



CITY COUNCIL MEETING MINUTES

August 14, 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. Mayor Derek Dobies offered a moment of silence.

ROLL CALL:

Present: Mayor Derek J. Dobies, Councilmembers Arlene Robinson, Freddie Dancy, Jeromy Alexander, Craig Pappin, 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 Police and Fire Services Elmer Hitt, City Engineer Jon Dowling, and Director of Neighborhood and Economics Operations Jennifer Morris.

ADOPTION OF AGENDA:

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

EXECUTIVE SESSION:

Motion was made by Councilmember Pappin, seconded by Councilmember Dancy to adjourn to executive session. Votes - Yeas: Mayor Dobies, Councilmember Robinson, Dancy, Alexander, Pappin, Sullivan (6). 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, Councilmember Robinson, Dancy, Alexander, Pappin, Sullivan (6). Nays: none. Motion carried.

PRESENTATIONS/PROCLAMATIONS:

A. Presentation by Edward Thayer regarding a sculpture for the Martin Luther King Trailhead located on the corner of Washington Avenue and Cooper Street.

- 1. Recommendation:** *Approve a contract for the creation and installation of a sculpture at the Martin Luther King Trailhead located on the corner of Washington Avenue and Cooper Street to Edward Thayer, Jackson, in the amount of \$30,000.00, in accordance with the recommendation of the Jackson Public Arts Commission.*

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

PUBLIC HEARINGS:

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

A. Meterless Parking for 2018-2019:

Public hearing on Special Assessment Roll No. 4282 for Meterless Parking 2018-2019.

- 1. Consider a resolution confirming Roll No. 4282.*

David Lammers of 159 W. Michigan Avenue, Donald Webb of 101 W. Michigan Avenue, St. Paul Episcopal Church at 309 S Jackson St all sent correspondence in opposition to the special assessment.

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

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

B. Public Hearing for the Necessity of Street Resurfacing Thompson Street from South End to Wildwood Avenue.

Hold a public hearing for the necessity of street resurfacing on Thompson Street from south end to Wildwood Avenue.

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

Motion was made by Councilmember Sullivan, seconded by Councilmember Pappin to move for discussion. Votes – Yeas: Councilmember Robinson, Alexander, Pappin, Sullivan (4). Nays: Councilmember Dancy (1). Abstained: Mayor Dobies (1). Motion carried.

C. Public Hearing for the Necessity of Street Resurfacing on Higby Street from the South End to Daniel Road.

Hold a public hearing for the necessity of street resurfacing on Higby Street from south end to Daniel Road.

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

Motion was made by Councilmember Sullivan, seconded by Councilmember Robinson to approve the resolution ordering the construction and preparation of the special assessment roll. Votes – Yeas: Mayor Dobies, Councilmember Robinson, Alexander, Pappin, and Sullivan (5). Nays: Councilmember Dancy (1). Motion carried.

D. Public Hearing for the Necessity of Street Resurfacing on Durand Street from Morrell Street to Wildwood Avenue.

Hold a public hearing for the necessity of street resurfacing on Durand Street from Morrell Street to Wildwood Avenue.

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

Motion was made by Councilmember Pappin, seconded by Councilmember Alexander to approve the resolution ordering the construction and preparation of the special assessment roll. Votes – Yeas: Mayor Dobies, Councilmember Robinson, Alexander, Pappin, and Sullivan (5). Nays: Councilmember Dancy (1). Motion carried.

E. Public Hearing for the Necessity of Street Resurfacing on Grinnell Street from Gettysburg Avenue to Michigan Avenue.

Hold a public hearing for the necessity of street resurfacing on Grinnell Street from Gettysburg Avenue to Michigan Avenue.

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

Motion was made by Councilmember Sullivan, seconded by Councilmember Pappin to approve the resolution ordering the construction and preparation of the special assessment roll. Votes – Yeas: Mayor Dobies, Councilmember Robinson, Alexander, Pappin, and Sullivan (5). Nays: Councilmember Dancy (1). Motion carried.

CITIZEN COMMENTS:

Citizen comments were heard. A recess was taken from 8:55 p.m.-9:00 p.m. after which citizen comments continued.

PETITIONS & COMMUNICATION FROM CITY STAFF AND OTHER GOVERNMENTAL ENTITIES:

A. 2018 July Board of Review Minutes.

Recommendation: *Accept and place on file the 2018 July Board of Review Minutes.*

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. Motion carried.

B. City Summary of Revenue and Expenditures.

Recommendation: *Accept and place on file the City of Jackson's summary of revenue and expenditures for twelve (12) months ended, June 30, 2018.*

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

C. CDBG and HOME Financial Summaries through June 30, 2018.

Recommendation: *Accept and place on file the Community Development Block Grant (CDBG) and HOME Financial Summaries through June 30, 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. Motion carried.

CONSENT CALENDAR:

- A. Minutes of the Regular Meeting of July 17, 2018:**
Approve the minutes of the regular City Council meeting of July 17, 2018.
- B. Minutes of the Special Meeting of July 31, 2018:**
Approve the minutes of the special City Council meeting of July 31, 2018.
- C. Minutes of the Special Meeting of August 6, 2018:**
Approve the minutes of the special City Council meeting of August 6, 2018.
- D. DDA Resignation:**
Receipt with regret the resignation of Karen Bunnell from the Downtown Development Authority.
- E. Public Arts Commission Resignation:**
Receipt with regret the resignation of Karysa Trombley from the Public Arts Commission.
- F. Public Arts Commission Resignation:**
Receipt with regret the resignation of Stacy Harrison from the Public Arts Commission.
- G. Ella W. Sharp Park Board of Trustees Resignation:**
Receipt with regret the resignation of Timothy Kelly from the Ella W. Sharp Park Board of Trustees.
- H. Civil Service Commission Reappointment:**
Mayor's recommendation to reappoint Sheila Patterson to the Civil Service Commission for a three year term, beginning September 1, 2018, and ending August 31, 2021.
- I. Human Relations Commission Appointments:**
Mayor's recommendation to appoint Cheryl Ragland to the Human Relations Commission, filling a current vacancy, beginning immediately, and ending December 31, 2018, and to appoint Julia Josling to the Human Relations Commission, filling a current vacancy, beginning immediately and ending December 31, 2020, in accordance with the Human Relations Commission recommendation.
- J. Ella W. Sharp Park Board of Trustees Appointments:**
Mayor's recommendation to appoint Russell Davis to serve as Trustee to the Ella Sharp Park Board of Trustees to fulfill an existing vacancy with a term ending October 31, 2018, and to appoint Danielle Dobies to serve as Trustee to the Ella Sharp Park Board of Trustees to fulfill an existing vacancy with a term ending January 31, 2020.

- K. Good News Event:**
Approve a request from Jackson Gospel Hall to conduct their Good News event on Saturday, August 25, 2018, from 5:45 p.m. to 6:45 p.m. at CP Federal Square and Horace Blackman Park.
- L. PCG Sunday Service to the City:**
Approve a request from Pentecostal Church of God to conduct their PCG Sunday Service to the City on Sunday, August 19, 2018, from 10:00 a.m. to 3:00 p.m. at Horace Blackman Park and CP Federal City Square.
- M. AARP Shred Event:**
Approve a request from AARP Michigan to conduct their AARP Shred event on Thursday, August 30, 2018, from 2:00 p.m. to 6:30 p.m. in City Lot #3.
- N. Cascades End of Summer Celebration:**
Approve a request from Jackson County Parks Department to conduct its Annual End of Summer Celebration event on Saturday, September 1, 2018, from 9:00 a.m. to 11:00 p.m. at Cascades Falls Park.
- O. Annual Grand River Clean-up:**
Approve a request from Grand River Environmental Action Team (GREAT) to conduct their Annual Grand River Clean-up on September 8, 2018, at 7:00 a.m. at the Consumers Energy's Amphitheatre and Parking Garage, Lions Park, and R.A. Greene Park.
- P. Juvenile Diabetes Research Foundation – JDRF One Walk:**
Approve a request from Juvenile Diabetes Research Foundation to conduct its 20th Annual JDRF One Walk event on Saturday, September 8, 2018, from 8:00 a.m. to 12:00 p.m., at Ella Sharp Park near the Carters Corner.
- Q. Walk to End Alzheimer's:**
Approve a request from the Alzheimer's Association to conduct their Walk to End Alzheimer's event on Friday, September 14, 2018, from 1:00 p.m. to 7:30 p.m., at the CP Federal Square and Horace Blackman Park in downtown Jackson.
- R. Prince Hall Americanism Day:**
Approve a request from St. Nicholas Lodge #12 to conduct their Prince Hall Americanism Day event on September 16, 2018, from 1:15 p.m. to 6:00 p.m., at the MLK Center, and Second Missionary Baptist Church.
- S. Heart of a Lion 5k Run:**
Approve a request from the Jackson Area 19 Special Olympics to conduct their Heart of a Lion 5k Run event on October 16, 2018, in Ella Sharp Park from 6:00 a.m. to 12:00 p.m.

Motion was made by Councilmember Pappin to remove item J for separate consideration. Motion was made by Councilmember Alexander, seconded by Councilmember Pappin to approve the amended consent calendar. Votes - Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Motion carried.

Motion was made by Councilmember Alexander, seconded by Councilmember Pappin to divide the question in Item J. Motion was made by Councilmember Pappin, seconded by Councilmember Alexander to appoint Russell Davis to the Ella W. Sharp Park Board of Trustees. Votes - 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 appoint Danielle Dobies to the Ella W. Sharp Park Board of Trustees. Votes - Yeas: Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (5). Nays: none. Abstained: Dobies (1). Motion carried.

OTHER BUSINESS:

- A. Ordinance No. 2018-09, Revisions to Section 2-368, Article II, Chapter 2, Division 10, City Code, of the Environmental Commission Ordinance (Second/Final Reading).**

Recommendation: *Adopt Ordinance No. 2018-09, amending Section 2-368, Article II, Chapter 2, Division 10, City Code, to clarify the voting powers statutory ex-officio members and appointed ex-officio members of the Jackson Environmental Commission.*

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. Motion carried.

- B. Amendment 1 to the 2019 Street Engineering Contract to Provide for a Continuation of Preliminary and Construction Engineering Services for Various Projects.**

Recommendation: *Approve Amendment 1 to the 2019 Street Engineering contract with Hubbell, Roth & Clark, Inc. (HRC) of Bloomfield Hills, MI, to provide for a continuation of preliminary and construction engineering services for various projects at a not-to-exceed cost of \$153,001.50, 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. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Motion carried.

C. Amendment 6 to the 2017 Water Main Replacement Program Engineering Contract with Northwest Consultants, Inc., adding Construction Engineering for Lead Service Replacements.

Recommendation: *Approve Amendment 6 to the 2017 Water Main Replacement Engineering contract with Northwest Consultants, Inc., (NCI), Canton, Michigan, at a not-to-exceed cost of \$20,988.28, adding construction engineering for lead service replacements, 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. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Pappin, and Sullivan (6). Nays: none. Motion carried.

D. Contract Renewal for As-Needed Sidewalk Snow and Ice Removal.

Recommendation: *Approve the third renewal of the contract with ABC Lawn and Snowplowing for services to include private property and other city-owned sidewalk snow removal at a cost of \$0.12 per lineal foot snowplowing, and \$0.12 per lineal foot deicer/salt application in areas to include private property and City owned sidewalks in areas outside the immediate downtown.*

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

E. Personnel Policy Revisions.

Recommendation: *Approve a Personnel Policy change related to years of service for retirement eligibility.*

Motion was made by Councilmember Pappin, seconded by Councilmember Sullivan to approve. Votes – Yeas: Mayor Dobies, Councilmembers Alexander, Pappin, and Sullivan (4). Nays: Councilmembers Robinson and Dancy (2). Motion carried.

F. Corrective Resolution for Special Assessment Roll No. 4280.

Recommendation: *Approve a Corrective Resolution for Special Assessment 4280 for Delinquent Miscellaneous Public Works Fund Accounts Receivable, confirmed June 12, 2018.*

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

G. Extension of the Leaf Pickup Program General Services Contract with United Waste for the 2018 Season.

Recommendation: *Approve an extension of the General Services Agreement with United Waste of Jackson to conduct the 2018 Curbside Leaf Pickup Program in the amount of \$126,882.08.*

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

H. Contract Renewal to Provide Snow and Ice Removal Services on Downtown Sidewalks and the Police Department Facility.

Recommendation: *Approve a contract renewal with Executive Property Management, Jackson, to provide snow and ice removal services on the downtown sidewalks and the City of Jackson Police Department parking lots and sidewalks at a cost of \$43,600.00 for the downtown sidewalks, and \$1,505.00 for the Police Department Facility.*

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

I. Resolution Confirming Special Assessment Roll No. 3395, Essex Heights.

Recommendation: *Approve a Resolution confirming Special Assessment Roll No. 3395– Street resurfacing and water main replacement in Essex Heights. (Postponed at the July 31, 2018 Special City Council meeting.)*

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

NEW BUSINESS:

- A. Resolution for Approval of Contract with MDOT for \$404,950.00 (City Share) for Fourth Street at Stonewall Road and Horton Road Intersection.**

Recommendation: *Approve a resolution to enter into a contract with the Michigan Department of Transportation (MDOT) in the amount of \$404,950.00 (City share) for reconstruction where Fourth Street meets Stonewall Road and Horton Road, along with traffic signal replacement, and authorize the Mayor and City Clerk to execute the appropriate documents.*

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

- B. Kiwanis Club of Jackson Playground Rebuild at Kiwanis Park, September 21, 2018.**

Recommendation: *Approve the Kiwanis Club of Jackson request to rebuild a community built playground at Kiwanis Park on September 21, 2018.*

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

- C. Request for Qualifications and Proposals (RFQP) for an Architect to Design Upgrades for the Martin Luther King Facility.**

Recommendation: *Approve the City of Jackson Parks, Recreation and Cemeteries Department to move forward on a request for qualifications and proposals (RFQP) for an architect to design upgrade for the Martin Luther King Center Facility.*

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

- D. Purchase of a 2019 Freightliner Service Body Truck from D & K Truck Company.**

Recommendation: *Approve the purchase of a 2019 Freightliner M2 106 Service Body Truck from D&K Truck Company, Lansing, in the amount of \$110,456.63 through the State of Michigan MiDEAL program.*

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

E. Purchase of a 2019 Freightliner 108SD Dump Truck and Snow Plow.

Recommendation: *Approve the purchase of a 2019 Freightliner 108SD Dump Truck and Snow Plow from D&K Truck Company, Lansing, and outfitted for snow plow use by Truck and Trailer Specialties, Howell, in the amount of \$157,817.00 through the State of Michigan MiDEAL program, and authorize the financing of the purchase over a two (2) year period with annual payments.*

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

F. Receipt of Street Vacation Petition.

Recommendation: *Receipt of a petition circulated by Jeff Kirkpatrick of 401 S. Jackson Street, to vacate a portion of Johnson Street.*

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

G. Installation of New Energy Efficient Lights and Fixtures in City Hall.

Recommendation: *Approve the installation of new energy efficient lights and fixtures in City Hall by Energy Reduction Coalition, Troy, at no cost to the City.*

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

H. Designation of the City Attorney as the City's Representative in Regards to the Protective Order in the Opioid Lawsuit.

Recommendation: *Approve designating the City Attorney as the City's Representative in regards to a Protective Order in the Opioid Lawsuit.*

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

J. Fifth Ward City Councilmember Appointment.

Each candidate was given five minutes to provide a statement to the Council. Following the statements, a motion was made by Councilmember Alexander, seconded by Councilmember Pappin to appoint Susan Murdie. Votes – Yeas: Councilmembers Alexander and Pappin (2). Nays: Mayor Dobies, Councilmembers Robinson, Dancy, and Sullivan (4). Motion failed.

Motion was made by Councilmember Sullivan, seconded for discussion by Mayor Dobies to appoint Charles Keeling. Votes – Yeas: Mayor Dobies, Councilmembers Robinson and Sullivan (3). Nays: Councilmembers Dancy, Alexander, and Pappin (3). Motion failed.

Motion was made by Councilmember Dancy, seconded by Councilmember Pappin to appoint Peter Bormuth. Votes – Yeas: Councilmembers Dancy and Alexander (2). Nays: Mayor Dobies, Councilmembers Robinson, Pappin, and Sullivan (4). Motion failed.

Motion was made by Councilmember Sullivan, seconded for discussion by Mayor Dobies to reopen the application process for thirty days. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Pappin, and Sullivan (4). Nays: Councilmembers Dancy and Alexander (2). Motion carried.

CITY COUNCILMEMBERS' COMMENTS:

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

MANAGER'S COMMENTS:

City Manager Patrick Burtch declined to offer 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 11:00 p.m.