



CITY COUNCIL MEETING MINUTES

May 29, 2018

CALL TO ORDER:

The Jackson City Council met in regular session in the City Hall and was called to order at 6:30 p.m. by Mayor Derek J. Dobies.

PLEDGE OF ALLEGIANCE AND INVOCATION:

The Council joined in the Pledge of Allegiance. Invocation was given by Father Brian Lenz, the guest of Third Ward City Councilmember Jeromy Alexander.

ROLL CALL:

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

Absent: Councilmember Andrew R. Frounfelker

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

Mayor Dobies opened the floor to councilmembers interested in offering remarks regarding the police matter involving Councilmember Frounfelker. Mayor Dobies, Councilmembers Sullivan, Pappin, and Robinson offered remarks.

ADOPTION OF AGENDA:

Motion was made by Councilmember Pappin, seconded by Councilmember Dancy to amend the agenda to add Item 5B, City Charter 8.15 Investigations, under New Business to discuss the City's response to the allegations against Councilmember Andrew Frounfelker. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

Motion was made by Councilmember Pappin, seconded by Councilmember Robinson to adopt the agenda as amended. Votes - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

NEW BUSINESS:

A. Resolution Honoring the 100th Anniversary of Henry Ford Allegiance Health.

Recommendation: *Approve and present a resolution honoring the 100th Anniversary of Henry Ford Allegiance Health's commitment to excellent health care in the City of Jackson.*

B. Consideration of invoking section 8.15 Investigations, City Charter

Recommendation: *Approve invoking section 8.15, authorize the City Attorney to prepare a proposal for the investigative structure and maintaining the integrity of the investigation into the allegations against Councilmember Andrew Frounfelker, and have the City Attorney present the proposal to the Council at the June 12th meeting.*

Motion made by Councilmember Pappin seconded by Councilmember Dancy to approve the City Attorney to prepare the structure. Votes - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

PRESENTATIONS/PROCLAMATIONS:

A. Presentation of a plaque honoring Maurice Crawford for his years of service to the City of Jackson on the Police & Fire Pension Board of Trustees (Original) since 1989.

B. Presentation of a plaque honoring Janet Meyer-Jackman as a founding member, and for her service to the City of Jackson on the Jackson Public Arts Commission since 2016.

C. Presentation of a Redevelopment Ready Communities (RRC) Certification Award from the Michigan Economic Development Corporation.

PUBLIC HEARINGS: None.

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 April 30, 2018.

Accept and place on file the Community Development Block Grant (CDBG) and HOME Financial Summaries through April 30, 2018.

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, and Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

B. Jackson Public Arts Commission Meeting Minutes:

Accept and place on file the Jackson Public Arts Commission meeting minutes for April 17, 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, and Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

C. Summary Results of the April 19, 2018 Human Relations Commission Public Forum.

Accept and place on file the Summary Results of the April 19, 2018 Human Relations Commission Public Forum on the conduct of Sheriff Steven Rand.

Motion was made by Councilmember Sullivan, seconded by Councilmember Pappin to accept and place on file. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

CONSENT CALENDAR:

A. Minutes of the Regular Meeting of April 24, 2018:

Approve the minutes of the regular City Council meeting of April 24, 2018.

B. Minutes of the Special Meeting of May 1, 2018:

Approve the minutes of the Special City Council meeting of May 1, 2018.

- C. Minutes of the Special Meeting of May 10, 2018:**
Approve the minutes of the Special City Council meeting of May 10, 2018.
- D. Public Arts Commission Reappointments:**
Approve the Mayor's recommendation to reappoint ex-officio's Michelle McClellan, Patrick Burtch, and Councilmember Colleen Sullivan to serve on the Public Arts Commission for a three year term each, beginning May 29, 2018, and ending May 28, 2021.
- E. Local Development Finance Authority/Brownfield Redevelopment Authority Reappointment:**
Approve the Mayor's recommendation to reappoint Patrick Burtch, Philip Hones, and himself to the Local Development Finance Authority/Brownfield Redevelopment Authority for a four-year term each, beginning June 4, 2018, and ending June 3, 2022.
- F. Environmental Commission Appointments:**
Approve the Mayor's recommendation to appoint Monica Day to the Environmental Commission for a three year term beginning May 30, 2018, and ending May 29, 2021; Kevin Lund for a two year term beginning May 30, 2018, and ending May 29, 2020; Kelli Kazmier for a two year term beginning May 30, 2018, and ending May 29, 2020; Tom Heise for a one year term beginning May 30, 2018, and ending May 29, 2019, and Zack Durham for a one year term beginning May 30, 2018, and ending, May 29, 2019.
- G. 10th annual Mick Webster Memorial Bike Tour:**
Approve a request from Pedal & Tour Fitness to conduct their 10th annual Mick Webster Memorial Bike Tour event on Saturday, June 23, 2018.
- H. Jackson Highland Games:**
Approve a request from Jackson Highland Games to conduct their Jackson Highland Games event on Saturday, July 27, 2018, from 6 a.m. to 5 p.m. at Ella Sharp Park.
- I. Libraries Rock, Summer Reading Program Ending Celebration event:**
Approve a request from Jackson District Library to conduct their Libraries Rock, Summer Reading Program Ending Celebration event on Saturday, August 4, 2018, at 9 a.m. at the CP Federal City Square and Horace Blackman Park.
- J. Amazing Race Jackson:**
Approve a request from Think Jackson, LLC, to conduct its 5th Annual Amazing Race Jackson event on Saturday, August 11, 2018, from 7 a.m. to 10 p.m., in Horace Blackman Park and the CP Federal City Square.
- K. Jackson Civil War Muster:**

Approve a request from Jackson Civil War Society to conduct its 34th Annual Jackson Civil War Muster event on Saturday, August 25, and Sunday, August 26, 2018, from 8 a.m. to 6 p.m. at Ella Sharp Park.

Motion was made by Councilmember Pappin, seconded by Councilmember Sullivan to approve the consent calendar. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

OTHER BUSINESS:

A. Ordinance No. 2018-03, Allowing Up To Two Alternate Members To The Jackson Board of Review. (Second Reading/Final Adoption)

Recommendation: *Adopt Ordinance No. 2018-03, establishing alternate members to the City of Jackson’s Board of Review.*

Motion was made by Councilmember Pappin, seconded by Councilmember Sullivan to adopt the ordinance. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

B. Ordinance No. 2018-04, Amendment to Rezone 212 E. Biddle Street. (Second Reading/Final Adoption)

Recommendation: *Adopt Ordinance No. 2018-04, amending Chapter 28, Section 28-32, City Code, to rezone 212 E. Biddle Street from R-3 (Multiple Family Residential) to R-4 (High Density Apartment and Office). (City Planning Commission recommends approval.)*

Motion was made by Councilmember Pappin, seconded by Councilmember Sullivan to adopt the ordinance. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

C. Third Extension of Termination Dates of Various Wastewater Treatment Service Agreements Entered Into Between the City and Customer Communities.

Recommendation: *Approve execution of the Agreement for Third Extension of Termination Dates of Various Wastewater Treatment Service Agreements entered into between the City of Jackson and Customer Communities, authorize the Mayor and City Clerk 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 Pappin, seconded by Councilmember Sullivan to approve the extension. Votes – Yeas: Mayor

Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

D. Eighth Addendum to Purchase Agreement - Jackson Downtown Partners, LLC.

Recommendation: *Approve execution of the Eighth Addendum to Purchase Agreement with Jackson Downtown Partners, LLC, authorize the City Manager to sign same, authorize the City Attorney to make minor modifications, and authorize the City Manager to take all actions necessary to finalize the Addendum.*

Motion was made by Councilmember Dancy, seconded by Councilmember Sullivan to approve the addendum to the purchase agreement. Votes - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

E. Second Amendment to an Option Agreement with MV Affordable Housing, LLC, regarding 119 E. Wesley, 406 Francis Street, 410 Francis Street, and 412 Francis Street.

Recommendation: *Approve a Second Amendment to an Option Agreement with MV Affordable Housing, LLC, regarding 119 E. Wesley, 406 Francis Street, 410 Francis Street, and 412 Francis Street, authorize the City Manager to sign the Amendment, and authorize the City Manager and City Attorney to make changes to the Amendment.*

Motion was made by Councilmember Pappin, seconded by Councilmember Robinson to approve the amendment. Votes - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

NEW BUSINESS:

A. Resolution to Decertify Streets with MDOT

Recommendation: *Approve a resolution to decertify a portion of First Street, Wildwood Avenue, Washington Avenue, and Hickory Avenue with the Michigan Department of Transportation (MDOT), and authorize the Mayor and City Clerk to execute the resolution.*

Motion was made by Councilmember Pappin, seconded by Councilmember Sullivan to approve the resolution. Votes - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

B. Resolution to Forgo the City of Jackson's Right of First Refusal under PA 123 of 1999.

Recommendation: *Approve a Resolution to forgo the City of Jackson's Right of First Refusal under PA 123 of 1999.*

Motion was made by Councilmember Pappin, seconded by Councilmember Sullivan to move approval for discussion. After discussion ensued a motion was made Councilmember Pappin, seconded by Councilmember Sullivan to approve the resolution. Votes - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Pappin, and Sullivan (5). Nays: Councilmember Alexander (1). Absent: Councilmember Frounfelker. Motion carried.

C. Resolution Requiring the City's Approval Before JHC Accepts or Enters Into Any Agreements Relating to Grants with the Exception of Normal Operating Grants for its Operating Subsidies and Capital Funds.

Recommendation: *Approve a Resolution requiring the City of Jackson's approval in order for the Jackson Housing Commission to accept or enter into agreements relating to grant funding for, but not limited to, Community Development Block Grant (CDBG) funds, and/or HOME funds with the exception of normal operating grants for its operating subsidies and capital funds. (Postponed at the April 10, 2018, City Council meeting.)*

Motion was made by Councilmember Pappin, seconded by Councilmember Sullivan to approve the resolution. Votes - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

D. Resolution for Approval of Contract with MDOT for Street Construction on Cooper Street (M-106) from Porter to the North City Limits Including Aesthetic Gateway Treatments at the Interchange of M-106 with I-94.

Recommendation: *Approve a resolution to enter into a contract with the Michigan Department of Transportation (MDOT) for street construction on Cooper Street (M-106) from Porter to the North City Limits including aesthetic gateway treatments at the interchange of M-106 with I-94, and authorize the Mayor and City Clerk to execute the appropriate documents.*

Motion was made by Councilmember Pappin, seconded by Councilmember Sullivan to approve the resolution. Votes - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

E. Resolution Authorizing the Levy of a Millage in the amount of 1.9996 mills on Parcels in the DDA District for FY 2018-2019.

Recommendation: *Approve a resolution from the Downtown Development Authority authorizing the levy of a millage in the amount of 1.9996 mills on parcels in the Downtown Development Authority District for fiscal year 2018-2019.*

Motion was made by Councilmember Sullivan, seconded by Councilmember Robinson to approve the resolution. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

F. DDA 2018-2019 Fiscal Year Budget.

Recommendation: *Approve the Downtown Development Authority Fiscal Year 2018-2019 budget.*

Motion was made by Councilmember Pappin, seconded by Councilmember Sullivan to approve the budget. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

G. Engineer’s Report for Street Reconstruction on Crescent Road – West Avenue to Fourth Street.

Recommendation: *Receive the Engineer’s Report for street reconstruction on Crescent Road from West Avenue to Fourth Street, and establish June 12, 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 and establish the public hearing. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

H. Engineer’s Report for Street Resurfacing and Roundabout Construction: Fourth Street – Horton Road to Audubon Avenue.

Recommendation: *Receive the Engineer’s Report for street resurfacing and roundabout construction on Fourth Street from Horton Road to Audubon Avenue, and establish June 12, 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 and establish the public hearing. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

I. Engineer's Report for Street Resurfacing and Water Main Replacement - Essex Heights.

Recommendation: *Receive the Engineer's Report for street resurfacing and water main replacement in Essex Heights to include: Glen Drive from Kibby Road to Grovedale Avenue, Essex Lane from South End to Glen Drive, Grovedale Avenue from Glen Drive to Oakridge Avenue, Oakridge Avenue from Grovedale Avenue to West Avenue, and Broadcrest Road from the South End to Oakridge Drive, and establish June 12, 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 Pappin to receive the report and establish the public hearing. Votes - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

J. Engineer's Report for Street Resurfacing and Water Main Replacement: West Avenue - Crescent Road to Bloomfield Boulevard.

Recommendation: *Receive the Engineer's Report for street resurfacing and water main replacement on West Avenue from Crescent Road to Bloomfield Boulevard, and establish June 12, 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 and establish the public hearing. Votes - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

K. Traffic Control Order 2279 - Elmwood Avenue, East of S. West Avenue.

Recommendation: *Approve Traffic Control Order 2279 to install No Parking Signs on Elmwood Avenue, east of South West Avenue.*

Motion was made by Councilmember Pappin, seconded by Councilmember Dancy to approve. Votes - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

L. Annual Purchase of Water and Wastewater Treatment Chemicals.

Recommendation: *Award the various water and wastewater treatment chemical purchases, as presented via the annual supply bid.*

Motion was made by Councilmember Sullivan, seconded by Councilmember Alexander award the purchases. Votes - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and

Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

M. Road Salt Purchase for the 2018-19 Winter Season.

Recommendation: *Approve the purchase of 4,000 tons of road salt from Morton Salt Company for \$52.44 per ton for a total amount of \$209,760.00 for the 2018-19 winter season through cooperative bidding with the Jackson County Department of Transportation.*

Motion was made by Councilmember Pappin, seconded by Councilmember Sullivan to approve the purchase. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

N. Architectural and Engineering Services for Public Works Operations Center.

Recommendation: *Approve a Professional Services Agreement with IBI Group Michigan, LLC, to provide architectural and engineering services for the design of a Public Works Operations Center.*

Motion was made by Councilmember Pappin, seconded by Councilmember Dancy to approve. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

O. Award a Tuckpointing and Masonry Repair Contract - 145 W. Cortland St.

Recommendation: *Award a contract with Cunningham Construction in the amount of \$81,160.00 for tuckpointing and masonry repair at 145 W. Cortland Street, and authorize the City Manager to approve any and all change orders required to complete the project.*

Motion was made by Councilmember Sullivan, seconded by Councilmember Robinson to award the contract. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

P. Award a Structural Roof Repair Contract - 145 W. Cortland St.

Recommendation: *Award a contract with First Contracting, Inc., in the amount of \$113,625.00 for structural roof repairs at 145 W. Cortland Street, and authorize the City Manager to approve any and all change orders required to complete the project.*

Motion was made by Councilmember Sullivan, seconded by Councilmember Pappin to award the contract. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

Q. Award a Window Replacement Contract – 135 and 145 W. Cortland St.

Recommendation: *Award a contract with First Contracting, Inc., in the amount of \$379,168.00 for window replacements at 135 and 145 W. Cortland Street, and authorize the City Manager to approve any and all change orders required to complete the project.*

Motion was made by Councilmember Sullivan, seconded by Councilmember Dancy to award the contract. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

R. Public Arts Commission Five Public Art Panel Locations in the City of Jackson from June 1 - November 1, 2018.

Recommendation: *Approve the Jackson Public Arts Commission five (5) public art panel locations in the City of Jackson from June 1 – November 1, 2018.*

Motion was made by Councilmember Sullivan, seconded by Councilmember Robinson to approve. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

S. Utility Easement for 159 W. Michigan Avenue (Lammers Building).

Recommendation: *Authorize the City Manager to sign a Utility Easement for 159 W. Michigan (Lammers Building) over Parking Lot 7.*

Motion was made by Councilmember Sullivan, seconded by Councilmember Pappin to approve. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Absent: Councilmember Frounfelker. Motion carried.

CITY COUNCILMEMBERS' COMMENTS:

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

MANAGER'S COMMENTS:

City Manager Patrick Burtch offered comments.

ADJOURNMENT:

No further business being offered, a motion was made by Councilmember Sullivan, seconded by Councilmember Dancy to adjourn. Vote was done by voice with a majority in favor. Mayor Dobies adjourned the meeting at 9:21 p.m.