



## CITY COUNCIL MEETING MINUTES

February 11, 2020

### **CALL TO ORDER:**

The Jackson City Council met in regular session in 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. Fourth Ward City Councilmember Laura Dwyer Schlecte offered a video about optimism in lieu of invocation.

### **ROLL CALL:**

Present: Mayor Derek J. Dobies, Councilmembers Freddie Dancy, Jeromy Alexander, Laura Schlecte, Kelsey Heck, and William Forgrave.

Absent: Councilmember Arlene Robinson.

Also present: City Manager Patrick Burtch, City Assessor Jason Yoakam, City Clerk Andrea Muray, City Attorney Matthew Hagerty, Director of Neighborhood and Economic Operations Jennifer Morris, Director of Public Works Jonathan Green, and City Engineer Jon Dowling.

### **ADOPTION OF AGENDA:**

Motion was made by Councilmember Heck, seconded by Councilmember Dancy to adopt the agenda. Vote – Yeas: Mayor Dobies, Councilmembers Dancy, Alexander, Schlecte, Heck, and Forgrave (6). Nays: none. Absent: Councilmember Robinson. Motion carried.

### **PRESENTATIONS/PROCLAMATIONS:**

A presentation was given showing the cost of lead service water lines.

**PUBLIC HEARINGS:** none.

**CLOSED SESSION:**

Motion was made by Councilmember Alexander, seconded by Councilmember Schlecte to go into closed session pursuant to MCL 15.268(e) regarding case 2020-244-CB, Consumers Energy v City of Jackson. Vote – Yeas: Mayor Dobies, Councilmembers Dancy, Alexander, Schlecte, Heck, and Forgrave (6). Nays: none. Absent: Councilmember Robinson. Motion carried.

**RETURN TO OPEN SESSION.**

Motion was made by Councilmember Alexander, seconded by Councilmember Schlecte to return to open session. Vote – Yeas: Mayor Dobies, Councilmembers Dancy, Alexander, Schlecte, Heck, and Forgrave (6). Nays: none. Absent: Councilmember Robinson. Motion carried.

**CITIZEN COMMENTS:**

Citizen comments were heard and the meeting continued.

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

**A. City Summary of Revenue and Expenditures.**

*Accept and place on file the City of Jackson’s summary of revenue and expenditures for six (6) months ended, December 31, 2019.*

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

**CONSENT CALENDAR:**

**A. Minutes of the Regular Meeting of January 28, 2020:**

*Approve the minutes of the regular City Council meeting of January 28, 2020.*

**B. DDA Reappointment:**

*Approve the Mayor’s recommendation to reappoint Terrance “Terry” J. Mierzwa to the Downtown Development Authority for a four year term beginning March 30, 2020, and ending March 29, 2024.*

**C. Local Officers Compensation Commission:**

*Approve the Mayor’s recommendation to reappoint Daniel P. Greer to the Local Officers Compensation Commission for a seven year term, beginning February 29, 2020, and ending February 28, 2027.*

- D. Historic District Commission Appointment:**  
*Approve the Mayor's recommendation to appoint Mary Lee Clark to the Historic District Commission filling a current vacancy and for a three year term beginning immediately, and ending December 31, 2023.*
- E. Ella W. Sharp Park Board of Trustees Resignation:**  
*Receipt with regret the resignation from Sarah Allison from the Ella W. Sharp Park Board of Trustees.*
- F. Resolution of Support - Aesthetics for a Gateway Treatment at I-94 with Elm Road:**  
*Adopt a Resolution of Support with the Michigan Department of Transportation of the Aesthetics for a gateway treatment at I-94 with Elm Road.*
- G. Resolution of Support - Aesthetics for a Gateway Treatment at I-94 with West Avenue:**  
*Adopt a Resolution of Support with the Michigan Department of Transportation of the Aesthetics for a gateway treatment at I-94 with West Avenue.*

Motion was made by Councilmember Alexander to remove Item C for separate consideration.

Motion was made by Councilmember Schlecte, seconded by Councilmember Forgrave to approve the consent calendar as amended. Vote - Yeas: Mayor Dobies, Councilmembers Dancy, Alexander, Schlecte, Heck, and Forgrave (6). Nays: none. Absent: Councilmember Robinson. Motion carried.

Motion was made by Councilmember Schlecte, seconded by Councilmember Heck to approve Item C. Vote - Yeas: Mayor Dobies, Councilmembers Dancy, Alexander, Schlecte, Heck, and Forgrave (6). Nays: none. Absent: Councilmember Robinson. Motion carried.

**OTHER BUSINESS:**

- A. City Clerk's Employment Contract.**  
**Recommendation:** *Approve the City Clerk's Full-Time Employment Contract.*

Motion was made by Councilmember Heck, seconded by Councilmember Dancy to approve the City Clerk's full time employment contract.

Motion was made by Councilmember Alexander, seconded by Councilmember Schlecte to postpone to a date certain, February 25, 2020. Vote\* - Yeas: Councilmembers Alexander and Schlecte (2). Nays: Mayor Dobies, Councilmembers Dancy, Heck, and Forgrave (4). Absent: Councilmember Robinson. Motion failed.

Motion was made by Councilmember Alexander, seconded by Schlecte to amend the contract changing the pay class from 20 to 18. Vote\* - Yeas: Councilmembers Alexander, Schlecte, and Forgrave (3). Nays: Mayor Dobies, Councilmembers Dancy and Heck (3). Absent: Councilmember Robinson. Motion failed.

Motion was made by Councilmember Alexander, seconded by Councilmember Schlecte to postpone to date certain, February 25, 2020. Vote\* - Yeas: Councilmembers Alexander and Schlecte (2). Nays: Mayor Dobies, Councilmembers Dancy, Heck, and Forgrave (4). Absent: Councilmember Robinson. Motion Failed.

Vote was taken on the main motion. Vote\* - Yeas: Mayor Dobies, Councilmembers Dancy, Heck, and Forgrave (4). Nays: Councilmembers Alexander and Schlecte (2). Absent: Councilmember Robinson. Motion carried.

\*Votes were confirmed with Councilmembers Heck and Schlecte.

- B. Consumers Wastewater and Water Agreement** (*Postponed at the January 28, 2020 City Council meeting.*)  
*Consider a Wastewater and Water Contract between the City of Jackson and Consumers Energy Corporation.*

No motion was made.

- C. Balancing Change Order 1 to the 2019 CDBG Street Reconstruction contract with Dunigan Brothers, Inc.**  
**Recommendation:** *Approve Balancing Change Order 1 to the 2019 Community Development Block Grant (CDBG) Street Reconstruction contract with Dunigan Brothers Inc., in the decreased amount of \$93,975.61 to balance contract quantities to match quantities placed in the field, to add new items necessary for the completion of work in the field, and authorize the City Manager and City Engineer to execute the appropriate document.*

Motion was made by Councilmember Heck, seconded by Councilmember Dancy to approve Change Order 1 to the 2019 CDBG Street Reconstruction contract with Dunigan Brothers, Inc. Vote - Yeas: Mayor Dobies, Councilmembers Dancy, Alexander, Schlecte, Heck, and Forgrave (6). Nays: none. Absent: Councilmember Robinson. Motion carried.

**D. Balancing Change Order 2 to the 2019 Michigan Avenue Reconstruction Contract with Bailey Excavating, Inc.**

**Recommendation:** *Approve Balancing Change Order 1 to the 2019 Michigan Avenue Reconstruction contract with Bailey Excavating, Inc., in the increased amount of \$54,732.34, to balance contract quantities to match quantities placed in the field, to add new items necessary for the completion of work in the field, to add items for curb relocations on Mechanic Street between Detroit Street and Trail Street, and authorize the City Manager and City Engineer to execute the appropriate document.*

Motion was made by Councilmember Heck, seconded by Councilmember Schlecte to approve Balancing Change Order 2 to the 2019 Michigan Avenue Reconstruction Contract with Bailey Excavating, Inc. Vote – Yeas: Mayor Dobies, Councilmembers Dancy, Alexander, Schlecte, Heck, and Forgrave (6). Nays: none. Absent: Councilmember Robinson. Motion carried.

**E. Change Order 1 to the 2018 Essex Heights Water Main Replacement and Street Repaving Contract with Dunigan Brothers, Inc.**

**Recommendation:** *Approve Change Order 1 to the 2018 Essex Heights Water Main Replacement and Street Repaving contract with Dunigan Brothers, Inc., in the decreased amount of \$247,166.54, to balance contract quantities to match in the field, to add new items necessary for the completion of work in the field, to add items for ditch cleanout work within the Douglas Street right-of-way, and authorize the City Manager and City Engineer to execute the appropriate document.*

Motion was made by Councilmember Schlecte, seconded by Councilmember Forgrave to approve Change Order 1 to the 2018 Essex Heights Water Main Replacement and Street Repaving Contract with Dunigan Brothers, Inc. Vote – Yeas: Mayor Dobies, Councilmembers Dancy, Alexander, Schlecte, Heck, and Forgrave (6). Nays: none. Absent: Councilmember Robinson. Motion carried.

**F. Change Order 1 to the 2018 Edgewood Street Water Main Replacement and Street Repaving Contract with Bailey Excavating, Inc.**

**Recommendation:** *Approve Change Order 1 to the 2018 Edgewood Street Water Main Replacement and Street Repaving contract with Bailey Excavating, Inc., in the decreased amount of \$2,375.20, to balance contract quantities to match quantities placed in the field, to add new items necessary for the completion of work in the field, to add items for improvements at various locations throughout the city and authorize the City Manager and City Engineer to execute the appropriate document.*

Motion was made by Councilmember Schlecte, seconded by Councilmember Alexander to approve Change Order 1 to the 2018 Edgewood Street Water Main Replacement and Street Repaving Contract with Bailey Excavating, Inc. Vote – Yeas: Mayor Dobies, Councilmembers Dancy, Alexander, Schlecte, Heck, and Forgrave (6). Nays: none. Absent: Councilmember Robinson. Motion carried.

**G. Interim Balancing Change Order 9 to the 2017 Water Main Replacement Contract with Dunigan Brothers, Inc.**

**Recommendation:** *Approve Interim Balancing Change Order 9 to the 2017 Water Main Replacement contract with Dunigan Brothers, Inc., in the increased amount of \$40,074.70 to balance contract quantities to match quantities placed in the field and add extra items that were necessary to complete work in the field, and authorize the City Manager and City Engineer to execute the appropriate document.*

Motion was made by Councilmember Schlecte, seconded by Councilmember Alexander to approve Interim Balancing Change Order 9 to the 2017 Water Main Replacement Contract with Dunigan Brothers, Inc. Vote – Yeas: Mayor Dobies, Councilmembers Dancy, Alexander, Schlecte, Heck, and Forgrave (6). Nays: none. Absent: Councilmember Robinson. Motion carried.

**H. Conditional Phase One Facility License for Medical Marihuana Establishment as per Ordinance No. 2019-13.**

**Recommendation:** *Approve conditional phase one facility license for one (1) Medical Marihuana Provisioning Center as per Ordinance No. 2019-13.*

Motion was made by Councilmember Alexander, seconded by Councilmember Schlecte to approve a Condition Phase One Facility License for a Medical Marihuana Establishment. Vote – Yeas: Mayor Dobies, Councilmembers Dancy, Alexander, Schlecte, Heck, and Forgrave (5). Nays: Councilmember Dancy (1). Absent: Councilmember Robinson. Motion carried.

**I. Private Lot Mowing Contract Renewal 2020.**

**Recommendation:** *Renew the contract for as-needed private lot mowing with Elysian Landscape for the 2020 season to enforce the Noxious Weed Ordinance.*

Motion was made by Councilmember Schlecte, seconded by Councilmember Alexander to approve the contract for as-needed private lot mowing with Elysian Landscape for the 2020 season to enforce the Noxious Weed Ordinance. Vote – Yeas: Mayor Dobies, Councilmembers Dancy, Alexander, Schlecte, Heck, and Forgrave (6). Nays: none. Absent: Councilmember Robinson. Motion carried.

**NEW BUSINESS:**

**A. Purchase of 336 and 404 Water Street.**

**Recommendation:** *Approve the purchase of 336 and 404 Water Street in the amount of \$5,000.00 from Koch Materials, LLC, and authorize the City Manager and City Attorney to sign all documents to effectuate the transaction.*

Motion was made by Councilmember Heck, seconded by Councilmember Schlecte to approve the purchase of 336 and 404 Water Street in the amount of \$5,000.00 from Koch Materials, LLC, and authorize the City Manager and City Attorney to sign all documents to effectuate the transaction. Vote - Yeas: Mayor Dobies, Councilmembers Dancy, Alexander, Schlecte, Heck, and Forgrave (6). Nays: none. Absent: Councilmember Robinson. Motion carried.

**CITY COUNCILMEMBERS' COMMENTS:**

Mayor Dobies, Councilmembers Dancy, Alexander, Schlecte, Heck, and Forgrave all offered comments.

**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 all in favor. Mayor Dobies adjourned the meeting at 9:32 p.m.