

City of Albion
Council Session Minutes
February 4, 2019

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: Lenn Reid (2); Sonya Brown (3); Marcola Lawler (4); Jeanette Spicer (5); Shane Williamson (6) and Mayor Atchison.

ABSENT: All members were present.

STAFF PRESENT:

Tom Mead, Acting City Manager/Finance Director; Cullen Harkness, City Attorney; Scott Kipp, Chief Public Safety; Jill Domingo, City Clerk and John Tracy, Director Planning, Building & Code Enforcement.

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

Council Member Lawler asked to move agenda item K to agenda item D

Lawler moved, Brown supported, CARRIED, to move agenda item K to agenda item D. (6-0, rcv)

Williamson moved, Reid supported, CARRIED, to Approve the Agenda with the above correction. (6-0, vv)

*Brown moved, Spicer supported, CARRIED, to **TABLE** agenda items and allow Representative Haadsma speak. (6-0, vv)*

Comments were received from Representative Haadsma.

*Brown moved, Spicer supported, CARRIED, to **REMOVE** agenda items from table and proceed with agenda as presented. (6-0, vv)*

VI. PRESENTATIONS

A. Proclamation-10th Anniversary PSI Kappa Omega Chapter Battle Creek/Albion

Mayor Atchison read aloud the 10th Anniversary PSI Kappa Omega Battle Creek/Albion Proclamation and presented to PSI Kappa Omega Battle Creek/Albion members that were present at the meeting.

Comments were received from Vivian Davis.

B. Proclamation Recognizing January 2019 as National Mentoring Month

Mayor Atchison read aloud the Proclamation Recognizing January 2019 as National Mentoring Month and presented to the Mentors that were present at the meeting: Stacy Stuart; Jim Stuart; Nels Christensen; Jess Roberts; Hazel Lias; Elijah Armstrong Jr.; Vivian Davis; Scott Kipp; Maurice Barry; Eddie Williams; Marquette Frost and Joyce Spicer. Also receiving the proclamation were Larry Williams and Kelly Rice who were not present at the meeting.

C. Presentation by Elijah Shalis- "National Liberty Memorial" in Washington D.C.

Elijah Shalis provided a brief overview of the "National Liberty Memorial" in Washington D.C.

Comments were received from Council Member Reid.

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 Garrett Brown, 1016 S. Superior St.

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 law.

Reid moved, Spicer supported, CARRIED to adjourn to Closed Session. (6-0, rcv)

Mayor Atchison adjourned to closed session at 7:20 p.m.

Mayor Atchison re-adjourned the regular session at 8:46 p.m.

ROLL CALL

PRESENT: Lenn Reid (2); Sonya Brown (3); Marcola Lawler (4); Jeanette Spicer (5); Shane Williamson (6) and Mayor Atchison.

All members were present.

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

A. Approval Regular Session Minutes, January 22, 2019

B. Approval Special Session Minutes, January 24, 2019

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

XI. ITEMS FOR INDIVIDUAL DISCUSSION

A. Request Approval of Candidate to Fill Precinct 1 Council Seat

Comments were received from Council Members Williamson, Lawler and Reid.

Williamson moved, Lawler supported, CARRIED, to Approve Vicky Clark to Fill Precinct 1 Council Seat. (4-2, rcv) (Williamson and Mayor Atchison dissenting).

B. Request Approval for Pay for Interim/Acting City Manager

Comments were received from Council Members Spicer and Brown; Mayor Atchison; City Attorney Harkness and Acting City Manager/Finance Director Mead.

Brown moved, Reid supported, CARRIED, to Approve \$100.00 per weekday for Acting City Manager and \$200.00 per weekday for Interim City Manager per Resolution # 2014-09. (6-0, rcv)

Council Member Brown amended her motion to Approve \$100.00 per weekday for Acting City Manager retroactive to January 23, 2019.

Brown moved, Reid supported, CARRIED, to Approve \$100.00 per weekday for Acting City Manager retroactive to January 23, 2019. (6-0, rcv).

C. Discussion-Mayor and Manager Weekly Meetings/Council Rules & Procedures

Council Member Lawler stated she had attended some of the City Manager/Mayor meetings. She noted some of the Council Rules of Procedures such as Rule 1 (F); Rule 2 (3); Rule 2 (c).

Mayor Atchison stated there is a history of how the weekly meetings were added to the Council Rules.

Council Member Lawler called Point of Order

Council Member Brown called Point of Order

She stated there seems to be some micro-managing of the City Manager and decisions that have been made without Council approval that she felt should have involved the entire Council. She was concerned with items on the January 9, 2019 weekly meeting agenda.

Council Member Brown called Point of Order

Mayor Atchison went through each of the agenda items on the 1-9-2019 Mayor/Manager meetings and gave a brief description. He stated several of the agenda items pertained to the City Manager contract which the entire Council had previously approved and he was looking for adherence to items included in the contract.

Council Member Reid stated she had made several attempts to meet with the City Manager and was unable to do so.

Council Member Lawler called Point of Order

Council Member Brown called Point of Order

Additional comments were received from Council Members Spicer and Williamson and Attorney Harkness.

D. Discussion Community Engagement Reports by Mayor

Mayor Atchison supplied the Council with a written community engagement report listed below and stated he was willing to give a more detailed report if that is what the Council would like to see:

2 Jan 19 - Wednesday: Economic Development Corporation (EDC) Project Briefing

2 Jan 19 – Wednesday: Albion E.L.T. Club monthly meeting

3 Jan 19 - Thursday: Albion Rotary Club

4 Jan 19 - Friday: Precinct 1 constituents discussion:

8 Jan 19 - Tuesday: **Albion Homer Substance Abuse Prevention Coalition (AHSAPC) Steering Committee:**

9 Jan 19 - Wednesday: **Albion Homer Advisory Education Leadership Council**, Executive Board formation meeting

9 Jan 19 - Wednesday: Homestead Bank: Financial 101 for entrepreneurs

11 Jan 19 - Friday: Precinct 2 constituents discussion

14 Jan 19 - Monday: Marshall Middle School Youth Program: Marijuana Use Prevention

15 Jan 19 - Tuesday: French Sister City Committee

16 Jan 19 – Wednesday: Revitalize LLC – Downtown Development discussion

16 Jan 19 - Wednesday: Precinct 3 constituents discussion: Topics included:

16 Jan 2019 - Wednesday: MML Elected officials Training

17 Jan 19 - Thursday: EDC Project Strategy

17 Jan 19 - Thursday: Albion District Library Board mtg

18 Jan 19 – Friday: Albion “Eggs – N – Issues”

18 Jan 19 – Friday: Community Garden fund raiser Chili Cookoff @ St James Church

19 Jan 19 – Saturday: Downtown business discussion – Kidder Music

21 Jan 19 – Monday: MLK Dinner Opportunity High School

22 Jan 19- Tuesday: City Council Meeting

23 Jan 19 – Project Rising Tides Steering Committee

24 Jan 19 – Community Leadership Council

24 Jan 19 – EDC – MEDC Project Brief

24 Jan 19 – Harrington Elementary School presentation of MLK Essay Awards

24 Jan 19 - EDC Strategic Planning Session

25 Jan 19 - Precinct 2 Constituents Discussion

25 Jan 19 – Oaklawn Medical Clinic Tour

Comments were received from Council Member Lawler.

E. Request Approval Resolution # 2019-01, A Resolution Supporting the “National Liberty Memorial” in Washington D.C.

Comments were received from Council Member Brown

Brown moved, Reid supported, **CARRIED**, to Approve Resolution # 2019-01, A Resolution Supporting the “National Liberty Memorial” in Washington D.C. as presented. (6-0, vv)

F. Request Approval Appointments to Boards & Commissions

- Nidia Wolf, DDA, Reappointment, Term to Expire 12-31-2022
- Dixie Grant, Reappointment, Albion District Library, Term to Expire 12-31-2022

Comments were received from Council Members Brown, Williamson, Lawler and Spicer and Mayor Atchison.

Council Williamson called Point of Order-Discussion should be directed to the Mayor.

Council Member Williamson Called the Question

Reid moved, Williamson supported, **FAILED**, to Approve Nidia Wolf, DDA, Reappointment, Term to Expire 12-31-2022 as presented. (3-3, rcv) (Spicer, Brown & Lawler dissenting).

Reid moved, Williamson supported, **CARRIED**, to Approve Dixie Grant, Reappointment, Albion District Library, Term to Expire 12-31-2022 as presented. (4-2, rcv) (Brown and Spicer dissenting).

G. Discussion of City Fee Schedule Increases from 2018 to 2019

Council Member Reid expressed concern with the 2019 increase in fees for Parks & Recreation, specifically the fee for pavilion rental. She feels this will prevent residents from renting the pavilion and is concerned that the increased fees will go to the general fund and can be used for anything. She would like the fees to go back to the \$55.00 until improvements can be made to the park that will justify the increases.

Acting City Manager/Finance Director Mead stated there were no systematic calculations done for the fee increases. He stated the fees had not been raised in a number of years. He also made one clarification that the fees for the park rental do get applied to the Parks Fund which is a part of the general fund.

Additional comments were received from Council Member Spicer.

H. Discussion of City Grant Writer

Council Member Reid stated there is money available through grants and feels the City made not be obtaining money that is available due to the lack of a grant writer for the City.

Acting City Manager/Finance Director Mead stated a grant writer position was not included in the 2019 budget, however some grants do allow funding for administrative costs.

Additional comments were received from Council Members Brown, Spicer and Williamson and Mayor Atchison.

I. Discussion of City Clean Up: Outside Work (limbs & trees) & City-Wide Dates

Council Member Reid asked is the City-wide clean-up date could be moved up from mid-July.

Additional comments were received from Mayor Atchison

J. Request Approval 2nd Reading & Adoption of Ordinance # 2019-02, An Ordinance to Prohibit Marihuana Establishments and Create Article VI of Chapter 22 of the Albion Code of Ordinances

Comments were received from Council Member Brown and Mayor Atchison.

Williamson moved, Reid supported, CARRIED, to Approve 2nd Reading & Adoption of Ordinance # 2019-02, An Ordinance to Prohibit Marihuana Establishments and Create Article VI of Chapter 22 of the Albion Code of Ordinances as presented. (6-0, rcv)

*** Council Member Lawler cited Privilege and left at 9:10 p.m.*

K. Discussion/Distribution/Delivery of Council Meeting Agenda Packets

Council Member Reid asked that the Council packets be delivered on Thursday prior to the Council meeting.

Mayor Atchison stated delivery of the Council packets is addressed in Council Rules.

Additional comments were received from Clerk Domingo and Acting City Manager/Finance Director Mead.

L. Discussion Community Engagement Reports by Council Members

Mayor Atchison stated he will be providing the Council with written community engagement reports and encourages Council Members to do the same to share how they are engaging with their constituents.

M. Request Approval to Calhoun County for \$7,000 for the Albion Recycling Center

Comments were received from Acting City Manager/Finance Director Mead.

Williamson moved, Reid supported, to Approve Payment to Calhoun County for \$7,000 for the Albion Recycling Center.

City Attorney Harkness stated it was unnecessary for the Council to approve an item that has been specifically budgeted and approved through the budget process.

Council Member Williamson withdrew his motion.

Mayor Atchison stated if an item has been included in the budget, it does not need Council approval but to have a copy of the invoice in the packet as information only.

N. Request Approval to Wells Equipment for \$5,473.58 for Repair of International Truck

Comments were received from Acting City Manager/Finance Director Mead

Williamson moved, Reid supported, CARRIED, to Approve Payment to Wells Equipment for \$5, 473.58 for the Albion Recycling Center as presented. (5-0, rcv).

O. Discussion for Contracting with Independent Firm for Assistance with Audit Preparation

Acting City Manager/Finance Director Mead stated the Finance Department is behind for the last few months due to a number of reasons. Now filling in for the City Manager role, there may be a need for some assistance to help prepare for the audit. The cost will not affect the budget as funds are budgeted for professional services. If an independent firm is needed, it will be in the form of a contract that will come to Council for approval.

XII. FUTURE AGENDA ITEMS

City Attorney Harkness asked for the following 2 items:

- Resolution to re-visit the Recreational Marihuana Facilities
- Closed Session to bring Precinct Council Member Clark up to date

Council Member Brown asked for the following:

- Discussion/Approval to designate a City Council Member as a liaison to the Albion Housing Commission
- Re-Schedule training with Attorney Smith

Mayor Atchison asked for the following items:

- Discussion-Albion's Economic Development Corporation update
- Discussion-Chamber of Commerce update
- Discussion-Harrington Elementary School update
- Discussion-Council Sub-Committees
- Discussion/Approval Rollback of Park Pavilion Rental Fees
- City wide clean up dates

Council Member Williamson asked for an update on the zoning re-write

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 Christine Thomas, 903 N. Superior St; Wanda Kemp, 703 Valhalla Dr; O'Neal Warnsley, 1213 Second St; Phillip Matel, 101 N. Superior St; Alicia Spence, 1513 Cooper; Al Smith, 1209 Adams St; Gary Tompkins, Calhoun County Commissioner and Garrett Brown, 1016 S. Superior St.

XIV. CITY MANAGER REPORT

A written report was supplied to the Council from Acting City Manager/Finance Director Mead.

XV. MAYOR AND COUNCIL MEMBER'S COMMENTS

Comments were received from Mayor Atchison

XVI. EXCUSE ABSENT COUNCIL MEMBER (S)

Council Member Lawler cited Privilege and left at 9:10 p.m. All other members were present.

XVII. ROLL CALL

PRESENT: Lenn Reid (2), Sonya Brown (3), Jeanette Spicer (5), Shane Williamson (6) and Mayor Atchison.

ABSENT: Council Member Lawler cited Privilege and left at 9:10 p.m.

XVIII. ADJOURNMENT

Brown moved, Reid supported, CARRIED, to adjourn the regular session. (5-0, vv)

Mayor Atchison adjourned the Regular Session at 9:55 p.m.

Date

Jill Domingo
City Clerk