



# CITY OF ALBION CITY COUNCIL MEETING AGENDA

Meetings: First and Third Mondays – 7:00 p.m.

City Council Chambers ♦ Second Floor ♦ 112 West Cass Street ♦ Albion, MI 49224

## AGENDA

COUNCIL-MANAGER  
GOVERNMENT

Council members and  
other officials normally in  
attendance.

### **SPECIAL MEETING-COUNCIL CHAMBERS**

**Thursday, March 16, 2017**

**7:00 p.m.**

**Garrett Brown**  
Mayor

**Maurice Barnes, Jr.**  
Council Member  
1<sup>st</sup> Precinct

**Lenn Reid**  
Council Member  
2<sup>nd</sup> Precinct

**Sonya Brown**  
Mayor Pro Tem  
Council Member  
3<sup>rd</sup> Precinct

**Marcola Lawler**  
Council Member  
4<sup>th</sup> Precinct

**Jeanette Spicer**  
Council Member  
5<sup>th</sup> Precinct

**Andrew French**  
Council Member  
6<sup>th</sup> Precinct

**Sheryl L. Mitchell**  
City Manager

**The Harkness Law Firm**  
Atty Cullen Harkness

**Jill Domingo**  
City Clerk

### **PLEASE TURN OFF CELL PHONES DURING MEETING**

- I. CALL TO ORDER
- II. ROLL CALL
- III. 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.)
- IV. ITEMS FOR INDIVIDUAL DISCUSSION
  - A. Discussion/Approval Meetings of the Council - Agenda Protocol (RCV) (Charter Section 5.6(m).
  - B. Discussion Restrictions on Powers of the Council (Charter Section 5.8)
- V. PUBLIC COMMENTS (Persons addressing the City Council shall limit their comments to no more than three (3) minutes. Proper decorum is required.)
- VI. ADJOURN

NOTICE FOR PERSONS WITH  
HEARING IMPAIRMENTS  
WHO REQUIRE THE USE OF A  
PORTABLE LISTENING DEVICE

Please contact the City  
Clerk's office at  
517.629.5535 and a listening  
device will be provided  
upon notification. If you  
require a signer, please  
notify City Hall at least five  
(5) days prior to the posted  
meeting time.

Sec. 5.6. - Meetings of the council.

- (m) The clerk shall prepare an agenda of the business to be considered at each regular council meeting. No business shall be considered by the council, unless placed upon the agenda for the meeting not later than 12:00 noon, on the day of the meeting, except upon the approval of five (5) or more members of the council.

**State law reference**— Mandatory that charter provide for public meetings, MCL 117.3(1); open meetings act, MCL 15.261 et seq.; mandatory that charter provide for keeping of journal of council sessions, MCL 117.3(m); minutes of meetings required, MCL 15.269.

Sec. 5.8. - Restrictions on powers of the council.

- (a) The council members shall not individually direct the appointment or removal of any administrative officer or employee of the city and shall deal with the administrative service of the city only through the city manager, as to officers and employees made responsible to him.

(b)

(Res. No. 98-49, 8-17-98)

## Jill Domingo

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**From:** Maurice Barnes <mauricebarnes477@yahoo.com>  
**Sent:** Thursday, March 09, 2017 2:44 PM  
**To:** Precinct1; Precinct2; Precinct3; Precinct4; Precinct5; Precinct6; Garrett Brown External; Maurice Barnes External  
**Cc:** Sheryl Mitchell; Cullen Harkness; Jill Domingo  
**Subject:** Re: Request from Council Member Barnes

Chairman and Council,

Here's more language for your review:

Sec. 5.8. – Restrictions on powers of the council.

(a) The council members shall not individually direct the appointment or removal of any administrative officer or employee of the city and shall deal with the administrative service of the city only through the city manager, as to officers and employees made responsible to him.

(b) There shall be no standing committees of the council.

(Res. No. 98-49, 8-17-98)

" We cannot control life's difficult moments but we can choose to make life less difficult. We cannot control the negative atmosphere of the world, but we can control the atmosphere of our minds. Too often we try to choose and control things we cannot. Too seldom we choose to control what we can -- our attitude." Councilman Barnes

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On Thu, 3/9/17, Maurice Barnes <mauricebarnes477@yahoo.com> wrote:

Subject: Re: Request from Council Member Barnes

To: "Precinct1" <Precinct1@cityofalbionmi.gov>, "Precinct2" <Precinct2@cityofalbionmi.gov>, "Precinct3" <Precinct3@cityofalbionmi.gov>, "Precinct4" <Precinct4@cityofalbionmi.gov>, "Precinct5" <ckrause@hotmail.com>, "Precinct6" <Precinct6@cityofalbionmi.gov>, "Garrett Brown" <gqbrown09@gmail.com>

Cc: "Sheryl Mitchell" <smitchell@cityofalbionmi.gov>, "Cullen Harkness" <cullen@harknesslawpllc.com>, "Jill Domingo" <jadomingo@cityofalbionmi.gov>

Date: Thursday, March 9, 2017, 1:28 PM

Chairman and Council,

We, as a council, work as a collective body, per the Albion City Charter. A City Manager type government, not Mayor-Council type of government.

City of Albion, Michigan

Chapter 5(l) Council shall determine its own rules and order of business...

Chapter 5(m) The clerk shall prepare an agenda of business to be considered at each regular council meeting.

(notice this gap...what, when, where and how are missing from the who (clerk) and why (business)).

No business shall be considered by the council, unless placed upon the agenda for the meeting not later than 12:00 noon, except upon the approval of (5) or more members of the council.

Special Meeting 5(b)Clerk on the written request... Mayor or 2 or more members.

With this being noted.

The placement (rules) of Regular Meeting Agenda Items (policy and procedure) are the hallmark of the meeting. We are an active body right now and making actionable decisions right now. The appropriate time is now due to the previously action taken by some council members. To give directives to city employees concerning the agenda items to be placed on the agenda. Thus to have clarity for all council members, it is necessary to discuss steps of format, selection, amendments and procedure.

Duties of Council are to create policy, procedures and financial sustainability. Not to give city employees directives. Council works through (gives directives) to the City Manager who follows through to the employees.

Requesting legal opinions, written or oral from the City Attorney are under the authority of council. Directives to city employees through the City Attorney are not.

Council is a non-partisan body, all votes in the end...are one vote.

PLEASE DO NOT RESPOND AS A COLLECTIVE BODY. THIS IS NOT AN ACTION TO HAVE GROUP E-MAIL DISCUSSION.

INFORMATIVE ONLY!

I will be requesting and seeking a Special Meeting to collectively remedy our gap in the agenda process (solution focused).

Respectfully submitted,

Councilman Maurice V. Barnes, Jr.

Precinct #1