

City of Albion  
City Council Meeting  
October 16, 2017

I. Call To Order

Mayor Brown opened the regular session 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 Andrew French (6) and Mayor Brown.

Staff Present: Sheryl Mitchell, City Manager; Cullen Harkness, City Attorney; Jill Domingo, City Clerk ; Scott Kipp, Chief Public Safety; Stacey Levin, Assistant City Manager; Tom Mead, Finance Director; Harry Longon, Deputy Director Public Services and John Tracy, Director Planning, Building & Code Enforcement.

V. Mayor and Council Member Comments

Mayor Brown asked for a motion on the following items pertaining to public comments at tonight's meeting:

1. Keep public comments to three (3) minutes
2. Keep comments concise
3. Please sign the form with your name and address for minutes
4. Council refrain from answering questions received at public comment
5. No personal attacks on Mayor, Council Members and Staff.

Brown moved, French supported, CARRIED, for the above items pertaining to public comments at tonight's meeting. (7-0, vv)

Additional comments were received from Council Members Barnes, Lawler, Spicer and French.

VI. PRESENTATIONS

A. EDC Update-Amy Deprez

Amy Deprez, EDC Director have the following 3<sup>rd</sup> quarter report for the EDC:

- Currently working on three (3) prospects.
- Incentive Plan for local business

- There is a 75% chance that Project Auto Blue will come to Albion. They have received a hard letter of support from the State and a soft letter from the EDC. The business would create and one hundred twenty (120) entry level and unskilled jobs. They are currently looking at three (3) locations in Michigan.
- Working with five (5) solar projects that are different sizes and stages. These businesses would create very few jobs.
- Submitted CDBG Application for Peabody Block Grant. The ground breaking for this project will be in November.
- Worked with anchor retail store for downtown redevelopment.
- Continued work on the RRC process, including the EDSP, Property Information Packets, Development Guide, Zoning and Future Land Use.
- Worked with Sheridan Township and City for development of the 425 Property.
- Submitted for three (3) grant opportunities to expand capacity at the Albion Food Hub.
- First restaurant incubator, Cooper's Dish was launched in August for four (4) days.
- Drafted Advancing Albion Action Plan-a strategic plan for the redevelopment of downtown Albion
- Developed a large transformational project and pitched to the State for support
- Continue working on a branding strategy to share

Comments were received from Mayor Brown.

B. SAW Grant Update-Jeff Wingard, Fleis & Vandenbrink

This presentation has been postponed to a future Council meeting.

C. The Amazing Rake-Andrew Texel & Lauren Freeman, AmeriCorps Vista Members

Andrew Texel & Lauren Freeman, AmeriCorps Vista members discussed "The Amazing Rake" which is an event to help citizens with limited mobility rake and bag their leaves. The event will be held on Sunday, November 5, 2017 from 2:00 p.m. to 4:00 p.m. Albion residents with limited mobility may contact Lauren Freeman and request volunteer assistance with raking and bagging their leaves. Residents asking for assistance must be present at the time of cleanup and must provide their own bags for leaves. There will be a cap on the number of households that may be served based on the number of volunteers.

Comments were received from Council Member French and Mayor Brown.

D. Klean the Kazoo Certificates of Appreciation

Presenters: David Green, Director of Albion College Whitehouse Nature Center; Stacey Levin, Assistant City Manager

On Saturday, September 30, 2017, approximately 40 volunteers participated in the *Klean the Kazoo* event, collecting trash in the Kalamazoo River and along the river banks, by boat, waders, and land. To begin the day, volunteers were provided a breakfast prepared by Council Member Lenn Reid and pancakes cooked by Chief Scott Kipp in the mobile kitchen. The event was sponsored by the City of Albion, Albion College Whitehouse Nature Center, Albion College Canoe and Kayak Club, and the Enbridge Foundation.

Several local businesses made generous donations that helped make the event a success. We'd like to recognize the following sponsors with certificates of appreciation. Please feel free to come up to accept your award:

- The first certificate goes to Granger. Thank you for your donation of a roll off dumpster allowing for a central location to place the river trash.
- Biggby Coffee – thank you for your coffee donation.
- McDonald's – thank you for the yogurt parfaits.
- Family Fare – thank you for the gift card donation that supplied juice and water for volunteers.
- Enbridge Foundation – thank you for the grant that made this event possible.

A tremendous thank you to all of the volunteers, partners, and sponsors for their commitment to this important community clean-up effort.

VII. 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.)

Comments were received from Karen Todd, Representative from State Representative Bizon's office; Mike Bearman, 11016 29 Mile Rd; Keena Williams, 414 N. Huron St; Wesley Dick, 700 E. Michigan Avenue; Tom Hunsdorfer, 803 S. Superior St; Diane Guenin-Lelle, 422 Elizabeth St; Evelyn Union, 208 N. Ann St; Chad Baase, 1021 Burr Oak St; Joyce Spicer; Sandra Florence, 1500 E. Michigan Avenue; Hazel Lias, 12939 28 Mile Rd; Art Kale; Sylvia Dulaney, 803 Sheridan Ct; Gail Reed, 414 Allen Place and Dennis Reid, 609 Cherry St who all spoke in favor of retaining Dr. Sheryl Mitchell as the Albion City Manager.

Additional comments were received from Nidia Wolf, 409 Irwin Avenue; Dennis Tomblin, 313 Irwin Avenue and Peter Behncke, Comco LLC who all spoke on the medical marijuana facilities.

VIII. Consent Calendar (VV)

- A. Approval Regular Session Minutes – October 2, 2017
- B. Approval Special Session Minutes-October 5, 2017

- C. Approval for Trick or Treat on Tuesday, October 31, 2017 from 6:00 p.m. to 8:00 p.m.

French moved, Lawler supported, CARRIED, to remove Approval Special Session Minutes, October 5, 2017 from the Consent Agenda and place under Items for Individual Discussion as Item H. (7-0, vv)

Comments were received from Council Member Reid.

French moved, Brown supported, CARRIED, to approve Regular Session Minutes, October 2, 2017 and Trick or Treat on Tuesday, October 31, 2017 from 6:00 p.m. to 8:00 p.m. as presented. (7-0, vv)

IX. Items for Individual Discussion

- A. Request Approval 2nd Reading & Adoption of Ordinance # 2017-07, An Ordinance to Amend Ordinance 58-226 Minor in Possession of Alcohol (RCV)

Comments were received from City Attorney Harkness.

French moved, Reid supported, CARRIED, to Approve 2nd Reading & Adoption of Ordinance # 2017-07, An Ordinance to Amend Ordinance 58-226 Minor in Possession of Alcohol as requested. (7-0, rcv)

- B. Request Approval 2<sup>nd</sup> Reading & Adoption of Ordinance # 2017-08, An Ordinance to Add Section (s) 82-129. 82-130 and 82-131 (RCV)

Comments were received from City Attorney Harkness.

French moved, Brown supported, CARRIED, To Approve 2<sup>nd</sup> Reading & Adoption of Ordinance # 2017-08, An Ordinance to Add Section (s) 82-129. 82-130 and 82-131 as presented. (7-0, rcv)

- C. Discussion/Approval Council Rules and Procedures (RCV)

Council Member French asked to have Discussion/Approval Council Rules and Procedures postponed to the next agenda to allow Mayor and Council time to review.

French moved, Barnes supported, CARRIED, to Postpone Council Rules and Procedures to the next agenda for Mayor and Council time to review. (7-0, vv)

- D. Request Approval Invoice for MML Dues for \$5,652.00 (RCV)

Comments were received from Council Members French and City Manager Mitchell.

Barnes moved, French supported, CARRIED, To Approve Invoice for MML Dues for \$5,652.00 as presented. (7-0, rcv)

- E. Request Approval Resolution # 2017-39, A Resolution to Approve Expenditures for Repairs to Front End Loader (RCV)

Comments were received from Council Member French, City Manager Mitchell and Mayor Brown.

Barnes moved, French supported, CARRIED, To Approve Resolution # 2017-39, A Resolution to Approve Expenditures for Repairs to Front End Loader as presented. (7-0, rcv)

F. Request Approval Resolution # 2017-40, A Resolution of Censure of the Albion City Mayor (RCV)

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

Council Member Brown moved to call the question.

Brown moved, Spicer supported, CARRIED, to Call the Question. (5-2, rcv) (Barnes and French dissenting).

Lawler moved, Brown supported, CARRIED, To postpone Resolution # 2017-40, A Resolution of Censure of the Albion City Mayor indefinitely. (5-2, rcv) (Barnes and French dissenting).

G. Discussion-Marijuana Facilities

City Manager Mitchell stated she would like direction from the Council on whether they choose to move forward with the medical marijuana facilities.

Questions/Comments from the Council were as follows:

- Where would the facilities be located if the Council chooses to move forward? *If manufacturing were involved, it would have to be located in an industrial area such as the Harvard property, the 425 property or the industrial park.*
- What are the five categories of licenses for medical marijuana? *Growers; Processors; Secure Transporters; Safety Compliance Facilities; Provisioning Centers.*
- May want to reach out to local businesses for feedback
- Provide survey to the Council to indicate if Members are interested in: 1. Moving forward with medical marijuana licensing and 2. What type of licenses and how many would the City be interested in providing.
- How many medical marijuana cards have been issued in Calhoun County?

Comments were received from Council Members French and Spicer; City Attorney Harkness; City Manager Mitchell and Mayor Brown.

H. Correction to October 5, 2017 Special Council Session Minutes.

Correction is as follows:

Page 2: First paragraph-Change flawed to hired.

French moved, Brown supported, CARRIED, To approve the October 5, 2017 Special Session minutes with the above correction. (7-0, vv)

X. City Manager Report

A. Notice of Resignation

City Manager Mitchell reported the following:

- She thanked everyone for the support and the tremendous opportunity
- Consumers Energy has gone through the building and replaced all the lighting to LED lights
- Stacey Levin received first place in her age group and Scott Kipp came in 14<sup>th</sup> overall in the Run for the Badge race in Washington.
- Tuesday, October 31<sup>st</sup>, Albion Department of Public Safety will be providing candy checks at the fire station from 6:30 p.m. to 8:30 p.m.
- Verizon has approached the City with a proposal to erect a cell tower on City property. The details of the proposal are being worked out and will be presented to Council.
- To offer clarity on the Albion College parking lot. First and foremost, at no time did I ever give an instruction to repair the pot holes in all of the colleges parking lots. It was not an intentional act, but an unfortunate miscommunication with my staff. Once I became aware that City labor was involved in the project, I immediately brought the entire situation to council's attention and advised that the situation would not reoccur.
- In March 2017, Council approved Resolution # 2017-06 to request that budget reports be provided on a monthly instead of a quarterly basis. The conversion to providing monthly reports began in February 2017, prior to Council's adoption of the resolution. The only month that a report has not been provided in a council packet was July 2017. This is also the time in which the Finance Department is extremely busy with processing property taxes.
- Letter of Resignation-In accordance with my Agreement, I am hereby providing you with the requested 4 weeks' notice that my last day of employment will be November 8, 2017. It would be my recommendation that Chief Scott Kipp be appointed Acting City Manager. He has served in this role previously and is most familiar with current projects and operations. Further, Tom Mead is very much occupied with the preparation of the 2018 budget. It has truly been an honor and privilege to serve as Albion's City Manager for 3 years.

City Manager Mitchell read aloud her resignation letter.

Council Member Barnes called privilege and left the meeting at 8:55 p.m.

XI. Future Agenda Items

Mayor Brown asked about a resolution for recent Legislative changes on nominating petition deadlines.

City Harkness stated a charter amendment is needed to make the legislative changes on nominating petitions. If the Council choose to move forward with the charter revision, this would be part of the proposed changes. The legislative changes supersedes charter provisions. Until such time as the charter revision is approved, the City will follow the new legislative changes for petition deadlines.

Council Member French asked for the portion of Resolution # 2017-40, A Resolution of Censure of the Albion City Mayor, that the Albion City Council asks the City Manager to allow the City Council thirty (30) days to come together with the Mayor, the City Attorney, to come to an agreement with all parties in regards to the defining of the working relationship between the City Manager and the Mayor, prior to her tending her resignation. Regardless of the outcome, this clarification of the rightful authority of the Mayor, as outlined in the City's Charter.

XII. Motion to Excuse Absent Council Member (s) (VV)

No action was necessary as all members were present.

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 Janice Best, 710 S. Eaton St.

XIV. Adjournment

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

Mayor Brown adjourned the meeting at 9:00 p.m.

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Date

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Jill Domingo  
City Clerk