

City of Albion
Council Session Minutes
December 4, 2017

I. CALL TO ORDER

Mayor Brown called the 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 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; Jim Lenardson, Director Public Services; Tom Mead, Finance Director and John Tracy, Director Planning, Building & Code Enforcement.

V. MAYOR AND COUNCIL MEMBER'S COMMENTS

Comments were received from Council Members Barnes and Lawler.

VI. PUBLIC HEARING

A. FY 2018 Budget

Mayor Brown opened the Public Hearing at 7:01 p.m.

No public comments were received.

City Manager Mitchell presented the following overview of FY 2018 Budget:

The major changes were:

- Albion Marshall Connector Funding
- Zoning-RRC
- Reiger Park-Pond Repair
- COPS Grant match
- Adding the following positions:
 - Deputy Treasurer/Clerk (full time position)
 - Code Enforcement (2-part-time positions)

- City Manager-Clerical (part-time position)
- Salaried Employees-2% increase
- General Fund:
 - Total Revenues \$ 3,874,288
 - Total Expenditures \$ 4,046,365
 - Fund Balance Impact \$ (172,077)
 - Ending Fund Balance \$ 1,164,017 (28%)
- Collaboration of Services
 - Cost Saving Initiatives:
 - Albion-Marshall Connector
 - Assessing Services with the City of Marshall
 - Calhoun County for recycling program (\$7,000)
 - Calhoun County for purchase/storage of road salt
 - Continuation of shared City/County Dispatch Services
- Major Streets:
 - Total Revenues \$ 740,170
 - Total Expenditures \$ 697,949
 - Fund Balance Impact \$ 42,221
 - Ending Fund Balance \$ 503,685
- Local Streets
 - Total Revenues \$ 422,262
 - Total Expenditures \$ 406,648
 - Fund Balance Impact \$ 15,614
 - Ending Fund Balance \$ 173,075
- Street Improvements:
 - 3.0 Mil approved in May 2015 for 5 years
 - Total Revenues \$ 268,300
 - Total Expenditures \$ 268,300
 - Fund Balance Impact \$ 0
 - Ending Fund Balance \$ 193,587
- Sidewalk Program
 - 10 year \$50/parcel assessment-final year was 2017
 - Total Revenues \$ (3500)
 - Total Expenditures \$ 200,000
 - Fund Balance Impact \$ 0
 - Ending Fund Balance \$ 235,044
- Recreation:
 - 1.5 millage rate approved in 2015 for 3 years
 - Total Revenues \$ 221,400
 - Total Expenditures \$ 210,358
 - Fund Balance Impact \$ 11,042

- Ending Fund Balance \$166,476
- Sewer Fund
 - Total Revenues \$ 1,140,800
 - Total Expenditures \$ 1,476,162
 - Fund Balance Impact \$ (335,362)
 - Ending Fund Balance \$ 3,824,424
- Water Fund
 - Total Revenues \$ 918,250
 - Total Expenditures \$ 1,010,470
 - Fund Balance Impact \$ (92,220)
 - Ending Fund Balance \$ 5,221,525

Mayor Brown closed the Public Hearing at 7:12 p.m.

Council continued discussion with comments received from Council Member French and Mayor Brown.

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 Nidia Wolf, 409 Irwin Avenue; Beckie Decker, 601 Burr Oak St; Lavada Weeks, 917 Luther Dr; Elizabeth Decker, 601 Burr Oak St; Wayne Arnold, 906 Hall St; Mike Bearman, 11016 29 Mile Rd; Marva Powell, 116 W. Pine St; Alfredia Dysart-Drake, 1016 S. Superior St; Brenda Davis, 1229 Highland Avenue and Johnny Dunklin, 1203 2nd St.

Mayor Brown asked for point of order that comments should not be directed at specific Council Members and Council Member Barnes asked for point of order that comments must be addressed to agenda items only.

VIII. CONSENT CALENDAR (VV)

(Items on the Consent Calendar are voted on as one unit)

- A. Approval Budget Study Session Minutes-November 13, 2017
- B. Approval Special Session Minutes-November 16, 2017
- C. Approval Regular Session Minutes-November 20, 2017
- D. Approval Special Session Minutes-November 27, 2017
- E. Authorization to Close City Hall on Friday, December 15, 2017 from 1 pm – 5pm for the Employee Holiday Party

French moved, Lawler supported, CARRIED, To Approve Consent Calendar as presented. (7-0, vv)

IX. ITEMS FOR INDIVIDUAL DISCUSSION

- A. Request Approval Reappointment Boards & Commissions

- Albert Smith, Initial Appointment, ZBA Board, Term to Expire 12-31-2019
- Frances Vales, Initial Appointment, Planning Commission, Term to Expire 12-31-2019
- Eric Lange, Initial Appointment, Albion Trust, Term to Expire 11-7-2019
- Shaun Wilson. Initial Appointment, Albion Economic Development Corporation, Term to Expire 7-1-2020
- George Strander, Reappointment, Planning Commission, Term to Expire 12-31-2020

Spicer moved, Brown supported to Approve Appointment and Reappointments to Boards and Commissions.

Council Member Spicer withdrew her motion.

Council Member Barnes asked to approve each Board individually.

Spicer moved, Brown supported, CARRIED, to Approve Albert Smith, Initial Appointment, ZBA Board, Term to Expire 12-31-2019 as presented. (7-0, rcv)

Comments were received from Council Members Barnes, Brown, Reid and French.

French moved, Brown supported, CARRIED, to Approve Frances Vales, Initial Appointment, Planning Commission, Term to Expire 12-31-2019 as presented. (7-0, rcv)

Comments were received from Council Member French and Mayor Brown.

French moved, Brown supported, CARRIED, to Approve Eric Lange, Initial Appointment, Albion Trust, Term to Expire 11-7-2019 as presented. (7-0, rcv)

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

Brown moved, Reid supported, CARRIED, to Approve Shaun Wilson. Initial Appointment, Albion Economic Development Corporation, Term to Expire 7-1-2020 as presented. (6-1, rcv) (Barnes dissenting).

French moved, Brown supported, CARRIED, to Approve George Strander, Reappointment, Planning Commission, Term to Expire 12-31-2020 as presented. (7-0, rcv).

B. Request Approval Resolution # 2017-48, Final Adoption of the Future Land Use & Zoning Plan (RCV)

Comments were received from City Manager Mitchell.

French moved, Brown supported, CARRIED, to Approve Resolution # 2017-48, Final Adoption of the Future Land Use & Zoning Plan as presented. (7-0, rcv)

C. Discussion-Ordinance # 2018-01, Medical Marijuana Ordinance

City Attorney Harkness updated the Council on Ordinance # 2018-01, Medical Marijuana Ordinance as follows:

- This is a new ordinance that contains fourteen (14) articles
- Article 200-Legislative Intent
- Article 201-Terms & Definitions
- Article 202-The State requires a business to have \$250,000 in liquid funds to obtain a State license to operate a facility
- Article 203-References the types of facilities. City Attorney Harkness will need direction from the Council on how many of each type of license along with the amount for application and license fees.
- Article 204-License Outlines application process along with clause for additional insurance naming the City as an additional insured on the policy
- Article 205-Application Evaluation-Once the application has been processed it will go to the Planning Commission to make recommendation to the Council for approval. The Council would then evaluate the application for final approval.
- Article 206-Licenses Generally-Licenses are confidential and are also transferrable
- Article 207-Provisioning Centers are prohibited
- Article 208-Minimum operational standards of Grower Facility which includes odor control.
- Article 209 Minimum operational standards for Safety Compliance Facility
- Article 210-Minimum operational standards for Processor Facility
- Article 211-Minimum operational standards for a Secure Transporter
- Article 212-Location for Growers, Safety Compliance, Processor and Secure Transporters. Currently using 1,000 feet of real property comprising a public or private elementary, licenses child care facility, vocational or secondary school
- Article 213-Denial & Revocation
- Article 214-Penalties & Discipline
- Additional items the City Attorney needs to move forward with the ordinance:
 1. How many licenses will be issued to growers, processors, secure transporters and safety compliance
 2. For Growers how many of each type of Class A, Class B and Class C licenses will be issued
 3. Will licenses be automatically renewed with or without Council approval
 4. Should facilities have lights around the exterior
 5. Distance from parks-500/1000 ft., measured from property line, door, or center of property

6. Distance from places of worship-500/1000 ft.
7. Distance from other licensed facilities-500/1000 ft.
8. License Fee Amount-up to \$5,000 (must be able to justify cost)
9. Application Fee

- If the 1st reading of the ordinance is done at the December 18th, 2017 Council Meeting, the licenses could be issued February 1st, 2018

Comments were received from Council Members French and Brown and Mayor Brown.

French moved, Brown supported, CARRIED, to Amend the agenda to allow for approval on marijuana ordinance items as requested by City Attorney Harkness. (6-1, rcv) (Barnes dissenting)

Brown moved, Barnes supported, CARRIED, to Table Discussion on the Medical Marijuana Ordinance to the next meeting. (7-0, rcv)

D. Discussion-List of Replaced City Street Signs

Council Member Spicer asked if there was a list of additional street signs that would be replaced and how residents may request sign replacement.

Director of Public Services Lenardson stated they are working on a list that once completed will be sent out to have the signs made. He stated they are doing the best they can with budget constraints and will continue to move forward with sign replacements. Residents can either stop in City Hall, email or call to request a street sign replacement.

Mayor Brown asked the cost of the street signs.

Director of Public Services Lenardson said he did not have that information with him but he would let the Mayor and Council know.

E. Request Approval Resolution # 2017-49, A Resolution for 90/10 Health Insurance Opt-Out (RCV)

Comments were received from City Manager Mitchell.

Barnes moved, French supported, CARRIED, to Approve Resolution # 2017-49, A Resolution for 90/10 Health Insurance Opt-Out as presented. (7-0, rcv)

F. Email

- a. City Email Addresses
- B. FOIA Compliance

Mayor Brown stated previously City emails had been forwarded to Mayor & Council Members personal email which causes an issue with residents requesting copies through the FOIA process.

Chief Kipp has setup City email addresses using names of the Mayor and Council. The Mayor would like Council Members to setup a time with the Chief either collectively or separately to get these emails setup for use.

Mayor Brown would like to have a discussion either through a study session or as part of the MML training.

G. Request Approval Resolution # 2017-50, A Resolution to Increase the City Manager's Salary (RCV)

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

French moved, Spicer supported, CARRIED, to remove words "and duration" from the resolution. (7-0, vv)

French moved, Barnes supported, CARRIED, to Approve Resolution # 2017-50, A Resolution to Increase the City Manager's Salary with the words "and duration" removed from the resolution. (7-0, rcv)

X. City Manager Report

City Manager Mitchell updated the Council on the following items:

- Albion Aglow parade and Downtown open house was a success. Special thanks to President Eric Worley, Greater Albion Chamber of Commerce & Visitors Bureau and Assistant Manager Stacey Levin who both did an excellent job.
- Appreciates the Council allowing for City Hall to be closed on December 15th for a half day for the Employee Holiday party.
- The EDC building located on N. Superior Street has been placed on the market.
- Need availability from Council Members for the meeting with Scott Smith.

XI. Future Agenda Items

- Council Member Brown asked to have a discussion on the Medical Marijuana Ordinance and sidewalks added to the next agenda.
- Council Member French asked to have the Council Rules of Procedures added to the next agenda.

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 Mike Bearman, 11016 29 Mile Rd; Karen Yankie, 104 Irwin Avenue; Carrie Nicholson, 815 Huntington Blvd; Susan Connor, 811 E. Michigan Avenue; Gary Tompkins, Calhoun County Commissioner; Sheila Lyons-Sobaski, 1433 E. Michigan Avenue; Johnny Dunklin, 203 Second St; Wayne Arnold, 906 Hall St; Chad Baase, 1021 Burr Oak St; Mayor Brown; and Council Members Reid and Barnes.

- XIV. ADJOURNMENT

Brown moved, Spicer supported, CARRIED, to ADJOURN Regular Council Session. (7-0, vv).

Mayor Brown adjourned the Special Session at 9:30 p.m.

Date

Jill Domingo
City Clerk