



CITY COUNCIL MEETING MINUTES

January 29, 2019

CALL TO ORDER:

The Jackson City Council met in regular session and was called to order at 6:31 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 First Ward Councilmember Arlene Robinson.

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, City Attorney Bethany Smith, City Assessor Jason Yoakam, Director of Neighborhood and Economic Operations Jennifer Morris, City Engineer Jon Dowling, Director of Public Works Jonathan Greene, and Director of Police and Fire Services Elmer Hitt.

ADOPTION OF AGENDA:

Motion was made by Mayor Dobies to amend the agenda to add to New Business Item 11D, a resolution to allow deferment to "Affected Employees" of the government shutdown.

Councilmember Pappin made a motion to amend the agenda to add to New Business Item 11E, a public safety initiative.

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

PRESENTATIONS/PROCLAMATIONS:

- A. **Presentation by Linda Hass regarding a second application for a Michigan Historical Marker in Bucky Harris Park honoring historically significant anti-slavery activities that took place in this park during the mid-1800's.**
- B. **City of Jackson's Audit Report for Fiscal Year 2018:**
Presentation by Mark Kettner, Rehmann Robson, LLC, of the City of Jackson's Audit Report for Fiscal Year ended June 30, 2018.

PUBLIC HEARINGS:

- A. **Conduct a Public Hearing to Receive Citizen Comment on general Housing and Community Development Needs in the City specific to CDBG and HOME funding. Preliminary allocations will be presented to City Council in February.**
Conduct a Public Hearing to receive citizen comment on general housing and community development needs in the City specific to Community Development Block Grant (CDBG) and HOME funding.

Cindy Eby spoke in opposition of the use of CDBG funds to demolish low income housing, the need for programs for home owners in the tax foreclosure process, and establishing programs for homeowners to fix their homes.

George Morhing spoke in regards of the Council giving the citizens an overview of the purpose of the funding.

Toby Berry spoke in regards of affordable housing for low income and extremely low income families, a rental rehab program, a community task force to address bed bug issues, and youth related services.

Delia Johnson spoke in regards of using funds for the Area Agency on Aging.

John King spoke in regards of bed bug programs and the need for the funds to be used outside of the downtown area.

Stacie Guthrie spoke in regards of affordable housing needs.

Susan Murdie spoke in regards of a need for a roof repair program for homeowners, rental property rehab program, assistance for extremely low income citizens, tax foreclosure education programs, and bed bug programs.

Sarah Allison spoke in regards of funding for harm reduction programs for drug users.

Tasha Carter spoke in reference to poverty statistics provided to the Council in a letter and the need for CDBG funds to be used to address those statistics including rental units for low income families, bed bug programs, youth programs, ex-convict reentry programs, and a home for those addicted to crack cocaine.

Peter Bormuth spoke in regards of using the funds for homeless and low income citizens and the potential for tiny homes to be utilized to address those housing needs, bed bug prevention program, and education program needs.

Israel Gray spoke in regards of establishing a home for children.

CITIZEN COMMENTS:

Citizen comments were heard and the meeting continued.

PETITIONS & COMMUNICATION FROM CITY STAFF AND OTHER GOVERNMENTAL ENTITIES:

- A. CDBG and HOME Financial Summaries through October 31, 2018.**
Accept and place on file the Community Development Block Grant and HOME Financial Summaries through October 31, 2018.

Motion was made by Councilmember Pappin, seconded by Councilmember Heck 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 January 15, 2019:**
Approve the minutes of the regular City Council meeting of January 15, 2019.
- B. 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.
- C. Income Tax Board of Review Appointment:**
Approve the Mayor's recommendation to appoint Mia Williams to the Income Tax Board of Review for a three year term, beginning February 1, 2019, and ending January 31, 2022.

D. Public Arts Commission Appointment:

Approve the Mayor's recommendation to appoint Mia Williams to the Public Arts Commission filling a current vacancy, beginning immediately, and ending May 28, 2020.

E. Zoning Board of Appeals Appointment:

Approve the Mayor's recommendation to appoint Mia Williams to the Zoning Board of Appeals as an alternate member filling a current vacancy, beginning immediately, and ending December 31, 2019.

F. JNET Interlocal Agreement.

Approve and execute the Jackson Narcotics Enforcement Team (JNET) Interlocal Agreement.

G. Income Tax Board of Review.

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.

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

OTHER BUSINESS:

A. Revised Resolution Approving Selected Projects for the 2020-2023 Transportation Improvement Plan (TIP) Projects:

Recommendation: *Adopt a revised resolution approving the street list as selected for inclusion in the 2020-2023 Transportation Improvement Plan (TIP), and to acknowledge that the City is willing to pay the local match for selected projects.*

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

B. Change Order 15 to the Downtown Street and Parking Lot Rehabilitation Contract with Bailey Excavating, Inc.

Recommendation: *Approve and authorize the City Manager and City Engineer to execute Change Order 15 to the contract with Bailey Excavating, Inc., for Downtown Street and Parking Lot Rehabilitation in the increased amount of \$84,524.58 to balance contract quantities for various items substantially complete to match quantities placed in the field and add new items necessary for completion of work in the field.*

Motion was made by Councilmember Sullivan, seconded by Councilmember Robinson to approve Change Order 15. Votes - Yeas: Mayor Dobies, Councilmembers Alexander, Pappin, Heck, and Sullivan (5). Nays: Councilmembers Robinson and Dancy (2). Motion carried.

C. Ordinance No. 2019-02, for Relocation Assistance for Displaced Tenants. (Second/Final Reading)

Recommendation: *Final adoption of Ordinance No. 2019-02, to amend Chapter 14, City Code, to create a provision establishing property owner obligations with respect to tenants displaced from dwellings that have been vacated by the Chief Building Official due to violations of Chapter 14 of the Jackson Code of Ordinances.*

Motion was made by Councilmember Sullivan, seconded by Councilmember Heck for final adoption of Ordinance No. 2019-02.

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

D. Ordinance No. 2019-03, Amending Chapter 18 of Article I to Extend the Prohibition of Disorderly Intoxication to Include Self-Endangering Behavior. (Second/Final Reading)

Recommendation: *Final adoption of Ordinance No. 2019-03, to amend Chapter 18, Article I, City Code, to extend the prohibition of disorderly intoxication to include self-endangering behavior, for the health, safety, and well-being of the citizens of Jackson.*

Motion was made by Councilmember Pappin, seconded by Councilmember Sullivan to adopt Ordinance No. 2019-03. Votes - Yeas: Mayor Dobies, Councilmembers Dancy, Alexander, Pappin, Heck, and Sullivan (6). Nays: Councilmembers Robinson (1). Motion carried.

E. Ordinance No. 2019-04, to Establish Penalties for Marihuana Offenses not Specifically Penalized in the Michigan Regulation and Taxation of Marihuana Act. (Second/Final Reading)

Recommendation: *Final adoption of Ordinance No. 2019-04, to amend Sections of Division 2, Article I, Chapter 18, City Code, to establish prohibitions and penalties for certain marihuana offenses.*

Motion was made by Councilmember Pappin, seconded by Councilmember Sullivan to adopt Ordinance No. 2019-04. Votes - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy Alexander, Pappin, Heck, and Sullivan (7). Nays: none. Motion carried.

NEW BUSINESS:

- A. Ordinance Amending Article XVIII, Chapter 16, City Code, to Permit and Regulate Certain Medical Marihuana Facilities. (First Reading)**
Recommendation: *Approve amendments to an Ordinance amending Article XVIII, Chapter 16, City Code, to permit and regulate certain Medical Marihuana Facilities.*

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

- B. Ordinance amending Medical Marihuana use Setbacks as Outlined in Section 28-140, Article V, Chapter 28, City Code, Development Approval Procedures. (First Reading)**
Recommendation: *Introduce an Ordinance, and recommend the second reading and final adoption the amendments to the medical marihuana use setbacks as outlined in Section 28-140, of Article V, Development Approval Procedures, of Chapter 28 of the City's Code of Ordinance.*

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

- C. Repeal of Ordinance No. 501 and approve a revised PILOT Ordinance for GenCap Limited Dividend Housing Association. (First Reading)**
Recommendation: *Repeal Ordinance No. 501, and approve adoption of an ordinance granting a Payment in Lieu of Taxes (PILOT) Exemption to GenCap Limited Dividend Housing Association LLC.*

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

- D. Resolution - Affected Employees of the Federal Government Shut Down.**
Recommendation: *Approve a resolution allowing the City Manager to assist "Affected Employees" of the Federal Government Shut Down in deferring payments due to the City which accrued during the Shutdown.*

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

E. Public Safety Initiative – Gunfire Sensor Technology

Recommendation: *Schedule a presentation by the company ShotSpotter at a future meeting for Council to get details on how their services could be used in the City of Jackson.*

Motion was made by Councilmember Pappin, seconded by Councilmember Alexander to schedule a presentation. 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, Heck, and Sullivan all offered comments.

MANAGER’S COMMENTS:

City Manager Patrick Burtch offered comments.

ADJOURNMENT:

No other business being offered, a motion to adjourn was made by Councilmember Dancy, seconded by Councilmember Alexander. Vote was done by voice with all in favor. Mayor Dobies adjourned the meeting at 9:20 p.m.