

City of Albion
Council Session Minutes
April 2, 2018

I. CALL TO ORDER

Mayor Brown called the meeting to order at 7:00 p.m.

II. MOMENT OF SILENCE TO BE OBSERVED

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

PRESENT: Maurice Barnes (1), Lenn Reid (2), Sonya Brown (3), Marcola Lawler (4), Jeanette Spicer (5), Andrew French (6) and Mayor Brown.

ABSENT: All members were present.

STAFF PRESENT:

Scott Kipp, Interim City Manager; Stacey Levin, Assistant City Manager; Cullen Harkness, City Attorney; Jill Doming, City Clerk and John Tracy, Director Planning, Building & Code Enforcement.

V. MAYOR AND COUNCIL MEMBER'S COMMENTS

Comments were received from Council Member Lawler who asked to have Item (G) Discussion/Update on Union Steel Building postponed until the next meeting.

Lawler moved, French supported, CARRIED, to Postpone Item (G) Discussion/Update on Union Steel Building until the next Council meeting. (7-0, vv)

VI. CITY MANAGER REPORT

Interim City Manager Kipp stated the City has taken possession of the new Vactor truck and employees are currently being trained on how to use it.

VII. PRESENTATIONS

A. National Mayor/County Service Day Proclamation

Mayor Brown read aloud the National Mayor/County Service Day Proclamation and presented to the AmeriCorps Vista team.

Comments were received from Council Member French.

VIII. PUBLIC HEARINGS-None

IX. 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 Mark Lelle, 422 Elizabeth St and Bill Dobbins, 15901 E. Michigan Avenue.

X. CONSENT CALENDAR (vv) (Items on Consent Calendar are vote4d on as one unit)

- A. Approval Special Session Minutes, March 22, 2018
- B. Approval Special Session Minutes, March 26, 2018
- C. Approve Assembly Permit for Swingin' at the Shell Summer Concerts
- D. Approval Assembly Permit for St. Johns Church for Combined Mass & Picnic on September 16, 2018 from 9 a.m. to 5 p.m. in Victory Park Large Pavilion

French moved, Reid supported, CARRIED, To Approve Consent Calendar as presented. (7-0, vv)

XI. ITEMS FOR INDIVIDUAL DISCUSSION

- A. Request Approval 2nd Reading and Adoption of Ordinance # 2018-02, An Ordinance to Amend Chapter 30, Article II, Section (s) 30-26 through 30-28, 30-30 through 30-36, to add sections 30-37 through 30-39 to Article II of Chapter 30

Comments were received from Attorney Harkness and Mayor Brown.

French moved, Brown supported, CARRIED, to Approve 2nd Reading and Adoption of Ordinance # 2018-02, An Ordinance to Amend Chapter 30, Article II, Section (s) 30-26 through 30-28, 30-30 through 30-36, to add sections 30-37 through 30-39 to Article II of Chapter 30 as presented. (7-0, rcv)

- B. Request Approval Resolution # 2018-10, A Resolution for the Establishment of Neighborhood Planning Councils Within the City of Albion & By-Laws (RCV)

Comments were received from Council Members Spicer and Brown; Mayor Brown and Andrew Texel, AmeriCorps Vista member,

French moved, Reid supported, CARRIED, to Approve Resolution # 2018-10, A Resolution for the Establishment of Neighborhood Planning Councils Within the City of Albion & By-Laws as presented. (7-0, rcv)

C. Discussion/Approval Resolution # 2018-11, A Resolution of Support of North Country Trail Association "Trail Town" Designation (RCV)

Comments were received from Mayor Brown.

French moved, Reid supported, CARRIED, to Approve Resolution # 2018-11, A Resolution of Support of North Country Trail Association "Trail Town" Designation as presented. (7-0, rcv)

D. Request Approval of Annual Mechanical Amusement Devices for: (RCV)

1. Albion College
2. Cascarelli's Tavern
3. Leisure Hour Club
4. Redbox Automated
5. Spartan Stores/Family Fare

French moved, Reid supported, CARRIED, to Approve Annual Mechanical Amusement Devices as presented. (7-0, rcv)

E. Request Approval of Annual Commercial Garbage Service for: (RCV)

1. Republic Waste
2. Waste Management
3. Granger Container Service (Residential & Commercial)

French moved, Lawler supported, CARRIED, to Approve Annual Commercial Garbage Service as presented. (7-0, rcv)

F. Discussion/Approval RFQ for City Manager Search (RCV)

Comments were received from Council Member French; Mayor Brown; City Attorney Harkness and Interim City Manager Kipp.

*It was noted the public notice date should be changed from April 25, 2004 to April 25, 2018 at 3:00 p.m. as the deadline date for RFQ's to be received.

The Council approved the following changes to the RFQ:

French moved, Brown supported, CARRIED, to Remove coordinate psychological assessments (pg. 4 (A) from the RFQ. (7-0, vv)

French moved, Lawler supported, CARRIED, to Remove assist the City with negotiating a contract (pg. 4 (A) and (pg. 5 (9) from the RFQ. (7-0, vv)

Brown moved, Spicer supported, CARRIED, To Change twenty-four (24) to thirty-six (36) (pg. 6 (B) on the RFQ. (7-0, vv)

French moved, Brown supported, CARRIED, to Change five (5) clients to three (3) clients on the RFQ. (7-0, vv)

Council Member Brown asked for Point of Order.

French moved, Lawler supported, CARRIED, to Remove Mayor and Council will review alternate proposals and may recommend a proposal from more than one respondent (pg. 9 (13) from the RFQ. (7-0, vv)

French moved, Brown supported, CARRIED, to Change numbers and coordinating words to match i.e. four (4) and eight (8) on the RFQ. (7-0, vv)

Spicer moved, Brown supported, CARRIED, to Approve RFQ for City Manager Search with the above corrections. (7-0, rcv)

G. Discussion/Update on Union Steel Building

This item has been postponed until the April 16th, 2018 Council meeting.

H. Discussion-Ordinance for Medical Marihuana Dispensaries

City Attorney Harkness stated he needed the following information from the Council to proceed with the Medical Marihuana Dispensaries:

1. Location of dispensaries
2. Distance from schools, child care facilities, public parks, places of worship and residential areas
3. Hours of operation
4. Total number of dispensary licenses

Comments were received from Council Members Barnes, Lawler, French, Brown, Spicer and Reid; Mayor Brown; City Attorney Harkness and Director of Planning, Building & Code Enforcement.

The consensus of the Council is the following:

1. Location

Dispensaries shall be limited to the B-3, M-1-P, M-2, and M-2-P Zoning Districts.

2. Distance (s)

A. Schools and child care facilities

No Dispensary shall be located within five hundred (500) feet of real property comprising a public or private elementary, licensed child care facility, vocational or secondary school.

B. Public parks and places of worship

No Dispensary shall be located within two hundred fifty (250) feet of real property comprising a public park. Any Dispensary located more than two hundred fifty (250) feet but less than five hundred (500) feet of real property comprising a public park shall be surrounded by a fence as required by city ordinance.

C. Residential areas:

No Dispensary shall be located within two hundred fifty (250) feet of real property.

3. Hours of Operation

Discussion among the Council was to have hours similar to pharmacy hours. With a suggested time of 9 a.m. to 7 p.m. Monday through Saturday and 10 a.m. to 3 p.m. on Sunday. Council requested additional time to consider the hours of operation and will continue discussion at the start of the Goal Setting meeting held on April 9th, 2018 at 6:30 p.m.

4. Total number of Licenses for Dispensaries

The consensus of the Council is to approve two (2) marihuana dispensaries licenses.

I. Request Approval of Employment Agreement with Chief Scott Kipp for Interim City Manager Position (RCV)

Comments were received from City Attorney Harkness.

French moved, Lawler supported, CARRIED, To Approve Employment Agreement with Chief Scott Kipp for Interim City Manager Position as presented. (7-0, rcv)

XII. Future Agenda Items

- Mayor Brown asked for the following items on the next agenda:

- An update on Superior Street with an MDOT representative
- Study Session Date for Council Rules & Procedures with Attorney Scott Smith
- Council Member Spicer asked to identify the top three (3) goals for the Rising Tide project for the goal setting session.
- Council Member Lawler asked for a Discussion/Update on the Union Steel building be added to the next agenda.
- Council Member Brown asked for proclamations for 100-year-old birthdays be added to the next agenda.
- Council Member Barnes asked for an asbestos inspection update for Austin Avenue property be added to the next agenda.

XIII. Motion to Excuse Absent Council Member (s)

No action was necessary as all members were present.

XIV. 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 Eric Worley, President & CEO Greater Albion Chamber of Commerce & Visitors Bureau; Wanda Kemp, 703 Valhalla Dr; Alfredia Dysart-Drake, 1016 S. Superior St; Ronnie Sims, 710 W. Erie St and Calhoun County Commissioner Gary Tompkins.

XV. ADJOURNMENT

Brown moved, French supported, CARRIED, to ADJOURN Regular Council Session. (7-0, vv).

Mayor Brown adjourned the Regular Session at 8:35 p.m.

Date

Jill Domingo
City Clerk