

City of Albion
Council Session Minutes
January 7, 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: Lenn Reid (2), Sonya Brown (3), Marcola Lawler (4), Jeanette Spicer (5), Shane Williamson (6) and Mayor Atchison.

ABSENT: All members were present

STAFF PRESENT:

LaTonya Rufus, City Manager; Scott Kipp, Chief Public Safety; Cullen Harkness, City Attorney, Jill Domingo, City Clerk; Kent Phillips, Interim Director Public Services; John Tracy, Director Planning, Building & Code Enforcement and Haley Snyder, Deputy Clerk Treasurer.

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

Williamson moved, Brown supported, CARRIED, to Approve the Agenda as presented. (6-0, vv)

VI. PRESENTATIONS

A. Project Rising Tide Update-Linda LaNoue

Linda LaNoue, Community Development Fellow gave the following update on Project Rising Tide:

- The top five (5) priorities for Project Rising Tide are:
 1. Housing
 2. Health
 3. Infrastructure
 4. Post Industrial Sites
 5. Workforce Development

- Also need to consider focus on transportation, childcare and communication
- Need to be creative with limited resources
- Create asset mapping

Comments were received from Council Member Lawler.

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 O'Neil Warnsley, 1213 Second St.

IX. CLOSED SESSION-None

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

A. Approval of Regular Session Minutes, December 17, 2018

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

XI. ITEMS FOR INDIVIDUAL DISCUSSION

A. Request Approval 1st Reading Ordinance # 2019-01, An Ordinance to Add Chapter 37 Emergency Services Cost Recovery

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

Council Member Reid made a motion to postpone Ordinance # 2019-01, An Ordinance to Add Chapter 37 Emergency Cost Services Recovery until a later date and with additional information of how much historically in the past two (2) years the City would receive in revenue.

Council Member Brown made a friendly amendment to Council Member Reid's motion to also add a proposed revision to Item 37-2 (h).

Reid moved, Williamson supported, CARRIED, To **POSTPONE** 1st Reading Ordinance # 2019-01, An Ordinance to Add Chapter 37 Emergency Services Cost Recovery until a later date with additional information of how much

historically in the past two (2) years the City would receive in revenue and with a proposed revision to Item 37-2 (h) of the Ordinance. (6-0, rcv)

B. Discussion/Approval 1st Reading Ordinance # 2019-02, An Ordinance to Prohibit Marihuana Establishments and Create Article VI of Chapter 22 of the Albion Code of Ordinances

Comments were received from Council Members Williamson, Brown and Spicer; City Attorney Harkness and Mayor Atchison.

Council Member Williamson asked to add a sunseting provision to expire 60 days after State regulations are put in place.

**Council Member Brown asked for Point of Order as the motion needs a second before discussion can continue.*

City Attorney Harkness does not recommend a sunseting provision.

Williamson moved, Brown supported, **FAILED**, to add a sunseting provision to expire 60 days after State regulations are put in place. (2-4, rcv) (Brown, Spicer, Reid and Atchison dissenting.)

Spicer moved, Lawler supported, CARRIED, To Approve 1st Reading Ordinance # 2019-02, An Ordinance to Prohibit Marihuana Establishments and Create Article VI of Chapter 22 of the Albion Code of Ordinances as presented. (6-0, rcv)

C. Discussion-Process for Precinct 1 Applications

Mayor Atchison stated during the weekly meeting with the City Manager and City Attorney Harkness the process for Precinct 1 applications was discussed as follows:

- Applications are available on the City's website and also in the Clerk's Office with a deadline of 5:00 p.m. on January 16, 2019
- Must be a resident of the City for one (1) year
- Must be a resident of Precinct 1 for thirty (30) days and be a registered voter in the precinct
- Must be 18 years of age
- Not in default to the City
- Upon receipt of application, the Clerk will complete background checks and check default status of the applicant
- Applicants meeting the above criteria will be invited to come before the Council at the January 22nd meeting to make a public statement and answer questions from Council

- All questions from the Council should be sent to the City Manager and City Attorney by January 16th, 2019
- Questions received from the Council and applications will be placed in the January 22nd, 2019 Council packets
- Each candidate will be interviewed one at a time
- A vote of the Council will be taken at either the January 22nd, 2019 or the February 4th, 2019 meeting to fill Council 1 precinct seat.

Council Member Brown asked for the January 22nd, 2019 meeting begin at 6:00 p.m. if the Council receives several applications.

Mayor Atchison stated if more than three (3) applications are received, the meeting would start at 6:00 p.m.

Additional comments were received from Council Members Spicer and Lawler; City Attorney Harkness and City Manager Rufus.

D. Discussion/Amendment to Ordinance # 95-3, Section 2-384, Purchases and Bids Generally

City Manager Rufus stated that Ordinance #95-3, Section 2-384, Purchases and Bids Generally stated that approval for all bills over \$5,000 whether budgeted or non-budgeted items must come to the Council for approval.

City Attorney Harkness stated he would suggest if an item is already approved in the budget that it would not need Council approval but they would be informed if above the set amount. The amount can be determined by Council.

Council Member Brown asked is this was in the Charter. City Attorney Harkness stated there was nothing in the Charter pertaining to the approval amount.

Mayor Atchison asked if there was a difference between paying a bill and entering into a contract.

City Attorney Harkness stated entering into a new contract does need Council approval. Paying the bill is for a contract that was already awarded.

Council Member Williamson would like to lift the cap on budgeted expenses.

Additional comments were received from Council Member Reid and City Manager Rufus.

E. Request Approval of Bills:

- Wightman-\$13,623.98
- Wightman-\$13,366.25
- Calhoun County Dispatch-\$23,739.55

Comments were received from City Manager Rufus and Mayor Atchison.

Spicer moved, Williamson supported, CARRIED to Approve Bills as presented. (6-0, rcv)

F. Discussion-City Manager Goals

Mayor Atchison stated the initial 6-month City Manager goals were approved by the Council on November 19th, 2018. He asked to add three (3) additional goals as follows:

1. **Advance Professional City Governance in accordance with the International City Manager Association (ICMA) Code of Ethics (refer to Section 23 of employment contract)**
 - Model positive leadership
 - Demonstrates high standards of ethical conduct and integrity
 - Provide exemplary supervision of city employees in a consistent and impartial manner
 - Exhibit composure, good judgement and a capacity for innovation and creativity appropriate for the Chief Administrative Officer
2. **Ensure Sound Fiscal Management**
 - Prepare a sustainable 2019 budget which provides improved services to the community
 - Make best possible use of available funds to operate City efficiently and effectively
 - Monitor and manage fiscal activities of the City to stay within approved budget
3. **Enhance Community Relations**
 - Improve community satisfaction with city services
 - Increase the city's responsiveness to citizens inquiries and requests
 - Avoid unnecessary controversy
 - Increase collaboration with city boards, commissions and other municipalities, county, state and federal agencies

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

G. Discussion-MML Training Opportunities for City Council

City Manager Rufus provided the MML schedule of MML training events in the Council packet and also reached out to Attorney Scott Smith to come and do

a shorter version of his previous training on City Manager form of government.

Comments were received from Council Member Brown and Mayor Atchison.

H. Request Approval for Boards & Commissions Appointments & Reappointments

- Nidia Wolf, DDA, Reappointment, Term to Expire 12-31-2022
- Joyce Washington, Albion Housing Commission, Reappointment, Term to Expire 12-31-2023

Comments were received from City Attorney Harkness who stated the Albion Housing Commission appointment needed to be remove and this is an appointment by the Mayor and does not need Council approval.

Additional comments were received Council Member Brown.

Reid moved, Atchison supported, **FAILED**, To Approve Nidia Wolf, DDA, Reappointment, Term to Expire 12-31-2022 as presented. (3-3, rcv) (Brown, Lawler & Spicer dissented).

XII. Future Agenda Items

The following items were requested for the next agenda:

- Council Member Brown asked for Revision to Ordinance # 2019-02, An Ordinance to Prohibit Marihuana Establishments and Create Article VI of Chapter 22 of the Albion Code of Ordinances
- Council Member Reid asked for the following:
 1. Review of the 2019 fee schedule
 2. Lateness of receiving the packets
 3. Improvement to cleaning up the branches around the City
 4. City clean-up
 5. Information center pertaining to services offered in the City
 6. Discussion of a grant writer
- Council Member Brown asked for a resolution supporting Liberty Memorial in D.C.
- Council Member Spicer asked for schedule of implementing sewer rates. *City Manager Rufus stated the City needed to complete the water study so the increase in water and sewer rates would be implemented at the same time.*
- Council Member Lawler asked for a discussion on community engagement reports from the Mayor
- Mayor Atchison asked for the following:

1. Discussion/adoption of additional City Manager goals
2. Presentation from Richard Lindsay on Oaklawn's After Hours Clinic

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 Staci Stuart, 205 W. Oak St; David Abbott, 412 S. Clinton St; Calhoun County Commissioner Gary Tompkins and LaVada Weeks, 917 Luther Drive.

XIV. CITY MANAGER REPORT

City Manager Rufus gave the following report:

- **MML Training**-Council has requested information regarding MML Training. Enclosed in the Council packets are dates and locations for upcoming training activities from MML.
- **Meeting with the Mayor**-On Wednesday, January 2, 2019, Attorney Harkness and City Manager Rufus met with the Mayor to discuss agenda items and provide updates on local projects and activities.
- **North Street Project**-N. Eaton Street to Burr Oak Street
Scope-Reconstruct E. North St. from N. Eaton Street (BL-94) to Burr Oak Street. This project includes some curb replacement in the western two blocks, full replacement of the pavement section (sand subbase, gravel and asphalt), ADA ramp upgrades, water main replacement at three cross streets (N. Berrien Street, Maple Street and Burr Oak Street), and concrete driveway approaches where they don't currently exist. The water main replacements are included to facilitate a future water main project. This project includes federal funds and will be administered through MDOT Local Agency Programs.
Contractor: TBD
Funding: \$375,000 from STP (Surface Transportation Program)-Urban +\$755,000 from City (including \$125,000 from the water fund) + contingent from City.
Schedule:

Grade inspection with MDOT	10-18-18
Final package submittal to MDOT	12-21-18
MDOT Bid Letting	3-1-19
Construction	4/9 – 8-30-19

Status: The final design package was submitted to MDOT on 12-21-18. The drat package has been reviewed and final comments were submitted to MDOT on 1-4-19. The project is on schedule to achieve the March 1, 2019 MDOT Letting.
- **Project Rising Tide**-On Friday, January 4, 2019-Haley Snyder, Deputy Clerk/Treasurer and City Manager Rufus in conjunction with Linda LaNoue, Project Rising Tide Fellow met with MEDC and the consultant from Beckett

& Raeder, Inc. to discuss the project, the goals of the PRT and the direction of the steering committee.

- **Bridging the Gap between Community and Government** Press Release- The first meeting will be held on January 16, 2019 from 6pm-9pm at the Marshall Opportunity High School located at 225 E. Watson St, Albion, MI 49224.
- **Great Job Albion Department of Public Safety**-On Friday, January 4, 2019-ADPS received a call regarding an armed gunman. Due to the strategic and tactical work of ADPS, the suspect was apprehended and there were no casualties and all of the ADPS officers and surrounding units were safe. City Manager Rufus would like to commend Chief Kipp and Deputy Chief Jason Kern for their continued hard work and leadership.

Comments were received from Mayor Atchison who asked if the City Manager report could be provided in the Council packets.

XV. MAYOR AND COUNCIL MEMBER'S COMMENTS

Comments were received from Council Members Reid, Brown, Lawler and Williamson and Mayor Atchison.

XVI. Motion to Excuse Absent Council Member (s)

No action was necessary as all members were present.

XVII. ROLL CALL

PRESENT: Lenn Reid (2), Sonya Brown (3), Marcola Lawler (4), Jeanette Spicer (5), Shane Williamson (6) and Mayor Atchison.

ABSENT: All members were present.

XVIII. ADJOURNMENT

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

Mayor Atchison adjourned the Regular Session at 9:17 p.m.

Date

Jill Domingo
City Clerk