



## **SPECIAL CITY COUNCIL MEETING MINUTES**

September 17, 2018

### **CALL TO ORDER:**

The Jackson City Council met in special session and was called to order at 6:02 p.m. by Mayor Derek J. Dobies.

### **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, and City Attorney Bethany Smith.

### **ADOPTION OF AGENDA:**

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

### **CITIZEN COMMENTS:**

Citizen comments were heard and the meeting continued.

### **INTERVIEW OF 5<sup>TH</sup> WARD CITY COUNCILMEMBER CANDIDIATES:**

#### **A. INTERVIEW STACY HARRISON**

The applicant requested that her application be discussed in closed session.

#### **B. INTERVIEW ROBERT COLE**

The applicant did not request that his application be discussed in closed session.

A recess was taken from 8:03-8:08 pm.

**C. INTERVIEW DAVID JONES**

The applicant withdrew his application from consideration.

**D. INTERVIEW LISA NEINO**

The applicant requested that her application be discussed in closed session.

**E. INTERVIEW JOHN COLLIS**

The applicant did not request that his application be discussed in closed session.

**F. INTERVIEW ANTHONY DONOHO**

The applicant was not present at the meeting.

**G. INTERVIEW STACY GUTHRIE**

The applicant did not request that her application be discussed in closed session.

**H. INTERVIEW KELSEY HECK**

The applicant did not request that her application be discussed in closed session.

A recess was taken from 9:44-9:50 p.m.

**SELECTION OF CANDIDATE:**

Motion was made by Councilmember Sullivan, seconded for discussion by Mayor Dobies to appoint Kelsey Heck as the 5<sup>th</sup> Ward City Councilmember subject to compliance with the Charter and the residency requirements. Votes – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, and Sullivan (4). Nays: Councilmembers Alexander and Pappin (2). Motion passed.

**ADJOURNMENT:**

No further business being offered a motion to adjourn was made by Councilmember Dancy, seconded by Councilmember Sullivan. Mayor Dobies adjourned the meeting at 10:22 p.m.



## CITY COUNCIL MEETING MINUTES

September 18, 2018

### **CALL TO ORDER:**

The Jackson City Council met in regular session and was called to order at 6:32 p.m. by Mayor Derek J. Dobies.

### **PLEDGE OF ALLEGIANCE AND INVOCATION:**

The Council joined in the Pledge of Allegiance. A moment of silence to reflect on those affected by Hurricane Florence was offered by Second Ward City Councilmember Freddie Dancy.

### **ROLL CALL:**

Present: Mayor Derek J. 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, Assistant City Manager/Operations Jonathan Greene, City Engineer Jon Dowling, City Assessor Jason Yoakam, Director of Police and Fire Services Elmer Hitt, and Director of Neighborhood and Economic Development Jennifer Morris.

### **ADOPTION OF AGENDA:**

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

**PRESENTATIONS/PROCLAMATIONS:** none.

## PUBLIC HEARINGS:

### **A. Public Hearing for Justice Assistance Grant (JAG) Program.**

*Public hearing regarding the use of \$44,904.00 in FY 2018 JAG funds by the City for the purchase and installation of an indoor firearms range, and the County's purchase of body armor, radios, and radio equipment.*

No comments were offered and the hearing was closed.

### **B. Public Hearing for CDBG/HOME Program Performance and Request for Authorization to submit the CAPER to HUD.**

*Public hearing to receive citizen comment regarding the Consolidated Annual Performance and Evaluation Report (CAPER), and authorize the submittal to the Department of Housing and Urban Development (HUD).*

Barb Shelton questioned how the funds are being allocated. Cindy Eby spoke of a need of an advocate on the Council.

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

### **C. Public Hearing on Special Assessment Roll No. 3398.**

*Public hearing on Special Assessment Roll No. 3398 for street resurfacing on Durand Street from Morrell street to Wildwood Avenue.*

Tim Comden of 118 S. Durand spoke in opposition of the special assessment. Bill Nichols of 402 S. Durand spoke in support of the project. Kris Davis of 1315 W. Franklin spoke in opposition of the special assessment.

#### *1. Resolution confirming Roll No. 3398.*

Motion was made by Councilmember Sullivan to confirm the roll. Mayor Dobies seconded for discussion. A motion to amend was made by Councilmember Alexander, seconded by Councilmember Dancy to reduce the amount of the assessments by 50%. A vote was taken on the amended motion. Votes - Yeas: Councilmembers Dancy and Alexander (2). Nays: Mayor Dobies, Councilmembers Robinson, Pappin, Heck, and Sullivan (5). Motion failed. A vote was taken on the main motion. Votes - Yeas: Mayor Dobies, Councilmembers Robinson, Pappin, Heck, Sullivan (5). Nays: Councilmembers Dancy and Alexander (2). Motion carried.

**D. Public Hearing on Special Assessment Roll No. 3399.**

*Public hearing on Special Assessment Roll No. 3399 for street resurfacing on Grinnell Street from Gettysburg Avenue to Michigan Avenue.*

Jeff and Lindsey Gould of 203 S. Grinnell, Susan Iocca of 811 Union Street, Scott Englemann of 800 S. Grinnell, Russell Boone (estate) of 1121 S. Grinnell, and David Taylor of 119 S. Grinnell all sent in correspondence regarding the special assessment. Delia Johnson of 1106 S. Grinnell spoke in favor of the project. Kayla Miller of 1115 S. Grinnell spoke in opposition of the assessment. Heidi Rhodes of 104 S. Grinnell spoke in opposition of the assessment.

1. *Resolution confirming Roll No. 3399.*

Motion was made by Councilmember Pappin, seconded by Councilmember Sullivan to confirm the roll. A motion to amend was made by Councilmember Alexander, seconded Councilmember Dancy to reduce the amount of the assessments by 50% capping the amount assessed to residents to 25% of the project. A vote was taken on the amended motion. Votes - Yeas: Councilmembers Alexander and Dancy (2). Nays: Mayor Dobies, Councilmembers Robinson, Pappin, Heck, and Sullivan (5). Motion failed. Vote was taken on the main motion. Votes - Yeas: Mayor Dobies, Councilmembers Robinson, Pappin, Heck, Sullivan (5). Nays: Councilmembers Dancy and Alexander (2). Motion carried.

**E. Public Hearing on Special Assessment Roll No. 3400.**

*Public hearing on Special Assessment Roll No. 3400 for street resurfacing on Higby Street from south end to Daniel Road.*

Kelly Szymanski of 1004 S. Higby, Patrick and Susan Riley of 1503 W. Washington, Sasha Spencley of 809 S. Higby, and Lepdean and Kathryn Hall of 1029 S. Higby all sent in correspondence regarding the special assessment. Richard Wollett of 200 N. Higby asked when the project would begin and when the assessment would be billed. Frank White of 1049 S. Higby spoke in opposition of the assessment. Bol Duot of 1041 S. Higby spoke in opposition of the assessment. Gail Patton of 214 N. Higby spoke in favor of the project. Janet Ledbetter of 105 N. Higby spoke in opposition of the project. Dave Rusnell of 1415 Carlton spoke in opposition of the project.

1. *Resolution confirming Roll No. 3400.*

Motion was made by Councilmember Sullivan, seconded by Councilmember Robinson to confirm the roll. A motion to amend was made by Councilmember Alexander, seconded by Councilmember Dancy to reduce the amount assessed to 25% of the total cost of the project. Votes- Yeas: Councilmembers Alexander and Dancy (2). Nays: Mayor Dobies, Councilmembers Robinson, Pappin, Heck, and Sullivan (5). Motion failed. A vote was taken on the main motion. Votes - Yeas: Mayor Dobies, Councilmembers Robinson, Pappin, Heck, and Sullivan (5). Nays: Councilmembers Dancy and Alexander (2). Motion carried.

**F. Public Hearing on Special Assessment Roll No. 3401.**

*Public hearing on Special Assessment Roll No. 3401 for street resurfacing on Thompson Street from south end to Wildwood Avenue.*

Stephen and Sandie Reilly of 122 N. Thompson and Jeffrey Briston of 1042 S. Thompson sent in correspondence regarding the special assessment. John Schaub of 310 S. Thompson spoke in support of the project. Will Forgrave of 902 S. Thompson spoke in opposition of the assessment.

1. *Resolution confirming Roll No. 3401.*

Motion was made by Councilmember Pappin, seconded by Councilmember Robinson to confirm the roll. Motion to amend was made by Councilmember Alexander, seconded by Councilmember Dancy to reduce the amount assessed to 25%. Votes- Yeas: Councilmembers Alexander and Dancy (2). Nays: Councilmembers Robinson, Pappin, Heck, and Sullivan (4). Abstained: Mayor Dobies (1). Motion failed. A vote was taken on the main motion. Votes - Yeas: Councilmember Robinson, Pappin, Heck, and Sullivan (4). Nays: Councilmembers Alexander and Dancy (2). Abstained: Mayor Dobies (1). Motion carried.

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

**CITIZEN COMMENTS:**

Citizen comments were heard and the meeting continued.

**PETITIONS & COMMUNICATION FROM CITY STAFF AND OTHER GOVERNMENTAL ENTITIES:**

- A. CDBG & HOME Financial Summaries through July 31, 2018.**  
**Recommendation:** *Accept and place on file the Community Development Block Grant and HOME Financial Summaries through July 31, 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, Heck, and Sullivan (7). Nays: none. Motion carried.

**CONSENT CALENDAR:**

- A. Minutes of the Regular Meeting of September 4, 2018:**  
*Approve the minutes of the regular City Council meeting of September 4, 2018.*
- B. Board of Review Appointment.**  
*Approve the Mayor's recommendation to appoint David Taylor to the Board of Review as an alternate, filling a current vacancy, beginning immediately, and ending June 28, 2021.*
- C. City Employees Retirement System Board of Trustees Appointment.**  
*Approve the Mayor's recommendation to appoint Charles Keeling to the City Employees Retirement System Board of Trustees for a four year term beginning immediately, and ending August 31, 2022.*
- D. Local Officers Compensation Commission Appointment.**  
*Approve the Mayor's recommendation to appoint Charles Keeling to the Local Officers Compensation Commission filling a current vacancy beginning immediately, and ending February 28, 2023.*
- E. HRC Resignation.**  
*Receipt with regret the resignation of Russell Jennings from the Human Relations Commission.*
- F. National POW/MIA, 24 Hour Vigil.**  
*Approve a request from the Vietnam Veterans of America Chapter 109 to conduct their National POW/MIA, 24 hour vigil event on Friday, September 21, 2018, to September 22, 2018, in Withington Veterans Park.*
- G. A Walk Through Jackson's Past, A Guided Tour through Mt. Evergreen Cemetery.**  
*Approve a request from the Jackson District Library to conduct its A Walk through Jackson's Past, a guided tour through Mt. Evergreen Cemetery event on Saturday, October 6, 2018, from 3 p.m. to 7 p.m., at Mt. Evergreen Cemetery.*

- H. Jackson High Homecoming Parade.**  
*Approve a request from Jackson High School to conduct its Jackson High Homecoming Parade event on Friday, October 12, 2018, from 5:00 p.m. to 6:30 p.m., from Walmart parking lot to Brown Street, to Wildwood Avenue. (Parade route will end on Edwards at Withington Stadium.)*
- I. Zombie Walk Jackson Revived.**  
*Approve a request from Zombie Walk Jackson Revived to conduct their Zombie Walk Jackson Revived event on Saturday, October 13, 2018, from 1 p.m. to 6 p.m. starting at Commonwealth Commerce Center and walking a route through downtown Jackson.*
- J. Balancing Change Order 1 to the MLK Equality Trail Lighting Contract with Hirst Electric. (Council approved through 2018/19 appropriation measure/budget.)**  
*Approve Balancing Change Order 1 to the MLK Equality Trail Lighting contract with Hirst Electric, Jackson, in the increased amount of \$11,958.90, to balance contract quantities for various original items that are substantially complete to match quantities placed in the field, and authorize the City Manager and City Engineer to execute the appropriate document.*
- K. Memorandum of Understanding for Justice Assistance Grant. (Council approved through 2018/19 appropriation measure/budget.)**  
*Authorize the signing of a Memorandum of Agreement between the City of Jackson and Jackson County to jointly apply for and use \$44,904.00, of which \$30,070.00 in FY 2018 JAG funds is for the City's purchase of an indoor firearms range, and \$14,834.00, is for the County's purchase of body armor, radios and radio equipment.*
- L. Fire Department Truck Lease. (Council approved through 2018/19 appropriation measure/budget.)**  
*Approve the lease of a GMC Sierra pickup truck from Enterprise Fleet Management, for a monthly lease fee of \$522.31, and an annual cost of \$6,267.72.*
- M. Director of Public Works Confirmation.**  
**Recommendation:** *Confirm the appointment of Jonathan Greene as the Director of Public Works.*
- N. Change Order #1 to the Window Replacement Contract with First Contracting for 135 W. Cortland. (Council approved through 2018/19 appropriation measure/budget.)**  
*Award Change Order #1 to the Window Replacement Contract with First Contracting, Inc., in the amount of \$111,302.00 for 135 W. Cortland, and authorize the City Manager to approve any and all change orders required to complete the project.*



**O. CDBG/HOME Program Performance.**

*Authorize the submittal of the Consolidated Annual Performance and Evaluation Report (CAPER) to the Department of Housing and Urban Development (HUD).*

**P. Bright Walls Mural Festival.**

*Approve a request from Cherry Creek Holding, LLC,/Grand River Brewery to conduct Bright Walls Event – Closed Alley Request on Wednesday, October 3, 2018, to Wednesday October 10, 2018.*

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

**OTHER BUSINESS:**

**A. Change Order 5 to the 2017 Water Main Replacement Contract with Dunigan Brothers, Inc., for Paving the Referenced Streets.**

**Recommendation:** *Approve Change Order 5 to the 2017 Water Main Replacement contract with Dunigan Brothers, Inc., in the increased amount of \$783,597.45 for preparation work for the resurfacing of portions of Durand, Grinnell, Higby and Thompson, and authorize the City Manager and City Engineer to execute the appropriate document.*

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

**B. Change Order 12 to the Downtown Street and Parking Lot Rehabilitation Contract with Bailey Excavating, Inc.**

**Recommendation:** *Approve and authorize the City Manager and City Engineer to execute Change Order 12 to the contract with Bailey Excavating, Inc., for Downtown Street and Parking Lot Rehabilitation in the increased amount of \$368,323.91 to add items for a) sanitary sewer services for the former Vermeulen's building at 135 W. Cortland Street; b) sidewalk reconstruction in front of the former Vermeulen's building at 135 W. Cortland, and c) landscaping, lighting, and irrigation with Parking Lot 6.*

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

**NEW BUSINESS:**

**A. Youth Council Ordinance (First Reading).**

**Recommendation:** *Approve an ordinance creating a City of Jackson Youth Council, and authorize the City Attorney to make minor changes.*

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

**CITY COUNCILMEMBERS' COMMENTS:**

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

**MANAGER'S COMMENTS:**

City Manager Patrick Burtch invited Elmer Hitt, Director of Police and Fire Services, to explain the Good Samaritan Law as it pertains to individuals who overdose and how the police are able to respond to overdose situations.

**ADJOURNMENT:**

No further business being offered a motion to adjourn was made by Councilmember Pappin, seconded by Councilmember Alexander. Vote was done by voice with all in favor. Mayor Dobies adjourned the meeting at 8:43 p.m.