



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

AGENDA - CITY COUNCIL MEETING

August 23, 2016

6:30 p.m.

1. **CALL TO ORDER.**
2. **PLEDGE OF ALLEGIANCE** - Invocation by Andrew R. Frounfelker, 5th Ward City Councilmember.
3. **ROLL CALL.**
4. **ADOPTION OF AGENDA.**
5. **CITIZEN COMMENTS** (3-Minute Limit).
6. **PRESENTATIONS/PROCLAMATIONS.**
7. **PETITIONS & COMMUNICATION (Accept & Place on File).**
 - A. **Board of Review Meeting Minutes.**
Recommendation: Receive and place on file the July 19, 2016, Board of Review meeting minutes.
 - B. **HRC Meeting Minutes.**
Recommendation: Receive and place on file the May 18, 2016, Human Relations Commission meeting minutes.
8. **CONSENT CALENDAR.**
 - A. **Minutes of the Regular Meeting of July 12, 2016:**
Approve the minutes of the regular City Council meeting of July 12, 2016.
 - B. **Minutes of the Special Meeting of July 27, 2016:**
Approve the minutes of the special City Council meeting of July 27, 2016.

- C. Minutes of the Special Meeting of August 9, 2016:**
Approve the minutes of the Special City Council meeting of August 9, 2016.
- D. DDA Resignation:**
Receipt with regret the resignation of Raymond James Stovall (Midtown President) from the Downtown Development Authority.
- E. Human Relations Commission Appointment:**
Mayor's recommendation to appoint Melissa Morse to the Human Relations Commission filling a current vacancy beginning immediately and ending December 31, 2016, in accordance with the Human Relations Commission recommendation.
- F. Human Relations Commission Ex-Officio:**
Receipt and place on file the Human Relations Commission appointment of Hassan Ahmad as ex-officio (non-voting member).
- G. Public Arts Commission Ex-Officio:**
Receipt and place on file the Public Arts Commission appointment of Melissa Morse as ex-officio (voting member), beginning immediately and ending June 22, 2019.
- H. Public Arts Commission Resignation:**
Receipt with regret the resignation of Janet Meyer-Jackman from the Public Arts Commission effective September 1, 2016.
- I. Jackson County Land Bank Authority:**
Approval and confirmation of the Mayor's recommendation to the Jackson County Board of Commissioners the reappointment of City Councilmember Andrew R. Frounfelker, to the Jackson County Land Bank Authority for a four-year term beginning November 1, 2016, and ending October 31, 2020.
- J. Race to Health:**
Approve a request from Henry Ford Allegiance Health to conduct its 31st Annual Race to Health event on Saturday, September 17, 2016, from 6:00 a.m. to 12:00 p.m., near Henry Ford Allegiance Health.
- K. Stomp Out Suicide:**
Approve a request from Jackson County Suicide Prevention Coalition to conduct its Stomp Out Suicide event on Thursday, September 22, 2016, from 7:00 p.m. to 9:00 p.m., at the Michigan Theatre of Jackson, and Horace Blackman Park.

- L. A Walk Through Jackson's Past, A Guided Tour through Mt. Evergreen Cemetery:**
Approve a request from the Jackson District Library to conduct its, A Walk Through Jackson's Past, A Guided Tour Through Mt. Evergreen Cemetery event on Saturday, October 8, 2016, from 3:00 p.m. to 7:00 p.m., at Mt. Evergreen Cemetery.
- M. Public Rosary:**
Approve a request from Queen of the Miraculous Medal Church to conduct its 10th Annual Public Rosary event on Sunday, October 9, 2016, from 12:00 p.m. to 3:00 p.m., at Horace Blackman Park.
- N. Blue Mass:**
Approve a request from St. Mary Star of the Sea Church to conduct its Blue Mass event on Sunday, November 13, 2016, from 9:45 a.m. to 11:30 a.m., at the 100 block of East Wesley.
- O. CDBG and HOME Financial Statements through June 30, 2016:**
Receive the Community Development Block Grant (CDBG) and HOME Financial Summaries through June 30, 2016.

9. PUBLIC HEARINGS.

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

- A. Special Assessment Roll No. 4268, Meterless Parking:**
Public hearing on Special Assessment Roll No. 4268 for Meterless Parking 2016-2017.

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

- B. Alley Vacation Request by Sean Ketchens:**
Public hearing on the request to vacate a portion of the alley between Mansion Street and Prospect Street.
- C. Commercial Rehabilitation Exemption Certificate Application:**
Public hearing to seek input on the requested nine (9) year Commercial Rehabilitation Exemption Certificate for 209 West Louis Glick Highway (Detroit Entrepreneur Development, LLC).

10. OTHER BUSINESS.

- A. Meterless Parking Resolution.**
Recommendation: Resolution confirming Meterless Parking Assessment Roll No 4268.

- B. Resolution - Alley Vacation requested by Sean Ketchens.**
Recommendation: Resolution approving the alley vacation for a portion of the alley between Mansion Street and Prospect Street.
- C. Amendment 1 to the 2015 Parking Lot Engineering Contract.**
Recommendation: Approve Amendment 1 to the contract for 2015 Parking Lot Engineering with Fishbeck, Thompson, Carr & Huber (FTC&H), Novi, at a not-to-exceed cost of \$15,000.00, and authorize the City Manager and City Engineer to sign the contract documents.
- D. Addendum to Parking Permit Purchase Agreement between the City and Detroit Entrepreneur Development, LLC.**
Recommendation: Approve an Addendum to a Parking Permit Purchase Agreement between the City of Jackson and Detroit Entrepreneur, LLC, authorize the City Manager to sign the Addendum, and authorize the City Attorney to make minor modifications and take all other actions necessary to finalize the Addendum.

11. NEW BUSINESS.

- A. Resolution - Accepting a Grant from the MDNR - Trail Construction: New Leaf Park to Park Road.**
Recommendation: Resolution to accept a grant from the Michigan Department of Natural Resources, along with the City of Jackson contribution, for trail construction from the New Leaf Park to Park Road, and authorize the Mayor and City Treasurer/Clerk to execute the appropriate documents.
- B. Resolution - Accepting a Grant from the MDNR - Trail Construction: Martin Luther King Center to Consumers Energy.**
Recommendation: Resolution to accept a grant from the Michigan Department of Natural Resources, along with the City of Jackson contribution, for trail construction from Martin Luther King Center to Consumers Energy, and authorize the Mayor and City Treasurer/Clerk to execute the appropriate documents.
- C. Resolution - Commercial Rehabilitation District Fees.**
Recommendation: Resolution establishing District creation and Tax Abatement Application fees for various tax abatements offered by the City of Jackson.
- D. Resolution - Commercial Rehabilitation Exemption Certificate.**
Recommendation: Resolution for a Commercial Rehabilitation Exemption Certificate Application for Detroit Entrepreneur Development, LLC, located at 209 W. Louis Glick Highway, Jackson, MI.

- E. **Revisions to the AHB Ordinance (First Reading).**
Recommendation: Consider an ordinance amending Chapter 2.5, City Code, to modernize the provisions used to regulate the Administrative Hearings Bureau.

- F. **2016 Pavement Marking Contract.**
Recommendation: Award the 2016 Pavement Marking contract to RS Contracting, Casco, Michigan, at a cost of \$59,944.50, and authorize the Mayor and City Treasurer/Clerk to execute the appropriate document(s) in accordance with the Purchasing Agent.

- G. **Patrol Vehicles - Jackson Police Department.**
Recommendation: Approve the purchase of four patrol utility vehicles through the MiDeal contract in the amount of \$106,700.00 from the Fiscal Year 2016/17 General Fund budget.

- H. **Development Agreement to Rehabilitate 134 Francis Street & Its Associated Properties.**
Recommendation: Authorize signing the Development Agreement (i.e., appeal by the applicant) to rehabilitate 134 Francis Street and its associated properties to avoid demolition as upheld by the Building Code Board of Examiners and Appeals on April 28, 2016.

- 12. **EXECUTIVE SESSION to discuss collective bargaining.**
- 13. **RETURN TO OPEN SESSION.**
- 14. **CITY COUNCILMEMBERS' COMMENTS.**
- 15. **MANAGER'S COMMENTS.**
- 16. **ADJOURNMENT.**

CITY OF JACKSON
2016 JULY BOARD OF REVIEW
MINUTES OF THE MEETING
HELD JULY 19, 2016

BOARD OF REVIEW MEMBERS: Chairman: Ken Stapleton
 Vice-Chairman: Barbara Dwyer
 Member: Russel P. Decker, Jr

Meeting called to order at 9:30 a.m.; present: Ken Stapleton, Barbara Dwyer, and Russel P. Decker, Jr. Motion by BARBARA DWYER. Seconded by RUSSEL DECKER.

Also present: Jason Yoakam, Assistant City Assessor

Public comments: None

The Board reviewed the attached Petitions and Parcel List presented for consideration.

Motion by KEN STAPELTON, supported by BARBARA DWYER, to approve the recommendations of the Assessor as discussed. Motion carried _____.

Motion by KEN STAPELTON, supported by BARBARA DWYER, to adjourn at 10:36 a.m. Motion carried.

K Stapleton
Ken Stapleton, Chairman

Barbara Dwyer
Barbara Dwyer, Vice-Chairman

Russel P Decker Jr
Russel P. Decker, Jr., Member

JULY 19, 2016
BOARD OF REVIEW
MINUTES - LIST OF PARCELS

<u>Petition #</u>	<u>Parcel #</u>	<u>Prop Address</u>	<u>Hmstd Fr</u>	<u>Hmstd To</u>	<u>Hmstd Yr</u>	<u>TV From</u>	<u>TV To</u>	<u>TV Year</u>	<u>Owner Name</u>	<u>Owner Address</u>	<u>City</u>	<u>ST</u>	<u>Zip</u>
<u>1</u>	1-043300000	405 W NORTH ST	0%	100%	2016				STEINMILLER PAUL E	405 W NORTH ST	JACKSON	MI	49202
			CORRECTING 2016 FROM 0% TO 100%										
<u>2</u>	1-050200000	408 W NORTH ST	0%	100%	2016				RAMEY GREGORY R	408 W NORTH ST	JACKSON	MI	49202
			CORRECTING 2016 FROM 0% TO 100% - CLERICAL ERROR										
<u>3</u>	2-103400000	521 W TRAIL ST	0%	100%	2016				JOHNSON SOFIA	521 W TRAIL ST	JACKSON	MI	49201
			CORRECTING 2016 FROM 0% TO 100%										
<u>4</u>	2-203300000	1020 LANSING AVE	0%	100%	2016				DAY ANDREA B	1020 LANSING AVE	JACKSON	MI	49202
			CORRECTING 2016 FROM 0% TO 100%										
<u>5</u>	2-225400000	510 W MONROE ST	0%	100%	2016				BROCK CHARLENE E	510 W MONROE ST	JACKSON	MI	49202
			CORRECTING 2016 FROM 0% TO 100%										
<u>6</u>	3-0249.1800	715 W MICHIGAN AVE #307	0%	100%	2016				WALTERS RYAN	715 W MICHIGAN AVE #307	JACKSON	MI	49201
			CORRECTING 2016 FROM 0% TO 100%										
<u>7</u>	3-093600000	1512 CARLTON BLVD	0%	100%	2016				BABCOCK IRIS C	1512 CARLTON BLVD	JACKSON	MI	49203
			CORRECTION OF PRINCIPAL RESIDENCE EXEMPTION DENIED. 2016 ALREADY HAS EXEMPTION FROM PRIOR OWNER.										
<u>8</u>	3-174600000	764 GLENWOOD AVE	0%	100%	2016				BRITTON NATALIE A	764 GLENWOOD AVE	JACKSON	MI	49203
			CORRECTING 2016 FROM 0% TO 100%										
<u>9</u>	4-0071.0100	109 W WASHINGTON AVE #1	0%	100%	2016				GILLETTE KRISTIN	109 W WASHINGTON AVE #1	JACKSON	MI	49201
			CORRECTING 2016 FROM 0% TO 100%										
<u>10</u>	4-187700000	206 W PROSPECT ST	0%	100%	2016				ORTEGA JORGE & MARTIN CHRISTIAN	206 W PROSPECT ST	JACKSON	MI	49203
			CORRECTING 2016 FROM 0% TO 100%										
<u>11</u>	4-187800000	202 W PROSPECT ST	0%	100%	2016				ORTEGA JORGE & MARTIN CHRISTIAN	206 W PROSPECT ST	JACKSON	MI	49203
			CORRECTING 2016 FROM 0% TO 100%										
<u>12</u>	5-177700000	V/L E EUCLID AVE	0%	100%	2016				SIMS LULA M	224 E EUCLID AVE	JACKSON	MI	49203
			CORRECTING 2016 FROM 0% TO 100%										
<u>13</u>	5-177800000	224 E EUCLID AVE	0%	100%	2016				SIMS LULA M	224 E EUCLID AVE	JACKSON	MI	49203
			CORRECTING 2016 FROM 0% TO 100%										
<u>14</u>	6-146200000	1018 PAGE AVE	0%	100%	2016				BALTIMORE LARRY W & DIANNE ETAL	1018 PAGE AVE	JACKSON	MI	49203
			CORRECTING 2016 FROM 0% TO 100%										
<u>15</u>	6-168000000	1411 LOCUST	0%	100%	2016				DRAPER DANNY C ETAL	1411 LOCUST ST	JACKSON	MI	49203
			CORRECTING 2016 FROM 0% TO 100%										
<u>16</u>	7-060500000	611 N FRANCIS	0%	100%	2016				SWIONTEK ADAM C	611 N FRANCIS ST	JACKSON	MI	49201
			CORRECTING 2016 FROM 0% TO 100%										

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MINUTES - LIST OF PARCELS

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<u>17</u>	7-128000000	2209 E GANSON ST	0%	100%	2016				HAGER LAWRENCE A ETAL	2209 E GANSON ST	JACKSON	MI	49202
			CORRECTING 2016 FROM 0% TO 100%										
<u>18</u>	8-003700000	237 N FORBES ST	0%	100%	2016				HOLLINGSHEAD RYAN W	237 N FORBES ST	JACKSON	MI	49202
			CORRECTING 2016 FROM 0% TO 100%										
<u>19</u>	8-068800000	1408 E GANSON ST	0%	100%	2016				GRAVES RANDALL R	1408 E GANSON ST	JACKSON	MI	49202
			CORRECTING 2016 FROM 0% TO 100% - CLERICAL ERROR										
<u>20</u>	8-14820000	629 N WATERLOO AVE	0%	100%	2016				PUCKETT TODD	629 N WATERLOO AVE	JACKSON	MI	49202
			CORRECTING 2016 FROM 0% TO 100%										
<u>21</u>	8-197200000	V/L E PORTER ST	0%	100%	2016				MENARY EARL L & DAWNEY F	224 E PORTER ST	JACKSON	MI	49202
			CORRECTING 2016 FROM 0% TO 100%										
<u>22</u>	8-197100000	224 E PORTER ST	0%	100%	2016				MENARY EARL L & DAWNEY F	224 E PORTER ST	JACKSON	MI	49202
			CORRECTING 2016 FROM 0% TO 100%										
<u>23</u>	3-244000000	1705 3RD ST	0%	100%	2015-2016				BROWN DENISE	1705 3RD ST	JACKSON	MI	49203
			CORRECTING 2015 AND 2016 FROM 0% TO 100%										
<u>24</u>	7-129800000	111 N FORBES ST	0%	100%	2013-2016				RICHARDSON SAM W II	111 N FORBES ST	JACKSON	MI	49202
			CORRECTING 2013, 2014, 2015, AND 2016 FROM 0% TO 100%										
<u>25</u>	8-014300000	315 N DWIGHT ST	0%	100%	2013-2016				CARROLL JOSEPH T	315 N DWIGHTS ST	JACKSON	MI	49202
			CORRECTING 2013, 2014, 2015, AND 2016 FROM 0% TO 100%										
<u>26</u>	2-146300000	812 FOOTE ST.	0%	100%	2015				AVILA TOMAS B	812 FOOTE ST.	JACKSON	MI	49202
			CORRECTING 2015 FROM 0% TO 100%										
<u>27</u>	3-169600000	764 UNION ST	0%	100%	2015				FEAHR JEFFREY	764 UNION ST	JACKSON	MI	49203
			CORRECTING 2015 FROM 0% TO 100%										
<u>28</u>	4-0071.1100	109 W WASHINGTON AVE	0%	100%	2015				GERRISH ANDREW C	109 W WASHINGTON AVE #109	JACKSON	MI	49201
			CORRECTING 2015 FROM 0% TO 100%										
<u>29</u>	4-082500000	1110 CHITTOCK AVE	0%	100%	2015				BACON HERBERT LE	1110 CHITTOCK AVE	JACKSON	MI	49203
			CORRECTING 2015 FROM 0% TO 100%										
<u>30</u>	4-155300000	1415 WILLIAMS ST	0%	100%	2015				RIMER LORI & JERRY	1415 WILLIAMS ST	JACKSON	MI	49203
			CORRECTING 2015 FROM 0% TO 100%										
<u>31</u>	8-088800000	807 FLEMING AVE	0%	100%	2015				CRAFT THOMAS	807 FLEMING AVE	JACKSON	MI	49202
			CORRECTING 2015 FROM 0% TO 100%										
<u>32</u>	8-218500000	409 E ARGYLE ST	0%	100%	2015				TOUSLEY MORGAN R	409 E ARGYLE ST	JACKSON	MI	49202
			CORRECTING 2015 FROM 0% TO 100%										

JULY 19, 2016
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MINUTES - LIST OF PARCELS

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<u>33</u>	1-046500000	917 N BLACKSTONE ST.	0%	100%	2014-2015				HOLLAND CARTER L & CRYSTAL L	917 N BLACKSTONE ST.	JACKSON	MI	49202
			CORRECTING 2014 AND 2015 FROM 0% TO 100%										
<u>34</u>	7-034100000	355 COOPER ST	0%	100%	2014-2015				CHILDS SHEILA M	355 COOPER ST	JACKSON	MI	49201
			CORRECTING 2014 AND 2015 FROM 0% TO 100%										
<u>35</u>	2-0123.2300	806 W MICHIGAN AVE #307E	0%	100%	2013-2015				BREWER REGINA	806 W MICHIGAN AVE #307E	JACKSON	MI	49202
			CORRECTING 2013, 2014 AND 2015 FROM 0% TO 100%										
<u>36</u>	3-197100000	908 SECOND ST	0%	100%	2013-2015				TREICHEL CHET	908 SECOND ST	JACKSON	MI	49203
			CORRECTING 2013, 2014 AND 2015 FROM 0% TO 100%										
<u>37</u>	4-032000000	324 W FRANKLIN ST	0%	100%	2013-2015				BONNER GARY L & JOANIE	324 W FRANKLIN ST	JACKSON	MI	49201
			CORRECTING 2013, 2014 AND 2015 FROM 0% TO 100%										
<u>38</u>	4-066400000	1021 S JACKSON ST	0%	100%	2013-2015				CUNNINGHAM TERRY	1021 S JACKSON ST	JACKSON	MI	49203
			CORRECTING 2013, 2014, and 2015 FROM 0% TO 100%										
<u>39</u>	4-083100000	1206 CHITTOCK AVE	0%	100%	2013-2015				TAYLOR ROBERT D	1206 CHITTOCK AVE	JACKSON	MI	49203
			CORRECTING 2013, 2014 AND 2015 FROM 0% TO 100%										
<u>40</u>	4-146000000	267 DOUGLAS ST.	0%	100%	2013-2015				HOWARD HILARY	267 DOUGLAS ST	JACKSON	MI	49203
			CORRECTING 2013, 2014 AND 2015 FROM 0% TO 100%										
<u>41</u>	7-066300000	514 N PARK ST	0%	100%	2013-2015				DELOS SANTOS IRMA ETAL	514 N PARK AVE	JACKSON	MI	49201
			CORRECTING 2013, 2014 AND 2015 FROM 0% TO 100%										
<u>42</u>	3-291800000	739 WOODFIELD DR	0%	100%	2014-2015				TYLUTKI JAMES	739 WOODFIELD DR	JACKSON	MI	49203
			CORRECTING 2014 AND 2015 FROM 0% TO 100%										
<u>43</u>	2-220000000	515 ST CLAIR AVE				\$ 20,278	\$ 8,111	2016	OHM DEBRA L	515 ST CLAIR AVE	JACKSON	MI	49202
			PARTIAL POVERTY EXEMPTION APPROVED. 2016 TV REDUCED FROM \$20,278 TO \$8,111										
<u>44</u>	5-077900000	311 MITCHELL ST				\$ 10,030	\$ 9,045	2016	MILAM WILL	311 MITCHELL ST	JACKSON	MI	49203
			PARTIAL POVERTY EXEMPTION APPROVED. 2016 TV REDUCED FROM \$10,030 TO \$9,045										
<u>45</u>	5-207300000	336 E PROSPECT ST				\$ 13,089	\$ 13,089	2016	CROSS THEO	336 E PROSPECT ST	JACKSON	MI	49203
			POVERTY EXEMPTION DENIED. DID NOT OWN PROPERTY ON TAX DAY.										
<u>46</u>	6-042400000	212 SUMMIT AVE				\$ 13,145	\$ 9,201	2016	JENKINS ELIJAH	212 SUMMIT AVE	JACKSON	MI	49201
			PARTIAL POVERTY EXEMPTION APPROVED. 2016 TV REDUCED FROM \$13,145 TO \$9,201.										
<u>47</u>	6-124300000	1708 PRINGLE AVE				\$ 22,366	\$ 11,183	2016	DE-BUS JOANNE M	1708 PRINGLE AVE	JACKSON	MI	49203
			PARTIAL POVERTY EXEMPTION APPROVED. 2016 TV REDUCED FROM \$22,366 TO \$11,183										
<u>48</u>	7-027800000	405 BURR ST				\$ 7,422	\$ 7,422	2016	HARKNESS MARILYN ETAL	405 BURR ST	JACKSON	MI	49201
			POVERTY EXEMPTION DENIED. EXCEEDS FEDERAL INCOME GUIDELINES										

JULY 19, 2016
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MINUTES - LIST OF PARCELS

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<u>49</u>	7-034100000	355 COOPER ST				\$ 9,650	\$ 6,755	2016	CHILDS SHEILA M	355 COOPER ST	JACKSON	MI	49201
									PARTIAL POVERTY EXEMPTION APPROVED. 2016 TV REDUCED FROM \$9,650 TO \$6,755				
<u>50</u>	7-103700000	305 N ELM AVE				\$ 13,976	\$ 13,976	2016	MITCHELL ROBERT J ETAL	305 N ELM AVE	JACKSON	MI	49202
									POVERTY EXEMPTION DENIED. EXCEEDS FEDERAL INCOME GUIDELINES				
<u>51</u>	2-145800000	822 FOOTE ST				\$ 17,384	\$ 22,200	2016	SWEET HOME PROPERTIES LLC	203 MELROSE AVE	ADRIAN	MI	49221
									CLERICAL ERROR - CORRECTING 2016 TV FROM \$17,384 TO \$22,200. UNCAP.				
<u>52</u>	2-204200000	508 ADAMS ST				\$ 20,380	\$ 25,150	2016	SWEET HOME PROPERTIES LLC	203 MELROSE AVE	ADRIAN	MI	49221
									CLERICAL ERROR - CORRECTING 2016 TV FROM \$20,380 TO \$25,150. UNCAP.				
<u>53</u>	2-209300000	637 MADISON ST				\$ 22,723	\$ 27,350	2016	SWEET HOME PROPERTIES LLC	203 MELROSE AVE	ADRIAN	MI	49221
									CLERICAL ERROR - CORRECTING 2016 TV FROM \$22,723 TO \$27,350. UNCAP.				
<u>54</u>	4-0738.B000	713 S JACKSON ST				\$ 96.61	\$ -	2015	STEVENS ROBERT J & MARYLOU	711 S JACKSON ST	JACKSON	MI	49203
									CLERICAL ERROR - CORRECTING 2015 DELINQUENT WATER BILL FROM \$96.61 TO \$0.				
<u>55</u>	4-143600000	1408 S JACKSON ST				\$ 66.93	\$ -	2015	JACKSON COUNTY TREASURER	120 W MICHIGAN AVE	JACKSON	MI	49201
									CLERICAL ERROR - CORRECTING 2015 DELINQUENT WATER BILL FROM \$66.93 TO \$0.				
<u>56</u>	5-207000000	337 E PROSPECT ST				\$ 13,991	\$ 15,150	2016	HAMPTON RENTALS LLC	1229 MAPLE AVE	JACKSON	MI	49203
									CLERICAL ERROR - CORRECTING 2016 TV FROM \$13,991 TO \$15,150. UNCAP.				
<u>57</u>	8-122800000	1224 SEYMOUR AVE				\$ 25,200	\$ 21,120	2016	HENRY SCOTT L	1224 SEYMOUR AVE	JACKSON	MI	49202
									CLERICAL ERROR - CORRECTING 2016 TV FROM \$25,200 TO \$21,120. RECAP.				
<u>58</u>	8-147500000	620 N EAST AVE				\$ 37,982	\$ 38,800	2016	SHAUGHNESSY ANTHONY L & KIERAN	620 N EAST AVE	JACKSON	MI	49202
									CLERICAL ERROR - CORRECTING 2016 TV FROM \$37,982 TO \$38,800. UNCAP.				
<u>59</u>	8-147800000	624 N EAST AVE				\$ 27,332	\$ 29,950	2016	OLIVER DOROTHY D	624 N EAST AVE	JACKSON	MI	49202
									CLERICAL ERROR - CORRECTING 2016 TV FROM \$27,332 TO \$29,950. UNCAP.				
<u>60</u>	8-148200000	629 N WATERLOO AVE				\$ 28,850	\$ 25,986	2016	PUCKETT TODD	629 N WATERLOO AVE	JACKSON	MI	49202
									CLERICAL ERROR - CORRECTING 2016 TV FROM \$28,850 TO \$25,986. RECAP.				
<u>61</u>	8-248800000	1010 COOPER ST				\$ 23,150	\$ 21,539	2016	HOPE KATHERINE J ETAL	1010 COOPER ST	JACKSON	MI	49202
									CLERICAL ERROR - CORRECTING 2016 TV FROM \$23,150 TO \$21,539, RECAP 50%.				
<u>62</u>	P-0314IFT00	1 V				\$ 975,000	\$ -	2016	JACKSON IRON & METAL CO INC	7575 W JEFFERSON BLVD	FT WAYNE	IN	46804
									CORRECTING 2016 AV/TV FROM \$975,000 TO \$0				
<u>63</u>	P-254690000	1 V				\$ 1,907,300	\$ 2,882,500	2016	JACKSON IRON & METAL CO INC	7575 W JEFFERSON BLVD	FT WAYNE	IN	46804
									CORRECTING 2016 AV/TV FROM \$1,907,300 TO \$2,882,500				
<u>64</u>	P-261750000	1 V				\$ -	\$ 177,400	2015	MODERN MACHINE & TOOL	2005 LOSEY AVE	JACKSON	MI	49203
									CORRECTING 2015 AV/TV FROM \$0 TO \$177,400				

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BOARD OF REVIEW
MINUTES - LIST OF PARCELS

<u>Petition #</u>	<u>Parcel #</u>	<u>Prop Address</u>	<u>Hmstd Fr</u>	<u>Hmstd To</u>	<u>Hmstd Yr</u>	<u>TV From</u>	<u>TV To</u>	<u>TV Year</u>	<u>Owner Name</u>	<u>Owner Address</u>	<u>City</u>	<u>ST</u>	<u>Zip</u>
<u>65</u>	P-262180000	1 V							J & J INDUSTRIES INC	260 W EUCLID AVE	JACKSON	MI	49203
									CORRECTING FROM DDA TO NOT DDA - MOVED OUT OF DISTRICT				
<u>66</u>	P-290510000	VARIOUS				\$ 6,800	\$ -	2016	OPTOS NORTH AMERICA	P.O. BOX 802206	DALLAS	TX	75380
									CORRECTING 2016 AV/TV FROM \$6,800 TO \$0 - OUT OF CITY				
<u>67</u>	8-0974.A000	942 ALLEN RD				\$ 20,706	\$ 16,902	2016	MCDANIELS RANDY ETAL	942 ALLEN RD	JACKSON	MI	49202
						\$ 20,645	\$ 16,858	2015					
									CORRECTED AREA OF HOUSE FROM 1,500 SF TO 1,110. CORRECTED TAXABLE VALUE AND ASSESSED VALUE FOR 2015 AND 2016.				
<u>68</u>	P-292810000	309 E WASHINGTON AVE				\$ -	\$ 4,800	2016	HCL AMERICA SOLUTIONS INC	P.O. BOX 60577	FT MYERS	FL	33906
									CORRECTING 2016 AV/TV FROM \$0 TO \$4,800				
<u>69</u>	6-042400000	212 SUMMIT AVE	0%	100%	2016				JENKINS ELLIAH	212 SUMMIT AVE	JACKSON	MI	49201
									CORRECTING 2016 FROM 0% TO 100%				
<u>70</u>	4-136300000	256 RANDOLPH ST	0%	100%	2016				WILLIAMS DEANNA L	256 RANDOLPH ST	JACKSON	MI	49203
									CORRECTING 2016 FROM 0% TO 100%				

Human Relations Commission
Meeting Minutes
May 18, 2016

Members Present: Alice Lewis, Rev. John Clemons, Parrish Stahl, Jessica Embury, and Sue Mure.

Members Absent: Lynn Isaacscon-Zolman, John Hawthorne (exc.), and Simon Foster.

Ex Officio Present: Valerie Cochran-Toops.

Also Present: Jonathan Greene, Staff, John Willis, Staff, and Lt. Adam Williams.

- I. **Call to Order:** By Chair Alice Lewis at 6:30 p.m.
- II. **Roll Call**
- III. **Adoption of Agenda:** Motion to adopt the Agenda made by Jessica Embury, supported by John Clemons. Motion carried.
- IV. **Citizen Comments:** None.
- V. **Guest:** None.
- VI. **Approval of Minutes for April 20, 2016 Meeting:** Motion made by Parrish Stahl to accept the April 20, 2016, meeting minutes as submitted, supported by Sue Mure, and motion carried.
- VII. **Community Liaison Police Officer:** Lt. Williams updated the Commission on events the Police Department has been involved in the past month. The Citizen's Police Academy is about done. There are a couple more weeks left. He has received some positive feedback from participants and graduation is in June. JPD is in the process of hiring two new police officers. Deputy Chief Hitt has been in contact with the Southeastern Dispute Resolution Services, and the patrol officers have been in training to learn what services they offer. Discussion followed regarding complaints about the County Jail and how to get them addressed. The HRC complaint process was also discussed. Valerie asked if Jackson is a "Sanctuary City?" Lt. Williams stated that he did not know.
- VIII. **Community Update/Chairperson's Correspondence:** Chair Lewis said that she had no report.
- IX. **Staff Report:** No Staff report.

Financial report: No change.

X. **Ex-Officio Report:** Valerie Cochran-Toops reported that she participated in a fund raiser at First Congregational Church, the homeless veteran's walk, and she has received concerns from citizens about rental rates going up and eviction rates. Parrish Stahl stated that if the rental rates are through government funding, then people should be referred to the Fair Housing Center, Legal Aid and Community Action Agency.

XI. **Committee Reports:**

A. Complaint Committee: No report.

B. Public Relations: Parrish Stahl reported on what is included in the new Newsletter. He encouraged commissioners to submit a profile to be included in the newsletter monthly. He further reported that there is still no handicapped parking downtown, even after this being discussed with City staff. He reported that the DisAbility Connections is getting daily complaints about no handicapped parking in the downtown area, and expressed his concern. John Willis stated that he will look into this, and give a report at the next meeting. He also has two people focus articles: a feature piece on Vice Mayor Derek Dobies, and a highlight on former radio personality Cash McCall. He would like to cover the upcoming HRC picnic. Parrish would also like to do a profile on each HRC Commissioner starting with Alice Lewis. Once this article is completed the newsletter will be ready to go to print.

He also offered to bring a camera to the next HRC meeting to take individual pictures of HRC Commissioners for the City's website. Jessica Embury stated that she would send in a headshot photo.

C. Policy Report to be discussed under Old Business per John Clemons.

D. Nominating Committee: The Commission agreed to move forward with interviews. Chair Lewis assigned John Clemons as chair of the Nominating Committee until Simon Foster indicates what his intentions are regarding serving on the HRC.

E. Events Committee: Jessica Embury gave a report on the KidsFest. She asked for help with candy and games. John Willis offered to help with the games. Jonathan Greene reported that the application for KidsFest needs to be approved by the City Council due to some insurance issues. Jonathan will order a trifold presentation display to be used at this event.

1. Picnic Committee: Chair Lewis reported that she plans to have a committee meeting to plan the picnic soon. The date of the picnic is July 9, 2016. John Willis will reserve the ramada at Ella Sharp Park for the picnic.

F. Emergency Needs Coalition: Jessica Embury distributed and reviewed a report on assistance available in the community. Also, there is an event on June 15th at Sand Hill Crane Vineyards from 5:30 p.m. – 7:30 p.m. An RSVP is needed.

XII. **Old Business:**

A. Study Groups, Policy/Procedures, By-laws Discussion:

John Clemons clarified the complaint process for the HRC, and how the process came about. John expressed concern about not hearing about any complaints in the past two years. Staff and Chair Lewis explained that many complaints get dealt with on the telephone, and resolved before becoming an official HRC Complaint. Discussion followed regarding the need to let the public know that the HRC is available to receive complaints from citizens to mediate. John offered to write an article for the HRC newsletter and for Blazer. Chair Lewis asked that the article be submitted to the City's newsletter as well.

XIII. **New Business:**

Chair Lewis reported that she wants to keep the HRC meeting's moving so that they don't last until 8:00 p.m. Therefore, she will try to shorten the agenda. She also reported that after reviewing the HRC funds, staff advised that it would be best if the HRC not do a full page ad for \$250.00 as planned at the last HRC meeting for the Gospel Rhythm and Soul Family Festival. She said that a smaller ad may be purchased for a lesser amount. The HRC will sponsor a table at the MLK Breakfast because this is function the HRC is a partner with the Chamber of Commerce. The HRC will also work with the Harold White Breakfast, which honors the hero's of Jackson; the Teressa Delph Essay and Oratorical Contest, which is educational, and the HRC Picnic. Jessica Embury asked if someone attended the MLK Breakfast/Challenge Day committee meeting.

John Willis also encouraged the Commissioners to do more e-mailing and interacting with each other prior to the HRC meeting, so that everyone is informed and up-to-date before attending an HRC meeting as a way to expedite the HRC meetings. This way the meetings will be mostly to take any action needed on agenda items.

Respectfully submitted,

Suzanne Mure
Secretary



CITY COUNCIL MEETING MINUTES

July 12, 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. Invocation was given by Reverend Kerry Taylor-Snyder, First Congregational Church, UCC.

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 Treasurer/Clerk Andrew J. Wrozek, Jr., City Assessor David Taylor, Director of Police and Fire Matthew Heins, Director of Neighborhood and Economic Operations Jennifer Morris, and Assistant City Manager/Operations Jonathan Greene.

Current Events Update: Director of Police and Fire Matthew Heins took a few moments to give a report on current events in the community.

ADOPTION OF AGENDA:

Motion was made by Councilmember Dobies, seconded by Councilmember Greer to adopt the Agenda. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried. Agenda was adopted.

CITIZEN COMMENTS:

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

PRESENTATIONS/PROCLAMATIONS: none.

PETITIONS & COMMUNICATION:

Motion by Dobies and Greer to accept and place on file a letter received by Mr. Tulloch. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

CONSENT CALENDAR:

- A. Minutes of the Regular Meeting of June 28, 2016:**
Approve the minutes of the regular City Council meeting of June 28, 2016.
- B. Civil Service Commission Reappointment:**
Mayor's recommendation to reappoint Alice J. Lewis to the Civil Service Commission for a three year term beginning September 1, 2016, and ending August 31, 2019.
- C. Public Arts Commission Appointment (Commissioner):**
Mayor's recommendation to appoint Brenda C. Pilgrim to serve as a Commissioner on the Public Arts Commission for a three year term beginning immediately, and ending May 28, 2019. (In accordance with the Public Arts Commission recommendation.)
- D. Public Arts Commission Appointment (Statutory Ex-Officio):**
Mayor's recommendation to appoint Katherine A. Gigliotti to represent Ella Sharp Museum of Art and History, to serve as an Ex-Officio, filling a current vacancy, beginning immediately and ending May 28, 2018.
- E. Removal of Jeannette Woodard from City Boards and Commissions:**
Mayor's recommendation to remove Jeannette Woodard from the Downtown Development Authority and the Historic District Commission in accordance with City Code, Chapter 2, Section 2-261.
- F. Charity Car Show:**
Approve a request from Nautique LLC/McThirsty's Pub to conduct its Annual Charity Car Show event on Saturday, August 6, 2016, from 11:00 a.m. to 4:00 p.m. at North Horton St., between Ganson St. and Leroy St.
- G. Juvenile Diabetes Research Foundation - JDRF One Walk:**
Approve a request from Juvenile Diabetes Research Foundation to conduct its 18th Annual JDRF One Walk event on Saturday, September 10,

2016, from 10:00 a.m. to 12:00 p.m., at Ella Sharp Park, near the playground.

H. Jackson Family Fall Festival:

Approve a request from St. John Elementary School to conduct its 13th Annual Family Fall Festival event on Friday, September 16; Saturday, September 17, and Sunday, September 18, 2016, at St. John's school grounds, and fireworks at Nixon Park.

I. Amazing Race Jackson:

Approve a request from Think Jackson, LLC, to conduct its 3rd Annual Amazing Race Jackson event on Saturday, August 13, 2016, from 7:00 a.m. to 10:00 p.m., at Riverwalk Amphitheatre, One Energy Plaza.

Motion was made by Councilmember Dobies, seconded by Councilmember Greer to approve the Consent Calendar. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

PUBLIC HEARINGS:

Mayor Jors closed the regular City Council Meeting and opened the Public Hearing on Item A for comments.

A. Public Hearing - 2016 Edward Byrne Memorial Justice Assistance Grant (JAG) Program:

Public hearing regarding the use of approximately \$24,899.00 in FY 2016-2017 JAG funds by the City for the purchase of a new canine and necessary associated equipment.

No comments were presented. The Public hearing was closed for Item A and opened for Item B.

B. Meterless Parking System:

Public hearing on the necessity of continuing the meterless parking system in the downtown area for the City for Fiscal Year 2016-17.

No comments were presented. The Public Hearing was closed for Item B and opened for Item C.

C. Obsolete Property Rehabilitation Act (OPRA) District:

Public hearing regarding the creation of an Obsolete Property Rehabilitation Act (OPRA) District in an area with the boundaries of Louis Glick Highway to the north and W. Washington Avenue to the south.

Peter Bormuth spoke in favor. The Public Hearing was closed and the meeting resumed.

OTHER BUSINESS:

A. Ordinance No. 2016-16 - Chapter 18 (Second/Final Reading).

Recommendation: Final adoption of Ordinance No. 2016-16, amending Chapter 18, City Code, to eliminate language no longer applicable for the health, safety, and welfare of the citizens of the City of Jackson, Michigan.

Motion was made by Councilmember Dobies, seconded by Councilmember Greer to adopt the ordinance. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

B. Ordinance No. 496 - 2016-17 Non-Union Pay Scale (Second/Final Reading).

Recommendation: Final adoption of Ordinance No. 496, establishing compensation rates for non-union administrative and supervisory employees of the City of Jackson.

Motion was made by Councilmember Greer, seconded by Councilmember Dobies to adopt the ordinance. Votes - Yeas: Mayor Jors, Councilmembers Dancy, Greer, Pappin, Frounfelker, and Dobies (6). Nays: Councilmember Robinson (1). Motion carried.

C. 2016 Edward Byrne Memorial Justice Assistance Grant (JAG) Program.

Recommendation: Approve a Memorandum of Understanding for the 2016 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, and authorize the City Manager to sign the appropriate document.

Motion was made by Councilmember Dobies, seconded by Councilmember Dancy to approve. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

D. Corrective Resolutions for Special Assessment Roll Nos. 4235, 4239, 4260 and 4267.

Recommendation: Consider the following Corrective Resolutions for: Special Assessment Roll No. 4235, Delinquent Miscellaneous CDBG Fund; Special Assessment Roll No. 4239, Delinquent Miscellaneous Code Enforcement Fund; Special Assessment Roll No. 4260, Delinquent Miscellaneous Code Enforcement Fund, and Special Assessment Roll No. 4267, Delinquent Miscellaneous Public Works Fund.

Motion was made by Councilmember Dobies, seconded by Councilmember Frounfelker to approve the resolutions. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

E. Meterless Parking System.

Recommendation: Consider a resolution determining the necessity of continuing the meterless parking system, ordering the City Assessor to prepare Special Assessment Roll No. 4268, and establishing August 23, 2016, at the City Council meeting as the time and place to hold a public hearing confirming the meterless parking system assessment roll.

Motion was made by Councilmember Greer, seconded by Councilmember Dobies to approve the resolution. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

F. High Service Pumping Station Engineering Professional Services Agreement.

Recommendation: Amend the Professional Services Agreement with Hubbell, Roth and Clark (HRC) for an additional \$35,170.00, increasing the total engineering cost from \$136,330.00 to \$171,500.00 for added design work on the Water Treatment Plant high service pumping station.

Motion was made by Councilmember Greer, seconded by Councilmember Dobies to approve the agreement. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

G. Amendment 4 - 2014 Major Street Design and Engineering Contract.

Recommendation: Approve Amendment 4 to the contract for 2014 Major Street Design and Engineering with Hubbell, Roth & Clark, Inc. (HRC), Bloomfield Hills, at a not-to-exceed cost of \$87,000.00, and authorize the City Manager and City Engineer to sign the contract documents.

Motion was made by Councilmember Greer, seconded by Councilmember Dobies to approve the amendment. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

NEW BUSINESS:

A. Resolution Creating an Obsolete Property Rehabilitation Act (OPRA) District.

Recommendation: Approve a resolution creating an Obsolete Property Rehabilitation Act (OPRA) District in an area with the boundaries of Louis Glick Highway to the north and W. Washington Avenue to the south.

Motion was made by Councilmember Frounfelker, seconded by Councilmember Dobies to approve the resolution. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

B. Ordinance - Repealing Section 14.91, and Portions of Section 14.42.1 (First Second Reading).

Recommendation: Consider an ordinance amending Chapter 14, Sections 14-9.1 and 14-42.1, City Code, to eliminate the optional three year non-owner occupied residential property registration and inspection cycle.

Motion was made by Councilmember Greer, seconded by Councilmember Dobies to renew for consideration. Votes - Yeas: Mayor Jors, Councilmembers, Greer, Frounfelker, and Dobies (4). Nays: Councilmember Robinson, Dancy, Pappin. (3). Motion carried. Motion for final adoption of the ordinance **(2016-14)** by Councilmember Greer, seconded by Councilmember Dobies. Votes - Yeas: Mayor Jors, Councilmembers, Greer, Pappin, Frounfelker, and Dobies (5). Nays: Councilmembers Robinson and Dancy. (2). Motion carried.

C. MML Annual Convention - Voting Delegate.

Recommendation: Nominate and elect Mayor Bill Jors to serve as the voting delegate, and Vice Mayor Derek Dobies to serve as the alternate voting delegate to represent the City at the Annual Michigan Municipal League Convention to be held on Mackinac Island, from September 14 -16, 2016.

Motion was made by Councilmember Greer, seconded by Councilmember Pappin to approve. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

D. Jackson Public Arts Commission Public Arts Panels Project.

Recommendation: Consider a request from the Jackson Public Arts Commission to use nine (9) vacant lots within the City limits to install Public Arts Panels.

Motion was made by Councilmember Frounfelker, seconded by Councilmember Dobies to approve. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

E. Lease-Purchase of 2017 Ford F-550 Bucket Truck.

Recommendation: Approve the lease-purchase of a new 2017 Ford F-550 bucket truck from Cannon Truck Equipment, Shelby Township, through the State of Michigan MiDeal purchasing contract #071B2200263 for a proposed lease period of four (4) annual payments of \$30,417.00 per year.

Motion was made by Councilmember Frounfelker, seconded by Councilmember Dobies to approve. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

F. Wastewater Treatment Rate Study Professional Services Agreement.

Recommendation: Approve a Professional Services Agreement with Burton and Associates, to conduct a rate study and design a rate structure to recover wastewater treatment costs in accordance with service agreements between the City of Jackson and the Township customer communities serviced by the City's Wastewater Treatment Plant.

Motion was made by Councilmember Greer, seconded by Councilmember Pappin to approve. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

G. 2016 Downtown Streets and Parking Lot Rehabilitation Project.

Recommendation: Approve an award for the 2016 Downtown Streets and Parking Lot Rehabilitation project to Bailey Excavating, at a cost of \$1,648,650.96, and authorize the Mayor and City Treasurer/Clerk to execute the appropriate document(s) in accordance with the Purchasing Agent.

Motion was made by Councilmember Greer, seconded by Councilmember Pappin to approve. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

H. Jackson Area Association of Realtors, Inc., Purchase Agreement.

Recommendation: Approve the Purchase Agreement with the Jackson Area Association of Realtors, Inc., for 124 W. Mason, 126 W. Mason, and 127 W. Franklin Street, authorize the City Manager to sign the Agreement, and authorize the City Manager and City Attorney to make minor modifications to the Agreement if needed.

Motion was made by Councilmember Greer, seconded by Councilmember Dobies to approve. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

I. Jackson Area Association of Realtors, Inc., Development Agreement.

Recommendation: Approve a Development Agreement with the Jackson Area Association of Realtors, Inc., for 124 W. Mason, 126 W. Mason, and 127 W. Franklin Street, authorize the City Manager to sign the agreement, and authorize the City Manager and City Attorney to make minor modifications to the Agreement if needed.

Motion was made by Councilmember Dobies, seconded by Councilmember Dancy to approve. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

J. Award of Glidden Parker Mural Building Construction Contract.

Recommendation: Award a contract to O'Harrow Construction Company, Jackson, in the amount of \$624,330.00 for the construction of a building to display the Glidden Parker Mural, also known as the CP Federal City Square.

Motion was made by Councilmember Dobies, seconded by Councilmember Greer to approve. Votes - Yeas: Mayor Jors, Councilmembers Greer, Pappin, and Dobies (4). Nays: Councilmembers Robinson, Dancy, and Frounfelker (3). Motion carried.

K. Award of Demolition Contract for 16 Properties.

Recommendation: Award two Demolition Contracts in the total amount of \$244,110.00 through the Help for Hardest Hit Blight Elimination Program as follows:

Smalley Construction, 15 properties, \$220,120.00, and
Lester Brothers, one (1) property, \$23,990.00.

Motion was made by Councilmember Dobies, seconded by Councilmember Frounfelker to approve. Votes - Yeas: Mayor Jors, Councilmembers Dancy, Greer, Pappin, Frounfelker, and Dobies (6). Nays: Councilmember Robinson (1). Motion carried.

L. PILOT Ordinance for Future Owners of Otsego Apartments.

Recommendation:

1. Repeal Ordinance No. 492 which granted a PILOT to Otsego Elderly Limited Dividend Housing Association, LLC; and
2. Approve a new PILOT Ordinance for the future owners of the Otsego Apartments.

Motion was made by Councilmember Frounfelker, seconded by Councilmember Greer to repeal Ordinance 492 and approve and move to the second reading of a new ordinance. Votes - Yeas: Mayor Jors,

Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none (0). Motion carried.

M. Addendum to Development Agreement for the Otsego Apartments.

Recommendation: Approve an addendum to a Development Agreement with the Otsego Elderly Limited Dividend Housing Association LLC for the Otsego Apartments.

Motion was made by Councilmember Frounfelker, seconded by Councilmember Greer to approve. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none (0). Motion carried.

EXECUTIVE SESSION to discuss a written legal opinion and pending litigation:

Motion was made to suspend the regular open meeting and go into executive session by Councilmember Greer, seconded by Councilmember Frounfelker. Roll call vote. Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Motion carried.

RETURN TO OPEN SESSION:

Motion to return to the regular open meeting was made by Councilmember Dobies, seconded by Councilmember Frounfelker. Roll call vote. Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Motion carried.

Motion to accept the City Attorney recommendation of Schwab v. City of Jackson & Hill v. City of Jackson was made by Councilmember Pappin, seconded by Councilmember Dobies. Roll call vote. Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Motion carried.

CITY COUNCILMEMBERS' COMMENTS.

MANAGER'S COMMENTS.

ADJOURNMENT:

No further business being presented, Motion was received to adjourn by Councilmember Dobies, seconded by Councilmember Greer. Motion carried. Mayor Jors closed the meeting at 8:10 p.m.



**JACKSON CITY COUNCIL
SPECIAL MEETING
MINUTES
July 27, 2016**

CALL TO ORDER:

The Jackson City Council met in special session in the City Hall and was called to order at 5:40 p.m. for the purpose of Zoning Board of Appeals Training by Vice-Mayor Derek Dobies.

ROLL CALL:

Present: Vice Mayor Derek J. Dobies, Councilmembers Arlene Robinson (arrived after roll call), Freddie Dancy, Daniel P. Greer, Craig Pappin, Andrew R. Frounfelker.

Others in attendance: City Manager Patrick Burtch, City Attorney Bethany Smith, Director of Neighborhood and Economic Operations Jennifer Morris, and Presenter Gerald Fisher. Zoning Board of Appeals members Karl Grieve, Jeanne Kubish, and Gerald Montgomery were also in attendance.

ADOPTION OF AGENDA:

Motion was made by Councilmember Greer, seconded by Councilmember Pappin to adopt the Agenda. Motion carried.

CITIZEN COMMENTS:

Public comment was offered. No comments and the meeting resumed.

ZONING BOARD OF APPEALS TRAINING:

Zoning Board of Appeals Training occurred. No votes were taken. Short recess was taken from 6:45 p.m. to 6:55 p.m.

ADJOURNMENT:

The training meeting was adjourned at 7:40 p.m. by motion of Vice Mayor Dobies, seconded by Councilmember Pappin.



SPECIAL CITY COUNCIL MEETING MINUTES

August 9, 2016

CALL TO ORDER:

The Jackson City Council met in special session in the 2nd floor Council Chambers of City Hall and was called to order at 6:30 p.m. by Mayor Bill Jors.

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 Treasurer/Clerk Andrew J. Wrozek, Jr., City Assessor David Taylor, Director of Police and Fire Matthew Heins, Director of Neighborhood and Economic Operations Jennifer Morris, and Assistant City Manager/Operations Jonathan Greene.

ADOPTION OF AGENDA:

Motion was made by Councilmember Greer, seconded by Councilmember Dobies to adopt the Agenda. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried. Agenda was adopted.

CITIZEN COMMENTS:

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

CONSENT CALENDAR:

A. Jackson Civil War Muster.

Recommendation: Approve a request from Jackson Civil War Society to conduct its 32nd Annual Jackson Civil War Muster event on Saturday, August 20, and Sunday, August 21, 2016, from 9:00 a.m. to 7:00 p.m. at Cascades Park.

B. August 2016 Foundry Race Party.

Recommendation: Approve a request from The Foundry to conduct their August 2016 Foundry Race Party event on Friday, August 26, 2016, and Saturday, August 27, 2016, at City Parking Lot #9.

Motion was made by Councilmember Dobies, seconded by Councilmember Greer to approve the Consent Calendar. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

PUBLIC HEARING:

Motion was made by Councilmember Dobies, seconded by Councilmember Greer to open the public hearing. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

A. OPRA Public Hearing.

Hold a second public hearing to establish the Obsolete Property Rehabilitation Act (OPRA) District within an area bounded by Louis Glick Highway to the north, W. Washington Avenue to the south, and Cooper Street to the east.

No public comments. Public hearing was closed and the meeting continued.

OTHER BUSINESS:

A. Reaffirm OPRA Resolution.

Recommendation: Reaffirm a resolution to establish the Obsolete Property Rehabilitation Act (OPRA) District boundaries of Louis Glick Highway to the north, Washington Avenue to the south, and Cooper Street to the east.

Motion was made by Councilmember Greer, seconded by Councilmember Frounfelker to reaffirm. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

B. Ordinance No. 497 - Otsego PILOT (Second/Final Reading).

Recommendation: Final adoption of Ordinance No. 497, providing a service charge in lieu of taxes for a housing project for low income persons and families to be financed with an authority-aided mortgage loan or an advance or grant from the authority pursuant to the provisions of the State Housing Development Authority Act of 1966.

Motion was made by Councilmember Frounfelker, seconded by Councilmember Pappin to adopt. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

C. Parking Improvement Projects Reimbursement Resolution.

Recommendation: Approve the Reimbursement Resolution for the Parking Improvement Projects.

Motion was made by Councilmember Dobies, seconded by Councilmember Frounfelker to approve. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

D. Three (3) H4HH Demolition Contracts Bid Award (Package J).

Recommendation: Award three (3) demolition contracts in the total amount of \$316,599.00 to demolish 18 residential structures through the Help for Hardest Hit Blight Elimination Program as follows:

Smalley Construction	7 properties	\$132,800
Lester Brothers	1 property	\$ 28,199
Dunigan Brothers	10 properties	\$155,600

Motion was made by Councilmember Greer, seconded by Councilmember Dobies to approve. Votes - Yeas: Mayor Jors, Councilmembers Greer, Pappin, Frounfelker, and Dobies (5). Nays: Councilmembers Robinson and Dancy (2). Motion carried.

E. Two (2) H4HH Demolition Contracts Bid Award (Package K).

Recommendation: Award two (2) demolition contracts in the total amount of \$349,590.00 to demolish 17 residential structures through the Hardest Hit Blight Elimination Program as follows:

Smalley Construction	2 properties	\$ 30,890
Dunigan Brothers	15 properties	\$318,700

Motion was made by Councilmember Greer, seconded by Councilmember Frounfelker to approve. Votes - Yeas: Mayor Jors, Councilmembers Greer, Pappin, Frounfelker, and Dobies (5). Nays: Councilmembers Robinson and Dancy (2). Motion carried.

F. Termination of a Demolition Contract with The Adams Group, Inc.

Recommendation: Terminate three (3) contracts with The Adams Group, Inc., and award the demolitions to the next lowest bidder, Smalley Construction, for the total amount of \$37,850.00.

Motion was made by Councilmember Greer, seconded by Councilmember Frounfelker to terminate the contracts. Votes - Yeas:

Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

- G. City Employee Retirement System Board of Trustees Appointment:**
Recommendation: Mayor's recommendation to fill a current vacancy on the City Employee Retirement System Board of Trustees with Heather Ehnis, beginning immediately and ending August 31, 2019.

Motion was made by Councilmember Dobies, seconded by Councilmember Greer to approve the mayor's appointment. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

CITY COUNCILMEMBERS' COMMENTS.

MANAGER'S COMMENTS.

ADJOURNMENT:

No further business being presented, Motion was received to adjourn by Councilmember Greer, seconded by Councilmember Dobies. Motion carried. Mayor Jors closed the meeting at 6:52 p.m.

From: Jim Stovall [<mailto:jim@printanderson.com>]

Sent: Thursday, July 28, 2016 10:37 AM

To: Nathan Mack

Subject: Re: DDA Board

TO; Nathan Mack and the D.D.A. Board,

Due to other obligations, I have resigned as President of the Midtown Association. This means I am also resigning from the D.D.A. Board effective today July 28, 2016 as I am no longer Midtown President. As per the agreement between the D.D.A. and the Midtown Association, the seat I occupied should be filled by the next elected Midtown President or a representative designated by the Midtown Board.

Thank You

Raymond James Stovall

MEMO TO: City Councilmembers
FROM: Bill Jors, Mayor 
DATE: August 23, 2016
SUBJECT: Human Relations Commission

RECOMMENDATION:

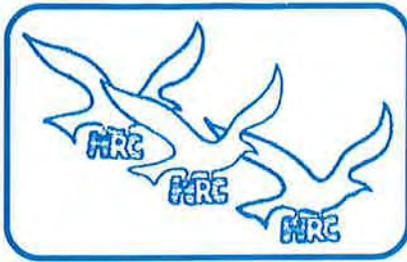
Approve the Mayor's recommendation to appoint Melissa Morse to the Human Relations Commission filling a current vacancy beginning immediately, and ending December 31, 2016, in accordance with the Human Relations Commission recommendation.

Receive and place on file the appointment by the Human Relations Commission of Hassan Ahmad as an ex-officio member.

In accordance with City Code, Chapter 15, Section 15-33. The HRC shall consist of nine citizens; at least five must be City residents. Nominations to fill vacancies shall be made by City Council or HRC to Mayor; at least one for each appointment. Mayor appoints subject to Council confirmation. HRC may appoint up to three ex-officio citizen members for indefinite terms; in addition, one City Councilmember shall be an ex-officio member. Three appointments made annually for three-year terms upon expiration of appointments ending December 31, 1999.

It is my recommendation to appoint Melissa Morse to the Human Relations Commission filling a current vacancy beginning immediately, and ending December 31, 2016. It is also my recommendation to receive and place on file the appointment of Hassan Ahmad as an ex-officio to the Human Relations Commission.

BJ:skh



CITY OF JACKSON

HUMAN RELATIONS COMMISSION

161 W. MICHIGAN AVENUE

JACKSON, MICHIGAN 49201

PHONE: (517)788-4167

FAX: (517) 768-5820

MEMO TO: Honorable Mayor Bill Jors

FROM: Rev. John Clemons, Nominating Committee Chairman *JCC*

DATE: July 21, 2016

SUBJECT: Recommendation for Appointment to the Human Relations Commission

In accordance with the City Code, Chapter 15, there are nine members to be appointed by the Mayor, with the approval of the City Council. The Human Relations Commission will submit one nominee to the Mayor for each vacancy as it occurs. At least 5 of the 9 must be City residents. Commissioners serve 3-year terms.

The HRC currently has one regular vacancy and one ex-officio vacancy. At its July 20, 2016, meeting the HRC voted to recommend the following candidates to fill current HRC vacancies. The applications are attached.

Melissa Morse (Regular Vacancy)
222 N. Wisner
Jackson, MI 49203

Hassan Ahmad (Ex-Officio Vacancy)
517 Linden Ave.
Jackson, MI 49203

JC:skh

Attachment

cc: HRC Members

CITY OF JACKSON BOARD/COMMISSION APPLICATION

NAME: Hassan Ahmad

ADDRESS: 517 Linden Ave ZIP: 49203

HOME PHONE: 517-962-0906 OTHER PHONE: 517-936-3148

E-MAIL ADDRESS: ahmadhassan@Jacksonspec.org

OCCUPATION: Student

COMMUNITY INVOLVEMENT

Student Govt. (JPEC)

Are you registered voter? No Ward? 6

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

1. Human Relations Commission
2. Planning Commission
3. _____

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

I am a pragmatic, outgoing individual, have maintained a 4.0 GPA in highschool, and want to get involved in my city

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR.

[Signature] 6/22/16
 Signature of Applicant Date

Ex-officio



CITY OF JACKSON BOARD/COMMISSION APPLICATION

NAME: Melissa A Morse
ADDRESS: 222 N Wisner Jackson Mi ZIP: 49203
HOME PHONE: 517 4163775 OTHER PHONE: _____
E-MAIL ADDRESS: morsemelissa30@gmail.com
OCCUPATION: Bartender, Art Teacher

COMMUNITY INVOLVEMENT

As an instructor at Ella Sharp Museum I teach the summer camp programs, Studio 21 classes and the Community HeArt Project at the Interfaith Shelter. I taught the Arts go to School (volunteer based) program 2004-08. As an artist and volunteer I have been actively involved with several of our local non-profits including ~~*Interfaith Shelter-Gimme Shelter nights, BigBrothersBigSister's rehab project and holiday help. *Aware Shelter- Worked on the United Way sponsored rehab project. *Habitat for Humanity fundraising events. I have organized and participated in several art based events including How Bazaar, Artsy Fartsy, Charactor Collective pop-up gallery and frequently at Art634 and the Michigan Theater.~~ As a lifelong member of Queens church I am a group leader for the Arise program.

Are you a registered voter? yes Ward? 4

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

- 1. Downtown Development Authority
- 2. Jackson Human Relations Commission
- 3. Jackson Public Arts Commission

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

As a lifelong member of Jackson I have worked closely with residents, business owners, our schools, non-profits and grass roots initiatives on whatever project I can to help our home and community be a better place. I ran for the 4th ward city council position as a first time candidate in the 2015 election to represent the people in the neighborhood that I grew up in and am currently raising my daughter in. Throughout my campaign I had the incredible oppurtunity to connect with hundreds of people in the community which ignited even more of a desire in me to initiate positive and powerful changes. I believe Jackson has great potential to be a place where generations to come will want to stay and raise a family. As part of any of all of the above commissions I will continue to work hard towards these goals.
Feel free to attach any information. (Resume, press clippings)

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR.

Melissa A Morse
Signature of Applicant

November 11, 2015
Date

Date: August 23, 2016

To: Jackson City Council

From: Janet Meyer, JPAC Chair

According to Ordinance 2015.13 the Public Arts Commission may appoint up to three (3) appointed ex-officio members. The Public Arts Commission voted to appoint Melissa Morse as an Ex-Officio Jackson Public Arts Commissioner for a three year term beginning immediately and ending June 22, 2019.



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

CITY OF JACKSON BOARD/COMMISSION APPLICATION

NAME: Melissa A Morse
ADDRESS: 222 N Wisner Jackson Mi ZIP: 49203
HOME PHONE: 517 4163775 OTHER PHONE:
E-MAIL ADDRESS: morsemelissa30@gmail.com
OCCUPATION: Bartender, Art Teacher

COMMUNITY INVOLVEMENT

As an instructor at Ella Sharp Museum I teach the summer camp programs, Studio 21 classes and the Community HeArt Project at the Interfaith Shelter. I taught the Arts go to School (volunteer based) program 2004-08. As an artist and volunteer I have been actively involved with several of our local non-profits including Interfaith Shelter Gimme Shelter nights, Big Brothers Big Sister's rehab project and holiday help. Aware Shelter- Worked on the United Way sponsored rehab project. Habitat for Humanity fundraising events. I have organized and participated in several art based events including How Bazaar, Artsy-Fartsy, Charactor Collective pop-up gallery and frequently at Art634 and the Michigan Theater. As a lifelong member of Queens church I am a group leader for the Arise program.

Are you a registered voter? yes Ward? 4

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

- 1. Downtown Development Authority
2. Jackson Human Relations Commission
3. Jackson Public Arts Commission

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

As a lifelong member of Jackson I have worked closely with residents, business owners, our schools, non-profits and grass roots initiatives on whatever project I can to help our home and community be a better place. I ran for the 4th ward city council position as a first time candidate in the 2015 election to represent the people in the neighborhood that I grew up in and am currently raising my daughter in. Throughout my campaign I had the incredible opportunity to connect with hundreds of people in the community which ignited even more of a desire in me to initiate positive and powerful changes. I believe Jackson has great potential to be a place where generations to come will want to stay and raise a family. As part of any of all of the above commissions I will continue to work hard towards these goals. Feel free to attach any information. (Resume, press clippings)

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR.

Melissa A Morse
Signature of Applicant

November 11, 2015
Date

August 10, 2016

Dear Fellow Commissioners,

I will be resigning from the Jackson Public Arts Commission effective September 1, 2016. I feel I will be more effective serving the commission on committees.

Sincerely,

Janet Meyer-Jackman

MEMO TO: City Councilmembers

FROM: William C. Jors, Mayor 

DATE: August 23, 2016

SUBJECT: Jackson County Land Bank Authority

RECOMMENDATION:

Approval and confirmation of the Mayor's recommendation to the Jackson County Board of Commissioners the reappointment of Councilmember Andrew R. Frounfelker, to the Jackson County Land Bank Authority for a four year term beginning November 1, 2016, and ending October 31, 2020.

In accordance with Article IV, Section 4.01, Intergovernmental Agreement between the Michigan Land Bank Fast Track Authority and the Treasurer of the County of Michigan creating the Jackson County Land Bank Authority, the Jackson County Land Bank Authority consists of nine members of which two individuals representing the City of Jackson nominated by the City Council and appointed by the County Board. Each member shall serve a four-year term.

It is my desire, therefore, to recommend to the Jackson County Commission the reappointment City Councilmember Andrew R. Frounfelker, to the Jackson County Land Bank Authority for a four-year term beginning November 1, 2016, and ending October 31, 2020.

WCJ:skh

COUNTY OF JACKSON REQUEST FOR BOARD OR COMMISSION APPOINTMENT

Mail or personally deliver to: *County of Jackson -- Administrator/Controller's Office -- 6th Floor
120 West Michigan Avenue, Jackson, MI 49201
(517) 788-4335 FAX (517) 780-4755*

The Jackson County Board of Commissioners appoints individuals to numerous Boards and Commissions. Persons who wish to serve should complete the following information.

NAME: FROUNFEUER ANDREW R.
Last First Middle Initial

HOME ADDRESS: 148 W. MICHIGAN AVE JACKSON 49201
Street City Zip Code

TELEPHONE: 517-783-2011 _____
Home, Work, Cell, or Business (Include Area Code) E-mail Address

Name of Board(s) or Commission(s) to which Appointment is requested:

1. LAND BANK 2. _____ 3. _____

Community Activities/Civic Organization/Boards/Commissions:

Activity / Organization:	Length of Service	Position (s) Held:
<u>JACKSON CITY COUNCIL</u>	<u>11 YEARS</u>	<u>COUNCIL MEMBER</u>
_____	_____	_____
_____	_____	_____

Employment:

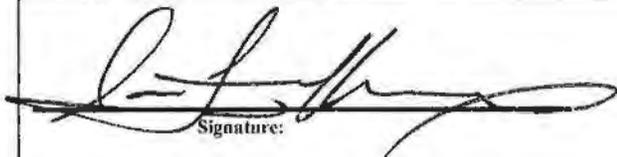
Current Employer:	Position:	Dates of Employment:
_____	_____	_____

Education:

Please indicate why you are requesting appointment to this Board (s) /Commission (s):

REAPPOINTMENT TO LAND BANK'S CITY POSITION

Additional Information you feel may be helpful in considering your request for appointment:


Signature:

June 15, 2016
Date:

MEMO TO: Mayor and City Council Members
FROM: Patrick H. Burtch, City Manager
DATE: August 23, 2016
SUBJECT: Special Event Application for Race to Health.

Recommendation:

Approve a request from Henry Ford Allegiance Health to conduct its 31st Annual Race to Health event on Saturday, September 17, 2016, from 6 a.m. to 12 p.m., near Henry Ford Allegiance Health.

Attached is a memo from Nathan Mack, regarding the Special Event Application for the event Race to Health.

I recommend approval of the special event application for the event Race to Health. Your consideration and concurrence is appreciated.

PHB

DEPARTMENTAL REPORT

MEMO TO: Patrick Burtch, City Manager

FROM: Nathan Mack, Executive Director, DDA

DATE: August 23, 2016

RECOMMENDATION: Approve a request from Henry Ford Allegiance Health to conduct its Race to Health event on Saturday, September 17, 2016, from 6 a.m. to 12 p.m., near Henry Ford Allegiance Health.

SUMMARY: This event includes a 5 mile run, 5 mile walk, 1 mile wellness walk and family activities.

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		\$150
Fire	x		\$0
Engineering	x		\$0
Public Works	x		\$400
Recreation	x		\$0
DDA	x		\$0
			<hr/>
			\$550

CONDITIONS & CONSIDERATIONS

- Public works to provide barricades and cones. Police providing assistance at intersections.

INSURANCE STATUS

Contingent upon receipt of proper insurance coverage.

ATTACHMENTS: Special Event Application: Race to Health.



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

Date Received By DDA Office: 7/8/16 Time: By: (Signature)

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: HENRY FORD ALLEGIANCE HEALTH RACE TO
Sponsoring Organization's Legal Name: HENRY FORD ALLEGIANCE HEALTH HEALTH
Organization Address: 205 N. EAST AVE., JACKSON, MI 49201
Tax I.D. Number: 38-2027689
Event Organizer: KARRI DOTY Title: EVENT SPECIALIST
Phone (work): (517) 205-6739
Phone (during event): (517) 398-0069
Agent's Address: 205 N. East Ave., JACKSON, MI
Agent's E-Mail: KARRI.DOTY@ALLEGIANCEHEALTH.ORG
Address: 205 N EAST AVE., JACKSON, MI
Organization Address: 205 N. EAST AVE., JACKSON, MI

Please give a brief description of the proposed special event:
5 MILE RUN
5 K RUN
5 K WALK
1 MILE WELLNESS WALK
FAMILY FUN RUN
FAMILY ACTIVITIES

Event Day(s) and Date(s): SEPTEMBER 17, 2016
Set-Up Date & Time: SEPTEMBER 17 6AM Tear-Down Date & Time: SEPTEMBER 17 12 PM
Event Location: SEE ATTACHED

ANNUAL EVENT: Is this event expected to occur next year? (circle one) YES NO
How many years has this event occurred? 31 years

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: 9/17/16 6 AM - 9/17/16 12 NOON

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? 1,000

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? 4

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.

Police Department assistance requested at major intersections for each event
* Closures marked on map

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.

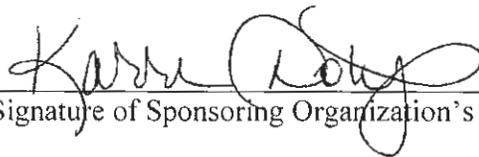
CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that:

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 damage 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.

5/19/16

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**



HENRY FORD ALLEGIANCE HEALTH

205 N. East Avenue
Jackson, MI 49201
(517) 205-4800
AllegianceHealth.org

32nd Annual Allegiance Race to Health Schedule of Events

Date of Event: September 17, 2016

Set up time: 6 a.m.

5 mile run: 8 AM

5 K run: 9 AM

5 K walk: 9:05 AM

Wellness Walk (people who have had joint replacements): 10:00 a.m.

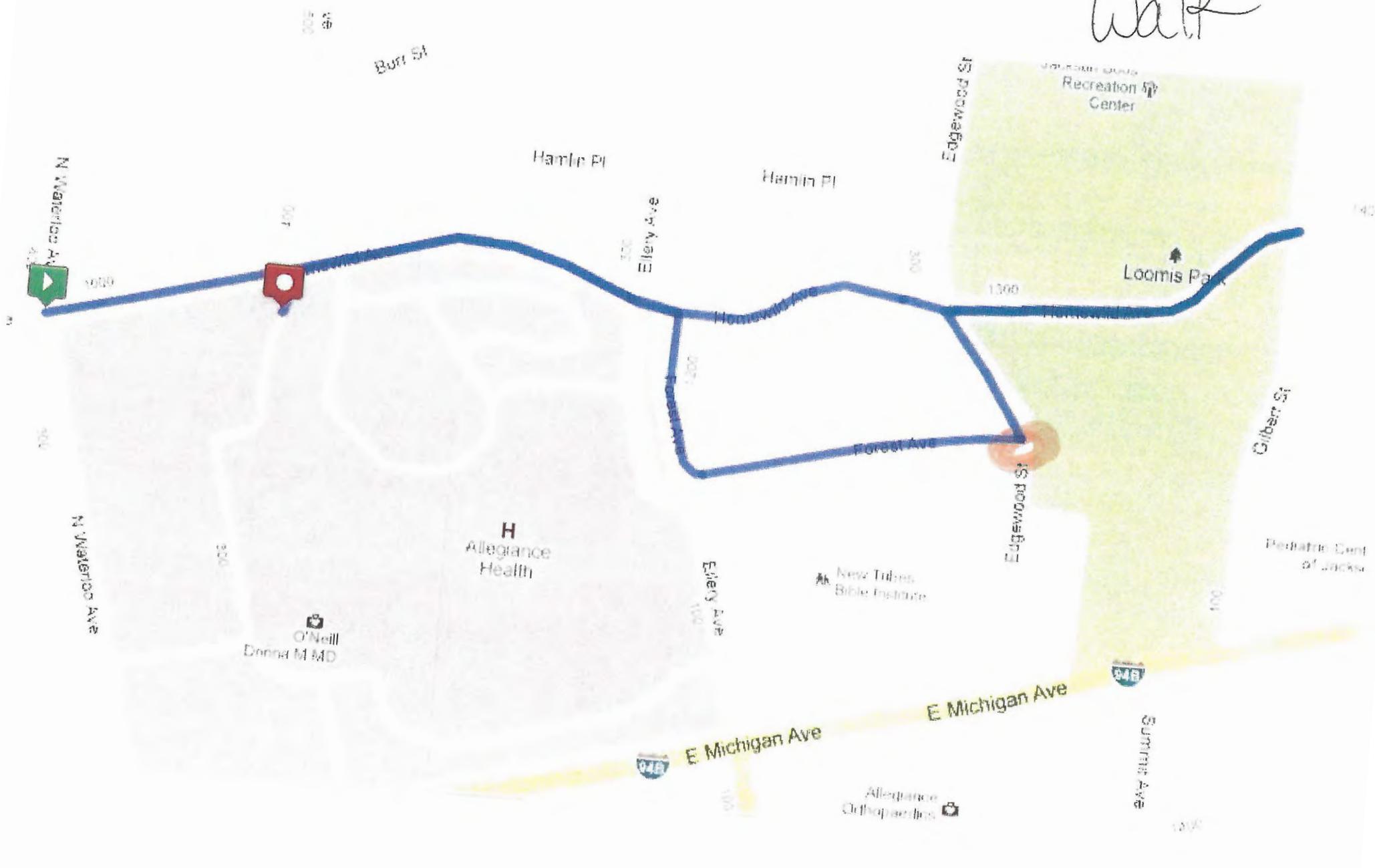
Step by Step Kids Fun Run (children): 10:15

Family Wellness Activities: 8:30 – 10:30 a.m.

Tear down time: noon

*We have marked the intersections where we need support and the roads we would like to close.

Wellness Walk





Allegiance HEALTH

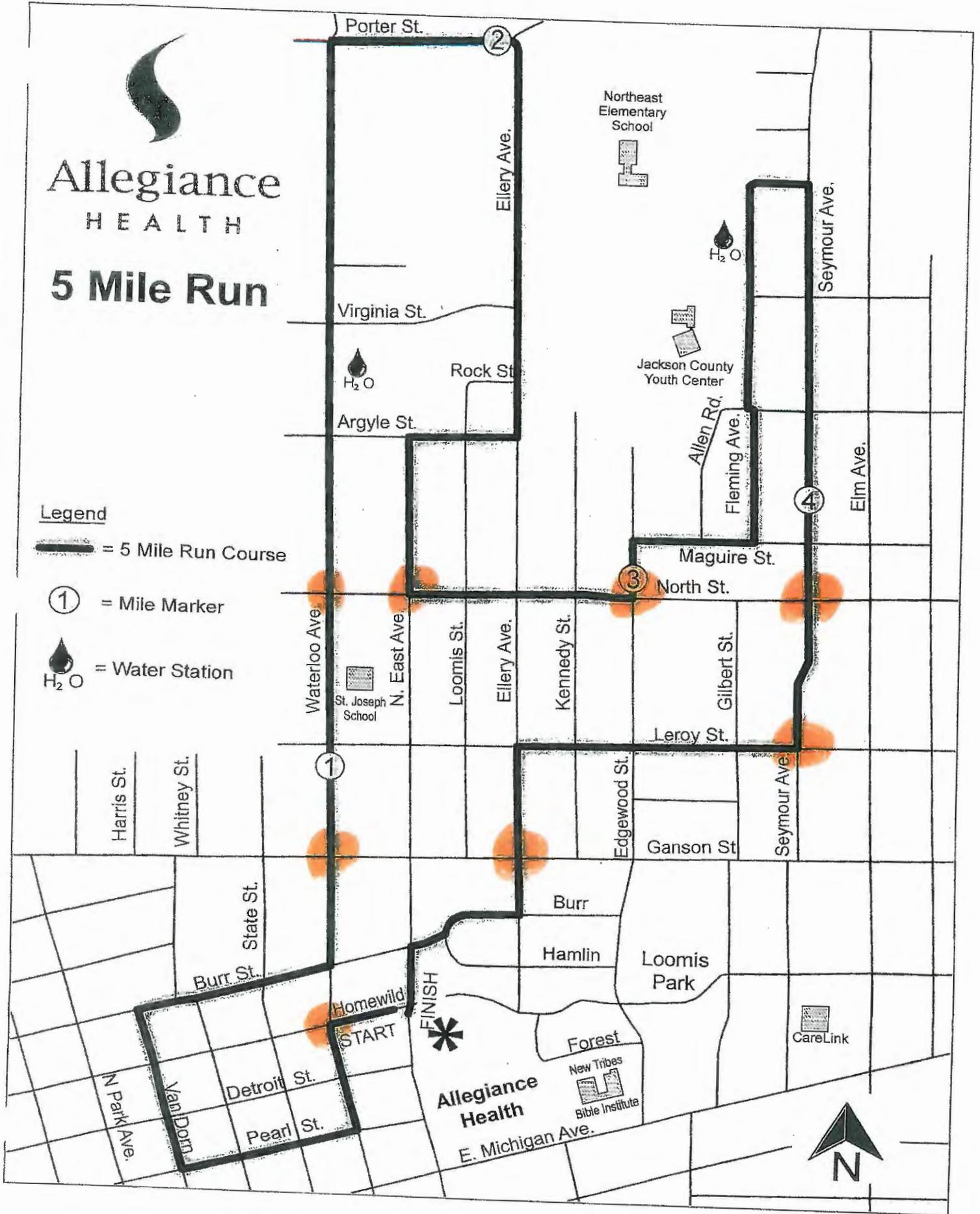
5 Mile Run

Legend

= 5 Mile Run Course

① = Mile Marker

H₂O = Water Station



MEMO TO: Mayor and City Council Members
FROM: Patrick H. Burtch, City Manager
DATE: August 23, 2016
SUBJECT: Special Event Application for Stomp out Suicide.

Recommendation:

Approve a request from Jackson County Suicide Prevention Coalition to conduct its Stomp out Suicide event on Thursday, September 22, 2016, from 7 p.m. to 9 p.m., at Michigan Theatre of Jackson and Horace Blackman Park.

Attached is a memo from Nathan Mack, regarding the Special Event Application for the event Stomp out Suicide.

I recommend approval of the special event application for the event Stomp out Suicide. Your consideration and concurrence is appreciated.

PHB

DEPARTMENTAL REPORT

MEMO TO: Patrick Burtch, City Manager

FROM: Nathan Mack, Executive Director, DDA

DATE: August 23, 2016

RECOMMENDATION: Approve a request from Jackson County Suicide Prevention Coalition to conduct its Stomp out Suicide event on Thursday, September 22, 2016, from 7 p.m. to 9 p.m., at Michigan Theatre of Jackson and Horace Blackman Park.

SUMMARY: Keynote speaker from 7-8 p.m. at Michigan Theatre. Out of the Darkness walk from 8-8:30 p.m. Participants walk a pre-planned path with candles or lights downtown.

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
			<hr/>
			\$0

CONDITIONS & CONSIDERATIONS

- None.

INSURANCE STATUS

Contingent upon receipt of proper insurance coverage.

ATTACHMENTS: Special Event Application: Stomp out Suicide.



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

Date Received By DDA Office: 7/21/16 Time: 1:45 By: [Signature]

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: Stomp Out Suicide
Sponsoring Organization's Legal Name: Jackson County Suicide Prevention Coalition
Organization Address: 1200 N West Ave, Jackson, MI 49202
Tax I.D. Number: _____
Event Organizer: Lindsay Baker Title: Prevention + Wellness Coordinator
Phone (work): 517-796-4334
Phone (during event): 269-519-4476
Agent's Address: _____
Agent's E-Mail Address: _____
Organization Address: _____

Please give a brief description of the proposed special event: Keynote speaker from 7-8 @ Michigan Theatre. Out of the Darkness Walk from 8-8:30. Participant walk laid out pre-planned path w/ candles/light Downtown.

Event Day(s) and Date(s): September 22
Set-Up Date & Time: 7:00 pm Tear-Down Date & Time: 9:00 pm
Event Location: Michigan Theatre / Downtown Park

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:

Parking behind post office

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

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

Yes, LifeWays, Project Aware, MASF, JCSAPC,

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? 500

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.

lights for street lights

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.

possibly police officer assistance if available

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 damage 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.

7/18/16
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**

RISK

MICHIGAN MUNICIPAL
RISK MANAGEMENT
A U T H O R I T Y

CERTIFICATE OF COVERAGE

This certificate is issued as a matter of information only and confers no rights upon the certificate holder except to the extent shown below. This certificate does not amend, extend or alter the coverage contained in the Authority's Joint Powers Agreement and coverage attachments thereto.

This is to certify that a Self-Insured Program has been undertaken by the member listed below through the Authority pursuant to Act 138 P.A. 1982.

The coverage provided by the Authority is as follows:

1. Liability coverage for general liability, automobile (including Michigan no-fault) law enforcement and public officials liability; in the sum of \$ 15,000,000 each occurrence inclusive of loss adjustment and defense costs.
2. Property Coverage including loss to real & personal property, to amounts stipulated in coverage documents and overview for this member.
3. Motor Vehicle Physical Damage Coverage for the vehicles stipulated in the Coverage Document.
4. Information only:
5. The entity named below is included in the scope of protection as respects claims arising from a COVERED CONTRACT as defined in the MMRMA Liability and Motor Vehicle Physical Damage Coverage Document.
6. Other (as described here):
Professional liability/incidental medical malpractice coverage is afforded under the general liability section of the coverage for employees only while working within the scope and duty of his/her professional duties for Lifeways CMH per the terms, conditions, and exclusions in the policy. There is no coverage for medical doctors. Coverage is included in the \$15,000,000 liability limit (see item #1 above - no aggregate limit).

This certificate is issued in accordance with and is subject to all provisions of the Joint Powers Agreement, Coverage Documents, reinsurance agreements, MMRMA rules, regulations and administrative procedures. Should the member identified below withdraw from the Authority, or its Authority Membership be otherwise terminated, the Authority will endeavor to notify the certificate holder in writing thirty (30) days in advance thereof, but failure to furnish such notice will impose no obligation or liability of any kind upon the Authority, or its representatives.

Certificate Holder:

Information Only

Member:

Lifeways CMH
1200 North West Avenue
Jackson, MI 49202

Certificate Expiration Date: 10/01/2016

Member Number: # M0001643
Effective Date of Membership:
10/01/2012

Date Issued: 02/22/2016

Distribution:

MMRMA Underwriting



Authorized Representative

14001 Merriman Road • Livonia, MI 48154 • 734.513.0300 • 800.243.1324 • FAX 734.513.0318 • www.mmrma.org



Grand River

arl St
 W Pearl St
 N Jackson St
 W Michigan Ave
 S Jackson St
 W Cortland St
 N Mechanic St
 W Cortland St
 S Mec

Action Discount
 Jackson Antique Mall
 City Crepes
 Casler Hardware
 Bucky Harris Park
 Pickle Barrel Deli
 House of DeVaughn Bridal
 Night Light
 Schupbach's Sporting Goods
 CR Barrymores
 Genco Boot Shop
 124 North Mechanic Street
 124 North Mechanic Street
 Walt's Health Food and Specialty
 City Hall
 Jackson City Parks and Recreation Department
 Experience Jackson
 Xcel Staffing
 Bella Notte Ristorante
 Jackson Post Office
 First Baptist Church
 Mat's Cafe & Catering
 Jackson Symphony Orchestra
 Michigan Shakespeare Festival Office
 Mira Med Global Services
 Jackson Business Bants

16 min
 0.8 mile

Google
 Map data © 2018 Google
 Terms
 Send feedback

MEMO TO: Mayor and City Council Members
FROM: Patrick H. Burtch, City Manager
DATE: August 23, 2016
SUBJECT: Special Event Application for A walk through Jackson's Past, A guided tour through Mt. Evergreen Cemetery.

Recommendation:

Approve a request from Jackson District Library to conduct its A walk through Jackson's Past, A guided tour through Mt. Evergreen Cemetery event on Saturday, October 8, 2016, from 3 p.m. to 7 p.m., at Mt. Evergreen Cemetery.

Attached is a memo from Nathan Mack, regarding the Special Event Application for the event A walk through Jackson's Past, A guided tour through Mt. Evergreen Cemetery.

I recommend approval of the special event application for the event, A walk through Jackson's Past, A guided tour through Mt. Evergreen Cemetery. Your consideration and concurrence is appreciated.

PHB

DEPARTMENTAL REPORT

MEMO TO: Patrick Burtch, City Manager

FROM: Nathan Mack, Executive Director, DDA

DATE: August 23, 2016

RECOMMENDATION: Approve a request from Jackson District Library to conduct A walk through Jackson's Past, A guided tour through Mt. Evergreen Cemetery event on Saturday, October 8, 2016, from 3 p.m. to 7 p.m., at Mt. Evergreen Cemetery

SUMMARY: Jackson District Library along with Ella Sharp Museum and the Jackson Historic District Commission have organized a guided walking tour through Mt. Evergreen Cemetery. Stopping between 15-20 graves and providing information about the person/ family and their contribution to 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
			<hr/>
			\$0

CONDITIONS & CONSIDERATIONS

- None.

INSURANCE STATUS

Contingent upon receipt of proper insurance coverage.

ATTACHMENTS: Special Event Application: A walk through Jackson's Past, A guided tour through Mt. Evergreen Cemetery



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

Date Received By DDA Office: 7/18/16 Time: 1:30 By: (Kew)

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: ~~10/8/16~~ A walk through Jacksons Past, A guided tour through Mt Evergreen Cemetery

Sponsoring Organization's Legal Name: Jackson District Library

Organization Address: 244 West Michigan Ave

Tax I.D. Number: 38-21

Event Organizer: Valerie Herz Title: Community Engagement

Phone (work): (517) 788-4087

Phone (during event): (517) 812-0740

Agent's Address: 2533 Spring Arbor Road

Agent's E-Mail: cmf@craftagency.com

Address: _____

Organization Address: _____

Please give a brief description of the proposed special event: Jackson District Library along with Ella Sharp Museum and the Jackson Historic District Commission would like to do a guided walking tour through MT. Evergreen Cemetery. We will be stopping at between 15-20 graves and providing information about the person/family and their contribution to Jackson. This will be a free event and open to the public.

Event Day(s) and Date(s): Saturday, October 8, 2016

Set-Up Date & Time: 3pm to 7pm Tear-Down Date & Time:

Oct 8th 2016

Event Location: MT. Evergreen Cemetery

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:

- N/A*
- (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: *N/A*

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:

JACKSON DISTRICT LIBRARY

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? *100*

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.

N/A

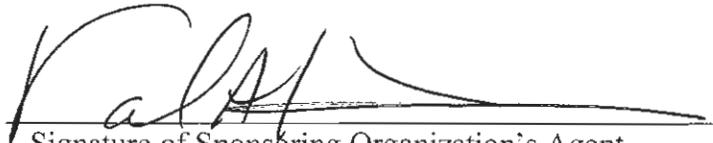
INSURANCE: All sponsors of special events must carry liability insurance as set forth in the Special Events policy. A copy of either a Hold Harmless Agreement or a certificate of insurance AND endorsement naming the City of Jackson and the DDA as additional insureds for a liability policy must be provided 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 damage 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**

MEMO TO: Mayor and City Council Members
FROM: Patrick H. Burtch, City Manager
DATE: August 23, 2016
SUBJECT: Special Event Application for Public Rosary.

Recommendation:

Approve a request from Queen of the Miraculous Medal Church to conduct its 10th Annual Public Rosary event on Sunday, October 9, 2016, from 12 p.m. to 3 p.m., at Horace Blackman Park.

Attached is a memo from Nathan Mack, regarding the Special Event Application for the event Public Rosary.

I recommend approval of the special event application for the event Public Rosary. Your consideration and concurrence is appreciated.

PHB

DEPARTMENTAL REPORT

MEMO TO: Patrick Burtch, City Manager

FROM: Nathan Mack, Executive Director, DDA

DATE: August 23, 2016

RECOMMENDATION: Approve a request from Queen of the Miraculous Medal Church to conduct its Public Rosary event on Sunday, October 9, 2016, from 12 p.m. to 3 p.m., at Horace Blackman Park.

SUMMARY: A public prayer service.

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
			<hr/>
			\$0

CONDITIONS & CONSIDERATIONS

- None.

INSURANCE STATUS

Contingent upon receipt of proper insurance coverage.

ATTACHMENTS: Special Event Application: Public Rosary.



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

Date Received By DDA Office: 8/4/16 Time: 9:50am By: (signature)

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: Public ROSARY

Sponsoring Organization's Legal Name: Queen of the Miraculous Medal Church

Organization Address: 606 S. Wisner St.

Tax I.D. Number: 38-1358402

Event Organizer: JEANNETTE LIENHART Title: Office Mgr.

Phone (work): 517-783-2748

Phone (during event): 517-414-7898

Agent's Address: 606 S. Wisner St.

Agent's E-Mail

Address: jlienhart@queenschurch.com

Organization Address: 606 S. Wisner St.

Please give a brief description of the proposed special event:

Public ROSARY

Event Day(s) and Date(s): SUNDAY, October 9, 2016

Set-Up Date & Time: 10-9-16 12:30 p.m. Tear-Down Date & Time:

Event Location: 10-9-16 3:00 p.m. HORACE BLACKMAN PARK

ANNUAL EVENT: Is this event expected to occur next year? (circle one) YES NO
How many years has this event occurred? 10 yrs

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: N/A

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. . Choir music

ATTENDANCE: What is the expected (estimated) attendance for this event? 150

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 damage 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.

8 / 3 / 14

Date

Rev. Timothy E. ...

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**

MEMO TO: Mayor and City Council Members
FROM: Patrick H. Burtch, City Manager
DATE: August 23, 2016
SUBJECT: Special Event Application for Blue Mass.

Recommendation:

Approve a request from St. Mary Star of the Sea Church to conduct its Blue Mass event on Sunday, November 13, 2016, from 9:45 a.m. to 11:30 a.m., at the 100 block of East Wesley.

Attached is a memo from Nathan Mack, regarding the Special Event Application for the event Blue Mass.

I recommend approval of the special event application for the event Blue Mass. Your consideration and concurrence is appreciated.

PHB

DEPARTMENTAL REPORT

MEMO TO: Patrick Burtch, City Manager

FROM: Nathan Mack, Executive Director, DDA

DATE: August 23, 2016

RECOMMENDATION: Approve a request from St. Mary Star of the Sea to conduct its Blue Mass event on Sunday, November 13, 2016, from 9:45 a.m. to 11:30 a.m., at the 100 block of East Wesley.

SUMMARY: A time during our Mass to honor active, retired emergency first responders as well as those who gave their life in the line of duty.

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		\$75
Recreation	x		\$0
DDA	x		\$0
			<hr/>
			\$75

CONDITIONS & CONSIDERATIONS

- Delivery of barricades.

INSURANCE STATUS

Contingent upon receipt of proper insurance coverage.

ATTACHMENTS: Special Event Application: Blue Mass.

pd



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

Date Received By DDA Office: 7/25/16 Time: 9:30 By: WM

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: Blue Mass

Sponsoring Organization's Legal Name: St Mary Star of the Sea Church

Organization Address: 170 E. Wesley St 49201

Tax I.D. Number: 31381789

Event Organizer: Howell Wynne Title: Mv

Phone (work): 517-795-5072

Phone (during event): (same)

Agent's Address: 1700 S. West Ave Jackson, MI 49203

Agent's E-Mail: howellwynne@gmail.com

Address: _____

Organization Address: 170 E. Wesley St 49201

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

Event Day(s) and Date(s): Nov. 13
Sunday ~~Aug 14~~, 2016

Set-Up Date & Time: ~~24 Aug~~ 09:45 Tear-Down Date & Time: ~~24 Aug~~ 11:30 (am)
Nov. 13 Nov. 13

Event Location: 100 block east Wesley

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: 24 Aug 09:45 - 24 Aug 11:30 (AM)

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:
Knights of Columbus Council 9301

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? Normal Church attendance

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.

2 barricades - deliver Friday to 1206 W. Westley
I will return Monday 25th

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 damage 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.

25 July 2016
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**

MEMO TO: Mayor and City Councilmembers
FROM: Patrick H. Burch, City Manager *PHB*
DATE: August 23, 2016
SUBJECT: CDBG and HOME Financial Summaries through June 30, 2016

Recommendation:

Accept and place on file the CDBG and HOME Financial Summaries through June 30, 2016.

Attached is a memo from Jennifer Morris, Director of Neighborhood and Economic Operations, regarding the June 2016 CDBG and HOME financial summaries which denotes personnel costs, one committed emergency hazard, one residential demolition, and one income-eligible special assessment relief.

I recommend Council receive the attached CDBG and HOME Financial Summaries through June 30, 2016 and place on file. Your consideration and concurrence is appreciated.

PHB

DEPARTMENTAL REPORT

MEMO TO: Patrick Burtch, City Manager

FROM: Jennifer Morris, Director of Neighborhood and Economic Operations 

DATE: August 23, 2016

RECOMMENDATION: To accept and place on file the CDBG and HOME Financial Summaries through June 30, 2016

SUMMARY

Attached please find the Financial Summaries for the CDBG and HOME funds for the twelve months ending June 30, 2016. Monthly expenses include personnel costs, one committed emergency hazard, one residential demolition, and one income-eligible special assessment relief.

My recommendation is to accept and place on file the CDBG and HOME Financial Summaries through June 30, 2016.

ATTACHMENTS

City of Jackson
Community Development Block Grant
Monthly Financial Summary
For the Twelve Months Ended June 30, 2016

	<u>Budgeted</u>	<u>Expended Prior Year</u>	<u>Actual Month-to-Date</u>	<u>Actual Year-to-Date</u>	<u>Total Funds Expended- to-Date</u>	<u>Balance</u>	<u>Percent Spent</u>
<u>Public Services</u>							
1 King Center Summer Program							
FY 2014/2015	45,000	29,905	-	15,095	45,000	-	100.0%
FY 2015/2016	35,000		-	31,242	31,242	3,758	89.3%
<u>Administration</u>							
2 Administration & Planning							
FY 2014/2015	64,000	7,615	-	56,385	64,000	-	100.0%
FY 2015/2016	66,500	-	11,754	29,201	29,201	37,299	43.9%
<u>Code Enforcement</u>							
3 City Code Enforcement - Inspection							
FY 2013/2014	258,220	212,320	-	45,900	258,220	-	100.0%
FY 2014/2015	131,500	-	9,392	107,466	107,466	24,034	81.7%
FY 2015/2016	46,000	-	-	-	-	46,000	0.0%
4 City Code Enforcement - Rehabilitation							
FY 2014/2015	172,000	70,810	4,832	101,190	172,000	-	100.0%
FY 2015/2016	89,000	-	1,518	1,518	1,518	87,482	1.7%
5 City Attorney Office							
FY 2012/2013	52,000	44,390	-	7,610	52,000	-	100.0%
FY 2013/2014	20,000	-	1,908	8,970	8,970	11,030	44.8%
<u>Housing Rehabilitation Projects</u>							
6 Homeowner Rehabilitation							
FY 2013/2014	221,358	177,427	-	180	177,607	43,751	80.2%
FY 2014/2015	77,284	-	-	-	-	77,284	0.0%
FY 2015/2016	98,886	-	-	-	-	98,886	0.0%
7 City Emergency Hazard Repair Program							
FY 2014/2015	150,000	92,769	-	57,231	150,000	-	100.0%
FY 2015/2016	150,000	-	3,802	33,025	33,025	116,975	22.0%

	<u>Budgeted</u>	<u>Expended Prior Year</u>	<u>Actual Month-to-Date</u>	<u>Actual Year-to-Date</u>	<u>Total Funds Expended- to-Date</u>	<u>Balance</u>	<u>Percent Spent</u>
8 City Residential Rental Rehabilitations	305,212	-	-	-	-	305,212	0.0%
9 John George Home	35,000	-	-	25,895	25,895	9,105	74.0%
10 City Rehab Administration (Denied Loans)							
FY 2014/2015	8,000	5,180	70	(805)	4,375	3,625	54.7%
FY 2015/2016	3,000	-	-	-	-	3,000	0.0%
<u>Street Projects</u>							
11 Hamilton (FY 2014/2015)	174,483	24,609	-	149,874	174,483	-	100.0%
12 VanBuren: Steward to Blackstone (FY 2014/2015)	303,017	28,472	-	274,545	303,017	-	100.0%
13 Edward & Winthrop (FY 2015/2016)	97,890	-	-	4,287	4,287	93,603	4.4%
14 Mechanic: Morrell to Washington (FY 2015/2016)	39,600	-	-	39,600	39,600	-	100.0%
15 Special Assessments (FY 2015/2016)	25,000	-	3,300	6,338	6,338	18,663	25.4%
<u>Other Projects</u>							
16 Park Improvements							
FY 2014/2015	524,985	449,168	-	65,799	514,967	10,018	98.1%
FY 2015/2016	80,000	-	-	-	-	80,000	0.0%
<u>Public Improvements</u>							
17 Demolition - Neighborhood Economic Stabilization							
FY 2013/2014	155,000	155,000	-	(856)	154,144	856	99.4%
FY 2014/2015	185,000	165,746	-	19,254	185,000	-	100.0%
FY 2015/2016	320,000	-	14,420	43,253	43,253	276,747	13.5%

NOTE: All funds are FY 2015/2016 allocations unless otherwise indicated

City of Jackson
HOME
Monthly Financial Summary
For the Twelve Months Ended June 30, 2016

	<u>Budgeted</u>	<u>Total Prior Year Funds Expended</u>	<u>Actual Month-to-Date</u>	<u>Actual Year-to-Date</u>	<u>Total Funds Expended- to-Date</u>	<u>Balance</u>	<u>Percent Spent</u>
1 Rehabilitation Assistance Program							
FY 2014/2015	413,346	283,055	-	130,291	413,346	-	100.0%
FY 2015/2016	187,129	-	-	145,486	145,486	41,643	77.7%
2 HOME Administration							
FY 2015/2016	24,000	-	24,000	24,000	24,000	-	100.0%
3 CAA - CHDO Operating Expenses							
FY 2012/2013	4,973	4,973	-	-	4,973	-	100.0%
FY 2013/2014	12,500	-	-	-	-	12,500	0.0%
FY 2015/2016	7,527	-	-	-	-	7,527	0.0%
4 CAA - CHDO Acq/Rehab/Resale							
FY 2013/2014	40,000	24,763	-	15,237	40,000	-	100.0%
FY 2014/2015	42,000	-	-	42,000	42,000	-	100.0%
FY 2015/2016	52,000	-	-	52,000	52,000	-	100.0%
5 City - Acq/Rehab/Resale							
FY 2013/2014	41,968	40,138	-	1,830	41,968	-	100.0%

MEMO TO: Mayor and City Councilmembers
FROM: Andrew J. Wrozek, Jr., City Treasurer/Clerk *ajw*
DATE: August 23, 2016
SUBJECT: Public Hearing and Resolution for Special Assessment Roll No. 4268

Recommendation:

RECESS AS CITY COUNCIL AND CONVENE AS A BOARD OF REVIEW.

A. PUBLIC HEARING ON SPECIAL ASSESSMENT ROLL NO. 4268 FOR METERLESS PARKING 2016-2017

1. Consider a resolution confirming Roll No #4268.

ADJOURN AS A BOARD OF REVIEW AND RECONVENE AS A CITY COUNCIL.

Attached for your consideration is a resolution confirming Roll # 4268 for the meterless parking system in the downtown area of the City for 2016-2017.

I recommend adoption of the resolution after the public hearing is held. Your consideration and concurrence is appreciated.

RESOLUTION

BY THE BOARD OF REVIEW:

WHEREAS, the Assessor, in accordance with the direction of the City Council, did prepare special assessments concerning the operation of a meterless parking system for the downtown area, which assessments were by him placed on Assessment Roll No. 4268 in the amount of \$37,050.00; and

WHEREAS, notice has been duly given that the City Council and Assessor would sit as a Board of Review in the City Hall Council Chambers at 161 W. Michigan Avenue, Jackson, Michigan, on Tuesday, the 23th day of August, 2016, at 6:30 p.m. to hear any and all objections and suggestions by interested parties concerning such special assessments; and

WHEREAS, the matter of said review having come on to be heard, and the City Assessor and the City Council sitting as a Board of Review having heard all suggestions and objections made thereto, and having fully considered the same;

NOW, THEREFORE, BE IT RESOLVED that each and every special assessment as contained in said roll is hereby confirmed and made a valid lien against the property and a valid claim against the owner thereof, and the City Clerk is hereby directed to make certifications of this determination and attach same to said roll, and to then turn said roll over to the City Treasurer for collection.

BE IT FURTHER RESOLVED that each and every special assessment as contained in said roll is hereby divided into two (2) equal installments without interest, the first of which is due and payable 30 days after billing, and the second of which shall be due and payable 60 days following confirmation.

* * * * *

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 sitting as a Board of Review on the 23th day of August, 2016.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, this 24th day of August, 2016.

Andrew J. Wrozek, Jr., City Clerk

William C. Jors, Mayor

RESOLUTION

BY THE BOARD OF REVIEW:

WHEREAS, the Assessor, in accordance with the direction of the City Council, did prepare special assessments concerning the operation of a meterless parking system for the downtown area, which assessments were by him placed on Assessment Roll No. 4268 in the amount of \$37,050.00; and

WHEREAS, notice has been duly given that the City Council and Assessor would sit as a Board of Review in the City Hall Council Chambers at 161 W. Michigan Avenue, Jackson, Michigan, on Tuesday, the 23th day of August, 2016, at 6:30 p.m. to hear any and all objections and suggestions by interested parties concerning such special assessments; and

WHEREAS, the matter of said review having come on to be heard, and the City Assessor and the City Council sitting as a Board of Review having heard all suggestions and objections made thereto, and having fully considered the same;

NOW, THEREFORE, BE IT RESOLVED that each and every special assessment as contained in said roll is hereby confirmed and made a valid lien against the property and a valid claim against the owner thereof, and the City Clerk is hereby directed to make certifications of this determination and attach same to said roll, and to then turn said roll over to the City Treasurer for collection.

BE IT FURTHER RESOLVED that each and every special assessment as contained in said roll is hereby divided into two (2) equal installments without interest, the first of which is due and payable 30 days after billing, and the second of which shall be due and payable 60 days following confirmation.

* * * * *

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 sitting as a Board of Review on the 23th day of August, 2016.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, this 24th day of August, 2016.

Andrew J. Wrozek, Jr., City Clerk

William C. Jors, Mayor

MEMO TO: Mayor and City Councilmembers
FROM: Andrew J. Wrozek, Jr., City Treasurer/Clerk *ajw*
DATE: August 23, 2016
SUBJECT: Alley Vacation requested by Sean Ketchens

Recommendation:

1. Public hearing on the request to vacate a part of a 16 foot wide alley in block 5, Harmon's Addition, running east from Kent Street, and lying half-way between Mansion Street & Prospect Street, south of lots 21 & 22 & north of lots 7 & 8, block 5, Harmon's Addition, and described as beginning at the northeast corner of lot 7, block 5, Harmon's Addition and thence running west 100 feet to the NW corner of lot 8, thence north 16 feet, thence east 100 feet to the southeast corner of lot 22, thence south 16 feet to the point of beginning, block 5, Harmon's Addition, City of Jackson, Jackson County, State of Michigan.
2. Consideration of a resolution approving the vacation.

Attached is the subject resolution, with supporting documentation, including the staff's recommendation of approval and the City Planning Commission action to recommend approval of the vacation to the City Council.

I recommend approval of the resolution after a public hearing is held. Your consideration and concurrence is appreciated.

August 4, 2016

Sean Ketchens
116 W. Prospect St.
Jackson, MI 49203

RE: PETITION FOR ALLEY VACATION: 116 W PROSPECT

Sean Ketchens,

Your petition to vacate a portion of the alley between Mansion St and Prospect St was considered by the City Planning Commission on August 3, 2016, and the following motion was made:

*Commissioner Griffin moved, with support from Commissioner Dobies, to **recommend** approval of the alley vacation to the City Council on the condition that it meets all zoning requirements.*

The Commission found that approval of the vacation would not adversely affect other neighbors' access to their garages and homes and that the vacation would protect the applicant from trespassers entering through the private driveway.

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

The motion passed unanimously on a voice vote (6-0)

Respectfully Submitted,



Adam East,
Planner/Zoning Enforcement Officer

Cc: Jennifer Morris, Department Director of NEO
Andrew Wrozek, City Treasurer/Clerk
Bethany Smith, City Attorney

PETITION FOR STREET/ALLEY CLOSING

To the Honorable Mayor
and Members of the City Council
City of Jackson, Michigan:

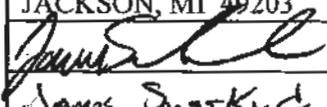
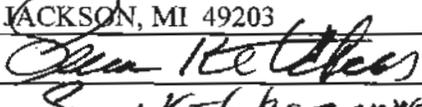
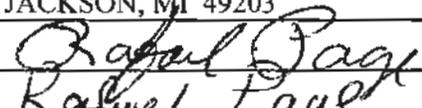
We the undersigned, being all of the persons owning property abutting on the street or alley, more particularly described as:

A PART OF A 16 FOOT WIDE ALLEY IN BLOCK 5, HARMON'S ADDITION, RUNNING EAST FROM KENT STREET, AND LYING HALF-WAY BETWEEN MANSION STREET & PROSPECT STREET, SOUTH OF LOTS 21 & 22 & NORTH OF LOTS 7 & 8, BLOCK 5, HARMON'S ADDITION, AND DESCRIBED AS BEGINNING AT THE NORTHEAST CORNER OF LOT 7, BLOCK 5, HARMON'S ADDITION AND THENCE RUNNING WEST 100 FEET TO THE NW CORNER OF LOT 8, THENCE NORTH 16 FEET, THENCE EAST 100 FEET TO THE SOUTHEAST CORNER OF LOT 22, THENCE SOUTH 16 FEET TO THE POINT OF BEGINNING, BLOCK 5, HARMON'S ADDITION, CITY OF JACKSON, JACKSON COUNTY, STATE OF MICHIGAN.

do hereby respectfully petition your honorable body to close and vacate said street or alley. The said street or alley has been dedicated as a public street or alley.

With respect to any taxes or special assessments levied or assessed against any property included in said street or alley, we and each of us do hereby waive any and all questions, claims or controversies relative to such taxes or special assessments which have or may hereafter be levied or assessed upon any part of the lands embraced in said street or alley, and we hereby assume and agree to pay all such taxes or special assessments thereon, and we further hereby consent to the vacating of the aforesaid street or alley.

NOTE: All persons interested either jointly or individually by deed or contract in relation to any property abutting on the street or alley proposed to be vacated are required to sign and date the above petition:

OWNER OF PROPERTY & SIGNATURE/DATE	DESCRIPTION OF PROPERTY	LINEAL FEET OF FRONTAGE*
JAMES M SUSSKIND 817 WOODBINE ST JACKSON, MI 49203  James Susskind (Please sign and print name and title of signator)	LOT 7 & E 4 FT OF LOT 8 BLK 5 HARMON'S ADD 5-154300000; 112 W PROSPECT ST	50 FEET
SEAN M KETCHENS 116 W PROSPECT ST JACKSON, MI 49203  Sean Ketchens owner (Please sign and print name and title of signator)	W 46 FT OF LOT 8 BLK 5 HARMON'S ADD 5-154400000; 116 W PROSPECT ST	46 FEET
RAFAEL PAGE 119 W MANSION ST JACKSON, MI 49203  Rafael Page (Please sign and print name and title of signator)	LOT 21 BLK 5 HARMON'S ADD 5-154700000; 119 W MANSION ST	50 FEET

*Needed for street vacations only.

Petition Circulated By:

Name: Sean Ketchens
 Address: 116 W. prospect st.
 City, State, Zip: Jackson, Mi 49203

Date: 5/23/16
 Signature: Sean Ketchens
 Phone: 517-812-2107

MEMO TO: Mayor and City Councilmembers
FROM: Patrick H. Burch, City Manager
DATE: August 23, 2016
SUBJECT: Commercial Rehabilitation Exemption Certificate for 209 West Louis Glick Highway (Detroit Entrepreneur Development LLC)

Recommendation:

Consider the requested 9 year Commercial Rehabilitation Exemption Certificate for 209 West Louis Glick Highway (Detroit Entrepreneur Development LLC) and associated Resolution.

Attached is a memo from Jennifer Morris, Director of Neighborhood and Economic Operations, regarding the requested 9 year Commercial Rehabilitation Exemption Certificate for 209 West Louis Glick Highway (Detroit Entrepreneur Development LLC). In accordance with PA 210 of 2005, which authorized the establishment of the District, the applicant has the ability to seek a 100% property tax abatement on the new investment for up to 10 years as a means of providing gap financing for their project. The gap equates to just over \$537,000 in total only \$280,000 of which is from the City. However, the pending development also affords the City a new revenue source (i.e. meterless parking system contributions and personal income tax revenues).

I recommend holding the public hearing and consideration of the Resolution authorizing a 9 year Commercial Rehabilitation Exemption Certificate. Your consideration and concurrence is appreciated.

PHB

DEPARTMENTAL REPORT

MEMO TO: Patrick Burtch, City Manager

FROM: Jennifer Morris, Director of Neighborhood and Economic Operations

DATE: August 23, 2016

RECOMMENDATION: Consider the requested 9 year Commercial Rehabilitation Exemption Certificate for 209 West Louis Glick Highway (Detroit Entrepreneurs Development LLC) and associated Resolution

SUMMARY

In accordance with the recently created Commercial Rehabilitation District (PA 210 of 2005), Detroit Entrepreneur Development LLC is requesting a 9 year commercial rehabilitation exemption certificate for 209 West Louis Glick Highway (Lofts on Louis). The property meets the definition of a qualified facility and as such is eligible to request a 100% property tax abatement on the taxes generated from the new investment for a period of up to 10 years.

BUDGETARY CONSIDERATIONS

Each of the taxing units were notified of the public hearing to be sure that are aware of the potential financial implications of the requested exemption. In total the requested 9 year abatement has an assumed value of just over \$537,000 excluding the 24 mills of school aide taxes. This calculation is based upon an assumed 1% annual inflation rate and does not take into account any additional abatements that may be sought through the State. Because only 17.0389 mills are levied by the City (8.6389 mills for operating and public improvements, rest for unfunded liability and debt), the resulting impact to the City is just over \$280,000 over the requested 9 year abatement period. However during that same time frame and beyond the City will still collect the parking fees and personal income tax levies neither of which are presently available to the City due to its vacant tax exempt status.

BACKGROUND and DISCUSSION

In accordance with PC 210 of 2005 the Jackson County Board of Commission was informed of the prior intent to create the district and consider the associated exemptions on a case by case basis. Based upon a lack of the response the Act permits the Council to now consider this and any future exemption requests. As denoted in the attached Proforma Analysis submitted by the applicant, the requested abatement fills the gap necessary to satisfy the bank's required debt coverage ratio.

POSITIONS

Following the public hearing, for which all taxing jurisdictions were notified, the Council may consider adoption of the Resolution authorizing the Commercial Rehabilitation Exemption Certificate for Detroit Entrepreneur Development LLC District (209 West Louis Glick Highway, Lofts on Louis).

ATTACHMENTS

STATE USE ONLY		
Application Number	Date Received	LUCI Code

Application for Commercial Rehabilitation Exemption Certificate

Issued under authority of Public Act 210 of 2005, as amended.

Read the instructions page before completing the form. **This application should be filed after the commercial rehabilitation district is established.** The applicant must complete Parts 1, 2 and 3 and file one original application form (with required attachments) and one additional copy with the clerk of the local governmental unit (LGU). Attach the legal description of property on a separate sheet. This project will not receive tax benefits until approved by the State Tax Commission (STC). Applications received after October 31 may not be acted upon in the current year. This application is subject to audit by the STC.

PART 1: OWNER / APPLICANT INFORMATION (applicant must complete all fields)			
Applicant (Company) Name (applicant must be the owner of the facility) Detroit Entrepreneur Development, LLC		NAICS or SIC Code 531110	
Facility's Street Address 209 West Louis Glick Highway	City Jackson	State MI	ZIP Code 49201
Name of City, Township or Village (taxing authority) City of Jackson		School District Where Facility is Located Jackson Public Schools	
<input type="checkbox"/> City <input type="checkbox"/> Township <input type="checkbox"/> Village		County Jackson	
Date of Rehabilitation Commencement (mm/dd/yyyy) 11/01/2016		Planned Date of Rehabilitation Completion (mm/dd/yyyy) 11/01/2017	
Estimated Cost of Rehabilitation \$5,375,638		Number of Years Exemption Requested (1-10) 10	
Expected Project Outcomes (check all that apply)			
<input checked="" type="checkbox"/> Increase Commercial Activity <input type="checkbox"/> Retain Employment <input checked="" type="checkbox"/> Revitalize Urban Areas <input checked="" type="checkbox"/> Create Employment <input type="checkbox"/> Prevent Loss of Employment <input checked="" type="checkbox"/> Increase Number of Residents in Facility's Community			
No. of jobs to be created due to facility's rehabilitation 39	No. of jobs to be retained due to facility's rehabilitation 0	No. of construction jobs to be created during rehabilitation 20	

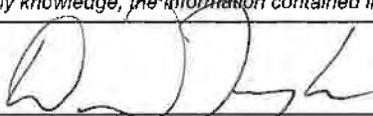
PART 2: APPLICATION DOCUMENTS	
Prepare and attach the following items:	
<input checked="" type="checkbox"/> General description of the facility (year built, original use, most recent use, number of stories, square footage)	<input checked="" type="checkbox"/> Statement of the economic advantages expected from the exemption
<input checked="" type="checkbox"/> Description of the qualified facility's proposed use	<input checked="" type="checkbox"/> Legal description
<input checked="" type="checkbox"/> Description of the general nature and extent of the rehabilitation to be undertaken	<input type="checkbox"/> Description of the "underserved area" (Qualified Retail Food Establishments only)
<input checked="" type="checkbox"/> Descriptive list of the fixed building equipment that will be a part of the qualified facility	<input type="checkbox"/> Commercial Rehabilitation Exemption Certificate for Qualified Retail Food Establishments (Form 4753) (Qualified Retail Food Establishments only)
<input checked="" type="checkbox"/> Time schedule for undertaking and completing the facility's rehabilitation	

PART 3: APPLICANT CERTIFICATION			
Name of Authorized Company Officer (no authorized agents) JOHN A BURTKA		Telephone Number 517-937-4272	
Fax Number 517-962-2553		E-mail Address JBURTKA@HOTMAIL.COM	
Street Address 117 W. LOUIS GLICK HWY,	City JACKSON	State MI	ZIP Code 49201
<p><i>I certify that, to the best of my knowledge, the information contained herein and in the attachments is truly descriptive of the property for which this application is being submitted. Further, I am familiar with the provisions of Public Act 210 of 2005, as amended, and to the best of my knowledge the company has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local governmental unit and the issuance of a Commercial Rehabilitation Exemption Certificate by the State Tax Commission.</i></p> <p><i>I further certify that this rehabilitation program, when completed, will constitute a rehabilitated facility, as defined by Public Act 210 of 2005, as amended, and that the rehabilitation of this facility would not have been undertaken without my receipt of the exemption certificate.</i></p>			
Signature of Authorized Company Officer (no authorized agents) 		Title MEMBER	Date 7/25/16

PART 4: ASSESSOR RECOMMENDATIONS (assessor of LGU must complete Part 4)			
Provide the Taxable Value and State Equalized Value of Commercial Property, as provided in Public Act 210 of 2005, as amended, for the tax year immediately preceding the effective date of the certificate (December 31 of the year approved by the STC).			
	Taxable Value	State Equalized Value (SEV)	
Land			
Building(s)			
The property to be covered by this exemption may not be included on any other specific tax roll while receiving the Commercial Rehabilitation Exemption. For example, property on the Eligible Tax Reverted Property (Land Bank) specific tax roll cannot be granted a Commercial Rehabilitation Exemption that would also put the same property on the Commercial Rehabilitation specific tax roll.			
<input type="checkbox"/> By checking this box I certify that, if approved, the property to be covered by this exemption will be on the Commercial Rehabilitation Exemption specific tax roll and not on any other specific tax roll.			
Name of Local Government Body			
Name of Assessor (first and last name)		Telephone Number	
Fax Number		E-mail Address	
<i>I certify that, to the best of my knowledge, the information contained in Part 4 of this application is complete and accurate.</i>			
Assessor's Signature			Date
PART 5: LOCAL GOVERNMENT ACTION (clerk of LGU must complete Part 5)			
Action Taken By LGU (attach a certified copy of the resolution):			
<input type="checkbox"/> Exemption approved for _____ years, ending December 30, _____ (not to exceed 10 years)			
<input type="checkbox"/> Exemption Denied			
Date District Established (attach resolution for district)	Local Unit Classification Identification (LUCI) Code	School Code	
PART 6: LOCAL GOVERNMENT CLERK CERTIFICATION (clerk of LGU must complete Part 6)			
Clerk's Name (first and last)		Telephone Number	
Fax Number		E-mail Address	
Mailing Address	City	State	ZIP Code
LGU Contact Person for Additional Information	LGU Contact Person Telephone Number	Fax Number	
<i>I certify that, to the best of my knowledge, the information contained in this application and attachments is complete and accurate and hereby request the State Tax Commission issue a Commercial Rehabilitation Exemption Certificate, as provided by Public Act 210 of 2005, as amended.</i>			
Clerk's Signature			Date

The clerk must retain the original application at the local unit and mail one copy of the completed application with attachments to:

State Tax Commission
P.O. Box 30471
Lansing, MI 48909

PART 4: ASSESSOR RECOMMENDATIONS (assessor of LGU must complete Part 4)			
Provide the Taxable Value and State Equalized Value of Commercial Property, as provided in Public Act 210 of 2005, as amended, for the tax year immediately preceding the effective date of the certificate (December 31 of the year approved by the STC).			
	Taxable Value	State Equalized Value (SEV)	
Land	\$0	\$0	
Building(s)	\$0	\$0	
The property to be covered by this exemption may not be included on any other specific tax roll while receiving the Commercial Rehabilitation Exemption. For example, property on the Eligible Tax Reverted Property (Land Bank) specific tax roll cannot be granted a Commercial Rehabilitation Exemption that would also put the same property on the Commercial Rehabilitation specific tax roll.			
<input checked="" type="checkbox"/> By checking this box I certify that, if approved, the property to be covered by this exemption will be on the Commercial Rehabilitation Exemption specific tax roll and not on any other specific tax roll.			
Name of Local Government Body City of Jackson			
Name of Assessor (first and last name) David Taylor		Telephone Number (517) 788-4033	
Fax Number (866) 902-7891		E-mail Address dtaylor@cityofjackson.org	
<i>I certify that, to the best of my knowledge, the information contained in Part 4 of this application is complete and accurate.</i>			
Assessor's Signature 			Date 8/15/16
PART 5: LOCAL GOVERNMENT ACTION (clerk of LGU must complete Part 5)			
Action Taken By LGU (attach a certified copy of the resolution):			
<input type="checkbox"/> Exemption approved for _____ years, ending December 30, _____ (not to exceed 10 years)			
<input type="checkbox"/> Exemption Denied			
Date District Established (attach resolution for district)	Local Unit Classification Identification (LUCI) Code	School Code	
PART 6: LOCAL GOVERNMENT CLERK CERTIFICATION (clerk of LGU must complete Part 6)			
Clerk's Name (first and last)		Telephone Number	
Fax Number		E-mail Address	
Mailing Address		City	State ZIP Code
LGU Contact Person for Additional Information		LGU Contact Person Telephone Number	Fax Number
<i>I certify that, to the best of my knowledge, the information contained in this application and attachments is complete and accurate and hereby request the State Tax Commission issue a Commercial Rehabilitation Exemption Certificate, as provided by Public Act 210 of 2005, as amended.</i>			
Clerk's Signature			Date

The clerk must retain the original application at the local unit and mail one copy of the completed application with attachments to:

State Tax Commission
P.O. Box 30471
Lansing, MI 48909

Instructions for Completing Form 4507

Application for Commercial Rehabilitation Exemption Certificate

The Commercial Rehabilitation Exemption Certificate was created by Public Act 210 of 2005, as amended. The application is initially filed, reviewed, and approved by the LGU and then reviewed and approved by the State Tax Commission. According to Section 3 of Public Act 210 of 2005, as amended, the LGU must establish a Commercial Rehabilitation District. **Rehabilitation may commence after establishment of the Commercial Rehabilitation District.**

Owner / Applicant Instructions

1. Complete Parts 1, 2 and 3 of application
2. Prepare and attach all documents required under Part 2 of the application:
 - a. General description of the facility (year built, original use, most recent use, number of stories, square footage)
 - b. Description of the qualified facility's proposed use
 - c. Description of the general nature and extent of the rehabilitation to be undertaken
 - d. Descriptive list of the fixed building equipment that will be a part of the qualified facility
 - e. Time schedule for undertaking and completing the facility's rehabilitation
 - f. Statement of the economic advantages expected from the exemption
 - g. Legal description of the facility
 - h. Description of the "underserved area" (Qualified Retail Food Establishments only)
3. Qualified Retail Food Establishments:
 - a. Complete Part 1 of the *Commercial Rehabilitation Exemption Certification for Qualified Retail Food Establishments* (Form 4753). Submit to LGU clerk along with application.
 - b. Describe the "underserved area" and provide supporting documentation to show how the project area meets one or more of the following requirements:
 - i. An area that contains a low to moderate income census tract(s) which, based on per capita income, are tracts below the 66.67 percentile (\$23,643 in 1999 dollars) and a below average supermarket density
 - ii. An area that has a supermarket customer base with more than 50% living in a low income census tract(s) which based on the per capita income, are tracts below the 66.67 percentile (\$23,643 in 1999 dollars)
 - iii. An area that has demonstrated significant access limitations due to travel distance and has no Qualified Retail Food Establishments within two miles of the geo-center for an urban area or has no Qualified Retail Food Establishments within nine miles of the geo-center for a rural area.

For assistance in determining the project area's eligibility, visit www.michigan.gov/propertytaxexemptions and click on Commercial Rehabilitation Act.
4. Submit the application and all attachments to the clerk of the LGU where the property is located.

LGU Assessor Instructions

Complete and sign Part 4 of the application.

LGU Clerk Instructions

1. After LGU action, complete Part 5 of the application.
2. After reviewing the application for complete and accurate information, complete Part 6 and sign the application to certify the application meets the requirements as outlined by Public Act 210 of 2005, as amended.
3. Assemble the following for a complete application:
 - a. Completed *Application for Commercial Rehabilitation Exemption Certificate* (Form 4507)
 - b. All required attachments listed under Part 2
 - c. A copy of the resolution by the LGU establishing the district
 - d. A certified copy of the resolution by the LGU approving the application
 - e. Complete Form 4753 (Qualified Retail Food Establishments only)
4. Submit the completed application to: State Tax Commission, P.O. Box 30471, Lansing, MI 48909

Application Deadline

The State Tax Commission must receive complete applications on or before October 31 to ensure processing and certificate issuance for the following tax year. Applications received after October 31 may not be processed in time for certificate issuance for the following tax year.

For guaranteed receipt by the State Tax Commission, send applications and attachments via certified mail.

If you have questions or need additional information or sample documents, visit www.michigan.gov/propertytaxexemptions or call (517) 373-2408.

PA 210 Attachment Information

General Description of the Facility

Beginning in 1980, the Property was paved parking and contained only one building used for auto sales/repair. The building and the parking lot pavement were demolished in 2010.

The Property is currently a grass lot that contains landscaping, trees, a concrete walkway, and a newly constructed parking lot.

Description of the qualified facility's proposed use

Applicant propose to construct a 46,682 sq. ft., 4 story, new- construction, mixed-used, building containing 8,500 sq. ft. of commercial space on the first floor and 30 market rate apartments on the 2-4 floors.

Description of the general nature and extent of the rehabilitation to be undertaken.

This project will not rehabilitate any existing structures, but rather build a new commercial building on the vacant downtown site.

Descriptive list of the fixed building equipment that will be a part of the qualified facility

All building equipment will be new for this property this includes but is not limited to all new HVAC equipment/systems, electrical power distribution and lighting systems, plumbing, supply, distribution, and drainage system, fire protection system, fire alarm system, elevator and elevator equipment, and standard residential housing fixtures.

Time schedule for undertaking and completing the facility's rehabilitation.

The project will take 12 months to construct. The project is slated to start on or before November 1st 2016 and will be completed in the following year around the same time.

Statement of the economic advantages expected from the exemption

The project will bring both residents and employees downtown, which will support downtown businesses. In addition, the project is expected to generate approximately 50 thousand a year in property taxes during the abatement period as well as allowing the city to capture income taxes on new residents to the property.

Legal Description

Land situated in the City of Jackson, County of Jackson and State of Michigan legally described as:

Part of Lots 5 & 8, B2N, R1W of the original plat of Jacksonburg, as platted in the original Stratton map of the City of Jackson, County of Jackson, State of Michigan, being further described as beginning at a point 10 feet south of the northeast corner of said Lot 5, thence S89°40'55"W parallel to the north line of Lots 5 & 8, 203.35 feet, thence S00°19'05"E 57.33 feet, thence N89°40'55"E 203.12 feet to the east line of Lot 5, thence North along said east line 57.33 feet to the point of beginning.

NOTICE OF PUBLIC HEARING

August 9, 2016

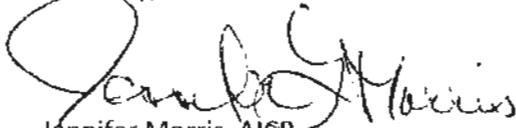
Subject: Public hearing to consider an application for Commercial Rehabilitation Exemption Certificate

To Taxing Unit Representative,

In accordance with the notification requirements outlined in Public Act 210 of 2005, the City must provide written notification to each taxing unit that levies ad valorem property taxes within the City in which the qualified facility is located. As such, we wish to inform you of a pending commercial rehabilitation exemption certificate application that will be considered by the Jackson City Council on August 23, 2016 at 6:30 pm or shortly thereafter. The applicant is Detroit Entrepreneur Development LLC and is for a new multi-story mixed use project to be located at 209 West Louis Glick Highway. The estimated cost of rehabilitation is \$5,375,638 and is to commence on November 1, 2016 with an estimated completion date of November 1, 2017. The applicant is requesting a ten (10) year exemption resulting in a project that satisfies several of the desired project outcomes including increasing commercial activity, creating employment, revitalizing an urban area, and increasing the number of residents in the downtown.

Please feel free to contact me with any questions or clarification regarding the proposal and/or the public hearing procedures.

Sincerely,

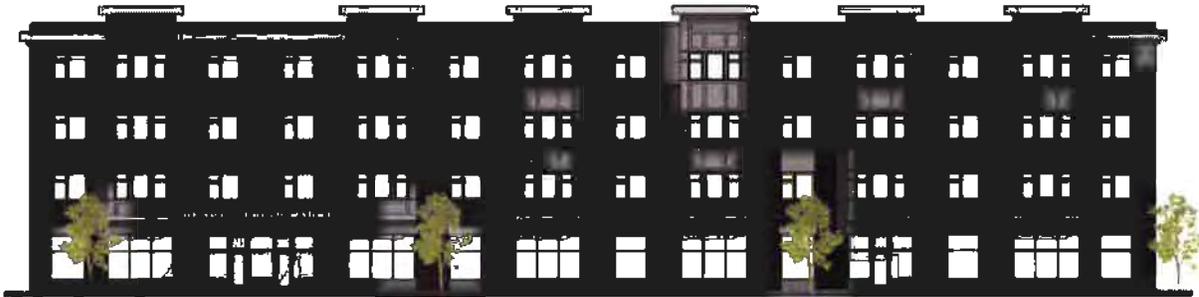


Jennifer Morris, AICP

Director of Neighborhood and Economic Operations
jmorris@cityofjackson.org

cc: Patrick Burtch, City Manager
Bethany Smith, City Attorney

Enclosures: Application for Commercial Rehabilitation Exemption Certificate



LOFTS ON LOUIS PROJECT

August 11, 2016

Project Overview

Detroit Entrepreneur Development, LLC (DED) is currently working with the City of Jackson, the State of Michigan, and other parties to execute a plan to build and operate a mixed-use real estate development in downtown Jackson, Michigan. The "Lofts on Louis" Project (the Project) is designed as a four floor development providing commercial space on the first floor and residential apartments on the second, third, and fourth floors. One of the major goals of the Project is to attract working professionals into residence in the downtown area closer to employers such as Henry Ford Allegiance Health and Consumers Energy. Increasing housing options for this target market will ultimately have far reaching impacts for the City of Jackson and the broader community in terms of downstream economics as well as attracting more talent to the area.

Project Highlights

- Site – Semi improved vacant land located in the downtown Jackson district
- Main level – Commercial space – approx. 11,000 gross square feet with approx. 8,500 leasable square feet and 2,500 square feet of common area
 - Lease space is to be "white boxed" for a commercial user (i.e. local/specialty grocer, professional office user and or complimentary retail outlet.
- Levels 2-4 – Market rate residential apartments
 - 30 units total – approx. 38,352 square feet
 - 18 – two bedroom units
 - 12 – one bedroom units
 - Mid to high end finishes – granite countertops at kitchen and bathrooms, LVT/ceramic tile flooring, 9 foot ceilings, upgraded technology, stainless appliances, individual washer/dryer, etc.
- 54 parking spaces for rent to residents and commercial tenant with revenues passing through to the City of Jackson
- The Project is planned to begin construction in Q4 2016 with a completion in Q4 2017.

Project Cost Estimates

Estimated construction costs	\$5,083,852
Architectural and planning costs	\$ 153,700
Construction interest & insurance	\$ 65,010
Loan closing fees, title work, etc.	\$ 39,575
Legal, marketing, other startup	\$ 33,500
TOTAL DEVELOPMENT COSTS	\$5,375,637

Project Financing Breakdown

Construction Loan

- Dart Bank - 18-24 months interest only (variable interest at WSJ Prime + 1.5%)

Final financing structure

Senior debt ¹	Dart Bank	\$3,381,900
MEDC grant ²	State of Michigan	\$1,047,510
Subordinated debt ³	various investors	\$ 500,000
<u>Equity capital</u>	<u>DED, LLC</u>	<u>\$ 500,000</u>
TOTAL FUND SOURCES		\$5,429,410

TOTAL DEVELOPMENT COSTS \$5,375,637

RESERVE CASH AT STARTUP \$ 53,773

¹ Senior debt - term loan, fixed rate 5.0% for 5 years, 20 year amortization,

- First real estate mortgage, assignment of rents,
- Minimum debt service coverage ratio of 1.2
- Loan to value ratio of 80% or less

² MEDC grant – under Community Revitalization Program (CRP)

³ Subordinated debt – 8 year promissory notes, Fixed 8.0%, 1 year interest only, 7 year amortization, subordinate to senior debt

Pro-forma Financial Analysis

The development of pro-forma financial models include significant estimates and assumptions from management that span a 20 year project horizon. While it is impossible to predict the future with certainty, the Pro-forma Analysis, represents the Project developers' best estimates as to the costs and ultimate returns of the Project after consulting with many individuals having knowledge relevant to the Project. Based on the assumptions outlined in the Assumptions page of the Pro-Forma Analysis, the following critical observations are noted:

- A minimum 9 year property tax freeze is required to maintain the minimum debt service coverage ratio 1.2 required by the senior debt lender.
- Parking revenues to the City of Jackson over the first 5 years after Certificate of Occupancy are approximately \$149,000.
- Distributions to equity investors during the first 7 years of operation are projected at less than \$30,000. Estimated tax liabilities to equity investors are projected to be in excess of \$100,000 during this same 7 year period creating a negative after tax cash flow for these investors during this 7 year period.
- Overall investor returns are projected at less than 13% over a 20 year projection on the project.



LOFTS ON LOUIS DEVELOPMENT PROFORMA ANALYSIS



LOFTS ON LOUIS DEVELOPMENT PROFORMA ANALYSIS KEY ASSUMPTIONS

Income Residential Tenants

Unit Type	# Units	Baths	Sq Ft	Mo. Rent	Gross Annual Income	Vacancy Loss	Net Annual Income	Total Sq Ft
2 bdr	12	2	1,132	\$ 1,150	\$ 165,600	\$ (13,248)	\$ 152,352	13,584
1 bdr	12	1	775	\$ 775	\$ 111,600	\$ (8,928)	\$ 102,672	9,300
2 bdr	3	2	1,200	\$ 1,200	\$ 43,200	\$ (3,456)	\$ 39,744	3,600
2 bdr	3	2	1,100	\$ 1,100	\$ 39,600	\$ (3,168)	\$ 36,432	3,300
INC SOURCE								
Parking	30			\$ 45	\$ 16,200	\$ (1,296)	\$ 14,904	
TOTALS					\$ 376,200	\$ (30,096)	\$ 346,104	

Residential Assumptions	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6+
Income Increase		2.0%	2.0%	2.0%	2.0%	1.0%
Vacancy Rate	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%

Income Residential Tenants

Description	Sq Ft	Rent per ft2	Gross Annual Income	Vacancy Loss	Net Annual Income	Total Sq Ft
	8,500	\$ 14.00	\$ 119,000	\$ (9,520)	\$ 109,480	-
	24	\$ 45	\$ 12,960	\$ (1,037)	\$ 11,923	-
TOTALS			\$ 131,960	\$ (10,557)	\$ 121,403	

Commercial Assumptions	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6+
Income Increase		2.0%	2.0%	2.0%	2.0%	2.0%
Vacancy Rate	0.0%	8.0%	8.0%	8.0%	8.0%	8.0%
Inflation on costs		1.0%	1.0%	1.0%	1.0%	1.0%

FUNDING/CAP STRUCTURE

MEDC Grant			\$ 1,047,510
Senior Term Debt			\$ 3,381,900
	MIN CAP %	MIN CAP \$	TARGET CAP
TOTAL EQUITY REQUIRED	15%	\$ 806,346	\$ 1,000,000
Subordinated Debt			\$ 500,000
Equity			\$ 500,000
TOTAL FUNDING			\$ 5,429,410

Starting Cash \$ 53,773

CASH DIST TO INVESTORS YEAR RESTRICTION 3
CASH DIST TO INVESTORS THRESHOLD \$ 15,000

**LOFTS ON LOUIS DEVELOPMENT
PROFORMA ANALYSIS**

Year #	0	1	2	3	4	5	6	7	8	9	10		
1													
2	Residential inflation		2.0%	2.0%	2.0%	2.0%	2.0%	1.0%	1.0%	1.0%	1.0%		
3	Residential vacancy	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%		
4	Commercial inflation		2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%		
5	Commercial vacancy	0.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%		
6	2 bd-2ba Price	\$ 1,200	\$ 1,224	\$ 1,248	\$ 1,273	\$ 1,299	\$ 1,312	\$ 1,325	\$ 1,338	\$ 1,352	\$ 1,365		
7	Commercial Price	\$ 14.00	\$ 14.28	\$ 14.57	\$ 14.86	\$ 15.15	\$ 15.46	\$ 15.77	\$ 16.08	\$ 16.40	\$ 16.73		
8													
9													
10	Annual Gross Residential Rental Income	\$ 376,200	\$ 383,724	\$ 391,398	\$ 399,226	\$ 407,211	\$ 411,283	\$ 415,396	\$ 419,550	\$ 423,745	\$ 427,983		
11	Annual Gross Commercial Rental Income	\$ 131,960	\$ 134,599	\$ 137,291	\$ 140,037	\$ 142,838	\$ 145,695	\$ 148,608	\$ 151,581	\$ 154,612	\$ 157,704		
12	GROSS INCOME	\$ 508,160	\$ 518,323	\$ 528,690	\$ 539,263	\$ 550,049	\$ 556,978	\$ 564,004	\$ 571,130	\$ 578,358	\$ 585,687		
13													
14	Vacancy Loss Residential	\$ (30,098)	\$ (30,698)	\$ (31,312)	\$ (31,938)	\$ (32,577)	\$ (32,903)	\$ (33,232)	\$ (33,564)	\$ (33,900)	\$ (34,239)		
15	Vacancy Loss Commercial	\$ -	\$ (10,768)	\$ (10,983)	\$ (11,203)	\$ (11,427)	\$ (11,656)	\$ (11,889)	\$ (12,126)	\$ (12,369)	\$ (12,616)		
16	NET RENTAL INCOME	\$ 478,062	\$ 476,857	\$ 486,394	\$ 496,122	\$ 506,045	\$ 512,419	\$ 518,884	\$ 525,440	\$ 532,089	\$ 538,832		
17													
18	OPERATING EXPENSES												
19	Administrative Expenses												
20	Management fees	Infl	1.0%	\$ 20,000	\$ 20,200	\$ 20,402	\$ 20,606	\$ 20,812	\$ 21,020	\$ 21,230	\$ 21,443	\$ 21,657	\$ 21,874
21	Legal & Accounting	1.0%	\$ 1,950	\$ 1,970	\$ 1,989	\$ 2,009	\$ 2,029	\$ 2,049	\$ 2,070	\$ 2,091	\$ 2,112	\$ 2,133	
22	General Office	1.0%	\$ 2,500	\$ 2,525	\$ 2,550	\$ 2,576	\$ 2,602	\$ 2,628	\$ 2,654	\$ 2,680	\$ 2,707	\$ 2,734	
23	Electric Utilities	1.0%	\$ 7,512	\$ 7,587	\$ 7,663	\$ 7,740	\$ 7,817	\$ 7,895	\$ 7,974	\$ 8,054	\$ 8,134	\$ 8,216	
24	Maintenance & Janitorial	1.0%	\$ 15,550	\$ 15,706	\$ 15,863	\$ 16,021	\$ 16,181	\$ 16,343	\$ 16,507	\$ 16,672	\$ 16,838	\$ 17,007	
25	Elevator Maintenance	1.0%	\$ 1,800	\$ 1,818	\$ 1,838	\$ 1,858	\$ 1,873	\$ 1,892	\$ 1,911	\$ 1,930	\$ 1,949	\$ 1,969	
26	Parking Fees	1.0%	\$ 29,180	\$ 29,452	\$ 29,746	\$ 30,044	\$ 30,344	\$ 30,647	\$ 30,954	\$ 31,263	\$ 31,576	\$ 31,892	
27	Real Estate Taxes	1.0%	\$ 95,825	\$ 96,783	\$ 97,751	\$ 98,729	\$ 99,716	\$ 100,713	\$ 101,720	\$ 102,737	\$ 103,765	\$ 104,802	
28	Tax Abatement (-)	1.0%	\$ (57,338)	\$ (57,911)	\$ (58,490)	\$ (59,075)	\$ (59,666)	\$ (60,263)	\$ (60,865)	\$ (61,474)	\$ (62,089)	\$ -	
29	Property/Liability Insurance	1.0%	\$ 9,580	\$ 9,676	\$ 9,773	\$ 9,870	\$ 9,969	\$ 10,069	\$ 10,169	\$ 10,271	\$ 10,374	\$ 10,478	
30	Replacement Reserve	1.0%	\$ 14,245	\$ 14,387	\$ 14,531	\$ 14,677	\$ 14,823	\$ 14,972	\$ 15,121	\$ 15,273	\$ 15,425	\$ 15,580	
31	Marketing	1.0%	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
32	Legal	1.0%	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
33	Refinance Fee												
34	TOTAL OPERATING EXPENSES	\$ -	\$ 140,784	\$ 142,192	\$ 143,614	\$ 145,050	\$ 146,500	\$ 147,969	\$ 149,445	\$ 150,940	\$ 152,449	\$ 216,683	
35													
36	CASH FLOW BEFORE DEBT SERVICE	\$ -	\$ 337,280	\$ 334,666	\$ 342,781	\$ 351,072	\$ 359,544	\$ 364,454	\$ 369,439	\$ 374,501	\$ 379,840	\$ 322,149	
37													
38	Debt service on Senior Term Debt		\$ 169,095	\$ 267,829	\$ 267,829	\$ 267,829	\$ 267,829	\$ 267,829	\$ 267,829	\$ 267,829	\$ 267,829	\$ 267,829	
39	CASH FLOW FOR AFTER TERM DEBT SERVICE	\$ 168,185	\$ 66,837	\$ 74,952	\$ 83,244	\$ 91,716	\$ 96,625	\$ 101,610	\$ 106,672	\$ 111,812	\$ 54,321		
40	Debt Service coverage ratio on Senior Term Debt	min	1.200	1.995	1.250	1.280	1.311	1.342	1.361	1.379	1.398	1.417	1.203
41													
42	Debt service on Subordinated Debt	\$ 40,000	\$ 93,517	\$ 93,517	\$ 93,517	\$ 93,517	\$ 93,517	\$ 93,517	\$ 93,517	\$ 93,517	\$ 93,517	\$ -	
43													
44	NET CASH AFTER ALL DEBT SERVICE	\$ (40,000)	\$ 74,668	\$ (26,680)	\$ (18,965)	\$ (10,273)	\$ (1,801)	\$ 3,108	\$ 8,093	\$ 108,672	\$ 111,812	\$ 54,321	
45	CUMULATIVE CASH AFTER ALL DEBT SERVICE	\$ (40,000)	\$ 34,668	\$ 7,987	\$ (10,578)	\$ (20,851)	\$ (22,652)	\$ (19,544)	\$ (11,451)	\$ 95,221	\$ 207,032	\$ 261,353	
46													
47													
48	INCOME TAX CALCULATION												
49	CASH FLOW BEFORE DEBT SERVICE	\$ -	\$ 168,185	\$ 66,837	\$ 74,952	\$ 83,244	\$ 91,716	\$ 96,625	\$ 101,610	\$ 106,672	\$ 111,812	\$ 54,321	
50	INTEREST EXPENSE												
51	Construction Interest												
52	Term Debt	\$ -	\$ 169,095	\$ 166,801	\$ 161,632	\$ 156,199	\$ 150,487	\$ 144,484	\$ 138,174	\$ 131,540	\$ 124,567	\$ 117,238	
53	Sub Debt	\$ 40,000	\$ 37,993	\$ 33,385	\$ 28,394	\$ 22,989	\$ 17,135	\$ 10,795	\$ 3,929	\$ -	\$ -	\$ -	
54	TOTAL INTEREST EXPENSE	\$ 40,000	\$ 207,088	\$ 200,186	\$ 190,026	\$ 179,187	\$ 167,622	\$ 155,279	\$ 142,103	\$ 131,540	\$ 124,567	\$ 117,238	
55													
56	DEPRECIATION EXPENSE		\$ 110,978	\$ 110,978	\$ 110,978	\$ 110,978	\$ 110,978	\$ 110,978	\$ 110,978	\$ 110,978	\$ 110,978	\$ 110,978	
57													
58	TAXABLE INCOME	\$ (40,000)	\$ 19,214	\$ 23,502	\$ 41,777	\$ 60,907	\$ 80,944	\$ 98,197	\$ 116,358	\$ 131,983	\$ 144,095	\$ 93,934	
59	CUMULATIVE TAXABLE INCOME	\$ (40,000)	\$ (20,786)	\$ 2,716	\$ 44,493	\$ 105,401	\$ 186,345	\$ 284,542	\$ 400,901	\$ 532,893	\$ 676,978	\$ 770,912	
60	DISTRIBUTIONS TO INVESTORS	\$ -	\$ -	\$ -	\$ -	\$ 17,922	\$ -	\$ 1,307	\$ 8,093	\$ 108,672	\$ 111,812	\$ 54,321	
61													
62	ESTIMATED PERSONAL TAXES	\$ (7,253)	\$ (8,872)	\$ (15,771)	\$ (22,983)	\$ (30,557)	\$ (37,069)	\$ (43,925)	\$ (48,823)	\$ (54,396)	\$ (59,460)		
63	NET CASH IMPACT TO INVESTORS	\$ (7,253)	\$ (8,872)	\$ (15,771)	\$ (22,983)	\$ (30,557)	\$ (37,069)	\$ (43,925)	\$ (48,823)	\$ (54,396)	\$ (59,460)		
64	CUMULATIVE NET CASH TO INVESTORS	\$ (7,253)	\$ (16,125)	\$ (31,896)	\$ (56,967)	\$ (87,523)	\$ (124,592)	\$ (168,517)	\$ (219,340)	\$ (277,736)	\$ (344,296)		

**LOFTS ON LOUIS DEVELOPMENT
PROFORMA ANALYSIS**

Year #	11	12	13	14	15	16	17	18	19	20
1 Residential inflation	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%
2 Residential vacancy	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%
3 Commercial inflation	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%
4 Commercial vacancy	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%
5										
6 2 bd-2ba Price	\$ 1,379	\$ 1,393	\$ 1,407	\$ 1,421	\$ 1,435	\$ 1,449	\$ 1,464	\$ 1,478	\$ 1,493	\$ 1,508
7 Commercial Price	\$ 17.07	\$ 17.41	\$ 17.76	\$ 18.11	\$ 18.47	\$ 18.84	\$ 19.22	\$ 19.60	\$ 20.00	\$ 20.40
8										
9										
	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037
10 Annual Gross Residential Rental Income	\$ 432,263	\$ 436,585	\$ 440,951	\$ 445,361	\$ 449,814	\$ 454,312	\$ 458,858	\$ 463,444	\$ 468,079	\$ 472,759
11 Annual Gross Commercial Rental Income	\$ 160,859	\$ 164,076	\$ 167,357	\$ 170,704	\$ 174,118	\$ 177,601	\$ 181,153	\$ 184,776	\$ 188,471	\$ 192,241
12 GROSS INCOME	\$ 593,121	\$ 600,661	\$ 608,308	\$ 616,065	\$ 623,933	\$ 631,913	\$ 640,088	\$ 648,220	\$ 656,550	\$ 665,000
13										
14 Vacancy Loss Residential	\$ (34,581)	\$ (34,927)	\$ (35,276)	\$ (35,629)	\$ (35,985)	\$ (36,345)	\$ (36,708)	\$ (37,076)	\$ (37,446)	\$ (37,821)
15 Vacancy Loss Commercial	\$ (12,869)	\$ (13,126)	\$ (13,389)	\$ (13,656)	\$ (13,929)	\$ (14,208)	\$ (14,492)	\$ (14,782)	\$ (15,078)	\$ (15,379)
16 NET RENTAL INCOME	\$ 545,671	\$ 552,608	\$ 559,644	\$ 566,780	\$ 574,018	\$ 581,360	\$ 588,806	\$ 596,362	\$ 604,026	\$ 611,800
17										
18 OPERATING EXPENSES										
19 Administrative Expenses										
20 Management fees	1.0%									
21 Legal & Accounting	1.0%									
22 General Office	1.0%									
23 Electric Utilities	1.0%									
24 Maintenance & Janitorial	1.0%									
25 Elevator Maintenance	1.0%									
26 Parking Fees	1.0%									
27 Real Estate Taxes	1.0%									
28 Tax Abatement (-)	1.0%									
29 Property/Liability Insurance	1.0%									
30 Replacement Reserve	1.0%									
31 Marketing	1.0%									
32 Legal	1.0%									
33 Refinance Fee										
34 TOTAL OPERATING EXPENSES	\$ 218,850	\$ 221,938	\$ 223,249	\$ 225,481	\$ 227,736	\$ 230,013	\$ 232,314	\$ 234,637	\$ 236,983	\$ 239,353
35										
36 CASH FLOW BEFORE DEBT SERVICE	\$ 326,822	\$ 331,570	\$ 336,395	\$ 341,288	\$ 346,282	\$ 351,347	\$ 356,494	\$ 361,726	\$ 367,043	\$ 372,447
37										
38 Debt service on Senior Term Debt	\$ 267,829	\$ 267,829	\$ 267,829	\$ 267,829	\$ 267,829	\$ 267,829	\$ 267,829	\$ 267,829	\$ 267,829	\$ 267,829
39 CASH FLOW FOR AFTER TERM DEBT SERVICE	\$ 58,993	\$ 63,741	\$ 68,566	\$ 73,470	\$ 78,453	\$ 83,518	\$ 88,666	\$ 93,897	\$ 99,214	\$ 104,619
40 <i>Debt Service coverage ratio on Senior Term Debt</i>	<i>min</i>	1.200	1.238	1.256	1.274	1.293	1.312	1.331	1.351	1.371
41										
42 Debt service on Subordinated Debt	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
43										
44 NET CASH AFTER ALL DEBT SERVICE	\$ 58,993	\$ 63,741	\$ 68,566	\$ 73,470	\$ 78,453	\$ 83,518	\$ 88,666	\$ 93,897	\$ 99,214	\$ 104,619
45 CUMULATIVE CASH AFTER ALL DEBT SERVICE	\$ 320,346	\$ 384,667	\$ 452,654	\$ 526,123	\$ 604,677	\$ 688,095	\$ 776,761	\$ 870,658	\$ 969,872	\$ 1,074,490
46										
47										
48 INCOME TAX CALCULATION										
49 CASH FLOW BEFORE DEBT SERVICE	\$ 58,993	\$ 63,741	\$ 68,566	\$ 73,470	\$ 78,453	\$ 83,518	\$ 88,666	\$ 93,897	\$ 99,214	\$ 104,619
50 INTEREST EXPENSE										
51 Construction Interest										
52 Term Debt	\$ 109,533	\$ 101,435	\$ 92,922	\$ 83,973	\$ 74,567	\$ 64,678	\$ 54,265	\$ 43,360	\$ 31,676	\$ 19,604
53 Sub Debt	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
54 TOTAL INTEREST EXPENSE	\$ 109,533	\$ 101,435	\$ 92,922	\$ 83,973	\$ 74,567	\$ 64,678	\$ 54,265	\$ 43,360	\$ 31,676	\$ 19,604
55										
56 DEPRECIATION EXPENSE	\$ 110,978	\$ 110,978	\$ 110,978	\$ 110,978	\$ 110,978	\$ 110,978	\$ 110,978	\$ 110,978	\$ 110,978	\$ 110,978
57										
58 TAXABLE INCOME	\$ 106,311	\$ 119,157	\$ 132,496	\$ 146,348	\$ 160,738	\$ 175,690	\$ 191,231	\$ 207,388	\$ 224,189	\$ 241,565
59 CUMULATIVE TAXABLE INCOME	\$ 877,223	\$ 996,380	\$ 1,128,876	\$ 1,275,224	\$ 1,435,961	\$ 1,611,651	\$ 1,802,882	\$ 2,010,270	\$ 2,234,459	\$ 2,476,124
60 DISTRIBUTIONS TO INVESTORS	\$ 58,993	\$ 63,741	\$ 68,566	\$ 73,470	\$ 78,453	\$ 83,518	\$ 88,666	\$ 93,897	\$ 99,214	\$ 104,619
61										
62 ESTIMATED PERSONAL TAXES	\$ (40,132)	\$ (44,982)	\$ (50,017)	\$ (55,246)	\$ (60,678)	\$ (66,323)	\$ (72,190)	\$ (78,289)	\$ (84,831)	\$ (91,226)
63 NET CASH IMPACT TO INVESTORS	\$ 18,861	\$ 18,759	\$ 18,549	\$ 18,224	\$ 17,775	\$ 17,195	\$ 16,476	\$ 15,608	\$ 14,583	\$ 13,390
64 CUMULATIVE NET CASH TO INVESTORS	\$ 12,867	\$ 31,627	\$ 50,176	\$ 68,400	\$ 86,175	\$ 103,370	\$ 119,845	\$ 135,454	\$ 150,037	\$ 163,426

LOFTS ON LOUIS DEVELOPMENT DEVELOPER RETURNS

IRR 12.96% 12.75%

YEAR	PROJECT CASH FLOWS	INVESTOR CASH FLOWS
0	\$ (500,000)	\$ (500,000)
1	\$ 74,668	\$ -
2	\$ (26,680)	\$ -
3	\$ (18,565)	\$ -
4	\$ (10,273)	\$ 17,922
5	\$ (1,801)	\$ -
6	\$ 3,108	\$ 1,307
7	\$ 8,093	\$ 8,093
8	\$ 106,672	\$ 106,672
9	\$ 111,812	\$ 111,812
10	\$ 54,321	\$ 54,321
11	\$ 58,993	\$ 58,993
12	\$ 63,741	\$ 63,741
13	\$ 68,566	\$ 68,566
14	\$ 73,470	\$ 73,470
15	\$ 78,453	\$ 78,453
16	\$ 83,518	\$ 83,518
17	\$ 88,666	\$ 88,666
18	\$ 93,897	\$ 93,897
19	\$ 99,214	\$ 99,214
20	\$ 104,619	\$ 104,619
21	\$ 3,277,534	\$ 3,277,534

TERMINAL VALUE

EBITDA Final Year	\$	372,447
Capitalization Rate		10.0%
Real Estate Value	\$	3,724,471
Less: Selling Exp	5.0%	\$ (186,224)
Less: Outstanding Debt	\$	(260,714)
Net Sale Proceeds	\$	3,277,534

RESOLUTION

BY THE BOARD OF REVIEW:

WHEREAS, the Assessor, in accordance with the direction of the City Council, did prepare special assessments concerning the operation of a meterless parking system for the downtown area, which assessments were by him placed on Assessment Roll No. 4268 in the amount of \$37,050.00; and

WHEREAS, notice has been duly given that the City Council and Assessor would sit as a Board of Review in the City Hall Council Chambers at 161 W. Michigan Avenue, Jackson, Michigan, on Tuesday, the 23th day of August, 2016, at 6:30 p.m. to hear any and all objections and suggestions by interested parties concerning such special assessments; and

WHEREAS, the matter of said review having come on to be heard, and the City Assessor and the City Council sitting as a Board of Review having heard all suggestions and objections made thereto, and having fully considered the same;

NOW, THEREFORE, BE IT RESOLVED that each and every special assessment as contained in said roll is hereby confirmed and made a valid lien against the property and a valid claim against the owner thereof, and the City Clerk is hereby directed to make certifications of this determination and attach same to said roll, and to then turn said roll over to the City Treasurer for collection.

BE IT FURTHER RESOLVED that each and every special assessment as contained in said roll is hereby divided into two (2) equal installments without interest, the first of which is due and payable 30 days after billing, and the second of which shall be due and payable 60 days following confirmation.

* * * * *

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 sitting as a Board of Review on the 23th day of August, 2016.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, this 24th day of August, 2016.

Andrew J. Wrozek, Jr., City Clerk

William C. Jors, Mayor

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, a petition has been filed by all of the persons, firms, corporations, and entities owning property abutting on or located in, under or over an alley in the City of Jackson, Michigan, for the vacation of said alleys, more particularly described as:

A PART OF A 16 FOOT WIDE ALLEY IN BLOCK 5, HARMON'S ADDITION, RUNNING EAST FROM KENT STREET, AND LYING HALF-WAY BETWEEN MANSION STREET & PROSPECT STREET, SOUTH OF LOTS 21 & 22 & NORTH OF LOTS 7 & 8, BLOCK 5, HARMON'S ADDITION, AND DESCRIBED AS BEGINNING AT THE NORTHEAST CORNER OF LOT 7, BLOCK 5, HARMON'S ADDITION AND THENCE RUNNING WEST 100 FEET TO THE NW CORNER OF LOT 8, THENCE NORTH 16 FEET, THENCE EAST 100 FEET TO THE SOUTHEAST CORNER OF LOT 22, THENCE SOUTH 16 FEET TO THE POINT OF BEGINNING, BLOCK 5, HARMON'S ADDITION, CITY OF JACKSON, JACKSON COUNTY, STATE OF MICHIGAN.

WHEREAS, it is determined that all persons, firms, corporations, and entities who will be affected by said vacation have filed with the City Council their written consent to the same, and that it is necessary for the health, welfare, comfort, and safety of the people of the City to vacate and discontinue such alleys;

NOW, THEREFORE, BE IT RESOLVED that the above-described alleys be, and the same is hereby vacated, and the land shall revert to the abutting property free from any claim or right on the part of the public and, except as otherwise provided herein, all public claims and rights in and to said alley are hereby forever barred.

BE IT FURTHER RESOLVED that the vacation of the above-described alleys is upon the condition that title to all water, sewer, gas, electric, and communication poles, wires, conduits, cables, pipes, lines, and their respective appurtenances and facilities now or hereafter in, under or over said alley are reserved to and shall remain in the respective owners thereof and their successors or assigns, together with an easement and continued right to occupy said alley within the previous right-of-way thereof for public utility purposes, with present and additional facilities, and to operate, repair, maintain, replace or remove the same to the same effect and in the same manner as if said alleys remained a public way.

BE IT FURTHER RESOLVED that any abutting property owner, and their respective successors, heirs or assigns who wish to erect any structure on, or cause construction to, or otherwise modify or improve the now vacated right-of-way, shall first obtain the written permission of any utility owner who retains a right of occupancy and easement in said vacated right-of-way. Said written permission is required to ensure noninterference with the utility owner's easement and right of occupancy.

* * * * *

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 23rd day of August, 2016.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the Seal of the City of Jackson, Michigan, on this 23rd day of August, 2016.

Andrew J. Wrozek, Jr., City Clerk

William C. Jors, Mayor

MEMO TO: Mayor and City Councilmembers
FROM: Patrick H. Burtch, City Manager
DATE: August 23, 2016
SUBJECT: Amendment 1 to 2015 Parking Lot Engineering Contract

Recommendation:

Approval of Amendment 1 to the contract for 2015 Parking Lot Engineering with Fishbeck, Thompson, Carr & Huber (FTC&H) of Novi, MI, at a not-to-exceed cost of \$15,000.00, and authorization for the City Manager and City Engineer to sign the contract documents.

Attached is a memo from Jon H. Dowling, City Engineer, regarding an amendment to the contract 2015 Parking Lot Engineering.

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

PHB

Attachment

DEPARTMENTAL REPORT

MEMO TO: Patrick Burtch, City Manager
FROM: Jon H. Dowling, P.E., City Engineer
DATE: August 23, 2016

RECOMMENDATION: Approval of Amendment 1 to the contract for 2015 Parking Lot Engineering with Fishbeck, Thompson, Carr & Huber (FTC&H) of Novi, MI, at a not-to-exceed cost of \$15,000.00, and authorization for the City Manager and City Engineer to sign the contract documents.

SUMMARY

On March 24, 2015, City Council awarded the 2015 Parking Lot Engineering contract to Fishbeck, Thompson, Carr & Huber (FTC&H) of Novi, MI. Engineering is seeking to amend this contract to balance out the final costs of the project with the consultant.

BUDGETARY CONSIDERATIONS

The contract amount for 2015 Parking Lot Engineering is \$230,915.10. The total amount for Amendment 1 is \$15,000.00, bringing the revised contract amount to \$245,915.10.

HISTORY, BACKGROUND and DISCUSSION

On March 24, 2015 City Council awarded the 2015 Parking Lot Engineering contract to FTC&H in the amount of \$230,915.10 for design and construction engineering on Parking Lots 14, 19, 20, County Lot, Sharp Park Lot and Francis Street Lot.

DISCUSSION OF THE ISSUE

The original scope of the project as defined in the City's request for proposals changed as the project developed. The City added items during design and requested changes to be made after bidding the work as described in the attached letter from FTC&H dated July 27, 2016. Also, the alley pavement replacement west of the County building's parking lot was added along with the contract completion extending about three months due to extra work by Consumers Energy on Pearl Street.

POSITIONS

Engineering recommends that Amendment 1 to the contract for the 2015 Parking Lot Engineering with FTC&H be approved at their not-to-exceed cost of \$15,000.00. Funding is available in the Parking Fund. I also request that the City Manager and City Engineer be authorized to sign the contract documents.

ATTACHMENT



July 27, 2016

Mr. Jon Dowling, PE
City Engineer
City of Jackson
161 West Michigan Avenue
Jackson, MI 49201

Re: Scope Change for Professional Engineering Services
2015 Parking Lot Improvements Project

Dear Mr. Dowling:

Fishbeck, Thompson, Carr & Huber, Inc. (FTCH) would like to thank you for the opportunity to work with the City on this project and continue to serve the City. The following is a breakdown of the scope changes throughout the project.

Scope Change

The original scope of the project, as referenced from our original proposal, was for design and construction services related to the Lot 14, Lot 19, Lot 20, County Lot, Sharp Park, and Francis Street parking lots; and adding on-street parking to Pearl Street. The initial change that occurred was to add additional on-street parking on Pearl Street west of Lot 19 and to reconstruct the sidewalks and resurface the street within the North Blackstone Street and North Jackson Street blocks of Pearl Street. Parallel parking curb bump outs were also added throughout the Pearl Street block from North Blackstone Street to North Jackson Street. At that time, FTCH and the City discussed the additional scope of services, which the City understood and agreed to and asked for us to bill towards the project. The increase to the contract was approximately 7.0%.

During construction, the City requested the plans be modified to eliminate a significant portion of the landscaping and fencing, in addition to modifying the sprinkler system to accommodate the revised layout. Reconstruction of the alley adjacent to the County Lot was added into the project as well as striping along North Jackson Street from West Louis Glick Highway to West Washington Avenue. The contract amount increased from the bid amount by 22.5% during construction.

The original substantial completion date for this project is indicated in the special provisions of the contract as August 21, 2015. The actual final completion was not until May 2016. The majority of the work was complete on November 20, 2015, with a few days in 2016 to complete the landscaping. FTCH is requesting additional fee for construction inspection, construction administration, and project oversight expenses related to the extension of the project time and expansion of the scope of services.

FTCH recognizes that not all of the projects within the original request for proposal were completed. FTCH did complete the topographic survey for Sharp Park Golf Course and the Francis Street Lot along with base plans for Francis Street. The calculated fee below takes into account the project budget used from those projects as well as the efficiencies applied to the project from working multiple projects within the City during the 2015 construction year.



Professional Services Fees

The following is the breakdown of original and extra fees:

Original Awarded Contract Amount (PE + CE)	\$230,915
Original Calculated Fee for Project Tasks Completed	145,800
Subtotal Remaining Fee	85,115
Additional PE due to scope changes	25,000
Additional CE (3 months at Full Time Inspection)	94,445
Subtotal Additional Calculated Fee	<u>119,445</u>
Total Remaining Fee	\$34,330
ADDITIONAL FEE REQUESTED	\$15,000

The outlined scope changes include \$10,766 in previously incurred cost and \$4,234 in remaining effort to close the project out. The additional fee FTCH is requesting is Fifteen Thousand Dollars (\$15,000).

The additional fee requested is significantly less than the calculated additional effort due to some shared inspection time between projects as well as fees saved from the other City projects FTCH was involved with.

We appreciate this opportunity, and if you have any questions or require additional information, please contact me at 248.324.2137 or jjschrot@ftch.com.

Sincerely,

FISHBECK, THOMPSON, CARR & HUBER, INC.

A handwritten signature in black ink, appearing to read "Jeremy J. Schrot".

Jeremy J. Schrot, PE
Senior Civil Engineer/Project Manager

A handwritten signature in black ink, appearing to read "Kamran Qadeer".

Kamran Qadeer, PE
Vice President

nac
Hand Delivery

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Bethany M. Smith, City Attorney (B)
Patrick H. Burch, City Manager

DATE: Council Meeting – August 23, 2016

SUBJECT: APPROVE the attached *Addendum to a Parking Permit Purchase Agreement* between the City of Jackson and Detroit Entrepreneur Development, LLC, authorize the City Manager to sign the *Addendum*, authorize the City Attorney to make minor modifications and to take all other actions necessary to finalize the *Addendum*.

Recommendation: APPROVE the attached Addendum to Parking Permit Purchase Agreement.

Your consideration and concurrence is appreciated.

DEPARTMENT REPORT

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Bethany M. Smith, City Attorney

DATE: Council Meeting – August 23, 2016

RECOMMENDATION: APPROVE the attached *Addendum to a Parking Permit Purchase Agreement* between the City of Jackson and Detroit Entrepreneur Development, LLC, authorize the City Manager to sign the *Addendum*, authorize the City Attorney to make minor modifications and to take all other actions necessary to finalize the *Addendum*.

SUMMARY

The attached Addendum to Parking Permit Purchase Agreement sets out the rights and responsibilities of the City of Jackson and Detroit Entrepreneur Development, LLC in regards to the purchase of parking permit hang tags.

HISTORY, BACKGROUND and DISCUSSION

The Addendum to Parking Permit Purchase Agreement would change the price of the parking permit hang tags from \$50.00 per tag per month to \$45.00 per tag per month. As a result of the new per tag rate, the amount that must be paid up front must also be decreased to \$29,160.00. The new rate is a result of negotiations between the City and DED.

A copy of the original Agreement and first Addendum are attached.

POSITIONS

APPROVE the attached *Addendum to a Parking Permit Purchase Agreement* between the City of Jackson and Detroit Entrepreneur Development, LLC, authorize the City Manager to sign the *Addendum*, authorize the City Attorney to make minor modifications and to take all other actions necessary to finalize the *Addendum*.

ATTACHMENTS: Parking Permit Purchase Agreement
First Addendum

ADDENDUM TO
PARKING PERMIT PURCHASE AGREEMENT

This Addendum (the Addendum) made on the last date appearing below is attached to and is a part of the Parking Permit Purchase Agreement (the Agreement) between **the City of Jackson**, as "City" or "Seller" and Detroit Entrepreneur Development, LLC, as "DED" or "Purchaser" to amend the printed text of the Agreement, and the printed text of an Addendum between the parties dated July 1, 2016, as follows:

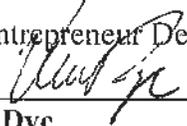
1. Paragraph 2 of the Agreement (Paragraph 1 of the July 1, 2016 Addendum) is revised to state the following:

"2. Whether additional parking is constructed or not constructed, the City shall provide 54 parking permit hang tags for DED for use in any City parking lot for the amount of Forty-Five (\$45.00) Dollars per month per tag for the first three years. After three (3) years, the price of the parking permit hang tag shall be increased annually on the anniversary of the effective date of this Agreement by a percentage equal to the percentage increase in the Consumer Price Index, All Cities, published by the U.S. Department of Labor for the month this Agreement goes into effect and the most recently published index at the anniversary date of this Agreement, and shall not exceed a Three (3%) Percent increase at any time. The parking permit hang tags shall be Green series parking hang tag permits (or other general parking hang tag color as may be changed from time to time) for use in city public parking spaces. A map of the parking lots at which the Green series parking permit hang tags may be used is attached as Exhibit C."

2. Paragraph 3 of the Agreement (Paragraph 2 of the July 1, 2016 Addendum) is revised to state the following:

"3. The purchase price for one year of 54 parking permit hang tags, that initial amount being Twenty-Nine Thousand One Hundred Sixty (\$29,160.00) Dollars, must be paid ten (10) days from issuance of the certificate of occupancy and reoccurring every year from that date for the period of this Agreement. This amount shall be nonrefundable.

3. To the extent of any inconsistency or discrepancy in the language of this Addendum with the preprinted language of the Agreement or of the July 1, 2016 Addendum, the language of this Addendum shall control.

Detroit Entrepreneur Development, LLC
By: 
Nicholas Dyc
Its: **President**
Dated: 8/10/2016

City of Jackson
By: _____
Patrick H. Burtch
Its: **City Manager**
Dated: _____

PARKING PERMIT PURCHASE AGREEMENT

THIS AGREEMENT, made as of the date appearing below, by and between the **CITY OF JACKSON**, a Michigan municipal corporation, with offices located at 161 West Michigan Avenue, Jackson, Michigan 49201, hereinafter called the "City or Seller", and **DETROIT ENTREPRENEUR DEVELOPMENT, LLC**, a Michigan limited liability company, whose address is 13821 Fawn Woods Ct., Plymouth, Michigan 48170 ("DED or Purchaser"). The parties agree as follows:

WHEREAS, DED intends to purchase two parcels of property owned by the City and to develop the parcels into mixed use/residential structures. The two parcels are legally identified on Exhibit A attached and shown on a map on Exhibit B; and

WHEREAS, there is not adequate parking for the proposed development at this time and DED desires to purchase parking permit hang tags from the City if a parking lot were to be constructed in close proximity to the proposed development; and

WHEREAS, the City may construct additional parking spaces in lot 20 and adjacent to the two parcels of property being purchased by DED upon execution of this Parking Permit Purchase Agreement by DED; and

WHEREAS, the proposed additional parking spaces (hereinafter the "additional parking") will be located approximately in the area shown on Exhibit B;

NOW THEREFORE, in accordance with the terms of this Agreement and the mutual covenants herein contained, the Parties mutually agree as follows:

1. Whether additional parking is constructed or not, the additional parking will total no less than 54 parking spaces.
2. Whether additional parking is constructed or is not constructed, the City shall provide 54 parking permit hang tags to DED for use in any City parking lot for the amount of Fifty (\$50.00) Dollars per month per tag for the first year and at market rate each year thereafter. The parking permit hang tags shall be Green series parking hang tag permits (or other general parking tag color as may be changed from time to time) for use in City

public parking spaces. A map of the parking lots at which the Green series parking permit hang tags may be used is attached as Exhibit C.

3. The purchase price for one year of 54 parking permit hang tags, that amount being Thirty Two Thousand Four Hundred (\$32,400.00) Dollars, must be paid by Grantee to the City upon close of the property and reoccurring every years from that date for the period of this agreement identified on Exhibit A. This amount shall be nonrefundable.
4. Purchaser acknowledges that the additional parking is public parking that may be used by any person who purchases a valid parking hang tag permit, and further acknowledges that the City makes no representation that adequate spaces will be available for Purchaser in Lot 20 at any given time.
5. The Parties acknowledge that Seller shall have exclusive control over all parking areas owned by Seller and may allow the parking areas to be used for any purposes that it deems appropriate.
6. Purchaser acknowledges and agrees that it cannot sell any parking tags to any other entity and that the tags are for use of the Purchaser's employees, officers and tenants only.
7. Purchaser also agrees that, if the City of Jackson meterless parking system is expanded to include this additional parking, that Purchaser shall, in addition to the requirement to purchase 54 parking permit hang tags pursuant to this Agreement, pay all amounts assessed pursuant to the meterless parking assessment.
8. This Agreement is for a term of twenty (20) years at the rates specified in Paragraph 2 above. No renewal period is contemplated at this time, however the parties can in good faith renegotiate this Agreement
9. Part of the consideration given by the City for this agreement is grant of an Option to DED to purchase the two parcels of property described in Exhibit A.
10. City agrees that it shall ensure that the parking spaces located 70 feet to the South and 66 feet to the West of the principle structure to be built on the parcels in Exhibit B will be retained for the duration of this agreement. City also agrees that it shall not terminate this agreement during the term of the Agreement.

GENERAL PROVISIONS

11. The Parties agree that this Agreement shall be binding on and inure to the successors and assigns of the parties. This Agreement may not be assigned by the Purchaser without the written consent of the Seller.
12. Neither this Agreement nor any provisions hereof may be changed, amended, modified, waived or discharged orally or by any course of dealing, but only by an instrument in writing signed by the party against which enforcement of the change, amendment, modification, or discharge is sought.
13. Except as otherwise specified herein, all notices, consents, approvals, requests, and other communications (herein collectively call "Notices") required or permitted under this Agreement shall be given in writing by first-class mail, or sent via nationally recognized overnight courier delivery service for the next business day delivery, addressed to the Parties at the addresses above.
14. If any one or more provisions of this Agreement or in any instrument or other document delivered pursuant to this Agreement or the application thereof to any person or circumstance shall to any extent be declared or determined to be invalid or unenforceable, the validity, legality and enforceability of the remainder of this Agreement, or the application of such provision to persons or circumstances other than those as to which it is invalid or unenforceable, shall not be affected or impaired thereby, and each provision of this Agreement shall be valid and enforceable to the fullest extent of the law.
15. This Agreement may be executed in counterparts, each of which shall be deemed to be an original document, but together shall constitute one instrument.
16. This Agreement shall be governed, construed, and enforced in accordance with the laws of the State of Michigan.
17. Failure of Seller to exercise any right given hereunder or to insist upon strict compliance with regard to any term, condition or covenant specified herein, shall not constitute a waiver of Seller's right to exercise such right or to demand strict compliance with any term, condition or covenant under this Agreement.

18. It is agreed by the parties hereto that this Agreement is a result of negotiation between the parties, and accordingly, it will not be construed against either party in the event of a dispute or litigation arising out of this Agreement.
19. All captions, headings, paragraph and subparagraph numbers and letters are solely for reference purposes and shall not be deemed to supplement, limit, or otherwise vary the text of this Agreement.
20. These covenants contained in this Agreement run with the land and are binding upon the heirs and successors in interest of the parties.
21. THIS PURCHASE AGREEMENT IS NULL AND VOID UNLESS APPROVED BY THE JACKSON CITY COUNCIL.
22. THIS PURCHASE AGREEMENT IS NULL AND VOID IF DED DOES NOT EXERCISE ITS OPTION TO PURCHASE THE PROPERTY ON EXHIBIT B PURSUANT TO AN OPTION AND PRELIMINARY DEVELOPMENT AGREEMENT EXECUTED ON THE SAME DATE AS THIS AGREEMENT.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the 28th day of March, 2016.

CITY OF JACKSON

By: Patrick Luvich
Its: City Manager

ADDENDUM TO
PARKING PERMIT PURCHASE AGREEMENT

This Addendum (the Addendum) made on the last date appearing below is attached to and is a part of the Parking Permit Purchase Agreement (the Agreement) between the City of Jackson, as "City" or "Seller" and Detroit Entrepreneur Development, LLC, as "DED" or "Purchaser" to amend the printed text of the Agreement as follows:

1. Paragraph 2 of the Agreement is revised to state the following:

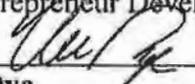
"2. Whether additional parking is constructed or not constructed, the City shall provide 54 parking permit hang tags for DED for use in any city parking lot for the amount of Fifty (\$50.00) Dollars per month per tag for the first year. The price of each parking permit hang tag shall increase by Three percent (3%) per year for the first five (5) years from the date of exercise of this Option. After five (5) years, the price of the parking permit hang tag shall be increased annually on the anniversary of the effective date of this Agreement by a percentage equal to the percentage increase in the Consumer Price Index, All Cities, published by the U.S. Department of Labor for the month this Agreement goes into effect and the most recently published index at the anniversary date of this Agreement, and shall not exceed a Three (3%) Percent increase at any time. The parking permit hang tags shall be Green series parking hang tag permits (or other general parking hang tag color as may be changed from time to time) for use in city public parking spaces. A map of the parking lots at which the Green series parking permit hang tags may be used is attached as Exhibit C."

2. Paragraph 3 of the Agreement is revised to state the following:

"3. The purchase price for one year of 54 parking permit hang tags, that initial amount being Thirty Four Thousand Four Hundred (\$32,400.00) Dollars, must be paid ten (10) days from issuance of the certificate of occupancy and reoccurring every year from that date for the period of this Agreement. This amount shall be nonrefundable.

3. To the extent of any inconsistency or discrepancy in the language of this Addendum with the preprinted language of the Agreement, the language of this Addendum shall control.

Detroit Entrepreneur Development, LLC

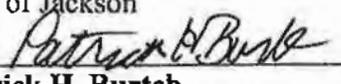
By: 

Nicholas Dyc

Its: President

Dated: 7-1-16

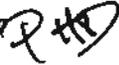
City of Jackson

By: 

Patrick H. Burtch

Its: City Manager

Dated: 7-1-16

MEMO TO: Mayor and City Councilmembers
FROM: Patrick H. Burtch, City Manager 
DATE: August 23, 2016
SUBJECT: Accepting Grant Funds from the State of Michigan Department of Natural Resources.

Recommendation:

Resolution to accept a grant from the Michigan Department of Natural Resources, along with the City of Jackson contribution, for trail construction from the New Leaf Park to Park Road, and authorize the Mayor and City Treasurer/Clerk to execute the appropriate documents.

Attached is a memorandum from Jon Dowling, P.E., City Engineer and Kelli Hoover, Director of Parks, Recreation and Cemeteries, regarding grant and entering into a contract with State of Michigan Department of Natural Resources.

I recommend approval of the resolution to accept a grant for the New Leaf Park to Park Road Trail, and to authorize the Mayor and City Treasurer/Clerk to execute the appropriate documents. Your consideration and concurrence is appreciated.

PHB

DEPARTMENTAL REPORT

MEMO TO: Patrick Burtch, City Manager

FROM: Jon H. Dowling, P.E., City Engineer
Kelli Hoover, Director Parks, Recreation and Cemeteries

DATE: August 23, 2016

RECOMMENDATION: Approval of a resolution to accept a grant from the Michigan Department of Natural Resources (MDNR) for trail construction from the New Leaf Park to Park Road (PAKA Trail) an authorization for the Mayor and City Treasurer/Clerk to execute the appropriate documents.

SUMMARY

Attached is a resolution to accept the MDNR Trust Fund Grant for a multi-use path from the New Leaf Park to Park Road (PAKA Trail) following Fourth Street and Horton Road through City right of way, Ella Sharp Park and Jackson Public School property.

BUDGETARY CONSIDERATIONS

The trail project will be funded through the following areas;

MDNR Trust Fund Grant	\$300,000
Weatherwax Foundation	\$250,000
City of Jackson Capitol Project Fund	\$ 50,000

HISTORY, BACKGROUND and DISCUSSION

The City of Jackson Parks, Recreation and Cemeteries Department has partnered in the past with the MDNR Trust Fund Grants at Bloomfield, Exchange, Ella Sharp, Rotary, Lions Parks amongst several other projects with great success.

DISCUSSION OF THE ISSUE

Currently the Martin Luther King Equality Trail does not continue south. The proposed PAKA Trail would provide a multi-use path loop which would connect to Schools, Ella Sharp Park and Museum and Summit Township proposed trail on Park Road and continuing to Weatherwax Road.

POSITIONS

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

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, the City of Jackson seeks to extend the City trail system south from the New Leaf Park to the Park Road, and

WHEREAS, the City accepts and agrees to the terms and agreements as received from the Michigan Department of Natural Resources, and

WHEREAS, the City shall appropriate all funds necessary to complete the project during the project period and to provide \$300,000 dollars to match the grant authorized by the State of Michigan Department of Natural Resources, and

WHEREAS, the City shall maintain satisfactory financial accounts, documents, and records and make them available to the State of Michigan Department of Natural Resources for auditing at reasonable times, and

WHEREAS, the City shall construct the project and provide such funds, services and materials as may be necessary to satisfy the terms of said Agreement, and

WHEREAS, the City shall regulate the use of the facility constructed and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms; and

WHEREAS, the City shall comply with any and all terms of said Agreement including all terms not specifically set forth in the foregoing portions of this Resolution.

NOW, THEREFORE, BE IT RESOLVED, that the City of Jackson City Council approves the resolution to accept a grant from the Michigan Department of Natural Resources (MDNR) for trail construction from the New Leaf Park to Park Road and gives authorization for the Mayor and City Treasurer/Clerk to execute the appropriate documents.

* * * * *

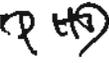
State of Michigan)
County of Jackson) ss
City of Jackson)

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 23rd day of August, 2016.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 24th day of August, 2016.

William C. Jors, Mayor

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

MEMO TO: Mayor and City Councilmembers
FROM: Patrick H. Burch, City Manager 
DATE: August 23, 2016
SUBJECT: Accepting Grant Funds from the State of Michigan Department of Natural Resources.

Recommendation:

Resolution to accept a grant from the Michigan Department of Natural Resources, along with the City of Jackson contribution, for trail construction from the Martin Luther King Center to Consumers Energy, and authorize the Mayor and City Treasurer/Clerk to execute the appropriate documents.

Attached is a memorandum from Jon H. Dowling, P.E., City Engineer, and Kelli Hoover, Director of Parks, Recreation and Cemeteries, regarding grant and entering into a contract with State of Michigan Department of Natural Resources.

I recommend approval of the resolution to accept a grant for the Martin Luther King Equality Trail from the Martin Luther King Center to Consumers Energy authorization for the Mayor and City Treasurer/Clerk to execute the appropriate documents. Your consideration and concurrence is appreciated.

PHB

DEPARTMENTAL REPORT

MEMO TO: Patrick Burtch, City Manager

FROM: Jon H. Dowling, P.E., City Engineer
Kelli Hoover, Director Parks, Recreation and Cemeteries

DATE: August 23, 2016

RECOMMENDATION: Approval of a resolution to accept a grant from the Michigan Department of Natural Resources (MDNR) for trail construction from the Martin Luther King Center to Consumers Energy and authorization for the Mayor and City Treasurer/Clerk to execute the appropriate documents.

SUMMARY

Attached is a resolution to accept the MDNR Trust Fund Grant for a multi-use path from the Martin Luther King Center and to Consumers Energy following S. Cooper Street.

BUDGETARY CONSIDERATIONS

The trail project funding is broken into the following areas;

MDNR Trust Fund Grant	\$300,000
City of Jackson Capitol Project Fund	\$106,000

HISTORY, BACKGROUND and DISCUSSION

The City of Jackson Parks, Recreation and Cemeteries Department has partnered in the past with the MDNR Trust Fund Grants at Bloomfield, Ella Sharp, Exchange, Rotary, Lions parks amongst several other projects with success.

DISCUSSION OF THE ISSUE

Currently the Martin Luther King Equality Trail ends at the Community Center and in order to continue north you travel on sidewalk areas along S. Cooper Street. The new trail will allow for a 12ft multi-use trail in replacement of the sidewalk and defined pedestrian crossings.

POSITIONS

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

ATTACHMENTS

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, the City of Jackson seeks to extend the Martin Luther King, Jr. Equality Trail from the Martin Luther King Center to the Consumers Energy campus, and

WHEREAS, the City accepts and agrees to the terms and agreements as received from the Michigan Department of Natural Resources, and

WHEREAS, the City shall appropriate all funds necessary to complete the project during the project period and to provide \$106,000 dollars to match the grant authorized by the State of Michigan Department of Natural Resources, and

WHEREAS, the City shall maintain satisfactory financial accounts, documents, and records to make them available to the State of Michigan Department of Natural Resources for auditing at reasonable times, and

WHEREAS, the City shall construct the project and provide such funds, services and materials as may be necessary to satisfy the terms of said Agreement, and

WHEREAS, the City shall regulate the use of the facility constructed and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms; and

WHEREAS, the City shall comply with any and all terms of said Agreement including all terms not specifically set forth in the foregoing portions of this Resolution.

NOW, THEREFORE, BE IT RESOLVED, that the City of Jackson City Council approves the resolution to accept a grant from the Michigan Department of Natural Resources (MDNR) for trail construction from the Martin Luther King Center to Consumers Energy and gives authorization for the Mayor and City Treasurer/Clerk to execute the appropriate documents.

* * * * *

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 23rd day of August, 2016.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 24th day of August, 2016.

William C. Jors, Mayor

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

MEMO TO: Honorable Mayor and City Councilmembers

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

DATE: Council Meeting – August 23, 2016

SUBJECT: APPROVE the attached Resolution Establishing District Creation and Tax Abatement Application Fees for Various Tax Abatements Offered by the City of Jackson

Recommendation: Please APPROVE the attached proposed Resolution.

Your consideration and concurrence is appreciated.

DEPARTMENT REPORT

MEMO TO: Honorable Mayor and City Councilmembers

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

DATE: Council Meeting – August 23, 2016

RECOMMENDATION: APPROVE the attached Resolution Establishing Tax Abatement District Creation Fees and Tax Abatement Application Fees for Various Tax Abatements Offered by the City of Jackson

SUMMARY

The attached Resolution creates/updates district creation and application fees for tax abatements offered to properties in the City of Jackson.

HISTORY, BACKGROUND and DISCUSSION

The City of Jackson has various tax abatements that it offers to incentivize development within the City. Applicants for these tax abatements must apply for creation of a tax abatement district. Once the tax abatement district has been properly created, the applicant for the tax abatement must pay an application fee.

Staff felt that the fees needed to be reviewed and updated to reflect the current expense to the City of creating the districts and analyzing the various applications. Publication costs, as well the time required by City staff was determined based on each staff person's rate and a corresponding application fee established so that fees would be proportional to the costs of the service provided.

In addition to the established tax abatements, staff also determined the appropriate application fee for the Commercial Redevelopment District and Commercial Rehabilitation District recently created by City Council.

The various district creation fees and application fees are set out on the attached Resolution. Also attached is a spreadsheet showing how the various fees were calculated.

POSITIONS

APPROVE the attached Resolution.

ATTACHMENT: Resolution
Spreadsheet of Costs per Abatement Type

Abatement Type	Time	\$/hour	Time	\$/hour	Time	\$/hour	Time	\$/hour	Time	\$/hour	Publication	Totals	Round to
	Attorney	62.65	Assessor	58.5	Mgr	65	NEO	60.25	Clerk	38.73			
198 District	0.5	31.33	0.5	29.25	0.50	32.50	2	120.52	4	154.92	200.00	\$ 568.52	\$ 575
OPRA Rehab district	0.5	31.33	1	58.50	0.50	32.50	2	120.52	4	154.92	200.00	\$ 597.77	\$ 600
Commercial Rehab District PA 210	0.5	31.33	0.5	29.25	0.50	32.50	2	120.52	4	154.92	200.00	\$ 568.52	\$ 575
Commercial Redev District PA 255	0.5	31.33	0.5	29.25	0.50	32.50	2	120.52	4	154.92	200.00	\$ 568.52	\$ 575
NEZ, Ren Zone, Tool & Die RZ	0.5	31.33	0.5	29.25	0.50	32.50	2	120.52	3	116.19	200.00	\$ 529.79	\$ 525
198 application	0.5	31.33	0.5	29.25	0.50	32.50	2	120.52	3	116.19	200.00	\$ 529.79	\$ 525
328 application	0.5	31.33	0	0.00	0.50	32.50	2	120.52	3	116.19	200.00	\$ 500.54	\$ 500
OPRA Rehab Application	0.5	31.33	3	175.50	0.50	32.50	2	120.52	3	116.19	200.00	\$ 676.04	\$ 675
Commercial Rehab application PA 210	0.5	31.33	0.5	29.25	0.50	32.50	2	120.52	3	116.19	200.00	\$ 529.79	\$ 525
Commercial Redev Application PA 255	0.5	31.33	0.5	29.25	0.50	32.50	2	120.52	3	116.19	200.00	\$ 529.79	\$ 525

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, the City of Jackson offers various tax abatements to incentivize development within the City of Jackson; and

WHEREAS, City staff has reviewed the various tax abatement district creation fees and application fees and determined that the fees must be increased in order to be proportional to the costs of creating the districts and analyzing the various tax abatement applications; and

WHEREAS, The City of Jackson approved a Commercial Rehabilitation District and a Commercial Rehabilitation District in order to incentivize redevelopment; and

WHEREAS, the City of Jackson wishes to establish the application fee for those applying for Commercial Rehabilitation District and Commercial Redevelopment District tax abatements.

NOW, THEREFORE, BE IT RESOLVED that the City of Jackson establishes the following district creation and application fees for tax abatement applications:

DISTRICT CREATION FEES

198 District	\$575.00
OPRA Rehabilitation District	\$600.00
Commercial Rehabilitation District (PA 210)	\$575.00
Commercial Redevelopment District	\$575.00
NEZ, Renaissance Zone and Tool and Die Renaissance Zone	\$525.00

TAX ABATEMENT APPLICATION FEES

198 Application	\$525.00
328 Application	\$500.00
OPRA Rehabilitation Application	\$675.00
Commercial Rehabilitation Application (PA 210)	\$525.00
Commercial Redevelopment Application (PA 255)	\$525.00

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 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

**RESOLUTION TO APPROVE A COMMERCIAL REHABILITATION
EXEMPTION CERTIFICATE APPLICATION, PA 210 OF 2005, AS AMENDED**

Minutes of a meeting of the City Council of the City of Jackson, held on August 23, 2016, at 2nd floor Council Chambers, 161 W. Michigan Avenue, Jackson at 6:30 p.m.

PRESENT:

ABSENT:

The following preamble and resolution were offered by _____, and supported by _____.

**Resolution Approving Commercial Rehabilitation Exemption
Certificate Application for Detroit Entrepreneur Development, LLC located at
209 W. Louis Glick Highway, Jackson, MI 49201.**

WHEREAS, the City of Jackson legally established the Commercial Rehabilitation District on June 28, 2016, after a public hearing held on June 28, 2016; and

WHEREAS, the taxable value of the property proposed to be exempt plus the aggregate taxable value of property previously exempt and currently in force under Public Act 210 of 2005 does not exceed 5% of the total taxable value of the City of Jackson; and

WHEREAS, a public hearing was held on the application as provided by section 4(2) of Public Act 210 of 2005 on August 23, 2016; and

WHEREAS, the Detroit Entrepreneur, Inc. is not delinquent in any taxes related to the facility; and

WHEREAS, the application was approved for less than 10 years and the application is necessary for extending the exemption; and

WHEREAS, the application is for commercial property as defined in section 2(a) of Public Act 210 of 2005; and

WHEREAS, the City of Jackson has given all required prerequisite notices pursuant to Public Act 210 of 2005; and

WHEREAS, the applicant Detroit Entrepreneur, Inc. has provided answers to all required questions under the application instructions to the City of Jackson; and

WHEREAS, the City of Jackson requires that rehabilitation of the facility shall be completed by November 1, 2017; and

WHEREAS, the commencement of the rehabilitation of the facility did not occur more than six months prior to the filing of the application for exemption; and

WHEREAS, the application relates to a rehabilitation program that when completed constitutes a qualified facility within the meaning of Public Act 210 of 2005 and that is situated within a Commercial Rehabilitation District established under Public Act 210 of 2005; and

WHEREAS, completion of the qualified facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, revitalize urban areas, and increase the number of residents in the community in which the facility is situated; and

WHEREAS, the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(j) of Public Act 210 of 2005.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Jackson: Be and hereby is granted a Commercial Rehabilitation Exemption for the real property, excluding land, located in a Commercial Rehabilitation District at 209 W. Louis Glick Highway for a period of 10 years, beginning December 31, 2016, and ending December 30, 2026, pursuant to the provisions of PA 210 of 2005, as amended.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Council of the City of Jackson, County of Jackson, Michigan at a meeting held on August 23, 2016.

Andrew J. Wrozek, Jr., Clerk

William C. Jors, Mayor

MEMO TO: Mayor and City Councilmembers

FROM: Bethany M. Smith, City Attorney
Courtney A. Gabbara, Staff Attorney 

DATE: August 23, 2016

SUBJECT: Revisions to Chapter 2.5 of the City Code of Ordinances—Administrative Hearings Bureau

Recommendation:

Approve Ordinance Revisions to Chapter 2.5, Administrative Hearings Bureau, by updating the language used to regulate the Administrative Hearings Bureau (the “AHB”), including how the AHB addresses defaults.

Attached is a memo from the City Attorney’s Office, regarding revising Chapter 2.5 of the City of Jackson City Code of Ordinances as well as clean and black lined versions of Chapter 2.5 of the City of Jackson Code of Ordinances. This chapter is designed to define, prevent, reduce, and eliminate blight.

Revisions are being proposed to update and modernize the language used to regulate the AHB, including how the AHB addresses respondents who fail to appear for a scheduled hearing. By adopting these revisions, the AHB would be better able to litigate blight violations and City residents captured by the ordinance would enjoy a more efficient execution of due process.

We recommend approval of the above mentioned ordinance. Your consideration and concurrence is appreciated.

DEPARTMENTAL REPORT
August 23, 2016

MEMO TO: Mayor and City Councilmembers

FROM: Bethany M. Smith, City Attorney
Courtney A. Gabbara, Staff Attorney 

DATE: August 23, 2016

RECOMMENDATION: Revisions to Chapter 2.5 of the City Code of Ordinances—
Administrative Hearings Bureau

SUMMARY

The recommended action is approval of several Revisions to Chapter 2.5 of the City of Jackson Code of Ordinances, which would update and modernize the language used to regulate the Administrative Hearings Bureau (the “AHB”), including how the AHB addresses respondents who fail to appear for a scheduled hearing. By adopting these revisions, the AHB would be better able to litigate blight violations and City residents who fall under the provisions of the ordinance would enjoy a more efficient execution of due process.

These proposed amendments should also improve attendance to scheduled administrative hearings by creating an incentive for respondents to appear. Currently, when respondents fail to appear twice in a row, a default judgment is entered against them. This habit of failing to appear lengthens the AHB process and clogs the dockets. As a result, respondents are taking longer to bring their properties into compliance. There are also several grammatical changes being made to Chapter 2.5, which are not substantive in nature.

BUDGETARY CONSIDERATIONS

Some of the revisions being made will include Section 2.5-29 of Chapter 2.5 of the City of Jackson Code of Ordinances. These revisions would require penalties be imposed when an administrative hearing officer sets aside an order entered by default. In these cases, the City of Jackson wishes to establish a penalty of Fifty (\$50.00) Dollars to be applied against a respondent for each order of default entered by the administrative hearing officer against the respondent.

POSITIONS

The City Attorney's Office recommends approval of the Revisions, which would update and modernize the provisions used to regulate the Administrative Hearings Bureau.

ATTACHMENTS

Black lined copy of ordinance

Clean copy of ordinance

ORDINANCE 2016 - _____

An Ordinance amending Chapter 2.5 of the City of Jackson Code of Ordinances to modernize the provisions used to regulate the Administrative Hearings Bureau for the health, safety, and welfare of the citizens of the City of Jackson.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

The City Council adopts this ordinance to modernize the provisions used to regulate the administrative hearings bureau for the health, safety, and welfare of the citizens of the City of Jackson.

Section 2.

That Chapter 2.5 of the City of Jackson, Michigan Code of Ordinances, be amended to read as follows:

ARTICLE I. - IN GENERAL

Sec. 2.5-1. - Purpose.

The City finds that the current zoning and housing related ordinances have operated in a manner that has been less than efficient and effective in obtaining compliance among our neighborhoods. This chapter is designed to address, define, prevent, reduce, and eliminate blight, factors and causes of blight, and other quality of life violations in the City that negatively impact the public health, safety, and welfare of the residents of the City. Consistent with the State Statute, MCL 117.4l, 117.4q and 117.4r, authorizing the creation of an administrative hearings bureau, the City finds that changing zoning, building or property maintenance, solid waste and illegal dumping, disease and sanitation, noxious weeds, vehicle abandonment, and inoperative vehicles from criminal misdemeanor or civil infraction offenses to blight violations punishable by a civil fine as determined following a hearing in the City administrative hearings bureau is a potentially more efficient and effective way of gaining compliance.

Sec. 2.5-2. - Definitions.

Blight means a condition that impairs, destroys, or deteriorates the property because of its decay, improper storage, or effect on property or quality of life, including, but not limited to such things as garbage, junk, noxious weeds, inoperative vehicles, and waste. The proper storage of materials or equipment incidental to and necessary for the carrying out of any business or occupation lawfully being carried out on the property in question is not the cause of blight or a blighting factor if all applicable City ordinances are satisfied. The piling and storage of firewood in a neat orderly manner for consumption by the property residents is not blight.

Blight violation means a violation of any provision of this Code, regarding zoning, building or construction, building or property maintenance or condition in buildings or on the premises; fire prevention; illegal dumping, disposal of solid waste; noxious weeds, abandoned vehicles or inoperative vehicles.

Building materials means any material or equipment used in the restoration, renovation or construction of any structure or surface, including, but not limited to lumber, bricks, concrete or cinder blocks, plumbing materials, electrical wiring or equipment, heating ducts and equipment, shingles, mortar, concrete, cement, nails, screws, ladders, scaffolding, or tools.

Garbage includes all animal and vegetable waste resulting from the handling, preparation, cooking, consumption, or decomposition of food.

Junk includes any abandoned, discarded, stored, unused object or equipment, regardless of viability of use or value, stored in the open, including, but not limited to motor vehicle parts, machinery, furniture, appliances, bottles, boxes, cartons, crates, or remnants of cloth, wood, metal, rubber, or other cast-off materials.

Refuse includes garbage, rubbish, trash, debris, junk, ashes, incinerator ash or residue, street cleaning, industrial sludge, solid commercial and industrial waste, animal waste, inoperable household appliances, or broken or damaged stuffed furniture, but does not include human body waste, liquid or other waste regulated by statute, or ferrous or nonferrous scrap possessed by a commercial scrap metal processor or a commercial re-user of ferrous, or nonferrous products.

Waste includes any litter, garbage, trash, rubbish, or refuse that is a useless or worthless by-product of any industrial, biological, or other such process and tends to create a danger to public health, safety, and welfare.

Sec. 2.5-3. - Exclusions.

This chapter does not address any civil infraction under the Michigan Vehicle Code, the Uniform Traffic Code, provisions that allow for control of traffic in parking areas, or a similar municipal ordinance.

Nothing in this chapter affects the jurisdiction of the planning commission, the zoning board of appeals, the building code board of examiners and appeals, the historic district commission, or the sign board.

Sec. 2.5-4. - Severability.

The sections and provisions of this chapter are severable and any portion declared invalid or against public policy will not affect the validity of the remaining sections or provisions of this chapter.

Sec. 2.5-5. - Chapter not inconsistent.

The provisions of this chapter apply to administrative adjudication proceedings conducted by the administrative hearings bureau to the extent that they are not inconsistent with the provisions of this Code, which set forth specific procedures for the administrative adjudication of particular code provisions.

Sec. 2.5-6. - Repealer.

Any ordinances or part of an ordinance in conflict herewith is hereby repealed; however, such repeal does not affect any existing litigation and does not abate any action or proceeding pending under or by virtue of any repealed or amended ordinance so long as such litigation or proceeding was filed before December 31, 2004.

Secs. 2.5-7—2.5-10. - Reserved.

ARTICLE II. - ADMINISTRATIVE HEARINGS BUREAU

Sec. 2.5-11. - Administrative hearings bureau—Establishment and composition.

The City Council establishes an office of the municipal government to be known as the administrative hearings bureau ("bureau"), which is authorized to conduct administrative adjudication proceedings for departments and agencies of the City for blight violations, as defined in section 2.5-2.

The bureau will be administered by an Administrative Hearing Officer, who will be appointed by the mayor, subject to approval by the City Council, and staffed by other employees as may be provided for in the annual appropriation ordinance. The Administrative Hearing Officer will serve a term of two (2) years and is removable only upon reasonable cause.

The administrative hearings officer will be compensated as set forth in section 2-424, as it may be amended from time to time.

Sec. 2.5-12. - Director—Powers and duties (Reserved).

Sec. 2.5-13. - Administrative Hearing Officer—Powers and duties.

Each Administrative Hearing Officer must be an attorney admitted to the practice of law in the State of Michigan for at least five (5) years. Administrative Hearing Officers have all powers necessary to conduct fair and impartial hearings including, but not limited to, the power to:

- (1) Hold conferences for the settlement or simplification of the issues;
- (2) Administer oaths and affirmations;
- (3) Hear testimony;
- (4) Rule upon motions, objections, and the admissibility of evidence;
- (5) Subpoena the attendance of relevant witnesses and the production of relevant books, records, or other information, subject to the restrictions contained in section 2.5-21 at the request of any party or on the Administrative Hearing Officer's own motion;

- (6) Preserve and authenticate the record of the hearing and all exhibits and evidence introduced at the hearing;
- (7) Regulate the course of the hearing in accordance with this chapter, the rules adopted by the bureau, or other applicable law;
- (8) Discuss administrative adjudication proceedings with a supervisor, if one is appointed;
- (9) Issue a final order, which includes findings of fact and conclusions of law;
- (10) Impose penalties and fines and issue orders that are consistent with applicable code provisions and assess costs upon finding a party liable for the charged violation; provided, however, that an Administrative Hearing Officer does not have the authority to: (i) impose a penalty of imprisonment; or (ii) except in cases to enforce the collection of any tax imposed and collected by the City, in which this limitation shall not apply, impose a fine in excess of ten thousand dollars (\$10,000.00) exclusive of costs of enforcement or costs imposed to secure compliance with this Code; and
- (11) Assess costs upon affirming the order or determination in any case in which a party has sought review by the bureau of an order or determination of another City department or agency, when such review is authorized by this Code.

Sec. 2.5-14. - Administrative Hearing Officer—Training requirements.

Before conducting any administrative adjudication proceeding, an Administrative Hearing Officer must have successfully completed a formal training program, which includes the following:

- (1) Instruction on the rules of procedure of the administrative hearings, which he or she will conduct;
- (2) Orientation to each subject area of the code violations, which he or she will adjudicate;
- (3) Observation of administrative hearings; and
- (4) Participation in hypothetical cases, including ruling on evidence and issuing final orders.

Sec. 2.5-15. - Rules—Available for public inspection.

The rules promulgated by the bureau for the conduct of administrative adjudication proceedings must be published within sixty (60) days of the adoption of this chapter and thereafter kept on file in the office of the City clerk for public inspection and copying during normal business hours.

Sec. 2.5-16. - Instituting administrative adjudication proceedings.

Any authorized department or agency of the City may institute an administrative adjudication proceeding with the bureau by forwarding a copy of a notice of violation and a notice of hearing, which has been properly served on the respondent, to the bureau.

Sec. 2.5-17. - Adjudication by mail.

The rules adopted by the bureau may provide that a respondent may elect to contest an alleged violation through adjudication by mail rather than at an administrative hearing.

Sec. 2.5-18 - Notice.

(a) Before any administrative adjudication proceeding may be conducted, the parties must be afforded notice in compliance with this section.

(b) Unless otherwise provided by law or rule, the issuer of a notice of violation or notice of hearing must specify in the notice his or her name and department; where known, the name and address of the person or entity charged with the violation; the date, time, and place of the violation; the section of the Code or departmental rule or regulation which was allegedly violated; and certify the correctness of the specified information by signing his or her name to the notice with the following: "I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief." A notice of hearing including the date, time, and location of the hearing and the penalties for failure to appear at the hearing must be included.

(c) Unless otherwise provided by law or rule, a notice of violation or notice of hearing must be served upon the alleged violator no less than fourteen (14) calendar days before the date of the hearing:

(1) By first class, express mail, or by overnight carrier addressed to the address of the owner of the property as listed by the records of the City Assessor or, if the violator is a

business entity, in the alternative, at any address identified for its registered agent or at its principal place of business;

(2) By personal service, including personal service upon an employee or agent of the alleged violator at a place of business of the alleged violator or otherwise if such service is reasonably calculated to give the alleged violator actual notice; or

(3) If service cannot be made under subsections (1) or (2) above, when the alleged violator is the owner or manager of the property, by posting a copy of the violation notice on the front entrance of the building or other structure where the violation is found, or if the property is unimproved or fenced off, by posting a copy of the violation notice in a prominent place upon the property where the violation is found.

(d) In all non-emergency situations, if requested by the respondent, the respondent has at least fifteen (15) days after the date of mailing or other service of a notice of violation or notice of hearing to prepare for a hearing. For purposes of this section "non-emergency situation" means any situation that does not reasonably constitute a threat to the public interest, safety, or welfare.

Sec. 2.5-19. - Administrative hearings.

(a) Any administrative adjudication proceeding conducted by the bureau must be conducted before an Administrative Hearing Officer.

(b) An attorney who appears on behalf of any person must file with the Administrative Hearing Officer a written appearance on a form provided by or approved by the bureau for such purpose.

(c) The case for the City may not be presented by an employee of the bureau; provided, however, that documentary evidence, including the notice of violation, which has been prepared by another department or agency of the City may be presented at the hearing by the Administrative Hearing Officer.

(d) The Administrative Hearing Officer may grant a continuance only upon a finding of good cause.

(e) All testimony must be given under oath or affirmation.

(f) The Administrative Hearing Officer may issue subpoenas to secure the attendance and testimony of relevant witnesses and the production of relevant documents. Issuance of subpoenas is subject to the restrictions contained in section 2.5-21.

(g) Subject to subsection (j) of this section, the Administrative Hearing Officer may, in unusual circumstances, permit witnesses to submit testimony by affidavit or by telephone.

(h) The formal and technical rules of evidence do not apply in the conduct of the hearing. Evidence, including hearsay, may be admitted only if it is of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs.

(i) The Office of the City Attorney must prove the violation by a preponderance of the evidence; however, a violation notice, or a copy thereof, issued and signed in accordance with [section] 2.5-18 is prima facie evidence of the correctness of the facts specified therein.

(j) Upon the timely request of any party to the proceeding, any person, who the Administrative Hearing Officer determines may reasonably be expected to provide testimony, which is material and which does not constitute a needless presentation of cumulative evidence, must be made available for cross-examination before a final determination of liability.

(k) The record of all hearings before an Administrative Hearing Officer includes:

- (1) A record of the testimony presented at the hearing, which may be made by tape recording or other appropriate means;
- (2) All documents presented at the hearing;
- (3) A copy of the notice of violation or notice of hearing; and
- (4) A copy of the findings and decision of the Administrative Hearing Officer.

(l) Upon conclusion of a hearing, the Administrative Hearing Officer must issue a final determination of liability or no liability. Upon issuing a final determination of liability the administrative law officer may:

- (1) Impose penalties and or fines that are consistent with applicable provisions of this Code;
- (2) Issue orders that are consistent with applicable provisions of this Code; and or
- (3) Assess costs reasonably related to instituting the administrative adjudication proceeding; provided, however, that the Administrative Hearing Officer may not impose a penalty of imprisonment or, except in cases to enforce the collection of any

tax imposed and collected by the City, where this limitation does not apply, impose a fine in excess of ten thousand dollars (\$10,000.00) exclusive of costs of enforcement and or costs imposed to secure compliance with this Code.

(m) In the issuance of a final determination of liability, an Administrative Hearing Officer must inform the respondent of his or her right to seek judicial review of the final determination.

Sec. 2.5-20. - Default.

(a) If at the time set for a hearing the recipient of a notice of violation or a notice of hearing, or his or her attorney of record, fails to appear, the Administrative Hearing Officer may find the recipient in default and proceed with the hearing and accept evidence relevant to the existence of a code violation and conclude with a finding, decision, and order. A copy of the order of default must be served in any manner permitted by section 2.5-18(c).

(b) The recipient of a notice of violation or a notice of hearing who is found to be in default may petition the Administrative Hearing Officer to set aside the order of default and set a new hearing date in accordance with section 2.5-29.

Sec. 2.5-21. - Subpoenas.

(a) An Administrative Hearing Officer may issue a subpoena only if he or she determines that the testimony of the witnesses or the documents or items sought by the subpoena are necessary to present evidence that is:

- (1) Relevant to the case, and
- (2) Relates to a contested issue in the case.

(b) A subpoena issued under this chapter must identify:

- (1) The person to whom it is directed;
- (2) The documents or other items sought by the subpoena, if any; and
- (3) The date, time, and place for the appearance of the witnesses and or the production of the documents or other items described in the subpoena.

(c) The date identified for the appearance of the witnesses or the production of the documents or other items must not be less than seven (7) days after service of the subpoena.

(d) Within three (3) business days of being served with a subpoena issued in accordance with this chapter, the recipient of the subpoena may appeal the order authorizing the issuance of the subpoena to an Administrative Hearing Officer, who is not be the same administrative law officer who ordered the issuance of the subpoena.

Sec. 2.5-22. - Compliance bond.

To ensure that code violations are remedied or fines are paid in a timely manner, an Administrative Hearing Officer, upon issuing a final determination of liability, may require a code violator to post with the City a compliance bond or, as appropriate, to consent to the granting and recording of a lien against titled property. The Administrative Hearing Officer may set the compliance bond in an amount equal to the Department of Neighborhood and Economic Operations' construction costs estimator or the insurance company's estimate of repairs, whichever is greater. Whenever it is necessary for the City to make repairs or otherwise expend funds relating to a code violation for which a bond was posted, or whenever fines or costs remain unpaid after a code violator has exhausted or failed to exhaust judicial review procedures, the Administrative Hearing Officer may, after giving the parties notice and opportunity to be heard, issue an order permitting the City to draw against the bond in an appropriate amount, or to foreclose on the lien. The Administrative Hearing Officer must order the bond or the titled property or proceeds from the titled property, less the costs incurred by the City, returned to the code violator upon proof of compliance with the applicable code provisions and the payment of applicable fines or costs.

Sec. 2.5-23. - Violations of orders.

(a) Elements of the offense. A person violates this section if he or she:

- (1) Receives notice and an opportunity to be heard under this Code; and
- (2) Knowingly fails to comply with an order issued by an Administrative Hearing Officer under this chapter, including any requirement of a subpoena.

Each day that the violation remains is a separate and distinct offense.

(b) Defenses. It is an affirmative defense to this section that a court of competent jurisdiction stayed the order issued by the Administrative Hearing Officer before the effective date of the order.

(c) Prohibited defenses. It is not a defense to this section that a person:

- (1) Came into compliance or attempted to come into compliance with the order after the date the order by its terms required compliance; or
- (2) Sought judicial review of the order, but failed to obtain a stay of the order before the date the order by its terms required compliance.

(d) Sentence. A person convicted under this section is guilty of a misdemeanor and punishable by a period of jail not greater than ninety (90) days, a fine of not more than five hundred dollars (\$500.00), and the costs of enforcement.

(e) Venue. The City Attorney must institute actions under this section in a court of competent jurisdiction.

Sec. 2.5-24. - Seized/unclaimed property.

After an Administrative Hearing Officer has issued a final determination of liability or no liability, any property seized by the City in relation to the subject matter of the final determination of liability or no liability that is not forfeited by operation of law may be reclaimed by the lawful owner provided that all penalties and fees have been paid. The procedures for the reclamation are within the discretion of the department head of the City department or agency charged with maintaining custody of the property. After the expiration of time during which judicial review of the final determination of liability may be sought or thirty-five (35) days after the final determination of no liability, unless stayed by a court of competent jurisdiction, any property not so reclaimed may be disposed of by the City department or agency charged with maintaining custody of the property as provided by law.

Sec. 2.5-25. - Judicial review under the administrative review law.

Any final decision by the bureau that a code violation does or does not exist is a final determination for purposes of judicial review and is subject to review on appeal by the Jackson County Circuit Court, except as otherwise may be provided by law for decisions issued before the effective date of this chapter. An appeal must be filed within twenty-eight (28) days after entry of the decision and order of the Administrative Hearing Officer. The circuit court's review is subject to the requirements set forth in MCLA 117.4q(16)—(19).

Sec. 2.5-26. - Enforcement of Administrative Hearing Officer's order.

(a) Any fine, sanction, or cost imposed by an Administrative Hearing Officer's order that remains unpaid after the exhaustion of or the failure to exhaust judicial review procedures is a debt due and owing the City and, as such, may be collected in accordance with applicable law.

(b) After the expiration of the period in which judicial review may be sought, unless stayed by a court of competent jurisdiction, the findings, decision, and order of an Administrative Hearing Officer may be enforced in the same manner as a judgment entered by a court of competent jurisdiction.

(c) In any case in which a respondent fails to comply with an Administrative Hearing Officer's order to correct a code violation or imposing a fine or other sanction as a result of a code violation, any expenses incurred by the City to enforce the Administrative Hearing Officer's order, including but not limited to, attorney's fees, court costs, and costs related to property demolition or foreclosure, after they are fixed by a court of competent jurisdiction or an Administrative Hearing Officer is a debt due and owing the City. Before an Administrative Hearing Officer fixes any expense, the respondent must be provided notice that states that the respondent must appear at a hearing before an Administrative Hearing Officer to determine whether the respondent has failed to comply with the Administrative Hearing Officer's order. The notice must set the time for the hearing, which may not be less than seven (7) days from the date that notice is served. Notice is sufficient if served by first class mail and the seven-day period begins to run on the date that the notice is deposited in the mail.

(d) Upon being recorded with the County Register of Deeds, a lien is imposed on the real property or personal property, or both, of the respondent in the amount of a debt due and owing the City. In addition, the City shall send a written notice of the lien by first-class mail to the owner of record of the land, building, or structure at the owner's last known address as shown by the records of the City Assessor. The lien may be enforced in the same manner as are liens for delinquent taxes under the General Property Tax Act, 1893 PA 206, as amended. Property that is exempt as a principal residence under section 7cc of the General Property Tax Act, 1893 PA 206, MCL 211.7cc, is not subject to forfeiture, foreclosure, and sale under sections 78 to 79a of the General Property Tax Act, 1893 PA 206, MCL 211.78 to 211.79a, for nonpayment of a civil fine or costs or an installment ordered under MCL 117.4q unless the property is also subject to forfeiture, foreclosure, and sale under sections 78 to 79a of the General Property Tax Act, 1893 PA 206, MCL 211.78 to 211.79a, for delinquent

property taxes. A lien against property that is exempt as a principal residence under section 7cc of the General Property Tax Act and is not subject to forfeiture, foreclosure, and sale under sections 78 to 79a of the General Property Tax Act may be enforced in the same manner as a judgment lien pursuant to a judgment of a court of competent jurisdiction.

(e) Nothing in this section prevents the City from enforcing or seeking to enforce any order of an Administrative Hearing Officer in any manner, which is in accordance with applicable law.

Sec. 2.5-27. - Interest.

Except as otherwise provided by law, interest on any debt due and owing accrues at the rate set for interest upon judgments.

Sec. 2.5-28. - Fines payable to the City Clerk.

All fines and other monies paid to the City under this chapter must be remitted to the City Clerk.

Sec. 2.5-29. - Petition to set aside default order.

(a) An Administrative Hearing Officer may set aside any order entered by default and set a new hearing date, upon a petition filed within twenty-eight (28) days after the issuance of the order of default, if the Administrative Hearing Officer determines that the petitioner's failure to appear at the hearing was for good cause or, at any time, if the petitioner establishes that the petitioner was not provided with proper service of process. If the petition is granted, the Administrative Hearing Officer must proceed with a new hearing on the underlying matter as soon as practical.

(b) An administrative Hearing Officer may impose penalties when setting aside defaults. The City Council will establish a schedule for the potential penalties by resolution, and as amended from time to time.

Sec. 2.5-30. - Petition by City department for relief from a final order of liability entered in error.

(a) After an order of liability becomes final, the City department or agency, which initiated or prosecuted an administrative adjudication before the bureau may file a written petition for relief from a final order of liability entered in error with the bureau.

(b) The written petition must be filed and signed by the department or agency head of the initiating or prosecuting department or agency and must set forth facts alleging that the order of liability: (1) was entered in error; (2) is unsupported by the record; (3) is inconsistent with applicable provisions of this Code; and (4) should be vacated to avoid a miscarriage of justice. The authority to file and sign a petition under this section is expressly reserved to the department or agency head and may not be delegated to other department or agency officials or personnel.

(c) Upon the filing of a written petition by a department or agency head, the bureau must schedule a hearing on the petition. The scope of the hearing is limited to the merits of the petition and may not be expanded to constitute a re-litigation of the underlying notice of violation.

(d) If a petition is granted, the final order of liability must be vacated. If an order is vacated under this section, the Administrative Hearing Officer must enter an order extinguishing any lien that has been recorded for any debt due and owing as a result of the vacated order and direct the City to refund any fines or penalties paid pursuant to the vacated order.

Sec. 2.5-31. - Election of remedies.

The bureau may not conduct an administrative adjudication proceeding for an alleged violation of this Code where the requested remedy is a punishment of imprisonment; provided, however, where a violation of the code is punishable by fines and other penalties in addition to imprisonment, the City may elect to institute an action with the bureau and thereby waive any imprisonment for the code violation. Nothing in this chapter, however, precludes the City from seeking the remedy of imprisonment in a court of law, including imprisonment for failure to comply with the order of an Administrative Hearing officer, pursuant to section 2.5-23.

Sec. 2.5-32. - Administrative adjudication procedures not exclusive.

Notwithstanding any other provision of this chapter, neither the bureau's authority to conduct administrative adjudication procedures nor the institution of such procedures under this chapter

precludes the City from seeking any remedies for code violations through the use of any other administrative procedure or court proceeding where authorized by law.

Secs. 2.5-33—2.5-50. - Reserved.

ARTICLE III. - VIOLATIONS

Sec. 2.5-51. - General violations.

Established violations of Chapter[s] 5, 10, 12, 14, 17, 21, 26, and 28 are blight violations and are subject to the procedures and penalties outlined in this chapter. Each of those violations is considered as if more full set forth here.

Sec. 2.5-52. - Specific violations.

In addition to section 2.5-51, the following violations are blight violations subject to the procedures and penalties outlined in this chapter:

- (1) Raw building materials. Except as may be permitted by a specific business license or other City ordinance, it is a blight violation for any person to store raw building materials on any property unless there is a valid building permit issued according to this Code, and these materials are intended for use in connection with the construction occurring on the property.
- (2) Junk waste. It is a blight violation for any person to store, accumulate, or permit the storage or accumulation of any junk or waste on property owned, leased, rented, or occupied by him.
- (3) Littering. It is a blight violation for any person to knowingly, without the consent of the public authority having supervision of public property or the owner of private property, dump, deposit, place, throw, or leave or cause or permit the dumping, depositing, placing, throwing, or leaving of litter on public or private property other than property designated and set aside for such purposes.
- (4) Abandoned refrigerators.
 - a. It is a blight violation for any person to leave outside of any building or dwelling in a place accessible to children, any abandoned, unattended, available or discarded

icebox, refrigerator or any other container of any kind which has an airtight door or lock which may not be easily released for opening from the inside of such icebox, refrigerator, container, or compartment.

- b. It is a blight violation for any person to leave outside of any building or dwelling in a place accessible to children, any abandoned, unattended or discarded icebox, refrigerator, or any container of any kind, or compartment of any kind, which has a snap lock or other device thereon, without first removing the snap lock or the doors of such icebox, refrigerator, container or compartment, unless the doors thereto are securely fastened by the use of chains, locks, or other devices adequate to prevent the opening of such doors.

Sec. 2.5-53. - Penalties.

All blight violations under this Code are subject to enforcement by the procedures and penalties outlined in this chapter. The City Council will establish a schedule for the potential fines for violations by resolution, and as amended from time to time.

Section 3. Effective date.

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

ORDINANCE 2016 - ____

An Ordinance amending Chapter 2.5 of the City of Jackson Code of Ordinances to modernize the provisions used to regulate the Administrative Hearings Bureau for the health, safety, and welfare of the citizens of the City of Jackson.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

The City Council adopts this ordinance to modernize the provisions used to regulate the administrative hearings bureau for the health, safety, and welfare of the citizens of the City of Jackson.

Section 2.

That Chapter 2.5 of the City of Jackson, Michigan Code of Ordinances, be amended to read as follows:

ARTICLE I. - IN GENERAL

Sec. 2.5-1. - Purpose.

The ~~city~~City finds that the current zoning and housing related ordinances have operated in a manner that has been less than efficient and effective in obtaining compliance among our neighborhoods. This chapter is designed to ~~address~~, define, prevent, reduce, and eliminate blight, factors, and causes of blight, and ~~address~~ other quality of life violations in the ~~city~~City that negatively impact the public health, safety, and welfare of the residents of the ~~city~~City. Consistent with the State Statute, MCL 117.4l, 117.4q and 117.4r, authorizing the creation of an administrative hearings bureau, the ~~city~~City finds that changing zoning, building or property maintenance, solid waste and illegal dumping, disease and sanitation, noxious weeds, ~~and~~ vehicle abandonment, and inoperative vehicles from criminal misdemeanor or civil infraction offenses to blight violations punishable by a civil fine as determined following a hearing in the ~~city~~City administrative hearings bureau is a potentially more efficient and effective way of gaining compliance.

Sec. 2.5-2. - Definitions.

Blight means a condition that impairs, destroys, or deteriorates the property because of its decay, improper storage, or effect on property or quality of life, including, but not limited to such things as garbage, junk, noxious weeds, inoperative vehicles, and waste. The proper storage of materials or equipment incidental to and necessary for the carrying out of any business or occupation lawfully being carried out on the property in question is not the cause of blight or a blighting factor if all applicable ~~city~~ City ordinances are satisfied. The piling and storage of firewood in a neat orderly manner for consumption by the property residents is not blight.

Blight violation means a violation of any provision of this Code, regarding zoning, building or construction, building or property maintenance or condition in buildings or on the premises; fire prevention; illegal dumping, disposal of solid waste; noxious weeds, abandoned vehicles or inoperative vehicles.

Building materials means any material or equipment used in the restoration, renovation or construction of any structure or surface, including, but not limited to lumber, bricks, concrete or cinder blocks, plumbing materials, electrical wiring or equipment, heating ducts and equipment, shingles, mortar, concrete, cement, nails, screws, ladders, scaffolding, or tools.

Garbage includes all animal and vegetable wastes resulting from the handling, preparation, cooking, consumption, or decomposition of food.

Junk includes any abandoned, discarded, stored, unused object or equipment, regardless of viability of use or value, stored in the open, including, but not limited to motor vehicle parts, machinery, furniture, appliances, bottles, boxes, cartons, crates, or remnants of cloth, wood, metal, rubber, or other cast-off materials.

Refuse includes garbage, rubbish, trash, debris, junk, ashes, incinerator ash or residue, street cleaning, industrial sludge, solid commercial and industrial waste, animal waste, inoperable household appliances, or broken or damaged stuffed furniture, but does not include human body waste, liquid or other waste regulated by statute, or ferrous or nonferrous scrap possessed by a commercial scrap metal processor or a commercial re-user of ferrous, or nonferrous products.

Waste includes any litter, garbage, trash, rubbish, or refuse that is a useless or worthless by-product of any industrial, biological, or other such process and tends to create a danger to public health, safety, and welfare.

Sec. 2.5-3. - Exclusions.

This chapter does not address any civil infraction under the Michigan Vehicle Code, the Uniform Traffic Code, provisions that allow for control of traffic in parking areas, or a similar municipal ordinance.

Nothing in this chapter affects the jurisdiction of the planning commission, the zoning board of appeals, the building code board of examiners and appeals, the historic district commission, or the sign board.

Sec. 2.5-4. - Severability.

The sections and provisions of this chapter are severable and any portion declared invalid or against public policy will not affect the validity of the remaining sections or provisions of this chapter.

Sec. 2.5-5. - Chapter not inconsistent.

The provisions of this chapter apply to administrative adjudication proceedings conducted by the administrative hearings bureau to the extent that they are not inconsistent with the provisions of this Code, which set forth specific procedures for the administrative adjudication of particular code provisions.

Sec. 2.5-6. - Repealer.

Any ordinances or part of an ordinance in conflict herewith is hereby repealed; however, such repeal does not affect any existing litigation and does not abate any action or proceeding pending under or by virtue of any repealed or amended ordinance so long as such litigation or proceeding was filed before December 31, 2004.

Secs. 2.5-7—2.5-10. - Reserved.

ARTICLE II. - ADMINISTRATIVE HEARINGS BUREAU

Sec. 2.5-11. - Administrative hearings bureau—Establishment and composition.

The ~~city-City council-Council~~ establishes an office of the municipal government to be known as the administrative hearings bureau ("bureau"), which is authorized to conduct administrative adjudication proceedings for departments and agencies of the ~~city-City~~ for blight violations, as defined in section 2.5-2.

The bureau will be administered by an ~~administrative-Administrative hHearings officerOfficer~~, who will be appointed by the mayor, subject to approval by the ~~city-City council-Council~~, and staffed by other employees as may be provided for in the annual appropriation ordinance. The ~~administrative-Administrative hearing-Hearing officer-Officer~~ will serve a term of two (2) years and is removable only upon reasonable cause.

The administrative hearings officer will be compensated as set forth in section 2-424, as it may be amended from time to time.

Sec. 2.5-12. - Director—Powers and duties (Reserved).

Sec. 2.5-13. - Administrative ~~hearing-Hearing officerOfficer~~—Powers and duties.

Each ~~administrative-Administrative hearing-Hearing officer-Officer appointed by the mayor with consent of the city council~~ must be an attorney admitted to the practice of law in the State of Michigan for at least five (5) years ~~and is removable only upon reasonable cause.~~ Each ~~administrative-Administrative hearing-Hearing officer-Officers~~ ~~has have~~ all powers necessary to conduct fair and impartial hearings including, but not limited to, the power to:

- (1) Hold conferences for the settlement or simplification of the issues;
- (2) Administer oaths and affirmations;
- (3) Hear testimony;
- (4) Rule upon motions, objections, and the admissibility of evidence;
- (5) Subpoena the attendance of relevant witnesses and the production of relevant books, records, or other information, subject to the restrictions contained in section 2.5-21 at

the request of any party or on the ~~administrative~~ Administrative hearing ~~Hearing officer's~~ Officer's own motion;

- (6) Preserve and authenticate the record of the hearing and all exhibits and evidence introduced at the hearing;
- (7) Regulate the course of the hearing in accordance with this chapter, the rules adopted by the bureau, or other applicable law;
- (8) Discuss administrative adjudication proceedings with a supervisor, if one is appointed;
- (9) Issue a final order, which includes findings of fact and conclusions of law;
- (10) Impose penalties and fines and issue orders that are consistent with applicable code provisions and assess costs upon finding a party liable for the charged violation; provided, however, that an ~~administrative~~ Administrative hearing ~~Hearing officer~~ Officer does not have the authority to: (i) impose a penalty of imprisonment; or (ii) except in cases to enforce the collection of any tax imposed and collected by the ~~city~~ City, in which this limitation shall not apply, impose a fine in excess of ten thousand dollars (\$10,000.00) exclusive of costs of enforcement or costs imposed to secure compliance with this Code; and
- (11) Assess costs upon affirming the order or determination in any case in which a party has sought review by the bureau of an order or determination of another ~~city~~ City department or agency, when such review is authorized by this Code.

Sec. 2.5-14. - Administrative ~~hearing~~ Hearing officer ~~Officer~~—Training requirements.

Before conducting any administrative adjudication proceeding, an ~~administrative~~ Administrative hearing ~~Hearing officer~~ Officer must have successfully completed a formal training program, which includes the following:

- (1) Instruction on the rules of procedure of the administrative hearings, which he or she will conduct;
- (2) Orientation to each subject area of the code violations, which he or she will adjudicate;
- (3) Observation of administrative hearings; and
- (4) Participation in hypothetical cases, including ruling on evidence and issuing final orders.

Sec. 2.5-15. - Rules—Available for public inspection.

The rules promulgated by the bureau for the conduct of administrative adjudication proceedings must be published within sixty (60) days of the adoption of this chapter and thereafter kept on file in the office of the ~~city~~City ~~clerk~~clerk for public inspection and copying during normal business hours.

Sec. 2.5-16. - Instituting administrative adjudication proceedings.

Any authorized department or agency of the ~~city~~City may institute an administrative adjudication proceeding with the bureau by forwarding a copy of a notice of violation and a notice of hearing, which has been properly served on the respondent, to the bureau.

Sec. 2.5-17. - Adjudication by mail.

The rules adopted by the bureau may provide that a respondent may elect to contest an alleged violation through adjudication by mail rather than at an administrative hearing.

Sec. 2.5-18 - Notice.

(a) Before any administrative adjudication proceeding may be conducted, the parties must be afforded notice in compliance with this section.

(b) Unless otherwise provided by law or rule, the issuer of a notice of violation or notice of hearing must specify in the notice his or her name and department; where known, the name and address of the person or entity charged with the violation; the date, time, and place of the violation; the section of the Code or departmental rule or regulation which was allegedly violated; and certify the correctness of the specified information by signing his or her name to the notice with the following: "I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief." A notice of hearing including the date, time, and location of the hearing and the penalties for failure to appear at the hearing must be included.

(c) Unless otherwise provided by law or rule, a notice of violation or notice of hearing must be served upon the alleged violator no less than fourteen (14) calendar days before the date of the hearing:

(1) By first class ~~or~~, express mail, or by overnight carrier addressed to the address of the owner of the property as listed by the records of the ~~city-City assessor-Assessor~~ or, if the violator is a business entity, in the alternative, at any address identified for its registered agent or at its principal place of business;

(2) By personal service, including personal service upon an employee or agent of the alleged violator at a place of business of the alleged violator or otherwise if such service is reasonably calculated to give the alleged violator actual notice; or

(3) If service cannot be made ~~by under either of~~ subsections (1) or (2) above, when the alleged violator is the owner or manager of the property, by posting a copy of the violation notice on the front entrance of the building or other structure where the violation is found, or if the property is unimproved or fenced off, by posting a copy of the violation notice in a prominent place upon the property where the violation is found.

(d) In all non-emergency situations, if requested by the respondent, the respondent has at least fifteen (15) days after the date of mailing or other service of a notice of violation or notice of hearing to prepare for a hearing. For purposes of this section "non-emergency situation" means any situation that does not reasonably constitute a threat to the public interest, safety, or welfare.

Sec. 2.5-19. - Administrative hearings.

(a) Any administrative adjudication proceeding conducted by the bureau must be conducted before an ~~administrative-Administrative hearing-Hearing officer-Officer~~.

(b) An attorney who appears on behalf of any person must file with the ~~administrative-Administrative hearing-Hearing officer-Officer~~ a written appearance on a form provided by or approved by the burcau for such purpose.

(c) The case for the ~~city-City~~ may not be presented by an employee of the bureau; provided, however, that documentary evidence, including the notice of violation, which has been prepared by another department or agency of the ~~city-City~~ may be presented at the hearing by the ~~administrative-Administrative hearing-Hearing officer-Officer~~.

(d) The ~~administrative-Administrative hearing-Hearing officer-Officer~~ may grant a continuance only upon a finding of good cause.

(e) All testimony must be given under oath or affirmation.

(f) The ~~administrative~~Administrative hearing~~Hearing officer~~Officer may issue subpoenas to secure the attendance and testimony of relevant witnesses and the production of relevant documents. Issuance of subpoenas is subject to the restrictions contained in section 2.5-21.

(g) Subject to subsection (j) of this section, the ~~administrative~~Administrative hearing~~Hearing officer~~Officer may, in unusual circumstances, permit witnesses to submit testimony by affidavit or by telephone.

(h) The formal and technical rules of evidence do not apply in the conduct of the hearing. Evidence, including hearsay, may be admitted only if it is of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs.

(i) The ~~office~~Office of the ~~city~~City attorney~~Attorney~~ must prove the violation by a preponderance of the evidence; however, a violation notice, or a copy thereof, issued and signed in accordance with [section] 2.5-18 is prima facie evidence of the correctness of the facts specified therein.

(j) Upon the timely request of any party to the proceeding, any person, who the ~~administrative~~Administrative hearing~~Hearing officer~~Officer determines may reasonably be expected to provide testimony, which is material and which does not constitute a needless presentation of cumulative evidence, must be made available for cross-examination before a final determination of liability.

(k) The record of all hearings before an ~~administrative~~Administrative hearing~~Hearing officer~~Officer includes:

- (1) A record of the testimony presented at the hearing, which may be made by tape recording or other appropriate means;
- (2) All documents presented at the hearing;
- (3) A copy of the notice of violation or notice of hearing; and
- (4) A copy of the findings and decision of the ~~administrative~~Administrative hearing~~Hearing officer~~Officer.

(l) Upon conclusion of a hearing, the ~~administrative~~Administrative hearing~~Hearing officer~~Officer must issue a final determination of liability or no liability. Upon issuing a final determination of liability the administrative law officer may:

- (1) Impose penalties and or fines that are consistent with applicable provisions of this Code;

- (2) Issue orders that are consistent with applicable provisions of this Code; and or
- (3) Assess costs reasonably related to instituting the administrative adjudication proceeding; provided, however, that the ~~administrative~~ Administrative hearing-Hearing officer-Officer may not impose a penalty of imprisonment or, except in cases to enforce the collection of any tax imposed and collected by the ~~city~~ City, where this limitation does not apply, impose a fine in excess of ten thousand dollars (\$10,000.00) exclusive of costs of enforcement and or costs imposed to secure compliance with this Code.

(m) In the issuance of a final determination of liability, an ~~administrative~~ Administrative hearing-Hearing officer-Officer must inform the respondent of his or her right to seek judicial review of the final determination.

Sec. 2.5-20. - Default.

(a) If at the time set for a hearing the recipient of a notice of violation or a notice of hearing, or his or her attorney of record, fails to appear, the ~~administrative~~ Administrative hearing-Hearing officer-Officer may find the recipient in default and proceed with the hearing and accept evidence relevant to the existence of a code violation and conclude with a finding, decision, and order. A copy of the order of default must be served in any manner permitted by section 2.5-18(c).

(b) The recipient of a notice of violation or a notice of hearing who is found to be in default may petition the ~~administrative~~ Administrative hearing-Hearing officer-Officer to set aside the order of default and set a new hearing date in accordance with section 2.5-29.

Sec. 2.5-21. - Subpoenas.

(a) An ~~administrative~~ Administrative hearing-Hearing officer-Officer may issue a subpoena only if he or she determines that the testimony of the witnesses or the documents or items sought by the subpoena are necessary to present evidence that is:

- (1) Relevant to the case; ~~and~~ and
- (2) Relates to a contested issue in the case.

(b) A subpoena issued under this chapter must identify:

- (1) The person to whom it is directed;
- (2) The documents or other items sought by the subpoena, if any; and

(3) The date, time, and place for the appearance of the witnesses and or the production of the documents or other items described in the subpoena.

(c) The date identified for the appearance of the witnesses or the production of the documents or other items must not be less than seven (7) days after service of the subpoena.

(d) Within three (3) business days of being served with a subpoena issued in accordance with this chapter, the recipient of the subpoena may appeal the order authorizing the issuance of the subpoena to an ~~administrative~~ Administrative hearing Hearing officer ~~Officer~~, who is not be the same administrative law officer who ordered the issuance of the subpoena.

Sec. 2.5-22. - Compliance bond.

To ensure that code violations are remedied or fines are paid in a timely manner, an ~~administrative~~ Administrative hearing Hearing officer ~~Officer~~, upon issuing a final determination of liability, may require a code violator to post with the ~~city~~ City a compliance bond or, as appropriate, to consent to the granting and recording of a lien against titled property. The ~~administrative~~ Administrative hearing Hearing officer ~~Officer~~ may set the compliance bond in an amount equal to the ~~community development department~~ Department of Neighborhood and Economic Operations's construction costs estimator, ~~R.S. means construction cost estimator~~ or the insurance company's estimate of repairs, whichever is greater. Whenever it is necessary for the ~~city~~ City to make repairs or otherwise expend funds relating to a code violation for which a bond was posted, or whenever fines or costs remain unpaid after a code violator has exhausted or failed to exhaust judicial review procedures, the ~~administrative~~ Administrative hearing Hearing officer ~~Officer~~ may, after giving the parties notice and opportunity to be heard, issue an order permitting the ~~city~~ City to draw against the bond in an appropriate amount, or to foreclose on the lien. The ~~administrative~~ Administrative hearing Hearing officer ~~Officer~~ must order the bond or the titled property or proceeds from the titled property, less the costs incurred by the ~~city~~ City, returned to the code violator upon proof of compliance with the applicable code provisions and the payment of applicable fines or costs.

Sec. 2.5-23. - Violations of orders.

(a) Elements of the offense. A person violates this section if he or she:

(1) Receives notice and an opportunity to be heard under this Code; and

(2) Knowingly fails to comply with an order issued by an ~~administrative~~ Administrative hearing ~~Hearing officer~~ Officer under this chapter, including any requirement of a subpoena.

Each day that the violation ~~occurs~~ remains is a separate and distinct offense.

(b) Defenses. It is an affirmative defense to this section that a court of competent jurisdiction stayed the order issued by the ~~administrative~~ Administrative hearing ~~Hearing officer~~ Officer before the effective date of the order.

(c) Prohibited defenses. It is not a defense to this section that a person:

(1) Came into compliance or attempted to come into compliance with the order after the date the order by its terms required compliance; or

(2) Sought judicial review of the order, but failed to obtain a stay of the order before the date the order by its terms required compliance.

(d) Sentence. A person convicted under this section is guilty of a misdemeanor and punishable by a period of jail not greater than ninety (90) days, a fine of not more than five hundred dollars (\$500.00), and the costs of enforcement.

(e) Venue. The ~~city~~ City ~~attorney~~ Attorney must institute actions under this section in a court of competent jurisdiction.

Sec. 2.5-24. - Seized/unclaimed property.

After an ~~administrative~~ Administrative hearing ~~Hearing officer~~ Officer has issued a final determination of liability or no liability, any property seized by the ~~city~~ City in relation to the subject matter of the final determination of liability or no liability that is not forfeited by operation of law may be reclaimed by the lawful owner provided that all penalties and fees have been paid. The procedures for the reclamation are within the discretion of the department head of the ~~city~~ City department or agency charged with maintaining custody of the property. After the expiration of time during which judicial review of the final determination of liability may be sought or thirty-five (35) days after the final determination of no liability, unless stayed by a court of competent jurisdiction, any property not so reclaimed may be disposed of by the ~~city~~ City department or agency charged with maintaining custody of the property as provided by law.

Sec. 2.5-25. - Judicial review under the administrative review law.

Any final decision by the bureau that a code violation does or does not exist is a final determination for purposes of judicial review and is subject to review on appeal by the Jackson County Circuit Court, except as otherwise may be provided by law for decisions issued before the effective date of this chapter. An appeal must be filed within twenty-eight (28) days after entry of the decision and order of the ~~administrative~~ Administrative hearing-Hearing officer's-Officer's. The circuit court's review is subject to the requirements set forth in MCLA 117.4q(16)—(19).

Sec. 2.5-26. - Enforcement of ~~administrative~~ Administrative hearing-Hearing officer's-Officer's order.

(a) Any fine, sanction, or cost imposed by an ~~administrative~~ Administrative hearing-Hearing officer's-Officer's order that remains unpaid after the exhaustion of, or the failure to exhaust, judicial review procedures is a debt due and owing the ~~city~~ City and, as such, may be collected in accordance with applicable law.

(b) After the expiration of the period in which judicial review may be sought, unless stayed by a court of competent jurisdiction, the findings, decision, and order of an ~~administrative~~ Administrative hearing-Hearing officer-Officer may be enforced in the same manner as a judgment entered by a court of competent jurisdiction.

(c) In any case in which a respondent fails to comply with an ~~administrative~~ Administrative hearing-Hearing officer's-Officer's order to correct a code violation or imposing a fine or other sanction as a result of a code violation, any expenses incurred by the ~~city~~ City to enforce the ~~administrative~~ Administrative hearing-Hearing officer's-Officer's order, including but not limited to, attorney's fees, court costs, and costs related to property demolition or foreclosure, after they are fixed by a court of competent jurisdiction or an ~~administrative~~ Administrative Hearing ~~officer~~ Officer is a debt due and owing the ~~city~~ City. Before an ~~administrative~~ Administrative Hearing ~~O~~fficer fixes any expense, the respondent must be provided notice that states that the respondent must appear at a hearing before an Aadministrative Hearing Officer to determine whether the respondent has failed to comply with the Aadministrative Hearing Officer's order. The notice must set the time for the hearing, which may not be less than seven (7) days from the date that notice is

served. Notice is sufficient if served by first class mail and the seven-day period begins to run on the date that the notice is deposited in the mail.

(d) Upon being recorded with the County Register of Deeds, a lien is imposed on the real property or personal property, or both, of the respondent in the amount of a debt due and owing the ~~city~~City. In addition, the ~~city~~City shall send a written notice of the lien by first-class mail to the owner of record of the land, building, or structure at the owner's last known address as shown by the records of the ~~city~~City ~~assessor~~Assessor. The lien may be enforced in the same manner as are liens for delinquent taxes under the General Property Tax Act, 1893 PA 206, as amended. Property that is exempt as a principal residence under section 7cc of the General Property Tax Act, 1893 PA 206, MCL 211.7cc, is not subject to forfeiture, foreclosure, and sale under sections 78 to 79a of the General Property Tax Act, 1893 PA 206, MCL 211.78 to 211.79a, for nonpayment of a civil fine or costs or an installment ordered under MCL 117.4q unless the property is also subject to forfeiture, foreclosure, and sale under sections 78 to 79a of the General Property Tax Act, 1893 PA 206, MCL 211.78 to 211.79a, for delinquent property taxes. A lien against property that is exempt as a principal residence under section 7cc of the General Property Tax Act and is not subject to forfeiture, foreclosure, and sale under sections 78 to 79a of the General Property Tax Act may be enforced in the same manner as a judgment lien pursuant to a judgment of a court of competent jurisdiction.

(e) Nothing in this section prevents the ~~city~~City from enforcing or seeking to enforce any order of an ~~A~~Administrative ~~H~~hearing ~~O~~officer in any manner, which is in accordance with applicable law.

Sec. 2.5-27. - Interest.

Except as otherwise provided by law, interest on any debt due and owing accrues at the rate set for interest upon judgments.

Sec. 2.5-28. - Fines payable to the ~~city~~City ~~clerk~~Clerk.

All fines and other monies paid to the ~~city~~City under this chapter must be remitted to the ~~city~~City ~~clerk~~Clerk.

Sec. 2.5-29. - Petition to set aside default order.

(a) An ~~A~~administrative ~~H~~hearing ~~O~~fficer may set aside any order entered by default and set a new hearing date, upon a petition filed within ~~twenty-one (21)~~~~28~~ days after the issuance of the order of default, if the ~~A~~administrative ~~H~~hearing ~~O~~fficer determines that the petitioner's failure to appear at the hearing was for good cause or, at any time, if the petitioner establishes that the petitioner was not provided with proper service of process. If the petition is granted, the ~~A~~administrative ~~H~~hearing ~~O~~fficer must proceed with a new hearing on the underlying matter as soon as practical.

~~(b) An administrative Hearing Officer may impose penalties when setting aside defaults. The City Council will establish a schedule for the potential penalties by resolution, and as amended from time to time.~~

~~(b) If any order is set aside under this section, the administrative hearing officer must enter an order extinguishing any lien which has been recorded for any debt due and owing as a result of the vacated default order and directing the city to refund any fines or penalties paid pursuant to the vacated order.~~

Sec. 2.5-30. - Petition by ~~city~~City department for relief from a final order of liability entered in error.

(a) After an order of liability becomes final, the ~~city~~City department or agency, which initiated or prosecuted an administrative adjudication before the bureau may file a written petition for relief from a final order of liability entered in error with the bureau.

(b) The written petition must be filed and signed by the department or agency head of the initiating or prosecuting department or agency and must set forth facts alleging that the order of liability: (1) was entered in error; (2) is unsupported by the record; (3) is inconsistent with applicable provisions of this Code; and (4) should be vacated to avoid a miscarriage of justice. The authority to file and sign a petition under this section is expressly reserved to the department or agency head and may not be delegated to other department or agency officials or personnel.

(c) Upon the filing of a written petition by a department or agency head, the bureau must schedule a hearing on the petition. The scope of the hearing is limited to the merits of the

petition and may not be expanded to constitute a re-litigation of the underlying notice of violation.

(d) If a petition is granted, the final order of liability must be vacated. If an order is vacated under this section, the Aadministrative Hhearing Officer must enter an order extinguishing any lien that has been recorded for any debt due and owing as a result of the vacated order and direct the eity-City to refund any fines or penalties paid pursuant to the vacated order.

Sec. 2.5-31. - Election of remedies.

The bureau may not conduct an administrative adjudication proceeding for an alleged violation of this Code where the requested remedy is a punishment of imprisonment; provided, however, where a violation of the code is punishable by fines and other penalties in addition to imprisonment, the eity-City may elect to institute an action with the bureau and thereby waive any imprisonment for the code violation. Nothing in this chapter, however, precludes the eity City from seeking the remedy of imprisonment in a court of law, including imprisonment for failure to comply with the order of an Aadministrative Hhearing Officer, pursuant to section 2.5-23.

Sec. 2.5-32. - Administrative adjudication procedures not exclusive.

Notwithstanding any other provision of this chapter, neither the bureau's authority to conduct administrative adjudication procedures nor the institution of such procedures under this chapter precludes the eity-City from seeking any remedies for code violations through the use of any other administrative procedure or court proceeding where authorized by law.

Secs. 2.5-33—2.5-50. - Reserved.

ARTICLE III. - VIOLATIONS

Sec. 2.5-51. - General violations.

Established violations of Chapter[s] 5, 10, 12, 14, 17, 21, 26, and 28 are blight violations and are subject to the procedures and penalties outlined in this chapter. Each of those violations is considered as if more fully set forth here.

Sec. 2.5-52. - Specific violations.

In addition to section 2.5-51, the following violations are blight violations subject to the procedures and penalties outlined in this chapter:

- (1) Raw building materials. Except as may be permitted by a specific business license or other ~~city~~-City ordinance, it is a blight violation for any person to store raw building materials on any property unless there is a valid building permit issued according to this Code, and these materials are intended for use in connection with the construction occurring on the property.
- (2) Junk waste. It is a blight violation for any person to store, accumulate, or permit the storage or accumulation of any junk or waste on property owned, leased, rented, or occupied by him.
- (3) Littering. It is a blight violation for any person to knowingly, without the consent of the public authority having supervision of public property or the owner of private property, dump, deposit, place, throw, or leave or cause or permit the dumping, depositing, placing, throwing, or leaving of litter on public or private property other than property designated and set aside for such purposes.
- (4) Abandoned refrigerators.
 - a. It is a blight violation for any person to leave outside of any building or dwelling in a place accessible to children, any abandoned, unattended, available or discarded icebox, refrigerator or any other container of any kind which has an airtight door or lock which may not be easily released for opening from the inside of such icebox, refrigerator, container, or compartment.
 - b. It is a blight violation for any person to leave outside of any building or dwelling in a place accessible to children, any abandoned, unattended or discarded icebox, refrigerator, or any container of any kind, or compartment of any kind, which has a snap lock or other device thereon, without first removing the snap lock or the doors of such icebox, refrigerator, container or compartment, unless the doors thereto are securely fastened by the use of chains, locks, or other devices adequate to prevent the opening of such doors.

Sec. 2.5-53. - Penalties.

All blight violations under this Code are subject to enforcement by the procedures and penalties outlined in this chapter. The ~~city-City council~~Council will establish a schedule for the potential fines for violations by resolution, and as amended from time to time.

Section 3. Effective date.

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

MEMO TO: Mayor and City Councilmembers
FROM: Patrick H. Burtch, City Manager
DATE: August 23, 2016
SUBJECT: Award for 2016 Pavement Marking Contract

Recommendation:

Approval of an award for the 2016 Pavement Marking contract to RS Contracting of Casco, Michigan at a cost of \$59,944.50, and authorization for the Mayor and City Treasurer/Clerk to execute the appropriate document(s) in accordance with the Purchasing Agent.

Attached is a memo from Jon H. Dowling, City Engineer, regarding an award for the 2016 Pavement Marking contract.

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

PHB

Attachment

DEPARTMENTAL REPORT

MEMO TO: Patrick Burtch, City Manager
FROM: Jon H. Dowling, P.E., City Engineer
DATE: August 23, 2016

RECOMMENDATION: Approval of an award for the 2016 Pavement Marking contract to RS Contracting of Casco, Michigan at a cost of \$59,944.50, and authorization for the Mayor and City Treasurer/Clerk to execute the appropriate document(s) in accordance with the Purchasing Agent.

SUMMARY

On August 2, 2016 bids were opened in the Purchasing Department for the 2016 Pavement Marking contract. The project consists of long line painting on major streets along with markings for crosswalks, stop bars, bike symbols, railroad symbols and turn arrows.

BUDGETARY CONSIDERATIONS

The Engineer's estimate for this project was \$73,955.17. Bids were as follows:

Company	Bid
RS Contracting, Casco, MI	\$59,944.50
PK Contracting, Troy, MI	\$70,344.25

This project will be paid out of Major Street Traffic Service Funds.

HISTORY, BACKGROUND and DISCUSSION

The City has approximately 55 miles of major streets on which pavement markings must be maintained for the safety of motorists.

We plan to paint the long lines annually and replace the plastic symbols as needed.

DISCUSSION OF THE ISSUE

This contract is for the annual painting of the long line markings on the major streets and routine maintenance of pavement marking symbols.

POSITIONS

In concurrence with the Purchasing Agent, it is the recommendation of Engineering that the 2016 Pavement Marking contract be awarded to RS Contracting of Casco, Michigan, for a cost of \$59,944.50. We also request that the Mayor and City Treasurer/Clerk be authorized to execute the appropriate documents.

JHD/ss

MEMO TO: Mayor and City Councilmembers
FROM: Patrick H. Burtch, City Manager
DATE: August 23, 2016
SUBJECT: Purchase of Patrol Vehicles for the Jackson Police Department

Recommendation:

To approve the purchase of four patrol utility vehicles through the MiDeal contract in the amount of \$106,700 from FY16/17 general fund budget.

Attached is a memorandum from Director Matthew Heins regarding the necessity of this purchase.

I recommend approval of this request. Your consideration and concurrence is appreciated.

PHB

DEPARTMENTAL REPORT

MEMO TO: Patrick Burtch, City Manager
FROM: Matthew Heins, Director of Police and Fire Services *MCH*
DATE: August 23, 2016
RECOMMENDATION: Approval of Purchase of Four Patrol Vehicles

SUMMARY

The Jackson Police Department is requesting authorization to purchase four 2017 Ford Police Interceptor utility vehicles through the State of Michigan MiDeal contract.

BUDGETARY CONSIDERATIONS

The purchase price, including factory installed prisoner and rear cages, is \$26,675 per vehicle. The funds to purchase three vehicles are in the Police Departments 2016/2017 fiscal year budget. The fourth vehicle will be paid for mostly by insurance reimbursement, due to a recent crash where a vehicle was totalled.

HISTORY, BACKGROUND and DISCUSSION

The Ford Interceptor Utility vehicle is a pursuit rated all-wheel drive vehicle which has proven to serve the Department and public very well over the past few years. These Utility Vehicles have a better ability to respond to emergencies during adverse weather conditions.

DISCUSSION OF THE ISSUE

The payout for the totaled vehicle will be \$22,936. The Police Department will cover the remaining cost of the fourth vehicle out of the 16/17 fiscal year budget.

The base price of each vehicle is \$25,195. Additional funds are needed for the following options:

- Engine idle feature - \$265
- Dual spotlights - \$370
- Grille harness - \$50
- Wire harness connector package - \$125
- Reverse sensing - \$275
- 100 watt siren speaker - \$300
- Courtesy lights inoperative - \$25
- Rear door handles inoperative - \$35
- Rear windows inoperative - \$35

POSITIONS

I recommend approval of the purchase of four patrol utility vehicles

EDDIE WILLIAMS MICHIGAN CONTRACT HOLDER
 GOVERNMENT SALES
 GORNO FORD
 WOODHAVEN, MI



PH 734-671-4893,



CELL 313-319-3431,



FAX 734-671-4375



e-mail eddiewilliams@gornoford.com

or

eddiewilliamsgorno@hotmail.com

CHAD EDWARDS email cedwards@cityofjackson.org
 POLICE DEPT
 CITY OF JACKSON refaxed & email 7/15/16
 PH
 CELL
 FAX 517-788-4129

2016/2017 FORD INTERCEPTOR

3.7L V6, 6 SPD AUTO TRANS, POWER WINDOWS, DOOR LOCKS, MIRRORS, &
 POWER DRIVER'S SEAT, SPEED CONTROL, AM/FM CD STEREO, TIRE
 PRESSURE MONITTING SYSTEM, ROLL STABILITY SYSTEM, CRASH
 TESTED TO 75 MPH, VINYL FLOORING, BACK UP CAMERA

2016 BASE SEDAN FWD \$22,195.00

2016 BASE SEDAN AWD \$23,235.00

~~2017 BASE UTILITY SUV AWD \$25,195.00~~

OPTIONS

~~NEW FOR 2017, ENGINE IDLE FEATURE 265.00~~

ALLOWS YOU TO LEAVE ENGINE RUNNING,
 PREVENTS SOMEONE ELSE FROM USING IT.
 ALLOWS THE KEY TO BE REMOVED FROM
 IGNITION WILL VEHICLE IS RUNNING

ECO BOOST (SEDAN) 3,295.00

ECO BOOST (UTILITY) 3,375.00

DRIVER SIDE SPOT 220.00

~~DUAL SPOTS 370.00~~

DRIVER'S SIDE, LED 465.00

DUAL SPOTS, LED 660.00

FLEET KEY 50.00

KEYLESS ENTRY 295.00

HEATED EXT MIRRORS	60.00
GRILLE HARNESS	50.00 -
WIRE HARNESS CONNECTOR PKG(FRT)	125.00
FRONT SKID PLATE	350.00
100 WATT SIREN/SPEAKER(INSTALLED)	300.00
REAR FLOOR PLATE	35.00
COURTESY LIGHTS IN-OP	25.00
REAR DOOR HANDLES IN-OP	35.00
REAR WINDOWS IN-OP	35.00
REVERSE SENSING	275.00
2 TONE ON DOORS (BLACK & WHITE)	495.00
2 TONE ON DOORS & ROOF (BLK & WHITE)	840.00
RECONFIGURE STEERING WHEEL SWITCHES	155.00
NOISE SUPPRESSION (NOT NEEDED)	100.00
FORD REAR LIGHTING PKG	470.00
REAR CARGO LIGHT FOR UTILITY	50.00
PREP FRONT HEADLIGHT FOR LED/STROBES	125.00
PREP REAR TAILLIGHTS FOR LED/STROBES	60.00
GORNO LEDS FOR HEADLIGHT PREP PKG	350.00
FRONT HEADLIGHT LED/STROBE STYLE LIGHTING	915.00 (2015)
SETINA PB 450 PUSH BUMPER W/SIDE AND FRONT LED LIGHTS	750.00
SYNC	395.00
<u>RETAIL/CHIEF'S PKG, INCLUDES</u>	599.00
CARPET W/FLOOR MATS	
CLOTH TRIM, FRT & REAR	
FACTORY STYLE CONSOLE W/COLUMN SHIFT	
WHEEL COVERS	
INTERCEPTOR BADGES-DELETED	
DRIVER'S SIDE BALLIST DOOR PANEL	1,685.00
DRIVER/PASSANGER BALLIST DOOR PANELS	3,470.00
REMOTE START SYSTEM	350.00
HAVIS IDLE RIGHT 2 CONTROL SYSTEM, STARTING @	595.00
FORD READY FOR THE ROAD PKG	4,795.00
CODE 3 TORAS ALL LED LIGHT BAR	1,395.00
SETINA PRISONER CAGE	899.00
SETINA REAR CAGE(SUV)	495.00
EQUIPMENT CONSOLE, STARTING FROM	495.00
<u>GORNO FORD BASIC LIGHTING PKG, INCLUDES</u>	4,795.00
CODE 3 42" ALL LED TORAS ;LIGHT BAR W/ALLEY & TAKEDOWN LIGHTS,	
CODE 3 100 WATT SIREN SPEAKER, CODE 3 RLS FLAT PANEL LIGHTING,	
SIREN, PA, MIC, ARROW STICK CONTROLLER, TAILLIGHT FLASHER,,	
W/HEADLIGHT PREP WE ADD THE LED INSERTS.	
<u>GORNO FORD'S READY FOR THE ROAD PKG, INCLUDES</u>	6,895.00

CODE 3 TORAS ALL LED LIGHT BAR, CODE 3 100 WATT SIREN SPEAKER,
CODE 3 RLS FLAT PANEL SIREN, P.A., LIGHTING, ARROW STICK, MIC,
CONTROLLER, COD 3 LED HEADLIGHT INSERTS
SOUND OFF TAILLIGHT FLASHER, CODE 3 MR6 LED GHOST LIGHTS IN REAR
WINDOW LIGHT, SETINA XL PRISONER CAGE, BASE CONSOLE, W/ARMREST,

FORD LIGHTING "READY FOR THE ROAD", STARTING @ 4,795.00

ABOVE SYSTEMS AVAILABLE AS A SLICK TOP

OPTIONS FOR GORNO READY FOR THE ROAD

REAR PSIONER CAGE FOR UTILITY	595.00
SETINA DOUBLE WEAPONS MOUNT	595.00

TRUNK TRAY (SEDAN)	300.00
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FORD ESP PREMIUM CARE

5YR/60,000 MILE, \$50.00 DEDUCT PER VISIT	\$1,050.00
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6 YR/75,000 MILE, \$50.00 DEDUCT PER VISIT	\$1,445.00
--	------------

7 YR/,75,000 MILE, \$50.00 DEDUCT PER VISIT	\$1,755.00
---	------------

8 YR/125,000 MILE, \$50.00 DEDUCT PER VISIT	\$2,795.00
---	------------

THIS IS JUST A SAMPLE

ANY QUESTIONS, CALL ME. WE HAVE DEMOS AND OTHER VEHICLES

AVAILABLE AT DISCOUNTED SPECIAL PRICES

HOME OF THE MUSTANG POLICE CAR & F150 ECO-BOOST 4x4 CREW CAB
SSV.

SINCERELY

EDDIE WILLIAMS
GOVERNMENT SALES

MEMO TO: Mayor and City Councilmembers

FROM: Patrick H. Burtch, City Manager

DATE: August 23, 2016

SUBJECT: Agreement to rehabilitate 134 Francis Street and its associated properties to avoid demolition of the property as upheld by the Building Code Board of Examiners and Appeals

Recommendation:

Authorize signing the Development Agreement (i.e. appeal by the applicant) to rehabilitate 134 Francis Street and its associated properties to avoid demolition as upheld by the Building Code Board of Examiners and Appeals on April 28, 2016

Attached is the memo from Jennifer Morris, Director Neighborhood and Economic Operations, along with the Development Agreement and the Decision and Order of the Building Code Board of Examiners and Appeals and the associated conceptual elevations.

Based upon the recent due diligence on the part of the applicant, I recommend signing the Development Agreement for the rehabilitation in lieu of demolition of 134 Francis Street and its associated properties. Your consideration and concurrence is appreciated.

PHB

Attachments

DEPARTMENTAL REPORT
August 23, 2016

MEMO TO: Patrick Burtch, City Manager

FROM: Jennifer Morris, Director of Neighborhood and Economic Operations

RECOMMENDATION: Approve the Development Agreement for 134 Francis Street to rehabilitate the property to avoid demolition as upheld by the Building Code Board of Examiners and Appeals on April 28, 2016

SUMMARY

The applicant is requesting that the City Council approve the Development Agreement to allow the rehabilitation of 134 Francis Street and the associated properties in lieu of demolition as noted in the Notice and Order dated January 5, 2016 and upheld by the Building Code Board of Examiners and Appeals on April 28, 2016.

BUDGETARY CONSIDERATIONS

At present there are no budgetary considerations; however, in the event that the property were to be demolished as upheld by the Board, the associated costs would initially be borne by the City in advance of the special assessment being placed on the property.

HISTORY, BACKGROUND and DISCUSSION

On January 5, 2015 the applicant was served with a Notice and Order to address the denoted structural deficiencies at 134 Francis Street. However, since the owner failed to comply with said notice, the case was referred to the Building Code Board of Examiners and Appeals. On April 28, 2016 they upheld the original notice and entered a Decision and Order requiring action in advance of demolition. Subsequent to that decision, the applicant requested that the City delay said actions in hopes of rehabilitating the property. They have been seeking a variety of funding options and have even prepared conceptual elevations along with a use proposal. Based upon their recent due diligence to rehabilitate the property, the attached Development Agreement has been prepared which allows for an extension through February 10, 2017 to abate the noted issues providing an escrow payment is submitted within seven (7) days of signing this agreement. Additionally, within 90 days the applicant is mandated to provide the items outlined on pages 7-8 (item 16) of the attached Agreement, including, but not limited to, an itemized bid, tax forms, liability insurance, and reference letters.

POSITIONS

The requested appeal complies with the criteria for such action provided the Development Agreement is signed by both the City and applicant, and that the criteria contained therein is fulfilled by the applicant.

ATTACHMENTS

AGREEMENT TO REHABILITATE PROPERTY TO AVOID DEMOLITION
FOR PROPERTY UPHELD BY
THE BUILDING CODE BOARD OF EXAMINERS AND APPEALS

THIS Agreement to Rehabilitate Property to Avoid Demolition (“Agreement”) is made this 23rd day of August, 2016, between Liang Yizhou, whose address is 8315 S. Jackson Road, Clarklake Road, Michigan 49234 (herein referred to as “Owner”), and the City of Jackson, a Michigan municipal corporation, with offices located at 161 West Michigan Avenue, Jackson, Michigan 49201 (herein referred to as the “City”),

WHEREAS, the Owner has acquired property in the City which is described as follows:

THAT PART OF LOT 9 DESCRIBED AS BEGINNING AT A POINT ON WEST LINE OF LOT 9, 50.1 FEET NORTH OF SOUTHWEST CORNER OF LOT 9, THEN EAST 23 FEET, THEN NORTH 4.5 FEET, THEN EAST 34.35 FEET, THEN SOUTH 0.85 FEET, THEN EAST 23.45 FEET, THEN NORTH 12.65 FEET, THEN EAST TO A POINT ON THE EAST LINE OF LOT 9 WHICH IS 67.4 FEET NORTH OF THE SOUTHEAST CORNER OF LOT 9, THEN SOUTH 67.40 FEET TO SOUTHEAST CORNER OF LOT 9, THEN WEST 119.30 FEET TO SOUTHWEST CORNER OF LOT 9, THEN NORTH 50.1 FEET ALONG THE WEST LINE OF LOT 9 TO A POINT OF BEGINNING B1S R2E OF ORIGINAL PLAT OF VILLAGE OF JACKSONBURG.

Commonly known as 148 – 154 E. Cortland Street and 134 – 138 Francis Street, Jackson, Michigan, 49201, and Tax Parcel No. 5-0018.1000

WHEREAS, the Property contains a dangerous and unsafe structure (134 Francis Street) subject to the requirements of Chapter 17 (Nuisance) of the City of Jackson Code of Ordinances, as amended, and other Jackson City Code requirements;

WHEREAS, it is the objective of the City to stabilize its economy and neighborhoods by eliminating dangerous, unsafe, and blighted conditions on properties within the City;

WHEREAS, the City issued an Official Decision and Order, dated April 28, 2016,

which identified the visible dangerous, unsafe and blighted conditions existing at the Property (Said Official Notice and Order for 134 Francis Street is attached as Exhibit A and incorporated by reference);

WHEREAS, the City has also issued Special Conditions for the Property that must be addressed by the Owner as part of this Agreement. These conditions are as follows:

- The front façade of the redevelopment project shall be constructed of clear glass replicating the attached drawings with no less than 40% front façade fenestration. Glass samples shall be submitted in advance of installation.
- The uses shall be food oriented.

WHEREAS, the City is authorized to rehabilitate or demolish the dangerous and unsafe structure by the Decision and Order of the Building Code Board of Examiners and Appeals dated April 28, 2016.

WHEREAS, the City may also conduct an interior inspection of the structure(s) to determine if there exist any hazardous or dangerous conditions, or if there exist any violations of Chapters 5 or 14 of the City Code.

WHEREAS, this Agreement is being entered into between the parties to establish all repairs that must be made to the Property to avoid demolition of the structure(s) located thereon and to provide that if Owner fails to complete the repairs or fails to comply with such other objectives as stated by this Agreement, the City at its sole discretion may proceed with demolition of the applicable portions of the property.

NOW THEREFORE, it is agreed by the parties as follows:

1. This Agreement is entered into by the parties to establish all required repairs to the structure located on the Property as determined necessary by the City to make the Property safe, habitable, to eliminate blight, and to accomplish such other objectives as stated by this Agreement.

2. The City is authorized to enter in and upon the Property as determined necessary by the City to conduct inspections of the Property and the facilities thereon to ascertain compliance with this Agreement, and to determine if dangerous, unsafe or blighted conditions exist or if violations of Chapter 5 or Chapter 14 of the City Code exist in the interior of the structure.

3. City will allow Owner additional time as hereinafter established to fully abate the dangerous, unsafe, and blighted conditions at the Property and to make all other repairs and/or improvements to the Property as established in this Agreement. Said dangerous, unsafe and blighted conditions are more fully identified in Exhibit A.

4. Owner acknowledges that he or she has the financial resources available to himself or herself at this time in order to complete all repairs necessary to comply with this Agreement and further acknowledges that an inability to pay for any needed repairs does not excuse or delay Owner's responsibilities under this Agreement. Owner also acknowledges that he or she has provided proof to the City of the financial resources available for the repairs to be made pursuant to this Agreement, such as a letter of credit or account statement.

5. Owner has caused or will cause to be deposited with the Escrow Agent, American Title Company of Jackson (the "Escrow Agent"), whose address is 280 W. Cortland, Jackson, Michigan 49201, the sum of \$2,000.00 (such sum, or the balance thereof shall be referred to herein as the "Escrow Fund") within seven (7) days from signing this agreement. The Escrow Agent shall have full possession and custody of the Escrow Fund until the requirement(s) for disbursement are satisfied.

- a. Disbursement of Escrow Fund to City. When the City Manager produces to the Escrow Agent a written affidavit stating that the Owner failed to satisfy the terms and conditions of this agreement and provides a brief description of the terms and conditions that were not fully satisfied, the Escrow Agent shall disburse the entire

Escrow Fund (\$2,000.00) to the City. After the Escrow Agent has disbursed the above amount to the City, the Escrow Agent shall disburse the remaining balance of the Escrow Fund to the Owner.

- b. Disbursement of Escrow Fund to Owner. When the City Manager produces to the Escrow Agent a written affidavit stating that the Owner has satisfied the terms and conditions of this agreement, the Escrow Agent shall disburse the full amount of the Escrow Fund to the Owner.
- c. Disbursement of Escrow Fund to Owner for purposes of performing and completing the terms and conditions of this agreement. When the City Manager produces to the Escrow Agent a written affidavit stating that the Escrow Agent shall disburse an amount or amounts of the Escrow Fund specified in the affidavit to the Owner at times specified in the affidavit for purposes of performing and completing the terms and conditions of this agreement, the Escrow Agent shall disburse the amount(s) of the Escrow Fund in accordance with the affidavit.
- d. Disbursement of Escrow Fund upon written consent of both parties. When both the City Manager and the Owner provide the Escrow Agent with a signed written affidavit stating that the Escrow Agent shall disburse an amount or amounts of the Escrow Fund specified in the affidavit, to parties specified in the affidavit, and at times specified in the affidavit, the Escrow Agent shall disburse the amount(s) of the Escrow Fund in accordance with the affidavit.
- e. The Owner shall pay and be fully responsible for all cost charged by the Escrow Agent to manage and administer the Escrow Fund and to comply with the terms and conditions of this agreement.

6. City will allow Owner the following periods of time (herein referred to as “performance dates”) in which to fully abate the dangerous, unsafe, and blighted conditions at the Property, make all repairs and/or improvements to the Property, and otherwise fully comply with this Agreement:

- a. Owner must fully abate all violations identified in Exhibit A no later than February 10, 2017.
- b. Owner must satisfy all special conditions as identified above upon submission of their site plan review application.
- c. Owner must fully abate all violations identified during the interior inspection of the structure(s) referenced in Paragraph 2 no later than August 10, 2017.

7. City shall cause an inspection of the Property to be conducted on or after each of the above referenced performance dates. If the City’s Chief Building Official determines that Owner has failed to comply with any of the performance dates identified above, the Property shall be deemed to continue to constitute a dangerous, unsafe, and blighted structure and City shall so notify Owner in writing of such determination.

8. If the City determines that Owner has failed to fully comply with any of the conditions or provisions of this agreement, the City shall so notify Owner in writing of such determination.

9. All notices shall be sent via first class mail to the Owner at the following address:

Liang Yizhou
8315 S. Jackson Road
Clarklake Road, Michigan 49234

10. Ten (10) days after the mailing of the notice identified in paragraphs 7 or 8, the City may proceed with enforcement of the Decision and Order of the Building Code Board of

Examiners and Appeals, which shall result in the demolition of Owner's structure(s) located on the Property. (Said Decision and Order is attached as Exhibit E and incorporated by reference).

11. If City notifies Owner that City intends to proceed with demolition, Owner may take any action it deems appropriate, including initiating litigation to prevent same; provided, however, any litigation to prevent demolition shall be limited to a determination as to whether Owner has fully complied with the performance dates contained in this Agreement.

12. All abatement of the dangerous and unsafe conditions and all repairs and/or improvements at the Property shall be performed in a workmanlike manner and be in compliance with local code requirements and all applicable ordinances and regulations of the City of Jackson.

13. Owner shall not allow the Property to be occupied until Owner has complied with all performance dates established in this Agreement.

14. Costs and expenses incurred by the City in implementing and enforcing the provisions of this Agreement, including, but not limited to, costs and expenses of demolition incurred by the City shall be a lien on the premises which shall be enforceable in accordance with Section 15.7 of the Jackson City Charter and/or other applicable City Charter and City Ordinance provisions. In addition to any other lawful enforcement methods, the City shall have all remedies authorized by State law, the Jackson City Charter and/or City Ordinances. If the City elects to pursue collection of unpaid costs and expenses through the courts, Owner shall pay in addition to said costs and expenses all costs of litigation, including reasonable attorney fees.

15. All electrical, mechanical, or plumbing work or services on the Property must be performed by actively licensed contractor(s).

16. Within ninety (90) days from signing this agreement the Owner agrees to do the following:

- a. Provide the City with a detailed, itemized bid for each contractor intending to perform services towards the rehabilitation of the Property.
 - i. Provide the City with the full legal name, address, and current phone number for each contractor intending to perform services towards the rehabilitation of the Property.
- b. Provide the City with a copy of each contractor's trade and/or professional license.
- c. Provide the City with a copy of a certificate of liability insurance for each contractor intending to perform services towards the rehabilitation of the Property.
 - i. The certificate of liability insurance must show that the contractor has a valid and active insurance policy at all times the contractor is or will be performing services towards the rehabilitation of the Property.
- d. Provide the City with two original reference letters from previous customers for each contractor intending to perform services towards the rehabilitation of the Property. The reference letters must:
 - i. contain the full name, address, and current phone number of each previous customer; and
 - ii. provide in reasonable detail a description of the services that were performed.
- e. Provide the City with fully completed IRS W-9 forms for each contractor intending to perform services towards the rehabilitation of the Property.
- f. Provide the City with a separate detailed, itemized list of all materials that will be used towards the rehabilitation of the Property.

- i. The list must include the supplier, quantity, and cost of the materials.
- g. Provide the City with a detailed, itemized estimate for all work and services that the Owner intends to perform towards the rehabilitation of the Property.

17. In addition to any other remedy provided in this Agreement, the City may pursue any and all remedies and causes of action to recover any amount/damages owed to the City under this Agreement or allowed by law. This paragraph does not waive or limit any action or remedy of the City allowed by law.

18. Nothing in this Agreement shall be construed to conflict with or limit in any way the City's power or authority under Chapter 17 of the Jackson City Code, or other applicable laws, regulations, and/or City ordinances.

19. Owner shall assume all liability for and protect, indemnify, and save City, its officers, directors, employees, volunteers, invitees, agents and representatives (hereinafter collectively "the Releasee") from and against all actions, claims, demands, judgments, losses, expenses, suits or action and attorney fees, for any injury or death of any person or persons, and loss or damage of the property of any person or persons whomsoever, including Owner or the Releasee, and their respective agents, contractors, subcontractors, and employees, arising in connection with, or as a direct or indirect result of this Agreement. The provisions of this Agreement shall apply to each and every such injury, death, loss, and damage, however caused, whether due, or claimed to be due to Owner's negligence, Releasee's negligence, Owner's and Releasee's combined negligence, or otherwise; provided, however, Owner shall not be required to indemnify the Releasee for such injury, death, loss, or damage caused by the Releasee's sole negligence. Owner's obligation to indemnify Releasee shall survive termination and/or expiration of this Agreement.

20. If any one or more provisions of this Agreement, or in any instrument or other document delivered pursuant to this Agreement, or the application thereof to any person or circumstance is, to any extent, declared or determined to be invalid or unenforceable, the validity, legality, and enforceability of the remainder of this Agreement, or the application of such provision to persons or circumstances other than those as to which it is invalid or unenforceable, will not be affected or impaired thereby, and each provision of this Agreement is valid and enforceable to the fullest extent of the law.

21. This Agreement may be executed in counterparts, each of which is deemed an original document, but together constitute one instrument.

22. The laws of the State of Michigan govern this Agreement and the venue for all proceedings in connection with this Agreement shall be Jackson County, Michigan. All captions, headings, paragraph and subparagraph numbers and letters are solely for reference purposes and do not supplement, limit, or otherwise vary the text of this Agreement. This Agreement is a result of negotiation between the parties, and accordingly, it will not be construed against either party if a dispute or litigation arises out of this Agreement.

23. It is acknowledged that each party to this Agreement had the opportunity to be represented by counsel in the preparation of this Agreement and, accordingly, the rule that a contract shall be interpreted strictly against the party preparing same shall not apply due to the joint contribution of both parties.

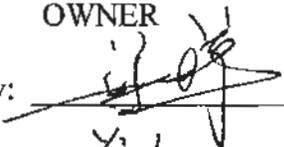
24. The failure of City to exercise any right given hereunder or to insist upon strict compliance with regard to any provision of this Agreement, at any time, shall not constitute a waiver of such provision or the right by such at any time to avail itself of such remedies as it may have for any breach or breaches of such provision.

25. This Agreement shall become effective on the date that it has been signed by both the City and Owner as set forth below.

26. This Agreement constitutes the final, entire and exclusive agreement of the parties with respect to the subject matter addressed, and supersedes all prior communications, understandings and agreements relating to the subject matter, whether oral or written. Nothing in this Agreement shall limit the ability of the parties to negotiate amendments to this Agreement, provided that except as expressly provided in this Agreement, no amendment or waiver of this Agreement shall be binding unless executed in writing by the party to be bound thereby. No waiver of any provision of this Agreement shall constitute a waiver of any other provision nor shall any waiver of any provision of this Agreement constitute a continuing waiver unless otherwise expressly provided. Nothing in this Agreement is intended to nor should it be construed to create any rights in any persons or entities that are not a party to this Agreement. The time limits (performance dates) established in this Agreement shall supersede any and all other time limits provided in any other statute, ordinance, or regulation, including, but not limited to, time limits established in any permit issued by the City of Jackson.

27. Owner agrees that this Agreement may be recorded in the Jackson County Register of Deeds, that the Property shall be subject to the covenants and obligations contained herein, and that this Agreement shall bind all current and future owners of the Property including Owner's administrators, executors, successors, heirs, or assigns.

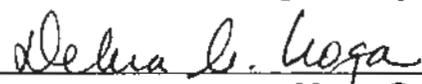
IN WITNESS WHEREOF, the parties have executed this Agreement effective on the date set forth in the first paragraph.

OWNER
By: 
Yizhuo Liang
(Print Name)

CITY OF JACKSON
By: _____
Its: _____

STATE OF MICHIGAN)
)ss
COUNTY OF JACKSON)

On August 17, 2016, before me, a Notary Public, in and for said County, personally appeared Yizhuo Liang, to me known to be the same parties described herein and who executed the within instrument, and who personally acknowledged the same to be his/her own free act and deed.



, Notary Public
County, Michigan
My commission expires: _____

STATE OF MICHIGAN)
)ss
COUNTY OF JACKSON)

DEBRA A. NOGA
NOTARY PUBLIC, Hillsdale County, MI
My Commission Expires March 4, 2019
Acting in Jackson County, MI

On _____, 2016, before me, a Notary Public, in and for said County, personally appeared the City of Jackson, by and through _____, its authorized officer, to me known to be the same party described in and who executed the within instrument, who personally acknowledged the same to be his own free act and deed.

_____, Notary Public
Jackson County, Michigan
My commission expires: _____

Approval as to form:

City Attorney's Office
By:

Approval as to content:

Patrick H. Burch
City Manager

**BUILDING CODE BOARD OF EXAMINERS AND APPEALS
IN REGARD TO THE MATTER OF: 134 FRANCIS ST -138 (COMMERCIAL)
DECISION AND ORDER**

At a session of said Building Code Board of Appeals held in the City of Jackson, County of Jackson,
State of Michigan on the 28th day of April, 2016

Upon hearing the evidence and examining the exhibits, the Building Code Board of Examiners and Appeals finds that the Notice and Order served upon the Owner(s) of record LIANG YIZHUO is hereby UPHELD.

NOW, THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED that the structure located at 134 FRANCIS ST -138 is a dangerous structure as defined by Chapter 17, Sections 17-26 (5, 9) and 17-27 of the Code of the City of Jackson, because:

Structure open and accessible at rear door. Interior of structure gutted. Block walls exhibit signs of deterioration. Heat pipes have suspected asbestos containing materials with signs that hazardous materials are seeing spot removals. Roof coverings failing with water entering structure. Structure in unsanitary and hazardous condition.

The Owner(s) failed to comply with the requirements of the Notice and Order dated January 5, 2016.

IT IS FURTHER ORDERED AND ADJUDGED that the Building Inspection Division shall cause said structure to be demolished or otherwise made safe, with the cost of same to be the responsibility of the Owner(s).

IF YOU DO NOT AGREE WITH THIS DECISION AND ORDER OF THE BUILDING CODE BOARD OF APPEALS, YOU MAY APPEAL IT TO THE CIRCUIT COURT BY FILING A PETITION FOR A TEMPORARY RESTRAINING ORDER AND A COMPLAINT FOR AN ORDER OF SUPERINTENDING CONTROL WITHIN TWENTY (20) DAYS OF THE DATE OF THIS DECISION. YOU MUST ALSO SERVE A COPY OF THE PETITION AND TEMPORARY ORDER UPON THE CITY OF JACKSON WITHIN THAT TIME PERIOD TO STOP ANY CITY ACTION TAKEN TOWARD THE PROPERTY.

PLEASE NOTE THAT THE CITY OF JACKSON WILL, BY SPECIAL ASSESSMENT, ASSESS ALL COSTS INCURRED TO ENFORCE THIS DECISION AND ORDER AGAINST THE PROPERTY AND THE CITY OF JACKSON MAY FILE SUIT TO RECOVER THESE COSTS AGAINST THE OWNER(S) WITHOUT LOSING ITS RIGHT TO PLACE A LIEN ON THE PROPERTY.

DATE: 04/28/2016

Andrew Dotterweich

Jon Dowling

David Wooden

Bill Benedetto

Jason Covalle

Patrick Burch



