

City of Albion
Council Session Minutes
July 1, 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: Vicky Clark (1), Lenn Reid (2); Marcola Lawler (4); Jeanette Spicer (5), Shane Williamson (6) and Mayor Atchison.

ABSENT: Sonya Brown (3) was absent.

STAFF PRESENT:

Haley Snyder, Acting Assistant City Manager/Deputy Clerk/Treasurer; Cullen Harkness, City Attorney; Jill Domingo, City Clerk; Kent Phillips, Acting Interim Public Services Director and Tom Mead, Finance Director.

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

Mayor Atchison asked to add comments from State Representative Haadsma to the agenda.

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

Comments were received from State Representative Haadsma.

VI. PRESENTATIONS

A. Rental Certification Committee Update

Council Member Spicer stated a meeting had not yet been set with the Landlord Association and asked to add the Rental Certification Committee Update to a future Council meeting.

B. French Sister City Proclamation

Mayor Atchison read aloud French Sister City Proclamation and presented to Mary Slater, Co-Chair Sister City Committee.

C. ACE Investment Update

Bruce Johnson, Revitalize gave the following update on 404-414 S. Superior Project:

- 404-414 S. Superior St will be a complete renovation of all buildings as one project creating 7 new apartments & updating 6 commercial storefronts
- Project funding sources planned are MEDC Community Revitalization Program grant, traditional bank funding and owner capital
- Incentives being requested are MEDC Community Revitalization Program grant; Local and State Brownfield for extreme demolitions/Brownfield eligible items
- \$2.7 million-dollar project
- The front façade of these buildings/project was made of a limestone/sandstone mixture that has proved to fail over time. A structural survey and the recommendation of lead engineer from the State Historical Preservation Office has determined the need for removal and replacement of the entire front façade
- Upon completion, an entire block from the Peabody Building to Malleable Brewing will be complete and ready for the next 100 years.

Comments were received from Council Member Lawler 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 Eric Tobin, 409 W. Ash St; Mary Slater, 517 E. Michigan Avenue and Eileen Williams.

IX. CLOSED SESSION-None

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

- A. Approval Study Session Minutes, June 17, 2019
- B. Approval Regular Session Minutes, June 17, 2019

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

XI. ITEMS FOR INDIVIDUAL DISCUSSION

A. Discussion/Sample Ordinances for Alcohol Sales & Consumption on Public Property

Council Member Williamson stated he would like the Council to consider an ordinance similar to that of the City of Jackson for alcohol sales & consumption on public property. He would like the ordinance to include the following items:

- Fenced in area
- Ticketing or bracelet procedure
- Time allotment (i.e. how long the alcohol may be sold)
- Only allowed for businesses or 501 C3's
- Reasonable fee for Clean-up
- No individuals may obtain license
- Type of containers that may be used

Mayor Atchison stated he is concerned with the circumstances of the events and who would be eligible for obtaining the licenses. He shares Council Member Williamson's concern for the litter and limiting licenses to businesses. He would like to see a review process that would include making sure applicants have the proper liability insurance.

City Attorney Harkness stated the State's requirements for special liquor licenses do include security measures and also that the alcohol sales be held in a fenced in area. He suggested mirroring the Charlotte ordinance.

The consensus of the Council is for City Attorney Harkness to draft an ordinance for discussion only for the next meeting. Council may review and make any changes before approving.

B. Request Approval Boards & Commissions Appointments & Reappointments

- Mark Lelle, Initial Appointment, Planning Commission, Term to Expire 12-31-2021
- Mike Tymkew, Reappointment, Albion Building Authority, Term to Expire 6-30-2022
- Elaine Seedorf, Reappointment, Albion Building Authority, Term to Expire 6-30-2022

Reid moved, Lawler supported, CARRIED to Approve the Above Boards & Commissions Appointments & Reappointments as presented. (6-0, vv)

C. Discussion/Approval 1st Reading Ordinance # 2019-05, An Ordinance to Create Section (s) 58-228 Prohibition on Selling, Giving or Furnishing a

Tobacco Product, Vapor Product or Alternative Nicotine Product to a Minor, and 58-229 Prohibition on Possession, Attempted Possession or Use of Tobacco Products, Vapor Products or Alternative Nicotine Products by a Minor

Comments were received from Council Member Reid and City Attorney Harkness.

Williamson moved, Spicer supported, CARRIED to Approve 1st Reading Ordinance # 2019-05, An Ordinance to Create Section (s) 58-228 Prohibition on Selling, Giving or Furnishing a Tobacco Product, Vapor Product or Alternative Nicotine Product to a Minor, and 58-229 Prohibition on Possession, Attempted Possession or Use of Tobacco Products, Vapor Products or Alternative Nicotine Products by a Minor as presented. (6-0, rcv)

D. Request Approval for Bid for Mead Brothers Excavating for Irwin Avenue Project

Comments were received from Council Member Williamson; Mayor Atchison; Acting Assistant City Manager/Deputy Clerk/Treasurer Snyder and Finance Director Mead.

Williamson moved, Reid supported, CARRIED to Approve Bid for Mead Brothers Excavating for Irwin Avenue Project as presented. (6-0, rcv)

E. Request Approval for Victory Park Dam Assessment Plan

Comments were received from Council Members Spicer, Williamson, Reid, Clark and Lawler; Mayor Atchison; Acting Assistant City Manager/Deputy Clerk/Treasurer Snyder; Acting Director Public Services Phillips and Rising Tide Fellow Linda LaNoue.

Williamson moved, Clark supported, CARRIED to **TABLE** Approval of Victory Park Dam Assessment Plan as presented. (6-0, vv)

F. Request Approval for Transportation Management Assessment Plan

Comments were received from Council Member Williamson and Acting Director Public Services Phillips.

Williamson moved, Clark supported, CARRIED to Approve Transportation Management Assessment Plan as presented. (6-0, rcv)

G. Discussion Dalrymple School Property

The following information was discussed regarding the Dalrymple School Property:

- It is a non-inhabitable property that can't not be built on or lived on at this time
- There is not enough contamination in the ground for the property to be fenced in
- There is a small amount of arsenic in the dirt that has been there for a long time
- The property is not dangerous to the public to walk on
- How deep is the contamination and has the cost of removing the contaminated dirt been looked into?
- The City was aware of the contamination when they received the property back from the Land Bank
- Currently the City is mowing the right-of-way and making a few paths through the property

Comments were received from Council Members Reid, Spicer and Williamson; Mayor Atchison and Acting Director Public Services Phillips.

H. Discussion/Action Application for Mechanical Amusement Device for Cascarelli's
Comments were received from City Attorney Harkness.

Lawler moved, Spicer supported, **CARRIED to TABLE INDEFINETELY**
Approval of Application for Mechanical Amusement Device for Cascarelli's (6-0, vv)

I. Request Approval of Appointment for Citizens Ad hoc Advisory Committees:

1. Work Force Development:

- Council Member Sonya Brown
- Sharon Ponds
- Staci Stuart
- Taneka Thomas
- Keena Williams
- Vivian Davis-KCC
- Ben Wallace-Marshall Opportunity High School

2. Recreation:

- Council Member Reid
- Larry Williams
- Jim Stewart

- Jaque Short
- Micah Doerksen
- Hazel Lias
- Forks Senior Center

3. Infrastructure

- Mayor Dave Atchison
- Johnny Dunklin Precinct #1
- Maurice Barry Precinct #2
- Al Smith Precinct #3
- Kelly Rice Precinct #4
- Robert Dunklin Precinct #5
- Andy French Precinct #6
- County Commissioner Gary Tompkins
- Kent Phillips

Comments were received from Council Members Spicer, Williamson and Clark.

Reid moved, Clark supported, CARRIED to Approve Appointment for Citizens Ad hoc Advisory Committees as presented. (6-0, vv)

XII. FUTURE AGENDA ITEMS

The following items were requested for the next agenda:

- Council Member Williamson asked for:
 1. An update on the City Manager Search
Mayor Atchison stated due to the application deadline; the update will be added to the August 5th agenda.
 2. Recreation Update from Recreation Director Larry Williams
- Council Member Spicer asked to have Rental Certification Committee Update on the August 5th agenda.
- Mayor Atchison requested the following items for the next agenda:
 1. At 6:00 p.m. on July 15th, Oaklawn will be providing a construction tour of facilities located at B Drive and Cram Dr.
 2. Presentation from Oaklawn Hospital of facilities located at B Drive & Cram Dr.
 3. Annual Audit Presentation

4. Tax Assessor on Taxation of Non-Profits
5. Presentation from Council Leads on Council Goals
6. Priorities for Incoming City Manager

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 Laurie Cranell, 113 W. Pine; Tom Hunsdorfer, 803 S. Superior St; John Dunklin, 1203 2nd St; Eric Tobin, 409 W. Ash; Juanita Solis-Kidder, 1211 Edwards; Calhoun County Commissioner Gary Tompkins and Council Members Williamson and Clark.

XIV. CITY MANAGER REPORT

Acting Assistant City Manager Snyder provided the following City Manager Report:

- A conference call was held last Tuesday with Karen Weiber, RRC Planner with MEDC to discuss City's status. The City is approaching the final stages of certification as we are currently only waiting on the completion of the zoning re-write and marketing strategy. The City received the proposed strategy from the Chamber on Thursday for review and then it will be sent to MEDC for approval.
- North Street Project Update-Last week they worked to complete the water main connections and should be completely finished today. Pulverizing of the road will begin Tuesday or Wednesday. Due to the holiday, the crews will be out working until 7 p.m. on Wednesday with no work being done on Thursday, July 4th. The project continues to move forward.
- Street Sweeper-The street sweeper was out all last week. DPW workers worked around the clock last week to get the streets swept and cleaned. The City was able to rent the sweeper from Belle Equipment for the week for \$4200.00, purchasing a brand-new sweeper is \$240,000. After last week, we will be able to determine how often the streets should be swept-quarterly, twice a year etc.
- DPW-Would like to highlight a few individuals in Public Services who have received new license certifications-Jay Loomis passed his D2, S2 and is now licensed to operate our water system. Mike Lohrke and Patrick Miller have both passed their D4, S4 water license and the C Wastewater license-both are studying for their B Wastewater license and their D2, S2 license.
- City Wide Cleanup will be held Saturday, July 27th from 9:00 a.m. to 3 p.m. at Harris & Ketchum fields. Electronics and tires can only be taken to Ketchum Field.
- Reminder-City Hall will be closed on Thursday, July 4th in observance of the holiday. Everyone have a safe 4th of July.

XV. MAYOR AND COUNCIL MEMBER'S COMMENTS

Comments were received from Council Members Reid and Lawler; Mayor Atchison and City Attorney Harkness.

XVI. EXCUSE ABSENT COUNCIL MEMBER (S)

Spicer moved, Clark supported, CARRIED, To Excuse Council Member Sonya Brown (3). (6-0, vv)

XVII. ROLL CALL

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

ABSENT: Sonya Brown (3) was absent.

XVIII. ADJOURNMENT

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

Mayor Atchison adjourned the Regular Session at 9:00 p.m.

Date

Jill Domingo
City Clerk