



CITY COUNCIL MEETING MINUTES

December 8th, 2020

CALL TO ORDER:

The Jackson City Council met virtually, in accordance with State and Federal guidelines designed to mitigate the spread of COVID-19, and was called to order at 6:32 p.m. by Mayor Derek J. Dobies.

PLEDGE OF ALLEGIANCE AND INVOCATION:

Council joined in the Pledge of Allegiance. Second Ward Councilmember Freddie Dancy wished everyone happy and safe holidays, words of encouragement to do for those in need, and a reminder to stay focused.

ROLL CALL:

Present: Mayor Derek Dobies, Vice Mayor Arlene Robinson, Councilmembers Freddie Dancy, Jeromy Alexander, Laura Dwyer Schlecte, Karen Bunnell, and Will Forgrave.

Absent: none.

Also present: City Manager Jonathan Greene, City Attorney Matthew Hagerty, City Assessor Jason Yoakam, City Clerk Andrea Muray, Director of Police and Fire Services Elmer Hitt, Director of Economic and Neighborhood Development Jennifer Morris, Director of Parks and Recreation Kelli Hoover, Downtown Development Authority Director Cory Mays, City Engineer Jon Dowling, and Assistant City Manager Shane LaPorte, Director of Finance Phil Hones, Public Information Officer Aaron Dimick.

ADOPTION OF AGENDA:

Motion was made by Mayor Dobies, seconded by Councilmember Alexander to move 8. Petitions and Communications from Staff and Other Governmental Entities after 11. New Business and adopt the agenda as amended. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

PRESENTATIONS/PROCLAMATIONS:

A. Presentation by Jackson Schools of the Arts

Sarah Ermatinger of the Jackson School of the Arts made the presentation to Council.

PUBLIC HEARINGS:

**Confirmation of Special Assessment Rolls Nos. 4297, 4298, 4299 and 4300.
Recess as a City Council and convene as a Board of Review.**

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

**A. Public Hearing on Special Assessment Roll No. 4297 Delinquent
Miscellaneous 101 General Fund Accounts Receivable**

Timika Hughes sent in correspondence protesting the assessments at 219 Porter, 1039 S. Jackson, and 408 First St. David Bankole sent is correspondence protesting the assessment at 906 E. Pearl St. Dennis Conant (on behalf of the William T. Hillard Revocable Trust) sent in correspondence protesting the assessment at 147 W. Mansion St.

1. Resolution Confirming Roll No. 4297

Motion was made by Councilmember Alexander, seconded by Councilmember Forgrave to approve the resolution confirming Special Assessment Roll No. 4297. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

**B. Public Hearing on Special Assessment Roll No. 4298 Delinquent
Miscellaneous 641 Public Works Fund Accounts Receivable.**

Jeffrey Tobin sent in correspondence protesting the special assessment at 807 N. West Ave.

1. Resolution Confirming Roll No. 4298

Motion was made by Councilmember Forgrave, seconded by Councilmember Alexander to approve the resolution confirming Special Assessment Roll No. 4298. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

C. Public Hearing on Special Assessment Roll No. 4299 Delinquent Miscellaneous 241 Housing Code Fund Accounts Receivable

No correspondence was sent in for the public hearing.

1. Resolution Confirming Roll No. 4299

Motion was made by Councilmember Alexander, seconded by Councilmember Bunnell to approve the resolution confirming Special Assessment Roll No. 4299. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

D. Public Hearing on Special Assessment Roll No. 4300 Delinquent Miscellaneous 590 Wastewater Fund Accounts Receivable

No correspondence was sent in for the public hearing.

1. Resolution Confirming Roll No. 4300

Motion was made by Councilmember Alexander, seconded by Councilmember Forgrave to approve the resolution confirming Special Assessment Roll No. 4300. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

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

Motion was made by Councilmember Alexander, seconded by Vice Mayor Robinson to adjourn as a Board of Review and reconvene as City Council. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

E. Public Hearing and Resolution determining the necessity for street reconstruction and water and sewer main replacement on Douglas Street from West Avenue to Mound Avenue.

Recommendation: *Public hearing of necessity for street reconstruction and water and sewer main replacement on Douglas Street, from West Avenue to Mound Avenue.*

Diane Cagney of 753 Douglas St sent in correspondence regarding the necessity for the project.

Motion was made by Councilmember Alexander, seconded by Councilmember Dancy to approve the resolution ordering the construction. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

F. Conduct a Public Hearing to Receive Citizen Comment for CDBG/HOME Program Performance and Authorize Submission of the 2019 - 2020 Consolidated Annual Performance and Evaluation Report (CAPER) to the U.S. Department of Housing and Urban Development (HUD)

Recommendation: *Conduct a Public Hearing to receive citizen comment for CDBG/HOME Program Performance and authorize submission of the 2019 - 2020 CAPER to HUD.*

No correspondence was sent in regarding the public hearing.

CITIZEN COMMENTS:

City Clerk Andrea Muray read into the record citizen comments that were submitted.

CONSENT CALENDAR:

A. Minutes of the Regular Meeting of November 24, 2020:

Approve the minutes of the regular City Council meeting of November 24, 2020.

B. Environmental Commission Ex-Officio Appointment

Recommendation: *Approve the Mayor's recommendation to reappoint Jill Ramsey to the Environmental Commission as an ex-officio member for a one- year term beginning January 01, 2021 and ending December 31, 2021.*

C. Administrative Hearings Bureau Reappointment

Recommendation: *Approve the Mayor's recommendation to reappoint Charles J. Falahee, as administrative hearings bureau officer for the City of Jackson Administrative Hearings Bureau for a two-year term, beginning January 1, 2021, and ending December 31, 2022.*

D. MERS Retirement

Recommendation: *Approve the Michigan Employee Retirement System Defined Contribution Addendum. Your consideration and concurrence is appreciated.*

Motion was made by Councilmember Forgrave, seconded by Vice Mayor Robinson to approve the consent calendar. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

OTHER BUSINESS:

A. Second Reading and Final Adoption of Ordinance 2020-21

Recommendation: *Adopt Ordinance No. 2020-21 to amend Chapter 28 of the City of Jackson Code of Ordinances to modify regulations for Medical Marihuana Facilities and Adult-Use Marihuana Faculties for the health, safety, and welfare of the citizens of Jackson.*

Motion was made by Councilmember Alexander, seconded by Councilmember Bunnell to adopt Ordinance 2020-21 to amend Chapter 28 of the City of Jackson Code of Ordinances to modify regulations for Medical Marihuana Facilities and Adult-Use Marihuana Facilities for the health, safety, and welfare of the citizens of Jackson. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Alexander, Bunnell, and Forgrave (5). Nays: Councilmembers Dancy and Schlecte (2). Motion carried.

B. Second Reading and Final Adoption of Ordinance 2020-20

Recommendation: *Adopt Ordinance No. 2020-20 to amend Article XVIII of Chapter 16 of the City of Jackson Code of Ordinances requirements for Medical Marihuana Facilities and Adult-Use Marihuana Faculties to protect the public health, safety, and welfare of the City of Jackson; to set licensing fees for the purpose of defraying the costs associated with the implementation and enforcements, and to provide penalties for violations.*

Motion was made by Councilmember Forgrave, seconded by Councilmember Bunnell to adopt Ordinance No. 2020-20 to amend Article XVIII of Chapter 16 of the City of Jackson Code of Ordinances requirements for Medical Marihuana Facilities and Adult-Use Marihuana Facilities to protect the public health, safety, and welfare of the City of Jackson; to set licensing fees for the purpose of defraying the costs associated with the implementation and enforcements, and to provide penalties for violations. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Alexander, Schlecte, Bunnell, and Forgrave (6). Nays: Councilmember Dancy (1). Motion carried.

NEW BUSINESS:

A. Contract Renewal for Traffic Signal Work.

Recommendation: *Approval of Contract Renewal with J. Ranck Electric, Inc. for Traffic Signal Work.*

Motion was made by Councilmember Alexander, seconded by Councilmember Schlecte to approve the contract renewal with J. Ranck Electric, Inc. for traffic signal work. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

B. 2021 Meeting Dates Resolution.

Recommendation: *Resolution establishing City Council meeting dates for 2021.*

Motion was made by Councilmember Schlecte, seconded by Vice Mayor Robinson to approve the resolution establishing Council Meeting Dates for 2021. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

C. Waive the Local Emergency Hazard Rehabilitation Loan Limit of \$25,000 and Award an Emergency Hazard Rehabilitation Contract in the Amount of \$32,625 to Weiler Excavating LLC (\$26,000) and J. Wrozek Roofing Co. (\$6,625) for 160 W. Mansion St.

Recommendation: *Waive the local emergency hazard rehabilitation loan limit of \$25,000 and award an emergency hazard rehabilitation contract in the amount of \$32,625 to Weiler Excavating LLC (\$26,000) and J. Wrozek Roofing Co. (\$6,625) for 160 W. Mansion St.*

Motion was made by Vice Mayor Robinson, seconded by Councilmember Alexander to waive the local emergency hazard rehabilitation loan limit of \$25,000 and award an emergency hazard rehabilitation loan in the amount of \$32,625 to Weiler Excavating, LLC (\$26,000) and J. Wrozek Roofing Co. (\$6,625) for 160 W.

Mansion St. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

D. Consideration of the sale of city owned property located at 135 W. Cortland St, otherwise known as Vermuelen's Building.

Motion was made by Mayor Dobies, seconded by Councilmember Forgrave to approve the Jackson School of Arts purchase agreement and to direct the City Manager and City Attorney to finalize the lease agreement.

Motion was made by Councilmember Bunnell, seconded for discussion by Vice Mayor Robinson to postpone until the next council meeting. Vote - Yeas: none. Nays: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Bunnell, and Forgrave (6). Abstain: Councilmember Schlecte. Motion failed.

Council voted on the main motion. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Bunnell, and Forgrave (6). Nays: none. Abstain: Councilmember Schlecte. Motion carried.

E. Approve Conditional Phase One Facility License for a Medical/Adult Use Marihuana Establishment as per Ordinance No. 2020-15.

Recommendation: *Approve a conditional phase one facility license for JARS Holding LLC Medical/Adult Use Marihuana Provisioning Center at 156 Cooper as per Ordinance No. 2020-15.*

Motion was made by Councilmember Alexander, seconded by Vice Mayor Robinson to approve a conditional Phase One Facility License for JARS Holding, LLC Medical/Adult Use Marihuana Provisioning Center at 156 Cooper. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Alexander, Schlecte, Bunnell, and Forgrave (6). Nays: Councilmember Dancy (1). Motion carried.

F. Approve Conditional Phase One Facility License for a Medical/Adult Use Marihuana Establishment as per Ordinance No. 2020-15.

Recommendation: *Approve conditional phase one facility license for Objectiv Growth Michigan LLC Medical/Adult Use Marihuana Class C Grow and Processing Facility at 811 East Washington and abutting property owned by Pennsylvania Lines LLC as per Ordinance No. 2020- 15.*

Motion was made by Councilmember Alexander, seconded by Councilmember Bunnell to approve a conditional Phase One Facility License for Objectiv Growth Michigan, LLC Medical/Adult-Use Marihuana Class C Grow and Processing Facility at 811 East Washington and the abutting property owned by Pennsylvania Lines, LLC.

Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Alexander, Schlecte, Bunnell, and Forgrave (6). Nays: Councilmember Dancy (1). Motion carried.

G. Approve a Resolution to Exercise the City Of Jackson's Second Right of First Refusal Opportunity under PA 123 of 1999 to Take Control of Twelve Tax Foreclosed Parcels, Forgo its Right to Nine (9) Vacant Lots, and Authorize the City Manager to Sign Any and All Documents Necessary to Effectuate the Transfer.

Recommendation: *Approve a resolution to exercise the City of Jackson's second right of first refusal opportunity under PA 123 of 1999 to take control of twelve (12) tax foreclosed parcels, forgo its right to nine (9) vacant lots, and authorize the City Manager to sign any and all documents necessary to effectuate the transfer.*

Motion was made by Councilmember Schlecte not to buy the properties. Motion died from lack of support.

Motion was made by Councilmember Alexander, seconded by Councilmember Forgrave to approve the resolution. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Bunnell, and Forgrave (6). Nays: Councilmember Schlecte (1). Motion carried.

PETITIONS & COMMUNICATION FROM CITY STAFF AND OTHER GOVERNMENTAL ENTITIES:

A. Accept and place on file the CDBG, HOME, and CDBG-CV Homeless Prevention Financial Summaries through October 31, 2020

Recommendation: *Accept and place on file the CDBG, HOME and CDBG-CV Homeless Prevention Financial Summaries through October 31, 2020.*

Motion was made by Councilmember Alexander, seconded by Councilmember Bunnell to accept and place on file the CDBG, HOME, and CDBG-CV Homeless Prevention Financial Summaries through October 31, 2020. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

B. Letter from 3rd Ward Councilmember Jeromy Alexander

Motion was made by Councilmember Alexander, seconded by Councilmember Forgrave to immediately begin an investigation of the situation per City Charter 8.15 by directing Councilmember Laura Dwyer Schlecte to answer the attached questions, in writing, and provide those answers via email to every member of Council no later than December 15, 2020, and for the Council to then forward the letter, questions, and answers to the Attorney General of the State of Michigan. Vote- Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers

Dancy, Alexander, Bunnell, and Forgrave (6). Nays: none. Abstain: Councilmember Schlecte. Motion carried.

Motion was made by Councilmember Alexander, seconded by Councilmember Dancy to remove Councilmember Schlecte from any Boards that she has been appointed. Councilmember Alexander withdrew his motion upon legal advice from the City Attorney.

EXECUTIVE SESSION:

Motion was made by Councilmember Alexander, seconded by Councilmember Dancy to adjourn to Executive Session to discuss a collective bargaining agreement. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

RETURN TO OPEN SESSION:

Motion was made by Councilmember Alexander, seconded by Councilmember Bunnell to return to open session. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

Motion was made by Councilmember Alexander, seconded by Councilmember Bunnell to approve the collective bargaining agreement between the City of Jackson and the Police Officer Labor Council Supervisory Unit dated July 1, 2020-June 30, 2023. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

CITY COUNCILMEMBER'S COMMENT:

Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Schlecte, Bunnell, and Forgrave all offered comments.

MANAGER'S COMMENTS:

City Manager Jonathan Greene offered comments.

ADJOURNMENT:

No further business being offered, a motion to adjourn was made by Councilmember Dancy and was seconded by Councilmember Alexander. Vote was done by voice with all in favor. Mayor Dobies adjourned the meeting at 9:15 p.m.