



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

STUDY SESSION Monday, December 16, 2019

6:00 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
Council Member
6th Precinct

Darwin McClary
City Manager

The Harkness Law Firm
Atty Cullen Harkness

Jill Domingo
City Clerk

PLEASE TURN OFF CELL PHONES DURING MEETING

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. ITEMS FOR INDIVIDUAL DISCUSSION
 - A. Sidewalk Fund
- V. PUBLIC COMMENTS (Persons addressing the City Council shall limit their comments to no more than three (3) minutes. Proper decorum is required).
- VI. CITY MANAGER REPORT
- VII. MAYOR AND COUNCIL MEMBER COMMENTS
- VIII. ADJOURN

NOTICE FOR PERSONS WITH
HEARING IMPAIR-MENTS
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.

Calculations as of 11/30/2019

GL NUMBER	DESCRIPTION	2018 ACTIVITY	2019 ORIGINAL BUDGET	2019 ACTIVITY THRU 11/30/19	2019 PROJECTED ACTIVITY	2020 REQUESTED BUDGET	2020 MGR RECOM'D BUDGET
Dept 000 - GENERAL							
ESTIMATED REVENUES							
367-000-408.00	SIDEWALK ASSESSMENTS	24,436	0	0	2,000	1,000	1,000
2017 WAS THE LAST YEAR FOR THE SIDEWALK PROGRAM, HOWEVER, WE RECEIVED MONEY FROM THE COUNTY IN 2018 FROM THE SETTLEMENT OF THE 2017 TAXES AND WE COULD POSSIBLY HAVE MORE TRICKLE IN FROM THE COLLECTION OF DELINQUENT TAXES LEVIED IN PREVIOUS YEARS.							
367-000-408.01	PROPERTY TAX CHARGEBACKS	(5,095)	(3,500)	0	0	0	0
367-000-445.00	PENALTY & INTEREST ON TAXES	1,220	0	0	0	0	0
367-000-665.00	INTEREST	5,129	2,500	4,893	5,750	5,500	5,500
TOTAL ESTIMATED REVENUES		25,690	(1,000)	4,893	7,750	6,500	6,500
NET OF REVENUES/APPROPRIATIONS - 000 - GENERAL		25,690	(1,000)	4,893	7,750	6,500	6,500
Dept 443 - SIDEWALK PROGRAM							
APPROPRIATIONS							
367-443-776.00	MATERIALS AND SUPPLIES	0	0	275	1,000	1,000	1,000
367-443-801.00	PROFESSIONAL SERVICES	0	30,000	0	10,000	10,000	10,000
367-443-802.00	CONTRACTUAL SERVICES	0	270,000	0	30,000	100,000	100,000
NO MAJOR SIDEWALK PROJECTS WERE COMPLETED IN 2018. SOME EXPENSE IS INCURRED AS PART OF THE STREET REPAIR PROJECTS. THERE ARE NO CURRENT PLANS FOR ANY MAJOR SIDEWALK PROJECTS AS OF THIS WRITING.							
TOTAL APPROPRIATIONS		0	300,000	275	41,000	111,000	111,000
NET OF REVENUES/APPROPRIATIONS - 443 - SIDEWALK PROGF		0	(300,000)	(275)	(41,000)	(111,000)	(111,000)
ESTIMATED REVENUES - FUND 367		25,690	(1,000)	4,893	7,750	6,500	6,500
APPROPRIATIONS - FUND 367		0	300,000	275	41,000	111,000	111,000
NET OF REVENUES/APPROPRIATIONS - FUND 367		25,690	(301,000)	4,618	(33,250)	(104,500)	(104,500)
BEGINNING FUND BALANCE		440,136	465,826	465,826	465,826	432,576	432,576
ENDING FUND BALANCE		465,826	164,826	470,444	432,576	328,076	328,076

RESOLUTION # 2008 - 08
TO CONFIRM THE PROCEDURE AND SPECIAL ASSESSMENT ROLL TO REPAIR
CITY SIDEWALKS OVER A TEN YEAR PERIOD

PURPOSE & FINDING:

The sidewalks in the city are in a state of disrepair and the city maintains a substantial liability for personal injury to injured users of the sidewalks under certain circumstances. Individual property owners have the liability to repair the sidewalks that abut their property pursuant to the Code of the City of Albion, Chapter 74, Article II. The City Manager, the Director of Public Services, the Assessor and the Finance Director have filed a Public Improvement Report Sidewalk Repair & Replacement Report dated January 22, 2008 in which they recommend that the city determine the sidewalks need repair and replacement and that the cost thereof be fixed at \$50.00 per owner per year for a period of 10 years to be specially assessed under Chapter 70 of the Code of the City of Albion. Such a plan would both increase the value of individual properties in the city and would relieve individual owners of the individual burden of sidewalk repair and replacement of the sidewalks that abut their property. The council had determined to proceed with the project at its February 4, 2008 regular meeting and passed a resolution to that effect. It and the roll have been filed with the city clerk for public inspection and all interested parties have been notified by first class mail of a public meeting March 3, 2008 at 7:00 PM in the city council chambers to confirm the special assessment roll as provided by section 70-12 of the Code of the City of Albion at which they can appear in person or in writing to register a protest to the special assessment roll as it pertains to them. It takes a 5 person affirmative vote of the council to affirm the roll if objections are made by the owners of property which will be required to bear 50 percent or more of the estimated cost of the improvement.

Council member Strander, supported by Council member Zblewski moved to approve the following resolution.

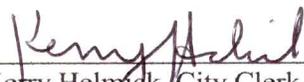
RESOLVED, that the procedure for repairing the city sidewalks as recommended by city staff is affirmed and the proposed special assessment roll of \$50.00 per parcel for 10 years is confirmed subject to exemptions to be considered on a case by case basis.

I hereby certify that the above resolution was adopted on March 3, 2008 in a regular session of the Albion City Council and this is a true copy of that resolution.

Ayes 7

Nays 0

Absent 0



Kerry Helmick, City Clerk

City Of Albion
City Council Meeting
March 03, 2008

I. CALL TO ORDER

Mayor William M. Wheaton opened the regular session at 7:00 p.m.

II. MOMENT OF SILENCE WAS OBSERVED

III. ROLL CALL

Ron Gant (1), Betty Branche (2), Ken Waito (3), Andy Zblewski (4), Cheryl Krause (5), George Strander (6) and Mayor William M. Wheaton.

Administration: Mike Herman, City Manager; Kevin Markovich, Director of Public Services; Kerry Helmick, Finance Director/City Clerk/City Treasurer; Eric Miller, Chief of Public Safety; Nidia Wolf, Downtown Development Authority Director; Anne Earle, City Assessor; Eric Sanchez, Economic Development Corporation Vice President; Dan Strowbridge, Albion Public Safety Lieutenant; Sandee MacGeorge, City Manager Administrative Assistant; John Tracy, Code Enforcement Officer; Jamelah Earle, Staff Appraiser and Mark Robison, City Attorney.

IV. MAYOR AND COUNCIL MEMBERS' COMMENTS

Comments were received from Council Member Zblewski.

V. PUBLIC HEARING - Proposed Sidewalk Assessment.

City Manager Herman gave an overview of the appeal process procedures and a brief history of the sidewalk issues.

Mayor Wheaton opened the Public Hearing at 7:07 p.m.

Sue Shepherd, 819 North Clinton Street, inquired as to if walking in the street will be ticketed if the sidewalks are repaired.

Washington Miller, 120 East Chestnut Street, stated that he had just repaired the sidewalk abutting his property at his own cost.

Barb Benavidez, 1008 Hall Street, stated that she does not use the sidewalk system.

Steve Gordon, 219 South Dalrymple Street, proposed a community-wide volunteer labor force to perform the needed sidewalk work.

Tamara Johnson, 104 West North Street, inquired as to the cost of the assessment for large parcels and parcels owned by Albion College and the Housing Commission.

Barbara Landry-Davis, 1212 Crescent Drive, inquired as to the assessment for an adjacent vacant lot.

Father Ed Scully, St. James Episcopal Church, read a letter from the Rectory Board in support of the proposed sidewalk assessment.

Kathryn Hemingway, 905 South Superior Street, stated that some sidewalks are already being repaired in conjunction with the current street improvement program and, that while she supports the concept, believes that the cost is unreasonable in this economic climate.

Richard Fuentes, 901 East North Street, inquired as to why this program wasn't implemented several years ago.

James Hull, 301 Perry Street, suggested a millage by the vote of the people instead of an assessment and questioned the proposed cost of the program.

Pastor William Murphy, 714 Hoaglin Drive, inquired as to why property taxes increase when no improvements have been made to the property being assessed.

Joseph Romanchuk, 215 West Pine Street, cited Federal poverty level statistics and the increased cost of living.

Price Burgess, 208 East Oak Street, questioned the assumptions cited in the sidewalk program report.

Don Goble, 1210 Algo Street, expressed his believe that the City hasn't enforced the current sidewalk ordinance and questioned why sidewalk repair issues weren't addressed in prior years.

Midge Jacob, 502 Lombard Street, requested a policy requiring any damage to repaired sidewalks by an outside contractor be corrected by said contractor if the proposed sidewalk program is implemented.

Esther McGear, 805 Huntington Boulevard, stated that the timing was faulty for this program due to the recession she believes is currently in place.

Robin Vafiadis, 1100 South Dalrymple Street, indicated her preference for a task force to study the issue in order to determine the exact amount of sidewalk to be replaced and the exact cost for said work.

Sue Robinson, 116 East Ash, suggested that those in the community that are financially able should donate the funds for the needed repairs rather than everyone being assessed.

Jody Mathes, 821 Prospect Court, stated that, while the City's appearance is important, other issues should be addressed first.

Steve Caines, 215 West Ash, inquired as to why the assessment would be imposed on property owners with no sidewalk or already repaired sidewalk on

their parcel(s) and stated that the ordinance prohibiting walking in the street is not being enforced.

Mitchell Endicott, 213 Booth Street, stated that Postal workers cross through residents' yards rather than using the sidewalk.

Robina Quale-Leach, 422 Darrow Street, stated her support of the proposed sidewalk assessment program and indicated her opinion that it would aid homeowners who need assistance in performing needed sidewalk repairs.

Alicia Botello, 300 South Eaton Street, requested more information from and study by the Council on the sidewalk issues.

Phyllis Cramer, 417 Darrow Street, thanked the Council for their efforts and indicated her belief that the proposed sidewalk assessment program is a workable solution.

City Manager Herman responded to the various questions regarding assessment amounts and the waiver and exemption procedures and recapped the Council's efforts and study regarding the sidewalk issues over the past few years.

With no other comments being offered, Mayor Wheaton closed the Public Hearing at 8:34 p.m.

VI. CITIZENS' COMMENTS (Persons addressing the City Council shall limit their comments to agenda items and to no more than five (5) minutes. Proper protocol and decorum is required.)

No comments were received.

VII. CONSENT CALENDAR

A. Approval of Regular Session Minutes - February 19, 2008.

No comments were received.

Krause moved, Branche supported, CARRIED, to Approve the Consent Calendar as Presented. (7-0, rcv).

VIII. ITEMS FOR INDIVIDUAL DISCUSSION

A. Request for Discussion/Approval of:

1. Property Exemption Form for Sidewalk Assessment.
2. Sidewalk Assessment Waiver Form.

Comments were received from Council Members Zblewski, Strander, Gant and Branche and City Manager Herman.

Strander moved, Krause supported, CARRIED, to Approve the Property Exemption and Sidewalk Assessment Waiver Forms as Presented. (7-0, rcv).

- B. Request for Approval of Resolution #2008-08, to Confirm the Procedure and Special Assessment Roll to Repair City Sidewalks Over a Ten Year Period.

Comments were received from Council Member Strander and City Manager Herman.

Strander moved, Zblewski supported, CARRIED, to Approve Resolution #2008-08, to Confirm the Procedure and Special Assessment Roll to Repair City Sidewalks Over a Ten Year Period. (7-0, rcv).

- C. Request for Approval for American Legion Post 55 of Albion to Sell Poppies on May 15, 16 & 17, 2008.

No comments were received.

Branche moved, Krause supported, CARRIED, to Approve American Legion Post 55 of Albion Selling Poppies on May 15, 16 & 17, 2008. (7-0, rcv).

- D. Request for Approval for American Legion Post 55 to Hold the Annual Memorial Day Parade on May 26, 2008.

No comments were received.

Gant moved, Zblewski supported, CARRIED, to Approve American Legion Post 55 of Albion Holding the Annual Memorial Day Parade on May 26, 2008. (7-0, rcv).

- E. Request for Approval to Hold Albion's 2nd Annual A-Mazing Corn Harvest Festival on October 04, 2008.

No comments were received.

Strander moved, Branche supported, CARRIED, to Hold Albion's 2nd Annual A-Mazing Corn Harvest Festival on October 04, 2008. (7-0, rcv).

- F. Request for Approval to Set a Joint Study Session Between the Albion City Council & the Albion Public Schools Board for Tuesday, March 25, 2008 at 7:00 p.m. at the Snyder Building on Cooper Street.

No comments were received.

Branche moved, Zblewski supported, CARRIED, to Approve Setting a Joint Study Session Between the Albion City Council & the Albion Public Schools Board for Tuesday, March 25, 2008 at 7:00 p.m. at the Snyder Building on Cooper Street. (7-0, rcv).

- G. Request for Approval of a 4-Year Agreement with the Albion Clerical Alliance with the Mayor and Clerk Authorized to Sign the Agreement After the Union Has Signed the Agreement.

No comments were received.

Strander moved, Krause supported, CARRIED, to Approve a 4-Year Agreement with the Albion Clerical Alliance with the Mayor and Clerk Authorized to Sign the Agreement After the Union Has Signed the Agreement. (7-0, rcv).

- H. Request for Approval of a 4-Year Agreement with AFSCME with the Mayor and Clerk Authorized to Sign the Agreement After AFSCME Has Signed the Agreement.

No comments were received.

Gant moved, Waito supported, CARRIED, to Approve a 4-Year Agreement with AFSCME with the Mayor and Clerk Authorized to Sign the Agreement After AFSCME Has Signed the Agreement. (7-0, rcv).

- I. Motion to Excuse Absent Council Member(s).

No action was needed as all Council Members were present.

- IX. CITIZEN'S COMMENTS (Persons addressing the City Council shall limit their comments to no more than five (5) minutes. Proper decorum is required.)

Comments were received from City Manager Herman and Richard Fuentes, 901 East North Street.

X. EXECUTIVE SESSION

A. The City Manager requests an Executive Session under the Open Meetings Act (Section 15.268 (c), P.A. 267 of 1976, as amended) for strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement when either negotiating party requests a closed hearing.

The Mayor cancelled the Executive Session as it was not needed at this time.

XI. ADJOURNMENT

Krause moved, Branche supported, CARRIED, to adjourn the Regular Session. (7-0, rcv).

Mayor Wheaton adjourned the Regular Session at 8:58 p.m.

date

Kerry Helmick
City Clerk