



CITY COUNCIL MEETING MINUTES

April 23, 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 Mayor Derek Dobies.

ROLL CALL:

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

Absent: none.

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

ADOPTION OF AGENDA:

Motion was made by Councilmember Pappin, seconded by Councilmember Heck to adopt the agenda.

Motion was made by Councilmember Alexander, seconded by Councilmember Sullivan to add an item (11G), discussion of a written legal opinion. Vote - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, Heck, and Sullivan (7). Nays: none. Motion carried.

Motion was made by Councilmember Dancy, seconded by Councilmember Alexander to move item 11H to the Presentation/Proclamations portion of the agenda. Motion was made by Councilmember Dancy, seconded by Councilmember Pappin to modify the previous motion to move item 11G and 11H to presentations/proclamations. Vote - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, Heck, and Sullivan (7). Nays: none. Motion carried.

A vote was taken on the main motion, to adopt the agenda as amended. Vote - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, Heck, and Sullivan (7). Nays: none. Motion carried.

PRESENTATIONS/PROCLAMATIONS:

A. Jacqueline Austin and Clay McAndrews will give a presentation on the 2019 Bright Walls Event.

Motion was made by Councilmember Sullivan, seconded by Councilmember Heck to approve Bright Wall's request to utilize two walls on the Vermeulen's building during the festival. Vote - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, Heck, and Sullivan (7). Nays: none. Motion carried.

B. Written Legal Opinion from Executive Session on April 9, 2019.

Motion was made by Councilmember Alexander, seconded by Councilmember Sullivan to make public the written legal opinion Council received on April 9, 2019 during Executive Session. Vote - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, Heck, and Sullivan (7). Nays: none. Motion carried.

C. Presentation by City Staff regarding State of Michigan/Lead Copper Rule Water Rate Increase.

PUBLIC HEARINGS:

Recess as a City Council and Convene as a Board of Review:

Motion was made by Councilmember Pappin, seconded by Councilmember Heck to recess as City Council and convene as a Board of Review. Vote - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, Heck, and Sullivan (7). Nays: none. Motion carried.

A. Public Hearing on Special Assessment Roll No. 3409 for street reconstruction on Madison, West to Clinton.

Correspondence was received by legal counsel on behalf of 1301 NW Ave, LLC, property located at 1301 N. West Avenue, objecting to the assessment.

1. *Recommendation to pass a Resolution confirming Roll No. 3409.*

Motion was made by Councilmember Pappin, seconded by Councilmember Sullivan to approve the resolution confirming Roll No. 3409. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Alexander, Pappin, Heck, and Sullivan (6). Nays: Councilmember Dancy (1). Motion carried.

B. Public Hearing on Special Assessment Roll No. 3410 for street reconstruction on Michigan, First to Blackstone.

Correspondence was received from Family Service & Children Aid (330 W. Michigan Avenue and 306 W. Michigan Avenue) objecting to the special assessment.

1. *Recommendation to pass a Resolution confirming Roll No. 3410.*

Motion was made by Councilmember Heck, seconded by Councilmember Sullivan to approve the resolution confirming Roll No. 3410. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Alexander, Heck, and Sullivan (5). Nays: Councilmember Dancy and Pappin (2). Motion carried.

C. Public Hearing on Special Assessment Roll No. 3411 for street reconstruction on Park and Elizabeth, Michigan to Van Dorn.

Correspondence was received from Rebecca Lazaroff (615 E. Michigan Avenue and 601 E. Michigan Avenue) objecting to the assessment.

1. *Recommendation to pass a Resolution confirming Roll No. 3411.*

Motion was made by Councilmember Sullivan, seconded for discussion by Councilmember Robinson to approve the resolution confirming Roll No. 3411. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Alexander, Pappin, Heck, and Sullivan (6). Nays: Councilmember Dancy (1). Motion carried.

D. Public Hearing for Overhead Lighting Installation - Cooper Street - Ganson Street to I-94 Interchange, and Martin Luther King Jr Drive from Ganson to Leroy Street:

Public hearing for installation of overhead street lighting installation on Cooper Street, Ganson Street to the I-94 interchange, and Martin Luther King Jr Drive from Ganson to Leroy Street.

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

Motion was made by Councilmember Pappin, seconded by Councilmember Sullivan to approve the resolution ordering the construction and preparation of the special assessment roll. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Pappin, Heck, and Sullivan (6). Nays: none. Abstain: Councilmember Alexander (1). Motion carried.

Adjourn as a board of review and reconvene as City Council.

Motion was made by Councilmember Sullivan, seconded by Councilmember Heck to adjourn as a Board of Review and reconvene as City Council. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, Heck, and Sullivan (7). Nays: none. Motion carried.

CITIZEN COMMENTS:

Citizen comments were heard and the meeting continued.

PETITIONS & COMMUNICATION FROM CITY STAFF AND OTHER GOVERNMENTAL ENTITIES: none.

CONSENT CALENDAR:

- A. Minutes of the Regular Meeting of April 9, 2019:**
Approve the minutes of the regular City Council meeting of April 9, 2019.
- B. Ella Sharp Park Board of Trustee's Resignation:**
Receipt with regret the resignation of Cheryl Ennis from the Ella Sharp Park Board of Trustees and Parks & Recreation Commission, effective immediately.
- C. Jackson County Police Memorial:**
Approve a request from the Jackson Police Department to conduct their annual Jackson County Police Memorial on Wednesday, May 8, 2019, at 9 a.m. to 2 p.m. at CP Federal City Square and Horace Blackman Park.
- D. Cascades Summer Kick-off Celebration:**
Approve a request from Jackson County Parks Department to conduct their annual Cascades Summer Kick-off Celebration event on Saturday, May 25, 2019, from 9 a.m. to 11 p.m. at Cascades Falls Park.
- E. Memorial Day Procession and Ceremony:**
Approve a request from Jackson County Veteran's Council to conduct their annual Memorial Day Procession and Ceremony event on Monday, May 27, 2019, from 9:30 a.m. to 12:00 p.m. in downtown Jackson and Mt. Evergreen Cemetery.

- F. First Friday Film Festival:**
Approve a request from the Jackson Downtown Development Authority, Michigan Theatre, and Jackson Symphony Orchestra to conduct their First Friday Film Festival events on June 7, July 5, and August 2, 2019, from 6 p.m. until 12 a.m., in CP Federal City Square and Horace Blackman Park.
- G. Jackson Downtown Development Authority Cruise In and Concert 2019:**
Approve a request from the Jackson Downtown Development Authority, Michigan Theatre, and Jackson Symphony Orchestra to conduct their Cruise In and Concert events on May 24, June 28, July 26, August 23, and September 27, 2019, from 4:30 p.m. to 10:00 p.m. in downtown Jackson.
- H. Resolution Recognizing April 28, 2019 as Worker’s Memorial Day:**
Approve a resolution recognizing April 28, 2019, as Worker’s Memorial Day in the City of Jackson.
- I. Rescind Award of Exchange Park and Loomis Park Lighting Installation Contract.**
Rescind the award of the contract for the Exchange Park and Loomis Park Lighting Installation project to Hirst Electric, Jackson, made March 26, 2019.
- J. Corrective Resolution for the Bridge Grant Application – E. Washington Avenue Bridge over the Grand River.**
Approve a corrective resolution for application to the Michigan Department of Transportation (MDOT) for Local Bridge Program Funding, authorize the City Clerk to execute the corrective resolution, and authorize the City Engineer to file an application for the E. Washington Avenue Bridge over the Grand River.
- K. Corrective Resolution for the Bridge Grant Application – E. High Street Bridge over the Grand River.**
Approve a corrective resolution for application to the Michigan Department of Transportation (MDOT) for Local Bridge Program Funding, authorize the City Clerk to execute the corrective resolution, and authorize the City Engineer to file an application for the E. High Street Bridge over the Grand River.

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

OTHER BUSINESS:

A. Contract Award for the Exchange Park and Loomis Park Lighting Installation Project.

Recommendation: *Approve an award of the contract for the Exchange Park and Loomis Park Lighting Installation project to Hirst Electric, Jackson, at a cost of \$76,398.68, and authorize the Mayor and City Clerk to execute the appropriate document(s) in accordance with the Purchasing Agent, and authorize the City Attorney to make minor revisions if needed.*

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

B. City-Owned and H4HH Lot Mowing Contracts.

Recommendation: *Approve the renewal of a contract for the City-owned and H4HH lot mowing for the 2019 season to the lowest responsible bidder, Alpha & Omega Construction. (Postponed at the April 9, 2019 City Council meeting.)*

Motion was made by Councilmember Sullivan, seconded by Councilmember Heck to approve the renewal of a contract for the H4HH lot mowing. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, Heck, and Sullivan (7). Nays: none. Motion carried.

C. Private Lot Mowing Contract.

Recommendation: *Award the contract for as-needed private lot mowing for the 2019 season to the lowest bidder, Elysian Landscape, Jackson, in the amount of \$38,450.00.*

Motion was made by Councilmember Sullivan, seconded by Councilmember Robinson to award the contract for as-needed private low mowing for the 2019 season to the lowest bidder, Elysian Landscape. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, Heck, and Sullivan (7). Nays: none. Motion carried.

D. Final Funding Allocations for the 2019-2020 CDBG and HOME Investment Program Grants.

Recommendation: *Approve final funding allocations for the 2019-2020 Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) Grants.*

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

E. Personnel Policy Amendments – Earned Sick Time Act.

Recommendation: *Approve changes to the Personnel Policy to accommodate the new Earned Sick Time Act.*

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

F. Resolution Confirming Roll #3406 for Street Reconstruction, Homecrest Road from Louis Glick Highway to VanBuren Street.

Recommendation: *Approve the resolution confirming Roll #3406 for the street reconstruction on Homecrest Road from Louis Glick Highway to VanBuren Street.*

Motion was made by Councilmember Heck, seconded by Councilmember Sullivan to approve the resolution confirming Roll No. 3406. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Alexander, Pappin, Heck, and Sullivan (6). Nays: Councilmember Dancy (1). Motion carried.

G. Contract Award for the 2019 CDBG Street Construction Project – Homecrest Road: Glick to Van Buren; Second Street: Washington to Wildwood and Steward: Wildwood to Railroad.

Recommendation: *Approve an award for the 2019 Community Development Block Grant (CDBG) Street Construction project for Homecrest Road – Glick to Van Buren; Second Street – Washington to Wildwood, and Steward Avenue – Wildwood to Railroad to Dunigan Brothers, Inc., Jackson, Michigan, at a cost of \$1,211,822.30, and authorization for the Mayor and City Clerk to execute the appropriate document(s) in accordance with the Purchasing Agent, and authorization for the City Attorney to make minor revisions if needed.*

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

NEW BUSINESS:

D. Amendments to the Fireworks Ordinance to Comply with New State Laws. (First Reading)

Recommendation: *Approve an Ordinance amending Chapter 18, City Code, regarding the ignition, discharge, and use of consumer fireworks to comply with changes in state law.*

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

E. Authorization for Judicial Services Group, LLC, to Represent the City of Jackson in Small Claims Actions regarding Unpaid AHB Judgments.

Recommendation: *Approve a Resolution authorizing employees of Judicial Services Group, LLC, to represent the City of Jackson regarding collection of unpaid Administrative Hearings Bureau judgments.*

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

F. Contract Award for the Street Reconstruction Project on Michigan Avenue - First Street to Blackstone Street.

Recommendation: *Approve an award of the contract for the Street Reconstruction project for Michigan Avenue from First Street to Blackstone Street to Bailey Excavating, Inc., Jackson, at a cost of \$978,076.33, and authorize the Mayor and City Clerk to execute the appropriate document(s) in accordance with the Purchasing Agent, and authorize the City Attorney to make minor revisions if needed.*

Motion was made by Councilmember Heck, seconded by Councilmember Sullivan to award the contract. Vote - Yeas: Mayor Dobies, Councilmembers Robinson, Pappin, Heck, and Sullivan (5). Nays: Councilmember Dancy and Alexander (2). Motion carried.

G. Contract Award for the 2019 Local Street Repaving Project - Madison Street - West to Clinton; Park and Elizabeth Streets - Michigan to Van Dorn.

Recommendation: *Approve an award of the 2019 Local Streets Repaving project for Madison Street - West to Clinton and Park and Elizabeth Streets - Michigan to Van Dorn, to Michigan Paving & Materials Company, Jackson, at a cost of \$184,025.69, and authorize the Mayor and City Clerk to execute the appropriate document(s) in accordance with the Purchasing Agent, and authorize the City Attorney to make minor revisions if needed.*

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

H. Purchase of Lift Station Pump at the Myrtle Street Lift Station.

Recommendation: *Approve the purchase of a Submersible Dry Pit Sewage Pump, Check Valve, and Relay from Kennedy Industries, Wixom, in the amount of \$70,511.00, for the Myrtle Street Lift Station.*

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

I. Award of a Roof Replacement Contract - 145 W. Cortland St.

Recommendation: *Award a contract with Butcher & Butcher Construction Company, Inc., in the amount of \$322,500.00 for the roof replacement at 145 W. Cortland Street, authorize the City Manager to approve any and all change orders required to complete the project, and authorize the City Attorney to make minor revisions if needed.*

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

CITY COUNCILMEMBERS' COMMENTS:

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

MANAGER'S COMMENTS:

City Manager Patrick Burtch offered comments.

ADJOURNMENT:

No further 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 9:15 p.m.