



CITY OF ALBION CITY COUNCIL MEETING AGENDA

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

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

COUNCIL-MANAGER
GOVERNMENT

Council members and
other officials normally in
attendance.

AGENDA COUNCIL MEETING

Monday, February 1, 2016

7:00 P.M.

PLEASE TURN OFF CELL PHONES DURING MEETING

• **Joseph V. Domingo**

Mayor

▪ **Maurice Barnes, Jr.**

Council Member
1st Precinct

▪ **Lenn Reid**

Council Member
2nd Precinct

▪ **Garrett Brown**

Council Member
3rd Precinct

• **Rebecca Decker**

Council Member
4th Precinct

• **Cheryl Krause**

Council Member
5th Precinct

• **Andrew French**

Mayor Pro Tem

Council Member
6th Precinct

• **Sheryl Mitchell**

City Manager

• **The Harkness Law Firm**

Atty Cullen Harkness

• **Jill Domingo**

City Clerk

- I. CALL TO ORDER
- II. MOMENT OF SILENCE TO BE OBSERVED
- III. PLEDGE OF ALLEGIANCE
- IV. ROLL CALL
- V. MAYOR AND COUNCIL MEMBER'S COMMENTS
- VI. PRESENTATIONS
 - A. EDC Update-Peggy Sindt
 - B. Homeless and Emergency Shelter Services-Vicky Clark-Summit Pointe
- VII. CITIZEN'S COMMENTS (Persons addressing the City Council shall limit their comments to **agenda items only** and to no more than five (5) minutes. Proper decorum is required.)
- VIII. CONSENT CALENDAR (VV)
(Items on Consent Calendar are voted on as one unit)
 - A. Approval Regular Session Minutes-January 19, 2016
- IX. ITEMS FOR INDIVIDUAL DISCUSSION
 - A. Request Approval Resolution # 2016-11, Legal Services Agreement-Keller Thoma (RCV)
 - B. Request Approval Resolution # 2016-08, Senior Forks Center Contract (RCV)
 - C. Request Approval Resolution # 2016-09, City of Albion Opposition to Public Act 269 (RCV)



CITY OF ALBION CITY COUNCIL MEETING AGENDA

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

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

NOTICE FOR PERSONS WITH HEARING

IMPAIR-MENTS WHO REQUIRE THE USE OF
A PORTABLE LISTENING DEVICE:

Please contact the City Clerk's office

at (517) 629-5535 and a listening device
will be provided upon Notification.

If you require a signer, please notify
City Hall at least five (5) days prior

to the posted meeting time.

- D. Request Approval Resolution # 2016-10 Gun Purchase Program (RCV)
- E. Discussion-RFP for Sidewalk Replacement Program
- F. Discussion-Set Dates for Goal Setting
- G. Boards & Commissions Appointments
 - Scott Evans, DDA Board, Initial Appointment, Term to Expire 12-31-2019 (RCV)
- H. Request Approval Tentative Agreement for POLC Union (Public Safety Sergeants and Lieutenants) (RCV)
- I. Discussion-2016 Street Projects
- J. City Manager Report
- K. Future Agenda Items
- L. Motion to Excuse Absent Council Member (s)
- X. CITIZENS COMMENTS (Persons addressing the City Council shall limit their comments to no more than five (5) minutes. Proper decorum is required.)
- XI. ADJOURN

Final Definition of Chronically Homeless

(Amends 24 CFR 91.5 and 24 CFR 578.3)

Chronically homeless means:

(1) A “homeless individual with a disability,” as defined in the Act,
who:

- Lives in a place not meant for human habitation, a safe haven, or in an emergency shelter; and
- Has been homeless (as described above) continuously for at least 12 months or on at least 4 separate occasions in the last 3 years where the combined occasions must total at least 12 months
 - Occasions separated by a break of at least seven nights
 - Stays in institution of fewer than 90 days do not constitute a break



Final Definition of Chronically Homeless

(Amends 24 CFR 91.5 and 24 CFR 578.3)

Chronically homeless means (cont.):

(2) An individual who has been residing in an institutional care facility for fewer than 90 days and met all of the criteria in paragraph (1) of this definition, before entering that facility; or



Final Definition of Chronically Homeless

(Amends 24 CFR 91.5 and 24 CFR 578.3)

Chronically homeless means (cont.):

(3) A family with an adult head of household (or if there is no adult in the family, a minor head of household) who meets all of the criteria in paragraphs (1) or (2) of this definition, including a family whose composition has fluctuated while the head of household has been homeless.



Meeting Minutes

Friday, January 15, 2016

Behavioral Health Resources 3:00 pm to 4:15 pm

Present: Harry Bonner, Shirley Mitchell, Vicky L. Clark

Absent : Kenja Moorehead

Business Discussions:

Review of the programs available for person who are homeless in the Calhoun County Area

- Summit Point Housing HARA Calhoun County - Vicky Clark shared the grant funding available for the persons who are homeless in the Calhoun County Area. Brochures were given to each of the attendees. The Homeless Definitions was explained to the members, however the new guidelines and definitions are changing effective 1-18-2016, and new definitions are attached for their reading and review in the follow up email. Shared the Homeless Health Fair and Stand Down activities and when these events occur.

Community Partners Coordination

- Minority Services and Substance Abuse Council -Harry Bonner shared the current organization who could benefit from the information if it could be presented further with other parties who may have an interest. There are several partnerships that could focus on the individuals in the areas who are unaware of the services. Examples County Wide Recovery Oriented Systems of Care (ROSC) meeting times are held on the second Wednesday of the month in Battle Creek at the Battle Creek Community Foundation office from 10 to 11 am, Albion Community Substance Abuse and Prevention Coalition (ACSAPC) meets the second Tuesday of the month at 11:30 am to 1:00 pm at 309 N. Superior St. Another suggestion was to share the information involved with an interview of the local paper regarding the services available

Current work Groups

- Rental Housing Roundtable- Vicky Clark (Housing Agent/ Health Care Advocate) shared the landlord luncheons events that have occurred in the past. The work group were formed to create a better relationship with landlords. The landlord luncheons have met on two other occasions. The meeting agendas were design to help landlords understand the goals of the Agencies who provide housing assistance to the homeless population and also, to give support to the landlords who participate with the agencies who provide opportunity for housing for the homeless population. Flyers were given to each attendee for the next Landlord dinner. Shirley -shared a contact person John Geyer's number -- (517) 629-5821 the chair for the landlord Committee in the Albion Area.

Questions / Answer.

1. What are the expected outcome of this meeting? Vicky-My goals are to make myself more accessible in the community especially for persons who currently don't have a home and does not have the transportation to travel to Battle Creek for supportive services.
2. Is it possible to have a health fair in the Albion Area? Vicky- I don't know but I was ask this question during the next Homeless Coalition Meeting.
3. Would you be willing to attend some of the meeting in listed above and have a face to face interview about the programs and assistance available for the homeless. Vicky - Yes. Both Harry and Shirley plan to accompany me at the meeting when possible.



CALHOUN COUNTY HARA Phone # 269-966-1538 Fax # 269-966-2889

Referral

Customer Referral sent to _____ Date: _____

Customer has been entered into HMIS Y / N HMIS # _____

Summit Pointe Contact _____

Customer Information (Circle applicable information)

Veteran Y / N Gender: ___ Male ___ Female ___ Transgender ___ other

VI SPDAT completed Y / N ___ Attached ___ Not Attached

Full Name _____ Phone #. _____

Documentation Obtained

- _____ Proof Of homeless
- _____ Calhoun County ID
- _____ Birth certificate for household members and children
- _____ Proof Marriage License
- _____ Proof of divorce
- _____ Proof of Income
- _____ Proof Social Security Cards
- _____ Evictions
- _____ Proof of payment (electric bills, gas bills, water bills, rental payments, Car notes, etc.)
- _____ Decision notice

The identify service needs

- _____ *Rehousing* _____ *Eviction Prevention* _____ *Moving expense*
- _____ *Transitional Housing* _____ *Utility expense* _____ *Security Deposit*

City of Albion
City Council Meeting
January 19, 2016

I. CALL TO ORDER

Mayor Domingo opened the regular session at 7:00 p.m.

II. MOMENT OF SILENCE TO BE OBSERVED

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

Maurice Barnes (1), Lenn Reid (2), Garrett Brown (3), Rebecca Decker (4), Cheryl Krause (5) and Andrew French (6) and Mayor Joseph Domingo.

STAFF PRESENT:

Sheryl Mitchell, City Manager; Jill Domingo, City Clerk; Cullen Harkness, City Attorney; Tom Mead, Finance Director, and Kurt Etter, Public Safety Sergeant.

V. MAYOR AND COUNCIL MEMBER'S COMMENTS

Comments were received from Council Members Barnes, Reid, Krause and French.

VI. PRESENTATIONS

A. Marshall Public Schools-Dr. Randall Davis, Superintendent and Richard Lindsay, School Board President

Dr. Randy Davis, Superintendent of Marshall Public Schools gave a presentation on annexation of Albion Community Schools and Marshall Public Schools. He highlighted the following points:

The steps for annexation are as follows:

1. Marshall Public School Board Resolution passed 7-0 on 1-11-2016
2. Michigan Department of Education issues decision. This was submitted on 1-12-2016. If this is approved then:
3. Albion Board calls for an election for the voters in the Albion School District for the May 2016 election. The ballot language will state the date of annexation will be 7-1-2016. If this is approved then:
4. The annexation becomes official on 7-1-2016.

Financial Implications:

- Albion's current operational debt at time of annexation becomes Marshall's responsibility. This debt is currently estimated to be \$3,600,000.
- Albion's financial assets and liabilities become Marshall's (facilities, property, equipment, etc.)
- Albion's Sinking Fund of 4 mills terminates and Marshall's Sinking Fund of 1 mil is applied to all combined tax payers in the expanded Marshall Public School District which expires in 2023.
- The existing bond indebtedness at the time of annexation for Albion is paid by the Albion tax payers; and the bond indebtedness of Marshall is paid by the Marshall tax payers.
- Any new/future bond indebtedness is approved and paid for by the combined voters/tax payers of the newly expanded MPS district.

Operating Revenues:

- 18 mills Non-Homestead taxation applies across the newly formed Marshall District, This is due to expire in 2018.
- Per pupil foundation allowance applied to all students in the expanded district.
- Federal Title Funds and State at Risk Funds will be adjusted into the Marshall District following the annexation.
- Line Item 22g for "District Annexation/Consolidation". Competitive grant through MDE has been successfully submitted and awaiting decision prior to 2-5-2016. Three districts applied but only two qualify-Marshall and Redford.
- Local dollars/resources from grantors and community partners,

Unknowns:

- Enrollment at the time of annexation
- Impact of School of Choice from across the region in January, 2016
- Increased operational costs for personnel, instruction, transportation, supplies, etc.
- Staffing structure and number of teachers/support staff and administrators to implement total services in Albion and Marshall.
- Status of facilities in Albion. Albion Community Schools currently own four buildings although only two are being used.

Win-Wins:

- Fully leveraged pre-K through grade 16 under one district; with a PK-5 Elementary offered in the Albion community.
- Regional efforts in providing quality educational services to all children.
- New partnerships forged to expand opportunities for our students.
- Currently have five businesses- two in Albion and three in Marshall participating in the training/apprentice program.

Dr. Davis then discussed the Annexation 22G Competitive Grant which highlighted the following:

Program Costs-\$188,000

- Instructional Resources-textbooks, math modules, science kits, instruction consumables/non consumables.
- Professional Development: aligning curriculum and instructional practices, cultural competencies and instructional engagement. Trainers and staff stipends.
- Unemployment Costs due to annexation.

Support Services-\$123,000

- Central Office Staff-Reimburse budgets in both District's for pre-annexation work completed by the Superintendents, business offices and human resources.
- Annexation Costs: Auditing for merging, liabilities and assets, attorney fees, election costs, appraisals of buildings and real estate prior to annexation.

Operations/Facilities-\$586,000

- Building Improvements: modifying the current Albion K-8 building to accommodate a non-traditional high school while providing K-5 elementary.
- Abandoned Buildings: a set-aside for possible demolition of existing buildings owned by the Albion Schools and no longer in use. This is to be determined.

Pupil Transportation-\$767,000

- Bus purchasing: purchasing eight 77-passenger buses with two-way radios and cameras. This is replacing Albion's bus fleet they sold to the outsourcing company. Marshall handles their own transportation.
- Auxiliary Services: financial support for the Marshall/Albion Connector for two years that supports community engagement and participation with school programming in Marshall. Also, assisting the after school shuttles for students residing in Albion that participate in extra-curricular and athletics.

Technology-\$928,000

- Technology infrastructure: aligning Albion School with Marshall Schools (e.g. upgrades is wireless coverage for Internet, migration to common student information system PS)
- Phone Systems: Updating and aligning phone systems, domain servers, etc.

Community Activities-\$40,000

- Youth Leadership Symposium: summer symposium for youth in transitions.
- Day Camps: providing various camp experiences at grade level to enhance student engagement and cohesiveness.

Albion Deficit-\$3.6 Million

- Paying off the debt of Albion Community Schools to relieve the tax payers in Albion of additional long term debt/taxation.

- Additionally, the Albion Sinking Fund thru 2018 at the time of annexation will be vacated at 4 mills and replaced with the existing Marshall Sinking Fund of 1 mill through 2023.
- The debt retirement is 3.6 million and the implementation is 2.6 million.

Comments were received from Council Members Barnes, Brown and Decker.

B. Albion Mayor's Youth Council-Diversity Award Presented to Dr. Wesley Dick

Shi'Terriona Straham, City Manager of the Mayor's Youth Council read aloud and presented a Diversity Champion Proclamation to Dr. Wesley Dick. Dr. Dick received a standing ovation when presented the proclamation. He and his wife Leslie were noted for their work on a college course taught by Dr. Dick to freshman at Albion College entitled "A Sense of Place: Albion and the American Dream".

Comments were received from Dr. Wesley Dick who stated Albion is a unique and diverse community and is blessed by the Albion community. He also stated Albion's story is America's story. Dr. Dick thanked the Mayor, City Council, City Manager and Mayor's Youth Council.

C. Albion Mayor's Youth Council-Medical Marijuana

Harry Bonner, Director of Substance Abuse Prevention asked the members of the Council how they felt about legalizing medical marijuana. Council Member Decker stated that although the Council had not discussed this as a group, she would support the legalization of medical marijuana. Council Member French stated he would also agree with legalizing medical marijuana as it helps to elevate pain for people suffering from Aids and Cancer. He feels the state and federal government need to come together and agree on laws pertaining to legalization of medical marijuana. Council Member Barnes and Reid also agree with the legalization. City Attorney Harkness stated we have two ordinances in place pertaining to marijuana. The local level of government handles a lot of the non-legal marijuana.

Mr. Bonner invited the members of Council to attend the breakfast at Albion Community School on Friday, January 22, 2016 at 9:15 a.m.

VII. CITIZENS COMMENTS

Comments were received from Mark Anthony Lane, 407 W. Cass St.

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

A. Approval Regular Council Session Minutes-January 4, 2016

French moved, Brown supported, CARRIED, to Approve the Consent Calendar as presented. (7-0, vv)

IX. ITEMS FOR INDIVIDUAL DISCUSSION

- A. Request Approval Two Year Labor Agreement/Contract (2016-2017) AFSCME (DPW) (RCV)

Comments were received from City Manager Mitchell.

French moved, Decker supported, CARRIED, To Approve a Two Year Labor Agreement/Contract (2016-2017) AFSCME (DPW) as presented. (7-0, rcv)

- B. Request Approval Two Year Labor Agreement/Contract (2016-2017) for TPOAM/ACA Union (Clerical/Finance Dept.) (RCV)

French moved, Brown supported, CARRIED, To Approve a Two Year Labor Agreement/Contract (2016-2017) for TPOAM/ACA Union (Clerical/Finance Dept.) as presented. (7- 0, rcv)

- C. Request Approval Two Year Agreement/Contract (2016-2017) for POAM (Public Safety Officers) (RCV)

Brown moved, French supported CARRIED, Approve to Excuse Council Member Decker from the Approval Two Year Agreement/Contract for POAM vote. (6-0, rcv)

Krause moved, French supported, CARRIED, To Approve a Two Year Labor Agreement/Contract (2016-2017) for POAM as presented. (6-0, rcv)(Decker abstaining)

- D. Request Approval Resolution #2016-04, To Appoint Kenneth Snyder as City of Albion Representative to the Calhoun County Consolidated Dispatch Authority, January 1, 2016 – December 31, 2017 (RCV)

Comments received from Council Member Brown and City Manager Mitchell.

Brown moved, French supported, CARRIED, To Approve Resolution # 2016-04, To Appoint Kenneth Snyder as City of Albion Representative to the Calhoun County Consolidated Dispatch Authority, January 1, 2016 – December 31, 2017 as presented. (7-0, rcv)

- E. Request Approval Resolution # 2016-05, FY 2016 Budget Amendment (RCV)

Comments were received from City Manager Mitchell and Mayor Domingo.

Resolution #2016-11

To Approve Contract With Keller Thoma, P.C. for Labor and Employment Legal Representation for January 1, 2016 through December 31, 2017.

Purpose and Finding: Given that the fields of labor relations and employment law are specialized areas of law, the City of Albion has utilized the law firm of Keller Thoma, P.C. for legal representation in those areas of law for the past 25 years. There continues to be a good working relationship between the firm and the City of Albion. As such, both parties desire the representation to continue. Consequently, it is necessary enter into a written agreement for legal services for continued representation on labor and employment related matters. This contract would be retroactive to January 1, 2016 and extend through December 31, 2017. Additionally, the billing rates of Keller Thoma, P.C. would remain unchanged for the duration of the contract.

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

RESOLVED, that the City of Albion shall enter into a written agreement with the law firm of Keller Thoma, P.C. for legal representation, as it relates to labor and employment matters, for the City for a period of two years, from January 1, 2016 through December 31, 2017.

I hereby certify that the above resolution was adopted on February 1, 2016, in a regular session of the Albion City Council, and this is a true copy of that resolution.

Ayes _____

Nays _____

Absent _____

Jill Domingo, Albion City Clerk

KELLER THOMA

A PROFESSIONAL CORPORATION

COUNSELORS AT LAW

26555 EVERGREEN ROAD, SUITE 1240
SOUTHFIELD, MICHIGAN 48076
FAX 313.965.4480
www.kellerthoma.com

RICHARD W. FANNING, JR.
DIRECT DIAL 313.965.8931
rwf@kellerthoma.com

January 15, 2016

THOMAS L. FLEURY
GARY P. KING
LARRY E. POWE
RICHARD W. FANNING, JR.
LAURI A. READ
GOURI G. SASHITAL
ANTHONY J. HECKEMEYER
CATHERINE HEITCHUE REED*
STACY L. JITIANU**
BRIAN M. RICHARDS **
MINDY BARRY†

Also admitted in Ohio*
Also admitted in Illinois**
Also admitted in Virginia†

DENNIS B. DuBAY
Of Counsel
LINDA M. FOSTER-WELLS
Of Counsel
STEVEN H. SCHWARTZ
AND ASSOCIATES
Of Counsel
LEONARD A. KELLER
(1905 - 1970)
RICHARD J. THOMA
(1904 - 2001)

Ms. Sheryl L. Mitchell, City Manager
City of Albion
112 West Cass Street
Albion, MI 49224

Dear Ms. Mitchell:

This is to inform you that it has become necessary for us to raise our rates by \$10.00 per hour. Please understand that increasing rates was a very difficult decision. We represent a number of Michigan public employers, and are aware of the difficult financial times you have faced, and continue to face. We have not raised rates in a number of years and, like all businesses, our own increasing costs have made this decision necessary.

We value highly our professional relationship with the City, and look forward to continuing to efficiently meet your needs for legal services.

If any questions or concerns arise, please do not hesitate to call.

Very truly yours,

KELLER THOMA, A PROFESSIONAL CORPORATION



Richard W. Fanning, Jr.

RWF/dg



LEGAL SERVICES AGREEMENT

between

CITY OF ALBION

and

KELLER THOMA, PC

LEGAL SERVICES AGREEMENT

THIS AGREEMENT made and entered into by and between the City of Albion, a Michigan municipal corporation, hereinafter called the "City", and Keller Thoma, PC, located at 26555 Evergreen Road, Suite 1240, Southfield, MI 48076, hereinafter called the "Law Firm";

- A. The Law Firm has provided legal services to the City in the field of labor relations and employment law for over twenty-five (25) years. During much, if not all, of that time the Law Firm and City have not had a written agreement;
- B. The City has asked that the relationship between the City and the Law Firm be reduced into a written agreement and the Law Firm has agreed to this request;
- C. By this Legal Services Agreement, the City and the Law Firm agree to the following terms and conditions for the provision of legal services for labor and employment matters;

NOW, THEREFORE, the parties hereto agree as follows:

1. **Legal Services.** The Law Firm shall perform legal services in the areas of labor and employment law as may be assigned through the City Council and/or the City Manager.

2. **Fees and Costs.** In consideration of the legal services rendered to the City, the Law Firm will be paid fees and costs as follows:

- (a) Hourly Rates –

Attorneys:	\$175/hr.
Paralegals:	\$110/hr.

These rates may be adjusted from time to time upon agreement and consent of the Law Firm and the City. However, the Law Firm agrees that these rates shall remain in place through December 31, 2017.

- (b) Billing Policy – The Law Firm shall submit a detailed monthly billing statement to the City for payment of legal services rendered. The hourly rates will be billed in decimal increments with a minimum of 0.25/hr. per entry. Travel time from the Law Firm's offices to a destination where legal services will be rendered on behalf of the City will be charged as follows: Actual travel time during normal business hours, one-half of actual travel time after normal business hours.
- (c) Payment or Reimbursement of Costs – The monthly statement will also detail the following costs for which the City will pay or reimburse the Law Firm:
 - i. Overnight Mail Charges - Actual Cost
 - ii. Transportation Expenses - \$0 - No Charge

- iii. Copies - \$0.20 per page
- iv. Telephone - Actual Cost
- v. Court or administrative filing fees - Actual Cost
- vi. Postage - Actual Cost

3. **Termination.** This Agreement is subject to termination by either party upon 30 days' written notice. The Law Firm shall be compensated for legal services rendered through the date of termination of its work on any matter.

4. **Non-Discrimination.** While this agreement is in effect, Keller Thoma, P.C., agrees not to discriminate against any qualified employee at their firm or qualified applicant for employment with their firm on the basis of actual or perceived age, color, disability, education, familial status, gender expression, gender identity, height, marital status, national origin, race, religion, sex, sexual orientation, or weight.

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Commented [CH1]: Required by Ord. 2015-04

5. **Interpretation.** This agreement shall be interpreted under the laws of the State of Michigan.

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6. **Forum Selection.** The parties herein agree that any and all litigation arising out of this agreement shall be brought in the courts for Calhoun County, Michigan.

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7. **Miscellaneous.** Any amendments to this Agreement must be in writing and executed by both parties.

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IN WITNESS WHEREOF, and intending to be legally bound, the City and Law Firm have executed this Agreement.

WITNESS:

CITY OF ALBION

_____ By: _____

_____ By: _____

KELLER THOMA, PC

_____ By: _____

Resolution #2016-08

To Approve Contract for Senior Services with Forks Senior Center

Purpose and Finding: In 2015 a recreation millage was proposed to the citizens of Albion to continue funding for recreation activities, including, but not limited to, senior services. The Forks Senior Center was established to provide services and activities for seniors in the Albion area. It is therefore appropriate and beneficial for the City of Albion to contract with the Forks Senior Center to support and guarantee the provision of services and activities to the seniors of Albion.

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

RESOLVED, that the attached contract between the City of Albion and the Forks Senior Center is hereby approved.

I hereby certify that the above resolution was adopted on February 1, 2016, in a regular session of the Albion City Council, and this is a true copy of that resolution.

Ayes _____

Nays _____

Absent _____

Jill Domingo, Albion City Clerk

RESOLUTION #2016-09
City of Albion Opposition to Public Act 269

WHEREAS, Governor Snyder signed into law, with immediate, effect Public Act 269 (Senate Bill 571) despite wide spread calls for a veto of this bill, including from members of his own party; and

WHEREAS, both the Michigan Senate and the Michigan House of Representatives passed Senate Bill 571 late into the night of December 16, 2015, just prior to recessing for the year; and

WHEREAS, one of the last minute amendments made to Senate Bill 571, without the knowledge of the Michigan Municipal League or other local government organization, and approved without any public testimony or awareness, was the new language inserted into Section 57, subsection (3); and

WHEREAS, this new law prohibits a public body, or a person acting for a public body, from using public funds or resources for the purpose of communicating any information to the electorate regarding a local ballot question that is to appear on the ballot, within 60 days of an election, and

WHEREAS, this law places an immediate gag order on entities with ballot questions on the March 8 ballot and every election thereafter; and

WHEREAS, municipal elected and appointed officials have a civic and legal duty to the residents of their communities to fully inform them regarding the issues placed before them, upon which they may exercise their constitutional right to vote; and

WHEREAS, existing laws, including the former language in Section 57, and decades of guidance from the Michigan Secretary of State, already prohibit the use of public funds to advocate for or against ballot issues; and

WHEREAS, existing laws already provided for an allowance for elected and appointed officials to express their views without fear of violating the act; and

WHEREAS, because the new law bans only communication on *local* ballot issues, it creates inconsistent treatment of statewide ballot questions versus local initiatives; and

WHEREAS, there are substantial questions regarding the constitutionality and legality of the new law, including a possible ban on freedom of speech;

NOW, THEREFORE, BE IT RESOLVED, that the City of Albion calls for an immediate repeal of the new language in Section 57, subsection (3) of PA 269 of 2016; and

BE IT FURTHER RESOLVED, that the City of Albion supports language in Senate Bill 571 that clarifies that allowable activities by public bodies and does not limit communications regarding a local ballot question, the date of an election, a discussion of a local ballot question during a public meeting (including meetings broadcast on public access), or the use of public facilities, and allows public officials and employees to express their personal views.

NOW, THEREFORE, BE IT FINALLY RESOLVED, that a copy of this Resolution be forwarded to the City of Albion's state representatives in the Michigan House of Representatives and the Michigan Senate.

Michigan do hereby certify that the foregoing Resolution No. _____ was offered by Councilperson _____ and supported by Councilperson _____ and same was duly passed at a regular meeting of the City Council in the City Hall, held on February 1, 2016, and this is a true copy of that resolution

Ayes _____

Nays _____

Absent _____

Jill Domingo, Albion City Clerk

Resolution #2016-10

To Approve ADPS Gun Purchase Program and Purchase of New Pistols

Purpose and Finding: The Albion Department of Public Safety currently uses various .40 caliber Glocks as the service weapons for the department. Many of the department's pistols are in need of repair or replacement parts. ADPS has investigated the costs of purchasing 30 new 9mm glock pistols to replace the existing weapons. Also, converting from a .40 caliber weapon to 9mm will allow for savings in terms of the costs of ammunition. Furthermore, both the Michigan State Police and the Calhoun County Sheriff's Department both use 9mm weapons. Switching to 9mm weapons would allow all agencies to interchange magazines and ammunition. The total cost would be \$12,270.00. Given that the total purchase price is an amount that exceeds \$5,000.00, pursuant to Albion Ordinance 2-384, approval of the council is necessary for this expenditure. ADPS respectfully requests the approval of the same.

Additionally, to offset the costs of purchasing the new weapons, ADPS proposes a Gun Purchase Program. This program would allow officers to purchase their current duty pistol for \$200.00. Assuming all of the officers opted to do so, this would generate revenue in the amount of \$3,400.00 (17 x \$200.00).

ADPS further proposes to sell the remaining pistols via www.gunbroker.com. Gunbroker.com is a sale by bid service similar to an auction which would allow the remaining pistols to be sold for \$400.00 each, resulting in an additional \$8,400.00 in revenue. (21 x \$400.00). Gunbroker.com promotes responsible gun ownership and ensures ownership policies and regulations are followed using licensed firearms dealers as transfer agents.

It is anticipated that the total sales will actually exceed the estimated numbers provided above. However, in the event that there is any shortfall the difference will be made up from either the forfeiture account or the public safety equipment fund.

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

RESOLVED, that the Albion Department of Public Safety is hereby authorized to purchase 30 9mm Glock pistols as described herein;

BE IT FURTHER RESOLVED, that the Albion Department of Public Safety may initiate a gun purchase program and offer to sell current Albion Public Safety Officers their duty weapons for \$200.00;

BE IT FURTHER RESOLVED, that the Albion Department of Public Safety is authorized to sell the remaining weapons via www.gunbroker.com.

I hereby certify that the above resolution was adopted on February 1, 2016, in a regular session of the Albion City Council, and this is a true copy of that resolution.

Ayes _____

Nays _____

Absent _____

Jill Domingo, Albion City Clerk



Albion Department of Public Safety

112 W Cass St. Albion, MI., 49224 (517) 629-3933

To: Albion City Council

From: Chief Scott Kipp

Date: 1/25/16

RE: Firearms Purchase

I currently have been working with Michigan Police Equipment to exchange our current firearms that were purchased in 2008 for new firearms. Currently ADPS has 38 Glock pistols, 24 that were purchased in 2008 and the remainder came from the State Police prior to 2008. The 24 purchased in 2008 are Generation 3 Glock pistols. The current generation of Glock pistol is Generation 4. The current market value for a Glock pistol is more than \$400. The following is the proposal to replace the current 38 Glock pistols with 30 new Glock 19 pistols.

Current inventory:

10 Glock 22 3Gen 3 magazines per gun
18 Glock 23 3Gen 3 magazines per gun
10 Glock 27 3Gen 1 magazines per gun

All guns in the current inventory are .40 caliber pistols.

Purchase Request:

30 Glock 19 4Gen 3 magazines per gun

The new pistols will be 9 millimeter pistols. The State Police and the Calhoun County Sheriff's Department have both just switched to 9mm Glock pistols. By us switching to the same caliber and brand of pistol it will allow us to interchange magazines and/or ammunition with these agencies we work close with in emergencies. Additionally, there is cost savings in the purchase of 9mm ammunition over .40 caliber ammunition.

My current proposal would be for any officer to purchase their current duty pistol prior to any outside sale for \$200.00. All remaining pistols would then be sold on Gunbroker.com with a minimum purchase price of \$400.00. As Gunbroker.com is a sale by bid with a minimum reserve it is the same as auctioning them.

17 x \$200.00 = \$3400.00

21 x \$400.00 = \$8400.00

Total in Sales = \$11,800

Cost of new pistols = 30 x \$409.00 = \$12,270

Based on my current estimates not all officers will purchase their current duty pistol. This means we will have additional guns sold at the \$400 cost to make up the \$470.00 difference. Also, many of the Glock pistols on Gunbroker.com are going for closer to \$500 per gun. I would expect the total in sales to actually be more than the cost of the new pistols. Should it not be more than the total the remainder would be made up from either the forfeiture account or public safety equipment fund.

We had initially talked to Michigan Police Equipment to trade all the pistols to them, but they would only give us \$225 per pistol. They would then sell the pistols just as we plan to for the \$400-\$500 amount.

Our current pistols are in need of replacement parts that currently will cost more than \$1000 to repair, which will need to come out of Public Safety's budget this year. By replacing the pistols we will be saving money not only on the repair of the current pistols, but also on the purchase of the ammunition for the pistols and have interoperability with departments we work closely with.

City of Albion

Request for Proposals

The City of Albion, Michigan will accept proposals for the 2016 sidewalk replacement program.

Sidewalk replacement work shall include the removal and disposal of the existing sidewalk, forming and pouring of the replacement structure and all backfill and restoration work in various locations within the City.

The proposed 2016 sidewalk replacement work will include 15,080 square feet of 4" (four inch) sidewalk as well as 1,960 square feet of 6" (six inch) sidewalk.

There will be 5 (five) American's with Disabilities Act (ADA) compliant street approaches which will require red (ADA) surfaces. See City of Albion "Special Provision for Detectable Warning Surface, Modified".

Sealed proposals will be accepted until Monday, February 22, 2016 at 9:00 am local time at the City Clerk's Office located at 112 W. Cass St. Albion, Michigan, 49224 at which time all proposals will be opened and read aloud in the Mayor's Office.

To assure that the respondent(s) submittal arrives at the proper place, on time, and to prevent opening by unauthorized individuals, submissions shall be clearly marked on the outside by: "2016 Sidewalk Project Proposal".

The work specifications and proposal sheets may be obtained at the City Clerk's Office at 112 W. Cass St., Albion, MI 49224.

The City of Albion reserves the right to reject any or all proposals and to waive any irregularities in the proposals.

No proposals may be withdrawn after the opening of proposals for a period of forty-five (45) days to allow for the review of the proposals.

The successful bidder will be required to place on file with the City a copy of proof of insurance and reasonable references as indicated in the specifications.

The successful bidder will also be required to furnish a satisfactory Performance Bond and Payment Bond in the amount of 100 percent (100%) of the contract price.

CITY OF ALBION

DDA Dixon
Initial Appt.
Term to
Expire
12-31-2019

BOARDS/COMMISSIONS APPLICANTS
BACKGROUND / STATUS CHECK LIST

Applicant's Name: Scott Evans

HUMAN RESOURCES

CRIMINAL BACKGROUND CHECK APPROVED OUTSTANDING ISSUES
PSOR CHECK APPROVED OUTSTANDING ISSUES

COMMENTS _____

FINANCE DEPARTMENT

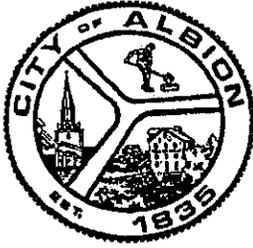
WATER BILL CURRENT NOT CURRENT N/A
INCOME TAX CURRENT NOT CURRENT N/A
PROPERTY TAX CURRENT NOT CURRENT N/A
PERSONAL PROPERTY TAX CURRENT NOT CURRENT N/A
ABATEMENTS CURRENT NOT CURRENT N/A
CDBG LOAN STATUS CURRENT NOT CURRENT N/A

COMMENTS _____

CODE ENFORCEMENT

CODE CITATION CURRENT NOT CURRENT N/A

COMMENTS _____



City of Albion

William L. Rieger Municipal Building
112 West Cass Street • Albion, Michigan 49224
(517) 629-5535 • Fax (517) 629-4168

APPLICATION FOR MEMBERSHIP AND/OR REAPPOINTMENT ON CITY BOARDS OR COMMISSIONS

Mail or Deliver Completed Application to: City of Albion
Joseph Domingo, Mayor
112 W. Cass Street
Albion, MI 49224

The information in this Application is requested to assist the Mayor and/or City Council in selecting individuals to serve on City Boards & Commissions. Completion of the Application and Consent and Certification is mandatory for consideration of appointment.

Thank you for your interest in serving on a City of Albion board or commission. The Albion City Council requires that every member of a board or commission meet the following qualifications:

- Appointee is not in default to the City (appointee does not have unpaid water/sewer bills, property taxes, income taxes).
- For most Boards & Commissions, appointee should be a resident of the City.

Name: Scott Edward Evans
(First) (Middle) (Last)

Home Address: 9091 28 Mile Rd. South Albion, MI 49224 Telephone #: 517-629-3296

Place of Employment: Homestead Savings Bank

Business Address: 415 S. Superior St. Albion, MI 49224 Telephone #: 517-629-5588

E-Mail: sevans@homesteadsavings.com Fax: 517-629-2455

Title/Type of Work: Presidnet/CEO

Length of Residence in City: 4 months Own/Rent: Own US Citizen: Y X N

Educational Background: Robert M. Perry School of Banking at Central Michigan University and

BAI School of Banking at University of Wisconsin

Community Activities: None, new to area.

List Board or Commission on which you are interested in serving (see attached descriptions):

- 1) DDA _____ 2) _____
- 3) _____ 4) _____

Additional information on experience, qualifications, etc.:

Please comment briefly on why you wish to serve on a particular board or commission. Be specific as to your goals and ideas regarding how you wish to contribute to the work of the board or commission:

Having just moved to the Albion area and joining Homestead Savings Bank, I would like to be a part of rebuilding downtown Albion. I strive to be active in the community that I work and live. I want to make a difference. A vibrant downtown is essential for all of us.

Relationship to City Officials/Department Heads: Are you, your spouse, or other close family members related to any City Officials or Department Heads? If yes, please explain: N/A _____

Business relationship: Do you, your spouse, or any close family member currently have a business relationship with the City of Albion? If yes, please explain: N/A _____

Convictions: Have you ever been convicted of any criminal violation? Have you ever been convicted of a felony while holding public office or public employment? If yes, please explain: N/A _____

REFERENCES:

Name: Mrs. Margaret Sindt _____ Relationship: Director for Bank _____

Telephone #: 517-629-3926 _____

Name: Mrs. Elizabeth Schultheiss _____ Relationship: Director for Bank _____

Telephone #: 517-629-3349 _____

The following information and consent is necessary in order to conduct a proper review of your application for appointment. This information will be kept confidential.

CONSENT AND CERTIFICATION

I consent to the release of information concerning my ability and fitness for the position to which I seek appointment by my employer(s), school(s), law enforcement agencies, and other individuals and organizations to the City of Albion Office of the City Manager.

I hereby authorize the City of Albion to verify all the information I have provided on my application. I also agree to execute any additional written authorizations necessary for the City to obtain access to and copies of records pertaining to this information. I release the City of Albion and agencies who have released information from all liability arising from information given or received.

I certify that I can and will, upon request, substantiate all statements made by me on this application; that such statements are true, complete and correct to the best of my knowledge. I understand that a false statement, dishonest answer, misrepresentation or omission to any question will be sufficient for rejection of my application, removal of my name from the eligible list or my immediate removal should such falsifications or misrepresentation be discovered after I am sworn in to any Board or Commission.

I, Scott E. Evans _____, certify that the information provided
(Please Print)

in this application is, to the best of my knowledge, true and accurate.

Date of Birth: October 31, 1962 _____

Signature: Scott E. Evans Date: 1/11/2016 _____

**TENTATIVE AGREEMENT
BETWEEN
CITY OF ALBION, MICHIGAN
AND
THE POLICE OFFICERS LABOR COUNCIL (POLC)
SUPERVISORY UNIT**

January 27, 2016

It is hereby agreed by and between the City of Albion and the Police Officers Labor Council (POLC) that these have been tentatively agreed upon:

1. All provisions of the CBA effective through December 31, 2015, shall continue except as modified by this proposal and/or any other agreement to changes, or as required by law.
2. ARTICLE 10. HOURS AND WORK SCHEDULE, SECTION 3. H. COMPENSATORY TIME

STRIKE OUT: An employee may schedule and use a maximum of eight four (84) hours of compensatory time off per calendar year. An employee may request city approval to use additional compensatory time over the initial eighty four (84) hours, however said approval shall be at the discretion of the city and generally will be approved if it results in additional overtime cost to the city.

STRIKE OUT: An employee may carry over at the end of the fiscal year (December 31st) a maximum of one hundred sixty-eight (168) hours of compensatory time. All accrued compensatory time in excess of 168 hours on December 31st shall be paid out to the employee at his or her current hourly rate on the 2nd paycheck in January each year following the end of the previous fiscal year.

KEEP: (Note: lump sum payout of compensatory time upon retirement shall not be included in the FAC.)

INSERT:

"Approved extended leave" bank of 84 hours for special/extenuating circumstances. To be approved by the Chief of ADPS.

3. ARTICLE 11. WAGES. Section 1. Wages.

2016: 2.0% Effective Jan. 3, 2016

2017 2.0% Effective Jan. 1, 2017

4. ARTICLE 13. LEAVE TIME. Section 8. Sick Time with Pay.

INSERT:

Sick Time Incentives

If an employee uses forty-eight (48) hours or less per calendar year (26 pay periods) of sick time, then the employee, at his/her discretion, shall be paid for the remaining hours of sick time earned in the calendar year at his /her regular rate of pay (up to a maximum of 48 hours).

5. ARTICLE 16. DURATION OF CONTRACT

21 month, ending Sept. 30, 2017
Health Care/Medical Reopener – June 2017

6. APPENDIX B

a. PROMOTION TO LIEUTENANT

Insert: The following procedure will be used by the City to establish a Promotional Eligibility List. The list will last for a period of two (2) years, or until only two (2) qualified candidates are left on the list, whichever comes first. When the list expires, or the two (2) year period elapses, the process then begin again.

1. All candidates are eligible to participate in an oral interview. The interview panel will consist of three area Public Safety officials, one citizen appointed by the Chief and the Chief or his designee. Upon completion of interviews, the panel will rank all candidates.
2. The Chief may select the most appropriate qualified candidate from those that apply for the position, subject to final approval of City Manager.

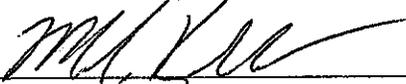
b. PROMOTION TO DETECTIVE SERGEANT

1. When the need to fill the position of Detective Sergeant is known, all eligible candidates shall be advised. All interested candidates shall receive an oral interview conducted by the Chief or his designee.

POLICE OFFICERS LABOR COUNCIL (POLC)

By _____
Greg Huggett, Business Rep.

By _____
Kurt Etter, Steward

By  _____
Mike Kolassa, Steward

CITY OF ALBION, MICHIGAN

By _____
Joseph V. Domingo, Mayor

By _____
Sheryl L. Mitchell, City Manager

By _____
Jill Domingo, City Clerk

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INSERT:

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If an employee uses forty-eight (48) hours or less per calendar year (26 pay periods) of sick time, then the employee, at his/her discretion, shall be paid for the remaining hours of sick time earned in the calendar year at his /her regular rate of pay (up to a maximum of 48 hours).

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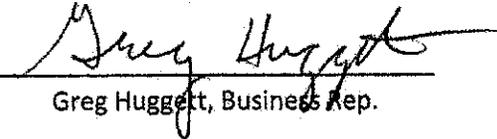
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POLICE OFFICERS LABOR COUNCIL (POLC)

By 
Greg Huggett, Business Rep.

By _____
Kurt Etter, Steward

By _____
Mike Kolassa, Steward

CITY OF ALBION, MICHIGAN

By _____
Joseph V. Domingo, Mayor

By _____
Sheryl L. Mitchell, City Manager

By _____
Jill Domingo, City Clerk



CITY OF ALBION
Office of the City Manager
Sheryl L. Mitchell

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

MEMO

TO: Honorable Mayor and City Council
FR: Sheryl L. Mitchell, City Manager
DA: February 1, 2016
RE: Agenda Items

IX. A. Request Approval Resolution #2016-11, Legal Services Agreement – Keller Thoma

Keller Thoma has been retained by the City of Albion for several years to provide specialized labor and employment law services. They have requested to increase their fees by \$10 per hour. The resolution provides for entering into a new Legal Services Agreement with Keller Thomas, P.C. for legal representation from January 1, 2016 through December 31, 2017. The contract was reviewed by counsel. City Manager is recommending approval.

IX. B. Request Approval Resolution #2016-08, Senior Forks Center Contract

Since the first passage of the special Recreation Millage, a portion of the revenues have been provided to the Forks Senior Center (FSC) for senior services and activities. The resolution renews and formalizes the agreement with the FSC through December 31, 2018. The City agrees to pay \$8,700 annually in quarterly installments. FSC is granted permission to utilize Recreation Vans when available, and the deposit, hourly fee, and mileage charge shall be waived. FSC is to refuel the vehicles after use, but prior to returning the vehicles to the City. A FSC representative is to provide the Mayor and Council with an update on FSC activities and use of funding from the Recreation Millage no less than once per fiscal year. The contract was reviewed by counsel and members of the FSC Board. City Manager is recommending approval.

IX. C. Request Approval Resolution #2016-09, City of Albion Opposition to Public Act 269

Recently enacted Public Act 269 provides that “a public body or person acting for a public body may not use public funds or resources for certain communications about a local ballot question during the period of 60 days before an election.” There is lack of clarity on how this legislation is to be interpreted. MML and other organizations representing public bodies have requested resolutions in opposition to this language. Recently introduced House Bill 5219 attempts to address these concerns and spells out allowable activities.

IX. D. Request Approval Resolution #2016-10 Gun Purchase Program

The resolution approves a program to replace the current ADPS service weapons with 30 - 9mm caliber Glock pistols. The total cost is \$12,270. To offset the costs, the officers would be allowed to purchase their current duty pistol for \$200. The remaining pistols will be sold via Gunbroker.com for a minimum price of \$400 each. This vendor ensures gun ownership policies and regulations are followed by using licensed firearms dealers as transfer agents. Should additional funds be required, this will come from the ADPS Forfeiture Fund and/or Equipment Fund. The proposal was reviewed by counsel. City Manager is recommending approval.

IX. E. Discussion- Request for Proposals for Sidewalk replacement Program

The City of Albion is preparing to issue an RFP for the 2016 Sidewalk Repair Program.

IX. F. Discussion – Set Dates for Goal Setting

Schedule the dates for City Council to hold meetings to identify the goals for 2016.

IX. G. Boards & Commissions Appointments

The Mayor is recommending Scott Evans for appointment to the DDA Board for a term to expire December 31, 2019.

IX. H. Discussion – 2016 Street Projects

Per the request of Council Member Krause.

IX. I. Approval – Tentative Agreement Between the City of Albion, Michigan and the Police Officers Labor Council (POLC) Supervisory Unit

The City and the POLC have reached a settlement. The agreement provides for the 2% increase in 2016 and 2017, with the contract ending September 30, 2017. Language is updated regarding the process for promotions to Lieutenant and Detective Sergeant. The request to go to mediation has been withdrawn.

INFORMATION ONLY



CALHOUN COUNTY PUBLIC HEALTH DEPARTMENT

190 E. Michigan Avenue, Ste. A100 Phone: (269) 969-6370
Battle Creek, Michigan 49014 Fax: (269) 969-6470
www.calhouncountymil.gov/publichealth

"Working to enhance our community's total well-being"

- FOR IMMEDIATE RELEASE -
January 21, 2016

Contact person:
Sarah Kelly – 269-969-6395

Albion Recycling Center Seeks Volunteers

Interested in the environment? Looking for community service opportunities? Calhoun County's Solid Waste and Recycling Program is seeking community members to join its corps of recycling volunteers, Team Green. Members will assist with Albion recycling events and help unload and sort recycling at the Albion Recycling Center located at 216 N. Eaton Street.

The Albion Recycling Center hours of operation:

Monday: 10 am – 2 pm

Wednesdays: 2:00 pm – 6:00 pm

Saturdays: 10:00 am – 2:00 pm

Volunteers will help set up recycle center for daily operation, greet recyclers, unload recycling from cars, sort recycling into collection containers, and help clean up the center at the end of day. The center is open year round and always staffed with a Calhoun County staff member when open to the public.

Interested volunteers need to be at least 18 years old and sign a waiver from Calhoun County and the City of Albion. The application and waiver is available on <http://calhouncountyrecycling.com/>, at the Environmental Health Department, the Albion City Hall, and the Albion Recycling Center during hours of operation.

Please contact the Calhoun County Public Health Department at (269) 969-6341 for more information.

---End---



Calhoun County Consolidated Dispatch Authority

Serving Our Community One Call at a Time

DATE: January 19, 2016

TO: All Municipalities (Service Users)

FROM: Jeff Troyer, Executive Director 
Calhoun County Consolidated Dispatch Authority

REF: Call for Service (CFS) Formula – Municipal Percent of Total Average Calls

The information below designates each service user's Percent of Total Average Calls for Service (CFS) for April 2016 thru March 2017 in accordance with the CFS Formula Implementation Guidelines, Section V, #2. This percentage is based on an average of the service user's 2013, 2014, and 2015 calls for service statistics determined by CCCDA's Computer Aided Dispatch (CAD) system.

Each service user's percentage is multiplied by the 2016 Quarterly Revenue to be Generated (blue column - \$562,500). This column identifies each service user's actual cost for the remaining three quarters of calendar year 2016.

				THREE Year Avg	% of Total Average CFS	1 st Qtr. 2016 Revenue to be generated:	2015 Quarterly Revenue to be generated:
						\$562,500	\$617,250
Albion City	7810	11273	9856	9646	6.2553%	\$35,186.27	\$39,688.21
Albion Twp	270	281	248	266	0.1727%	\$971.49	\$1,083.98
Athens Twp	672	679	625	659	0.4271%	\$2,402.57	\$2,993.24
Athens Village	543	499	609	550	0.3569%	\$2,007.41	\$2,209.88
Battle Creek City	68147	77688	84131	76655	49.7085%	\$279,610.39	\$316,228.05
Bedford Twp	5150	5266	5216	5211	3.3789%	\$19,006.59	\$22,903.83
Burlington Twp	538	713	642	631	0.4092%	\$2,301.66	\$2,441.13
Burlington Village	102	130	106	113	0.0731%	\$410.97	\$469.73
Calhoun County	10485	19123	20750	16786	10.8852%	\$61,229.14	\$61,669.93
Clarence Twp	205	176	170	184	0.1191%	\$669.95	\$852.73
Clarendon Twp	209	228	250	229	0.1485%	\$835.31	\$923.55
Convis Twp	416	480	356	417	0.2706%	\$1,522.28	\$1,660.66
Eckford Twp	203	159	192	185	0.1198%	\$673.60	\$800.70

Emmett Twp	11644	14555	14950	13716	8.8946%	\$50,032.13	\$55,726.82
Fredonia Twp	592	865	865	774	0.5019%	\$2,823.27	\$2,764.88
Homer Twp	279	184	130	198	0.1282%	\$721.02	\$939.45
Homer Village	1112	829	332	758	0.4913%	\$2,763.69	\$4,577.30
Lee Twp	140	121	99	120	0.0778%	\$437.72	\$585.35
Leroy Twp	1147	1488	1562	1399	0.9072%	\$5,103.04	\$4,934.29
Marengo Twp	793	1036	1027	952	0.6173%	\$3,472.54	\$3,652.30
Marshall City	5622	7843	8612	7359	4.7721%	\$26,842.92	\$28,552.10
Marshall Twp	1548	2115	2264	1976	1.2812%	\$7,206.50	\$6,276.81 ₁
Newton Twp	866	855	968	896	0.5812%	\$3,269.49	\$3,434.06
N.H.B.P. ₂	X	644	702	673	0.4364%	\$2,454.86	X
Pennfield Twp*	5828	6759	6933	6507	4.2194%	\$23,733.92	\$22,909.61
Sheridan Twp	611	713	798	707	0.4587%	\$2,580.09	\$2,662.20
Springfield City*	4773	6214	6560	5849	3.7929%	\$21,335.00	\$22,496.25
Tekonsha Twp	389	536	592	506	0.3279%	\$1,844.49	\$1,889.02
Tekonsha Village	267	338	260	288	0.1870%	\$1,051.73	\$1,188.41 ₃

In addition to the above table, attached to this memo is a statistical spreadsheet further depicting the call for service statistics for the three previous years.

In accordance with the CFS Formula Implementation Guidelines, Section V, #4, if your entity's (service user) quarterly cost identified above exceeds a ten percent (10%) increase in cost from the previous year, you may be eligible for a "10% Cap Exemption". The cost increase must be directly related to an act of nature (natural disaster) or another type of mass emergency/casualty incident that occurred in the previous year. This exemption does not include an increase in cost as a result of a decision made by your Service User's governing body or a department reporting to the governing body of the Service User, to alter/change the level of service provided to the citizens in the Service User's jurisdiction.

A Service User can apply for this exemption by submitting a written request to the CCCDA Governing Board of Directors by *close of business on Monday, February 9, 2016*. The written request should identify the qualifying event(s) that resulted in the Service User's cost(s) to exceed 10%. Requests can be sent via electronic mail to jtroyer@calhouncountymi.gov or via postal service to CCCDA at 315 W. Green St., Marshall, MI 49068.

All 10% Cap Exemption requests will be considered by the CCCDA Governing Board of Directors Meeting on Tuesday, February 10, 2016 (Law Library Conference Room – 3rd Floor, 315 W. Green St., Marshall, MI - 3:00 p.m.).

If you have any questions reference your statistics, percentage, or the 10% Cap Exemption, please feel free to contact me at (269) 781-9713 or via email at jtroyer@calhouncountymi.gov.

NOTES from spreadsheet/table

- * Denotes municipality has elected to be Invoiced *directly* for all calls for service; including calls handled by Calhoun County Sheriff.
- 1) Marshall Township was granted a 10% Cap Exemption for the 2nd, 3rd, and 4th quarters of 2015. Therefore, Marshall Township's quarterly invoice in 2015 was reduced from \$6,930.26 (1.1228% of \$617,250) to \$6,276.81.
 - 2) N.H.B.P. denotes Nottawaseppi Huron Band of the Potawatomi. NHBP was recently added as a Service User to the CCCDA CFS Formula Implementation Guidelines. NHBP's initial percent of total average calls for service will be based on two years statistics instead of three due to 2013 statistics being in CCCDA's old computer aided dispatch system where municipal/service user geo coding was different.
 - 3) Tekonsha Village was granted a 10% Cap Exemption for the 2nd, 3rd, and 4th quarters of 2015. Therefore, Tekonsha Village's quarterly invoice in 2015 was reduced from \$1,242.97 (0.2014% of \$617,250) to \$1,188.41.

Call for Service Formula Statistics - THREE (3) Previous Years

City/Township/Village	2013				2014				2015				
	2013 LAW	2013 CCSD	2013 FIRE	2013 EMS	2013 LAW	2013 CCSD	2013 FIRE	2013 EMS	2013 LAW	2013 CCSD	2013 FIRE	2013 EMS	2013 TOTAL
Albion City	6592	219	188	1030	9902	477	145	1226	8584	454	126	1146	9856
Albion Twp	114	371	54	102	99	465	66	116	57	505	56	107	220
Athens Twp	450	111	107	115	477	220	97	105	491	201	82	80	653
Athens Village	364	23	87	92	326	33	86	87	420	46	102	87	609
Battle Creek City	52897	908	6492	8758	60667	4248	7010	10011	66055	4794	7583	10493	84131
Bedford Twp	3845	68	454	851	4020	275	348	898	3938	326	367	911	5216
Burlington Twp	308	152	123	107	399	249	166	148	395	301	130	117	642
Burlington Village	60	26	25	17	79	55	27	24	64	59	24	18	106
Cathoun County Sheriff		10485			19123				20750				20750
Clarence Twp	59	415	63	83	51	504	47	78	35	537	55	80	170
Clarendon Twp	80	288	60	69	84	457	67	77	82	606	82	86	250
Convis Twp	115	688	147	154	179	904	154	147	153	901	104	99	356
Eckford Twp	68	265	65	70	40	349	62	57	41	451	77	74	192
Emmett Twp	8712	436	1362	1570	11778	976	1296	1481	12166	892	1318	1466	14950
Fredonia Twp	273	425	156	163	541	523	166	158	494	549	175	196	865
Homer Twp	135	304	69	75	47	311	65	72	16	500	55	59	130
Homer Village	786	205	151	175	523	1036	136	170	40	1202	135	157	332
Lee Twp	25	294	51	64	35	348	38	48	14	406	31	54	99
Leroy Twp	665	262	253	229	914	515	300	274	1059	467	226	277	1562
Marengo Twp	300	1081	211	282	494	1726	176	366	496	1380	196	335	1027
Marshall City	4034	311	703	885	6051	535	784	1008	6791	559	818	1003	8612
Marshall Twp	924	1428	293	331	1496	2138	302	317	1650	2167	272	342	2264
Newton Twp	519	244	184	163	514	274	175	166	640	314	161	167	968
N.H.B.P.	X		X	X	347		120	177		431	104	167	702
Pennfield Twp*		4145	952	731	4980		975	804		5234	927	772	6933
Sheridan Twp	272	1263	98	241	376	1589	100	237	409	1999	108	281	798
Springfield City*		3872	213	688	5315		267	632	5499		330	731	6560
Tekonsha Twp	201	439	97	91	338	523	104	94	370	632	111	111	592
Tekonsha Village	88	259	79	100	111	393	102	125	76	502	82	102	260
Totals	100388	2737	2737	17236	129306	15381	19103	19103	136450	13837	19518	19518	



STATE OF MICHIGAN
EXECUTIVE OFFICE
LANSING

RICK SNYDER
GOVERNOR

BRIAN CALLEY
LT. GOVERNOR

January 6, 2016

Michigan House of Representatives
Michigan Senate
State Capitol Building
Lansing, Michigan 48913

Ladies and Gentlemen:

Today I signed Senate Bill 571 into law. Because of the substantial public debate surrounding the bill's passage, I am taking the opportunity to explain why I signed this bill, and encourage the Legislature to pass follow-up legislation to clarify certain provisions of the new law.

SB 571 includes many important reforms updating the Michigan Campaign Finance Act (the "Act"). It also amended section 57 of the Act to provide clarity to the existing prohibition on the use of public funds or resources to advocate for the passage or defeat of ballot questions. Under existing law, a public body, or a person acting on behalf of a public body, is prohibited from using public resources to make campaign expenditures. The existing prohibition contains several exceptions, including allowances for the expression of views by officials with policymaking responsibilities, the production or dissemination of factual information concerning relevant issues, and the production or dissemination of debates, interviews, and commentary if done in the ordinary course of business.

Since SB 571 was passed, there have been many misperceptions about what it means and how it impacts the prohibitions in existing law. By its own terms, SB 571 impacts only the ability of a local public body to produce or disseminate information concerning issues relevant to the function of the public body 60 days before an election, if that communication is a "radio, television, mass mailing, or prerecorded telephone message" that is "targeted to the relevant electorate" voting on the local ballot question. The new language in subsection (3) only applies when local governmental entities use taxpayer resources to distribute mass communications concerning ballot questions. As I interpret this language, it is intended to prohibit communications that are plain attempts to influence voters without using words like "vote for" or "support." With this clarified prohibition, there remain many other mechanisms, including private entities, associations, and political action committees to encourage support or opposition to a ballot proposal that do not rely on public resources.

Importantly, SB 571's new prohibitions were not made applicable to any of the other existing exceptions in current law, in particular, those that are grounded in First Amendment political speech protections. This includes: policymaking officials still can express their own views; a public body can use its facilities to host debates or town halls on ballot questions; and local officials can express their own personal views on their own personal time. These are important exceptions to retain to protect free political speech and also ensure that the electorate has the opportunity to be adequately informed about upcoming ballot proposals. Those exceptions are not in any way impacted by the new language in SB 571.

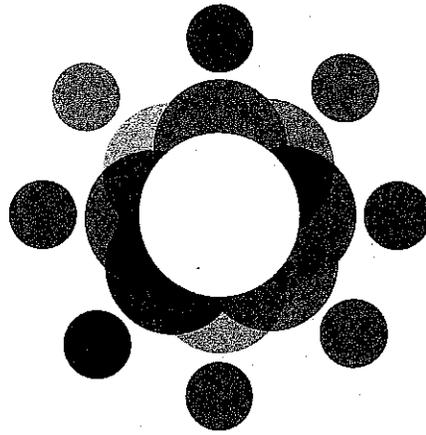
However, recognizing that many local governmental entities and schools have raised concerns regarding confusion with the new language in section 57, I am calling on the Legislature to enact new legislation to address those concerns, and clarify that the new language does not impact the expression of personal views by a public official, the use of resources or facilities in the ordinary course of business, and that it is intended only to prohibit the use of targeted, advertisement style mass communications that are reasonably interpreted as an attempt to influence the electorate using taxpayer dollars. Local governmental entities and schools should still be allowed to distribute basic information about an election including the proposed or final ballot language and the date of the election. This is keeping within the spirit of the existing restrictions in the Act.

The Senate Majority Leader and the Speaker of the House have agreed to work together on follow-up legislation clarifying the provision in section 57 of the Act in time for the March 2016 election.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Snyder", written in a cursive style.

Rick Snyder
Governor



**Reverend Dr. Martin Luther King, Jr.
Convocation and Community Celebration**

PRESENTS



Diane Nash
Noted Civil Rights and
Peace Activist

**“Women in the Civil Rights
Movement: Lessons for Today”**

**Tuesday, February 2, 2016
7 p.m. | Bohm Theatre
201 S. Superior St. | Albion, Michigan**

For more information, go to: www.albion.edu/news or call 517/629-0368.

This program is free and open to the public.
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Albion College



Jill Domingo

From: Sheryl Mitchell
Sent: Tuesday, January 26, 2016 3:25 PM
To: Jill Domingo
Subject: FW: Update on Campaign Finance Legislations (SB 571/PA 269)
Attachments: 2015-HLA-5219-20FC8C79.pdf; HB-5219.pdf

Jill – would you please include this email and the 2 attachments at “info” items for the agenda packet.

Thanks.

Sheryl L. Mitchell, DBA, MSA
Albion City Manager
112 West Cass Street
Albion, MI 49224

smitchell@cityofalbionmi.gov
517.629.7172 (office)
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From: Stanczak, Cindy [mailto:cstanczak@albionlibrary.org]
Sent: Tuesday, January 26, 2016 12:28 PM
Subject: Update on Campaign Finance Legislations (SB 571/PA 269)

Good afternoon!

I learned this morning that at least one Michigan municipality, Ottawa County, has, on legal advice from their attorney, issued a gag order for their officials and employees in regard to their March 2016 Community Mental Health millage proposal. Their concern is that, though the intent of the SB 571, now Public Act 269, is not to prevent tax-funded entities from educating their voters concerning ballot questions, only to prevent advocacy using tax payer dollars, the clarity in the language is not there. (<http://www.hollandsentinel.com/article/20160115/NEWS/160119378/0/160119378/?Start=1>)

On the topic of "clarifying legislation" or "clarifying language" that Governor Snyder asked for when he signed the bill into law, I spoke with both Senator Nofs' office and Representative Bizon's office this morning. The new legislation, HB 5219, sponsored by Representative Lisa (Posthumus) Lyons, was introduced to the House Election Committee on January 14. There is not yet a hearing scheduled. Both offices were happy to share, so I've attached the proposed bill and its non-partisan analysis from the House Fiscal Agency, if you would like to see them.

As I learn more, I'll send it on. Please let me know if you hear anything from your end.

Have a great week!

Cynthia Stanczak
Library Director
Albion District Library
501 S. Superior St.
Albion, MI 49224
(517) 629-3993

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Legislative Analysis



PUBLIC BODY COMMUNICATIONS ABOUT LOCAL BALLOT QUESTIONS

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5219 as introduced
Sponsor: Rep. Lisa Posthumus Lyons
Committee: Elections
Complete to 1-20-16

Analysis available at
<http://www.legislature.mi.gov>

BACKGROUND:

Senate Bill 571 was recently enacted as Public Act 269 of 2015; the bill made numerous amendments to the Michigan Campaign Finance Act. Section 57 of Senate Bill 571 provides that, except for an elected official in the performance of duties under the Michigan Election Law, *a public body or person acting for a public body may not use public funds or resources for certain communications about a local ballot question during the period 60 days before an election.* It states that the communications cannot take the form of radio, television, mass mailing, or prerecorded telephone message, if those communications refer to a local ballot question and target the relevant electorate where the local ballot question appears on the ballot.

Governor Snyder issued a signing letter when approving the bill in which he said, in part:

[However]recognizing that many local governmental entities and schools have raised concerns regarding confusion with the new language in Section 57, I am calling on the Legislature to enact new legislation to address those concerns, and clarify that the new language does not impact the expression of personal views by a public official, the use of resources or facilities in the ordinary course of business, and that it is intended only to prohibit the use of targeted, advertisement style mass communications that are reasonably interpreted as an attempt to influence the electorate using taxpayer dollars. Local governmental entities and schools should still be allowed to distribute basic information about an election including the proposed or final ballot language and the date of the election. This is keeping within the spirit of the existing restrictions in the Act.

SUMMARY:

House Bill 5219 would amend the Michigan Campaign Finance Act by clarifying that the act does not prohibit all communication about ballot questions by public bodies. Specifically, the bill provides that any limit on communication does not cover certain allowable activity already included in the law, as described below, and also that the term "communication" does not include:

- The language of a local ballot question,
- The date of an election, or
- A discussion of a local ballot question during a meeting of a public body, including a meeting that is broadcast using a public access medium, provided that both proponents

and opponents of the local ballot question have an equal opportunity to discuss the local ballot question.

Other allowable activity cited in the bill that is already protected by the Campaign Finance Act includes:

- The production or dissemination of debates, interviews, commentary, meetings of a public body, or information by a broadcasting station, newspaper, magazine, or other periodical or publication in the regular course of broadcasting or publication.
- The use of a public facility owned or leased by, or on behalf of, a public body if any candidate or committee has an equal opportunity to use the facility.
- The use of a public facility owned or leased by, or on behalf of, a public body if that facility is primarily used as a family dwelling and is not used to conduct a fund-raising event.
- An elected or appointed public official or an employee of a public body who, when not acting for a public body but is on personal time, is expressing personal views, expending personal funds, or providing personal volunteer services.

MCL 169.257

FISCAL IMPACT:

A fiscal analysis is in process.

Legislative Analyst: Jennifer McNerney
Fiscal Analyst: Perry Zielak

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.

HOUSE BILL No. 5219

January 14, 2016, Introduced by Rep. Lyons and referred to the Committee on Elections.

A bill to amend 1976 PA 388, entitled
"Michigan campaign finance act,"
by amending section 57 (MCL 169.257), as amended by 2015 PA 269.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 57. (1) A public body or a person acting for a public
2 body shall not use or authorize the use of funds, personnel, office
3 space, computer hardware or software, property, stationery,
4 postage, vehicles, equipment, supplies, or other public resources
5 to make a contribution or expenditure or provide volunteer personal
6 services that are excluded from the definition of contribution
7 under section 4(3)(a). The prohibition under this subsection
8 includes, but is not limited to, using or authorizing the use of
9 public resources to establish or administer a payroll deduction
10 plan to directly or indirectly collect or deliver a contribution
11 to, or make an expenditure for, a committee. Advance payment or

1 reimbursement to a public body does not cure a use of public
2 resources otherwise prohibited by this subsection. This subsection
3 does not apply to any of the following:

4 (a) ~~The~~ **SUBJECT TO SUBSECTION (3), THE** expression of views by
5 an elected or appointed public official who has policy making
6 responsibilities.

7 (b) Subject to subsection (3), the production or dissemination
8 of factual information concerning issues relevant to the function
9 of the public body.

10 (c) The production or dissemination of debates, interviews,
11 commentary, **MEETINGS OF A PUBLIC BODY**, or information by a
12 broadcasting station, newspaper, magazine, or other periodical or
13 publication in the regular course of broadcasting or publication.

14 (d) The use of a public facility owned or leased by, or on
15 behalf of, a public body if any candidate or committee has an equal
16 opportunity to use the public facility.

17 (e) The use of a public facility owned or leased by, or on
18 behalf of, a public body if that facility is primarily used as a
19 family dwelling and is not used to conduct a fund-raising event.

20 (f) An elected or appointed public official or an employee of
21 a public body who, when not acting for a public body but is on his
22 or her own personal time, is expressing his or her own personal
23 views, is expending his or her own personal funds, or is providing
24 his or her own personal volunteer services.

25 (2) If the secretary of state has dismissed a complaint filed
26 under section 15(5) alleging that a public body or person acting
27 for a public body used or authorized the use of public resources to

1 establish or administer a payroll deduction plan to collect or
2 deliver a contribution to, or make an expenditure for, a committee
3 in violation of this section, or if the secretary of state enters
4 into a conciliation agreement under section 15(10) that does not
5 prevent a public body or a person acting for a public body to use
6 or authorize the use of public resources to establish or administer
7 a payroll deduction plan to collect or deliver a contribution to,
8 or make an expenditure for, a committee in violation of this
9 section, the following apply:

10 (a) The complainant or any other person who resides, or has a
11 place of business, in the jurisdiction where the use or
12 authorization of the use of public resources occurred may bring a
13 civil action against the public body or person acting for the
14 public body to seek declaratory, injunctive, mandamus, or other
15 equitable relief and to recover losses that a public body suffers
16 from the violation of this section.

17 (b) If the complainant or any other person who resides, or has
18 a place of business, in the jurisdiction where the use or
19 authorization of the use of public resources occurred prevails in
20 an action initiated under this subsection, a court shall award the
21 complainant or any other person necessary expenses, costs, and
22 reasonable attorney fees.

23 (c) Any amount awarded or equitable relief granted by a court
24 under this subsection may be awarded or granted against the public
25 body or an individual acting for the public body, or both, that
26 violates this section, as determined by the court.

27 (d) A complainant or any other person who resides, or has a

1 place of business, in the jurisdiction where the use or
2 authorization of the use of public resources occurred may bring a
3 civil action under this subsection in any county in which venue is
4 proper. Process issued by a court in which an action is filed under
5 this subsection may be served anywhere in this state.

6 (3) Except **FOR ACTIVITY OTHERWISE PERMITTED UNDER SUBSECTION**
7 **(1)(C) TO (F), AND EXCEPT** for an election official in the
8 performance of his or her duties under the Michigan election law,
9 1954 PA 116, MCL 168.1 to 168.992, a public body, or a person
10 acting for a public body, shall not, during the period 60 days
11 before an election in which a local ballot question appears on a
12 ballot, use public funds or resources for a communication by means
13 of radio ~~—OR~~ television **ADVERTISEMENT**, mass mailing, or
14 prerecorded telephone message if that communication references a
15 local ballot question and is targeted to the ~~relevant~~ electorate
16 where the local ballot question ~~appears~~ **WILL APPEAR** on the ballot.
17 **AS USED IN THIS SUBSECTION, "COMMUNICATION" DOES NOT INCLUDE:**

18 (A) **THE LANGUAGE OF A LOCAL BALLOT QUESTION.**

19 (B) **THE DATE OF AN ELECTION.**

20 (C) **A DISCUSSION OF A LOCAL BALLOT QUESTION DURING A MEETING**
21 **OF A PUBLIC BODY, INCLUDING A MEETING THAT IS BROADCAST USING A**
22 **PUBLIC ACCESS MEDIUM, PROVIDED THAT BOTH PROPONENTS AND OPPONENTS**
23 **OF THE LOCAL BALLOT QUESTION HAVE AN EQUAL OPPORTUNITY TO DISCUSS**
24 **THE LOCAL BALLOT QUESTION.**

25 (4) A person who knowingly violates this section is guilty of
26 a misdemeanor punishable, if the person is an individual, by a fine
27 of not more than \$1,000.00 or imprisonment for not more than 1

1 year, or both, or if the person is not an individual, by 1 of the
2 following, whichever is greater:

3 (a) A fine of not more than \$20,000.00.

4 (b) A fine equal to the amount of the improper contribution or
5 expenditure.

