

City of Albion
Council Session Minutes
February 18, 2020

I. CALL TO ORDER

Mayor Atchison 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: Vicky Clark (1); Lenn Reid (2); Al Smith (3); Jeanette Spicer (5); Shane Williamson (6) and Mayor Atchison.

ABSENT: Marcola Lawler (4)

STAFF PRESENT:

Darwin McClary, City Manager; Cullen Harkness, City Attorney; Jill Domingo, City; Haley Snyder, Interim Assistant City Manager/Deputy Clerk/Treasurer; John Tracy, Director Planning, Building & Code Enforcement; Tom Mead, Finance Director and Scott Kipp, Chief Public Safety.

V. APPROVAL OF THE AGENDA (Includes any proposed additions, deletions or other changes to the agenda)

Council Member Williamson asked to amend Agenda Item (E- Discussion/Approval 1st Reading Ordinance # 2020-03, An Ordinance to Add Chapter 17 License to Operate Single, Two-Family and Multi-Family Rental Structures) under Items for Individual Discussion to Discussion only.

Williamson moved, Reid supported, CARRIED, to Approve the Agenda Amending Agenda Item (E- Discussion/Approval 1st Reading Ordinance # 2020-03, An Ordinance to Add Chapter 17 License to Operate Single, Two-Family and Multi-Family Rental Structures) under Items for Individual Discussion to Discussion only. (6-0, vv)

VI. PRESENTATIONS

A. Project Rising Tide Final Report Presentation-Linda LaNoue

Linda LaNoue, Rising Tide Community Fellow asked everyone to join the celebration of the City of Albion's [Project Rising Tide](#) Graduation and

Redevelopment Ready Communities Certification! The Michigan Economic Development Corporation will be acknowledging Albion's accomplishment as the 38th community to be certified as a Redevelopment Ready Community. Come to downtown Albion for light refreshments, plus learn more about each initiative and meet with your state and local representatives.

Comments were received from Council Member Clark and Mayor Atchison.

B. Update on Grocery Desert Committee/Precinct 1 Meeting-Council Member Clark

Council Member Clark stated the committee has met with one store who is interested in coming to Albion and that they will be meeting with them on Thursday. She stated the committee will be meeting with three other grocery stores as well.

The Precinct 1 meeting had approximately twenty-five (25) people come to the meeting. They had a representative from Neighborhood Inc. who's focus is to promote stable, healthy homes and neighborhoods by providing services and educational programs focused on low to moderate income families. Most of those in attendance filled out applications. Also discussed was code enforcement and city ordinances. The highest concern of the precinct is code enforcement and sidewalks. There will be another meeting in April and all residents are welcome and encouraged to attend.

Comments were received from City Manager McClary and Mayor Atchison.

C. Peabody Newgrass Festival-Ben Wade, Malleable

Ben Wade, Albion Malleable Brewery would like to hold the Peabody Newgrass Festival on Saturday, July 18, 2020 in and around the public parking lot west of the buildings on the Peabody block (400 block) of South Superior St. This would be a day long music event in downtown Albion. This event is intended to attract bluegrass and Americana fans from around the state. They currently have six (6) bands holding the proposed date. They are looking to secure the appropriate permits and permissions as well as sponsorship to help with the event cost. The estimated audience for this event would be approximately four hundred (400) people. They are requesting to close Ash Street for the day for both street use and the safety of those entering and exiting the festival from the Ash Street lot entrance. The parking lot will be fenced off temporarily to allow for ticketed entry to the stage area. Port-a-johns and trash receptacles will be made available within the fenced in area. The brewery will set up tents within the festival area for food and beer service outside and will be responsible for monitoring the festival. Tickets are expected to be \$30.00. Albion Malleable will be accepting liability for the

event, as in part the licensing permitting beer service will essentially consider the entire parking lot area to be an extension of the business for the duration of the event. It will be permitted as a temporary beer service area by the Michigan Liquor Control Commission (MLCC).

In order to get MLCC approval for outdoor service on city property, Albion Malleable must have city permission to use the Peabody parking lot as well as the section of Ash Street between Superior & S. Clinton St. The proposed area for beer service will be within the parking lot area only-the street will be used for foot traffic and potentially for food & art vendors during the event.

Comments were received from Council Members Smith, Clark and Spicer and Mayor Atchison.

VII. PUBLIC HEARINGS-None

VIII. 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 Jim Stahl, 27780 H Drive N; Donisha Rogers, 119 N. Superior St; Lavada Weeks, 917 Luther Dr; Cindy Geyer, 904 Irwin Avenue; Brian Mull, 24772 J Drive; Elaine Barry-Gott, 307 S. Ionia St; Cheryl Mull, 24772 J Drive; Sabrina Witt, 218 Pine St and Bill Dobbins, 15901 Dobbins Dr.

IX. CLOSED SESSION- The City Attorney requests a Closed Session under the Open Meetings Act (Section 15.268 (h), P.A. 267 of 1976, as amended) to consider material exempt from discussion or disclosure by state or federal statute.

Williamson moved, Smith supported, CARRIED to adjourn to Closed Session. (6-0, vv)

Mayor Atchison adjourned to closed session at 7:35 p.m.

Mayor Atchison re-convened the regular session at 7:47 p.m.

ROLL CALL

PRESENT: Vicky Clark (1); Lenn Reid (2); Al Smith (3); Jeanette Spicer (5) and Shane Williamson (6) and Mayor Atchison.

ABSENT: Marcola Lawler (4)

X. CONSENT CALENDAR (VV) Items on the Consent Calendar are voted on as one unit)

- A. Approval Study Session Minutes, January 29, 2020
- B. Approval Regular Session Minutes, February 3, 2020
- C. Approval Study Session Minutes, February 10, 2020

Smith moved, Williamson supported, CARRIED, to approve the Consent Calendar as presented. (6-0, vv)

XI. ITEMS FOR INDIVIDUAL DISCUSSION

- A. Discussion/Approval to Adopt the FY 2020 City of Albion Fee Schedule as presented and or Modified and Authorize Administration to Implement the Fee Schedule as Adopted

Comments were received from Council Members Smith, Williamson and Spicer; City Manager McClary and City Attorney Harkness.

Council Member Williamson asked to amend the motion to Remove Explanation of Notes for All Sewer Connection Items.

Williamson moved, Spicer supported, CARRIED, to Remove Explanation of Notes for All Sewer Connection Items. (6-0, vv)

Williamson moved, Reid supported, CARRIED, to Approve the Adoption of the FY 2020 City of Albion Fee Removing Explanation of Notes for All Sewer Connection Items and Authorize Administration to Implement the Fee Schedule. (5-1, rcv) (Smith dissenting)

- B. Request Approval of the Memorandum of Understanding Between the Calhoun County Land Bank Authority and the City of Albion Setting Forth the Terms and Conditions for the City's Contributions to the Union Steel Building Demolition Project, Property Located at 501 North Berrien Street, Albion, Michigan, in the Total Amount of \$300,000 to be Paid in Certain Increments Over a Five-Year Period between 2020 and 2024, and to Authorize the Mayor and City Clerk to Execute the Memorandum of Understanding on Behalf of the City

Comments were received from Council Members Clark and Williamson; City Attorney Harkness; City Manager McClary and Krista Trout, Executive Director Calhoun County Land Bank

Williamson moved, Reid supported, CARRIED, to Approve the Memorandum of Understanding Between the Calhoun County Land Bank Authority and the

City of Albion Setting Forth the Terms and Conditions for the City's Contributions to the Union Steel Building Demolition Project, Property Located at 501 North Berrien Street, Albion, Michigan, in the Total Amount of \$300,000 to be Paid in Certain Increments Over a Five-Year Period between 2020 and 2024, and to Authorize the Mayor and City Clerk to Execute the Memorandum of Understanding on Behalf of the City as presented. (6-0, rcv)

- C. Request Approval to Direct Administration to Take No Action on the Renewal of the City of Albion's "The Smart Community" Trademark with the USPTO and Allow the Trademark to Expire due to a Finding by the City Council that the Trademark is No Longer Advantageous to the City

Williamson moved, Spicer supported, CARRIED, to Approve Directing Administration to Take No Action on the Renewal of the City of Albion's "The Smart Community" Trademark with the USPTO and Allow the Trademark to Expire due to a Finding by the City Council that the Trademark is No Longer Advantageous to the City as presented. (6-0, vv)

- D. Discussion 1st Reading Ordinance # 2020-02, An Ordinance to Amend Chapter 22, Article IV, to Amend Sections 22-181 and 22-183, Outdoor and Sidewalk Cafes

Comments were received from Council Members Smith and Reid and City Attorney Harkness.

Clark moved, Williamson supported, CARRIED, to Approve 1st Reading Ordinance # 2020-02, An Ordinance to Amend Chapter 22, Article IV, to Amend Sections 22-181 and 22-183, Outdoor and Sidewalk Cafes as presented. (6-0, rcv)

- E. Discussion 1st Reading Ordinance # 2020-03, An Ordinance to Add Chapter 17 License to Operate Single, Two-Family and Multi-Family Rental Structures

Council Questions/Comments:

- Need to have a discussion of fees and terms. Council does not want to make it hard for landlords who comply
- Underlying issues going on
- Council needs to have a discussion on code enforcement and what the priorities should be
- Code enforcement needs to be done fairly and on complaint basis
- Need new voices for the Rental Certification Committee
- How many rentals does the City have?
- Need to begin with rental registration and work with the landlords to see where we go from there

- Frustrated with the process and would like to have a new committee
- Every run-down home is not a rental, several are owner occupied

Council Member Clark and Williamson will work with City Manager McClary to bring a resolution to the Council for Code Enforcement priorities.

The committee will work with the Mayor and City Manager to find funding for data research so data driven decisions can be made.

The Committee will bring back new recommendations

Comments were received from Council Members Clark, Williamson, Spicer and Smith; Mayor Atchison and City Manager McClary.

- F. To Approve the Engagement Letter from Maner Costerisan PC Dated January 3, 2020, as Presented to Perform and Report the Annual Audit of the City of Albion's Financial Records for the Fiscal Year Ending December 31, 2019, at a Cost not to Exceed \$34,300.00 and Authorize the Finance Director/Treasurer to Execute all Necessary Documents on Behalf of the City Relating to the Engagement Letter and the Auditing Services Provided Thereunder

Williamson moved, Clark supported, CARRIED, To Approve the Engagement Letter from Maner Costerisan PC Dated January 3, 2020, as Presented to Perform and Report the Annual Audit of the City of Albion's Financial Records for the Fiscal Year Ending December 31, 2019, at a Cost not to Exceed \$34,300.00 and Authorize the Finance Director/Treasurer to Execute all Necessary Documents on Behalf of the City Relating to the Engagement Letter and the Auditing Services Provided Thereunder as presented. (6-0, rcv)

- G. Request Approval Verizon Wireless Agreement

Comments were received from City Attorney Harkness

Williamson moved, Reid supported, CARRIED, To Approve Verizon Wireless Agreement as presented. (6-0, rcv)

- H. Request Approval Boards & Commissions Appointments:

- Ben Wallace, Initial Appointment, EDC Board of Directors for Workforce Development, Term to Expire at Completion of Project
- Paul Koehn Recreation Commission, Initial Appointment, Term to Expire 2-21-2023
- Andy French Recreation Commission, Initial Appointment, Term to Expire 2-21-2022

Comments were received from Council Member Spicer

Smith moved, Reid supported, CARRIED, To Approve Boards and Commissions as presented above. (6-0, vv)

I. Request Approval Resolution # 2020-11, To Conditionally Approve Peabody Newgrass Festival

Williamson moved, Smith supported, CARRIED, To Approve Resolution # 2020-11, To Conditionally Approve Peabody Newgrass Festival as presented. (6-0, vv)

XII. FUTURE AGENDA ITEMS

The following items were requested for the next agenda:

Council Member Williamson asked for the following items:

- Set fee for special events and add to 2020 fee schedule
- Resolution for Code Enforcement

Council Member Reid asked for Discussion on Juneteenth Celebration

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 Mark Goodman, Franklin, Michigan; James Stahl, 27780 H Drive N; Bill Dobbins, 15901 Dobbins Dr; Lavada Weeks, 917 Luther Dr; Albert Amos, 400 Burr Oak St; Jim Stuart, 205 W. Oak St; Brian Mull, 24772 J Drive; Cheryl Mull, 24772 J Drive; Juanita Solis-Kidder, 1211 Edwards St; Carol Smith, 1209 Adams St and Calhoun County Commissioner Gary Tompkins.

XIV. CITY MANAGER REPORT

City Manager McClary included a written report in the Council packets detailing the following:

- North Albion Street Bridge Lane Reduction
- Solid Waste Collection Services Contract
- Sidewalk Program Fund Review Committee
- Recreational Marihuana
- City Manager Extended Hours
- Upcoming Agenda Items

Comments were received from City Attorney Harkness.

XV. MAYOR AND COUNCIL MEMBER'S COMMENTS

Comments were received from Mayor Atchison

XVI. EXCUSE ABSENT COUNCIL MEMBER (S)

Clark moved, Williamson supported, CARRIED, To Excuse Council Member Lawler (4). (6-0, vv)

XVII. ROLL CALL

PRESENT: Vicky Clark (1); Lenn Reid (2); Al Smith (3); Jeanette Spicer (5); Shane Williamson (6) and Mayor Atchison.

ABSENT: Marcola Lawler (4)

XVIII. ADJOURNMENT

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

Mayor Atchison adjourned the Regular Session at 9:13 p.m.

Date

Jill Domingo
City Clerk