



## CITY COUNCIL MEETING MINUTES

January 28, 2020

### **CALL TO ORDER:**

The Jackson City Council met in regular session and the meeting was called to order at 6:32 p.m. by Mayor Derek J. Dobies.

### **PLEDGE OF ALLEGIANCE AND INVOCATION:**

The Council joined in the Pledge of Allegiance. Invocation was given by Third Ward City Councilmember Jeromy Alexander.

### **ROLL CALL:**

Present: Mayor Derek J. Dobies, Councilmembers Arlene Robinson, Freddie Dancy, Jeromy Alexander, Laura Dwyer Schlecte, Kelsey Heck, and Will Forgrave.

Absent: none.

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

### **ADOPTION OF AGENDA:**

Motion was made by Councilmember Dancy, seconded by Councilmember Heck to adopt the agenda. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Heck, and Forgrave (7). Nays: none. Motion carried.

**PRESENTATIONS/PROCLAMATIONS:** none.

**PUBLIC HEARINGS:**

- A. Conduct a Public Hearing to Receive Citizen Comment on the City's Housing and Community Development Needs as Part of the Development of the 2020-2024 Five-Year Consolidated Plan and 2020-2021 Annual Action Plan for CDBG and HOME funding in the City.**

*Conduct a Public Hearing to receive citizen comment on general housing and community development needs as part of the development of the 2020-2024 Five-Year Consolidated Plan and 2020-2021 Annual Action Plan for Community Development Block Grant (CDBG) and HOME funding in the City.*

Kate Martin of the Jackson County Continuum of Care spoke of pilot projects that the funds could be used toward. John King spoke of using funds to offset the cost of permits required to maintain homes and programs to get homeless individuals into properties. Peter Bormuth offered the idea of utilizing CDBG funds to help those transitioning into homes after being incarcerated.

**CITIZEN COMMENTS:**

Citizen comments were heard and the meeting continued.

**PETITIONS & COMMUNICATION FROM CITY STAFF AND OTHER GOVERNMENTAL ENTITIES:**

- A. HRC Minutes for December 11, 2019:**  
*Accept and Place on file the December 11, 2019, Human Relations Commission meeting minutes.*
- B. CDBG and HOME Financial Summaries through December 31, 2019.** *Accept and place on file the Community Development Block Grant and HOME Financial Summaries through December 31, 2019.*

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

**CONSENT CALENDAR:**

- A. Minutes of the Regular Meeting of January 14, 2020:**  
*Approve the minutes of the regular City Council meeting of January 14, 2020.*
- B. Building Authority Appointment:**  
*Approve the Mayor's recommendation to appoint Matthew Hagerty, City Attorney, to the City of Jackson Building Authority, filling a current vacancy, beginning immediately, and ending June 30, 2021.*

- C. Downtown Development Authority Reappointment:**  
*Approve the Mayor's recommendation to reappoint Jessica Webb to the Downtown Development Authority for a four year term, beginning March 30, 2020, and ending March 29, 2024.*
- D. Engineer's Report for Street Reconstruction and Water and Sewer Main Replacement - S. Martin Luther King, Jr. (MLK, Jr.) Drive, Morrell Street to Mason Street:**  
*Receive the Engineer's Report for street reconstruction, and water and sewer main replacement on S. Martin Luther King, Jr. Drive from Morrell Street to Mason Street, and establish February 25, 2020, at the City Council meeting as the time and place to hold a public hearing of necessity.*
- E. Traffic Control Order 2318 - N. Higby Street, W. Michigan to Williamson:**  
*Approve Traffic Control Order 2318 to install Blind Child Area signs on N. Higby Street between W. Michigan Avenue and Williams Street.*
- F. AWARE, Inc. Sexual Assault Awareness Month (SAAM) Demonstration:**  
*Approve a request from AWARE, Inc., to conduct their Sexual Assault Awareness Month (SAAM) Demonstration, April 1-30, 2020, in Horace Blackman Park, downtown Jackson.*
- G. Cascades Humane Society's Paws in the Park:**  
*Approve a request from the Cascades Humane Society to host Paws in the Park on June 6, 2020, from 9 a.m. to 2 p.m. at the Sparks Foundation (Cascades) County Park.*
- H. Receipt of Street/Alley Vacation Petition:**  
*Receipt of a petition circulated by Ron Slagell to vacate a portion of a public alley south of Trail Street and north of Calhoun Street, and referral to staff.*
- I. Establish a Public Hearing For Special Assessment Roll(s) 3414 Reconstructing First Alley East of Mechanic, Cortland to Michigan and Mid-Block Branch Alley:**  
*Establish February 25, 2020, at the City Council meeting as the time and place to hold a public hearing for Special Assessment Roll(s) 3414, to reconstruct the first alley East of Mechanic, Cortland to Michigan Avenue and mid-block branch alley.*
- J. Repeal the Alley Vacation Resolution Approved on January 2, 1996:** *Repeal the resolution of the alleyway vacation dated January 2, 1996 described as: A 15.5 FOOT WIDE ALLEY RUNNING 132 FEET SOUTH FROM THE SOUTH LINE OF CORTLAND STRET BETWEEN LOT 2 ON THE WEST AND LOT 6 ON THE EAST, BLOCK 2 SOUTH, RANGE 1 EAST, CITY OF JACKSON.*

Motion was made by Councilmember Forgrave, seconded by Councilmember Heck to approve the consent calendar. Councilmember Dancy pulled Items I and Item J for separate consideration. Councilmember Schlecte pulled item A for separate consideration. Vote was taken on the approval of the consent calendar without Item A, Item I, and Item J. Vote - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Heck, and Forgrave (7). Nays: none. Motion carried.

Motion was made by Councilmember Heck, seconded by Councilmember Robinson to approve the minutes of the regular meeting on January 14, 2020. Vote - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Heck, and Forgrave (6). Nays: none. Abstained: Schlecte (1). Motion carried.

Motion was made by Councilmember Forgrave, seconded by Councilmember Schlecte to Establish February 25, 2020, at the City Council meeting as the time and place to hold a public hearing for Special Assessment Roll(s) 3414, to reconstruct the first alley East of Mechanic, Cortland to Michigan Avenue and mid-block branch alley. Vote - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Heck, and Forgrave (7). Nays: none. Motion carried.

Motion was made by Councilmember Alexander, seconded by Councilmember Heck to adopt the resolution as included in the agenda however to replace in the first paragraph the words "for the vacation of said alley" to "for the vacation of said easement on City-Owned property". Vote - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Heck, and Forgrave (7). Nays: none. Motion carried.

#### **OTHER BUSINESS:**

- A. **Ordinance No. 2020-01, Amending Chapter 28, City Code, to provide clarity regarding the class and fenestration requirements as outlined in Section 28-115, and the increase of the front yard setback requirements for fences above three (3) feet in height as outlined in Section 28-125. (Second/Final Reading)**  
**Recommendation:** *Final adoption of Ordinance No. 2020, amending Chapter 28, City Code, to provide clarity regarding the class and fenestration requirements as outlined in Section 28-115, and the increase of the front yard setback requirements for fences above three (3) feet in height as outlined in Section 28-125.*

Motion was made by Councilmember Schlecte, seconded by Councilmember Heck to adopt Ordinance No. 2020-01. Vote - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Heck, and Forgrave (7). Nays: none. Motion carried.

**B. Second Addendum to Lease Agreement - Jackson School of the Arts Association.**

**Recommendation:** *Approve execution of the Second Addendum to a Lease Agreement with the Jackson School of the Arts Association, 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 Heck, seconded by Councilmember Schlecte to approve the execution of the Second Addendum to a Lease Agreement with the Jackson School of the Arts Association, 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. Vote - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Schlecte, Heck, and Forgrave (6). Nays: Councilmember Alexander (1). Motion carried.

**NEW BUSINESS:**

**A. Temporary Relocation of Ward 1 Polling Location.**

**Recommendation:** *Establish, by vote of the Council, a temporary polling location for Ward 1 for the May 2020 election.*

Motion was made by Councilmember Robinson, seconded by Mayor Dobies to establish Second Missionary Baptist Church as the temporary Ward 1 polling location for the May 2020 election. Vote - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Heck, and Forgrave (7). Nays: none. Motion carried.

**B. Martin Luther King Center Renovation Contract**

**Recommendation:** *Award the Martin Luther King Center Renovation contract to R.W. Mercer, Jackson, in the amount of \$1,914,350.00, authorize the Mayor and City Clerk to execute the appropriate documents, and authorize the City Manager to approve any and all change orders to complete the project.*

Motion was made by Councilmember Robinson, seconded by Councilmember Heck to award the Martin Luther King Center Renovation contract with R. W. Mercer in the amount of \$1,914,350.00, and authorize the Mayor and City Clerk to execute the appropriate documents, and authorize the City Manager to approve any and all change orders to complete the project. Vote - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Heck, and Forgrave (7). Nays: none. Motion carried.

**C. Incubator and Festival Kitchen Contract(s) for 135 Cortland.**

**Recommendation:** *Award a contract to Moore Trosper Construction Co. in the amount of:*

*\$439,161.00 for Proposal A (Festival Kitchen)*

*\$956,691.00 for Proposal B (Kitchen Incubator Plus Structural Repairs to Basement and Second Story Systems)*

*At a total discounted amount of \$1,370,610.00 for the Kitchen Incubator Buildout at 135 W. Cortland St.*

Motion was made by Councilmember Heck, seconded by Mayor Dobies to award the contract(s) to Moore Trosper Construction Co. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, and Heck (6). Nays: Councilmember Forgrave (1). Motion carried.

**D. Conditional Phase One Facility Licenses for Medical Marihuana Establishments as per Ordinance No. 2019-13.**

**Recommendation:** *Approve conditional phase one facility licenses for two (2) Medical Marihuana Provisioning Centers as per Ordinance No. 2019-13.*

Motion was made by Councilmember Alexander, seconded by Councilmember Heck to approve the conditional phase one facility license for 118 Columbus. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Alexander, Schlecte, Heck, and Forgrave (6). Nays: Councilmember Dancy (1). Motion carried.

**E. Consumers Water and Wastewater Rate Agreement**

**Recommendation:** *Approve a Wastewater and Water Contract between the City of Jackson and Consumers Energy Corporation.*

Motion was made by Councilmember Heck, seconded by Councilmember Schlecte to postpone the item until the next regular meeting, February 11, 2020. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Heck, and Forgrave (7). Nays: none. Motion carried.

**CLOSED SESSION:**

Motion was made by Councilmember Forgrave, seconded by Councilmember Robinson to go into closed session to discuss specific pending litigation in Rabchun v City of Jackson, et al., Case No. 2:18-cv14043, in accordance with MCL 15.268(e). Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Heck, and Forgrave (7). Nays: none. Motion carried.

**RETURN TO OPEN SESSION:**

Motion was made by Councilmember Robinson, seconded by Councilmember Alexander to return to open session. Vote - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Heck, and Forgrave (7). Nays: none. Motion carried.

Motion was made by Councilmember Alexander, seconded by Councilmember Heck to authorize the City Attorney to proceed in accordance with his recommendation in closed session. Vote - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, and Heck (6). Nays: none. Abstain: Councilmember Forgrave (1). Motion carried.

**CITY COUNCILMEMBERS' COMMENTS:**

Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, and Heck all offered comments. Councilmember Forgrave decline to offer comments.

**MANAGER'S COMMENTS:**

City Manager Patrick Burtch offered comments.

**ADJOURNMENT:**

No further 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 8:35 p.m.