

City of Albion  
Council Session Minutes  
May 21, 2018

I. CALL TO ORDER

Mayor Brown called the regular meeting to order at 7:00 p.m.

II. MOMENT OF SILENCE TO BE OBSERVED

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

PRESENT: Maurice Barnes (1), Lenn Reid (2), Sonya Brown (3), Marcola Lawler (4), Jeanette Spicer (5), Andrew French (6) and Mayor Brown.

ABSENT: All members were present.

STAFF PRESENT:

Scott Kipp, Interim City Manager; Cullen Harkness, City Attorney; Jill Domingo, City Clerk; John Tracy, Director of Planning, Building & Code Enforcement

V. MAYOR AND COUNCIL MEMBER'S COMMENTS

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

VI. CITY MANAGER REPORT

Interim City Manager Kipp gave the following City Manager report:

- The Memorial Day parade will be Monday, May 28, 2018 beginning at 10:00 a.m.
- The 2<sup>nd</sup> Community Bike Ride will be on Monday, May 28, 2018 at 5:30 p.m.
- The Annual French Market will be held on Saturday, June 9, 2018 from 9 a.m. to 2 p.m. at Stoffer Plaza.

Comments were received from Council Member French.

VII. PRESENTATIONS

A. Juneteenth Celebration-Council Member Reid

Council Member Reid stated as part of the Juneteenth celebration, on Thursday, June 14<sup>th</sup> there will be a Pastor's Salute. This will be a red carpet, black tie event. This is an opportunity to salute your pastor and will be fun and entertaining.

The Juneteenth celebration will be held on Saturday, June 16, 2018 beginning at 11:00 a.m. on the steps of City Hall and proceed to walk via Cass Street to Holland Park.

The celebration will include some of the following activities:

- Games for adults and children
- Story tent
- Music
- Line Dancing
- Arts & Crafts
- Food Court
- Basketball
- Firetrucks and firehouse.

There will be a gospel fest at 5:00 p.m. and activities for everyone and she encourages everyone to come out and enjoy the fun.

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

## VIII. PUBLIC HEARINGS

### 1. Michigan Community Development Block Grant (CDBG) Funding for the Irwin Avenue Improvements Project

Mayor Brown opened the Public Hearing at 7:15 p.m.

Comments were received from Nidia Wolf, 409 Irwin Avenue who stated Irwin Avenue had not been resurfaced for 44 years and asked what type of materials will be used. She wants to insure a good solid surface that will last; Frank Passic, 900 S. Eaton St asked if the City would consider doing a study on increasing the speed limit on Irwin Avenue. He stated the speed limit was changed to 25mph because of St. Johns School which is no longer a school; LaVada Weeks, 917 Luther Dr, stated she would like to see a warranty on the street resurfacing.

Mayor Brown closed the Public Hearing at 7:17 p.m.

Interim City Manager Kipp gave a brief overview of the grant stating the ICE grant was applied for last year and we were turned down. MEDC contacted the City and asked us to re-apply for the grant this year. The infrastructure under the road will be re-done and then a complete reconstruction of the street.

Council Comments continued with Council Member French who stated Irwin Avenue will be a total rebuild which will make it longer lasting.

Mayor Brown stated the City's involvement in the Rising Tide project has been helpful in securing grants.

A. Request Approval Resolution # 2018-15, Authorizing Community Development Block Grant (CDBG) Infrastructure Capacity Enhancement (ICE) Grant Application for Irwin Avenue Improvements Project (RCV)

French moved, Barnes supported, CARRIED, to Approve Resolution # 2018-15, Authorizing Community Development Block Grant (CDBG) Infrastructure Capacity Enhancement (ICE) Grant Application for Irwin Avenue Improvements Project as presented. (7-0, rcv)

2. Sale of City Owned Property Located at 702,704,706 & 708 W. W. Erie Street

Mayor Brown opened the public hearing at 7:21 p.m.

No public comments were received.

Mayor Brown closed the public hearing at 7:22 p.m.

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

Council Member Barnes asked to abstain from the vote as he is a cousin to the potential purchaser.

French moved, Brown supported, CARRIED, To Not Allow Council Member Barnes to Abstain from Voting on the Sale of City Owned Property. (6-0, vv)

Council Member Barnes asked for Point of Order stating Council Rules of Procedure state a Council Member who makes a motion may vote no on the agenda item.

Mayor Brown ruled a Council Member who makes a motion may not vote no on the agenda item.

Brown moved, Lawler supported, FAILED, to Approve Sale of City Owned Property Located at 702,704,706 & 708 W. Erie Street to Ronnie Sims for \$4.00 and a shared cost of closing costs and recording fees. (1-6, rcv) (Barnes, Reid, Lawler, Spicer, French and Mayor Brown dissenting).

Comments were received from Mayor Brown.

French moved Spicer supported CARRIED, To Make a Final Offer on the Sale of City Owned Property located at 702,704,706 & 708 W. Erie St for \$4.00 plus closing costs and recording fees. (7-0, rcv)

- IX. PUBLIC Comments (Persons addressing the City Council shall limit their comments to agenda items and to no more than three (3) minutes. Proper decorum is required.)

Comments were received from Marcia Magary, 1000 W. Erie Street.

- X. CONSENT CALENDAR (vv) (Items on Consent Calendar are vote4d on as one unit)

A. Approval Regular Session Minutes, May 7, 2018

B. Approve Fireworks Committee to Use Barnes Park and Riverside Cemetery for the Albion Fireworks Viewing on July 3, 2018 with a Rain Date of July 5, 2018

C. Approve Assembly Permit for Community Picnic on July 14, 2018 from 10 a.m. to 4 p.m. in Victory Park

French moved, Reid supported, CARRIED, To Approve Consent Calendar as presented. (7-0, vv)

- XI. ITEMS FOR INDIVIDUAL DISCUSSION

A. Request Approval 2<sup>nd</sup> Reading and Adoption of Ordinance # 2018-04, An Ordinance to Amend Chapter 30 of the 1984 Zoning Code of the City of Albion, by Amending the Section 30-04 Definitions, Division 8 B-3 Highway Service District, Division 9 Section 30-269 M-1-P Light Industrial Parks, Division 10 Section M-2 Heavy Industrial District and Section 30-285 Heavy Industrial Parks M-2 (P) (RCV)

Comments were received from Mayor Brown and City Attorney Harkness.

Brown moved, Barnes supported, CARRIED, to Approve 2<sup>nd</sup> Reading and Adoption of Ordinance # 2018-04, An Ordinance to Amend Chapter 30 of the 1984 Zoning Code of the City of Albion, by Amending the Section 30-04 Definitions, Division 8 B-3 Highway Service District, Division 9 Section 30-269 M-1-P Light Industrial Parks, Division 10 Section M-2 Heavy Industrial District and Section 30-285 Heavy Industrial Parks M-2 (P) as presented. (6-1, rcv) (French dissenting).

- B. Discussion/Approval 608 Austin Avenue

John Tracy, Director Planning, Building and Code Enforcement stated he is working on partnering with the County for the demolition of 608 Austin Avenue. This would save the City money for future demolitions. The County already has contractors they are working with so we may get a better price. He will be meeting with them later this week or early next week and should have an answer within the next week on whether the County will partner with us on this project. He did not put the demolition out for bid.

Council Members Barnes and Brown were disappointed that the demolition did not go out for bid as they were anticipating the cost to be discussed. They were glad to partner with County to help save money. They would like to know by the next meeting whether the County will partner with us on the project and a cost or an RFP for demolition of the property needs to be sent out.

Additional comments were received from Council Members French and Spicer; Mayor Brown; City Attorney Harkness and Interim Manager Kipp.

#### C. Discussion/Approval Procedure for Sale of City Owned Property

Council comments were as follows:

- Would like time to think about it
- Must determine the difference between residential or commercial/industrial for procedure
- Laying the ground work
- Would like to tread with caution and not lock ourselves into pricing so we don't miss an opportunity
- What needs to be changed with our current procedures?
- Build a percentage into policy with a caveat to go below the stated percentage
- Ok with a percentage being built into the baseline
- Need a direction on how to proceed
- Would like an inventory of city owned property
- What do other cities do?
- Ask how land will be used

Council asked Interim City Manager Kipp, City Attorney Harkness and Director of Planning, Building & Code Enforcement Tracy to see what other cities are doing and have examples by the next meeting.

#### D. Discussion-Rental Certification

Director of Planning, Building & Code Enforcement Tracy provided a draft of the rental certification ordinance which are the minimal requirements of the States property codes. He stated you would not want to go less than the State requirements as you would open the City up to liability. This will attract more and better properties and protects the residents from harm. He suggested a study session to provide rental owners and the rental association an opportunity to speak on the issue. This needs to be done as renters are a large part of the population.

Mayor Brown will set up a Study Session with the Council.

Comments were received from Council Member French and Mayor Brown.

E. Set Date for Final Council Goal Setting Session

The consensus of the Council is to hold a Study Session for both the Council Goals and Rental Certification on Thursday, May 24, 2018 at 6:30 p.m.

F. Request Approval of Waiver of First Right of Refusal on Calhoun County Foreclosed Properties (RCV)

Comments were received from Council Member French and Interim City Manager Kipp.

French moved, Spicer supported, **CARRIED**, to Approve Waiver of First Right of Refusal on Calhoun County Foreclosed Properties as presented. (7-0, rcv)

G. Discussion/Approval of Firm for City Manager Search (RCV)

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

*Council Member French called Point of Order for Mayor initiating conversation.*

*Mayor Brown ruled discussion is a time for both the Mayor and the Council.*

French moved, Barnes supported, **FAILED**, to Approve the Michigan Municipal League for the City Manager Search. (3-4, rcv) (Brown, Lawler, Spicer and Mayor Brown dissenting).

Spicer moved, Lawler supported, **CARRIED**, to Remove the Mercer Group from consideration for the City Manager Search. (7-0, rcv)

French moved, Brown supported to Remove Rehman and SGR from Consideration for the City Manager Search.

Attorney Harkness stated the Charter states the bid process must be the lowest qualified bidder. If the lowest bidder is not qualified, they must then go to the next lowest bid and follow that process until a firm is selected.

*Council Member French withdrew his motion.*

Lawler moved, Spicer supported, **CARRIED**, to Approve Gov HR USA as the City Manager Search Firm. (6-1, rcv) (Barnes dissenting).

H. Request Approval Resolution # 2018-17, A Resolution to Support the "Transforming Albion" Project, under a HUD Choice Neighborhood Grant Application; Authorizing to Enter into a Memorandum of Understanding with

Michigan State University's School of Planning, Design and Construction for the Grant Activities; and Authorizing a Commitment of Local Contribution (RCV)

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

City Attorney Harkness asked to include a term in Memorandum of Understanding for no more than ten (10) years and may be renewed with mutual agreement of both parties.

French moved, Barnes supported, CARRIED, to **AMEND** Resolution # 2018-17, A Resolution to Support the "Transforming Albion" Project, under a HUD Choice Neighborhood Grant Application; Authorizing to Enter into a Memorandum of Understanding with Michigan State University's School of Planning, Design and Construction for the Grant Activities; and Authorizing a Commitment of Local Contribution to include a term of not more than ten (10) years and may be renewed with mutual agreement of both parties. (7-0, vv)

French moved, Barnes supported, CARRIED, to **Approve** Resolution # 2018-17, A Resolution to Support the "Transforming Albion" Project, under a HUD Choice Neighborhood Grant Application; Authorizing to Enter into a Memorandum of Understanding with Michigan State University's School of Planning, Design and Construction for the Grant Activities; and Authorizing a Commitment of Local Contribution to include a term of not more than ten (10) years and may be renewed with mutual agreement of both parties. (7-0, rcv)

## XII. Future Agenda Items

The following items were requested for the next agenda:

- Discussion/Approval 608 Austin Avenue
- Set date on for meeting on Rising Tide Project
- Set date for City wide clean-up
- Opposition to HB 4158
- Discussion of relationship with EDC and ARC (would like financials of TIFA money received for the past three (3) years
- Closing cost information for W. Erie Street property
- Discussion-Citizens Advisory Committee on community development
- Ways to have minority businesses downtown

Comments or future agenda items were received from Council Members Barnes, Lawler, Brown and Spicer, Mayor Brown and City Attorney Harkness.

## XIII. Motion to Excuse Absent Council Member (s)

No action was necessary as all members were present.

XIV. 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 Marcia Magary, 1000 W. Erie St and Eric Worley, President & CEO of the Greater Albion Chamber of Commerce and Visitors Bureau.

XV. ADJOURNMENT

Brown moved, Spicer supported, CARRIED, to ADJOURN Regular Council Session. (7-0, vv).

Mayor Brown adjourned the Regular Session at 9:08 p.m.

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Date

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Jill Domingo  
City Clerk