

City of Albion  
Study Session Minutes  
February 10, 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), Marcola Lawler (4), Jeanette Spicer (5), Shane Williamson (6), and Mayor Atchison.

ABSENT: All members were present

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. Rental Inspection & Certification Program

City Manager McClary and Director Planning, Building and Code Enforcement Tracy gave a brief overview of the Rental Inspection and Certification Program stating the process began in 2016. The rental inspection committee consisting of Council Members Reid, Lawler and Spicer. The committee and Director Tracy have spent many hours working on this ordinance.

Members from the public provided the Council with the following questions and comments:

- Rental certification is for larger cities and would be a disaster if incorporated in Albion
- The rent will increase and renters may be displaced from their homes and increase homelessness
- Why is Code Enforcement not enforcing the ordinances currently in place? The citizens are currently already paying for code enforcement
- The City does not have the resources for rental certification
- Rental certification would cause people to sell homes which would take properties off the rental market and would cause a rental housing shortage

- Detroit has a rental certification that only 10% of the landlords participate in the program. Tenants do not have to allow inspectors in the home. The City would then be forced to go to court at the cost of the City in order to gain access for inspections. This would be very costly for the City.
- Hopes the Council will look at all the possibilities before moving forward with rental inspection
- Where does the line get drawn on what is considered safe?
- Would like Council to consider the long-term effects on how this would affect the City
- Would like to see the housing stock improved in Albion; proper enforcement of existing code that is implemented fairly which the City does not have good credibility with
- Why take on additional when the City is not currently taking care of the existing problems with code enforcement
- Would like to see the City start out with a Rental Registration program and then come together as a community and improve the housing stock
- What will the City do if only 10 or 20% participate in the rental certification program?
- What does the success look like in a year, three years, five years?
- Will the rental certification be equally enforced as the City does not have a good track record with equal enforcement?
- This is money that will be going out of the City to a third-party vendor
- What is SafeBuilt willing to do for the community?
- What will happen to the displaced citizens and what part will the City play in helping them find housing
- This will be an added cost to live in the City
- What is the end goal the City is hoping to achieve with rental certification?
- Some things that could be changed to the draft rental certification are:
  - Incentive for responsible landlords
  - Newly renovated units would receive a pass
  - Longer term between inspections
- Punishing landlords that keep their properties up and follow the rules
- Hiring a third-party to enforce rental certification won't help if we can't enforce the ordinances, we currently have
- No evidence that citizens in Albion want this
- Rental certification will create more vacant homes
- If the existing ordinances were enforced, you wouldn't need rental certification
- Rental certification would be detrimental to investors
- Has anyone asked the tenants if they want rental certification?
- How will repairs get fixed and how will this be enforced?
- How many rental properties are in town and how many landlords?
- All rental properties should not be lumped together
- What does rental inspection need to above Section 8?

- Why not code enforcement across the board for singly family owners and rentals
- Why are we not able to find absent owners of the properties?
- Very disappointed and discouraged that we are not fixing the root cause of the problem

Questions and Comments from Council were as follows:

- The landlords that are at the meeting are the ones following the rules, the City needs to concentrate on those landlords that are not following the rules.
- Tenants are afraid to come forward for fear of backlash from the landlords if they complain. The ordinance is designed so renters can live in a safe, habitable and healthy environment
- Council is open to suggestions and wants to find something that will work for everyone
- Feels the draft ordinance is not a good fit and is a result of all the turmoil from the last year in the City
- What are code enforcement priorities?
- The ordinance needs work. Would like to see a committee work with the City Manager, Mayor, landlords and tenants on creating a program that will work better for all
- How do we enforce code enforcement in the City and what will be the priorities?
- There are other directions we can go such as working with the City Manager and Code Enforcement to ensure enforcement is done fairly and throughout the City
- Help the Landlord Association become a self-policing organization
- Citizens are concerned about the value of their property decreasing due to bad rental properties in their area
- The ordinance is not meant to punish anyone and things will not happen overnight. This will take time as it is a process
- Rental certification is not required by the State
- In Jackson, Battle Creek and Three Rivers that all have rental certification, how much has the rent increased for the tenants?
- Money for inspections is leaving the local economy

Comments were received from Council Members Clark, Reid, Spicer, Lawler, Williamson and Smith; Mayor Atchison and John Tracy, Director of Planning, Building and Code Enforcement.

- 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 Comments were received from John Geyer, 904 Irwin Avenue; Clay Powell, Rental Property Association; Todd Clark, 27484 M-60; Elrarene Showers, 805 Valhalla; Bill Dobbins, 15901 Dobbins Dr; Amanda, President Association of Realtors; Carol Smith, 1209 Adams St; Elaine Barry-Gott, 307 S. Ionia; Alicia Botello, 300 S. Eaton St; Albert Amos, 400 Burr Oak St; Jim, Remax Real Estate; Karen Dobbins, 15901 Dobbins Dr; Corinne Atchison, 108 W. Erie St; Joseph Verbeke, 1217 E. Porter St and Jim Stuart, 205 W. Oak St.

VI. CITY MANAGER REPORT-None

VII. MAYOR AND COUNCIL MEMBER COMMENTS

No comments were received.

VIII. ADJOURNMENT

Williamson moved, Smith supported, CARRIED, to adjourn the study session. (7-0, vv)

Mayor Atchison adjourned the Study Session at 7:47 p.m.

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Date

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Jill Domingo  
City Clerk