



CITY COUNCIL MEETING MINUTES

September 20, 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 was given by Arlene Robinson, 1st 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, Acting City Deputy Clerk Melanie J. Curran, City Assessor David Taylor, 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. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried. Agenda was adopted.

CITIZEN COMMENTS :

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

PRESENTATIONS/PROCLAMATIONS - none.

PETITIONS & COMMUNICATION:

A. Daniel Burnham Award for a Comprehensive Plan for the 2016 Planning Excellence Awards.

Acknowledgement of the announcement that Jackson Next, City of Jackson has been selected as a recipient of the Daniel Burnham Award for a Comprehensive Plan for the 2016 Planning Excellence Awards, Michigan Association of Planning.

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

CONSENT CALENDAR.

A. Minutes of the Regular Meeting of September 6, 2016:

Approve the minutes of the regular City Council meeting of September 6, 2016.

B. City Planning Commission Resignation:

Receipt with regret the resignation of Martin J. Griffin from the City Planning Commission.

C. Zombie Walk Jackson:

Approve a request from Zombie Walk Jackson to conduct their 7th annual Zombie Walk Jackson event on October 8, 2016, from 8:00 a.m. to 6:00 p.m., in the Farmers Market parking lot.

D. CDBG and HOME Financial Statements through July 31, 2016:

Receive the Community Development Block Grant (CDBG) and HOME Financial Summaries through July 31, 2016.

E. Resolution in Support of House Bill 5282 - Governmental Immunity for Sewage Disposal System Event.

Recommendation: Approve a resolution in support of House Bill 5282 for Government Immunity for Sewage Disposal System Event.

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

PUBLIC HEARINGS:

A. Public Hearing for CDBG/HOME Program Performance and Request for Authorization to Submit the Consolidated Annual Performance and

Evaluation Report (CAPER) to the Department of Housing and Urban Development (HUD).

1. Conduct a Public Hearing to receive citizen comment regarding the Consolidated Annual Performance and Evaluation Report (CAPER), and authorize submittal to the Department of Housing and Urban Development (HUD).

Mayor Jors opened the public hearing and invited public comment. Comments/questions were heard from John Wilson and Peter Bormuth. Mayor Jors closed the public hearing. Motion was made by Councilmember Greer, seconded by Councilmember Dobies to authorize submittal to the Department of Housing and Urban Development (HUD). Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

OTHER BUSINESS:

- A. Ordinance - Repeal of Duplicate ERS Board of Trustee Requirements (Second/Final Reading).**

Recommendation: Final adoption of Ordinance No. 2016-20, 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 Greer, seconded by Councilmember Dobies to adopt the ordinance. 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 (Second/Final Reading).**

Recommendation: Final adoption of Ordinance No. 2016-21, 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 Pappin to adopt the ordinance. Votes - Yeas: Mayor Jors, Councilmembers Dancy, Greer, Pappin, Frounfelker, and Dobies (6). Nays: Councilmember Robinson (1). Motion carried.

- *C. Item Deleted.**

D. Ordinance - Revise Chapter 1, Section 17 - Appearance Tickets (Second/Final Reading).

Recommendation: Final adoption of Ordinance No. 2016-23, 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.

Motion was made by Councilmember Dobies, seconded by Councilmember Greer to adopt the ordinance. 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 (Second/Final Reading).

Recommendation: Final adoption of Ordinance No. 2016-24, 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 Dobies, seconded by Councilmember Frounfelker to adopt the ordinance. 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 (Second/Final Reading).

Recommendation: Final adoption of Ordinance No. 2016-25, amending Section 19-41, Chapter 19, City Code, to change the hours of operation for the City Parks.

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

NEW BUSINESS:

A. Resolution to Establish a Penalty to be Imposed when a Default Order is Set Aside at an Administrative Hearing.

Recommendation: Approve a resolution to establish a penalty to be imposed when a Default Order is set aside at an Administrative Hearing.

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.

B. Ordinance Establishing Factors for a Determination of Discontinuance or Vacancy of a Nonconforming Lot, Building or Structure (First Reading).

Recommendation: Consider an ordinance amending Section 28-130(g), Chapter 28, City Code, to provide conditions constituting evidence of discontinuance or vacancy of nonconforming lots, buildings and structures.

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

C. Ordinance - Revisions to Section 13-9, Chapter 13 - Historic Preservation (First Reading).

Recommendation: Consider an ordinance amending Section 13-9, Chapter 13, City Code, in an effort expedite the appeal process by revising language adopted from the Local Historic Districts Act to safeguard the heritage of the City of Jackson.

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

D. Fiduciary Agreement with the Ella Sharp Museum Collection of Donations for the Nevelson Restoration Project.

Recommendation: Approve the Fiduciary Agreement between the City of Jackson and the Ella Sharp Museum, authorize the Mayor to sign same, and authorize the City Attorney to make minor modifications and to take all actions necessary to finalize the Agreement.

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.

E. Award Four (4) Demolition Contracts.

Recommendation: Award Four (4) demolition contracts in the total amount of \$228,101.00 as follows:

CDBG Funding		\$129, 996.00
• Smalley Construction	\$111,620.00	
• Lester Brothers	\$ 18,376.00	

City Demolition Funds		\$ 98,105.00
• Salenbien Trucking & Excavating	\$ 27,750.00	
• Smalley Construction	\$ 70,335.00	

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

F. TCO Nos. 2220-2228 - Convert Franklin Street between First Street and West Avenue from One-way Westbound to Two-way Traffic.

Recommendation: Approve Traffic Control Order Nos. 2220 through 2228 to convert Franklin Street between First Street and West Avenue from one-way westbound to two-way traffic.

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.

G. Change Order 2 to the Downtown Street and Parking Lot Rehabilitation Contract with Bailey Excavating, Inc.

Recommendation: Approve Change Order 2 to the contract with Bailey Excavating, Inc., for Downtown Street and Parking Lot Rehabilitation in the increased amount of \$374,576.22 for the construction of a parking lot on the vacant parcel at 209 W. Louis Glick Highway, 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.

H. City Assessor Position.

Consideration of an application for the appointment of the City Assessor.

Motion was made by Councilmember Greer, seconded by Councilmember Frounfelker to offer Jason Yoakam the position of City Assessor effective October 1, 2016 with a contract to come back to City Council for approval that would outline the pay grade. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

- I. **Donation Agreement with Wells Fargo for 609 Williams.**
Recommendation: Approve a Donation Agreement between the City of Jackson and Wells Fargo, authorize the Mayor to sign same, and authorize the City Attorney to make minor modifications and to take all action necessary to finalize the agreement.

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.

- J. **Execution of Engagement Letter - Varnum, LLP - Assistance with Mobilitie, LLC METRO Act Application.**
Recommendation: Approve execution of an Engagement Letter to retain Varnum, LLP as attorneys to assist with the METRO act application of Mobilitie, LLC to install a 120' antenna in the City of Jackson right of way, authorize the Mayor to sign same, and authorize the City Attorney to make minor modifications and to take all actions necessary to finalize the Agreement.

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

- K. **Addendum to Development Agreement - Detroit Entrepreneur Development, LLC.**
Recommendation: Approve execution of an Addendum to Development Agreement, authorize the City Manager to sign same, and authorize the City Attorney to make minor modifications and to take all actions necessary to finalize the agreement.

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.

- L. **Addendum to Purchase Agreement - Detroit Entrepreneur Development, LLC.**
Recommendation: Approve execution of an Addendum to Purchase Agreement, authorize the City Manager to sign same, and authorize the City Attorney to make minor modifications and to take all actions necessary to finalize the Agreement.

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.

M. Sponsorship Rights Agreement - Experience Jackson.

Recommendation: Approve a Sponsorship Rights Agreement between the City of Jackson and Experience Jackson, authorize the Mayor to sign same, and authorize the City Attorney to make minor modifications and to take all actions necessary to finalize the Agreement.

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.

CITY COUNCILMEMBERS' COMMENTS.

MANAGER'S COMMENTS.

ADJOURNMENT:

No further business being presented, Motion was received to adjourn by Mayor Jors, seconded by Councilmember Robinson. Motion carried. Mayor Jors closed the meeting at 8:50 p.m.