

City of Albion
City Council Meeting
September 5, 2017

I. Call To Order

Mayor Brown opened the regular session 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) and Andrew French (6) and Mayor Brown.

Staff Present: Sheryl Mitchell, City Manager; Cullen Harkness, City Attorney; Jill Domingo, City Clerk and Scott Kipp, Chief Public Safety

V. Mayor & Council Member's Comments

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

VI. Public Comments (Persons addressing the City Council shall limit their comments to **agenda items only** and to no more than three (3) minutes. Proper decorum is required.)

Comments were received from Mary Norton, 406 Fitch St.

VII. Consent Calendar (VV)

- A. Approval Regular Session Minutes – August 21, 2017
- B. Approval Special Session Minutes-August 23, 2017
- C. Approval Study Session Minutes-August 28, 2017

French moved, Brown supported, CARRIED, to approve the Consent as presented. (7-0, vv)

VIII. Items for Individual Discussion

- A. Request Approval 2nd Reading Ordinance # 2017-06, To Amend Ordinance 22-181 Sidewalk Cafes (RCV)

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

French moved, Spicer supported, CARRIED, To Approve 2nd Reading Ordinance # 2017-06, To Amend Ordinance 22-181 Sidewalk Cafes as presented. (7-0, rcv)

- B. Request Approval Resolution # 2017-35, Resolution of the City of Albion, Adopting the Finalized Calhoun County Hazard Mitigation Plan; Providing an Effective Date; and for Other Purposes (RCV)

Comments were received from City Manager Mitchell.

French moved, Brown supported, CARRIED, To Approve Resolution # 2017-35, Resolution of the City of Albion, Adopting the Finalized Calhoun County Hazard Mitigation Plan; Providing an Effective Date; and for Other Purposes as presented. (7-0, rcv)

- C. Request Approval Resolution # 2017-37, A Resolution to Approve Additional Wastewater Treatment Plant Improvements (RCV)

Comments were received from Council Members Alan Gelderloos, Fleis & Vandenbrink, Mayor Brown and City Manager Mitchell.

French moved, Barnes supported, CARRIED, To Approve Resolution # 2017-37, A Resolution to Approve Additional Wastewater Treatment Plant Improvements as presented. (7-0, rcv)

- D. Request Approval Resolution # 2017-38, A Resolution to Establish Historic District Study Committee (RCV)

Comments were received from Council Member French and City Manager Mitchell.

French moved, Spicer supported, Carried, To Approve Resolution # 2017-38, A Resolution to Establish Historic District Study Committee as presented. (7-0, rcv)

- E. Discussion-Nuisance Property Litigation

City Attorney Harkness stated we currently have three (3) properties that are being litigated. The update on each is as follows:

1521 N. Eaton St.-This is the old Ponderosa building. City Attorney Harkness has been contacted by the owner's attorney and they have agreed to demolish the building. This will take place either this month or next month and will be at no cost to the City.

702 N. Albion St.-A default judgment has been received and a show cause hearing has been set for 9-25-17. City Attorney Harkness will update the Council after the hearing.

608 Austin Avenue-A default judgment has been received and a show cause hearing completed. The court found the owner in contempt, issued a bench warrant for arrest and assessed a \$1,000 fine for attorney fees. The owner is currently living in Hawaii so this may pose more of a problem to collect.

Judgements are worded so they must either demolish the building or pay the City the cost to demolish up front.

Council Member Spicer asked for an update on the old Burger King property.

Comments were received from City Attorney Harkness who stated he believed the owner was in bankruptcy which creates a stay for any type of litigation and City Manager Mitchell who stated a purchase/reinvestment was being considered for the Burger King property however she believed that did not happen.

Additional comments were received from Council Member Barnes and Mayor Brown.

F. Discussion-Google Docs

Mayor Brown asked for the Google Suite agenda item stating that larger entities such as Albion College are using this for email, use of shared documents and for security purposes.

City Manager Mitchell asked specifically what tools or issues are we currently having problems with so we can deal with those issues.

Some problems that have occurred are as follows:

- Unable to open attachments
- Security issues
- Multiple devices by users
- Access to information/documents/Shared documents

Questions/Comments:

- Would like to have a survey of technology for all users
- Are we able to purchase Google Suite programs ala carte?
- We currently have Cloud access through Microsoft One Drive, could we try using that?
- Google Suite must be purchased in entirety-may not purchase individual components
- Would like a secure method of sharing documents
- How are documents currently being archived? *We currently save all documents to the server which is backed up each day by IT Right.*
- List of importance for Google Suite
 1. Email
 2. Google Drive
 3. Google docs

Mayor Brown asked City Manager Mitchell to provide a memo with pricing for Google Suites.

Comments were received from Council Members Brown, French and Spicer; Mayor Brown and City Manager Mitchell.

G. Discussion-Black Foot Print of Albion

1. 600 Austin Avenue
2. Albion Housing
3. Double Vision
4. Albion Malleable Iron Site

Council Member Barnes stated he would like sustainability of the people, culture and heritage in Albion.

1. **Albion Malleable Iron Site**-He spoke with Krista Trout-Edwards, Executive Director of the Calhoun County Land Bank with the idea of approaching the federal government through the Albion Economic Development to help with clean-up of the Albion Malleable Iron Site. This would create a marketable area that is shovel ready for potential investors. The property is currently owned by the Calhoun County Land Bank. Albion needs a manufacturing plant to create jobs for those not on a college/technical school path.
2. **600 Austin Avenue**-This area is a historical black district that once was a viable business district. We need to create sustainability for this area.
3. **Albion Housing**-Would like to see new housing units to replace the older existing units. The government is moving towards privatization which may make less affordable and may displace many of the residents. Council Member Barnes encourages Council members and residents to contact legislators to stop privatization of public housing. He would also like to see a new senior/retirement location.
4. **Double Vision**
 - Must make use of the building or Council may need to review 501C-3 status.
 - Need collaboration with the City and the community
 - At risk youth need something to do
 - Double Vision has certified programs
 - Double Vision works toward helping the at risk youth in Albion
 - They have a diverse program
 - City may provide in-kind service
 - Must put personalities and opinions aside and work together

Comments were received from Council Member Brown who stated she agreed with most of Council Member Barnes comments. She feels the three most important issues for residents are 1. Jobs 2. Health Care 3. Education

Additional comments were received from Council Member Lawler who stated that although the building is not being utilized at the time, Double Vision is out working in the community and has two upcoming fundraisers.

H. Discussion=Delinquent Trash Bills

Council Member Lawler stated she was contacted by a resident regarding a neighbor that does not have trash service and asked the following questions.

- Have delinquent notices been mailed?
- How are we enforcing the trash ordinance?
- Will the two Community Police Officers be helping with Code Enforcement for trash?

City Manager Mitchell replied the City received a list of approximately 180 residents whose trash service was terminated for nonpayment. As required by Ordinance, letters from the City Manager were sent out advising that if service was not re-established within 10 days, they would be subject to being cited and fined \$50 per day. Granger has tried working with residents in regard to payment. We have received a positive response to letters in terms of payment. We have not received notification of acceptance for the two Community Police Officers grant. The following is the trash billing process.

GRANGER Trash Service Billing Process

- Granger sends an invoice to resident/property owner quarterly.
- If there is nonpayment, Granger sends a postcard reminder at 30 days stating that service will be shut off if nonpayment extends to 60 days.
- Granger sends a second invoice to resident/property owner.
- At 60 days past due, Granger sends a “service alert” postcard warning that a stop in service will occur if payment is not received.
- Granger sends the City Manager’s Office a monthly report of nonpaying residents/property owners.
- City Manager sends a “final warning letter” to nonpaying resident/property owner.
- Resident/property owner has 10 days from the date of the City Manager’s warning letter to restore service or fines will be assessed.
- If service is not restored, Code Enforcement or ADPS are notified to write citations.
 - A. Usually, given 10 days to respond to the citation. Residents choices are:
 1. Do nothing: Default judgment for the fines
 2. Pay the ticket (fine)
 3. Contest the ticket: Have a hearing in front of the judge

Resume Trash Services: Granger will send notification to City Manager

Additional comments were received from Council Members Barnes, Brown and Reid and Mayor Brown.

IX. City Manager Report

City Manager Mitchell reported the following:

At the 8/21/17 Council Meeting, responses were requested to several inquiries from residents.

Washington/Gardner Zoning – staff has been in ongoing discussions with Albion College regarding proceeding with a rezoning request that best fits the future uses of the building.

Bag on fire hydrant – Dept. of Public Services is working on a repair to the fire hydrant that will have the least disruption in water service for area residents.

Streets – as part of the budget process each year, City Council approves the projects and funding for street improvements and sidewalk repairs/installation. City of Albion residents voted to renew a levy of three mills (\$3.00 per \$1,000.00) on taxable value of property located in the City of Albion for five years beginning with the 2016 tax levy year and running through the 2020 tax levy year (inclusive), which was estimated to raise annual revenue of \$282,000 each year.

City of Albion Street Project Summary

The following information has been collected from files within the archives of the Department of Public Services by Jim Lenardson, Public Services Director.

The summary consists of 2003-2016 project years and is separated by Precinct and the total dollar amount of expenditure.

Precinct # 1. - \$ 1, 055, 300.00	2003, 2005, 2007, 2010, 2011.
Precinct # 2. - \$ 1, 516, 183.00	2003, 2005, 2008, 2013, 2015.
Precinct # 3. - \$ 922, 350.00	2005, 2010, 2013, 2015.
Precinct # 4. - \$ 850, 333.00	2003, 2007, 2011, 2014.
Precinct # 5. - \$ 881, 411.00	2008, 2010, 2011, 2016.
Precinct # 6. - \$ 737, 443.00	2003, 2006, 2014.

There were not any street projects completed in years 2004, 2009, 2012. My suspicion is that funding was not available during this timeframe or that reserves were being saved for future projects.

In total from 2003-2016 there has been \$ 5,963,020.00 spent on road repair and replacement.

The 2003-2016 average is \$ 542,093.00 which includes all years with expenditures.

Given the recent increase in Act 51 monies that are allocated to municipalities, it is hoped that we will see increased revenue for street repairs and replacements as well as budgeting for continued maintenance of existing streets.

Respectfully Submitted,

Jim Lenardson, Director of Public Services

Council Member French asked for the number of miles in each precinct.

Sidewalks - In 2008, a ten (10) year special assessment was enacted to address sidewalk repairs and maintenance. The program is funded by a fixed per parcel assessment of \$50.00 annually that generates approximately \$150,000 per year. Council will need to determine going forward, if there will be a sidewalk assessment program.

Board of Review – If a property owner disagrees with a July or December Board of Review decision they may appeal to the Michigan Tax Tribunal within 35 days of the date of the BOR. For the 2017, the deadline to appeal was August 17, 2017.

Consumer’s Energy Tree Planting Grant – VISTA Team Members Lauren Freeman and Andrew Texel, working closely with the Tree Committee, drafted a grant application for trees to plant along the Albion River Trail property.

MDOT – I-94 Interchange – Staff met with representatives from MDOT regarding possible options for signage, lighting and beautification of the I-94 exchange at Eaton. They offer an “Adopt a Landscape” program, which is volunteer based and requires a MDOT permit, safety assurances and a 1-year commitment. TAP-Gateway Grants are a possible option, as part of a Wayfinding Project. Another option is MDOT-Category A funding, if the project is related to attracting or retaining jobs. All of these options will be investigated further.

Bridge Funding - for the Albion Street Bridge and Haven Street Bridge, staff will be looking into the Critical Bridge Fund. This is a competitive state-wide grant.

Annual Employee Picnic- a great time was had by all of the employees who attended the event at Victory Park on Friday, August 25th. They expressed their appreciation to the Attorney Harkness, Mayor and Council for their generosity.

Community Clean Up -Recycling Day – Held on July 22nd. Council approved up to \$2,000 towards the electronic recycling. The invoice was submitted in the amount of \$1,780.

Granger – Non-payments – Notices were sent out starting Aug. 21st, to residents who have experienced a cancellation of services for non-payment. Residents will be given 10 days to re-establish service or be assessed fines in accordance with the ordinance (\$50 per day).

Representative John Bizon – has requested to hold his in-district office hours in City Hall on the 3rd Friday of each month from 9am – 10am. The upcoming dates are: Sept. 15, Oct. 20, Nov. 17, Dec. 15.

The Festival of the Forks has 2 scheduled parades on Saturday, Sept. 16th. Please let the City Manager or City Clerk know if you are planning to attend either or both parades, so that we can supply your names to the parade announcer.

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

X. Future Agenda Items

- Mayor Brown asked for a Special Meeting/Closed Session for the City Manager's evaluation to be held on Tuesday, September 26, 2017 at 7:00 p.m.
- City Attorney Harkness asked for an amendment to Ordinance for Minors in Possession to comply with state law be added to the first or second meeting in October
- Council Member Brown asked for an update on Dalrymple property be added to the next agenda.

Comments were received from Council Member French and Barnes.

XI. Motion to Excuse Absent Council Member (s) (VV)

No action was necessary as all members were present.

XII. 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 Wayne Arnold, 906 Hall St; Polly Wilson, 606 W. Erie St; Brian Howe, 213 W. Erie St; Marcus Trammel, 707 N. Berrien St; Lonnie Brewer, 1200 Hillside; Donnie Brewer, 918 N. Clinton St; Dennis Tomlin, 313 Irwin Avenue; Council Members Brown and Barnes; Mayor Brown and City Attorney Harkness.

XIII. Adjournment

Brown moved, Spicer supported, CARRIED, to adjourn council session. (7-0 vv)

Mayor Brown adjourned the meeting at 8:55 p.m.

Date

Jill Domingo
City Clerk