



CITY COUNCIL MEETING MINUTES

June 12, 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. A moment of silence was offered by Fourth Ward City Councilmember Craig Pappin.

ROLL CALL:

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

Absent: none

Also present: City Manager Patrick Burtch, Assistant City Manager/Operations Jonathan Greene, 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.

ADOPTION OF AGENDA:

Mayor Dobies moved to add Item I to the agenda. Motion was made by Councilmember Pappin, seconded by Councilmember Sullivan to adopt as amended. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Motion carried.

PRESENTATIONS/PROCLAMATIONS:

- A. **Proclamation - Jackson Domestic Violence Awareness Month:**
Proclamation proclaiming September 2018 as Jackson Domestic Violence Awareness Month.

Approval of the proclamation was voted on. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Motion carried.

PUBLIC HEARINGS:

A. Public Hearing for Street Reconstruction on Crescent Road – West Avenue to Fourth Street.

Recommendation: *Public hearing determining the necessity for street reconstruction and water and sewer main replacement on Crescent Road from West Avenue to Fourth 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. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Motion carried.

B. Public Hearing for Street Resurfacing and Roundabout Construction: Fourth Street – Horton Road to Audubon Avenue.

Recommendation: *Public hearing determining the necessity for street resurfacing and roundabout construction on Fourth Street from Horton Road to Audubon Avenue.*

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

Motion was made by Councilmember Pappin, seconded by Councilmember Sullivan to approve the resolution. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Alexander, Pappin, and Sullivan (5). Nays: Councilmember Dancy (1). Motion carried.

C. Public Hearing for Street Resurfacing and Water Main Replacement – Essex Heights.

Recommendation: *Public hearing determining the necessity 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.*

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

Motion was made by Councilmember Pappin, seconded by Councilmember Sullivan to approve for discussion. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Alexander, Pappin, and Sullivan (5). Nays: Councilmember Dancy (1). Motion carried.

D. Public Hearing for Resurfacing and Water Main Replacement: West Avenue – Crescent Road to Bloomfield Boulevard.

Recommendation: *Public hearing determining the necessity for street resurfacing and water main replacement on West Avenue from Crescent Road to Bloomfield Boulevard.*

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. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Alexander, Pappin, and Sullivan (5). Nays: Councilmember Dancy (1). Motion carried.

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

E. Public Hearing on Special Assessment Roll No. 4279 – Delinquent Miscellaneous 101 General Fund Accounts Receivable.

1. *Resolution confirming Roll No. 4279.*

Motion was made by Councilmember Pappin, seconded by Councilmember Sullivan to approve the resolution and direct the City Manager to look into the invoices billed to 1215 Chittock as well as the two objection letters that were submitted for the hearing (1626 Second Street and 509 S Pleasant). Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Motion carried.

F. *Public Hearing on Special Assessment Roll No. 4280 – Delinquent Miscellaneous 641 Public Works Fund Accounts Receivable.*

1. *Resolution confirming Roll No. 4280.*

Motion was made by Councilmember Pappin, seconded by Councilmember Dancy to approve the resolution and have the City Manager look into the cases of 108/110 Moore and 844 Foote. Councilmember Sullivan made a friendly amendment to add 1220 Fourth Street. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Motion carried.

G. *Public Hearing on Special Assessment Roll No. 4281 – Delinquent Miscellaneous 252 Building Demolition Fund Accounts Receivable.*

1. *Resolution confirming Roll No. 4281.*

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

Adjourn as a Board of Review and reconvene as City Council.

H. **Hearing to Remove Valerie Cochran-Toops from the Human Relations Commission.**

Conduct a Hearing at the request of Valerie Cochran-Toops regarding the Mayor's recommendation to remove her from the Human Relations Commission.

Valerie Cochran-Toops provided a written and oral statement to the Council requesting that the charges of malfeasance, misfeasance, and nonfeasance against her be dismissed.

1. **Consider the Removal of Valerie Cochran-Toops from the Human Relations Commission.**

Recommendation: *Approve the Mayor's recommendation to remove Valerie Cochran-Toops from the Human Relations Commission, in accordance with City Code, Chapter 2, Section 2-261.*

Item failed for lack of a motion.

CITIZEN COMMENTS:

Citizen comments were heard and the meeting continued.

PETITIONS & COMMUNICATION FROM CITY STAFF AND OTHER GOVERNMENTAL ENTITIES:

A. HRC 2017 Annual Report.

Recommendation: *Accept and place on file the 2017 Human Relations Commission Annual Report.*

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

B. Resignation from City Council.

Recommendation: *Accept and place on file the resignation of Andrew R. Frounfelker, Fifth Ward City Councilmember received by the City Clerk's office on Tuesday, June 12, 2018.*

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

Motion was made by Councilmember Sullivan, seconded by Councilmember Pappin to add item 8C. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Motion carried.

C. 5th Ward Council Seat Vacancy.

Recommendation: *Direct the City Manager to begin the process of filling the Council vacancy in the 5th Ward by the process as written in the Charter.*

Motion was made by Councilmember Sullivan, seconded by Councilmember Pappin to direct the City Manager to start the process to accept applications to fill the Council seat in the 5th Ward. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Motion carried.

CONSENT CALENDAR:

A. Minutes of the Regular Meeting of May 29, 2018:

Approve the minutes of the regular City Council meeting of May 29, 2018.

B. Minutes of the Special Meeting of May 31, 2018:

Approve the minutes of the Special City Council meeting of May 31, 2018.

C. Human Relations Commission Resignation:

Receipt with regret the resignation of Rev. John Clemons from the Human Relations Commission effective immediately.

D. City of Jackson Building Authority Reappointments:

Approve Mayor's recommendation to reappoint Bethany Smith and Patrick Burtch to the City of Jackson Building Authority for a three-year term each, beginning July 1, 2018, and ending June 30, 2021.

E. Food Truck Tuesday:

Approve the request from Consumers Energy to hold a Food Truck Tuesday on June 26, July 10, 24, August 7, and 21, 2018, from 11:00 a.m. to 1:30 p.m., at the Consumer Energy Amphitheater.

Motion was made by Councilmember Alexander to remove Item D for separate consideration. Vote was taken to approve the Consent Calendar without Item D. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Motion carried.

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

OTHER BUSINESS:

A. Change Order 2 to the 2017 CDBG First Street Enhancement and Repaving Contract with Rieth-Riley Construction Company, Inc.

Recommendation: *Approve Change Order 2 to the 2017 Community Development Block Grant (CDBG) First Street Enhancement and Repaving from Franklin to Washington contract with Rieth-Riley Construction Company, Inc., in the increased amount of \$66,859.40 for pavement repairs on Morrell Street between Brown Street and West Avenue, and authorize the City Manager and City Engineer to execute the appropriate document.*

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

B. Amendment 5 to the 2017 Water Main Replacement Program Engineering Contract with Northwest Consultants, Inc.

Recommendation: *Approve Amendment 5 to the 2017 Water Main Replacement Program Engineering contract with Northwest Consultants, Inc. (NCI), Canton, Michigan, at a not-to-exceed cost of \$205,550.73, and authorize the City Manager and City Engineer to sign the appropriate document.*

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

NEW BUSINESS:

A. Water and Sewer Rate Resolution:

Recommendation: *Approve the 2018-2019 Water and Sewer Rate Resolution.*

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

B. Engineer’s Report for Street Reconstruction and Water Main Replacement Edgewood Street: Michigan Avenue to North Street.

Recommendation: *Receive the Engineer’s Report for street reconstruction and water main replacement on Edgewood Street from Michigan Avenue to North Street and establish June 26, 2018, at the City Council meeting as the time and place to hold a public hearing of necessity.*

Motion was made by Councilmember Pappin, seconded by Councilmember Alexander to receive the report and establish the public hearing. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Motion carried.

C. Traffic Control Order 2280, E. Washington Avenue and S. Cooper St.

Recommendation: *Approve Traffic Control Order 2280 to install a “Turning Vehicles Yield to Pedestrians” sign on East Washington Avenue west of South Cooper Street.*

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

D. Professional Services Agreement for Construction Engineering Services related to Ultraviolet Disinfection System at the WWTP.

Recommendation: *Approve a Professional Services Agreement with Wade Trim Associates to provide construction engineering services related to the installation of the ultraviolet disinfection system at the City's Wastewater Treatment Plant (WWTP).*

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

E. Revision to Annual Purchase of Water and Wastewater Treatment Chemicals.

Recommendation: *Rescind the bid award for sulfur dioxide originally given to Chemical Services, Inc., and award the purchase of Sulfur Dioxide to JCI Jones Chemical, Inc., as the lowest responsible bid via the annual treatment chemical supply bid.*

Motion was made by Councilmember Pappin, seconded by Councilmember Dancy to rescind the bid to Chemical Services, Inc. and award to Sulfur Dioxide. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Motion carried.

F. Contracts to Conduct Combined Lead Inspection/Risk Assessments and/or Clearance Examinations for the City's LBPHC Grant Program.

Recommendation: *Award contracts to conduct combined lead paint inspection/risk assessments and/or clearance examinations for the City's Lead-Based Paint Hazard Control (LBPHC) Grant Program, authorize the Mayor to sign the contracts, and authorize the City Attorney to make minor modifications, if necessary.*

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

G. Ordinance – 2018-19 Non-Union Pay Scale (First Reading).

Recommendation: *Approve an Ordinance establishing compensation rates for non-union administrative and supervisory employees of the City of Jackson.*

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

H. Release of a Development Agreement with Kevin & Susan DeMay regarding 714 Hupp Avenue.

Recommendation: *Approve a Release of a Development Agreement and Termination of the City of Jackson’s Interest to repurchase property located at 714 Hupp Avenue, authorize the City Manager to execute the Release and authorize the City Attorney to make modifications if needed.*

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

I. First read of ordinances to update City Code to reflect the protected classes established by the Non-Discrimination Ordinance (First Reading).

Recommendation: *Approve Ordinances that updates the Code with the additional protected classes that are covered by the Non-Discrimination Ordinance and allow the City Attorney to make modifications as needed to the documents as presented.*

Motion was made by Councilmember Pappin, seconded by Councilmember Alexander to approve the first reading of the changes related to Chapter 2, Chapter 6, Chapter 14, and Chapter 15 as presented and advance to a second reading. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Motion carried.

CITY COUNCILMEMBERS’ COMMENTS:

Mayor Dobies, Councilmembers Robinson, Dancy, Pappin, and Sullivan all offered comments. Councilmember Alexander 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 a majority in favor. Mayor Dobies adjourned the meeting at 9:25 p.m.