmental Remediation
- Lead & Asbestos Abatement
- Demolition
- Site Preparation
- Infrastructure Improvements
- A Brownfield Plan defines the project, expected eligible activities and identifies the tax increment that can be captured
- Tax Increment is used to pay back the developer for certain activities as allowed by legislation
- Without TIF, these projects do not make financial sense
- Existing tax base continues to go to the City
- After the Plan ends, all the taxes go back to the City
- The Big Albion Plan is 8 projects which include 18 buildings-29 commercial units and 73 residential units and is a \$19 million dollar capital investment
- The following is a breakdown of the investment made by each of the partners:
 - ARC and ACE:
 - \$19 million capital investment
 - Equity
 - Tax Increment Financing (TIF)
 - Community Development Grants
 - Historic Tax Credits
 - State of Michigan
 - \$3,706,012 TIF Community Revitalization Program (CRP) Grants
 - City of Albion
 - \$2,461,274 Property Taxes (\$100,802 /year)
 - Benefits for the City:
 - The City will gain new income tax of approximately \$57,500
 - Permit & development fees
 - Income tax from commercial employees

Comments were received from Council Members Smith, Reid and Spicer, Mayor Atchison and Bruce Johnson, Revitalize.

- V. 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 Bruce Johnson, Revitalize; Cindy Stanczak, 929 Luther Dr; Bill Dobbins, 15901 E. Michigan Avenue; Nidia Wolf, 409 Irwin Avenue, Johnathon Naracon, EDC Board Member; Juanita Solis-Kidder, 1211 Edwards St; Richard Porter, Sheridan Township Supervisor; Emily Verbeke, 1217 E. Porter St and Joyce Spicer, 27909 Conduit Rd.

- VI. CITY MANAGER REPORT-None

- VII. MAYOR AND COUNCIL MEMBER COMMENTS

Comments were received from Council Member Smith and Mayor Atchison.

- VIII. ADJOURNMENT

Smith moved, Reid supported, CARRIED, to adjourn the study session. (5-0, vv)

Mayor Atchison adjourned the Study Session at 6:55 p.m.

Date

Jill Domingo
City Clerk

**** INVOICE CHARGES ****

BUILDING REFERENCE
CITY OF ALBION
112 WEST CASS STREET

CUSTOMER NO.
743597

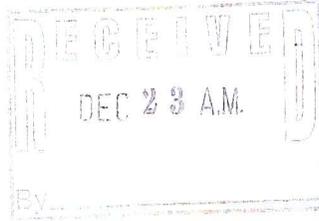
DATE
12/02/19

INVOICE NO.
CVJ15888001

ALBION
49224

MI

100% DOWN PAYMENT: SOLID STATE STARTER



101 265785
1/8 12/19/19

SUBTOTAL	6,555.00
TAX	.00
FREIGHT	.00
TOTAL AMOUNT DUE	6,555.00

ANY QUESTIONS CONCERNING THIS INVOICE, CONTACT OTIS

AT: (616-498-8637)

WE CERTIFY THAT GOODS WERE PRODUCED IN COMPLIANCE WITH ALL APPLICABLE REQUIREMENTS OF SECTIONS 6, 7 AND 12 OF THE FAIR LABOR STANDARDS ACT, AS AMENDED, AND OF REGULATIONS AND ORDERS OF THE UNITED STATES DEPARTMENT OF LABOR ISSUED UNDER SECTION 14 HEREOF.

OVERDUE PAYMENTS SHALL BEAR AN INTEREST CHARGE OF THE OVERDUE AMOUNT CALCULATED FROM THE PAYMENT DUE DATE OF THE INVOICE AT THE RATE OF ONE AND ONE HALF PERCENT (1.5%) PER MONTH OR THE MAXIMUM RATE ALLOWED BY APPLICABLE LAW, WHICHEVER IS LESS.

**CITY OF ALBION
ORDINANCE #2019-11**

AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE IV, TO ADD DIVISION 5,
SECTIONS 2-280 THROUGH 2-284, RECREATION ADVISORY COMMISSION

Purpose and Finding:

As the City Council is aware, the Council has previously expressed an interest in the creation of a recreation advisory commission to further the development of the city's recreation services. The duties of the commission would include, but not be limited to, reviewing the annual budget(s) for the recreation department and providing recommendations thereon, reviewing and making recommendations regarding bond proposals and capital improvements, reviewing fees for the recreation department and making recommendations thereon. Approval is recommended

THE CITY OF ALBION ORDAINS:

Section 1. Chapter 2, Article IV of the Codified Ordinances of the City of Albion, is hereby amended, by adding Sections 2-280 through 2-284 as follows:

DIVISION 5: RECREATION ADVISORY COMMISSION

Section 2-280: Created

- A. The Recreation Advisory Commission is hereby created.

Section 2-281: Members

- A. The recreation advisory commission shall consist of seven members, who shall be residents of the city and an effort shall be made for the membership to reflect all precincts of the city.. Each member of the commission shall serve for a term of three years except of the members first appointed, two shall be appointed for a term of one-year, two for a term of two years, and three for a term of three years.
- B. All members shall be appointed by the mayor subject to the approval of the council.
- C. Unless specifically provided otherwise in this article, any vacancy occurring in the membership of any board or commission may be filled by the appointing authority for the remainder of the unexpired term.
- D. Members of the commission shall serve at the will of the council. Nonattendance at three regularly scheduled consecutive commission meetings or failure to attend more than one-third of the regularly

scheduled meetings during any rolling 12-month period, is hereby determined to constitute neglect of duty, shall be deemed nonfeasance in office, and, unless a removal hearing is otherwise required by law, shall automatically create a vacancy without further action.

Section 2-282: Duties

- A. The commission shall have the following duties:
1. To be an advisory commission to the City Manager and city council;
 2. To annually review the recreation budget as prepared by city staff and make recommendations to the City Manager and city council as part of the budget preparation and submittal process;
 3. To review and make recommendations to the City Council on potential capital improvements relating to recreation;
 4. To annually review the recreation fee schedule as prepared by city staff and make recommendations thereon to the Recreation Director, City Manager, and city council;
 5. To review recreation bond proposals and to make recommendations in writing to the city council prior to city council taking final action on the matter.
 6. To make recommendations to the Recreation Director, City Manager, and City Council regarding recreation programs for the City;

Section 2-283: Meetings

- A. The commission shall meet a minimum of six (6) times annually at Albion City Hall, or such other designated place in the city.
- B. At the last regularly scheduled meeting of a calendar year, the commission shall adopt a schedule of meetings for the coming year, which shall be properly noticed as required by law. Special meetings of the commission may be called upon 24 hours notice by the chairperson or any two members of the commission.
- C. All commission meetings shall be open to the public, and all business shall be conducted in public session as required by the Michigan Open Meetings Act. At each regularly scheduled meeting, there shall be an opportunity for the public to speak. All meetings shall be held in a facility accessible to persons with disability.

- D. The commission may adopt bylaws and rules of procedure which pertain to the actual conduct of its business. Such rules shall not be effective without the approval of the city council and once approved, must be made available to each person conducting business before the commission. In the event the commission does not adopt its own rules, all commission meetings shall be conducted in accordance with Robert's Rules of Order, Newly Revised. Each member the commission present at a meeting shall vote on each motion made unless excused due to a bona fide conflict of interest by the unanimous consent of the other members present.
- E. A majority of the members of the commission appointed and serving shall constitute a quorum for the transaction of business.
- F. The commission shall, at the first meeting of the year, elect a chair, a vice-chair, and a secretary. In the event the commission shall, for any reason, fail to elect a chair, vice-chair, or a secretary as required by this section, the city council shall at the council's first meeting in February appoint a chair, a vice-chair, and a secretary from the members of the commission.
- i. The duties of the chair shall include: He or she shall be the presiding member of the commission. The chair shall open and close meetings of the commission, announce the proper sequence of business in accordance with the prescribed agenda, state and put to vote all questions that come before the commission by motion, to enforce rules of order and decorum, to respond to questions of parliamentary procedure, and to sign any documents reflecting official action(s) of the commission.
 - ii. The duties of the vice-chair shall include: Discharging the duties of the chair in the chair's absence, when the chair becomes disabled, when the chair is otherwise unable to fulfill his or her duties, or when the chair has a bona fide conflict of interest on any matter.
 - iii. The duties of the secretary shall include: Attending all meetings of the commission and keeping a journal of the commission's proceedings in the English language. He or she shall keep a record of all actions taken by the commission and shall create and

maintain meeting minutes as required by the Michigan Open Meetings Act, Act 267 of 1976, as amended. A copy of the commission's meeting minutes shall be forwarded to the City Clerk.

Section 2-284: Compensation

- A. Unless specifically provided for by law, no member of the commission shall be compensated for their service. Members of the commission shall be entitled to reimbursement for their actual and necessary expenses incurred in the performance of their duties if an appropriation therefor is included in the annual budget and the expense is approved by the City Manager.

Section 2. Severability. This ordinance and each article, section, subsection, paragraph, subparagraph, part, provision, sentence, word and portion thereof are hereby declared to be severable, and if they or any of them are declared to be invalid or unenforceable for any reason by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

This Ordinance shall take effect on February 21, 2020 after publication.

First Reading:

Second Reading & Adoption:

December 16, 2019

January 21, 2020

Ayes _____
Nays _____
Absent _____

Ayes _____
Nays _____
Absent _____

Jill Domingo,
Clerk

David Atchison,
Mayor.

**CITY OF ALBION
ORDINANCE #2020-01**

AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE IV, TO ADD DIVISION 6,
SECTIONS 2-320 THROUGH 2-327, ARTS COMMISSION

Purpose and Finding:

As the City Council is aware, the Council has previously expressed an interest in the creation of an arts commission to further the development of the city's recreation services. The duties of the commission would include, but not be limited to, advising the city council on matters pertaining to arts programs in the city, promoting arts and culture in the city, implementing a public art program, reviewing artwork proposals, and fundraising. Approval is recommended

THE CITY OF ALBION ORDAINS:

Section 1. Chapter 2, Article IV of the Codified Ordinances of the City of Albion, is hereby amended, by adding Division 6, Sections 2-320 through 2-327 as follows:

DIVISION 6: ARTS COMMISSION

Section 2-320: Created

- A. The Arts Commission is hereby created.

Section 2-321: Members

- A. The arts commission shall consist of five members, who shall be residents of the city. Each member of the commission shall serve for a term of three years except of the members first appointed, one shall be appointed for a term of one-year, two for a term of two years, and two for a term of three years.
- B. All members shall be appointed by the mayor subject to the approval of the council.
- C. Unless specifically provided otherwise in this article, any vacancy occurring in the membership of any board or commission may be filled by the appointing authority for the remainder of the unexpired term.
- D. Members of the commission shall serve at the will of the council. Nonattendance at three regularly scheduled consecutive commission meetings or failure to attend more than one-third of the regularly scheduled meetings during any rolling 12-month period, is hereby determined to constitute neglect of duty, shall be deemed nonfeasance

in office, and, unless a removal hearing is otherwise required by law, shall automatically create a vacancy without further action.

Section 2-322: Duties

A. The commission shall have the following duties:

1. It shall be the duty of the arts commission to advise the City manager and the city council on matters pertaining to arts programs within the city. These duties shall also include the review of requests for support, monetary or otherwise, submitted to the city; advise on the priority of such requests; develop and/or sponsor activities in performing arts and crafts, and visual arts.
2. The arts commission shall also be responsible for promoting arts and culture in the community, to include, but not be limited to, dissemination of knowledge with regard to the arts, recognizing local artists and their work when appropriate, and cooperation with agencies also dealing in the arts.
3. The commission shall be responsible for implementing a public art program so as to provide for the acquisition, placement, and display of works of art within the city. The public art program shall be administered subject to the approval of the city council.
4. The commission shall also be responsible for fundraising and preparation of grant applications to support the arts and culture in the city.
5. The commission shall manage an annual budget, determined annually by the city council.
6. The commission shall be responsible for reviewing proposed public art for compliance with the requirements and review standards of the applicable City Ordinances and making a recommendation to the city council as to whether or not the proposed public art is in compliance. If the commission determines the proposed public art is not in compliance, it shall advise the developer and city council of the reason it is not in compliance and what steps may be taken to have the proposed public art comply with the applicable requirements and standards. This review shall be in addition to, and not in lieu of, any other review required by any other applicable governmental body or sub-body.
7. Prepare, adopt, and amend with the city council's approval a plan and guidelines to carry out the city's art program, which shall include, but not be limited to, a method or methods for the

selection of artists or works of art and for placement of works of art.

8. Recommend to the City Manager and the city council the purchase of works of art or commission the design, execution and/or placement of works of art and payment therefor from the public art fund.
9. Require that any proposed work of art requiring extraordinary operation or maintenance expenses shall receive prior approval of the City Manager.
10. Ensure that art works which are appropriate as art in public places and compatible in scale, material, form, and content with their surroundings shall be considered.
11. Assure, in the overall public art program, that reasonable diversity is attained in style, scale, media, and materials represented.
12. Providing an annual report to the city council on the commission's activities.

Section 2-323: Meetings

- A. The commission shall meet a minimum of six (6) times annually at Albion City Hall, or such other designated place in the city.
- B. At the last regularly scheduled meeting of a calendar year, the commission shall adopt a schedule of meetings for the coming year, which shall be properly noticed as required by law. Special meetings of the commission may be called upon 24 hours notice by the chairperson or any two members of the commission.
- C. All commission meetings shall be open to the public, and all business shall be conducted in public session as required by the Michigan Open Meetings Act. At each regularly scheduled meeting, there shall be an opportunity for the public to speak. All meetings shall be held in a facility accessible to persons with disability.
- D. The commission may adopt bylaws and rules of procedure which pertain to the actual conduct of its business. Such rules shall not be effective without the approval of the city council and once approved, must be made available to each person conducting business before the commission. In the event the commission does not adopt its own rules, all commission meetings shall be conducted in accordance with Robert's Rules of Order, Newly Revised. Each member the commission present at a meeting shall

vote on each motion made unless excused due to a bona fide conflict of interest by the unanimous consent of the other members present.

- E. A majority of the members of the commission appointed and serving shall constitute a quorum for the transaction of business.
- F. The commission shall, at the first meeting of the year, elect a chair, a vice-chair, and a secretary. In the event the commission shall, for any reason, fail to elect a chair, vice-chair, or a secretary as required by this section, the city council shall at the council's first meeting in February appoint a chair, a vice-chair, and a secretary from the members of the commission.
 - 1. The duties of the chair shall include: He or she shall be the presiding member of the commission. The chair shall open and close meetings of the commission, announce the proper sequence of business in accordance with the prescribed agenda, state and put to vote all questions that come before the commission by motion, to enforce rules of order and decorum, to respond to questions of parliamentary procedure, and to sign any documents reflecting official action(s) of the commission.
 - 2. The duties of the vice-chair shall include: Discharging the duties of the chair in the chair's absence, when the chair becomes disabled, when the chair is otherwise unable to fulfill his or her duties, or when the chair has a bona fide conflict of interest on any matter.
 - 3. The duties of the secretary shall include: Attending all meetings of the commission and keeping a journal of the commission's proceedings in the English language. He or she shall keep a record of all actions taken by the commission and shall create and maintain meeting minutes as required by the Michigan Open Meetings Act, Act 267 of 1976, as amended. A copy of the commission's meeting minutes shall be forwarded to the City Clerk.

Section 2-324: Compensation

- A. Unless specifically provided for by law, no member of the commission shall be compensated for their service. Members of the commission shall be entitled to reimbursement for their actual and necessary expenses incurred in the performance of their duties if an appropriation therefor is included in the annual budget and the expense is approved by the City

Manager.

Section 2-325: Public Art Fund Established

- A. There is further hereby established a "public art fund" to which an amount, to be determined by the city council each year, shall be appropriated from the general fund. All such funds as are appropriated to the public art fund may be accumulated and expended for such public art, from time to time, as hereinafter provided. No public art from public funding may be placed on private property.

Section 2-326: Expenditures for Works of Art

- A. The portion of the public art fund reserved for works of art may be expended for the following:
1. The cost of the work of art and its installation.
 2. Identification plaques and labels.
 3. Waterworks, electrical and mechanical devices and equipment which are an integral part of the work of art.
 4. Frames, mats, and simple pedestals necessary for the proper presentation of the works of art.
 5. Maintenance and repair of the public art works.
 6. Fees to artists for the execution of final proposals for the arts commission to select from.
 7. Exhibitions, marketing and educational programs.
 8. For the support of artistic festivals.

Section 2-327: Definitions

- A. The following words and phrases shall be used in the interpretation and administration of the public arts program:
- a. *Artist* means a practitioner in the visual arts, generally recognized by critics and his/her peers as professional, who produces work as described in the definition of "works of art" in this section.
 - b. *Arts commission* means the Albion Arts Commission.
 - c. *City* means the City of Albion.

- d. *Public art* means works of art purchased through the public art fund that are located in highly visible public areas.
- e. *Public art fund* means those monies appropriated by city council pursuant to this division, plus any other funds received by the city specifically designated to be used for the purchase of public art.
- f. *Works of art* means all forms of original creations of visual art, including, but not limited to:
 - i. Sculpture: In the round, bas relief, high relief, mobile, fountain, kinetic, electronic, etc., in any material or combination of materials.
 - ii. Painting: All media, including portable and permanently affixed works, such as murals and frescoes.
 - iii. Mosaics.
 - iv. Mixed media: Any combination of forms or media including collage.
 - v. Performing arts.
 - vi. Digital art.

Section 2. Severability. This ordinance and each article, section, subsection, paragraph, subparagraph, part, provision, sentence, word and portion thereof are hereby declared to be severable, and if they or any of them are declared to be invalid or unenforceable for any reason by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

This Ordinance shall take effect on March 3, 2020 after publication.

First Reading:

Second Reading & Adoption:

January 21, 2020

February 3, 2020

Ayes _____
 Nays _____
 Absent _____

Ayes _____
 Nays _____
 Absent _____

Jill Domingo,
Clerk

David Atchison,
Mayor.



Council Action Summary Sheet

Agenda Item #:	
Agenda Item Title:	<i>ESTABLISHMENT OF SIDEWALK PROGRAM FUND REVIEW COMMITTEE</i>
Meeting Date:	January 21, 2020
Submitted by:	Darwin McClary, City Manager
Contact Information:	(517) 629-7172; dmcclary@cityofalbionmi.gov
Agenda Item Approvals:	<input type="checkbox"/> City Clerk <input type="checkbox"/> Finance Director/Treasurer <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> 4 City Manager

Background Brief:

At its December 16, 2019, regular meeting, the city council discussed the status of the city's Sidewalk Program Fund and the concerns expressed by City Attorney Harkness regarding the establishment of the sidewalk special assessment program and the use of the funds. Council expressed a desire to establish an ad hoc committee to complete a review of the Sidewalk Program Fund and to make recommendations on the use of the special assessment funds for future sidewalk improvements, with the committee to consist of the Public Services Director, City Manager, and a representative from each precinct selected by the council member from that precinct.

Alternatives Analysis:

Do nothing. If the city council takes no action, legal concerns will linger regarding the use of the sidewalk special assessment funds for sidewalk improvements.

Authorize expenditure of funds in accordance with City Attorney and City Manager recommendation and determine resource allocation. If the city council authorizes expenditure of sidewalk funds in accordance with administration's recommendations and determine the methods to be used in prioritizing sidewalk improvement projects, allocation of funds, timing of projects, and construction of projects (in-house versus contracted work), the city can proceed with needed sidewalk improvements. However, this option ignores valuable input from the public.

Establish ad hoc committee to review Sidewalk Program Fund and make recommendations on the use of funds. If the city council establishes an ad hoc committee, the committee will review the Sidewalk Program Fund and prepare recommendations on the appropriate, legal, and equitable use of the sidewalk funds. Council will then be able to approve, modify, or reject the



recommendations, prioritize and establish timing of projects, and determine method of construction. The city will promote public engagement in the process and decisions.

Summary of Previous Council Action:

11/16/2019 – Council and administration discuss issues with the Sidewalk Program Fund during budget work session.

12/16/2019 – Council holds a study session to discuss issues with the Sidewalk Program Fund; during regular meeting, council postpones action on the Holland Park sidewalk improvement project until a committee is established and recommendations made on the use of sidewalk special assessment funds.

Financial Impact:

None

Recommended Motion(s):

#1 - 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, and 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 their respective precinct representatives for the committee to the City Manager not later than _____, 2020.

Attachments:

None



Council Action Summary Sheet

Agenda Item #:	
Agenda Item Title:	<i>CITY OF ALBION 2020 FEE SCHEDULE</i>
Meeting Date:	January 21, 2020
Submitted by:	Darwin McClary, City Manager
Contact Information:	(517) 629-7172; dmcclary@cityofalbionmi.gov
Agenda Item Approvals:	<input type="checkbox"/> City Clerk <input checked="" type="checkbox"/> Finance Director/Treasurer <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> City Manager

Background Brief:

Administration is requesting that the city council adopt the FY 2020 city fee schedule as presented. The fee schedule is reviewed and approved by the city council annually as part of the budget adoption process and represents the fees and charges levied by the city for specific programs, services, and products offered by the city.

Administration recommends that the city council consider adjusting most fees at least by inflation each year to try to avoid one-time substantial increases in fees. However, the proposed 2020 fee schedule only reflects the changes approved by the city council in 2019 for adjustments to the sewer rates. All changes are noted in the CHANGE and EXPLANATION OF CHANGE sections of the fee schedule document.

Alternatives Analysis:

Take no action. The changes in the sewer rates noted in the fee schedule were previously approved by the city council. No other changes to the fee schedule are currently being proposed. Therefore, lack of action on the part of the city council will have no financial impact on the city, as the city will continue to implement the 2019 fee schedule.

Approve the FY 2020 fee schedule as presented. Approval by the city council of the FY 2020 fee schedule will reaffirm the changes to the sewer rates previously adopted by city council in 2019 and will establish a fee schedule for FY 2020.

Approve the FY 2020 fee schedule with modifications. The city council may modify any fees and adopt the fee schedule with those changes. The financial impact to the city is unknown.



Summary of Previous Council Action:

12/16/2019 – City Council reviewed the proposed FY 2020 fee schedule and requested additional information and clarification regarding changes to specific fees and the reasons for the changes.

Financial Impact:

None

Recommended Motion(s):

To adopt the FY 2020 City of Albion Fee Schedule as presented (or as modified) and authorize administration to implement the fee schedule as adopted.

Attachments:

Proposed FY 2020 City of Albion Fee Schedule

**CITY OF ALBION, MICHIGAN
2020 FEE SCHEDULE**

<i>Description</i>	<i>Current 2019 Fee</i>	<i>Proposed 2020 Fee</i>	<i>Change</i>	<i>Explanation of Change</i>
GENERAL				
Comprehensive Master Plan 2017	\$50.00	\$50.00	-	
Copy of City Charter	\$15.00	\$15.00	-	
Ordinance Book – Soft Bound Copy	\$50.00	\$50.00	-	
Ordinance Book – Hard Bound Copy	\$75.00	\$75.00	-	
Ordinance Supplements	\$20.00	\$20.00	-	
Non-Sufficient Funds (Bad Check) Charge	\$25.00	\$25.00	-	
Notary Services (per document)	\$10.00	\$10.00	-	
Criminal Background Checks	\$10.00	\$10.00	-	
Audio Recordings	\$10.00	\$10.00	-	
Video Recordings	\$20.00	\$20.00	-	
Copying Charges for the Public (items brought in by public for copies)	\$1/1 st page +15 cents ea add'tl pg	\$1/1 st page +15 cents ea add'tl pg	-	
Assessment Cards Copying Charges (3)	\$3/1 st page + 50 cents ea add'tl pg	\$3/1 st page + 50 cents ea add'tl pg	-	
Balance Request Form (Taxes, Water, etc.)	\$10.00/parcel	\$10.00/parcel	-	
Faxing Charges	\$3/1 st page + 50 cents ea add'tl pg	\$3/1 st page + 50 cents ea add'tl pg	-	
Bicycle Licenses (no charge)	--	--	-	
Wedding –Mayor Officiating	\$50.00	\$50.00	-	
CLERK				
Trash Haulers Annual License Fees	\$75.00	\$75.00	-	
All Vehicles for Hire Annual License Fees	\$75.00	\$75.00	-	
Taxi Drivers Annual License Fees	\$20.00	\$20.00	-	
Bed & Breakfast Annual License Fee	\$50.00	\$50.00	-	
Establishment Mechanical Amusement Device, 1 st Device, Fee	\$75.00	\$75.00	-	

**CITY OF ALBION, MICHIGAN
2020 FEE SCHEDULE**

<i>Description</i>	<i>Current 2019 Fee</i>	<i>Proposed 2020 Fee</i>	<i>Change</i>	<i>Explanation of Change</i>
Establishment Mechanical Amusement Device, 2-4 Devices, Fees	\$100.00	\$100.00	-	
Establishment Mechanical Amusement Device, 5-9, Annual Fees	\$250.00	\$250.00	-	
Establishment Mechanical Amusement Device, 10 or More, Fees	\$500.00	\$500.00	-	
Establishment Musical Device Fees	\$75.00	\$75.00	-	
Peddler/Transient Merchant License				
30 days – Resident	\$50.00	\$50.00	-	
30 days – Non Resident	\$100.00	\$100.00	-	
90 days – Resident	\$100.00	\$100.00	-	
90 days – Non Resident	\$200.00	\$200.00	-	
1 Year – Resident	\$250.00	\$250.00	-	
1 Year – Non Resident	\$400.00	\$400.00	-	
Freedom of Information Requests (2)	Actual Costs (2)	Actual Costs (2)	-	
Publishing Public Notices for Development Projects	\$75.00	\$75.00	-	
Copies of Accident Reports & Police Reports (4)	\$3/1 st page + 50 cents ea add'tl pg	\$3/1 st page + 50 cents ea add'tl pg	-	
Voter Registration List	30 cents per page	30 cents per page	-	
Voter Registration List Mailing Labels	50 cents per page	50 cents per page	-	
PUBLIC SAFETY				
Sex Offender Registration	\$50.00	\$50.00	-	
Fingerprinting	\$25.00	\$25.00	-	
PBT for Probationers	Resident \$5.00 Non-Resident \$10.00	Resident \$5.00 Non-Resident \$10.00	-	
License to Purchase Weapon	\$5.00	\$5.00	-	
Housing Loose or Vicious Dog	\$25/day	\$25/day	-	
Housing Loose or Vicious Dog – Extended Stay	\$35/day	\$35/day	-	

**CITY OF ALBION, MICHIGAN
2020 FEE SCHEDULE**

<i>Description</i>	<i>Current 2019 Fee</i>	<i>Proposed 2020 Fee</i>	<i>Change</i>	<i>Explanation of Change</i>
CEMETERY				
Lot Purchase (Cemetery) – Full Burial Plot (38”x96”), Albion Resident	\$650.00	\$650.00	-	
Lot Purchase (Cemetery) – Half Burial Plot (38”x48”), Albion Resident	\$500.00	\$500.00	-	
Lot Purchase (Cemetery) – Columbarium Niche, Albion Resident	\$500.00	\$500.00	-	
Lot Purchase (Cemetery) – Full Burial Plot (38”x96”), Non-Resident	\$1,300.00	\$1,300.00	-	
Lot Purchase (Cemetery)-Half Burial Plot (38”x48”), Non-Resident	\$1,000.00	\$1,000.00	-	
Lot Purchase (Cemetery)-Columbarium Niche, Non-Resident	\$1,000.00	\$1,000.00	-	
Lot Transfers:				
Resident to Non-Resident (Excluding Immediate Family)	\$650.00	\$650.00	-	
All other Transfers	\$50.00	\$50.00	-	
Perpetual Care	\$250.00	\$250.00	-	
Interment, Overtime Fee (Per Hour)	\$100.00	\$100.00	-	
Grave Opening/Closing, Weekday – Full Burial Adult	\$650.00	\$650.00	-	
Grave Opening/Closing, Saturday – Full Burial Adult	\$1,000.00	\$1,000.00	-	
Grave Opening/Closing, Sunday/Holiday – Full Burial Adult	\$1,350.00	\$1,350.00	-	
Grave Opening/Closing, Weekday-Half Burial (Infant, Child Pet)	\$350.00	\$350.00	-	
Grave Opening/Closing, Saturday-Half Burial (Infant, Child Pet)	\$500.00	\$500.00	-	
Grave Opening/Closing, Sunday/Holiday-Half Burial (Infant, Child Pet)	\$700.00	\$700.00	-	
Grave Opening/Closing, Weekday – Cremation	\$250.00	\$250.00	-	
Grave Opening/Closing, Saturday – Cremation	\$400.00	\$400.00	-	
Grave Opening/Closing, Sunday/Holiday-Cremation	\$450.00	\$450.00	-	
Grave Opening/Closing Weekday – Cremation (Urn Vault)	\$350.00	\$350.00	-	
Grave Opening/Closing Saturday-Cremation (Urn Vault)	\$550.00	\$550.00	-	
Grave Opening/Closing, Sunday/Holiday – Cremation (Urn Vault)	\$700.00	\$700.00	-	
Scatter of Cremation-Weekday	\$200.00	\$200.00	-	
Scatter of Cremation-Saturday	\$300.00	\$300.00	-	

**CITY OF ALBION, MICHIGAN
2020 FEE SCHEDULE**

<i>Description</i>	<i>Current 2019 Fee</i>	<i>Proposed 2020 Fee</i>	<i>Change</i>	<i>Explanation of Change</i>
Scatter of Cremation-Sunday/Holiday	\$450.00	\$450.00	-	
Columbaria, Weekday	\$350.00	\$350.00	-	
Columbaria, Saturday	\$550.00	\$550.00	-	
Columbaria, Sunday/Holiday	\$750.00	\$750.00	-	
Disinterment (Plus Cost of Vault Company Services), Weekday	\$1,000.00	\$1,000.00	-	
Disinterment (Plus Cost of Vault Company Services), Saturday	\$1,450.00	\$1,450.00	-	
Disinterment (Plus Cost of Vault Company Services), Sunday/Holiday	\$2,000.00	\$2,000.00	-	
Disinterment of Cremations, Weekday	\$550.00	\$550.00	-	
Disinterment of Cremations, Saturday	\$850.00	\$850.00	-	
Disinterment of Cremains, Sunday/Holiday	\$1,150.00	\$1,150.00	-	
Foundations (per square inch) (Cemetery) (Monument)	\$0.61/sq. inch with min. of \$75.00	\$0.61/sq. inch with min. of \$75.00	-	
Removal of Old Foundation at Request of Owner	\$0.61/sq. inch with min. of \$75.00	\$0.61/sq. inch with min. of \$75.00	-	
PARKS & RECREATION				
Pavilion or Shelter Reservations – Resident	\$55.00	\$55.00	-	
Pavilion or Shelter Reservations – Non-Resident	\$85.00	\$85.00	-	
Bandshell and Other Park Reservations – Resident	\$100.00	\$100.00	-	
Bandshell and Other Park Reservations – Non-Resident	\$150.00	\$150.00	-	
Weddings – Resident	\$200.00	\$200.00	-	
Weddings – Non-Resident	\$300.00	\$300.00	-	
Providing Additional Picnic Tables/Barricades, etc. (limited # of extra tables available)	\$200.00	\$200.00	-	
Baseball Fields – (Must Have Insurance)				
a.) Daytime Usage (No Lights)	\$200.00 per day	\$200.00 per day	-	

**CITY OF ALBION, MICHIGAN
2020 FEE SCHEDULE**

<i>Description</i>	<i>Current 2019 Fee</i>	<i>Proposed 2020 Fee</i>	<i>Change</i>	<i>Explanation of Change</i>
b.) Night-time Usage (With Lights)	\$300.00 per day	\$300.00 per day	- .	

**CITY OF ALBION, MICHIGAN
2020 FEE SCHEDULE**

<i>Description</i>	<i>Current 2019 Fee</i>	<i>Proposed 2020 Fee</i>	<i>Change</i>	<i>Explanation of Change</i>
Rent of Parks for Events and Tournaments	\$150.00 per day – resident	\$150.00 per day – resident	-	
	\$250.00 per day – non resident	\$250.00 per day – non resident	-	
Dept. of Public Services – After Hours Non-Emergency Call-In Fee	\$75.00	\$75.00	-	

WATER & SEWER				
Water/Sewer Collection Cost Recovery Fee	\$60.00	\$60.00	-	
Meter Removal/Install Fee	\$25.00	\$25.00	-	
Payment Extension/Modification Fee	\$10.00	\$10.00	-	
After Hours Non-Emergency Call-In Fee	\$75.00	\$75.00	-	
Water Connection (Capacity) Charge, Based on Water Meter Size, 5/8"	\$250.00	\$250.00	-	
Water Connection (Capacity) Charge, Based on Water Meter Size, 3/4"	\$375.00	\$375.00	-	
Water Connection (Capacity) Charge, Based on Water Meter Size, 1"	\$625.00	\$625.00	-	
Water Connection (Capacity) Charge, Based on Water Meter Size, 1 1/4"	\$875.00	\$875.00	-	
Water Connection (Capacity) Charge, Based on Water Meter Size, 1 1/2"	\$1,250.00	\$1,250.00	-	
Water Connection (Capacity) Charge, Based on Water Meter Size, 2"	\$2,000.00	\$2,000.00	-	
Water Connection (Capacity) Charge, Based on Water Meter Size, 3"	\$4,000.00	\$4,000.00	-	
Water Connection (Capacity) Charge, Based on Water Meter Size, 4"	\$6,250.00	\$6,250.00	-	
Water Connection (Capacity) Charge, Based on Water Meter Size, 6"	\$12,500.00	\$12,500.00	-	
Water Connection (Capacity) Charge, Based on Water Meter Size, 8"	\$20,000.00	\$20,000.00	-	
Water Connection (Capacity) Charge, Based on Water Meter Size, 10"	\$28,750.00	\$28,750.00	-	
Sewer Connection (Capacity) Charge, Based on Water Meter Size, 5/8"	\$250.00	\$268.75	18.75	Council Approved on 4/01/2019
Sewer Connection (Capacity) Charge, Based on Water Meter Size, 3/4"	\$375.00	\$403.12	28.12	Council Approved on 4/01/2019
Sewer Connection (Capacity) Charge, Based on Water Meter Size, 1"	\$625.00	\$671.88	46.88	Council Approved on 4/01/2019
Sewer Connection (Capacity) Charge, Based on Water Meter Size, 1 1/4 "	\$875.00	\$940.62	65.62	Council Approved on 4/01/2019
Sewer Connection (Capacity) Charge, Based on Water Meter Size, 1 1/2"	\$1,250.00	\$1,343.75	93.75	Council Approved on 4/01/2019

**CITY OF ALBION, MICHIGAN
2020 FEE SCHEDULE**

<i>Description</i>	<i>Current 2019 Fee</i>	<i>Proposed 2020 Fee</i>	<i>Change</i>	<i>Explanation of Change</i>
Sewer Connection (Capacity) Charge, Based on Water Meter Size, 2"	\$2,000.00	\$2,150.00	150.00	Council Approved on 4/01/2019
Sewer Connection (Capacity) Charge, Based on Water Meter Size, 3"	\$4,000.00	\$4,300.00	300.00	Council Approved on 4/01/2019
Sewer Connection (Capacity) Charge, Based on Water Meter Size, 4"	\$6,250.00	\$6,718.75	468.75	Council Approved on 4/01/2019
Sewer Connection (Capacity) Charge, Based on Water Meter Size, 6"	\$12,500.00	\$13,437.00	937.00	Council Approved on 4/01/2019
Sewer Connection (Capacity) Charge, Based on Water Meter Size, 8"	\$20,000.00	\$21,500.00	1,500.00	Council Approved on 4/01/2019
Sewer Connection (Capacity) Charge, Based on Water Meter Size, 10"	\$28,750.00	\$30,906.25	2,156.25	Council Approved on 4/01/2019
Sewer Connection Permit/Inspection Fee	\$30.00	\$50.00	20.00	Council Approved on 4/01/2019
Water Demand Charge Per Billing (4 times/year or quarterly), 5/8" Service	\$24.00	\$24.00	-	
Water Demand Charge Per Billing (4 times/year or quarterly), 3/4" Service	\$36.00	\$36.00	-	
Water Demand Charge Per Billing (4 times/year or quarterly), 1" Service	\$60.00	\$60.00	-	
Water Demand Charge Per Billing (4 times/year or quarterly), 1 1/4" Service	\$84.00	\$84.00	-	
Water Demand Charge Per Billing (4 times/year or quarterly), 1 1/2" Service	\$120.00	\$120.00	-	
Water Demand Charge Per Billing (4 times/year or quarterly), 2" Service	\$192.00	\$192.00	-	
Water Demand Charge Per Billing (4 times/year or quarterly), 3" Service	\$384.00	\$384.00	-	
Water Demand Charge Per Billing (4 times/year or quarterly), 4" Service	\$600.00	\$600.00	-	
Water Demand Charge Per Billing (4 times/year or quarterly), 6" Service	\$1,200.00	\$1,200.00	-	
Water Demand Charge Per Billing (4 times/year or quarterly), 8" Service	\$1,920.00	\$1,920.00	-	
Water Demand Charge Per Billing (4 times/year or quarterly), 10" Service	\$2,760.00	\$2,760.00	-	
Water Consumption Charge (per 100 cubic feet) Non-Resident, Non-Franchise Area (See rate schedule in Treasurer's Office)				
Water Consumption Charge (per 100 cubic feet) (01-01-12) Resident, Franchise Area	\$1.42	\$1.42	-	
Sewer Demand Charge per billing (4 times/year), 5/8" Service (06-30-06)	\$24.00	\$28.20	4.20	Council Approved on 4/01/2019
Sewer Demand Charge per Billing, 3/4" Service (06-30-06)	\$36.00	\$43.00	7.00	Council Approved on 4/01/2019
Sewer Demand Charge per Billing, 1" Service (06-30-06)	\$60.00	\$75.00	15.00	Council Approved on 4/01/2019

**CITY OF ALBION, MICHIGAN
2020 FEE SCHEDULE**

<i>Description</i>	<i>Current 2019 Fee</i>	<i>Proposed 2020 Fee</i>	<i>Change</i>	<i>Explanation of Change</i>
Sewer Demand Charge per Billing, 1 ¼" Service (06-30-06)	\$84.00	\$144.00	60.00	Council Approved on 4/01/2019
Sewer Demand Charge per Billing, 1 ½" Service (06-30-06)	\$120.00	\$144.00	24.00	Council Approved on 4/01/2019
Sewer Demand Charge per Billing, 2" Service (06-30-06)	\$192.00	\$230.00	38.00	Council Approved on 4/01/2019
Sewer Demand Charge per Billing, 3" Service (06-30-06)	\$384.00	\$450.00	66.00	Council Approved on 4/01/2019
Sewer Demand Charge per Billing, 4" Service (06-30-06)	\$600.00	\$695.00	95.00	Council Approved on 4/01/2019
Sewer Demand Charge per Billing, 6" Service (06-30-06)	\$1,200.00	\$1,350.00	150.00	Council Approved on 4/01/2019
Sewer Demand Charge per Billing, 8" Service (06-30-06)	\$1,920.00	\$2,064.00	144.00	Council Approved on 4/01/2019
Sewer Demand Charge per Billing, 10" Service (06-30-06)	\$2,760.00	\$2,987.00	227.00	Council Approved on 4/01/2019
Sewer Consumption Charge (per 100 cubic feet), City Resident (01-01-12)	\$2.36	\$2.45	0.09	Council Approved on 4/01/2019
Sewer Consumption (Flat Rate), City Resident, (See rate schedule in Treasurer's office)				
Sewer Consumption Charge (per 100 cubic feet), Non Resident, Non Franchise Area (See rate schedule in Treasurer's Office)				
DEPARTMENT OF PUBLIC WORKS				
Driveway Entrance Permit	\$100.00	\$100.00	-	
Right of Way Excavation Permit (Proof of Insurance required)	\$100.00	\$100.00	-	
Soil Erosion Control Permit (obtained from Calhoun County)	--	--	-	
Annual Tree Dump Pass (Residents Only)	\$10.00	\$10.00	-	
Contractor Pass Annual	\$250.00	\$250.00	-	

**CITY OF ALBION, MICHIGAN
2020 FEE SCHEDULE**

<i>Description</i>	<i>Current 2019 Fee</i>	<i>Proposed 2020 Fee</i>	<i>Change</i>	<i>Explanation of Change</i>
PLANNING DEPARTMENT:				
Permit to Raise Chickens (Good for 2 years)	\$30.00	\$30.00	-	
Zoning Permits:				
<i>Single Family Residential Uses:</i>				
New Home	\$45.00	\$45.00	-	
Addition/Alteration	\$45.00	\$45.00	-	
Accessory Structure	\$45.00	\$45.00	-	
Change in Use	\$45.00	\$45.00	-	
Signs/Billboards	\$45.00	\$45.00	-	
Fences/Screening	\$45.00	\$45.00	-	
Home Occupation	\$45.00	\$45.00	-	
Other	\$45.00	\$45.00	-	
<i>Multiple Family Uses:</i>				
New Construction	\$45.00	\$45.00	-	
Addition/Alteration	\$45.00	\$45.00	-	
Accessory Structure	\$45.00	\$45.00	-	
Change in Use	\$45.00	\$45.00	-	
Signs/Billboards	\$45.00	\$45.00	-	
Fences/Screening	\$45.00	\$45.00	-	
Home Occupation	\$45.00	\$45.00	-	
Other	\$45.00	\$45.00	-	
<i>Commercial and Industrial Uses:</i>				
New Construction	\$45.00	\$45.00	-	
Addition/Alteration	\$45.00	\$45.00	-	
Accessory Structure	\$45.00	\$45.00	-	
Change in Use	\$45.00	\$45.00	-	

**CITY OF ALBION, MICHIGAN
2020 FEE SCHEDULE**

<i>Description</i>	<i>Current 2019 Fee</i>	<i>Proposed 2020 Fee</i>	<i>Change</i>	<i>Explanation of Change</i>
Signs/Billboards	\$45.00	\$45.00	-	
Fences/Screening	\$45.00	\$45.00	-	
Home Occupation	\$45.00	\$45.00	-	
Outdoor or Sidewalk Café	\$45.00	\$45.00	-	
Other	\$45.00	\$45.00	-	
Rezoning Applications:				
Rezoning Application	\$375.00	\$375.00	-	
Text Amendment	\$275.00	\$275.00	-	
Site Plan Review:				
Subdivision/Site Condo/PUD Review				
Base Fee	\$350.00	\$350.00	-	
Plus Consultant Charges	Actual Costs	Actual Costs	- .	
Other Uses Review				
Base Fee (for small rehab projects City Manager can adjust fee)	\$275.00	\$275.00	-	
Plus Consultant Charges	Actual Costs	Actual Costs	- .	
Special Use Permits				
Base Fee				
Single Family Uses	\$250.00	\$250.00	-	
Other Uses	\$250.00	\$250.00	-	
Plus Consultant Charges	Actual Costs	Actual Costs	- .	
Zoning Board of Appeals:				
Variance Application (Including Zoning Permit Fee)				
Single Family Uses	\$250.00	\$250.00	-	
Other Uses	\$250.00	\$250.00	-	

**CITY OF ALBION, MICHIGAN
2020 FEE SCHEDULE**

<i>Description</i>	<i>Current 2019 Fee</i>	<i>Proposed 2020 Fee</i>	<i>Change</i>	<i>Explanation of Change</i>
Sign Appeals Board				
Variance Application (Including Zoning Permit Fee)				
Single Family Uses	\$250.00	\$250.00	-	
Other Uses	\$250.00	\$250.00	-	
Publications, Maps, Copies:				
Zoning Ordinance	\$50.00	\$50.00	-	
Zoning District Maps				
8 ½ x 11	\$25.00	\$25.00	-	
Other Blueprints (per page)	\$50.00	\$50.00	-	
Other GIS Maps (per page)	\$50.00	\$50.00	-	
Rental Registration	\$25.00	\$25.00	-	
Medicinal Marijuana Facilities Licensing Fees	\$5000.00/Per License	\$5000.00/Per License	-	
BUILDING DEPARTMENT (**permit fees increase by \$2.00,				
Building Inspection Fees – SAFEbuilt (5)	CIS*	CIS*	-	
* Plus 10% Admin Fee			-	
Michigan Plumbing Code (1)	Current Price from Supplier	Current Price from Supplier	-	
Michigan Electrical Code (1)	Current Price from Supplier	Current Price from Supplier	-	
Michigan One & Two Family Residential Code (1)	Current Price from Supplier	Current Price from Supplier	-	
Michigan Mechanical Code (1)	Current Price from Supplier	Current Price from Supplier	-	
International Property Maintenance Code (1)	Current Price from Supplier	Current Price from Supplier	-	
Demolition Fees, Single Family Residential (Issued by CIS) (5)	CIS	CIS	-	

CITY OF ALBION, MICHIGAN 2020 FEE SCHEDULE

<i>Description</i>	<i>Current 2019 Fee</i>	<i>Proposed 2020 Fee</i>	<i>Change</i>	<i>Explanation of Change</i>
Demolition, Multi-Family, Commercial, Industrial (Issued by CIS) (5)	CIS	CIS	-	
Property Maintenance Inspection Fee	\$56.00	\$56.00	-	
Abatement Fee for Code Violations	\$100.00	\$100.00	-	
BUILDING BOARD OF APPEALS				
Tree Ordinance Appeal	\$100.00	\$100.00	-	
Outdoor Café or Sidewalk Café Appeal	\$100.00	\$100.00	-	
All Other Appeals				
(1) Residential	\$100.00	\$100.00	-	
(2) Multi-family, Commercial, Industrial	\$100.00	\$100.00	-	
ASSESSING DEPARTMENT				
Property Transfer Affidavit Fine	\$5.00 per day up to \$200.00	\$5.00 per day up to \$200.00	-	
Land Division/Combination				
Property Splits & Combos	\$55.00 per lot	\$55.00 per lot	-	
Meet & Bounds Description	\$90.00	\$90.00	-	
Lot Line Adjustment	\$55.00	\$55.00	-	
(1) Available at reference section of Albion District Library				
(2) Subject to 50% deposit of estimated costs for costs exceeding \$50.00				
(3) Property owner provided one copy of the assessment information on their property at no charge.				
(4) Individuals involved in an accident/or other incident provided one copy of the police report at no charge.				
(5) SAFEbuilt/Cornerstone Inspection Services. This company handles building inspections for the City.				

**CITY OF ALBION, MICHIGAN
2020 FEE SCHEDULE**

<i>Description</i>	<i>Current 2019 Fee</i>	<i>Proposed 2020 Fee</i>	<i>Change</i>	<i>Explanation of Change</i>
(6) Infant – one year old or less				

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

WHEREAS, the Economic Development Corporation of the City of Albion is the grant administrator for the Albion Area Revolving Loan Fund, which was capitalized in 1986 in part with money received through a United States Economic Development Administration (USEDA) Title IX grant; and

WHEREAS, the USED A requires grantees to operate the Revolving Loan Fund in accordance with the terms of the Revolving Loan Fund award, the Revolving Loan Fund Standard Terms and Conditions effective March 14, 2018, the Revolving Loan Fund Plan, and any other requirements that may apply to the Revolving Loan Fund; and

WHEREAS, the Revolving Loan Fund Standard Terms and Conditions, effective March 14, 2018, require the Revolving Loan Fund to be evaluated through a Risk Analysis System that includes fifteen (15) risk factors, including the Allowable Cash Percentage and Cash Percentage Over Time; and

WHEREAS, the Albion Area Revolving Loan Fund has exceeded the recommended Allowable Cash Percentage by a significant amount, and a Corrective Action Plan does not appear to be a valid option;

NOW, THEREFORE, BE IT RESOLVED that the Albion City Council does hereby request a termination of the federal share of the Albion Area Revolving Loan Fund for convenience; and

BE IT FURTHER RESOLVED that the Albion City Council does hereby authorize the City Manager or the President of the Albion Economic Development Corporation to submit this resolution of request to the United States Economic Development Administration on behalf of the city and authorizes the Mayor and City Clerk to execute any and all necessary agreements or other documents on behalf of the city to effectuate the termination of federal share.

THIS RESOLUTION WAS DULY ADOPTED BY THE ALBION CITY COUNCIL DURING ITS REGULAR MEETING HELD ON JANUARY 21, 2020.

Ayes: _____

Nays: _____

Absent:_____

I certify that this resolution was adopted by the City Council of the City of Albion on January 21, 2020.

Jill Domingo
City Clerk



Council Action Summary Sheet

Agenda Item #:	
Agenda Item Title:	<i>TERMINATION OF FEDERAL SHARE OF ALBION REVOLVING LOAN FUND</i>
Meeting Date:	January 21, 2020
Submitted by:	Darwin McClary, City Manager
Contact Information:	(517) 629-7172; dmcclary@cityofalbionmi.gov
Agenda Item Approvals:	<input type="checkbox"/> City Clerk <input type="checkbox"/> Finance Director/Treasurer <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> 4 City Manager

Background Brief:

Albion Economic Development Corporation President Amy Deprez and the EDC Board is requesting that the city council adopt a resolution requesting termination of the federal share of the Albion Revolving Loan Fund.

The Revolving Loan Fund Program is a program administered by the U.S. Economic Development Administration (EDA), a bureau of the U.S. Department of Commerce. One of the goals of the EDA is to encourage economic adjustment by “assisting state and local interests in designing and implementing strategies to adjust or bring about change to an economy. The program focuses on areas that have experienced or are under threat of serious structural damage to the underlying economic base. Under Economic Adjustment, EDA administers its [Revolving Loan Fund \(RLF\) Program](#), which supplies small businesses and entrepreneurs with the gap financing needed to start or expand their business.”

The Albion Revolving Loan Fund Program was established in 1986, and a total of 30 loans have been approved to-date, with one loan still active. The EDC administers the city’s program on behalf of the city. For more information on the request to terminate the federal share of the loan fund and reasons for the request, as well as additional details on the city’s program, please refer to the attached briefing memo from EDC President Deprez dated November 7, 2019.

Alternatives Analysis:

Take no action or deny the request. The USEDA is requiring that the city council adopt a resolution approving the request to terminate the federal share of the Albion Revolving Loan Fund Program. If the city council does not adopt such a resolution, the EDC will not submit the request, and the city will continue to be subject to the new federal RLF Standard Terms and Conditions effective in March 2018. Substantial additional reporting requirements will be necessary, and the EDC will need to provide recommendations on how the city’s program will come into compliance with the federal standards.



Approve a resolution requesting termination of the federal share. If the city council adopts a resolution requesting termination of the federal share of the Albion Revolving Loan Fund Program, the USEDA will likely grant the request. Repayment of approximately \$290,000 of the city's loan fund will be made to the USEDA, with approximately \$400,000 remaining in the local fund. The termination of federal share will provide more flexibility for the local program and will reduce the administrative workload to manage the program. This action will also eliminate the federal noncompliance issues. However, city council should require that the EDC formulate and submit to the city council for approval proposed local Revolving Loan Fund Standard Terms and Conditions for the administration of the loan program to replace the federal standards prior to any additional loans being granted.

Summary of Previous Council Action:

None

Financial Impact:

If the termination of the federal share of the Albion Revolving Loan Fund is approved by the USEDA, the city will repay approximately \$290,000, thereby reducing the city's loan fund assets available for loans from \$690,000 to \$400,000.

Recommended Motion(s):

#1 – To adopt the resolution requesting the termination of the federal share of the Albion Revolving Loan Fund.

#2 – 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.

Attachments:

Briefing Memo from EDC President Deprez dated November 7, 2019

Albion Economic Development Corporation Resolution to Terminate Federal Share of Albion Revolving Loan Fund dated November 14, 2019

Proposed Albion City Council Resolution to Terminate Federal Share of Albion Revolving Loan Fund

Albion Economic Development Corporation

To: City of Albion – City Council
From: Amy Deprez, President & CEO
CC:
Date: 1-21-2020
Re: Briefing Memo – Albion RLF – Termination of Federal Portion

The memo below provides background and information on the City of Albion Revolving Loan Fund (RLF) and a recommendation to terminate the federal portion. The Albion EDC Board of Directors supported the recommendation to terminate the federal share on November 7, 2019 and formally requests the City Council approval.

Background & History:

The RLF’s mission is to revitalize the local economy and to retain, expand and recruit businesses and industry to the area. It has been in existence for over 35 years, providing the community with a gap financing tool for working capital, fixed-asset financing, renovations, improvements and access to start-up capital. The purpose of the fund is to promote job creation by making loans to new and expanding enterprises that are unable to obtain full financing from private and traditional sources.

The RLF has made 30 loans to date, with the largest being \$408,000 and the lowest being \$4,500. The portfolio has an average loan size of \$78,000 and has made 20 loans above that number and 10 below. A total of approximately \$386,500 has been written off for 9 loans.

On October 8, 2019 the RLF Committee met to discuss the future of the RLF due to new regulations. In 2019 a new risk rating was implemented as a method for the EDA to more closely monitor funds that do not perform as well as others. Measurements were implemented that tracked defaults, write-offs, capital base, management/tenure of RLF team, financial reporting, earning, liquidity and strategic results.

The recommendation of the RLF Committee was to continue the program as funded, increase awareness of the program and see if the enhanced RLF Plan allowed for more loans over the next 12-18 months.

However, after further discussions with the U.S. Economic Development Administration, we needed corrective action immediately to force compliance of the RLF. The following are the areas that corrective action would be needed:

- Liquidity, Cash Percentage & Cash Percentage over time – these risk ratings are by far the most complex. The target is to have no more than 34% cash on hand, the rest should be in active loans. Albion has had over 80% on hand for 80+ months. Corrective Action for this is required and can include disallowance or termination of the federal portion. Disallowance is a partial termination of federal dollars, while termination would be a full termination of the federal portion.
- Write off Ratio & Dollars Written Off – Albion has had 9 loans written off out of the 29 total “non-active” loans, not counting the one loan that is still in repayment, giving us a 33.33% write off rate. That should be below 16%. Write-offs do not fall off the portfolio and are always computed as a portion of the overall fund. There is no immediate corrective action for this risk rating as over time, the percentage will reduce as the fund grows and no other write-offs occur.

Based on the June 2019 federal report, the Capital Base was \$691,154.20, of which 41% is federal (~\$283,373). Our liquidity is so high that complete payback of the federal share will still result in our cash on hand (adjusted 66.30%) to exceed the federal requirement of 34%.

On November 7th, I recommended, and the EDC Board approved, termination of the federal share of the RLF. This recommendation was based on conversations with the federal unit in charge of the program and a complete analysis of the loan portfolio, lending history and consultation with the RLF Committee. Further my recommendation was to continue the RLF as a local only program. The RLF tool is critical to new business development and can be used as an attraction tool when appropriate and attractive to the incoming business. However, requirements of the Federal RLF Program can be limiting, such as the interest rate. By running a local only program, the RLF would be open to more flexible structuring of loans and would not be limited by other federal regulations. As a revolving tool, credit worthiness will remain a critical component of the ongoing success of the fund.

Recommendation:

It is my recommendation that the Albion City Council support the EDC Board’s approval of termination and vote to support terminating the federal share of the RLF, equating to 41% of our current RLF Capital Base, approximately \$290,000.



City of Albion Revolving Loan Fund Guidelines

PURPOSE:

The mission of the Albion RLF is to revitalize the local economy and to retain, expand and recruit businesses and industry to the area. Albion strives for a sustainable community and improved quality of life for all residents. The purpose of the revolving loan fund is to promote job creation in the greater Albion area by making loans to new and expanding enterprises that are unable to obtain the full financing from private and traditional sources.

Funding can be used for working capital, fixed-asset financing, inventory, renovation of commercial and industrial developments, real estate improvements and access to start-up and construction financing.

ORGANIZATION—FUNDING

The RLF is administered by the Albion Economic Development Corporation (AEDC). The Revolving Loan Fund Committee (RLF), including AEDC, Sheridan and Albion Township representatives, reviews all loan applications and approves loans up to \$50,000. For loans over \$50,000, the RLF Committee makes a recommendation to the AEDC Board of Directors, which has approval authority.

REQUIREMENTS:

- Business must be in the City of Albion, Sheridan Township or Albion Township.
- Loan is limited to 33.33% of total project costs, with a minimum of \$10,000. Private sector leverage is \$2 in private financing for every \$1 in RLF financing.
- Loan is limited to the portion which cannot be obtained from local banks.
- Another loan, preferably from a bank, is required and RLF will take second position to bank.
- Job creation or retention proportional to the amount of the loan.
 - \$10,000-\$25,000 for each new Full Time Job
 - \$5000 - \$10,000 for each retained Full Time Job
- Requires a minimum of 10% equity investment into the project by the owners/applicant.
- Collateral is required.
- Preference given to manufacturing, wholesale, and industrial services.

TYPICAL TERMS:

- Interest rate: 66% of the current money center prime interest rate (per WSJ), with a minimum of 4%.
- Repayment: 2-3 years for working capital, 3-7 years for equipment and other fixed assets, 10 years max depending on business case.
- Fees: Borrower will be required to pay all costs of the transaction, including but not limited to the RLF's legal fees, recording and filing fees, and title insurance.
- Application Fee: \$200 non-refundable application fee due upon submittal of application to AEDC for review.
- Flexible Terms:
 - If projected cash flow indicates the need, payment of principal may be waived for up to one year.
 - Balloon or accelerated payments may be invoked after five years.
 - Other flexible options dependent upon the business case and financials.

TYPICAL CONDITIONS:

- Insurance coverage: fire, liability and key man.
- An effort to follow the business plan in the loan application, as shown by periodic financial reviews.
- Personal guarantees may be required.
- Compliance with all applicable local, state and federal civil rights, barrier free, environmental and historical preservation laws and regulations, including Davis-Bacon when applicable.

APPLICATION PROCEDURE:

Application and instruction forms are available through the Albion Economic Development Corporation. Typical lead time for loans is about four weeks after complete application and application fee is paid. See the application for requirements to be considered a complete application package.

FOR DETAILS & ASSISTANCE CONTACT (517) 629-3926



Council Action Summary Sheet

Agenda Item #:	
Agenda Item Title:	<i>SCHEDULE WORK SESSION TO DISCUSS RENTAL INSPECTION ORDINANCE AND PROGRAM</i>
Meeting Date:	January 21, 2020
Submitted by:	Darwin McClary, City Manager
Contact Information:	(517) 629-7172; dmcclary@cityofalbionmi.gov
Agenda Item Approvals:	<input type="checkbox"/> City Clerk <input type="checkbox"/> Finance Director/Treasurer <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> 4 City Manager

Background Brief:

Administration is requesting that city council schedule a work session meeting during the week of January 27 to review and discuss the draft rental inspection ordinance and program. The City Manager and Director of Building, Planning, and Code Enforcement would like to present the draft ordinance and program and receive city council feedback and questions before formally presenting the ordinance to city council at a regular meeting. The work session will provide an opportunity to review the draft ordinance, ask and answer questions about the ordinance and inspection program, and propose any changes to the draft ordinance prior to its introduction.

Alternatives Analysis:

Take no action. If the city council takes no action regarding scheduling a work session or providing further direction to administration regarding the rental inspection ordinance and program, administration will proceed to present the draft ordinance in its current form to city council at its February 3, 2020, regular meeting.

Schedule city council work session. If the city council schedules and conducts a work session on the rental inspection ordinance and program, the work session will provide an opportunity to review the draft ordinance, ask and answer questions about the ordinance and program, and propose any changes to the draft ordinance prior to its introduction.

Postpone action on the rental inspection ordinance and program to a date certain. If the city council postpones action on the ordinance and program to a specific date, these items will be scheduled for further consideration by council on that date.

Table action on the rental inspection ordinance and program indefinitely. If the city council tables action on the ordinance and program indefinitely, work on these items by administration



will cease and priorities shifted to other goals, strategies, and tasks. The rental inspection program will not be established and implemented.

Summary of Previous Council Action:

12/02/2019 – City council adopted the City Manager 2020 Goals and Priorities, including the following strategy under Goal #2 – PROMOTE EFFICIENT AND EFFECTIVE MUNICIPAL OPERATIONS, with a completion deadline of April 30, 2020:

Strategy - Formulate and implement a comprehensive rental inspection and certification program.

Financial Impact:

None to schedule a city council work session.

Recommended Motion(s):

To schedule a city council work session for January _____, 2020, at _____ p.m., for the purpose of reviewing and discussing the proposed draft rental inspection ordinance and program.

Attachments:

Draft Rental Inspection Ordinance

CITY OF ALBION ORDINANCE 2020-__

AN ORDINANCE TO ADD CHAPTER 17 LICENSE TO OPERATE SINGLE, TWO-FAMILY, AND MULTI-FAMILY RENTAL STRUCTURES

FINDINGS AND PURPOSE: The City of Albion recognizes the importance of the general health, safety, and welfare of all its citizens, including citizens who reside in residential rental dwellings. The City has previously discussed implementing a process for rental properties to be licensed, inspected, and to establish standards for the maintenance of the same. This Ordinance outlines a process for obtaining a license, required inspections, enforcement procedures, and potential penalties for non-compliance.

THE CITY OF ALBION ORDAINS THAT THE CODE OF ORDINANCES, CITY OF ALBION, MICHIGAN, IS HEREBY AMENDED BY CREATING CHAPTER 17, ADDING ARTICLE I, AND ADDING SECTIONS 17-1, 17-2, 17-3, 17-4, 17-5, 17-6, 17-7, 17-8, AND 17-9 WHICH READS AS FOLLOWS:

Section 1:

CHAPTER 17: LICENSE TO OPERATE SINGLE, TWO-FAMILY, AND MULTI-FAMILY RENTAL STRUCTURES

ARTICLE I:

Sec. 17-1: License to Operate Single, Two-Family, and Multi-Family Rental Structures.

A. License Required.

1. It shall be unlawful for any person to operate, maintain, or offer to rent within the City, a single-family, two-family, or multi-family rental structure, whether vacant or not, without first obtaining a license as provided in this Chapter.
2. It shall be unlawful for a person to enter into a lease, either as lessor or lessee, for a rental structure if the premise is unlicensed or has a revoked license which has not otherwise been renewed.
3. It shall be unlawful for any person to occupy, renew a lease, offer for rent or permit occupancy of any vacant dwelling unit or any dwelling unit that becomes vacant that is unlicensed or while a license is under revocation.
4. These licensing requirements shall not apply to the following structures:
 - a. Hotels and motels which rent rooms to occupants to make use of the facilities for a period of less than thirty (30) days;

- b. Nursing homes, retirement centers and rest homes, which are subject to licensing and inspection by the state or federal government;
 - c. Dormitories of colleges or universities;
5. A license for a rental structure cannot be transferred to another rental structure.

B. License Application.

1. Each applicant for a license to maintain a rental structure shall file a written application with the Department of Planning, detailing the full legal name and address of the owner, address of the rental structure, and number of units within the structure. An owner who is not a resident of the City shall include in his or her application either of the following:
- a. The name, address and phone number of an agent within the City with authority to accept service or notice of a violation; or
 - b. A statement by the owner that service by regular mail upon the owner at the address stated in the application will be considered sufficient service for all purposes.
2. A license issued under this chapter shall be valid for a period of one (1) year. All license fees shall be due and payable on or before January 1st of each year and shall expire on December 31st of the year of issuance.
3. Each license application shall be accompanied by an application fee. The amount of the application fee shall be set by the City Council.
4. If an application for renewal of an existing license is received after January 1st a twenty-five (25%) percent late fee shall be assessed.
5. If there is a change in the ownership of a multi-family rental structure or a change in the owner's property agent, the owners shall, within fifteen (15) days of such change, file a written notice with the Department of Planning indicating such change.
6. Application for license renewal shall be made in the same manner as a new application except that the application shall state that it is for renewal.
7. Prior to licensing, all landlords will be required to attend a crime-free housing course facilitated by the Public Safety and Planning departments.

This class will review the following:

- a. Tenant screening process;
- b. Property maintenance code;
- c. Inspections process;

- d. How to make your environment safe and free of crime;
 - e. Fire safety.
8. All single-family, two-family, or multi-family rental structures shall be registered with the City as required by this Ordinance and obtain an initial license within thirty (30) days of the effective date of this Ordinance.

Sec. 17-2: Inspections by the City of Albion

A. Inspection Requirements; License Issuance or Denial.

1. Each unit within the rental structure shall be subject to inspection in accordance with this section for compliance with all applicable State of Michigan health and safety code requirements, Albion Code of Ordinances, or the International Property Maintenance Code as adopted by the City of Albion. A license may be denied if the property has been inspected and is not in compliance with the applicable State of Michigan health and safety code requirements, Albion Code of Ordinances, or the International Property Maintenance Code as adopted by the City of Albion.
2. Initial and subsequent annual licensing inspections shall include the building exterior, common areas, basement, and interior of all units within the structure. All units within the structure shall be inspected every two years. The owner of the rental structure shall be responsible for inspection fees as set by the City Council. Initial inspections under this Ordinance shall commence as follows:
 - a. January 1, 2021 through December 31, 2021: The City shall inspect 50% of the registered single-family and two-family rental structures and 50% of the dwelling units contained within the registered multi-family rental structures.
 - b. January 1, 2022 through December 31, 2022: The City shall inspect the remaining registered single-family and two-family rental structures not inspected in 2021 and the remaining dwelling units contained within the registered multi-family rental structures not inspected in 2021.
 - c. Re-inspections may be had subsequent to any inspection as deemed necessary by the Director of Planning or his or her designee.
 - d. Thereafter, all dwelling units in any registered rental structure shall be inspected at least every two years as required in Section 17-2(A)(2).
3. The owner will be given at least thirty (30) days' notice by regular mail prior to any inspection being conducted. Upon receipt of the notice of inspection, the owner shall notify the tenant, on a form provided by the City, of the date and time of the inspection by either placing the completed form under or on the door of the unit at least seventy-two (72) hours prior to the inspection. The form shall contain a certification that the owner has served the notice as set forth in this subsection.

Each notice shall inform the owner and occupant of their right to refuse to consent to the inspection and to require the City to obtain an administrative search warrant. The Director of Planning shall establish procedures for attempting to assure reasonable notice in circumstances where service and posting are not necessarily in accordance with this subsection (i.e., lack of cooperation by owner).

4. If any owner, property agent, tenant or other person in control of a rental structure or a dwelling unit fails or refuses to consent to access and entry to the property or dwelling unit following reasonable notice for any inspection pursuant to this section, the code official or designee may, after consulting with the City Manager and the City Attorney, apply to the district court for an administrative warrant or other appropriate court order authorizing such inspection. Such an application shall not be a waiver of the City's right to seek other remedies pursuant to this chapter.

5. When a licensing inspection of a rental structure reveals any violation, a time period for compliance shall be set by the code official in accordance with the City's property maintenance code. The code official shall send notice of the violations and compliance period to the property owner or the listed property agent by regular U.S. mail at the address provided on the most recent license application. The notice shall include the following:

- a. Identification of the property;
- b. A statement listing the violations and applicable code section;
- c. The time period for compliance; and
- d. An explanation that if all violations have not been corrected within the compliance time period, the license is subject to revocation and non-renewal.

6. A licensing reinspection will be conducted at the request of the owner or the owners.

7. If, following a licensing inspection or reinspection, any dwelling unit is determined to be unfit for human occupancy as specified in the international code council property maintenance code, as adopted by the City of Albion, the premises must be vacated immediately. If similar violations are observed throughout the rental dwelling, the owner's license is subject to revocation and non-renewal. The owner will be required to pay additional inspection fees for any dwelling unit determined to be unfit for occupancy.

8. Prior to entering an occupied apartment, the City's inspector shall give the resident manager or owner a reasonable opportunity to be present during the inspection. Unless otherwise specified in a court order or warrant, the inspector will not inspect or search personal property of the occupant. The inspector, while performing the duties of office, will otherwise fully consider the privacy and dignity of the occupant. If a resident desires to be present for an inspection and it would result in an unusual hardship for that resident to be present during regular City business

hours, the inspector shall attempt to conduct the inspection at a time reasonably convenient to the resident.

Sec. 17-3: Notification of Violations; Corrections; Appeals and Re-inspections

Whenever violations or warning conditions are found during inspection, the owner or property agent shall be notified of the findings and the right to appeal such findings. Upon expiration of the time limit set by the code official for repairs, if the property is not in full compliance, the owner may be subject to both the payment of enforcement fees and revocation or denial of a license, as set forth in Section 17-2 of this Chapter.

Sec. 17-4: Notice of Failure to License

Whenever an owner or property agent of a rental property fails to license the property with the City, the code official shall post a notice on all entrances to the rental property containing the following statement:

“You are hereby notified that the owner or agent of this rental structure has failed to license this rental property with the City and is in violation of Section 17-2 of the City of Albion Code of Ordinances. No new leases may be entered into and no leases may be renewed until the proper license has been secured.”

Sec. 17-5: Revocation or Denial of License

A. If, upon reinspection of a rental structure, the code official finds conditions or practices which are in violation of any applicable regulations, the code official shall serve the owner or operator with a notice of violation. The notice shall state that unless all violations are corrected within a reasonable time of not less than five (5) days and not more than thirty (30) days, the operating license will be revoked. In the case of a renewal, the notice shall state that the license will be denied.

B. At the end of the time allowed for correction of any violation cited, the City shall reinspect the rental structure. If it is determined that the violations have not been corrected, an order shall be issued revoking or denying the operating license. The order shall take effect within seven (7) business days of the property owner’s receipt of the notice unless a hearing is requested as set forth in subsection C of this Section.

C. Any person whose license to operate a rental structure is subject to revocation or denial shall be entitled to appeal the revocation or denial action by filing with the Department of Planning a written request for appeal within seven (7) business days of receipt of the revocation order. Upon receipt of the request, the Director of Planning shall schedule a date to meet with the appellant to hear the appeal not more than twenty-one (21) business days thereafter. Upon completion of the appeal, the Director of Planning may:

1. Confirm the revocation or denial;

2. Hold the revocation in abeyance and allow additional compliance time not to exceed thirty (30) days;
3. Rescind the revocation or issue the license; or
4. Issue a conditional license subject to any conditions deemed appropriate by the Director of Planning.

D. If a timely request for an appeal is not filed then the revocation or denial order for that individual license shall be permanent.

E. In the event an operating license is revoked or denied, the following apply:

1. No existing rental agreement or lease shall be renewed and no new rental agreement or lease shall be entered into with respect to any rental unit located within the rental structure; and
2. The City shall have the right to proceed under Section 17-8 of this Chapter.

F. A license which has been revoked or denied shall not be reinstated. The property owner may, however, obtain a new license after all violations have been corrected and by following the procedures for obtaining a new license.

G. Whenever a license is revoked or denied, the code official shall send notice to the property owner or the listed property agent at the last address provided on the most recent application. This notice shall be sent by certified mail. The code official shall also notify all tenants of the rental residential structure by posting a notice on all entrances to the rental residential structure. The notice to the tenants shall include the following statement:

“You are hereby notified that the license for this structure has been revoked or denied pursuant to Section 17-5 of the City of Albion Code of Ordinances. No existing rental agreement or lease shall be renewed and no new rental agreement or lease shall be entered into with respect to any rental unit located within this building.”

H. If the owner has requested an appeal before the Director of Planning and is dissatisfied by the Director of Planning’s decision, the owner may appeal the decision to the City Manager.

Sec. 17-6: Violations, Notice of Court Proceeding

A. The following shall constitute violations of this Chapter:

1. Failure of the owner or owners of the rental property to obtain a license for such property;
2. Failure of the owner of the rental property to maintain the structure and premises in compliance with State of Michigan health and safety code requirements,

Albion Code of Ordinances, or the International Property Maintenance Code as adopted by the City of Albion.

3. To remove or deface any notice which has been posted pursuant to this Chapter.

B. Before issuing a citation or filing an action in court with respect to a violation of this Chapter, the Director of Planning shall deliver by certified mail a violation notice to the owner or other party designated to receive notices and service of process on behalf of such owner.

17-7: Penalties

A. In addition to any other remedy or penalty specified for a violation of any provision of this Chapter, upon a finding of responsibility or guilt, any person violating any provision of this Chapter shall be subject to the penalties for each offense as set forth in subsection (C) of this section. Each day during or on which a violation occurs or continues shall be deemed to constitute a separate offense.

B. Nothing in this Chapter shall prevent the City from taking any action available under Michigan law or the Albion Code of Ordinances to ensure the health, safety and public welfare of the residents of Albion. Further, nothing in this Chapter shall prevent the City from taking any emergency action as permitted by law when any portion of a rental structure poses an imminent danger to a person or property.

C. Fines. A violation of this chapter shall be deemed to be a civil infraction. If violations are not corrected within the specified time, in addition to revocation or denial of a license, the following fines may be assessed:

1. First Offense: \$150.00 per day the violation exists;
2. Second Offense: \$300.00 per day the violation exists;
3. Third or Subsequent Offense: \$500.00 per day the violation exists;

17-8: Civil Action by the City to Enforce Compliance

Whenever the City Manager or Director of Planning, or their designee has reasonable cause to believe that any owner or occupant/resident is engaged in a pattern or practice of violating the provisions of this Chapter, or the owner's operating license has been suspended, the City, in addition to all other remedies provided herein, may bring a civil action, setting forth the facts pertaining to such cause and shall have a right to one or more of the following; a permanent or temporary injunction, restraining order, damages, and any other relief available under Michigan law. Such relief may be obtained against the owner or occupant/resident responsible and shall be as is necessary to ensure compliance with the provisions of this Chapter and full enjoyment of rights herein established. Before filing a civil action with respect to a violation of this Chapter, the City Manager shall notify the offending occupant/resident, owner, operating licensee or other party designated to receive notices and service of process on behalf of such owner or licensee requesting compliance.

17-9: Definitions

- A. Code Officer shall mean the officer or code official charged with the enforcement of this code, or their designee.
- B. Director of Planning shall mean the Director of Planning, Building, and Code Enforcement for the City of Albion who is charged with the administration of this code.
- C. Dwelling Unit shall mean a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.
- D. Lease shall mean any written or oral agreement that sets forth any and all conditions concerning the use and occupancy of rental dwellings or rental units.
- E. Multi-Family Rental Structure shall mean a rental structure containing two or more dwelling units or a rental structure divided into three or more single-family rental structures.
- F. Rental Structure shall mean any structure, building or other facility designed, used and/or intended to be used as a home, residence or sleeping unit except owner-occupied single-family residential structures. This definition includes, but is not limited to, single, two-family, and multi-family rental structures, rental dwelling units, apartment units, boarding houses, and rooming units, (except owner-occupied single-family residential structures)
- G. Single-Family Rental Structure shall mean a rental structure intended for occupancy by an individual or group of individuals related by blood, marriage, adoption, foster relationship, or other legal relationship, with a maximum of not more than three (3) additional unrelated persons.
- H. Two-Family Rental Structure shall mean a rental structure containing two dwelling units or a rental structure divided into two single family rental structures.

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 March 3, 2020 after publication.

First Reading:
January 20, 2020

Ayes _____
Nays _____
Absent _____

Second Reading & Adoption:
February 3, 2020

Ayes _____
Nays _____
Absent _____

Jill Domingo,
City Clerk

David Atchison,
Mayor

DRAFT



Council Action Summary Sheet

Agenda Item #:	
Agenda Item Title:	<i>SCHEDULE WORK SESSION TO DISCUSS SOLID WASTE COLLECTION CONTRACT</i>
Meeting Date:	January 21, 2020
Submitted by:	Darwin McClary, City Manager
Contact Information:	(517) 629-7172; dmcclary@cityofalbionmi.gov
Agenda Item Approvals:	<input type="checkbox"/> City Clerk <input type="checkbox"/> Finance Director/Treasurer <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> 4 City Manager

Background Brief:

Administration is requesting that the city council schedule a work session for the week of January 27 to discuss the city's solid waste collection contract. The current contract with Granger Services is set to expire on March 31, and administration must proceed to prepare bid specifications and advertise for bids for a replacement contract for April 1. Some of the considerations to be discussed at the work session include:

- Length of term of a new contract
- Scope of services of solid waste collection
- Scope of services for yard waste collection (currently a 6-bag per week limit)
- Inclusion of curbside recyclable materials collection and scope of such services (Calhoun County wishes to eliminate the contract for the recycling drop-off center as soon as possible)
- Performance management
- Other considerations

Administration recommends including this discussion on the same agenda as the rental inspection ordinance and program work session if possible.

Alternatives Analysis:

Take no action. If the council does not schedule a work session to discuss the solid waste collection contract and does not provide any further direction, Administration will proceed to prepare a scope of services and bid specifications based on the current scope of services but with alternates for additional or modified services. City council will not have an adequate opportunity to discuss its desires for services or a new contract, and this could cause problems at the time that the bids are presented to council for award of a contract.



Schedule a work session. If the city council schedules the work session as requested, council will have ample input into the scope of services and bid specifications prior to advertising for bids. The result will be the submission of more complete bids that reflect the desires and expectations of the city council in terms of the bid design and services to be sought and will provide for smoother contract award and contract implementation processes. The city anticipates reduced conflicts or problems during the process as a result of thorough input from the city council.

Summary of Previous Council Action:

None

Financial Impact:

None to schedule the work session meeting.

Recommended Motion(s):

To schedule a city council work session meeting for January _____, 2020, at _____ p.m. for the purpose of discussing the terms, conditions, scope of work and services, and other considerations relating to the bid preparation and advertise for a new solid waste collection services contract.

Attachments:

None

**CITY OF ALBION
ORDINANCE #2017-06**

AN ORDINANCE TO AMEND ORDINANCE 22-181 SIDEWALK CAFES

Purpose and Finding: The City of Albion presently has a sidewalk café ordinance that limits sidewalk cafes to businesses located on Superior Street, between Ash St. and the south side of the railroad crossing. As the City’s downtown continues to develop and revitalize, some businesses wish to have a sidewalk café, whether permanent or temporary, within the downtown area, but not on Superior St. It is recommended that sidewalk cafes be permitted anywhere in the B-2 zoned district (downtown).

THE CITY OF ALBION ORDAINS:

Sec. 22-181 – Area of Applicability.

- a. The sidewalk café provisions of this chapter shall apply to the public sidewalk located in any part of the city zoned B-2.
- b. The outdoor café provisions of this chapter shall apply to property within the city that is zoned B-1, B-2, B-3, or B-4.

This Ordinance shall take effect after publication on October 5, 2017.

First Reading:
August 21, 2017

Second Reading & Adoption:
September 5, 2017

Ayes _____
Nays _____
Absent _____

Ayes _____
Nays _____
Absent _____

Jill Domingo
City Clerk

Garrett Brown,
Mayor



Council Action Summary Sheet

Agenda Item #:	
Agenda Item Title:	<i>REQUEST TO PURCHASE CITY PROPERTY – RONNIE SIMS</i>
Meeting Date:	January 21, 2020
Submitted by:	Darwin McClary, City Manager
Contact Information:	(517) 629-7172; dmcclary@cityofalbionmi.gov
Agenda Item Approvals:	<input type="checkbox"/> City Clerk <input type="checkbox"/> Finance Director/Treasurer <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> 4 City Manager

Background Brief:

The City of Albion has received a request from Ronnie Sims, 710 W. Erie Street, Albion, Michigan, to purchase a portion of city-owned property located at 211 Culver Street, Property ID #51-012-352-01. The property is located within the area known as the Urban Renewal Area, and the parcel in question contains 3.829 acres. Mr. Sims is requesting to purchase only a portion of the property. After consultation with city staff and others, administration recommends denial of the request. The city is interested in developing the entire Urban Renewal Area property as one development, if possible, and discussions are ongoing with developers regarding the possible development of the property. Administration finds that there would be no advantage to the city to split off and sell a portion of this property.

This request was originally submitted to the city in June 2019 during the transition in city managers and was resubmitted to the City Manager's office by Mr. Sims on December 5, 2019.

Alternatives Analysis:

Take no action. If the city council takes no action on the request, Mr. Sims will not be permitted to purchase the property at 211 Culver Street. However, disposition of his request will not be resolved, and he may resubmit his request at any time.

Approve the request. If the city council approves the request, the city and purchaser will need to negotiate a purchase price. The city would receive a financial benefit from the proceeds of the sale. The purchaser would need to have a sealed staked survey completed at his cost identifying the current property and the new separate lot created by the split. City council would need to determine if it desires to place a deed restriction on the property requiring certain improvements to the property within a specific period of time as a condition of sale. The splitting of the property could cause the remaining city property to be unbuildable under the zoning code and/or could impact or hinder the density and design of any planned residential development on



the remaining adjacent property. Approval of the sale would require a super majority vote of the city council (5 affirmative votes), and the city would need to comply with the notice requirements of Sec. 15.3 of the city charter relating to the sale of real property. The City Attorney and Director of Building, Planning, and Code Enforcement would need to determine any other requirements for the sale.

Deny the request. If the city council denies the request, Mr. Sims would not be permitted to acquire the property. The city would not realize any financial gain from the proceeds of the sale of the property to Mr. Sims. The property would continue to be available for development as part of a more substantial residential development project and could generate a higher financial gain from the sale and growth in tax base of the property.

Summary of Previous Council Action:

None

Financial Impact:

Cannot be determined at this time.

Recommended Motion(s):

To deny the request from Ronnie Sims, 710 West Erie Street, Albion, Michigan, dated June 27, 2019, to purchase a portion of city-owned property located at 211 Culver Street, Albion, Michigan (part of Parcel No. 51-012-352-01) due to a finding by the city council that there is no advantage to the city.

Attachments:

Letter of request and attachments from Ronnie Sims dated June 27, 2019

Rec'd 12-09-19 *MSM*

To: Albion City Council

From: Ronnie Sims, Albion City Resident
517-894-5441

Date: June 27, 2019

Re: Property Purchase

Please accept this letter as notice of my interest in purchasing property adjacent to my property, which is listed as #51-012-352-01 owned by City of Albion, 211 Culver St., Albion, MI. I have lived at my address since August 2012. I would like to acquire this land to rectangle out my properties and eventually use it to build on which will enhance and beautify my community.

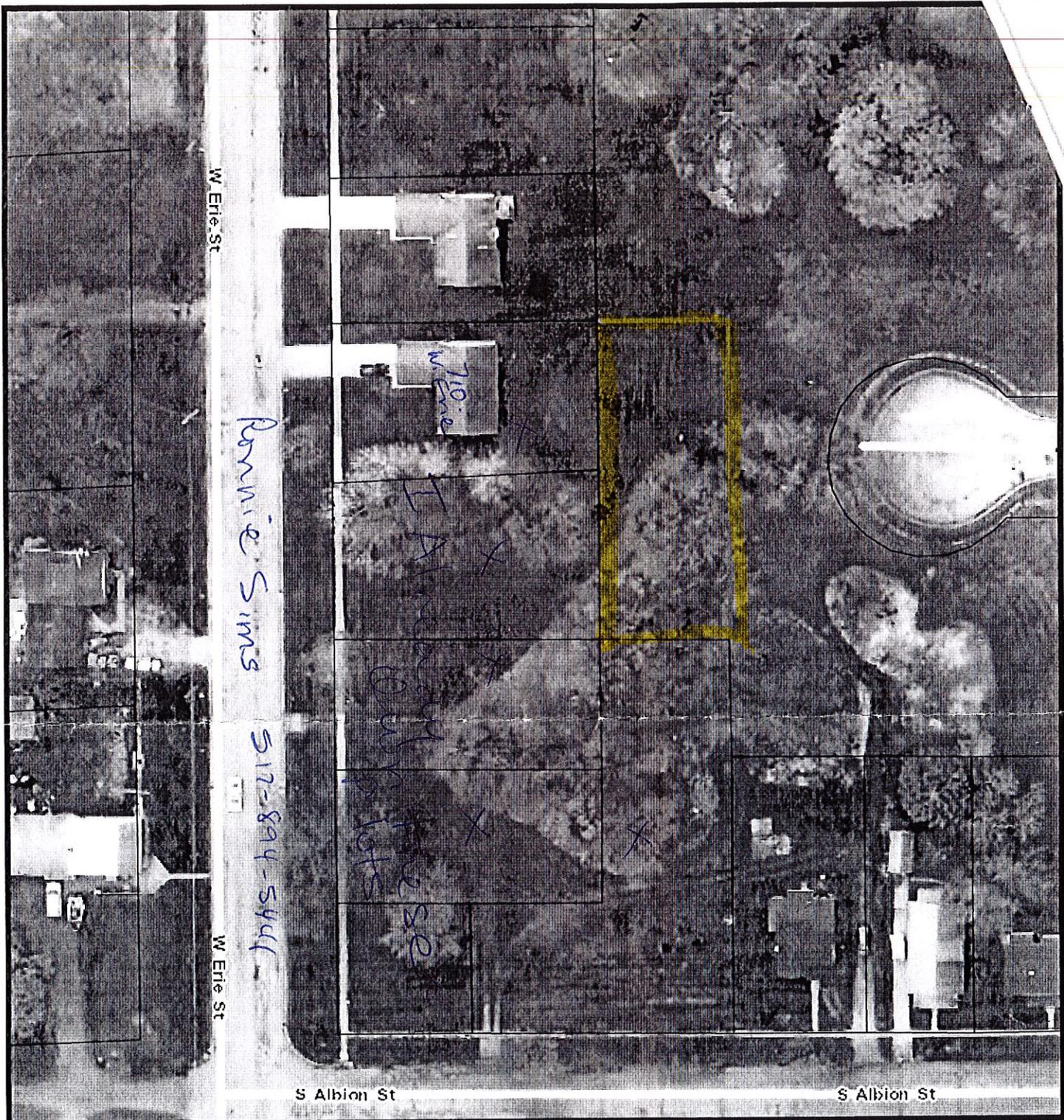
It would be advantages for me to own the property. I have actually maintained a large portion of this property since 2012. The advantage for the city to sell is that the city would be able to collect taxes and I can continue to maintain the property more frequently and better than it has been in the past by the city and as owner. The city would then be relieved of the expense of the property upkeep.

Please contact me regarding this so that I can expeditiously proceed as guided.

Thank you

MSM
Ronnie Sims
710 W. Erie St.
Albion, MI 49224
517-894-5441

Attachment (Descriptor map of property)



Mr. Sims
517-894-5441



Calhoun GIS

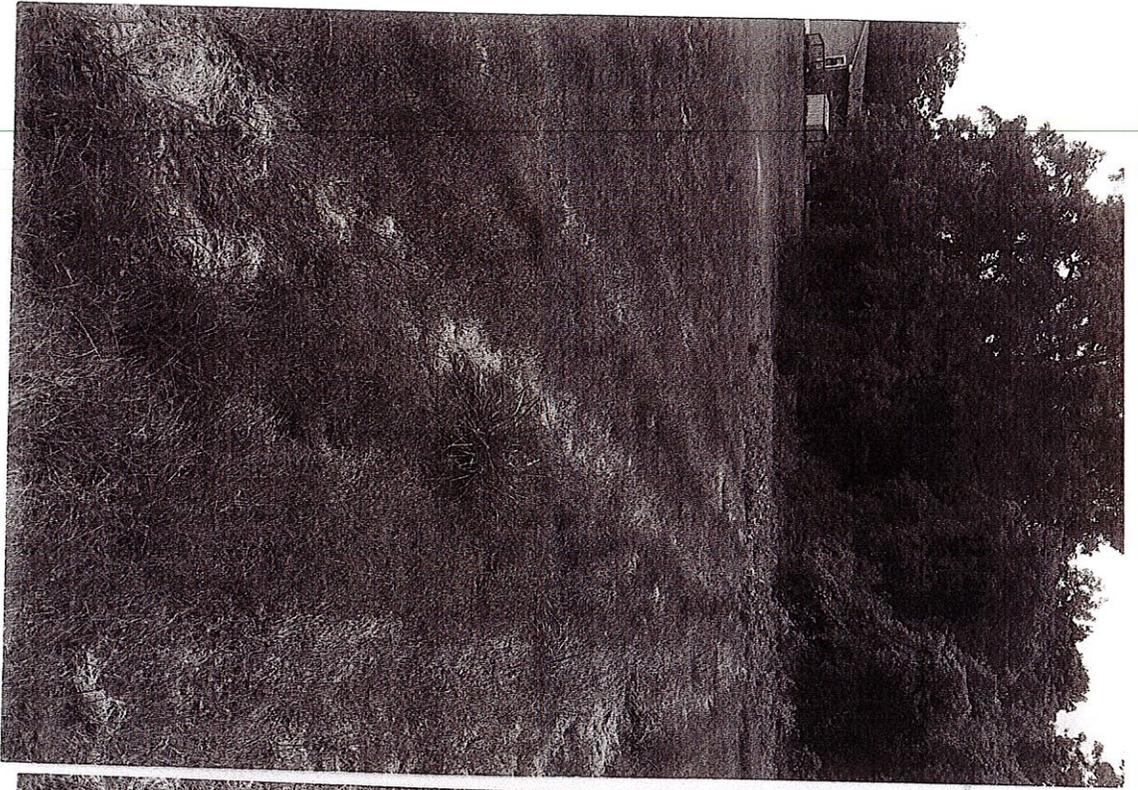


Map Publication:
03/26/2019 2:13 PM



FetchGIS

Disclaimer: This map does not represent a survey or legal document and is provided on an "as is" basis. Calhoun County expresses no warranty for the information displayed on this map document.



Culver Ct. / Friess.

Ronnie Sims
517-894-5441

FOR INFORMATION ONLY

FROM 11/01/2019 TO 11/30/2019

FUND: 101 202 203 208 226 250 265 275 277 450 452 590 591 661

CASH AND INVESTMENT ACCOUNTS

Fund Account	Description	Beginning Balance 11/01/2019	Total Debits	Total Credits	Ending Balance 11/30/2019
Fund 101	GENERAL FUND				
001.00	CASH	396,223.10	858,798.11	308,873.94	946,147.27
002.00	CASH - INCOME TAX ACCOUNT	721,412.44	43,790.67	760,000.00	5,203.11
003.00	CERTIFICATES OF DEPOSIT	100,480.00	0.00	0.00	100,480.00
004.00	PETTY CASH	100.00	0.00	0.00	100.00
004.02	PETTY CASH - CHANGE DRAWER	400.00	0.00	0.00	400.00
005.00	HRA ACCOUNT FOR EMPLOYEES	1,447.08	0.00	13.03	1,434.05
007.00	CASH PARK FENCE	17,660.53	5.78	0.00	17,666.31
017.00	INVESTMENTS	319,452.89	0.00	0.00	319,452.89
	GENERAL FUND	<u>1,557,176.04</u>	<u>902,594.56</u>	<u>1,068,886.97</u>	<u>1,390,883.63</u>
Fund 202	MAJOR STREETS FUND				
001.00	CASH	195,944.97	66,553.76	49,177.50	213,321.23
017.00	INVESTMENTS	605,385.62	0.00	0.00	605,385.62
	MAJOR STREETS FUND	<u>801,330.59</u>	<u>66,553.76</u>	<u>49,177.50</u>	<u>818,706.85</u>
Fund 203	LOCAL STREETS FUND				
001.00	CASH	394,552.05	23,574.67	23,461.50	394,665.22
Fund 208	RECREATION FUND				
001.00	CASH	163,995.82	3,387.77	12,270.86	155,112.73
Fund 226	SOLID WASTE FUND				
001.00	CASH	141,451.52	141.67	15,368.25	126,224.94
017.00	INVESTMENTS	355,249.99	0.00	0.00	355,249.99
	SOLID WASTE FUND	<u>496,701.51</u>	<u>141.67</u>	<u>15,368.25</u>	<u>481,474.93</u>
Fund 250	CDBG FUND				
001.01	CDBG FUND CASH	33,577.96	10.99	0.00	33,588.95
Fund 265	DRUG LAW ENFORCEMENT FUND				
001.00	CASH	13,652.02	3,172.16	1,615.31	15,208.87
Fund 275	ALBION BUILDING AUTHORITY FUND				
001.01	FUND CASH ACCOUNT	208,072.22	1,569.59	1,106.65	208,535.16
Fund 277	ABA SEC 8 MAPLE GROVE				
001.01	FUND CASH ACCOUNT	210,349.71	44,757.69	288,929.87	(33,822.47)
002.00	CASH - CAPITAL PROJECTS RESERV	544,027.80	6,069.06	0.00	550,096.86
008.00	CASH-SECURITY DEPOSIT	26,363.99	389.00	0.00	26,752.99
	ABA SEC 8 MAPLE GROVE	<u>780,741.50</u>	<u>51,215.75</u>	<u>288,929.87</u>	<u>543,027.38</u>
Fund 450	STREET IMPROVEMENTS FUND				
001.00	CASH	(132,555.54)	0.00	0.00	(132,555.54)
017.00	INVESTMENTS	260,928.36	0.00	0.00	260,928.36
	STREET IMPROVEMENTS FUND	<u>128,372.82</u>	<u>0.00</u>	<u>0.00</u>	<u>128,372.82</u>
Fund 452	MDOT RECONSTRUCTION FUND				
001.00	CASH	582,399.77	1,940.00	1,036,102.99	(451,763.22)
Fund 590	SEWER FUND				
001.00	CASH	217,870.07	89,260.38	86,902.00	220,228.45
017.00	INVESTMENTS	318,060.96	0.00	0.00	318,060.96
	SEWER FUND	<u>535,931.03</u>	<u>89,260.38</u>	<u>86,902.00</u>	<u>538,289.41</u>
Fund 591	WATER FUND				
001.00	CASH	475,640.95	82,158.93	82,713.07	475,086.81

CASH SUMMARY BY ACCOUNT FOR CITY OF ALBION

FROM 11/01/2019 TO 11/30/2019

FUND: 101 202 203 208 226 250 265 275 277 450 452 590 591 661

CASH AND INVESTMENT ACCOUNTS

Fund Account	Description	Beginning Balance 11/01/2019	Total Debits	Total Credits	Ending Balance 11/30/2019
003.00	CERTIFICATES OF DEPOSIT	150,152.50	0.00	0.00	150,152.50
006.00	RESTRICTED CASH - BOND RESERVE	61,990.00	0.00	0.00	61,990.00
008.00	CASH-SECURITY DEPOSIT	200.00	0.00	0.00	200.00
017.00	INVESTMENTS	370,409.56	0.00	0.00	370,409.56
	WATER FUND	<u>1,058,393.01</u>	<u>82,158.93</u>	<u>82,713.07</u>	<u>1,057,838.87</u>
Fund 661	EQUIPMENT POOL FUND				
001.00	CASH	48,763.98	30,877.34	17,364.25	62,277.07
	TOTAL - ALL FUNDS	<u>6,803,660.32</u>	<u>1,256,457.57</u>	<u>2,683,899.22</u>	<u>5,376,218.67</u>

REVENUE AND EXPENDITURE REPORT FOR CITY OF ALBION
 PERIOD ENDING 11/30/2019
 % Fiscal Year Completed: 91.51

GL NUMBER	DESCRIPTION	2018		2019		% BDGT USED
		AMENDED BUDGET	END BALANCE 12/31/2018 NORMAL (ABNORMAL)	YTD BALANCE 11/30/2019 NORMAL (ABNORMAL)	AMENDED BUDGET	
Fund 101 - GENERAL FUND						
000 - GENERAL		3,670,410.00	3,684,189.55	3,447,782.87	3,948,592.00	87.32
209 - ASSESSING		76.00	75.50	30.00	0.00	100.00
215 - CLERK		62.00	62.67	315.20	0.00	100.00
260 - FINANCE DEPT AND/OR ABA GENERAL		600.00	817.00	1,652.50	600.00	275.42
276 - CEMETERY		87,447.00	89,746.80	50,611.99	58,000.00	87.26
345 - PUBLIC SAFETY		85,173.00	36,163.93	92,659.31	36,500.00	253.86
422 - CODE ENFORCEMENT		93,150.00	97,037.93	107,699.88	101,500.00	106.11
442 - CITY MAINTENANCE		0.00	0.00	59,050.00	0.00	100.00
444 - TREE TRIMMING		0.00	0.00	18,226.00	0.00	100.00
448 - STREET LIGHTING		0.00	0.00	96,127.00	0.00	100.00
758 - ALBION RIVER/BIKE TRAIL		76,319.00	76,318.91	25,000.00	0.00	100.00
775 - PARKS		2,400.00	2,390.00	11,694.40	2,500.00	467.78
778 - HOLLAND PARK TRANSFORMATION PROJECT		4,704.00	4,704.16	35,000.00	10,000.00	350.00
930 - TRANSFER IN		10,000.00	10,000.00	10,000.00	10,000.00	100.00
TOTAL REVENUES		4,030,341.00	4,001,506.45	3,955,849.15	4,167,692.00	94.92
101 - CITY COUNCIL		54,055.00	40,841.67	25,188.87	50,606.00	49.77
172 - CITY MANAGER		98,480.00	81,391.09	128,725.33	208,295.00	61.80
209 - ASSESSING		48,300.00	45,879.40	44,595.77	44,810.00	99.52
210 - ATTORNEY		110,400.00	113,825.22	121,513.59	99,150.00	122.56
215 - CLERK		129,375.00	129,168.66	94,443.81	127,725.00	73.94
226 - HUMAN RESOURCES		29,579.00	25,642.52	15,006.58	14,900.00	100.72
260 - FINANCE DEPT AND/OR ABA GENERAL		371,682.00	320,111.78	415,342.04	484,735.00	85.68
265 - MUNICIPAL BLDG AND/OR 201 N CLINTON ST		151,370.00	136,844.10	58,590.70	72,175.00	81.18
276 - CEMETERY		172,126.00	153,552.73	140,507.75	165,210.00	85.05
345 - PUBLIC SAFETY		2,110,452.26	2,038,292.18	1,796,799.46	2,105,577.00	85.34
422 - CODE ENFORCEMENT		194,817.00	176,629.64	241,688.18	253,285.00	95.42
442 - CITY MAINTENANCE		64,182.00	48,279.07	124,240.18	56,125.00	221.36
444 - TREE TRIMMING		20,615.00	15,399.10	16,348.74	17,675.00	92.50
447 - ENGINEERING		28,737.00	22,140.42	15,766.54	15,270.00	103.25
448 - STREET LIGHTING		169,500.00	161,667.43	221,234.26	150,000.00	147.49
526 - EPA LANDFILL		8,600.00	9,803.12	15,035.35	21,000.00	71.60
758 - ALBION RIVER/BIKE TRAIL		76,319.00	76,318.91	0.00	0.00	0.00
775 - PARKS		226,335.00	209,545.17	212,344.83	207,700.00	102.24
778 - HOLLAND PARK TRANSFORMATION PROJECT		4,704.00	47.68	186.68	10,000.00	1.87
895 - GENERAL APPROPRIATION		136,650.00	128,297.34	140,397.08	149,674.00	93.80
TOTAL EXPENDITURES		4,206,278.26	3,933,677.23	3,827,955.74	4,253,912.00	89.99
Fund 101 - GENERAL FUND:						
TOTAL REVENUES		4,030,341.00	4,001,506.45	3,955,849.15	4,167,692.00	94.92
TOTAL EXPENDITURES		4,206,278.26	3,933,677.23	3,827,955.74	4,253,912.00	89.99
NET OF REVENUES & EXPENDITURES		(175,937.26)	67,829.22	127,893.41	(86,220.00)	148.33

REVENUE AND EXPENDITURE REPORT FOR CITY OF ALBION
 PERIOD ENDING 11/30/2019
 % Fiscal Year Completed: 91.51

GL NUMBER	DESCRIPTION	2018		YTD BALANCE		2019		% BGD USED
		AMENDED BUDGET	NORMAL (ABNORMAL)	END BALANCE 12/31/2018	NORMAL (ABNORMAL)	AMENDED BUDGET	11/30/2019	
Fund 202 - MAJOR STREETS FUND								
000 - GENERAL		750,327.00		739,779.68		714,480.45		92.09
487 - M-99 TRUNKLINE		133,234.00		62,919.48		51,010.91		92.75
TOTAL REVENUES		883,561.00		802,699.16		765,491.36		92.13
454 - ACT 51 NON-MOTORIZED		0.00		0.00		2,319.20		2.44
461 - MAINTENANCE		417,766.00		364,295.74		265,804.22		63.26
465 - TRAFFIC SERVICES		3,183.00		683.93		182.57		5.92
467 - WINTER MAINTENANCE		53,365.00		31,143.18		27,904.32		55.24
486 - I-94 TRUNKLINE		40,577.00		25,589.29		25,233.53		75.64
487 - M-99 TRUNKLINE		33,587.00		22,723.15		23,936.93		78.38
488 - M-199 TRUNKLINE		19,257.00		12,728.49		10,264.82		67.07
965 - TRANSFER OUT		193,000.00		193,000.00		193,000.00		150.78
TOTAL EXPENDITURES		760,735.00		650,163.78		548,645.59		70.70
Fund 202 - MAJOR STREETS FUND:								
TOTAL REVENUES		883,561.00		802,699.16		765,491.36		92.13
TOTAL EXPENDITURES		760,735.00		650,163.78		548,645.59		70.70
NET OF REVENUES & EXPENDITURES		122,826.00		152,535.38		216,845.77		395.05

REVENUE AND EXPENDITURE REPORT FOR CITY OF ALBION
 PERIOD ENDING 11/30/2019
 % Fiscal Year Completed: 91.51

GL NUMBER	DESCRIPTION	2018		2019		% BGD USED
		AMENDED BUDGET	NORMAL (ABNORMAL)	AMENDED BUDGET	NORMAL (ABNORMAL)	
Fund 203 - LOCAL STREETS FUND						
000 - GENERAL		326,819.00	329,660.74	276,262.00	256,652.54	92.90
930 - TRANSFER IN		190,000.00	190,000.00	125,000.00	190,000.00	152.00
TOTAL REVENUES		516,819.00	519,660.74	401,262.00	446,652.54	111.31
461 - MAINTENANCE		376,332.00	340,998.09	342,082.00	349,585.78	102.19
465 - TRAFFIC SERVICES		7,127.00	1,413.30	6,965.00	408.40	5.86
467 - WINTER MAINTENANCE		57,950.00	33,462.90	41,600.00	19,691.22	47.33
965 - TRANSFER OUT		3,000.00	3,000.00	3,000.00	3,000.00	100.00
TOTAL EXPENDITURES		444,409.00	378,874.29	393,647.00	372,685.40	94.68
Fund 203 - LOCAL STREETS FUND:						
TOTAL REVENUES		516,819.00	519,660.74	401,262.00	446,652.54	111.31
TOTAL EXPENDITURES		444,409.00	378,874.29	393,647.00	372,685.40	94.68
NET OF REVENUES & EXPENDITURES		72,410.00	140,786.45	7,615.00	73,967.14	971.33

REVENUE AND EXPENDITURE REPORT FOR CITY OF ALBION
 PERIOD ENDING 11/30/2019
 % Fiscal Year Completed: 91.51

GL NUMBER	DESCRIPTION	2018		YTD BALANCE		2019		% BGD USED	
		AMENDED BUDGET	NORMAL (ABNORMAL)	END BALANCE 12/31/2018	NORMAL (ABNORMAL)	AMENDED BUDGET	NORMAL (ABNORMAL)		
Fund 208 - RECREATION FUND									
780 - RECREATION		142,636.00		151,726.04		186,986.80		178,065.00	105.01
TOTAL REVENUES		<u>142,636.00</u>		<u>151,726.04</u>		<u>186,986.80</u>		<u>178,065.00</u>	<u>105.01</u>
780 - RECREATION		153,687.00		138,936.60		153,852.85		177,599.00	86.63
TOTAL EXPENDITURES		<u>153,687.00</u>		<u>138,936.60</u>		<u>153,852.85</u>		<u>177,599.00</u>	<u>86.63</u>
Fund 208 - RECREATION FUND:									
TOTAL REVENUES		142,636.00		151,726.04		186,986.80		178,065.00	105.01
TOTAL EXPENDITURES		<u>153,687.00</u>		<u>138,936.60</u>		<u>153,852.85</u>		<u>177,599.00</u>	<u>86.63</u>
NET OF REVENUES & EXPENDITURES		(11,051.00)		12,789.44		33,133.95		466.00	7,110.29

REVENUE AND EXPENDITURE REPORT FOR CITY OF ALBION
 PERIOD ENDING 11/30/2019
 % Fiscal Year Completed: 91.51

GL NUMBER	DESCRIPTION	2018		2019		% BDGT USED
		AMENDED BUDGET	NORMAL (ABNORMAL)	AMENDED BUDGET	NORMAL (ABNORMAL)	
Fund 226 - SOLID WASTE FUND						
000 - GENERAL		251,488.00	266,269.81	252,725.00	267,058.64	105.67
TOTAL REVENUES		251,488.00	266,269.81	252,725.00	267,058.64	105.67
523 - LEAF PICKUP		16,205.00	0.00	7,523.00	203.13	2.70
524 - TREE DUMP		16,020.00	5,314.50	10,160.00	6,613.10	65.09
528 - SOLID WASTE		145,355.00	122,779.26	144,368.00	119,593.40	82.84
965 - TRANSFER OUT		25,500.00	25,500.00	25,500.00	25,500.00	100.00
TOTAL EXPENDITURES		203,080.00	153,593.76	187,551.00	151,909.63	81.00
Fund 226 - SOLID WASTE FUND:						
TOTAL REVENUES		251,488.00	266,269.81	252,725.00	267,058.64	105.67
TOTAL EXPENDITURES		203,080.00	153,593.76	187,551.00	151,909.63	81.00
NET OF REVENUES & EXPENDITURES		48,408.00	112,676.05	65,174.00	115,149.01	176.68

REVENUE AND EXPENDITURE REPORT FOR CITY OF ALBION
 PERIOD ENDING 11/30/2019
 % Fiscal Year Completed: 91.51

GL NUMBER	DESCRIPTION	2018		END BALANCE	YTD BALANCE	2019		% BDGT USED	
		AMENDED BUDGET	NORMAL	12/31/2018 (ABNORMAL)	11/30/2019 (ABNORMAL)	AMENDED BUDGET			
Fund 265 - DRUG LAW ENFORCEMENT FUND									
000 - GENERAL		12,830.00		6,821.15		5,910.19		44,000.00	13.43
400 - FED DRUG LAW ENFOR - REIMBUR		25,000.00		28,884.17		57,120.82		30,000.00	190.40
930 - TRANSFERS IN		0.00		0.00		14,393.43		0.00	100.00
TOTAL REVENUES		37,830.00		35,705.32		77,424.44		74,000.00	104.63
333 - DRUG LAW ENFORCEMENT		29,264.00		27,696.09		30,133.34		72,500.00	41.56
400 - FED DRUG LAW ENFOR - REIMBUR		10,982.00		11,377.88		38,755.10		1,500.00	2,583.67
TOTAL EXPENDITURES		40,246.00		39,073.97		68,888.44		74,000.00	93.09
Fund 265 - DRUG LAW ENFORCEMENT FUND:									
TOTAL REVENUES		37,830.00		35,705.32		77,424.44		74,000.00	104.63
TOTAL EXPENDITURES		40,246.00		39,073.97		68,888.44		74,000.00	93.09
NET OF REVENUES & EXPENDITURES		(2,416.00)		(3,368.65)		8,536.00		0.00	100.00

REVENUE AND EXPENDITURE REPORT FOR CITY OF ALBION
 PERIOD ENDING 11/30/2019
 % Fiscal Year Completed: 91.51

GL NUMBER	DESCRIPTION	2018		2019		% BGD USED
		AMENDED BUDGET	NORMAL (ABNORMAL)	AMENDED BUDGET	NORMAL (ABNORMAL)	
Fund 275 - ALBION BUILDING AUTHORITY FUND						
000 - GENERAL		4,743.00	4,857.09	4,717.64	4,569.00	103.25
264 - EDC BUILDING		137,439.00	137,439.34	0.00	0.00	0.00
265 - MUNICIPAL BLDG AND/OR 201 N CLINTON ST		1,512.00	1,512.00	1,260.00	1,512.00	83.33
271 - FIRE/AMBULANCE BUILDING		34,450.00	36,000.00	27,767.80	32,000.00	86.77
273		1.00	1.00	1.00	1.00	100.00
TOTAL REVENUES		178,145.00	179,809.43	33,746.44	38,082.00	88.62
260 - FINANCE DEPT AND/OR ABA GENERAL		7,090.00	5,929.56	4,744.36	7,107.00	66.76
264 - EDC BUILDING		17,190.00	16,965.64	297.24	0.00	100.00
265 - MUNICIPAL BLDG AND/OR 201 N CLINTON ST		1,945.00	1,931.37	1,072.73	2,005.00	53.50
270 - 101 N GALE ST		30,000.00	26,700.00	0.00	0.00	0.00
271 - FIRE/AMBULANCE BUILDING		29,250.00	22,617.19	15,703.18	26,850.00	58.48
273 - 112 E ERIE ST		12,400.00	10,600.54	5,510.44	1,951.00	282.44
TOTAL EXPENDITURES		97,875.00	84,744.30	27,327.95	37,913.00	72.08
Fund 275 - ALBION BUILDING AUTHORITY FUND:						
TOTAL REVENUES		178,145.00	179,809.43	33,746.44	38,082.00	88.62
TOTAL EXPENDITURES		97,875.00	84,744.30	27,327.95	37,913.00	72.08
NET OF REVENUES & EXPENDITURES		80,270.00	95,065.13	6,418.49	169.00	3,797.92

REVENUE AND EXPENDITURE REPORT FOR CITY OF ALBION
 PERIOD ENDING 11/30/2019
 % Fiscal Year Completed: 91.51

GL NUMBER	DESCRIPTION	2018		YTD BALANCE		2019		% BDT USED	
		AMENDED BUDGET	NORMAL (ABNORMAL)	END BALANCE 12/31/2018	NORMAL (ABNORMAL)	AMENDED BUDGET	NORMAL (ABNORMAL)		
Fund 277 - ABA SEC 8 MAPLE GROVE									
000 - GENERAL		450,400.00		471,362.45		425,047.89		455,400.00	93.34
TOTAL REVENUES		<u>450,400.00</u>		<u>471,362.45</u>		<u>425,047.89</u>		<u>455,400.00</u>	<u>93.34</u>
701 - ABA SEC 8 MAPLE GROVE		368,450.00		313,659.44		501,147.27		366,153.00	136.87
905 - DEBT SERVICE - BONDS		64,750.00		64,750.00		61,500.00		61,750.00	99.60
TOTAL EXPENDITURES		<u>433,200.00</u>		<u>378,409.44</u>		<u>562,647.27</u>		<u>427,903.00</u>	<u>131.49</u>
<hr/>									
Fund 277 - ABA SEC 8 MAPLE GROVE:									
TOTAL REVENUES		450,400.00		471,362.45		425,047.89		455,400.00	93.34
TOTAL EXPENDITURES		<u>433,200.00</u>		<u>378,409.44</u>		<u>562,647.27</u>		<u>427,903.00</u>	<u>131.49</u>
NET OF REVENUES & EXPENDITURES		17,200.00		92,953.01		(137,599.38)		27,497.00	500.42

REVENUE AND EXPENDITURE REPORT FOR CITY OF ALBION
 PERIOD ENDING 11/30/2019
 % Fiscal Year Completed: 91.51

GL NUMBER	DESCRIPTION	2018		YTD BALANCE		2019		% BGD USED
		AMENDED BUDGET	NORMAL (ABNORMAL)	END BALANCE 12/31/2018	NORMAL (ABNORMAL)	AMENDED BUDGET	11/30/2019	
Fund 367 - SIDEWALK PROGRAM FUND								
000 - GENERAL		23,906.00		25,689.59		5,170.07	(1,000.00)	(517.01)
TOTAL REVENUES		<u>23,906.00</u>		<u>25,689.59</u>		<u>5,170.07</u>	<u>(1,000.00)</u>	<u>(517.01)</u>
443 - SIDEWALK PROGRAM		23,856.00		0.00		274.81	300,000.00	0.09
TOTAL EXPENDITURES		<u>23,856.00</u>		<u>0.00</u>		<u>274.81</u>	<u>300,000.00</u>	<u>0.09</u>
Fund 367 - SIDEWALK PROGRAM FUND:								
TOTAL REVENUES		23,906.00		25,689.59		5,170.07	(1,000.00)	517.01
TOTAL EXPENDITURES		<u>23,856.00</u>		<u>0.00</u>		<u>274.81</u>	<u>300,000.00</u>	<u>0.09</u>
NET OF REVENUES & EXPENDITURES		50.00		25,689.59		4,895.26	(301,000.00)	1.63

REVENUE AND EXPENDITURE REPORT FOR CITY OF ALBION
 PERIOD ENDING 11/30/2019
 % Fiscal Year Completed: 91.51

GL NUMBER	DESCRIPTION	2018		YTD BALANCE		2019		% BGD USED
		AMENDED BUDGET	NORMAL (ABNORMAL)	END BALANCE 12/31/2018	11/30/2019	AMENDED BUDGET		
Fund 590 - SEWER FUND								
000 - GENERAL		1,215,326.00		1,238,544.36		1,093,301.07	1,221,300.00	89.52
536 - WATER UTILITY OPERATIONS		0.00		2,250.00		0.00	0.00	0.00
546 - MEDC GRANT - DIGESTER, PUMP, ETC.		99,352.00		97,102.67		250,000.00	0.00	100.00
TOTAL REVENUES		<u>1,314,678.00</u>		<u>1,337,897.03</u>		<u>1,343,301.07</u>	<u>1,221,300.00</u>	<u>109.99</u>
536 - SEWER UTILITY OPERATIONS		1,348,808.00		1,326,798.41		1,217,812.64	1,367,208.00	89.07
542 - WWTP ENERGY IMPROVEMENTS		7,800.00		8,143.14		6,900.98	7,800.00	88.47
546 - MEDC GRANT - DIGESTER, PUMP, ETC.		400,000.00		0.25		2,291.00	0.00	100.00
906 - DEBT SERVICE - LOANS		0.00		0.00		2,046.71	0.00	100.00
965 - TRANSFER OUT		148,400.00		148,400.00		149,115.00	148,400.00	100.48
TOTAL EXPENDITURES		<u>1,905,008.00</u>		<u>1,483,341.80</u>		<u>1,378,166.33</u>	<u>1,523,408.00</u>	<u>90.47</u>
Fund 590 - SEWER FUND:								
TOTAL REVENUES		1,314,678.00		1,337,897.03		1,343,301.07	1,221,300.00	109.99
TOTAL EXPENDITURES		<u>1,905,008.00</u>		<u>1,483,341.80</u>		<u>1,378,166.33</u>	<u>1,523,408.00</u>	<u>90.47</u>
NET OF REVENUES & EXPENDITURES		(590,330.00)		(145,444.77)		(34,865.26)	(302,108.00)	11.54

REVENUE AND EXPENDITURE REPORT FOR CITY OF ALBION
 PERIOD ENDING 11/30/2019
 % Fiscal Year Completed: 91.51

GL NUMBER	DESCRIPTION	2018		YTD BALANCE		2019		% BGD USED
		AMENDED BUDGET	NORMAL (ABNORMAL)	END BALANCE 12/31/2018	11/30/2019	AMENDED BUDGET		
Fund 591 - WATER FUND								
000 - GENERAL		930,714.00		952,652.17		897,486.33	952,850.00	94.19
548 - WATERTOWER PAINTING PROJECT		500,000.00		500,000.00		0.00	0.00	0.00
TOTAL REVENUES		1,430,714.00		1,452,652.17		897,486.33	952,850.00	94.19
536 - WATER UTILITY OPERATIONS		1,059,059.00		1,047,971.16		1,054,841.85	1,064,423.00	99.10
540 - WELLHEAD PROTECTION		500.00		0.00		0.00	500.00	0.00
548 - WATERTOWER PAINTING PROJECT		568,200.00		0.00		0.00	0.00	0.00
906 - DEBT SERVICE - LOANS		0.00		0.00		5,123.14	0.00	100.00
965 - TRANSFER OUT		11,450.00		11,450.00		231,800.00	231,800.00	100.00
TOTAL EXPENDITURES		1,639,209.00		1,059,421.16		1,291,764.99	1,296,723.00	99.62
Fund 591 - WATER FUND:								
TOTAL REVENUES		1,430,714.00		1,452,652.17		897,486.33	952,850.00	94.19
TOTAL EXPENDITURES		1,639,209.00		1,059,421.16		1,291,764.99	1,296,723.00	99.62
NET OF REVENUES & EXPENDITURES		(208,495.00)		393,231.01		(394,278.66)	(343,873.00)	114.66

REVENUE AND EXPENDITURE REPORT FOR CITY OF ALBION
 PERIOD ENDING 11/30/2019
 % Fiscal Year Completed: 91.51

GL NUMBER	DESCRIPTION	2018		YTD BALANCE		2019		% BGD USED
		AMENDED BUDGET	NORMAL (ABNORMAL)	END BALANCE 12/31/2018	NORMAL (ABNORMAL)	AMENDED BUDGET	NORMAL (ABNORMAL)	
Fund 661 - EQUIPMENT POOL FUND								
000 - GENERAL		271,252.00	323,267.55	302,696.90	285,175.00	106.14		
TOTAL REVENUES		<u>271,252.00</u>	<u>323,267.55</u>	<u>302,696.90</u>	<u>285,175.00</u>	106.14		
770 - EQUIPMENT POOL		315,761.00	297,641.60	254,405.58	299,875.00	84.84		
905 - DEBT SERVICE - BONDS		93.00	93.30	0.00	0.00	0.00		
965 - TRANSFER OUT		17,850.00	17,850.00	31,528.43	17,850.00	176.63		
TOTAL EXPENDITURES		<u>333,704.00</u>	<u>315,584.90</u>	<u>285,934.01</u>	<u>317,725.00</u>	89.99		
Fund 661 - EQUIPMENT POOL FUND:								
TOTAL REVENUES		271,252.00	323,267.55	302,696.90	285,175.00	106.14		
TOTAL EXPENDITURES		<u>333,704.00</u>	<u>315,584.90</u>	<u>285,934.01</u>	<u>317,725.00</u>	89.99		
NET OF REVENUES & EXPENDITURES		(62,452.00)	7,682.65	16,762.89	(32,550.00)	51.50		
TOTAL REVENUES - ALL FUNDS								
TOTAL REVENUES - ALL FUNDS		9,531,770.00	9,568,245.74	8,706,911.63	8,856,433.00	98.31		
TOTAL EXPENDITURES - ALL FUNDS		<u>10,241,287.26</u>	<u>8,615,821.23</u>	<u>8,670,053.01</u>	<u>9,766,372.00</u>	88.77		
NET OF REVENUES & EXPENDITURES		(709,517.26)	952,424.51	36,858.62	(909,939.00)	4.05		