

CITY COUNCIL REGULAR MEETING AGENDA

*Meetings: First and Third Mondays - 7:00 p.m.
Monday, September 20, 2021*

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

PLEASE TURN OFF CELL PHONES DURING MEETING

Page

- I. CALL TO ORDER
- II. MOMENT OF SILENCE TO BE OBSERVED
- III. PLEDGE OF ALLEGIANCE
- IV. ROLL CALL
- V. APPROVAL OF AGENDA
(Includes any proposed additions, deletions or changes to the agenda)
 - A. AGENDA
- VI. PRESENTATIONS AND RECOGNITIONS
 - A. DDA & TIFA INFORMATIONAL MEETING - PUBLIC ACT 57 OF 2018 -NORA JACKSON, DDA CHAIR & AMY DEPREZ, PRESIDENT & CEO ALBION ECONOMIC DEVELOPMENT CORPORATION
[DDA Business 2022-21 \(2\)](#)
[Update on the DDA Business for 2020 \(1\)](#)
[TIFA Public Presentation 09202021](#)
- VII. PUBLIC HEARING
- VIII. 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.)
- IX. CLOSED SESSION
 - A. THE CITY ATTORNEY REQUESTS A CLOSED SESSION UNDER THE OPEN MEETINGS ACT (SECTION 15.268 (H), P.A. 267 OF 1976, AS AMENDED) TO CONSIDER MATERIAL EXEMPT FROM DISCUSSION OR DISCLOSURE BY STATE OR FEDERAL STATUTE
 - B. THE LABOR ATTORNEY REQUESTS A CLOSED SESSION UNDER THE OPEN MEETINGS ACT (SECTION 15.268 (H), P.A. 267 OF 1976, AS AMENDED) TO

3 - 18

CONSIDER MATERIAL EXEMPT FROM DISCUSSION OR DISCLOSURE BY STATE
OR FEDERAL STATUTE

- X. CONSENT CALENDAR (VV) (ITEMS)
(Items on Consent Calendar are voted on as one unit)
- 19 - 32 A. SEPTEMBER 8, 2021 REGULAR SESSION MINUTES
[CITY COUNCIL REGULAR MEETING - 07 Sep 2021 - Minutes - Pdf](#)
- XI. ITEMS FOR INDIVIDUAL DISCUSSION
- 33 - 35 A. APPROVE RESOLUTION # 2021-31, TO DECLARE PRECINCT 1 COUNCIL SEAT
VACANT
[Output Document \(AIR-21-331\) - Pdf](#)
- 36 - 38 B. APPROVE RESOLUTION # 2021-32, TO DEDICATE HOLLAND PARK PAVILION TO
DR. HARRY BONNER SR.
[Output Document \(AIR-21-333\) - Pdf](#)
- 39 - 52 C. APPROVE 2ND READING & ADOPTION ORDINANCE # 2021-07, AN ORDINANCE
TO AMEND CHAPTER 22, ARTICLE VI, TO AMEND SECTIONS 22-221, 22-222, 22-
224, 22-226, 22-227 AND 22-228
[Output Document \(AIR-21-334\) - Pdf](#)
- 53 - 68 D. APPROVE 2ND READING & ADOPTION ORDINANCE # 2021-08, AN ORDINANCE
TO AMEND CHAPTER 22, TO AMEND ARTICLE V, SECTIONS 22-201, 22-202, 22-
203, 22-204, 22-205 AND 22-211, MEDICAL MARIHUANA FACILITIES
[Output Document \(AIR-21-335\) - Pdf](#)
- XII. FUTURE AGENDA ITEMS
- XIII. PUBLIC COMMENTS
(Persons addressing the City Council shall limit their comments to no more than three (3)
minutes. Proper decorum is required.)
- XIV. CITY MANAGER REPORT
- 69 - 88 A. [City Manager Report Combined
7-31-2021 Cash Summary
7-31-2021 Rev Exp](#)
- XV. MAYOR AND COUNCIL MEMBER COMMENTS
- XVI. MOTION TO EXCUSE ABSENT COUNCIL MEMBER (S)
- XVII. ROLL CALL
- XVIII. ADJOURN

DDA BUSINESS FOR 2020 & 2021

DDA BUSINESS – 2020

- Increased rental rates for the Ismon House
- Approved eight (8) Brownfield Interlocal

DDA BUSINESS – 2020

Agreements –

101-109 S. Superior Street,

111-119 S. Superior Street,

104-108 S. Superior Street,

213-221 S. Superior Street,

313-315 S. Superior Street,

106-108 E. Erie Street,

300-304 S. Superior Street &

403 S. Superior Street

DDA BUSINESS – 2020

- **Utilized technical assistance through Project Rising Tide to work with Beckett & Raeder to update the DDA Development Plan – Approved by the DDA on March 11, 2020; Public Hearing & formally approved by the Albion City Council on April 6, 2020**

DDA BUSINESS – 2020

- **Due to the health pandemic, the idea of a Service Agreement between DDA, AEDC & Albion Chamber of Commerce was introduced – July 2020**

DDA BUSINESS – 2021

- **Discussions continue to be had on the possibility of a service agreement between the DDA, AEDC & Chamber of Commerce**

DDA BUSINESS – 2021

- **With the loss of the Food Hub Manager, the DDA took the lead on organizing the Farmers Market**

DDA BUSINESS – 2021

- **Working with the city’s Director of Planning & Building to establish a potential Social District within the DDA District – this would provide specific areas of the downtown to allow people to consume alcohol in specific identified containers from downtown businesses.**

Update on the DDA Business for 2020 & 2021.

DDA Business – 2020:

- Increased rental rates for the Ismon House
- Approved eight (8) Brownfield Interlocal Agreements – 101-109 S. Superior Street, 111-119 S. Superior Street, 104-108 S. Superior Street, 213-221 S. Superior Street, 313-315 S. Superior Street, 106-108 E. Erie Street, 300-304 S. Superior Street & 403 S. Superior Street
- Utilized technical assistance through Project Rising Tide to work with Beckett & Raeder to update the DDA Development Plan – Approved by the DDA on March 11, 2020; Public Hearing & formally approved by the Albion City Council on April 6, 2020
- Due to the health pandemic, the idea of a Service Agreement between DDA, AEDC & Albion Chamber of Commerce was introduced – July 2020

DDA Business – 2021:

- Discussions continue to be had on the possibility of a service agreement between the DDA, AEDC & Chamber of Commerce
- With the loss of the Food Hub Manager, the DDA took the lead on organizing the Farmers Market
- Working with the city's Director of Planning & Building to establish a potential Social District within the DDA District – this would provide specific areas of the downtown to allow people to consume alcohol in specific identified containers from downtown businesses.

Thank you,

DDA Chair

Nora Jackson, Mayor Pro-Tem Jackson

City Manager, Haley Snyder, MPA



Tax Increment Financing Authority (TIFA) of the City of Albion

Advancing Albion

September 20, 2021

TIFA District

(November 2013 Revision)

A Resolution of the Albion City Council created the **Tax Increment Financing Authority (TIFA)** of the City of Albion on **May 3, 1982** under **Public Act 450 of 1980**. Financing and Development Plans were adopted by Council on November 7, 1983 and later amended on December 3, 2007 and November 2013. TIFA continues to operate under those plans today.

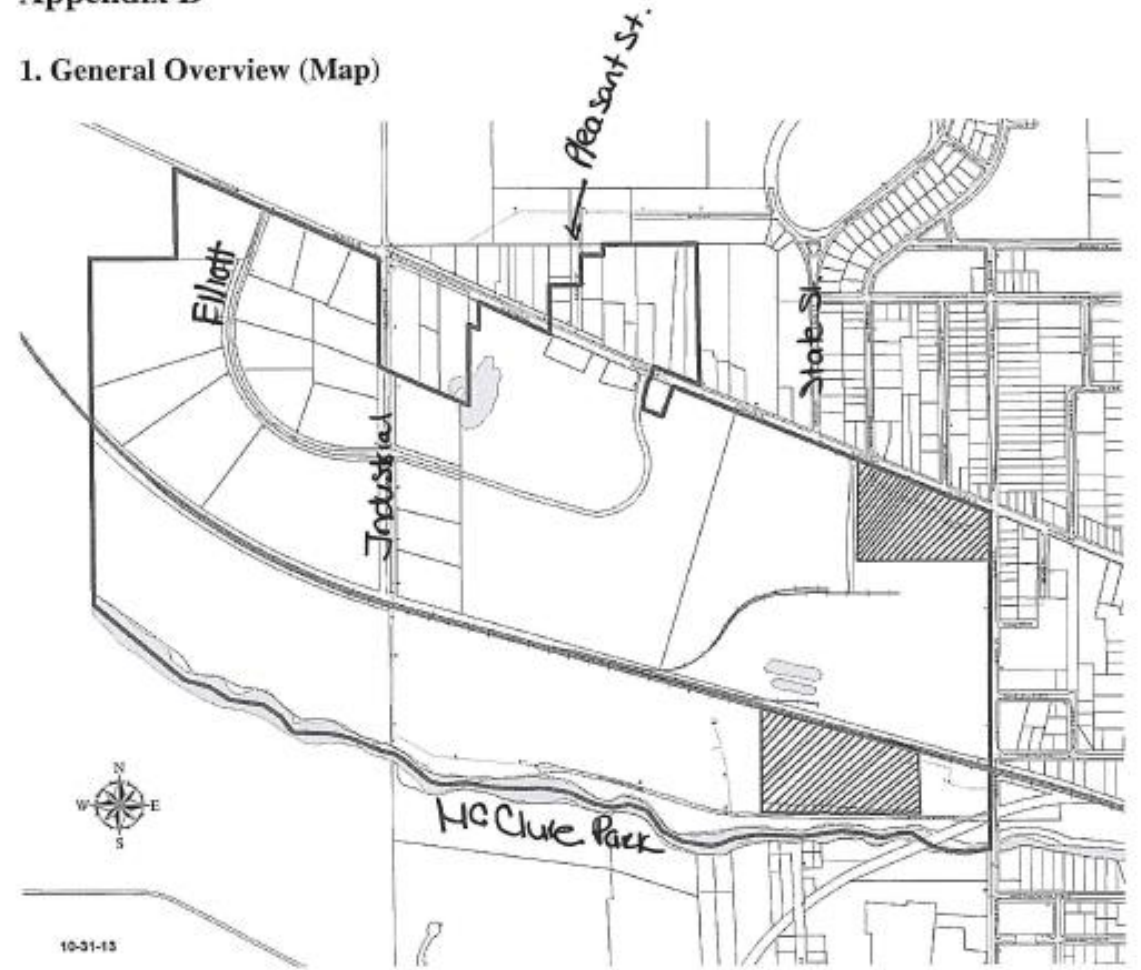
- Create a successful path for Industrial Park development and expand in new directions;
- Maximize the resources of the district through a comprehensive, pro-growth strategy;
- Revitalize “Obsolete” industrial sites; and
- Encourage the development of new and expanding enterprise.

TIFA District (November 2013 Revision)

Tax Increment Finance Authority of the City of Albion
Financing and Development Plan

Appendix B

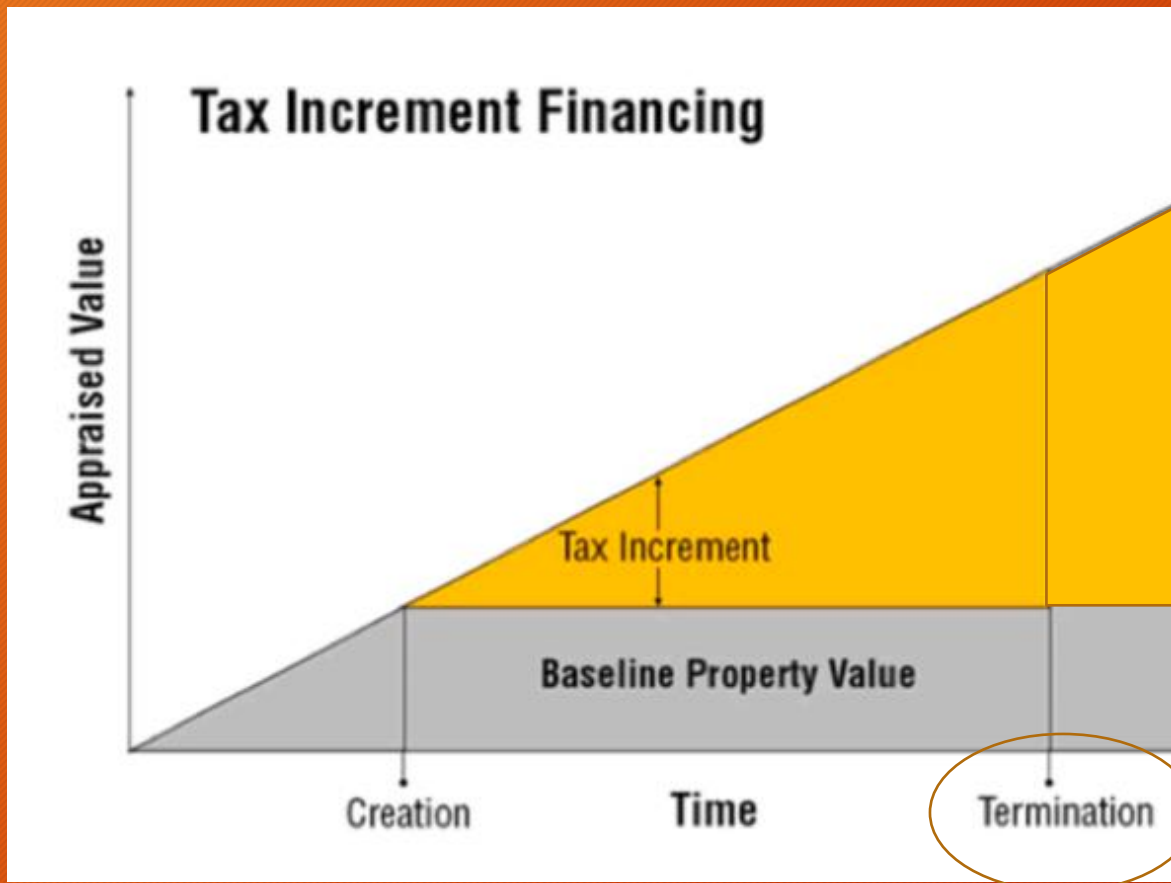
1. General Overview (Map)



Source: City of Albion

Albion

Tax Increment Financing - Math 101

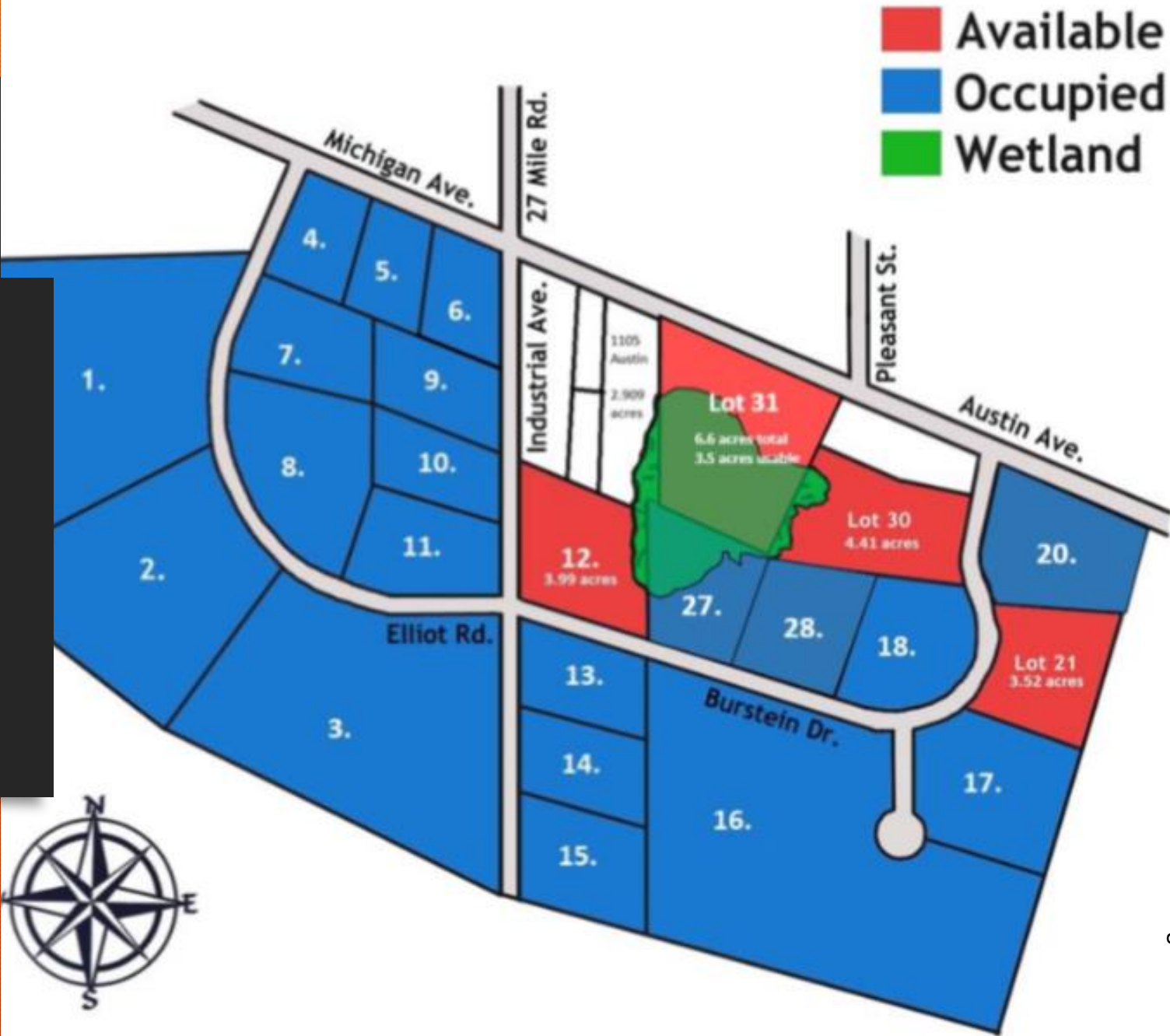


Increment based on development captured for TIFA activities

Original Taxes Collected by City

When Plan terminates, all taxes revert to City

Albion Industrial Park



Recent Projects - Building a Stronger AIP

- #15 • Sinclair Design & Engineering (1104 Industrial Ave.) - \$1 million Investment
- #17 • Consumers Energy - Lease 910 Burstein
- #20 • Trident (902 Burstein Drive) - Pending Inspections
- #27 & 28 • Project Dream (919&923 Burstein Drive) - Planning Stage for Development
- #9 & 6 • 1007 & 1009 Industrial Blvd - Licensing for Adult Use Grow/Processing



The Future of TIFA

Capital Improvement

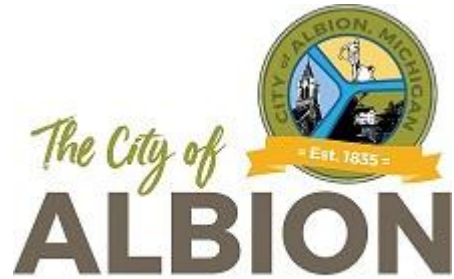
- Signage - Update & Replace
- Cosmetics (fire hydrants, etc.)
- Industrial Park Roads - work with City on plan to address poor condition of park roads

New Developments

- Job Fair & Placement Assistance
- Marketing of remaining lots - new lot signage

Expanding Options

- Update TIFA Plan 2022
- Ensure Albion is not limited by lack of available options
- Speculative Building



MINUTES
CITY COUNCIL REGULAR MEETING
Tuesday, September 7, 2021 @ 7:00 PM
City Council Chambers

I. CALL TO ORDER

Mayor Snyder called the regular meeting to order at 7:01 p.m.

II. MOMENT OF SILENCE TO BE OBSERVED

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

PRESENT: Vicky Clark (1); Lenn Reid (2); Nora Jackson (3); Marcola Lawler (4); Linda LaNoue (5); Shane Williamson (6) and Mayor Snyder.

ABSENT: All members were present

ADMINISTRATION: Haley Snyder-City Manager; Cullen Harkness-City Attorney; Jill Domingo- City Clerk; Scott Kipp-Chief of Public Safety; Ian Arnold-Director of Planning & Building; Patrick Miller-Director of Public Services and Tom Mead-Finance Director/Treasurer

V. APPROVAL OF AGENDA

(Includes any proposed additions, deletions or changes to the agenda)

A. AGENDA

LaNoue moved, Snyder supported, **CARRIED**, To Change Item (P) Discussion Resolution # 2021-30, City Council's Commitment to Improving Council Relations & Restoring Public Trust to Discussion/Approval Resolution # 2021-30, City Council's Commitment to Improving Council Relations & Restoring Public Trust (7-0, rcv)

LaNoue moved, Williamson supported, **CARRIED**, to Suspend Council Rule 10 (2) As permitted by the City Charter, the Mayor, City Council Members, or the Administration may add items to the agenda at any time before noon on the day of the Council meeting. Agenda items added to the agenda after 12:00 p.m. EST on the Wednesday prior to the City Council meeting shall generally be considered only for discussion at that meeting. If the item is a matter of urgency or emergency due to circumstances arising after the Wednesday preceding the meeting or if the item is a matter that requires no additional research or background and has general consensus from Council Members, the item added after the general agenda deadline may be considered for action by the City Council during that meeting (7-0, rcv)

Snyder moved, LaNoue supported, **CARRIED**, To remove Item I- Approve Resolution # 2021-27, A Resolution Concerning Personnel Action Regarding a Public Officer (7-0, rcv)

Moved by (1) Clark, seconded by (3) Jackson

To approve agenda with the above changes

	For	Against	Abstained	Absent
Clark (1)	x			
Reid (2)	x			
Jackson (3)	x			
Lawler (4)	x			
LaNoue (5)	x			
Williamson (6)	x			
Snyder Mayor	x			
	7	0	0	0

Carried

VI. PRESENTATIONS AND RECOGNITIONS- None

VII. PUBLIC HEARING- None

VIII. 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.)

No public comments were received

IX. CLOSED SESSION- None

X. CONSENT CALENDAR (VV) (items)

(Items on Consent Calendar are voted on as one unit)

- A.
 - 1. JULY 29, 2021 SPECIAL MEETING MINUTES
 - 2. AUGUST 2, 2021 REGULAR SESSION MINUTES
 - 3. AUGUST 9, 2021 SPECIAL MEETING MINUTES
 - 4. AUGUST 16, 2021 REGULAR SESSION MINUTES
 - 5. AUGUST 24, 2021 SPECIAL SESSION MINUTES
 - 6. APPROVE PERMIT FOR ALCOHOL IN PUBLIC PLACES FOR KIDS 'N STUFF MUSEUM FOR SATURDAY, SEPTEMBER 11, 2021
 - 7. APPROVE PERMIT FOR ALCOHOL IN PUBLIC PLACES FOR ALBION COMMUNITY FOUNDATION FOR FRIDAY, SEPTEMBER 17, 2021

Council Member LaNoue asked to correct the August 24, 2021 Special Session Minutes to reflect she was via Zoom in Allegan County, Michigan not Albion Michigan

Moved by (3) Jackson, seconded by (1) Clark

Approve Consent Calendar with the above correction

	For	Against	Abstained	Absent
Clark (1)	x			
Reid (2)	x			
Jackson (3)	x			
Lawler (4)	x			
LaNoue (5)	x			
Williamson (6)	x			
Snyder Mayor	x			
	7	0	0	0

Carried

XI. ITEMS FOR INDIVIDUAL DISCUSSION

- A. APPROVE BOARDS & COMMISSIONS APPOINTMENT
 - WAYNE ARNOLD, EQUITY TASK FORCE, INITIAL APPOINTMENT, TERM TO EXPIRE 12-1-2022
 - JAY LOOMIS, ZONING BOARD OF APPEALS, INITIAL APPOINTMENT, TERM TO EXPIRE 12-31-2022

AIR-21-319

Moved by (2) Reid, seconded by (3) Jackson

Approve Boards & Commissions Appointment

- *Wayne Arnold, Equity Task Force, Initial Appointment, Term to Expire 12-1-2022*
- *Jay Loomis, Zoning Board of Appeals, Initial Appointment, Term to Expire 12-31-2022*

	For	Against	Abstained	Absent
Clark (1)	x			
Reid (2)	x			
Jackson (3)	x			
Lawler (4)	x			
LaNoue (5)	x			
Williamson (6)	x			
Snyder Mayor	x			
	7	0	0	0

Carried

B. APPROVE MICHIGAN ECONOMIC DEVELOPMENT CORPORATION (MEDC) GRANT AGREEMENT

AIR-21-321

Comments were received from City Manager Snyder

Moved by (5) LaNoue, seconded by (6) Williamson

Approve Michigan Economic Development Corporation (MEDC) Grant Agreement

	For	Against	Abstained	Absent
Clark (1)	x			
Reid (2)	x			
Jackson (3)	x			
Lawler (4)	x			
LaNoue (5)	x			
Williamson (6)	x			
Snyder Mayor	x			
	7	0	0	0

CITY COUNCIL REGULAR MEETING
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Carried

C. APPROVE BECKETT & RAEDER AGREEMENT

AIR-21-320

Comments were received from City Manager Snyder

Moved by (6) Williamson, seconded by (3) Jackson

AIR-21-320

Approve Beckett & Raeder Agreement

	For	Against	Abstained	Absent
Clark (1)	x			
Reid (2)	x			
Jackson (3)	x			
Lawler (4)	x			
LaNoue (5)	x			
Williamson (6)	x			
Snyder Mayor	x			
	7	0	0	0

Carried

D. DISCUSSION/APPROVE 1ST READING ORDINANCE # 2021-07, AN ORDINANCE TO AMEND CHAPTER 22, ARTICLE VI, TO AMEND SECTIONS 22-221, 22-222, 22-224, 22-226, 22-227 AND 22-228

AIR-21-315

Comments were received from Council Member Williamson and City Attorney Harkness

Moved by (3) Jackson, seconded by (5) LaNoue

AIR-21-315

Approve 1st Reading Ordinance # 2021-07, An Ordinance to Amend Chapter 22, Article VI, To Amend Sections 22-221, 22-222, 22-224, 22-226, 22-227 and 22-228

	For	Against	Abstained	Absent
Clark (1)	x			
Reid (2)	x			

CITY COUNCIL REGULAR MEETING
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Jackson (3)	x			
Lawler (4)	x			
LaNoue (5)	x			
Williamson (6)		x		
Snyder Mayor	x			
	6	1	0	0

Carried

- E. DISCUSSION/APPROVE 1ST READING ORDINANCE # 2021-08, AN ORDINANCE TO AMEND CHAPTER 22, TO AMEND ARTICLE V, SECTIONS 22-201, 22-202, 22-203, 22-204, 22-205 AND 22-211, MEDICAL MARIHUANA FACILITIES

AIR-21-316

Comments were received from Council Member LaNoue and City Attorney Harkness

Moved by (5) LaNoue, seconded by (3) Jackson

AIR-21-316

Approve 1st Reading Ordinance # 2021-08, An Ordinance to Amend Chapter 22, To Amend Article V, Sections 22-201, 22-202, 22-203, 22-204, 22-205 and 22-211, Medical Marihuana Facilities

	For	Against	Abstained	Absent
Clark (1)	x			
Reid (2)	x			
Jackson (3)	x			
Lawler (4)	x			
LaNoue (5)	x			
Williamson (6)		x		
Snyder Mayor	x			
	6	1	0	0

Carried

- F. DISCUSSION/APPROVE EQUITABLE COMMUNITY ENGAGEMENT SERVICES RFP

AIR-21-323

CITY COUNCIL REGULAR MEETING
September 7, 2021

Comments were received from Council Members Williamson and LaNoue; Mayor Snyder and City Manager Snyder.

It was determined to re-post the RFP for Equitable Community Engagement Services

G. DISCUSSION/APPROVE WAIVE PARK RESERVATION APPLICATION FOR ALBION AREA PHILANTHROPIC WOMEN

AIR-21-322

Comments were received from Council Member Reid and Mayor Snyder

Moved by (6) Williamson, seconded by (3) Jackson

Approve Waiving Park Reservation Application for Albion Area Philanthropic Women

	For	Against	Abstained	Absent
Clark (1)	x			
Reid (2)	x			
Jackson (3)	x			
Lawler (4)	x			
LaNoue (5)	x			
Williamson (6)	x			
Snyder Mayor	x			
	7	0	0	0

Carried

H. DISCUSSION/APPROVAL FOR COUNCIL RETREAT

AIR-21-314

Comments were received from Council Members LaNoue, Williamson, Jackson and Reid

Moved by (6) Williamson, seconded by (5) LaNoue

Approve Council Retreat

	For	Against	Abstained	Absent
Clark (1)	x			
Reid (2)	x			
Jackson (3)	x			

CITY COUNCIL REGULAR MEETING
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Lawler (4)	x			
LaNoue (5)	x			
Williamson (6)	x			
Snyder Mayor	x			
	7	0	0	0

Carried

- I. APPROVE RESOLUTION # 2021-27, A RESOLUTION CONCERNING A PERSONNEL ACTION REGARDING A PUBLIC OFFICER

AIR-21-325

THIS ITEM WAS REMOVED FROM THE AGENDA

- J. APPROVE RESOLUTION # 2021-28, A RESOLUTION TO APPROVE M-99 RECONFIGURATION

AIR-21-327

Comments were received from Council Members LaNoue and Williamson; Mayor Snyder and City Manager Snyder

Moved by (6) Williamson, seconded by (5) LaNoue

AIR-21-327

Approve Resolution # 2021-28, A Resolution to Approve M-99 Reconfiguration

	For	Against	Abstained	Absent
Clark (1)	x			
Reid (2)	x			
Jackson (3)	x			
Lawler (4)	x			
LaNoue (5)	x			
Williamson (6)	x			
Snyder Mayor	x			
	7	0	0	0

Carried

- K. DISCUSSION/APPROVE OUTDOOR EQUIPMENT FOR DPW

AIR-21-326

CITY COUNCIL REGULAR MEETING
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Council Member LaNoue asked for the DPW's top priority equipment needs and the cost. She asked if the City's old equipment could be sold and whether additional staff is needed

City Manager Snyder stated the equipment and staffing will all be a part of the budget process

Additional comments were received from Council Members Reid, Lawler and Clark and Director of Public Services Miller

L. APPROVE \$7038.00 FOR WATER VALVE REPLACEMENT

AIR-21-328

Comments were received from Council Members Lawler and Williamson and Director of Public Services Miller

Moved by (6) Williamson, seconded by (3) Jackson

AIR-21-328

Approve \$7038.00 for Water Valve Replacement

	For	Against	Abstained	Absent
Clark (1)	x			
Reid (2)	x			
Jackson (3)	x			
Lawler (4)	x			
LaNoue (5)	x			
Williamson (6)	x			
Snyder Mayor	x			
	7	0	0	0

Carried

M. DISCUSSION MCINTOSH PARK ENVIRONMENTAL REPORT

AIR-21-317

City Manager Snyder stated she has spoken with engineers from Wightman & Associates and for the project that is being completed at McIntosh Park, no environmental report is required. No chemical toxins have been found and there has not been any environmental concerns for a number of years.

Council Member Lawler asked if there is an issue with deer feces

City Manager Snyder will follow up with Wightman & Associates on whether there is an issue with deer feces

Additional comments were received from Council Member Reid

N. DISCUSSION TREE SAFETY

AIR-21-318

Council Member Reid stated concern about the area's where sidewalks are being done that the trees next to the sidewalks are already rotting at the bottom and are now having the roots cut. She feels this could be a potential issue with a large windstorm

Director of Public Services Miller stated that all the roots of the trees are not being cut, just a few. He stated the City is designated as a "Tree City USA" so the City does have many trees

Council Member Lawler stated residents need to follow the procedure of calling City Hall and reporting tree issues

City Manager Snyder stated that the City must plant so many trees to maintain the "Tree City USA" designation. The City has already used the tree budget in the first six months of the year which does show the abundance of trees the City has

O. DISCUSSION OF 2020 AUDIT REPORT & FINANCE DEPARTMENT UPDATE

AIR-21-324

Finance Director Mead provided clarification of the 2020 Audit report:

Journal entries that were missed or made incorrectly:

- There were only two journal entries that were missed out of the 29,159 journal entries done. Those two entries pertained to the Irwin Avenue project which expanded over two budgets and the Cares Act

Internal control over credit card use:

- New procedures were implemented for the use of credit cards. Much closer monitoring is being conducted, as well as the implementation of new authorization levels, additional passcodes

required to monitor who is purchasing what and purchasing restrictions are being limited

Tax Disbursements to Locals-The City did not disburse tax collections to the taxing authorities within the required number of days of collection:

- Moving forward, the City expects to have all disbursements made timely assuming it can remain adequately staffed

He also provided the following update on Income Tax collection:

- To date, it is estimated that 3500-4000 City Income Tax returns are missing
- As of middle August approximately 1412 letters were mailed out covering 2014,2015 and 2019 tax years
- Another 692 letters will be mailed out for 2016, 2017 and 2018 tax years
- There are approximately 1524 additional returns that need further review/research to determine residency status, etc. Letters will be sent out accordingly
- This COULD result in approximately \$200,000 additional revenue for the City

Comments were received Council Members Williamson and Jackson; City Attorney Harkness and City Manager Snyder

P. DISCUSSION/APPROVE RESOLUTION # 2021-30, CITY COUNCIL'S COMMITMENT TO IMPROVING COUNCIL RELATIONS & RESTORING PUBLIC TRUST

AIR-21-330

Comments were received from Council Members Williamson, LaNoue, Lawler, Clark, Reid and Jackson and Mayor Snyder

Moved by (1) Clark, seconded by (3) Jackson

AIR-21-330

Approve Resolution # 2021-30, City Council's Commitment to Improving Council Relations & Restoring Public Trust

	For	Against	Abstained	Absent
Clark (1)	x			
Reid (2)	x			
Jackson (3)	x			

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Lawler (4)	x			
LaNoue (5)	x			
Williamson (6)	x			
Snyder Mayor	x			
	7	0	0	0

Carried

XII. FUTURE AGENDA ITEMS

No future agenda items were requested

XIII. PUBLIC COMMENTS

(Persons addressing the City Council shall limit their comments to no more than three (3) minutes. Proper decorum is required.)

Comments were received from Mark Lelle, 422 Elizabeth St; Karen Yankie, 104 Irwin Avenue; Mike LaNoue, 912 W. Erie St; Raymond Barclay, 903 E. Michigan Avenue; Maurice Barry, 215 E. Mulberry St; Garrett Brown, 1016 S. Superior St; Elisa Reynolds, 514 E. Michigan Avenue; Calhoun County Commissioner Gary Tompkins and Bruce Johnson, 509 Lynn St

XIV. CITY MANAGER REPORT

City Manager Snyder provided the following report:

1st, 2nd, 3rd, Wild & Hartwell Streets Project Update – Minutes from the sixth progress meeting are attached for your reference.

USDA Rural Development Application – WWTP Upgrades – The city's USDA Rural Development Application for the WWTP upgrades is just about complete and ready for submission. City Administration met with the city's Bond Counsel, Miller Canfield on August 17th to discuss the proposed bond issue for the project.

Housing Target Market Analysis – I met with surrounding city managers (City of Marshall, Battle Creek & Springfield) on August 24th to discuss housing needs within our communities, and the County-wide 2016 Target Market Analysis. The group unanimously expressed interest in working together to update the current study.

AEDC Industrial Park Master Plan Kick-Off Meeting – The kick-off meeting for the Industrial Park Master Plan was held on August 25th between the city, AEDC, and Wightman & Associates. Wightman will be working with the city and AEDC to develop a master plan for an AEDC

owned property located at 1917 E. Michigan Avenue, which contains approximately 40 acres. The plan will assist the City and AEDC with marketing efforts of the property. The final plan will include parcels with 3-4 acres (estimated 8-12 parcels total), roadway locations, water main and sanitary sewer access, and storm water retention areas. The plan will also include an assessment of available capacities for public water and sanitary sewer. The city received a CDBG grant through the MEDC to assist with the development plan.

Austin Avenue Parking – Follow-up to the discussion that took place at the last regular council meeting, MDOT has confirmed there is no parking along Austin Avenue. The marked lanes between the curb and roadway are considered “buffer lanes”. In order for no parking signs to be placed along the roadway, a traffic control work order through the State is required. Unfortunately, MDOT currently does not have a traffic engineer for our region, so the study will not be completed by MDOT anytime soon. Director Miller is working with another firm to see if they can assist with the work order. ADPS has been advised there should be no parking along this roadway.

Sidewalk Project – The city-wide sidewalk replacement project began the week of August 23rd. Epic Excavating has started in Section 2, at Chauncey and Albion Street. New curbs and curb downs have been poured where the old have been removed. The removal crew continues to remove ramps/curbs throughout section 2 – working their way south and eventually to Section 4 (quadrant map of city attached for your reference).

Diversity, Equity & Inclusion Training – In accordance with Resolution #2020-36 – A Resolution to Declare Racism as a Public Health Crisis in the City of Albion, I am in the process of seeking estimates for Diversity, Equity, and Inclusion training for council and city staff – will provide a formal recommendation at September 20th meeting

Comments were received from Council Member LaNoue

XV. MAYOR AND COUNCIL MEMBER COMMENTS

Comments were received from Council Members Reid, Lawler and LaNoue and Mayor Snyder

Additional comments were received from Council Member Clark who stated she is resigning from Council effective tonight

**** Council Member Lawler cited Privilege and left at 9:20 p.m.*

XVI. MOTION TO EXCUSE ABSENT COUNCIL MEMBER (S)

No action was necessary as all members were present

XVII. ROLL CALL

PRESENT: Vicky Clark (1); Lenn Reid (2); Nora Jackson (3); Linda LaNoue (5); Shane Williamson (6) and Mayor Snyder.

ABSENT: *** Council Member Lawler cited Priviledge and left at 9:20 p.m.

ADMINISTRATION: Haley Snyder-City Manager; Cullen Harkness-City Attorney; Jill Domingo- City Clerk; Scott Kipp-Chief of Public Safety; Ian Arnold-Director of Planning & Building; Patrick Miller-Director of Public Services and Tom Mead-Finance Director/Treasurer

XVIII. ADJOURN

Moved by (1) Clark, seconded by (6) Williamson

Adjourn regular meeting

Mayor Snyder adjourned the regular meeting at 9:25 p.m.

	For	Against	Abstained	Absent
Clark (1)	x			
Reid (2)	x			
Jackson (3)	x			
Lawler (4)				x
LaNoue (5)	x			
Williamson (6)	x			
Snyder Mayor	x			
	6	0	0	1

Carried

Jill A. Domingo, City Clerk

CITY COUNCIL REGULAR MEETING AGENDA ITEM REPORT



To: CITY COUNCIL
Subject: APPROVE RESOLUTION # 2021-31, TO DECLARE PRECINCT 1 COUNCIL SEAT VACANT
Meeting: CITY COUNCIL - 20 Sep 2021
Department: Attorney
Staff Contact: Cullen Harkness, City Attorney

ATTACHMENTS:

[Resolution 2021-31](#)

RESOLUTION #2021-31**TO DECLARE PRECINCT 1 COUNCIL SEAT VACANT**

Purpose and Finding: At the September 7, 2021 council meeting, Councilwoman Clark resigned her seat from precinct 1. Her resignation comes as a result of moving outside of the City of Albion. Pursuant to the City Charter, Section 4.9(a)(3), a resignation is effective upon the approval of council. Additionally, a council seat is also vacant when a member ceases to hold the qualifications to hold office. Section 4.9(a)(5). Moving outside the City of Albion also rendered Councilwoman Clark ineligible to continue to hold office. As such, this resolution is being presented to accept the resignation of Councilwoman Clark, to bring formality to the vacancy, and to effectively start the clock on the time period for appointing a replacement to the Precinct 1 council seat.

Council Member _____ moved, supported by Council Member _____, to approve the following resolution.

WHEREAS, Section 4.9(a)(3) of the Albion City Charter provides that a vacancy occurs upon the resignation of a councilmember and approval of the resignation by the council; and

WHEREAS, Councilperson Clark for Precinct 1 tendered her resignation both verbally and in writing on September 7, 2021; and

WHEREAS, Section 4.9(a)(5) of the Albion City Charter provides that a vacancy also occurs when a councilmember ceases to have the qualifications to hold office; and

WHEREAS, Councilwoman Clark of Precinct 1 has moved outside of the City of Albion and established residency elsewhere.

NOW THEREFORE BE IT RESOLVED, that the Albion City Council seat for Precinct 1 is hereby declared to be vacant pursuant to Section 4.9(a)(3) and (a)(5) of the Albion City Charter.

BE IT FURTHER RESOLVED, that the Albion City Council shall commence procedures, pursuant to Section 4.12 of the Albion City Charter, to appoint a councilperson to the Precinct 1 seat;

I hereby certify that the above resolution was adopted on September 20, 2021 in a regular session of the Albion City Council, and this is a true copy of that resolution.

Ayes _____

Nays _____

Absent _____

Jill Domingo, Clerk

CITY COUNCIL REGULAR MEETING AGENDA ITEM REPORT



To: CITY COUNCIL
Subject: APPROVE RESOLUTION # 2021-32, TO DEDICATE HOLLAND PARK PAVILION TO DR. HARRY BONNER SR.
Meeting: CITY COUNCIL - 20 Sep 2021
Department: Council
Staff Contact: Lenn Reid, (2)

ATTACHMENTS:

[Resolution 2021-32](#)

RESOLUTION #2021-32

TO DEDICATE HOLLAND PARK PAVILION TO DR. HARRY BONNER

Purpose and Finding: The City of Albion owns and maintains many acres of parks and trails. As council is aware, efforts have been underway to transform Holland Park into a full intergenerational community recreation space, with the most recent addition being a large pavilion. Additionally, Dr. Harry Bonner, has been an active member of the Albion community for decades and has dedicated his life to improving the lives of numerous Albion youths. As such, the City would like to formally name the Holland Park pavilion in his honor.

Council Member _____ moved, supported by Council Member _____, to approve the following resolution.

WHEREAS, many Holland Park facilities have been upgraded for the broader transformation of the park to create a fully intergenerational community recreation space; and

WHEREAS, part of the Holland Park transformation has included the construction of a large park pavilion; and

WHEREAS, Albion is a proud community and applauds Dr. Harry Bonner’s exceptional accomplishments and on-going commitment to building brighter futures for today’s youth; and

WHEREAS, in recognition and appreciation of the decades of work performed by Dr. Harry Bonner with the youth of the City of Albion, the City desires to memorialize his efforts;

NOW THEREFORE BE IT RESOLVED, that the Albion City Council shall formally name the new Holland Park pavilion the Dr. Harry Bonner Pavilion, and extend our heartfelt appreciation for your distinguished community service and extraordinary commitment to Albion students and our community

I hereby certify that the above resolution was adopted on September 20, 2021 in a regular session of the Albion City Council, and this is a true copy of that resolution.

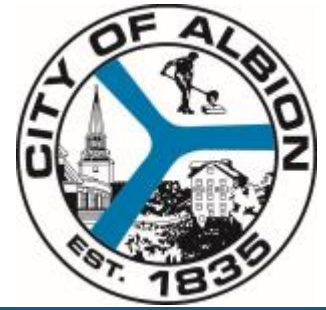
Ayes _____

Nays _____

Absent _____

Jill Domingo, Clerk

CITY COUNCIL REGULAR MEETING AGENDA ITEM REPORT



To: CITY COUNCIL
Subject: APPROVE 2ND READING & ADOPTION ORDINANCE # 2021-07, AN ORDINANCE TO AMEND CHAPTER 22, ARTICLE VI, TO AMEND SECTIONS 22-221, 22-222, 22-224, 22-226, 22-227 AND 22-228
Meeting: CITY COUNCIL - 20 Sep 2021
Department: Attorney
Staff Contact: Cullen Harkness, City Attorney

ATTACHMENTS:

[Ordinance 2021-07](#)

**CITY OF ALBION
ORDINANCE #2021-07**

AN ORDINANCE TO AMEND CHAPTER 22, ARTICLE VI, TO AMEND
SECTIONS 22-221, 22-222, 22-224, 22-226, 22-227, AND 22-228.

Purpose and Finding:

As the council is aware, the City Council previously opted to reduce the total number of licenses available within the City for Adult Use Marihuana Establishments (Grow and Processing) from 20 to 5. Pursuant to Council's direction, this amendment effectively allows an unlimited number of adult use marihuana licenses, but requires them to be located solely within overlay districts formed in the M-1 and M-2 zoning districts (the industrial park). This effectively limits the number of physical facilities by virtue of geography. Approval is recommended.

THE CITY OF ALBION ORDAINS:

Section 1. Chapter 22, Article VI, Sections 22-221, 22-222, 22-224, 22-225, 22-226, and 22-227 of the Codified Ordinances of the City of Albion, are hereby amended as follows:

ARTICLE VI: ADULT USE MARIHUANA FACILITIES

Sec. 22-221. Definitions.

The words and phrases used in this Article shall have the following meanings:

1. *The Act* shall mean the Michigan Regulation and Taxation of Marihuana Act, MCL 333.27951, et seq.
2. *Department* means the Michigan Department of Licensing and Regulatory Affairs.
3. Designated consumption establishment means a commercial space that is licensed and where it is authorized for adults 21 years of age and older to consume marihuana products.
4. *Industrial hemp* means a plant of the genus cannabis and any part of that plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration that does not exceed 0.3% on a dry-weight basis, or per volume or weight of marihuana-infused product, or the combined percent

- of delta-9-tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant of the genus *cannabis* regardless of moisture content.
5. *Marihuana* means all parts of the plant of the genus *cannabis*, growing or not; the seeds of the plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin, including marihuana concentrate and marihuana-infused products. For purposes of this act, marihuana does not include:
 - a. The mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted from those stalks, fiber, oil, or cake, or any sterilized seed of the plant that is incapable of germination;
 - b. Industrial hemp;
 - c. Any other ingredient combined with marihuana to prepare topical or oral administrations, food, drink, or other products.
 6. *Marihuana concentrate* means the resin extracted from any part of the plant of the genus *cannabis*.
 7. *Marihuana establishment* means a marihuana grower or excess grower, marihuana safety compliance facility, marihuana processor, marihuana microbusiness, marihuana retailer, marihuana secure transporter, designated consumption establishment or any other type of marihuana-related business licensed by the department.
 8. *Marihuana grower* means a person licensed to cultivate marihuana and sell or otherwise transfer marihuana to marihuana establishments. Marihuana grower license types are:
 - a. Class A – not more than 100 marihuana plants;
 - b. Class B – not more than 500 marihuana plants;
 - c. Class C – not more than 2000 marihuana plants;
 9. *Marihuana microbusiness* means a person licensed to cultivate not more than 150 marihuana plants; process and package marihuana; and sell or otherwise transfer marihuana to individuals who are 21 years of age or older or to a marihuana safety compliance facility, but not to other marihuana establishments.

10. *Marihuana processor* means a person licensed to obtain marihuana from marihuana establishments; process and package marihuana; and sell or otherwise transfer marihuana to marihuana establishments.
11. *Marihuana retailer* means a person licensed to obtain marihuana from marihuana establishments and to sell or otherwise transfer marihuana to marihuana establishments and to individuals who are 21 years of age or older.
12. *Marihuana secure transporter* means a person licensed to obtain marihuana from marihuana establishments in order to transport marihuana to marihuana establishments.
13. *Marihuana safety compliance facility* means a person licensed to test marihuana, including certification for potency and the presence of contaminants.
14. *Municipal license* means a license issued pursuant to section 6 of the Act (MCL 333.27956) that allows a person to operate a marihuana establishment in the City of Albion.
15. *Municipality* means the City of Albion.
16. *Overlay District* means the meaning set forth in the City of Ordinance Zoning Ordinance applicable to Marihuana Establishments.
17. *Person* means an individual, corporation, limited liability company, partnership of any type, trust, or other legal entity.
18. *Process or Processing* means to separate or otherwise prepare parts of the marihuana plant and to compound, blend, extract, infuse, or otherwise make or prepare marihuana concentrate or marihuana-infused products.
19. *Provisional License* means a certification provided by the City of Albion to an applicant for a municipal license. This is issued prior to a municipal license, is accompanied by an attestation form, and allows the applicant to finalize the application for a state license.
20. *State rules* means the Emergency Rules, or the Final Rules hereafter promulgated, by the Department.
21. *State license* means a license issued by the Department that allows a person to operate a marihuana establishment.

22. *Temporary marihuana event* means an event where the onsite sale or consumption of marihuana products, or both, are authorized at the location indicated on the municipal license during the dates indicated on the municipal license.

Sec. 22-222. Authorized Marihuana Establishments

The city hereby authorizes, subject to the issuance of a municipal license by the City, the following types of marihuana establishments within the boundaries of the city, pursuant to section 6.1 of the Act:

- a. Class A Marihuana Grower
- b. Class B Marihuana Grower
- c. Class C Marihuana Grower
- d. Marihuana Processor

Subject to any other condition contained in this article, the City Clerk, after approval from the City Council, may issue marihuana establishment licenses for the establishments listed in this Section.

Sec. 22-224: Permitted Locations

- a. Marihuana Growers shall be limited to the designated overlay district(s) contained within the M-1 and M-2 zoning districts;
- b. Marihuana Processors shall be limited to the designated overlay districts contained within the M-1 and M-2 zoning Districts.

Sec. 22-225: Facility Distance Requirements

- a. No marihuana grower facility or marihuana processor facility, shall be located within 500 feet of real property comprising a public or private elementary, licensed child care facility, vocational or secondary school.
- b. No marihuana grower facility or marihuana processor facility shall be located within 250 feet of real property comprising a public park. Any marihuana grower facility or marihuana processor facility located more than 250 feet but less than 500 feet of real property comprising a public park shall be surrounded by a fence as required by city ordinance. 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 ensure the security of the premises and safety of the public.
- c. No marihuana grower facility, marihuana processor facility shall be located within 250 feet of real property comprising a place of religious worship. Any marihuana grower facility or marihuana processor facility

located more than 250 feet but less than 500 feet of real property comprising a place of religious worship shall be surrounded by a fence as required by city ordinance. 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 ensure the security of the premises and safety of the public.

22-226: Provisional License; Municipal License to Operate Marihuana Establishment

1. An application for a municipal license to operate a marihuana establishment shall be reviewed by the following City Departments:
 - a. Public Safety;
 - b. Planning & Zoning;
 - c. Finance;
 - d. City Attorney;

An application for a municipal license to operate a marihuana establishment shall not be submitted to the City Council for approval until all of the departments listed above have recommended approval of the application.

2. If approved by the City Council, the clerk shall issue the applicant a provisional license, which does not convey the ability to operate a marihuana establishment.
3. A provisional license will be accompanied by a completed attestation form, in compliance with the Act and the state rules, specifically the Emergency Rules of July 3, 2019, Rule 8, Section 1(e)(iii).
4. At the time the clerk receives verification that the applicant has received a valid state license, the clerk will provide the applicant with a municipal license, which conveys the ability to operate a marihuana establishment.
5. Municipal licenses will be issued for the term of one year. Municipal licenses may be renewed by the City Council after receipt of a complete renewal application and renewal fee for any marihuana establishment in good standing. A departmental review of a renewal application shall be required. Successive renewals will each be valid for one year.
6. Maintaining a valid state license is a condition for the maintenance of a municipal license under this ordinance and continued operation of a marihuana establishment. A provisional license does not authorize

operations until a final license is issued, which will only occur upon issuance of the appropriate state license.

7. A municipal license to operate a marihuana establishment shall not be issued to any individual or entity who is in default to the City.
8. Licensees may transfer a license issued under this chapter to a different location upon receiving written approval from the city clerk. In order to request approval to transfer a license location, the licensee must make a written request to the city clerk indicating the current license location and the proposed license location. Upon receiving the written request, the city clerk shall refer a copy of the written request to each of the following for approval: the Albion Department of Public Safety or his designee, the director of planning and development or their designee, the finance director or its designee, the City Attorney, or their designee, and the city council. No license transfer shall be approved unless each such individual or department gives written approval that the licensee and the proposed license location meet the standards identified in this article and the city council approves the transfer.
9. Any license issued under this Section shall be non-transferrable to another entity without city council approval. A request for a transfer under this subsection shall be treated as a new application and the potential transferee of the municipal license shall be required to apply for a license, pay the applicable fee, and meet all of the criteria required of a licensee under this Article.
10. Nothing in this Article shall be deemed to create or vest a property right or interest in a municipal license issued pursuant to this Article. A municipal license issued pursuant to this Article is a revokable privilege granted by the City.

22-227: Municipal License Application

1. Every applicant for a municipal license to operate a marihuana establishment shall file an application in the office of the City Clerk on a form provided by the City. The Application shall include:
 - a. The appropriate nonrefundable municipal license application fee, as established by resolution;
 - b. If the applicant is an individual, the applicant's name; date of birth; Social Security number; physical address, including residential and any business address; copy of government-issued photo identification; email address; one or more phone numbers, including emergency contact information;

- c. If the applicant is not an individual, the names; dates of birth; physical addresses, including residential and any business address; copy of government-issued photo identifications; email address; and one or more phone numbers of each person holding ownership interest in the applicant, including designation of the highest ranking representative as an emergency contact person; contact information for the emergency contact person; articles of incorporation or organization; assumed name registration; Internal Revenue Service EIN confirmation letter; copy of the operating agreement of the applicant, if a limited liability company; copy of the partnership agreement, if a partnership; names and addresses of the beneficiaries, if a trust, or a copy of the bylaws or shareholder agreement, if a corporation;
- d. For the applicant, for each person holding an ownership interest in the applicant, an affirmation under oath as to whether they are at least 18 years of age and have never been indicted for, charged with, arrested for, or convicted of, pled guilty or nolo contendere to, forfeited bail concerning, or had expunged any criminal offense under the laws of any jurisdiction, either felony or controlled substance related misdemeanor not including traffic violations, regardless of whether the offense has been expunged, pardoned, reversed on appeal or otherwise, including the date, name and location of the court, arresting agency, and prosecuting agency, the case caption, the docket number, the offense, the disposition, and the location and length of incarceration;
- e. A copy of an ICHAT criminal history report for the applicant, each partner/shareholder/member of the applicant, each managerial employee and employee of the applicant meeting the criteria set forth in this article;
 - i. Said report may not be dated more than fourteen (14) days prior to the date of the application submission;
 - ii. If an applicant, stakeholder, managerial employee, or employee of the applicant is aware that they may have a criminal history in a jurisdiction outside of the State of Michigan, documentation reflecting that criminal history must be submitted as part of the application. Documentation shall be presented in the form of a criminal history report issued by a governmental agency or a copy of judgment of sentence or conviction from a court.
- f. The name and address of the proposed marihuana establishment;

- g. A notice of prequalification status approval from the Department, as defined under the state rules, specifically the Emergency Rules of July 3, 2019, Rule 6, Section 2;
- h. A location area map of the marihuana establishment and surrounding area that identifies the relative locations and the distances (as measured from the parcel lines of the individual properties) to the closest real property comprising a public or private elementary, vocational or secondary school, city park, and places of religious worship;
- i. A description of the security plan for the marihuana facility, including, but not limited to, any lighting, alarms, barriers, recording/monitoring devices and/or security guard arrangements proposed for the facility and premises. The security plan must contain the specification details of each piece of security equipment;
- j. A floor plan of the marihuana establishment, as well as a scale diagram illustrating the property upon which the marihuana establishment is to be operated, including all available parking spaces, and specifying which parking spaces, if any, are handicapped accessible;
- k. A staffing plan. The staffing plan shall, at a minimum, include: the exact number of employee roles and positions within the facility, the required education, qualifications, and skills for each employee in each position, and how the facility will screen each employee's background;
- l. A business plan. The business plan shall, at a minimum, include: business goals, methods to achieve business goals, financial projections, strategies to attain financial projections, number of employees for the facility, whether the facility intends to make an effort to hire local residents, and background on the origins of the facility;
- m. Any proposed text or graphical materials to be shown on the exterior of the proposed marihuana establishment;
- n. A facility sanitation plan to protect against any marihuana being ingested by any person or animal, indicating how the waste will be stored and disposed of, and how any marihuana will be rendered unusable upon disposal. Disposal by on-site burning or introduction in the sewerage system is prohibited;

- o. An affidavit that neither the applicant nor person holding an ownership interest in the applicant is in default to the city. Specifically, that the applicant or person holding an ownership interest in the applicant has not failed to pay any property taxes, special assessments, fines, fee or other financial obligations to the city;
- p. Proof of an adequate premise liability and casualty insurance policy in the amount not less than \$100,000.00, covering the marihuana establishment and naming the City of Albion as an additional insured party, available for the payment of any damages arising out of an act or omission of the applicant or person(s) holding an ownership interest in the applicant, agents, employees or subcontractors. Proof of said insurance shall be provided not later than sixty (60) days after a state operating license is issued or renewed;
- q. One of the following: (a) proof of ownership of the entire premises wherein the marihuana establishment is to be operated; or (b) written consent from the property owner for use of the premises in a manner requiring licensure under this chapter along with a copy of the lease for the premises;
- r. A signed acknowledgment that the applicant is aware and understands that all matters related to marihuana growing, cultivation, possession, testing, safety compliance and transporting, are currently subject to state and federal laws, rules and regulations, and that the approval or granting of a license hereunder does not exonerate or exculpate the applicant from abiding by the provisions and requirements and penalties associated with those laws, rules, and regulations, or exposure to any penalties associated therewith; and further, the applicant waives and forever releases any claim, demand, action, legal redress, or recourse against the city, its elected and appointed officials, and its employees and agents for any claims, damages, liabilities, causes of action, damages, or attorney fees that the applicant may incur as a result of the violation by the applicant, its stakeholders and agents of those laws, rules, and regulations; and
- s. A fully executed City of Albion Marihuana Facility Terms and Conditions Form;
- t. Any other information which may be required by the clerk.

2. All documents submitted in support of an application for a marihuana establishment license must be legible.
3. Municipal license holders shall report any other change in the information required by this ordinance to the city clerk within ten (10) business days of the change. Failure to do so may result in suspension or revocation of the license.
4. If an application is denied, the clerk shall issue a written notice of denial to the applicant. All communications will be sent by first class mail to the address for the applicant provided on the application.
5. Upon receipt of a completed marihuana establishment application meeting the requirements of this ordinance, the clerk shall refer a copy of the application to the departments specified in Section 22-226 of this Ordinance.
6. A municipal license will not be granted until the application materials have been reviewed and approved by the city departments listed in Section 22-226, or their designees, for compliance with all sections of this Article and all necessary inspections have been made.
7. A municipal license will not be granted until the Albion Department of Public Safety reviews the affidavits, ICHAT reports, and any out of state criminal histories submitted by the applicant.
8. A municipal license will not be granted until the Finance Department verifies that the applicant and its stakeholders are not in default to the city.
9. Municipal license holders shall report any other change in the information required by this ordinance to the city clerk within ten (10) business days of the change. Failure to do so may result in suspension or revocation of the license.

22-228: License Applications Evaluation

- (1) The City will assess all applications and shall assess each application in each of the following categories:
 - a. The applicant's experience in operating other similarly licensed businesses;
 - b. The applicant's general business management experience;
 - c. The applicant's general business reputation;
 - d. The integrity, moral character, and reputation; personal and business probity; financial ability and experience; and

responsibility or means to operate or maintain a Marihuana Establishment of the applicant;

- e. The financial ability of the applicant to purchase and maintain adequate liability and casualty insurance;
- f. The sources and total amount of the applicant's capitalization to operate and maintain the proposed Marihuana Establishment;
- g. Whether the applicant, any partner/shareholder/member, or any known employees have been indicted for, charged with, arrested for, or convicted of, pled guilty or nolo contendere to, forfeited bail concerning, or had expunged any relevant criminal offense under the laws of any jurisdiction, either felony or misdemeanor, not including traffic violations, regardless of whether the offense has been expunged, pardoned, or reversed as appealed or otherwise;
- h. Past convictions of the applicant, partners/shareholders/members, and any known employees, involving any of the following, but not limited to:
 - i. Gambling;
 - ii. Prostitution;
 - iii. Weapons;
 - iv. Violence;
 - v. Tax evasion;
 - vi. Fraudulent activity;
 - vii. Serious moral turpitude; and
 - viii. Felony controlled substance convictions.
- i. A felony or misdemeanor of such a nature that it may impair the ability of the applicant to operate a licensed business in a safe and competent manner;
- j. Whether the applicant has a history of violations of any local ordinance, including, but not limited to: zoning or rental registration.
- k. Whether the applicant has filed, or had filed against it, a proceeding for bankruptcy within the past seven (7) years;
- l. Whether the applicant has been served with a complaint or other notice filed with any public body regarding non-payment of any tax

required under federal, state or local law that has been delinquent for one (1) or more years;

m. Whether the applicant has a history of noncompliance with any regulatory requirements in this state or any other jurisdiction;

- (2) The City shall assess each application with the aforementioned categories and may issue a license to the applicants meeting the criteria under this section.
- (3) Application shall be made on a City form and must be submitted to the City Clerk. Once the clerk receives a complete application, including the initial annual Marihuana Establishment fee, the application shall be time and date stamped. Complete applications shall be reviewed and considered for authorization in consecutive time and date stamped order. Upon consideration and approval by the City Council, if the facility type authorization is available, then the applicant shall receive conditional authorization to operate such Marihuana Establishment within the City. Any applicant may withdraw their submission by written notice to the clerk at any time.
- (4) In the event the City identifies any deficiency in an application for a license under this Article or if the City otherwise requires additional information, the clerk shall provide written notice to the license applicant detailing the deficiencies or additional information required. The license applicant shall have ten (10) business days, from the date of the Clerk's written notification, to cure the deficiencies and/or provide the requested information to the City. In the event a license applicant fails to cure the deficiencies and/or provide the requested information to the City, the license application shall be deemed abandoned and withdrawn by the applicant and the application fee shall be forfeited to the City.
- (5) Within thirty (30) days from conditional authorization from the City, the conditionally authorized applicant must submit proof to the clerk that the applicant has applied for prequalification from the state for a state operating license or has submitted a full application for such license. If the applicant fails to submit such proof, then such conditional authorization shall be canceled by the clerk.
- (6) If a conditionally authorized applicant is denied prequalification for a state operating license or is denied on full application for a state operating license, then such conditional authorization will be canceled by the clerk.
- (7) A conditionally authorized applicant shall receive full authorization from the City to operate the Marihuana Establishment within the City upon the applicant providing to the clerk proof that the applicant has received a state operating license for the Marihuana Establishment in the City, and that the applicant has met all other requirements of this ordinance for

operation including, but not limited to, any zoning approval for the location of the facility within the City.

- (8) If a conditionally authorized applicant fails to obtain full authorization from the City within one (1) year from the date of conditional authorization, then such conditional authorization shall be canceled by the clerk. The City Council shall have authority to extend the deadline to obtain full authorization for up to an additional six (6) months on written request of the applicant, within thirty (30) days prior to cancellation, upon the reasonable discretion of the City Council finding good cause for the extension.

Section 2. Severability. This ordinance and each article, section, subsection, paragraph, subparagraph, part, provision, sentence, word and portion thereof are hereby declared to be severable, and if they or any of them are declared to be invalid or unenforceable for any reason by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

Section 3. Repealer Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

This Ordinance shall take effect on November 20, 2021 after publication.

First Reading:

Second Reading & Adoption:

September 7, 2021

September 20, 2021

Ayes _____
Nays _____
Absent _____

Ayes _____
Nays _____
Absent _____

Jill Domingo,
Clerk

Victoria Garcia-Snyder,
Mayor.

CITY COUNCIL REGULAR MEETING AGENDA ITEM REPORT



To: CITY COUNCIL
Subject: APPROVE 2ND READING & ADOPTION ORDINANCE # 2021-08, AN ORDINANCE TO AMEND CHAPTER 22, TO AMEND ARTICLE V, SECTIONS 22-201, 22-202, 22-203, 22-204, 22-205 AND 22-211, MEDICAL MARIHUANA FACILITIES
Meeting: CITY COUNCIL - 20 Sep 2021
Department: Attorney
Staff Contact: Cullen Harkness, City Attorney

ATTACHMENTS:

[Ordinance 2021-08](#)

**CITY OF ALBION
ORDINANCE #2021-08**

AN ORDINANCE TO AMEND CHAPTER 22, TO AMEND ARTICLE V, SECTIONS 22-201, 22-202, 22-203-, 22-204, 22-205, AND 22-211, MEDICAL MARIHUANA FACILITIES

Purpose and Finding:

As the council is aware, the City Council previously modified the number of adult use facility licenses and, in a separate ordinance, is again modifying them to allow for an unlimited number of licenses, but requiring them to be located within an overlay district in the industrial park. The amendments to these sections make the adjustments to mandate locating in the overlay districts and well as some other non-substantive modifications. Approval is recommended.

THE CITY OF ALBION ORDAINS:

Section 1. Chapter 22, of the Codified Ordinances of the City of Albion, is hereby amended, by amending Article V, Sections 22-201, 22-202, 22-203, 22-204, 22-205, and 22-211 as follows:

Sec. 22-201. - Definitions, interpretation and conflicts.

For the purposes of this chapter:

- a. Any term defined by the Michigan Medical Marihuana Act, 2008 IL 1, MCL 333.26421 et seq., as amended ("MMMA") or the Medical Marihuana Facilities Licensing Act, 2016 PA 281, shall have the definition given in the MMMA, as amended, or the Medical Marihuana Facilities Licensing Act, as amended. If the definition of a word or phrase set forth in this chapter conflicts with the definition in the MMMA or the Medical Marihuana Facilities Licensing Act, or if a term is not defined but is defined in the MMMA or the Medical Marihuana Facilities Licensing Act, then the definition in the MMMA or the Medical Marihuana Facilities Licensing Act shall apply.
- b. Any term defined by 21 USC 860(E) referenced in this chapter shall have the definition given by 21 USC 860(E).
- c. This article shall not limit an individual's or entity's rights under the MMMA or the Medical Marihuana Facilities Licensing Act. The MMMA and the Medical Marihuana Facilities Licensing Act supersede this article where there is a conflict between them.
- d. All activities related to marihuana, including those related to, a grower facility, secure transporter, processor facility or a safety compliance facility, shall be in compliance the rules, regulations, and ordinances of the City of Albion

- e. Any use which purports to have engaged in the cultivation or processing of marihuana into a usable form, the transportation of marihuana between licensed facilities, or the testing of marihuana either prior to or after enactment of this chapter but without obtaining the required licensing set forth in this chapter, shall be deemed to not be a legally established use and therefore not entitled to legal nonconforming status under the provisions of this chapter and/or state law. The City of Albion finds and determines that it has not heretofore authorized or licensed the existence of any medical marihuana facility, as defined herein, in the City of Albion.
- f. The following terms shall have the definitions given:

"Chapter" means this chapter.

"City" means the City of Albion, Michigan.

"Council" or *"city council"* means the City Council of the City of Albion, Michigan.

"Enclosed locked facility" means a closet, room, or other comparable, stationary, and fully enclosure, equipped with secured locks or other functioning security devices. Marihuana plants grown outdoors are considered to be in an enclosed locked facility if they are not visible to the unaided eye from an adjacent property when viewed by an individual at ground level or from a permanent structure and are grown within a stationary structure that is enclosed on all sides, except for the base, by chain-link fencing, wooden slats, or similar material that prevents access by the general public and that is anchored, attached, or affixed to the ground and as defined in the MMMA.

"Grower" or *"grower facility"* means a commercial entity that cultivated, dries, trims or cures and packages marihuana for sale to a processor or provisioning center.

"Marihuana plant(s)" means any plant of the species cannabis sativa.

"Marihuana" means that term as defined in section 7106 of the Public Health Code, 1978 PA 368, MCL 333.7106.

"Medical marihuana facility(ies)" means any facility, establishment and/or center that is required to be licensed under this chapter, including a provisioning center, grower, processor, safety compliance facility, and secure transporter.

"Ordinance" means the ordinance adopting this chapter.

"Overlay District" means the meaning set forth in the City of Albion Zoning Ordinance applicable to Medical Marihuana Facilities.

"Permit application" refers to the requirements and procedures set forth in sections 22-204 and 22-205.

"Permittee" a commercial entity holding a valid and current permit issued under this Chapter.

"Person" means an individual, corporation, limited liability company, partnership, limited partnership, limited liability partnership, limited liability limited partnership, trust, or other legal entity.

"Processor" or "processor facility" means 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.

"Provisioning center" means a 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. Provisioning center includes any commercial property where marihuana is sold at retail to registered qualifying patients or registered primary caregivers. A noncommercial location used by a primary caregiver to assist a qualifying patient connected to the caregiver through the department's marihuana registration process in accordance with the MMMA is not a provisioning center for the purposes of this article.

"Restricted/limited access area" means a building, room or other area under the control of the licensee with access governed by the MMMA or other applicable state law.

"Safety compliance facility" means 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.

"Secure transporter" means a commercial entity that stores marihuana and transports marihuana between medical marihuana facilities for a fee.

"Stakeholder" means with respect to a trust, the beneficiaries, with respect to a limited liability company, the managers or members, with respect to a corporation, whether profit or non-profit, the officers, directors, or shareholders, and with respect to a partnership or limited liability partnership, the partners, both general and limited.

"State" means the State of Michigan.

- g. Any term defined by the MMMA or the Medical Marihuana Facilities Licensing Act and not defined in this chapter shall have the definition given in the MMMA or the Medical Marihuana Facilities Licensing Act.

Sec. 22-202. - Permit allocation and annual fees.

- a. No person shall operate a grower facility, processor facility, secure transporter, provisioning center, or safety compliance facility in the City of Albion without first obtaining a permit to do so from the city clerk and a license from the State of Michigan. Subject to any other condition contained in this article, the city clerk, after approval from the city council, may issue up to an aggregate total of 20 medical marihuana facility permits. Said permits may be issued to any of the following types of medical marihuana facilities:
 - i. Grower facilities;
 - ii. Processor facilities;
 - iii. Provisioning centers;

- iv. Secure transporters;
- v. Safety compliance facilities;

The term of each permit shall be one year. Not more than two of the permits described above may be issued to provisioning centers.

- b. The non-refundable application fee for a medical marihuana facility permit shall be established by the city council by resolution.
- c. Authorization to operate in the City of Albion granted in the form of a city issued license, prior to this amendatory ordinance, shall remain in effect until the expiration of the license. Subsequent to expiration of the licenses referenced in this subsection, authorization to operate in the City of Albion shall only be via city issued and approved permits.

Sec. 22-203. - Permit applications submission.

- a. Application for each medical marihuana facility permit required by this chapter shall be made in writing to the city clerk and must be approved by the city council after receiving a recommendation submitted by the planning commission, and approved by the State of Michigan, prior to commencing operation. Upon the expiration of an existing permit, a permittee shall be required to reapply if the permittee seeks to continue operations.
- b. An application for a medical marihuana facility permit required by this chapter shall contain the following:
 - i. The appropriate non-refundable application fee in the amount per section 22-202(b);
 - ii. If the applicant is an individual, the applicant's name, date of birth, physical address, copy of government issued photo identification, email address, and one or more phone numbers, including emergency contact information;
 - iii. If the applicant is not an individual, the names, dates of birth, physical addresses, copy of government issued photo identification, email addresses, and one or more phone numbers of each stakeholder/shareholder/member of the applicant, including designation of the highest ranking stakeholder/shareholder/member as an emergency contact person and contact information for the emergency contact person, articles of incorporation, assumed name registration documents, Internal Revenue Service SS-4 EIN confirmation letter, and a copy of the operating agreement of the applicant, if a limited liability company, a copy of the partnership agreement, if a partnership, or a copy of the by-laws or shareholder agreement, if a corporation or;

- iv. The name and address of the proposed medical marijuana facility and any additional contact information deemed necessary by the city clerk;
- v. For the applicant, for each stakeholder of the applicant, an affirmation under oath as to whether they are at least 18 years of age and have never been indicted for, charged with, arrested for, or convicted of, pled guilty or nolo contendere to, forfeited bail concerning, or had expunged any criminal offense under the laws of any jurisdiction, either felony or controlled substance related misdemeanor not including traffic violations, regardless of whether the offense has been expunged, pardoned, reversed on appeal or otherwise, including the date, name and location of the court, arresting agency, and prosecuting agency, the case caption, the docket number, the offense, the disposition, and the location and length of incarceration. Said affirmation shall be dated no more than thirty (30) days prior to the application submission;
- vi. Before hiring a prospective agent or employee of the applicant, and after, the holder of a permit shall conduct a background check of the prospective employee. Copies of said background checks shall be provided to the City of Albion upon request. If the background check indicated a pending charge or conviction within the past ten years for a controlled substance related felony, the applicant shall not hire the prospective employee or agent without written permission from the city clerk;
- vii. A copy of an ICHAT criminal history report for the applicant, each stakeholder of the applicant, each managerial employee and employee of the applicant meeting the criteria set forth in this article;
 - 1. Said report may not be dated more than fourteen (14) days prior to the date of the application submission;
- viii. The name, date of birth, physical address, copy of photo identification, and email address for any managerial employee or employee of the medical marijuana facility, if other than applicant;
- ix. An affirmation under oath as to whether the applicant has ever applied for or has been granted any commercial license, permit, or certificate issued by a licensing authority in Michigan or any other jurisdiction that has been denied, restricted, suspended, revoked, or not renewed and a statement describing the facts and circumstances

concerning the application, denial, restriction, suspension, revocation, or nonrenewal, including the licensing authority, the date each action was taken, and the reason for each action. Said affirmation shall be dated no more than thirty (30) days prior to the application submission;

- x. One of the following: (a) proof of ownership of the entire premises wherein the medical marijuana facility is to be operated; or (b) written consent from the property owner for use of the premises in a manner requiring a permit under this chapter along with a copy of the lease for the premises;
- xi. Proof of an adequate premise liability and casualty insurance policy in the amount not less than \$100,000.00, covering the medical marijuana facility and naming the City of Albion as an additional insured party, available for the payment of any damages arising out of an act or omission of the applicant or its stakeholders, agents, employees or subcontractors. Proof of said insurance shall be provided not later than 60 days after a state operating license is issued or renewed;
- xii. A description of the security plan for the medical marijuana facility, including, but not limited to, any lighting, alarms, barriers, recording/monitoring devices and/or security guard arrangements proposed for the facility and premises. The security plan must contain the specification details of each piece of security equipment;
- xiii. A floor plan of the medical marijuana facility, as well as a scale diagram illustrating the property upon which the medical marijuana facility is to be operated, including all available parking spaces, and specifying which parking spaces, if any, are handicapped accessible;
- xiv. An affidavit that neither the applicant nor any stakeholder of the applicant is in default to the city. Specifically, that the applicant or stakeholder of the applicant has not failed to pay any property taxes, special assessments, fines, fee or other financial obligations to the city. Said affidavit shall be dated no more than thirty (30) days prior to the application submission;
- xv. An affidavit that the transfer of marijuana to and from medical marijuana facilities shall be in compliance with the MMMA and the Medical Marijuana Facilities Licensing Act or other applicable state laws. Said affidavit shall be dated no more than thirty (30) days prior to the application submission.

- xvi. A staffing plan. The staffing plan shall, at a minimum, include: the exact number of employee roles and positions within the facility, the required education, qualifications, and skills for each employee in each position, and how the facility will screen each employee's background;
- xvii. Any proposed text or graphical materials to be shown on the exterior of the proposed medical marijuana facility;
- xviii. A patient education plan. The patient education plan shall, at a minimum, detail: how the facility will educate the patients who visit the facility on the different types of medical marijuana and medical marijuana derivatives, the potential benefits of medical marijuana, potential negative effects and side-effects of medical marijuana, methods of uses of medical marijuana;
- xix. A business plan. The business plan shall, at a minimum, include: business goals, methods to achieve business goals, financial projections, strategies to attain financial projections, number of employees for the facility, whether the facility intends to make an effort to hire local residents, and background on the origins of the facility;
- xx. A location area map of the medical marijuana facility and surrounding area that identifies the relative locations and the distances (closest property line to the subject medical marijuana facility's building) to the subject medical marijuana facility to the closest real property comprising a public or private elementary, vocational or secondary school; and church or religious institution if recognized as a tax-exempt entity as determined by the city assessor or county assessor's office;
- xxi. A facility sanitation plan to protect against any marijuana being ingested by any person or animal, indicating how the waste will be stored and disposed of, and how any marijuana will be rendered unusable upon disposal. Disposal by on-site burning or introduction in the sewerage system is prohibited;
- xxii. Verification of the sources and total amount of capitalization to operate a proposed marijuana facility. The total amounts of required capitalization for each type of marijuana facility are as follows:
 - 1. Grower: Class A - \$150,000.00;
 - 2. Grower: Class B - \$300,000.00;
 - 3. Grower: Class C - \$500,000.00;

4. Processor: \$300,000.00;
 5. Provisioning center: \$300,000.00;
 6. Secure transporter: \$200,000.00;
 7. Safety compliance facility: \$200,000.00.
- xxiii. An applicant shall provide proof to the City of Albion of the capitalization amounts described in section 22-203(b)(xxii) from sources as follows:
1. Not less than twenty-five (25%) percent is in liquid assets to cover the initial expenses of operating and maintaining the proposed marijuana facility. For purposes of this subsection, liquid assets include assets easily convertible to cash, including, but not limited to, cash, CDs, 401(k), stocks and bonds, and marihuana inventory that meet all of the following conditions:
 2. The marihuana inventory is possessed by an applicant who is a registered qualifying patient or registered primary caregiver or by an applicant who applies for a state operating license and possesses marihuana inventory in compliance with the Michigan Medical Marihuana Act;
 3. No more than 15 ounces of usable marijuana or 72 marihuana plants may be utilized as marihuana inventory in this subsection or utilized towards the capitalization requirement;
 4. Proof of the remaining capitalization to cover the initial expenses of operating and maintaining the proposed marihuana facility may include, but is not limited to additional liquid assets or equity in real property, supplies, equipment, fixtures, or any other non-liquid asset;
 5. The applicant shall provide proof that there is no lien or encumbrance on the asset(s) provided as a source of capitalization;
 6. The capitalization amounts and source must be validated by CPA-attested financial statements. The applicant shall disclose any of the capitalization sources that are foreign and a foreign CPA or its equivalent shall attest to the validation and a domestic CPA shall attest that foreign validation.

7. Documents provided to verify the source(s) and total amount of capitalization shall be dated no more than thirty (30) days prior to application submission.
- xxiv. As it relates to a grower facility, the following additional items shall be requested:
1. A grower plan that includes at a minimum a description of the grower methods to be used, including plans for the growing mediums, treatments and/or additives;
 2. A production testing plan that includes at a minimum a description of how and when samples for laboratory testing by a state approved safety compliance facility will be selected, what type of testing will be required, and how the test results will be used;
 3. An affidavit that all operations will be conducted in conformance with the MMMA, the Medical Marihuana Facilities Licensing Act or other applicable state laws and such operations shall not be cultivated on the premises at any one time more than the permitted number of Marihuana Plants per the Michigan Medical Marihuana Act, as amended, and the Medical Marihuana Facilities Licensing Act;
 4. A chemical and pesticide storage plan that states the names of pesticides to be used in growers and where and how pesticides and chemicals will be stored in the facility, along with a plan for the disposal of unused pesticides;
 5. All growers must be performed within an enclosed locked facility which may include indoors or in an enclosed greenhouse.
- xxv. A fully executed City of Albion Medical Marihuana Facility Terms and Conditions Form.
- xxvi. All documents submitted in support of an application for a marihuana facility permit must be legible.
- b. Upon receipt of a completed medical marihuana facility application meeting the requirements of this chapter and confirmation that the number of existing permits do not exceed the maximum number established pursuant to section 22-202(a), the city clerk shall refer a copy of the application to each of the following for their review and approval: the city attorney or his designee, the Chief of the Albion Public Safety Department or their designee, the director of planning and development or their designee, and the city finance director or their designee. Once applications are verified by each

department to be sufficiently complete and comprehensive, and no sooner, the city clerk shall forward the applications to the planning commission for recommendation to the city council.

- c. No application shall be approved unless:
 - i. The public safety department or designee and the office of planning and development or designee, have inspected the plans of the proposed location for compliance with all laws for which they are charged with enforcement;
 - ii. The applicant, each stakeholder of the applicant, and the managerial employees and employees of the applicant, have passed a criminal background check. The Albion Department of Public Safety may request additional background materials prior to approval;
 - iii. The director of planning and development, has confirmed that the proposed location complies with the City's zoning ordinance;
 - iv. The finance director or the designee has confirmed that the applicant and each stakeholder of the applicant are not in default to the city;
 - v. The city attorney or his designee has completed a detailed review of the medical marihuana facility application for compliance with the applicable state laws and city ordinances.
- d. If written approval is given by each individual or department identified in subsection 22-202(c)(i)—(v), the city clerk shall submit the application to the planning commission for recommendation to the city council for the issuing of a permit to the applicant. All permits issued are contingent upon the State of Michigan issuing a license for the operation under state law.
- e. Permittees shall report any change in the information required by subsection 22-202(b) to the city clerk within ten (10) days of the change.

Sec. 22-204. - Permit applications evaluation.

- a. The city council will assess all applications referred to it by the planning commission.
- b. In its application deliberations, the city council shall assess each application in each of the following categories:
 - i. The applicant's experience in operating other similarly licensed or permitted businesses.
 - ii. The applicant's general business management experience.

- iii. The applicant's general business reputation.
- iv. The integrity, moral character, and reputation; personal and business probity; financial ability and experience; and responsibility or means to operate or maintain a medical marijuana facility of the applicant.
- v. The financial ability of the applicant to purchase and maintain adequate liability and casualty insurance.
- vi. The sources and total amount of the applicant's capitalization to operate and maintain the proposed medical marijuana facility.
- vii. Whether the applicant has been indicted for, charged with, arrested for, or convicted of, pled guilty or nolo contendere to, forfeited bail concerning, or had expunged any relevant criminal offense under the laws of any jurisdiction, either felony or misdemeanor, not including traffic violation, regardless of whether the offense has been expunged, pardoned, or reversed as appealed or otherwise.
- viii. Past convictions of the applicant involving any of the following, but not limited to:
 - 1. Gambling;
 - 2. Prostitution;
 - 3. Weapons;
 - 4. Violence;
 - 5. Tax evasion;
 - 6. Fraudulent activity;
 - 7. Serious moral turpitude; and
 - 8. Felony controlled substance convictions.
- ix. A felony or misdemeanor of such a nature that it may impair the ability of the applicant to operate a licensed business in a safe and competent manner;
- x. Whether the applicant has filed, or had filed against it, a proceeding for bankruptcy within the past seven years;
- xi. Whether the applicant has been served with a complaint or other notice filed with any public body regarding payment of any tax required under federal, state or local law that has been delinquent for one or more years;
- xii. Whether the applicant has a history of noncompliance with any regulatory requirements in this state or any other jurisdiction;
- xiii. As it relates to operation of a provisioning center, the applicant's type of service and product that will be offered and the overall theme and atmosphere of the proposed provisioning center.

- c. The city council shall assess each application with aforementioned categories section 22-204(b)(i) through (xxv) and may issue a permit to the applicant(s) that best meets the categories in this section.
- i. On and after March 20, 2018 (June 7, 2018 for provisioning centers), the city shall accept applications for authorization to operate a medical marihuana facility within the city. Application shall be made on a city form and must be submitted to the city clerk "clerk"). Once the clerk receives a complete application including the initial annual medical marihuana facility fee, the application shall be time and date stamped. Complete applications shall be considered for authorization in consecutive time and date stamped order. Upon consideration, if the facility type authorization is available within the number specified above, then the applicant shall receive conditional authorization to operate such medical marihuana facility within the city. Once the limit on the number of an authorized facility is conditionally reached, then any additional complete applications shall be held in consecutive time and date stamped order for future conditional authorization. Any applicant waiting for future conditional authorization may withdraw their submission by written notice to the clerk at any time.
 - ii. Within 30 days from conditional authorization from the city or from, the conditionally authorized applicant must submit proof to the clerk that the applicant has applied for prequalification from the state for a state operating license or has submitted full application for such license. If the applicant fails to submit such proof, then such conditional authorization shall be canceled by the clerk and the conditional authorization shall be available to the next applicant in consecutive time and date stamped order.
 - iii. If a conditionally authorized applicant is denied prequalification for a state operating license or is denied on full application for a state operating license, then such conditional authorization will be canceled by the clerk and the conditional authorization shall be available to the next applicant in consecutive time and date stamped order.
 - iv. A conditionally authorized applicant shall receive full authorization from the city to operate the medical marihuana facility within the city upon the applicant providing to the clerk proof that the applicant has received a state operating license for the medical marihuana facility in the city and the applicant has met all other requirements of this ordinance for operation including but not limited to any zoning approval for the location of the facility within the city.
 - v. If a conditionally authorized applicant fails to obtain full authorization from the city within one year from the date of conditional authorization, then such conditional authorization shall

be canceled by the clerk and the conditional authorization shall be available to the next applicant in consecutive time and date stamped order. The city council shall have authority to extend the deadline to obtain full authorization for up to an additional six months on written request of the applicant, within thirty (30) days prior to cancellation, upon the reasonable discretion of the city council finding good cause for the extension.

Sec. 22-205. - Permits generally.

- a. To the extent permissible, all information submitted in conjunction with an application for a permit or permit renewal required by this chapter is confidential and exempt from disclosure under the Michigan Freedom of Information Act, 1976 PA 442, MCL 15.231 et seq. Furthermore, no personal information concerning the applicant shall be submitted to the city council.
- b. Permittees may transfer a permit issued under this chapter to a different location upon receiving written approval from the city clerk. In order to request approval to transfer a permit location, the permittee must make a written request to the city clerk indicating the current permit location and the proposed permit location. Upon receiving the written request, the city clerk shall refer a copy of the written request to each of the following for approval: the Albion Department of Public Safety or his designee, the director of planning and development or their designee, the finance director or its designee, the City Attorney, or their designee, and the city council. No permit transfer shall be approved unless each such individual or department gives written approval that the permittee and the proposed permit location meet the standards identified in this article and the city council approves the transfer.
- c. Permittees may transfer a permit issued under this chapter to a different individual or entity upon receiving written approval by the city clerk. In order to request approval to transfer a permit to a different individual or entity, the permittee must make a written request to the city clerk, indicating the current permittee and the proposed permittee. Upon receiving the written request, the city clerk shall consider the request as a new application for a permit and the procedures set forth in this article and the act shall be followed.
- d. Permittees shall report any other change in the information required by this chapter to the city clerk within ten (10) business days of the change. Failure to do so may result in suspension or revocation of the permit.

Sec. 22-211. - Location of grower facility, safety compliance facility, processor facility, provisioning center, and secure transporter.

- a. No grower facility, safety compliance facility, processor facility, provisioning center or secure transporter 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.

- b. No grower facility, safety compliance facility, processor facility, provisioning center, or secure transporter 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 be surrounded by a fence as required by city ordinance. 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 ensure the security of the premises and safety of the public.
- c. No grower facility, safety compliance facility, processor facility, provisioning center, or secure transporter 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 be surrounded by a fence as required by city ordinance. 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 ensure the security of the premises and safety of the public.
- d. 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 a fence as required by ordinance. 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 ensure the security of the premises and safety of the public.
- e. All grower facilities, safety compliance facilities, secure transporters, processor facilities, and provisioning centers shall be located within and limited to the designated overlay district(s), as defined by the City of Albion Zoning Ordinance, contained within the M-1 and M-2 zoning districts.

Section 2. Severability. This ordinance and each article, section, subsection, paragraph, subparagraph, part, provision, sentence, word and portion thereof are hereby declared to be severable, and if they or any of them are declared to be invalid or unenforceable for any reason by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

Section 3. Repeal. Any ordinance(s) inconsistent with this ordinance are hereby repealed.

This Ordinance shall take effect on November 20, 2021 after publication.

First Reading:

Second Reading & Adoption:

September 7, 2021

September 20, 2021

Ayes _____
Nays _____
Absent _____

Ayes _____
Nays _____
Absent _____

Jill Domingo,
Clerk

Victoria Snyder,
Mayor



CITY OF ALBION Office of the City Manager

112 West Cass Street ♦ Albion, MI 49224
517.629.7172 ♦ hsnyder@cityofalbionmi.gov

MEMO

TO: Honorable Mayor and City Council
FROM: Haley Snyder, City Manager
DATE: September 16, 2021
RE: City Manager's Report – September 20, 2021

1st, 2nd, 3rd, Wild & Hartwell Streets Project Update – Minutes from the seventh and eighth progress meetings are attached for your reference. The final walkthrough meeting is scheduled for Friday, September 24th.

Albion River Trail Expansion Project – The Albion River Trail Expansion project began on September 7th. The construction company awarded with the project – Verlinde Construction Inc. experienced turnover with the project manager, and the project was heavily delayed in getting started. The project is anticipated to be completed in November. An amendment to extend the grant agreement through the end of the year will be submitted to MDNR.

Temporary Housing Facilities – In response to council's goal of addressing the increasing homeless population within our community, I had the opportunity to tour three (3) temporary housing facilities (Haven of Rest, Safe Haven & Battle Creek Homeless Shelter) in Battle Creek on September 8th. These three facilities seem like promising resources to assist the city in addressing this issue. I will continue to build connections with the organizations and will keep council informed as the process moves forward.

Rental Certification Program – Director Arnold and I met with SAFEbuilt on September 8th to reassess our service agreement. SAFEbuilt has worked as the City's Inspection service for well over a decade, and we intend to continue working with them. This meeting was to explore options available to the City through SAFEbuilt to provide better services to our residents. These services would provide the City more options for ensuring that property owners are keeping their buildings up to code, to decrease the number of blighted properties, and to increase the value of the housing stock in the City.

Albion Building Authority – The Albion Building Authority held their regular meeting on Thursday, September 9th. The Board approved a proposal to develop a capital improvement plan for the Maple Grove facility from Wightman & Associates.

Albion College Ford Institute Presentation – I had the opportunity to speak to a group of first year Albion College students on September 14th to discuss the City of Albion's form of government and different projects currently taking place.

Diversity, Equity & Inclusion Training – Follow-up to my last City Manager's Report – Council Member Williamson provided me with additional contact information for possible equity engagement work/training. I have reached out to inquire about training costs. At this time, I have not yet received official quotes from the

additional firms. Once I have three (3) quotes, a formal recommendation will be brought to your attention for approval.

2021 MML Convention – I will be out of office September 21st-24th to attend to 2021 MML Convention in Grand Rapids.

PROGRESS MEETING 7

PROJECT: 2021 LOCAL STREET IMPROVEMENTS PROJECT
 OWNER: CITY OF ALBION
 CONTRACTOR: BAILEY EXCAVATING
 DATE: SEPTEMBER 1, 2021

ATTENDEES

<u>Name</u>	<u>Representing</u>	<u>Phone</u>	<u>Email</u>
Haley Snyder - A	City of Albion	517.629.7172	hsnyder@cityofalbionmi.gov
Patrick Miller	City of Albion	517.494.9524	pmiller@cityofalbionmi.gov
Mike Lohrke - A	City of Albion	517.630.1510	mlohrke@cityofalbionmi.gov
Jacob Bailey	Bailey Excavating	517.740.3030	jacobbaily@bailey-excavating.com
Aaron Neitling	Wightman	269.605.9304	aneitling@gowightman.com
Oliver Winter - A	Wightman	517.617.9555	owinter@gowightman.com
Kyle Owen	Wightman	269.312.4859	kowen@gowightman.com

Schedule

1. Storm Sewer: Storm sewer work resumed yesterday on Wild Street. All storm sewer manholes and pipe have been delivered to site. This is the only underground work remaining on the project. **Proposed storm sewer on Wild Street just west of Carson Street completed today. Pipe material for storm sewer fix at Carson Street intersection still being decided on. Ductile Iron preferred over C900 PVC due to depth of cover concerns. Estimated storm sewer completion by middle of next week.**
2. Concrete Work: Concrete work is mostly complete. There are a few private sidewalks remaining and curb & gutter in areas where storm sewer has not yet been installed. Eaton Street area where pavement is begin replaced was verified to be HMA over concrete. Must be replaced in-kind. Concrete will need to be poured back here as well. Estimated one day of concrete work to complete. **Contractor was reminded that existing pavement section on Eaton Street at Wild Street is existing HMA over concrete and needs to be replaced in-kind. T&D Concrete to complete this work. Contractor noted that T&D Concrete is pre-qualified for MDOT work and has experience with concrete roadway patches. It was noted the concrete mix should be a 3500 psi P1 mix for this pavement repair and accelerator can be used as long as it is non-chloride. Proper joint contraction should be used as well.**
3. Road Grading: All roadway grading is complete except for the intersection of Wild Street and 1st Street. This intersection still has storm sewer to be installed. Grade has been checked and passing density tests taken on sand subbase and 21AA aggregate base. **Aaron made the contractor aware that the recycled HMA aggregate used on the job is slightly out of 21AA and 22A gradation specs. A second sample has been taken and lab test results should be available shortly. This is not an issue currently because the material was barely out of spec.**

PROGRESS MEETING 7

4. HMA Paving: Is there an estimated start date for HMA paving? Contractor to provide mix designs prior to paving. **No estimated start date for HMA paving.**
5. Restoration: Topsoil restoration is mostly complete throughout the project area. **Seeding / mulch blanket work to begin tomorrow.**

General Comments

1. Traffic: Roadway is currently closed to through traffic. Access for local traffic has been maintained throughout the project. Eaton Street lane closure will be needed again to complete pavement repair at the intersection of Eaton & Wild. Date for this work TBD. Has the City received any complaints regarding access for residents? **City did not note any resident issues / concerns.**
2. Other:
 - a. Pay Estimate #4 will be sent out this week.
 - b. **Jacob was made aware of sewer issue at 309 Wild Street. While there is currently no indication that Bailey caused the issue, he was going to talk to plumbing contractor that was at the residence and investigate if needed.**

The next progress meeting will be scheduled for Wednesday, September 15 at 9:00 a.m. on site.

The meeting was adjourned at **9:30 am**.

PROGRESS MEETING 8

PROJECT: 2021 LOCAL STREET IMPROVEMENTS PROJECT
 OWNER: CITY OF ALBION
 CONTRACTOR: BAILEY EXCAVATING
 DATE: SEPTEMBER 15, 2021

ATTENDEES

Haley Snyder - A	City of Albion	517.629.7172	hsnyder@cityofalbionmi.gov
Patrick Miller	City of Albion	517.494.9524	pmiller@cityofalbionmi.gov
Jacob Bailey	Bailey Excavating	517.740.3030	jacobbailey@bailey-excavating.com
Aaron Neitling - A	Wightman	269.605.9304	aneitling@gowightman.com
Kyle Owen	Wightman	269.312.4859	kowen@gowightman.com

Schedule

1. HMA Paving – Leveling course HMA paving completed Monday. Has top course HMA paving been scheduled? **No date specified for HMA top course paving. Will most likely occur next week.**
2. Structure Adjustments – Work began yesterday and will be completed today. Structures will be backfilled with concrete to leveling HMA grade. **Structures to be backfilled to leveling HMA grade with concrete this afternoon.**
3. Pavement Markings – Can be completed immediately after HMA paving completion. Has this work been scheduled? **PK is scheduled for Monday September 27th.**
4. Permanent Signs – Proposed locations have been staked. Can be completed as soon as MissDig clears. Estimated completion time for this work? **MissDig has been called in for this work. Signs are made and ready to be installed. Estimated this work will be done next week.**

General Comments

1. Traffic: Roadway is currently closed to through traffic. Access for local traffic has been maintained throughout the project. Eaton Street lane closure is currently begin used. Will be taken down when HMA pavement is replaced in Eaton Street. **City has not heard any complaints from residents.**
2. Other:
 - a. Pay Estimate #5 will be sent out the first week of October or at project completion, whichever occurs first.
 - b. **City to finish televising sanitary sewer on Hartwell Street later this afternoon.**

The next progress meeting will be scheduled if needed. Final project walkthrough will be scheduled upon project completion. **Final walkthrough tentatively scheduled for Friday September 24 at 9:00 a.m. on site.**

The meeting was adjourned at **9:50 am.**



User: TMEAD

FROM 07/01/2021 TO 07/31/2021

DB: Albion

FUND: 101 202 203 208 214 226 243 244 246 247 248 250 265 275 277 296 367 450 452 590 591 661 711 732 735 737

CASH AND INVESTMENT ACCOUNTS

Fund Account	Description	Beginning Balance 07/01/2021	Total Debits	Total Credits	Ending Balance 07/31/2021
Fund 101	GENERAL FUND				
001.00	CASH	(1,006.40)	114,571.78	577,982.82	(464,417.44)
002.00	CASH - INCOME TAX ACCOUNT	718,258.09	43,321.11	6,878.74	754,700.46
003.00	CERTIFICATES OF DEPOSIT	110,350.70	0.00	0.00	110,350.70
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	783.68	0.00	0.00	783.68
007.00	CASH PARK FENCE	17,720.07	0.00	0.00	17,720.07
017.00	INVESTMENTS	322,629.86	0.00	0.00	322,629.86
	GENERAL FUND	1,169,236.00	157,892.89	584,861.56	742,267.33
Fund 202	MAJOR STREETS FUND				
001.00	CASH	366,149.89	65,962.32	61,515.10	370,597.11
017.00	INVESTMENTS	661,744.89	0.00	0.00	661,744.89
	MAJOR STREETS FUND	1,027,894.78	65,962.32	61,515.10	1,032,342.00
Fund 203	LOCAL STREETS FUND				
001.00	CASH	375,634.19	23,219.83	50,330.07	348,523.95
Fund 208	RECREATION FUND				
001.00	CASH	203,190.40	2,645.11	1,058.13	204,777.38
Fund 214	CALHOUN COUNTY PARKS MILLAGE				
001.00	CASH	21,420.11	0.00	0.00	21,420.11
Fund 226	SOLID WASTE FUND				
001.00	CASH	206,137.92	4,103.33	23,537.15	186,704.10
017.00	INVESTMENTS	358,821.79	0.00	0.00	358,821.79
	SOLID WASTE FUND	564,959.71	4,103.33	23,537.15	545,525.89
Fund 243	BROWNFIELD REDEVELOPMENT AUTHORITY				
001.00	CASH	24,092.32	0.00	0.00	24,092.32
Fund 244	ECONOMIC DEVELOPMENT FUND				
001.00	CASH	178,493.41	11,357.14	16,362.19	173,488.36
Fund 246	INCUBATOR FUND				
001.00	CASH	30,434.66	0.00	0.00	30,434.66
001.02	FARMERS MRKT SNAP	1,580.08	0.00	0.00	1,580.08
	INCUBATOR FUND	32,014.74	0.00	0.00	32,014.74
Fund 247	TIFA FUND				
001.00	CASH	232,902.28	685.71	15,572.25	218,015.74
004.00	PETTY CASH	50.00	0.00	0.00	50.00
	TIFA FUND	232,952.28	685.71	15,572.25	218,065.74
Fund 248	DDA FUND				
001.00	CASH	71,875.45	0.00	3,114.91	68,760.54
Fund 250	CDBG FUND				
001.01	CDBG FUND CASH	33,691.21	0.00	0.00	33,691.21
Fund 265	DRUG LAW ENFORCEMENT FUND				
001.00	CASH	39,034.00	0.00	8,364.13	30,669.87
Fund 275	ALBION BUILDING AUTHORITY FUND				
001.01	FUND CASH ACCOUNT	386,002.82	4,311.00	3,675.71	386,638.11
Fund 277	ABA SEC 8 MAPLE GROVE				
001.01	FUND CASH ACCOUNT	259,783.26	44,256.94	39,974.66	264,065.54
002.00	CASH - CAPITAL PROJECTS RESERV	185,389.28	5,892.88	0.00	191,282.16
008.00	CASH-SECURITY DEPOSIT	33,665.28	60.00	0.00	33,725.28

User: TMEAD

FROM 07/01/2021 TO 07/31/2021

DB: Albion

FUND: 101 202 203 208 214 226 243 244 246 247 248 250 265 275 277 296 367 450 452 590 591 661 711 732 735 737

CASH AND INVESTMENT ACCOUNTS

Fund Account	Description	Beginning Balance 07/01/2021	Total Debits	Total Credits	Ending Balance 07/31/2021
	ABA SEC 8 MAPLE GROVE	478,837.82	50,209.82	39,974.66	489,072.98
Fund 296	REVOLVING LOAN FUND				
001.00	CASH	81,877.19	0.00	35.00	81,842.19
017.00	INVESTMENTS	321,727.82	0.00	0.00	321,727.82
	REVOLVING LOAN FUND	403,605.01	0.00	35.00	403,570.01
Fund 367	SIDEWALK PROGRAM FUND				
001.00	CASH	162,704.65	0.00	0.00	162,704.65
017.00	INVESTMENTS	158,131.20	0.00	0.00	158,131.20
	SIDEWALK PROGRAM FUND	320,835.85	0.00	0.00	320,835.85
Fund 450	STREET IMPROVEMENTS FUND				
001.00	CASH	531,209.09	3,967.66	252,878.75	282,298.00
017.00	INVESTMENTS	112,727.15	0.00	0.00	112,727.15
	STREET IMPROVEMENTS FUND	643,936.24	3,967.66	252,878.75	395,025.15
Fund 452	MDOT RECONSTRUCTION FUND				
001.00	CASH	130,319.80	1,280.00	0.00	131,599.80
Fund 590	SEWER FUND				
001.00	CASH	5,458.47	731,404.99	799,681.31	(62,817.85)
017.00	INVESTMENTS	421,803.79	0.00	0.00	421,803.79
	SEWER FUND	427,262.26	731,404.99	799,681.31	358,985.94
Fund 591	WATER FUND				
001.00	CASH	75,059.29	704,652.55	749,346.17	30,365.67
003.00	CERTIFICATES OF DEPOSIT	97,557.12	0.00	0.00	97,557.12
006.00	RESTRICTED CASH - BOND RESERVE	61,990.00	0.00	0.00	61,990.00
008.00	CASH-SECURITY DEPOSIT	200.00	0.00	0.00	200.00
017.00	INVESTMENTS	575,223.69	0.00	0.00	575,223.69
	WATER FUND	810,030.10	704,652.55	749,346.17	765,336.48
Fund 661	EQUIPMENT POOL FUND				
001.00	CASH	38,310.30	72,374.56	43,911.63	66,773.23
Fund 711	CEMETERY TRUST FUND				
001.00	CASH	54,321.03	0.00	0.00	54,321.03
002.04	MONROE MAUSOLEUM TRUST	8,565.35	0.00	0.00	8,565.35
003.00	CERTIFICATES OF DEPOSIT	148,093.14	0.00	0.00	148,093.14
017.00	INVESTMENTS	55,190.78	0.00	0.00	55,190.78
	CEMETERY TRUST FUND	266,170.30	0.00	0.00	266,170.30
Fund 732	PUBLIC SAFETY PENSION TRUST				
001.00	CASH	12,552.00	0.00	0.00	12,552.00
001.01	CASH - NON-ALLOCATED	8,292.04	0.00	0.00	8,292.04
017.00	INVESTMENTS	24,861,093.15	0.00	0.00	24,861,093.15
017.10	CASH & EQUIV INVESTMENTS	644,312.49	0.00	0.00	644,312.49
	PUBLIC SAFETY PENSION TRUST	25,526,249.68	0.00	0.00	25,526,249.68
Fund 735	ALBION TRUST				
017.01	INVESTMENTS - FIRE BARN BONDS	235,479.05	0.00	0.00	235,479.05
017.10	CASH & EQUIV INVESTMENTS	926,947.34	0.00	0.00	926,947.34
	ALBION TRUST	1,162,426.39	0.00	0.00	1,162,426.39
Fund 737	RETIREE HEALTH CARE FUND				
001.00	CASH	11,456.94	0.00	200.00	11,256.94
017.00	INVESTMENTS	27,597.54	0.00	0.00	27,597.54

User: TMEAD

FROM 07/01/2021 TO 07/31/2021

DB: Albion

FUND: 101 202 203 208 214 226 243 244 246 247 248 250 265 275 277 296 367 450 452 590 591 661 711 732 735 737

CASH AND INVESTMENT ACCOUNTS

Fund Account	Description	Beginning Balance 07/01/2021	Total Debits	Total Credits	Ending Balance 07/31/2021
	RETIREE HEALTH CARE FUND	39,054.48	0.00	200.00	38,854.48
	TOTAL - ALL FUNDS	<u>34,607,529.65</u>	<u>1,834,066.91</u>	<u>2,654,418.72</u>	<u>33,787,177.84</u>

REVENUE AND EXPENDITURE REPORT FOR CITY OF ALBION
 PERIOD ENDING 07/31/2021
 % Fiscal Year Completed: 58.08

GL NUMBER	DESCRIPTION	2020	END BALANCE	YTD BALANCE	2021	% BDGT USED
		AMENDED BUDGET	12/31/2020 NORMAL (ABNORMAL)	07/31/2021 NORMAL (ABNORMAL)	ORIGINAL BUDGET	
Fund 101 - GENERAL FUND						
000 - GENERAL		4,017,045.00	4,071,372.66	1,856,679.62	4,204,150.00	44.16
209 - ASSESSING		0.00	10.00	0.00	0.00	0.00
215 - CLERK		18,801.00	18,836.41	196.50	500.00	39.30
260 - FINANCE DEPT AND/OR ABA GENERAL		750.00	618.87	503.21	1,000.00	50.32
276 - CEMETERY		63,000.00	67,744.28	51,790.78	63,000.00	82.21
345 - PUBLIC SAFETY		332,156.00	215,743.76	60,656.89	45,600.00	133.02
371 - BUILDING INSPECTION		0.00	7.00	0.00	0.00	0.00
422 - CODE ENFORCEMENT		119,512.00	97,826.00	62,987.53	127,000.00	49.60
758 - ALBION RIVER/BIKE TRAIL		15,000.00	45,000.00	0.00	290,000.00	0.00
775 - PARKS		1,750.00	1,250.00	3,025.00	2,500.00	121.00
778 - HOLLAND PARK TRANSFORMATION PROJECT		56,000.00	61,000.00	13,050.00	0.00	100.00
930 - TRANSFER IN		10,000.00	10,000.00	0.00	22,500.00	0.00
TOTAL REVENUES		4,634,014.00	4,589,408.98	2,048,889.53	4,756,250.00	43.08
101 - CITY COUNCIL		30,585.00	27,531.22	15,481.47	33,265.00	46.54
172 - CITY MANAGER		249,929.00	231,592.34	106,708.96	187,770.00	56.83
209 - ASSESSING		50,700.00	49,358.03	32,834.84	50,150.00	65.47
210 - ATTORNEY		118,800.00	108,870.01	64,420.50	108,800.00	59.21
215 - CLERK		175,735.00	157,734.78	65,713.32	132,490.00	49.60
226 - HUMAN RESOURCES		19,891.00	17,089.65	27,027.24	39,865.00	67.80
260 - FINANCE DEPT AND/OR ABA GENERAL		480,635.00	449,200.22	273,933.17	517,880.00	52.90
265 - MUNICIPAL BLDG AND/OR 201 N CLINTON ST		69,408.00	60,043.30	65,383.60	76,595.00	85.36
276 - CEMETERY		172,706.00	159,293.95	100,087.85	212,045.00	47.20
304 - CODE ENFORCEMENT		0.00	0.00	30,219.21	46,505.00	64.98
345 - PUBLIC SAFETY		2,062,984.00	2,052,725.52	1,078,877.43	2,121,911.00	50.84
422 - CODE ENFORCEMENT		241,475.00	212,764.27	119,844.18	230,926.00	51.90
442 - CITY MAINTENANCE		45,141.00	46,217.03	14,541.90	46,880.00	31.02
444 - TREE TRIMMING		69,910.00	64,534.26	48,672.57	53,655.00	90.71
447 - ENGINEERING		14,431.00	8,159.66	12,442.75	10,000.00	124.43
448 - STREET LIGHTING		158,000.00	133,878.62	72,999.13	150,000.00	48.67
526 - EPA LANDFILL		12,000.00	7,003.67	0.00	10,500.00	0.00
758 - ALBION RIVER/BIKE TRAIL		15,000.00	9,833.50	13,095.00	295,228.00	4.44
775 - PARKS		245,686.00	230,022.27	145,125.00	230,750.00	62.89
778 - HOLLAND PARK TRANSFORMATION PROJECT		56,000.00	53,468.15	5,597.90	0.00	100.00
895 - GENERAL APPROPRIATION		341,250.00	331,220.33	182,441.37	283,300.00	64.40
TOTAL EXPENDITURES		4,630,266.00	4,410,540.78	2,475,447.39	4,838,515.00	51.16
Fund 101 - GENERAL FUND:						
TOTAL REVENUES		4,634,014.00	4,589,408.98	2,048,889.53	4,756,250.00	43.08
TOTAL EXPENDITURES		4,630,266.00	4,410,540.78	2,475,447.39	4,838,515.00	51.16
NET OF REVENUES & EXPENDITURES		3,748.00	178,868.20	(426,557.86)	(82,265.00)	518.52

REVENUE AND EXPENDITURE REPORT FOR CITY OF ALBION
 PERIOD ENDING 07/31/2021
 % Fiscal Year Completed: 58.08

GL NUMBER	DESCRIPTION	2020		YTD BALANCE		2021	
		AMENDED BUDGET	NORMAL (ABNORMAL)	NORMAL (ABNORMAL)	NORMAL (ABNORMAL)	ORIGINAL BUDGET	% BDGT USED
Fund 202 - MAJOR STREETS FUND							
000 - GENERAL		836,677.00	811,330.29	380,160.44		902,334.00	42.13
487 - M-99 TRUNKLINE		28,000.00	27,304.13	0.00		50,000.00	0.00
TOTAL REVENUES		864,677.00	838,634.42	380,160.44		952,334.00	39.92
454 - ACT 51 NON-MOTORIZED		10,000.00	70,728.00	0.00		120,000.00	0.00
461 - MAINTENANCE		376,220.00	327,245.46	198,657.25		382,120.00	51.99
465 - TRAFFIC SERVICES		2,749.00	398.79	78.98		2,430.00	3.25
467 - WINTER MAINTENANCE		28,015.00	11,152.04	9,195.57		37,160.00	24.75
486 - I-94 TRUNKLINE		14,845.00	6,714.49	6,723.74		26,825.00	25.07
487 - M-99 TRUNKLINE		21,035.00	16,161.85	15,476.72		27,255.00	56.78
488 - M-199 TRUNKLINE		9,835.00	4,339.53	8,763.10		13,765.00	63.66
965 - TRANSFER OUT		573,728.00	503,000.00	0.00		653,000.00	0.00
TOTAL EXPENDITURES		1,036,427.00	939,740.16	238,895.36		1,262,555.00	18.92
Fund 202 - MAJOR STREETS FUND:							
TOTAL REVENUES		864,677.00	838,634.42	380,160.44		952,334.00	39.92
TOTAL EXPENDITURES		1,036,427.00	939,740.16	238,895.36		1,262,555.00	18.92
NET OF REVENUES & EXPENDITURES		(171,750.00)	(101,105.74)	141,265.08		(310,221.00)	45.54

REVENUE AND EXPENDITURE REPORT FOR CITY OF ALBION
 PERIOD ENDING 07/31/2021
 % Fiscal Year Completed: 58.08

GL NUMBER	DESCRIPTION	2020		YTD BALANCE		2021	
		AMENDED BUDGET	NORMAL (ABNORMAL)	NORMAL (ABNORMAL)	NORMAL (ABNORMAL)	ORIGINAL BUDGET	% BDGT USED
Fund 203 - LOCAL STREETS FUND							
000 - GENERAL		275,694.00	268,853.45	120,512.61		297,411.00	40.52
930 - TRANSFER IN		190,000.00	190,000.00	0.00		150,000.00	0.00
TOTAL REVENUES		465,694.00	458,853.45	120,512.61		447,411.00	26.94
461 - MAINTENANCE		323,640.00	258,191.99	234,384.16		362,260.00	64.70
465 - TRAFFIC SERVICES		4,862.00	653.16	1,196.85		4,820.00	24.83
467 - WINTER MAINTENANCE		28,362.00	15,019.10	27,521.81		34,350.00	80.12
965 - TRANSFER OUT		126,500.00	126,500.00	0.00		103,000.00	0.00
TOTAL EXPENDITURES		483,364.00	400,364.25	263,102.82		504,430.00	52.16
Fund 203 - LOCAL STREETS FUND:							
TOTAL REVENUES		465,694.00	458,853.45	120,512.61		447,411.00	26.94
TOTAL EXPENDITURES		483,364.00	400,364.25	263,102.82		504,430.00	52.16
NET OF REVENUES & EXPENDITURES		(17,670.00)	58,489.20	(142,590.21)		(57,019.00)	250.07

REVENUE AND EXPENDITURE REPORT FOR CITY OF ALBION
 PERIOD ENDING 07/31/2021
 % Fiscal Year Completed: 58.08

GL NUMBER	DESCRIPTION	2020		YTD BALANCE		2021		
		AMENDED BUDGET	NORMAL (ABNORMAL)	NORMAL (ABNORMAL)	NORMAL (ABNORMAL)	ORIGINAL BUDGET	% BDGT USED	
Fund 208 - RECREATION FUND								
780 - RECREATION		205,611.00	199,296.15	32,457.79		204,950.00	15.84	
TOTAL REVENUES		<u>205,611.00</u>	<u>199,296.15</u>	<u>32,457.79</u>		<u>204,950.00</u>	<u>15.84</u>	
780 - RECREATION		165,524.00	139,434.49	23,597.32		211,213.00	11.17	
TOTAL EXPENDITURES		<u>165,524.00</u>	<u>139,434.49</u>	<u>23,597.32</u>		<u>211,213.00</u>	<u>11.17</u>	
Fund 208 - RECREATION FUND:								
TOTAL REVENUES		205,611.00	199,296.15	32,457.79		204,950.00	15.84	
TOTAL EXPENDITURES		<u>165,524.00</u>	<u>139,434.49</u>	<u>23,597.32</u>		<u>211,213.00</u>	<u>11.17</u>	
NET OF REVENUES & EXPENDITURES		40,087.00	59,861.66	8,860.47		(6,263.00)	141.47	

REVENUE AND EXPENDITURE REPORT FOR CITY OF ALBION
 PERIOD ENDING 07/31/2021
 % Fiscal Year Completed: 58.08

GL NUMBER	DESCRIPTION	2020	END BALANCE	YTD BALANCE	2021	% BDGT USED
		AMENDED BUDGET	12/31/2020 NORMAL (ABNORMAL)	07/31/2021 NORMAL (ABNORMAL)	ORIGINAL BUDGET	
Fund 226 - SOLID WASTE FUND						
000 - GENERAL		296,184.00	299,149.33	49,156.11	301,400.00	16.31
TOTAL REVENUES		<u>296,184.00</u>	<u>299,149.33</u>	<u>49,156.11</u>	<u>301,400.00</u>	<u>16.31</u>
523 - LEAF PICKUP		27,535.00	15,430.13	1,529.25	19,395.00	7.88
524 - TREE DUMP		16,935.00	11,962.95	2,816.17	28,140.00	10.01
528 - SOLID WASTE		107,270.00	114,150.07	96,629.95	152,750.00	63.26
965 - TRANSFER OUT		36,500.00	36,500.00	0.00	49,000.00	0.00
TOTAL EXPENDITURES		<u>188,240.00</u>	<u>178,043.15</u>	<u>100,975.37</u>	<u>249,285.00</u>	<u>40.51</u>
Fund 226 - SOLID WASTE FUND:						
TOTAL REVENUES		296,184.00	299,149.33	49,156.11	301,400.00	16.31
TOTAL EXPENDITURES		<u>188,240.00</u>	<u>178,043.15</u>	<u>100,975.37</u>	<u>249,285.00</u>	<u>40.51</u>
NET OF REVENUES & EXPENDITURES		107,944.00	121,106.18	(51,819.26)	52,115.00	99.43

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GL NUMBER	DESCRIPTION	2020		END BALANCE	YTD BALANCE	2021	% BGDG USED
		AMENDED BUDGET	NORMAL	12/31/2020 (ABNORMAL)	07/31/2021 (ABNORMAL)	ORIGINAL BUDGET	
Fund 265 - DRUG LAW ENFORCEMENT FUND							
000 - GENERAL		1,555.00		28,908.38	417.74	433,500.00	0.10
400 - FED DRUG LAW ENFOR - REIMBUR		52,000.00		68,828.38	9,338.84	30,000.00	31.13
TOTAL REVENUES		<u>53,555.00</u>		<u>97,736.76</u>	<u>9,756.58</u>	<u>463,500.00</u>	<u>2.10</u>
333 - DRUG LAW ENFORCEMENT							
400 - FED DRUG LAW ENFOR - REIMBUR		8,918.00		9,593.26	1,630.17	101,800.00	1.60
TOTAL EXPENDITURES		<u>59,363.00</u>		<u>61,558.02</u>	<u>24,070.38</u>	<u>134,800.00</u>	<u>17.86</u>
Fund 265 - DRUG LAW ENFORCEMENT FUND:							
TOTAL REVENUES		53,555.00		97,736.76	9,756.58	463,500.00	2.10
TOTAL EXPENDITURES		59,363.00		61,558.02	24,070.38	134,800.00	17.86
NET OF REVENUES & EXPENDITURES		<u>(5,808.00)</u>		<u>36,178.74</u>	<u>(14,313.80)</u>	<u>328,700.00</u>	<u>4.35</u>

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GL NUMBER	DESCRIPTION	2020	END BALANCE	YTD BALANCE	2021	% BDTG USED
		AMENDED BUDGET	12/31/2020 NORMAL (ABNORMAL)	07/31/2021 NORMAL (ABNORMAL)	ORIGINAL BUDGET	
Fund 275 - ALBION BUILDING AUTHORITY FUND						
000 - GENERAL		7,883.00	7,827.30	151.66	3,836.00	3.95
265 - MUNICIPAL BLDG AND/OR 201 N CLINTON ST		1,512.00	1,638.00	882.00	1,512.00	58.33
271 - FIRE/AMBULANCE BUILDING		29,065.00	29,065.20	10,160.94	32,500.00	31.26
273 - 112 E ERIE ST		20,001.00	16,436.21	163,417.54	0.00	100.00
TOTAL REVENUES		58,461.00	54,966.71	174,612.14	37,848.00	461.35
260 - FINANCE DEPT AND/OR ABA GENERAL		6,776.00	6,075.96	3,037.98	6,950.00	43.71
265 - MUNICIPAL BLDG AND/OR 201 N CLINTON ST		2,085.00	1,130.84	97.90	2,125.00	4.61
271 - FIRE/AMBULANCE BUILDING		27,850.00	23,554.68	7,471.57	18,600.00	40.17
273 - 112 E ERIE ST		23,750.00	20,463.51	936.33	1,900.00	49.28
TOTAL EXPENDITURES		60,461.00	51,224.99	11,543.78	29,575.00	39.03
Fund 275 - ALBION BUILDING AUTHORITY FUND:						
TOTAL REVENUES		58,461.00	54,966.71	174,612.14	37,848.00	461.35
TOTAL EXPENDITURES		60,461.00	51,224.99	11,543.78	29,575.00	39.03
NET OF REVENUES & EXPENDITURES		(2,000.00)	3,741.72	163,068.36	8,273.00	1,971.09

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GL NUMBER	DESCRIPTION	2020		YTD BALANCE	2021	% BDTG USED
		AMENDED BUDGET	NORMAL (ABNORMAL)	07/31/2021 NORMAL (ABNORMAL)	ORIGINAL BUDGET	
Fund 277 - ABA SEC 8 MAPLE GROVE						
000 - GENERAL		437,600.00	477,921.73	299,724.97	452,700.00	66.21
TOTAL REVENUES		<u>437,600.00</u>	<u>477,921.73</u>	<u>299,724.97</u>	<u>452,700.00</u>	<u>66.21</u>
701 - ABA SEC 8 MAPLE GROVE		404,650.00	361,403.72	226,345.09	404,600.00	55.94
TOTAL EXPENDITURES		<u>404,650.00</u>	<u>361,403.72</u>	<u>226,345.09</u>	<u>404,600.00</u>	<u>55.94</u>
Fund 277 - ABA SEC 8 MAPLE GROVE:						
TOTAL REVENUES		437,600.00	477,921.73	299,724.97	452,700.00	66.21
TOTAL EXPENDITURES		404,650.00	361,403.72	226,345.09	404,600.00	55.94
NET OF REVENUES & EXPENDITURES		<u>32,950.00</u>	<u>116,518.01</u>	<u>73,379.88</u>	<u>48,100.00</u>	<u>152.56</u>

REVENUE AND EXPENDITURE REPORT FOR CITY OF ALBION
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GL NUMBER	DESCRIPTION	2020		END BALANCE	YTD BALANCE	2021	% BDGT USED
		AMENDED BUDGET	NORMAL	12/31/2020 (ABNORMAL)	07/31/2021 (ABNORMAL)	ORIGINAL BUDGET	
Fund 367 - SIDEWALK PROGRAM FUND							
000 - GENERAL		950.00		1,741.19	115.56	1,000.00	11.56
TOTAL REVENUES		<u>950.00</u>		<u>1,741.19</u>	<u>115.56</u>	<u>1,000.00</u>	<u>11.56</u>
443 - SIDEWALK PROGRAM		11,000.00		9,003.75	19,628.78	340,000.00	5.77
TOTAL EXPENDITURES		<u>11,000.00</u>		<u>9,003.75</u>	<u>19,628.78</u>	<u>340,000.00</u>	<u>5.77</u>
Fund 367 - SIDEWALK PROGRAM FUND:							
TOTAL REVENUES		950.00		1,741.19	115.56	1,000.00	11.56
TOTAL EXPENDITURES		<u>11,000.00</u>		<u>9,003.75</u>	<u>19,628.78</u>	<u>340,000.00</u>	<u>5.77</u>
NET OF REVENUES & EXPENDITURES		(10,050.00)		(7,262.56)	(19,513.22)	(339,000.00)	5.76

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GL NUMBER	DESCRIPTION	2020		YTD BALANCE		2021	
		AMENDED BUDGET	NORMAL (ABNORMAL)	NORMAL (ABNORMAL)	NORMAL (ABNORMAL)	ORIGINAL BUDGET	% BDGT USED
Fund 590 - SEWER FUND							
000 - GENERAL		1,308,960.00	1,335,943.44	809,446.60		1,377,500.00	58.76
TOTAL REVENUES		<u>1,308,960.00</u>	<u>1,335,943.44</u>	<u>809,446.60</u>		<u>1,377,500.00</u>	<u>58.76</u>
536 - SEWER UTILITY OPERATIONS		1,445,340.00	1,396,077.97	728,914.04		1,485,985.00	49.05
542 - WWTP ENERGY IMPROVEMENTS		8,200.00	7,487.05	5,732.40		8,250.00	69.48
906 - DEBT SERVICE - LOANS		1,700.00	1,699.80	0.00		1,700.00	0.00
965 - TRANSFER OUT		369,256.00	143,820.00	0.00		143,820.00	0.00
TOTAL EXPENDITURES		<u>1,824,496.00</u>	<u>1,549,084.82</u>	<u>734,646.44</u>		<u>1,639,755.00</u>	<u>44.80</u>
Fund 590 - SEWER FUND:							
TOTAL REVENUES		1,308,960.00	1,335,943.44	809,446.60		1,377,500.00	58.76
TOTAL EXPENDITURES		<u>1,824,496.00</u>	<u>1,549,084.82</u>	<u>734,646.44</u>		<u>1,639,755.00</u>	<u>44.80</u>
NET OF REVENUES & EXPENDITURES		(515,536.00)	(213,141.38)	74,800.16		(262,255.00)	28.52

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GL NUMBER	DESCRIPTION	2020	END BALANCE	YTD BALANCE	2021	% BDTG USED
		AMENDED BUDGET	12/31/2020 NORMAL (ABNORMAL)	07/31/2021 NORMAL (ABNORMAL)	ORIGINAL BUDGET	
Fund 591 - WATER FUND						
000 - GENERAL		902,290.00	908,141.74	521,153.68	951,000.00	54.80
TOTAL REVENUES		<u>902,290.00</u>	<u>908,141.74</u>	<u>521,153.68</u>	<u>951,000.00</u>	<u>54.80</u>
536 - WATER UTILITY OPERATIONS		1,157,849.00	1,133,822.77	520,442.82	1,210,550.00	42.99
906 - DEBT SERVICE - LOANS		4,264.00	4,264.40	0.00	4,000.00	0.00
965 - TRANSFER OUT		231,800.00	111,500.00	0.00	11,150.00	0.00
TOTAL EXPENDITURES		<u>1,393,913.00</u>	<u>1,249,587.17</u>	<u>520,442.82</u>	<u>1,225,700.00</u>	<u>42.46</u>
Fund 591 - WATER FUND:						
TOTAL REVENUES		902,290.00	908,141.74	521,153.68	951,000.00	54.80
TOTAL EXPENDITURES		<u>1,393,913.00</u>	<u>1,249,587.17</u>	<u>520,442.82</u>	<u>1,225,700.00</u>	<u>42.46</u>
NET OF REVENUES & EXPENDITURES		(491,623.00)	(341,445.43)	710.86	(274,700.00)	0.26

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GL NUMBER	DESCRIPTION	2020		YTD BALANCE		2021		
		AMENDED BUDGET	NORMAL (ABNORMAL)	NORMAL (ABNORMAL)	NORMAL (ABNORMAL)	ORIGINAL BUDGET	% BDGT USED	
Fund 661 - EQUIPMENT POOL FUND								
000 - GENERAL		265,802.00	267,667.64	181,970.42		312,525.00	58.23	
TOTAL REVENUES		<u>265,802.00</u>	<u>267,667.64</u>	<u>181,970.42</u>		<u>312,525.00</u>	58.23	
770 - EQUIPMENT POOL		324,038.00	327,588.66	134,987.76		319,375.00	42.27	
965 - TRANSFER OUT		17,400.00	17,400.00	0.00		17,400.00	0.00	
TOTAL EXPENDITURES		<u>341,438.00</u>	<u>344,988.66</u>	<u>134,987.76</u>		<u>336,775.00</u>	40.08	
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Fund 661 - EQUIPMENT POOL FUND:								
TOTAL REVENUES		265,802.00	267,667.64	181,970.42		312,525.00	58.23	
TOTAL EXPENDITURES		341,438.00	344,988.66	134,987.76		336,775.00	40.08	
NET OF REVENUES & EXPENDITURES		<u>(75,636.00)</u>	<u>(77,321.02)</u>	<u>46,982.66</u>		<u>(24,250.00)</u>	193.74	
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TOTAL REVENUES - ALL FUNDS		9,493,798.00	9,529,461.54	4,627,956.43		10,258,418.00	45.11	
TOTAL EXPENDITURES - ALL FUNDS		10,599,142.00	9,694,973.96	4,773,683.31		11,177,203.00	42.71	
NET OF REVENUES & EXPENDITURES		<u>(1,105,344.00)</u>	<u>(165,512.42)</u>	<u>(145,726.88)</u>		<u>(918,785.00)</u>	15.86	