

City of Albion
Council Session Minutes
June 4, 2018

I. CALL TO ORDER

Mayor Brown 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: 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; Cullen Harkness, City Attorney; Jill Domingo, City Clerk; John Tracy, Director Planning, Building & Code Enforcement; Tom Mead, Finance Director; Jim Lenardson, Director of Public Services and Haley Snyder, Deputy Clerk/Treasurer.

V. MAYOR AND COUNCIL MEMBER'S COMMENTS

Comments were received from Council Members Barnes, Reid, Lawler and Spicer and Mayor Brown.

VI. CITY MANAGER REPORT

Interim City Manager Kipp gave the following City Manager report:

- The City received the \$3,000 grant from the Marshall Community Foundation for the Albion-Marshall Connector.
- Interim Manager Kipp introduced new Deputy Clerk/Treasurer Haley Snyder.

VII. PRESENTATIONS

A. Albion-Marshall Resilient Communities Project-Linda LaNoue

Linda LaNoue and Ean Stewart gave the following presentation on the Albion-Marshall Resilient Project:

- The project began in 2017 so we are on year two (2) of the program
- Many events are offered to the Albion and Marshall communities through this project.
- Some upcoming events are as follows:
 - Bridging Differences in K-12 ED & Creating New Meaningful Connections-Saturday, June 9, 2018 1:30-4:30pm-Albion District Library-Facilitated by Dr. Shayla Reese Griffin, author of “Those Kids, Our Schools”
 - Arts and Industrialization-Remembering and Re-Imagining Marshall and Albion-Friday, August 3, 2018 6-9pm, Saturday, August 4, 1-4pm -Location TBD
 - Cultivating Oral Histories-Uncovering New Meaning in Our Stories-Monday, September 24, 2018 6-9pm; Tuesday, September 25, 2018 6-9pm-Starr Commonwealth
 - “Uncovering Our Stories” Performance, Saturday, September 29, 2018 7pm, Starr Commonwealth
 - More movie screenings, cookouts & special events announcements to come.
 - “The Common Thread” is an Albion-Marshall Resilient Communities new initiative. Between the two communities, there is a “Common Thread” that connects us. With this “Common Thread” in hand, the AMRCP seeks to weave together new opportunities for the residents of both cities to come together to engage, grow, learn and heal from each other’s experiences.
 - AMRCP website is AMRCP.org

Comments were received from Council Member Brown.

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 Mauri Ditzler, EDC Chair, 501 E. Michigan Avenue; Al Smith, 1209 Adams St and David Atchison, 108 W. Erie St.

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

A. Approval Regular Session Minutes, May 21, 2018

Council Member Barnes asked for corrections to the May 21, 2018 Regular Session Minutes.

French moved, Barnes supported, CARRIED, To Move Approval of May 21, 2018 Regular Session Minutes to Items for Individual Discussion-Item L. (7-0, vv)

XI. ITEMS FOR INDIVIDUAL DISCUSSION

A. Request Approval to Place Delinquent Water Bills & Abatements on Tax Bills (RCV)

Comments were received from Mayor Brown and Finance Director Mead.

French moved, Reid supported, CARRIED, to Approve Placing Delinquent Water Bills & Abatements on Tax Bills as presented. (7-0, rcv)

B. Discussion-Income Tax Collection

Finance Director Mead stated in 2014 the State Treasury Department presented a proposal to the Governor whereby the State would launch a new service to assist with the administration of local city income taxes. The idea was to provide an alternative to the State's past practice of contracting with Innovative Software Services, who's services were used to administer local city income taxes for cities operating under emergency managers. The Governor bought into the idea and budgeted a couple of million in appropriations to start this new "department."

It was announced that the City of Detroit would be the first city to utilize this new service. The State would begin collecting Detroit's 2015 tax returns beginning on 1-01-2016. (Only the individual returns would be processed for 2015, as the State would not begin processing the corporate returns until 2017).

To date, Detroit is still the only city utilizing this service provided by the State. All other cities have opted to continue using Innovative Software Services for a number of reasons. The attached sheet shows some of the shortfalls of the State provided service.

On a final note, the council may recall that the State launched a similar service in the mid 1990's. At that time, the City of Albion was the only city who elected to take advantage of this service. After providing this service to the city for 6 years, the State decided abruptly that it wasn't feasible to continue providing this service. As a result, the city was required to quickly acquire software, storage and office space, and staffing to take over the administration of the local city income taxes. It was Innovative Software Services who came to the

aid of the city at that time, as they helped immensely with the conversion. He also noted that contracting with Innovative Software is less expensive than the State and provides more services. Contracting with the State would not eliminate the need for a staff person at the City. Income tax is approximately 33% of the City's revenue.

Mayor Brown asked when we would see an increase in income tax revenue from collections?

Finance Director Mead stated we should see a turn-around the third quarter of this year. He will track the revenue and provide a report to Council.

C. Discussion/Approval 608 Austin Avenue

French moved, Barnes supported, CARRIED, to Proceed with the Calhoun County Land Bank to add 608 Austin Avenue to their RFP for demolition. (7-0, rcv)

Comments were received from Council Members Barnes, French and Spicer; Director of Planning, Building & Code Enforcement Tracy; City Attorney Harkness and Krista Trout-Edwards, Director Calhoun County Land Bank.

D. Set Date for Rising Tide Meeting

Mayor Brown stated he will be working with the panelists and general audience to discuss topics from the initial Rising Tide Meeting. He is working with Emily at the State and will send out copies of the list and what was discussed to Council.

Comments were received from Council Member Lawler.

E. Set Date for Annual Clean-Up Day

Director of Public Services Lenardson stated Saturday, July 28, 2018 is slated for the Annual Clean-Up day. A flyer will be created and sent out. He is also working with the Calhoun County Recycling. The same two locations- Ketchum Field and Harris Park will be used again this year.

French moved, Lawler supported, CARRIED, To Approve Saturday. July 28, 2018 as Annual Clean-Up Day. (7-0, rcv)

F. Discussion-EDC & Albion Reinvestment Corporation

Council Member Brown stated that Albion Reinvestment Corporation (ARC) is a private non-profit entity and the Albion Economic Development Corporation

(EDC) is a public entity. She has concerns pertaining to where ARC's vision ends and the EDC's begins. She would like the Council to have a joint meeting with the EDC Board. She has heard concerns from citizens that feel the EDC & ARC are financially intertwined and because of this may allow access to opportunities to ARC that other investors may not have.

Council Member Barnes stated the Council did approve the agreement to allow ARC to pay ½ of the EDC Director's pay with the understanding that she would also be the Executive Director for ARC. This type of partnership is being used around the country. Integrity must be known and shown.

Council Member French wanted to clear up a few misconceptions: ARC is a non-profit who accepts any and all support of donations to support the downtown revitalization. This allows downtown to have viable businesses in them. The downtown revitalization would not be able to happen without the outside support of these types of organizations. We have already seen successes but unfortunately, there is a lot of misinformation in the community.

Council Member Brown stated she understands that these are tough conversations and she is not trying to detour progress. Her concern is the financial intertwining and how it may create an appearance of misconduct.

Mayor Brown stated there should be a frank and respectful conversation with the relationship with ARC and the EDC. There is a lot of positive energy in the community and supports the rescue of buildings from collapsing. He stated good clear boundaries are helpful and is also concerned about access to opportunities as things continue to improve.

The consensus of the Council is to set a joint meeting with the Albion Economic Development Board.

G. Discussion-Citizens Advisory Committee Community Development

Mayor Brown stated Citizens Advisory Committees for Community Development are able to be established by Charter. He would like to continue discussion and have on-going conversations on community development. He will work with the City Attorney to draft language.

H. Discussion of Cultural Diversity in Downtown Business Ownership

Council Member Spicer asked about exploring establishing a section of the downtown for minority business.

Council Member Barnes feels this is an inappropriate agenda item as downtown buildings are privately owned. He stated several years ago; the

State was offering a program that would loan \$30,000 to open and operate a business downtown and would also re-certify upstairs apartments. If the business was maintained for two years, the loan would be forgiven. He was unable to find anyone who was willing to take this offer.

Council Member Barnes directed negative comments to Council.

Council Members French and Spicer asked for Point of Order stating Council Member Barnes was off topic and making negative remarks.

Mayor Brown ruled that some of Council Member Barnes comments could be considered despairing comments and ask that comments be kept to the agenda item being discussed.

Council Member Barnes discussed the ARC and EDC development of the downtown area and also the former business district on Austin Avenue and churches located in and around Austin Avenue.

Council Member Brown asked for Point of Order stating that Council Member Barnes was off topic with regard to Austin Avenue and the churches in that area.

Council Member Barnes stated the Council has no authority with regard to who may own downtown businesses and made overall negative comments pertaining to race.

Council Member Brown asked for Point of Order as Council Member Barnes was off topic.

Council Member Brown asked for a short recess.

Mayor Brown denied the request for a short recess and responded that Council Member Spicer had spoke with him regarding this issue that had been brought up previously by former City Manager Mitchell. He does not feel that asking the question is inappropriate and that it would be irresponsible not to. He stated that access and development to diverse groups are asked for in some grants. The Council would need to find out what can be done legally.

Council Member French stated what we have in Albion is opportunity and it should be for everyone. We need to ask what we need to do to be a better Albion with the revitalization. He would like us to use language that talks about urban centers and to stop using race as a defining locator. We are a diverse community with the diversity spread throughout the community.

Council Member Reid stated the only color is green as in money. It should be about if you have the money to purchase buildings downtown and have a business plan, you can purchase the buildings.

Mayor Brown stated he will consult with the City Attorney before the next meeting to gather what types of resources are available and also the legal status of the request.

I. Request Approval Resolution # 2018-18, A Resolution Opposing House Bill 4158 (RCV)

Comments were received from Council Members Brown, Lawler and Spicer; City Attorney Harkness; Interim City Manager Kipp and Mayor Brown.

Spicer moved, French supported, **FAILED**, To Approve Resolution # 2018-18, A Resolution Opposing House Bill 4158 as presented. (3-4, rcv) (Brown, Lawler, Spicer and Mayor Brown dissenting).

J. Discussion/Approval 2019 Street Projects (RCV)

Director of Public Services Lenardson stated if we receive the funding from the ICE grant for Irwin Avenue, we would be able to use the \$375,000 small urban funding grant for an additional 2019 street project. He recommended the following three projects:

- East North Street-from N. Eaton St to Burr Oak St. (\$1,030,000)
- Haven Road-from S. Monroe St to City Limits (\$770,000)
- N. Clark St-from E. North St. to 200" South of B Drive North (\$595,000)

Director of Public Services Lenardson recommends the East North Street Project.

Comments were received from Council Members Reid, French, Barnes, Brown and Spicer; Mayor Brown and Finance Director Mead.

Mayor Brown asked for an amendment to the motion to include: In 2020, the intent is to seek street repair on Wild, 1st, 2nd, 3rd St and Hartwell area.

French moved, Reid supported, **CARRIED**, to Add to the Motion In 2020, the intent is to seek street repair on Wild, 1st, 2nd, 3rd St and Hartwell area. (6-1, rcv) (Barnes dissenting).

Barnes moved, French supported, **CARRIED**, To Approve the East North Street Project as the 2019 and in 2020, the intent is to seek street repair on

Wild, 1st, 2nd, 3rd St and Hartwell area. (5-2, rcv) (Barnes and Brown dissenting).

K. Discussion-Sale of City Owned Property for Parcels Adjacent to & North of 1000 W. Erie St.

Director of Planning, Building & Code Enforcement Tracy stated he had received interest in the purchase of the city owned property located adjacent to and north of 1000 W. Erie St. The potential buyer has purchase the 1000 W. Erie Street property. Director Tracy gave a brief overview of the property location and when it had been purchased by the City.

Comments were received from Dr. Baker who purchased the 1000 W. Erie Street property. He stated he is offering \$1.00 for all four parcels and would be responsible for closing cost and title insurance. Dr. Baker stated no buildings would be placed on the property that he would like to have trails for the residents. He is willing to provide any easements the City may need.

Mayor Brown asked if we have had any other interest in purchasing these properties? Director Tracy stated we had not had any other interest in these properties.

Council Member Lawler stated she is concerned the City is selling all their property for \$1.00

Council Member French would like an assessment of the property from the City Assessor.

L. Request Approval May 21, 2018 Regular Session Minutes

****Note Council Member Barnes objects to ruling made by Mayor Brown on agenda item Sale of City Owned Property Located at 702,704,706 & 708 W. W. Erie Street on the May 21, 2018 minutes.**

French moved, Reid supported, CARRIED, To Approve the May 21, 2018 Regular Session Minutes as presented. (6-1, rcv) (Barnes dissenting).

XII. Future Agenda Items

The following items were requested for the next agenda:

- Re-schedule rental certification meeting
- Schedule meeting with Attorney Scott Smith
- Approval of 608 Austin Avenue
- Vehicles being towed

Comments or future agenda items were received from Council Members Reid, Brown and Barnes and Mayor Brown.

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 John Dunklin, 1203 Second St; Dave Atchison, 108 W. Erie St; Mauri Ditzler, 501 E. Michigan Avenue; Bill Dobbins, 5901 E. Michigan Avenue; Andrew Texler, AmeriCorps VISTA member; Council Member French; Mary Slater, 517 E. Michigan Avenue; Gary Tompkins, Calhoun County Commissioner; Amy Deprez, Executive Director Albion Reinvestment Corporation and Economic Development Corporation and Mayor Brown.

XV. ADJOURNMENT

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

Mayor Brown adjourned the Regular Session at 9:50 p.m.

Date

Jill Domingo
City Clerk