



CITY COUNCIL MEETING MINUTES

January 15, 2019

CALL TO ORDER:

The Jackson City Council met in regular session and was called to order at 6:33 p.m. by Mayor Derek J. Dobies.

PLEDGE OF ALLEGIANCE AND INVOCATION:

The Council joined in the Pledge of Allegiance. A moment of silence was offered by Mayor Derek Dobies.

ROLL CALL:

Present: Mayor Derek J. Dobies, Councilmembers Arlene Robinson, Freddie Dancy, Jeromy Alexander, Craig Pappin, Kelsey Heck, and Colleen Sullivan.

Absent: none.

Also present: City Manager Patrick Burtch, City Clerk Andrea Muray, Staff Attorney Mark Porterfield, Director of Neighborhood and Economic Operations Jennifer Morris, Director of Public Works Jonathan Greene, City Engineer Jon Dowling, City Assessor Jason Yoakam, and Director of Police and Fire Services Elmer Hitt.

ADOPTION OF AGENDA:

Motion was made by Councilmember Pappin, seconded by Councilmember Sullivan to approve the agenda. Votes - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, Heck, and Sullivan (7). Nays: none. Motion carried.

PRESENTATIONS/PROCLAMATIONS:

- A. Presentation by Sixth Ward City Councilmember Colleen Sullivan regarding a proposed street millage plan in the City of Jackson.**

PUBLIC HEARINGS:

A. Public Hearing for the Necessity of Street Reconstruction and Water Main Replacement: Greenwood Avenue and Jackson Street, Morrell to Franklin with Construction of a Traffic Circle around Greenwood Park.

Public hearing for the necessity of street reconstruction and water main replacement on Greenwood Avenue and Jackson Street from Morrell to Franklin, with construction of a Traffic Circle around Greenwood Park.

1. *Resolution ordering the construction and preparation of the special assessment roll.*

Motion was made by Councilmember Sullivan, seconded by Councilmember Heck to approve the resolution. Votes - Yeas: Mayor Dobies, Councilmembers Alexander, Heck, and Sullivan (4). Nays: Councilmembers Robinson, Dancy, and Pappin (3). Motion carried.

CITIZEN COMMENTS:

Citizen comments were heard and the meeting continued.

PETITIONS & COMMUNICATION FROM CITY STAFF AND OTHER GOVERNMENTAL ENTITIES:

A. 2018 December Board of Review Meeting Minutes.

Recommendation: *Accept and place on file the 2018 December Board of Review meeting minutes.*

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

CONSENT CALENDAR:

A. Minutes of the Regular Meeting of December 11, 2018:

Approve the minutes of the regular City Council meeting of December 11, 2018.

B. Memorial Motorcade:

Approve a request from Jackson Right to Life Inc., to conduct their Memorial Motorcade event on Tuesday, January 22, 2019, from 10:30 a.m. to 2:00 p.m., beginning at New Covenant Bible Church and ending at St. John's Catholic Cemetery.

- C. 42nd Annual Groundhog Gallup:**
Approve a request from Henry Ford Allegiance Health to conduct their 42nd annual Groundhog Gallop event on Saturday, February 2, 2019, at 10:00 a.m. to 2:00 p.m., at Middle School at Parkside.
- D. Board of Review Reappointment:**
Approve the Mayor's recommendation to reappoint Ken Stapleton to the Board of Review to serve a three year term, beginning February 1, 2019, and ending January 31, 2022.
- E. Election Commission Appointment:**
Approve the Mayor's recommendation to appoint Michael Mahle to the Election Commission filling a current vacancy, beginning immediately and ending December 31, 2021.
- F. Ella W. Sharp Park Board of Trustees Appointment:**
Approve the Mayor's recommendation to appoint Sarah Allison to the Ella W. Sharp Park Board of Trustees for a three year term, beginning February 1, 2019, and ending January 31, 2022.
- G. Ella W. Sharp Park Board of Trustees Appointment:**
Approve the Mayor's recommendation to appoint Alaina Sharp to the Ella W. Sharp Park Board of Trustees, filling a current vacancy, beginning immediately, and ending October 31, 2021.
- H. Income Tax Board of Review Appointment:**
Approve the Mayor's recommendation to appoint Kesha Hamilton to the Income Tax Board of Review filling a current vacancy and a three year term, beginning immediately, and ending January 31, 2022.
- I. Income Tax Board of Review Reappointment:**
Approve the Mayor's recommendation to reappoint Matt Swartzlander to the Income Tax Board of Review for a three year term, beginning February 1, 2019, and ending January 31, 2022.
- J. Region 2 Planning Commission Appointment:**
Approve the Mayor's recommendation to appoint Michael Ries to the Region 2 Planning Commission filling a current vacancy, beginning immediately, and ending December 31, 2021.
- K. Local Officers Compensation Commission Resignation:**
Receipt with regret the resignation of Richard Peck from the Local Officers Compensation Commission.

- L. Changes to the Standard Lighting Contract for Streetlights with Consumers Energy for Installation of a New Meter in the City.**
Approve the Resolution for Change to the Standard Lighting Contract for Streetlights with Consumers Energy for a new meter at 210 N. Mechanic Street, and authorize the Mayor and City Clerk to execute the appropriate documents.
- M. Class C On Premise Resort Liquor License for James J. Keeley Park for the County of Jackson.**
Approve the Class C On Premise Resort Liquor License for James J. Keeley Park, and authorize the City Manager to execute the Local Government Approval form.
- N. Deficit Elimination Plan Resolution as of June 30, 2018, for the Special Assessment Capital Project Fund.**
Approve the Deficit Elimination Plan Resolution for the Special Assessment Capital Project Fund Deficit as of June 30, 2018.
- O. Historic District Commission Appointment:**
Approve the Mayor's recommendation to appoint Scott E. Slagor to the Historic District Commission for a three year term beginning immediately, and ending December 31, 2021.
- P. LOCC Appointment:**
Approve the Mayor's recommendation to appoint Daniel P. Greer to the Local Officers Compensation Commission filling a current vacancy beginning immediately, and ending February 28, 2020.

Motion was made by Councilmember Alexander to remove Item F and Item H for separate consideration.

Motion was made by Councilmember Alexander, seconded by Councilmember Dancy to approve the consent calendar as amended. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, Heck, and Sullivan (7). Nays: none. Motion carried.

Motion was made by Councilmember Alexander, seconded by Councilmember Dancy to postpone Item F to a date certain (January 29, 2019). Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Heck (6). Nays: Councilmember Sullivan (1). Motion carried.

Motion was made by Councilmember Alexander, seconded by Councilmember Dancy to postpone Item H to a date certain (January 29, 2019). Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Heck (6). Nays: Councilmember Sullivan (1). Motion carried.

OTHER BUSINESS:

- A. **Ordinance No. 2019-01, Zoning Ordinance Amendment for 107, 110, 111, 114, 115, 118, and 119 S. Gorham, and 1906 Tyson Street from R-2, (One and Two Family Residential to C-4, (General Commercial). (Second/Final Reading)**

Recommendation: *Final adoption of Ordinance No. 2019-01, amending Chapter 28, Section 28-32, City Code, to rezone 107, 110, 111, 114, 115, 118 and 119 S. Gorham and 1906 Tyson Street from R-2, One and Two Family Residential to C-4, General Commercial as per the recommendation from the City Planning Commission.*

Motion was made by Councilmember Pappin, seconded by Councilmember Heck to approve the final adoption. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, Heck, and Sullivan (7). Nays: none. Motion carried.

NEW BUSINESS:

- A. **Ordinance for Relocation Assistance for Displaced Tenants. (First Reading)**

Recommendation: *Approve an ordinance for relocation assistance for displaced tenants.*

Motion was made by Councilmember Pappin, seconded by Councilmember Sullivan to approve and move to a second reading. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Pappin, Heck, and Sullivan (6). Nays: Councilmember Alexander (1). Motion carried.

- B. **Ordinance to Establish Penalties for Marihuana Offenses not Specifically Penalized in the Michigan Regulation and Taxation of Marihuana Act. (First Reading)**

Recommendation: *Approve an ordinance to establish penalties for recreational marihuana and recreational marihuana paraphernalia use, possession, transfer, delivery, and sales that do not have a specific penalty provision in the Michigan Regulation and Taxation of Marihuana Act.*

Motion was made by Councilmember Pappin, seconded by Councilmember Sullivan to approve and move to a second reading. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, Heck, and Sullivan (7). Nays: none. Motion carried.

C. Ordinance Amending Section 18-207 to add a Prohibition Against Endangering Oneself Due to Disorderly Intoxication. (First Reading)

Recommendation: *Approve amendments to Section 18-207 to add a prohibition against endangering oneself due to disorderly intoxication.*

Motion was made by Councilmember Pappin, seconded by Councilmember Sullivan to approve and move to a second reading. Votes – Yeas: Mayor Dobies, Councilmembers Alexander, Pappin, Heck, and Sullivan (5). Nays: Councilmember Robinson and Dancy (2). Motion carried.

F. Resolution Authorizing Placing a Charter Amendment and Corresponding Ballot Language for Charter Amendment No. 1 of 2019 on Next Special Election.

Recommendation: *Approve a resolution authorizing placing a Charter Amendment and corresponding Ballot Language for Charter Amendment No. 1 of 2019 regarding public streets on the next special election, May 7, 2019.*

Motion was made by Councilmember Sullivan, seconded by Councilmember Alexander to approve the resolution authorizing the charter amendment and proposing the ballot language.

Motion was made by Councilmember Alexander, seconded by Mayor Dobies to amend to add to the resolution duplicate ballot language (Amendment No. 2 of 2019):

“Shall Section 14.1 of the Jackson City Charter be amended to allow a new additional special tax rate for public streets by authorizing the City to levy an additional millage in the amount of up to 13.5 mills each year starting in the July 2019 levy estimated to raise 8.1 million dollars at 13.5 mills in the first year and to reduce to up to 3.5 mills starting in the July 2039 levy in lieu of special assessments with the taxes to be used by the City only for the cost related to public street maintenance, rehabilitation, and/or replacement within the City. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Alexander, Heck, and Sullivan (5). Nays: Councilmembers Dancy and Pappin (2). Motion carried.

Motion was made by Councilmember Alexander, seconded by Councilmember Pappin to modify the resolution so that the two ballot questions would go on the November 2019 ballot changing the language on both ballot proposals to “beginning in the July 2020 levy”. Votes – Yeas: Councilmembers Robinson, Dancy, Alexander, Pappin, Heck, and Sullivan (6). Nays: Mayor Dobies (1). Motion carried.

Vote was taken on the main motion as amended. Votes - Yeas: Mayor Dobies, Councilmembers Robinson, Alexander, Heck, and Sullivan (5). Nays: Councilmembers Dancy and Pappin (2). Motion carried.

G. Appointment of a City Councilmember as a member of the Medical Marihuana Licensing Review Committee.

Motion was made by Mayor Dobies, seconded by Councilmember Heck to appoint Councilmember Pappin to the Medical Marihuana Licensing Review Committee. Votes - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, Heck, and Sullivan (7). Nays: none. Motion carried.

CITY COUNCILMEMBERS' COMMENTS:

Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan offered comments. Councilmember Heck declined.

MANAGER'S COMMENTS: none.

ADJOURNMENT:

No other business being offered a motion to adjourn was made by Councilmember Alexander seconded by Councilmember Heck. Vote was done by voice with all in favor. Mayor Dobies adjourned the meeting at 10:27 p.m.