



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

AGENDA - CITY COUNCIL MEETING

January 8, 2013

6:30 p.m.

1. **CALL TO ORDER.**
2. **PLEDGE OF ALLEGIANCE** - Invocation by Derek Dobies, 6th Ward City Councilmember.
3. **ROLL CALL.**
4. **ADOPTION OF AGENDA.**
5. **CITIZEN COMMENTS. (3-Minute Limit)**
6. **EXECUTIVE SESSION.**
Executive Session to discuss collective bargaining.
7. **PRESENTATIONS/PROCLAMATIONS.**
 - A. **Ella Sharp Park Pool Presentation:**
Presentation by Parks & Recreation Director Kelli Hoover regarding the Ella Sharp Park Pool.
 1. Approve the recommendation made by the Parks and Recreation Commission at their December 19, 2012, meeting regarding the Ella Sharp Park Pool.
 - B. **Storm Water Utility Presentation:**
Presentation by City Engineer Jon Dowling, **Storm Water Utility - Why Have One?**
8. **CONSENT CALENDAR.**
 - A. **Minutes of Regular Meeting on December 11, 2012:**
Approve the minutes of the regular City Council meeting of December 11, 2012.

- B. Minutes of Special Meeting on December 19, 2012:**
Approve the minutes of the special City Council meeting on December 19, 2012.
- C. Downtown Development Authority Bylaws:**
Approve the request from the Jackson Downtown Development Authority (DDA) to amend their bylaws regarding committees and advisory boards as recommended by the DDA at their December 13, 2012 meeting.
- D. City Planning Commission Reappointment:**
Approve the Mayor's recommendation to reappoint Clyde Mauldin to the City Planning Commission for a three-year term beginning immediately, and ending December 31, 2015.
- E. Jackson County Comprehensive Traffic Safety Project:**
Approve the Mayor's recommendation to appoint Troy White to the Jackson County Comprehensive Traffic Safety Project, filling a current vacancy, beginning immediately, and ending December 31, 2013. This position serves as a representative of the City Council

9. PUBLIC HEARINGS.

10. OTHER BUSINESS.

- A. Ella Sharp Park Deer Harvest:**
Resolution suspending enforcement of ordinances that prohibit the possession and use of the fire arms within the City as it applies to employees and agents of Aaron's Nuisance Animal Control during said deer harvest within Ella Sharp Park during the months of January and/or February 2013.
 - 1. Approve the contract with Aaron's Nuisance Animal Control of Rives Junction, and authorization for the Mayor and City Clerk to execute the appropriate document(s), for the City Attorney to make minor modifications, if needed, and to approve the necessary street closures and operational requirements of the MDNR permit, in accordance with the recommendation of the Ella Sharp Park Board and the City Parks Director.

11. NEW BUSINESS.

- A. Purchase of Mobile and Portable Radios - Police Department:**
Approve the request of the Deputy Chief of Police to purchase the following equipment:
 - 1. Seven (7) Vertex Standard mobile VHF radios from Advanced Wireless at a total cost of \$2,373.21.

2. Fifty-three (53) Motorola PR1500 portable VHF radios from State Electronics at a total cost of \$48,365.68.

B. Authorization to Purchase Property:

Approve the acquisition of 604 W. Biddle Street using non-federal funds, and 606 W. Biddle Street with HOME funds, authorization for the City Attorney to make minor modifications to closing documents, and for the City Manager or his designee to sign documents necessary to close the transactions.

C. Award of Demolition Contract:

Award a demolition contract to Smalley Construction in the total amount of \$90,950.00 utilizing NSP1 Funds, and authorization for the City Manager to approve any and all change orders required to complete the demolitions.

D. Template Agreement to Repair Property to Avoid Demolition:

Approve the form of Agreement to Repair Property to Avoid Demolition to be used by the Department of Neighborhood & Economic Operations and executed by the Mayor.

12. CITY COUNCILMEMBERS' COMMENTS.

A. First Ward City Council Seat:

Discussion of First Ward City Councilmember seat selection process.

13. MANAGER'S COMMENTS.

14. ADJOURNMENT.



Parks, Recreation and Grounds

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CITY COUNCIL MEETING TUESDAY, JANUARY 8, 2013

MEMO TO: Honorable Mayor and City Councilmembers
FROM: Kelli M. Hoover, Director
SUBJECT: Ella Sharp Park Pool Presentation and Recommendation

RECOMMENDATION: To uphold the recommendation made by the Parks and Recreation Commission regarding Ella Sharp Park Pool during their Commission meeting on Wednesday 19, 2012.

The Ella Sharp Park Swimming Pool's primary function over the years has been teaching young people how to swim. Approximately up to 65,000 swimmers have learned to swim since 1975. The pool averages 10,000 participants per year. We also host a water aerobics programs with around 900 participants a month. The Jackson Swim Club hosts the Rose City Invitational Swim Meet, which is a 2½ day event where 375 swimmers compete in 2,096 individual swim events with 28 swim clubs in the past years. The pool provides 24 part-time lifeguard, swim instructors and supervisor jobs for local college and high school students.



MINUTES

*Jackson Parks and Recreation Commission
 Meeting of Wednesday, December 19, 2012 at 4:00 p.m.
 on the 10th Floor of City Hall*

• PRESENT •		
COMMISSIONERS	GUESTS	STAFF
<ul style="list-style-type: none"> • Michelle Woods, Chairwoman • Mayor Martin Griffin • Councilperson Kimberly Jaquish • Elwyn Rider • Arthur Benedetto • Kelly Williams 	<ul style="list-style-type: none"> • Councilperson Derek Dobies • Stan Mazur, Kiwanis Club • Jeff Mazur, Kiwanis Club • Brandon Ransom, County Parks 	<ul style="list-style-type: none"> • Kelli Hoover • Eric Terrian

1. Meeting was called to order at 4:19 p.m.
2. Mr. Stan Mazur made a presentation on behalf of the Sparks Foundation Flowering Tree Project and Kiwanis Club. They would like to plant up to 250 flowering trees along the High Street and Randolph Road entrance into the Sparks Park. There would be no cost to the City of Jackson and no healthy trees would be removed. Also, this project must meet the City of Jackson Landspacing Ordinance. *A motion was made by Mayor Griffin and supported by Rider. The motion passed unanimously to support this project.*
3. Mr. Terrian updated the Commission on the Ella Sharp Park Golf Course Club remodel and renovations. We are hopeful that the project will begin after the first of the year. J.C. Beal was the low bidder at \$425,000.

Director Kelli Hoover made a Powerpoint presentation to the Commission on Optimist Park, Loomis Park, Charles A. Boos Center and Friendship Park. Updates to aging playground equipment and signage are in the near future. Also needed renovations to the Boos Center.

4. Director Kelli Hoover made a Powerpoint presentation on the current condition of the Ella Sharp Park Pool. The pool has been functioning on donated funding over the last two seasons. In the current state, the pool is now considered a safety issue. *With the current state of the pool Arthur Benedetto motioned and Kelly Williams supported to recommend to City Council closing the Ella Sharp Pool. The motion passed unanimously.*
5. Adjourned: 5:02 p.m.

**City of Jackson
Parks and Recreation Department
Ella Sharp Park Pool**

1975-?



History of Ella Sharp Park Pool

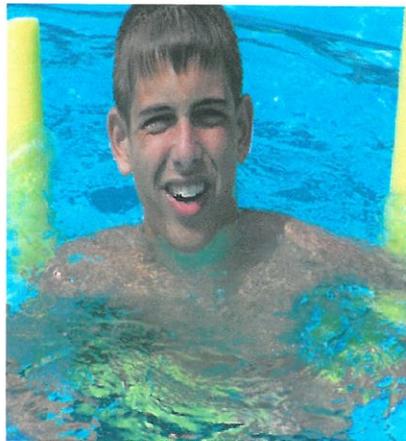
The Ella Sharp Park Swimming Pool's primary function over the years has been teaching participants how to swim. Approximately 65,000 swimmers have learned to swim since 1975. The pool also averages over 10,000 patrons per year.



Pool Programs

The following programs are also highly popular;

- Water Aerobics (offered twice daily)
- Deep Water Walking
- Friday Night Adult Swim
- Late Night Swim
- Aqua Zumba



City Swim Meet

- The Jackson Swim Club annually plays host to The Rose City Invitational Swim Meet. This is a two day event where around 400 swimmers from 28 swim clubs compete in 2,096 individual events.



The Pool Gives Back

- The Ella Sharp Park Pool provides the City of Jackson with a variety of services, from open swim all the way to rehabilitation programs.
- We also offer seasonal employment for senior citizens, high school and college age students. Much of the money stays local and helps the Jackson Community directly.

Pool Concerns

The Ella Sharp Park Pool is turning 38 years old in 2013. In 1975 the The City of Jackson was awarded The Clean Michigan Initiative Grant by the State to help provide a pool for the Jackson Community. Over the last 38 years the pool has not seen any major updating.



Concerns Grow



The shower boilers are 38 years old and are corroded. This causes an efficiency problem. We are constantly heating, which increases our utility bills.



The mechanical room has many corroded areas due to chlorine damage and is also in need of a new roof.



The bathroom facilities are a safety concern due to corrosion, which is also unsanitary and visually off-putting to the public users



The shower room and doorways need to be updated. Many parts have suffered rust damage and may obstruct the flow of patron traffic.



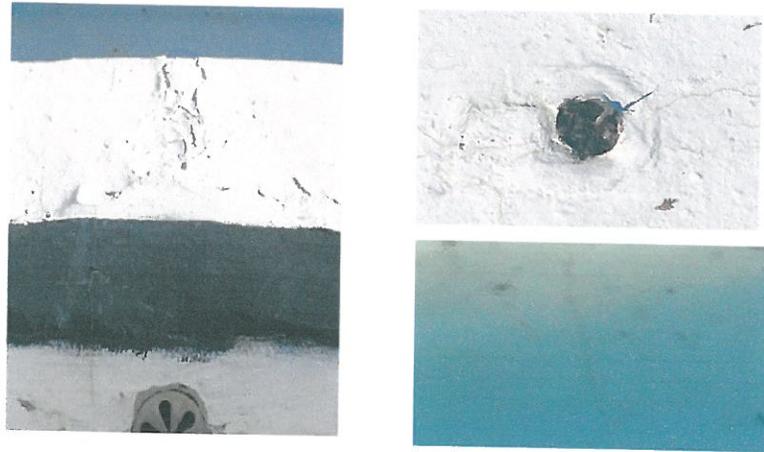
The doorways of the facility are not in compliance with the Americans with Disabilities Act



Concrete is cracking and becoming uneven, which leads to safety hazards for patrons and employees.



Roof has reached the end of its useful life and needs to be replaced. Including the wood decking and rafters.



There is significant leakage due to structural cracks in pool. This leads to increased chlorine costs when water must be replaced.



The starting block regulations have changed and will require a deeper diving area.



The diving boards need to be widened due to changes in state regulation. This would include removal of the high dive.

Where do we go from here?



- What are we looking for in the future?
- Tips from the past?
- Lets go Green!

And...

- **Help us Fill the Pool!!**

JACKSON CITY COUNCIL MEETING

MINUTES

DECEMBER 11, 2012

CALL TO ORDER.

The Jackson City Council met in regular session in City Hall and was called to order at 7:00 p.m. by Mayor Martin J. Griffin.

PLEDGE OF ALLEGIANCE.

The Council joined in the pledge of allegiance. The invocation was given by Councilmember Frounfelker.

ROLL CALL.

Present: Mayor Martin J. Griffin and Councilmembers Kimberly Jaquish, Daniel P. Greer, Laura Dwyer Schlecte, Andrew R. Frounfelker and Derek J. Dobies—6. Absent: 0. Vacant: 1st Ward --1.

Also present: City Manager Patrick Burtch, City Attorney Julius A. Giglio, City Clerk Lynn Fessel, Police Chief Matt Heins, City Assessor David Taylor and City Engineer Jon Dowling.

AGENDA.

Motion was made by Councilmember Greer and seconded by Councilmember Dobies to adopt the agenda. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: 0. Vacant: 1st Ward—1.

CITIZEN COMMENTS.

Ron Andrews voiced his opposition to proposed changes to the Personnel Policy related to non-union retiree matters.

Kate Martin discussed the replacement of Thomas Trent Harris on the Jackson Housing Commission, stating he has served very ably and has been a very good resource. She remarked that in moving forward, she hopes that the Jackson Housing Commission and the City Council can improve in communicating with each other.

Thomas Trent Harris stated there is no reason for his removal from the Jackson Housing Commission and he served to the best of his ability.

PRESENTATIONS/PROCLAMATIONS.**A. PRESENTATION REGARDING ON STREET PARKING AND SNOW PLOWING:
PRESENTATION BY CITY ENGINEER JON DOWLING REGARDING ON STREET
PARKING AND SNOW PLOWING.**

Mr. Dowling explained four possible options and the recommendation of Option 3.

**1. APPROVAL OF THE REQUEST FROM THE CITY MANAGER AND CITY
ENGINEER TO IMPLEMENT NO PARKING ON THE NORTH SIDE AND WEST
SIDE OF STREETS WITHIN A TEST AREA BOUNDED BY BROWN STREET ON
THE WEST, WILDWOOD ON THE NORTH, FIRST STREET ON THE EAST, AND
HIGH STREET ON THE SOUTH FOR THIS WINTER (OPTION 3).**

Motion was made by Councilmember Schlecte and seconded by Councilmember Greer to approve the request. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: 0. Vacant: 1st Ward—1.

CONSENT CALENDAR.

Councilmember Jaquish requested Item G be removed for separate consideration. Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to approve the following Consent Calendar, with Item G removed for separate consideration. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: 0. Vacant: 1st Ward—1.

Consent Calendar

- A. MINUTES OF REGULAR MEETING ON NOVEMBER 27, 2012:**
Approve the minutes of the regular City Council meeting of November 27, 2012.
- B. MINUTES OF SPECIAL MEETING ON NOVEMBER 28, 2012:**
Approve the minutes of the special City Council meeting of November 28, 2012.
- C. EVE ON THE AVE:**
Approve the request from the Jackson Downtown Development Authority to conduct their annual Eve on the Ave celebration throughout downtown on Monday, December 31, 2012, from 9:00 p.m. to 12:30 a.m., January 1, 2013 (Recommended approval has been received from the Police, Fire, Engineering, Public Works, and Recreation Departments, and the Downtown Development Authority. Contingent upon receipt of proper insurance coverage).
- D. EVE ON THE AVE 5K RUN/WALK:**
Approve the request from St. John's United Church of Christ to conduct their Eve on the Ave 5K Run/Walk throughout the downtown streets on Monday, December 31, 2012, from 9:00 p.m. to 11:00 p.m. (Recommended approval has been received from the Police, Fire, Engineering, Public Works, and Recreation Departments, and the Downtown Development Authority. Contingent upon receipt of proper insurance coverage).
- E. ADMINISTRATIVE HEARINGS BUREAU OFFICER APPOINTMENT:**
Approve the Mayor's recommendation to appoint William Thompson as an administrative hearings bureau officer for the City of Jackson's Administrative Hearings Bureau for a two-year term, beginning January 1, 2013, and ending December 31, 2014.

F. HUMAN RELATIONS COMMISSIONER REAPPOINTMENTS:

Approve the Mayor's recommendation to reappoint M. Teresa Gibson and Jon Hart to the Human Relations Commission for a three-year term each, beginning January 1, 2013, and ending December 31, 2015.

G. *Removed for separate consideration.***H. DURAND STREET RECONSTRUCTION & WATER MAIN REPLACEMENT BALANCING CHANGE ORDER NO. 1:**

Approve Balancing Change Order No., 1 to the contract with Bailey Excavating, Inc., in the *decreased* amount of \$27,483.57 to balance quantities for contract pay items and to add pay items not included in the original contract for the Durand Street Reconstruction and Water Main Replacement project, and authorization for the City Manager and City Engineer to execute the appropriate document(s).

I. BRIDGE CONSULTING SERVICES CHANGE ORDER NO. 1:

Approve Change Order No. 1 to the contract with Great Lakes Engineering Group, Inc., Lansing, in the increased amount of \$3,600.00, to increase the number of estimated work hours for load rating calculations as required by Federal law, and authorization for the City Manager and City Engineer to execute the appropriate document(s).

J. FOREST & HOMEWILD CDBG STREET RECONSTRUCTION CHANGE ORDER NO. 1:

Approve Balancing Change Order No. 1 to the contract with Bailey Excavating, Inc., in the decreased amount of \$40,548.73, to balance quantities for contract pay items, and to add pay items not included in the original contract for the Forest and Homewild CDBG Street Reconstruction project, and authorization for the City Manager and City Engineer to execute the appropriate document(s).

K. TRANSFER OF COUNTY-OWNED PROPERTY – 106 W. BIDDLE AND 201 W. BIDDLE:

Accept the proposed Quit Claim Deeds from Jackson County for conveyance of 106 W. Biddle and 201 W. Biddle to the City, and authorization for the City Attorney to file the deeds and take any other action necessary to transfer the properties.

L. RECEIVE THE CDBG & HOME FINANCIAL SUMMARIES:

Receive the CDBG and HOME Financial Summaries through November 30, 2012.

M. RESOLUTIONS ESTABLISHING PUBLIC HEARINGS FOR SPECIAL ASSESSMENT ROLLS:

Resolutions establishing January 22, 2013, at the City Council meeting as the time and place to hold public hearings on the following Special Assessment Rolls, and directing the City Assessor to prepare the rolls, in accordance with the recommendation of the City Clerk:

1. Special Assessment Roll No. 4218 – Delinquent Miscellaneous General Fund Accounts Receivable.
2. Special Assessment Roll No. 4219 – Delinquent Miscellaneous Building Department Fund Accounts Receivable.
3. Special Assessment Roll No. 4220 – Delinquent Miscellaneous Housing Code Enforcement Fund Accounts Receivable.
4. Special Assessment Roll No. 4221 – Delinquent Miscellaneous Building Demolition Fund Accounts Receivable.
5. Special Assessment Roll No. 4222 – Delinquent Miscellaneous Sewer Fund Accounts Receivable.
6. Special Assessment Roll No. 4223 – Delinquent Miscellaneous Public Works Fund Accounts Receivable.

N. ESTABLISHMENT OF A PUBLIC HEARING FOR A SPECIAL ASSESSMENT:

Establishment of January 22, 2013, at the City Council meeting as the time and place to hold a public hearing on the following Special Assessment Roll for street construction:

1. Roll No. 3374 for Street Repaving on High Street from Cooper to Losey.

O. ESTABLISHMENT OF A PUBLIC HEARING FOR CDBG/HOME:

Approve the 2013-2014 CDBG/HOME Timetable and establishment of public hearings on January 22, 2013, and September 24, 2013.

P. ELLA W. SHARP PARK BOARD REAPPOINTMENT:

Approve the Mayor's recommendation to reappoint Michelle Woods to the Ella W. Sharp Park Board for a three-year term, beginning February 1, 2013, and ending January 31, 2016.

CONSENT CALENDAR ITEM G.

JACKSON HOUSING COMMISSION APPOINTMENT:

Approve the Mayor's recommendation to appoint Councilmember Derek Dobies to the Jackson Housing Commission replacing Thomas Trent Harris, beginning immediately, and ending October 30, 2015.

Motion was made by Councilmember Jaquish and seconded by Councilmember Schlecte to postpone consideration of this matter. The motion FAILED adoption by the following vote. Yeas: Councilmembers Jaquish and Schlecte—2. Nays: Mayor Griffin and Councilmembers Greer, Frounfelker and Dobies—4. Absent: 0. Vacant: 1st Ward—1.

Motion was made by Councilmember Greer and seconded by Councilmember Dobies to approve the recommendation. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Greer, Frounfelker and Dobies—4. Nays: Councilmembers Jaquish and Schlecte—2. Absent: 0. Vacant: 1st Ward—1.

PUBLIC HEARINGS.

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

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to recess as a City Council and convene as a Board of Review. The motion was adopted by unanimous voice vote.

A. SPECIAL ASSESSMENT ROLL NO. 3371:

PUBLIC HEARING ON SPECIAL ASSESSMENT ROLL NO. 3371 FOR STREET REPAVING ON HIBBARD STREET FROM WILDWOOD TO THE RAILROAD TRACKS.

Mayor Griffin opened the public hearing. No one spoke. The City Clerk reported on a letter received from Maria Gutekunst, owner of 318 and 322 Hibbard, objecting to her proposed assessments. The Mayor closed the public hearing.

1. RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL NO. 3371.

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to adopt the resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Frounfelker and Dobies—5. Nays: Councilmember Schlecte—1. Absent: 0. Vacant: 1st Ward—1.

**B. SPECIAL ASSESSMENT ROLL NO. 3372:
PUBLIC HEARING ON SPECIAL ASSESSMENT ROLL NO. 3372 FOR STREET
REPAVING ON HOMEWILD FROM ELLERY TO EDGEWOOD STREET.**

Mayor Griffin opened the public hearing. No one spoke; no correspondence was received. The Mayor closed the public hearing.

1. RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL NO. 3372.

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to adopt the resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: 0. Vacant: 1st Ward—1.

**C. SPECIAL ASSESSMENT ROLL NO. 3373:
PUBLIC HEARING ON SPECIAL ASSESSMENT ROLL NO. 3373 FOR STREET
REPAVING ON FOREST STREET FROM BEND IN THE ROAD TO EDGEWOOD
STREET.**

Mayor Griffin opened the public hearing. No one spoke; no correspondence was received. The Mayor closed the public hearing.

1. RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL NO. 3373.

Motion was made by Councilmember Greer and seconded by Councilmember Schlecte to adopt the resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: 0. Vacant: 1st Ward—1.

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

Motion was made by Councilmember Greer and seconded by Councilmember Schlecte to adjourn as a Board of Review and reconvene as a City Council. The motion was adopted by unanimous voice vote.

OTHER BUSINESS.

**A. EXTENSION OF MEDICAL MARIHUANA MORATORIUM ORDINANCE (FINAL
ADOPTION):
FINAL ADOPTION OF ORDINANCE NO. 2012.40 DECLARING AN ADDITIONAL
TEMPORARY MORATORIUM ON THE ESTABLISHMENT OF OPERATIONS, AND
THE ISSUANCE OF PERMITS OR LICENSES FOR OPERATIONS THAT RELATE TO
EITHER THE CULTIVATION, DISPENSING, OR USE OF MEDICAL MARIHUANA IN
THE CITY OF JACKSON.**

Motion was made by Councilmember Greer and seconded by Councilmember Schlecte to adopt Ordinance No. 2012.40. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: 0. Vacant: 1st Ward—1.

**B. FINAL RENEWAL OF JANITORIAL/CLEANING CONTRACT:
APPROVE THE FINAL RENEWAL OF THE CONTRACT WITH A. WILLIAMS
CLEANING SERVICES IN THE TOTAL AMOUNT OF \$40,452.00, FOR CITYWIDE
JANITORIAL CLEANING WITH THE CITY WATER DEPARTMENT,
WASTEWATER TREATMENT PLANT, DEPARTMENT OF PUBLIC WORKS AND
CITY HALL.**

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to approve the final renewal of the contract. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: 0. Vacant: 1st Ward—1.

NEW BUSINESS.

**A. TRANSFER OF PERSONAL PROPERTY OF ELLA W. SHARP:
APPROVE AUTHORIZATION FOR THE MAYOR TO SIGN A BILL OF SALE,
THEREBY TRANSFERRING TITLE OF PERSONAL PROPERTY OF ELLA W.
SHARP TO THE ELLA SHARP MUSEUM OF ART AND HISTORY, AND FOR THE
CITY ATTORNEY TO MAKE MINOR MODIFICATIONS TO THE DOCUMENTS.**

Motion was made by Councilmember Dobies and seconded by Councilmember Greer to approve authorization for the Mayor to sign a bill of sale. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: 0. Vacant: 1st Ward—1.

**B. ELLA SHARP PARK GOLF COURSE CLUB HOUSE REMODELING PROJECT:
AWARD A CONTRACT TO JC BEAL CONSTRUCTION, INC., ANN ARBOR, FOR
THE REMODELING OF THE ELLA SHARP PARK GOLF COURSE CLUB HOUSE, IN
THE AMOUNT OF \$425,200.00, AND AUTHORIZATION FOR THE CITY MANAGER
TO SIGN THE APPROPRIATE DOCUMENT(S).**

Motion was made by Councilmember Dobies and seconded by Councilmember Frounfelker to award the contract to JC Beal Construction, Inc. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: 0. Vacant: 1st Ward—1.

**C. CHERRY CREEK HOLDINGS, LLC, DEVELOPMENT AGREEMENT:
APPROVE THE DEVELOPMENT AGREEMENT BETWEEN THE CITY AND
CHERRY CREEK HOLDINGS, LLC FOR USE/LEASE OF A PORTION OF
MUNICIPAL PARKING LOT NO. 5, AUTHORIZATION FOR THE MAYOR AND CITY
CLERK TO SIGN SAME, AND FOR THE CITY ATTORNEY TO MAKE MINOR
MODIFICATIONS TO THE DOCUMENTS AND TAKE ALL OTHER ACTION
NECESSARY FOR EXECUTION OF THE DEVELOPMENT AGREEMENT.**

Motion was made by Councilmember Frounfelker and seconded by Councilmember Schlecte to approve the Development Agreement. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: 0. Vacant: 1st Ward—1.

D. DEFINED CONTRIBUTION PLAN FOR MAPE EMPLOYEES:

ADOPT A DEFINED CONTRIBUTION PLAN THROUGH THE MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM OF MICHIGAN (MERS) FOR ALL EMPLOYEES HIRED ON OR AFTER JULY 1, 2012, INTO THE MICHIGAN ASSOCIATION OF PUBLIC EMPLOYEES (MAPE).

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to adopt a defined contribution plan for MAPE employees. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: 0. Vacant: 1st Ward—1.

**E. AMENDMENT TO THE PERSONNEL POLICY:
APPROVE AN AMENDMENT TO VARIOUS SECTIONS OF THE PERSONNEL POLICY RELATED TO NON-UNION EMPLOYEE AND NON-UNION RETIREE MATTERS AS RECOMMENDED BY CITY ADMINISTRATION.**

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to approve the amendment to the Personnel Policy. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: 0. Vacant: 1st Ward—1.

F. PAY ADJUSTMENTS FOR THE CERTAIN NON-UNION CLASSIFICATIONS:

1. APPROVE THE CLASS GRADE ASSIGNMENT FOR THE BUILDING INSPECTOR CLASSIFICATION FROM CLASS GRADE 10 TO CLASS GRADE 12 AND ADJUST THE WAGE TO CLASS GRADE 12, STEP 7 , IN ACCORDANCE WITH THE PERSONNEL POLICY, EFFECTIVE DECEMBER 11, 2012.

Motion was made by Councilmember Dobies and seconded by Councilmember Greer to approve the pay adjustment. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: 0. Vacant: 1st Ward—1.

2. APPROVE THE CLASS GRADE ASSIGNMENT FOR THE PLUMBING/MECHANICAL INSPECTOR CLASSIFICATION FROM CLASS GRADE 10 TO CLASS GRADE 12 AND ADJUST THE WAGE TO CLASS GRADE 12, STEP 8, IN ACCORDANCE WITH THE PERSONNEL POLICY, EFFECTIVE DECEMBER 11, 2012.

Motion was made by Councilmember Greer and seconded by Councilmember Schlecte to approve the pay adjustment. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: 0. Vacant: 1st Ward—1.

**G. AMENDMENT TO PERSONNEL POLICY (CONTRACT PERSONNEL/CITY MANAGER AUTHORITY):
APPROVE AN AMENDMENT TO ARTICLE III, SECTION III-3 OF THE PERSONNEL POLICY (CITY MANAGER'S AUTHORITY TO EXECUTE EMPLOYMENT CONTRACTS).**

Motion was made by Councilmember Greer and seconded by Councilmember Schlecte to approve the amendment to the Personnel Policy. The motion was adopted by the following vote.

Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Schlecte, Frounfelker and Dobies—6.
Nays: 0. Absent: 0. Vacant: 1st Ward—1.

**H. RESOLUTION REALLOCATING HOME FUNDS:
RESOLUTION REALLOCATING A TOTAL OF \$17,400.00 HOME FUNDS FROM
COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO) OPERATING
EXPENSES TO CHDO RESERVE ACTIVITY OF ACQUISITION/
REHABILITATION/RESALE.**

Motion was made by Councilmember Schlecte and seconded by Councilmember Greer to adopt the resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: 0. Vacant: 1st Ward—1.

**I. RESOLUTION OF SUPPORT FOR 2012 BLIGHT ELIMINATION GRANT:
RESOLUTION OF SUPPORT FOR THE 2012 BLIGHT ELIMINATION PROGRAM
GRANT APPLICATION THROUGH THE STATE OF MICHIGAN.**

Motion was made by Councilmember Greer and seconded by Councilmember Dobies to adopt the resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: 0. Vacant: 1st Ward—1.

**J. CITY HALL BOND REFUNDING RESOLUTION:
RESOLUTION AUTHORIZING ISSUANCE OF 2013 UNLIMITED TAX GENERAL
OBLIGATION REFUNDING BONDS.**

Motion was made by Councilmember Schlecte and seconded by Councilmember Greer to adopt the resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: 0. Vacant: 1st Ward—1.

**K. FUND BALANCE POLICY RESOLUTION:
RESOLUTION APPROVING A FUND BALANCE POLICY FOR THE GENERAL
FUND.**

Motion was made by Councilmember Dobies and seconded by Councilmember Frounfelker to adopt the resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: 0. Vacant: 1st Ward—1.

**L. REFUSAL OF CERTAIN TAX REVERTED PROPERTIES:
RESOLUTION APPROVING THE CITY OF JACKSON NOTIFICATION OF RELEASE
OF FIRST RIGHT OF REFUSAL UNDER PUBLIC ACT 123 OF 1999 FOR JACKSON
COUNTY FOR THOSE PROPERTIES LISTED IN EXHIBIT A ATTACHED.**

Motion was made by Councilmember Schlecte and seconded by Councilmember Greer to adopt the resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: 0. Vacant: 1st Ward—1.

CITY COUNCILMEMBERS' COMMENTS.

Councilmembers Jaquish, Greer, Schlecte and Dobies wished everyone a Merry Christmas and Happy Holidays.

Councilmember Frounfelker wished everyone Seasons Greetings and remarked on the importance of the Fund Balance Policy. He asked if there are any plans to put signage at the entrances of downtown regarding parking regulations.

Mayor Griffin discussed that applications for City Councilmember, First Ward, will be available on Wednesday, December 12, 2012, in the City Clerk's office. The deadline to submit an application is Thursday, December 20, 2012, at 4:00 p.m. The procedure to fill the vacancy will follow the guidelines used in the past. A First Ward Councilmember will be elected by a majority of the Council at their January 22, 2013, meeting. He also announced that City Hall will be closed Christmas Eve and Christmas Day and New Year's Eve and New Year's Day.

Councilmember Dobies inquired when the next goal setting session will be held. The Mayor responded that it will be in January, but no date has been set.

MANAGER'S COMMENTS.

City Manager Burtch wished everyone a Merry Christmas.

ADJOURNMENT.

No further business being presented, the Mayor adjourned the meeting at 7:42 p.m.

Lynn Fessel
City Clerk

**JACKSON CITY COUNCIL
SPECIAL MEETING MINUTES
DECEMBER 19, 2012**

CALL TO ORDER.

The Jackson City Council met in special session in the second floor Council Chambers in City Hall and was called to order by Mayor Martin J. Griffin at 4:05 p.m.

ROLL CALL.

Present: Mayor Martin J. Griffin and Councilmembers Kimberly Jaquish, Daniel P. Greer, Laura Dwyer Schlecte, Andrew R. Frounfelker and Derek J. Dobies—6. Absent: None. Vacant: 1st Ward—1.

ADOPTION OF THE AGENDA.

Motion was made by Councilmember Greer and seconded by Councilmember Dobies to adopt the agenda. The motion was adopted by unanimous voice vote.

CITIZEN COMMENTS.

None.

WAIVE TWENTY-FOUR HOUR WRITTEN NOTICE REQUIREMENT IN CITY CHARTER, SECTION 8.6.

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to waive the requirement. The motion was adopted by the following roll call vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: 0. Vacant: 1st Ward—1.

EXECUTIVE SESSION TO CONSIDER A WRITTEN LEGAL OPINION.

Motion was made by Councilmember Dobies and seconded by Councilmember Greer to go into closed executive session. The motion was adopted by the following roll call vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: 0. Vacant: 1st Ward—1.

RETURN TO OPEN SESSION.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Jaquish to return to open session. The motion was adopted by unanimous voice vote.

ACTION UPON RETURN TO OPEN SESSION.

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to direct the City Attorney, as discussed in Executive Session, to file a lawsuit as soon as possible against the Jackson Housing Commission preventing them from purchasing health insurance. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Schlecte and Frounfelker—5. Nays: 0. Absent: 0. Abstain: Councilmember Dobies—1. Vacant: 1st Ward—1.

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to immediately remove Kate Martin and Terry Anderson from the Jackson Housing Commission and to appoint Gerald Montgomery and Patrick Burtch to the Jackson Housing Commission. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Schlecte and Frounfelker—5. Nays: 0. Absent: 0. Abstain: Councilmember Dobies—1. Vacant: 1st Ward—1.

ADJOURNMENT.

No further business being presented, the Mayor adjourned the meeting at 4:50 p.m.

Lynn Fessel
City Clerk



Jackson Downtown Development Authority

December 13, 2012

MEMO TO: Honorable Mayor and City Council Members

FROM: Jonathan Greene, Executive Director

SUBJECT: DDA Bylaw Amendments

RECOMMENDATION: Approval of the request from the Jackson DDA to amend their bylaws regarding committees and advisory boards as recommended by the DDA at their December 13, 2012 meeting.

SUMMARY:

At the December 13, 2012 DDA Board meeting the DDA Board voted by a vote of 12 to 1 to amend Article VI, Section 1 – Committees and Section 2 – Advisory Boards. In summary, the DDA Board's action:

- Clearly identified the four standing committee of the DDA (Design, Economic Restructuring, Promotion, and Executive).
- Instituted a committee structure requiring committee participation by all board members.
- Delineated the Executive Directors role in committees.
- Provided a term of appointment for committee members.
- Identified the process for committee chairperson selection.
- Defined quorum requirements for committee meetings/action.
- Addressed the subjective power of committees (committee action is subject to DDA Board Approval).
- Issued duties to committee members.
- Allowed for other committees/advisory boards to be established.

JG/RR

**RULES GOVERNING THE DOWNTOWN
DEVELOPMENT AUTHORITY
OF THE CITY OF JACKSON, MICHIGAN
DDA BYLAWS**

ARTICLE I. PURPOSES AND POWERS

The purpose or purposes for which the Authority is organized are as follows:

To act as a Downtown Development Authority in accordance with Act 197 of the Public Acts of 1975, as amended, including, but not limited to: correct and prevent deterioration in the Downtown Development District, to encourage historic preservation, to create and implement development plans, and to promote economic growth. In furtherance of these purposes, the Authority shall have all of the powers which now or hereafter may be conferred by law on Authorities organized under Act 197, Public Acts of 1975; Act 227, Public Acts of 1972; Act 149, Public acts of 1911; Act 202, Public Acts of 1943; Act 94, Public Acts of 1933; Act 344, Public Acts of 1945, as amended; and Public Law 91-646, being the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. The power or authority given under Public act 197 is as follows:

- (a) Prepare an analysis of economic changes taking place in the downtown district.
- (b) Study and analyze the impact of metropolitan growth upon the downtown district.
- (c) Plan and propose the construction, the renovation, repair, remodeling, rehabilitation, restoration, preservation, or reconstruction of a public facility, an existing building, or a multiple-family dwelling unit which may be necessary or appropriate to the execution of a plan which, in the opinion of the board, aids in the economic growth of the downtown district.
- (d) Develop long-range plans, in cooperation with the agency which is chiefly responsible for planning the City of Jackson, designed to halt the deterioration of property values in the downtown district, and take such steps as may be necessary to persuade property owners to implement the plans to the fullest extent possible.
- (e) Implement any plan of development in the downtown district necessary to achieve the purposes of this act, in accordance with the powers of the Authority as granted by this act.
- (f) Make and enter into contracts necessary or incidental to the exercise of its powers and the performance of its duties.
- (g) Acquire by purchase or otherwise, on terms and conditions and in a manner of Authority deems proper or own, convey, or otherwise dispose of, or lease as lessor or lessee, land or other property, real or personal, or rights of interests therein, which the authority determines is reasonably necessary to achieve the purposes of this act, and to grant or acquire licenses, easements, and options with respect thereto.
- (h) Improve land and construct, reconstruct, rehabilitate, restore and preserve, equip, improve, maintain, repair, and operate any building, including multiple-family dwellings, and any necessary or desirable appurtenances thereto, within the downtown district for the use in whole or in part, of any public or private person or corporation or a combination thereof.
- (i) Fix, charge, and collect fees, rents, and charges for the use of any building or property under its control or any part thereof, or facility therein, and pledge the fees, rents, and charges for the payment of revenue bonds issued by the authority.
- (j) Lease any building or property under its control or any part thereof.
- (k) Accept grants and donations of property, labor or other things of value from a public or private source.
- (l) Acquire and construct public facilities.

ARTICLE II. BOARD

Section 1. General Powers

The Authority shall be under the supervision and control of a board.

Section 2. Number, Tenure and Qualifications

The board of the authority shall consist of thirteen persons, the Chief Executive Officer of the city of Jackson and twelve members, including the Midtown Association president. The members shall be appointed for a term of four years except that of members first appointed, two shall be appointed for one year, two for two years, two for three years and two for four years. At least seven of the members shall be persons having an interest in property located in the downtown district. At least one of the members shall be a resident of the downtown district if it has one hundred or more persons residing within it.

Section 3. Selection of Members

The Chief Executive Officer of the City of Jackson with the advice and consent of the City Council shall appoint the members of the board. Subsequent board members shall be appointed in the same manner as the original appointments at the expiration of each member's term of office. Before assuming the duties of office, a member shall qualify by taking and subscribing to the constitutional oath of office.

Section 4. Compensation of Members

Members of the board shall serve without compensation, but shall be reimbursed for actual and necessary expenses.

Section 5. Expiration of Term, continuation in Office, Reappointment, and Filling Vacancies

Members whose terms of office have expired shall continue to hold office until a successor has been appointed. If a vacancy is created by the death, resignation, or removal of a member, a successor shall be appointed with the advice and consent of the City Council within thirty days to hold office for the remainder of the term so vacated.

Section 6. Removal

Pursuant to proper notice and an opportunity to be heard, a member may be removed from office for neglect of duty including nonattendance at meetings, misconduct, malfeasance, or any other good cause by a majority vote of the City Council. Removal of a member is subject to review by the circuit court.

The DDA Executive Committee, comprised of the Chairperson, Vice Chairperson, Secretary and Treasurer, shall review the status of any board member who fails to attend three board and/or committee meetings within a fiscal year. At its discretion, the Executive committee shall make a recommendation to the DDA Board for removal of a board member, based upon its review and subject to an opportunity for the board member to be heard by the committee. Upon agreement within by the Authority the DDA Board shall make a recommendation to the City Council for removal from the Board.

Section 7. Disclosure of Interest

A board member who has a direct interest in any matter before the Authority shall disclose his interest prior to the Authority taking any action with respect to the matter which disclosure shall become a part of the record of the Authority's official proceedings. Further, any member making such disclosure shall then refrain from participating in the Authority's decision-making process relative to such matter.

ARTICLE III. OFFICERS

Section 1. Officers

The officers of the Authority shall be a Chairperson, Vice Chairperson, Secretary and Treasurer.

Section 2. Removal of Officers

An officer may be removed by the board whenever in its judgment the best interest of the Authority would be served.

Section 3. Filling of Vacancies

A vacancy may be filled by the board of the unexpired portion of the term.

Section 4. Chairperson

The Chairperson shall preside at all meetings of the board and shall discharge the duties of a presiding officer.

Section 5. Vice Chairperson

In the absence of the Chairperson or in the event of his inability or refusal to act, the Vice Chairperson shall perform the duties of the Chairperson and when so acting shall have all the powers and be subject to all restrictions of the Chairperson.

ARTICLE IV. MEETINGS

Section 1. Annual Meeting

The annual meeting shall be held on the second Thursday of June at the hour of 8 a.m. in City Hall. The election of officers shall occur at the annual organizational meeting. If the election of officer should not occur on the day designated, or any adjournment thereof, the board shall cause the election to be held at a regular or special meeting of the board within ninety days of the annual meeting.

Section 2. Regular Meetings

Regular meetings of the board shall be held at 8 a.m. on the second Thursday of each month in City Hall. In the event the meeting day shall fall on a holiday, the meeting will occur on the following day. On the second Thursday of each month at its regular meeting all expense items of the Authority shall be publicized. The financial records shall always be open to the Authority shall be publicized. The financial records shall always be open to the public. Any regularly scheduled meeting may be canceled for lack of quorum.

Section 3. Special Meetings

Special meetings of the board may be called by the Chairperson, by the Vice Chairperson in the absence of the Chairperson, by the Executive Director, by any three members, or by the City Council by giving twenty-four hours notice of the meeting stating the purpose of the meeting and by posting the notice eighteen hours prior to the meeting.

Section 4. Notice of Meeting

All meetings shall be preceded by public notice posted eighteen hours prior to the meeting in accordance with Act 267 of the Public Acts of 1976, as amended.

Section 5. Agenda

The Chairperson may direct the Executive Director to prepare the agendas for all meetings and send them to the Authority members at least twenty-four hours prior to a meeting. Any member of the Authority may request any item to be placed upon the agenda.

Section 6. Quorum and Voting

A majority of the members of the board in office shall constitute a quorum for the transaction of business. A vote of seven members shall constitute the action of the board unless the vote of a larger number is required by statute or elsewhere in these rules. In the event that effective membership is reduced because of disclosure of interest (Article II, Section 7), a majority of the remaining members eligible to vote shall constitute the action of the board.

Section 7. Rules of Order

Robert's Rules of Order will govern the conduct of all meetings.

ARTICLE V. EMPLOYMENT OF PERSONNEL

Section 1. Executive Director

The board may employ and fix the compensation of a director, subject to the approval of the City Council. The director shall serve at the pleasure of the board. A member of the board is not eligible to hold the position of director. Before entering upon the duties of their office, the director shall take and subscribe to the constitutional oath, and furnish bond, by posting a bond in the penal sum determined in the ordinance establishing the Authority, payable to the Authority for use and benefit of the Authority, approved by the board, and filed with the Jackson City Clerk. The Premium on the bond shall be deemed an operating expense of the Authority, payable from funds available to the Authority for expenses of operation. The director shall be the chief executive officer of the Authority. Subject to the approval of the board, the director shall supervise, and be responsible for, the preparation of plans and the performance of the functions of the Authority in the manner authorized by Act 197 of the Public acts of 1975, as amended. The director shall attend the meetings of the board, and shall render to the board and to the City commission a regular report covering the activities and financial condition of the Authority. If the director is absent or disabled, the board may designate a qualified person as acting director to perform the duties of the office. Before entering upon the duties of their office, the acting director shall take and subscribe to the oath, and furnish bond, as required by the director. The director shall furnish the board with information or reports governing the operation of the Authority, as the board requires.

Section 2. Controller

The board may employ and fix the compensation of a controller if he or she is not a board member, who shall keep the financial records of the authority and who, together with the director shall approve all vouchers for the expenditure of funds of the authority. The controller shall perform such other duties as may be delegated by the board and shall furnish bond in an amount as prescribed by the board.

Section 3. Secretary

The board may employ and fix the compensation of a secretary, who shall maintain custody of the official seal and of records, books, documents, or other papers not required to be maintained by the controller. The secretary shall attend meetings of the board and keep a record of its proceedings, and shall perform such other duties delegated by the board.

Section 4. Legal Counsel

The board may regain legal counsel to advise the board in the proper performance of its duties. The legal counsel shall represent the authority in actions brought by or against the Authority.

Section 5. Other Personnel

The board may employ other personnel deemed necessary by the board.

ARTICLE VI. COMMITTEES AND ADVISORY BOARDS

Section 1. Committees/Advisory Boards

~~The board by resolution may designate and appoint one or more committees to advise the board. The committee members shall be members of the authority. The Chairperson of the Authority shall appoint the members and select the Chairperson. The committees may be terminated by a vote of the Authority. At the annual meeting the committees will be evaluated and reappointed or dissolved. A majority of the committee will constitute a quorum. A majority of the members present at the meeting at which a quorum is present shall be the act of the committee. A committee shall consist of no more than six members of the Authority.~~

A) Standing Committees – The Jackson DDA shall have four (4) standing committees, which shall be entitled Promotion, Design, Economic Restructuring, and Executive.

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B) Standing Committee/Advisory Board Structure – No fewer than three (3) individuals shall serve on each committee/advisory board. The maximum number of individuals allowed to serve on each committee/advisory board shall be at the discretion of the individual committee/advisory board’s Chairperson. At least two (2), but no more than four (4) Jackson DDA Board Members shall serve on one (1) committee/advisory board. The Jackson DDA Executive Director shall act as a permanent consultant to each committee/advisory board without needing to be in attendance at all meetings. The committee/advisory boards shall include outside consultants, residents of the city and business people of the DDA district. Committee/advisory board members are appointed by vote of the Jackson DDA Board of Directors.

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C) Term of Office –A committee/advisory board member may be removed at any time, with or without cause, by a vote of the Jackson DDA Board of Directors. Subject to the foregoing, each member of each standing committee/advisory board shall continue as such until the next election of the Jackson DDA Board Officers, unless the committee/advisory board is terminated, or unless such member be removed from such committee/advisory board, or unless such member shall cease to qualify as a member thereof.

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D) Chairperson -- One (1) member of each standing committee/advisory board shall be appointed Chairperson by the Jackson DDA Board.

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E) Quorum – Unless otherwise provided in the resolution of the Jackson DDA Board designating a committee/advisory board, a majority of the members present at a meeting at which a quorum is present shall be the act of the committee/advisory board.

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F) Power of Committee/advisory boards – Unless otherwise directed by the Jackson DDA Board, standing committee/advisory boards shall determine and schedule their meeting times, dates and locations; consult with outside sources; interface with other city-appointed Boards and Commissions for an exchange of ideas that would then be presented to the Jackson DDA Board prior to any action of the Jackson DDA Board.

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Standing committee/advisory boards do not have the authority to take action without the approval of the Board; make decisions without the approval of the Board; act on proposed plans without approval from the Board; make recommendations between committee/advisory boards without Board approval; and enter into contracts or purchase agreements.

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G) Duties – The duties of the committee/advisory boards are to notify the Executive Director and Chairperson of all meeting times, dates and locations; keep written minutes of each meeting to be filed with the Jackson DDA; keep the Executive Director informed of the events of each meeting by means of the Chairperson if unable to attend; fulfill charges of and answer to the Board; present monthly committee/advisory board reports at the Board’s regular meetings; act in the best interest of the Board at all times.

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H) Other Committee/advisory boards – The Board may designate or appoint one (1) or more committee/advisory boards, in addition to the above-named standing committee/advisory boards. The designation and appointment of any such committee/advisory boards and the delegation thereto of authority shall not operate to relieve the Board, or any individual Director, of any responsibility imposed upon them by law.

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Section 2. Advisory Boards

~~The board may by resolution authorize the establishment of advisory boards to the authority. The Chairperson shall select with the advice and consent of the Authority members of each advisory board. The advisory boards shall elect their own officer and establish rules governing their actions.~~

ARTICLE VII. CONTRACTS AND FUNDS

Section 1. Contracts

The board may authorize the Executive Director or an agent or agents of the Authority to enter into any contract or execute and deliver any instrument on behalf of the Authority within the limits authorized by Public Act 197. The authorization may be general or confined to specific instances.

Section 2. Funds

All checks, drafts, or orders for the payment of money, notes, or other evidence of indebtedness issued in the name of the Authority shall be signed by two of the Authority approved check signers. Approved check signers can include the Chairperson, Vice Chairperson, Treasurer, Secretary, and Executive Director. All funds of the Authority shall be placed in such banks, trust companies or other depositories as selected by the board. All accounting processes should follow the Authority approved Accounting Policy.

Section 3. Contributions of Gifts

The board may accept on behalf of the Authority any contribution, gift, bequest or device for the general purposes or for any special purpose of the Authority.

ARTICLE VIII. BOOKS AND RECORDS

Section 1. Books and Records

The Authority shall keep correct and complete records of books and accounts and minutes of the meetings. The records shall be kept at the principal office of the Authority, which will have a record of the names and addresses of the members of the Authority. All books and records of the Authority shall be open to the public. An annual audit by an independent certified public accountant will be conducted.

Section 2. Fiscal Year

The fiscal year of the Authority shall begin on the first day of July and end on the last day of June each year.

ARTICLE IX. RAISING OF FUNDS

Section 1. Ad Valorem Tax

The Authority with the approval of the City Council may levy an ad valorem tax on the real and tangible property not exempt by law and as finally equalized in the downtown district. The tax shall be not more than two mills. The tax shall be collected by the City of Jackson. The City shall collect the tax at the same time and in the same manner as it collects its other ad valorem taxes. The tax shall be paid to the Treasurer of the Authority and credited to the general fund of the authority for purposes of the authority.

Section 2. Borrowing Money Prior to Collection of Tax

The City may at the request of the Authority borrow money and issue its notes therefore pursuant to Act 202 of the Public Acts of 1943 as amended, being sections 131.1 and 138.2 of the Michigan Compiled Laws, and anticipation of collection of the ad valorem tax authorized in this section.

Section 3. Revenue Bonds

The Authority may borrow money and issue its negotiable revenue bonds therefore pursuant to Act 94 of the Public Acts of 1933, as amended, being sections 141.101 to 141.139 of the Michigan Compiled Laws. Revenue bonds issued by the Authority shall not except as hereinafter provided be deemed a debt of the City of Jackson or the State of Michigan. The City Council by a majority vote of the members may pledge its full faith and credit to support the Authority's revenue bonds.

Section 4. Tax Increment Financing

When the Authority determines that it is necessary for the achievement of purposes of Act 197, Public Acts of 1975, the Authority shall prepare and submit a tax increment financing plan to the City Council. The plan shall include a development plan as provided in Section 17, Act 197, Public Acts of 1975, a detailed explanation of the tax increment procedure, the amount of bonded indebtedness to be incurred, the duration of the program, and shall be in compliance with Section 15 of that Act. The plan shall contain a statement of the estimated impact of tax increment financing on the assessed values of all taxing jurisdictions in which the development area is located. The plan may provide for the use of part or all of the captured assessed value, but the portion intended to be used by the Authority shall be clearly stated in the tax increment financing plan.

ARTICLE X. DISTRICT BOUNDARIES

The Authority shall exercise its powers within the following area of the downtown district of the City of Jackson:

SEE ATTACHMENT "A" for expanded district boundaries, adopted April 22, 1997.

ARTICLE XI. AMENDMENT TO RULES

These rules may be altered, amended, or replaced, and new rules adopted, by a majority of the members present at any regular meeting

Adopted by the DDA Board of Directors, February 28, 1978;

Approved by the City Commission, City of Jackson, March 7, 1978.

Amended by the DDA Board of Directors, November 14, 1978.

Amended by the DDA Board of Directors, March 9, 1982.

Amended by the DDA Board of Directors, August 9, 1984.

Amended by the DDA Board of Directors, December 12, 1991.

Amended by the DDA Board of Directors, January 12, 1995.

Amended by the DDA Board of Directors, October 10, 1996;

Approved by the City Commission, City of Jackson, April 22, 1997.

Amended by the DDA Board of Directors, September 9, 2004

Approved by the City Council, City of Jackson, October 12, 2004

Amended by the DDA Board of Directors, January 11, 2007

Approved by the City Council, City of Jackson, January 23, 2007

Amended by the DDA Board of Directors, December 13, 2012

CITY OF JACKSON



Office of Mayor
Martin J. Griffin

MICHIGAN

CITY COUNCIL MEETING
January 8, 2013

161 W. Michigan Ave.
Jackson, MI 49201
Phone: (517) 788-4028
Facsimile (517) 768-5820

MEMO TO: City Councilmembers

FROM: Martin J. Griffin, Mayor

A handwritten signature in blue ink, appearing to read "mg 2", is written over the name "Martin J. Griffin, Mayor".

DATE: January 3, 2013

SUBJECT: City Planning Commission

RECOMMENDED ACTION:

Approval of the Mayor's recommendation to reappoint Clyde Mauldin to the City Planning Commission for a three-year term beginning immediately, and ending December 31, 2015.

According to MSA5.2993.(2) the Commission may consist of the Mayor, one administrative official of the City selected by the Mayor, one Councilmember selected by the Council as members ex officio, and six others appointed by the Mayor and confirmed by the Council. Terms of the ex-officios shall correspond to their official tenures, except the term of the administrative official of the City shall terminate with the Mayor's term. All other members shall serve three-year terms.

It is my desire, therefore, to reappoint Clyde Mauldin to the City Planning Commission for a three-year term beginning immediately, and ending December 31, 2015.

MJG:skh

APP-CC



City of Jackson Board/Commission Application

Name: Clyde W. Mauldin

Address: 1913 Fourth St Zip: 49203

Home Phone: 517-784-7591 Other Phone: 517-784-9122

e-mail address: cmauldin@lm-law.net Occupation: Attorney

Community Involvement/Activity

1. Prior President - Jackson Community College Foundation
2. Prior President - Jackson Estate Planning Council
3. Prior Member - Jackson Community Foundation Distribution Committee

Are you a registered voter? Yes Ward? 6

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

1. Jackson City Planning Commission?

3. _____

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

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

Clyde W. Mauldin
Signature of Applicant

12/31/12
Date

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

CITY OF JACKSON



Office of Mayor
Martin J. Griffin

161 W. Michigan Ave.
Jackson, MI 49201
Phone: (517) 788-4028
Facsimile (517) 768-5820

MICHIGAN

CITY COUNCIL MEETING JANUARY 8, 2013

MEMO TO: City Councilmembers
FROM: Martin J. Griffin, Mayor 
DATE: January 7, 2013
SUBJECT: Jackson County Comprehensive Traffic Safety Project

RECOMMENDATION:

Approval of the Mayor's recommendation to appoint Troy White to the Jackson County Comprehensive Traffic Safety Project, filling a current vacancy beginning immediately, and ending December 31, 2013.

The Jackson City Council is identified in the Jackson County Comprehensive Traffic Safety Project proposal to select a representative to this policy making board.

It is my recommendation, therefore, to appoint Troy White to the Jackson County Comprehensive Traffic Safety Project, filling a current vacancy beginning immediately, and ending December 31, 2013. This position serves as a representative of the City Council.

MJG:skh



City of Jackson Board/Commission Application

Name: Troy R. White

Address: 345 Edward Ave Zip: 49201

Home Phone: 782-0728 Other Phone: 768-6075 (Work)

e-mail address: twhite@cityofjackson.org Occupation: Civil Engineer

Community Involvement/Activity

Are you a registered voter? yes Ward? 4

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

1. Comprehensive Traffic Safety Committee 2. _____

3. _____

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

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

TR White
Signature of Applicant

01/07/13
Date

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



Parks, Recreation and Grounds

161 W. Michigan Avenue · Jackson, MI 49201-1303
(517) 788-4040 · Facsimile (517) 768-5860
www.cityofjackson.org

CITY COUNCIL MEETING TUESDAY, JANUARY 8, 2013

MEMO TO: Honorable Mayor and City Councilmembers
FROM: Kelli M. Hoover, Director
SUBJECT: Ella Sharp Park Deer Harvest

RECOMMENDATION: to approve the contract with Aaron's Nuisance Animal Control of Rives Junction, MI and authorization for the Mayor and City Clerk to execute the appropriate document(s), and to authorize the City Attorney to make minor modifications, if needed, and to approve the necessary street closures and operational requirements of the MDNR permit, in accordance with the recommendation of the Ella Sharp Park Board and the City Parks Director.

The City of Jackson and Summit Township will join in a contract with Aaron's Nuisance Animal Control to harvest deer in Ella Sharp Park and Summit Township. The previous five years have been successful with 400 deer harvested and over 20,000 pounds of venison distributed to needy families in our community.

On October 15, 2012 a request was made for a Wildlife Damage Investigation and Control Permit from the Michigan Department of Natural Resources to harvest up to 80 deer. MDNRE Wildlife Biologist Kristen Bissel will meet with the Department of Natural Resources' staff to determine guidelines for the upcoming deer harvest. We anticipate having the control permit by December 31st.

The culling is tentatively scheduled to start January 2013. The Beef Barn once again is willing to process the venison at a minimal cost. Funding for the deer processing will be provided by the Michigan Sportsman Against Hunger. The Immanuel Lutheran Church is again willing to distribute the venison through their food pantry.

Ella Sharp Park: \$7,396 (will be paid from Golf Course Revenue)
Summit Township: \$3,643
TOTAL COST: \$11,039 (up to 80 deer)

At their Meeting on Thursday, December 6, 2012 the Ella Sharp Park Board approved a motion to continue forward with the Contract with Aaron's Nuisance Animal Control on a unanimous vote. As a result, the Parks Department would like to request the City Council to waive the City Ordinance pertaining to the discharge of firearms within the City Limits.

The exact dates of the harvest is yet to be determined, the request the City Council authorize the Superintendent of Ella Sharp Park to close Ella Sharp Park and the following streets on an as-needed basis during the dates and times the deer harvest occurs within the park:

- West Hickory
- Birchwood Drive
- Maplewood Drive
- Corner of Oakwood Drive and Stonewall Road
- Oakwood Drive at Rotunda Drive

Please feel free to contact me with any questions you may have. Thank you for your consideration.



Parks, Recreation and Grounds

161 W. Michigan Avenue · Jackson, MI 49201-1303
(517) 788-4040 · Facsimile (517) 768-5860
www.cityofjackson.org

To: Kristen M. Bissel, SCMU Wildlife Biologist
From: Eric Terrian, Superintendent of Ella Sharp Park
Date: Tuesday, October 31, 2012
Subject: Request for a Wildlife Damage Investigation and Control Permit

The City of Jackson at Ella Sharp Park along with Summit Township has continued its partnership on the reduction of our current deer population. Staff, plus community input has concluded that our current deer population still exceeds normal levels. Last year's harvest was very successful, with in Ella Sharp Park, yet yielded minimal results in Summit Township. We would like to continue with our deer management program.

Our population objective is 15 deer per square mile, Ella Sharp Park/Summit Township has committed resources to reach this goal. Based on conversations with your staff, we are hopeful you will allow us to harvest up to 80 deer this season. The reasons for this deer harvest are as follows:

- Deer population will continue to grow within this area
- Increase deer/car accidents within Summit Township
- Community out-cry over deer damage
- Increase of deer/human contact
- Deer roaming into populated residential and downtown neighborhoods
- Reduce chances of deer/school incident
- Hunting is prohibited

The Ella Sharp Park Board of Trustees has agreed on using sharpshooters as the method to reduce the deer population. Summit Township also agrees with the decision to use sharpshooters. This conclusion was based on the following:

- Sharpshooters are able to drop the deer humanely and quickly
- City of Jackson/Summit Township liability requirements
- Limited amount of land to harvest the deer
- Numerous residential neighborhoods that boarder Ella Sharp Park/Summit Township
- Sharpshooters have proven effective in other communities similar to ours
- Sharpshooters share our goals and objectives
- Sharpshooters are experienced in this process

The following items are requests and information for the Wildlife Damage Investigation and Control Permit:

- Duration of permit: January 4 to February 10, 2013
- Authorized sharpshooters are to be determined.
- Authorized shooters are: Attachment will be provided. All shooters will have on their persons at all times, personal picture identification and a copy of the Damage Control Permit
- Shooting from a platform and acceptable blinds. NOTE: Only two vehicles would be used on a closed park road.
- Permittee authorized to take up to 80 deer. The focus of this effort is to reduce the population by taking primary antlerless deer. Antlered deer may be taken when part of a group of antlerless deer.
- The use of centerfire rifle and sound suppression is allowed.
- Shooting is allowed during daylight hours or at night with the use of lights or night vision optics.
- The use of bait at shooting locations is permitted and we request 8 to 10 days pre-bait to focus the deer.
- Please provide direction as to specific biological data required.
- All deer will be field dressed offsite and taken to: The Beef Barn (3095 Cooper Road / Jackson, Michigan 49201). The deer carcasses will be properly disposed of by Aaron Blackford.
- All deer taken will be tagged using the provided MDNR OSK tags
- Permittee will provide a weekly report of shooting activities
- Permittee will provide a copy of data collected, if needed
- Local Law Enforcement (Jackson Central Dispatch) will be notified of cull activity times and dates.

The City Council of Jackson and Summit Township Board will perform the final step by suspending the firearm ordinances to allow the deer harvest to go forward. Local law enforcement agencies have offered their support during the deer harvest. They will be informed with all available information.

Thank you and your staff for your guidance and professionalism throughout this deer harvest process.

EWT:sw

cc: Mr. Patrick Burtch
Mrs. Kelli Hoover

RESOLUTION
SUSPENDING ENFORCEMENT OF FIREARMS DISCHARGE

BY THE CITY COUNCIL:

WHEREAS, the Ella Sharp Park Board, in conjunction with the Michigan Department of Natural Resources and Summit Township, have been working toward the resolution of the overpopulation of deer in and around Ella Sharp Park; and

WHEREAS, after exploring all options, the Ella Sharp Park Board determined that the safest and best method to control the deer population was through utilizing an animal control company; and

WHEREAS, after obtaining bids pursuant to the requirements of the Jackson Purchasing Policy, the City awarded the deer harvesting contract to Aaron's Nuisance Animal Control of Rives Junction, Michigan; and

WHEREAS, the deer harvesting contract was subject to five one-year renewals; and

WHEREAS, the parties wish to renew the deer harvesting contract; and

WHEREAS, it is anticipated that Aaron's Nuisance Animal Control will be harvesting deer in Ella Sharp Park during the months of January and February, 2013; and

WHEREAS, the City Council wishes to suspend enforcement of ordinances that would prohibit the use of firearms in Ella Sharp Park.

NOW, THEREFORE, BE IT RESOLVED that Ordinance No. 18-184 of the Jackson City Code addressing the discharging of weapons within the City shall be suspended during the harvesting of deer within Ella Sharp Park; and

BE IT FURTHER RESOLVED that suspension of the above ordinance shall only apply to agents and employees of Aaron's Nuisance Animal Control for the harvesting of deer within Ella Sharp Park during the months of January and February, 2013.

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

I, Lynn Fessel, 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 _____, 2013.

IN WITNESS WHEREOF, I have hereunto affixed my signature and seal of the City of Jackson, Michigan on this ____ day of _____, 2013.

Lynn Fessel, City Clerk



**CITY COUNCIL MEETING
January 8, 2013**

TO: Honorable Mayor and City Councilmembers
FROM: Matthew R. Heins
Chief of Police
SUBJECT: Consideration of a request to approve the purchase of mobile and portable radios

Recommendation:

- A. To authorize the purchase of 7 Vertex Standard mobile VHF radios from Advanced Wireless at a total cost of \$2,373.21.**
- B. To authorize the purchase of 53 Motorola PR1500 portable VHF radios from State Electronics at a total cost of \$48,365.68.**

At the November 27, 2012 meeting Council approved a resolution establishing a budget for the State Homeland Security Program grant. This grant will be used to purchase these mobile and portable radios. Sealed bids were received for the radio purchases and the lowest bids were from Advanced Wireless for the mobile radios, and State Electronics for the portable radios.

In January of 2013 all public and private owned land based radio systems must meet new FCC narrowband compliance regulations. All radio equipment purchased prior to 1997 will have to be replaced as it will not transmit data in a narrowband format. These radios will allow the department to consolidate radio VHF communication services with the Jackson County Sheriff Office which is narrow band complaint. It will also enable the Jackson Police Department to strengthen interoperable communication capabilities with other law enforcement agencies, area fire departments, and first responders.

BIDDERS:

See Instructions to Bidders attached

City Department: Police Department

Opening Date: 2:00 PM, Thursday, November 15, 2012

Subject: Jackson Police Department Radios

RETURN TO: Purchasing Department
10th Floor, City Hall
161 West Michigan Avenue
Jackson, Michigan 49201

MARK ENVELOPE: Jackson Police Department Radios

Proposal: We propose to furnish all materials, equipment or tools required in accordance with the specifications and conditions contained herein in consideration of the sum or sums stated below and agree that this document and its attachments will constitute the contract if accepted by the City.

	UNIT COST	BRAND	MODEL NUMBER	WARRANTY
VHF Mobile Radio	\$ 899.50 w/installation	Motorola	COM1250	2 year warranty
PR1500	\$ 912.50	Motorola	PR1500	2 year warranty

We propose to deliver the (Brand & Model) Both the Motorola PR1500 and COM1250
no later than (Delivery Date) 30 days From the date of order

All freight and delivery charges must be included in bid.

I hereby state that all of the information I have provided is true, accurate, and complete and that I agree to be bound by the terms and conditions. I hereby state that I have the authority to submit this bid which will become a binding contract if accepted by the City of Jackson. I hereby state that I have not communicated with nor otherwise colluded with any other bidder, nor have I made any agreement with nor offered/accepted anything of value to/from an official or employee of the City of Jackson that would tend to destroy or hinder free competition. All work and materials shall be guaranteed for a minimum of one year.

I hereby state that I have read, understand and agree to be bound by all terms of this bid document.

Signed: Jessica Spindler Name: Jessica Spindler
(Type or Print)

Title: Sales Manager Date: 11-13-12

Phone: 517-242-2875 Fax: 989-31616-9262

Firm Name: State Electronics Company
(If Any)

Address: 342 Clare St. Lansing MI 48917
(Street Address) (City) (State) (Zip)

Federal ID #: 38-29165397

TURN TO: Purchasing Department 10th Floor, City Hall
 161 West Michigan Avenue
 Jackson, Michigan 49201

MARK ENVELOPE: Jackson Police Department Radios

Proposal: We propose to furnish all materials, equipment or tools required in accordance with the specifications and conditions contained herein in consideration of the sum or sums stated below and agree that this document and its attachments will constitute the contract if accepted by the City.

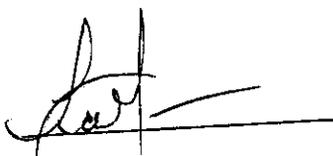
	UNIT COST	BRAND	MODEL NUMBER	WARRANTY
VHF Mobile Radio	\$ 339.03	Vertex Standard	VX2200 AC061N132-VX With MLS-100 External Speaker	3 Year Parts and Repair Labor, does not include troubleshooting and removal/replacement of radio
PR1500	\$ 962.25	Motorola	AAH79KDC9PW5_N w/standard battery, charger and antenna, and PMMN4051 speaker microphone	2 Year Parts and Repair Labor, does not include troubleshooting and removal/replacement of radio

We propose to deliver the (Brand & Model) Vertex Standard VX200 & Motorola PR1500
 no later than (Delivery Date) 30 Days ARO

All freight and delivery charges must be included in bid.

I hereby state that all of the information I have provided is true, accurate, and complete and that I agree to be bound by the terms and conditions. I hereby state that I have the authority to submit this bid which will become a binding contract if accepted by the City of Jackson. I hereby state that I have not communicated with nor otherwise colluded with any other bidder, nor have I made any agreement with nor offered/accepted anything of value to/from an official or employee of the City of Jackson that would tend to destroy or hinder free competition. All work and materials shall be guaranteed for a minimum of one year.

I hereby state that I have read, understand and agree to be bound by all terms of this bid document.

Signed: 
 Title: President
 Phone: 248-295-4600

Name: Todd Jones
 Date: 11-13-2012
 Fax: 248-295-2699

Firm Name: Advanced Wireless Telecom
 Address: 49716 Martin Dr.

Wixom MI 48393

Federal ID #: 22-3767835



Neighborhood & Economic Operations

Building a Stronger Jackson

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

Building Inspection
(517) 788-4012

Code Enforcement
(517) 788-4060

Engineering
(517) 788-4160

Planning & Economic Development
(517) 768-6433

CITY COUNCIL MEETING January 8, 2013

TO: Honorable Mayor Griffin and City Councilmembers

FROM: Patrick Burtch, City Manager

SUBJECT: Authorize the Purchase of 604 W Biddle St and 606 W Biddle St

RECOMMENDATION:

Approve the acquisition of 604 W Biddle Street using non-federal funds and 606 W Biddle Street with HOME funds, authorize the City Attorney to make minor modifications to closing documents, and authorize the City Manager or his designee to sign documents necessary to close the transactions.

City staff recently gained access to and inspected two HUD homes, 604 W Biddle St and 606 W Biddle St, located side-by-side between Third and Fourth Streets. Bids to acquire both homes were submitted to HUD on January 3, 2013 at \$2,500 for each structure. Information regarding the properties is as follows:

	<p>Address: 604 W Biddle St PIN: 3-022300000</p> <p>Listed for: \$15,300 Purchase Offer: \$ 2,500 (non-federal funds)</p> <p>Rehab Estimate: \$73,320</p>
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	<p>Address: 606 W Biddle St PIN: 3-022200000</p> <p>Listed for: \$4,200 Purchase Offer: \$2,500 (HOME funds)</p> <p>Rehab Estimate: \$38,407</p>
---	---

The intent of purchasing both properties is to demolish 604 W Biddle, which has significant foundation issues, with non-federal funds and to rehabilitate and resell 606 W Biddle under the City's HOME program +to an income qualified purchaser. During this process, the properties will be combined to offer a larger yard for the future homeowner.



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CITY COUNCIL MEETING January 8, 2013

TO: Honorable Mayor Griffin and City Councilmembers

FROM: Patrick Burtch, City Manager

SUBJECT: Award Demolition Contract to Smalley Construction in the Total Amount of \$90,950

RECOMMENDATION:

Award a demolition contract to Smalley Construction in the total amount of \$90,950 utilizing NSP1 Funds and authority for the City Manager to approve any and all change orders required to complete the demolitions.

On September 18, 2012, the City of Jackson received \$128,502 in reallocated Neighborhood Stabilization Program-1 (NSP1) funds from the Michigan State Housing Development Authority (MSHDA). Initially, MSHDA chose eight properties for the City to demolish in the NSP target neighborhood bordered by Ganson Street, Mechanic Street, Detroit Street and Waterloo Avenue. After awarding that contract in November 2012, a balance of \$60,707 remained in the reallocated funds. MSHDA recently authorized the City to utilize the reallocated NSP1 balance to demolish nine more residential structures within the target neighborhood.

Sealed bids were opened on January 4, 2013 with Smalley Construction submitting an overall low bid of \$90,950. Funding for the demolitions would come from the balance of the NSP1 reallocation plus NSP1 program income the City has received. These demolitions must be completed and all funds expended by mid-March 2013 to comply with the NSP1 grant requirements. Because of the extremely tight deadlines for completion and expenditure of the grant funds, it is recommended that authority also be extended to the City Manager to approve any and all change orders, if required, to complete the demolitions within the parameters set by MSHDA.

cc: Shelly Allard, Purchasing Agent
Frank Donovan, Chief Building Official
Sheila Prater, Records Management Coordinator



Bid Tabulation For
NSP Funded Asbestos Removal and Demolition of Nine (9) Residential Buildings
and Accessory Structures At Various Locations
Throughout the City of Jackson
Friday, January 4, 2013, 10:00 AM

		SMALLEY CONSTRUCTION 1742 West US 10 Scottville, MI 49454	DUNIGAN BROTHERS 911 E. South Street Jackson, MI 49203	LESTER BROTHERS 5405 E. Michigan Avenue Jackson, MI 49201
ITEM NO	ADDRESS/LOCATION	BID AMOUNT	BID AMOUNT	BID AMOUNT
1	522 N. Waterloo Avenue	10,900.00	8,408.50	14,314.00
2	707 N. Park Avenue	13,300.00	11,140.80	11,008.00
3	409 N. Park Avenue	7,800.00	5,757.20	7,285.00
4	508 Homewild Avenue	8,250.00	9,183.40	9,980.00
5	504-506 Homewild Avenue	11,800.00	11,394.30	9,760.00
6	704 E. Ganson Street	13,550.00	18,414.00	13,470.00
7	612 E. Ganson Street	9,450.00	11,368.00	9,458.00
8	565 Cooper Street	7,650.00	7,260.00	10,616.00
9	563 Cooper Street	8,250.00	8,513.60	10,916.00
TOTAL		90,950.00	91,439.80	96,807.00



Neighborhood & Economic Operations

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(517) 788-4012

Code Enforcement
(517) 788-4060

Engineering
(517) 788-4160

Planning & Economic Development
(517) 768-6433

CITY COUNCIL MEETING January 8, 2013

TO: Honorable Mayor Griffin and City Councilmembers

FROM: Patrick Burtch, City Manager

SUBJECT: Approve the Template Agreement to Repair Property to Avoid Demolition

RECOMMENDATION:

Approve the form of Agreement to Repair Property to Avoid Demolition as a template form to be used by the Department of Neighborhood & Economic Operations and executed by the Mayor.

Attached is an Agreement to Repair Property to Avoid Demolition, written in conjunction with the City Attorney's Office, to be used by Department of Neighborhood & Economic Operations staff when approached by a property owner requesting time to repair a condemned structure that has been upheld by the Building Code Board of Examiners and Appeals. It became apparent after the 2012 County Tax Foreclosure auctions that persons purchasing property at the auction, and in other similar situations, may not be aware a property is condemned and slated for demolition. This Agreement would allow the property owner a specific period of time, determined on a case-by-case basis, to make all the necessary repairs as identified in the condemnation notice, Neighborhood Economic Stabilization (NES) property evaluation, Special Condition Memorandum, and interior inspection results. If the property owner fails to make all repairs during the time period allotted, the Agreement allows the City to proceed with demolition of the structure.

AGREEMENT TO REPAIR PROPERTY TO AVOID DEMOLITION
FOR PROPERTY UPHELD BY
THE BUILDING CODE BOARD OF EXAMINERS AND APPEALS

THIS Agreement to Repair Property to Avoid Demolition (“Agreement”) is made this _____ day of _____, 201____, between _____, whose address is _____ (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:

(See attached Exhibit A)

Commonly known as _____, Jackson, Michigan, 4920____, and Tax Parcel No. _____;

WHEREAS, the Property contains a dangerous and unsafe structure 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 Notice and Order, dated _____, which identified the visible dangerous, unsafe and blighted conditions existing at the Property. (Said Official Notice and Order is attached as Exhibit B and incorporated by reference);

WHEREAS, in addition to the dangerous, unsafe, and blighted conditions identified in Exhibit B, the City conducted a Neighborhood Economic Stabilization (“NES”) property evaluation which identifies other conditions that must be addressed as part of this Agreement and before a certificate of occupancy will be issued for the Property. (Said NES is attached as Exhibit C and incorporated by reference).

WHEREAS, the City has also issued a Special Condition Memorandum for the Property that must be addressed by the Owner as part of this Agreement. (Said Special Condition Memorandum is attached as Exhibit D and incorporated by reference).

WHEREAS, the City is authorized to repair or demolish the dangerous and unsafe structure by the Decision and Order of the Building Code Board of Examiners and Appeals dated _____.

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.

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 B and said repairs and/or improvements required at the Property are more fully identified in Exhibits C and D.

4. 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 B no later than _____.
- b. Owner must fully complete all repairs as identified in Exhibit C no later than _____.
- c. Owner must satisfy all special conditions identified in Exhibit D no later than _____.

d. Owner must fully abate all violations identified during the interior inspection of the structure(s) referenced in Paragraph 2 no later than _____.

5. 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. All notices shall be sent via first class mail to the Owner at the following address:

(address of Owner)

6. Seven days after the mailing of the notice identified in paragraph 5, 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 Plaintiff's structure(s) located on the Property. (Said Decision and Order is attached as Exhibit E and incorporated by reference.)

7. 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.

8. 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.

9. Owner shall not allow the Property to be occupied until Owner has complied with all performance dates established in this Agreement.

10. 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.

11. 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.

12. 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.

13. 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.

14. This Agreement may be executed in counterparts, each of which is deemed an original document, but together constitute one instrument.

15. 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.

16. 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.

17. 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.

18. This Agreement shall become effective on the date that it has been signed by both the City and Owner as set forth below.

19. 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.

20. 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

CITY OF JACKSON

By: _____

(Print Name)

By: _____
Martin J. Griffin
Its: Mayor

STATE OF MICHIGAN)
)ss
COUNTY OF)

On _____, 201__, before me, a Notary Public, in and for said County, personally appeared _____, 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)

On _____, 201__, 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:

Approval as to content:

Julius A. Giglio
City Attorney

Patrick H. Burtch
City Manager

**City of Jackson Police Department
216 East Washington Avenue
Jackson, Michigan 49201
(517) 788-4127**



MEMORANDUM

DATE: December 7, 2012

TO: Patrick Burtch, City Manager

FROM: Matthew R. Heins, Chief of Police

SUBJECT: November Manager's Report

Chief Matthew Heins

- Attended:
 - Insurance meeting with Michigan Municipal League
 - Tree cutting ceremony for State Christmas tree
 - Cost Recovery Ordinance meeting
 - IAFF/Management Meeting
 - Fire Union Contract Discussion
 - Blight Elimination Grant meeting
 - Discussion of Jackson High School Liaison Officer
 - Fire promotions discussion
 - Meeting with attorney regarding pending lawsuit
 - Meeting with Reverend James Hines
 - Area Chiefs meeting
 - Defined Contribution meeting
 - Fire Department Budget meeting
 - Prosecutor Zavislak retirement luncheon
- Time Away from Office:
 - 8 hours of training
 - 24 hours of holiday time
 - 48 hours of vacation

Deputy Chief John Holda

- Attended:
 - Department Head meeting
 - City Council meetings (2)
 - Muscular Dystrophy lockup
 - Act 345 Meeting
 - Discussion of Jackson High School Liaison Officer

- Safe Communities Workgroup
- Salvation Army Advisory Board meeting
- Prosecutor Zavislak retirement luncheon
- Crime Mapping/GIS meetings (2)
- IT Meeting
- IT:
 - Correct MDC issues (patrol vehicles)
 - Net Motion configuration (patrol vehicles)
 - DocView scanner maintenance (Records)
 - LiveScan maintenance (fingerprinting/Records)
- Time Away from Office:
 - 28 hours of training
 - 24 hours of holiday time
 - 88 hours of vacation

Lt. Christopher Simpson

- Attended:
 - Insurance meeting with Michigan Municipal League
 - Meeting with City Attorney regarding open carry
 - Community basketball game – Kiwanis and Ambassadors
 - Stop the Violence meeting
 - LEPTC meeting
 - Baker College Criminal Justice board meeting
 - LEAF meeting
 - Prosecutor Zavislak retirement luncheon
 - Meeting with ATF/detectives regarding federal cases
- Projects
 - Permanent Prescription Drug Drop Box
 - Professional Development for Officers
 - Radio Grant Implementation
 - Coordinate In-Service Training
 - Coordinate Physical Agility testing
- Time Away from Office:
 - 4 hours training
 - 24 hours holiday time
 - 16 hours vacation

Lt. Elmer Hitt

- Attended:
 - OHSP meeting – Traffic Enforcement grants
 - John George Home presentation
 - Eve on the Ave. meeting with DDA
- Instructed In-Service Training
- Other Update Information:

- OWI Enforcement overtime worked over Thanksgiving week. Additional enforcement scheduled for the New Year's Eve holiday
- All sworn personnel trained on field tourniquets during in-service training.
- Vacation Check/House Watch program has been received very well from citizens. We have received many compliments on our actions and the program itself.
- Continuing process to procure new duty weapons for officers through the JAG grant.
- Shift selection was completed for officers and sergeants; shift change will occur January 5, 2013.
- Time Away from Office:
 - 8 hours of training
 - 24 hours of holiday time
 - 64 hours of vacation