



JACKSON CITY COUNCIL MEETING MINUTES

December 15, 2015

CALL TO ORDER:

The Jackson City Council met in regular session in the City Hall and was called to order at 6:30 p.m. by Mayor Bill Jors.

PLEDGE OF ALLEGIANCE - INVOCATION:

The Council joined in the Pledge of Allegiance. The Invocation was given by Daniel P. Greer, 3rd Ward City Councilmember.

ROLL CALL:

Present: Mayor Bill Jors, Councilmembers Arlene Robinson, Freddie Dancy, Daniel P. Greer, Craig Pappin, and Derek J. Dobies. Absent: Councilmember Andrew R. Frounfelker.

Also present: City Manager Patrick Burtch, City Attorney Bethany Smith, City Clerk/Treasurer Andrew J. Wrozek, Jr., City Assessor David Taylor, and Deputy Director of Police and Fire Elmer Hitt.

ADOPTION OF AGENDA:

Motion was made to adopt the Agenda with an amendment adding Item 11- P, Jackson Young Professionals as a non-profit organization by Councilmember Dobies, seconded by Councilmember Greer. Motion carried.

CITIZEN COMMENTS:

Public comment time was opened. Comments were heard and the meeting resumed.

PRESENTATIONS/PROCLAMATIONS: none.

PETITIONS & COMMUNICATION:

- A. **City of Jackson Public Arts Commission Bylaws:**
Accept and place on file the City of Jackson Public Arts Commission Bylaws.

Motion was made to approve the Petitions and Communications by Councilmember Dobies, seconded by Councilmember Greer. Motion carried.

CONSENT CALENDAR:

- A. Minutes of the Regular Meeting on November 17, 2015:**
Approve the minutes of the regular City Council meeting of November 17, 2015.
- B. Minutes for the Regular Meeting on December 1, 2015:**
Approve the minutes of the City Council meeting of December 1, 2015.
- C. Human Relations Commission Resignation:**
Receipt with regret the resignation of Barb Shelton from the Human Relations Commission.
- D. Human Relations Commission Reappointment:**
Mayor's recommendation to reappoint Rev. John Clemons to the Human Relations Commission for a three-year term, beginning January 1, 2016, and ending December 31, 2018, in accordance with the Human Relations Commission recommendation.
- E. Jackson Area Transportation Authority Reappointments:**
Approve and confirm the Mayor's recommendation to the Jackson Area Transportation Authority Board of Directors the reappointment of Robert F. Cole, and Scott TenBrink to the Jackson Area Transportation Authority for a three-year term each, beginning April 1, 2016, and ending March 31, 2019.
- F. CDBG and HOME Financial Statements through October 31, 2015:**
Receive the Community Development Block Grant (CDBG) and HOME Financial Summaries through October 31, 2015.
- G. Eve on the Ave:**
Approve the request from the Downtown Development Authority to conduct their annual Eve on the Ave celebration on December 31, 2015, at 10:00 p.m. on Michigan Avenue. (Proper insurance coverage has been received.)
- H. MHCF "I Can Fight Cancer" 5k Run/Walk:**
Approve the request from the Mission of Hope Cancer Fund to conduct their first MHCF "I Can Fight Cancer" 5k run/walk on April 30, 2016, at 9:00 a.m. in downtown Jackson. (Proper insurance coverage has been received.)

Motion was made to approve the Consent Calendar by Councilmember Dobies, seconded by Councilmember Robinson. Motion carried.

PUBLIC HEARINGS:

A. Request to Rezone Property Located at 1530 Locust Street:

Public hearing to consider a request to rezone property located at 1530 Locust St. from I-2 (General Industrial District) to R-1 (One-Family Residential District).

Mayor Jors opened the Public Hearing. No comments were heard and the Public Hearing was closed.

1. Consider an Ordinance Amending Chapter 28, Section 28-32 (First Reading):

Consider an ordinance amending Chapter 28, Section 28-32, City Code to rezone property located at 1530 Locust Street from I-2 to R-1. (City Planning Commission and its staff recommend approval)

Motion to concur with City Planning Commission, approve the first reading, advance to second and final adoption by Councilmember Greer, seconded by Councilmember Dobies. Discussion occurred. Roll call vote. Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, and Dobies – 6. Nays: none. Absent: Councilmember Frounfelker. Motion carried.

OTHER BUSINESS:

A. Ordinance Amendment to the Non-Owner Occupied Residential Property Registry (Second/Final Reading):

Recommendation: Final adoption of Ordinance No. 2015-19, amending Chapter 14, Article 1, City Code, to clarify provisions contained in Section 14-3 and Section 14-13.

Motion to adopt by Councilmember Dobies, seconded by Councilmember Greer. Voice vote. Yeas: Mayor Jors, Councilmembers Dancy, Greer, Pappin, and Dobies – 5. Nays: Councilmember Robinson - 1. Absent: Councilmember Frounfelker. Motion carried.

B. Ordinance Amendment - Refuse and Discarded Items in the Right-of-Way (Second/Final Reading):

Recommendation: Final adoption of Ordinance No. 2015-20, amending Chapter 12, City Code, to add provisions to limit the placement of refuse and discarded items in the right-of-way for not more than forty-eight (48)

hours after dispossession of the occupant due to landlord-tenant or foreclosure proceeding.

Motion to adopt by Councilmember Dobies, seconded by Councilmember Greer. Voice vote. Yeas: Mayor Jors, Councilmembers Dancy, Greer, Pappin, and Dobies - 5. Nays: Councilmember Robinson - 1. Absent: Councilmember Frounfelker. Motion carried.

C. Ordinance Amendment to Chapter 14, Article II, Division 2, Sections 14-47 and 14-50 (Second/Final Reading):

Recommendation: Final adoption of Ordinance No. 2015-21, amending Chapter 14, Article II, Division 2, Sections 14-47 and 14-50 to establish the penalty for a person or persons who refuse to vacate a dwelling that has been declared unfit for human habitation.

Motion to adopt by Councilmember Greer, seconded by Councilmember Dobies. Voice vote. Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, and Dobies - 6. Nays: none. Absent: Councilmember Frounfelker. Motion carried.

D. Ordinance Amendment - Chapter 18, Article 2 (Second/Final Reading):

Recommendation: Final adoption of Ordinance No. 2015-22, amending Chapter 18, Article 2, City Code, to include more individuals acting on behalf of the City to be protected from obstruction and false information.

Motion to adopt by Councilmember Greer, seconded by Councilmember Pappin. Voice vote. Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, and Dobies - 6. Nays: none. Absent: Councilmember Frounfelker. Motion carried.

E. Amendment to the 2014 Major Street Design and Construction Engineering Contract - Edward-Wildwood to Winthrop, Winthrop-Edwards to East End, City Parking Lot 6, Lot 8 and Lot 9:

Recommendation: Approve the amendment to the 2014 Major Street Design and Construction Engineering contract for 2016 design and construction engineering to Hubbell, Roth & Clark, Inc., Bloomfield Hills, MI, for \$113,860.30, and authorize the City Manager and City Engineer to execute the appropriate document(s) in accordance with the Purchasing Agent.

Motion to approve by Councilmember Greer, seconded by Councilmember Pappin. Roll call vote. Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, and Dobies - 6. Nays: none. Absent: Councilmember Frounfelker. Motion carried.

NEW BUSINESS:

- A. Ordinance Amendment – Prohibit Solicitation in Streets (First Reading):**
Recommendation: Consider an ordinance amending Chapter 16, City Code, to add provisions to limit solicitation on any public street.

Motion to approve and move to second reading and final adoption by Councilmember Dobies, seconded by Councilmember Greer. Discussion occurred. Voice vote. Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, and Dobies – 6. Nays: none. Absent: Councilmember Frounfelker. Motion carried.

- B. Resolution – 2016 City Council Meeting Dates:**
Recommendation: Approve a resolution establishing the 2016 City Council meeting dates.

Motion to approve by Councilmember Greer, seconded by Councilmember Robison. Voice vote. Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, and Dobies – 6. Nays: none. Absent: Councilmember Frounfelker. Motion carried.

- C. Resolution – Fee Resolution for Registration of Lobbyists:**
Recommendation: Approve a Fee Resolution for registration of lobbyists as defined in Section 2-555, City Code.

Motion to approve by Councilmember Greer, seconded by Councilmember Dobies. Discussion occurred. Voice vote. Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, and Dobies – 6. Nays: none. Absent: Councilmember Frounfelker. Motion carried.

- D. Resolution in Support of Senate Bill 524 and House Bill 4909:**
Recommendation: Approve a resolution in support of Senate Bill 524 and House Bill 4909, and authorize the City Attorney to submit the Resolution to the Michigan Legislature.

Motion to approve by Councilmember Greer, seconded by Councilmember Dobies. Discussion occurred. Voice vote. Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, and Dobies – 6. Nays: none. Absent: Councilmember Frounfelker. Motion carried.

- E. Resolution – Drive Michigan Safely Task Force Grant:**
Recommendation: Approve a resolution amending the 2015/2016 Budget to reflect receipt of the Drive Michigan Safely Task Force Grant in the amount of \$15,000.00.

Motion to approve by Councilmember Dancy, seconded by

Councilmember Greer. Discussion occurred. Voice vote. Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, and Dobies - 6. Nays: none. Absent: Councilmember Frounfelker. Motion carried.

F. Resolution - MDOT Cost Agreement for Signal Modernization I-94 BL and Laurence Avenue:

Recommendation: Approve a resolution for a cost agreement with the Michigan Department of Transportation (MDOT) and Jackson County for signal modernization, and authorize the Mayor and City Treasurer/Clerk to execute the appropriate contract documents.

Motion to approve by Councilmember Pappin, seconded by Councilmember Dobies. Voice vote. Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, and Dobies - 6. Nays: none. Absent: Councilmember Frounfelker. Motion carried.

G. Corrective Resolution for Special Assessment Roll No. 4253:

Recommendation: Approve a corrective resolution for Special Assessment Roll No. 4253 for Delinquent Miscellaneous Code Enforcement Fund, confirmed at the April 14, 2015, City Council meeting.

Motion to approve by Councilmember Greer, seconded by Councilmember Dobies. Voice vote. Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, and Dobies - 6. Nays: none. Absent: Councilmember Frounfelker. Motion carried.

H. Corrective Resolution for Special Assessment Roll No. 4260:

Recommendation: Approve a corrective resolution for Special Assessment Roll No. 4260 for Delinquent Miscellaneous Code Enforcement Fund, confirmed at the November 17, 2015, City Council meeting.

Motion to approve by Councilmember Greer, seconded by Councilmember Dobies. Voice vote. Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, and Dobies - 6. Nays: none. Absent: Councilmember Frounfelker. Motion carried.

I. Corrective Resolution for Special Assessment Roll No. 4261:

Recommendation: Approve a corrective resolution for Special Assessment Roll No. 4261 for Delinquent Miscellaneous CDBG Fund, confirmed at the November 17, 2015, City Council meeting.

Motion to approve by Councilmember Dancy, seconded by Councilmember Greer. Voice vote. Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, and Dobies - 6. Nays: none. Absent: Councilmember Frounfelker. Motion carried.

J. Corrective Resolution for Special Assessment Roll No. 4262:

Recommendation: Approve a corrective resolution for Special Assessment Roll No. 4262 for Delinquent Miscellaneous Public Works Fund, confirmed at the November 17, 2015, City Council meeting.

Motion to approve by Councilmember Pappin, seconded by Councilmember Dobies. Voice vote. Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, and Dobies - 6. Nays: none. Absent: Councilmember Frounfelker. Motion carried.

K. Resolution - Ella Sharp Park Deer Harvest:

Recommendation:

1. Approve a resolution suspending enforcement of ordinances that prohibit the possession and use of the fire arms within the City as it applies to employees and agents of Aaron's Nuisance Animal Control, Rives Junction, during said deer harvest within Ella Sharp Park during the months of January and/or February 2016.

Motion to approve by Councilmember Greer, seconded by Councilmember Dobies. Voice vote. Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, and Dobies - 6. Nays: none. Absent: Councilmember Frounfelker. Motion carried.

2. Approve the fourth year of a five year renewal contract with Aaron's Nuisance Animal Control, Rives Junction, and authorize the Mayor and City Clerk to execute the appropriate document(s), and to authorize the City Attorney to make minor modifications, if needed, to approve the necessary street closures and operational requirements of the MDNR permit, in accordance with the recommendation of the Ella Sharp Park Board.

Motion to approve by Councilmember Greer, seconded by Councilmember Dobies. Voice vote. Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, and Dobies - 6. Nays: none. Absent: Councilmember Frounfelker. Motion carried.

L. Southern Michigan Criminal Justice Training Consortium Agreement:

Recommendation: Authorize the Mayor and City Treasurer/Clerk to execute the Southern Michigan Criminal Justice Training Consortium Agreement.

Motion to approve by Councilmember Pappin, seconded by Councilmember Dobies. Voice vote. Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, and Dobies - 6.

Nays: none. Absent: Councilmember Frounfelker. Motion carried.

M. CDBG and HOME Investment Partnerships Program Timetable and Establish Public Hearings:

Recommendation: Approve the 2016-2017 Community Development Block Grant (CDBG) and HOME Investment Partnerships Program timetable and establish public hearings on January 26, 2016, and September 27, 2016.

Motion to approve by Councilmember Dobies, seconded by Councilmember Pappin. Voice vote. Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, and Dobies - 6. Nays: none. Absent: Councilmember Frounfelker. Motion carried.

N. Confirmation, Appointment and Reappointment of Mayor and Council to Various Committees, Boards & Commissions:

Approve and confirm of the appointment and reappointment of the Mayor and City Councilmembers to various boards, commissions and committees:

JACT's Policy Committee - Appointment of Mayor Bill Jors with a term end date of November 30, 2017;

Local Development Finance Authority - Appointment of Mayor Bill Jors filling a current vacancy with a term end date of June 3, 2018;

City Employee Retirement Board - Reappointment of Councilmember Andrew Frounfelker with a term end date of November 30, 2017;

City Planning Commission - Reappointment of Councilmember Derek Dobies (ex-officio) with a term end date of November 30, 2017;

Ella Sharp Park Board - Reappointment of Councilmember Derek Dobies with a term end date of November 30, 2017;

Emergency Management Advisory Council - Appointment of Councilmember Craig T. Pappin with a term end date of November 30, 2017;

Local Emergency Planning Committee - Appointment of Councilmember Craig T. Pappin with a term end date of November 30, 2017.

Parks and Recreation Commission - Appointment of Mayor Bill Jors, and reappointment of Councilmember Derek Dobies (Ella Sharp Park Board) with a term end date of November 30, 2017;

Cradle to Career Coordinating Council – Appointment of Councilmember Freddie Dancy with a term end date of November 30, 2017;

Confirmation of the Boards and Commissions the Mayor serves on by virtue of the office with a term end date of November 30, 2017:

City Employees Retirement Board of Trustees
City Planning Commission
Downtown Development Authority
Police & Fire Pension Board of Trustees – Original Charter Plan
Police & Fire Pension Board of Trustees – Act 345

Motion to approve by Councilmember Dobies, seconded by Councilmember Greer. Roll call vote. Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, and Dobies – 6. Nays: none. Absent: Councilmember Frounfelker. Motion carried.

O. Personnel Policy Revision:

Recommendation: Approve the Personnel Policy revision(s).

Motion to approve by Councilmember Dobies, seconded by Councilmember Greer. Discussion occurred. Voice vote. Yeas: Mayor Jors, Councilmembers Dancy, Greer, Pappin, and Dobies – 5. Nays: Councilmember Robison - 1. Absent: Councilmember Frounfelker. Motion carried.

P. Consideration of a resolution recognizing the Jackson Youth Professionals as a non-profit organization operating in the community for purpose of obtaining a charitable gaming license:

Motion to approve for discussion by Councilmember Dobies, seconded by Councilmember Greer. Discussion occurred. Voice vote. Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, and Dobies – 6. Nays: none. Absent: Councilmember Frounfelker. Motion carried.

CITY COUNCILMEMBERS' COMMENTS.

MANAGER'S COMMENTS.

ADJOURNMENT:

No further business being presented, Councilmember Greer, seconded by Councilmember Dancy made the motion to adjourn the meeting. Motion carried. Mayor Bill Jors closed the meeting at 7:30 p.m.