



# 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

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## COUNCIL-MANAGER GOVERNMENT

Council members and  
other officials normally in  
attendance.

## AGENDA

### COUNCIL MEETING Monday, October 15, 2018

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

**LaTonya Rufus**  
City Manager

**The Harkness Law Firm**  
Atty Cullen Harkness

**Jill Domingo**  
City Clerk

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.

### PLEASE TURN OFF CELL PHONES DURING MEETING

- I. CALL TO ORDER
- II. MOMENT OF SILENCE TO BE OBSERVED
- III. PLEDGE OF ALLEGIANCE
- IV. ROLL CALL
- V. PRESENTATIONS
  - A. Red Ribbon Week-Harry Bonner Sr.
- VI. PUBLIC HEARINGS- Abandonment of the Right-of-Way located at ALBION CITY, WARNER & CHURCH ADDITIONAL LOT 3. BLK 91. VACATED S END OF S ANN ST; COM AT NW COR LOT 4 FOR POB; TH W 66 FT; TH S 108 FT; TH E 59 FT; TH N, 107.25 FT TO POB .154 A M/L to the adjacent property owner.
- VII. 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.)
- VIII. CONSENT CALENDAR (VV) (Items on Consent Calendar are voted on as one unit)
  - A. Approval Regular Session Minutes, October 1, 2018
- IX. ITEMS FOR INDIVIDUAL DISCUSSION
  - A. Request Approval for Medical Marihuana Provisioning Center License for Pincanna -RX-Albion, Inc.
  - B. Discussion/Approval 1<sup>st</sup> Reading Ordinance # 2018-08, An Ordinance to Provide a Code of Ethics for the City Council and to Create Section 1-28 of the Albion Code of Ordinances



# **CITY OF ALBION**

## **CITY COUNCIL MEETING AGENDA**

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- C. Request Approval 2<sup>nd</sup> Reading and Adoption of Ordinance # 2018-09, An Ordinance to Amend Chapter 30 of the 1984 Zoning Code of the City of Albion, by Amending the Section 30-04 Definitions, Division 8 B-3 Highway Service District, Division 9 Section 30-269, M-1-P Light Industrial Parks, Division 10 Section M-2 Heavy Industrial District and Section 30-285 Heavy Industrial Parks M-2 (P)
- D. Request Approval of Waiver of 2<sup>nd</sup> Right of Refusal on Calhoun County Foreclosed Properties
- E. Approve Trick or Treat on Wednesday, October 31, 2018 from 6:00 to 8:00 p.m.
- F. Request Approval of Replacement of City Hall Boiler/Cost for Asbestos Abatement
- G. Discussion-Online Code Update
- H. Discussion-Update on Project Rising Tide
- X. Future Agenda Items
- XI. Motion to Excuse Absent Council Member(s)
- XII. PUBLIC COMMENTS (Persons addressing the City Council shall limit their comments to no more than three (3) minutes. Proper decorum is required.)
- XIII. CITY MANAGER REPORT
- XIV. MAYOR AND COUNCIL MEMBER COMMENTS
- XV. ADJOURN

# Memo

**To:** Albion City Council  
**From:** LaTonya Rufus, City Manager  
**Date:** October 12, 2018  
**Re:** Agenda Items

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Effective Immediately, **ALL** agenda items; citizen, and employee requests should be referred to LaTonya Rufus, City Manager.

**City of Albion**  
Celebrates  
**Red Ribbon Week**  
October 23 – 31, 2018

**Whereas:** Alcohol and other drug abuse in the nation has reached epidemic stages; and

**Whereas:** It is imperative that visible, united prevention education efforts by community members be launched to eliminate the demand for drugs; and

**Whereas:** Substance Abuse Prevention Services is sponsoring the National Red Ribbon Campaign offering citizens the opportunity to demonstrate their commitment to drug-free lifestyles (no use of illegal drugs, no illegal use of legal drugs); and

**Whereas:** The National Red Ribbon Campaign will be celebrated in every community in America during “Red Ribbon Week”, October 23-31; and

**Whereas:** Business, government, parents, law enforcement, media, medical, religious institutions, schools, senior citizens, service organizations and youth will demonstrate their commitment to healthy, drug-free lifestyles by wearing and displaying Red Ribbons during this week-long campaign; and

**Whereas:** The City of Albion further commits its support to ensure the success of the Red Ribbon Campaign.

**Now, Therefore Be It Resolved,** that the City of Albion does hereby proclaim October 23 – 31, 2018, as RED RIBBON WEEK and encourages its citizens to participate in drug prevention education activities, making a visible statement that we are strongly committed to a drug-free state.

In witness whereof, I have hereunto set my hand and caused the seal of this city to be affixed.

Mayor \_\_\_\_\_

Date \_\_\_\_\_



PUBLIC HEARING

CITY OF ALBION

The Albion City Council will hold a public hearing on Monday, October 15, 2018 at 7:00 p.m., in the Council Chambers at City Hall, 112 W. Cass St., Albion, MI 49224, regarding the abandonment of the right-of-way located at the following location:

ALBION CITY, WARNER & CHURCH ADDITIONAL LOT 3. BLK 91. VACATED S END OF S ANN ST; COM AT NW COR LOT 4 FOR POB; TH W 66 FT; TH S 108 FT; TH E 59 FT; TH N, 107.25 FT TO POB .154 A M/L

to the adjacent property owner.

Citizen views and comments on the proposed property abandonment are welcome.

City of Albion  
Clerk Jill Domingo  
(517) 629-7864

City of Albion  
Council Session Minutes  
October 1, 2018

I. CALL TO ORDER

Mayor Brown 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: Maurice Barnes (1), Lenn Reid (2), Sonya Brown (3), Marcola Lawler (4), Jeanette Spicer (5), and Mayor Brown.

ABSENT: Andy French (6).

STAFF PRESENT:

Scott Kipp, Interim City Manager; Cullen Harkness, City Attorney, Haley Snyder, City Deputy Clerk/Treasurer, and John Tracy, Director Planning, Building & Code Enforcement.

V. PRESENTATIONS

A. Domestic Violence Awareness Proclamation

Mayor Brown read aloud the Proclamation recognizing October as Domestic Violence Awareness Month 2018 and presented to S.A.F.E. Place and the Albion College Alpha Chi Omega Beta Chapter.

Comments were received from Paige Malma and Mayor Brown.

B. November Ballot Proposal – Voters not Politicians (Prop #2)

Rebekah McKenney, Voters not Politicians gave a brief presentation to Council on Proposal 2 for the November ballot.

Comments were received from Mayor Brown.

C. November Ballot Proposal – Promote the Vote (Prop #3)



Stephanie Moore, Promote the Vote gave a brief presentation to Council on Proposal 3 for the November ballot.

Comments were received from Mayor Brown.

#### VI. PUBLIC HEARINGS –

##### A. Industrial Development for Minerals Technologies Inc. (American Colloid Company/Harvard Site)

Mayor Brown opened the Public Hearing at 7:22 p.m.

No public comments were received.

Mayor Brown closed the Public Hearing at 7:23 p.m.

Comments were received from Council Member Barnes; Mayor Brown, and Albion Economic Development Corporation (AEDC), President Amy Deprez.

Brown moved, Lawler supported, CARRIED, to approve the request to establish an Industrial Development District (IDD) for Minerals Technologies Inc. (American Colloid Company/Harvard Site) (6-0, rcv)

#### VII. 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 Nadia Wolf, 409 Irwin Ave., Al Smith, 1209 Adams St., Dave Atchison, 108 W. Erie St., Eric Tobin, 409 W. Ash St.; and Amy Deprez, AEDC.

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

- A. Approval Study Session Minutes, September 15, 2018
- B. Approval Regular Session Minutes, September 17, 2018
- C. Approval Special Session Minutes, September 24, 2018

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

#### IX. ITEMS FOR INDIVIDUAL DISCUSSION

##### A. Request Approval for Medical Marihuana Grower License for Comco, LLC

Comments were received from Council Members Barnes and Brown; Mayor Brown; Interim City Manager Kipp, and City Attorney Harkness.

Brown moved, Lawler supported, CARRIED, To Approve Medical Marihuana Grower License for Comco, LLC. (6-0, rcv)

B. Request Approval for Medical Marihuana Processor License for Comco, LLC

Comments were received from Council Members Barnes and Brown; Mayor Brown; Interim City Manager Kipp and City Attorney Harkness.

Brown moved, Spicer supported, CARRIED, to approve Medical Marihuana Processor License for Comco, LLC. (6-0, rcv)

C. Request Approval for Medical Marihuana Grower License for Greenwell BioMedicinals, LLC

Comments were received from Council Member Barnes; Mayor Brown; Interim City Manager Kipp and City Attorney Harkness.

Spicer moved, Brown supported, CARRIED, to approve Medical Marihuana Grower License for Greenwell BioMedicinals, LLC. (6-0, rcv)

D. Request Approval of Contract with LaTonya Rufus as City Manager

Comments were received from Council Members Barnes and Spicer; Mayor Brown and City Attorney Harkness.

Brown moved, Spicer supported, CARRIED, to amend the motion to approve contract with LaTonya Rufus as City Manager tentative on the start date. (6-0, rcv)

E. Discussion/Approval Ordinance #2018-08, Ethics Ordinance

City Attorney Harkness stated at a previous Council meeting, Council identified key areas they found to be of importance from four (4) municipalities with Ethics Ordinances currently in place. The proposed ordinance, is a blend of the four (4) ordinances – Adrian, Charlotte, Battle Creek, and Hamtramck. All four (4) Ethics Ordinances contained everything identified as key areas by Council and are compliant with the law.

Council questions/comments were as follows:

- Section B – Compliance with the Law, should be taken out entirely.
- Section C – Respect for Process, City Charter covers this section.
- Section D – Preparation for Public Meetings, not an ethics issue.



- Section J – Independence of Boards and Commissions, immediate family members should not be appointed or approved by Council Members.
- Section K – Positive Workplace, open the scope to include “*protected individual*”
- Section N – Enforcement and Penalties, remove completely and start over.
- Section N ii – totally ambiguous and dubious.
- Section N iii – Deadlines are not incremental.
- Section N vi – Geared towards Judicial system and not Council.
- Section O – Appellate Review, eliminate “impose monetary fines”

Comments were received from Council Members Barnes and Brown; Mayor Brown, and City Attorney Cullen Harkness.

#### F. Update on 608 Austin Avenue

John Tracy, Director of Planning, Building & Code Enforcement provided the Council with the following update on 608 Austin Avenue Demolition:

- Originally had an assessment group conduct assessment of the building. During original assessment, 2/3 of the building were in too bad of shape to get into.
- Upon abatement of the remaining 1/3 of the building, the floor collapsed underneath the abatement workers – nobody was injured.
- BOLO has been contacted to re-adjust the bid for demolition to include the other portion of the property; do not expect to receive a higher bid.

Comments were received from Council Member Barnes and Mayor Brown.

#### G. Discussion Property Adjacent to 409 W. Ash Street

City Manager Kipp stated he has been working with City Attorney Harkness, John Tracy, Planning Director, City Assessor and Mr. Tobin to ensure it works out for all parties involved. Complications pertaining to how the property is to be transferred and divided up have been worked out.

Council questions/comments were as follows:

- Is a public hearing needed for this property? *Yes a public hearing will be needed at the next meeting.*
- Does a legal description of the property currently exist? *A legal description was created by the previous Assessor; however, it is unknown whether or not it is accurate without an actual survey of the property. The current description is based on the map quadrants and not on an actual survey of the property.*

- At the previous meeting, discussions were held regarding access issues if the property were to be sold. Have those issues been resolved? *Yes, since Council has already agreed to abandon the property, other access points can be created.*

H. Request Approval Resolution # 2018-22. Resolution supporting November 2018 Ballot Proposal #2

Comments were received from Council Member Barnes; Mayor Brown and City Attorney Harkness.

Brown moved, Reid supported, CARRIED, to approve Resolution #2018-22. Resolution supporting November 2018 Ballot Proposal #2. (6-0, rcv)

I. Request Approval Resolution #2018-23. Resolution supporting November 2018 ballot proposal #3

Comments were received from Mayor Brown and City Attorney Harkness.

Brown moved, Lawler supported, CARRIED, to approve Resolution #2018-23. Resolution supporting November 2018 ballot proposal #3. (6-0, rcv)

J. Discussion/1<sup>st</sup> Reading & Approval Ordinance #2018-09, Zoning Ordinance Amendments.

Director Tracy stated the City Council recently approved Ordinance #2018-05 for medical marihuana provisioning centers to be added to the list of medical marihuana facilities allowed to be operated within the City of Albion. Based upon this, on September 18<sup>th</sup>, the City of Albion Planning Commission made a recommendation to City Council to amend Chapter 30 of the 1984 Zoning Code of the City of Albion by amending Section 30-04 Definitions, amend Highway Service District B-3, Industrial District M-2, M-2-P and M-1-P to address State Licensed Medical Marihuana Provisioning Centers, pursuant to Chapter 22, Article V of the City of Albion Code of Ordinance.

Brown moved, Lawler supported, CARRIED, to approve Ordinance #2018-09, Zoning Ordinance Amendments. (6-0, rcv)

X. Future Agenda Items

The following items were requested for the next agenda:

- Council Member Reid asked for Red Ribbon Week Presentation and Proclamation
- Council Member Brown asked for public hearing on Ash Street property.

- City Attorney Harkness asked for discussion/1<sup>st</sup> reading on Ethics Ordinance
- City Attorney Harkness asked for discussion on MuniCode Update
- Interim City Manager Kipp asked for discussion/approval of 2018 Trick-or-Treating date

XI. Motion to Excuse Absent Council Member (s)

Reid moved, Lawler supported, CARRIED, to excuse Council Member French (6). (6-0, vv)

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 Vivian Davis, 901 Huntington Blvd., Rebekah McKenney, Parma, MI, Bob Dunklin, Albion Branch NAACP, Jacques Harris, 712 N. Albion St., John Dunklin, 1203 2<sup>nd</sup> Street, and Gary Tompkins, Calhoun County Commissioner.

XIII. CITY MANAGER REPORT –

City Manager Kipp stated this would be his final Council Meeting serving as Interim City Manager, and thanked the Mayor and Council Members for entrusting in him to serve as Interim.

XIV. MAYOR AND COUNCIL MEMBER'S COMMENTS

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

XV. ADJOURNMENT

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

Mayor Brown adjourned the Regular Session at 8:48 p.m.

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Date

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Haley Snyder  
Deputy City Clerk/Treasurer

## CITY OF ALBION ORDINANCE 2018-08

### AN ORDINANCE TO PROVIDE A CODE OF ETHICS FOR THE CITY COUNCIL AND TO CREATE SECTION 1-28 OF THE ALBION CODE OF ORDINANCES

FINDINGS AND PURPOSE: The Albion City Council recognizes that the citizens of Albion are entitled to have fair, ethical, and accountable local government that has earned the public's full confidence for integrity. The Albion City Council further recognizes that the effective functioning of democratic government requires that public officials comply with all aspects of the law affecting the operations of government, be impartial and fair in their judgment and actions, use the public office for public good, and conduct process openly in an atmosphere of respect and civility. To that end, it is recommended that the City of Albion adopted the following ethics ordinance.

THAT THE CODE OF ORDINANCES, CITY OF ALBION, MICHIGAN, IS HEREBY AMENDED BY ADDING SECTION 1-28, WHICH READS AS FOLLOWS:

Section 1:

CHAPTER 1, SECTION 1-28: ETHICS

1-28:

- A. **Acting in the Public Interest:** Members of the City Council will work for the common good of the people of Albion and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims, and transactions coming before the Albion City Council.
- B. **Compliance with the Law:** Members of the City Council shall comply with the laws of the United States, the State of Michigan, and the City of Albion in the performance of their public duties.
- C. **Respect for Process:** The City Council shall perform their duties in accordance with the processes and rules of order established by the City Council which govern the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council by the City Staff.
- D. **Preparation for Public Meetings:** Members of the City Council shall prepare themselves for council meetings and public issues.
- E. **Full Disclosure:** A City Council member, in the performance of their public duties, shall not act upon any matter in which they have a direct or indirect financial interest, or where they have a legal or fiduciary duty to another

organization or entity or personal relationship that may give the appearance of a conflict of interest, without disclosing the full nature and extent of the interest to the other members of the City Council at a public meeting. Such disclosure shall be made before the time to perform their duty.

- F. **Confidential Information**: City Council members shall respect the confidentiality of information concerning the property, personnel or affairs of the City. They shall neither divulge to an unauthorized person confidential information acquired in the course of their duties in advance of the time prescribed for its authorized release to the public without proper legal authorization, nor use such information to advance their personal, financial or other private interests.
- G. **Public Resources**: Public resources, including city staff time, equipment, supplies, and facilities, not available to the public in general shall not be used for the benefit of the public and not for a council member's personal or private use.
- H. **Representation of Private Interests**: A City Council member shall represent the official policies or positions of the City Council to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, City Council members shall neither state nor imply that they represent the opinions or positions of the City Council of the City of Albion.
- I. **Policy Role of Council**: Members of the City Council shall respect and adhere to the Council-manager City of Albion form of government as provided in the City of Albion Charter. Members of the City Council shall not interfere with the administrative functions of the City or the professional duties of City staff; nor shall they impair the ability of staff to implement City Council policy decisions.
- J. **Independence of Boards and Commissions**: Members of the City council shall, except when the council member is a member of the subordinate public body, limit their participation in the proceedings of subordinate boards, committees, and commissions to the communication of requested information and providing factual information relevant to the discussion at hand and shall not otherwise attempt to unduly influence the deliberations or outcomes of the proceedings.
- K. **Positive Workplace**: Under no circumstances shall a member of the City Council, either in public or private, intimidate, humiliate, or otherwise abuse a City employee.
- L. **Continuing Training**: A biennial workshop shall be held after the general election in every odd numbered year not later than 60 days after the general election for training to be provided by the city attorney, the Michigan Municipal

League or similar entity, or any other entity or group retained by the city regarding the role and duties of the council members and the requirements of this ordinance. Unless excused by a majority vote of the remaining council member, all council members shall attend this workshop, or a make-up session as soon as may be practicably scheduled.

- M. **Affirmation**: At the first meeting immediately following a general election, newly elected council members and the mayor shall sign an affirmation shall sign a statement affirming that they have read and understood this ordinance. In the event of the appointment of councilperson or mayor to a partial term, said affirmation shall be signed at the next regularly scheduled meeting of the council.
- N. **Enforcement and Penalties**: All City Councilmembers and the Mayor shall have the primary responsibility to assure that they understand and meet the standards set forth in this ordinance and that the public can continue to have full confidence in the integrity of government. The disciplinary procedure shall be as follows:
- i. A councilmember shall intervene when the council member learns of actions of another council member that appear in violation of this ordinance. Upon acquiring reasonable suspicion of a violation of this ordinance, a council member may request that the mayor meet personally with the council member to notify them of the suspected misconduct and attempt to resolve the issue. In the event the Mayor is suspected of violating this ordinance, said meeting may be held with any two members of council.
  - ii. In the event the meeting as described in subsection (N)(i) does not satisfactorily resolve the issue, or in the event the suspected council member has repeatedly violated this ordinance, or if the violation is viewed to be especially serious, any three council members may call for a public hearing before council to determine whether the alleged violation has occurred, and if so, what sanctions, if any should be imposed. Said public hearing shall occur within 30 days of the date of the alleged violation.
  - iii. If it has been determined to hold a public hearing as provided in subsection (N)(ii), all council members shall be provided with a written summary of the facts giving rise to the alleged violation at least 10 days prior to the public hearing.
  - iv. City staff required to participate in the public hearing, including but not limited to the city attorney and city clerk, shall not be subject to any discipline, sanction, or any other adverse action

whatsoever as a result of the performance of their duties as required by this ordinance.

- v. The mayor, or if the mayor is the subject of the alleged violation, the mayor pro tem, shall preside over the public hearing.
- vi. The presiding council member may determine whether the evidence presented against the council member, or in defense of the council member, is relevant to the allegation(s) against the council member and may preclude its consideration. The presiding council member shall seek guidance from the city attorney regarding hearing procedural and evidentiary issues.
- vii. Witnesses shall be sworn by the city clerk or the clerk's designee is the designee is legally authorized to administer oaths.
- viii. The council as a body, and the accused council member, may each be entitled to have an attorney present at the hearing for consultation. However, there shall be no right for attorneys to make opening or closing statements, questions witnesses, present evidence, or offer arguments.
- ix. The rules of evidence and civil procedure shall not apply to public hearings held under this ordinance.
- x. Any member of council may ask questions of witnesses.
- xi. The accused council member may present witnesses in their defense after the presiding council member has presented all evidence supporting a violation. The accused council member shall be provided 10 minutes to provide closing comments at the conclusion of evidence.
- xii. At the conclusion of the presentation of evidence or the closing comments of the accused council member, whichever is later, council members, excluding the accused council member, shall vote to determine whether or not there is a violation by a 3/5 vote.
- xiii. The council may impose sanctions on a council member who violates this article. After a majority vote finding a violation of this article, a second majority vote shall determine what sanctions, if any, shall be imposed.
- xiv. Sanctions may include reprimand, formal censure, a civil fine, loss of committee assignment, restrictions on budget or travel,



and a request to the governor for removal from office in the manner and for the causes provided by law.

xv. Sanctions shall be imposed based upon the perceived severity level of the violation, with the following guidance:

1. For a level 1 violation, penalty options include a verbal reprimand, a civil fine not to exceed \$100.00, or an additional and/or greater sanction as may be determined by a majority vote of council. A violation of the following subsections of section 1-28 shall minimally result in a level 1 violation: A, C, D, E, K, or L;
2. For a Level 2 violation, penalty options shall include censure, which shall be defined as a formal council resolution for specified conduct, a civil fine not to exceed \$500.00 and/or a greater sanction as may be determined appropriate by the majority of council. A violation of the following subsections of section 1-28 shall minimally result in a level 2 violation: B, F, G, H, I, J;
3. For a level 3 violation, the penalty options shall include censure, a civil fine not to exceed \$500.00, and/or a request to the governor for removal. A third level 1 violation, or a second level 2 violation within 6 months of a prior violation found by the council.

O. **Appellate Review**. If ordered to pay a civil penalty, an appeal may be taken in the form of a trial de novo in the 10<sup>th</sup> District Court for the County of Calhoun, which shall hear the case in accordance with the Michigan Court Rules. This appeal must be taken within 21 days of the decision by the City Council. If a council member is disciplined or removed from office that council member may seek any other available remedies which exists at law or in equity.

Section 2: Validity and Severability. The provisions of this Ordinance are severable and the invalidity of any phrase, clause or part of this Ordinance shall not affect the validity or effectiveness of the remainder of the Ordinance.

This Ordinance shall take effect November 24, 2018 after publication.

First Reading:  
October 1, 2018

Ayes \_\_\_\_\_  
Nays \_\_\_\_\_  
Absent \_\_\_\_\_

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Jill Domingo,  
City Clerk

Second Reading & Adoption:  
October 15, 2018

Ayes \_\_\_\_\_  
Nays \_\_\_\_\_  
Absent \_\_\_\_\_

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Garrett Brown,  
Mayor

CITY OF ALBION  
ORDINANCE #2018-09

AN ORDINANCE TO AMEND CHAPTER 30 OF THE 1984 ZONING CODE OF THE CITY OF ALBION, BY AMENDING THE SECTION OF 30-04 DEFINITIONS, DIVISION 8 B-3 HIGHWAY SERVICE DISTRICT, DIVISION 9 SECTION 30-269.1 M-1-P LIGHT INDUSTRIAL PARKS, DIVISION 10 SECTION M-2 HEAVY INDUSTRIAL DISTRICT AND SECTION 30-285 HEAVY INDUSTRIAL PARKS M-2 (P).

Findings and Purpose:

The Mayor and Council of the City of Albion, based upon recommendation by the Planning Commission, find that there is a need to amend Section 30-04 Definitions, Commercial Zoned Highway Service District B-3, Industrial Zoned District M-1 (P), M-2 and M-2-P to better address the proposed location of State Licensed Medical Marihuana Provisioning Center, pursuant to Chapter 22, Article V of the City of Albion Code of Ordinance.

Section 1-Title. *An ordinance to amend Chapter 30 of the 1984 Zoning Code of the City of Albion by amending Section 30-04 Definitions, amend Highway Service District B-3, Industrial District M-1 (P), M-2 and M-2-P to address State Licensed Medical Marihuana Provisioning Centers, pursuant to Chapter 22, Article V of the City of Albion Code of Ordinance.*

Section 2. Amendment.

*That Section 30-04. Definitions. Of the Code of the City of Albion (1984) Chapter 30 Zoning is hereby amended to add new definition to read as follows:*

Chapter 30, Section 30-04 Definitions.

*Medical Marihuana Facilities:* State Licensed Medical Marihuana Grower Facility, Processor Facility, Secure Transporter, Provisioning Center, or Safety Compliance Facility with an approved Medical Marihuana Facilities license pursuant to Chapter 22, Article V of the City Code of Ordinance.

- a) *Grower Facility:* A commercial entity that cultivated, dries trims or cures and packages Marihuana for sale to Processor or Provisioning Center.
- b) *Processor Facility:* A commercial entity that purchases Marihuana from a Grower and that extracts resin from the Marihuana or creates a Marihuana-infused product for sale and transfer in packaged form to a Provisioning Center.
- c) *Safety Compliance Facility:* A commercial entity that receives Marihuana from a Medical Marihuana Facility or registered primary caregiver, tests it for contaminants and for tetrahydrocannabinols, returns the test results, and may return Marihuana to the Medical Marihuana Facility.
- d) *Secure Transporter:* A commercial entity that store Marihuana and transports Marihuana between Medical Marihuana Facilities for a fee.
- e) *Provisioning Centers:* A licensed commercial entity that purchases marihuana from a grower or processor and sells, supplies, or provides marihuana to registered qualifying patients, directly or through the patients' registered primary caregivers.

*That Division 8. B-3 Highway service district. Section 30-243. Permitted uses, l., Of the Code of the City of Albion (1984) Chapter 30 Zoning is hereby amend to read:*

l. State Licensed Medical Safety Compliance Facility, Processor Facility, Secure Transporter, and Provisioning Center with an approved Medical Marihuana Facilities license pursuant to Chapter 22, Article V of the City Code of Ordinance.

1. No Safety Compliance Facility, Processor Facility, Secure Transporter or Provisioning Center shall be located within five hundred (500) feet of real property comprising a public or private elementary, licensed child care facility, vocational or secondary school.
2. No Safety Compliance Facility, Processor Facility, Secure Transporter or Provisioning Center shall be located within two hundred fifty (250) feet of real property comprising of a public park. Any Safety Compliance Facility, Processor Facility, Secure Transporter or Provisioning Center located more than two hundred fifty (250) feet but less than five hundred (500) feet of real property comprising a public park shall have perimeter surrounded by an eight (8) foot fence. Fence shall not consist of over 40% opaque fence material. Fence material utilized shall be in the form of traditional fencing sold for retail purpose, including metal, vinyl or wood. The fence requirement contained herein may be waived if the City deems a fence to be impractical with the location of the facility and if the facility has other adequate security measures to insure the security of the premises and safety of the public.
3. No Safety Compliance Facility, Processor Facility, Secure Transporter or Provisioning Center shall be located within two hundred fifty (250) feet of real property comprising a place of religious worship. Any Safety Compliance Facility, Processor Facility, Secure Transporter located more than two hundred fifty (250) feet but less than five hundred (500) feet of real property comprising of religious worship shall have perimeter surrounded by an eight (8) foot fence. Fence shall not consist of over 40% opaque fence material. Fence material utilized shall be in the form of traditional fencing sold for retail purpose, including metal, vinyl or wood. The fence requirement contained herein may be waived if the City deems a fence to be impractical with the location of the facility and if the facility has other adequate security measures to insure the security of the premises and safety of the public.
4. No Provisioning Center shall be located within two hundred fifty (250) feet of any residential zoning district of the City. Any Provisioning Center located more than two hundred fifty (250) feet but less than five hundred (500) feet of any residential zoning district shall be surrounded by an eight (8) foot fence. Fence shall not consist of over 40% opaque fence material. Fence material utilized shall be in the form of traditional fencing sold for retail purpose, including metal, vinyl or wood. The fence requirement contained herein may be waived if the City deems a fence to be impractical with the location of the facility and if the facility has other adequate security measures to insure the security of the premises and safety of the public.

*That Division 9, Section 30-269.1, Light industrial parks M-1 (P). of the Code of the City of Albion (1984) Chapter 30 Zoning is hereby amended to read:*

Sec. 30-269.1 Permitted Uses. State Licensed Medical Marihuana Grower Facility, Safety Compliance Facility, Processor Facility, Secure Transporter and Provisioning Center with an approved Medical Marihuana Facilities license pursuant to Chapter 22, Article V or the City Code of Ordinance.

1. No Grower Facility, Safety Compliance Facility, Processor Facility, Secure Transporter or Provisioning Center shall be located within five hundred (500) feet of real property comprising a public or private elementary, licensed child care facility, vocational or secondary school.
2. No Grower Facility, Safety Compliance Facility, Processor Facility, Secure Transporter or Provisioning Center shall be located within two hundred fifty (250) feet of real property comprising of a public park. Any Grower Facility, Safety Compliance Facility, Processor Facility, Secure Transporter or Provisioning Center located more than two hundred fifty (250) feet but less

than five hundred (500) feet of real property comprising a public park shall have perimeter surrounded by an eight (8) foot fence. Fence shall not consist of over 40% opaque fence material. Fence material utilized shall be in the form of traditional fencing sold for retail purpose, including metal, vinyl or wood. The fence requirement contained herein may be waived if the City deems a fence to be impractical with the location of the facility and if the facility has other adequate security measures to insure the security of the premises and safety of the public.

3. No Grower Facility, Safety Compliance Facility, Processor Facility, Secure Transporter or Provisioning Center shall be located within two hundred fifty (250) feet of real property comprising a place of religious worship. Any Safety Compliance Facility, Processor Facility, Secure Transporter located more than two hundred fifty (250) feet but less than five hundred (500) feet of real property comprising of religious worship shall have perimeter surrounded by an eight (8) foot fence. Fence shall not consist of over 40% opaque fence material. Fence material utilized shall be in the form of traditional fencing sold for retail purpose, including metal, vinyl or wood. The fence requirement contained herein may be waived if the City deems a fence to be impractical with the location of the facility and if the facility has other adequate security measures to insure the security of the premises and safety of the public.
4. No Provisioning Center shall be located within two hundred fifty (250) feet of any residential zoning district of the City. Any Provisioning Center located more than two hundred fifty (250) feet but less than five hundred (500) feet of any residential zoning district shall be surrounded by an eight (8) foot fence. Fence shall not consist of over 40% opaque fence material. Fence material utilized shall be in the form of traditional fencing sold for retail purpose, including metal, vinyl or wood. The fence requirement contained herein may be waived if the City deems a fence to be impractical with the location of the facility and if the facility has other adequate security measures to insure the security of the premises and safety of the public.

*That Division 10. M-2 Heavy industrial district. Section 30-283. Permitted uses. ff. Of the Code of the City of Albion (1984) Chapter 30 Zoning is hereby amended to read:*

ff. State licensed Medical Marihuana Grower Facility, Safety Compliance Facility, Processor Facility, Secure Transporter and Provisioning Center with an approved Medical Marihuana Facilities license pursuant to Chapter 22, Article V of the City Code of Ordinance.

1. No Grower Facility, Safety Compliance Facility, Processor Facility, Secure Transporter or Provisioning Center shall be located within five hundred (500) feet of real property comprising a public or private elementary, licensed child care facility, vocational or secondary school.
2. No Grower Facility, Safety Compliance Facility, Processor Facility, Secure Transporter or Provisioning Center shall be located within two hundred fifty (250) feet of real property comprising of a public park. Any Grower Facility, Safety Compliance Facility, Processor Facility, Secure Transporter or Provisioning Center located more than two hundred fifty (250) feet but less than five hundred (500) feet of real property comprising a public park shall have perimeter surrounded by an eight (8) foot fence. Fence shall not consist of over 40% opaque fence material. Fence material utilized shall be in the form of traditional fencing sold for retail purpose, including metal, vinyl or wood. The fence requirement contained herein may be waived if the City deems a fence to be impractical with the location of the facility and if the facility has other adequate security measures to insure the security of the premises and safety of the public.
3. No Grower Facility, Safety Compliance Facility, Processor Facility, Secure Transporter or Provisioning Center shall be located within two hundred fifty (250) feet of real property

comprising a place of religious worship. Any Safety Compliance Facility, Processor Facility, Secure Transporter located more than two hundred fifty (250) feet but less than five hundred (500) feet of real property comprising of religious worship shall have perimeter surrounded by an eight (8) foot fence. Fence shall not consist of over 40% opaque fence material. Fence material utilized shall be in the form of traditional fencing sold for retail purpose, including metal, vinyl or wood. The fence requirement contained herein may be waived if the City deems a fence to be impractical with the location of the facility and if the facility has other adequate security measures to insure the security of the premises and safety of the public.

4. No Provisioning Center shall be located within two hundred fifty (250) feet of any residential zoning district of the City. Any Provisioning Center located more than two hundred fifty (250) feet but less than five hundred (500) feet of any residential zoning district shall be surrounded by an eight (8) foot fence. Fence shall not consist of over 40% opaque fence material. Fence material utilized shall be in the form of traditional fencing sold for retail purpose, including metal, vinyl or wood. The fence requirement contained herein may be waived if the City deems a fence to be impractical with the location of the facility and if the facility has other adequate security measures to insure the security of the premises and safety of the public.
5. Lot area, setback and structure height:
  - i. no minimum lot area required.
  - ii. Front yard setback shall be no less than thirty (30) feet.
  - iii. Side yard setback shall be no less than twenty (20) feet.
  - iv. Rear yard setback shall be no less than thirty (30) feet.
  - v. Structure height shall not exceed three (3) stories or fifty (50) feet.

Section 30-285. Heavy industrial parks – M-2 (P).

Heavy industrial parks shall permit all uses allowed in light industrial districts, light industrial parks and heavy industrial districts, and shall conform to all the requirements of Section 30-269.2 of this Code.

## **Proposed Medical Marihuana Amendments – Provisioning Center**

Amend Chapter 30 of the 1984 Zoning Code of the City of Albion, by amending Section 30-40 Definitions, Division 8 B-3 Highway Service District, Division 9 Section 30-269 M-1-P Light Industrial Parks, Division 10 Section M-2 Heavy Industrial District and Section 30-285 Heavy Industrial Parks M-2 (P).

- Article I, Section 30-40 Definitions Medical Marihuana Facilities: e)  
*(See Attached)*
- Division 8. B-3 Highway Service Business District, Section 30-243 Permitted uses. (1) Uses by right, l., 1., 2., 3., 4.  
*(See Attached)*
- Division 9. M-1-P Light industrial parks (M-1-P) Section 30-269.1 Permitted Use, 4.  
*(See attached)*
- Division 10. Section M-2 Heavy Industrial District, Section 30-283 Permitted Uses, (1), ff., 1., 2., 3., 4.  
*(See Attached)*



## **DIVISION 8. B-3 HIGHWAY SERVICE BUSINESS DISTRICT**

### **Section 30-241. Scope.**

The provisions of this division shall apply to the B-3 highway service district.

### **Section 30-242. Generally.**

This district is intended to provide for retail business and services in areas which abut federal and state highways, and major arterial streets designated as such on the "street plan" of the City of Albion of current adoption.

(Code 1980, § 20.13-1)

### **Section 30-243. Permitted uses.**

No land shall be used or occupied and no structure shall be designed, erected, altered, or used except for either one or several of the following uses by right and lawful accessory uses thereto or for one or several of the following conditional uses:

(1) *Uses by right* The following uses may be operated as uses by right:

- a. Motels, restaurants, drive-in establishments, serving food and beverages, souvenir stands, and uses of a similar nature.
- b. Offices and banks.
- c. Store and shops for the conducting of any retail business.
- d. Personal service shops.
- e. Offices and shops of crafts or trades which do not involve:
  1. The outdoor storage of materials or supplies.
  2. Shop power in excess of ten (10) horsepower.
- f. Commercial recreation facilities.
- g. Any other retail business, service establishment, or use similar to the above.
- h. Accessory uses and buildings.

- i. Dance hall, including discos and similar uses where the primary activity is dancing and where non-alcoholic and/or alcoholic beverages and snacks are served; provided:
  - 1. That dance halls serving non-alcoholic beverages be limited to the same hours of operation as establishments which are permitted to serve alcoholic beverages.
  - 2. That the maximum number of people permitted in a dance hall at any one time be restricted according to the usage square foot area of the building and based on "floor area in square feet per occupant" requirements of the BOCA Code as adopted by reference by the City of Albion.
  - 3. That all other related building, fire and safety code requirements be met.
- j. Wholesale business, provided that the business or buildings connected with this business have an area of no more than twenty thousand (20,000) square feet.
- k. Mechanical amusement arcades, provided that any such establishment shall comply with Chapter 3 of the Code of Ordinances.

**Add as permitted use.**

- 1. State Licensed Medical Safety Compliance Facility, Processor Facility, Secure Transporter and **Provisioning Center** with an approved Medical Marihuana Facilities license pursuant to Chapter 22, Article V of the City Code of Ordinance.
  - 1. No Safety Compliance Facility, Processor Facility, Secure Transporter or **Provisioning Center** shall be located within five hundred (500) feet of real property comprising a public or private elementary, licensed child care facility, vocational or secondary school.
  - 2. No Safety Compliance Facility, Processor Facility, Secure Transporter or **Provisioning Center** shall be located within two hundred fifty (250) feet of real property comprising a public park. Any Safety Compliance Facility, Processor Facility or Secure Transporter located more than two hundred fifty (250) feet but less than five hundred (500) feet of real property comprising a public park shall have perimeter surrounded by an eight (8) foot fence. Fence shall not consist of over 40% opaque fence material. Fence material utilized shall be in the form of traditional fencing sold for retail purpose, including metal, vinyl or wood.
  - 3. No Safety Compliance Facility, Processor Facility, Secure Transporter or **Provisioning Center** shall be located within two hundred fifty (250) feet of real property comprising a place of religious worship. Any Safety Compliance Facility, Processor Facility or Secure Transporter located more than two hundred fifty (250) feet but less than five hundred (500) feet of real property comprising a place of religious worship shall have perimeter surrounded by an eight (8) foot fence. Fence shall not consist of

over 40% opaque fence material. Fence material utilized shall be in the form of traditional fencing sold for retail purpose, including metal, vinyl or wood.

**Add**

4. *No Provisioning Center shall be located within two hundred fifty (250) feet of any residential zoning district of the City. Any Provisioning Center located more than two hundred fifty (250) feet but less than five hundred (500) feet of any residential zoning district shall be surrounded by an eight (8) foot fence. Fence shall not consist of over 40% opaque fence material. Fence material utilized shall be in the form of traditional fencing sold for retail purpose, including metal, vinyl or wood. The fence requirement contained herein may be waived if the City deems a fence to be impractical with the location of the facility and if the facility has other adequate security measures to insure the security of the premises and safety of the public.*

(A) *Permitted uses with conditions* {Ordinance #99-17, 1/15/2000.}

Churches

Site Development.

Landscaping and Screening:

Abutting side lot lines shall consist of an undulating berm or solid fence or screening. The berm shall be at a ratio of 3:1; (vertical rise over horizontal run)

Vegetation shall consist of tree and shrub plantings to correspond to the peaks and valleys in the berm. (Trees within the valleys and shrubs along the peaks)

*Special uses requiring planning commission authorization.* The following special uses may be permitted upon application to the planning commission and approval by it, based on their conformity with the general special use conditions listed in sections 30-81 through 30-85, and with the special conditions listed below for each:

- a. Automobile service station and/or public garage, provided that:
  1. Premises used for such purposes shall not have an entrance or exit for motor vehicles within two hundred (200) feet from any place of public assembly including any hospital, sanitarium, or institution. Such measurement shall be along the usual line of street travel. (Whenever, in the judgment of the board, the operation of such business would tend to impede or congest traffic, or create an undue hazard or danger to pedestrians and other traffic in the street,

a permit may be denied.)

2. Building used for such purposes shall not be nearer than fifty (50) feet from and R district.
  3. Any minor automobile repair work as defined in this chapter, shall be done within the principal building on the premises.
  4. No overnight or weekend outside storage of trucks, trailers, and/or tractors shall be permitted on the premises and no partially dismantled, wrecked or junked vehicles shall be stored for more than a total of eight (8) hours outside the buildings on the premises, except within an area enclosed by a solid wall or fence or shrubbery hedge designed to conceal such vehicles from public view.
  5. When such use abuts the side and/or rear line of a lot in any R district, a compact evergreen hedge, solid wall, or painted board fence, not less than five (5) feet in height, shall be maintained at the property line.
- b. Automobile, truck and trailer display, hire, sales, wash and repair, provided all operations other than display and sales, shall be conducted within a completely enclosed building. Buildings used for repair and washing operations, if less than fifty (50) feet from any R district, shall have no openings adjoining said R district other than stationary windows or required fire exists.
  - c. Roadside markets.
  - d. Wholesale business whose building or buildings occupy more than twenty thousand (20,000) square feet provided that the applicant provide a site plan and other information demonstrating that, in terms of bulk, architectural design, parking and loading arrangements, and impact on traffic and public utilities, the proposed wholesale use is compatible with surrounding uses.

*Accessory uses and buildings.*

- a. Any accessory use or building may be operated or constructed if it is clearly incidental and customary to and commonly associated with the operation of the use by right.
- b. Business sign which pertains only to a permitted use on the premises.
- c. Mechanical amusement devices, provided that the number of said devices shall not exceed four (4), and all requirements for such devices in Chapter 3 of the Code of Ordinances have been met.

(Code 1980, § 20.13-2; Ord. No. 1984-2, § 2, 6-18-84; Ord. No. 1985-2, § 2, 5-6-85; Ord. No.

1987-8, § 2, 10-5-87)

**Section 30-244. Height of structures.**

No use by right or accessory use structure shall exceed two (2) stories or twenty-five (25) feet in height.

(Code 1980, § 20.13-3)

**Section 30-245. Lot area and yard requirements.**

The following minimum requirements shall be observed:

- (1) *Lot area.* No minimum lot area shall be required for use by right or accessory use structures.
- (2) *Front yard.* Every lot shall be provided with a front yard not less than twenty-five (25) feet in depth, and buildings constructed at a street corner shall have the minimum setback from each street line.
- (3) *Side yard widths (each side yard).* None required, except adjoining any R district or abutting a street, then not less than fifteen (15) feet in width.
- (4) *Rear yard.* Every lot shall be provided with a rear yard not less than ten (10) feet in depth, provided, however, when such lot abuts any R district, it shall have a rear yard not less than fifteen (15) feet in depth.

(Code 1980, § 20.13-4)

**Section 30-246. Signs.**

The provisions of [Article V, Division 4](#) of this chapter shall be in full force and effect in this district.

(Code 1980, § 20.13-5)

**Section 30-247. Off-street parking requirements.**

The provisions of [Article V, Division 2](#) of this chapter shall be in full force and effect in this district.

(Code 1980, § 20.13-6)

**Section 30-248. Off-street loading requirements.**

The provisions of [Article V, Division 3](#) of this chapter shall be in full force and effect in this district.

(Code 1980, § 20.13-7)

**Section 30-249. Reserved.**

## **DIVISION 9. M-1 LIGHT INDUSTRIAL DISTRICT**

### **Section 30-261. Scope.**

The provisions of this division shall apply to the M-1 light industrial district.

### **Section 30-262. Generally.**

This district is composed of certain land so situated as to be suitable for light industrial development, but where the modes of operations of the industry may directly affect nearby nonindustrial development. The regulations are so designed as to permit the normal operations of almost all light industries, subject only to those needed for their mutual protection and the equitable preservation of nearby nonindustrial uses of land.

(Code 1980, § 20.14-1)

### **Section 30-263. Permitted uses.**

No land shall be used or occupied and no structure shall be designed, erected, altered or used except for either one or several of the following uses by right and lawful accessory uses thereto:

#### *(1) Uses by right*

- a. Manufacturing, processing and/or fabrication. Any of the following uses, provided that any building used for such purposes shall be located not less than one hundred (100) feet from any R district:
  1. Automotive and aircraft parts (not including tires).
  2. Automotive assembling and including major repair.
  3. Bag, rug and carpet cleaning.
  4. Bakery, large, wholesale, and chain types.
  5. Bottling plant, brewery, dairy products plant.
  6. Candy, potato chips, flavoring, extracts.
  7. Cleaning or dyeing plants and laundries.
  8. Cold storage plant.
  9. Electric foundry or foundry for nonferrous metals.



10. Electric equipment and motor assembly.
  11. Experimental laboratory.
  12. Flexible hose, lines, fittings--Basic manufacture.
  13. Garage maintenance tools and equipment.
  14. Garment making--Apparel and accessories.
  15. Heating and air conditioning equipment.
  16. Mattress making and box springs.
  17. Metalworking, provided that the operations produce no more noise or vibrations at the boundary of the M-1 light industrial district than is produced at the point from other causes.
  18. Paper products fabrication.
  19. Parks.
  20. Pharmaceuticals, cosmetics and toiletries.
  21. Plating of metals.
  22. Professional and scientific instruments.
  23. Surgical supports and hospital equipment.
  24. Tool and die shops--Screw machine products.
  25. Tube fabrication--Bending and welding.
  26. Wire fabricators.
  27. Wood products assembly.
  28. Any other light manufacturing, processing, and/or fabrication but not including any uses specifically listed as heavy industry.
  29. Glass insulation and related products.
- b. Sale at wholesale and retail, warehousing and storage; and repair, rental and servicing.

The sale, warehousing, storage, repair, rental, and servicing of any of the uses enumerated in paragraph (1), provided any building or premises used for such purposes shall be located not less than seventy-five (75) feet from any R district.

Additional uses permitted are:

1. Billboards, subject to [Article V, Division 4](#) of this chapter.
2. Contractors' yards for vehicles, equipment, materials and/or supplies, but not including asphalt and cement mixing, provided that such yards shall be not less than two hundred (200) feet from any R district.
3. Gasoline service station, provided buildings used for such purposes shall not be nearer than fifty (50) feet from any R district.
4. Landing field for aircraft or rotocraft, provided any hangar or servicing facilities shall not be less than five hundred (500) feet from any R district.
5. Office and/or meeting halls, provided buildings used for such purposes shall not be nearer than twenty (20) feet from any R district. Also, motels, subject to the same regulations.
6. Parking and/or storage yards for motor vehicles (no junked vehicles) and not including transport equipment, providing such yards shall be not less than two hundred (200) feet from any R district.
7. Restaurants, including but not limited to drive-in establishments, providing buildings used for such purposes shall not be nearer than twenty (20) feet from any R district and subject to the number of off-street parking spaces required pursuant to sections 30-311 through 30-315 of this Code.
8. Sewage disposal plant.
9. Storage of liquid petroleum gas, five hundred (500) gallons or over if stored above ground, shall be no closer to any boundary line of the premises on which storage is maintained than fifty (50) feet.
10. Storage of flammable liquids, three thousand (3,000) gallons or over, if stored above ground, shall be no closer to any boundary line of the premises on which storage is maintained than one hundred (100) feet.
11. Trucking freight terminal yards, provided such buildings and premises shall be not less than two hundred (200) feet from any R district.

(2) *Accessory uses:*

- a. Is clearly incidental and customary to and commonly associated with the operations of the use by right.
- b. Does not include dwellings except for caretakers or watchmen.
- c. Exterior signs which pertain only to a permitted use on the premises.
- d. Mechanical amusement devices and/or arcades, provided that all requirements of chapter 3 of the Code of Ordinances have been met.

(3) *Reserved.*

(4) *Special uses requiring authorization by the planning commission:* The following uses may be operated with a special use permit, upon approval by the planning commission and issuance by the zoning administrator pursuant to sections 30-81 through 30-85 of chapter 30, the zoning ordinance.

- a. Incinerators for the burning of solid waste, provided that:
  1. Such facilities simultaneously generate energy in a usable manner in the form of steam and/or electricity, and;
  2. Such facilities comply with all ordinances and regulations of the City of Albion, County of Calhoun, State of Michigan and United States of America.
- b. Foundry for ferrous metals; provided, that:
  1. All production processes are conducted within an enclosed building;
  2. All raw materials storage is within an area enclosed by a roof and at least two (2) sides;
  3. All operations are screened from each side and/or rear lot lines with a solid earthberm;
  4. Such facilities comply with all ordinances and regulations of the City of Albion, County of Calhoun, State of Michigan and the United States of America; and
  5. Before commencement of construction of such facility copies of necessary pollution control permit applications, and after issuance, copies of pollution control permits, shall be submitted to the zoning administrator who shall retain them on file.

(Code 1980, § 20.14-2; Ord. No. 1985-2, § 2, 5-6-85; Ord. No. 1986-1, § 2, 1-20-86; Ord. No. 1986-2, § 2, 3-3-86; Ord. No. 1987-8, § 2, 10-5-87; Ord. No. 1988-8, § 2.9-6-88)

### **Section 30-264. Height of structures.**

The following minimum requirements shall be observed: No use by right or accessory use structure hereafter erected or structurally altered shall exceed three (3) stories or fifty (50) feet in height within three hundred (300) feet of any R district.

(Code 1980, § 20.14-3)

### **Section 30-265. Lot area and yard requirements.**

The following minimum requirements shall be observed:

- (1) *Lot area.* No minimum lot area required.
- (2) *Front yard.* Every front yard shall be no less than thirty (30) feet deep.
- (3) *Side yard.* None required, except adjoining an R district or abutting a street, then the required distance from R district as stated in sections 20.14-2(A) and 20.14-2(B).  
When abutting a street, across from any other district, then not less than ten (10) feet in width.
- (4) *Rear yard.* The depth of a rear yard shall be thirty (30) feet, provided, however, the required distance from an R district when stated in section 30-263, paragraphs (1) and (2) of this Code shall take precedent over the above stated rear yard depth.

(Code 1980, § 20.14-4)

### **Section 30-266. Permitted signs.**

The provisions of [Article V, Division 4](#) of this chapter, shall be in full force and effect in this district, provided, however, that no sign or billboard constituting a nuisance and producing glare in an adjacent residential district or considered hazardous to traffic safety shall be erected or continued in operation.

(Code 1980, § 20.14-5)

### **Section 30-267. Off-street parking requirements.**

The provisions of [Article V, Division 2](#) of this chapter shall be in full force and effect in this district.

(Code 1980, § 20.14-6)

### Section 30-268. Off-street loading requirements.

The provisions of section 20.16-3 shall be in full force and effect in this district.

(Code 1980, § 20.14-7)

### Section 30-269. Light industrial parks (M-1-P).

Add as permitted use

**Sec. 30-269.1 Permitted Use.** State Licensed Medical Marihuana Grower Facility, Safety Compliance Facility, Processor Facility, Secure Transporter and **Provisioning Center** with an approved Medical Marihuana Facilities license pursuant to Chapter 22, Article V of the City Code of Ordinance.

1. No Grower Facility, Safety Compliance Facility, Processor Facility, Secure Transporter or **Provisioning Center** shall be located within five hundred (500) feet of real property comprising a public or private elementary, licensed child care facility, vocational or secondary school.
2. No Grower Facility, Safety Compliance Facility, Processor Facility, Secure Transporter or **Provisioning Center** shall be located within two hundred fifty (250) feet of real property comprising a public park. Any Grower Facility, Safety Compliance Facility, Processor Facility or Secure Transporter located more than two hundred fifty (250) feet but less than five hundred (500) feet of real property comprising a public park shall have perimeter surrounded by an eight (8) foot fence. Fence shall not consist of over 40% opaque fence material. Fence material utilized shall be in the form of traditional fencing sold for retail purpose, including metal, vinyl or wood.
3. No Grower Facility, Safety Compliance Facility, Processor Facility, Secure Transporter or **Provisioning Center** shall be located within two hundred fifty (250) feet of real property comprising a place of religious worship. Any Grower Facility, Safety Compliance Facility, Processor Facility or Secure Transporter located more than two hundred fifty (250) feet but less than five hundred (500) feet of real property comprising a place of religious worship shall have perimeter surrounded by an eight (8) foot fence. Fence shall not consist of over 40% opaque fence material. Fence material utilized shall be in the form of traditional fencing sold for retail purpose, including metal, vinyl or wood.
4. *No Provisioning Center shall be located within two hundred fifty (250) feet of any residential zoning district of the City. Any Provisioning Center located more than two hundred fifty (250) feet but less than five hundred (500) feet of any residential zoning district shall be surrounded by an eight (8) foot fence. Fence shall not consist of over 40% opaque fence material. Fence material utilized shall be in the form of traditional fencing sold for retail purpose, including metal, vinyl or wood. The fence requirement contained herein may be waived if the City deems a fence to be impractical with the*

Add

*location of the facility and if the facility has other adequate security measures to insure the security of the premises and safety of the public.*

Section 30-269.2 Light industrial parks shall conform to all the requirements of the light industrial district and shall meet the following additional requirements:

- (1) Minimum lot size, one-half acre;
- (2) Minimum front yard, fifty (50) feet;
- (3) Minimum side yard, twenty (20) feet;
- (4) Minimum rear yard, seventy-five (75) feet.

(Code 1980, § 20.14-8)

## **DIVISION 10. M-2 HEAVY INDUSTRIAL DISTRICT**

### **Section 30-281. Scope.**

The provisions of this division shall apply to the M-2 heavy industrial district.

### **Section 30-282. Generally.**

This district is composed of certain land so situated as to be suitable for industrial development, but where the modes of operation of the industry may directly affect nearby nonindustrial development. The regulations are so designed as to permit the normal operations of almost all industries, subject only to those needed for their mutual protection and the equitable preservation of nearby nonindustrial uses of land.

(Code 1980, § 20.15-1)

### **Section 30-283. Permitted uses.**

No land shall be used or occupied and no structure shall be designed, erected, altered, or used except for either one or several of the following uses by right and lawful accessory uses thereto or for one or several of the following conditional uses:

- (1) *Manufacturing (basic, processing, and/or fabrication).* Any of the following uses, provided that any building or premise used for such purpose shall be located not less than three hundred (300) feet from any R district:
  - a. Any use permitted in Section 14--Light industry.
  - b. Abrasives, acid, alcohol, ammonia and asbestos.
  - c. Bone black, carbon black and lamp black.
  - d. Brick, clay, tile, manufacture.
  - e. Canning and preserving plants.
  - f. Charcoal and coke, basic manufacturing.
  - g. Chemicals, manufacture or processing.
  - h. Cinder block fabrication.
  - i. Creosote treatment.
  - j. Detergents, soaps and by-products.



- k. Forge plant, foundries.
- l. Fungicides and insecticides.
- m. Galvanizing and anodizing processes.
- n. Gases, manufacture.
- o. Glue, size or gelatin, manufacture.
- p. Grain milling and mixing.
- q. Graphite manufacture.
- r. Insulation, manufacture, or fabrication.
- s. Meat slaughtering or packing.
- t. Metals, ingots, castings, sheets, bars or rods.
- u. Oils and fats, animal or vegetable, manufacture.
- v. Paints, pigments, enamels, japans, laquer, varnishes and wood fillers.
- w. Paper, pulp and cellulose.
- x. Paraffin wax and wax products.
- y. Petroleum and petroleum products, refining and processing (buildings and/or plant to be located not less than one hundred fifty (150) feet from boundary line of lot).
- z. Plastics, basic manufacture.
- aa. Rubber and rubber products, manufacture.
- bb. Sauerkraut, vinegar and yeast manufacture.
- cc. Sawmill or planing mill.
- dd. Serums, toxins, viruses, manufacture.
- ee. Sound deadeners, caulking, mastic and undercoating manufacture.

Add as permitted use.

ff. State Licensed Medical Marihuana Grower Facility, Safety Compliance Facility, Processor Facility, Secure Transporter and **Provisioning Center** with an approved Medical Marihuana Facilities license pursuant to Chapter 22, Article V of the City Code of Ordinance.

1. No Grower Facility, Safety Compliance Facility, Processor Facility, Secure Transporter or **Provisioning Center** shall be located within five hundred (500) feet of real property comprising a public or private elementary, licensed child care facility, vocational or secondary school.
2. No Grower Facility, Safety Compliance Facility, Processor Facility, Secure Transporter or **Provisioning Center** shall be located within two hundred fifty (250) feet of real property comprising a public park. Any Grower Facility, Safety Compliance Facility, Processor Facility or Secure Transporter located more than two hundred fifty (250) feet but less than five hundred (500) feet of real property comprising a public park shall have perimeter surrounded by an eight (8) foot fence. Fence shall not consist of over 40% opaque fence material. Fence material utilized shall be in the form of traditional fencing sold for retail purpose, including metal, vinyl or wood.
3. No Grower Facility, Safety Compliance Facility, Processor Facility, Secure Transporter or **Provisioning Center** shall be located within two hundred fifty (250) feet of real property comprising a place of religious worship. Any Grower Facility, Safety Compliance Facility, Processor Facility or Secure Transporter located more than two hundred fifty (250) feet but less than five hundred (500) feet of real property comprising a place of religious worship shall have perimeter surrounded by an eight (8) foot fence. Fence shall not consist of over 40% opaque fence material. Fence material utilized shall be in the form of traditional fencing sold for retail purpose, including metal, vinyl or wood.

Add

4. ***No Provisioning Center shall be located within two hundred fifty (250) feet of any residential zoning district of the City. Any Provisioning Center located more than two hundred fifty (250) feet but less than five hundred (500) feet of any residential zoning district shall be surrounded by an eight (8) foot fence. Fence shall not consist of over 40% opaque fence material. Fence material utilized shall be in the form of traditional fencing sold for retail purpose, including metal, vinyl or wood. The fence requirement contained herein may be waived if the City deems a fence to be impractical with the location of the facility and if the facility has other adequate security measures to insure the security of the premises and safety of the public.***

5. Lot area, setback and structure height:

- i. No minimum lot area required.
- ii. Front yard setback shall be no less than thirty (30) feet.
- iii. Side yard setback shall be no less than twenty (20) feet.
- iv. Rear yard setback shall be no less than thirty (30) feet.
- v. Structure height shall not exceed three (3) stories or fifty (50) feet.

gg. Any other basic manufacturing, processing and/or fabrication, but not including any uses specifically listed in paragraph (2) below and/or those prohibited by any other law or ordinance.

(2) *Special uses requiring planning commission authorization.* The following special uses may be permitted upon application to the planning commission and approval by it, based on their conformity with the general special use conditions listed in sections 30-81 through 30-85, and with the special conditions listed below for each:

- a. Alkali plants manufacture.
- b. Asphalt plants.
- c. Automobile wrecking and salvage yards.
- d. Bulk storage of explosives.
- e. Building materials salvage yard.
- f. Cement manufacture and concrete mixing operations.
- g. Fertilizer manufacture.
- h. Gravel and rock crushing operations.
- i. Gypsum and other forms of plaster base manufacture.
- j. Incinerators or reduction of garbage.
- k. Junkyard.
- l. Sanitary landfill and/or dumps.
- m. Stock yards, livestock auction yard.

- n. Any other use not prohibited by any other law or ordinance.

Every building or premises used for such purposes shall be located not less than five hundred (500) feet from any R or B district.

Every building or premises used for such purposes shall be located not less than one hundred (100) feet from any enumerated uses in Section 30-263, clauses (1)a and (1)b. The board may prescribe such additional limitations as are in its opinion necessary to secure the objectives of this chapter.

- (3) *Accessory uses*, which are clearly incidental and customary to and commonly associated with the operation of the uses by right.

- a. *Reserved.*

- b. *Reserved.*

- c. Mechanical amusement devices and/or arcades, provided that all requirements of Chapter 3 of the Code of Ordinances have been met.

(Code 1980, § 20.15-2; Ord. No. 1985-2, § 2, 5-6-85; Ord. No. 1987-8, § 2, 10-5-87)

#### **Section 30-284. Other requirements.**

Section 20.14 shall be applicable to the heavy industrial district.

(Code 1980, § 20.15-3)

#### **Section 30-285. Heavy industrial parks--M-2 (P).**

Heavy industrial parks shall permit all uses allowed in light industrial districts, light industrial parks and heavy industrial districts, and shall conform to all the requirements of Section 30-269.2 of this Code.

(Code 1980, § 20.15-4)

#### **Sections 30-286--30-289. Reserved.**

## **Section 30-4. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section:

*Accessory use or structure:* A use or structure customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.

*Agriculture:* The use of land and buildings for the production of crops and livestock on a farm and the necessary accessory uses for packing, treating and storing the products; provided, however, that the operation of any such accessory uses shall be secondary to that of normal agricultural activities. Excluded are such commercial uses as slaughtering, commercial meat packing, commercial milk processing and other uses not totally secondary to the normal agricultural activities.

*Alley:* A public or private way not more than thirty-three (33) feet wide which affords only a secondary means of access to abutting property.

*Alter:* As applied to a building or structure means a change or rearrangement in the structural parts or in the exit facilities; or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another.

*Apartment Building:* A use which is a dwelling designed for or occupied by three or more families, with separate housekeeping, cooking, and bathroom facilities for each. {Definition added by Ordinance #97-3.}

*Automobile repair--Major:* General repair, rebuilding or reconditioning of engines, motor vehicles or trailers, collision service, including body repair and frame straightening; painting and upholstering; vehicle steam-cleaning and undercoating.

*Automobile repair--Minor:* Minor repairs, incidental replacement of parts and motor service to passenger automobiles and trucks not exceeding one and one-half (1 1/2) tons capacity but not including any operation specified under "automobile repair--major."

*Automobile service station or gasoline station:* A place where gasoline, kerosene or any other motor fuel or lubricating oil or grease for operating motor vehicles is offered for sale to the public and deliveries are made directly into motor vehicles, including greasing and oiling on the premises, minor repairs, and replacement of minor parts and accessories, but not including major repair work such as motor overhaul, body or fender repair, or spray painting.

*Automobile wrecking:* The dismantling or disassembling of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles, or their parts.

*Base Flood:* The flood having a one percent of being equaled or exceeded in any given year. {added by Ordinance #2000-11, 4/5/2000}

*Base flood elevation:* The area of lands adjacent to and including a river, stream, lake or other body of water that will be inundated by the base flood. {added by Ordinance #2000-11, 4/5/2000}

*Base flood elevation:* Indicates the expected depth of water should a flood occur. {added by Ordinance #2000-11, 4/5/2000}

*Basic manufacture:* The first operation of operations which transform a material from its raw state to a form suitable for fabrication.

*Bed and Breakfast Inn:* A structure which was originally constructed for single family residential use and is currently the private residence of the innkeeper, but which is used for renting bedrooms, on a nightly basis to transient tenants and serves a breakfast at no extra cost to the transient tenants. {added by ordinance #2000-03, 3/6/2000.}

*Bed and breakfast operation:* The actual or intended rental of a lodging room or lodging rooms in an owner-occupied dwelling for periods of not more than fourteen (14) continuous days, without the provision of separate cooking facilities or meals except breakfast.

*Billboards and signs:* (See Article V, Division 4 of this chapter.)

*Board:* The zoning board of appeals.

*Buildable area:* The space remaining on a zoning lot after the minimum open-space requirements (coverage, yards, and setbacks) have been met. {added by Ordinance #2000-11, 4/5/2000}

*Building:* Structure enclosed or partially enclosed within exterior walls or fire walls, built, erected and framed of component structural parts, designed for the housing, shelter, enclosure and support of individuals, animals or property of any kind.

*Building coverage:* The amount of land covered by or permitted to be covered by a building, usually measured in terms of percentage of a lot. {added by Ordinance #2000-11, 4/5/2000}

*Building envelope:* The space within which a structure is permitted to be built on a zoning lot as defined by the standards of this ordinance including height, yards, building coverage and floor area ratio. {added by Ordinance #2000-11, 4/5/2000}

*Building, height of:* The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for a gable, hip or gambrel roof.

*Bulk regulations:* regulations that are specifically related to height, yards, building coverage and floor area ratio. {added by Ordinance #2000-11, 4/5/2000}

*Campground:* A use on a parcel or tract of land licensed by the State under the control of a person in which sites are offered for the use of the public or members of an organization either free of charge or for a fee, for the establishment of temporary living quarters for three or more recreational units which includes trailers as defined in this Code. {Definition added by Ordinance #97-3.}

*Clinic, dental or medical:* A building in which a group of physicians, dentists or physicians and dentists and allied professional assistants are associated for the purpose of practicing their profession. The clinic may include a medical or dental laboratory. It shall not include in-patient care or operating rooms for major surgery.

*Common parking element:* A parking plan in which the specific space requirements for permitted or special uses within the “CD” Campus Development or “CDBG” Central Business Districts are coordinated on a district wide-wide basis rather than through on-site development regulations. This plan must be presented as part of specific site plan review for intended uses without sufficient on-site parking. {added by Ordinance #2005-10, 6/15/2005}

*Condominium:* The term “condominium” as used in this Ordinance shall conform to the definition used in the Condominium Act, P.A. 59 of 1978, as amended, MCL 559.11 et. seq. {added by Ordinance #2000-11, 4/5/2000}

*Condominium general commons area:* The land area of the development owned by the condominium association. {added by Ordinance #2000-11, 4/5/2000}

*Condominium limited commons area:* The area around the building envelope, similar to a traditional subdivision lot, used exclusively by the owner of the unit but not technically owned by the owner of the unit. {added by Ordinance #2000-11, 4/5/2000}

*Condominium Project:* A plan or project consisting of not less than two condominium units if established and approved in conformity with the Condominium Act. {added by Ordinance #2000-11, 4/5/2000}

*Condominium Project:* A plan or project consisting of not less than two (2) condominium units if established and approved in conformity with the Condominium Act. {added by Ordinance #2000-11, 4/5/2000}

*Condominium Unit:* The portion of the condominium project designed and intended for separate ownership and use, as described in the master deed, regardless of whether it is intended for residential, office, industrial, business, recreational, or any other type of use as approved by the administrator of the Condominium Ordinance. {added by Ordinance #2000-11, 4/5/2000}

*Condominium Lot:* Described as an area designed to facilitate the building envelope and the limited commons area. Limited commons areas are designed for the exclusive use of the owner of the unit, although not technically owned by the owner. (Referred to as a Site Condominium) {added by Ordinance #2000-11, 4/5/2000}

*Density:* The average number of families, persons, or housing units per unit of land. {added by Ordinance #2000-11, 4/5/2000}

*Duplex:* A use which is a dwelling designed for or occupied by two families, with separate housekeeping, cooking, and bathroom facilities for each which complies with the standards given in this Code. {Definition added by Ordinance #97-3.}

*Dwelling:* A use which is a structure, mobile home, premanufactured or precut dwelling structure designed and used for the complete living accommodations of a single family which complies with the standards given in this Code. {Definition as amended by Ordinance #97-3.}

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{Definitions made redundant or conflicting by Ordinance #97-3.}

*Dwelling:* Any building or portion thereof designated to be used exclusively as the residence or sleeping place of one or more persons.

*Dwelling group:* A group of three (3) or more detached dwellings located on a parcel of land in one ownership and having any yard or court in common.

*Dwelling unit:* One room or suite of two (2) or more rooms designed for or occupied by one family for the living and sleeping purposes and having one kitchen or kitchenette.

*Dwelling, single-family:* A building designed for or occupied exclusively by one family.

*Dwelling, two-family:* A building designed for or occupied exclusively by two (2) families living independently of each other.

*Dwelling multiple-family:* A building or portion thereof designed for or occupied by three (3) or more families living independently of each other.

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*Fabrication:* Manufacturing, excluding the refining or other initial processing of basic raw materials such as metal ores or rubber. Fabrication relates to stamping, cutting or otherwise shaping the processed materials into useful objects.

*Family:* This term shall mean “*traditional family*” or “*functional family*” as defined below:  
{Definition as amended by Ordinance #2006-02, 5/1/2006}

*traditional family*--an individual or group of two or more persons related by blood, marriage or adoption, or other legal relationship, together with foster children, with a maximum of not more than (3) three additional unrelated persons, who are domiciled together as a single domestic housekeeping unit in a dwelling.

*Functional family*--a collective number of individuals domiciled together in one dwelling unit of not more than four (4) unrelated persons, and who are in fact cooking and living as a single nonprofit housekeeping unit. A functional family shall not include any



society, club, fraternity, sorority, association, lodge, combine, federation group, coterie, or other organization.

Any person or group of persons seeking the legal rights and privileges of a “*family*” as defined in subparagraph a. or b. above in any administrative, judicial, or quasi-judicial proceeding, whether as the proponent or by way of defense, shall have the burden of proving that their domestic relationship satisfies the criteria in either subparagraph a. or b. above.

*Fine arts:* Individual art pieces not mass produced which may consist of one or more of the following: Paintings, etchings, ceramics, inlays, needlework, knitting, weaving, sculptures, and/or craftwork.

*Float zone:* A zoning district whose requirements are fully described in the text of the ordinance but which is unmapped. A planned unit development would be an example of a float zone. {added by Ordinance #2000-11, 4/5/2000}

*Floor area, gross:* The sum of the horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces, loading spaces for motor vehicles, or any space where the floor-to-ceiling height is less than six feet. {Definition as amended by Ordinance #92-3.}

*Floor to area ratio:* The ratio of floor area permitted on a zoning lot to the size of that lot. (FAR) {added by Ordinance #2000-11, 4/5/2000}

*Funeral Home:* A building designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for internment or cremation. {Definition as amended by Ordinance #2000-02, 3/6/2000.}

*Garage:*

*Garage, community:* An accessory building, having no public shop or service in connection therewith, for the storage only of non-commercial vehicles. In the case of hotels, motels, or other building of public assembly such community garage may be a part of or attached to the principal building.

*Garage, private:* An accessory building, having not more than one thousand (1,000) square feet of usable floor area, to be used for the storage of non-commercial motor vehicles, and not more than one commercial vehicle of not more than one ton capacity. There shall be no public shop or services in connection therewith.

*Garage, public:* A building or part of a building used for the storage, sale, hire, care, repair or refinishing of motor vehicles.

*Grade:* A reference plane representing the average of finished ground level adjoining the buildings at all exterior walls.

*Home occupation:* In this chapter the term "home occupation" refers to incidental economic enterprises as permitted in specified residential districts, subject to enumerated limitations.

*Hotel:* A building containing guest rooms in which lodging is provided with or without meals for compensation and which is open to transient or permanent guests, or both, and where no provision is made for cooking in any guest room except suites where compact pullman-type kitchenettes may be provided.

*Institution:* A building occupied by an established non-profit society or non-profit corporation for public use.

*Intensity:* The degree to which land is used; the level of concentration or activity in uses. { added by Ordinance #2000-11, 4/5/2000 }

*Junkyard:* A place where junk, waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including wrecked motor vehicles, used building materials, structural steel materials and equipment and other manufactured goods that are so worn, deteriorated or obsolete as to make them unusable in their existing condition.

*Laboratory:*

*Medical or dental:* A laboratory which provides analytical or diagnostic services to physicians and dentists. No fabrication is conducted on the premises except the custom fabrication of dentures or surgical supports.

*Experimental:* A building or part of a building devoted to the testing and analysis of any product or animal.;

*Laundromat:* A business that provides home type washing, drying, and/or ironing machines for hire to be used by customers on the premises or operated for the benefit of retail customers who bring in and call for laundry.

*Loading berth:* A space within the main building or on the same lot, providing for the standing, loading or unloading of trucks, having a minimum dimension of twelve (12) by thirty-five (35) feet and a vertical clearance of at least fourteen (14) feet.

*Lot:* A piece or parcel of land occupied or intended to be occupied by a principal building or a group of such buildings and accessory buildings or utilized for a principal use and uses accessory thereto, together with such open spaces as required by this chapter, and having frontage on a public street or on a street which is a private street as of the date of adoption of this chapter.

*Lot corner:* A lot abutting upon two (2) or more streets at their intersection or upon two (2) parts of the same street, such streets or parts of the same street forming an interior angle of less than one hundred thirty-five (135) degrees. The point of intersection of the street lines is the "corner."

*Lot, interior:* A lot other than a corner lot.

*Lot width:* The width of the lot at the building line.

*Lot of record:* A lot which is part of a subdivision, the map of which has been recorded in the office of the register of deeds of Calhoun County, Michigan or a parcel of land described by metes and bounds, the description of which has been recorded in the office of county register of deeds of Calhoun County, Michigan. (See Section 30-41.)

*Manufacture:* All operations required to produce the material named.

*Mechanical amusement arcade:* A mechanical amusement arcade is any business establishment which contains five (5) or more mechanical amusement devices.

*Mechanical amusement device:* A mechanical amusement device shall include, but not be limited to, a machine, action game table, or electronic device, which for valuable consideration, may be operated for use as a game, contest, video display, or amusement of any description.

*Medical Marihuana Facilities:* State Licensed Medical Marihuana Grower Facility, Safety Compliance Facility, Processor Facility and Secure Transporter with an approved Medical Marihuana Facilities license pursuant to Chapter 22, Article V of the City Code of Ordinance.

- a) *Grower Facility:* A commercial entity that cultivated, dries, trims or cures and packages Marihuana for sale to a Processor or Provisioning Center.
- b) *Processor Facility:* A commercial entity that purchases Marihuana from a Grower and that extracts resin from the Marihuana or creates a Marihuana-infused product for sale and transfer in packaged form to a Provisioning Center.
- c) *Safety Compliance Facility:* A commercial entity that receives Marihuana from a Medical Marihuana Facility or registered primary caregiver, tests it for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results, and may return the Marihuana to the Medical Marihuana Facility.
- d) *Secure Transporter:* A commercial entity that store Marihuana and transports Marihuana between Medical Marihuana Facilities for a fee.
- e) ***Provisioning Centers: A licensed commercial entity that purchases marihuana***

*from a grower or processor and sells, supplies, or provides marihuana to registered qualifying patients, directly or through the patients' registered primary caregivers.*

*Mobile Home:* A dwelling, transportable in one or more sections which is built on a permanent chassis, and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained therein and is installed by a Michigan Licensed Mobile Home dealer or Michigan Licensed Mobile Home installer as required by Public Act 96 of 1987, as amended, being the Mobile Home Commission Act, MCL 125.2301 et.seq., (MSA 19.855(101) et.seq.), and administrative rules promulgated thereunder. {Definition amended by Ordinance #97-3.}

*Mobile Home Park:* A use which is a parcel of land under the control of a person upon which three or more mobile homes are located on a continual nonrecreational basis and which is offered to the public for that purpose regardless of whether a charge is made therefore, together with any building, structure, enclosure, street, equipment, or facility used or intended for use incident to the occupancy of a mobile home and which is not intended for use as a temporary mobile home or trailer. {Definition added by Ordinance #97-3.}

*Motel:* A building or group of buildings on the same lot, whether detached or in connected rows containing sleeping or dwelling units which may or may not be independently accessible from the outside with garage or parking space located on the lot, and designed for, or occupied by automobile travelers. The term shall include any building or building groups designated as motor lodges, motor inns, or by any other title intended to identify them as providing lodging, with or without meals, for compensation.

*Parking area, space, lot:* An off-street open area, the principal use of which is for the parking of automobiles, whether for compensation or not, or as an accommodation to clients, customers, visitors or employees.

*Planned unit development:* An area of land, under centralized ownership, to be developed as a single entity for one, or a number of combination of residential, commercial, and/or industrial uses, the plan for which does not correspond in lot size, bulk, or type of residential, commercial, or industrial use, density, lot coverage and required open space to the regulations established in any one or more districts created, from time to time, under the provisions of the zoning ordinance. Planned unit development requirements are designed to accomplish the objectives of the zoning ordinance through a land development project-review process based on the application of site planning criteria to achieve integration of the proposed land development project with the characteristics of the project area.

*Processing:* Any operations changing the nature of material or materials such as the chemical composition or physical qualities. [The term] does not include operation described as fabrication.

*Professional Office* – The office of a member of a recognized profession maintained for the

conduct of that profession. {Definition added by Ordinance #92-3.}

*Public utility:* Any person, firm, corporation, municipal department or board duly authorized to furnish and furnishing under federal, state or municipal regulations, to the public, electricity, gas, steam, communications, telegraph, transportation, or water.

*Rooming and/or boarding houses:* A building containing guest rooms in which lodging is provided with or without meals for compensation and which is open to permanent guests only and where no provision is made for cooking in any guest room.

*Story:* That portion of a building included between the upper surface of a floor and upper surface of one floor or roof next above.

*Story, first:* The lowermost story entirely above the grade plane.

*Story, half:* A partial story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than three (3) feet above the floor of such story, except that any partial story used for residence purposes, other than by a family occupying the floor immediately below it, shall be deemed a full story.

*Structure:* Anything constructed or erected, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground.

*Tourist home:* A building or part thereof, other than a hotel, boarding house, lodging house or motel, where lodging is provided by a resident family in its home for compensation, mainly for transients.

*Trailer:* A vehicle which can be drawn on a highway and is used for recreational or camping purposes. It includes the terms motor home, pole-trailer, trailer coach, trailer, mobile home as defined in Public Act 300 of 1949, as amended, being the Michigan Motor Vehicle Code, MCL 257.1 et.seq. (MSA 9.1801 et.seq.), as amended, and including camping units, tents, or any other temporary dwellings. {Definition added by Ordinance #97-3.}

*Use, by right:* A use which is listed as a use by right in any given zoning district in this chapter. Uses by right are not required to show need for their location.

*Use special:* A use permitted within certain zoning districts but of such a nature that the public has reserved the right to approve its exact location, subject to conditions stated in this chapter and to any special conditions imposed by the competent authority to protect the use by right of the other properties in the neighborhood.

*Uses by temporary permit:* Listed uses which may be permitted in any given zoning district, provided that need for the use in the district can be established to the satisfaction of the zoning inspector.

*Use, transitional:* Transitional use is one in which a permitted use of land or structure is less restrictive than the use normally permitted in the zoning district in which the land or structure is located. To qualify for transitional use, the property or structure must meet the following requirements:

- (a) The property (or lot) must be immediately adjacent to the zoning boundary between the zoning district in which the property is located and a zoning district which is the next less restrictive.
- (b) The transitional use must be one which is permitted in the above-described less restrictive zoning district.

*Variance:* A variance is defined as a modification of the terms of this chapter where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the chapter would result in unnecessary and undue hardship. As used in this ordinance, a variance is authorized only for height, area, and size of structure or size of yards and open spaces, establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of non-conformities in the zoning district or adjoining zoning districts.

*Warehouse:* A warehouse is defined as a property where goods are stored by contract and/or for a valuable consideration, which goods are not intended for sale on those premises.

*Wetland, Regulated:* Land characterized by the presence of water at a frequency and duration sufficient to support (and under normal circumstances does support) wetland vegetation or aquatic life and is commonly referred to as a bog, swamp, or marsh and which is regulated by the Michigan Department of Environmental Quality (MEDQ) authorized by Part 303, Wetland Protection, or the Natural Resources and Environmental Protection Act, 1994 P.A. 451, as amended. {added by Ordinance #2000-11, 4/5/2000}

*Wholesaling:* Wholesaling is defined as the on-premise sale of goods for resale.

*Yard, front:* An open space extending the full width of the lot between any part of a building and the front lot lines, unoccupied and unobstructed from the ground upward, except as hereinafter specified. For purposes of this chapter, in the case of corner lots, the front lot line shall be deemed to be that lot line adjacent to one street which is the narrower dimension of the lot.

*Yard, side:* An open space of a lot which extends from the front yard to the rear yard between the side lot line of a lot and the nearest wall or supporting member of a building or structure except as hereinafter specified. Section: 30-48(1)(2)(3). {amended by Ordinance #2000-11, 4/5/2000}

*Yard, rear:* An open space extending across the rear of the lot between the inner side yard lines and between a building and the rear lot line, unoccupied and unobstructed from the ground upward, except as hereinafter specified. In the case of through lots and reversed frontage corner lots, there will be no rear yard.

(Code 1980, § 20.4; Ord. No. 1984-1, § 3, 4-2-84; Ord. No. 1984-2, § 2, 6-18-84; Ord. No. 1985-2, § 2, 5-6-85; Ord. No. 1985-12, § 2, 10-7-85; Ord. No. 1987-3, § 2, 4-6-87; Ord. No. 1987-9, § 2, 10-5-87)



# Calhoun County Treasurer

*"Building A Better County Through Responsive Leadership"*

315 W. Green St.  
Marshall, MI 49068  
Office (269) 781-0807  
Fax (269-781-0800

Brian W. Wensauer  
Treasurer  
bwensauer@calhouncountymi.gov

## **2016 Tax Year Post Auction –Transfer of Properties**

### **Taxing Unit: Albion City**

Per MCL Section 211.78m (6), foreclosed properties not sold by the County Treasurer at auction will be transferred to cities, villages and townships unless the city, village or township objects.

Please indicate which parcels on the list (below or attached) that you would like to accept or reject. You may choose to reject all, accept all, or indicate your preference parcel by parcel.

Please complete and **return this document by October 22, 2018** via mail, fax or email to the following address:

Calhoun County Treasurer  
315 W Green Street  
Marshall, MI 49068

PH: 269-781-0807  
FAX: 269-781-0800  
[treasurer@calhouncountymi.gov](mailto:treasurer@calhouncountymi.gov)

**We will assume that no response means you are ACCEPTING all of the parcels listed below or on the attached spreadsheet. PLEASE respond by October 22, 2018.**

☐

**REJECT ALL**

☐

**ACCEPT ALL**

Accept	Reject	Parcel ID	Address	Condition
		51-006-930-00	411 Mechanic Street	Vacant
		51-007-765-02	704.5 Cooper	Vacant
		51-007-706-00	604 W. Broadwell Street	House
		51-001-379-01	411 S. Ionia Street	House
		51-007-760-00	1507 Cooper Street	House
		51-001-959-00	1017 Maple Street	House
		51-004-024-03	612 W Chestnut	House
		51-007-708-00	610 W. Broadwell Street	House
		51-010-577-00	1015 Jefferson Street	House
		51-007-707-00	608 W Broadwell Street	House
		51-008-220-00	312 Fitch Street	House







# Calhoun County Treasurer

*"Building A Better County Through Responsive Leadership"*

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Signature

Date

Printed Name

Title





ESTABLISHED 1924

# HUNTER-PRELL CO.

149 RICHMOND, CORNER OF COLUMBIA AND GRENVILLE • BATTLE CREEK, MI 49014  
TELEPHONE 269/962-7538 • FAX 269/962-7311

October 2, 2018

Mr. James Lenardson  
City of Albion  
112 West Cass Street  
Albion, MI 49224

Re: Boiler Replacement

Quote # TS 18-233

Dear Mr. Lenardson:

We are pleased to submit our price of \$57,557.00 for the above mentioned project.

This price includes:

- Demolition and disposal of existing boiler
- Purchase and installation of new 1,000,000 btu Aerco Benchmark high efficiency boiler
- Purchase and installation of a new B&G boiler circulating pump
- Hot water heating piping necessary to complete the installation of the new boiler and create a primary secondary loop system
- Electrical necessary, including an emergency stop, to complete the installation of the new boiler
- Venting necessary to complete the installation of the new boiler
- Purchase and installation of a condensate neutralizer and drain piping
- Controls for the new boiler including an outdoor reset
- Start up
- CSD-1
- Permits

This quote does not include any asbestos abatement.

This quote is good for 30 days.

Thank you for the opportunity to quote on this project. If you have any questions, please feel free to call.

Sincerely,

Todd Sidnam  
The Hunter Prell Co

# PROPOSAL

## TECHNICAL HOT & COLD

### Building Services

37667 Cherry Hill Road  
WESTLAND, MI 48186

PHONE (734) 326-3900 FAX: (734) 641-1079

Albion City Hall	10-1-18
112 W. Cass St.	Project: Boiler Replacement
Albion, Mi. 49224	Phone: 517-629-7200
Attention: Jim Lenardson	Email: jlenardson@cityofalbionmi.gov

Quoted By: Bob Compton cell 734-891-4920 Email: bcompton@technicalhotandcold.com

We at Technical Hot and Cold are pleased to offer this proposal for your consideration.

#### Scope of Work and Services:

Demo existing boiler.

Cut boiler into pieces to allow removal from building and haul away.

Install a new Lochinvar copper- fin CSD1 hot water boiler.

Install 2 – new ½ hp pumps with 2.5 flange.

Install new 2.5" ball valves as required.

Remove up to 40 ft. of 2.5" piping and install new piping up to 40 ft.

Replace 2.5" elbows piping and fittings.

Replace 2 - 2.5" Gate shut off valves.

Insulate mechanical room piping.

Pull mechanical permits.

#### Excludes:

Electrical

Any other work other than listed above.

Asbestos removal if applicable.

Any other leaking piping other than mechanical room.

Any more than 2 shut off valves.

Any more piping over 40 ft will be additional.

Items considered to be toxic or deemed hazardous waste are the responsibility of the customer to dispose of at the customers expens

**We propose** to furnish labor in accordance with above specifications, for the sum of: **\$84,750.00**

**Terms:** Payment for work performed needs to be met with 15 days of service and or installation.

. A 1.5% monthly fee and all collection costs will be charged to late/unpaid invoices.

**Quotation:** Valid for 30 days.

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All material is guaranteed to be as specified. All work to be completed in workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation insurance.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Note:

This proposal may be withdrawn by us if not accepted within 30 days.

---

**Acceptance of Proposal** – The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Purchase Order: \_\_\_\_\_

September 11, 2018

Albion City Hall  
112 W Cass St.  
Albion, MI  
Attn: James

**RE: BOILER REPAIRS**

This proposal includes all labor and material for the installation of the following:

**OPTION 1: BURNER SERVICE**

- Pull burner assembly clean and service
- Replace burner flame retention head
- Install stack balance damper
- Install new barometric damper
- Install new ignitor
- Set up draft per spec
- Perform combustion analysis
- 1 Yr. limited parts and labor warranty

**TOTAL COST \$9,846.00**

**OPTION 2: NEW 98% EFFICIENT BOILER**

- One Hydrotherm KN10 boiler
- One secondary pump rated at 90 GPM at 35' head
- Stainless steel double wall vent
- Primary piping loop
- Secondary piping loop
- High voltage
- Low voltage
- Gas pipe
- Demolition of existing boiler
- Disposal of existing boiler
- Crane
- Permits
- 1 Yr. parts and labor warranty
- 25 Yr. thermal shock warranty

**TOTAL COST \$62,614.00**

The existing boiler has several issues related to operation. Due to the size of the chimney we are installing a SS stack balance damper to adjust draft. The existing barometric damper operation is questionable so we are replacing it. The pulsing turbulent burn of the system may be due to a defective flame retention head so we have included replacing it. Initial work will involve pulling the burner for service and inspection of the retention head to determine if a new one is needed. Once all modifications are concluded the burner will be set





(616) 784-4040  
Fax (616) 785-7900  
5800 Safety Drive  
Belmont, MI 49306

Page 2  
Albion City Hall Boiler

to factory specifications using a digital combustion analyzer. This boiler was installed in 1977 so existing component condition can not be guaranteed. I estimate this boiler is currently operating at 65% efficiency at best, when our work is complete you can expect a maximum efficiency of 75%.

The second option is for a new 98% efficiency Hydrotherm KN10 condensing boiler. Currently there are multiple pumps serving the various building zones. This proposal creates a primary building loop with a secondary boiler loop to maximize system efficiency and performance. The new KN10 boiler is equipped with digital controls for ambient lock out, hot water reset, and demand control. In addition the boiler utilizes a modulating gas burner and comes set up to meet CSD-1 specifications. This boiler qualifies for utility company rebates estimated at \$3,000.00 dollars which Hurst will assist in filling the paper work. In addition this system will pay for itself over time with conservative energy savings of 25-30%.

Thank you for the opportunity to quote this project. If you have any questions or concerns please feel free to contact me at 616-291-5800.

Sincerely,

Dan Thomas  
Hurst Mechanical

INFORMATION  
ONLY

*City of Albion*  
*Schedule of Budgets Presented To Council*

Fund #   Dept #                      Fund Name

**Presented To Council on Monday, October 22nd, 2018 @ 7:00pm - General Fund & Misc.**

**GENERAL FUND**

101	000	Revenues
101	101	City Council
101	172	City Manager
101	209	Assessing
101	210	Attorney
101	215	City Clerk
101	226	Human Resources
101	260	Finance / Treasurer
101	265	Municipal Building
101	276	Cemetery
101	345	Public Safety
101	422	Code Enforcement
101	442	City Maintenance
101	444	Tree Trimming
101	447	Engineering
101	526	EPA Landfill
101	758	Albion River/Bike Trail
101	775	Parks
101	778	Holland Park
101	895	General Appropriations

**SIDEWALK PROGRAM**

367	Sidewalk Program
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**BONDS**

363	Energy/425/Generator Bonds
364	GO Bond for Water Projects
369	Albion Building Authority Bonds
374	DPW Building Debt

**TRUSTS**

711	Cemetery Trust
735	Albion Trust
737	Retiree Health Care

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*City of Albion*  
*Schedule of Budgets Presented To Council*

Fund #   Dept #                      Fund Name

**Presented to Council on Monday, October 29th, 2018 @ 7:00pm - Public Services & Misc.**

**PUBLIC SERVICES**

226	Solid Waste
590	Sewer Fund
591	Water Fund
661	Equipment Pool

**MISC.**

208	Recreation Fund
250	Community Development Block Grants
265	Drug Law Enforcement
732	Public Safety Pension Trust

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**Presented to Council Monday, November 12th, 2018 @ 7:00pm - Component Units & Streets**

**COMPONENT UNITS**

244	Economic Development
247	TIFA
296	Revolving Loan
246	Business Incubator
248	DDA
275	Albion Building Authority
277	Maple Grove Apartments

**STREETS**

202	Major Streets
203	Local Streets
450	Street Improvement Fund
452	MDOT Street Reconstruction

**OTHER ELEMENTS**

Personnel & Salaries/Wages  
Fee Schedules  
Budget Wrap Up

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**Monday, November 26th, 2018 - On Reserve if Needed**

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**Before Council on Monday, December 3th, 2018 @ 7:00 pm - Public Hearing**

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**Before Council on Monday, December 17th, 2018 - Adoption of 2019 Budget**

Budget Resolution - FY 2019  
Levy of General Operating Millage  
Budget Resolution - FY 2018 Amendments

*City of Albion*  
*Schedule of Budgets Presented To Council*

Fund # Dept #

Fund Name

*City of Albion*  
*Schedule of Budgets Presented To Council*



*City of Albion*  
*Schedule of Budgets Presented To Council*

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*City of Albion*  
*Schedule of Budgets Presented To Council*

FROM 08/01/2018 TO 08/31/2018

FUND: 101 202 203 208 226 250 265 275 277 450 452 590 591 661

CASH AND INVESTMENT ACCOUNTS

Fund Account	Description	Beginning Balance 08/01/2018	Total Debits	Total Credits	Ending Balance 08/31/2018
Fund 101	GENERAL FUND				
001.00	CASH	108,497.21	1,017,911.12	460,194.16	666,214.17
002.00	CASH - INCOME TAX ACCOUNT	170,538.87	29,888.05	15,939.11	184,487.81
003.00	CERTIFICATES OF DEPOSIT	99,915.00	53.00	0.00	99,968.00
004.00	PETTY CASH	100.00	0.00	0.00	100.00
004.02	PETTY CASH - CHANGE DRAWER	400.00	0.00	0.00	400.00
005.00	HRA ACCOUNT FOR EMPLOYEES	514.54	5.96	14.47	506.03
007.00	CASH PARK FENCE	17,542.72	5.96	0.00	17,548.68
017.00	INVESTMENTS	310,193.15	0.00	0.00	310,193.15
	GENERAL FUND	707,701.49	1,047,864.09	476,147.74	1,279,417.84
Fund 202	MAJOR STREETS FUND				
001.00	CASH	450,663.55	189,579.87	39,480.84	600,762.58
017.00	INVESTMENTS	101,345.96	0.00	0.00	101,345.96
	MAJOR STREETS FUND	552,009.51	189,579.87	39,480.84	702,108.54
Fund 203	LOCAL STREETS FUND				
001.00	CASH	159,521.67	19,194.10	30,839.52	147,876.25
Fund 208	RECREATION FUND				
001.00	CASH	73,117.21	83,944.93	18,760.31	138,301.83
Fund 226	SOLID WASTE FUND				
001.00	CASH	218,651.74	159,924.64	14,456.56	364,119.82
017.00	INVESTMENTS	53,057.53	0.00	0.00	53,057.53
	SOLID WASTE FUND	271,709.27	159,924.64	14,456.56	417,177.35
Fund 250	CDBG FUND				
001.01	CDBG FUND CASH	33,332.60	15.57	0.00	33,348.17
Fund 265	DRUG LAW ENFORCEMENT FUND				
001.00	CASH	5,140.01	5,749.42	4,847.68	6,041.75
Fund 275	ALBION BUILDING AUTHORITY FUND				
001.01	FUND CASH ACCOUNT	217,208.72	5,440.39	5,856.73	216,792.38
004.00	PETTY CASH	276.76	0.00	0.00	276.76
	ALBION BUILDING AUTHORITY FUND	217,485.48	5,440.39	5,856.73	217,069.14
Fund 277	ABA SEC 8 MAPLE GROVE				
001.01	FUND CASH ACCOUNT	229,560.17	54,770.12	72,610.27	211,720.02
002.00	CASH - CAPITAL PROJECTS RESERV	452,816.98	5,892.88	0.00	458,709.86
008.00	CASH-SECURITY DEPOSIT	24,518.99	0.00	300.00	24,218.99
	ABA SEC 8 MAPLE GROVE	706,896.14	60,663.00	72,910.27	694,648.87
Fund 450	STREET IMPROVEMENTS FUND				
001.00	CASH	88,062.09	159,999.97	12,677.45	235,384.61
017.00	INVESTMENTS	253,365.06	0.00	0.00	253,365.06
	STREET IMPROVEMENTS FUND	341,427.15	159,999.97	12,677.45	488,749.67
Fund 452	MDOT RECONSTRUCTION FUND				
001.00	CASH	140,141.93	0.00	3,116.96	137,024.97
Fund 590	SEWER FUND				
001.00	CASH	96,572.38	96,789.66	113,258.92	80,103.12
017.00	INVESTMENTS	308,841.68	0.00	0.00	308,841.68
	SEWER FUND	405,414.06	96,789.66	113,258.92	388,944.80
Fund 591	WATER FUND				
001.00	CASH	520,764.66	77,867.16	612,588.19	(13,956.37)
003.00	CERTIFICATES OF DEPOSIT	299,039.00	248.00	0.00	299,287.00

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CASH SUMMARY BY ACCOUNT FOR CITY OF ALBION

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FROM 08/01/2018 TO 08/31/2018

FUND: 101 202 203 208 226 250 265 275 277 450 452 590 591 661

CASH AND INVESTMENT ACCOUNTS

Fund Account	Description	Beginning Balance 08/01/2018	Total Debits	Total Credits	Ending Balance 08/31/2018
006.00	RESTRICTED CASH - BOND RESERVE	61,990.00	0.00	0.00	61,990.00
008.00	CASH-SECURITY DEPOSIT	0.00	200.00	0.00	200.00
017.00	INVESTMENTS	359,672.88	0.00	0.00	359,672.88
	WATER FUND	1,241,466.54	78,315.16	612,588.19	707,193.51
Fund 661	EQUIPMENT POOL FUND				
001.00	CASH	247,631.98	23,838.44	27,026.40	244,444.02
	TOTAL - ALL FUNDS	5,102,995.04	1,931,319.24	1,431,967.57	5,602,346.71

PERIOD ENDING 08/31/2018

% Fiscal Year Completed: 66.58

GL NUMBER	DESCRIPTION	2017	END BALANCE	YTD BALANCE	2018	% BDGT USED
		AMENDED BUDGET	12/31/2017 NORMAL (ABNORMAL)	08/31/2018 NORMAL (ABNORMAL)	ORIGINAL BUDGET	
Fund 101 - GENERAL FUND						
000 - GENERAL		3,478,812.00	3,469,350.51	2,365,328.58	3,577,865.00	66.11
209 - ASSESSING		5.00	5.00	75.50	0.00	100.00
215 - CLERK		37.00	36.60	62.67	100.00	62.67
260 - FINANCE DEPT AND/OR ABA GENERAL		350.00	2,360.50	511.00	500.00	102.20
276 - CEMETERY		60,000.00	69,312.74	49,073.76	80,000.00	61.34
345 - PUBLIC SAFETY		52,527.80	59,735.82	21,019.80	81,773.00	25.71
422 - CODE ENFORCEMENT		93,308.00	71,907.15	48,115.34	96,300.00	49.96
758 - ALBION RIVER/BIKE TRAIL		401,200.00	222,611.87	76,318.91	0.00	100.00
775 - PARKS		2,625.00	2,625.00	2,155.00	2,750.00	78.36
778 - HOLLAND PARK TRANSFORMATION PROJECT		84,531.00	80,826.89	4,704.16	25,000.00	18.82
930 - TRANSFER IN		10,000.00	10,000.00	0.00	10,000.00	0.00
TOTAL REVENUES		4,183,395.80	3,988,772.08	2,567,364.72	3,874,288.00	66.27
101 - CITY COUNCIL		41,460.00	37,474.62	27,795.97	45,255.00	61.42
172 - CITY MANAGER		113,791.00	108,068.92	53,979.61	141,268.00	38.21
209 - ASSESSING		51,050.00	46,834.14	34,877.86	50,050.00	69.69
210 - ATTORNEY		93,025.00	92,982.41	73,455.99	95,375.00	77.02
215 - CLERK		90,030.00	87,872.84	75,100.55	132,175.00	56.82
226 - HUMAN RESOURCES		24,330.00	24,309.99	16,929.11	24,925.00	67.92
260 - FINANCE DEPT AND/OR ABA GENERAL		318,180.00	292,686.68	210,817.38	369,465.00	57.06
265 - MUNICIPAL BLDG AND/OR 201 N CLINTON ST		96,445.00	84,542.68	53,763.14	71,450.00	75.25
276 - CEMETERY		174,520.00	159,187.40	98,434.13	164,494.00	59.84
345 - PUBLIC SAFETY		2,045,862.78	2,039,567.91	1,297,639.54	2,122,100.00	61.15
422 - CODE ENFORCEMENT		175,847.00	163,040.56	105,614.13	207,409.00	50.92
442 - CITY MAINTENANCE		197,821.00	191,590.79	22,629.91	60,423.00	37.45
444 - TREE TRIMMING		18,202.00	14,920.14	10,805.75	15,615.00	69.20
447 - ENGINEERING		10,886.00	10,738.67	10,985.91	9,653.00	113.81
448 - STREET LIGHTING		0.00	0.00	94,041.62	142,500.00	65.99
526 - EPA LANDFILL		8,600.00	8,284.51	3,618.41	8,800.00	41.12
758 - ALBION RIVER/BIKE TRAIL		401,200.00	222,611.87	76,318.91	0.00	100.00
775 - PARKS		212,222.00	211,484.85	132,712.63	213,758.00	62.09
776 - RIEGER PARK POND PROJECT		0.00	0.00	0.00	17,000.00	0.00
778 - HOLLAND PARK TRANSFORMATION PROJECT		84,531.00	80,826.89	0.00	25,000.00	0.00
895 - GENERAL APPROPRIATION		190,200.00	172,862.25	92,790.47	129,650.00	71.57
TOTAL EXPENDITURES		4,348,202.78	4,049,888.12	2,492,311.02	4,046,365.00	61.59
Fund 101 - GENERAL FUND:						
TOTAL REVENUES		4,183,395.80	3,988,772.08	2,567,364.72	3,874,288.00	66.27
TOTAL EXPENDITURES		4,348,202.78	4,049,888.12	2,492,311.02	4,046,365.00	61.59
NET OF REVENUES & EXPENDITURES		(164,806.98)	(61,116.04)	75,053.70	(172,077.00)	43.62



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REVENUE AND EXPENDITURE REPORT FOR CITY OF ALBION  
 PERIOD ENDING 08/31/2018  
 % Fiscal Year Completed: 66.58

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		2017	END BALANCE	YTD BALANCE	2018	
GL NUMBER	DESCRIPTION	AMENDED BUDGET	NORMAL (ABNORMAL)	NORMAL (ABNORMAL)	ORIGINAL BUDGET	% BDGT USED
Fund 202 - MAJOR STREETS FUND						
000 - GENERAL		640,612.00	674,684.21	383,051.83	700,170.00	54.71
487 - M-99 TRUNKLINE		37,000.00	64,254.41	133,234.10	40,000.00	333.09
TOTAL REVENUES		677,612.00	738,938.62	516,285.93	740,170.00	69.75
454 - ACT 51 NON-MOTORIZED		23,800.00	0.00	0.00	17,500.00	0.00
461 - MAINTENANCE		363,512.00	363,333.97	259,164.46	393,636.00	65.84
465 - TRAFFIC SERVICES		4,403.00	3,164.56	632.50	5,183.00	12.20
467 - WINTER MAINTENANCE		29,415.00	22,937.07	26,822.48	29,115.00	92.13
486 - I-94 TRUNKLINE		19,292.00	20,970.04	24,275.99	22,703.00	106.93
487 - M-99 TRUNKLINE		20,467.00	18,562.92	18,783.28	22,692.00	82.77
488 - M-199 TRUNKLINE		12,402.00	11,449.61	10,858.82	14,120.00	76.90
965 - TRANSFER OUT		203,000.00	203,000.00	0.00	193,000.00	0.00
TOTAL EXPENDITURES		676,291.00	643,418.17	340,537.53	697,949.00	48.79
Fund 202 - MAJOR STREETS FUND:						
TOTAL REVENUES		677,612.00	738,938.62	516,285.93	740,170.00	69.75
TOTAL EXPENDITURES		676,291.00	643,418.17	340,537.53	697,949.00	48.79
NET OF REVENUES & EXPENDITURES		1,321.00	95,520.45	175,748.40	42,221.00	416.26

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REVENUE AND EXPENDITURE REPORT FOR CITY OF ALBION  
PERIOD ENDING 08/31/2018  
% Fiscal Year Completed: 66.58

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GL NUMBER	DESCRIPTION	2017 AMENDED BUDGET	END BALANCE 12/31/2017 NORMAL (ABNORMAL)	YTD BALANCE 08/31/2018 NORMAL (ABNORMAL)	2018 ORIGINAL BUDGET	% BDGT USED
Fund 203 - LOCAL STREETS FUND						
000 - GENERAL		207,170.00	228,196.53	187,033.32	232,262.00	80.53
930 - TRANSFER IN		200,000.00	200,000.00	0.00	190,000.00	0.00
TOTAL REVENUES		407,170.00	428,196.53	187,033.32	422,262.00	44.29
461 - MAINTENANCE		353,201.00	334,203.99	205,022.51	365,956.00	56.02
465 - TRAFFIC SERVICES		7,620.00	6,082.32	1,331.54	7,377.00	18.05
467 - WINTER MAINTENANCE		28,225.00	20,998.70	30,381.65	30,315.00	100.22
965 - TRANSFER OUT		3,000.00	3,000.00	0.00	3,000.00	0.00
TOTAL EXPENDITURES		392,046.00	364,285.01	236,735.70	406,648.00	58.22
Fund 203 - LOCAL STREETS FUND:						
TOTAL REVENUES		407,170.00	428,196.53	187,033.32	422,262.00	44.29
TOTAL EXPENDITURES		392,046.00	364,285.01	236,735.70	406,648.00	58.22
NET OF REVENUES & EXPENDITURES		15,124.00	63,911.52	(49,702.38)	15,614.00	318.32

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REVENUE AND EXPENDITURE REPORT FOR CITY OF ALBION  
PERIOD ENDING 08/31/2018  
% Fiscal Year Completed: 66.58

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GL NUMBER	DESCRIPTION	2017 AMENDED BUDGET	END BALANCE 12/31/2017 NORMAL (ABNORMAL)	YTD BALANCE 08/31/2018 NORMAL (ABNORMAL)	2018 ORIGINAL BUDGET	% BDGT USED
Fund 208 - RECREATION FUND						
780 - RECREATION		140,991.00	170,316.11	127,996.85	160,665.00	79.67
782 - JUNIOR OPTMISTS - JOOI		50.00	750.00	0.00	0.00	0.00
TOTAL REVENUES		141,041.00	171,066.11	127,996.85	160,665.00	79.67
780 - RECREATION		137,495.00	122,527.40	97,449.55	160,387.00	60.76
782 - JUNIOR OPTMISTS - JOOI		500.00	424.34	0.00	0.00	0.00
TOTAL EXPENDITURES		137,995.00	122,951.74	97,449.55	160,387.00	60.76
Fund 208 - RECREATION FUND:						
TOTAL REVENUES		141,041.00	171,066.11	127,996.85	160,665.00	79.67
TOTAL EXPENDITURES		137,995.00	122,951.74	97,449.55	160,387.00	60.76
NET OF REVENUES & EXPENDITURES		3,046.00	48,114.37	30,547.30	278.00	0,988.24

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REVENUE AND EXPENDITURE REPORT FOR CITY OF ALBION  
PERIOD ENDING 08/31/2018  
% Fiscal Year Completed: 66.58

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GL NUMBER	DESCRIPTION	2017 AMENDED BUDGET	END BALANCE 12/31/2017 NORMAL (ABNORMAL)	YTD BALANCE 08/31/2018 NORMAL (ABNORMAL)	2018 ORIGINAL BUDGET	% BDGT USED
Fund 226 - SOLID WASTE FUND						
000 - GENERAL		237,000.00	273,492.78	226,297.50	221,400.00	102.21
TOTAL REVENUES		237,000.00	273,492.78	226,297.50	221,400.00	102.21
523 - LEAF PICKUP		35,440.00	13,888.82	0.00	19,935.00	0.00
524 - TREE DUMP		21,817.00	6,465.78	3,256.33	21,107.00	15.43
528 - SOLID WASTE		116,515.00	89,358.02	59,513.69	143,816.00	41.38
965 - TRANSFER OUT		25,500.00	25,500.00	0.00	25,500.00	0.00
TOTAL EXPENDITURES		199,272.00	135,212.62	62,770.02	210,358.00	29.84
Fund 226 - SOLID WASTE FUND:						
TOTAL REVENUES		237,000.00	273,492.78	226,297.50	221,400.00	102.21
TOTAL EXPENDITURES		199,272.00	135,212.62	62,770.02	210,358.00	29.84
NET OF REVENUES & EXPENDITURES		37,728.00	138,280.16	163,527.48	11,042.00	1,480.96

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Fund 265 - DRUG LAW ENFORCEMENT FUND						
000 - GENERAL		27,349.96	27,771.94	1,080.39	22,950.00	4.71
400 - FED DRUG LAW ENFOR - REIMBUR		25,000.00	29,244.11	23,460.31	25,000.00	93.84
TOTAL REVENUES		52,349.96	57,016.05	24,540.70	47,950.00	51.18
333 - DRUG LAW ENFORCEMENT		73,475.23	76,014.05	21,163.18	32,250.00	65.62
400 - FED DRUG LAW ENFOR - REIMBUR		18,796.20	20,684.14	7,377.29	22,500.00	32.79
TOTAL EXPENDITURES		92,271.43	96,698.19	28,540.47	54,750.00	52.13
Fund 265 - DRUG LAW ENFORCEMENT FUND:						
TOTAL REVENUES		52,349.96	57,016.05	24,540.70	47,950.00	51.18
TOTAL EXPENDITURES		92,271.43	96,698.19	28,540.47	54,750.00	52.13
NET OF REVENUES & EXPENDITURES		(39,921.47)	(39,682.14)	(3,999.77)	(6,800.00)	58.82

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GL NUMBER	DESCRIPTION	2017 AMENDED BUDGET	END BALANCE 12/31/2017 NORMAL (ABNORMAL)	YTD BALANCE 08/31/2018 NORMAL (ABNORMAL)	2018 ORIGINAL BUDGET	% BDGT USED
Fund 275 - ALBION BUILDING AUTHORITY FUND						
000 - GENERAL		4,432.00	4,567.62	4,328.89	4,293.00	100.84
264 - EDC BUILDING		26,992.00	27,991.94	137,313.34	0.00	100.00
265 - MUNICIPAL BLDG AND/OR 201 N CLINTON ST		1,512.00	1,512.00	1,008.00	1,512.00	66.67
271 - FIRE/AMBULANCE BUILDING		30,000.00	19,578.00	9,600.00	32,000.00	30.00
273		0.00	1.00	1.00	0.00	100.00
TOTAL REVENUES		62,936.00	53,650.56	152,251.23	37,805.00	402.73
260 - FINANCE DEPT AND/OR ABA GENERAL		9,365.00	6,170.54	3,009.78	6,940.00	43.37
264 - EDC BUILDING		22,275.00	19,124.11	16,783.69	5,900.00	284.47
265 - MUNICIPAL BLDG AND/OR 201 N CLINTON ST		2,130.00	2,000.06	1,004.92	1,290.00	77.90
271 - FIRE/AMBULANCE BUILDING		25,000.00	15,710.68	14,073.42	25,600.00	54.97
273 - 112 E ERIE ST		1,813.00	1,614.93	1,478.25	1,900.00	77.80
TOTAL EXPENDITURES		60,583.00	44,620.32	36,350.06	41,630.00	87.32
Fund 275 - ALBION BUILDING AUTHORITY FUND:						
TOTAL REVENUES		62,936.00	53,650.56	152,251.23	37,805.00	402.73
TOTAL EXPENDITURES		60,583.00	44,620.32	36,350.06	41,630.00	87.32
NET OF REVENUES & EXPENDITURES		2,353.00	9,030.24	115,901.17	(3,825.00)	3,030.10

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GL NUMBER	DESCRIPTION	2017 AMENDED BUDGET	END BALANCE 12/31/2017 NORMAL (ABNORMAL)	YTD BALANCE 08/31/2018 NORMAL (ABNORMAL)	2018 ORIGINAL BUDGET	% BDGT USED
Fund 277 - ABA SEC 8 MAPLE GROVE						
000 - GENERAL		442,516.00	459,533.20	305,197.63	443,000.00	68.89
TOTAL REVENUES		442,516.00	459,533.20	305,197.63	443,000.00	68.89
701 - ABA SEC 8 MAPLE GROVE		376,525.00	329,423.84	196,439.27	347,250.00	56.57
905 - DEBT SERVICE - BONDS		62,488.00	62,487.50	0.00	64,750.00	0.00
TOTAL EXPENDITURES		439,013.00	391,911.34	196,439.27	412,000.00	47.68
Fund 277 - ABA SEC 8 MAPLE GROVE:						
TOTAL REVENUES		442,516.00	459,533.20	305,197.63	443,000.00	68.89
TOTAL EXPENDITURES		439,013.00	391,911.34	196,439.27	412,000.00	47.68
NET OF REVENUES & EXPENDITURES		3,503.00	67,621.86	108,758.36	31,000.00	350.83

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GL NUMBER	DESCRIPTION	2017 AMENDED BUDGET	END BALANCE 12/31/2017 NORMAL (ABNORMAL)	YTD BALANCE 08/31/2018 NORMAL (ABNORMAL)	2018 ORIGINAL BUDGET	% BDGT USED
Fund 367 - SIDEWALK PROGRAM FUND						
000 - GENERAL		133,904.00	149,967.02	25,111.75	(3,500.00)	(717.48)
TOTAL REVENUES		133,904.00	149,967.02	25,111.75	(3,500.00)	(717.48)
443 - SIDEWALK PROGRAM		5,500.00	19,971.19	0.00	200,000.00	0.00
TOTAL EXPENDITURES		5,500.00	19,971.19	0.00	200,000.00	0.00
Fund 367 - SIDEWALK PROGRAM FUND:						
TOTAL REVENUES		133,904.00	149,967.02	25,111.75	(3,500.00)	717.48
TOTAL EXPENDITURES		5,500.00	19,971.19	0.00	200,000.00	0.00
NET OF REVENUES & EXPENDITURES		128,404.00	129,995.83	25,111.75	(203,500.00)	12.34



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GL NUMBER	DESCRIPTION	2017 AMENDED BUDGET	END BALANCE 12/31/2017 NORMAL (ABNORMAL)	YTD BALANCE 08/31/2018 NORMAL (ABNORMAL)	2018 ORIGINAL BUDGET	% BDGT USED
Fund 590 - SEWER FUND						
000 - GENERAL		1,135,186.00	1,212,197.24	728,132.15	1,140,800.00	63.83
544 - SAW GRANT PROJECT		635,494.00	637,256.22	0.00	0.00	0.00
546 - MEDC GRANT - DIGESTER, PUMP, ETC.		950,000.00	852,897.33	99,352.67	0.00	100.00
TOTAL REVENUES		2,720,680.00	2,702,350.79	827,484.82	1,140,800.00	72.54
536 - SEWER UTILITY OPERATIONS		1,341,789.00	1,200,370.43	824,148.42	1,319,962.00	62.44
542 - WWTP ENERGY IMPROVEMENTS		7,500.00	7,983.48	4,726.54	7,800.00	60.60
544 - SAW GRANT PROJECT		635,494.00	616,739.22	0.00	0.00	0.00
546 - MEDC GRANT - DIGESTER, PUMP, ETC.		950,000.00	193,991.92	241,191.92	0.00	100.00
965 - TRANSFER OUT		148,400.00	148,400.00	0.00	148,400.00	0.00
TOTAL EXPENDITURES		3,083,183.00	2,167,485.05	1,070,066.88	1,476,162.00	72.49
Fund 590 - SEWER FUND:						
TOTAL REVENUES		2,720,680.00	2,702,350.79	827,484.82	1,140,800.00	72.54
TOTAL EXPENDITURES		3,083,183.00	2,167,485.05	1,070,066.88	1,476,162.00	72.49
NET OF REVENUES & EXPENDITURES		(362,503.00)	534,865.74	(242,582.06)	(335,362.00)	72.33

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GL NUMBER	DESCRIPTION	2017 AMENDED BUDGET	END BALANCE 12/31/2017 NORMAL (ABNORMAL)	YTD BALANCE 08/31/2018 NORMAL (ABNORMAL)	2018 ORIGINAL BUDGET	% BDGT USED
Fund 591 - WATER FUND						
000 - GENERAL		917,170.00	959,872.66	613,707.94	918,250.00	66.83
548 - WATERTOWER PAINTING PROJECT		0.00	0.00	250,000.00	0.00	100.00
TOTAL REVENUES		917,170.00	959,872.66	863,707.94	918,250.00	94.06
536 - WATER UTILITY OPERATIONS		971,968.00	944,799.30	678,176.01	998,520.00	67.92
540 - WELLHEAD PROTECTION		500.00	0.00	0.00	500.00	0.00
548 - WATERTOWER PAINTING PROJECT		0.00	7,360.42	554,587.25	0.00	100.00
905 - DEBT SERVICE-BONDS		3,974.00	3,224.00	0.00	0.00	0.00
965 - TRANSFER OUT		111,450.00	11,450.00	0.00	11,450.00	0.00
TOTAL EXPENDITURES		1,087,892.00	966,833.72	1,232,763.26	1,010,470.00	122.00
Fund 591 - WATER FUND:						
TOTAL REVENUES		917,170.00	959,872.66	863,707.94	918,250.00	94.06
TOTAL EXPENDITURES		1,087,892.00	966,833.72	1,232,763.26	1,010,470.00	122.00
NET OF REVENUES & EXPENDITURES		(170,722.00)	(6,961.06)	(369,055.32)	(92,220.00)	400.19

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Fund 661 - EQUIPMENT POOL FUND						
000 - GENERAL		296,202.00	296,886.52	225,790.59	268,575.00	84.07
TOTAL REVENUES		296,202.00	296,886.52	225,790.59	268,575.00	84.07
770 - EQUIPMENT POOL		295,053.00	262,968.89	187,143.89	294,828.00	63.48
905 - DEBT SERVICE - BONDS		220.00	220.25	93.30	100.00	93.30
965 - TRANSFER OUT		17,850.00	17,850.00	0.00	17,850.00	0.00
TOTAL EXPENDITURES		313,123.00	281,039.14	187,237.19	312,778.00	59.86
Fund 661 - EQUIPMENT POOL FUND:						
TOTAL REVENUES		296,202.00	296,886.52	225,790.59	268,575.00	84.07
TOTAL EXPENDITURES		313,123.00	281,039.14	187,237.19	312,778.00	59.86
NET OF REVENUES & EXPENDITURES		(16,921.00)	15,847.38	38,553.40	(44,203.00)	87.22
TOTAL REVENUES - ALL FUNDS		10,271,976.76	10,279,742.92	6,049,062.98	8,271,665.00	73.13
TOTAL EXPENDITURES - ALL FUNDS		10,835,372.21	9,284,314.61	5,981,200.95	9,029,497.00	66.24
NET OF REVENUES & EXPENDITURES		(563,395.45)	995,428.31	67,862.03	(757,832.00)	8.95