



CITY COUNCIL MEETING MINUTES

September 6, 2016

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 AND INVOCATION:

The Council joined in the Pledge of Allegiance. Invocation by Derek Dobies, Vice Mayor and 6th Ward City Councilmember.

ROLL CALL:

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

Also present: City Manager Patrick Burtch, City Attorney Bethany Smith, City Treasurer/Clerk Andrew J. Wrozek, Jr., City Asst. Assessor Jason Yoakam, Director of Police and Fire Matthew Heins, Director of Neighborhood and Economic Operations Jennifer Morris, and Assistant City Manager/Operations Jonathan Greene.

ADOPTION OF AGENDA:

Motion was made by Councilmember Dobies, seconded by Councilmember Greer to adopt the Agenda with one addition under New Business - L. Historic Preservation. Votes - Yeas: Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (6). Nays: Mayor Jors (1). Motion carried.

CITIZEN COMMENTS:

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

PRESENTATIONS/PROCLAMATIONS:

- A. Presentation will be given by Nigel Griswold and Benjamin Calnin, Dynamo Metrics.**

1. **Professional Service Agreement with Dynamo Metrics:**
Recommendation: Approve the Professional Services Agreement with Dynamo Metrics in a budgeted amount of \$120,000.00 with an additional \$15,000.00 should the utility data be inadequate for modeling, resulting in a not to exceed amount of \$135,000.00, authorize the City Manager to sign the Agreement, and authorize the City Attorney to make minor modifications and take all actions necessary to finalize the Agreement.

Motion was made by Councilmember Greer, seconded by Councilmember Dobies to approve the agreement. Votes – Yeas: Mayor Jors, Councilmember Greer, Frounfelker, and Dobies (4). Nays: Councilmember Robinson, Dancy, and Pappin (3). Motion carried.

PETITIONS & COMMUNICATION (Accept & Place on File). None.

CONSENT CALENDAR:

- A. **Minutes of the Regular Meeting of August 23, 2016:**
Approve the minutes of the regular City Council meeting of August 23, 2016.
- B. **Jackson Housing Commission Resignation:**
Receipt with regret the resignation of Patricia Davis-Dye from the Jackson Housing Commission.
- C. **Jackson Housing Commission Appointment:**
Mayor's recommendation to appoint Teresa Gibson (Resident) to the Jackson Housing Commission filling a current vacancy, beginning immediately and ending October 30, 2021.
- D. **National POW/MIA, 24 Hour Vigil:**
Approve a request from the Vietnam Veterans of America Chapter 109 to conduct their POW/MIA 24 hour vigil event on Friday, September 16, 2016, to Saturday, September 17, 2016, from 3:00 p.m. to 3:00 p.m., in Withington Veterans Park. (Contingent upon receipt of proper insurance coverage.)
- E. **Jackson High Homecoming Parade:**
Approve a request from Jackson High School to conduct their Jackson High Homecoming Parade event on Friday, September 30, 2016, from 5:30 p.m. to 6:30 p.m., on Brown St, Daniel St., and Wildwood Ave., with conclusion at Jackson High School. (Contingent upon receipt of proper insurance coverage.)

- F. Glow Run Jackson 5k:**
Approve a request from the Jackson YMCA to conduct their Glow Run Jackson 5k event on Saturday, November 5, 2016, from 12:00 p.m. to 11:00 p.m., in Ella Sharp Park. (Contingent upon receipt of proper insurance coverage.)
- G. Heart of a Lion 5k Run:**
Approve a request from the Jackson Area 19 Special Olympics to conduct their Heart of a Lion 5k Run event on Sunday, November 13, 2016, 8:00 a.m. to 1:00 p.m., in Ella Sharp Park. (Contingent upon receipt of proper insurance coverage.)
- H. Oktoberfest:**
Approve a request from the Jackson YMCA to conduct their Oktoberfest event on Friday, September 23, 2016, from 5:00 p.m. to 11:00 p.m., and Saturday, September 24, 2016, from 12:00 p.m. to 9:00 p.m., on W. Wesley between S. Jackson, and Mechanic Streets. (Contingent upon receipt of proper insurance coverage.)
- I. Receipt of Draft Copy of CAPER and Reaffirm Public Hearing:**
Receive the draft copy of the Consolidated Annual Performance Evaluation Report (CAPER), authorize dissemination for public comment, and reaffirm the Public Hearing on September 20, 2016.

Motion was made by Councilmember Dobies, seconded by Councilmember Greer to approve the Consent Calendar. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

PUBLIC HEARINGS: none.

OTHER BUSINESS:

- A. Ordinance Revision for Fund Managers, Consultants & Advisors for the Employee Retirement System, the ACT 345 Retirement System, and the Old Police and Fire Retirement System (Second/Final Reading).**
Recommendation: Final adoption of Ordinance No. 2016-17, amending Section 2-541, Chapter 2, City Code, to require submission of bid proposals every five years for the fund managers of the retirement systems of the City of Jackson.

Motion was made by Councilmember Dobies, seconded by Councilmember Greer to approve final adoption. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

B. Ordinance Revisions to the ERS Board of Trustees Composition (Second/Final Reading).

Recommendation: Final adoption of Ordinance No. 2016-18, amending Section 2-528, Chapter 2, City Code, to alter the composition of the Employee Retirement System Board of Trustees.

Motion was made by Councilmember Dobies, seconded by Councilmember Greer to approve final adoption. Votes - Yeas: Mayor Jors, Councilmembers Greer, Pappin, Frounfelker, and Dobies (5). Nays: Councilmembers Robinson and Dancy (2). Motion carried.

C. Ordinance Revisions to the AHB Ordinance (Second/Final Reading).

Recommendation: Final adoption of Ordinance No. 2016-19, amending Chapter 2.5, City Code, to modernize the provisions used to regulate the Administrative Hearings Bureau.

Motion was made by Councilmember Greer, seconded by Councilmember Dobies to approve final adoption. Votes - Yeas: Mayor Jors, Councilmembers Dancy, Greer, Pappin, Frounfelker, and Dobies (6). Nays: Councilmember Robinson (1). Motion carried.

D. Renewal of Leaf Pickup Program General Services Contract for the 2016 Season.

Recommendation: Approve the first renewal of the General Services Agreement with United Waste of Jackson to conduct the 2016 Curbside Leaf Pickup Program in the amount of \$126,882.08.

Motion was made by Councilmember Greer, seconded by Councilmember Dobies to approve. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

E. Change Order #1 to the Street Sweeping Contract.

Recommendation: Approve Change Order #1 to the Street Sweeping Contract with National Industrial Maintenance, Inc., Dearborn, in the amount of \$74,202.00 to perform a second sweeping cycle this fall.

Motion was made by Councilmember Dobies, seconded by Councilmember Frounfelker to approve. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

F. Interim Balancing Change Order 2 (Deduct) for 2015 CDBG Local Street Construction Contract.

Recommendation: Approve Interim Balancing Change Order 2 (Deduct) to the contract with Bailey Excavating, Inc., for 2015 CDBG Local Street

Reconstruction in the decreased amount of \$16,152.22 to balance contract quantities for various items that are substantially complete to match quantities placed in the field, add items that were necessary to complete work in the field, and authorize the City Manager and City Engineer to execute the appropriate document.

Motion was made by Councilmember Greer, seconded by Councilmember Dobies to approve. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

G. Change Order 1 to the Downtown Street and Parking Lot Rehabilitation Contract with Bailey Excavating, Inc.

Recommendation: Approve Change Order 1 to the contract with Bailey Excavating, Inc., for Downtown Street and Parking Lot Rehabilitation in the increased amount of \$9,000.00 to install sanitary and storm sewer services to the vacant lot at 224 N. Jackson Street, and authorize the City Manager and City Engineer to execute the appropriate document.

Motion was made by Councilmember Greer, seconded by Councilmember Frounfelker to approve. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

H. Interim Balancing Change Order 7 (Deduct) to the Parking Lot Construction Contract with Bailey Excavating.

Recommendation: Approve Interim Balancing Change Order 7 (Deduct) to the contract with Bailey Excavating, Inc., for Parking Lot Construction in the decreased amount of \$12,791.86 to balance contract quantities for various items that are substantially complete to match quantities placed in the field, add items that were necessary to complete the work in the field, and authorize the City Manager and City Engineer to execute the appropriate document.

Motion was made by Councilmember Greer, seconded by Councilmember Frounfelker to approve. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

I. Change Order 1 (Deduct) to the Construction Contract for the CP Federal Square Building with O'Harrow Construction Co. of Jackson, MI.

Recommendation: Approve Change Order No. 1 (Deduct) to the contract with O'Harrow Construction Company for the CP Federal Square Building in the decreased amount of \$42,336.00 to change the authorized work for various items to modify the electrical, roof system, HVAC and

the concrete floor in the proposed building, and authorize the City Manager and City Engineer to execute the appropriate document.

Motion was made by Councilmember Dobies, seconded by Councilmember Frounfelker to approve. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

- J. Addendum to Naming Rights Agreement with CP Federal Credit Union.**
Recommendation: Approve an Addendum to Naming Rights Agreement as presented, authorize the City Manager to sign the Addendum, and authorize the City Attorney to make minor modifications and take all actions necessary to finalize the Addendum.

Motion was made by Councilmember Dobies, seconded by Councilmember Greer to approve. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

- K. Modification to the Neighborhood & Economic Operations Downtown Investor-Owned Rehabilitation Policy.**
Recommendation: Approve the modification of the funding level to the Neighborhood and Economic Operations Downtown Investor-Owned Rehabilitation Policy, from \$40,000.00 per unit up to \$50,000.00 per unit.

Motion was made by Councilmember Dobies, seconded by Councilmember Greer to approve. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

NEW BUSINESS:

- A. Ordinance - Repeal of Duplicate ERS Board of Trustee Requirements (First Reading).**
Recommendation: Consider an ordinance repealing Division 6, Article 2, Chapter 2, City Code, to repeal duplicative provisions concerning the Employee Retirement System Board of Trustees.

Motion was made by Councilmember Dobies, seconded by Councilmember Frounfelker to approve and advance to the second reading and final adoption. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

- B. Ordinance - Quorum Requirements to the ERS Pension Board (First Reading).**

Recommendation: Consider an ordinance amending sections of Article VI, Chapter 2, City Code, to alter the quorum requirements to the Employee Retirement System Board of Trustees, and add provisions repealed from Section 2-317, Division 6, Article VI, Chapter 2.

Motion was made by Councilmember Greer, seconded by Councilmember Dobies to approve and advance to the second reading and final adoption. Votes - Yeas: Mayor Jors, Councilmembers Dancy, Greer, Pappin, Frounfelker, and Dobies (6). Nays: Councilmember Robinson (1). Motion carried.

C. Ordinance - Revise Chapter 8 - Formerly Community Development/Neighborhood Economic Operations (First Reading).

Recommendation: Consider an ordinance amending Chapter 8, City Code, to revise various sections of the Chapter affected by structural changes made to several City of Jackson departments.

Motion was made by Councilmember Greer, seconded by Councilmember Dancy to approve and advance to the second reading and final adoption. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

D. Ordinance - Revise Chapter 1, Section 17 - Appearance Tickets (First Reading).

Recommendation: Consider an ordinance amending Section 17, Chapter 1, City Code, to revise various sections of the Chapter affected by structural changes made to several City of Jackson Departments (Appearance Tickets).

Motion was made by Councilmember Dobies, seconded by Councilmember Greer to approve and advance to the second reading and final adoption. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

E. Ordinance - Define and Clarify Language Used to Regulate the NOORP Registry (First Reading).

Recommendation: Consider an ordinance amending Section 3, Chapter 14, City Code, to define and clarify language used to regulate the Non-Owner Occupied Residential Property Registry.

Motion was made by Councilmember Greer, seconded by Councilmember Frounfelker to approve and advance to the second reading and final adoption. Votes - Yeas: Mayor Jors, Councilmembers

Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

F. Ordinance - Hours of Operation for City Parks (First Reading).

Recommendation: Consider an ordinance amending Section 19-41, Chapter 19, City Code, to change the hours of operation for the City Parks.

Motion was made by Councilmember Greer, seconded by Councilmember Dobies to approve and advance to the second reading and final adoption. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

G. Resolution for a Maintenance Agreement with MDOT for Non-Motorized Pathway.

Recommendation: Resolution for the approval of a Maintenance Agreement with the Michigan Department of Transportation (MDOT) for a non-motorized pathway along S. Cooper and authorize the City Manager to execute the appropriate document.

Motion was made by Councilmember Dobies, seconded by Councilmember Greer to approve the resolution. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

H. Contract Award of the Extension of the MLK Equality Trail.

Recommendation: Approve a contract award for the extension of the MLK Equality Trail to Bailey Excavating, Jackson, at a cost of \$437,399.35, and authorize the Mayor and City Treasurer/Clerk to execute the appropriate document(s) in accordance with the Purchasing Agent.

Motion was made by Councilmember Dobies, seconded by Councilmember Greer to approve. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

I. TCO #2219 - Franklin Street at Blackstone Street Parking.

Recommendation: Approve Traffic Control Order No. 2219, to prohibit parking on the south side of Franklin Street from 50 feet west of Blackstone Street to Blackstone.

Motion was made by Councilmember Frounfelker, seconded by Councilmember Greer to approve. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

J. Purchase of a MI-Deal 2016 Chevy Colorado 4x4 Truck for Parks and Cemeteries.

Recommendation: Approve a lease for a MI-Deal 2016 Chevy Colorado 4x4 Truck in the amount of \$28,415.00 for the Parks, Recreation, and Cemeteries Department. This lease would be over five years with a payment of \$7,828.00 annually through Berger Chevrolet, Grand Rapids, and Ally Corporation.

Motion was made by Councilmember Greer, seconded by Councilmember Dancy to approve. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

K. Revocable License Requested by Jackson County.

Recommendation: Approve a Revocable License to the County of Jackson for a temporary exterior boiler exhaust flue within the public right-of-way of the alley adjacent to the east side of the County Tower Building at 120 W. Michigan Avenue, which expires August 1, 2017, and authorize the Mayor and City Treasurer/Clerk to execute the appropriate documents(s).

Motion was made by Councilmember Frounfelker, seconded by Councilmember Dobies to approve. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

L. Historic Preservation: added item.

Motion was made by Councilmember Pappin, seconded by Councilmember Frounfelker to table the item. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

EXECUTIVE SESSION to discuss a written legal opinion and to discuss collective bargaining:

Motion was made by Councilmember Greer, seconded by Councilmember Dobies to suspend Open Session and go into Executive Session. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin and Frounfelker, and Dobies (7). Nays: none.

RETURN TO OPEN SESSION:

Motion was made by Councilmember Dobies, seconded by Councilmember Frounfelker to return to Open Session. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin and Frounfelker, and Dobies (7). Nays: none.

CITY COUNCILMEMBERS' COMMENTS.

MANAGER'S COMMENTS.

ADJOURNMENT:

No further business being presented, motion was made to adjourn by Mayor Jors, seconded by Councilmember Dobies. Motion carried. Mayor Jors closed the meeting at 9:17 p.m.