



# 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.

## SPECIAL AGENDA

### COUNCIL MEETING Thursday, February 21, 2019

6:30 P.M.

**David Atchison**  
Mayor

**Vicky Clark**  
Council Member  
1<sup>st</sup> Precinct

**Lenn Reid**  
Council Member  
2<sup>nd</sup> Precinct

**Sonya Brown**  
Mayor Pro-Tem  
Council Member  
3<sup>rd</sup> Precinct

**Marcola Lawler**  
Council Member  
4<sup>th</sup> Precinct

**Jeanette Spicer**  
Council Member  
5<sup>th</sup> Precinct

**Shane Williamson**  
Council Member  
6<sup>th</sup> Precinct

**LaTonya Rufus**  
City Manager

**The Harkness Law Firm**  
Atty Cullen Harkness

**Jill Domingo**  
City Clerk

NOTICE FOR PERSONS WITH  
HEARING IMPAIRMENTS  
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.

### PLEASE TURN OFF CELL PHONES DURING MEETING

- I. CALL TO ORDER
- II. MOMENT OF SILENCE TO BE OBSERVED
- III. PLEDGE OF ALLEGIANCE
- IV. ROLL CALL
- V. APPROVAL OF THE AGENDA (Includes ant proposed additions, deletions or other changes to the agenda)
- VI. PRESENTATIONS AND RECOGNITIONS
- VII. PUBLIC HEARING
- VIII. 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.)
- IX. CLOSED SESSION
- X. CONSENT CALENDAR (VV) (Items on Consent Calendar are voted on as one unit)
- XI. ITEMS FOR INDIVIDUAL DISCUSSION
  - A. Council Training-Attorney Scott Smith
  - B. Discussion/Approval to Reassign Acting City Manager Duties to Chief Kipp
- XII. FUTURE AGENDA ITEMS
- XIII. PUBLIC COMMENTS (Persons addressing the City Council shall limit their comments to no more than three (3) minutes. Proper decorum is required).
- XIV. CITY MANAGER REPORT
- XV. MAYOR AND COUNCIL MEMBER COMMENTS



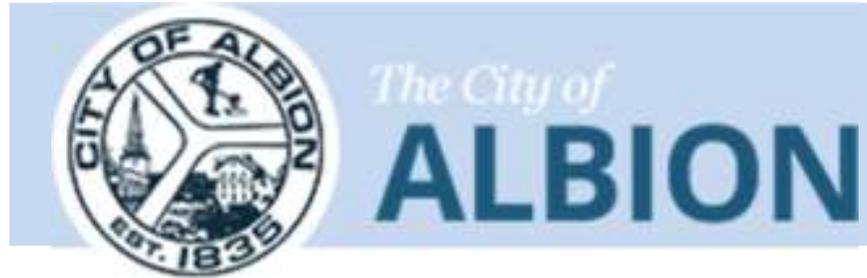
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- XVI. MOTION TO EXCUSE ABSENT COUNCIL MEMBER (S)
- XVII. ROLL CALL
- XVIII. ADJOURN



# ROLES & RESPONSIBILITIES OF CITY OFFICIALS

**JANUARY 30, 2019**

**PRESENTED BY:  
SCOTT G. SMITH  
CITY ATTORNEY  
CITY OF WYOMING, MI**

# CONTEXT FOR CITY GOVERNMENT

(OUTLINE PAGES 1-3)

- **10<sup>th</sup> Amendment to U.S. Constitution reserves rights to states.**
- **Michigan's 1963 Constitution preserves "home rule" for cities.**
  - ✓ Home rule was intended to limit state government.
  - ✓ Instead, the legislative trend seems to limit local government.
- **Home Rule City Act states what must, may & may not be in charter.**
- **City charter is like a city constitution.**
  - ✓ Establishes the structure of city government.
  - ✓ Grants and limits the authority and duties of officials and bodies.
  - ✓ Often includes certain procedures to be followed.
- **Concept is that the people confer power on government.**



# COUNCIL-MANAGER FORM

(OUTLINE PAGE 3)

- **Several types of local governments including:**
  - ✓ Town hall.
  - ✓ Commission.
  - ✓ Strong mayor or strong executive.
  - ✓ Commission (or council) – manager.
- **Roles and responsibilities are shaped by the form.**
- **Albion has a council-manager form of government.**
  - ✓ City Manager is the chief administrative officer.
  - ✓ Council is the policy making & legislative body.
  - ✓ Mayor is voting member & presiding officer of the Council.



# MAYOR

(OUTLINE PAGES 4-5)

- **Ceremonial head of the city.**
- **Chief executive officer.**
- **Has an equal voice & duty to vote as Council member.**
- **Presiding officer of Council.**
- **Advises the Council on the public affairs of the city.**
- **Generally appoints, with Council consent, members of boards & bodies.**
- **Emergency powers under law.**



# COUNCIL

(OUTLINE PAGES 5-6)

- **The body, not individual Council members, has authority.**
- **Council acts through ordinances, resolutions & motions.**
- **Makes policy.**
- **Appoints Manager & city attorney.**
- **Adopts budgets, levies taxes, & approves borrowing.**
- **Approves contracts.**
- **As a legislative body, adopts laws (*i.e.*, ordinances).**
- **Fulfills other duties provided by law.**
- **Holds staff accountable through Manager.**
- **Holds Manager accountable by reports, documentation, policy & questions.**



# COUNCIL RULES OF PROCEDURE

(OUTLINE PAGES 6-7)

- **Council members address comments to Mayor & on topic.**
- **Personal comments or attacks are out of order.**
- **Council members not to speak more than twice until all others have chance to speak & no longer than 10 minutes.**
- **Public comments limited to 3 minutes at beginning & end of meeting & at public hearings.**
- **Personal, disrespectful, slanderous or profane comments are out of order, as are debates with & among audience.**
- **Audience applause or cheering is out of order.**



# OPEN GOVERNMENT

(OUTLINE PAGES 8-9)

- **OMA, FOIA, & records retention requirements apply to you.**
- **With limited exceptions, if it involves city business, it is public.**
  - ✓ Exceptions are narrowly construed.
  - ✓ Generally apply only when public (persons outside government) benefit from exemption so it protects public's interests.
- **Electronic communications related to city business, even if on personal devices, are subject to required retention and disclosure.**
  - ✓ So, what is written or recorded is generally recoverable.
  - ✓ Assume it will be published or broadcast.



# BEST PRACTICES

(OUTLINE PAGES 9-11)

- **As a City official, people perceive you as its representative.**
- **Support policies, personnel, & practices while appropriately ensuring accountability &, when needed, seeking changes.**
- **Praise publicly; criticize non-publicly.**
- **Evaluate based on concrete goals, outcomes & measurements.**
- **For day-to-day matters, refer inquiries to appropriate staff.**
- **Everyone gets the same information.**
- **Council members advocate for policies, not for persons or entities, & avoid promises requiring official action.**
- **Council & Manager, with mutual respect, make management non-political.**
- **Spokespersons take great care.**
- **Cautious with electronic communication & assume everything is recorded.**



# HYPOTHETICAL #1

## ➤ **Citizen seeks a change in snowplowing.**

- ✓ Plows go too fast or too slow.
- ✓ Wants snow piled differently.
- ✓ Should be earlier or later, too frequent or not frequent enough.
- ✓ Too much or too little salt.



## HYPOTHETICAL #2

- **Business wants assurance of a City contract.**
- ✓ Buy local.
- ✓ City is getting a bad deal now.
- ✓ Her business performs better.
- ✓ Other businesses unfairly compete.
- ✓ Longer term contract is better.
- ✓ American or Michigan businesses should have preference.
- ✓ Should favor certain businesses (e.g., small business, minority or women owned business, U of M grads, etc.).



# HYPOTHETICAL #3

- **Concerns are raised about police conduct.**
  - ✓ Too many or too few patrols.
  - ✓ Excessive force.
  - ✓ Discourteous, disrespectful, or rude.
  - ✓ Bias – e.g., neighborhood, class, religion, ethnicity or individual.
  - ✓ Lack of integrity.
  - ✓ Quick-tempered.
  - ✓ Lack of results.



## HYPOTHETICAL #4

- **Staff member wants to know if she can “count on you.”**
  - ✓ Perhaps a union representative.
  - ✓ Might want changes in particular policy or benefit, *e.g.*, overtime, call-out, disability leave, insurance benefit, retirement plan, etc.
  - ✓ Might seek a particular result in a grievance or lawsuit.
  - ✓ Might seek a particular change in a collective bargaining agreement.
  - ✓ Might seek assurances against layoffs.
  - ✓ Wants help in a proposed early retirement buyout.



# HYPOTHETICAL #5

- **A “public comment” includes personal attacks.**
  - ✓ Against the City Manager or a staff member.
  - ✓ Against another Council Member.
  - ✓ Against another audience member or citizen.
- **If the allegations are serious and, perhaps, even true?**
- **If the allegations are preposterous?**
- **If “colorful” language?**



## HYPOTHETICAL #6

- **You have concerns about a closed session discussion.**
  - ✓ Perhaps it violated the OMA.
  - ✓ Perhaps it involved matters you think should be made public.
  - ✓ Perhaps it involved actions violating law or policy.
  - ✓ Perhaps it included statements or behavior that were “out of bounds.”
  - ✓ Perhaps you question whether the information was accurate and complete.



# HYPOTHETICAL #7

- **Developer seeks “full support” for a project.**
  - ✓ Wants help with zoning approvals.
  - ✓ Wants lower utility connection, permitting, or other fees.
  - ✓ Wants economic development incentives.
  - ✓ Seeks a new or improved road.
  - ✓ Wants an easement on adjoining City property.
  - ✓ Seeks changes in City requirements.
  - ✓ Claims unfair treatment by City staff.



# HYPOTHETICAL #8

- **You believe official statements are inaccurate or incomplete.**
- ✓ City spokesperson is not fully disclosing all relevant facts or other information.
- ✓ Emphasis on minimizing liability rather than accountability.
- ✓ Advances one agenda rather than fairly representing all views.
- ✓ Official information may deprive citizens of fair hearing.
- ✓ You fear there is an effort to mislead the media and public.



# HYPOTHETICAL #9

- **Speaker at public hearing comments on matters outside the scope of the hearing.**
  - ✓ Perhaps not even on the same topic.
  - ✓ Perhaps topically related, but not an issue within the City's purview.
  - ✓ Perhaps within City purview and topically related, but beyond the hearing notice.
  - ✓ Perhaps its discussion will distract from the real issue.



# HYPOTHETICAL #10

- **Speaker turns to or addresses one or more audience members.**
  - ✓ May be “grandstanding.”
  - ✓ May be seeking a “show of hands.”
  - ✓ May be picking out a particular person for special attention.
  - ✓ May be addressing factions.
  - ✓ May be trying to take control of meeting.



**QUESTIONS?**

