



CITY COUNCIL MEETING MINUTES
July 14, 2020

CALL TO ORDER:

The Jackson City Council met virtually, in accordance with State of Michigan Executive Order No. 2020-129, 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. Councilmember Robinson offered a moment of silence to reflect on the pandemic and violence with the goal of peace and healing.

ROLL CALL:

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

Absent: none.

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

ADOPTION OF AGENDA:

Motion was made by Mayor Dobies to adopt the agenda with the addition of Item 11K – Consideration of the City Manager Position on the next agenda. Councilmember Robinson requested that Item 9B be moved under New Business as Item 11L. Mayor Dobies restated the motion to adopt the agenda with the additional of Item 11K and Item 9B being moved under New Business as Item 11L. Councilmember Alexander seconded the motion. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

PRESENTATIONS/PROCLAMATIONS: none.

PUBLIC HEARINGS:

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

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

- A. Public Hearing on the Special Assessment Roll No. 5001 for overhead street lighting installation on Adrian & Merriman from Morrell Street to Martin Luther King Jr. Equality Trail

Kim Frye of 1004/1006 Adrian Street sent in correspondence protesting the special assessment.

- 1. Resolution confirming Roll No. 5001

Motion was made by Councilmember Schlecte, seconded by Councilmember Robinson to approve the resolution confirming Special Assessment Roll No. 5001. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, and Bunnell (6). Nays: Forgrave (1). Motion carried.

- B. Public Hearing on the Special Assessment Roll No. 5002 for overhead street lighting installation on Morrell Street from Orchard Place to Cooper.

- 1. Resolution Confirming Roll No. 5002

Motion was made by Councilmember Robinson, seconded by Councilmember Schlecte to approve the resolution confirming Special Assessment Roll No. 5002. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, and Bunnell (6). Nays: Forgrave (1). Motion carried.

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

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

C. Public Hearing of necessity on continuing the meterless parking system in the downtown area of the City for 2020-2021.

- 1. Consider a resolution determining the necessity of continuing the meterless parking system, ordering the City Assessor to prepare Special Assessment Roll No. 4296 and establishing August 11, 2020, at the City Council meeting as the time and place to hold a public hearing confirming the meterless parking system assessment roll.*

Motion was made by Councilmember Schlecte, seconded by Councilmember Alexander to approve the resolution deeming the continuation of meterless parking necessary and establishing August 11, 2020 as the date to hold a public hearing confirming the meterless parking system assessment roll. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

CITIZEN COMMENTS:

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

PETITIONS & COMMUNICATION FROM CITY STAFF AND OTHER GOVERNMENTAL ENTITIES:

- A. Accept and place on file the CDBG and HOME Financial Summaries through May 31, 2020.**
- B. Accept and Place on file the Letters from the Parks & Recreation Board, Ella Sharp Park Board of Trustees, the American Lung Association of Michigan, and Drug Free Jackson in Support of Ordinance 2020-07 Regulation of Tobacco in public Spaces, “Clean Air Ordinance”.**

Motion was made by Councilmember Schlecte, seconded by Councilmember Alexander to accept and place on file Items A and B. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

CONSENT CALENDAR:

- A. Meeting Minutes of June 16, 2020 City Council Meeting**
Recommendation: *Approve the regular meeting minutes of the June 16, 2020 City Council meeting.*

- C. Special Event Application for the Fowler and Estelle Company’s Kissed by the Sun Street Fair**
Recommendation: *Approve a request from the Fowler and Estelle Company, LLC to host their Kissed by the Sun Street Fair on Saturday, August 1, 2020 In Elnora Moorman Park.*

- D. Approve the It Takes a Village Street Mural as recommended by the City of Jackson Public Arts Commission and moved to Council for approval**
Recommendation: *Approve the It Takes a Village Street Mural on Maple Avenue on July 18, 2020 as approved by the City of Jackson Public Arts Commission and moved to Council for approval.*

- E. Special Event Application for the “Art In the Garden” Tour Event**
Recommendation: *Approve the “Art In the Garden” Street mural tour on Maple Avenue on July 18th, 2020 as approved by the City of Jackson Public Arts Commission and moved to Council for approval.*

- F. Approve a Revocable License for Axe Play, LLC, for fenced- in axe throwing lane and patio seating area**
Recommendation: *Approve a Revocable License requested by Axe Play, LLC, for a fenced-in axe throwing lane and patio seating area in the southwest corner of Parking Lot 8 and in the public alley next to their property at 133 W. Michigan Avenue, and authorize the Mayor and City Clerk to execute the appropriate document in accordance with the recommendation of the City Engineer.*

- G. Human Relations Commission Appointment:**
Mayor’s recommendation to appoint Shalanda Hunt to the Jackson Human Relations Commission, filling a current vacancy, beginning immediately and ending December 31, 2023.

Motion was made by Councilmember Forgrave, seconded by Councilmember Alexander to approve the Consent Calendar. Councilmember Schlecte requested that Item E be removed for separate consideration. Councilmember Robinson requested that Item D be removed for separate consideration. Vote was taken on the amended Consent Calendar. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

Motion was made by Councilmember Schlecte, seconded by Councilmember Robinson to approve the It Takes a Village Street Mural on Maple Avenue on July 18, 2020 as approved by the City of Jackson Public Arts Commission and moved to Council for approval, and to approve the “Art in the Garden” Street mural tour on Maple Avenue on July 18th, 2020. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

OTHER BUSINESS:

A. Charter Review Committee Recommendations; Proposed Charter Amendment Resolutions

Recommendation: *Consider proposed Charter Amendment Resolutions as directed by City Council at the June 16th Council Meeting.*

Motion was made by Councilmember Schlecte, seconded by Councilmember Alexander to move 7.1 - Filling of Vacancies to the November ballot along with Section 5.2 - Form of Petition to the November ballot. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

Motion was made by Councilmember Forgrave to place Charter Amendments 5.3 and 10.3 the election following November’s election. Councilmember Forgrave then withdrew his motion.

B. Second Reading and Final Adoption of Ordinance 2020-07

Recommendation: *Approve the adoption of Ordinance 2020-07 amending Section 18-250, Article 10, and Chapter 18 of City of Jackson, Michigan Code of Ordinances, to regulate tobacco products in public places.*

Motion was made by Councilmember Forgrave, seconded by Councilmember Dancy to approve the adoption of Ordinance 2020-07. Motion was made by Councilmember Forgrave, seconded by Councilmember Alexander to amend the ordinance by changing the word “shall” to “may” in Section 18.255 subsection A. Vote – Yeas: Councilmembers Alexander and Forgrave (2). Nays: Mayor Dobies, Councilmembers Robinson, Dancy, Schlecte, and Bunnell (5). Motion failed.

Councilmember Alexander called the question but the motion died from lack of support. Discussion continued. Vote was taken on the main motion. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Schlecte, Bunnell, and Forgrave (6). Nays: Councilmember Alexander (1). Motion carried.

- C. **Second Reading and Final Adoption of Ordinance 2020-08**
Recommendation: *Approve the adoption of Ordinance 2020-08 amending Section 15-45 Article 3 of Chapter 15 of the City of Jackson, Michigan Code of Ordinances, to make the ordinance consistent with state law regarding emancipated minors.*

Motion was made by Councilmember Alexander, seconded by Councilmember Bunnell to approve the adoption of Ordinance No. 2020-08. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

- D. **Second Reading and Final Adoption of Ordinance 2020-09**
Recommendation: *Adopt Ordinance No. 2020-09 amending Chapter 14 of the City of Jackson, Michigan Code of Ordinances, to update references to the proper City department, delete unused and unnecessary sections, and to clarify existing sections as needed.*

Motion was made by Councilmember Schlecte, seconded by Councilmember Forgrave to adopt the ordinance with the addition of “with read receipt” in the last sentence after the word “mail” in Section 14.11. Councilmember Schlecte amended the motion to adopt Ordinance No. 2020-09 with the changes recommended. Councilmember Forgrave supported. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

- E. **Second Reading and Final Adoption of Ordinance 2020-10**
Recommendation: *Adopt Ordinance No. 2020-10 amending Chapter 22- Special Assessments, of the City of Jackson, Michigan Code of Ordinances, Section 22-9 providing due dates for special assessment payments to be included on the ad valorem tax bill for those property owners included within the special assessment tax roll.*

Motion was made by Councilmember Schlecte, seconded by Councilmember Robinson to adopt Ordinance No. 2020-10.

Motion was made by Mayor Dobies, seconded by Councilmember Alexander to lay the item on the table. Vote – Yeas: Mayor Dobies, Councilmembers Dancy, Alexander, Bunnell, and Forgrave (5). Nays: Councilmembers Robinson and Schlecte (2). Motion carried.

NEW BUSINESS:

- A. Approve the Sale of 324 W Franklin Street to North Shore Enterprises, LLC**
Recommendation: *Approve the sale of City owned property at 324 W Franklin Street to adjacent property owners North Shore Enterprises LLC (Ambs Call Center) with the signing of a Development Agreement and Purchasing Agreement for \$270.06.*

Motion was made by Councilmember Dancy, seconded by Councilmember Schlecte to approve the sale of City owned property at 324 W Franklin Street to adjacent property owners North Shore Enterprises, LLC (Ambs Call Center) with the signing of a Development Agreement and Purchasing Agreement for \$270.06. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

- B. Award the purchase of two MCC panels to Standard Electric Co.**
Recommendation: *Award the purchase of two MCC panels for the Water Treatment Plant to Standard Electric Co. at the bid price of \$201,297.00.*

Motion was made by Councilmember Dancy, seconded by Mayor Dobies to award the purchase of two MCC panels for the Water Treatment Plant to Standard Electric Co. at the bid price of \$201,297.00. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

- C. Approve the Contract Award for CDBG Street Lighting on Adrian and Morrell Streets to Cochran Electric Co., of Jackson, Michigan**
Recommendation: *Approval of an award for the contract for the CDBG Street Lighting project on Adrian and Morrell Streets to Cochran Electric Co. of Jackson, Michigan at a cost of \$215,657.06, and authorization for the Mayor and City Clerk to execute the appropriate document(s) in accordance with the Purchasing Agent, and authorization for the City Attorney to make minor revisions if needed.*

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

D. Change Order 5 to the 2019 Michigan Avenue Reconstruction Contract with Bailey Excavating, Inc.

Recommendation: *Approve Balancing Change order 5 to the 2019 Michigan Avenue Reconstruction contact with Bailey Excavating, Inc. in the increased amount of \$22,490.63 to add the items for repairs to sanitary services at 330 W. Michigan Ave (Child and Family Services) as a result of Consumer's Energy boring the new gas main through the lead. Authorize the Interim City Manager and City Engineer to execute the appropriate documents.*

Motion was made by Councilmember Alexander, seconded by Councilmember Bunnell to approve Balancing Change Order 5. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Alexander, Schlecte, Bunnell, and Forgrave (6). Nays: Councilmember Dancy (1). Motion carried.

E. Traffic Control Order 2320 – Signal Timing on West Avenue at Washington Avenue and West at Franklin Street

Recommendation: *Approval of Traffic Control Order 2320 to change the signal timing on West at Washington and West at Franklin to go to flash at 10pm.*

Motion was made by Councilmember Alexander, seconded by Councilmember Schlecte to approve Traffic Control Order 2320. Vote – Yeas: Mayor Dobies, Councilmembers Dancy, Alexander, Schlecte, Bunnell, and Forgrave (6). Nays: Councilmember Robinson (1). Motion carried.

F. Amendment to Chapter 22, Sec. 22-8 Special Assessments to amend the special assessment objection procedure

Recommendation: *Consider First Reading of amendment to Chapter 22, Section 22-8; Special Assessments, to provide that city-initiated special assessments not be approved without six of seven City Council Members voting affirmatively, if those parcels/lots who constitute more than 50% of the parcels within the district object in writing.*

Motion was made by Councilmember Schlecte, seconded by Councilmember Robinson to approve with the change of five out of seven vote.

Motion was made by Councilmember Alexander, seconded by Mayor Dobies to amend the motion to change back to a six out of seven vote. Vote was taken on the amendment to the main motion. Vote – Yeas: Mayor Dobies, Councilmembers Dancy, Alexander, and Forgrave (4). Nays: Councilmember Robinson, Schlecte, and Bunnell (3). Motion carried.

Vote was taken on the main motion as amended. Vote – Yeas: Mayor Dobies, Councilmembers Alexander, Bunnell, and Forgrave (4). Nays: Councilmembers Robinson, Dancy, and Schlecte (3). Motion carried.

G. Easement with Consumers Energy for Property on Ingham Street and Calhoun Street for relocation of utility poles and wires in preparation of the Jackson Street Bridge Reconstruction

Recommendation: *Approve as easement for property on Ingham Street and Calhoun Street between the City of Jackson and Consumers Energy, authorize the Mayor to sign the Easement*

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

H. Approve a Resolution Authorizing the City Manager to Waive City Fees

Recommendation: *Approve and adopt the Resolution authorizing the City Manager to waive fees on an individual basis due to constraints created by the COVID-19 Outbreak*

Motion was made by Councilmember Schlecte, seconded by Councilmember Forgrave to approve the resolution.

Motion was made by Mayor Dobies, seconded by Councilmember Alexander to amend the motion to change the language in the last paragraph to say “the City of Jackson City Council authorizes the City Manager to waive City administrative fees up to \$500 per individual including, but not limited to Marriage License Fees, False Alarm Fees, and Vendor Fees for downtown restaurants, to reduce the financial strain of the citizens of Jackson, until the local State of Emergency is lifted.”

A friendly amendment was made by Councilmember Alexander to change the word individual to entity. Mayor Dobies seconded the motion. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

I. Approve a Resolution to Forgo the City of Jackson’s Right of First Refusal under PA 123 of 1999

Recommendation: *Approve a Resolution to Forgo the City of Jackson’s Right of First Refusal under PA 123 of 1999*

Motion was made by Councilmember Alexander, seconded by Mayor Dobies to approve the resolution to forgo the City of Jackson’s Right of First Refusal under PA 123 of 1999. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

- J. Discussion regarding the City of Jackson Seal**
Recommendation: *Approve a process to change or remove the current City Seal and replace with current City of Jackson "Crossroads" logo.*

Motion was made by Mayor Dobies, seconded by Councilmember Alexander to refer the matter to the Jackson Public Arts Commission and conduct a public process by which public input and feedback, and have the matter brought back before Council. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

- K. City Manager Position**

Motion was made by Mayor Dobies, seconded by Councilmember Forgrave to put on to the August 11, 2020 agenda an item to make Jonathan Greene the full time City Manager for consideration. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

- L. Adopt a Resolution giving notice of intent to create a MLK Corridor Improvement Authority, establish preliminary boundaries for such Authority, and set August 11, 2020 as the date for Public Hearing.**

Recommendation: *Adopt the Resolution giving notice of intent to create a MLK Corridor Improvement Authority, establish the preliminary boundaries for that Authority, and set August 11, 2020 as the date for a public hearing by which public comment may be formally received for such Authority.*

Motion was made by Councilmember Robinson, seconded for discussion by Mayor Dobies to adopt the resolution giving notice of intent to create a MLK Corridor Improvement Authority, establish the preliminary boundaries for that Authority, and set August 11, 2020 as the date for a public hearing by which public comment may be formally received for such Authority. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

CITY COUNCILMEMBER’S COMMENTS:

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

MANAGER'S COMMENTS:

Interim City Manager Jonathan Greene offered comments.

ADJOURNMENT:

No further business being offered, a motion to adjourn was made by Councilmember Alexander, seconded by Councilmember Dancy. Vote was done by voice with all in favor. Mayor Dobies adjourned the meeting at 9:46 p.m.