IF YOU WISH TO ADDRESS THE CITY COUNCIL,
PLEASE COMPLETE FORM LOCATED ON DESK AT ENTRANCE AND PASS TO MAYOR.

AGENDA – CITY COUNCIL MEETING

February 9, 2016
6:30 p.m.

1. **CALL TO ORDER.**

2. **PLEDGE OF ALLEGIANCE** – Invocation by Derek Dobies, Vice Mayor and 6th Ward City Councilmember.

3. **ROLL CALL**.

4. **ADOPTION OF AGENDA**.

5. **CITIZEN COMMENTS** (3-Minute Limit).

6. **PRESENTATIONS/PROCLAMATIONS**.

   The Mayor will present a Special Tribute honoring Camilla Babcock in recognition of her 100th birthday.

7. **PETITIONS & COMMUNICATION (Accept & Place on File)**.

8. **CONSENT CALENDAR**.

   A. **Minutes of the Regular Meeting on January 26, 2016:**
   Approve the minutes of the regular City Council meeting of January 26, 2016.

   B. **Board Reappointments – DDA:**
   Mayor's recommendation to reappoint Wendy Clifton and Allan Hooper to the Downtown Development Authority for a four-year term each beginning March 30, 2016 and ending March 29, 2020.

   C. **Walk for Warmth:**
   Approve the request from Consumers Energy to conduct their annual Walk for Warmth on Friday, February 26, 2016, at 12:00 p.m., in

downtown Jackson. (Contingent upon receipt of proper insurance coverage.)

9. PUBLIC HEARINGS.

A. Public Hearings of Necessity for Various Street Improvement Projects:
Public hearing of necessity for street repairs on:

- Edward Avenue – Wildwood Avenue to Winthrop Street & Winthrop Street – Edward Avenue to the east end of Withington Stadium
- Mechanic Street from Morrell Street to Washington Avenue
- West Avenue from Michigan Avenue to Wildwood Avenue and from Ganson Street to North Street
- Francis Street from Washington Avenue to Glick Highway.
- Mechanic Street from Washington Avenue to Glick Highway.
- Jackson Street from Washington Avenue to Glick Highway.

B. Resolution ordering the preparation of a special assessment roll to defray the cost of reconstructing Edward Avenue – Wildwood Avenue to Winthrop Street & Winthrop Street – Edward Avenue to the east end of Withington Stadium.

C. Resolution ordering the preparation of a special assessment roll to defray the cost of reconstructing Mechanic Street from Morrell Street to Washington Avenue.

D. Resolution ordering the preparation of a special assessment roll to defray the cost of reconstructing West Avenue from Michigan Avenue to Wildwood Avenue and from Ganson Street to North Street.

E. Resolution ordering the preparation of a special assessment roll to defray the cost of resurfacing Francis Street from Washington Avenue to Glick Highway.

F. Resolution ordering the preparation of a special assessment roll to defray the cost of resurfacing Mechanic Street from Washington Avenue to Glick Highway.

G. Resolution ordering the preparation of a special assessment roll to defray the cost of resurfacing Jackson Street from Washington Avenue to Glick Highway.

H. Public Hearing to Rezone 144 Price Street:
Public hearing on the request to rezone from I-1 (Light Industrial District) to R-1 (One-Family Residential District).

1. Ordinance amending Chapter 28, Section 28-32, City Code, to rezone 144 Price Street from I-1 to R-1. (City Planning Commission recommends denial.) (First Reading.)

10. OTHER BUSINESS.

A. Ordinance – Amending Chapter 28, Section 28-32 (Second/Final Adoption):
Recommendation: Final adoption of Ordinance No. 2016-03, amending Section 28-32, Chapter 28, City Code, rezoning 1310 Losey Street from R-1 to I-2.

B. Second Contract Renewal to Provide Lawn Care Services at the WWTP and the Water Treatment Plan:
Recommendation: Approve the second contract renewal with Picture Perfect Lawn Care, LLC, Jackson, in the amount of $37,040.00 to provide lawn care services at the City of Jackson Wastewater Treatment Plant and Water Treatment Plant facilities.

C. Special Events Policy Proposed Revisions:
Recommendation: Approve the revisions to the Special Events Policy.

11. NEW BUSINESS.

A. Resolution – MDOT Contract – Wisner Street Rehabilitation – Argyle Street to Boardman Road:
Recommendation: Approve a resolution to enter into a contract with the Michigan Department of Transportation (MDOT) for rehabilitation work along Wisner Street from Argyle Street to Boardman Road, and authorize the Mayor and City Clerk/Treasurer to execute the appropriate contract documents.

B. Resolution – Administrative Hearings Bureau Amnesty:
Recommendation: Approve a resolution granting a judgment reduction for unpaid Administrative Hearings Bureau judgments entered prior to January 1, 2016.

C. Resolution – Opposing Senate Bill 720 and House Bill 5232 Regarding Changes to the Local Historic Districts Act:
Recommendation: approve a resolution in opposition to Senate Bill 720 and House Bill 5232 regarding changes to the Local Historic Districts Act.

***D. Item Deleted.**

E. **Ordinance – Lead Assessment (First Reading):**
Recommendation: Consider an ordinance amending Section 14-7, Article I, Chapter 14, City Code, to require that a property owner submit a lead risk assessment before a property owner is allowed to register his or her property under this Article to protect the safety of the citizens of Jackson.

F. **Gavimetric Belt Feeders for Water Treatment Plant Lime Slakers:**
Recommendation: Approve the purchase of two gravimetric belt feeders and associated components from Integrity Municipal Systems, Poway, California, in the amount of $70,160.00 to be installed on the lime slakers at the Water Treatment Plant.

G. **Accept Payment From Sale Proceeds and Forgive Balance of CDBG Rehabilitation Loan for 811 Burr Street:**
Recommendation: Approve the property owner's request to accept the proceeds from the sale of 811 Burr Street and forgive the balance of the Community Development Block Grant (CDBG) rehabilitation loan issued March 18, 1999.

H. **JHC Executive Director's Recommendation Regarding Three Positions:**
Recommendation: Approve the recommendations made by the Jackson Housing Commission Executive Director regarding three positions: Maintenance Team Lead, Comptroller, and Human Resources Specialist, in concurrence with the Mayor's recommendation.

I. **Parks, Recreation, and Cemeteries New Special Events and Youth Programs From 2016:**
Recommendation: Approve the special events youth programs for the Spring and Summer of 2016 through program fees and the recreation millage fund.

12. EXECUTIVE SESSION to discuss collective bargaining, pending litigation, and purchase of real property.

13. RETURN TO OPEN SESSION.

14. CITY COUNCILMEMBERS' COMMENTS.

15. MANAGER'S COMMENTS.

16. ADJOURNMENT.

***Agenda Item Deleted.**

SPECIAL TRIBUTE

LET IT BE KNOWN, that it is a special privilege to congratulate Camilla Babcock upon the occasion of her 100th birthday on February 10, 2016. This milestone is certainly a time of celebration for her family and friends, and one which offers us an opportunity to gratefully recognize one of the City's most longstanding citizens; and

WHEREAS, Camilla Babcock came to Jackson from Wayne, Michigan, in 1944 with her four-year-old daughter while her husband was fighting overseas in World War II, a move she cites as "one of the best" decisions in her long life; and

WHEREAS, Camilla Babcock worked at Hartley's dress shop in Jackson, and then at Sears in downtown for 27 years before her retirement at 62. She raised a family with her husband, two daughters and a son, before her husband's passing in 1963; and

WHEREAS, Camilla has witnessed and helped to raise generations of family members while living out her century on earth, down to great-great-grandchildren, a spectacle and responsibility few are able to achieve,

IN SPECIAL TRIBUTE, Therefore, this document is signed and dedicated to honor Camilla Babcock in recognition of her 100th birthday. We are certainly grateful for everything she has given to her family, friends and the City of Jackson community. May God bless her as she continues her life's journey.

Bill Jors, Mayor
City of Jackson, Michigan
February 10, 2016

CITY COUNCIL MEETING MINUTES

January 26, 2016

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 Bill Jors.

PLEDGE OF ALLEGIANCE – INVOCATION:

The Council joined in the Pledge of Allegiance. The Invocation was given by Andrew R. Frounfelker, 5th Ward City Councilmember.

ROLL CALL:

Present: Mayor Bill Jors, Councilmembers Arlene Robinson, Freddie Dancy, Daniel P. Greer, Craig Pappin, Andrew R. Frounfelker, and Derek J. Dobies.

Also present: City Manager Patrick Burtch, City Attorney Bethany Smith, City Clerk/Treasurer Andrew J. Wrozek, Jr., City Assessor David Taylor, Director of Police and Fire Matthew Heins, Director of Economic Operations Jennifer Morris, and Assistant City Manager/Operations Jonathan Greene.

ADOPTION OF AGENDA:

Motion was made by Councilmember Frounfelker to amend the Agenda slightly adding under Presentations and Proclamations a short question and answer or statement from the Manager regarding lead in the water system, seconded by Councilmember Dobies. Votes: all yeas. Amendment adopted. Moved to adopt the amended Agenda by Councilmember Dobies, seconded by Councilmember Robinson. Votes: all yeas. Agenda was adopted.

CITIZEN COMMENTS:

Public comment time was opened. Comments were heard and the meeting resumed.

PRESENTATIONS/PROCLAMATIONS:

The City Manager explained water and lead, and what the City is doing to ensure that lead does not become a problem in the City of Jackson water system as it

has in Flint. Actually we test now every year instead of the EPA and State mandated every three years for lead. We are doubling our testing efforts to twice the State and Federal standards, above and beyond what is mandated. Testing sites inside the City were 33 now 66 locations, Blackman Township sites were 20 now 40 locations: and the Prison still has 40 sites tested.

PETITIONS & COMMUNICATION: none.

CONSENT CALENDAR:

A. Minutes of the Regular Meeting on January 12, 2016:
Approve the minutes of the regular City Council meeting of January 12, 2016.

B. 39th Annual Groundhog Gallup:
Approve the request from Allegiance Health to conduct their 39th Annual Groundhog Gallup on Saturday, February 6, 2016, at 10:00 a.m., at Middle School of Parkside. (Contingent upon receipt of proper insurance coverage.)

C. Engineer's Report for Edward Avenue – Wildwood Avenue to Winthrop Street & Winthrop Street – Edward Avenue to Withington Stadium:
Receive the Engineer's Report for street reconstruction on Edward Avenue from Wildwood Avenue to Winthrop Street and on Winthrop Street from Edward Avenue to the east end at Withington Stadium, and establishment of February 9, 2016, at the City Council meeting as the time and place to hold a public hearing of necessity.

D. Engineer's Report for Mechanic Street Reconstruction – Morrell Street to Washington Avenue:
Receive the Engineer's Report for street reconstruction on Mechanic Street from Morrell Street to Washington Avenue and establishment of February 9, 2016, at the City Council meeting as the time and place to hold a public hearing of necessity.

E. Engineer's Report for West Avenue Reconstruction - Michigan Avenue – Wildwood and Ganson Street to North Street:
Receive the Engineer's Report for street reconstruction on West Avenue from Michigan Avenue to Wildwood Avenue and from Ganson Street to North Street, and establishment of February 9, 2016, at the City Council meeting as the time and place to hold a public hearing of necessity.

F. Engineer's Report for Francis Street Resurfacing – Washington Avenue to Glick Highway:
Receive the Engineer's Report for street resurfacing on Francis Street from Washington Avenue to Glick Highway, and establishment of February 9,

2016, at the City Council meeting as the time and place to hold a public hearing of necessity.

G. Engineer's Report for Mechanic Street Resurfacing – Washington Avenue to Glick Highway:
Receive the Engineer's Report for street resurfacing on Mechanic Street from Washington Avenue to Glick Highway, and establishment of February 9, 2016, at the City Council meeting as the time and place to hold a public hearing of necessity.

H. Engineer's Report for Jackson Street Resurfacing – Washington Avenue to Glick Highway:
Receive the Engineer's Report for street resurfacing on Jackson Street from Washington Avenue to Glick Highway, and establishment of February 9, 2016, at the City Council meeting as the time and place to hold a public hearing of necessity.

I. CDBG and HOME Financial Statements through December 31, 2015:
Receive the Community Development Block Grant (CDBG) and HOME Financial Summaries through December 31, 2015.

J. Income Tax Board of Review Appointment:
Approve the Mayor's recommendation to appoint Matt Swartzlander, Anthony Raduazo, and Irving French to the Income Tax Board of Review for a three-year term each, beginning February 1, 2016, and ending January 31, 2019.

Motion by Councilmember Dobies, seconded by Councilmember Greer to adopt the Consent Calendar. Mayor Jors declared the Consent Calendar adopted.

PUBLIC HEARINGS:

A. Public Hearing to Receive Citizen Comments for 2016-2017 Annual Action Plan:
Recommendation: Conduct a Public Hearing to receive citizen input on the City's housing and community development needs specific to Community Development Block Grant (CDBG) and HOME funding. All comments received will be incorporated into the 2016-2017 Annual Action Plan submitted to HUD in May 2016.

The Mayor closed the open meeting and opened the Public Hearing. Speakers: Susan Murdie, John Polaczyk, and Peter Bormuth. The Mayor asked for further comments. There were no further comments and moved back into the open meeting.

OTHER BUSINESS:

A. Balancing Change Order 3 for 2015 Michigan Avenue Utility Replacement Contract:

Recommendation: Approve Balancing Change Order 3 to the contract with Dunigan Brothers, Inc., in the decreased amount of $292,427.54 to balance the contract quantities with the final quantities placed for original items, to add items that were necessary to complete the work in the field, and authorize the City Manager and City Engineer to execute the appropriate document.

Motion was made by Councilmember Greer, seconded by Councilmember Dobies to approve the Change Order. Votes: all yeas. Motion carried.

B. Interim Balancing Change Order 4 for 2015 Michigan Avenue Sidewalk Restoration Contract:

Recommendation: Approve Interim Balancing Change Order 4 to the contract with Dunigan Brothers, Inc., in the increased amount of $59,058.22 to balance contract quantities for various original items that are substantially complete to match quantities placed in the field, to add items that were necessary to complete the work in the field, and authorize the City Manager and City Engineer to execute the appropriate document.

Motion was made by Councilmember Greer, seconded by Councilmember Dobies to approve the Change Order. Votes: all yeas. Motion carried.

NEW BUSINESS:

A. Sale of City-Owned Property – 1009 Martin Street:

Recommendation: Approve the sale of a City-owned vacant lot at 1009 Martin Street (PIN 5-100400000) for $100.00 to Lane Memorial CME Church, and authorize the City Manager to sign the Offer to Purchase, and Purchase Agreement, subject to minor modifications and approval by the City Attorney.

Motion was made to approve the sale by Councilmember Dobies, seconded by Councilmember Dancy. Votes: all yeas. Motion carried.

B. Sale of City-Owned Property – 1125 Woodbridge:

Recommendation: Approve the sale of a City-owned vacant lot at 1125 Woodbridge Street (PIN 4-114800000) for $100.00, and authorize the City

Manager to sign the Offer to Purchase, subject to minor modifications and approval by the City Attorney.

Motion was made to approve the sale by Councilmember Greer, seconded by Councilmember Robinson. Votes: all yeas. Motion carried.

C. Water Treatment Plant Hardware and Control Room Upgrade Project Contract:

Recommendation: Approve a contract for the Water Treatment Plant Supervisory Control and Data Acquisition (SCADA) Hardware and Room Upgrade Project to J. Ranck Electric, Mount Pleasant, MI, in the amount of $755,055.00, and authorize the Mayor and City Treasurer/Clerk to execute the appropriate documents.

Motion was made to approve the contract by Councilmember Greer, seconded by Councilmember Dobies. Votes: all yeas. Motion carried.

EXECUTIVE SESSION to discuss purchase of real property:

Motion to suspend the Regular Open Meeting and go into Executive Session by Councilmember Greer, seconded by Councilmember Dobies. Roll call vote. Yeas: Mayor Jors, Councilmember Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies. Motion carried.

RETURN TO OPEN SESSION:

Motion to return to the Regular Open Meeting by Councilmember Greer, seconded by Councilmember Dobies. Votes: all yeas. Motion carried.

Motion to approve the recommendation in regards to Issue A of the City Manager by Councilmember Dobies, seconded by Greer. Votes: all yeas. Motion carried.

CITY COUNCILMEMBERS' COMMENTS.

MANAGER'S COMMENTS.

ADJOURNMENT:

No further business being presented, Councilmember Greer, seconded by Councilmember Pappin made the motion to adjourn the meeting. Motion carried. Mayor Jors closed the meeting at 7:43 p.m.

JACKSON
Founded 1829

Office of Mayor Bill Jors

161 W. Michigan Ave. - Jackson, MI 49201
Phone: (517) 788-4028 • Facsimile (866) 384-1772

MEMO TO: City Councilmembers

FROM: Bill Jors, Mayor

DATE: February 9, 2016

SUBJECT: Downtown Development Authority Reappointments

Recommendation:

Approve the recommendation to reappoint Wendy Clifton and Allan Hooper to the Downtown Development Authority for a four-year term each, beginning March 30, 2016, and ending March 29, 2020.

In accordance with City Code Section 2-401 providing for creation of Authority pursuant to Act 197 of the Public Acts of 1975, adopted 3/22/77 and City Commission resolution adopted 11/26/91. Members are appointed by the Mayor subject to Council confirmation, for four year terms. The Mayor serves during term of office. The Board shall consist of 13 members, with at least seven having an interest in downtown district property, and at least one member a resident of the downtown district, including the Midtown Association president.

It is my recommendation to reappoint Wendy Clifton and Allan Hooper to the Downtown Development Authority for a four year term each beginning March 30, 2016 and ending March 29, 2020.

BJ:skh

Attachments

26

City of Jackson Board/Commission Application

Name: Allan Hooper - Anchor Initiative

Address: 165 W Michigan Ave IC1-200 PO Box 8021 Zip: 49204

Home Phone: 517 784 9312 Other Phone: 517 740 0201

e-mail address: ahooper@jaxanchor.org Occupation: Downtown Developer

Community Involvement/Activity

Are you a registered voter? yes Ward? DNA

Which Board or Commission(s) are you interested in?

1. Downtown Development Authority

3.

List additional information you feel may be pertinent to board or commission

Feel free to attach any information. (Resume, press clippings)

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

Signature of Applicant

Date 1/26/16

Please return to Mayor's Office, City of Jackson, 161 W. Michigan Avenue, Jackson, MI 49201

Office of the Mayor

161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4028 — Facsimile: (517) 768-5820

CITY OF JACKSON BOARD/COMMISSION APPLICATION

NAME: Wendy Clifton

ADDRESS: 1108 6th St. ZIP: 49203

HOME PHONE: 517-745-6070 OTHER PHONE: 517-787-4880 AFrameAbove

E-MAIL ADDRESS: aframeabove@yahoo.com

OCCUPATION: Local downtown business owner

COMMUNITY INVOLVEMENT

Midtown Association Jackson Community Chamber of Commerce
DDA Board

Are you a registered voter? yes Ward? 6th

Which Board or Commission(s) are you interested in?

1. DDA Board 2.

3.

List additional information you feel may be pertinent to board or commission

As a downtown business owner I am very involved with our downtown community. By serving on the DDA Board I give back to that community. My Business has been downtown 9 of the 13 years I've been in Business.

Feel free to attach any information. (Resume, press clippings)

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR.

Wendy Clifton
Signature of Applicant

1-11-16
Date

JACKSON
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City Manager's Office

161 W. Michigan Ave. - Jackson, MI 49201
Telephone: (517) 788-4035 • Facsimile: (517) 768-5820

MEMO TO: Mayor and City Councilmembers

FROM: Patrick H. Burtch, City Manager PHB

DATE: February 9, 2016

SUBJECT: Special Event Application for the annual Walk for Warmth.

Recommendation:

Approval of the request from Consumers Energy to conduct their annual Walk for Warmth on February 26, 2016 at 12 p.m. in Downtown Jackson.

Attached are memos from Nathan Mack, regarding the Walk for Warmth event.

I recommend approval of the above mentioned recommendation. Your consideration and concurrence is appreciated.

PHB

Attachments

DEPARTMENTAL REPORT
February 9, 2016

MEMO TO: Patrick Burtch, City Manager

FROM: Nathan Mack, Executive Director, DDA

SUBJECT: Special Event Application: **Walk for Warmth**

RECOMMENDATION: Approval of the request from Consumers Energy to conduct their annual Walk for Warmth on February 26, 2016 at 12 p.m. in Downtown Jackson.

Departmental Approval Summary

Approvals noted below by each department indicate they have been made aware of the request and the capacity of their department has been met. Conditions of their approval and special considerations are noted.

Department	Approval	Denial	Economic Impact
Police	x		$0
Fire	x		$0
Engineering	x		$0
Public Works	x		$0
Recreation	x		$0
DDA	x		$0
			$0

Conditions & Considerations

- None

Insurance Status

Pending approval.

ATTACHMENTS: Special Event Application: Walk for Warmth

CITY OF JACKSON
SPECIAL EVENT APPLICATION

Downtown Development Authority ~ 161 W. Michigan Avenue ~ Jackson, MI 49201
(517) 768-6410

Date Received By DDA Office: 1/25/16 Time: 9:20am By. SB

Please complete this application in accordance with the City of Jackson Special Events Policy, and return it to the Office of the Downtown Development Authority at least 30 calendar days before the first day of the event.

Sponsoring Organization's Legal Name: Consumers Energy

Organization Address: One Energy Plaza

Organization Agent Carrie Schneider Title: _____

Phone: (work) 788 2322 Phone: (home) _____ Phone: (during the event) _____

Agent's Address One Energy Plaza, EP8-203

Agent's E-Mail Address carrie.schneider@cmsenergy.com

Event Name Walk for Warmth

Please give a brief description of the proposed special event: This annual event is meant to raise awareness + money for the community for Matter Energy. Employees have an part Rep, make a short trail around downtown and return back to our building.

Event Day(s) & Date(s) Friday, Feb. 26, 2016

Event Time(s) 12:00 - 1:00 PM

Set-Up Date & Time 11:30 - Feb 26 Tear-Down Date & Time 1:00-1:30 Feb 26

Event Location Start @ CE building + make small loop around downtown

---

ANNUAL EVENT: Is this event expected to occur next year? (circle one) ***YES*** ***NO***
How many years has this event occurred? 4

MAP: **(a)** If your event will use streets or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. **(b)** Show any streets or parking lots that you are requesting to be blocked off, and location of vendors, if any. A final map, if different, must be provided seven (7) days before the event. **(c)** Please show an emergency vehicle access lane.

STREET CLOSURES: Start Date/Time _____ through Date/Time: _____

RESERVED PARKING: Are you requesting reserved parking? ***YES*** ***NO***
If yes, list the number of street spaces, City lots or locations where parking is requested:
Parking in the lot behind CE building + have some people start there. Other people will be parked in the lot on Feb. 26.

VENDORS: Food Concessions? ***YES*** ***NO*** Other Vendors? ***YES*** ***NO***

DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT? ***YES*** ***NO***

If yes, please attach liquor license and liquor liability insurance.

If yes, what time? _____ until _____

CITY OF JACKSON
SPECIAL EVENT APPLICATION, Page 2
Downtown Development Authority
161 W. Michigan ~ Jackson, MI 49201 ~ (517) 768-6410

ENTERTAINMENT: Are there any entertainment features related to this event? ***YES*** ***NO***
If yes, provide an attachment listing all bands/performers, type of entertainment, and performance schedule.

ATTENDANCE: What is the expected (estimated) attendance for this event? 600 700

AMUSEMENT: Do you plan to have any amusement or carnival rides? ***YES*** ***NO***
If yes, you are required to obtain a permit through the City Clerk's Office.

REST ROOMS: Are you planning to provide portable rest rooms at the event? ***YES*** ***NO***
If yes, how many? _____
As an event organizer, you must consider the availability of rest room facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

OTHER REQUESTS: (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)
We have modified our Beer Garden to be closed [illegible] for our employees while [illegible] the park. But, it will [illegible] have tables & chairs placed / moved and [illegible]
Also, [illegible] if we can [illegible] to have police [illegible] present on the walk path or [illegible] Dog [illegible] owners.

INSURANCE: All sponsors of special events must carry liability insurance with coverage of at least $500,000. An event sponsor must provide a valid certificate of insurance naming the City of Jackson and Downtown Development Authority as an additional insured party on the policy, for the specified event.

CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that:

A Certificate of Insurance must be provided which names the Downtown Development Authority as well as the City of Jackson as additional named insured parties on the policy.

A $25 Special Event Application fee must be submitted along with this Special event Application. An additional $25 fee must also be submitted if using the CMS Energy Amphitheatre.

All food vendors must be approved by the Jackson County Health Department, and each food or other vendor must provide the City of Jackson with a Certificate of Insurance which names the City of Jackson as an additional named insured party on the policy.

Fire Department permit and approval is required for events including display fireworks.

The approval of this special event may include additional requirements, limitations, or fees, based on the City's review of this application.

Applicants who fail to clean up and repair damages to the Event Area may be billed for City services and such failure will be considered for future applications.

As the duly authorized agent of the sponsoring organization, I am applying for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with the terms of the written confirmation of approval, and all other City requirements, ordinances and other laws, which apply to this Special Event. By signing this Special Event Application, I déclare I am 21 years of age or older.

[illegible] _____ [signature] _____
Date **Signature of Sponsoring Organization's Agent**

RETURN THIS APPLICATION at least thirty (30) days before the first day of the event to:
DOWNTOWN DEVELOPMENT AUTHORITY
161 W. MICHIGAN AVENUE JACKSON, MI 49201

Consumers Energy
Count on Us
Van Buren St
S Jackson St
W Louis Glick Hwy
W Pearl St
Hayes St
W Michigan Ave
E Michigan Ave
W Cortland St
E Cortland St
Homewild Ave
Detroit St
E Louis Glick Hwy
E Pearl St
N Columbus St
Cooper St
N Park Ave
Hupp St
One Energy Plaza
Energy Plaza
W Washington Ave
E Washington St
S Blackstone St
S Sycamore St
S Mechanic St
Francis St
W Wesley St
W Franklin St
E Franklin St
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LEGEND:
2016 WALK FOR WARMTH ROUTE

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City Treasurer/City Clerk

161 W. Michigan Ave. - Jackson, MI 49201
Treasurer: (517) 788-4043 • Clerk: (517) 788-4025

MEMO TO: Mayor and City Councilmembers

FROM: Andrew J. Wrozek, Jr., City Clerk/Treasurer *ajw*

DATE: February 9, 2016

SUBJECT: Public Hearings of Necessity for Various Street Improvement Projects:

Recommendation:

Hold a public hearing of necessity for street repairs on:

- Edward Avenue – Wildwood Avenue to Winthrop Street & Winthrop Street – Edward Avenue to the east end of Withington Stadium
- Mechanic Street from Morrell Street to Washington Avenue
- West Avenue from Michigan Avenue to Wildwood Avenue and from Ganson Street to North Street
- Francis Street from Washington Avenue to Glick Highway.
- Mechanic Street from Washington Avenue to Glick Highway.
- Jackson Street from Washington Avenue to Glick Highway.

A public hearing was established at the City Council's January 26th meeting for February 9, 2016. The required notice was published in the Jackson Citizen Patriot and a notification letter was sent to each property owner including an estimate of the proposed project and funding sources, along with an estimate of individual property assessments, which can be paid in fifteen
(15) annual installments.

I recommend approval of the above mentioned recommendation. Your consideration and concurrence is appreciated.

cc: Patrick Burtch, City Manager

JACKSON
Founded 1829

City Treasurer/City Clerk

161 W. Michigan Ave. - Jackson, MI 49201
Treasurer: (517) 788-4043 • Clerk: (517) 788-4025

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Andrew J. Wrozek, Jr., City Clerk/Treasurer ajw

DATE: February 9, 2016

SUBJECT: Resolution Ordering the Necessity of Street Reconstruction on Edward Avenue from Wildwood Avenue to Winthrop Street & Winthrop Street from Edward Avenue to Withington Stadium.

RECOMMENDATION:

Approve a resolution ordering the preparation of a special assessment roll to defray the cost of reconstructing Edward Avenue from Wildwood Avenue to Winthrop Street & Winthrop Street from Edward Avenue to Withington Stadium.

I recommend approval of the above mentioned recommendation. Your consideration and concurrence is appreciated.

Cc: Patrick Burtch, City Manager

RESOLUTION
STREET CONSTRUCTION

BY THE CITY COUNCIL:

WHEREAS, under the authority granted by Ordinance No. 98-6 and 98-20, the City Council has reviewed the report regarding the necessity of street reconstruction on Edward Avenue from Wildwood Avenue to Winthrop Street and Winthrop Street from Edward Avenue to Withington Stadium the following estimated costs, to wit:

CDBG Funds	**$ 326,000.00**
Local Street Funds	**$ 23,000.00**
Street Construction Assessments	**$ 64,102.50**
Water Funds	**$ 123,000.00**
Total Project Cost	**$ 536,102.50**

WHEREAS, notice has been duly given that the City Council would hold a public hearing in the City of Jackson on Tuesday, the 9th day of February, 2016 at 6:30 p.m. to hear any and all objections and suggestions by interested parties to said public improvement; and

WHEREAS, the City Council and Assessor having heard all suggestions and objections made thereto and having fully considered the same;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines that the street construction is a necessary public improvement and directs staff to proceed with the street construction, in accordance with plans, maps, and specifications in the City Engineer's office; and

BE IT FURTHER RESOLVED that the City Assessor is ordered to assess the cost of said improvement to the property owners who benefit therefrom on a front footage basis and prepare an assessment roll covering this assessment district as soon as possible after the public improvement has been completed.

* * * * *

State of Michigan)
County of Jackson) ss
City of Jackson)

I, Andrew J. Wrozek Jr., City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on the 9th day of February, 2016.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, Michigan, on this 10th day of February, 2016.

William C. Jors, Mayor

Andrew J. Wrozek Jr., City Clerk

JACKSON
Founded 1829

City Treasurer/City Clerk

161 W. Michigan Ave. - Jackson, MI 49201
Treasurer: (517) 788-4043 • Clerk: (517) 788-4025

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Andrew J. Wrozek, Jr., City Clerk/Treasurer ajw

DATE: February 9, 2016

SUBJECT: Resolution Ordering the Necessity of Street Reconstruction on Mechanic Street from Morrell Street to Washington Avenue.

RECOMMENDATION:

Approve a resolution ordering the preparation of a special assessment roll to defray the cost of reconstructing Mechanic Street from Morrell Street to Washington Avenue.

I recommend approval of the above mentioned recommendation. Your consideration and concurrence is appreciated.

Cc: Patrick Burtch, City Manager

RESOLUTION
STREET CONSTRUCTION

BY THE CITY COUNCIL:

WHEREAS, under the authority granted by Ordinance No. 98-6 and 98-20, the City Council has reviewed the report regarding the necessity of street reconstruction on Mechanic Street from Morrell Street to Washington Avenue the following estimated costs, to wit:

MDOT/FHWA Funds	**$ 599,000.00**
CDBG Funds	**$ 151,500.00**
Major Street Funds	**$ 312,000.00**
Street Construction Assessments	**$ 150,767.63**
Water Funds	**$ 310,000.00**
Sewer Funds	**$ 75,000.00**
Total Project Cost	**$1,698,267.63**

WHEREAS, notice has been duly given that the City Council would hold a public hearing in the City of Jackson on Tuesday, the 9th day of February, 2016 at 6:30 p.m. to hear any and all objections and suggestions by interested parties to said public improvement; and

WHEREAS, the City Council and Assessor having heard all suggestions and objections made thereto and having fully considered the same;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines that the street construction is a necessary public improvement and directs staff to proceed with the street construction, in accordance with plans, maps, and specifications in the City Engineer's office; and

BE IT FURTHER RESOLVED that the City Assessor is ordered to assess the cost of said improvement to the property owners who benefit therefrom on a front footage basis and prepare an assessment roll covering this assessment district as soon as possible after the public improvement has been completed.

* * * * *

State of Michigan)
County of Jackson) ss
City of Jackson)

I, Andrew J. Wrozek Jr., City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on the 9th day of February, 2016.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, Michigan, on this 10th day of February, 2016.

William C. Jors, Mayor

Andrew J. Wrozek Jr., City Clerk

JACKSON
Founded 1829

City Treasurer/City Clerk

161 W. Michigan Ave. - Jackson, MI 49201
Treasurer: (517) 788-4043 • Clerk: (517) 788-4025

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Andrew J. Wrozek, Jr., City Clerk/Treasurer *ajw*

DATE: February 9, 2016

SUBJECT: Resolution Ordering the Necessity of Street Reconstruction on West Avenue from Michigan Avenue to Wildwood Avenue and from Ganson Street to North Street.

RECOMMENDATION:

Approve a resolution ordering the preparation of a special assessment roll to defray the cost of reconstructing West Avenue from Michigan Avenue to Wildwood Avenue and from Ganson Street to North Street.

I recommend approval of the above mentioned recommendation. Your consideration and concurrence is appreciated.

Cc: Patrick Burtch, City Manager

RESOLUTION
STREET CONSTRUCTION

BY THE CITY COUNCIL:

WHEREAS, under the authority granted by Ordinance No. 98-6 and 98-20, the City Council has reviewed the report regarding the necessity of street reconstruction on West Avenue from Michigan Avenue to Wildwood Avenue and from Ganson Street to North Street the following estimated costs, to wit:

MDOT/FHWA Funds	**$ 2,482,400.00**
Street Construction Assessments	**$ 45,342.60**
Water Funds	**$ 28,000.00**
Sewer Funds	**$ 92,000.00**
Total Project Cost	**$ 2,647,742.60**

WHEREAS, notice has been duly given that the City Council would hold a public hearing in the City of Jackson on Tuesday, the 9th day of February, 2016 at 6:30 p.m. to hear any and all objections and suggestions by interested parties to said public improvement; and

WHEREAS, the City Council and Assessor having heard all suggestions and objections made thereto and having fully considered the same;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines that the street construction is a necessary public improvement and directs staff to proceed with the street construction, in accordance with plans, maps, and specifications in the City Engineer's office; and

BE IT FURTHER RESOLVED that the City Assessor is ordered to assess the cost of said improvement to the property owners who benefit therefrom on a front footage basis and prepare an assessment roll covering this assessment district as soon as possible after the public improvement has been completed.

* * * * *

State of Michigan)
County of Jackson) ss
City of Jackson)

I, Andrew J. Wrozek Jr., City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on the 9th day of February, 2016.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, Michigan, on this 10th day of February, 2016.

William C. Jors, Mayor

Andrew J. Wrozek Jr., City Clerk

February 2. 2016

RE: Jackson City Council public hearing on February 9, 2016

To whom it may concern:

This meeting is for the reconstruction proposed for West Ave, but my concerns also relate to the proposed reconstruction for Michigan Ave in 2017.

Please note that I have lived on the intersection of West and Michigan for 20 years and prior to that I lived two houses south of this intersection for another 20 years

The roads need to be redone and water and sewer pipes should be repaired/replaced if needed. (Think Flint)

The proposed additional left turn lanes, 10' wide non motor pathway (with need for retaining walls) etc. are extremely expensive dreams. Times are much too hard for these dreams

Being realistic:

The cost of maintaining all of the additional pavement and retaining walls will be excessive and wasteful considering the lack of need for this pavement. (Neglect of existing roads and sidewalks is not a good sign)

Traffic only backs up a few times a day: 8am, Noon, and 5pm; the rest of the time if flows freely

Some suggestions:

More left turn lights; no right turns on red at some of the intersections may possibly reduce traffic backup

Move the solid white lines (stop here) further away from intersection if needed. Educate public that these lines are not for decoration only.

Educate public on the meaning of a yellow light.

Educate public about not blocking intersections.

Other concerns:

Who will remove snow from the 10' wide path?

What will be done with all of the additional snow?

Will the retaining wall be built to minimum requirement only? Who will bear cost of maintaining the retaining wall? Who will bear cost of damage to buildings if retaining wall not sufficient or well maintained? Please note that the Fayette Arms buildings were well constructed and are well maintained. There are 54 homes here.

Lack of shade trees makes area ugly and uncomfortable. (N West and N Wisner are horrible)

Who do you expect to use a 10' wide path? In the 40 years I have lived here, pedestrian and cyclist traffic has increased from almost none to a few. And I am one of the few.

Please consider simplifying this project due to lack of need, cost of maintaining, lack of real improvement to area, encroachment on the privacy of existing residents, etc.

Sincerely: Sue Ritsema. 806 W Michigan Ave. 302W Jackson MI 49202. 748-7171

Copies to: Fayette Arms Board of Directors and State Rep. Earl Poleski

Founded July 3, 1829

Andrew J. Wrozek, Jr.
City Treasurer / City Clerk

161 W. Michigan Ave. • Jackson, MI 49201
Treasurer (517) 788-4043 • Income Tax Office (517) 788-4044 • Clerk (517) 788-4025

January 22, 2016

RITSEMA SUSAN K
806 W MICH AVE #302W
JACKSON MI 49202

Dear Property Owner: Property Address: 806 W MICHIGAN AVE #302W Parcel: 2-0123.4900

You are hereby notified that the City Council has established a public hearing of necessity to consider the proposed street reconstruction on West Avenue from Michigan Avenue to Wildwood Avenue and from Ganson Street to North Street. The public hearing will be held:

TUESDAY, FEBRUARY 9, 2016, 6:30 P.M.
CITY COUNCIL CHAMBERS, 2ND FLOOR - 161 W. MICHIGAN AVENUE

The purpose of the public hearing is to provide for public comments. The City Council will listen to both those in favor and those opposed to the project. After the public hearing is closed, the City Council will decide whether or not to undertake the proposed project. Property owners who are unable to attend the public hearing may submit their comments in writing to the City Clerk's office. Any comments received prior to the public hearing will be reported to the City Council and staff.

Property owners are responsible for part of the project cost in proportion to their property frontage. Current City assessment policy places limits on assessments based in part on State Equalized Value (SEV), usage, street classifications, and previous assessments. A further reduction in assessments may be provided by the City Assessor for residential corner lot properties. Therefore, assessments from property to property may vary even though parcels may be the same size.

Estimated project costs:	**MDOT/FHWA Funds**	**$ 2,482,400.00**
	Street Construction Assessments	**$ 45,342.60**
	Water Funds	**$ 28,000.00**
	Sewer Funds	**$ 92,000.00**
	Total Project Cost	**$ 2,647,742.60**

The **estimated** assessment against your property contained in the proposed Assessment Roll is $18.89 and may be divided and paid in Fifteen (15) annual installments. **If you choose to make annual installment payments, there will be an annual interest charge on each installment, beginning with the second installment; or you may choose to pay the full amount without interest.** The interest rate will be determined after the project has been completed, and will be based on the current Municipal Grade A bond rate. The final assessment will be determined after the project is completed. Questions relating to the amount of your estimated assessment should be directed to the City Assessor at 788-4033.

Sincerely,

Andrew J. Wrozek Jr.

Andrew J. Wrozek Jr.
City Clerk

C: Jon Dowling, Director of Engineering/DPW
David Taylor, City Assessor

JACKSON
Founded 1829

City Treasurer/City Clerk

161 W. Michigan Ave. - Jackson, MI 49201
Treasurer: (517) 788-4043 • Clerk: (517) 788-4025

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Andrew J. Wrozek, Jr., City Clerk/Treasurer *ajw*

DATE: February 9, 2016

SUBJECT: Resolution Ordering the Necessity of Street Resurfacing on Francis Street from Washington Avenue to Glick Highway.

RECOMMENDATION:

Approve a resolution ordering the preparation of a special assessment roll to defray the cost of resurfacing Francis Street from Washington Avenue to Glick Highway.

I recommend approval of the above mentioned recommendation. Your consideration and concurrence is appreciated.

Cc: Patrick Burtch, City Manager

RESOLUTION
STREET CONSTRUCTION

BY THE CITY COUNCIL:

WHEREAS, under the authority granted by Ordinance No. 98-6 and 98-20, the City Council has reviewed the report regarding the necessity of street resurfacing on Francis Street from Washington Avenue to Glick Highway the following estimated costs, to wit:

Major Street Funds	**$ 149,527.46**
Street Construction Assessments	**$ 47,043.17**
Total Project Cost	**$ 196,570.63**

WHEREAS, notice has been duly given that the City Council would hold a public hearing in the City of Jackson on Tuesday, the 9th day of February, 2016 at 6:30 p.m. to hear any and all objections and suggestions by interested parties to said public improvement; and

WHEREAS, the City Council and Assessor having heard all suggestions and objections made thereto and having fully considered the same;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines that the street construction is a necessary public improvement and directs staff to proceed with the street construction, in accordance with plans, maps, and specifications in the City Engineer's office; and

BE IT FURTHER RESOLVED that the City Assessor is ordered to assess the cost of said improvement to the property owners who benefit therefrom on a front footage basis and prepare an assessment roll covering this assessment district as soon as possible after the public improvement has been completed.

* * * * *

State of Michigan)
County of Jackson) ss
City of Jackson)

I, Andrew J. Wrozek Jr., City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on the 9th day of February, 2016.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, Michigan, on this 10th day of February, 2016.

William C. Jors, Mayor

Andrew J. Wrozek Jr., City Clerk

To: % City Clerk's Office
The Jackson City Council
161 W Michigan Ave
Jackson MI 49201

02/01/2016

Re: Proposed Street Resurfacing on Francis Street from Washington Avenue to Glick Highway

Dear City Council,

$196,570.63 is a lot of money. It is especially a lot for a project that that does not need to be done. The street and sidewalks are fine. It is disruptive to business to continuously have streets torn up. It certainly does not need to be replaced all the way to Washington Ave.

Please either modify the project or scrap it completely.

Kevin & Susan DeMay
The Book Exchange
236 Francis Street
Jackson MI 49201

JACKSON
Founded 1829

City Treasurer/City Clerk

161 W. Michigan Ave. - Jackson, MI 49201
Treasurer: (517) 788-4043 • Clerk: (517) 788-4025

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Andrew J. Wrozek, Jr., City Clerk/Treasurer ajw

DATE: February 9, 2016

SUBJECT: Resolution Ordering the Necessity of Street Resurfacing on Mechanic Street from Washington Avenue to Glick Highway.

RECOMMENDATION:

Approve a resolution ordering the preparation of a special assessment roll to defray the cost of resurfacing Mechanic Street from Washington Avenue to Glick Highway.

I recommend approval of the above mentioned recommendation. Your consideration and concurrence is appreciated.

Cc: Patrick Burtch, City Manager

RESOLUTION
STREET CONSTRUCTION

BY THE CITY COUNCIL:

WHEREAS, under the authority granted by Ordinance No. 98-6 and 98-20, the City Council has reviewed the report regarding the necessity of street resurfacing on Mechanic Street from Washington Avenue to Glick Highway the following estimated costs, to wit:

Major Street Funds	**$ 248,529.83**
Street Construction Assessments	**$ 165,046.44**
Total Project Cost	**$ 413,576.27**

WHEREAS, notice has been duly given that the City Council would hold a public hearing in the City of Jackson on Tuesday, the 9th day of February, 2016 at 6:30 p.m. to hear any and all objections and suggestions by interested parties to said public improvement; and

WHEREAS, the City Council and Assessor having heard all suggestions and objections made thereto and having fully considered the same;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines that the street construction is a necessary public improvement and directs staff to proceed with the street construction, in accordance with plans, maps, and specifications in the City Engineer's office; and

BE IT FURTHER RESOLVED that the City Assessor is ordered to assess the cost of said improvement to the property owners who benefit therefrom on a front footage basis and prepare an assessment roll covering this assessment district as soon as possible after the public improvement has been completed.

* * * * *

State of Michigan)
County of Jackson) ss
City of Jackson)

I, Andrew J. Wrozek Jr., City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on the 9th day of February, 2016.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, Michigan, on this 10th day of February, 2016.

William C. Jors, Mayor

Andrew J. Wrozek Jr., City Clerk

Randy Wrozek

From: Dan Ramp <dlramp@yahoo.com>
Sent: Thursday, February 04, 2016 9:11 AM
To: Randy Wrozek
Subject: Mechanic St. Resurfacing

Randy,
Please forward my concerns at your meeting regarding the resurfacing of Mechanic St. between Washington St. and Louis Glick Hwy.
1. This street was resurfaced about 13 years ago I just finished paying off the streetscape assessment.
2. If I remember correctly, A few years after we paid to have the street resurfaced, the city came through and tore up the new street for either water or sewer lines.
3. I know that their are a great deal more streets in the city in worse condition than this one.
Thanks for listening,
Daniel Ramp, President of Rampage Real Estate, Inc.

Click here to report this email as spam.

JACKSON
Founded 1829

City Treasurer/City Clerk

161 W. Michigan Ave. - Jackson, MI 49201
Treasurer: (517) 788-4043 • Clerk: (517) 788-4025

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Andrew J. Wrozek, Jr., City Clerk/Treasurer ajw

DATE: February 9, 2016

SUBJECT: Resolution Ordering the Necessity of Street Resurfacing on Jackson Street from Washington Avenue to Glick Highway.

RECOMMENDATION:

Approve a resolution ordering the preparation of a special assessment roll to defray the cost of resurfacing Jackson Street from Washington Avenue to Glick Highway.

I recommend approval of the above mentioned recommendation. Your consideration and concurrence is appreciated.

Cc: Patrick Burtch, City Manager

RESOLUTION
STREET CONSTRUCTION

BY THE CITY COUNCIL:

WHEREAS, under the authority granted by Ordinance No. 98-6 and 98-20, the City Council has reviewed the report regarding the necessity of street resurfacing on Jackson Street from Washington Avenue to Glick Highway the following estimated costs, to wit:

Major Street Funds	**$ 367,858.94**
Street Construction Assessments	**$ 255,016.17**
Total Project Cost	**$ 622,875.11**

WHEREAS, notice has been duly given that the City Council would hold a public hearing in the City of Jackson on Tuesday, the 9th day of February, 2016 at 6:30 p.m. to hear any and all objections and suggestions by interested parties to said public improvement; and

WHEREAS, the City Council and Assessor having heard all suggestions and objections made thereto and having fully considered the same;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines that the street construction is a necessary public improvement and directs staff to proceed with the street construction, in accordance with plans, maps, and specifications in the City Engineer's office; and

BE IT FURTHER RESOLVED that the City Assessor is ordered to assess the cost of said improvement to the property owners who benefit therefrom on a front footage basis and prepare an assessment roll covering this assessment district as soon as possible after the public improvement has been completed.

* * * * *

State of Michigan)
County of Jackson) ss
City of Jackson)

I, Andrew J. Wrozek Jr., City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on the 9th day of February, 2016.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, Michigan, on this 10th day of February, 2016.

William C. Jors, Mayor

Andrew J. Wrozek Jr., City Clerk

JACKSON
Founded 1829

City Manager's Office

161 W. Michigan Ave. - Jackson, MI 49201
Telephone: (517) 788-4035 • Facsimile: (517) 768-5820

MEMO TO: Mayor and City Councilmembers

FROM: Patrick H. Burtch, City Manager

DATE: February 9, 2016

SUBJECT: Ordinance amending Chapter 28, Section 28-32, City Code, to rezone 144 Price Street from I-1, Light Industrial, to R-1, One Family Residential (first reading)

Recommendation: Deny the proposed ordinance amending Chapter 28, Section 28-32, City Code, to rezone 144 Price Street from I-1, Light Industrial, to R-1, One Family Residential as per the recommendation from the Planning Commission.

Attached is the memo and draft Ordinance from Jennifer Morris, Director Neighborhood and Economic Operations, along with the packet that was presented to the Planning Commission regarding the above noted rezoning request.

I recommend approval of the above mentioned recommendation. Your consideration and concurrence is appreciated.

PHB

Attachments

DEPARTMENTAL REPORT
February 4, 2016

MEMO TO: Patrick Burtch, City Manager

FROM: Jennifer Morris, Director of Neighborhood and Economic Operations

RECOMMENDATION: Deny the proposed Ordinance amending Chapter 28, Section 28-32, City Code, to rezone 144 Price Street from I-1, Light Industrial, to R-1, One Family Residential

SUMMARY

The applicant is requesting the rezoning of the subject site to remove the non-conforming status of the use (single family homes are not permitted in the I-1, Light Industrial zoning district) and to allow it to eventually be an occupied home upon upgrading the home to comply with the building code.

BUDGETARY CONSIDERATIONS

There are no budgetary considerations.

HISTORY, BACKGROUND and DISCUSSION

The property is located west of North Francis Street and north of Monroe Street and is situated on the north side of the road one house east of the railroad which is the western terminus of Price Street. The structure was built in 1936 and appears to have been utilized as a residence since it was constructed. However, the two (2) structures which exist on the one (1) acre parcel have both been cited for a variety of ordinance violations, all of which would need to be addressed in advance of reverting it back to an occupied structure.

The City's 2003 Comprehensive Plan, which is presently being updated, denotes the subject site as being part of an area planned for industrial/commercial use. The entire railroad corridor exhibits the same designation which includes low intensity light industrial and heavy commercial uses. While the subject site is on the periphery of this designation, it has subsequently intruded further into the established neighborhood and is now more in line with the industrial boundaries both north and south of the subject site.

The land uses abutting the subject property are predominately industrial, and predominantly zoned for industrial use. However, commencing to the east of the property due east of the subject site and extending to North Francis Street is a well-established 1930's era residential neighborhood. This pattern appears consistent with the majority of the properties abutting the railroad although typically extending

a parcel our two further into the adjoining neighborhoods. The industrial use to the east of the subject site is therefore consistent with the pattern noted previously.

DISCUSSION OF THE ISSUE

The criteria for amending the zoning map (rezoning) is as follows:

1. Consistency with the goals, policies and Future Land Use Map of the City's Comprehensive Plan, including all applicable subarea and corridor studies. If conditions have changed since the Master Plan was adopted, the consistency with recent development trends in the area;

2. Compatibility of the site's physical, geological, hydrological and other environmental features with the potential uses allowed in the proposed zoning district;

3. Evidence the applicant cannot receive a reasonable return on investment through developing the property with one (1) of the uses permitted under the current zoning;

4. The compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;

5. The capacity of City's infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the "health, safety and welfare" of the City;

6. The apparent demand for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand; and

7. Where a rezoning is reasonable given the above criteria, a determination shall be made that the requested zoning district is more appropriate than another district or amending the list of permitted or special land uses within a district.

POSITIONS

The requested zoning is inconsistent with the general intent of the current Comprehensive Plan and the future land use map. Furthermore the industrial land use pattern and zoning have been well established along either side of the railroad bed. Therefore, retaining a residential structure within such close proximity to an industrial district is a departure from the character of the area.

On February 3, 2016, the Planning Commission upheld staffs recommendation of denial to the City Council for the request to rezone the property from I-1 to R-1 based upon its lack of compliance with the criteria as noted above along with the fact that it would create an illegal spot zone. This matter is now being forwarded to the City Council for first reading of the ordinance.

ATTACHMENTS

ORDINANCE NO. 2016-___

An Ordinance to amend Section 28-32, of Chapter 28, of the Code of Ordinances of the City of Jackson.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. That Section 28-32 of Chapter 28, of the Code of Ordinances, City of Jackson, Michigan, be and the same hereby is, amended by changing the map of the use districts required by said Section and said Chapter, and incorporated therein by reference as follows:

Change one (1) property known legally as the following from I-1 (light industrial) to R-1 (one family residential:

Property Address: 144 Price Street, Jackson, MI
Legal Description: 8-255500000
Parcel Number:

Section 2. This ordinance shall take effect thirty (30) days from date of adoption.

* * * * * * *

Adopted:

JACKSON
Founded 1829

City Treasurer/City Clerk
161 W. Michigan Ave. - Jackson, MI 49201
Treasurer: (517) 788-4043 • Clerk: (517) 788-4025

MEMO TO: Mayor and City Councilmembers

FROM: Andrew J. Wrozek, Jr. City Treasurer/City Clerk

DATE: February 9, 2016

SUBJECT: Adoption of Ordinance No. 2016-03 (Second/final)

Recommendation:

To adopt Ordinance No. 2016-03 amending Chapter 28, Section 28-32, City Code, to Rezone Parcel ID # 6-1072, 1310 Losey Street, from R-1 to I-2.

Attached is information regarding Ordinance 2016-03 approved by the Council at the August 11, 2015 meeting.

I recommend approval of the above mentioned recommendation. Your consideration and concurrence is appreciated.

ORDINANCE NO. 2016-03

An Ordinance to amend Section 28-32, of Chapter
28, of the Code of Ordinances of the City of Jackson.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. That Section 28-32 of Chapter 28, of the Code of Ordinances, City of Jackson, Michigan, be and the same hereby is, amended by changing the map of the use districts required by said Section and said Chapter, and incorporated therein by reference as follows:

Change one (1) property known legally as the following from R-1 (one-family residential) to I-2 (general industrial):

Property Address:	1310 Losey Street, Jackson, MI
Legal Description:	1749, 1749.1 LOT 6 & 9 BLK 4 CARR'S SOUTH ADD
Parcel Number:	6-1749.2000

Section 2. This ordinance shall take effect thirty (30) days from date of adoption.

* * * * * * *

Adopted:

Neighborhood & Economic Operations
Building a Stronger Community

161 W. Michigan Avenue • Jackson, MI 49201-1303
Phone (517) 788-4060 • Facsimile (517) 780-4781

CITY COUNCIL MEETING
AUGUST 11, 2015

MEMO TO: Honorable Mayor and City Council Members

FROM: City of Jackson Planning Commission
Chris Atkin, Planning Director

DATE: August 6, 2015

SUBJECT: Consideration of an Ordinance Amending Chapter 28, Section 28-32, City Code, to Rezone Parcel ID #6-1749.2 from R-1 to I-2.

RECOMMENDATION: Open a Public Hearing on the Request Rezone Parcel #6-1749.2 from R-1 to I-2.

- Approve Ordinance Amending Chapter 28, Section 28-32, City Code, to Rezone Parcel #6-1749.2 from R-1 to I-2. *(City Planning Commission Recommends Approval)*

The City Planning Commission considered a request to rezone Parcel #6-1749.2 located at 1310 Losey St. from R-1 (One-Family Residential) to I-2 (General Industrial). A Public Hearing held during the Wednesday, August 05, 2015 Planning Commission Meeting. The Planning Commission recommended Approval of the applicant's request to rezone the property as follows:

*Commissioner Griffin motioned to follow staff's recommendation, Commissioner Stark seconded, to recommend City Council **APPROVE** the applicant's request to rezone Parcel #6-1749.2 from R-1 to I-2.*

Yeas- 6(Stark, Mauldin, Kubish, Polaczyk, Griffin and Troxel); Nays- 0; Abstain- 0; Absent- 3(Dobies, Burtch and Smith)

RECEIVED
JUN 29 2015
BY:

Application for District Change (Rezoning)

Before the City Planning Commission
City of Jackson, Michigan

1. Application PDC 150003 (To be filled out by N&EC Staff) Date Filed: 6 29 2015 (To be filled out by N&EC Staff)

2. JACKSON TUMBLE FINISH / DENISE L. LOSEY (Name(s))

1801 Mitchell St (Street Address) DENISE@JACKSONTUMBLE.COM (Email)

JACKSON (City) . MI (State) 49203 (Zip) (517) 787-0368 (Phone Number) Owners Occupants Buyers (Status of the Applicant* (Circle One))

of the property located at: 1310 Losey St, JACKSON. (Street Address) 49203 (Zip Code)

property identification #: 6-1749.2000

I (we) respectfully request a determination be made by the City Planning Commission on the following change of zoning as provided in §28-183 of the Zoning Ordinance:

3. Current zoning: R-1 R-2 R-3 R-4 R-5 R-6 C-1 C-2 C-3 C-4 I-1 I-2 PUDD (Circle One)

Proposed zoning: R-1 R-2 R-3 R-4 R-5 R-6 C-1 C-2 C-3 C-4 I-1 I-2 (Circle One)

The proposed use is: Industrial - future expansion

5. I certify that the information provided above is correct to the best of my belief and knowledge.

DENISE L. LOSEY PRES. (Name & Title) — (Name & Title)

Denise L Losey (Signature) — (Signature)

6. **City Clerk Use Only:**
Date: / / Fee: $ 305.00 Receipt #:

* *If the applicant is not the owner of the property, a letter of consent from the property owner must accompany this application.*

Neighborhood & Economic Operations
Building a Stronger Community

161 W. Michigan Avenue • Jackson, MI 49201-1303
Phone (517) 788-4060 • Facsimile (517) 780-4781

PLANNING COMMISSION MEETING
August 05, 2015

TO: City of Jackson Planning Commission

FROM: Chris Atkin, Planning Director

SUBJECT: Staff Report for 1310 Losey St., Jackson, MI 49203 Rezoning request from R-1 (one-family residential) to I-2 (general industrial).

MOTION 1: Receive the Staff Report

HEARING: Conduct a Public Hearing on the Request for rezoning

MOTION 2: Consideration of a request to rezone the parcel located at 1310 Losey St. as provided for in Sec. 28-183 of the City's Zoning Ordinance

Overview and Applicable Zoning Criteria

Applicant: Jackson Tumble Finish/Denise Losey

Location: 1310 Losey St.; Parcel ID# 6-1749.2

Received Date: June 29, 2015

Latest Revisions: N/A

Zoning: R-1, One-Family Residential District

Applicant Request: The applicant is requesting the parcel located at 1310 Losey St. (Parcel ID# 6-1749.2), a vacant lot, to be rezoned from R-1 (one-family residential) to I-2 (general industrial).

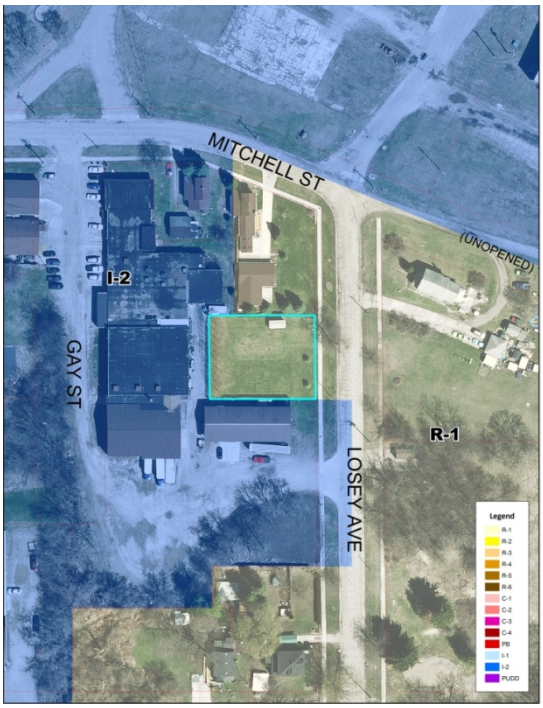
Recommendation: **Approval of request**

<u>District Changes</u>
Sec. 28-183(1). Procedure for change

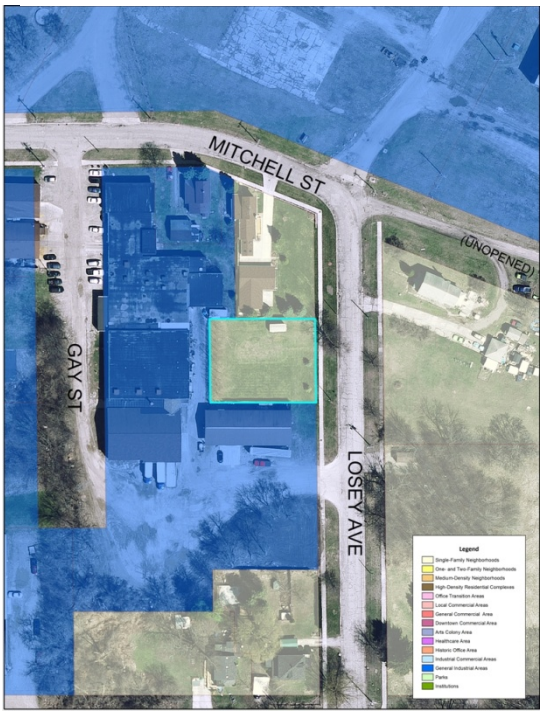
> *By application.* Any person, firm or corporation desiring a change in the zoning classification of property shall file with planning staff an application for zoning change. When the application for zoning change appears to be in accordance with public necessity, convenience, safety and the general welfare of the city, planning staff shall refer such application to the city planning commission

Maps & Aerial Photos

Subject Area Zoning Map



Subject Area Future Land Use Map



Site Description

The property is located on a local city street that is serviced primarily by Elm Ave, a collector road. According to the City of Jackson Assessing system, the 12,500 square foot vacant parcel was purchased by the applicant in January 2015; the applicant also the majority of the land surrounding the subject parcel and is site of Jackson Tumble Finish.

Ordinance & Future Land Use

The City's ordinance describes the I-2 district as a "suitable space for industrial operations of all types and adult entertainment enterprises that can comply with all provisions of this chapter and can assure protection of the public interest and surrounding property and persons. The City of Jackson, in adopting this section, recognizes, the secondary blighting effects caused by concentration of adult entertainment uses proven in other areas of the state and nation. Any use allowed as a permitted or conditional use in the I-1 district, except those expressly listed in the C-4 district, shall be considered a valid permitted or conditional use in this district." (Sec. 28-47)

Whereas the City's ordinance describes the R-1 district "is established for low to medium density single-family residential neighborhoods. The regulations are intended to stabilize, protect and encourage the residential character of the district and prohibit all activities of a commercial nature. Development is limited to single unit dwellings and home occupations as well as certain conditional uses that are compatible and convenient to the residents in the district." (Sec. 28-36)

The current future land use map shows this parcel to remain zoned as residential, as it shows for all other residentially zoned parcels within the block. At the time the future land use map was developed, the subject property was owned by the adjacent residential home owner; consequently, there was no merit to changing the zoning designation.

Conclusion: The property is located within a block where the majority of the properties, including abutting properties, are zoned industrial and used for industrial purposes. Rezoning this property may be a conflict with the current future land use map but it would not be considered a spot zone.

Neighboring Zoning and Land Use

The subject parcel is zoned R-1, one-family residential district, while the surrounding parcels are zoned as follows:

North:	R-1, One-family residential	**South**:	I-2, General Industrial
East:	R-1, One-family residential	**West:**	I-2, General Industrial

The existing land uses within the area are one-family residential and general industrial.

North: Residential **South:** Industrial **East:** Industrial **West:** Residential

Development Potential

Per the City of Jackson zoning ordinance, the vacant parcel meets the requirements and may be developed with either zoning designation.

Aforementioned, the applicant took control of the property in January 2015 with the intention of expanding the primary structure. Plans for the expansion are in the preliminary stages.

Traffic Impact and Site Access

Potential site access may be from Losey St. via new ingress/egress or from an existing access point to the south.

Conclusion: In its current, undeveloped state, there will be no impact on traffic.

Essential Facilities and Services

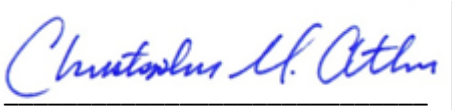
Municipal water and sewer services are available at this site.

Conclusion: There will be no significant impact to essential facilities and services from the vacant parcel.

Recommendations

Although the requested rezoning is inconsistent with the general outline of the Master Plan and Future Land Use map, the applicant is intending on developing the vacant parcel to accommodate an existing and growing business. Conversely, there are some residentially zoned properties in this area, an area that is principally zoned industrial and there are adjacent industrial facilities that will be expanding their operation too. This is clear evidence that industrial development is occurring over residential development. I-

Staff recommends approval of the request to rezoning the property to R-1 from I-2 for future industrial development.



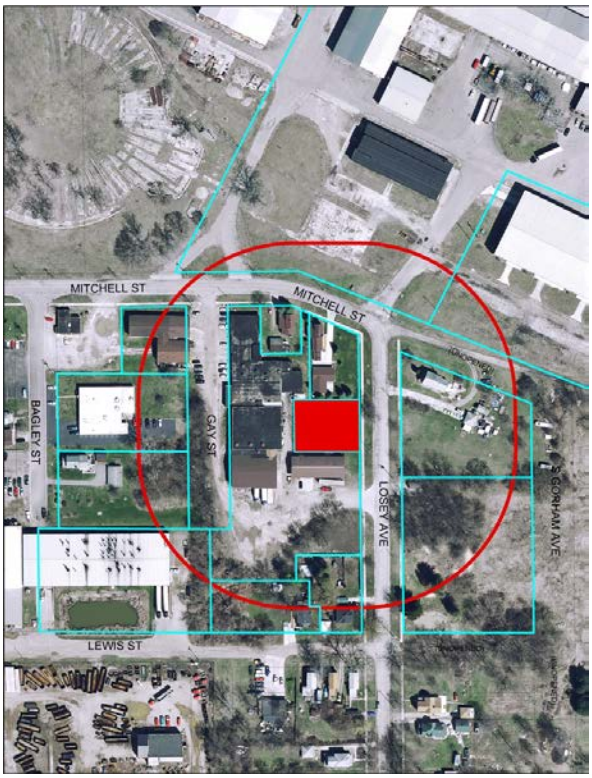
Christopher M. Atkin, Planning Director

Cc: Applicant

Neighborhood & Economic Operations

161 W. Michigan Avenue • Jackson, MI 49201-1303
Phone (517) 788-4060 • Facsimile (866) 971-2151

PDC 150003
Notice of Public Hearing



The City of Jackson Planning Commission and City Council will hold public hearings on a request to rezone property (district change) as provided for in Sec. 28-138 of the City of Jackson's Zoning Ordinance.

The request was made by:

Jackson Tumble Finish
1801 Mitchell St.
Jackson, MI 49203

The location of the property is:

1301 Losey St. (ID# 6-1749.2)

Requested Action:

To rezone property located at 1310 Losey St from R-1 (One- Family Residential) to I-2 (General Industrial).

The Effect of the Requested Action:

Approval of the rezoning would change the permitted uses from those allowed in an R-1 zoning district, to those allowed in an I-2 zoning district. The I-2 district is designed to provide suitable space for industrial operations of all types and adult entertainment enterprises that can comply with all provisions of this chapter and can assure protection of the public interest and surrounding property and persons. The City of Jackson, in adopting this section, recognizes, the secondary blighting effects caused by concentration of adult entertainment uses proven in other areas of the state and nation. Any use allowed as a permitted or conditional use in the I-1 district, except those expressly listed in the C-4 district, shall be considered a valid permitted or conditional use in this district.

You are invited to attend the public hearings before the Planning Commission and City Council to be held on:

Planning Commission – Wednesday, August 05, 2015 at 6:30 pm
City Council – Tuesday, August 11, 2015 at 7:00 pm
City Hall Council Chambers, 2nd floor
161 W. Michigan Avenue

You received this notice because you own property or reside within the general area of the properties listed above. **Unless you are the applicant, you are not required to attend the public hearing or respond to this notice**. However, if you are interested in this request, please attend the hearing and/or contact Chris Atkin at (517) 768-6433 or catkin@cityofjackson.org. Written comments can also be sent to his office, which is located at 161 W. Michigan Avenue, Jackson, MI 49201

**Please note that the City of Jackson Planning Commission reserves the right to remove an application from their agenda if the application is deemed incomplete at the time of the meeting.*

By: Chris Atkin
Planning Director

JACKSON
Founded 1829

City Manager's Office

161 W. Michigan Ave. - Jackson, MI 49201
Telephone: (517) 788-4035 • Facsimile: (517) 768-5820

MEMO TO: Mayor and City Councilmembers

FROM: Patrick H. Burtch, City Manager PHB

DATE: February 9, 2016

SUBJECT: Second Contract Renewal -Lawn Care Services at the Wastewater Treatment Plant and Water Treatment Plant facilities.

Recommendation:

Approve the second contract renewal with Picture Perfect Lawn Care, LLC of Jackson, Michigan in the amount of $37,040.00 to provide lawn care services at the City of Jackson Wastewater Treatment Plant and Water Treatment Plant facilities.

Attached are memos from Todd Knepper, Director of Public Works, regarding consideration of a second contract renewal with Picture Perfect Lawn Care, LLC of Jackson, Michigan.

I recommend approval of the above mentioned recommendation. Your consideration and concurrence is appreciated.

PHB

Attachments

DEPARTMENTAL REPORT
February 9, 2016

MEMO TO: Patrick Burtch, City Manager

FROM: Todd Knepper, Director of Public Works

RECOMMENDATION: Approve the second contract renewal with Picture Perfect Lawn Care, LLC of Jackson, Michigan in the amount of $37,040.00 to provide lawn care services at the City of Jackson Wastewater Treatment Plant and Water Treatment Plant facilities.

SUMMARY

Picture Perfect Lawn Care, LLC has held the water and wastewater treatment plant lawn care contract since 2014 and have performed well, meeting required contract specifications. The Department of Public Works acknowledges the request for Picture Perfect Lawn Care, LLC to perform the work in 2016 at the same cost as 2014.

BUDGETARY CONSIDERATIONS

These expenses are budgeted in the following accounts for 2015-2016:

Water (591-565-000-818.000), Wastewater (590-551-000-818.005)

HISTORY, BACKGROUND and DISCUSSION

The 2014 lawn care services contracts were awarded to Picture Perfect Lawn Care, LLC of Jackson, Michigan, and subsequently renewed in 2015 for sites at the City of Jackson Wastewater Treatment Plant, Water Treatment Plant, nine sanitary sewer lift stations, two drinking water well sites, and two water tower sites.

DISCUSSION OF THE ISSUE

Successful completion of the 2014 and 2015 lawn care season has been fully recognized by the Department of Public Works, and it is recommended to renew the lawn care contract at the 2014 cost.

POSITIONS

Approve lawn care service contract renewal with Picture Perfect Lawn Care, LLC for the 2016 lawn care season.

ATTACHMENTS

JACKSON
Founded 1829

City Attorney

161 W. Michigan Ave. - Jackson, MI 49201
Telephone: (517) 788-4050 • Facsimile: (866) 971-2117

MEMO TO: Mayor and City Councilmembers

FROM: Bethany M. Smith, City Attorney

DATE: February 9, 2014

SUBJECT: Special Events Policy and Application

Recommendation: Approve Revisions to the City of Jackson Special Events Policy and Application.

Attached is a Memorandum from the Councilmember Andrew R. Frounfelker, DDA Director Nathan Mack, and City Attorney Bethany M. Smith.

I recommend approval of the above mentioned recommendation. Your consideration and concurrence is appreciated.

BMS

Attachments

DEPARTMENTAL REPORT
February 9, 2016

MEMO TO: Mayor and City Councilmembers

FROM: Bethany M. Smith, City Attorney

RECOMMENDATION: Approve Revisions to the City of Jackson Special Events Policy and Application.

SUMMARY

The recommended action is approval of revisions to the City of Jackson Special Events Policy and Application.

BUDGETARY CONSIDERATIONS

No increase in the fee for a special event is being requested. The revisions to the Policy will increase the ability of the City to charge for expenses related to special events. The changes will also decrease staff time needed to process special event applications

HISTORY, BACKGROUND and DISCUSSION

Councilmember Frounfelker led the effort to revise the Special Events Policy to make the process more user friendly and efficient. Councilmember Frounfelker also addressed other issues that have typically created problems for staff in the past. Through meetings with Councilmember Frounfelker, the City Attorney's Office and the Downtown Development Authority, the proposed ordinance is being presented to City Council for its approval

DISCUSSION OF THE ISSUE

All special events must now come before the City Council for approval. Under the proposed policy, special events will be divided into three categories based on the amount of City resources that will be needed for the special event. Low and Moderate Resource events could be approved by the City Manager under the

proposed policy. High Resource events would be approved by Council. The City Manager could also send any Low or Moderate Event to the Council for its approval.

Changes are also proposed to the insurance requirements for event organizers. Currently, all special events no matter the size or intensity must provide proof of $1,000,000 in liability insurance with the City named as an additional insured. This has proven costly and time consuming, especially for small events. There is an inordinate amount of staff time need to monitor the insurance coverage. It is proposed that Low and Moderate Resource events only typically be required to provide a hold harmless agreement to the City. Whether liability insurance is needed would be at the discretion of the City Attorney. High Resource events would still be required to provide liability insurance.

Other changes have been made through the proposed policy to address other relevant issues.

POSITIONS

The City Attorney's Office recommends that the proposed Special Events Policy and Application be approved by the City Council.

ATTACHMENTS: Cover memorandum
Blacklined policy
Clean copy of policy

City Attorney

161 W. Michigan Avenue – Jackson, MI 49201
Telephone: (517) 788-4050; (517) 788-4023 ♦ Facsimile: 866-971-2117

CITY COUNCIL MEETING
February 9, 2016

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Councilmember Andrew R. Frounfelker
Nathan Mack, DDA Director
Bethany M. Smith, City Attorney

SUBJECT: Special Events Policy Revisions

RECOMMENDATION: Approve Revisions to the Special Events Policy.

Attached please find a clean and a black lined version of the City of Jackson Special Events Policy. Councilmember Frounfelker and the Downtown Development Authority met to discuss aspects of the Special Events Policy that needed to be revised. The most prominent change is the addition of Resource Classifications for special events that are based on the level of City resources that would be required for certain classes of special events. Events have been divided into Low Resource, Moderate Resource and High Resource events. Low and Moderate Resource events could be approved by the City Manager without the need for action by the City Council thereby streamlining the process for certain events. The City Manager would retain the right to send any Low or Moderate Resource event to City Council if he feels that the event application requires City Council approval.

Another revision to the Special Events Policy is the requirement to provide either a hold harmless agreement or liability insurance documentation to the City at least 2 weeks prior to the scheduled event. Staff has had issues in the past with last minute submission of insurance documentation. In addition, based on the City Attorney's recommendation, some Low and Moderate Resource events will only need to submit a hold harmless agreement and not proof of $1,000,000 of liability insurance. Smaller events with minimal financial resources have had difficulty in the past with obtaining liability insurance.

The Special Events Policy has also been changed to require that a Special Event application be submitted at least 60 days prior to an event. Other minor changes have also been made to the Special Events Policy.

The recommended action is to approve the revisions to the Special Events Policy.

cc: Patrick H. Burtch, City Manager

Downtown Development Authority (DDA)
161 W. Michigan Avenue ~ Jackson, MI 49201
(517) 788-4355

CITY OF JACKSON SPECIAL EVENT POLICY AND APPLICATION

The City of Jackson appreciates your efforts in contributing to the community through your Special Event. We recognize that the City of Jackson is fortunate to have many varied, locations, such as parks, streets and neighborhoods, which provide wonderful venues to host Special Events for the community.

To preserve the City's assets and resources, while still offering enjoyment of events, the City permits the temporary use of public properties or roadways for special activities. The City coordinates the review these events with various City departments to ensure that the events are conducted safely and protects the city's assets and the health safety and welfare of the citizens.

The Downtown Development Authority (DDA) will distribute copies of your application to all City departments or agencies affected by your event. These department or agencies will contact you individually only if they have specific questions or concerns about your event.

PURPOSE

The purpose of the Special Events Policy is to promote uniform procedures to regulate and permit special event activity at locations under the jurisdiction of the City of Jackson. The Special Event Application is a starting point for any group or individual who wishes to hold an event, parade, assembly, festival, or similar affair, utilizing or reserving city assets or resources within the City of Jackson.

SPECIAL EVENT APPLICATION REQUIRED

This Policy Statement on Special Events covers all special events. Any organization wishing to sponsor or hold a Special Event in the City of Jackson that takes place on public lands or lands that are controlled by the City of Jackson will be required to complete the City of Jackson Special Event Application.

Most Special Events within the City of Jackson that will be conducted on the streets, parks or other public area are required to be approved by the City Council. Special Events that require low to moderate levels of City resources can be approved by the City Manager. Applications to conduct a Special Event must be made in writing to the Downtown Development Authority. Applications are available from the office of the Downtown Development Authority, the DDA's website at jacksondda.org/forms, and the City's website at cityofjackson.org.

The City will provide a complete review of any Special Event Application, including consultation with the applicant as may be reasonably necessary to resolve problems and/or concerns. It is the responsibility of the event organizer to note the proposal of City street and City owned parking lot closures within their Special Events Application.

Event organizers should be aware that noise generated by the event could have an impact on the neighborhoods near the event site. Event organizers must be considerate of the neighborhood and be aware of the City Noise Ordinance located at Section 17-76 through 17-110 of the City of Jackson Code of Ordinances.

As an event organizer, you must consider the availability of rest room facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the public accessibility of rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

IMPLEMENTATION

Eligibility Requirements

The applicant or representative of any business, group or organization that seeks approval to conduct a Special Event must be 21 years of age or older and officially designated as the agent of the sponsoring business, group, or organization.

Classification of Special Events

Requirements for your Special Event will depend upon the Resource Classification of your Special Event. The expected number of participants may change the Resource Classification of a Special Event. Groups of over 100 participants are automatically classified as High Resource events. Events with alcoholic beverages are automatically classified as High Resource Events. The examples provided below are general examples of types of events. Due to the unique characteristics of a Special Event, the Resource Classification may be increased.

LEVEL 1 SPECIAL EVENT - LOW RESOURCE

Events that involve no organized physical activity by participants and no severe exposure to spectators, i.e. meetings, prayer circles, seminars, and social gatherings and those similar events that reserve a city resource. These events may be approved by the City Manager (or designee), or the application may be sent to the City Council for approval.

LEVEL 2 SPECIAL EVENT - MODERATE RESOURCE

Events that involve limited physical activity by participants and no severe exposure to spectators, i.e. animal shows, auctions, flea markets, picnics, and political rallies and those similar events that reserve a city resource These events may be approved by the City Manager (or designee), or the application may be sent to the City Council for approval.

LEVEL 3 SPECIAL EVENT - HIGH RESOURCE

Events that involve major participation by participants and/or moderate or high risk exposure to spectators or use of City resources, i.e. amateur, collegiate, semi-professional, or professional sporting events; a circus, carnival, or parade; concerts, dances, or theatrical performances; marathons, vehicle races, or other races, fireworks displays, water events and those similar events that reserve a city resource., These events are approved by the City Council.

APPLICATION PROCEDURE

A Special Event Application must be received by the DDA 60 days prior to the first day of the proposed event. An event may be approved after the 60 day deadline if the applicant shows that extraordinary circumstances were the cause of the late application. A late fee will be assessed for all applications not timely submitted. An incomplete application may result in denial of your request. Event organizers are requested to begin the process as early as possible in order to ensure proper approvals and deadlines are met. A completed, approved application also reserves the event location.

Please submit the following for each proposed Special Event:

1. Signed application;
2. Map (sketch) of event site, detailing street closures, parking requirements, etc.
3. Schedule of event;
4. (If applicable) Proof of insurance/indemnification (naming City of Jackson and DDA as "additional insureds");
5. (If applicable) Fully executed Hold Harmless Agreement; and
6. $25 SEA processing fee.

EMERGENCY MEDICAL SERVICES

Due to the vast number of different types of events, along with the anticipated crowd sizes, at a minimum, all event organizers should have the ability to contact 9-1-1 and access someone who is certified in First Aid/CPR. Also, basic First Aid Stations and/or kits should be on site.

LIABILITY INSURANCE REQUIREMENTS

Liability Insurance coverage is required in the dollar amounts specified for the class of Special Event. The insurance carrier must be licensed in the State of Michigan and acceptable to the City of Jackson. A Certificate of Insurance evidencing the amount of liability insurance must be submitted with your application. In addition, a policy endorsement naming the City of Jackson and the Downtown Development Authority as additional insureds on the policy must be submitted at the time of your application.

Your Special Event application will not be accepted without the submission of all required insurance documents. For Level 1 Special Events, the event organizer can choose to either provide the City with the above insurance requirements, or can instead execute a Hold

Harmless Agreement with the City. Level 2 and Level 3 Special Events require $1,000,000 in commercial general liability insurance on an occurrence made basis if recommended by the City Attorney. Hold Harmless Agreements or insurance documents must be provided at least two (2) weeks prior to scheduled Council approval, or the date of the event if Council approval is not required.

RESIDENTIAL NEIGHBORHOOD BLOCK PARTIES

Block parties have different requirements from those set forth in this Policy. Please contact the DDA for details and an application. An application may be obtained from the DDA's website at http://www.cityofjackson.org/270/Block-Parties.

CLEAN UP, SITE RESTORATION AND REIMBURSEMENTS

Event organizers are responsible for cleanup and repairs. Event organizers who fail to clean up and repair damages to the Event Area may be billed for City services. Failure to clean up and repair will be considered in approval of future special event applications. Reimbursements for the costs incurred by the city in order to meet the requests of the event organizers may require reimbursement for those reflective costs.

CITY COUNCIL APPROVAL

It is recommend that the event organizer be present at the City Council meeting that your request is on the agenda for in order to answer any possible questions that Councilmembers may have regarding your proposed event. **Please note, if questions arise at the Council meeting, and a representative is not present, your request may be denied or approval may be delayed. The City of Jackson is not responsible for delays caused by the event organizer's failure to meet all special event policy requirements.**

Upon approval of the Special Event Application, the DDA will provide notification as to the action of the City Council and/or City Manager will be communicated to the event organizer requesting the event. This confirmation will serve to outline any special conditions that must be met if the event is to be held.

THE CITY OF JACKSON RESERVES THE RIGHT TO WAIVE ANY REQUIREMENTS OF THIS POLICY IN THE INTERESTS OF THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF JACKSON.

PLEASE CONTACT THE DOWNTOWN DEVELOPMENT AUTHORITY WITH QUESTIONS REGARDING THIS POLICY AT (517) 788-4355

CITY OF JACKSON SPECIAL EVENT APPLICATION

Downtown Development Authority
161 W. Michigan Avenue ~ Jackson, MI 49201 ~ (517) 768-6410

Date Received By DDA Office: _____ Time: _____ By: _____

Please complete this application in accordance with the City of Jackson Special Events Policy, and return it to the Office of the Downtown Development Authority at least 60 calendar days before the first day of the event.

Event Name: _____

Sponsoring Organization's Legal Name: _____

Organization Address: _____

Tax I.D. Number: _____

Event Organizer: _____Title: _____

Phone (work): _____

Phone (during event): _____

Agent's Address: _____

Agent's E-Mail Address: _____

Organization Address: _____

Please give a brief description of the proposed special event: _____

_____

_____

_____

_____

_____

_____

_____

Event Day(s) and Date(s): _____

Set-Up Date & Time: _____ Tear-Down Date & Time: _____

Event Location: _____

ANNUAL EVENT: Is this event expected to occur next year? (circle one) ***YES*** ***NO***
How many years has this event occurred? _____

MAP: If your event will use streets or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing:

(a) The assembly and dispersal locations and the route plan;
(b) Any streets or parking lots that you are requesting to be blocked off;
(c) The location of vendors, if any;
(d) An emergency vehicle access lane; and
(e) The location of restrooms and trash receptacles.

A final map, if different, must be provided seven (7) days before the event.

STREET CLOSURES: Start Date/Time:

Through Date/Time: _____

RESERVED PARKING: Are you requesting reserved parking? (circle one) ***YES*** ***NO***
If yes, list the number of street spaces, City lots or locations where parking is requested:

_____

VENDORS: Food Concessions? ***YES*** ***NO*** Other Vendors: ***YES*** ***NO***

EVENT SPONSORS: Do you have an event sponsor? If yes, please name:

_____

DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT? ***YES*** ***NO***
If yes, please attach liquor license and liquor liability insurance.

If yes, what time? _____ until _____

ENTERTAINMENT: Are there any entertainment features related to this event? ***YES*** ***NO***
If yes, provide an attachment listing all bands/performers, type of entertainment, and performance schedule. All noise generated by entertainment must be in compliance with the City Noise Ordinance. .

ATTENDANCE: What is the expected (estimated) attendance for this event? _____

AMUSEMENT: Do you plan to have any amusement or carnival rides? ***YES*** ***NO***
If yes, you are required to obtain a permit through the City Clerk's Office.

RESTROOMS: Are you planning to provide portable rest rooms at the event? ***YES*** ***NO***

If yes, how many? _____

As an event organizer, you must consider the availability of restroom facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

ELECTRICAL POWER: Will the Event require electrical power? *YES* *NO*
If yes, please explain the electrical requirements.
_____
_____
_____.

OTHER REQUESTS: (i.e., Police Department assistance, Fire Department, Neighborhood and Economic Operations Department, Parks and Recreation, water, street closures, electrical, etc.) Please note that additional requests may incur additional charges.
_____
_____
_____

INSURANCE: All sponsors of special events must carry liability insurance as set forth in the Special Events policy. A copy of either a Hold Harmless Agreement or a certificate of insurance AND endorsement naming the City of Jackson and the DDA as additional insureds for a liability policy must be provided at least two (2) weeks prior to scheduled Council approval**.**

CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that:

1. I am the person with authority to act on behalf of the sponsoring organization.

2. I have submitted all required documents in support of the Special Events application, including insurance documents where applicable.

3. A $25 Special Event Application fee must be submitted along with this Special event Application.

4. Only the activities listed on the application will be permitted at the event. If additional activities are added, I will immediately contact the City of Jackson. I understand that the approval of my application may be withdrawn or additional requirements made.

5. All food vendors must be approved by the Jackson County Health Department, and each food or other vendor must provide the City of Jackson with a Certificate of Insurance which names the City of Jackson and the Downtown Development Authority as additional named insured parties on the policy.

6. Fire Department permit and approval is required for events including display fireworks. XCU Fireworks Liability insurance is required for all fireworks displays.

7. The approval of this special event may include additional requirements, limitations, or fees, based on the City's review of this application.

8. If I or my organization fail(s) to clean up and repair damages to the Event Area, my organization maybe billed for City services, and that failure to clean up and repair damages will be considered for future applications.

9. As the duly authorized agent of the sponsoring organization, I am applying for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with the terms of the written confirmation of approval, and all other City requirements, ordinances and other laws, which apply to this Special Event.

10. By signing this Special Event Application, I declare I am 21 years of age or older.

11. If required to provide liability insurance, I will add the City of Jackson and the Downtown Development Authority as additional insureds on the sponsoring organization's liability policy.

12. On behalf of the sponsoring organization, I agree that the sponsoring organization will defend, indemnify, and hold harmless the City of Jackson, its officers, employees and agents from and against any claim, demand, suit, loss, cost or expense, or any damage, which may be asserted, claimed or recovered against or from the City of Jackson its officer, employees and agents, by reason of any damage to property, bodily injury, or death, sustained by any person whomsoever, and which damage, injury or death arises out of or is incident to or in any way connected with or related to the special event.

_____ _____

Date Signature of Sponsoring Organization's Agent

RETURN THIS APPLICATION at least sixty (60) days before the first day of the event to: DOWNTOWN DEVELOPMENT AUTHORITY
161 W. MICHIGAN AVENUE, 5th Floor
JACKSON, MI 49201

Downtown Development Authority (DDA)
161 W. Michigan Avenue ~ Jackson, MI 49201
(517) 788-4355~~768-6410~~

CITY OF JACKSON SPECIAL EVENT POLICY AND APPLICATION

The City of Jackson appreciates your efforts in contributing to the community ~~heart and vitality of the City~~ through ~~your proposed~~ your Special Event. We recognize that the City of Jackson is fortunate to have many varied, ~~and~~ locations, such as ~~beautiful~~ parks, ~~and friendly st~~streets and neighborhoods, ~~all of~~ which provide wonderful venues ~~at which~~ to ~~hold~~ host Special Events for the community.

To preserve the City's ~~natural~~ assets and resources~~,~~, while still offering enjoyment of events, the City ~~may~~ permits the temporary use of public properties or roadways for special activities. The City coordinates the review~~of~~ these events with various City departments to ensure that the events are conducted safely and protects the city's assets and the health safety and welfare of the citizens.

The Downtown Development Authority (DDA) will distribute copies of your application to all City departments or agencies affected by your event. These department or agencies will contact you individually only if they have specific questions or concerns about your event.

PURPOSE

The purpose of the ~~e~~ Special Events Policy is to promote uniform procedures to regulate and permit special event activity at locations under the jurisdiction of the City of Jackson. The Special Event Application is a starting point for any group or individual who wishes to hold an event, parade, assembly, festival, or similar affair, utilizing or reserving city assets or resources within the ~~municipal limits of the~~ City of Jackson.

SPECIAL EVENT APPLICATION REQUIRED

This Policy Statement on Special Events covers all special events. Any organization wishing to sponsor or hold a Special Event in the City of Jackson that takes place on public lands or lands that are controlled by the City of Jackson will be required to complete the City of Jackson Special Event Application.

Most Special Events within the City of Jackson that will be conducted on the streets, parks or other public area are required to be approved by the City Council. Special Events ~~with~~ that require low to moderate levels of ~~risk to participants and spectators~~City resources can be approved by the City Manager. Applications to conduct a Special Event must be made in writing to the ~~Office of the City Clerk~~ Downtown Development Authority. Applications are available

from the ~~City Clerk's Office,~~ office of the Downtown Development Authority, ~~and via~~ the DDA's website at jacksondda.org/forms, and the City's website at cityofjackson.org.

The City will provide a complete review of any Special Event Application, including consultation with the applicant as may be reasonably necessary to resolve problems and/or concerns. It is the responsibility of the event ~~holder~~ organizer to note the proposal of City ~~downtown~~ street and City owned parking lot closures within their Special Events Application.

~~Sponsors of Special Events~~Event organizers should be aware that noise generated by the event could have an impact on the neighborhoods near the event site. ~~Sponsors~~ Event organizers must be considerate of the neighborhood and be aware of the City Noise Ordinance located at Section 17-76 through 17-110 of the City of Jackson Code of Ordinances.

As an event organizer, you must consider the availability of rest room facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the public accessibility of rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

IMPLEMENTATION

Eligibility Requirements

The ~~application~~ applicant or representative of any business, group or organization that seeks approval to conduct a ~~special~~ Special ~~event~~Event must be 21 years of age or older and officially designated as the agent of the sponsoring business, group, or organization.

Classification of Special Events

Requirements for your Special Event will depend upon the ~~Risk~~Resource ~~Hazard Level~~ Classification of your Special Event. The expected number of participants may change the ~~Risk~~Resource ~~Level~~ Classification of a~~n~~ Special Event. Groups of over 100 participants are automatically classified as High ~~Hazard~~Resource events. Events with alcoholic beverages are automatically classified as ~~Severe~~High ~~Risk~~Resource Events. The examples provided below are general examples of types of events. Due to the unique characteristics of a~~n~~ Special Event, the ~~Risk~~Resource ~~Level~~ Classification may be increased.

LEVEL 1 SPECIAL EVENT - LOW ~~RISK~~RESOURCE ~~HAZARD~~

Events that involve no organized physical activity by participants and no severe exposure to spectators~~.~~, i.e. ~~Meetings~~meetings, prayer circles, seminars, and social gatherings and those similar events that reserve a city resource.~~.~~ ~~auctions, and theatrical performances.~~ These events may ~~are~~ be approved by the City Manager (or designee), or the application may be sent to the City Council for approval.

LEVEL 2 SPECIAL EVENT - MODERATE RESOURCE~~RISK HAZARD~~

Events that involve limited physical activity by participants and no severe exposure to spectators, i.e. ~~Amateur sports teams, dances,~~ animal shows, auctions,

flea markets, picnics, and political rallies and those similar events that reserve a city resource~~.~~ ~~and parades without floats.~~ These events may be ~~are~~ approved by the City Manager (or designee), or the application may be sent to the ~~c~~City ~~c~~Council for approval.~~.~~

LEVEL 3 SPECIAL EVENT - HIGH RESOURCE~~RISK HAZARD~~

Events that involve major participation by participants and/or moderate or high ~~risk~~ risk exposure to spectators or use of City resources, i.e. amateur, collegiate, semi-professional, or professional sporting events; a circus, carnival, or parade; concerts, dances, or theatrical performances; marathons, vehicle races, or other races,~~;~~ fireworks ~~displays; and water~~displays, water events and those similar events that reserve a city resource.~~with floats~~, These events are approved by the City Council.

~~LEVEL 4 SPECIAL EVENT - SEVERE~~ RISK ~~HAZARD~~
~~Events involving severe risk exposure to spectators, i.e. concerts, water events, vehicle races, fireworks displays, and professional or collegiate sporting events. These events are approved by the City Council.~~

APPLICATION PROCEDURE

A Special Event Application must be received by the DDA 60 days prior to the first day of the proposed event. An event may be approved after the 60 day deadline if the applicant shows that extraordinary circumstances were the cause of the late application. A late fee will be assessed for all applications not timely submitted. ~~for Level 3 and 4 Special Events. Level 1 and 2 Special Event applications must be received by the DDA thirty (30) days prior to the first day of the proposed event.~~ An incomplete application may result in denial of your request. ~~We ask that applicants~~Event organizers are requested to begin the process as early as possible in order to ensure proper approvals and deadlines are met. A completed, approved application also reserves the event location.

Please submit the following for each proposed Special Event:

1. Signed application;
2. Map (sketch) of event site, detailing street closures, parking requirements, etc~~.;~~.
3. Schedule of event;
4. (If applicable) Proof of insurance/indemnification (naming City of Jackson and DDA as “additional insureds”);
5. (If applicable) Fully executed Hold Harmless Agreement; and
6. $25 SEA processing fee.

EMERGENCY MEDICAL SERVICES

Due to the vast number of different types of events, along with the anticipated crowd sizes, at a minimum, all event ~~holders~~ organizers should have ~~knowledge of~~ the ability to contact 9-1-1 and

access~~es~~ ~~and~~ someone who is certified in First Aid/CPR. Also, basic First Aid Stations and/or kits should be on site.

LIABILITY INSURANCE REQUIREMENTS

Liability Insurance coverage is required in the dollar amounts specified for the class of Special Event. The insurance carrier must be licensed in the State of Michigan and acceptable to the City of Jackson. A Certificate of Insurance evidencing the amount of liability insurance must be submitted with your application. In addition, a policy endorsement naming the City of Jackson and the Downtown Development Authority as additional insureds on the policy must be submitted at the time of your application.

Your Special Event application will not be accepted without the submission of all required insurance documents. For Level 1 ~~and 2~~ Special Events, the ~~sponsor~~ event organizer can choose to either provide the City with the above insurance requirements, or can instead execute a Hold Harmless Agreement with the City. Level 2 and Level 3 ~~and Level 4~~ Special Events require $1,000,000 in commercial general liability insurance on an occurrence made basis if recommended by the City Attorney. Hold Harmless Agreements or insurance documents must be provided at least two (2) weeks prior to scheduled Council approval~~,~~ l, or the date of the event if Council approval is not required.

RESIDENTIAL NEIGHBORHOOD BLOCK PARTIES

Block parties have different requirements from those set forth in this Policy. Please contact the DDA ~~Department of Neighborhood and Economic Operations – Engineering Division~~ for details and an ~~A~~application. An application may be obtained from the ~~Engineering Division's~~DDA's website at http://www.cityofjackson.org/270/Block-Parties.

CLEAN UP, ~~AND~~ SITE RESTORATION AND REIMBURSEMENTS

~~Applicants~~ Event organizers are responsible for cleanup and repairs. Event organizers ~~Applicants~~ who fail to clean up and repair damages to the Event Area may ~~will~~ be billed for City services. ~~and such f~~Failure to clean up and repair will be considered ~~for~~ in approval of future special event applications. Reimbursements for the costs incurred by the city in order to meet the requests of the event organizers may require reimbursement for those reflective costs.

~~WRITTEN CONFIRMATION OF~~ CITY COUNCIL APPROVAL

It is ~~expected highly~~ recommend that the event ~~coordinator or a representative~~organizer be present at the City Council meeting that your request is on the agenda for in order to answer any possible questions that Councilmembers may have regarding your proposed event. **Please note, if questions arise at the Council meeting, and a representative is not present, your request may be denied or approval may be delayed. The City of Jackson is not responsible for delays caused by the event organizer's failure to meet all special event policy requirements.**

Upon approval of the Special Event Application, the DDA will provide notification as to the action of the City Council and/or City Manager will be communicated to the ~~individual or organization~~event organizer requesting the event~~, by the DDA~~. This confirmation will serve to outline any special conditions that must be met if the event is to be held.

THE CITY OF JACKSON RESERVES THE RIGHT TO WAIVE ANY REQUIREMENTS OF THIS POLICY IN THE INTERESTS OF THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF JACKSON.

PLEASE CONTACT THE DOWNTOWN DEVELOPMENT AUTHORITY WITH QUESTIONS REGARDING THIS POLICY AT (517) 788-4355~~768-6410~~

CITY OF JACKSON SPECIAL EVENT APPLICATION

Downtown Development Authority
161 W. Michigan Avenue ~ Jackson, MI 49201 ~ (517) 768-6410

Date Received By DDA Office: _____ Time: _____ By: ~~:~~ _____

Please complete this application in accordance with the City of Jackson Special Events Policy, and return it to the Office of the Downtown Development Authority at least 60 calendar days before the first day of the event.

Event Name: _____

Sponsoring Organization's Legal Name: _____

Organization Address: _____

Tax I.D. Number: _____

~~Organization Agent~~Event Organizer: _____ Title: _____

Phone (work): _____

Phone (during event): _____

Agent's Address: _____

Agent's E-Mail Address: _____

~~Event Name: _____~~

Organization Address: _____

Please give a brief description of the proposed special event: _____

_____

_____

_____

_____

_____

_____

_____

Event Day(s) and Date(s): _____

Set-Up Date & Time: _____ Tear-Down Date & Time: _____

Event Location: _____

ANNUAL EVENT: Is this event expected to occur next year? (circle one) ***YES*** ***NO***
How many years has this event occurred? _____

MAP: If your event will use streets or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing:

(a) ~~the~~ The assembly and dispersal locations and the route plan;
(b) ~~Show a~~Any streets or parking lots that you are requesting to be blocked off;
(c) ~~the~~ The location of vendors, if any;
(d) ~~Please show an~~ An emergency vehicle access lane; and
(e) The location of restrooms and trash receptacles.

A final map, if different, must be provided seven (7) days before the event.

STREET CLOSURES: Start Date/Time:

Through Date/Time: _____

RESERVED PARKING: Are you requesting reserved parking? (circle one) ***YES*** ***NO***
If yes, list the number of street spaces, City lots or locations where parking is requested:

_____

VENDORS: Food Concessions? ***YES*** ***NO*** Other Vendors: ***YES*** ***NO***

EVENT SPONSORS: Do you have an event sponsor? If yes, please name:

_____

DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT? ***YES*** ***NO***
If yes, please attach liquor license and liquor liability insurance.

If yes, what time? _____ until _____

ENTERTAINMENT: Are there any entertainment features related to this event? ***YES*** ***NO***
If yes, provide an attachment listing all bands/performers, type of entertainment, and performance schedule. All noise generated by entertainment must be in compliance with the City Noise Ordinance. ~~must cease at 11:00 p.m. per the City Noise Ordinance.~~

ATTENDANCE: What is the expected (estimated) attendance for this event? _____

AMUSEMENT: Do you plan to have any amusement or carnival rides? ***YES*** ***NO***
If yes, you are required to obtain a permit through the City Clerk's Office.

RESTROOMS: Are you planning to provide portable rest rooms at the event? ***YES*** ***NO***

If yes, how many? _____

As an event organizer, you must consider the availability of restroom facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

ELECTRICAL POWER: Will the Event require electrical power? *YES* *NO*
If yes, please explain the electrical requirements.
_____
_____
_____.

OTHER REQUESTS: (i.e., Police Department assistance, Fire Department, Neighborhood and Economic Operations Department, Parks and Recreation, water, street closures, electrical, etc.) Please note that additional requests may incur additional charges.
_____
_____
_____

INSURANCE: All sponsors of special events must carry liability insurance as set forth in the Special Events policy. A copy of either a Hold Harmless Agreement or a certificate of insurance AND endorsement naming the City of Jackson and the DDA as additional insureds for a liability policy must be provided at least two (2) weeks prior to scheduled Council approval**.**

CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that:

1. I am the person with authority to act on behalf of the sponsoring organization.

2. I have submitted all required documents in support of the Special Events application, including insurance documents where applicable.

3. A $25 Special Event Application fee must be submitted along with this Special event Application. ~~An additional $25 fee must also be submitted if using the CMS Energy Amphitheatre.~~

4. Only the activities listed on the application will be permitted at the event. If additional activities are added, I will immediately contact the City of Jackson. I understand that the approval of my application may be withdrawn or additional requirements made.

5. All food vendors must be approved by the Jackson County Health Department, and each food or other vendor must provide the City of Jackson with a Certificate of Insurance which names the City of Jackson and the Downtown Development Authority as additional named insured parties on the policy.

6. Fire Department permit and approval is required for events including display fireworks. XCU Fireworks Liability insurance is required for all fireworks displays.

7. The approval of this special event may include additional requirements, limitations, or fees, based on the City's review of this application.

8. ~~Applicants~~ If I or my organization ~~who~~ fail(s) to clean up and repair damages to the Event Area, my organization may~~will~~ be billed for City services, and that ~~and such~~ failure to clean up and repair damages will be considered for future applications.

9. As the duly authorized agent of the sponsoring organization, I am applying for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with the terms of the written confirmation of approval, and all other City requirements, ordinances and other laws, which apply to this Special Event.

10. By signing this Special Event Application, I declare I am 21 years of age or older.

~~10~~11. If required to provide liability insurance, I will add the City of Jackson and the Downtown Development Authority as additional insureds on the sponsoring organization's liability policy.

~~11~~12. On behalf of the sponsoring organization, I agree that the sponsoring organization will defend, indemnify, and hold harmless the City of Jackson, its officers, employees and agents from and against any claim, demand, suit, loss, cost or expense, or any damage, which may be asserted, claimed or recovered against or from the City of Jackson its officer, employees and agents, by reason of any damage to property, bodily injury, or death, sustained by any person whomsoever, and which damage, injury or death arises out of or is incident to or in any way connected with or related to the special event.

_____ _____

Date Signature of Sponsoring Organization's Agent

RETURN THIS APPLICATION at least ~~thirty~~ sixty (~~30~~60) days before the first day of the event to: DOWNTOWN DEVELOPMENT AUTHORITY
161 W. MICHIGAN AVENUE, 5th Floor
JACKSON, MI 49201

JACKSON
Founded 1829

City Manager's Office

161 W. Michigan Ave. - Jackson, MI 49201
Telephone: (517) 788-4035 • Facsimile: (517) 768-5820

MEMO TO: Mayor and City Councilmembers

FROM: Patrick H. Burtch, City Manager PHB

DATE: February 9, 2016

SUBJECT: Resolution for Approval of Contract with MDOT for Wisner Street Rehabilitation – Argyle Street to Boardman Road

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Recommendation:

Approval of the resolution to enter into a contract with the Michigan Department of Transportation (MDOT) for rehabilitation work along Wisner Street from Argyle Street to Boardman Road, and authorization for the Mayor and City Clerk/Treasurer to execute the appropriate contract documents.

Attached is a memo from Jon H. Dowling, City Engineer, regarding a contract for Wisner Street rehabilitation work.

I recommend approval of the above mentioned recommendation. Your consideration and concurrence is appreciated.

PHB

Attachments

DEPARTMENTAL REPORT
February 9, 2016

MEMO TO: Patrick Burtch, City Manager

FROM: Jon H. Dowling, P.E., City Engineer

RECOMMENDATION: Approval of the resolution to enter into a contract with the Michigan Department of Transportation (MDOT) for rehabilitation work along Wisner Street from Argyle Street to Boardman Road, and authorization for the Mayor and City Clerk/Treasurer to execute the appropriate contract documents.

SUMMARY

Attached is a resolution to enter into a contract with the Michigan Department of Transportation for reconstruction on Wisner Street between Argyle Street and Boardman Road.

BUDGETARY CONSIDERATIONS

The total construction cost of this project is estimated at $885,700. State Transportation Economic Development (TED) funding will cover a not to exceed amount of $375,000 of the cost for the street portion of the project. The City portion of the project will be paid from Major Street Funds, Water Funds and Special Assessments. The properties adjacent to this project are in the commercial area of the City that have large parcels with long street frontages. As such, their assessments account for 52.7% of the cost for this project. Estimated construction costs and funding are as follows:

MDOT/Category F Funds	$375,000.00
Water Funds	$ 61,300.00
Street Construction Assessments	$449,400.00
Total Construction Cost	$885,700.00

HISTORY, BACKGROUND and DISCUSSION

Engineering records show that Wisner Street between Argyle and Boardman was originally constructed in 1962 with asphalt on an aggregate base. In 1991, a one inch overlay was placed on the road, in 1997 the road was cracksealed, in 1998 a seal coat was applied, and in 2006 the road was cracksealed again. In 2006 Wisner was widened to five lanes from north of North Street to 200 feet south of Argyle. The roadway currently has a PASER rating of 3 and is in need of maintenance. The road has many crack and potholes. The worst half of the road is the east half. The roadway also has many gaps in the sidewalk.

Continued

DISCUSSION OF THE ISSUE

Engineering proposes to remove all of the pavement and repave the roadway on the east half from Argyle to Boardman and on the west half in the intersections of Argyle and Monroe, and on the west half from Boardman to 618 feet south. The remaining pavement will be milled 2 inches and repaved. In keeping with the Complete Streets requirements, sidewalk will also be placed on the east side from Argyle to Boardman and on the west side from where the sidewalk ends north of Monroe to the City limits.

POSITIONS

I am requesting the attached resolution to enter into the contract with the Michigan Department of Transportation be approved by the City Council, and the Mayor and City Treasurer/Clerk be authorized to sign the appropriate contract documents.

ATTACHMENTS

Cc: Andrew J. Wrozek, Jr., City Treasurer/Clerk
Troy R. White, P.E., Assistant City Engineer
Shelly Allard, Purchasing

RESOLUTION

BY CITY COUNCIL:

WHEREAS, Wisner Street from Argyle Street to Boardman Road is in need of improvements; and

WHEREAS, the City has received State Transportation Economic Development (TED) Funding at a participation ratio equal to 100 percent up to an amount not to exceed $375,000 for the road portion of this project; and

WHEREAS, the cost-participation agreement and contract for this project has been prepared by the Michigan Department of Transportation and forwarded to the City of Jackson for approval; and

WHEREAS, the estimate for the construction work is $885,700 with the State TED share being $375,000 and the City share being $510,700.

NOW, THEREFORE, BE IT RESOLVED that the City Council does approve the construction on Wisner Street between Argyle Street and Boardman Road; and

BE IT FURTHER RESOLVED that the City Council does approve entering into the contract with the Michigan Department of Transportation for the rehabilitation of Wisner Street; and

BE IT FURTHER RESOLVED that the City Council does authorize the Mayor and the City Treasurer/Clerk to sign the contract documents on behalf of the City.

* * * *

State of Michigan)
County of Jackson)ss
City of Jackson)

I, Andrew J. Wrozek, Jr., City Treasurer/Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on the 9th day of February, 2016.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 10th day of February, 2016.

_____

Andrew J. Wrozek, Jr., City Treasurer/Clerk

TED (F)
NON FED

CAB

Control Section	EDF 38566
Job Number	125521A
CFDA No.	20.205 (Highway Research Planning & Construction)
Contract No.	15-5590

PART I

THIS CONTRACT, consisting of PART I and PART II (Standard Agreement Provisions), is made and entered into this date of _____, by and between the MICHIGAN DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "DEPARTMENT"; and the CITY OF JACKSON, a Michigan municipal corporation, hereinafter referred to as the "REQUESTING PARTY"; for the purpose of fixing the rights and obligations of the parties in agreeing to the following improvements, in the City of Jackson, Michigan, hereinafter referred to as the "PROJECT" and estimated in detail on EXHIBIT "I", dated December 10, 2015, attached hereto and made a part hereof:

PART A – STATE PARTICIPATION
Hot mix asphalt cold milling and resurfacing along Wisner Road from approximately 150 feet south of Argyle Street to Boardman Street; including concrete sidewalks, sidewalk ramps, driveway reconstruction, restoration and pavement marking work; and all together with all necessary related work.

PART B – NO STATE PARTICIPATION
Contractor staking, hydrant replacement, and water sprinkler system work within the limits as described in PART A; and all together with necessary related work.

WITNESSETH:

WHEREAS, the PROJECT has been approved for financing in part with funds appropriated to the Transportation Economic Development Fund, hereinafter referred to as "TED FUNDS", pursuant to PA 234 of the Public Acts of 1987, MCL 247.660; and

WHEREAS, it was determined that the PROJECT as described by this contract qualifies for funding pursuant to PA 231, Section 11(2)(b); Public Act of 1987 and categorized as:

F FUNDED PROJECT

WHEREAS, the reference "FHWA" in PART I and PART II refers to the United States Department of Transportation, Federal Highway Administration; and

WHEREAS, the parties hereto have reached an understanding with each other regarding the performance of the PROJECT work and desire to set forth this understanding in the form of a written contract.

NOW, THEREFORE, in consideration of the premises and of the mutual undertakings of the parties and in conformity with applicable law, it is agreed:

1. The parties hereto shall undertake and complete the PROJECT in accordance with the terms of this contract.

2. The term "PROJECT COST", as herein used, is hereby defined as the cost of the physical construction necessary for the completion of the PROJECT, including any other costs incurred by the DEPARTMENT as a result of this contract, except construction engineering and inspection.

No charges will be made by the DEPARTMENT to the PROJECT for any inspection work or construction engineering.

The costs incurred by the REQUESTING PARTY for preliminary engineering, construction engineering, construction materials testing, inspection, and right-of-way are excluded from the PROJECT COST as defined by this contract.

3. The DEPARTMENT is authorized by the REQUESTING PARTY to administer on behalf of the REQUESTING PARTY all phases of the PROJECT including advertising and awarding the construction contract for the PROJECT or portions of the PROJECT. Such administration shall be done in accordance with PART II, Section II of this contract.

Any items of PROJECT COST incurred by the DEPARTMENT may be charged to the PROJECT.

4. The REQUESTING PARTY, at no cost to the PROJECT or to the DEPARTMENT, shall:

A. Design or cause to be designed the plans for the PROJECT.

B. Appoint a project engineer who shall be in responsible charge of the PROJECT and ensure that the plans and specifications are followed.

C. Perform or cause to be performed the construction engineering, construction materials testing, and inspection services necessary for the completion of the PROJECT.

The REQUESTING PARTY will furnish the DEPARTMENT proposed timing sequences for trunkline signals that, if any, are being made part of the improvement. No timing

adjustments shall be made by the REQUESTING PARTY at any trunkline intersection without prior issuances by the DEPARTMENT of Standard Traffic Signal Timing Permits.

5. The PROJECT COST shall be met in accordance with the following:

PART A

The PART A portion of the PROJECT COST shall be met in part by contributions by State TED FUNDS. State TED FUNDS Category F shall be applied to the eligible items of PROJECT COST at a participation ratio equal to 100 percent up to an amount not to exceed $375,000. The remaining balance of the PART A portion of the PROJECT COST, if any, after deduction of Federal Funds and/or TED FUNDS, shall be charged to and paid by the REQUESTING PARTY in the manner and at the times hereinafter set forth.

PART B

The PART B portion of the PROJECT COST is not eligible for Federal Funds or TED FUNDS and shall be charged to and paid 100 percent by the REQUESTING PARTY in the manner and at the times hereinafter set forth.

In order to fulfill the obligations assumed by the REQUESTING PARTY under the provisions of this contract, the REQUESTING PARTY shall make prompt payments of its share, if any, of the PROJECT COST upon receipt of progress billings from the DEPARTMENT as herein provided. All payments will be made within 30 days of receipt of billings from the DEPARTMENT. Billings to the REQUESTING PARTY will be based upon an effective billing rate and the REQUESTING PARTY'S share of the actual costs incurred less TED FUNDS earned as the PROJECT progresses. The initial effective billing rate for the state funding of the PROJECT is calculated by using the state funding for the PROJECT, at the time of the award of the construction contract, and dividing by the total costs of the PROJECT eligible for state funding and authorized at the time of the award of the construction contract.

The effective billing rate for the state funding of the PROJECT is determined by the current funding authorization for the PROJECT and may change as the PROJECT progresses and funding authorizations are increased or decreased.

Any items of PROJECT COST not reimbursed by TED FUNDS will be the sole responsibility of the REQUESTING PARTY.

6. A working capital deposit by the REQUESTING PARTY will not be required for this PROJECT.

7. At such time as traffic volumes or safety requirements warrant, the REQUESTING PARTY will cause to be enacted and enforced such ordinances or regulations as may be necessary to prohibit parking in the roadway right-of-way throughout the limits of the PROJECT.

8. The performance of the entire PROJECT under this contract, whether Federally funded or not, will be subject to the provisions and requirements of PART II that are applicable to a Federally funded project.

In the event of any discrepancies between PART I and PART II of this contract, the provisions of PART I shall prevail.

Buy America Requirements (23 CFR 635.410) shall apply to the PROJECT and will be adhered to, as applicable, by the parties hereto.

9. The REQUESTING PARTY certifies that a) it is a person under the Natural Resources and Environmental Protection Act, MCL 324.20101 et seq., as amended, (NREPA) and is not aware of and has no reason to believe that the property is a facility as defined in the NREPA; b) the REQUESTING PARTY further certifies that it has completed the tasks required by MCL 324.20126 (3)(h); c) it conducted a visual inspection of property within the existing right of way on which construction is to be performed to determine if any hazardous substances were present; and at sites on which historically were located businesses that involved hazardous substances, it performed a reasonable investigation to determine whether hazardous substances exist. This reasonable investigation should include, at a minimum, contact with local, state and federal environmental agencies to determine if the site has been identified as, or potentially as, a site containing hazardous substances; d) it did not cause or contribute to the release or threat of release of any hazardous substance found within the PROJECT limits.

The REQUESTING PARTY also certifies that, in addition to reporting the presence of any hazardous substances to the Department of Environmental Quality, it has advised the DEPARTMENT of the presence of any and all hazardous substances which the REQUESTING PARTY found within the PROJECT limits, as a result of performing the investigation and visual inspection required herein. The REQUESTING PARTY also certifies that it has been unable to identify any entity who may be liable for the cost of remediation. As a result, the REQUESTING PARTY has included all estimated costs of remediation of such hazardous substances in its estimated cost of construction of the PROJECT.

10. If, subsequent to execution of this contract, previously unknown hazardous substances are discovered within the PROJECT limits, which require environmental remediation pursuant to either state or federal law, the REQUESTING PARTY, in addition to reporting that fact to the Department of Environmental Quality, shall immediately notify the DEPARTMENT, both orally and in writing of such discovery. The DEPARTMENT shall consult with the REQUESTING PARTY to determine if it is willing to pay for the cost of remediation and, if applicable, with the FHWA, to determine the eligibility, for reimbursement, of the remediation costs. The REQUESTING PARTY shall be charged for and shall pay all costs associated with such remediation, including all delay costs of the contractor for the PROJECT, in the event that, if applicable, remediation and delay costs are not deemed eligible by the FHWA. If the REQUESTING PARTY refuses to participate in the cost of remediation, the DEPARTMENT

shall terminate the PROJECT. The parties agree that any costs or damages that the DEPARTMENT incurs as a result of such termination shall be considered a PROJECT COST.

11. If federal and/or state funds administered by the DEPARTMENT are used to pay the cost of remediating any hazardous substances discovered after the execution of this contract and if there is a reasonable likelihood of recovery, the REQUESTING PARTY, in cooperation with the Department of Environmental Quality and the DEPARTMENT, shall make a diligent effort to recover such costs from all other possible entities. If recovery is made, the DEPARTMENT shall be reimbursed from such recovery for the proportionate share of the amount paid by the FHWA and/or the DEPARTMENT and the DEPARTMENT shall credit such sums to the appropriate funding source.

12. The DEPARTMENT'S sole reason for entering into this contract is to enable the REQUESTING PARTY to obtain and use funds provided by the state and/or the FHWA.

Any and all approvals of, reviews of, and recommendations regarding contracts, agreements, permits, plans, specifications, or documents, of any nature, or any inspections of work by the DEPARTMENT pursuant to the terms of this contract are done to assist the REQUESTING PARTY in meeting program guidelines in order to qualify for available funds. Such approvals, reviews, inspections and recommendations by the DEPARTMENT shall not relieve the REQUESTING PARTY and the local agencies, as applicable, of their ultimate control and shall not be construed as a warranty of their propriety or that the DEPARTMENT is assuming any liability, control or jurisdiction.

The providing of recommendations or advice by the DEPARTMENT does not relieve the REQUESTING PARTY and the local agencies, as applicable, of their exclusive jurisdiction of the highway and responsibility under MCL 691.1402 et seq., as amended.

When providing approvals, reviews and recommendations under this contract, the DEPARTMENT is performing a governmental function, as that term is defined in MCL 691.1401 et seq., as amended, which is incidental to the completion of the PROJECT.

13. The DEPARTMENT, by executing this contract, and rendering services pursuant to this contract, has not and does not assume jurisdiction of the highway, described as the PROJECT for purposes of MCL 691.1402 et seq., as amended. Exclusive jurisdiction of such highway for the purposes of MCL 691.1402 et seq., as amended, rests with the REQUESTING PARTY and other local agencies having respective jurisdiction.

14. The REQUESTING PARTY shall approve all of the plans and specifications to be used on the PROJECT and shall be deemed to have approved all changes to the plans and specifications when put into effect. It is agreed that ultimate responsibility and control over the PROJECT rests with the REQUESTING PARTY and local agencies, as applicable.

15. The REQUESTING PARTY agrees that the costs reported to the DEPARTMENT for this contract will represent only those items that are properly chargeable in accordance with this contract. The REQUESTING PARTY also certifies that it has read the contract terms and has made itself aware of the applicable laws, regulations, and terms of this contract that apply to the reporting of costs incurred under the terms of this contract.

16. The parties shall promptly provide comprehensive assistance and cooperation in defending and resolving any claims brought against the DEPARTMENT by the contractor, vendors or suppliers as a result of the DEPARTMENT'S award of the construction contract for the PROJECT. Costs incurred by the DEPARTMENT in defending or resolving such claims shall be considered PROJECT COSTS.

17. The REQUESTING PARTY and other local agencies, as applicable parties, understand and agree that the highway(s) or street(s) being improved under the terms of this agreement and funded with Transportation Economic Development Funds, shall not be subject to any restriction by local authorities in using certain commercial vehicles on such highway(s) or street(s). Such restrictions are in conflict with the basic concept of the Transportation Economic Development Program and Funding. The REQUESTING PARTY, by signing this agreement, agrees to obtain concurrence from other local governmental agencies within whose jurisdiction or control the highway(s) or street(s) are being improved.

18. The DEPARTMENT shall require the contractor who is awarded the contract for the construction of the PROJECT to provide insurance in the amounts specified and in accordance with the DEPARTMENT'S current Standard Specifications for Construction, and to:

A. Maintain bodily injury and property damage insurance for the duration of the PROJECT.

B. Provide owner's protective liability insurance naming as insureds the State of Michigan, the Michigan State Transportation Commission, the DEPARTMENT, and its officials, agents and employees, the REQUESTING PARTY and any other county, county road commission, or municipality in whose jurisdiction the PROJECT is located, and their employees, for the duration of the PROJECT and to provide, upon request, copies of certificates of insurance to the insureds. It is understood that the DEPARTMENT does not assume jurisdiction of the highway described as the PROJECT as a result of being named as an insured on the owner's protective liability insurance policy.

C. Comply with the requirements of notice of cancellation and reduction of insurance set forth in the current standard specifications for construction and to provide, upon request, copies of notices and reports prepared to those insured.

19. This contract shall become binding on the parties hereto and of full force and effect upon the signing thereof by the duly authorized officials for the parties hereto and upon the adoption of the necessary resolution approving said contract and authorizing the signatures thereto of the respective officials of the REQUESTING PARTY, a certified copy of which resolution shall be attached to this contract; and with approval by the State Administrative Board.

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed the day and year first above written.

CITY OF JACKSON

By_____
Title:

By_____
Title:

FORM APPROVED
1-26
P.L.B
ASSISTANT ATTORNEY GENERAL

MICHIGAN DEPARTMENT OF TRANSPORTATION

By_____
Department Director MDOT

RDD
1/12/16

December 10, 2015

EXHIBIT I

CONTROL SECTION	EDF 38566
JOB NUMBER	125521A

ESTIMATED COST

CONTRACTED WORK

	PART A	PART B	TOTAL
Estimated Cost	$824,400	$61,300	$885,700

COST PARTICIPATION

GRAND TOTAL ESTIMATED COST	$824,400	$61,300	$885,700
Less State TED FUNDS	$375,000	$ -0-	$375,000
BALANCE (REQUESTING PARTY'S SHARE)	$449,400	$61,300	$510,700

*State TED FUNDS shall be applied to the eligible items of the PROJECT COST at a participation ratio equal to 100 percent up to an amount not to exceed $375,000.

NO DEPOSIT

PART II

STANDARD AGREEMENT PROVISIONS

SECTION I COMPLIANCE WITH REGULATIONS AND DIRECTIVES

SECTION II PROJECT ADMINISTRATION AND SUPERVISION

SECTION III ACCOUNTING AND BILLING

SECTION IV MAINTENANCE AND OPERATION

SECTION V SPECIAL PROGRAM AND PROJECT CONDITIONS

SECTION I

COMPLIANCE WITH REGULATIONS AND DIRECTIVES

A. To qualify for eligible cost, all work shall be documented in accordance with the requirements and procedures of the DEPARTMENT.

B. All work on projects for which reimbursement with Federal funds is requested shall be performed in accordance with the requirements and guidelines set forth in the following Directives of the Federal-Aid Policy Guide (FAPG) of the FHWA, as applicable, and as referenced in pertinent sections of Title 23 and Title 49 of the Code of Federal Regulations (CFR), and all supplements and amendments thereto.

1. Engineering

   a. FAPG (6012.1): Preliminary Engineering

   b. FAPG (23 CFR 172): Administration of Engineering and Design Related Service Contracts

   c. FAPG (23 CFR 635A): Contract Procedures

   d. FAPG (49 CFR 18.22): Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments–Allowable Costs

2. Construction

   a. FAPG (23 CFR 140E): Administrative Settlement Costs-Contract Claims

   b. FAPG (23 CFR 140B): Construction Engineering Costs

   c. FAPG (23 CFR 17): Recordkeeping and Retention Requirements for Federal-Aid Highway Records of State Highway Agencies

   d. FAPG (23 CFR 635A): Contract Procedures

   e. FAPG (23 CFR 635B): Force Account Construction

   f. FAPG (23 CFR 645A): Utility Relocations, Adjustments and Reimbursement

g. FAPG (23 CFR 645B): Accommodation of Utilities (PPM 30-4.1)

h. FAPG (23 CFR 655F): Traffic Control Devices on Federal-Aid and other Streets and Highways

i. FAPG (49 CFR 18.22): Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments–Allowable Costs

3. Modification Or Construction Of Railroad Facilities

a. FAPG (23 CFR 140I): Reimbursement for Railroad Work

b. FAPG (23 CFR 646B): Railroad Highway Projects

C. In conformance with FAPG (23 CFR 630C) Project Agreements, the political subdivisions party to this contract, on those Federally funded projects which exceed a total cost of $100,000.00 stipulate the following with respect to their specific jurisdictions:

1. That any facility to be utilized in performance under or to benefit from this contract is not listed on the Environmental Protection Agency (EPA) List of Violating Facilities issued pursuant to the requirements of the Federal Clean Air Act, as amended, and the Federal Water Pollution Control Act, as amended.

2. That they each agree to comply with all of the requirements of Section 114 of the Federal Clean Air Act and Section 308 of the Federal Water Pollution Control Act, and all regulations and guidelines issued thereunder.

3. That as a condition of Federal aid pursuant to this contract they shall notify the DEPARTMENT of the receipt of any advice indicating that a facility to be utilized in performance under or to benefit from this contract is under consideration to be listed on the EPA List of Violating Facilities.

D. Ensure that the PROJECT is constructed in accordance with and incorporates all committed environmental impact mitigation measures listed in approved environmental documents unless modified or deleted by approval of the FHWA.

E. All the requirements, guidelines, conditions and restrictions noted in all other pertinent Directives and Instructional Memoranda of the FHWA will apply to this contract and will be adhered to, as applicable, by the parties hereto.

SECTION II

PROJECT ADMINISTRATION AND SUPERVISION

A. The DEPARTMENT shall provide such administrative guidance as it determines is required by the PROJECT in order to facilitate the obtaining of available federal and/or state funds.

B. The DEPARTMENT will advertise and award all contracted portions of the PROJECT work. Prior to advertising of the PROJECT for receipt of bids, the REQUESTING PARTY may delete any portion or all of the PROJECT work. After receipt of bids for the PROJECT, the REQUESTING PARTY shall have the right to reject the amount bid for the PROJECT prior to the award of the contract for the PROJECT only if such amount exceeds by ten percent (10%) the final engineer's estimate therefor. If such rejection of the bids is not received in writing within two (2) weeks after letting, the DEPARTMENT will assume concurrence. The DEPARTMENT may, upon request, readvertise the PROJECT. Should the REQUESTING PARTY so request in writing within the aforesaid two (2) week period after letting, the PROJECT will be cancelled and the DEPARTMENT will refund the unused balance of the deposit less all costs incurred by the DEPARTMENT.

C. The DEPARTMENT will perform such inspection services on PROJECT work performed by the REQUESTING PARTY with its own forces as is required to ensure compliance with the approved plans & specifications.

D. On those projects funded with Federal monies, the DEPARTMENT shall as may be required secure from the FHWA approval of plans and specifications, and such cost estimates for FHWA participation in the PROJECT COST.

E. All work in connection with the PROJECT shall be performed in conformance with the Michigan Department of Transportation Standard Specifications for Construction, and the supplemental specifications, Special Provisions and plans pertaining to the PROJECT and all materials furnished and used in the construction of the PROJECT shall conform to the aforesaid specifications. No extra work shall be performed nor changes in plans and specifications made until said work or changes are approved by the project engineer and authorized by the DEPARTMENT.

F. Should it be necessary or desirable that portions of the work covered by this contract be accomplished by a consulting firm, a railway company, or governmental agency, firm, person, or corporation, under a subcontract with the REQUESTING PARTY at PROJECT expense, such subcontracted arrangements will be covered by formal written agreement between the REQUESTING PARTY and tbat party.

This formal written agreement shall: include a reference to the specific prime contract to which it pertains; include provisions which clearly set forth the maximum reimbursable and the basis of payment; provide for the maintenance of accounting records in accordance with generally accepted accounting principles, which clearly document the actual cost of the services provided; provide that costs eligible for reimbursement shall be in accordance with clearly defined cost criteria such as 49 CFR Part 18, 48 CFR Part 31, 23 CFR Part 140, OMB Circular A-87, etc. as applicable; provide for access to the department or its representatives to inspect and audit all data and records related to the agreement for a minimum of three years after the department's final payment to the local unit.

All such agreements will be submitted for approval by the DEPARTMENT and, if applicable, by the FHWA prior to execution thereof, except for agreements for amounts less than $100,000 for preliminary engineering and testing services executed under and in accordance with the provisions of the "Small Purchase Procedures" FAPG (23 CFR 172), which do not require prior approval of the DEPARTMENT or the FHWA.

Any such approval by the DEPARTMENT shall in no way be construed as a warranty of the subcontractor's qualifications, financial integrity, or ability to perform the work being subcontracted.

G. The REQUESTING PARTY, at no cost to the PROJECT or the DEPARTMENT, shall make such arrangements with railway companies, utilities, etc., as may be necessary for the performance of work required for the PROJECT but for which Federal or other reimbursement will not be requested.

H. The REQUESTING PARTY, at no cost to the PROJECT, or the DEPARTMENT, shall secure, as necessary, all agreements and approvals of the PROJECT with railway companies, the Railroad Safety & Tariffs Division of the DEPARTMENT and other concerned governmental agencies other than the FHWA, and will forward same to the DEPARTMENT for such reviews and approvals as may be required.

I. No PROJECT work for which reimbursement will be requested by the REQUESTING PARTY is to be subcontracted or performed until the DEPARTMENT gives written notification that such work may commence.

J. The REQUESTING PARTY shall be responsible for the payment of all costs and expenses incurred in the performance of the work it agrees to undertake and perform.

K. The REQUESTING PARTY shall pay directly to the party performing the work all billings for the services performed on the PROJECT which are authorized by or through the REQUESTING PARTY.

L. The REQUESTING PARTY shall submit to the DEPARTMENT all paid billings for which reimbursement is desired in accordance with DEPARTMENT procedures.

M. All work by a consulting firm will be performed in compliance with the applicable provisions of 1980 PA 299, Subsection 2001, MCL 339.2001; MSA 18.425(2001), as well as in accordance with the provisions of all previously cited Directives of the FHWA.

N. The project engineer shall be subject to such administrative guidance as may be deemed necessary to ensure compliance with program requirement and, in those instances where a consultant firm is retained to provide engineering and inspection services, the personnel performing those services shall be subject to the same conditions.

O. The DEPARTMENT, in administering the PROJECT in accordance with applicable Federal and State requirements and regulations, neither assumes nor becomes liable for any obligations undertaken or arising between the REQUESTING PARTY and any other party with respect to the PROJECT.

P. In the event it is determined by the DEPARTMENT that there will he either insufficient Federal funds or insufficient time to properly administer such funds for the entire PROJECT or portions thereof, the DEPARTMENT, prior to advertising or issuing authorization for work performance, may cancel the PROJECT, or any portion thereof, and upon written notice to the parties this contract shall be void and of no effect with respect to that cancelled portion of the PROJECT. Any PROJECT deposits previously made by the parties on the cancelled portions of the PROJECT will be promptly refunded.

Q. Those projects funded with Federal monies will be subject to inspection at all times by the DEPARTMENT and the FHWA.

SECTION III

ACCOUNTING AND BILLING

A. Procedures for billing for work undertaken by the REQUESTING PARTY:

1. The REQUESTING PARTY shall establish and maintain accurate records, in accordance with generally accepted accounting principles, of all expenses incurred for which payment is sought or made under this contract, said records to be hereinafter referred to as the "RECORDS". Separate accounts shall be established and maintained for all costs incurred under this contract.

   The REQUESTING PARTY shall maintain the RECORDS for at least three (3) years from the date of final payment of Federal Aid made by the DEPARTMENT under this contract. In the event of a dispute with regard to the allowable expenses or any other issue under this contract, the REQUESTING PARTY shall thereafter continue to maintain the RECORDS at least until that dispute has been finally decided and the time for all available challenges or appeals of that decision has expired.

   The DEPARTMENT, or its representative, may inspect, copy, or audit the RECORDS at any reasonable time after giving reasonable notice.

   If any part of the work is subcontracted, the REQUESTING PARTY shall assure compliance with the above for all subcontracted work.

   In the event that an audit performed by or on behalf of the DEPARTMENT indicates an adjustment to the costs reported under this contract, or questions the allowability of an item of expense, the DEPARTMENT shall promptly submit to the REQUESTING PARTY, a Notice of Audit Results and a copy of the audit report which may supplement or modify any tentative findings verbally communicated to the REQUESTING PARTY at the completion of an audit.

   Within sixty (60) days after the date of the Notice of Audit Results, the REQUESTING PARTY shall: (a) respond in writing to the responsible Bureau or the DEPARTMENT indicating whether or not it concurs with the audit report, (b) clearly explain the nature and basis for any disagreement as to a disallowed item of expense and, (c) submit to the DEPARTMENT a written explanation as to any questioned or no opinion expressed item of expense, hereinafter referred to as the "RESPONSE". The RESPONSE shall be clearly stated and provide any supporting documentation necessary to resolve any disagreement or questioned or no opinion expressed item of expense. Where the documentation is voluminous, the REQUESTING PARTY may supply appropriate excerpts and make alternate

arrangements to conveniently and reasonably make that documentation available for review by the DEPARTMENT. The RESPONSE shall refer to and apply the language of the contract. The REQUESTING PARTY agrees that failure to submit a RESPONSE within the sixty (60) day period constitutes agreement with any disallowance of an item of expense and authorizes the DEPARTMENT to finally disallow any items of questioned or no opinion expressed cost.

The DEPARTMENT shall make its decision with regard to any Notice of Audit Results and RESPONSE within one hundred twenty (120) days after the date of the Notice of Audit Results. If the DEPARTMENT determines that an overpayment has been made to the REQUESTING PARTY, the REQUESTING PARTY shall repay that amount to the DEPARTMENT or reach agreement with the DEPARTMENT on a repayment schedule within thirty (30) days after the date of an invoice from the DEPARTMENT. If the REQUESTING PARTY fails to repay the overpayment or reach agreement with the DEPARTMENT on a repayment schedule within the thirty (30) day period, the REQUESTING PARTY agrees that the DEPARTMENT shall deduct all or a portion of the overpayment from any funds then or thereafter payable by the DEPARTMENT to the REQUESTING PARTY under this contract or any other agreement, or payable to the REQUESTING PARTY under the terms of 1951 PA 51, as applicable. Interest will be assessed on any partial payments or repayment schedules based on the unpaid balance at the end of each month until the balance is paid in full. The assessment of interest will begin thirty (30) days from the date of the invoice. The rate of interest will be based on the Michigan Department of Treasury common cash funds interest earnings. The rate of interest will be reviewed annually by the DEPARTMENT and adjusted as necessary based on the Michigan Department of Treasury common cash funds interest earnings. The REQUESTING PARTY expressly consents to this withholding or offsetting of funds under those circumstances, reserving the right to file a lawsuit in the Court of Claims to contest the DEPARTMENT'S decision only as to any item of expense the disallowance of which was disputed by the REQUESTING PARTY in a timely filed RESPONSE.

The REQUESTING PARTY shall comply with the Single Audit Act of 1984, as amended, including, but not limited to, the Single Audit Amendments of 1996 (31 USC 7501-7507).

The REQUESTING PARTY shall adhere to the following requirements associated with audits of accounts and records:

a. Agencies expending a total of $500,000 or more in federal funds, from one or more funding sources in its fiscal year, shall comply with the requirements of the federal Office of Management and Budget (OMB) Circular A-133, as revised or amended.

The agency shall submit two copies of:

The Reporting Package
The Data Collection Form
The management letter to the agency, if one issued by the audit firm

The OMB Circular A-133 audit must be submitted to the address below in accordance with the time frame established in the circular, as revised or amended.

b. Agencies expending less than $500,000 in federal funds must submit a letter to the Department advising that a circular audit was not required. The letter shall indicate the applicable fiscal year, the amount of federal funds spent, the name(s) of the Department federal programs, and the CFDA grant number(s). This information must also be submitted to the address below.

c. Address: Michigan Department of Education
Accounting Service Center
Hannah Building
608 Allegan Street
Lansing, MI 48909

d. Agencies must also comply with applicable State laws and regulations relative to audit requirements.

e. Agencies shall not charge audit costs to Department's federal programs which are not in accordance with the OMB Circular A-133 requirements.

f. All agencies are subject to the federally required monitoring activities, which may include limited scope reviews and other on-site monitoring.

2. Agreed Unit Prices Work - All billings for work undertaken by the REQUESTING PARTY on an agreed unit price basis will be submitted in accordance with the Michigan Department of Transportation Standard Specifications for Construction and pertinent FAPG Directives and Guidelines of the FHWA.

3. Force Account Work and Subcontracted Work - All billings submitted to the DEPARTMENT for Federal reimbursement for items of work performed on a force account basis or by any subcontract with a consulting firm, railway company, governmental agency or other party, under the terms of this contract, shall be prepared in accordance with the provisions of the pertinent FHPM Directives and the procedures of the DEPARTMENT. Progress billings may be submitted monthly during the time work is being performed provided, however, that no bill of a lesser amount than $1,000.00 shall be submitted unless it is a final

or end of fiscal year billing. All billings shall be labeled either "Progress Bill Number _____", or "Final Billing".

4. Final billing under this contract shall be submitted in a timely manner but not later than six months after completion of the work. Billings for work submitted later than six months after completion of the work will not be paid.

5. Upon receipt of billings for reimbursement for work undertaken by the REQUESTING PARTY on projects funded with Federal monies, the DEPARTMENT will act as billing agent for the REQUESTING PARTY, consolidating said billings with those for its own force account work and presenting these consolidated billings to the FHWA for payment. Upon receipt of reimbursement from the FHWA, the DEPARTMENT will promptly forward to the REQUESTING PARTY its share of said reimbursement.

6. Upon receipt of billings for reimbursement for work undertaken by the REQUESTING PARTY on projects funded with non-Federal monies, the DEPARTMENT will promptly forward to the REQUESTING PARTY reimbursement of eligible costs.

B. Payment of Contracted and DEPARTMENT Costs:

1. As work on the PROJECT commences, the initial payments for contracted work and/or costs incurred by the DEPARTMENT will be made from the working capital deposit. Receipt of progress payments of Federal funds, and where applicable, State Critical Bridge funds, will be used to replenish the working capital deposit. The REQUESTING PARTY shall make prompt payments of its share of the contracted and/or DEPARTMENT incurred portion of the PROJECT COST upon receipt of progress billings from the DEPARTMENT. Progress billings will be based upon the REQUESTING PARTY'S share of the actual costs incurred as work on the PROJECT progresses and will be submitted, as required, until it is determined by the DEPARTMENT that there is sufficient available working capital to meet the remaining anticipated PROJECT COSTS. All progress payments will be made within thirty (30) days of receipt of billings. No monthly billing of a lesser amount than $1,000.00 will be made unless it is a final or end of fiscal year billing. Should the DEPARTMENT determine that the available working capital exceeds the remaining anticipated PROJECT COSTS, the DEPARTMENT may reimburse the REQUESTING PARTY such excess. Upon completion of the PROJECT, payment of all PROJECT COSTS, receipt of all applicable monies from the FHWA, and completion of necessary audits, the REQUESTING PARTY will be reimbursed the balance of its deposit.

2. In the event that the bid, plus contingencies, for the contracted, and/or the DEPARTMENT incurred portion of the PROJECT work exceeds the estimated cost therefor as established by this contract, the REQUESTING PARTY may be advised and billed for the additional amount of its share.

C. General Conditions:

1. The DEPARTMENT, in accordance with its procedures in existence and covering the time period involved, shall make payment for interest earned on the balance of working capital deposits for all projects on account with the DEPARTMENT. The REQUESTING PARTY in accordance with DEPARTMENT procedures in existence and covering the time period involved, shall make payment for interest owed on any deficit balance of working capital deposits for all projects on account with the DEPARTMENT. This payment or billing is processed on an annual basis corresponding to the State of Michigan fiscal year. Upon receipt of billing for interest incurred, the REQUESTING PARTY promises and shall promptly pay the DEPARTMENT said amount.

2. Pursuant to the authority granted by law, the REQUESTING PARTY hereby irrevocably pledges a sufficient amount of funds received by it from the Michigan Transportation Fund to meet its obligations as specified in PART I and PART II. If the REQUESTING PARTY shall fail to make any of its required payments when due, as specified herein, the DEPARTMENT shall immediately notify the REQUESTING PARTY and the State Treasurer of the State of Michigan or such other state officer or agency having charge and control over disbursement of the Michigan Transportation Fund, pursuant to law, of the fact of such default and the amount thereof, and, if such default is not cured by payment within ten (10) days, said State Treasurer or other state officer or agency is then authorized and directed to withhold from the first of such monies thereafter allocated by law to the REQUESTING PARTY from the Michigan Transportation Fund sufficient monies to remove the default, and to credit the REQUESTING PARTY with payment thereof, and to notify the REQUESTING PARTY in writing of such fact.

3. Upon completion of all work under this contract and final audit by the DEPARTMENT or the FHWA, the REQUESTING PARTY promises to promptly repay the DEPARTMENT for any disallowed items of costs previously disbursed by the DEPARTMENT. The REQUESTING PARTY pledges its future receipts from the Michigan Transportation Fund for repayment of all disallowed items and, upon failure to make repayment for any disallowed items within ninety (90) days of demand made by the DEPARTMENT, the DEPARTMENT is hereby authorized to withhold an equal amount from the REQUESTING PARTY'S share of any future distribution of Michigan Transportation Funds in settlement of said claim.

4. The DEPARTMENT shall maintain and keep accurate records and accounts relative to the cost of the PROJECT and upon completion of the PROJECT, payment of all items of PROJECT COST, receipt of all Federal Aid, if any, and completion of final audit by the DEPARTMENT and if applicable, by the FHWA, shall make final accounting to the REQUESTING PARTY. The final PROJECT accounting will not include interest earned or charged on working capital deposited for the PROJECT which will be accounted for separately at the close of the State of Michigan fiscal year and as set forth in Section C(1).

5. The costs of engineering and other services performed on those projects involving specific program funds and one hundred percent (100%) local funds will be apportioned to the respective portions of that project in the same ratio as the actual direct construction costs unless otherwise specified in PART I.

SECTION IV

MAINTENANCE AND OPERATION

A. Upon completion of construction of each part of the PROJECT, at no cost to the DEPARTMENT or the PROJECT, each of the parties hereto, within their respective jurisdictions, will make the following provisions for the maintenance and operation of the completed PROJECT:

1. All Projects:

   Properly maintain and operate each part of the project, making ample provisions each year for the performance of such maintenance work as may be required, except as qualified in paragraph 2b of this section.

2. Projects Financed in Part with Federal Monies:

   a. Sign and mark each part of the PROJECT, in accordance with the current Michigan Manual of Uniform Traffic control Devices, and will not install, or permit to be installed, any signs, signals or markings not in conformance with the standards approved by the FHWA, pursuant to 23 USC 109(d).

   b. Remove, prior to completion of the PROJECT, all encroachments from the roadway right-of-way within the limits of each part of the PROJECT.

      With respect to new or existing utility installations within the right-of-way of Federal Aid projects and pursuant to FAPG (23 CFR 645B): Occupancy of non-limited access right-of-way may be allowed based on consideration for traffic safety and necessary preservation of roadside space and aesthetic quality. Longitudinal occupancy of non-limited access right-of-way by private lines will require a finding of significant economic hardship, the unavailability of practicable alternatives or other extenuating circumstances.

   c. Cause to be enacted, maintained and enforced, ordinances and regulations for proper traffic operations in accordance with the plans of the PROJECT.

   d. Make no changes to ordinances or regulations enacted, or traffic controls installed in conjunction with the PROJECT work without prior review by the DEPARTMENT and approval of the FHWA, if required.

B. On projects for the removal of roadside obstacles, the parties, upon completion of construction of each part of the PROJECT, at no cost to the PROJECT or the DEPARTMENT, will, within their respective jurisdictions, take such action as is necessary to assure that the roadway right-of-way, cleared as the PROJECT, will be maintained free of such obstacles.

C. On projects for the construction of bikeways, the parties will enact no ordinances or regulations prohibiting the use of bicycles on the facility hereinbefore described as the PROJECT, and will amend any existing restrictive ordinances in this regard so as to allow use of this facility by bicycles. No motorized vehicles shall be permitted on such bikeways or walkways constructed as the PROJECT except those for maintenance purposes.

D. Failure of the parties hereto to fulfill their respective responsibilities as outlined herein may disqualify that party from future Federal-aid participation in projects on roads or streets for which it has maintenance responsibility. Federal Aid may be withheld until such time as deficiencies in regulations have been corrected, and the improvements constructed as the PROJECT are brought to a satisfactory condition of maintenance.

SECTION V

SPECIAL PROGRAM AND PROJECT CONDITIONS

A. Those projects for which the REQUESTING PARTY has been reimbursed with Federal monies for the acquisition of right-of-way must be under construction by the close of the twentieth (20th) fiscal year following the fiscal year in which the FHWA and the DEPARTMENT projects agreement covering that work is executed, or the REQUESTING PARTY may be required to repay to the DEPARTMENT, for forwarding to the FHWA, all monies distributed as the FHWA'S contribution to that right-of-way.

B. Those projects for which the REQUESTING PARTY has been reimbursed with Federal monies for the performance of preliminary engineering must be under construction by the close of the tenth (10th) fiscal year following the fiscal year in which the FHWA and the DEPARTMENT projects agreement covering that work is executed, or the REQUESTING PARTY may be required to repay to the DEPARTMENT, for forwarding to the FHWA, all monies distributed as the FHWA'S contribution to that preliminary engineering.

C. On those projects funded with Federal monies, the REQUESTING PARTY, at no cost to the PROJECT or the DEPARTMENT, will provide such accident information as is available and such other information as may be required under the program in order to make the proper assessment of the safety benefits derived from the work performed as the PROJECT. The REQUESTING PARTY will cooperate with the DEPARTMENT in the development of reports and such analysis as may be required and will, when requested by the DEPARTMENT, forward to the DEPARTMENT, in such form as is necessary, the required information.

D. In connection with the performance of PROJECT work under this contract the parties hereto (hereinafter in Appendix "A" referred to as the "contractor") agree to comply with the State of Michigan provisions for "Prohibition of Discrimination in State Contracts", as set forth in Appendix A, attached hereto and made a part hereof. The parties further covenant that they will comply with the Civil Rights Acts of 1964, being P.L. 88-352, 78 Stat. 241, as amended, being Title 42 U.S.C. Sections 1971, 1975a-1975d, and 2000a-2000h-6 and the Regulations of the United States Department of Transportation (49 C.F.R. Part 21) issued pursuant to said Act, including Appendix "B", attached hereto and made a part hereof, and will require similar covenants on the part of any contractor or subcontractor employed in the performance of this contract.

E. The parties will carry out the applicable requirements of the DEPARTMENT'S Disadvantaged Business Enterprise (DBE) program and 49 CFR, Part 26, including, but not limited to, those requirements set forth in Appendix C.

APPENDIX A
PROHIBITION OF DISCRIMINATION IN STATE CONTRACTS

In connection with the performance of work under this contract; the contractor agrees as follows:

1. In accordance with Public Act 453 of 1976 (Elliott-Larsen Civil Rights Act), the contractor shall not discriminate against an employee or applicant for employment with respect to hire, tenure, treatment, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, height, weight, or marital status. A breach of this covenant will be regarded as a material breach of this contract. Further, in accordance with Public Act 220 of 1976 (Persons with Disabilities Civil Rights Act), as amended by Public Act 478 of 1980, the contractor shall not discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of a disability that is unrelated to the individual's ability to perform the duties of a particular job or position. A breach of the above covenants will be regarded as a material breach of this contract.

2. The contractor hereby agrees that any and all subcontracts to this contract, whereby a portion of the work set forth in this contract is to be performed, shall contain a covenant the same as hereinabove set forth in Section 1 of this Appendix.

3. The contractor will take affirmative action to ensure that applicants for employment and employees are treated without regard to their race, color, religion, national origin, age, sex, height, weight, marital status, or any disability that is unrelated to the individual's ability to perform the duties of a particular job or position. Such action shall include, but not be limited to, the following: employment; treatment; upgrading; demotion or transfer; recruitment; advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

4. The contractor shall, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, age, sex, height, weight, marital status, or disability that is unrelated to the individual's ability to perform the duties of a particular job or position.

5. The contractor or its collective bargaining representative shall send to each labor union or representative of workers with which the contractor has a collective bargaining agreement or other contract or understanding a notice advising such labor union or workers' representative of the contractor's commitments under this Appendix.

6. The contractor shall comply with all relevant published rules, regulations, directives, and orders of the Michigan Civil Rights Commission that may be in effect prior to the taking of bids for any individual state project.

7. The contractor shall furnish and file compliance reports within such time and upon such forms as provided by the Michigan Civil Rights Commission; said forms may also elicit information as to the practices, policies, program, and employment statistics of each subcontractor, as well as the contractor itself, and said contractor shall permit access to the contractor's books, records, and accounts by the Michigan Civil Rights Commission and/or its agent for the purposes of investigation to ascertain compliance under this contract and relevant rules, regulations, and orders of the Michigan Civil Rights Commission.

8. In the event that the Michigan Civil Rights Commission finds, after a hearing held pursuant to its rules, that a contractor has not complied with the contractual obligations under this contract, the Michigan Civil Rights Commission may, as a part of its order based upon such findings, certify said findings to the State Administrative Board of the State of Michigan, which State Administrative Board may order the cancellation of the contract found to have been violated and/or declare the contractor ineligible for future contracts with the state and its political and civil subdivisions, departments, and officers, including the governing boards of institutions of higher education, until the contractor complies with said order of the Michigan Civil Rights Commission. Notice of said declaration of future ineligibility may be given to any or all of the persons with whom the contractor is declared ineligible to contract as a contracting party in future contracts. In any case before the Michigan Civil Rights Commission in which cancellation of an existing contract is a possibility, the contracting agency shall be notified of such possible remedy and shall be given the option by the Michigan Civil Rights Commission to participate in such proceedings.

9. The contractor shall include or incorporate by reference, the provisions of the foregoing paragraphs (1) through (8) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Michigan Civil Rights Commission; all subcontracts and purchase orders will also state that said provisions will be binding upon each subcontractor or supplier.

<u>Revised June 2011</u>

APPENDIX B
TITLE VI ASSURANCE

During the performance of this contract, the contractor, for itself, its assignees, and its successors in interest (hereinafter referred to as the "contractor"), agrees as follows:

1. **Compliance with Regulations**: For all federally assisted programs, the contractor shall comply with the nondiscrimination regulations set forth in 49 CFR Part 21, as may be amended from time to time (hereinafter referred to as the Regulations). Such Regulations are incorporated herein by reference and made a part of this contract.

2. **Nondiscrimination**: The contractor, with regard to the work performed under the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection, retention, and treatment of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices, when the contractor covers a program set forth in Appendix B of the Regulations.

3. **Solicitation for Subcontracts, Including Procurements of Materials and Equipment**: All solicitations made by the contractor, either by competitive bidding or by negotiation for subcontract work, including procurement of materials or leases of equipment, must include a notification to each potential subcontractor or supplier of the contractor's obligations under the contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.

4. **Information and Reports**: The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto and shall permit access to its books, records, accounts, other sources of information, and facilities as may be determined to be pertinent by the Department or the United States Department of Transportation (USDOT) in order to ascertain compliance with such Regulations or directives. If required information concerning the contractor is in the exclusive possession of another who fails or refuses to furnish the required information, the contractor shall certify to the Department or the USDOT, as appropriate, and shall set forth the efforts that it made to obtain the information.

5. **Sanctions for Noncompliance**: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the Department shall impose such contract sanctions as it or the USDOT may determine to be appropriate, including, but not limited to, the following:

   a. Withholding payments to the contractor until the contractor complies; and/or

   b. Canceling, terminating, or suspending the contract, in whole or in part.

6. **Incorporation of Provisions**: The contractor shall include the provisions of Sections (1) through (6) in every subcontract, including procurement of material and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Department or the USDOT may direct as a means of enforcing such provisions, including sanctions for non-compliance, provided, however, that in the event a contractor becomes involved in or is threatened with litigation from a subcontractor or supplier as a result of such direction, the contractor may request the Department to enter into such litigation to protect the interests of the state. In addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

Revised June 2011

APPENDIX C

TO BE INCLUDED IN ALL FINANCIAL ASSISTANCE AGREEMENTS WITH LOCAL AGENCIES

Assurance that Recipients and Contractors Must Make (Excerpts from US DOT Regulation 49 CFR 26.13)

A. Each financial assistance agreement signed with a DOT operating administration (or a primary recipient) must include the following assurance:

> The recipient shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any US DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The recipient shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of US DOT-assisted contracts. The recipient's DBE program, as required by 49 CFR Part 26 and as approved by US DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the recipient of its failure to carry out its approved program, the department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

B. Each contract MDOT signs with a contractor (and each subcontract the prime contractor signs with a subcontractor) must include the following assurance:

> The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of US DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.

JACKSON
Founded 1829

City Attorney

161 W. Michigan Ave. - Jackson, MI 49201
Telephone: (517) 788-4050 • Facsimile: (866) 971-2117

MEMO TO: Mayor and City Councilmembers

FROM: Bethany M. Smith, City Attorney

DATE: February 9, 2016

SUBJECT: Administrative Hearings Bureau Amnesty

Recommendation: Approve Resolution Granting a Judgment Reduction for Unpaid Administrative Hearings Bureau Judgments Entered Prior to January 1, 2016.

Attached is a Memorandum from the City Attorney's Office regarding Administrative Hearings Bureau amnesty.

I recommend approval of the above mentioned recommendation. Your consideration and concurrence is appreciated.

BMS

Attachments

DEPARTMENTAL REPORT
February 9, 2016

MEMO TO: Mayor and City Councilmembers

FROM: Bethany M. Smith, City Attorney

RECOMMENDATION: Approve Resolution Granting a Judgment Reduction for Unpaid Administrative Hearings Bureau Judgments Entered Prior to January 1, 2016.

SUMMARY

The recommended action is approval of a Resolution that would allow those persons or entities with a judgment from the Administrative Hearings Bureau entered prior to January 1, 2016 to pay the judgment with a 33% reduction, and no late fees or interest. This action is being recommended in order to reduce the number of unpaid AHB judgments.

BUDGETARY CONSIDERATIONS

There are currently $762,499.83 in unpaid AHB judgments dating back to 2005. This Resolution will aid in having some of this unpaid debt eliminated.

HISTORY, BACKGROUND and DISCUSSION

The AHB began in 2015. Since the inception of the AHB, collection of the judgments has always been difficult. Not only has there been little staff time available to devote to AHB collection efforts, many AHB judgment Respondents are those of limited means who are uncollectible. Although collection efforts are made for each judgment, including liens and referral to collection agencies, there still remain over 1500 unpaid AHB judgments. This volume of unpaid cases that have had numerous collection attempts made over the years cause issues such as storage space and staff time to monitor.

DISCUSSION OF THE ISSUE

The City Attorney's Office has been considering requesting an amnesty program for some time. Detroit tried a similar amnesty program recently and was greeted with great success. Based on the success of the Detroit amnesty program, the City Attorney's Office would request that the Council attempt a similar amnesty program.

POSITIONS

The City Attorney's Office recommends approval of the Resolution granting a judgment reduction for unpaid Administrative Hearings Bureau Judgments entered prior to January 1, 2016.

ATTACHMENT: Resolution

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, the City of Jackson has numerous Administrative Hearings Bureau judgments that are currently delinquent in payment; and

WHEREAS, these delinquent judgments have created issues with regards to monitoring, collection attempts and document storage; and

WHEREAS, the City of Jackson wishes to provide the responsible parties with a final opportunity to pay the amounts due in these judgments by providing a reduction in the amount of the judgment if paid within a certain period of time;

NOW, THEREFORE, BE IT RESOLVED that the City of Jackson establishes the following procedure for reductions in the amount of unpaid Administrative Hearings Bureau judgments:

1. Any Administrative Hearings Bureau judgment entered prior to January 1, 2106 shall receive a 33% reduction in the amount of the judgment if paid on or before April 30, 2016.

2. Any Administrative Hearings Bureau judgment entered prior to January 1, 2016 that is paid by April 30, 2016 shall also have all interest and late fees waived.

State of Michigan)
County of Jackson) ss
City of Jackson)

I, Andrew J. Wrozek, Jr., City Clerk in and for the City of Jackson, County and State of Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Jackson City Council on the _____ day of _____, 2016.

IN WITNESS WHEREOF, I have hereto affixed my signature and the seal of the City of Jackson, Michigan, on this ___ day of _____, 2016.

_____City Treasurer/Clerk
Andrew J. Wrozek, Jr

JACKSON
Founded 1829

City Attorney

161 W. Michigan Ave. - Jackson, MI 49201
Telephone: (517) 788-4050 • Facsimile: (866) 971-2117

MEMO TO: Mayor and City Councilmembers

FROM: Bethany M. Smith, City Attorney

DATE: February 9, 2016

SUBJECT: Opposition to Senate Bill 720 and House Bill 5232

Recommendation: The recommended action is approval of a Resolution that would oppose Senate Bill 720 and House Bill 5232.

Attached is a Memorandum from the City Attorney's Office regarding Senate Bill 720 and House Bill 5232.

I recommend approval of the above mentioned recommendation. Your consideration and concurrence is appreciated.

BMS

Attachments

DEPARTMENTAL REPORT
February 9, 2016

MEMO TO: Mayor and City Councilmembers

FROM: Bethany M. Smith

RECOMMENDATION: Approve a Resolution in Opposition to Senate Bill 720 and House Bill 5232.

SUMMARY

The recommended action is approval of a Resolution that would oppose Senate Bill 720 and House Bill 5232.

BUDGETARY CONSIDERATIONS

The passage of the Resolution would have no fiscal impact on the City.

HISTORY, BACKGROUND and DISCUSSION

Two Bills to amend the Local Historic Districts Act have been introduced – House Bill 5232 in the House of Representatives and Senate Bill 720 in the Senate. These bills would make major changes to the Act if passed.

DISCUSSION OF THE ISSUE

For a discussion of the issue, please review the Memorandum from the City Attorney's Office that is attached.

POSITIONS

The City Attorney's Office recommends approval of the Resolution.

ATTACHMENTS

City Attorney

161 W. Michigan Avenue – Jackson, MI 49201
Telephone: (517) 788-4050; (517) 788-4023 ♦ Facsimile: 866-971-2117

CITY COUNCIL MEETING
February 9, 2016

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Bethany M. Smith, City Attorney

SUBJECT: **Resolution in Opposition to Senate Bill 720 And House Bill 5232**

RECOMMENDATION: **Approval of a Resolution in Opposition to Senate Bill 720 And House Bill 5232 regarding Changes to the Local Historic Districts Act.**

Attached please find materials regarding two bills that are currently pending in the Senate and House – Senate Bill 720 and House Bill 5232. The two bills are identical in their language. The two bills attempt to make major changes to the Local Historic Districts Act, Public Act 169 of 1970. These changes would make it more difficult for local historic districts to exists, thereby making it more difficult for the City of Jackson to protect its historically significant assets.

The most significant change proposed by the bills is the dissolution of all historic districts ten years after the passage of the bill unless the question of renewal of the local historic district is placed before the voters prior to the dissolution. Every ten years this process would need to be undertaken to keep the local historic district from dissolving. This creates uncertainty for the existence of the local historic districts in the City. It also adds undue expense to the City to conduct elections on the issue.

Senate Bill 720 and HB 5232 would also permit the City Council to eliminate a historic district by passage of an ordinance without the approval of the voters at an election. Currently, the City Council must appoint an historic district study committee that must issue a report, hold a hearing, and issue a final report to show why elimination is needed. These requirements would be eliminated by Senate Bill 720 and House Bill 5232.

In addition, currently the City council can establish a new historic district by ordinance. The proposed bills would require that the City obtain preliminary approval of the proposed historic district from 2/3s of the property owners within the proposed district. Obtaining such a large number of signatures on a petition is a daunting task that will add unneeded expense to the process and make the establishment of new historic districts more difficult.

Another change would be how appeals by applicant's to the local historic district commission are handled. Currently, these appeals are heard by the state historic preservation review board. This board is well versed and familiar with the standards by which these appeals are decided, such as the Secretary of the Interior's standards for rehabilitation. City councils are not experts in these standards. The task of handling appeals is better left to the state historic preservation review board.

I have attached both bills for your review. I have also attached a fact sheet on bill sponsors, as well as a Legislative Analysis for HB 5232. Both bills are currently in the Committee on Local Government.

The recommended action is to approve a Resolution in Opposition to Senate Bill 720 and House Bill 5232, and direct the City Attorney to submit the Resolution to Governor Snyder, Representative Poleski, Senator Mike Shirkey and Representative Brett Roberts. Other municipalities have already sent similar Resolutions.

Please let me know if you need any other information.

cc: Patrick H. Burtch, City Manager

A RESOLUTION OF THE CITY OF JACKSON CITY COUNCIL OPPOSING SENATE BILL 720 AND HOUSE BILL 5232

BY THE CITY COUNCIL:

WHEREAS, Senate Bill 720 and House Bill 5232 as introduced within the State of Michigan Legislature seek to amend the Local Historic Districts Act, 1970 PA 169, by modifying procedures for establishing or eliminating an historic district, making changes to the process by which exterior improvements are made to historic structures and creating a process for dissolving or renewing an historic district;

WHEREAS, Senate Bill 720 and House Bill 5232 require changes that will make it more difficult for the City of Jackson to protect areas of historic significance; and

WHEREAS, Senate Bill 720 and HB 5232 would require the local historic district to dissolve in 10 years unless a majority vote of the City electors approved a renewal. Every ten years after that, the question of renewal would need to be resubmitted to the voters. This adds not only uncertainty to the historic preservation efforts of the City, but also added expense to conduct the elections; and

WHEREAS, Senate Bill 720 and HB 5232 would permit the City Council to eliminate a historic district by passage of an ordinance without the approval of the voters at an election. Currently, the City Council must appoint an historic district study committee that must issue a report, hold a hearing, and issue a final report to show why elimination is needed. These requirements would be eliminated by Senate Bill 720 and House Bill 5232; and

WHEREAS, Senate Bill 720 and House Bill 5232 also shift the responsibility of appeals for work permit grievances from the state historic preservation review board to the City Council. This would increase costs to the City to review and hear these appeals. In addition, the expertise of the state historic preservation review board makes it a superior choice for appeals.

NOW, THEREFORE, BE IT RESOLVED, that the City of Jackson City Council opposes Senate Bill 720 and House Bill 5232 and respectfully requests that all State legislators oppose this legislation.

* * * * *

State of Michigan)
County of Jackson) ss
City of Jackson)

I, Andrew J. Wrozek, Jr., City Clerk in and for the City of Jackson, County and State of Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Jackson City Council on the _____ day of _____, 2016.

IN WITNESS WHEREOF, I have hereto affixed
my signature and the seal of the City of Jackson,
Michigan, on this ___ day of _____, 2016.

_____
Andrew J. Wrozek, Jr., City Clerk

MICHIGAN LEGISLATURE(www.legislature.mi.gov)
Printed on Tuesday, February 2, 2016
Michigan Compiled Laws Complete Through PA 269 of 2015

Senate Bill 0720 (2016) rss

(Original Content Same As House Bill 5232)

Sponsors
Peter MacGregor - (primary)Tonya Schuitmaker, Dale Zorn
(click name to see bills sponsored by that person)

Categories
History and arts: other; History and arts: historic sites; Local government: other;

History and arts; other; procedure to establish a local historic district; modify. Amends secs. 1a, 3, 5, 9 & 14 of 1970 PA 169 (MCL 399.201a et seq.).

Bill Documents
Bill Document Formatting Information
[x]
The following bill formatting applies to the 2015-2016 session:
- New language in an amendatory bill will be shown in **BOLD AND UPPERCASE.**
- Language to be removed will be ~~stricken~~.
- Amendments made by the House will be blue with square brackets, such as: [House amended text].
- Amendments made by the Senate will be red with double greater/lesser than symbols, such as: <<Senate amended text>>.

(gray icons indicate that the action did not occur or that the document is not available)

Documents

Senate Introduced Bill
Introduced bills appear as they were introduced and reflect no subsequent amendments or changes.

As Passed by the Senate
As Passed by the Senate is the bill, as introduced, that includes any adopted Senate amendments.

As Passed by the House
As Passed by the House is the bill, as received from the Senate, that includes any adopted House amendments.

Senate Enrolled Bill
Enrolled bill is the version passed in identical form by both houses of the Legislature.

Bill Analysis

History
(House actions in lowercase, Senate actions in UPPERCASE)

Date	Journal	Action
1/26/2016	SJ 6 Pg. 56	INTRODUCED BY SENATOR PETER MACGREGOR
1/26/2016	SJ 6 Pg. 56	REFERRED TO COMMITTEE ON LOCAL GOVERNMENT

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SENATE BILL No. 720

January 26, 2016, Introduced by Senators MACGREGOR, SCHUITMAKER and ZORN and referred to the Committee on Local Government.

A bill to amend 1970 PA 169, entitled

"Local historic districts act,"

by amending sections 1a, 3, 5, 9, and 14 (MCL 399.201a, 399.203, 399.205, 399.209, and 399.214), sections 1a and 5 as amended by 2004 PA 67, sections 3 and 9 as amended by 2001 PA 67, and section 14 as added by 1992 PA 96.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 1a. As used in this act:

(a) "Alteration" means work that changes the detail of a resource but does not change its basic size or shape.

(B) "AUTHORITY" MEANS THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY CREATED BY SECTION 21 OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, 1966 PA 346, MCL 125.1421.

(C) ~~(b)~~ "Certificate of appropriateness" means the written

SENATE BILL No. 720

approval of a permit application for work that is appropriate and that does not adversely affect a resource.

(D) ~~(c)~~ "Commission" means a historic district commission created by the legislative body of a local unit under section 4.

(E) ~~(d)~~ "Committee" means a historic district study committee appointed by the legislative body of a local unit under section 3 or 14.

(F) ~~(e)~~ "Demolition" means the razing or destruction, whether entirely or in part, of a resource and includes, but is not limited to, demolition by neglect.

(G) ~~(f)~~ "Demolition by neglect" means neglect in maintaining, repairing, or securing a resource that results in deterioration of an exterior feature of the resource or the loss of structural integrity of the resource.

(H) ~~(g)~~ "Denial" means the written rejection of a permit application for work that is inappropriate and that adversely affects a resource.

~~(h) "Department" means the department of history, arts, and libraries.~~

(i) "Fire alarm system" means a system designed to detect and annunciate the presence of fire or by-products of fire. Fire alarm system includes smoke alarms.

(j) "Historic district" means an area, or group of areas not necessarily having contiguous boundaries, that contains 1 resource or a group of resources that are related by history, architecture, archaeology, engineering, or culture.

(k) "Historic preservation" means the identification,

evaluation, establishment, and protection of resources significant in history, architecture, archaeology, engineering, or culture.

(*l*) "Historic resource" means a publicly or privately owned building, structure, site, object, feature, or open space that is significant in the history, architecture, archaeology, engineering, or culture of this state or a community within this state, or of the United States.

(m) "Local unit" means a county, city, village, or township.

(n) "Notice to proceed" means the written permission to issue a permit for work that is inappropriate and that adversely affects a resource, pursuant to a finding under section 5(6).

(o) "Open space" means undeveloped land, a naturally landscaped area, or a formal or man-made landscaped area that provides a connective link or a buffer between other resources.

(p) "Ordinary maintenance" means keeping a resource unimpaired and in good condition through ongoing minor intervention, undertaken from time to time, in its exterior condition. Ordinary maintenance does not change the external appearance of the resource except through the elimination of the usual and expected effects of weathering. Ordinary maintenance does not constitute work for purposes of this act.

(q) "Proposed historic district" means an area, or group of areas not necessarily having contiguous boundaries, that has delineated boundaries and that is ~~under review by a committee or a standing committee~~ **SUBJECT TO THE REVIEW PROCESS SET FORTH IN SECTION 3(1)(A) TO (D)(*iii*) OR 14(1)** for the purpose of ~~making a recommendation as to~~ **DECIDING** whether it should be established as a

historic district or added to an established historic district.

(r) "Repair" means to restore a decayed or damaged resource to a good or sound condition by any process. A repair that changes the external appearance of a resource constitutes work for purposes of this act.

(s) "Resource" means 1 or more publicly or privately owned historic or nonhistoric buildings, structures, sites, objects, features, or open spaces located within a historic district.

(t) "Smoke alarm" means a single-station or multiple-station alarm responsive to smoke and not connected to a system. As used in this subdivision, "single-station alarm" means an assembly incorporating a detector, the control equipment, and the alarm sounding device into a single unit, operated from a power supply either in the unit or obtained at the point of installation. "Multiple-station alarm" means 2 or more single-station alarms that are capable of interconnection such that actuation of 1 alarm causes all integrated separate audible alarms to operate.

(u) "Standing committee" means a permanent body established by the legislative body of a local unit under section 14 to conduct the activities of a historic district study committee on a continuing basis.

(v) "Work" means construction, addition, alteration, repair, moving, excavation, or demolition.

Sec. 3. (1) A local unit may, by ordinance, establish 1 or more ~~historic districts. The~~ historic districts**, WHICH** shall be administered by a commission established ~~pursuant to~~ **UNDER** section 4**,** ~~. Before establishing a historic district,~~ **SUBJECT TO ALL OF THE**

FOLLOWING:

(A) THE LOCAL UNIT SHALL OBTAIN PRELIMINARY APPROVAL OF A PROPOSED HISTORIC DISTRICT FROM AT LEAST 2/3 OF THE PROPERTY OWNERS WITHIN THE PROPOSED HISTORIC DISTRICT, AS LISTED ON THE TAX ROLLS OF THE LOCAL UNIT, PURSUANT TO A WRITTEN PETITION THAT INCLUDES A PRECISE DESCRIPTION OF THE BOUNDARIES OF THE PROPOSED HISTORIC DISTRICT.

(B) FOR PURPOSES OF FURTHER CONSIDERING 1 OR MORE PROPOSED HISTORIC DISTRICTS APPROVED UNDER SUBDIVISION (A), the legislative body of the local unit shall appoint a historic district study committee. The committee shall ~~contain a majority of persons who have a clearly demonstrated interest in or knowledge of historic preservation, and shall contain representation from 1 or more~~ **CONSIST OF 4 TO 7 INDIVIDUALS, 1 OF WHOM IS AN ELECTED MEMBER OF THE LEGISLATIVE BODY OF THE LOCAL UNIT, 1 OF WHOM IS A REPRESENTATIVE OF A** duly organized local historic preservation ~~organizations.~~ **ORGANIZATION, AND AT LEAST 1 OF WHOM IS ENGAGED IN THE BUSINESS OF RESIDENTIAL OR COMMERCIAL CONSTRUCTION.** The committee shall do all of the following:

(*i*) ~~(a)~~ Conduct a photographic inventory of resources within each proposed historic district. ~~following procedures established or approved by the department.~~

(*ii*) ~~(b)~~ Conduct basic research of each proposed historic district and the historic resources located within that district.

(*iii*) ~~(c)~~ Determine the total number of historic and nonhistoric resources within a proposed historic district and the percentage of historic resources of that total. In evaluating the

significance of historic resources, the committee shall be guided by the selection criteria for evaluation issued by the United States ~~secretary of the interior~~ **SECRETARY OF THE INTERIOR** for inclusion of resources in the national register of historic places, as set forth in 36 ~~C.F.R.~~ **CFR** part 60**.** ~~, and criteria established or approved by the department, if any.~~

(*iv*) ~~(d)~~ Prepare a preliminary historic district study committee report that addresses at a minimum all of the following:

(A) ~~(*i*)~~ The charge of the committee.

(B) ~~(*ii*)~~ The composition of the committee membership.

(C) ~~(*iii*)~~ The historic district or districts studied.

(D) ~~(*iv*)~~ The boundaries for each proposed historic district in writing and on maps.

(E) ~~(*v*)~~ The history of each proposed historic district.

(F) ~~(*vi*)~~ The significance of each district as a whole, as well as a sufficient number of its individual resources to fully represent the variety of resources found within the district, relative to the evaluation criteria.

(*v*) ~~(e)~~ Transmit copies of the preliminary report for review and recommendations to the local planning body, to the ~~department,~~ **AUTHORITY, AND** to the Michigan historical commission. ~~, and to the state historic preservation review board.~~

(*vi*) ~~(f)~~ Make copies of the preliminary report available to the public pursuant to subsection ~~(4).~~**(2).**

(C) ~~(2)~~ Not less than 60 calendar days after the transmittal of the preliminary report, the committee shall hold a public hearing in compliance with the open meetings act, 1976 PA 267, MCL

15.261 to 15.275. Public notice of the time, date, and place of the hearing shall be given in the manner required by the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Written notice shall be mailed by first-class mail ~~not less than~~ **AT LEAST** 14 calendar days before the hearing to the owners of properties within the proposed historic district, as listed on the tax rolls of the local unit.

(D) ~~(3) After~~ **ALL OF THE FOLLOWING MUST OCCUR WITHIN 1 YEAR AFTER** the date of the public hearing, ~~the committee and the legislative body of the local unit shall have not more than 1 year,~~ unless ~~otherwise~~ **SOME OTHER TIME FRAME IS** authorized by the legislative body of the local unit**:** ~~, to take the following actions:~~

(*i*) ~~(a)~~ The committee shall prepare and submit a final report with its recommendations and the recommendations, if any, of the local planning body to the legislative body of the local unit. If the recommendation is to establish a historic district or districts, the final report ~~shall~~ **MAY** include a draft of a proposed ordinance or ordinances.

(*ii*) ~~(b)~~ After receiving a final report that recommends the establishment of a historic district or districts, the legislative body of the local unit, at its discretion, may introduce and pass or reject ~~an~~ **A CONDITIONALLY EFFECTIVE** ordinance or ordinances **THAT WILL ESTABLISH A HISTORIC DISTRICT OR DISTRICTS ONLY IF APPROVED UNDER SUBPARAGRAPH (*iii*).**

(*iii*) A CONDITIONALLY EFFECTIVE ORDINANCE OR ORDINANCES PASSED UNDER SUBPARAGRAPH (*ii*) ESTABLISHES A HISTORIC DISTRICT OR DISTRICTS ONLY IF A MAJORITY OF THE ELECTORS IN THE LOCAL UNIT

VOTING AT AN ELECTION APPROVE THAT ESTABLISHMENT OF THE HISTORIC DISTRICT OR DISTRICTS. THIS VOTE SHALL BE TAKEN AT THE NEXT REGULAR ELECTION HELD IN THE LOCAL UNIT THAT OCCURS AT LEAST 70 DAYS AFTER THE PASSAGE OF THE CONDITIONALLY EFFECTIVE ORDINANCE OR ORDINANCES DESCRIBED IN SUBPARAGRAPH (*ii*).

(*iv*) If ~~the local unit passes~~ **ACTIONS TAKEN UNDER SUBPARAGRAPHS (*ii*) AND (*iii*) RESULT IN THE PASSAGE OF** an ordinance or ordinances establishing 1 or more historic districts, the local unit shall file a copy of that ordinance or those ordinances, including a legal description of the property or properties located within the historic district or districts, with the register of deeds. ~~A local unit shall not pass an ordinance establishing a contiguous historic district less than 60 days after a majority of the property owners within the proposed historic district, as listed on the tax rolls of the local unit, have approved the establishment of the historic district pursuant to a written petition.~~

(2) ~~(4)~~ A writing prepared, owned, used, in the possession of, or retained by a committee in the performance of an official function shall be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

Sec. 5. (1) A permit shall be obtained before any work affecting the exterior appearance of a resource is performed within a historic district or, if required under subsection (4), work affecting the interior arrangements of a resource is performed within a historic district. The person, individual, partnership, firm, corporation, organization, institution, or agency of

government proposing to do that work shall file an application for a permit with the inspector of buildings, the commission, or other duly delegated authority. If the inspector of buildings or other authority receives the application, the application shall be immediately referred together with all required supporting materials that make the application complete to the commission. A permit shall not be issued and proposed work shall not proceed until the commission has acted on the application by issuing a certificate of appropriateness or a notice to proceed as prescribed in this act. A commission shall not issue a certificate of appropriateness unless the applicant certifies in the application that the property where work will be undertaken has, or will have before the proposed project completion date, a fire alarm system or a smoke alarm complying with the requirements of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531. A local unit may charge a reasonable fee to process a permit application.

(2) An applicant aggrieved by a decision of a commission concerning a permit application may file an appeal with the ~~state historic preservation review board within the department.~~ **LEGISLATIVE BODY OF THE LOCAL UNIT.** The appeal shall be filed within 60 days after the decision is furnished to the applicant. The appellant may submit all or part of the appellant's evidence and arguments in written form. The ~~review board~~ **LEGISLATIVE BODY OF THE LOCAL UNIT** shall consider an appeal at its first regularly scheduled meeting after receiving the appeal, but may not charge a fee for considering an appeal. The ~~review board~~ **LEGISLATIVE BODY OF**

THE LOCAL UNIT may affirm, modify, or set aside a commission's decision and may order a commission to issue a certificate of appropriateness or a notice to proceed. A permit applicant aggrieved by the decision of the ~~state historic preservation review board~~ **LEGISLATIVE BODY OF THE LOCAL UNIT** may appeal the decision to the circuit court having jurisdiction over the historic district commission whose decision was appealed to the ~~state historic preservation review board.~~**LEGISLATIVE BODY OF THE LOCAL UNIT.**

(3) In reviewing plans, the commission shall ~~follow~~ **CONSULT** the United States ~~secretary~~ **SECRETARY** of the ~~interior's~~ **INTERIOR'S** standards for rehabilitation and guidelines for rehabilitating historic buildings, as set forth in 36 ~~C.F.R.~~ **CFR** part 67**, UNLESS THE COMMISSION FINDS THAT A DIFFERENT STANDARD IS IN THE BEST INTEREST OF THE COMMUNITY**. Design review standards and guidelines that address special design characteristics of historic districts administered by the commission may be followed if ~~they are equivalent in guidance to the secretary of interior's standards and guidelines and are established or approved by the department.~~ **THE COMMISSION FINDS THAT THEY ARE IN THE BEST INTEREST OF THE COMMUNITY.** The commission shall also consider all of the following:

(a) The historic or architectural value and significance of the resource and its relationship to the historic value of the surrounding area.

(b) The relationship of any architectural features of the resource to the rest of the resource and to the surrounding area.

(c) The general compatibility of the design, arrangement, texture, and materials proposed to be used.

(d) Other factors **THAT THE COMMISSION FINDS RELEVANT**, such as aesthetic value ~~, that the commission finds relevant.~~**AND THE REASONABLENESS OF THE ADDITIONAL COSTS REQUIRED TO COMPLETE A HISTORICALLY ACCURATE REHABILITATION.**

(e) Whether the applicant has certified in the application that the property where work will be undertaken has, or will have before the proposed project completion date, a fire alarm system or a smoke alarm complying with the requirements of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531.

(4) The commission shall review and act upon only exterior features of a resource and, except for noting compliance with the requirement to install a fire alarm system or a smoke alarm, shall not review and act upon interior arrangements ~~unless specifically authorized to do so by the local legislative body or~~ unless interior work will cause visible change to the exterior of the resource. The commission shall not disapprove an application due to considerations not prescribed in subsection (3).

(5) If an application is for work that will adversely affect the exterior of a resource the commission considers valuable to the local unit, state, or nation, and the commission determines that the alteration or loss of that resource will adversely affect the public purpose of the local unit, state, or nation, the commission shall attempt to establish with the owner of the resource an economically feasible plan for preservation of the resource.

(6) Work within a historic district shall be permitted through the issuance of a notice to proceed by the commission if any of the

following conditions prevail and if the proposed work can be demonstrated by a finding of the commission to be necessary to substantially improve or correct any of the following conditions:

(a) The resource constitutes a hazard to the safety of the public or to the structure's occupants.

(b) The resource is a deterrent to a major improvement program that will be of substantial benefit to the community and the applicant proposing the work has obtained all necessary planning and zoning approvals, financing, and environmental clearances.

(c) Retaining the resource will cause undue financial hardship to the owner when a governmental action, an act of God, or other events beyond the owner's control created the hardship, and all feasible alternatives to eliminate the financial hardship, which may include offering the resource for sale at its fair market value or moving the resource to a vacant site within the historic district, have been attempted and exhausted by the owner.

(d) Retaining the resource is not in the interest of the majority of the community.

(7) The business that the commission may perform shall be conducted at a public meeting of the commission held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of the meeting shall be given in the manner required by the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. A meeting agenda shall be part of the notice and shall include a listing of each permit application to be reviewed or considered by the commission.

(8) The commission shall keep a record of its resolutions,

proceedings, and actions. A writing prepared, owned, used, in the possession of, or retained by the commission in the performance of an official function shall be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(9) The commission shall adopt its own rules of procedure and shall adopt design review standards and guidelines for resource treatment to carry out its duties under this act.

(10) The commission may delegate the issuance of certificates of appropriateness for specified minor classes of work to its staff, to the inspector of buildings, or to another delegated authority. The commission shall provide to the delegated authority specific written standards for issuing certificates of appropriateness under this subsection. On at least a quarterly basis, the commission shall review the certificates of appropriateness, if any, issued for work by its staff, the inspector, or another authority to determine whether or not the delegated responsibilities should be continued.

(11) Upon a finding by a commission that a historic resource within a historic district or a proposed historic district subject to its review and approval is threatened with demolition by neglect, the commission may do either of the following **WITH THE APPROVAL OF THE LEGISLATIVE BODY OF THE LOCAL UNIT**:

(a) Require the owner of the resource to repair all conditions contributing to demolition by neglect.

(b) If the owner does not make repairs within a reasonable time, the commission or its agents may enter the property and make

such repairs as are necessary to prevent demolition by neglect. The costs of the work shall be charged to the owner, and may be levied by the local unit as a special assessment against the property. The commission or its agents may enter the property for purposes of this section upon obtaining an order from the circuit court.

(12) When work has been done upon a resource without a permit, and the commission finds that the work does not qualify for a certificate of appropriateness, the commission may require an owner to restore the resource to the condition the resource was in before the inappropriate work or to modify the work so that it qualifies for a certificate of appropriateness. If the owner does not comply with the restoration or modification requirement within a reasonable time, the commission may seek an order from the circuit court to require the owner to restore the resource to its former condition or to modify the work so that it qualifies for a certificate of appropriateness. If the owner does not comply or cannot comply with the order of the court, the commission or its agents may enter the property and conduct work necessary to restore the resource to its former condition or modify the work so that it qualifies for a certificate of appropriateness in accordance with the court's order. The costs of the work shall be charged to the owner, and may be levied by the local unit as a special assessment against the property. When acting pursuant to an order of the circuit court, a commission or its agents may enter a property for purposes of this section.

Sec. 9. (1) The commission shall file certificates of appropriateness, notices to proceed, and denials of applications

for permits with the inspector of buildings or other delegated authority. A permit shall not be issued until the commission has acted as prescribed by this act. If a permit application is denied, the decision shall be binding on the inspector or other authority. A denial shall be accompanied with a written explanation by the commission of the reasons for denial and, if appropriate, a notice that an application may be resubmitted for commission review when suggested changes have been made. The denial shall also include notification of the applicant's rights of appeal to the ~~state historic preservation review board~~ **LEGISLATIVE BODY OF THE LOCAL UNIT** and to the circuit court. The failure of the commission to act within 60 calendar days after the date a complete application is filed with the commission, unless an extension is agreed upon in writing by the applicant and the commission, shall be considered to constitute approval.

(2) Local public officials and employees shall provide information and records to committees, commissions, and standing committees, and shall meet with those bodies upon request to assist with their activities.

(3) The ~~department~~ **AUTHORITY** shall cooperate with and assist local units, committees, commissions, and standing committees in carrying out the purposes of this act and may establish or approve standards, guidelines, and procedures that encourage uniform administration of this act in this state but that are not legally binding on any individual or other legal entity.

Sec. 14. (1) ~~A~~ **EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, A** local unit may at any time establish by ordinance

additional historic districts, including proposed districts previously considered and rejected, may modify boundaries of an existing historic district, or may eliminate an existing historic district. ~~Before establishing, modifying, or eliminating a historic district, a historic district study committee appointed by the legislative body of the local unit~~ **WHEN CONSIDERING THE ESTABLISHMENT OF AN ADDITIONAL HISTORIC DISTRICT OR THE MODIFICATION OF THE BOUNDARIES OF AN EXISTING ONE, THE LOCAL UNIT SHALL FIRST OBTAIN THE PETITION DESCRIBED IN SECTION 3(1)(A) BEFORE THE LEGISLATIVE BODY OF THE LOCAL UNIT MAY APPOINT A HISTORIC DISTRICT STUDY COMMITTEE OR AUTHORIZE THE SERVICES OF A RETAINED INITIAL COMMITTEE, A STANDING COMMITTEE, OR A COMMITTEE ESTABLISHED TO CONSIDER ONLY SPECIFIC PROPOSED DISTRICTS AND THEN BE DISSOLVED. IF A COMMITTEE IS APPOINTED OR ITS SERVICES ARE AUTHORIZED BY THE LEGISLATIVE BODY OF THE LOCAL UNIT, FURTHER CONSIDERATION OF THE ESTABLISHMENT OF AN ADDITIONAL HISTORIC DISTRICT OR MODIFICATION OF THE BOUNDARIES OF AN EXISTING ONE SHALL FOLLOW THE PROCEDURES SET FORTH IN SECTION 3(1)(B) TO (D) AND THE COMMITTEE SHALL ALSO CONSIDER ANY PREVIOUSLY WRITTEN COMMITTEE REPORTS PERTINENT TO THE PROPOSED ACTION. WHEN CONSIDERING THE ELIMINATION OF A HISTORIC DISTRICT, THE LEGISLATIVE BODY OF THE LOCAL UNIT MAY APPOINT A HISTORIC DISTRICT STUDY COMMITTEE AND MAY DO SO WITHOUT THE PETITION DESCRIBED IN SECTION 3(1)(A) FIRST BEING OBTAINED; THAT COMMITTEE** shall ~~, except as provided in subsection (2),~~ comply with the procedures set forth in section ~~3~~ **3(1)(B) TO (D)** and shall consider any previously written committee reports pertinent to the proposed action**; AND ANY ORDINANCE THAT THE LEGISLATIVE BODY OF THE**

LOCAL UNIT PASSES FOR PURPOSES OF ELIMINATING THE HISTORIC DISTRICT IS EFFECTIVE WITHOUT THE ELECTORS' APPROVAL DESCRIBED IN SECTION 3(1)(D)(*ii*) TO (*iii*) SUBSEQUENTLY BEING OBTAINED. To conduct ~~these~~ **THE** activities **DESCRIBED IN THIS SUBSECTION**, local units may**, SUBJECT TO THE PETITION PROCEDURE REFERENCED IN THIS SUBSECTION,** retain the initial committee, establish a standing committee, or establish a committee to consider only specific proposed districts and then be dissolved.

~~(2) If considering elimination of a historic district, a committee shall follow the procedures set forth in section 3 for issuing a preliminary report, holding a public hearing, and issuing a final report but with the intent of showing 1 or more of the following:~~

~~(*i*) The historic district has lost those physical characteristics that enabled establishment of the district.~~

~~(*ii*) The historic district was not significant in the way previously defined.~~

~~(*iii*) The historic district was established pursuant to defective procedures.~~

(2) ~~(3)~~ Upon receipt of substantial evidence showing the presence of historic, architectural, archaeological, engineering, or cultural significance of a proposed historic district, the legislative body of a local unit may, at its discretion, adopt a resolution requiring that all applications for permits within the proposed historic district be referred to the commission as prescribed in sections 5 and 9. The commission shall review permit applications with the same powers that would apply if the proposed

historic district was an established historic district. The review may continue in the proposed historic district for not more than 1 year, or until such time as the ~~local unit approves or rejects the~~ establishment of the historic district ~~by ordinance,~~ **IS APPROVED OR REJECTED PURSUANT TO THE PROCEDURES SET FORTH IN SECTION 3 OR 14,** whichever occurs first.

(3) ~~(4)~~ If the legislative body of a local unit determines that pending work will cause irreparable harm to resources located within an established historic district or a proposed historic district, the legislative body may by resolution declare an emergency moratorium of all such work for a period not to exceed 6 months. The legislative body may extend the emergency moratorium for an additional period not to exceed 6 months upon finding that the threat of irreparable harm to resources is still present. Any pending permit application concerning a resource subject to an emergency moratorium may be summarily denied.

(4) A HISTORIC DISTRICT IN EXISTENCE ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION SHALL DISSOLVE 10 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION UNLESS THE QUESTION OF ITS RENEWAL IS SUBMITTED TO THE ELECTORS IN THE LOCAL UNIT AT THE REGULAR ELECTION IMMEDIATELY PRECEDING THE DATE THAT THE HISTORIC DISTRICT WOULD OTHERWISE DISSOLVE AND A MAJORITY OF THOSE ELECTORS VOTING AT THE ELECTION APPROVE THE RENEWAL OF THE HISTORIC DISTRICT. A HISTORIC DISTRICT ESTABLISHED UNDER THIS ACT OR RENEWED UNDER THIS SUBSECTION AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION SHALL DISSOLVE 10 YEARS AFTER THE DATE OF THAT ESTABLISHMENT OR

1 **RENEWAL UNLESS THE QUESTION OF ITS RENEWAL IS SUBMITTED TO THE**
2 **ELECTORS IN THE LOCAL UNIT AT THE REGULAR ELECTION IMMEDIATELY**
3 **PRECEDING THE DATE THAT THE HISTORIC DISTRICT WOULD OTHERWISE**
4 **DISSOLVE AND A MAJORITY OF THOSE ELECTORS VOTING AT THE ELECTION**
5 **APPROVE THE RENEWAL OF THE HISTORIC DISTRICT. A RENEWAL APPROVED**
6 **UNDER THIS SUBSECTION IS EFFECTIVE ON THE DATE THAT THE HISTORIC**
7 **DISTRICT WOULD HAVE OTHERWISE DISSOLVED.**

MICHIGAN LEGISLATURE

Michigan Compiled Laws Complete Through PA 209 of 2015
House: Adjourned until Tuesday, February 2, 2016 1:30:00 PM

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Sponsors
Chris Afendoulis - (primary)Lee Chatfield, Lana Theis, Peter Lucido, Earl Poleski, Lisa Lyons, Laura Cox, Jason Sheppard, Holly Hughes, Thomas Hooker, Charles Smiley, Amanda Price, Andrea LaFontaine, Mike Callton, Ken Yonker, Daniela Garcia, Roger Victory, Triston Cole, Joel Johnson, John Kivela, Nancy Jenkins, Jon Bumstead, Tim Kelly, Gary Glenn
(click name to see bills sponsored by that person)

Categories
History and arts: other; History and arts: historic sites; Local government: other;

History and arts; other; procedure to establish a local historic district; modify. Amends secs. 1a, 3, 5, 9 & 14 of 1970 PA 169 (MCL 399.201a et seq.).

Bill Documents
Bill Document Formatting Information
(gray icons indicate that the action did not occur or that the document is not available)
Documents

House Introduced Bill
Introduced bills appear as they were introduced and reflect no subsequent amendments or changes.

As Passed by the House
As Passed by the House is the bill, as introduced, that includes any adopted House amendments.

As Passed by the Senate
As Passed by the Senate is the bill, as received from the House, that includes any adopted Senate amendments.

House Enrolled Bill
Enrolled bill is the version passed in identical form by both houses of the Legislature.

Bill Analysis
House Fiscal Agency Analysis
Summary As Introduced (1/27/2016)
This document analyzes: HB5232

Laws

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History
(House actions in lowercase, Senate actions in UPPERCASE)

Date	Journal	Action
1/26/2016	HJ 6 Pg. 72	introduced by Representative Chris Afendoulis
1/26/2016	HJ 6 Pg. 72	read a first time
1/26/2016	HJ 6 Pg. 72	referred to Committee on Local Government
1/27/2016	HJ 7 Pg. 82	bill electronically reproduced 01/26/2016

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HOUSE BILL No. 5232

January 26, 2016, Introduced by Reps. Afendoulis, Chatfield, Theis, Lucido, Poleski, Lyons, Cox, Sheppard, Hughes, Hooker, Smiley, Price, LaFontaine, Callton, Yonker, Garcia, Victory, Cole, Johnson, Kivela, Jenkins, Bumstead, Kelly and Glenn and referred to the Committee on Local Government.

A bill to amend 1970 PA 169, entitled

"Local historic districts act,"

by amending sections 1a, 3, 5, 9, and 14 (MCL 399.201a, 399.203, 399.205, 399.209, and 399.214), sections 1a and 5 as amended by 2004 PA 67, sections 3 and 9 as amended by 2001 PA 67, and section 14 as added by 1992 PA 96.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 1a. As used in this act:

(a) "Alteration" means work that changes the detail of a resource but does not change its basic size or shape.

(B) "AUTHORITY" MEANS THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY CREATED BY SECTION 21 OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, 1966 PA 346, MCL 125.1421.

(C) ~~(b)~~ "Certificate of appropriateness" means the written

HOUSE BILL No. 5232

approval of a permit application for work that is appropriate and that does not adversely affect a resource.

(D) ~~(c)~~ "Commission" means a historic district commission created by the legislative body of a local unit under section 4.

(E) ~~(d)~~ "Committee" means a historic district study committee appointed by the legislative body of a local unit under section 3 or 14.

(F) ~~(e)~~ "Demolition" means the razing or destruction, whether entirely or in part, of a resource and includes, but is not limited to, demolition by neglect.

(G) ~~(f)~~ "Demolition by neglect" means neglect in maintaining, repairing, or securing a resource that results in deterioration of an exterior feature of the resource or the loss of structural integrity of the resource.

(H) ~~(g)~~ "Denial" means the written rejection of a permit application for work that is inappropriate and that adversely affects a resource.

~~(h) "Department" means the department of history, arts, and libraries.~~

(i) "Fire alarm system" means a system designed to detect and annunciate the presence of fire or by-products of fire. Fire alarm system includes smoke alarms.

(j) "Historic district" means an area, or group of areas not necessarily having contiguous boundaries, that contains 1 resource or a group of resources that are related by history, architecture, archaeology, engineering, or culture.

(k) "Historic preservation" means the identification,

evaluation, establishment, and protection of resources significant in history, architecture, archaeology, engineering, or culture.

(*l*) "Historic resource" means a publicly or privately owned building, structure, site, object, feature, or open space that is significant in the history, architecture, archaeology, engineering, or culture of this state or a community within this state, or of the United States.

(m) "Local unit" means a county, city, village, or township.

(n) "Notice to proceed" means the written permission to issue a permit for work that is inappropriate and that adversely affects a resource, pursuant to a finding under section 5(6).

(o) "Open space" means undeveloped land, a naturally landscaped area, or a formal or man-made landscaped area that provides a connective link or a buffer between other resources.

(p) "Ordinary maintenance" means keeping a resource unimpaired and in good condition through ongoing minor intervention, undertaken from time to time, in its exterior condition. Ordinary maintenance does not change the external appearance of the resource except through the elimination of the usual and expected effects of weathering. Ordinary maintenance does not constitute work for purposes of this act.

(q) "Proposed historic district" means an area, or group of areas not necessarily having contiguous boundaries, that has delineated boundaries and that is ~~under review by a committee or a standing committee~~ **SUBJECT TO THE REVIEW PROCESS SET FORTH IN SECTION 3(1)(A) TO (D)(*iii*) OR 14(1)** for the purpose of ~~making a recommendation as to~~ **DECIDING** whether it should be established as a

historic district or added to an established historic district.

(r) "Repair" means to restore a decayed or damaged resource to a good or sound condition by any process. A repair that changes the external appearance of a resource constitutes work for purposes of this act.

(s) "Resource" means 1 or more publicly or privately owned historic or nonhistoric buildings, structures, sites, objects, features, or open spaces located within a historic district.

(t) "Smoke alarm" means a single-station or multiple-station alarm responsive to smoke and not connected to a system. As used in this subdivision, "single-station alarm" means an assembly incorporating a detector, the control equipment, and the alarm sounding device into a single unit, operated from a power supply either in the unit or obtained at the point of installation. "Multiple-station alarm" means 2 or more single-station alarms that are capable of interconnection such that actuation of 1 alarm causes all integrated separate audible alarms to operate.

(u) "Standing committee" means a permanent body established by the legislative body of a local unit under section 14 to conduct the activities of a historic district study committee on a continuing basis.

(v) "Work" means construction, addition, alteration, repair, moving, excavation, or demolition.

Sec. 3. (1) A local unit may, by ordinance, establish 1 or more ~~historic districts. The~~ historic districts**, WHICH** shall be administered by a commission established ~~pursuant to~~ **UNDER** section 4**,** ~~. Before establishing a historic district,~~ **SUBJECT TO ALL OF THE**

FOLLOWING:

(A) THE LOCAL UNIT SHALL OBTAIN PRELIMINARY APPROVAL OF A PROPOSED HISTORIC DISTRICT FROM AT LEAST 2/3 OF THE PROPERTY OWNERS WITHIN THE PROPOSED HISTORIC DISTRICT, AS LISTED ON THE TAX ROLLS OF THE LOCAL UNIT, PURSUANT TO A WRITTEN PETITION THAT INCLUDES A PRECISE DESCRIPTION OF THE BOUNDARIES OF THE PROPOSED HISTORIC DISTRICT.

(B) FOR PURPOSES OF FURTHER CONSIDERING 1 OR MORE PROPOSED HISTORIC DISTRICTS APPROVED UNDER SUBDIVISION (A), the legislative body of the local unit shall appoint a historic district study committee. The committee shall ~~contain a majority of persons who have a clearly demonstrated interest in or knowledge of historic preservation, and shall contain representation from 1 or more~~ **CONSIST OF 4 TO 7 INDIVIDUALS, 1 OF WHOM IS AN ELECTED MEMBER OF THE LEGISLATIVE BODY OF THE LOCAL UNIT, 1 OF WHOM IS A REPRESENTATIVE OF A** duly organized local historic preservation ~~organizations.~~ **ORGANIZATION, AND AT LEAST 1 OF WHOM IS ENGAGED IN THE BUSINESS OF RESIDENTIAL OR COMMERCIAL CONSTRUCTION.** The committee shall do all of the following:

(*i*) ~~(a)~~ Conduct a photographic inventory of resources within each proposed historic district. ~~following procedures established or approved by the department.~~

(*ii*) ~~(b)~~ Conduct basic research of each proposed historic district and the historic resources located within that district.

(*iii*) ~~(c)~~ Determine the total number of historic and nonhistoric resources within a proposed historic district and the percentage of historic resources of that total. In evaluating the

significance of historic resources, the committee shall be guided by the selection criteria for evaluation issued by the United States ~~secretary of the interior~~ **SECRETARY OF THE INTERIOR** for inclusion of resources in the national register of historic places, as set forth in 36 ~~C.F.R.~~ **CFR** part 60**.** ~~, and criteria established or approved by the department, if any.~~

(*iv*) ~~(d)~~ Prepare a preliminary historic district study committee report that addresses at a minimum all of the following:

(A) ~~(*i*)~~ The charge of the committee.

(B) ~~(*ii*)~~ The composition of the committee membership.

(C) ~~(*iii*)~~ The historic district or districts studied.

(D) ~~(*iv*)~~ The boundaries for each proposed historic district in writing and on maps.

(E) ~~(*v*)~~ The history of each proposed historic district.

(F) ~~(*vi*)~~ The significance of each district as a whole, as well as a sufficient number of its individual resources to fully represent the variety of resources found within the district, relative to the evaluation criteria.

(*v*) ~~(e)~~ Transmit copies of the preliminary report for review and recommendations to the local planning body, to the ~~department,~~ **AUTHORITY, AND** to the Michigan historical commission. ~~, and to the state historic preservation review board.~~

(*vi*) ~~(f)~~ Make copies of the preliminary report available to the public pursuant to subsection ~~(4).~~**(2).**

(C) ~~(2)~~ Not less than 60 calendar days after the transmittal of the preliminary report, the committee shall hold a public hearing in compliance with the open meetings act, 1976 PA 267, MCL

15.261 to 15.275. Public notice of the time, date, and place of the hearing shall be given in the manner required by the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Written notice shall be mailed by first-class mail ~~not less than~~ **AT LEAST** 14 calendar days before the hearing to the owners of properties within the proposed historic district, as listed on the tax rolls of the local unit.

(D) ~~(3) After~~ **ALL OF THE FOLLOWING MUST OCCUR WITHIN 1 YEAR AFTER** the date of the public hearing, ~~the committee and the legislative body of the local unit shall have not more than 1 year,~~ unless ~~otherwise~~ **SOME OTHER TIME FRAME IS** authorized by the legislative body of the local unit**:** ~~, to take the following actions:~~

(*i*) ~~(a)~~ The committee shall prepare and submit a final report with its recommendations and the recommendations, if any, of the local planning body to the legislative body of the local unit. If the recommendation is to establish a historic district or districts, the final report ~~shall~~ **MAY** include a draft of a proposed ordinance or ordinances.

(*ii*) ~~(b)~~ After receiving a final report that recommends the establishment of a historic district or districts, the legislative body of the local unit, at its discretion, may introduce and pass or reject ~~an~~ **A CONDITIONALLY EFFECTIVE** ordinance or ordinances **THAT WILL ESTABLISH A HISTORIC DISTRICT OR DISTRICTS ONLY IF APPROVED UNDER SUBPARAGRAPH (*iii*).**

(*iii*) A CONDITIONALLY EFFECTIVE ORDINANCE OR ORDINANCES PASSED UNDER SUBPARAGRAPH (*ii*) ESTABLISHES A HISTORIC DISTRICT OR DISTRICTS ONLY IF A MAJORITY OF THE ELECTORS IN THE LOCAL UNIT

VOTING AT AN ELECTION APPROVE THAT ESTABLISHMENT OF THE HISTORIC DISTRICT OR DISTRICTS. THIS VOTE SHALL BE TAKEN AT THE NEXT REGULAR ELECTION HELD IN THE LOCAL UNIT THAT OCCURS AT LEAST 70 DAYS AFTER THE PASSAGE OF THE CONDITIONALLY EFFECTIVE ORDINANCE OR ORDINANCES DESCRIBED IN SUBPARAGRAPH (*ii*).

(*iv*) If ~~the local unit passes~~ **ACTIONS TAKEN UNDER SUBPARAGRAPHS (*ii*) AND (*iii*) RESULT IN THE PASSAGE OF** an ordinance or ordinances establishing 1 or more historic districts, the local unit shall file a copy of that ordinance or those ordinances, including a legal description of the property or properties located within the historic district or districts, with the register of deeds. ~~A local unit shall not pass an ordinance establishing a contiguous historic district less than 60 days after a majority of the property owners within the proposed historic district, as listed on the tax rolls of the local unit, have approved the establishment of the historic district pursuant to a written petition.~~

(2) ~~(4)~~ A writing prepared, owned, used, in the possession of, or retained by a committee in the performance of an official function shall be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

Sec. 5. (1) A permit shall be obtained before any work affecting the exterior appearance of a resource is performed within a historic district or, if required under subsection (4), work affecting the interior arrangements of a resource is performed within a historic district. The person, individual, partnership, firm, corporation, organization, institution, or agency of

government proposing to do that work shall file an application for a permit with the inspector of buildings, the commission, or other duly delegated authority. If the inspector of buildings or other authority receives the application, the application shall be immediately referred together with all required supporting materials that make the application complete to the commission. A permit shall not be issued and proposed work shall not proceed until the commission has acted on the application by issuing a certificate of appropriateness or a notice to proceed as prescribed in this act. A commission shall not issue a certificate of appropriateness unless the applicant certifies in the application that the property where work will be undertaken has, or will have before the proposed project completion date, a fire alarm system or a smoke alarm complying with the requirements of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531. A local unit may charge a reasonable fee to process a permit application.

(2) An applicant aggrieved by a decision of a commission concerning a permit application may file an appeal with the ~~state historic preservation review board within the department.~~ **LEGISLATIVE BODY OF THE LOCAL UNIT.** The appeal shall be filed within 60 days after the decision is furnished to the applicant. The appellant may submit all or part of the appellant's evidence and arguments in written form. The ~~review board~~ **LEGISLATIVE BODY OF THE LOCAL UNIT** shall consider an appeal at its first regularly scheduled meeting after receiving the appeal, but may not charge a fee for considering an appeal. The ~~review board~~ **LEGISLATIVE BODY OF**

THE LOCAL UNIT may affirm, modify, or set aside a commission's decision and may order a commission to issue a certificate of appropriateness or a notice to proceed. A permit applicant aggrieved by the decision of the ~~state historic preservation review board~~ **LEGISLATIVE BODY OF THE LOCAL UNIT** may appeal the decision to the circuit court having jurisdiction over the historic district commission whose decision was appealed to the ~~state historic preservation review board.~~**LEGISLATIVE BODY OF THE LOCAL UNIT.**

(3) In reviewing plans, the commission shall ~~follow~~ **CONSULT** the United States ~~secretary~~ **SECRETARY** of the ~~interior's~~ **INTERIOR'S** standards for rehabilitation and guidelines for rehabilitating historic buildings, as set forth in 36 ~~C.F.R.~~ **CFR** part 67**, UNLESS THE COMMISSION FINDS THAT A DIFFERENT STANDARD IS IN THE BEST INTEREST OF THE COMMUNITY**. Design review standards and guidelines that address special design characteristics of historic districts administered by the commission may be followed if ~~they are equivalent in guidance to the secretary of interior's standards and guidelines and are established or approved by the department.~~ **THE COMMISSION FINDS THAT THEY ARE IN THE BEST INTEREST OF THE COMMUNITY.** The commission shall also consider all of the following:

(a) The historic or architectural value and significance of the resource and its relationship to the historic value of the surrounding area.

(b) The relationship of any architectural features of the resource to the rest of the resource and to the surrounding area.

(c) The general compatibility of the design, arrangement, texture, and materials proposed to be used.

(d) Other factors **THAT THE COMMISSION FINDS RELEVANT**, such as aesthetic value ~~, that the commission finds relevant.~~**AND THE REASONABLENESS OF THE ADDITIONAL COSTS REQUIRED TO COMPLETE A HISTORICALLY ACCURATE REHABILITATION.**

(e) Whether the applicant has certified in the application that the property where work will be undertaken has, or will have before the proposed project completion date, a fire alarm system or a smoke alarm complying with the requirements of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531.

(4) The commission shall review and act upon only exterior features of a resource and, except for noting compliance with the requirement to install a fire alarm system or a smoke alarm, shall not review and act upon interior arrangements ~~unless specifically authorized to do so by the local legislative body or~~ unless interior work will cause visible change to the exterior of the resource. The commission shall not disapprove an application due to considerations not prescribed in subsection (3).

(5) If an application is for work that will adversely affect the exterior of a resource the commission considers valuable to the local unit, state, or nation, and the commission determines that the alteration or loss of that resource will adversely affect the public purpose of the local unit, state, or nation, the commission shall attempt to establish with the owner of the resource an economically feasible plan for preservation of the resource.

(6) Work within a historic district shall be permitted through the issuance of a notice to proceed by the commission if any of the

following conditions prevail and if the proposed work can be demonstrated by a finding of the commission to be necessary to substantially improve or correct any of the following conditions:

(a) The resource constitutes a hazard to the safety of the public or to the structure's occupants.

(b) The resource is a deterrent to a major improvement program that will be of substantial benefit to the community and the applicant proposing the work has obtained all necessary planning and zoning approvals, financing, and environmental clearances.

(c) Retaining the resource will cause undue financial hardship to the owner when a governmental action, an act of God, or other events beyond the owner's control created the hardship, and all feasible alternatives to eliminate the financial hardship, which may include offering the resource for sale at its fair market value or moving the resource to a vacant site within the historic district, have been attempted and exhausted by the owner.

(d) Retaining the resource is not in the interest of the majority of the community.

(7) The business that the commission may perform shall be conducted at a public meeting of the commission held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of the meeting shall be given in the manner required by the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. A meeting agenda shall be part of the notice and shall include a listing of each permit application to be reviewed or considered by the commission.

(8) The commission shall keep a record of its resolutions,

proceedings, and actions. A writing prepared, owned, used, in the possession of, or retained by the commission in the performance of an official function shall be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(9) The commission shall adopt its own rules of procedure and shall adopt design review standards and guidelines for resource treatment to carry out its duties under this act.

(10) The commission may delegate the issuance of certificates of appropriateness for specified minor classes of work to its staff, to the inspector of buildings, or to another delegated authority. The commission shall provide to the delegated authority specific written standards for issuing certificates of appropriateness under this subsection. On at least a quarterly basis, the commission shall review the certificates of appropriateness, if any, issued for work by its staff, the inspector, or another authority to determine whether or not the delegated responsibilities should be continued.

(11) Upon a finding by a commission that a historic resource within a historic district or a proposed historic district subject to its review and approval is threatened with demolition by neglect, the commission may do either of the following **WITH THE APPROVAL OF THE LEGISLATIVE BODY OF THE LOCAL UNIT**:

(a) Require the owner of the resource to repair all conditions contributing to demolition by neglect.

(b) If the owner does not make repairs within a reasonable time, the commission or its agents may enter the property and make

such repairs as are necessary to prevent demolition by neglect. The costs of the work shall be charged to the owner, and may be levied by the local unit as a special assessment against the property. The commission or its agents may enter the property for purposes of this section upon obtaining an order from the circuit court.

(12) When work has been done upon a resource without a permit, and the commission finds that the work does not qualify for a certificate of appropriateness, the commission may require an owner to restore the resource to the condition the resource was in before the inappropriate work or to modify the work so that it qualifies for a certificate of appropriateness. If the owner does not comply with the restoration or modification requirement within a reasonable time, the commission may seek an order from the circuit court to require the owner to restore the resource to its former condition or to modify the work so that it qualifies for a certificate of appropriateness. If the owner does not comply or cannot comply with the order of the court, the commission or its agents may enter the property and conduct work necessary to restore the resource to its former condition or modify the work so that it qualifies for a certificate of appropriateness in accordance with the court's order. The costs of the work shall be charged to the owner, and may be levied by the local unit as a special assessment against the property. When acting pursuant to an order of the circuit court, a commission or its agents may enter a property for purposes of this section.

Sec. 9. (1) The commission shall file certificates of appropriateness, notices to proceed, and denials of applications

for permits with the inspector of buildings or other delegated authority. A permit shall not be issued until the commission has acted as prescribed by this act. If a permit application is denied, the decision shall be binding on the inspector or other authority. A denial shall be accompanied with a written explanation by the commission of the reasons for denial and, if appropriate, a notice that an application may be resubmitted for commission review when suggested changes have been made. The denial shall also include notification of the applicant's rights of appeal to the ~~state historic preservation review board~~ **LEGISLATIVE BODY OF THE LOCAL UNIT** and to the circuit court. The failure of the commission to act within 60 calendar days after the date a complete application is filed with the commission, unless an extension is agreed upon in writing by the applicant and the commission, shall be considered to constitute approval.

(2) Local public officials and employees shall provide information and records to committees, commissions, and standing committees, and shall meet with those bodies upon request to assist with their activities.

(3) The ~~department~~ **AUTHORITY** shall cooperate with and assist local units, committees, commissions, and standing committees in carrying out the purposes of this act and may establish or approve standards, guidelines, and procedures that encourage uniform administration of this act in this state but that are not legally binding on any individual or other legal entity.

Sec. 14. (1) ~~A~~ **EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, A** local unit may at any time establish by ordinance

additional historic districts, including proposed districts previously considered and rejected, may modify boundaries of an existing historic district, or may eliminate an existing historic district. ~~Before establishing, modifying, or eliminating a historic district, a historic district study committee appointed by the legislative body of the local unit~~ **WHEN CONSIDERING THE ESTABLISHMENT OF AN ADDITIONAL HISTORIC DISTRICT OR THE MODIFICATION OF THE BOUNDARIES OF AN EXISTING ONE, THE LOCAL UNIT SHALL FIRST OBTAIN THE PETITION DESCRIBED IN SECTION 3(1)(A) BEFORE THE LEGISLATIVE BODY OF THE LOCAL UNIT MAY APPOINT A HISTORIC DISTRICT STUDY COMMITTEE OR AUTHORIZE THE SERVICES OF A RETAINED INITIAL COMMITTEE, A STANDING COMMITTEE, OR A COMMITTEE ESTABLISHED TO CONSIDER ONLY SPECIFIC PROPOSED DISTRICTS AND THEN BE DISSOLVED. IF A COMMITTEE IS APPOINTED OR ITS SERVICES ARE AUTHORIZED BY THE LEGISLATIVE BODY OF THE LOCAL UNIT, FURTHER CONSIDERATION OF THE ESTABLISHMENT OF AN ADDITIONAL HISTORIC DISTRICT OR MODIFICATION OF THE BOUNDARIES OF AN EXISTING ONE SHALL FOLLOW THE PROCEDURES SET FORTH IN SECTION 3(1)(B) TO (D) AND THE COMMITTEE SHALL ALSO CONSIDER ANY PREVIOUSLY WRITTEN COMMITTEE REPORTS PERTINENT TO THE PROPOSED ACTION. WHEN CONSIDERING THE ELIMINATION OF A HISTORIC DISTRICT, THE LEGISLATIVE BODY OF THE LOCAL UNIT MAY APPOINT A HISTORIC DISTRICT STUDY COMMITTEE AND MAY DO SO WITHOUT THE PETITION DESCRIBED IN SECTION 3(1)(A) FIRST BEING OBTAINED; THAT COMMITTEE** shall ~~, except as provided in subsection (2),~~ comply with the procedures set forth in section ~~3~~ **3(1)(B) TO (D)** and shall consider any previously written committee reports pertinent to the proposed action**; AND ANY ORDINANCE THAT THE LEGISLATIVE BODY OF THE**

LOCAL UNIT PASSES FOR PURPOSES OF ELIMINATING THE HISTORIC DISTRICT IS EFFECTIVE WITHOUT THE ELECTORS' APPROVAL DESCRIBED IN SECTION 3(1)(D)(*ii*) TO (*iii*) SUBSEQUENTLY BEING OBTAINED. To conduct ~~these~~ **THE** activities **DESCRIBED IN THIS SUBSECTION**, local units may**, SUBJECT TO THE PETITION PROCEDURE REFERENCED IN THIS SUBSECTION,** retain the initial committee, establish a standing committee, or establish a committee to consider only specific proposed districts and then be dissolved.

~~(2) If considering elimination of a historic district, a committee shall follow the procedures set forth in section 3 for issuing a preliminary report, holding a public hearing, and issuing a final report but with the intent of showing 1 or more of the following:~~

~~(*i*) The historic district has lost those physical characteristics that enabled establishment of the district.~~

~~(*ii*) The historic district was not significant in the way previously defined.~~

~~(*iii*) The historic district was established pursuant to defective procedures.~~

(2) ~~(3)~~ Upon receipt of substantial evidence showing the presence of historic, architectural, archaeological, engineering, or cultural significance of a proposed historic district, the legislative body of a local unit may, at its discretion, adopt a resolution requiring that all applications for permits within the proposed historic district be referred to the commission as prescribed in sections 5 and 9. The commission shall review permit applications with the same powers that would apply if the proposed

historic district was an established historic district. The review may continue in the proposed historic district for not more than 1 year, or until such time as the ~~local unit approves or rejects the~~ establishment of the historic district ~~by ordinance,~~ **IS APPROVED OR REJECTED PURSUANT TO THE PROCEDURES SET FORTH IN SECTION 3 OR 14,** whichever occurs first.

(3) ~~(4)~~ If the legislative body of a local unit determines that pending work will cause irreparable harm to resources located within an established historic district or a proposed historic district, the legislative body may by resolution declare an emergency moratorium of all such work for a period not to exceed 6 months. The legislative body may extend the emergency moratorium for an additional period not to exceed 6 months upon finding that the threat of irreparable harm to resources is still present. Any pending permit application concerning a resource subject to an emergency moratorium may be summarily denied.

(4) A HISTORIC DISTRICT IN EXISTENCE ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION SHALL DISSOLVE 10 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION UNLESS THE QUESTION OF ITS RENEWAL IS SUBMITTED TO THE ELECTORS IN THE LOCAL UNIT AT THE REGULAR ELECTION IMMEDIATELY PRECEDING THE DATE THAT THE HISTORIC DISTRICT WOULD OTHERWISE DISSOLVE AND A MAJORITY OF THOSE ELECTORS VOTING AT THE ELECTION APPROVE THE RENEWAL OF THE HISTORIC DISTRICT. A HISTORIC DISTRICT ESTABLISHED UNDER THIS ACT OR RENEWED UNDER THIS SUBSECTION AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION SHALL DISSOLVE 10 YEARS AFTER THE DATE OF THAT ESTABLISHMENT OR

RENEWAL UNLESS THE QUESTION OF ITS RENEWAL IS SUBMITTED TO THE ELECTORS IN THE LOCAL UNIT AT THE REGULAR ELECTION IMMEDIATELY PRECEDING THE DATE THAT THE HISTORIC DISTRICT WOULD OTHERWISE DISSOLVE AND A MAJORITY OF THOSE ELECTORS VOTING AT THE ELECTION APPROVE THE RENEWAL OF THE HISTORIC DISTRICT. A RENEWAL APPROVED UNDER THIS SUBSECTION IS EFFECTIVE ON THE DATE THAT THE HISTORIC DISTRICT WOULD HAVE OTHERWISE DISSOLVED.

Legislative Analysis

Phone: (517) 373-8080
http://www.house.mi.gov/hfa

Analysis available at
http://www.legislature.mi.gov

HISTORIC DISTRICT DESIGNATION

House Bill 5232 as introduced
Sponsor: Rep. Chris Afendoulis
Committee: Local Government
Complete to 1-27-16

SUMMARY:

House Bill 5232 would amend the Local Historic Districts Act by modifying the procedure for establishing or eliminating an historic district, changing the review process for considering exterior work on buildings within the historic district, and establishing a process for renewing or dissolving historic districts.

In order to establish an historic district, a local unit would need to do all of the following:

- Obtain preliminary approval of the proposed historic district from property owners;
- Appoint a historic district study committee, who are assigned specific tasks;
- Hold a public hearing within 60 days of the preliminary report;
- Receive a final report with recommendations from the committee within one year of the public hearing; then
- At its discretion, introduce and pass or reject an ordinance to establish a historic district, which would become operative only if:
- A majority of electors in the local unit also approves the establishment of a historic district.

The ***preliminary approval requirement*** and the ***popular vote by the electorate*** would be added by this bill, and the composition of the commission and the process of final approval of the historic district would be amended, as described in more detail below.

Preliminary approval by the electorate

Currently, there is no requirement to obtain preliminary approval from property owners. House Bill 5232 would add the requirement that the ***local unit obtain preliminary approval of a proposed historic district from at least two-thirds of the property owners within that district, as listed on the tax rolls of the local unit, utilizing a written petition that includes a precise description of the boundaries of the proposed historic district***.

Historic district study committee

Now, the law does not require a specific number of individuals for the historic district study committee, but only that it "contain a majority of persons who have a clearly demonstrated interest in or knowledge of historic preservation" and contain representation of one or more local historic preservation organizations. The bill would provide that the ***committee be composed of four to seven individuals, one of whom is an elected member of the legislative body of the local unit, one of whom is a representative of a local historic preservation organization, and at least one of whom is engaged in the business of residential or commercial construction.***

As before, the committee would conduct specific research and produce a report with its findings, for review by the local planning body and the Michigan Historical Commission. The bill would add the Michigan State Housing Development Authority[1] to the list of recipients. Also, the inclusion of a draft proposed ordinance in the committee's final report would be permissive rather than required.

Ordinance conditioned on popular vote

Finally, current law leaves introduction and passage or rejection of the ordinance establishing a historic district purely at the discretion of the legislative body of the local unit. House Bill 5232 would leave this discretion, but makes the ***legislative body's ordinance conditionally effective, to take effect only if a majority of the electors approve the establishment of the historic district.*** The vote would be taken at the next regular election held in the local unit that occurs at least 70 days after the passage of the conditionally effective ordinance.

The bill would also remove a prohibition on the local unit passing an ordinance establishing a contiguous historic district less than 60 days after property owners establish an historic district pursuant to a written petition.

Responsibilities of historic district commission and legislative body

An unchanged section of the Local Historic Districts Act establishes an historic district commission, which would ensure that the exterior appearance of homes within the district is in compliance with the historic character of the district.

Currently, if a permit for work is denied by the commission, an applicant may appeal to the state historic preservation review board within the Department of History, Arts, and Libraries. The bill would instead direct the appeal to the local unit's legislative body, to be reviewed at its first regularly scheduled meeting after receiving the appeal, and affirmed, modified, or set aside. Also, the bill would direct appeals from certificates of appropriateness, notices to proceed, and denials of applications for permits to the local unit's legislative body, where before they had been handled by the historic preservation review board.

The commission currently applies the United States Secretary of the Interior's standards for rehabilitation and guidelines for rehabilitating historic buildings. The bill would allow the commission to consider different standards that it determines are in the best interest of the community. It also adds "reasonableness of the additional costs required to complete a historically accurate rehabilitation" to the list of factors the commission would consider when considering permits.

Additionally, at this time the commission may require an owner to repair conditions or repair those conditions itself if an historic resource within the historic district is threatened with demolition by neglect. House Bill 5232 would allow the commission to do so only

[1] This process is moved from the Department of History, Arts, and Libraries, which no longer exists, to the Michigan State Housing Development Authority (MSHDA).

with approval of the local unit's legislative body. Also, under current law the commission may review and act upon interior arrangements in a building if specifically authorized to do so by the local legislative body. The bill would remove the ability of the commission to act on these interior arrangements under any circumstance.

Considerations when eliminating or establishing additional historic districts

The bill would add provisions for the consideration of establishing additional historic districts, and amend the provisions for eliminating an historic district.

When considering the ***establishment of an additional historic district*** or the modification of its boundaries, the procedure outlined above must be followed, i.e. petition describing the specific boundaries, historic district study committee, committee preliminary report and final report, and ordinance conditioned on a popular vote by the electorate.

When considering the ***elimination of an historic district***, the local unit's legislative body may appoint an historic district study committee, but need not produce a petition describing its specific boundaries. Currently, the committee must issue a preliminary report, hold a public hearing, and issue a final report to show the reason elimination is in order. House Bill 5232 would eliminate those requirements, and instead deem an ordinance passed by the local unit's legislative body eliminating the historic district effective without the electors' approval.

Renewal of historic district designation

Currently, there is no end date for an historic district's designation as such. The bill would add a provision that current historic districts would cease to be considered so 10 years after the bill is enacted, unless that designation is approved by a popular vote at the election immediately preceding its dissolution as an historic district. Likewise, an historic district established under this bill would be dissolved after 10 years unless a popular vote at the election immediately preceding its dissolution approves its renewal as an historic district. A renewal approved under this subsection is effective on the date that the historic district would have otherwise dissolved.

MCL 399.201a et al.

FISCAL IMPACT:

House Bill 5232 would increase the costs of local units of governments attempting to set up new or modify existing historic districts due to the following provisions. The bill would require the local unit to obtain preliminary approval of at least 2/3 of the property owners within the proposed district. Costs of obtaining the approval would depend on the size of the proposed district, number of property owners, and the method of canvassing the property owners. The provisions of the bill would also shift the responsibility for appeals of work permit grievances from the state historic preservation review board to the legislative body of the local unit. Any costs to the local unit due to this change would be directly related to the number of appeals faced and the administrative work necessary to complete the appeal.

Instead of requiring the historic district commission to use the current U.S. Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings when reviewing a permit for conducting work on historic resource exterior, the provisions of the bill would only require the historic district commission to consult those standards. The historic district commission would be allowed to come up with alternative standards that it felt were in the best interest of the community. Additionally, the bill includes a new provision requiring the historic district commission to consider the reasonableness of the additional costs required to complete a historically accurate rehabilitation when reviewing a work plan. Finally, historic district commissions would only retain the authority to review and act upon interior changes if they would cause visible damage to the exterior of the resource. Local governments could not provide for a separate authorization allowing the historic district commission to review and act upon interior changes. The effect the proposed changes on work plan review standards would have on a new or existing historic district within a local unit of government is unknown and will vary across local units.

Legislative Analyst: Jennifer McInerney
Fiscal Analyst: Ben Gielczyk

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.

A RESOLUTION IN OPPOSITION TO
HB 5232 AND SB 720

BY THE HISTORIC DISTRICT COMMISSION:

Whereas, Historic Preservation is the foundation of many community's economic revitalization efforts, and is one of the most important tools to protect our history and culture, create a sense of place, and is relevant to community development efforts for both small towns and big cities;

WHEREAS, the City of Jackson created its Historic District Commission to:

- Safeguard the heritage of the City of Jackson by preserving a historic district, including areas, sites, landmarks, buildings, structures, works of art, objects and resources which reflect elements of Jackson's cultural, social, economic, political and/or architectural history;
- Stabilize and improve property values in the historic district;
- Foster civic beauty;
- Strengthen the local economy; and
- Promote the use of the historic district, including areas, sites, landmarks, buildings, structures, works of art, objects and resources, for the education, pleasure and welfare of the citizens of the City of Jackson and the State of Michigan; and

WHEREAS, House Bill 5232 and Senate Bill 720 have been introduced to the Michigan House of Representatives and Michigan Senate, respectively, which would amend PA 169 of 1970, the Local Historic Districts Act; and

WHEREAS, those bills would effectively eliminate local historic districts in the State of Michigan:

- Local Historic Districts are the ONLY way for a community to protect areas of historic significance from insensitive development, inappropriate alterations, and demolition;
- Community landmarks would be made vulnerable when a sudden development or demolition threat appears as the bills would require majority property owner consent before the resource could even be placed under study;
- Requiring a 2/3 majority support petition of property owners before a study committee could be appointed places undue burden on communities seeking to establish a local historic district and would eliminate grant funds available for preservation projects;
- Dismissal of approved Standards and Guidelines, used nationwide, that historic district commissioners base their reviews upon would leave the current processes open to interpretation;
- These bills would clearly threaten the viability of local historic districts in Michigan over time by requiring a local legislative body vote to reinstate each district, even those long-standing, every 10 years.; and
- Not only would the bills create a sunset clause on local historic districts, they would dispose of the current process for dissolving historic districts; and

NOW, THEREFORE, BE IT RESOLVED, the Historic District Commission of Jackson, Michigan, recommends disapproval of House Bill 5232 and Senate Bill 720 by the Michigan House of Representatives and Michigan Senate, respectively; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to Jackson's City Council and to the City of Jackson's state representatives in the Michigan House of Representatives and the Michigan Senate.

_____ Date: February 8, 2016

Grant E. Bauman, Chair
City of Jackson Historic District

MICHIGAN HISTORIC PRESERVATION NETWORK

HISTORIC RESOURCES IN MICHIGAN JEOPARDIZED BY BILL TO AMEND 1970 PA 169

Michigan's historic places drive economic development, attract businesses, draw tourists and new residents, create a sense of place, and enhance our quality of life. Keeping these historic places is so important that historic preservation has been upheld as a public purpose under the U. S. Constitution—preserving historic resources is a valid governmental goal and local historic district ordinances have been upheld as an appropriate means to secure that goal. Local historic districts are the only way for communities to manage and protect their historic assets, and ***78 communities to date have chosen to enact ordinances to protect their historic assets*** at the local level, under current state law. The bill to amend 1970 Public Act 169 jeopardizes the efficient and fair process for establishing local historic districts already in place under PA 169, reduces protection given to resources in local historic districts, and diminishes the authority of local historic district commissions and local legislative bodies.

Weakens Protection for Historic Resources

- This bill would dispose of the current process for dissolving historic districts, allowing local legislative bodies to eliminate local historic districts without guidelines or justification, and without community input.
- This bill would reduce reliance on accepted, best-practice Standards used nationwide for commission decision-making, introducing uncertainty into the process.
- This bill would change the appeals process for an aggrieved property owner within a district. Instead of appealing to a neutral state board, which has appellate jurisdiction because of its expertise, appeals would be heard at the local level where political and development pressures could affect the outcome.

Reduces Local Control

- This bill would make it impossible for local legislative bodies to act quickly to head off a sudden development threat to a community landmark. Currently, in municipalities with a historic district ordinance, a local legislative body can place a threatened resource under study for local designation and delay development in that area for up to 6 months. This bill proposes to petition local property owners and acquire a 2/3 majority in support before a historic district study committee could even be appointed, wiping out the local body's ability to act quickly under threat.
- This bill would mandate that after a local legislative body decides to establish a local historic district, the public in that unit of government must vote in support of the district in a general election to make it official. Further, the electorate will have to vote on its local historic districts every 10 years, even in communities with long-standing historic districts, imposing unnecessary and substantial costs upon municipalities in staff time and community education. ***These inefficient processes undermine local representative democracy. Why would the State impose a sunset clause on local decisions?***

KEY IMPLICATIONS OF BILL TO AMEND 1970 PA 169:

To establish a local historic district, this bill would require petitioning property owners in a proposed district for majority consent and then require the general electorate to vote in favor of establishing a district, whereas no such petitioning or voting would be required to dissolve a local historic district.

The ability to designate and protect single landmark resources would be critically compromised as, again, majority consent would need to be granted—meaning one property owner in such circumstances. If the property owner were absent, unresponsive, or not in favor, that resource could not be protected from alteration or demolition, and a treasured community asset could be lost.

Grant Bauman

From: Michigan Association of Planning <kelly@planningmi.ccsend.com> on behalf of Michigan Association of Planning <abrown@planningmi.org>
Sent: Monday, February 01, 2016 1:06 PM
To: Grant Bauman
Subject: MAP Legislative Update

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Michigan Association of Planning Legislative Alert:
URGENT: HB 5232 and SB720
Historic Districts

Two Bills were introduced last week to amend the Historic Districts Act, House Bill 5232 and SB 720. The bills are the same. The House Committee met last week.

HB 5232: http://www.legislature.mi.gov/documents/2015-2016/billintroduced/House/pdf/2016-HIB-5232.pdf
SB 720: http://www.legislature.mi.gov/documents/2015-2016/billintroduced/Senate/pdf/2016-SIB-0720.pdf
Analysis of HB 5232: http://www.legislature.mi.gov/(S(yagt24wvy2fu0mwiqaabn5sd))/mileg.aspx?page=getObject&objectname=2016-HB-5232

Historic Preservation is the foundation of many community's economic revitalization efforts, and is one of the most important tools to protect our history and culture, create a sense of place, and is relevant to community development efforts for both small towns and big cities. From Grand Rapids to Ann Arbor, Detroit to Traverse City, Monroe to Marquette planners have long recognized the value of protecting historic buildings, downtowns, and neighborhoods.

MAP's Historic Preservation Policy clearly articulates our position http://www.planningmi.org/downloads/hp_and_cultural_resources_policy_final_2006.pdf

These bills will effectively eliminate historic districts in the State of Michigan. The way in which the current bills are written would:

- empower large landowners to determine the fate of a neighborhood at the expense of all other property owners;
- disempower neighborhoods from self-determination as a majority vote of electors in the local unit would be required for designation;
- politicize the appeal process from a non-partisan state board of experts to local elected officials;
- establish ambiguous standards that may deviate from the Secretary of Interior Standards for historic resources; and
- require that all (current and future) historic districts would be dissolved 10 years after the bill is enacted, unless a popular vote at the election immediately preceding the district's dissolution is approved as a renewal.

Given the pace at which the bills were introduced - and the House hearing held - MAP urges planners to reach out to their representatives and senators to oppose this bill.

Find Your Representative Here:
http://www.house.mi.gov/mhrpublic/
Find Your State Senator Here: http://www.senate.michigan.gov/fysbyaddress.htm

Reach out to your DDA's and Historic District Commissions, and neighborhood leaders who reside in historic districts, and let them know too. **We must make our voices heard, and let our representatives in Lansing know the economic value that historic districts bring to our communities.**

Andrea Brown, AICP
Executive Director
Michigan Association of Planning
A Chapter of the American Planning Association

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JACKSON
Founded 1829

City Attorney

161 W. Michigan Ave. - Jackson, MI 49201
Telephone: (517) 788-4050 • Facsimile: (866) 971-2117

MEMO TO: Mayor and City Councilmembers

FROM: Bethany M. Smith, City Attorney

DATE: February 9, 2016

SUBJECT: Amendment to Section 14-7 – Lead Risk Assessment

Recommendation: The recommended action is approval of the amendment to Section 14-7.

Attached is a Departmental Report, a Memorandum from the City Attorney's Office, and a clean and a black-lined version of the ordinance.

I recommend approval of the above mentioned recommendation. Your consideration and concurrence is appreciated.

BSM

Attachments

DEPARTMENTAL REPORT
February 9, 2016

MEMO TO: Mayor and City Councilmembers

FROM: Bethany M. Smith, City Attorney

RECOMMENDATION: Approve an Amendment to Section 14-7 of the City Code of Ordinances to Require Submission of a Lead Risk Assessment for all Registrations Effective on or after July 1, 2018 in Order to Register under the Non-Owner Occupied Residential Property Registry for non-owner occupied residential properties constructed before 1978.

SUMMARY

The recommended action is approval of the amendment to Section 14-7.

BUDGETARY CONSIDERATIONS

The passage of the Resolution would have no fiscal impact on the City.

HISTORY, BACKGROUND and DISCUSSION

Recent developments regarding lead contamination have brought about the need to reassess and reevaluate the City of Jackson Non-Owner Occupied Residential Property Registry standards to determine where changes could be made to increase lead safety in non-owner occupied properties.

DISCUSSION OF THE ISSUE

The proposed amendments to Section 14-7 would add a requirement that non-owner occupied residential properties constructed before 1978 provide a lead risk assessment from a licensed lead inspector or lead risk assessor in order to properly register the property as a non-owner occupied residential property under Article I of Chapter 14 of the Code. The lead inspector or risk assessor would need to be licensed and certified by the Michigan Department of Health.

This amendment would not take practical effect until the registration cycle that begins on July 1, 2018. All currently registered properties would not need to provide the lead risk assessment until the next registration cycle. This will allow sufficient time to owners of non-owner occupied properties to take the steps necessary to obtain a lead clearance report.

POSITIONS

The City Attorney's Office recommends approval of the Ordinance.

ATTACHMENTS: Memorandum
Clean copy of ordinance
Blacklined copy of ordinance

City Attorney

161 W. Michigan Avenue – Jackson, MI 49201
Telephone: (517) 788-4050; (517) 788-4023 ♦ Facsimile: 866-971-2117

CITY COUNCIL MEETING
February 9, 2016

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Bethany M. Smith, City Attorney

SUBJECT: Amendment to Section 14-7 – Lead Risk Assessment

RECOMMENDATION: **Approve an Amendment to Section 14-7 of the City Code of Ordinances to Require Submission of a Lead Risk Assessment for all Registrations Effective on or After July 1, 2018 in Order to Register Under the Non-Owner Occupied Residential Property Registry for all Non-Owner Occupied Residential Properties Constructed Before 1978.**

Attached please find a clean and a black lined version of Section 14-7 of the City of Jackson Code of Ordinances. This section lists requirements that must be met by a property owner of a non-owner occupied residential property in order to register the property. An amendment is being proposed to require that, for all registrations of non-owner occupied residential properties constructed before 1978 that are effective on or after July 1, 2018, the property owner must submit a lead risk assessment from a licensed lead inspector or risk assessor certified by the Michigan Department of Health.

The recommended action is to approve the Ordinance revising Section 14-7 of the City of Jackson Code of Ordinances.

cc: Patrick H. Burtch, City Manager
Jennifer Morris, Director of NEO

ORDINANCE NO. 2016-_____

An ordinance amending Section 14-7 of Article I, Chapter 14 of the City of Jackson, Michigan Code of Ordinances, to require that a property owner submit a lead risk assessment before a property owner is allowed to register his or her property under this Article to protect the safety of the citizens of Jackson.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose

The City Council adopts this Ordinance to require that a property owner submit a lead risk assessment before a property is allowed to register his or her property under Article I, Chapter 14 of the City of Jackson, Michigan Code of Ordinances to protect the safety of the citizens of Jackson.

Section 2. That Chapter 14 of the Code of the City of Jackson be, and the same hereby is, amended to read as follows:

ARTICLE I – NON-OWNER OCCUPIED RESIDENTIAL PROPERTY REGISTRY

* * * * *

Section 14-7 Issuance of property registration.

A property registration shall be issued if the applicant meets all of the following requirements:

1. An application form is properly submitted;
2. An Acknowledgment of local responsible agent form is submitted and signed by the local responsible agent, if required;
3. For all non-owner occupied residential properties constructed before 1978, a lead risk assessment from a licensed lead inspector or risk assessor certified by the Michigan Department of Health is provided for all property registrations effective on or after July 1, 2018;
4. All application fees are paid;
5. All outstanding inspection fees and late fees are paid;
6. Payment in full of all of the following fines, fees and debts relating to the property being registered owed to the City that are currently due or past due, including but not limited to:
    a. Outstanding water or sewer bills;
    b. All charges for mowing, cleanup, weed or debris removal;
    c. Any fees, penalties, or debts of any sort arising from provisions of the housing code, including any blight violations.

* * * * *

Section 3. This Ordinance takes effect thirty (30) days from the date of adoption.

ORDINANCE NO. 2016-_____

An ordinance amending Section 14-7 of Article I, Chapter 14 of the City of Jackson, Michigan Code of Ordinances, to require that a property owner submit a lead risk assessment before a property owner is allowed to register his or her property under this Article to protect the safety of the citizens of Jackson.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose

The City Council adopts this Ordinance to require that a property owner submit a lead risk assessment before a property is allowed to register his or her property under Article I, Chapter 14 of the City of Jackson, Michigan Code of Ordinances to protect the safety of the citizens of Jackson.

Section 2. That Chapter 14 of the Code of the City of Jackson be, and the same hereby is, amended to read as follows:

ARTICLE I – NON-OWNER OCCUPIED RESIDENTIAL PROPERTY REGISTRY

* * * * *

Section 14-7 Issuance of property registration.

A property registration shall be issued if the applicant meets all of the following requirements:

1. An application form is properly submitted;
2. An Acknowledgment of local responsible agent form is submitted and signed by the local responsible agent, if required;
~~2.~~3. For all non-owner occupied residential properties constructed before 1978, a lead risk assessment from a licensed lead inspector or risk assessor certified by the Michigan Department of Health is provided for all property registrations effective on or after July 1, 2018;
~~3.~~4. All application fees are paid;
~~4.~~5. All outstanding inspection fees and late fees are paid;
~~5.~~6. Payment in full of all of the following fines, fees and debts relating to the property being registered owed to the City that are currently due or past due, including but not limited to:
    a. Outstanding water or sewer bills;
    b. All charges for mowing, cleanup, weed or debris removal;
    c. Any fees, penalties, or debts of any sort arising from provisions of the housing code, including any blight violations.

* * * * *

Section 3. This Ordinance takes effect thirty (30) days from the date of adoption.

JACKSON
Founded 1829

City Manager's Office

161 W. Michigan Ave. - Jackson, MI 49201
Telephone: (517) 788-4035 • Facsimile: (517) 768-5820

MEMO TO: Mayor and City Councilmembers

FROM: Patrick H. Burtch, City Manager PHB

DATE: February 9, 2016

SUBJECT: Purchase of Gravimetric Belt Feeders for Water Treatment Plant Lime Slakers.

Recommendation: Approve the purchase of two gravimetric belt feeders and associated components from Integrity Municipal Systems in the amount of $70,160.00 to be installed on the lime slakers at the water treatment plant.

Attached are memos from Todd Knepper, Director of Public Works, regarding consideration of a purchase of two gravimetric belt feeders to be installed on the water treatment plant lime slakers.

I recommend approval of the above mentioned recommendation. Your consideration and concurrence is appreciated.

PHB

Attachments

DEPARTMENTAL REPORT
February 9, 2016

MEMO TO: Patrick Burtch, City Manager

FROM: Todd Knepper, Director of Public Works

RECOMMENDATION: Approve the purchase of two gravimetric belt feeders and associated components from Integrity Municipal Systems in the amount of $70,160.00 to be installed on the lime slakers at the water treatment plant.

SUMMARY

These gravimetric belt feeders accept lime from storage bins and feed it into the lime slakers, which in turn mix and activate the lime as part of the drinking water softening process. Integrity Municipal Systems built the existing lime slakers, so these feeders will fit the lime slaker units accordingly.

BUDGETARY CONSIDERATIONS

These expenses are budgeted in water account 402-591-000-982.000

HISTORY, BACKGROUND and DISCUSSION

The existing screw type feeders do not maintain a consistent feed into the lime slakers, and gravimetric belt feeders have proven to be more accurate and precise in measuring and dispensing lime into the softening process.

DISCUSSION OF THE ISSUE

Due to the inconsistent feed rate through the existing screw type feeders, operators are required to make continuous feed rate adjustments to the equipment throughout the day, whereas a more reliable belt feeder will decrease the amount of manual input required by the plant operators.

POSITIONS

Approve the purchase of two gravimetric belt feeders and associated components from Integrity Municipal Systems in the amount of $70,160.00.

ATTACHMENTS

SLAKER PART PROPOSAL

PROPOSAL DETAILS

Series 31-165 Gravimetric Belt Feeder

a) Part number UXA29548, 2000 PPH Slaker — **PRICE PER UNIT: $29,330.00**
b) Painted steel housing
c) 1/2hp 0-90vdc motor w/ tachometer
d) Weighdeck, load cell, broken belt detector included
e) SCR drive in a painted steel enclosure
f) Setpoint controller in a painted steel enclosure
g) Also included: Inlet plate adaptor for slaker, feeder discharge chute, feeder support post, mounting plate for SCR/Set Point Controller

Adder:

a) 304SS Construction
Including: SS Nema 4x 304SS panels for SCR and Setpoint — **ADDER PER UNIT: $5,750.00**

Deduction:

a) Credit of $2,000.00 for each 32-300SP SS Feeder — **DEDUCTION PER UNIT: -$2,000.00**

Payment terms

100% upon equipment shipment (or offer to ship), NET 30 Days

Freight Terms

Freight is included

Schedule

10-12 weeks after receipt of a fully executed purchase order

Proposal Validity

Proposal is valid until March 31, 2016

TOTAL PRICE INCLUDING ADDER PER UNIT: $33,080.00

Integrity
MUNICIPAL SYSTEMS

13135 Danielson Street, Suite 204, Poway, CA 92064
Bus (858) 218-3752 Fax (616) 772-2693
E-mail: gail@integrityms.net

CUSTOMER INFORMATION

Date	Proposal No.
January 15, 2016	L16-015

Company Name
City of Jackson MI

Contact Name
Bob Koehn

Address
City Hall, 161 W. Michigan Ave
Jackson, MI 49201

Phone #
517-788-4073

Fax #

Email
bkoehn@cityofjackson.org

Notes

Quotation Prepared by:
Gail Dorton, Customer Service Representative

This order is governed exclusively by the Terms and Conditions of Sale of Integrity Municipal Systems, LLC (IMS), which can be found at http://www.integritymunicipalsystems.com/TC/Standard_Terms_of_Sale_07-19-13.pdf. IMS hereby rejects any terms of customer's order that differ from or are in addition to IMS's Terms and Conditions of Sale.

JACKSON
Founded 1829

City Manager's Office

161 W. Michigan Ave. - Jackson, MI 49201
Telephone: (517) 788-4035 • Facsimile: (517) 768-5820

MEMO TO: Mayor and City Councilmembers

FROM: Patrick H. Burtch, City Manager PHB

DATE: February 9, 2016

SUBJECT: Accept payment from sale proceeds and forgive balance of Loan- 811 Burr St

---

Recommendation:

To approve the property owner's request to accept the proceeds from the sale of 811 Burr St and forgive the balance of the Community Development Block Grant (CDBG) rehabilitation loan issued March 18, 1999.

Attached are memos from Jennifer Morris, providing historical data for the request, which includes a larger reimbursement than anticipated, as well as the intended use for the proceeds.

I recommend approval of the above mentioned recommendation. Your consideration and concurrence is appreciated.

PHB

Attachments

DEPARTMENTAL REPORT
February 9, 2016

MEMO TO: Patrick Burtch, City Manager

FROM: Jennifer Morris, Neighborhood & Economic Operations

RECOMMENDATION: To approve the property owner's request to accept the proceeds from the sale of 811 Burr St and forgive the balance of the Community Development Block Grant (CDBG) rehabilitation loan issued March 18, 1999.

SUMMARY

Neighborhood and Economic Operations staff recently received a request to accept the sale proceeds and to forgive the remaining balance of a rehabilitation loan from the property owner of 811 Burr Street.

BUDGETARY CONSIDERATIONS

Upon acceptance of the offer by the City of Jackson, the owner will apply the proceeds (approximately $6,000) to pay down the mortgage. The balance of approximately $3,900 will subsequently need to be forgiven.

HISTORY, BACKGROUND and DISCUSSION

The homeowner received assistance in 1999 to rehabilitate the home to city code standards. The original loan was $19,991. The terms of the loan state that if any part of the borrowers interest in the structure changes or is sold, transferred or otherwise conveyed after five (5) years from the date of issuance, or at any time thereafter, the borrower is obligated to repay fifty percent (50%) of the loan to the lender. The current loan balance is $9,995.00. The proceeds received from the sale will be receipted as program income and utilized to assistant another eligible rehabilitation project.

DISCUSSION OF THE ISSUE

Community Development Block Grant funds were used to rehabilitate the property. The repairs were made 17 years ago and are at the end of their expected useful life. The property is currently vacant and the owner has no intention of keeping the property or using it for investment purposes.

POSITIONS

Receive and approve the request to accept the proceeds for the sale of 811 Burr St as payment and forgive the balance of the CDBG rehabilitation loan.

ATTACHMENTS

RECEIVED
JAN 26 2016
BY:

Date: January 25, 2016

Jackson City Council
161 W. Michigan
Jackson, MI 49201

To Whom It May Concern:

I currently own the property located at 811 Burr St., Jackson, MI 49201. The city would like to purchase it and has made an offer so that it can be put on the list to be torn down. I received a Community Development Loan seventeen years ago and owe the city $9,900. I would like to accept the offer made to me by the City of Jackson and use the proceeds of approximately $6,000 to pay down the mortgage. I have communicated with Patrick Burtch and Laurie Huff regarding this issue. I would like to ask that the Jackson City Council please forgive the balance (approximately $3900 after payment) so that I may move forward in closing this sale.

Sincerely,

Michelle Cook

Michelle Cook

JACKSON
Founded 1829

Office of Mayor Bill Jors

161 W. Michigan Ave. - Jackson, MI 49201
Phone: (517) 788-4028 • Facsimile (866) 384-1772

MEMO TO: City Councilmembers

FROM: Bill Jors, Mayor

DATE: February 9, 2016

SUBJECT: JHC Executive Director's Recommendation Regarding Three Positions

---

Recommendation:

Approve the recommendations made by the Jackson Housing Commission Executive Director regarding three positions: Maintenance Team Lead, Comptroller, and Human Resources Specialist, in concurrence with the Mayor's recommendation.

Attached please find a letter of recommendation and supporting documentation from the Jackson Housing Commission Executive Director regarding personnel issues. I concur with this recommendation and look forward to your consideration and approval.

BJ:skh

Attachments

JHC
JACKSON HOUSING COMMISSION
ESTABLISHED IN 1946

301 Steward Ave., Bldg. C.
Jackson, MI 49201-1132
Phone: (517) 787-9241
Fax: (517) 787-6143
TDD/TTY: (800) 545-1833 ext. 879
www.jacksonhousing-mi.org

January 26, 2016

Honorable Mayor Bill Jors
City of Jackson
161 W. Michigan Ave.
14th Floor
Jackson, MI 49201

Jackson City Council Members
161 W. Michigan Ave.
Jackson, MI 49201

Dear Mayor Jors, and Jackson City Council Members:

I am writing, first, to introduce myself in my official capacity as the Executive Director of the Jackson Housing Commission, to convey my great enthusiasm for my new position, and my express my excitement to work with each of you to improve the lives of the people of the City of Jackson. I look forward to meeting each of you in the coming weeks and months, and working closely together to meet the needs of some of Jackson's most vulnerable citizens.

Secondly, I am writing to request a change to three positions and pay grades within the Jackson Housing Commission. As I have settled into my position, I have taken the opportunity to evaluate the open administrative positions at JHC, and I think that this proposal will both allow us to streamline our administrative level services to our residents and community, while also saving the cost of re-filling several of the open positions – including the Director of Public Housing, the Assistant Director, and the Maintenance Supervisor positions.

These specific positions are outlined below:

1) I request to increase the wage of one of our current Maintenance Team Lead from his current wage, at step 2, to a wage at step 8. Ordinarily, I would consider a 6 step increase to be poor practice; however, in this case I believe it to be justified. First, it brings this individual in line with the salaries of his same-position peers, the closest of which is at Step 13 with 5 year tenure, the other is off the Step system because of his tenure with JHC. Secondly, his current wage does not accurately reflect his skillset, nor the degree to which he lends professionalism and expertise to his position. He has been in his role for a year, has an outstanding performance evaluation, and has consistently garnered positive feedback from tenants, supervisors and co-workers. Finally, while the number of steps I am requesting seems like a large increase, it amounts to just over $6,500 annually, and is a salary more reflective of both his skillset and his supervisory responsibility.
2) I request to have our current Comptroller position transitioned into a Finance Director position. This transition will allow our current Comptroller to exercise her skills and experience to play a more active role in the budgeting, compliance, and procurement functions of the organization. If approved, I plan to add the position as a Director level position, and mirror the pay of other Director level positions on the Merit Compensation Schedule. This individual is currently at step 10, and I plan to transition her still at Step 10, which would increase her annual compensation by $5,000. I feel that this is a

reasonable increase given the increase in responsibility and oversight for a Director level position, as well as her education and experience.

3) I request to transition our current Human Resources Specialist position to a Director level HR position. The Human Resources function is an integral part of the Agency, and the depth and breadth of the skillset cannot be encompassed in a Specialist level position. Our current Human Resources professional handles all of the training, benefit coordination, hiring, termination, performance evaluation, and legal proceeding associated with the Jackson Housing Commission. The scope of her work is far greater than what is included in her current job description. Again, I would like to mirror a Director-level position on the current Merit Compensation Schedule, and move this individual to the new position at a Step 8, which is an annual increase of approximately $6,000. I feel that this is a fair increase, given the expanded scope and responsibility of the position.

Again, I thank each of you for your consideration in these matters, and look forward to meeting with you and working with you in the future. Should you have any questions, please feel free to contact me, any time, at 517-990-3650.

Respectfully,

Laurie Ingram
Executive Director
Jackson Housing Commission

Cc: Michelle Pultz-Orthaus
President, Jackson Housing Commission Board of Commissioners

Patrick Burtch
City Manager, City of Jackson

rowth Factor 2.5% <--Enter Percent Change

ackson Housing Commission

esolution No. 2001-37 4% Step

esolution No. 2005-13 3% MAX

PERFORMANCE EVALUATION PROGRAM
Appendix 2
Merit Compensation Schedule

Position	Comp Grade Level	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
ADMINISTRATION/MANAGEMENT								
1 Executive Director	17	$60,700.50	$63,128.52	$65,653.66	$68,279.81	$71,011.00	$73,851.43	$76,805.49
2 Assistant Director	15	$56,764.50	$59,035.08	$61,396.49	$63,852.34	$66,406.44	$69,062.70	$71,825.20
3 Director, Public Housing	11	$35,875.00	$37,310.00	$38,802.40	$40,354.50	$41,968.68	$43,647.42	$45,393.32
1 Director, Section 8	11	$35,875.00	$37,310.00	$38,802.40	$40,354.50	$41,968.68	$43,647.42	$45,393.32
5 Administrative Assistant	10	$32,287.50	$33,579.00	$34,922.16	$36,319.05	$37,771.80	$39,282.68	$40,853.99
5 Comptroller	10	$32,287.50	$33,579.00	$34,922.16	$36,319.05	$37,771.80	$39,282.68	$40,853.99
7 Senior Housing Manager	10	$32,287.50	$33,579.00	$34,922.16	$36,319.05	$37,771.80	$39,282.68	$40,853.99
3 Section 8 Programs Coordinator	9	$29,304.75	$30,476.94	$31,696.01	$32,963.86	$34,282.42	$35,653.71	$37,079.86
3 Housing Manager	9	$29,304.75	$30,476.94	$31,696.01	$32,963.86	$34,282.42	$35,653.71	$37,079.86
0 Human Resources Specialist	10	$32,287.50	$33,579.00	$34,922.16	$36,319.05	$37,771.80	$39,282.68	$40,853.99
1 Section 8 Housing Specialist	305	$23,062.50	$23,985.00	$24,975.15	$25,937.05	$26,979.87	$28,059.06	$29,181.42
2 Executive Secretary	8	$26,619.25	$27,684.02	$28,791.38	$29,943.04	$31,140.76	$32,386.39	$33,681.84
3 Cashier	305	$23,062.50	$23,985.00	$24,975.15	$25,937.05	$26,979.87	$28,059.06	$29,181.42
1 Administrative Accounts Specialist	305	$23,062.50	$23,985.00	$24,975.15	$25,937.05	$26,979.87	$28,059.06	$29,181.42
5 Tenants Accounts Specialist	305	$23,062.50	$23,985.00	$24,975.15	$25,937.05	$26,979.87	$28,059.06	$29,181.42
3 Housing Aide	303	$21,965.75	$22,844.38	$23,758.16	$24,708.49	$25,696.82	$26,724.69	$27,793.68
7 Clerk- Typist	301	$20,500.00	$21,320.00	$22,172.80	$23,059.71	$23,982.10	$24,941.39	$25,939.04
1 Office Manager	10	$32,287.50	$33,579.00	$34,922.16	$36,319.05	$37,771.80	$39,282.68	$40,853.99
FAMILY SERVICES								
1 Director, Family Services Programs	11	$35,875.00	$37,310.00	$38,802.40	$40,354.50	$41,968.68	$43,647.42	$45,393.32
Family Services Coordinator	9	$29,304.75	$30,476.94	$31,696.01	$32,963.86	$34,282.42	$35,653.71	$37,079.86
1 Family Services Aide	303	$21,965.75	$22,844.38	$23,758.16	$24,708.49	$25,696.82	$26,724.69	$27,793.68
MAINTENANCE								
Maintenance Supervisor	10	$32,287.50	$33,579.00	$34,922.16	$36,319.05	$37,771.80	$39,282.68	$40,853.99
Senior Maintenance Team Leader	9	$29,304.75	$30,476.94	$31,696.01	$32,963.86	$34,282.42	$35,653.71	$37,079.86
PHA Housing Inspector	8	$26,619.25	$27,684.02	$28,791.38	$29,943.04	$31,140.76	$32,386.39	$33,681.84
Maintenance Team Leader	307	$23,903.00	$24,859.12	$25,853.48	$26,887.63	$27,963.13	$29,081.66	$30,244.92
Maintenance Worker	305	$23,062.50	$23,985.00	$24,975.15	$25,937.05	$26,979.87	$28,059.06	$29,181.42
Maintenance Aide	303	$21,965.75	$22,844.38	$23,758.16	$24,708.49	$25,696.82	$26,724.69	$27,793.68
Custodian/Housekeeper	301	$20,500.00	$21,320.00	$22,172.80	$23,059.71	$23,982.10	$24,941.39	$25,939.04
Groundskeeper	301	$20,500.00	$21,320.00	$22,172.80	$23,059.71	$23,982.10	$24,941.39	$25,939.04

osition not active

PERFORMANCE EVALUATION PROGRAM
Appendix 2
Merit Compensation Schedule

Position	Comp Grade Level	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14
ADMINISTRATION/MANAGEMENT								
1 Executive Director	17	$79,877.72	$83,072.83	$86,395.74	$89,851.57	$93,445.63	$97,183.46	$101,070.79
2 Assistant Director	15	$74,698.21	$77,686.13	$80,793.59	$84,025.33	$87,386.34	$90,881.79	$94,517.06
3 Director, Public Housing	11	$47,209.05	$49,097.42	$51,061.31	$53,103.76	$55,227.91	$57,437.03	$59,734.51
1 Director, Section 8	11	$47,209.05	$49,097.42	$51,061.31	$53,103.76	$55,227.91	$57,437.03	$59,734.51
5 Administrative Assistant	10	$42,488.15	$44,187.68	$45,955.18	$47,793.38	$49,705.12	$51,693.32	$53,761.07
5 Comptroller	10	$42,488.15	$44,187.68	$45,955.18	$47,793.38	$49,705.12	$51,693.32	$53,761.07
7 Senior Housing Manager	10	$42,488.15	$44,187.68	$45,955.18	$47,793.38	$49,705.12	$51,693.32	$53,761.07
3 Section 8 Programs Coordinator	9	$38,563.05	$40,105.57	$41,709.79	$43,378.18	$45,113.31	$46,917.85	$48,794.56
3 Housing Manager	9	$38,563.05	$40,105.57	$41,709.79	$43,378.18	$45,113.31	$46,917.85	$48,794.56
0 Human Resources Specialist	10	$42,488.15	$44,187.68	$45,955.18	$47,793.38	$49,705.12	$51,693.32	$53,761.07
1 Section 8 Housing Specialist	305	$30,348.68	$31,562.62	$32,825.13	$34,138.14	$35,503.66	$36,923.80	$38,400.75
2 Executive Secretary	8	$35,029.12	$36,430.28	$37,887.50	$39,402.99	$40,979.44	$42,618.28	$44,323.01
3 Cashier	305	$30,348.68	$31,562.62	$32,825.13	$34,138.14	$35,503.66	$36,923.80	$38,400.75
1 Administrative Accounts Specialist	305	$30,348.68	$31,562.62	$32,825.13	$34,138.14	$35,503.66	$36,923.80	$38,400.75
5 Tenants Accounts Specialist	305	$30,348.68	$31,562.62	$32,825.13	$34,138.14	$35,503.66	$36,923.80	$38,400.75
3 Housing Aide	303	$28,905.43	$30,061.64	$31,264.11	$32,514.68	$33,815.26	$35,167.87	$36,574.59
7 Clerk- Typist	301	$26,976.61	$28,055.66	$29,177.90	$30,345.01	$31,558.81	$32,821.16	$34,134.01
1 Office Manager	10	$42,488.15	$44,187.68	$45,955.18	$47,793.38	$49,705.12	$51,693.32	$53,761.07
FAMILY SERVICES								
1 Director, Family Services Programs	11	$47,209.05	$49,097.42	$51,061.31	$53,103.76	$55,227.91	$57,437.03	$59,734.51
Family Services Coordinator	9	$38,563.05	$40,105.57	$41,709.79	$43,378.18	$45,113.31	$46,917.85	$48,794.56
1 Family Services Aide	303	$28,905.43	$30,061.64	$31,264.11	$32,514.68	$33,815.26	$35,167.87	$36,574.59
MAINTENANCE								
Maintenance Supervisor	10	$42,488.15	$44,187.68	$45,955.18	$47,793.38	$49,705.12	$51,693.32	$53,761.07
Senior Maintenance Team Leader	9	$38,563.05	$40,105.57	$41,709.79	$43,378.18	$45,113.31	$46,917.85	$48,794.56
PHA Housing Inspector	8	$35,029.12	$36,430.28	$37,887.50	$39,402.99	$40,979.44	$42,618.28	$44,323.01
Maintenance Team Leader	307	$31,454.72	$32,712.91	$34,021.42	$35,382.28	$36,797.57	$38,269.47	$39,800.25
Maintenance Worker	305	$30,348.68	$31,562.62	$32,825.13	$34,138.14	$35,503.66	$36,923.80	$38,400.75
Maintenance Aide	303	$28,905.43	$30,061.64	$31,264.11	$32,514.68	$33,815.26	$35,167.87	$36,574.59
Custodian/Housekeeper	301	$26,976.61	$28,055.66	$29,177.90	$30,345.01	$31,558.81	$32,821.16	$34,134.01
Groundskeeper	301	$26,976.61	$28,055.66	$29,177.90	$30,345.01	$31,558.81	$32,821.16	$34,134.01

JACKSON HOUSING COMMISSION

POSITION DESCRIPTION

POSITION TITLE: **MAINTENANCE TEAM LEADER**

REPORTS TO: **Housing Manager, Director, Public Housing Programs, (Director, Section 8 Programs for HQS)**

GENERAL DESCRIPTION: Maintain Commission physical plant and equipment in clean, efficient and safe operational order. Responsible for maintenance operations at assigned public housing development. Supervise assigned maintenance staff. Conduct Section 8 Programs housing quality standards inspections. Assist Maintenance Supervisor in development and monitoring of maintenance operations and capital improvement budgets and programs.

SPECIFIC FUNCTIONS:

1. Perform routine maintenance of physical plant and equipment at assigned public housing development to include, but not necessarily be limited to, cleaning of buildings, grounds, pre-rental cleaning and refurbishment of apartment units, cleaning and repairing, as necessary, tools, equipment; painting; mechanical and electrical repair.

2. Insure timely and adequate response to tenant notification of faulty, damaged, or inoperative apartment equipment or facilities; insure that necessary repairs are completed in accordance with sound work order procedures.

3. Coordinate with Housing Managers the timely turnover of vacant units for tenancy.

4. Orient, train, supervise and evaluate work performance of assigned personnel including, but not necessarily limited to, regular maintenance staff and maintenance workers temporarily assigned under various work programs, casual labor, summer youth employment workers, and part time temporary workers.

5. Assist the Maintenance Supervisor in planning, organizing, and supervision of work schedules to insure orderly, economic and efficient routine maintenance of Commission physical plant, facilities and equipment.

6. Conduct regular inspections of physical plant, equipment and grounds to identify and repair, as necessary, damaged equipment or to clean and maintain areas of Commission responsibility. Assist the Maintenance Supervisor in the development and monitoring of preventive maintenance program.

7. Assist the Maintenance Supervisor in the development and monitoring of maintenance program annual operating budgets; assist in the development of work projects under capital improvement

programs.

8. Conduct regular inventory of property, tools and equipment.

9. Assist in acquiring adequate maintenance service contracts, materials, tools, supplies and equipment.

10. As assigned, work in an on-call status to respond to after business hours emergency maintenance calls.

11. When qualified and assigned, conduct Section 8 Programs housing quality standards inspections to include the following functions:

    a. Inspect prospective Section 8 programs apartment units to determine compliance with established housing quality standards.
    b. Develop and maintain *rapport* with owners/managers.
    c. Analyze inspection priorities.
    d. Advise owners/managers on how to correct deficiencies to meet housing quality standards.
    e. Complete move out inspections to assess damage to help determine allowable damage claim amount.
    f. Complete and timely submit HQS inspection forms; accurately report time spent and mileage covered in conducting inspections.

12. Perform the work of lower classified employees, as necessary.

13. Perform other assigned work as required or in a learning capacity.

The above statements are intended to describe the general nature and level of work being performed by people assigned this position. Such statements are descriptive and explanatory, but not restrictive. They are not to be construed as an exhaustive list of all job duties performed by personnel so classified. The listing of particular examples of duties does not preclude the assignment of other tasks of related kind or character or of lesser skills.

SKILLS REQUIRED: Demonstrated skills development in carpentry, electrical, plumbing, mechanical repair work; supervision; organization; problem solving; mechanical knowledge; planning; purchasing; inspection techniques, procedures and practices; thorough knowledge of the Commission's maintenance procurement policies and programs and housing quality standards; ability to initiate work projects and work independently.

EDUCATIONAL BACKGROUND: High School Diploma or general equivalent; vocational training in carpentry, electrical, plumbing, custodial, or related work; minimum two years' experience. Additional experience *in lieu* of high school diploma or general equivalent.

OTHER REQUIREMENTS: Must have a Michigan driver's license or be able to obtain one. Must have reliable transportation. The ability to read, write, speak and understand the English language as necessary for the position; the ability to follow written and oral instructions; and the ability to get along with other employees and members of the public. Employees are also expected to possess and maintain a record of law abiding citizenship, sobriety, integrity, and loyalty as it pertains to and reflects upon their employment with the Housing Commission; and must be physically and mentally able to perform the duties of their positions without excessive absence.

Jackson Housing Commission

Job Description

Position Title: Human Resources Director
Reports To: Executive Director

The job of a **Human Resources Director** is to lead the Human Resources department under general supervision of the Executive Director. The Director of Human Resources is responsible for planning, directing, monitoring and evaluating the services and activities of the Human Resources Division, including personnel administration, labor relations, affirmative action/community diversity, and workplace safety, and employee training. In addition, the classification serves as an internal consultant to executive and senior management staff and the Housing Commission on sensitive and/or complex human resources related matters; responds to state and federal employment discrimination charges; and provides advice and counsel on personnel-related legal actions.

The Director of Human Resources classification is a confidential, administrative classification which exercises general supervision over professional staff and consultants involved in the performance of the services and activities assigned to the Human Resources Division.

DUTIES AND RESPONSIBILITIES

- Plans, directs, monitors and evaluates the services and activities of the Human Resources Division. Recommends and implements Commission goals, objectives, policies and procedures regarding personnel administration, labor relations, affirmative action/community diversity, and workplace safety.
- Makes supplementary rules and regulations to carry out the provisions, intent and purpose of the Commission's personnel policies and procedures. Serves as the legal custodian of the Commission's employee personnel files.
- Administer human resource programs including employee relations, personnel related training, personnel policy development, recruitment, consulting for managers, accommodation and worker's compensation.
- Oversee employee Benefit Programs
- Oversee compliance in notifications for FMLA, COBRA/HIPPA and related notices.
- Oversee the maintenance and compliance of personnel files to applicable laws.
- Oversee the completion of personnel actions for changes in employment status.

- Responsible for all recruitment and placement. Maintain affirmative action logs.
- Oversee employee evaluation program.
- Responsible for the scheduling & monitoring of mandatory personnel training programs. Create or recommend employee development programs in conjunction with departments.
- Comply in requests for information from the public or other agencies regarding compensation data or other public information.
- May provide consultation to Finance Department in the area of payroll or leave.
- Verify pertinent data and process human resource documents to conduct background checks, motor vehicle registration confirmation, and facilitate new employee enrollment, training and timekeeping system; and

The above statements are intended to describe the general nature and level of work being performed by the person assigned to this position. Such statements are descriptive and explanatory, but not restrictive. They are not to be construed as an exhaustive list of all job duties performed by personnel so classified. The listing of particular examples of duties does not preclude the assignment of other tasks of related kind or character or of lesser skills.

SKILLS AND SPECIFICATIONS

- Knowledge of office processes, practices, and computer software applications.
- Ability to create charts, presentations, graphs, and spreadsheets.
- Ability to meet deadlines and schedules.
- Ability to operate basic office equipment and a computer.
- Effective listening and verbal communication skills.
- Good human relations skills; managerial skills; report preparation; record keeping; administrative procedures; problem solving, typing (45-55 wpm); filing.

EDUCATION AND QUALIFICATIONS: Associates or Bachelor's degree in Human Resource Management or Business Administration is required from an accredited educational institution with 5 years recent relevant experience.

OTHER REQUIREMENTS: Must have a valid Michigan driver's license or be able to obtain one. Must have reliable transportation. The ability to read, write, speak and understand the English language as necessary for the position; the ability to follow written and oral instructions; and the ability to get along with other employees and members of the public. Employees are also expected to possess and maintain a record of law abiding citizenship, sobriety, integrity, and loyalty as it pertains to and reflects upon their employment with the Commission; and must be physically and mentally able to perform the duties of their positions without excessive absence.

JACKSON HOUSING COMMISSION

POSITION DESCRIPTION

POSITION TITLE: **Finance Director**

REPORTS TO: **Executive Director**

GENERAL DESCRIPTION: Under the general direction of the Executive Director, the Director of Finance is responsible for planning, directing, monitoring and evaluating the services and activities of the Finance Department. The classification oversees the areas of accounting, payroll, budget, and contracting and procurement functions; coordinates assigned activities with other departments, and serves as an internal consultant to executive and senior management staff and the Authority Commission on sensitive and/or complex finance issues.

SPECIFIC FUNCTIONS:

1. Conduct general supervision of Commission physical and materials inventories.
2. Plans, directs, monitors and evaluates the services and activities of the Finance Department. Recommends and implements Commission goals, objectives, policies and procedures pertaining to the operations of the department.
3. Participates in the employee selection process for the department, and makes decisions regarding the selection of departmental personnel.
4. Provides direct supervision to professional, technical, and clerical personnel responsible for the performance of the activities of the department; assigns work activities and projects; evaluates work performance; in consultation with the Human Resources Division, coordinates the provision of staff training and development activities, and implements progressive disciplinary actions, as required.
5. Develops and recommends for approval the annual operating budget for the Commission, for all operating divisions (including, but not limited to: Public Housing, Section 8, COCC, Capital Funds, etc.).
6. Prepare, communicate, and act as primary Agency contact for the annual financial audit, and any other audit or investigation that requires financial input.
7. Implements the budget as approved. Prepares forecasts for additional funds for staffing, consulting services, purchases, equipment, materials and supplies, as required.
8. Oversees all procurement and contract compliance functions of the Commission.
9. Oversees the financial activities of the Commission, including accounting, revenue collection, payroll, budget preparation, grant allocation, accounts payable, procurement, product, and purchasing and contract services.
10. Directs finance and procurement activities and the maintenance of records on behalf of the Commission. Prepares reports and presents related documentation to the Executive Director, Executive Director and/or the Board of Commissioners, as required.
11. Prepare and maintain accounts receivable and payable records. Prepare checks in payment of all invoices, bills, security deposit and rent refunds; security deposit and rent transfer payments;

payments from Family Self Sufficiency Program escrow accounts; Section 8 Programs HAP/UAP payments, Capital Funds, *etc.*

12. Represent the Commission at the City/County Purchasing Coordinating Committee.
13. Oversee the processing of purchase orders from general accounts to include preparation for payment for office and maintenance equipment, supplies, special projects equipment, housing assistance payments and purchase orders.
14. Process tenant security deposit accounts; Family Self-Sufficiency Program escrow accounts; and various other Commission accounts.
15. Oversee the preparation and maintenance of payroll, utility consumption and cost records, rental assistance programs administrative reimbursement records, and various other administrative records, as required.
16. Prepare and maintain investment, security deposit, property equipment registers; vendor files.
17. Safeguard and monitor petty cash fund disbursements and refunds.
18. Operate a variety of equipment such as copiers, calculators, adding machines, typewriters, check protectors, mailing machines and small networked business computers.
19. Perform typing tasks such as memos, lists, reports, forms completion and letters.
20. Perform work of lower classified employees, as assigned.
21. Perform other assigned tasks as required or in a learning capacity.

The above statements are intended to describe the general nature and level of work being performed by people assigned this position. Such statements are descriptive and explanatory, but not restrictive. They are not to be construed as an exhaustive list of all job duties performed by personnel so classified. The listing of particular examples of duties does not preclude the assignment of other tasks of related kind or character or of lesser skills.

SKILLS REQUIRED: Administrative budgeting skills; ability to plan and supervise implementation of various programs in budgeting, inventory control; problem solving; bookkeeping; record keeping; office machine operations; typing; filing; working independently with little or no supervision.

EDUCATIONAL BACKGROUND: College Degree in relevant academic field plus three (3) years experience in accounting and/or bookkeeping, preferably in public or public assisted housing. Master's Degree in Business or Accounting preferred. Additional experience considered *in lieu* of education and/or experience in public or public assisted housing.

OTHER REQUIREMENTS: Must have a Michigan driver's license or be able to obtain one. Must have reliable transportation. The ability to read, write, speak and understand the English language as necessary for the position; the ability to follow written and oral instructions; and the ability to get along with other employees and members of the public. Employees are also expected to possess and maintain a record of law abiding citizenship, sobriety, integrity, and loyalty as it pertains to and reflect upon their employment with the Housing Commission; and must be physically and mentally able to perform the duties of their positions without excessive absence.

JACKSON
Founded 1829

City Manager's Office

161 W. Michigan Ave. - Jackson, MI 49201
Telephone: (517) 788-4035 • Facsimile: (517) 768-5820

MEMO TO: Mayor and City Councilmembers

FROM: Patrick H. Burtch, City Manager PHB

DATE: February 9, 2016

SUBJECT: City of Jackson Parks, Recreation and Cemeteries Department new and current special events and youth programs for 2016.

Recommendation: Approve new and current spring and summer special events and youth programs for 2016

Attached are the proposed current and new special events and youth program budgets as presented by Kelli Hoover, Director of Parks, Recreation and Cemeteries Department.

I recommend approval of the above mentioned recommendation. Your consideration and concurrence is appreciated.

PHB

Attachments

DEPARTMENTAL REPORT

MEMO TO: Patrick Burtch, City Manager

FROM: Kelli Hoover, Director of Parks, Recreation and Cemeteries

DATE: February 9, 2016

RECOMMENDATION: City Manager review and submit to the City Council the Parks, Recreation and Cemeteries Special Event and Youth Spring and Summer Recreation Program offerings

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SUMMARY

Approve current and new special events and youth programs for spring and summer 2016. Including program fees, staffing, wages and the recreation millage fund contribution.

BUDGETARY CONSIDERATIONS

PROPOSED CURRENT SPECIAL EVENTS FOR SPRING AND SUMMER

MOTHER AND DAUGHTER TEA	**Expense**	**Total**
(1)Part Time Special Event/Youth Supervisor	$20/4 hours	$80
Cascades Manor House and Food	$1,800	$1,800
Craft Project	$500	$500
Chocolate Fountain	$300	$300
Photographer	$400	$400
Expense Total:		**$3,080**

	Current Fee	**Recommended Fee**	**Revenue**	**Total**
75 JPS District participants	$15.00 a person	$20.00 a person	$1,500	$1,500
5 Non-JPS District participants	$15.00 a person	$50.00 a person	$250	$250
Program Subsidized through the Recreation Millage Fund			$1,330	$1,330
Revenue Total:				**$3,080**

**The Annual Mother Daughter Tea is celebrating its 16th year on May 7, 2016. Mothers and their elementary age daughters participate in a craft, snacks and fun.*

FAMILY WALK MICHGIAN PROGRAM			Expense	Total
(1)Full Time Senior Supervisor Employee			$15/12 hours	$180
(1)Special Event Assistant			$10/12 hours	$120
Supplies:			$100	$100
Expense Total:				**$400**

	Current Fee	Recommended Fee	Revenue	Total
	No Charge	No Charge		
Program Subsidized through the Recreation Millage Fund			$400	$400
Revenue Total:				**$400**

**The Annual Walk Michigan program is celebrating its 29th year and is a three mile walking program around Ella Sharp and Cascades Parks. The program celebrates family wellness through six different walks from May-July.*

YOUTH FOOTBALL CAMP			Expense	Total
(1)Part Time Special Event/Youth Supervisor			$20/4 hours	$80
Supplies: Fliers			$200	$200
Expense Total:				**$280**

	Current Fee	Recommended Fee	Revenue	Total
	No Charge	No Charge		
Program Subsidized through the Recreation Millage Fund			$280	$280
Revenue Total:				**$280**

**The 4th Annual Youth Football Camp is free and run by Jackson High School Football Coaching staff on May 15, 2016*

FATHER AND SONS DAY OUT AT THE TIGERS			Expense	Total
(1)Full Time Employee Supervisor			$20/10 hours	$200
Group Tiger Tickets			$2,200	$2,200
Bus			$1,000	$1,000
Expense Total:				**$3,400**

	Current Fee	Recommended Fee	Revenue	Total
45 JPS District participants	$20 a person	$25.00 a person	$1,125	$1,125
5 Non-JPS District participants		$60.00 a person	$300	$300
Program Subsidized through the Recreation Millage Fund			$1,975	$1,975
Revenue Total:				**$3,400**

**The Annual Father and Son Day at the Tigers program that it celebrating its 15th year on July 17 or 31, 2016. Father/Uncles/Grandfathers and elementary -8th grade sons spend a Sunday afternoon at Comerica park.*

CURRENT YOUTH PROGRAMS FOR SPRING AND SUMMER

TUMBLE TOTS PROGRAM			Expense	Total
(2) Head Instructor			$15/20 hours	$300
(2) Assistant Instructor			$10/20 hours	$200
Expense Total:				$500

	Current Fee	Recommended Fee	Revenue	Total
26 JPS District participants	$15.00 a person	$15.00 a person	$390	$390
5 Non-JPS District participants		$30.00 a person	$150	$150
Revenue Total:				**$540**

**The Tumble Tot program is for ages 2 and 3 years old and over 20 years and takes place on Monday and Wednesday at the Boos Center starting on April 11-May 18.*

TUMBLE BUGS PROGRAM			Expense	Total
(2) Head Instructor			$15/20 hours	$300
(2) Assistant Instructors			$10/20 hours	$200
Expense Total:				**$500**

	Current Fee	Recommended Fee	Revenue	Total
26 JPS District participants	$15.00 a person	$15.00 a person	$390	$390
5 Non-JPS District participants		$30.00 a person	$150	$150
Revenue Total:				**$540**

**The Tumble Bug program is for ages 4 and 5 years and is over 20 years old and takes place on Monday and Wednesdays at the Boos Center on April 11-May 18.*

YOUTH GYMNASTICS PROGRAM			Expense	Total
(1) Head Instructor			$25/18 hours	$450
(5) Assistant Instructors			$10/18 hours	$900
Expense Total:				**$1,350**

	Current Fee	Recommended Fee	Revenue	Total
75 JPS District participants	$15.00 a person	$15.00 a person	$1,125	$1,125
5 Non-JPS District participants		$30.00 a person	$150	$150
Program Subsidized through the Recreation Millage Fund			$75	$75.00
Revenue Total:				**$1,350**

**The 20 and over Youth Gymnastics program is for ages 5 and above and takes place at the Boos Center this spring starting on April 16, 2016.*

YOUTH GYMNASTICS SUMMER TUMBLE	Expense	Total
(1) Center Supervisor	$16/ 12 hours	$192
(1) Head Instructor	$15/12 hours	$180
(1) Assistant Instructor	$10/12 hours	$120
Expense Total:		**$492**

	Current Fee	Recommended Fee	Revenue	Total
15 JPS District participants	$15.00 a person	$20.00 a person	$300	$300
5 Non-JPS District participants		$30.00 registration fee	$150	$150
Program Subsidized through the Recreation Millage Fund			$117	$117
Revenue Total				**$492**

**The 2nd Annual Youth Gymnastics Tumble will be held at the Boos Center for Ages 2-5 starting on June 22, 2016.*

YOUTH GYMNASTICS PROGRAM FLIP OUT	Expense	Total
(1) Head Instructor	$25/12 hours	$300
(5) Assistant Instructors	$10/12 hours	$120
Supplies: T-shirts	$500	$500
Expense Total:		**$920**

	Current Fee	Recommended Fee	Revenue	Total
75 JPS District participants	$20.00 a person	$20.00 a person	$1,500	$1,500
5 Non-JPS District participants		$40.00 a person	$200	$200
Revenue Total				**$1,700**

** The 2nd Annual Youth Gymnastics Flip Out Camp is planned for June 22 –August 6 at the Boos Recreation Center*

YOUTH TRACK AND FIELD PROGRAM	Expense	Total
(1) Part Time Special Event/Youth Supervisor	$20/15 hours	$300
(1) Camp Leader	$30/27 hours	$810
Supplies: t-shirts	$750	$750
Expense Total:		**$920**

	Current Fee	Recommended Fee	Revenue	Total
125 JPS District participants	$15.00 a person	$20.00 a person	$2,500	$2,500
5 Non-JPS District participants		$40.00 a person	$200	$200
Revenue Total				**$2,700**

**The 5th Annual Youth Track and Field program is held at Jackson High School from June 27 –July 20, 2016. Cory Pryor Jackson High School Viking Track Coach instructs participants in skill development and has a meet every week.*

SPORTIES FOR SHORTIES CAMP	Expense	Total
(1) Part Time Special Event/Youth Supervisor	$20/16 hours	$320
(2) Assistant Instructor	$10/16 hours	$320
Expense Total:		**$640**

	Current Fee	Recommended Fee	Revenue	Total
15 JPS District participants	$15 a person	$20.00 a person	$300	$300
5 Non-JPS District participants		40.00 a person	$200	$200
Program Subsidized through the Recreation Millage Fund			$140	$140
Revenue Total				**$640**

**The 16th Annual Youth Sports for Shorties Camp is for 3-5 year olds and is held at the Boos Recreation Center from June 12 –August 4, 2016. Each participant will have an introduction to a variety of sports.*

ANNUAL WRESTLING CAMP			Expense	Total
(1) Part Time Special Event/Youth Supervisor			$20/10 hours	$200
(1) Camp Leader			$30/12 hours	$360
Supplies: t-shirts			$750	$750
Expense Total:				**$1,310**

	Current Fee	Recommended Fee	Revenue	Total
50 JPS District participants	$15.00 a person	$20.00 a person	$1,000	$1,000
5 Non-JPS District participants		$40.00 a person	$200	$200
Program Subsidized through the Recreation Millage Fund			$110	$110
Revenue Total:				**$1,310**

**The 2nd Annual Youth Wrestling Program is a summer program takes place at the Middle School at Parkside from July 18 –August 3, 2016 for grades 3-6 and is led by Mark Hubbard Varsity Wrestling Coach from Jackson High School.*

GIRLS BASKETBALL CAMP			Expense	Total
(1) Part Time Special Event/Youth Supervisor			$20/12 hours	$240
(1) Camp Leader			$30/12 hours	$360
Expense Total:				**$600**

	Current Fee	Recommended Fee	Revenue	Total
30 JPS District participants	$15.00 a person	$20.00 a person	$600	$600
5 Non-JPS District participants		$40.00 a person	$200	$200
Revenue Total:				**$800**

**The 3rd Annual Girls Basketball Camp is run by former Western Michigan University Basketball Player Miami Jarret improve your skills in the game of basketball for grades 3rd-8th and is a recreation millage program in July 2016.*

ANNUAL BOYS BASKETBALL CAMP			Expense	Total
(1) Part Time Special Event/Youth Supervisor			$20/12 hours	$240
(1) Camp Leader			$30/9 hours	$270
Expense Total:				**$600**

	Current Fee	Recommended Fee	Revenue	Total
30 JPS District participants	$15.00 a person	$20.00 a person	$600	$600
5 Non-JPS District participants		$40.00 a person	$200	$200
Revenue Total:				**$800**

**Former college player and high school basketball coach Jeremy Patterson from Jackson Public Schools leads 3rd-8th graders through their basketball skills in the 6th Annual basketball camp at the Middle School at Parkside in July 2016*

ANNUAL YOUTH VOLLEYBALL CAMP			Expense	Total
(1) Part Time Special Event/Youth Supervisor			$20/12 hours	$240
(1) Camp Leader			$30/12 hours	$360
Expense Total:				**$600**

	Current Fee	Recommended Fee	Revenue	Total
30 JPS District participants	$15.00 a person	$20.00 a person	$600	$600
5 Non-JPS District participants		$40.00 a person	$200	$200
Total Revenue				**$800**

**Local high school coaches host the departments 4th Annual Volleyball Camp for 5th-8th graders. The camp is held at the Middle School at Parkside in July 2016.*

YOUTH SPRING SOCCER	**Expense**	**Total**
(1) Full Time Supervisor	$20/500 hours	$10,000
(1) Part Time Special Event/Youth Supervisor	$20/36 hours	$720
(12) Certified Soccer Referees	$30/24 hours	$8,640
(12) Youth Soccer Referees	$10/24 hours	$2,880
T-Shirts	$4,000	$4,000
Soccer Balls	$300	$300
Whistles, fliers and referee shirts	$200	$200
Expense Total:		**$26,740**

	Current Fee	**Recommended Fee**	**Revenue**	**Total**
575 JPS District participants	$12.00 a person	$15.00 a person	$8,625	$8,625
20 Non-JPS District participants		$30.00 a person	$600	$600
Program Subsidized through the Recreation Millage Fund			$18,665	$18,665
Revenue Total:				**$26,740**

**The Jackson recreation millage soccer program is over 35 years old and is provided to youth from kindergarten-8th grades at Ella Sharp Park for 6 weeks starting April 23, 2016.*

YOUTH SWIM LESSONS	**Expense**	**Total**
(2) Swim Supervisor	$20/200 hours	$8,000
(7) Certified Swim Instructors	$9/144 hours	$9,072
(7) Swim Aids	$8/144 hours	$8,064
Kick boards/whistles/Fliers	$500	$500
Middle School at Parkside Pool rental	$20,000	$20,000
Expense Total:		**$45,636**

	Current Fee	**Recommended Fee**	**Revenue**	**Total**
400JPS District participants	$25.00 a person	$30.00 a person	$12,000	$12,000
10 Non-JPS District participants		$60.00 registration fee	$600	$600
Program Subsidized through the Recreation Millage Fund			$33,036	$33,036
Revenue Total:				**$45,636**

**Youth swim lessons and water safety classes have been hosted by the parks and recreation department for over 40 years from babies to teenagers. We generally have 3-5 two-week swim sessions from June-August each summer and are a recreational millage program.*

YOUTH SUMMER PLAYGROUND PROGRAM	**Expense**	**Total**
Full Time Supervisor	$20/250 hours	$5,000
(1) Playground Supervisor	$14/180 hours	$2,520
(5) Playground Leaders	$8.50/180 hours	$7,650
Misc.: first aid supplies/arts and crafts	$1,000	$1,000
Trips/Bus rental	$3,200	$3,200
Expense Total:		**$16,850**

	Current Fee	Recommended Fee	Revenue	Total
	No Charge	No Charge		
Program Subsidized through the Recreation Millage Fund			$16,850	$16,850
Revenue Total:				**$16,850**

**The youth summer playground program is over 50 years old and runs for 6 weeks starting June 20, 2016 and provides activities, arts and crafts and field trips at two playground super sites at Cascades Elementary School and Kiwanis Park.*

YOUTH TENNIS LESSONS	**Expense**	**Total**
(1) Part Time Special Event/Youth Supervisor	$20/40 hours	$800
(1) Head Instructor	$18/168 hours	$3,024
(7) Assistants Instructors	$8.50/168 hours	$9,996
Supplies: Tennis balls and rackets, fliers	$1,000	$1,000
Expense Total:		**$8,820**

	Current Fee	Recommended Fee	Revenue	Total
390 JPS District participants	$15 a person	$20 a person	$7,800	$7,800
10 Non-JPS District participants		$30.00 a person	$300	$300
Program Subsidized through the Recreation Millage Fund			$2,670	$2,670
Revenue Total:				**$6,150**

**The youth summer tennis program is over 30 years old starts June 20, 2016 for six weeks. Sites for the tennis program include Lumen Christi High School, Middle School at Parkside and Martin Luther King Center. Head instructor is Subba Reddy Varsity Tennis Coach from Jackson High School.*

NEW SPECIAL EVENTS AND YOUTH PROGRAMS FOR SPRING AND SUMMER

THE JRD DOWNTOWN YOUTH BIKE AND RUN RACE	**Expense**	**Total**
(1) Part Time Special Event/Youth Supervisor	$20/30 hours	$600.00
(2) Special Event Assistants	$8.50/6 hours	$102.00
T-Shirts	$400	$400
Supplies (ribbon/cones/trophies/t shirts)	$1,000	$1,000
Expense Total:		**$1,802**

	Current Fee	Recommended Fee	Revenue	Total
90 JPS District participants		$20.00 a person	$1,800	$1,800
10 Non-JPS District participants		$40.00 a person	$400	$400
Revenue Total:				**$2,200**

**This new program provides promotes wellness and an opportunity to ride/run on the streets of the downtown. The race would be held Saturday, June 25 from 8-12 am. The course would consist of a one mile and two mile loops using Michigan Avenue and Pearl Streets*

YOUTH SOCCER CAMP	Expense	Total
(1)Part Time Special Event/Youth Supervisor	$20/10 hours	$200
(1) Camp Leader	$30/8 hours	$240
(2) Assistant Instructor	$8.50/8 hours	$136
T-Shirts	$600	$600
Expense Total:		**$1,176**

	Current Fee	Recommended Fee	Revenue	Total
140 JPS District participants		$20.00 a person	$2,800	$2,800
10 Non-JPS District participants		$40.00 a person	$400	$400
Revenue Total:				**$3,200**

**This youth soccer camp focus is on skill development. The program will be held at Ella Sharp Park starting June 25, 2016.*

YOUTH LACROSSE CAMP	Expense	Total
(1)Part Time Special Event/Youth Supervisor	$20/10 hours	$200
(1) Camp leader	$25/8 hours	$200
(4) Assistant Instructor	$8.50/8 hours	$272
T-Shirts	$600	$600
Equipment	$1,500	$1,500
Expense Total:		**$2,772**

	Current Fee	Recommended Fee	Revenue	Total
140 JPS District participants		$20.00 a person	$2,800	$2,800
10 Non-JPS District participants		$40.00 a person	$400	$400
Revenue Total:				**$3,200**

**Lacrosse camp has been a popular request from the community and will be held at Ella Sharp Park from June 18-22 for 3rd-8th grades.*

NATIONAL PARKS AND RECREATION MONTH CELEBRATION	Expense	Total
(1)Part Time Special Event/Youth Supervisor	$20/20 hours	$400
(1) Special Event Assistant's	$8.50/6 hours	$102
Supplies (ribbon/cones/trophies)	$1,500	$1,500
Expense Total:		**$2,002**

	Current Fee	Recommended Fee	Revenue	Total
	No Charge	No Charge		
Program Subsidized through the Recreation Millage Fund			$400	$400
Revenue Total:				**$2,002**

**July is Nation Parks and Recreation Month! In honor of the City Parks a day celebration in Horace Blackman, Governor Austin Blair and Bucky Harris Parks. Activities will take place all day Friday, July 15, 2015.*

TEEN YOUTH CORE PROGRAM	Expense	Total
(1) Teen Youth Core Supervisor	$25/240 hours	$6,000
(6) Teen Youth Core Assistants	$10/240 hours	$14,440
T-Shirts	$200	$200
Supplies	$2,000	$2,000
Expense Total:		**$22,600**

	Current Fee	Recommended Fee	Revenue	Total
	No Charge	No Charge		
Program Subsidized through the Recreation Millage Fund			$22,600	$22,600
Revenue Total:				**$22,600**

**This new teen program is to provide high schoolers with the opportunity for trade and skill development through our downtown, facilities and park system and the program will start June 20,2016*

YOUTH BOYS 3 ON 3 BASKETBALL LEAGUE	**Expense**	**Total**
(1)Part Time Special Event/Youth Supervisor	$20/20 hours	$400
(1) Assistant Instructor	$16/12 hours	$192
T-Shirts	$200	$200
Expense Total:		**$792**

	Current Fee	Recommended Fee	Revenue	Total
40 JPS District participants		$20.00 a person	$800	$800
10 Non-JPS District participants		$40.00 a person	$400	$400
Revenue Total:				**$1,200**

**This program is to promote skill development and basketball at Nixon Park. The league would begin June 23- August 9.*

ARTS AND CRAFTS CAMP	**Expense**	**Total**
(1)Part Time Special Event/Youth Supervisor	$20/50hours	$1,000
(1) Assistant Instructor	$8.50/48 hours	$408
Art Supplies	$500	$500
Expense Total:		$1,908

	Current Fee	Recommended Fee	Revenue	Total
40 JPS District participants		$20.00 a person	$800	$800
10 Non JPS District participants		$40.00 a person	$400	$400
Program Subsidized through the Recreation Millage Fund			$708	$708
Revenue Total:				$1,908

* *Art Camp for grade 1-5 would be held at the Boos Center from July 11-August 17.*

HISTORY, BACKGROUND and DISCUSSION

The department current programs for spring and summer 2016 are programs that have consistently had a good participation level. In additional to our current offerings the department would recommend new special events and youth programs for spring and summer of 2016. Recreation youth programs are provide at a lower fee or free to participants from the Jackson Public School District. The recreation millage was passed for ten years in November 2014 at a higher millage rate of .5 mills and officially started in July 2015.

DISCUSSION OF THE ISSUE

These new programs are based on enrollment and participation in the program and may be subject to change to represent those numbers.

POSITIONS

The Parks, Recreation and Cemeteries Department supports and requests approval of the current and new special events and youth programs for the spring and summer of 2016 that will be paid for through program fees and the recreation millage fund.

ATTACHMENTS