

City of Albion
City Council Meeting
September 18, 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) and Andrew French (6) and Mayor Brown. Jeanette Spicer (5) was absent.

ABSENT: Jeanette Spicer (5)

Staff Present: Sheryl Mitchell, City Manager; Cullen Harkness, City Attorney; Jill Domingo, City Clerk ; Jim Lenardson, Director Public Services; Scott Kipp, Chief Public Safety; Stacey Levin, Assistant City Manager and John Tracy, Director Planning, Building & Code Enforcement.

V. CLOSED SESSION-The City Manager requests a Closed Session under the Open Meetings Act (Section 15.268 (c), P.A. 267 of 1976, as amended) for strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement when either negotiating party requests a closed hearing.

French moved, Lawler supported, CARRIED, to adjourn to Closed Session. (6-0, rcv)

Mayor Brown adjourned to Closed Session at 6:02 p.m.

Mayor Brown re-adjourned the regular Council Meeting at 7:00 p.m.

VI. 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.

VII. Mayor & Council Member's Comments

Comments were received from Council Members Barnes, Brown, Lawler, Spicer and French; Mayor Brown, Scott Kipp, Chief Public Safety and Stacey Levin, Assistant City Manager.

VIII. PUBLIC HEARING

A. Vacating an Alley & Easements and Sale of Property in Block 52, W. Ash St.,
Parcels # 51-001-092-10 and 51-001-092-20 to Albion Malleable Brewing

Mayor Brown opened the Public Hearing at 7:10 p.m.

Comments were received from:

Ben Wade, 600 E. Erie St. who stated he was co-owner of Albion Malleable Brewing Company and they were purchasing this piece of property for mechanical space to place equipment and contingent plans. They would like to add an entrance on the south side of the building on Ash St.

Daniel Farmer, 1101 Wiener Dr who expressed concern for safety if flammables would be stored in this area.

Mayor Brown closed the Public Hearing at 7:14 p.m.

Council Comments were as follows:

- Will there be a wall around the outside seating area?
- Additional proposals for the outside seating area will be proposed at a later date.
- Once the outdoor seating area has been established, an amendment will need to be done to the Sidewalk Café Ordinance.
- What will need to be changed in the ordinance? *The definition section of the ordinance will need to be changed to allow for permanent fixtures.*
- Is this the first time the City has sold a sidewalk?
- Currently the sidewalk is tight against the building, they would like to move the sidewalk out closer to the street to allow for improvements
- The outdoor seating design has not yet been completed.
- Was a lease considered versus a sale of the sidewalk and easement? *The City may have the property owners carry liability insurance with the City being named as an additional insured, however the City may still be liable if there were a lawsuit.*
- If the property were sold or went out of business, would the sidewalk and easement revert back to the City? *The City would have first right of refusal.*
- All legal basis have been covered for the sale of the property.
- The City owned parking lot behind the brewery will be re-graded the 1st of next year.

Comments were received from Council Members Brown, Spicer and Barnes; City Manager Mitchell; City Attorney Harkness and Ben Wade, Co-Owner Albion Malleable Brewing.

B. Request Approval of Vacating an Alley & Easements and Sale of Property in Block 52, W. Ash St., Parcel # 51-001-092-10 & 51-001-092-20 to Albion Malleable Brewing (RCV)

1. Approval of Buy and Sell Agreement-Alley
2. Approval of Buy and Sell Agreement-Sidewalk
3. Approval of Easement Agreement-Alley
4. Approval of Easement Agreement-Sidewalk
5. Right of First Refusal-Alley
6. Right of First Refusal-Sidewalk

French moved, Barnes supported, CARRIED, Approve Vacating an Alley & Easements and Sale of Property in Block 52, W. Ash St., Parcel # 51-001-092-10 & 51-001-092-20 to Albion Malleable Brewing as presented. (7-0, rcv)

IX. PRESENTATIONS

A. Oath of Office-PSO Officer Tiffany Bruckner

Chief Scott Kipp introduced new Public Safety Officer Tiffany Bruckner.

Clerk Domingo gave oath of office to PSO Officer Tiffany Bruckner.

X. 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 Eric Tobin, 409 W. Ash St; Jess Roberts, 915 S. Superior St and Mayor Brown.

XI. Consent Calendar (VV)

- A. Approval Study Session Minutes – August 31, 2017
- B. Approval Regular Session Minutes-September 5, 2017
- C. Approval of Assembly Permit & Sound Amplification for Morgan Leadbetter, Kappa Alpha Theta's for a Kickball Tournament at Victory Park Ballfields on September 30, 2017 from 9:30 a.m. – 7:00 p.m.
- D. Approval of Assembly Permit & Sound Amplification for St. John Parish use of Victory Park Large Pavilion for Mass & Picnic Lunch on September 24, 2017 from 9:00 a.m.- 5:00 p.m.
- E. Approval of Assembly Permit for The Big Read for use of Holland Park on September 30, 2017 from 8:00 a.m. -6:00 p.m.

Comments were received from Council Member French and Mayor Brown.

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

XII. Items for Individual Discussion

A. Request Approval Tentative Agreement for Albion Clerical Alliance (ACA) (RCV)

Comments were received from Mayor Brown and City Manager Mitchell.

French moved, Barnes supported, CARRIED, To Approve Tentative Agreement for Albion Clerical Alliance (ACA) as presented. (7-0, rcv)

B. Request Approval for Discharge of Mortgage (RCV)

Comments were received from Council Member Spicer, Mayor Brown and City Manager Mitchell.

French moved, Brown supported, CARRIED, To Approve Discharge of Mortgage as presented. (7-0, rcv)

C. Discussion-Quote for Repair at Rieger Park

City Manager Mitchell stated this is an informational item in reference to the swimming hole at Rieger Park.

Jim Lenardson, Director of Public Services stated the quote from Concord Excavating is for installation of two (2) new pipes and valves. This would be the most viable and economic proposal to fix the problem and would also allow the City to remove excess water from the third (3rd) pond. He would suggest waiting until next year as making this a capital improvement project. This would allow for a RFP and to be able to solicit bids.

Questions from Council were as follows:

- Can this be made back into a skating pond?
- What is the status of the artesian spring? *It is still there and functioning.*
- Is there any sort of aeration device for the skating pond?

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

XIII. City Manager Report

City Manager Mitchell reported the following:

- The Department of Public Services has been busy with both the 2017 Local Streets Project and the MDOT Superior St. reconstruction.
- Cass St. has had a section of storm sewer repaired and a new catch basin installed which will now allow for drainage to occur in a historically problematic spot.
- The base and top coats (asphalt) have been applied and curb and gutter/sidewalk has been completed along with new street lighting along Cass Street (thanks to our friends at Albion College).
- Ford Rd. has had curb/gutter and sidewalk repaired where needed and the basecoat has been applied to both streets.
- The railing on the ramp has been repaired and repainted in the rear of City Hall and new LED lighting has been installed, thanks to the Street Unit and Albion Electric.

- There has been an additional coat of paint added to the front steps to include “safety yellow” paint in an effort to enhance visual recognition.
- Work continues with Wightman and Associates towards the completion of the USDA-RD Loan/Grant application for water tower restoration and much needed water main replacement.
- An Asset Management Plan has been submitted and approved by the Michigan Department of Environmental Quality for the Wastewater Facility.
- Most recently, there has been a concerted effort to prepare the downtown area for the Festival of the Forks, with mowing, weed-eating, street sweeping, flag placement, sidewalk trip hazard mitigation as well as several other beautification activities.
- At the Wastewater Facility, work continues towards the completion of the equipment installation with the influent pumps being placed in service, one clarifier sludge pump operational and progression towards the completion of the clarifier mechanical equipment which is scheduled for delivery in September with construction to follow.
- Work to begin on preparing the 2018 budget.
- Normal maintenance activities and duties by all City units has been ongoing throughout the summer.
- Special thanks to Scott Kipp, Chief Public Safety and Stacey Levin, Assistant City Manager for their help in preparing for the Festival. Also a special thanks to Deputy Chief Jason Kern who created the parade map.
- Met with Courtyard Marriott Management and the City will be working with them and Michigan Works to set up a job fair.
- Albion Public Safety will have their 7th Annual Chili Cook-Off on October 27th, 2017 from 5:00 p.m. to 7:00 p.m. at the Fire station.

Comments were received from Council Members Brown, French and Barnes and Director of Public Services Lenardson.

XIV. Future Agenda Items

- Council Member Lawler asked for a discussion item on the City providing in-kind service to Double Vision be added to the next agenda.
- Council Member Brown asked for: 1) an update on the Dalrymple property be added to the next agenda and 2) an EDC update.
- Council Member French asked for 1) a discussion on budget dates/times be added to the next agenda and 2) Approval of Council Rules of Procedures.
- City Attorney Harkness asked for an amendment to Ordinance for Minor in Possession be added to the next agenda.

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

No action was necessary as all members were present.

XVI. 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 Chad Baase, 1021 Burr Oak St; Jim Lenardson, Director of Public Services; Erika Flores, 105 S. Clark St; Daniel Farmer, 1101 Wiener Dr; Eric Tobin, 409 W. Ash St; Brian Howe, 213 W. Erie St; Mary Norton, 406 Fitch St, Andrew Trexel, 1112 E. Porter St and Council Members Barnes and Lawler.

XVII. Adjournment

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

Mayor Brown adjourned the meeting at 8:15 p.m.

Date

Jill Domingo
City Clerk