

City of Albion  
Council Session Minutes  
March 2, 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); Marcola Lawler (4); Jeanette Spicer (5); Shane Williamson (6) and Mayor Atchison.

ABSENT: All members were present

STAFF PRESENT:

Darwin McClary, City Manager; Cullen Harkness, City Attorney; Jill Domingo, City; 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)

Clark moved, Williamson supported, CARRIED, to Approve the Agenda as presented. (7-0, vv)

VI. PRESENTATIONS

A. Proclamation Designating March 2020 as March for Meals Month

Mayor Atchison read aloud the proclamation Designating March 2020 as March for Meals Month.

Comments were received from Karen Scula, Supervisor Calhoun County Meals on Wheels and Mayor Atchison.

B. Proclamation Recognizing March as Women's History Month

Mayor Atchison read aloud Proclamation Recognizing March as Women's Health Month.

C. Preventing Marihuana Abuse by Youth-Albion-Homer Substance Abuse Coalition

Harry Bonner and Maurice Barry, Albion-Homer Substance Abuse Coalition stated most kids are using everyday and it has a big impact on their lives. Many youth struggles with drug use and addiction. They would like to develop programs that help bring these problems to the forefront. They are requesting three Council Members to work with the Substance Abuse Coalition to create a plan that can be brought back to Council to be made into a policy. They would like to use this plan/policy as a model for other communities.

Comments were received from Council Member Reid 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 Garrett Brown, 1016 S. Superior St; Sonya Brown, 713 Orchard Dr and Wayne Arnold, 906 Hall 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 statute.

Williamson moved, Smith supported, CARRIED to adjourn to Closed Session. (7-0, rcv)

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

Mayor Atchison re-convened the regular session at 7:55 p.m.

ROLL CALL

PRESENT: Vicky Clark (1); Lenn Reid (2); Al Smith (3); Marcola Lawler (4); Jeanette Spicer (5) and Shane Williamson (6) and Mayor Atchison.

ABSENT: All members were present

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

A. Approval Regular Session Minutes, February 18, 2020

- B. Approval of Traffic Control Order that Effective Immediately the Travel Lanes on the North Albion Street Bridge shall be Reduced by Six (6) Feet in Each Direction from Each Sidewalk Curb in Accordance with the Attached Engineer's Schematic to Redirect Traffic to the Center of the Bridge Using Appropriate Construction Barrels or Other Lawful Light-Weight Barricades. Yield Signs shall be Placed Immediately Before the Approaches to the Bridge from Each Direction to Instruct Motorists to Yield to Traffic Already in Transit Across the Bridge

Smith moved, Williamson supported, CARRIED, to approve the Consent Calendar as presented. (7-0, vv)

#### XI. ITEMS FOR INDIVIDUAL DISCUSSION

- A. Request Approval 2<sup>nd</sup> Reading & Adoption 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 City Attorney Harkness

Williamson moved, Clark supported, CARRIED, to Approve 2<sup>nd</sup> Reading & Adoption 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. (7-0, rcv)

- B. Discussion Juneteenth Celebration

Council Member Reid stated the Juneteenth Celebration will be held on June 20<sup>th</sup> at Holland Park. This year, although they will have many of the same activities, they will be adding additional activities to make the celebration inter-generational. The celebration will begin with the walk from City Hall to Holland Park. She has asked the City to fix the potholes on Cass St before the celebration.

- C. Discussion/Approval Fee for Special Events

Comments were received from Council Member Smith

City Attorney Harkness stated approval of fee for special events must be done by resolution. This can be done at the next meeting.

- D. Discussion Code Enforcement Priorities

Council Member Williamson stated that he and Council Member Clark met with City Manager McClary and Director of Planning, Building & Code

Enforcement Tracy to discuss code enforcement. The following information was provided:

- We currently do not have a code enforcement officer
- There is a need for additional staff for code enforcement
- They were not able to provide definitive numbers
- Were not able to discuss actual priorities
- Should be able to answer some of the above questions at the next meeting
- Need to make data driven decisions pertaining to code enforcement

Comments were received from Council Member Clark and Mayor Atchison.

#### E. Discussion Four-Day Work Week

City Manager McClary stated administration is requesting that the City Council authorize a change in City Hall business hours to improve convenience to citizens and contractors and to improve the City's ability to attract and retain a quality, talented workforce and the morale and productivity of employees. The proposed hours will be Monday-Thursday from 7 a.m. to 6 p.m. or Monday through Thursday from 8 a.m. to 7 p.m.

Benefits would include:

- Convenience to citizens and contractors, since City Hall would now be open outside of normal business hours
- Improved ability to attract quality talent for key positions with the City
- Increased productivity, since employees would have longer rest periods between work weeks
- Improved employee morale, since employees would enjoy more hours to spend with family, friends, hobbies and other interests
- Reduced travel costs for employees

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

#### F. Request Approval of the Proposed New Credit/Purchase Card Policy for the City of Albion which Requires Additional Authorization before Any Changes and/or Modifications (Including the Issuance of Additional Cards) Can be Made to the City's Credit Card Account. This Will Significantly Reduce the Potential for Financial Loss from Misuse

Comments were received from Council Member Lawler; City Manager McClary; Finance Director Mead and Mayor Atchison.

*\*Mayor Atchison asked to make a friendly amendment to eliminate the Mayor from being issued a credit card.*

Williamson moved, Smith supported, CARRIED, To Approve the Proposed New Credit/Purchase Card Policy for the City of Albion which Requires Additional Authorization before Any Changes and/or Modifications (Including the Issuance of Additional Cards) Can be Made to the City's Credit Card Account. This Will Significantly Reduce the Potential for Financial Loss from Misuse and will exclude the Mayor from being issued a credit card. (7-0, rcv)

#### G. Discussion-Adult Use Marijuana Establishments

City Attorney Harkness provided Council with three sample ordinances from communities that have passed Adult Use Marijuana Establishments.

Questions/Comments from Council were as follows:

- Adult use establishments would include any type of business that utilizes recreational marijuana
- The use for medical marijuana cards is now basically useless
- Request has been made from one of our current medical marijuana licensees that has multiple class C licenses; 1 processing license and 1 provisioning license to change to recreational license
- Be respectful of all that voted to approve recreational marijuana use
- Would like to see how other communities are handling this
- The new law approving recreational marijuana rendered the medical marijuana moot expect for those under the age of 21
- Approval of recreational marijuana establishments will not come without issues
- You can still choose from the options that the State provides
- Cannot prohibit recreational marijuana from operating where medical marijuana is operating
- Can use a portion of the licensing fee to help curb crime
- City Attorney would not recommend Marijuana events or micro businesses.

Comments were received from Council Members Smith, Lawler, Williamson and Clark; Mayor Atchison and City Attorney Harkness.

#### H. Request Approval to Waive Attorney-Client Privilege and Publicly Release the Third-Party Investigation Report Submitted by Thrun Law Firm

Comments were received from Council Members Clark and Williamson; Mayor Atchison and City Attorney Harkness.

Lawler moved, Spicer supported, CARRIED, To Approve Waiving Attorney-Client Privilege and Publicly Release the Third-Party Investigation Report Submitted by Thrun Law Firm as presented. (6-1, rcv) (Williamson dissenting)

*\*\* Council Member Lawler cited Privilege and left at 8:55 p.m.*

I. Request Approval City Manager Performance Review Process

Comments were received from Council Member Williamson

Clark moved, Williamson supported, CARRIED, To Approve City Manager Performance Review Process as presented. (6-0, rcv)

J. Update on City Sidewalk Committee

City Manager McClary stated the first meeting for the City Sidewalk Committee will be held on Thursday, March 5<sup>th</sup> at 6:00 p.m. in the Mayor's office.

K. Discussion Submission of Kalamazoo River Restoration Ideas

City Manager McClary stated he met with the Michigan Department of Natural Resources regarding the \$25 million funding available for the Kalamazoo renovation. The State may be allocating some of those funds to the City. The funding can be used for the following options:

- Removing all five dams in the City
- Removing only one dam that is owned by the City
- Restoration of the retaining walls along the river
- The funding would be for a feasibility study to both restore or remove the dams

Comments were received from Council Members Williamson and Smith and Mayor Atchison.

L. Request Approval of the Three-Year Lease Agreement with Caron Chevrolet in the Amount of \$ 538.81 and \$781.81 due at signing for a 2020 Chevrolet Blazer and Authorize the Mayor and City Clerk to Execute any Necessary Documents on Behalf of the City which may be Required to Effectuate the Same

Comments were received from Council Member Smith; Chief Kipp and Mayor Atchison.

Williamson moved, Clark supported, CARRIED, To Approve Three-Year Lease Agreement with Caron Chevrolet in the Amount of \$ 538.81 and \$781.81 due at signing for a 2020 Chevrolet Blazer and Authorize the Mayor

and City Clerk to Execute any Necessary Documents on Behalf of the City which may be Required to Effectuate the Same as presented. (6-0, rcv)

## XII. FUTURE AGENDA ITEMS

The following items were requested for the next agenda:

- City Attorney Harkness requested:
  - Resolution for special event fee
  - Update on \$6500 repayment from former City Manager Rufus
  
- Mayor Atchison asked for the following:
  - Resolution to purchase additional years of service for Kent Phillips
  - Update on demolition of Union Steel
  - Boards & Commissions appointments for ABA, DDA and Recreation Commission
  - Update on filling vacant City Hall positions
  - City issues with City cell phones
  
- Council Member Clark asked for presentation on data from Code Enforcement
  
- Council Member Williamson asked for an update on the action of repercussions of the investigation report that was released

## 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 Garrett Brown, 1016 S. Superior St; Wayne Arnold, 906 Hall St; Lavada Weeks, 917 Luther Dr; Sonya Brown, 713 Orchard Dr; Robert Dunklin, NAACP President; John Dunklin, 1203 Second St and Calhoun County Commissioner Gar Tompkins.

## XIV. CITY MANAGER REPORT

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

- North Albion Street Bridge
- Solid Waste Collection Services Contract
- Sidewalk Program Fund Review Committee
- Code Enforcement Review Committee
- Rental Inspection Program Study Committee
- Anderson's Ethanol Waste Water Discharge

- City Staffing
- 2019 Audit Preparation Work
- Brick Street Lofts Project
- Chamber Eggs & Issue Meeting
- City Manager Extended Hours
- Upcoming Agenda Items

XV. MAYOR AND COUNCIL MEMBER'S COMMENTS

Comments were received from Council Member Clark and Mayor Atchison

XVI. EXCUSE ABSENT COUNCIL MEMBER (S)

Williamson moved, Smith supported, CARRIED, to Excuse Council Member Lawler who cited Privilege at 8:55 and left. (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: Council Member Lawler cited Privilege at 8:55 and left

XVIII. ADJOURNMENT

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

Mayor Atchison adjourned the Regular Session at 9:45 p.m.

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Date

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Jill Domingo  
City Clerk