

City of Albion
Council Session Minutes
October 1, 2018

I. CALL TO ORDER

Mayor Brown 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: Maurice Barnes (1), Lenn Reid (2), Sonya Brown (3), Marcola Lawler (4), Jeanette Spicer (5), and Mayor Brown.

ABSENT: Andy French (6).

STAFF PRESENT:

Scott Kipp, Interim City Manager; Cullen Harkness, City Attorney, Haley Snyder, City Deputy Clerk/Treasurer, and John Tracy, Director Planning, Building & Code Enforcement.

V. PRESENTATIONS

A. Domestic Violence Awareness Proclamation

Mayor Brown read aloud the Proclamation recognizing October as Domestic Violence Awareness Month 2018 and presented to S.A.F.E. Place and the Albion College Alpha Chi Omega Beta Chapter.

Comments were received from Paige Malma and Mayor Brown.

B. November Ballot Proposal – Voters not Politicians (Prop #2)

Rebekah McKenney, Voters not Politicians gave a brief presentation to Council on Proposal 2 for the November ballot.

Comments were received from Mayor Brown.

C. November Ballot Proposal – Promote the Vote (Prop #3)

Stephanie Moore, Promote the Vote gave a brief presentation to Council on Proposal 3 for the November ballot.

Comments were received from Mayor Brown.

VI. PUBLIC HEARINGS –

A. Industrial Development for Minerals Technologies Inc. (American Colloid Company/Harvard Site)

Mayor Brown opened the Public Hearing at 7:22 p.m.

No public comments were received.

Mayor Brown closed the Public Hearing at 7:23 p.m.

Comments were received from Council Member Barnes; Mayor Brown, and Albion Economic Development Corporation (AEDC), President Amy Deprez.

Brown moved, Lawler supported, CARRIED, to approve the request to establish an Industrial Development District (IDD) for Minerals Technologies Inc. (American Colloid Company/Harvard Site) (6-0, rcv)

VII. 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 Nadia Wolf, 409 Irwin Ave., Al Smith, 1209 Adams St., Dave Atchison, 108 W. Erie St., Eric Tobin, 409 W. Ash St.; and Amy Deprez, AEDC.

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

- A. Approval Study Session Minutes, September 15, 2018
- B. Approval Regular Session Minutes, September 17, 2018
- C. Approval Special Session Minutes, September 24, 2018

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

IX. ITEMS FOR INDIVIDUAL DISCUSSION

- A. Request Approval for Medical Marijuana Grower License for Comco, LLC

Comments were received from Council Members Barnes and Brown; Mayor Brown; Interim City Manager Kipp, and City Attorney Harkness.

Brown moved, Lawler supported, CARRIED, To Approve Medical Marihuana Grower License for Comco, LLC. (6-0, rcv)

B. Request Approval for Medical Marihuana Processor License for Comco, LLC

Comments were received from Council Members Barnes and Brown; Mayor Brown; Interim City Manager Kipp and City Attorney Harkness.

Brown moved, Spicer supported, CARRIED, to approve Medical Marihuana Processor License for Comco, LLC. (6-0, rcv)

C. Request Approval for Medical Marihuana Grower License for Greenwell BioMedicinals, LLC

Comments were received from Council Member Barnes; Mayor Brown; Interim City Manager Kipp and City Attorney Harkness.

Spicer moved, Brown supported, CARRIED, to approve Medical Marihuana Grower License for Greenwell BioMedicinals, LLC. (6-0, rcv)

D. Request Approval of Contract with LaTonya Rufus as City Manager

Comments were received from Council Members Barnes and Spicer; Mayor Brown and City Attorney Harkness.

Brown moved, Spicer supported, CARRIED, to amend the motion to approve contract with LaTonya Rufus as City Manager tentative on the start date. (6-0, rcv)

E. Discussion/Approval Ordinance #2018-08, Ethics Ordinance

City Attorney Harkness stated at a previous Council meeting, Council identified key areas they found to be of importance from four (4) municipalities with Ethics Ordinances currently in place. The proposed ordinance, is a blend of the four (4) ordinances – Adrian, Charlotte, Battle Creek, and Hamtramck. All four (4) Ethics Ordinances contained everything identified as key areas by Council and are compliant with the law.

Council questions/comments were as follows:

- Section B – Compliance with the Law, should be taken out entirely.
- Section C – Respect for Process, City Charter covers this section.
- Section D – Preparation for Public Meetings, not an ethics issue.

- Section J – Independence of Boards and Commissions, immediate family members should not be appointed or approved by Council Members.
- Section K – Positive Workplace, open the scope to include “*protected individual*”
- Section N – Enforcement and Penalties, remove completely and start over.
- Section N ii – totally ambiguous and dubious.
- Section N iii – Deadlines are not incremental.
- Section N vi – Geared towards Judicial system and not Council.
- Section O – Appellate Review, eliminate “impose monetary fines”

Comments were received from Council Members Barnes and Brown; Mayor Brown, and City Attorney Cullen Harkness.

F. Update on 608 Austin Avenue

John Tracy, Director of Planning, Building & Code Enforcement provided the Council with the following update on 608 Austin Avenue Demolition:

- Originally had an assessment group conduct assessment of the building. During original assessment, 2/3 of the building were in too bad of shape to get into.
- Upon abatement of the remaining 1/3 of the building, the floor collapsed underneath the abatement workers – nobody was injured.
- BOLO has been contacted to re-adjust the bid for demolition to include the other portion of the property; do not expect to receive a higher bid.

Comments were received from Council Member Barnes and Mayor Brown.

G. Discussion Property Adjacent to 409 W. Ash Street

City Manager Kipp stated he has been working with City Attorney Harkness, John Tracy, Planning Director, City Assessor and Mr. Tobin to ensure it works out for all parties involved. Complications pertaining to how the property is to be transferred and divided up have been worked out.

Council questions/comments were as follows:

- Is a public hearing needed for this property? *Yes a public hearing will be needed at the next meeting.*
- Does a legal description of the property currently exist? *A legal description was created by the previous Assessor; however, it is unknown whether or not it is accurate without an actual survey of the property. The current description is based on the map quadrants and not on an actual survey of the property.*

- At the previous meeting, discussions were held regarding access issues if the property were to be sold. Have those issues been resolved? *Yes, since Council has already agreed to abandon the property, other access points can be created.*

H. Request Approval Resolution # 2018-22. Resolution supporting November 2018 Ballot Proposal #2

Comments were received from Council Member Barnes; Mayor Brown and City Attorney Harkness.

Brown moved, Reid supported, CARRIED, to approve Resolution #2018-22. Resolution supporting November 2018 Ballot Proposal #2. (6-0, rcv)

I. Request Approval Resolution #2018-23. Resolution supporting November 2018 ballot proposal #3

Comments were received from Mayor Brown and City Attorney Harkness.

Brown moved, Lawler supported, CARRIED, to approve Resolution #2018-23. Resolution supporting November 2018 ballot proposal #3. (6-0, rcv)

J. Discussion/1st Reading & Approval Ordinance #2018-09, Zoning Ordinance Amendments.

Director Tracy stated the City Council recently approved Ordinance #2018-05 for medical marihuana provisioning centers to be added to the list of medical marihuana facilities allowed to be operated within the City of Albion. Based upon this, on September 18th, the City of Albion Planning Commission made a recommendation to City Council to amend Chapter 30 of the 1984 Zoning Code of the City of Albion by amending Section 30-04 Definitions, amend Highway Service District B-3, Industrial District M-2, M-2-P and M-1-P to address State Licensed Medical Marihuana Provisioning Centers, pursuant to Chapter 22, Article V of the City of Albion Code of Ordinance.

Brown moved, Lawler supported, CARRIED, to approve Ordinance #2018-09, Zoning Ordinance Amendments. (6-0, rcv)

X. Future Agenda Items

The following items were requested for the next agenda:

- Council Member Reid asked for Red Ribbon Week Presentation and Proclamation
- Council Member Brown asked for public hearing on Ash Street property.

- City Attorney Harkness asked for discussion/1st reading on Ethics Ordinance
- City Attorney Harkness asked for discussion on MuniCode Update
- Interim City Manager Kipp asked for discussion/approval of 2018 Trick-or-Treating date

XI. Motion to Excuse Absent Council Member (s)

Reid moved, Lawler supported, CARRIED, to excuse Council Member French (6). (6-0, vv)

XII. 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 Vivian Davis, 901 Huntington Blvd., Rebekah McKenney, Parma, MI, Bob Dunklin, Albion Branch NAACP, Jacques Harris, 712 N. Albion St., John Dunklin, 1203 2nd Street, and Gary Tompkins, Calhoun County Commissioner.

XIII. CITY MANAGER REPORT –

City Manager Kipp stated this would be his final Council Meeting serving as Interim City Manager, and thanked the Mayor and Council Members for entrusting in him to serve as Interim.

XIV. MAYOR AND COUNCIL MEMBER’S COMMENTS

Comments were received from Council Members Barnes, Brown, Lawler and Mayor Brown.

XV. ADJOURNMENT

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

Mayor Brown adjourned the Regular Session at 8:48 p.m.

Date

Haley Snyder
Deputy City Clerk/Treasurer