



CITY COUNCIL MEETING MINUTES

March 27, 2018

CALL TO ORDER:

The Jackson City Council met in regular session in the City Hall 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. In lieu of invocation Ena Humphries, guest of Mayor Derek Dobies, was given the opportunity to speak regarding gun violence in schools.

ROLL CALL:

Present: Mayor Derek J. Dobies, Councilmembers Arlene Robinson, Freddie Dancy, Jeromy Alexander, Craig Pappin, Andrew R. Frounfelker, and Colleen Sullivan.
Absent: none.

Also present: Also present: City Manager Patrick Burtch, City Attorney Bethany Smith, City Assessor Jason Yoakam, City Clerk Andrea Muray, Assistant City Manager/Operations Jonathan Green, Director of Police and Fire Services Elmer Hitt, Director of Neighborhood and Economic Operations Jennifer Morris, and City Engineer Jon Dowling, Director of Finance Phil Hones.

ADOPTION OF AGENDA:

Motion was made by Councilmember Sullivan, seconded by Councilmember Pappin to have Item 9J read between Items 5 and 6. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, Frounfelker, Sullivan (7). Nays: none. Motion carried.

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

PUBLIC HEARINGS: none.

CITIZEN COMMENTS:

Citizen comments were heard and the meeting continued.

PRESENTATIONS/PROCLAMATIONS.

- A. National Prescription Opioid Litigation.**
Sam Bernstein Law Firm will give a presentation regarding the City becoming a Plaintiff in the nationwide Opioid lawsuit, *In re: National Opioid Litigation*.

PETITIONS & COMMUNICATION FROM CITY STAFF AND OTHER GOVERNMENTAL ENTITIES:

- A. CDBG and HOME Financial Summaries through February 28, 2018.**
Accept and place on file the Community Development Block Grant (CDBG) and HOME Financial Summaries through February 28, 2018.

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

- B. HRC Minutes for January 17, 2018.**
Accept and place on file the Human Relations Commission meeting minutes for January 17, 2018.

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

- C. JPAC Minutes for January 16, and February 22, 2018.**
Accept and place on file the Jackson Public Arts Commission meeting minutes for January 16, and February 22, 2018.

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

CONSENT CALENDAR:

- A. Minutes of the Regular Meeting of March 13, 2018:**
Approve the minutes of the regular City Council meeting of March 13, 2018.
- B. Minutes of the Special City Council Meeting of March 12, 2018:**
Approve the minutes of the Special City Council meeting of March 12, 2018.
- C. Light It Up Blue Jackson:**
Approve a request from the Jackson Autism Support Network to conduct their 4th annual Light It Up Blue Jackson event on Monday, April 2, 2018, at 6 p.m. to 8 p.m. in Horace Blackman Park and CP Federal City Square in downtown Jackson.
- D. Pinwheels for Prevention:**
Approve a request from the Council for Prevention of Child Abuse & Neglect to conduct their annual Pinwheels for Prevention event on April 2, 2018, at 10 a.m. in Austin Blair Park.
- E. World Vision Global 6k for Water:**
Approve a request from World Vision Inc. to conduct their World Vision Global 6k for Water event on Saturday, April 21, 2018, from 7:00 a.m. to 11:30 a.m. to 817 W. High St.
- F. 6th Annual Around the Park for Autism:**
Approve a request from Jackson Autism Network to conduct their 6th annual Around the Park for Autism event on Sunday, May 12, 2018, from 5:30 a.m. to 1:00 p.m. at Cascades Park.
- G. Cascades Summer Kick-off Celebration:**
Approve a request from Jackson County Parks Department to conduct their annual Cascades Kick-off Celebration event on Saturday, May 26, 2018, from 9 a.m. to 11 p.m. at Cascades Falls Park.
- H. Jackson Downtown Development Authority Cruise In:**
Approve a request from the Jackson Downtown Development Authority to conduct their 18th annual Cruise In events on May 25, June 22, July 27, August 24, and September 28, 2018, from 3:30 p.m. to 9:30 p.m. in downtown Jackson.

- I. 14th Annual Art, Beer and Wine Festival:**
Approve a request from Ella Sharp Museum to conduct their 14th Annual Art, Beer and Wine Festival event on Saturday, June 2, 2018, at Ella Sharp Museum.
- J. Autism Awareness and Acceptance Month 2018 Proclamation.**
Approval and Presentation of a Proclamation proclaiming April 2018 as Autism Awareness and Acceptance Month.

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

OTHER BUSINESS:

- A. DDA Accounting Policy Amendment.**
Recommendation: Approve an amendment to the City of Jackson Downtown Development Authority (DDA) Accounting Policy as approved by the DDA Board of Directors on February 8, 2018.

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

NEW BUSINESS:

- A. Resolution – Parking Permit Rates.**
Recommendation: Resolution adjusting parking permit rates for the City of Jackson automobile parking system, and authorize the Mayor and City Clerk to execute the resolution.

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

- B. Retainer Agreement with Sam Bernstein Law Firm PLLC – National Prescription Opioid Litigation.**
Recommendation: Approve a Retainer Agreement with the Sam Bernstein Law Firm, PLLC, to prosecute and adjust for the City of Jackson claim for past damages and/or expenditures caused by the culpable conduct of any and all pharmaceutical manufacturers, distributors and/or

retailers of opioid analgesics and authorize the Mayor to sign the Retainer Agreement.

Motion was made by Councilmember Sullivan to approve the retainer agreement. Councilmember Robinson seconded for discussion. A discussion occurred with the attorneys from Sam Bernstein Law Firm PLLC and Weitz & Luxenburg Law Firm answering questions. A motion was made by Councilmember Alexander, seconded by Councilmember Pappin to table the item. Votes - Yeas: Councilmembers Alexander, Pappin, and Frounfelker (3). Nays: Mayor Dobies, Councilmembers Robinson, Dancy, and Sullivan (4). Motion failed.

A motion was then made by Councilmember Robinson, seconded by Councilmember Pappin to postpone the item to the next City Council meeting. Votes - Yeas: Councilmembers Robinson, Dancy, Alexander, Pappin, and Frounfelker (5). Nays: Mayor Dobies and Councilmember Sullivan (2). Motion carried.

C. Application to the State of Michigan DEQ for a Quality Pilot Drinking Water Infrastructure Grant.

Recommendation: Approve an application to the State of Michigan Department of Environmental Quality for a Pilot Drinking Water Infrastructure Grant with a targeted amount of \$1 million, and name the Director of Public Works as the authorized representative.

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

D. Lead-Based Paint Hazard Control Program (LBPHC) Policy and Procedure Manual, and Authorize the City Manager, LBPHC Project Director, and Program Manager to Award Lead Remediation Contracts.

Recommendation: Approve the Lead-Based Paint Hazard Control Program (LBPHC) Policy and Procedure Manual and authorize the City Manager, LBPHC Project Director, and Program Manager to award the lead remediation contracts.

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

E. City Engineer's Report for Kibby Road New Sanitary Sewer Construction - City Limits to Cascade Drive.

Recommendation: Receive the City Engineer's Report for new sanitary sewer construction on Kibby Road from the City limits to Cascade Drive, and establish April 10, 2018, at the City Council meeting as the time and place to hold a public hearing of necessity.

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

F. Contract for Body Camera System at Jackson Police Department.

Recommendation: Approve a contract with Axon Enterprise, Inc., Scottsdale, AZ, to implement a body camera system at the Jackson Police Department.

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

G. Receipt of the 2018-19 Draft Action Plan for Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) Funds.

Recommendation: Receive the 2018-2019 Draft Action Plan for Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) funds.

Motion was made by Councilmember Pappin, seconded by Councilmember Frounfelker to receive the 2018-2019 Draft Action Plan for CDBG and HOME funds. Votes - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, Frounfelker, Sullivan (7). Nays: none. Motion carried.

H. Release of a Development Agreement and Termination of the City's Interest to Repurchase Property located at 313-315 W. Wesley Street.

Recommendation: Approve a Release of a Development Agreement and Termination of the City of Jackson's interest to repurchase property located at 313-315 W. Wesley Street, authorize the City Manager to execute the document to be prepared by the Purchaser's Counsel, and authorize the City Attorney to make modifications if needed.

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

I. Extension to Street Sweeping Contract and Change Order #1 to Extension.

Recommendation: Approve an extension to the 2016 street sweeping contract with National Industrial Maintenance, Inc., Dearborn, in the amount of \$222,606.00 to perform street sweeping in 2018 (\$74,202.00 would account for one round of sweeping in the 2017/2018 fiscal year), and approval of Change Order #1 to the extension to allow for the two rounds of sweeping in the 2018/19 fiscal year at a cost of \$148,404.00.

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

J. Application for Waiver and Plan as Required by the State Department of Treasury.

Recommendation: Approve an Application for Waiver of Underfunded Status – Policemen’s & Firemen’s Pension and the Application for Waiver of Underfunded Status – Act 345 Policemen & Firemen Pension.

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

K. City Hall Elevator Replacement Bid Award (With Alternates).

Recommendation: Approve the City Hall Elevator replacement bid award of \$539,358.00 to Schindler Elevator Company, and authorize the City Manager to approve appropriate change orders and alternates as attached.

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

EXECUTIVE SESSION:

Motion was made by Councilmember Pappin, seconded by Councilmember Robinson to suspend open session and go into executive session to discuss a legal opinion and pending litigation. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, Frounfelker, Sullivan (7). Nays: none. Motion carried.

RETURN TO OPEN SESSION:

Motion was made by Councilmember Pappin, seconded by Councilmember Robinson to return to open session. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, Frounfelker, Sullivan (7). Nays: none. Motion carried.

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

Motion was made by Councilmember Pappin, seconded by Councilmember Sullivan proceed with Item B. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, Frounfelker, Sullivan (7). Nays: none. Motion carried.

CITY COUNCILMEMBERS' COMMENTS:

Mayor Dobies, Councilmembers Robinson, Alexander, Pappin, and Sullivan all offered comments. Councilmembers Dancy and Frounfelker declined.

MANAGER'S COMMENTS:

City Manager Patrick Burtch did not offer comments.

ADJOURNMENT:

No further business being offered a motion to adjourn was made by Councilmember Pappin, seconded by Councilmember Robinson. Mayor Dobies adjourned the meeting at 8:32 p.m.