



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

## **AGENDA - CITY COUNCIL MEETING**

August 13, 2013

6:30 p.m.

1. **CALL TO ORDER.**
2. **PLEDGE OF ALLEGIANCE** - Invocation by Daniel P. Greer, 3rd Ward City Councilmember.
3. **ROLL CALL.**
4. **ADOPTION OF AGENDA.**
5. **EXECUTIVE SESSION to discuss pending litigation and a legal opinion.**
6. **RETURN TO OPEN SESSION.**
7. **PRESENTATIONS/PROCLAMATIONS.**
8. **CITIZEN COMMENTS - AGENDA ITEMS (3-Minute Limit).**
9. **PETITIONS & COMMUNICATION:**
  - A. **Board of Review Minutes:**  
Receive the Board of Review meeting minutes for July 2013.
  - B. **Building Board Code of Examiners and Appeals:**  
Receive the Building Board Code of Examiners and Appeals meeting minutes for July 25, 2013.
  - C. **City Planning Commission Meeting Minutes:**  
Receive the City Planning Commission Meeting Minutes for July 10, 2013.
  - D. **Jackson Housing Commission Meeting Minutes:**  
Receive the Jackson Housing Commission meeting minutes for June 6, June 11, and June 19 2013.

**10. CONSENT CALENDAR.**

**A. Minutes of the Regular Meeting on July 16, 2013:**

Approve the minutes of the regular City Council meeting of July 16, 2013.

**B. Taste of Jackson:**

Approval of the request from the Midtown Merchant Association to close Mechanic Street from Pearl Street to Michigan Avenue for the Taste of Jackson Event on Thursday, August 15, 2013, from 4:00 to 9:00 p.m. (Contingent upon receipt of proper insurance.)

**C. Foundry Fest:**

Approval of the request from Patrick Colligan to conduct Foundry Fest in Parking Lot 9A at 12:00 p.m. (noon) on August 16, 2013, to 12:00 p.m. (noon) on August 18, 2013. The specific times of the event are August 16<sup>th</sup> from 6:00 p.m. to 12:30 a.m., and August 17<sup>th</sup> from 6:00 p.m. to 12:30 a.m. (Contingent upon receipt of proper insurance.)

**D. August Annual Race Weekend Event:**

Approval of the request from Crazy Cowboy to conduct their annual August Race Weekend Event on Friday, August 16, 2013, at 3:00 p.m., through Sunday, August 18, 2013, at 3:00 a.m. (Proper insurance coverage has been received.)

**E. Amazing Race Jackson 2013 & After Party:**

Approval of the request from the Fitness Council of Jackson to conduct their Amazing Race and After Party on Saturday, August 17, 2013, from 10:00 a.m. - 10:00 p.m. (Contingent upon receipt of proper insurance.)

**F. Cascades Civil War Muster:**

Approval of the request of Cascades Inc., to conduct their annual Civil War Muster on Friday, August 23, 2013, at 10:00 a.m. through Sunday, August 25, 2013, at 5:00 p.m. (Proper insurance coverage has been received.)

**G. End of Summer Fireworks Show:**

Approval of the request from Jackson County Parks Department to conduct their annual End of Summer Fireworks Show at Cascades Park on Saturday, August 31, 2013, from 9:00 a.m. - 11:00 p.m. (Proper insurance coverage has been received.)

**H. Jackson Family Fall Festival:**

Approval of the request from St. John Jackson Family Fall Festival to conduct their annual Jackson Family Fall Festival with setup beginning on Thursday, September 19, 2013, and the event itself running from Friday, September 20, 2013 through Sunday, September 22, 2013, from 3:00 p.m. to dusk, respectively. (Contingent upon receipt of proper insurance.)

- I. **MML Convention Voting Delegate:**  
Approval of the recommendation to nominate and elect Councilmember Daniel P. Greer as the voting delegate to represent the City at the Annual Michigan Municipal League Convention to be held in Detroit, from September 17-20, 2013.
- J. **CDBG and HOME Financial Statements through June 30, 2013:**  
Receive the Community Development Block Grant (CDBG) and HOME Financial Summaries through June 30, 2013.

## 11. PUBLIC HEARINGS.

- A. **2013 Edward Byrne Memorial Justice Assistance Grant:**  
Public hearing on the proposed use of the 2013 Edward Byrne Memorial Justice Assistance Grant (JAG) funds through the U.S. Department of Justice, Bureau of Justice Assistance.
  - 1. Authorization for the City Manager to sign a Memorandum of Understanding with the County indentifying the City as the grant fiscal agent and the entity eligible to utilize the allocated funds.
- B. **Edwards Machining, Inc. - IFEC:**  
Public hearing regarding the application filed by Edwards Machining, Inc., located at 2335 Research Drive, for an Industrial Facilities Tax Exemption Certificate.
  - 1. Adopt a resolution approving an application for an Industrial Facilities Tax Exemption Certificate (IFEC) for Edwards Machining, Inc.
- C. **Meterless Parking for 2013-2014:**  
Public hearing on the necessity of continuing the meterless parking system in the downtown area of the City for 2013-2014.
  - 1. Adopt a resolution determining the necessity of continuing the meterless parking system, ordering the City Assessor to prepare Special Assessment Roll No. 4231, and establishing September 10, 2013, at the City Council meeting as the time and place to hold a public hearing confirming the meterless parking system assessment roll.

## 12. OTHER BUSINESS.

- A. **Corrective Resolution - City Council Meeting Dates:**  
Consideration of a Corrective Resolution that documents the alterations to the regularly scheduled City Council meeting dates for 2013.

- B. Ordinance No. 2013.13, Medical Marihuana Ordinance - Chapter 16 Amendments (Second/Final Reading):**  
Final adoption of Ordinance No. 2013.13, amending Sections 16-510 through 16-514, Chapter 16, and adding Sections 16-515 through 16-518 to Chapter 16, City Code, to provide for the health, welfare and safety of the citizens of the City by permitting and regulating the growing and consumption of medical marihuana by patients registered and qualified to consume and grow medical marihuana by the Michigan Department of Community Health pursuant to the Michigan Medical Marihuana Act, and to further provide for regulations of locations at which registered primary caregivers may cultivate medical marihuana for qualifying patients. (Postponed at the June 25, 2013, City Council meeting.)
- C. Ordinance No. 2013.14, Medical Marihuana Ordinance - Chapter 18 Amendments (Second/Final Reading):**  
Final adoption of Ordinance No. 2013.14, amending Sections 18-151 through 18-159, Chapter 18, City Code, to provide for the health, welfare and safety of the citizens of the City by providing an exception to the possession or use of marihuana to qualifying patients and primary caregivers who are validly registered by the Michigan Department of Community Health or its successor agency pursuant to the Medical Marihuana Act. (Postponed at the June 25, 2013, City Council meeting.)
- D. Ordinance No. 2013.16, Amendment - Number of Installment Payments For Special Assessments (Second/Final Reading):**  
Final adoption of Ordinance No. 2013.16, amending Chapter 22, Section 22-8(b), City Code, to permit an extended period of time for payment of special assessments for the public health, safety and welfare of the Citizens of the City of Jackson.
- E. Ordinance No. 2013.17, Amendment - Duties and Authority of the City Manager (Second/Final Reading):**  
Final adoption of Ordinance No. 2013.17, amending Article I, Section 2-4, Chapter 2, City Code, to grant the City Manager the authority to negotiate and decrease late charges, late fees, interest charges and other monetary penalties for the health, safety and welfare of the Citizens of the City of Jackson.
- F. Ordinance No. 2013.18, Amendment - Licensing Fees & Regulations of Businesses, Trades and Occupations (Second/Final Reading):**  
Final adoption of Ordinance No. 2013.18, amending Articles I through XVII, Chapter 16, City Code, to modernize the provisions for regulation of certain businesses, trades and occupations, to adjust or eliminate certain license fees, and to decrease regulations on certain businesses, trades and occupations for health, safety and welfare of the Citizens of the City of Jackson.

**G. Resolution Revising Licensing Fees and Regulations of Business, Trades, and Occupations:**

Consideration of a resolution revising Chapter 16, Articles I through XVII, City Code, licensing fees and regulations of business, trades, and occupations.

**H. First Contract Renewal with Adrian Environmental, LLC:**

Approve the first contract renewal with Adrian Environmental, LLC, to provide emergency assessment and abatement services for individual structures on an as-needed basis, in accordance with the contract signed June 25, 2012.

**13. NEW BUSINESS.**

**A. Ordinance Amendment that Prohibits Feeding Deer (First Reading):**

Consideration of an ordinance amending Section 4-7, Chapter 4, City Code, to prohibit the feeding of deer within the City of Jackson for the health, safety, and welfare of the Citizens of the City of Jackson.

**B. Ordinance Amendment to Vehicle and Traffic Code (First Reading):**

Consideration of an ordinance amending Section 25-27.12, Article II, Chapter 25, City Code, to provide for supplemental parking regulations governing semi-trailer, truck tractor, motor home, recreational vehicle and trailer parking for the health, safety, and welfare of the Citizens of the City of Jackson.

**C. Resolution for a Micro Brewery Liquor License:**

Consideration of a resolution from Bifferhaus Brewing Company LLC (Terry Howard) for a new Micro Brewery License with Sales, Dance, Entertainment, and Outdoor Sales permits under MCLA 436.1525 to be located at 900 Lansing Avenue.

**D. Resolution - John George Home Fire Doors Installation:**

Consideration of a resolution reprogramming \$15,000.00 in Community Development Block Grant (CDBG) excess program income to the John George Home to install nine (9) fire doors.

**E. Transfer of Property and Demolition or Rehabilitation of Property Agreements:**

Approve seven (7) Agreements Regarding Transfer of Property and Demolition or Rehabilitation of Dangerous and Unsafe Structure, authorization for the Mayor to execute the Agreements, and accept quit claim deeds for conveyance of properties upon review and approval by the City Attorney's Office.

- F. Forgiveness of Loan – 133 Arnold St.:**  
Approve the property owner’s request to forgive the rehabilitation loan issued May 5, 2005, in the amount of \$15,136.80 for 133 Arnold Street, and authorization for staff to discharge the related mortgage.
- G. Amend Personnel Policy Article XVI – Flex Plan/Insurance – Non-Union:**  
Approve the amendment to the Personnel Policy Article XVI – Flex Plan/Insurance to allow all non-union pre-age 65 non-Medicare eligible retirees (all retirement categories) who retired on or after August 13, 2010, at the conclusion of their three years of City provided prescription drug benefit coverage, have access to the City’s retiree prescription drug benefit plan with the non-union paying 100 percent of the cost until such time as they are Medicare eligible.
- H. Three Year Professional Services Agreement – City of Jackson Cross Connection Control Program:**  
Consideration of the request to approve a three year Professional Services Agreement with Hydro Designs, Inc., for cross connection control program services at a cost of \$127,728.00, and authorization for the Mayor and City Treasurer/Clerk to execute the agreement.
- I. Water & Wastewater Treatment Chemicals:**  
Consideration of a request to reject the bid from Alexander Chemical Corporation for liquid caustic soda due to bid error, and award a chemical supply contract for liquid caustic soda to JCI-Jones Chemical, Inc., at a cost of \$552.00 per ton for the 2013-2014 fiscal year, and authorization for the Mayor and City Treasurer/Clerk to execute the contract documents.
- J. Rehabilitation and Painting of Water Storage Tanks:**  
Consideration of the request to approve a contract with LC United Painting, Sterling Heights, to paint two elevated water storage tanks and one ground storage tank in the amount of \$1,051,000.00, and authorization for the Mayor and City Treasurer/Clerk to execute the appropriate contract documents.
- K. Purchase 2014 Ford Police Interceptor Utility Vehicles:**  
Consideration of the request to approve the purchase of four (4) 2014 Ford Police Interceptor utility vehicles through the State of Michigan MiDeal Contract in the amount of \$107,636.00.
- L. Staff Request for Direction - 503 First Street:**  
Provide direction to Department of Neighborhood & Economic Operations Staff whether to pursue rehabilitation or demolition of 503 First Street.

**M. City of Jackson Master Plan Rewrite Professional Service Provider:**

Approve an agreement with Beckett & Raeder, Inc., to provide professional services to assist the City with rewriting the Master Plan, and authorization for the Mayor to sign the same and for the Interim City Attorney to make minor modifications for the effectuation of the agreement. (City Planning Commission and staff recommends approval.)

**N. Award Four (4) Demolition Contracts for Demolition of Vacant/Abandoned Structures:**

Approve the request to award four (4) demolition contracts in the total amount of \$184,685.00 for demolition of vacant and abandoned structures based on individual unit pricing to:

Dunigan Brothers	\$63,471.00
Jule Swartz & Sons Excavating	\$34,704.00
Michigan Demolition	\$66,600.00
Smalley Construction	\$19,910.00

and authorization for the City Manager to approve any and all change orders required to complete the demolitions.

**O. Human Relations Commission Appointment:**

Approval of the Mayor's recommendation to appoint Rev. John C. Clemons to the Human Relations Commission filling a current vacancy beginning immediately, and ending December 31, 2015.

**P. Petitions for an Initiative to Amend Chapter 18, City Code:**

City Council action requested to be taken on the petitions submitted by Jackson County NORML regarding a proposed Initiative to add a new section to Chapter 18, Sections 18-151 through 18-158, City Code, regarding marijuana.

**14. CITIZEN COMMENTS - NON-AGENDA ITEMS (3-Minute Limit).**

**15. CITY COUNCILMEMBERS' COMMENTS.**

**16. MANAGER'S COMMENTS.**

**17. ADJOURNMENT.**



## City Assessor

161 West Michigan Avenue • Jackson, Michigan 49201  
Telephone: (517) 788-4033 • Facsimile: (517) 780-4762

July 30, 2013

Andrew J. Wrozek, Jr., City Treasurer  
City of Jackson  
161 West Michigan Avenue  
Jackson, MI 49201

Re: 2013 July Board of Review

Dear Mr. Wrozek:

This is to advise you that, pursuant to Michigan Law 211.53b, the City of Jackson Board of Review met on July 16, 2013, to correct clerical errors and mutual mistakes of fact on the 2010, 2011, 2012 and 2013 assessment rolls.

The changes executed by the Board included 144 real, personal and Poverty petitions. Enclosed you will find a copy of the 2013 July BOR Minutes and Parcel List.

Yours truly,

David Taylor  
City Assessor

DT:ty  
enclosures

cc: Jackson County Treasurer  
Jackson Public Schools  
Jackson Intermediate School District  
Jackson Community College  
Jackson District Library  
Jackson Transportation Authority  
Jackson County Equalization  
Jackson City Clerk  
Jackson City Manager

CITY OF JACKSON  
2013 JULY BOARD OF REVIEW

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MINUTES OF THE MEETING

HELD JULY 16, 2013

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

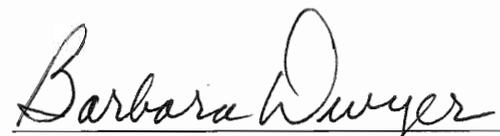
Meeting called to order at 9:26 a.m.; present: Barbara Dwyer and Russel P. Decker, Jr. Absent Ken Stapleton. Motion by Dwyer, seconded by Decker.

Also present: David Taylor, Assessor and Jason Yoakam, Appraiser.

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

Motion by Decker, supported by Dwyer, to approve the recommendations of the Assessor. Motion carried 2-0.

Motion by Decker, supported by Dwyer, to adjourn at 10:36 a.m. Motion carried.

  
\_\_\_\_\_  
Barbara Dwyer, Chairman

  
\_\_\_\_\_  
Russel P. Decker, Jr., Member

(Absent)  
\_\_\_\_\_  
Ken Stapleton, Member

JULY 16, 2013  
BOARD OF REVIEW MINUTES  
LIST OF PARCELS

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	Petition #	Parcel #	Prop Address	Hmstd Fr	Hmstd To	Hmstd Yr	TV From	TV To	TV Year	Owner Name	Owner Address	City	ST	Zip
2														
3	001	1-071800000	318 Jefferson St	0%	100%	2013				Edwards Michelle D	318 Jefferson St	Jackson	MI	49202
4				Principal Residence Exemption changed from 0% to 100% for 2013.										
5	002	2-0123.2000	806 W Michigan Ave #304E	0%	100%	2013				Holmes Cynthia M	806 W Michigan Ave #304#	Jackson	MI	49202
6				Principal Residence Exemption changed from 0% to 100% for 2013.										
7	003	2-030200000	214 N Wisner St	0%	100%	2013				Siusher Kathleen J etal	214 N Wisner St	Jackson	MI	49202
8				Principal Residence Exemption changed from 0% to 100% for 2013.										
9	004	2-079200000	338 N Grinnell St	0%	100%	2013				Thayer Chelsea L	338 N Grinnell St	Jackson	MI	49202
10				Principal Residence Exemption changed from 0% to 100% for 2013.										
11	005	2-138600000	816 Bush St	0%	100%	2013				Lammers Amy	816 Bush St	Jackson	MI	49202
12				Principal Residence Exemption changed from 0% to 100% for 2013.										
13	006	2-169900000	811 N Wisner St	0%	100%	2013				Goff Joseph E	811 N Wisner St	Jackson	MI	49203
14				Principal Residence Exemption changed from 0% to 100% for 2013.										
15	007	2-211500000	600 Madison St	0%	100%	2013				Beech Daniel P	600 Madison St	Jackson	MI	49202
16				Principal Residence Exemption changed from 0% to 100% for 2013.										
17	008	2-216100000	600 St Clair Ave	0%	100%	2013				Arcaro Victoria etal	600 St Clair Ave	Jackson	MI	49202
18				Principal Residence Exemption changed from 0% to 100% for 2013.										
19	009	2-224100000	601 Dewey Ave	0%	100%	2013				Brooks Troy M	601 Dewey Ave	Jackson	MI	49202
20				Principal Residence Exemption changed from 0% to 100% for 2013.										
21	010	2-242200000	664 Commonwealth Ave	0%	100%	2013				Fritz Cody J etal	664 Comonwealth Ave	Jackson	MI	49202
22				Principal Residence Exemption changed from 0% to 100% for 2013.										

JULY 16, 2013  
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1	Petition #	Parcel #	Prop Address	Hmstd Fr	Hmstd To	Hmstd Yr	TV From	TV To	TV Year	Owner Name	Owner Address	City	ST	Zip
23														
24	011	3-0249.5700	715 W Michigan Ave #804	0%	100%	2013				Shell Jerry	715 W Michigan Ave #804	Jackson	MI	49201
25				Principal Residence Exemption changed from 0% to 100% for 2013.										
26	012	3-051300000	730 Sixth St	0%	100%	2013				Peterson Kristina L	730 Sixth St	Jackson	MI	49203
27				Principal Residence Exemption changed from 0% to 100% for 2013.										
28	013	3-088000000	509 S Wisner St	0%	100%	2013				Miller Dorcas V Trust	829 Belden Rd	Jackson	MI	49203
29				Principal Residence Exemption changed from 0% to 100% for 2013.										
30	014	3-097400000	720 S Thompson St	0%	100%	2013				Knutson Stephen E	720 S Thompson St	Jackson	MI	49203
31				Principal Residence Exemption changed from 0% to 100% for 2013.										
32	015	3-1201.2000	1017 S Brown St	0%	100%	2013				Hands Dennis W	1017 S Brown St	Jackson	MI	49203
33				Principal Residence Exemption changed from 0% to 100% for 2013.										
34	016	3-131400000	1015 S Grinnell St	0%	100%	2013				Colyn Christopher M & Lisa A	1015 S Grinnell St	Jackson	MI	49203
35				Principal Residence Exemption changed from 0% to 100% for 2013.										
36	017	3-151500000	1001 Gettysburg Ave	0%	100%	2013				Oliver John K	1001 Gettysburg Ave	Jackson	MI	49203
37				Principal Residence Exemption changed from 0% to 100% for 2013.										
38	018	3-163300000	724 Woodlawn Ave	0%	100%	2013				Wilson Jacob	724 Woodlawn Ave	Jackson	MI	49203
39				Principal Residence Exemption changed from 0% to 100% for 2013.										
40	019	3-177800000	741 Oakdale Ave	0%	100%	2013				Southworth Alexandra	741 Oakdale Ave	Jackson	MI	49203
41				Principal Residence Exemption changed from 0% to 100% for 2013.										
42	020	3-191000000	755 Lawrence St	0%	100%	2013				Edger Margaret A etal	755 Lawrence St	Jackson	MI	49203
43				Principal Residence Exemption changed from 0% to 100% for 2013.										

JULY 16, 2013  
BOARD OF REVIEW MINUTES  
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44														
45	021	3-199300000	509 Union St	0%	100%	2013				Blakeman Justin M	509 Union St	Jackson	MI	49202
46				<b>Principal Residence Exemption changed from 0% to 100% for 2013.</b>										
47	022	3-203200000	906 First St	0%	100%	2013				LaMaire Jamie	906 First St	Jackson	MI	49203
48				<b>Principal Residence Exemption changed from 0% to 100% for 2013.</b>										
49	023	3-203900000	412 W Morrell St	0%	100%	2013				Howard Chris & Tammy	412 W Morrell St	Jackson	MI	49203
50				<b>Principal Residence Exemption changed from 0% to 100% for 2013.</b>										
51	024	3-210800000	502 Harwood St	0%	100%	2013				Steward Tameka	502 Harwood St	Jackson	MI	49203
52				<b>Principal Residence Exemption changed from 0% to 100% for 2013.</b>										
53	025	3-214000000	406 Garfield St	0%	100%	2013				Hubbard Mark P	406 Garfield St	Jackson	MI	49203
54				<b>Principal Residence Exemption changed from 0% to 100% for 2013.</b>										
55	026	3-216500000	511 Garfield St	0%	100%	2013				Martin Jerold L & Sandra K	P O Box 40	Jackson	MI	49204
56				<b>Principal Residence Exemption changed from 0% to 100% for 2013.</b>										
57	027	3-235100000	418 Griswold St	0%	100%	2013				Skruck Mary T etal	418 Griswold St	Jackson	MI	49203
58				<b>Principal Residence Exemption changed from 0% to 100% for 2013.</b>										
59	028	3-236200000	1623 Fourth St	0%	100%	2013				Bashir Nasir A	1623 Fourth St	Jackson	MI	49203
60				<b>Principal Residence Exemption changed from 0% to 100% for 2013.</b>										
61	029	3-237000000	1608 Third St	0%	100%	2013				Kinnel Anna M	1608 Third St	Jackson	MI	49203
62				<b>Principal Residence Exemption changed from 0% to 100% for 2013.</b>										
63	030	3-258600000	753 Randolph St	0%	100%	2013				Flanagan Amy M	753 Randolph St	Jackson	MI	49203
64				<b>Principal Residence Exemption changed from 0% to 100% for 2013.</b>										

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1	Petition #	Parcel #	Prop Address	Hmstd Fr	Hmstd To	Hmstd Yr	TV From	TV To	TV Year	Owner Name	Owner Address	City	ST	Zip
65														
66	031	3-266500000	747 Beverly Park Pl	0%	100%	2013				Peeters Marvin W	747 Beverly Park Pl	Jackson	MI	49203
67				Principal Residence Exemption changed from 0% to 100% for 2013.										
68	032	3-269800000	759 Bloomfield Blvd	0%	100%	2013				Weed Jeffrey T & Lorianne M	759 Bloomfield Blvd	Jackson	MI	49203
69				Principal Residence Exemption changed from 0% to 100% for 2013.										
70	033	3-289400000	1925 Broadcrest Rd	0%	100%	2013				Reeve Robert C & LaDonna H	1925 Broadcrest Rd	Jackson	MI	49203
71				Principal Residence Exemption changed from 0% to 100% for 2013.										
72	034	3-3175.2800	2120 Creglow Dr	0%	100%	2013				Mezo Robert A & Brianne E	2120 Creglow Dr	Jackson	MI	49203
73				Principal Residence Exemption changed from 0% to 100% for 2013.										
74	035	3-3252.1B00	309 Sulgrave Ave	0%	100%	2013				VanBuren Larry M & Melanie V	309 Sulgrave Ave	Jackson	MI	49203
75				Principal Residence Exemption changed from 0% to 100% for 2013.										
76	036	4-019700000	224 W Wesley St	0%	100%	2013				Murdie Susan L	224 W Wesley St	Jackson	MI	49201
77				Principal Residence Exemption changed from 0% to 100% for 2013.										
78	037	4-022200000	220 W Franklin St	0%	100%	2013				Koziol Marsha B	220 W Franklin St	Jackson	MI	49201
79				Principal Residence Exemption changed from 0% to 100% for 2013.										
80	038	4-095200000	1108 Maple Ave	0%	100%	2013				Beckley David etal	1108 Maple Ave	Jackson	MI	49203
81				Principal Residence Exemption changed from 0% to 100% for 2013.										
82	039	4-113300000	1202 S Jackson St	0%	100%	2013				Gutshall Earl & Susan	1202 S Jackson St	Jackson	MI	49203
83				Principal Residence Exemption changed from 0% to 100% for 2013.										
84	040	4-136800000	227 W High St	0%	100%	2013				Maunder Cindy E	227 W High St	Jackson	MI	49203
85				Principal Residence Exemption changed from 0% to 100% for 2013.										

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86														
87	041	4-147500000	235 Douglas St	0%	100%	2013				Cuatt James C	235 Douglas St	Jackson	MI	49203
88				Principal Residence Exemption changed from 0% to 100% for 2013.										
89	042	4-188800000	237 Griswold St	0%	100%	2013				Nastally William R & Natasha M	237 Griswold St	Jackson	MI	49203
90				Principal Residence Exemption changed from 0% to 100% for 2013.										
91	043	4-184900000	239 Griswold St	0%	100%	2013				Nastally William R & Natasha M	237 Griswold St	Jackson	MI	49203
92				Principal Residence Exemption changed from 0% to 100% for 2013.										
93	044	5-074100000	118 Moore St	0%	100%	2013				Williamson Malinda	P O Box 6043	Jackson	MI	49204
94				Principal Residence Exemption changed from 0% to 100% for 2013.										
95	045	5-101900000	1027 Pigeon St	0%	100%	2013				Houston Tijuana etal	1027 Pigeon St	Jackson	MI	49203
96				Principal Residence Exemption changed from 0% to 100% for 2013.										
97	046	5-183100000	316 E Euclid Ave	0%	100%	2013				Schweda Rachel	316 E Euclid Ave	Jackson	MI	49203
98				Principal Residence Exemption changed from 0% to 100% for 2013.										
99	047	6-034900000	330 Johnson St	0%	100%	2013				Chinevere Stacy	326 Johnson St	Jackson	MI	49203
100				Principal Residence Exemption changed from 0% to 100% for 2013.										
101	048	6-072000000	718 Page Ave	0%	100%	2013				Hunt Mia	718 Page Ave	Jackson	MI	49203
102				Principal Residence Exemption changed from 0% to 100% for 2013.										
103	049	6-073600000	502 Page Ave	0%	100%	2013				Swaenpoel Tommy etal	502 Page Ave	Jackson	MI	49203
104				Principal Residence Exemption changed from 0% to 100% for 2013.										
105	050	6-098900000	1609 Ten Eyck St	0%	100%	2013				Jackson Christopher etal	1609 Ten Eyck St	Jackson	MI	49203
106				Principal Residence Exemption changed from 0% to 100% for 2013.										

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1	Petition #	Parcel #	Prop Address	Hmstd Fr	Hmstd To	Hmstd Yr	TV From	TV To	TV Year	Owner Name	Owner Address	City	ST	Zip
107														
108	051	6-102200000	1706 Deyo St	0%	100%	2013				Nelson Gary L Sr & Cherry etal	1706 Deyo St	Jackson	MI	49203
109				Principal Residence Exemption changed from 0% to 100% for 2013.										
110	052	6-133200000	709 S Pleasant St	0%	100%	2013				Speer Bonnie J	709 S Pleasant St	Jackson	MI	49203
111				Principal Residence Exemption changed from 0% to 100% for 2013.										
112	053	6-133600000	715 S Pleasant St	0%	100%	2013				Torres Vincent & Jessica	715 S Pleasant St	Jackson	MI	49203
113				Principal Residence Exemption changed from 0% to 100% for 2013.										
114	054	6-144400000	646 Chester St	0%	100%	2013				Heistand Virginia	646 Chester St	Jackson	MI	49203
115				Principal Residence Exemption changed from 0% to 100% for 2013.										
116	055	6-144800000	650 Chester St	0%	100%	2013				Nelson Christopher D	650 Chester St	Jackson	MI	49203
117				Principal Residence Exemption changed from 0% to 100% for 2013.										
118	056	7-066900000	567 Cooper St	0%	100%	2013				Overmyer Norman L	567 Cooper St	Jackson	MI	49201
119				Principal Residence Exemption changed from 0% to 100% for 2013.										
120	057	7-096100000	1212 Hamlin Pl	0%	100%	2013				Blassingame Joseph D & LaShalle G	1212 Hamlin Pl	Jackson	MI	49201
121				Principal Residence Exemption changed from 0% to 100% for 2013.										
122	058	7-118400000	124 Bates St	0%	100%	2013				Brown Dawn etal	124 Bates St	Jackson	MI	49202
123				Principal Residence Exemption changed from 0% to 100% for 2013.										
124	059	8-003200000	217 N Forbes St	0%	100%	2013				Cole Donald	217 N Forbes St	Jackson	MI	49202
125				Principal Residence Exemption changed from 0% to 100% for 2013.										
126	060	8-043100000	226 Bates St	0%	100%	2013				Hamlin Janice E	226 Bates St	Jackson	MI	49202
127				Principal Residence Exemption changed from 0% to 100% for 2013.										

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1	Petition #	Parcel #	Prop Address	Hmstd Fr	Hmstd To	Hmstd Yr	TV From	TV To	TV Year	Owner Name	Owner Address	City	ST	Zip
128														
129	061	8-066200000	629 Edgewood St	0%	100%	2013				Gleed Robert J	629 Edgewood St	Jackson	MI	49202
130				Principal Residence Exemption changed from 0% to 100% for 2013.										
131	062	8-086000000	1506 Maguire St	0%	100%	2013				Hall Craig	1506 Maguire St	Jackson	MI	49202
132				Principal Residence Exemption changed from 0% to 100% for 2013.										
133	063	8-086700000	726 Seymour Ave	0%	100%	2013				Taylor Krista	726 Seymour Ave	Jackson	MI	49202
134				Principal Residence Exemption changed from 0% to 100% for 2013.										
135	064	8-144900000	622 N Waterloo Ave	0%	100%	2013				Densmore Kyle J & Erica L	622 N Waterloo Ave	Jackson	MI	49202
136				Principal Residence Exemption changed from 0% to 100% for 2013.										
137	065	8-179000000	908 N Waterloo Ave	0%	100%	2013				Holt Anna L etal	908 N Waterloo Ave	Jackson	MI	49202
138				Principal Residence Exemption changed from 0% to 100% for 2013.										
139	066	8-185500000	1109 N Waterloo Ave	0%	100%	2013				Smyth Dennis M	1109 N Waterloo Ave	Jackson	MI	49202
140				Principal Residence Exemption changed from 0% to 100% for 2013.										
141	067	8-189300000	602 Virginia St	0%	100%	2013				Zuniga-Vazquez Viviana	602 Virginia St	Jackson	MI	49202
142				Principal Residence Exemption changed from 0% to 100% for 2013.										
143	068	8-2024.8000	208 E Monroe St	0%	100%	2013				Schuler Kelly S	208 E Monroe St	Jackson	MI	49202
144				Principal Residence Exemption changed from 0% to 100% for 2013.										
145	069	8-204900000	1305 Whitney St	0%	100%	2013				Sherwood Rolland & Danielle	1305 Whitney St	Jackson	MI	49202
146				Principal Residence Exemption changed from 0% to 100% for 2013.										
147	070	8-210000000	117 Austin Ave	0%	100%	2013				Kingsley Janet A LE	117 Austin Ave	Jackson	MI	49202
148				Principal Residence Exemption changed from 0% to 100% for 2013.										

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149														
150	071	8-219200000	410 E Argyle St	0%	100%	2013				Taylor Trisha A	410 E Argyle St	Jackson	MI	49202
151				<b>Principal Residence Exemption changed from 0% to 100% for 2013.</b>										
152	072	8-224400000	203 Leroy St	0%	100%	2013				Moss Phyllis K	203 Leroy St	Jackson	MI	49202
153				<b>Principal Residence Exemption changed from 0% to 100% for 2013.</b>										
154	073	8-039600000	435 N Pleasant St	0%	100%	2013				Ward Matthew S & Karin A	8500 Maple Dale Rd	Horton	MI	49246
155				<b>1st Conditional Principal Residence Exemption changed from 0% to 100% for 2013.</b>										
156	074	4-133700000	1307 First St	0%	65%	2013				Rauscher Jennifer R	1307 First St	Jackson	MI	49203
157				<b>Principal Residence Exemption changed from 0% to 65% for 2013.</b>										
158	075	4-186100000	222 W Prospect St	0%	50%	2013				Searing Brenden	222 W Prospect St	Jackson	MI	49203
159				<b>Principal Residence Exemption changed from 0% to 50% for 2013.</b>										
160	076	3-042500000	701 Fifth St	0%	100%	2012				Spencer Lamario	701 First St	Jackson	MI	49203
161				<b>Principal Residence Exemption changed from 0% to 100% for 2012.</b>										
162	077	3-079700000	407 S Webster St	0%	100%	2012				Hess Robert & Melissa	407 S Webster St	Jackson	MI	49203
163				<b>Principal Residence Exemption changed from 0% to 100% for 2012.</b>										
164	078	3-085900000	610 S Grinnell St	0%	100%	2012				Willis Winslow L	610 S Grinnell St	Jackson	MI	49203
165				<b>Principal Residence Exemption changed from 0% to 100% for 2012.</b>										
166	079	3-216200000	501 Garfield St	0%	100%	2012				Belote Donella R	501 Garfield St	Jackson	MI	49203
167				<b>Principal Residence Exemption changed from 0% to 100% for 2012.</b>										
168	080	4-048300000	815 S Blackstone St	0%	100%	2012				Taylor Justin & Jasmine	815 S Blackstone St	Jackson	MI	49203
169				<b>Principal Residence Exemption changed from 0% to 100% for 2012.</b>										

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170	081	6-046200000	1410 Deyo St	0%	100%	2012				Carreon Sofia	1410 Deyo St	Jackson	MI	49203
171				Principal Residence Exemption changed from 0% to 100% for 2012.										
172	082	8-060600000	717 N Elm Ave	0%	100%	2012				Oberle Julia K	717 N Elm Ave	Jackson	MI	49202
173				Principal Residence Exemption changed from 0% to 100% for 2012.										
174	083	8-191100000	247 E Porter St	0%	100%	2012				Thomas Cameo S	247 E Porter St	Jackson	MI	49202
175				Principal Residence Exemption changed from 0% to 100% for 2012.										
176	084	6-147000000	923 S Gorham St	50%	100%	2012				Farrell Roxanne D	923 S Gorham St	Jackson	MI	49203
177				Principal Residence Exemption changed from 50% to 100% for 2012. Change of use from duplex to single family home.										
178	085	5-078700000	1017 Adrian Ave	0%	100%	2012-2013				Schnell Ruth	1017 Adrian Ave	Jackson	MI	49203
179				Principal Residence Exemption changed from 0% to 100% for 2012 & 2013.										
180	086	6-110000000	1901 Deyo St	0%	100%	2012-2013				Stanton Allison E	1901 Deyo St	Jackson	MI	49203
181				Principal Residence Exemption changed from 0% to 100% for 2012 & 2013.										
182	087	6-044500000	1504 Chapin St	0%	65%	2012-2013				Wellhoff Scott	P O Box 733	Napoleon	MI	49261
183				Principal Residence Exemption changed from 0% to 65% for 2012 & 2013.										
184	088	8-201900000	1213 Cooper St	50%	100%	2011-2013				Kush Thomas & Chasity	1213 Cooper St	Jackson	MI	49202
185				Principal Residence Exemption changed from 50% to 100% for 2011, 2012 & 2013. Change of use from duplex to single family home.										
186	089	2-212800000*	627 W Monroe St	0%	100%	2011- 2012				Joseph Michael	627 W Monroe St	Jackson	MI	49202
187		*New Parcel # 2-2128.1000 for 2013												
188				Principal Residence Exemption changed from 0% to 100% for 2011 & 2012.										
189	090	5-096600000	1107 S Milwaukee St	0%	100%	2011-2012				Hill Terrence	1107 S Milwaukee St	Jackson	MI	49203
190				Principal Residence Exemption changed from 0% to 100% for 2011 & 2012.										

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191														
192	091	6-101100000	313 S Elm Ave	0%	100%	2010-2013				Chmiel Joseph	313 S Elm Ave	Jackson	MI	49203
193				<b>Principal Residence Exemption changed from 0% to 100% for 2010, 2011, 2012 &amp; 2013.</b>										
194	092	6-106900000	411 S Gorham St	0%	100%	2010-2013				Clemons Darwin P Jr & Rebecca A	411 S Gorham St	Jackson	MI	49203
195				<b>Principal Residence Exemption changed from 0% to 100% for 2010, 2011, 2012 &amp; 2013.</b>										
196	093	8-092900000	1508 E North St	0%	100%	2010-2013				Lee Kathryn L	1408 E North St	Jackson	MI	49202
197				<b>Principal Residence Exemption changed from 0% to 100% for 2010, 2011, 2012 &amp; 2013.</b>										
198	094	3-202800000	918 First St	0%	50%	2010-2013				Dobies Derek	918 First St	Jackson	MI	49203
199				<b>Principal Residence Exemption changed from 0% to 50% for 2010, 2011, 2012 &amp; 2013.</b>										
200	095	1-078900000	428 W Monroe St	0%	100%	2010-2012				Smith Thomas J & Betty	428 W Monroe St	Jackson	MI	49202
201				<b>Principal Residence Exemption changed from 0% to 100% for 2010, 2011 &amp; 2012.</b>										
202	096	3-1218.T000	1112 S Higby St	0%	100%	2010-2012				Sanders Terry L	1112 S Higby St	Jackson	MI	49203
203				<b>Principal Residence Exemption changed from 0% to 100% for 2010, 2011 &amp; 2012.</b>										
204	097	3-196400000	608 Union St	0%	100%	2010-2012				Turner Debra	608 Union St	Jackson	MI	49203
205				<b>Principal Residence Exemption changed from 0% to 100% for 2010, 2011 &amp; 2012.</b>										
206	098	3-311200000	2024 Glen Dr	0%	100%	2010-2012				Jordan James	2024 Glen Dr	Jackson	MI	49203
207				<b>Principal Residence Exemption changed from 0% to 100% for 2010, 2011 &amp; 2012.</b>										
208	099	7-060800000	305 Quarry St	0%	100%	2010-2012				Dennis Jason	305 Quarry St	Jackson	MI	49203
209				<b>Principal Residence Exemption changed from 0% to 100% for 2010, 2011 &amp; 2012.</b>										
210	100	7-120800000	126 N Gorham St	0%	100%	2010-2012				Harner Daniel J Jr	126 N Gorham St	Jackson	MI	49202
211				<b>Principal Residence Exemption changed from 0% to 100% for 2010, 2011 &amp; 2012.</b>										

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212														
213	101	8-140000000	743 Kennedy St	0%	100%	2010-2012				Brown James D	743 Kennedy St	Jackson	MI	49202
214				<b>Principal Residence Exemption changed from 0% to 100% for 2010, 2011 &amp; 2012.</b>										
215	102	4-096500000	1212 Maple Ave	0%	50%	2010-2012				Lewis Harris L	1212-1/2 Maple Ave	Jackson	MI	49203
216				<b>Principal Residence Exemption changed from 0% to 50% for 2010, 2011 &amp; 2012.</b>										
217	103	3-314200000	1410 S West Ave	100%	0%	2013				Malone Merlyn Estate	1410 S West Ave	Jackson	MI	49203
218				<b>Principal Residence Exemption changed from 100% to 0% for 2013. Owner passed away 2012 &amp; Trustee filed Recission form.</b>										
219	104	2-151500000	521 Hallett St	100%	0%	2012				Heike Christopher J & Melissa E	7421 Lake St	Dexter	MI	48130
220				<b>Principal Residence Exemption changed from 100% to 0% for 2012. Owner filed Recission stating they moved out 6/13/2011.</b>										
221	105	3-018600000	401 Fourth St	100%	0%	2012				Murphy Sean M	P O Box 6569	Jackson	MI	49204
222				<b>Principal Residence Exemption changed from 100% to 0% for 2012. Prior owner filed late Recission stating he moved out 9/03/2011.</b>										
223	106	4-127800000	1109 First St	100%	0%	2012-2013				Curry Thomas W & Joan M	2900 Meadowood Dr	Jackson	MI	49202
224				<b>Principal Residence Exemption changed from 100% to 0% for 2012 &amp; 2013. Owners filed Recission stating they moved out 9/12/2011.</b>										
225	107	8-058000000	526 Orange St	100%	0%	2012-2013				Leutz Dennis & Rhonda	4458 Covington Cir	Jackson	MI	49201
226				<b>Principal Residence Exemption changed from 100% to 0% for 2012 &amp; 2013. Owners filed Recission. Water off since 3/15/2011.</b>										
227	108	6-112400000	1617 Deyo St	100%	0%	2011-2013				Johnson Peggy S	7924 W Circle Dr	Parma	MI	49269
228				<b>Principal Residence Exemption changed from 100% to 0% for 2011, 2012 &amp; 2013. Owners filed Recission stating they moved out 10/01/2010.</b>										
229	109	7-072900000	819 E Ganson St	100%	0%	2011-2012				Hammond Lew J & Merrilee J	3613 McCain Rd	Jackson	MI	49203
230				<b>Homeowners Principal Residence Exemption changed from 100% to 0% for 2011 &amp; 2012. Owners filed Recission stating they moved out in 2010.</b>										
231	110	2-075100000	358 Carr St	0%	0%	2013				Phebus John H	358 Carr St	Jackson	MI	49202
232				<b>Deny Request - Does not live here. No water usage.</b>										

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233														
234	111	3-0249.1600	715 W Michigan Ave #309	0%	0%	2013				Haynes Angela	715 W Michigan Ave #309	Jackson	MI	49201
235				<b>Deny Request - she has a PRE on another parcel in the City.</b>										
236	112	3-280600000	726 Woodfield Dr	0%	0%	2013				Tylutki James M	739 Woodfield Dr	Jackson	MI	49203
237				<b>Deny request - not living there as of 6/12/13 per City Inspection Dept.</b>										
238	113	3-3175.6200	2148 Cascade Dr	0%	0%	2013				Jones George G & Leona B	2148 Cascade Dr	Jackson	MI	49203
239				<b>Deny request - do not live here yet as primary residence.</b>										
240	114	4-069800000	918 Williams St	0%	0%	2013				Davis Koronnis K & Sheenita M	918 Williams St	Jackson	MI	49203
241				<b>Deny request - do not live here yet per owner.</b>										
242	115	4-069900000	916 Williams St	0%	0%	2013				Davis Koronnis K & Sheenita M	918 Williams St	Jackson	MI	49203
243				<b>Deny request - do not live in adjacent property yet per owner.</b>										
244	116	4-070000000	910 Williams St	0%	0%	2013				Davis Koronnis K & Sheenita M	918 Williams St	Jackson	MI	49203
245				<b>Deny request - do not live in adjacent property yet per owner.</b>										
246	117	4-080200000	952 Chittock Ave	0%	0%	2013				Beach Richard M	3060 Park Dr	Pleasant L	MI	49272
247				<b>Deny request - owner does not live here per Inspection; water off since 2/14/12.</b>										
248	118	4-124500000	1014 Woodbridge St	0%	0%	2013				Miller Shannon C	1014 Woodbridge St	Jackson	MI	49203
249				<b>Deny request - water has been shut off since 8/12/2008.</b>										
250	119	4-139900000	309 Randolph St	0%	0%	2013				Wood Stacy L	309 Randolph St	Jackson	MI	49203
251				<b>Deny request - no move-in date stated on Affidavit.</b>										
252	120	4-147300000	247 Douglas St	0%	0%	2013				Lu Gao Xiang	247 Douglas St	Jackson	MI	49203
253				<b>Deny request - water has been off since 8/30/2010.</b>										

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254														
255	121	7-092800000	401 N East Ave	0%	0%	2013				Ansuini Edward J	401 N East Ave	Jackson	MI	49201
256				<b>Deny request - owner not moved in yet - remodeling.</b>										
257	122	3-3175.2900	2124 Creglow Dr	0%	0%	2012-2013				Haren John A & Dominique	7805 Clinton Rd	Jackson	MI	49201
258				<b>Deny request - husband has PRE in Tomkins Twp.</b>										
259	123	3-294000000	1927 S West Ave	0%	0%	2010-2013				Costello Manford R etal	774 Audubon Ave	Jackson	MI	49203
260				<b>Deny request - husband of Petitioner still has 100% PRE on another parcel.</b>										
261	124	4-058000000	819 First St	0%	0%	2010-2012				Vinson Karen	31 Liberty St	Coldwater	MI	49036
262				<b>Deny request - did not live here. Water has been off since 2002. Did not request PRE for 2013.</b>										
263	125	6-126900000	1916 Pringle Ave	0%	100%	2013				Macomber Michael J etal	1916 Pringle Ave	Jackson	MI	49203
264				<b>Principal Residence Exemption changed from 0% to 100% for 2013.</b>										
265	126	6-170600000	1513 Locust St	0%	100%	2013				Crum Ryan D	1513 Locust St	Jackson	MI	49203
266				<b>Principal Residence Exemption changed from 0% to 100% for 2013.</b>										
267	127	1-057600000	429 Adams St	0%	100%	2010-2012				Wyatt Rebekah etal	429 Adams St	Jackson	MI	49202
268				<b>Principal Residence Exemption changed from 0% to 100% for 2010, 2011 &amp; 2012.</b>										
269	128	8-152700000	628 Ellery Ave	100%	0%	2013				Melchert Diane J	6206 McCain Rd	Spring Arb	MI	49283
270				<b>Principal Residence Exemption changed from 100% to 0% for 2013.</b>										
271				<b>This PRE was added by clerical error by our office and was not applied for by the owner who does not live here.</b>										
272	129	8-207400000	111 Hollywood St	100%	0%	2013				Miles Bruce A & Rhonda	279 Ackerson Lake Dr	Jackson	MI	49201
273				<b>Principal Residence Exemption changed from 100% to 0% for 2013. Clerical error by our office.</b>										
274				<b>A Recission was entered on 11/01/12 but the computer did not remove the exemption which still shows at 100% for 2013. Owners do not live here.</b>										

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275														
276	130	8-046000000	1710 E Ganson St				29,650	27,648	2013	Phillip Watson Properties LLC	P O Box 6288	Jackson	MI	49204
277				<b>Correcting 2013 T/V from \$29,650 to \$27,648. Recap 2013 T/V for improper uncapping. Late filing of PTA.</b>										
278	131	1-026500000	525 Blackman Ave				46,300	0	2012	Center for Family Health	505 N Jackson St	Jackson	MI	49201
279			525 Blackman Ave				44,550	0	2013	Center for Family Health	505 N Jackson St	Jackson	MI	49201
280				<b>Correcting 2012 A/V &amp; T/V from \$46,300 to \$0 &amp; correcting 2013 A/V &amp; T/V from \$44,550 to \$0</b>										
281				<b>Change Property Classification from 201 Com to 708 Exempt Emergency &amp; Med per MCL 211.7jj for 2012 &amp; 2013</b>										
282	132	1-028400000	514 United Way				950	0	2012	Center for Family Health	505 N Jackson St	Jackson	MI	49201
283			514 United Way				850	0	2013	Center for Family Health	505 N Jackson St	Jackson	MI	49201
284				<b>Correcting 2012 A/V &amp; T/V from \$950 to \$0 &amp; correcting 2013 A/V &amp; T/V from \$850 to \$0</b>										
285				<b>Change Property Classification from 201 Com to 708 Exempt Emergency &amp; Med per MCL 211.7jj for 2012 &amp; 2013</b>										
286	133	1-028900000	523 Blackman Ave				450	0	2012	Center for Family Health	505 N Jackson St	Jackson	MI	49201
287			523 Blackman Ave				450	0	2013	Center for Family Health	505 N Jackson St	Jackson	MI	49201
288				<b>Correcting 2012 A/V &amp; T/V from \$450 to \$0 &amp; correcting 2013 A/V &amp; T/V from \$450 to \$0</b>										
289				<b>Change Property Classification from 201 Com to 708 Exempt Emergency &amp; Med per MCL 211.7jj for 2012 &amp; 2013</b>										
290	134	2-220000000	515 St Clair Ave				24,350	12,175	2013	Ohm Debra L	515 St Clair Ave	Jackson	MI	49202
291				<b>Partial Poverty Exemption granted, Correcting 2013 T/V from \$24,350 to \$12,175.</b>										
292	135	2-2284.A000	563 Sparks St				41,750	0	2013	Bolenbaugh Joellen L	563 Sparks St	Jackson	MI	49202
293				<b>100% Poverty Exemption granted. Correcting 2013 T/V from \$41,750 to \$0.</b>										
294	136	3-090200000	1309 W Franklin St				56,578	0	2013	Davis Jean E	1309 W Franklin St	Jackson	MI	49203
295				<b>100% Poverty Exemption granted. Correcting 2013 T/V from \$56,578 to \$0.</b>										

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296	137	4-082600000	1112 Chittock Ave	POV Request			N/C	N/C	2013	Sutton Victor	1112 Chittock Ave	Jackson	MI	49203
297			1112 Chittock Ave	0%	0%	2012-2013				Sutton Victor	1112 Chittock Ave	Jackson	MI	49203
298			<b>Poverty Exemption and Principal Residence Exemption Denied - House is not habitable per City Code.</b>											
299	138	4-156400000	135 E Robinson St				13,272	11,945	2013	Reddick Marion Y	135 E Robinson St	Jackson	MI	49203
300			<b>Partial Poverty Exemption granted, Correcting 2013 T/V from \$13,272 to \$11,945.</b>											
301	139	8-128000000	1040 Ellery Ave				27,650	0	2013	Porter Robin L	1040 Ellery Ave	Jackson	MI	49202
302			<b>100% Poverty Exemption granted. Correcting 2013 T/V from \$27,650 to \$0.</b>											
303	140	8-243400000	1034 Hamilton St				9,694	N/C	2013	Cox Terry A	1034 Hamilton St	Jackson	MI	49202
304			<b>Request for Poverty Exemption is Denied - Net tax is less than 5% of household income.</b>											
305	141	P-286720000	Personal Property				2,400	0	2013	Premier Medical Academy	30821 Barrington	Madison H	MI	48071
306			<b>Correcting 2013 A/V &amp; T/V from \$2,400 to \$0. Double Assessed with Parcel P-29173</b>											
307	142	P-286830000	Personal Property				10,000	0	2012	Umesh Verma MD	205 Page Ave Ste B	Jackson	MI	49201
308							10,000	0	2013	Umesh Verma MD	205 Page Ave Ste B	Jackson	MI	49201
309			<b>Correcting 2012 &amp; 2013 A/V &amp; T/V from \$10,000 to \$0. Double Assessed with Parcel P-29057</b>											
310	143	P-291130000	Personal Property				6,800	0	2012	Michigan Institute of Neurological Dise	5091 Oak Tree Ct	Ann Arbor	MI	48108
311							6,800	0	2013	Michigan Institute of Neurological Dise	5091 Oak Tree Ct	Ann Arbor	MI	48108
312			<b>Correcting 2012 &amp; 2013 A/V &amp; T/V from \$6,800 to \$0. Double Assessed with Parcel P-29057</b>											
313	144	2-2131.1000*	V/L W Monroe St	0%	100%	2011- 2012				Joseph Michael	627 W Monroe St	Jackson	MI	49202
314		*New Parcel # 2-2128.1000 for 2013												
315														
316														



**a) 114 W Biddle St – Appeal for 30 day Extension, Housing Code**

Report: Diffenderfer – Recapped Inspector Summary.  
Taylor – Expressed that the owner would have to have a contractor do the work on the roof since they are out of California.

Appeal: Jeremy Miller, All Pro Representative – I was told by All Pro that the owner was going to pull the permit and do the work.

Recommendation: Diffenderfer – grant 30 day extension

Action Taken: Burtch (M), Covalle (S) – 30 day extension granted

Vote: Yes - 4, No - 0, Abstain - 0, Absent – 3

**g) 225 E High St (HOUSE/GARAGE) – Continued Public Hearing from 5/23/2013, Dangerous Structures Ordinance Section 17-1 (1,5,6,7)**

Report: Smith questioned Taylor as to proper Notice and the condition of the property.  
Taylor – The owner has settled with the insurance company and permits have been pulled and work should be finished within the next month or so.

Appeal: Mervin Poole, Owner – Nothing more to add.

Recommendation: Taylor – table until the September meeting.

Action Taken: Frounfelker (M), Covalle (S) – tabled Public Hearing until the September Board meeting

Vote: Yes - 4, No - 0, Abstain - 0, Absent – 3

**f) 916 Francis St (HOUSE) – Continued Public Hearing from 6/27/2013, Dangerous Structures Ordinance Section 17-1 (4,5,6,7,9)**

- Report: Smith questioned Taylor as to proper Notice and the condition of the property.
- Taylor – Frank Donovan and I went through the property with the owner a few weeks back and everything in the Notice still stands. The ceilings and walls are falling, all of the fixtures (water heater/furnace etc.) have been stripped, the property is basically a structure setting on dirt. It's been completely stripped on the inside.
- Appeal: Alban Pacunas, Owner – A tree fell and hit my house and that is what caused my property to be condemned. I had documents prepared as requested but Sunday night I couldn't sleep so I went for a drive and totaled my car with the documents in it. Since the last meeting we have removed all of the debris from the walls that have been stripped. My wife and I have discussed this and we don't oppose what the City is doing and we want to help. If the City was to tear down our house right there it may allow the City and everyone else to see what is going on in the alley behind the house. Would like for the City to purchase the home for what the SEV states the home is worth. I can't handle the stressful situation the City is putting me under. I don't want to be the black sheep but I've already talked with Fleming and Fleming who stated they have been in court with the City's Attorney before.
- Discussion: Dotterweich expressed that what the owner is seeking is something that should be taken up with the City outside this board.
- Recommendation: Taylor – UPHOLD Notice and order
- Action Taken: Burtch (M), Frounfelker (S) – Complaint/ Notice and Order UPHELD
- Vote: Dotterweich – Y, Frounfelker – Y, Burtch – Y, Covalle – Y

**b) 603 N Francis St – Appeal for Extension, Housing code**

- Report: Diffenderfer – Recapped Inspector Summary. Since the request for time is unspecified and the weather has been decent I would recommend denial of the extension.
- Appeal: Not Present
- Recommendation: Diffenderfer – deny owners request
- Action Taken: Frounfelker (M), Covalle (S) – 30 day extension granted
- Vote: Yes - 4, No - 0, Abstain - 0, Absent – 3

**c) 1323 Rhodes St – Request for Financial Hardship Variance, Request for waiver of Application Fee**

Report: Diffenderfer – Recapped Inspector Summary.  
Appeal: Not Present  
Recommendation: Diffenderfer – table until October for owner to meet with staff regarding rehab loan  
Action Taken: Frounfelker (M), Covalle (S) – tabled until the October meeting  
Vote: Yes - 4, No - 0, Abstain - 0, Absent – 3

**e) 205-07 Third St (HOUSE) – Public Hearing, Dangerous Structures Ordinance Section 17-1 (2,5,7,9)**

Report: Smith questioned Taylor as to proper Notice and the condition of the property.  
  
Smith expressed that the owner Hugh Hiller did call her to be excused from the meeting because he was going up North, I told him I did not feel this was an acceptable reason to miss a meeting.  
  
Taylor – Property last inspected last week with owner and remains dangerous and unsafe. Owner had someone attempt to clean, painted the floors on the inside of the property brown. They haven't done anything to the outside, haven't cleaned the basement. He did have someone scrape and primer the outside. Owner stated he didn't plan on doing anything to the property other than selling as is. The owner did state that he would not be here today. The owner has stated he has two other renters for this property. There was a window missing on the upper unit and the owner stated it's been missing for the last two years and he had no plans on replacing it.  
  
Appeal: Not Present  
  
Karyn Maddock, Neighbor – I've made several attempts to contact the owner regarding what was going on at this property and the 5 dogs that were in this property and never gone outside. It wasn't until a baby was taken into the house that the back neighbor finally filed a complaint and the house was condemned. The owner states the City cannot make him do anything to this property but the City cannot allow this property to be reoccupied.  
  
Patrick Burtch expressed that the owner is using unsafe lead practices to take the paint off the outside of the house. Dennis Diffenderfer explained what the problem is when someone uses a power washer to do so.  
  
Recommendation: Taylor – Uphold Notice and order  
Action Taken: Frounfelker (M), Covalle (S) – Complaint/Notice and Order UPHELD  
Vote: Dotterweich – Y, Frounfelker – Y, Burtch – Y, Covalle – Y

**h) 630 N State St (HOUSE) – Continued Public Hearing from 1/24/2013, Dangerous Structures Ordinance Section 17-1 (1,5,7,9)**

Report: Smith questioned Taylor as to proper Notice and the condition of the property.

Taylor – The exterior is in good shape, fully landscaped, new siding. The inside has been stripped and gutted. The owner is working down south and I was unable to get ahold of him. I would like to UPHOLD the notice and order to get the outside back roof removed and a guardrail put up. I would then contact the owner to register the property under the FVA registry.

Appeal: Not Present

Recommendation: Taylor – UPHOLD Notice and Order

Action Taken: Covalle (M), Frounfelker (S) – Complaint/Notice and Order UPHELD

Vote: Dotterweich – Y, Frounfelker – Y, Burtch – Y, Covalle – Y

**Discussion:**

Covalle If a Credit Union held a mortgage on a home of one of their members and the home was condemned, it's my understanding the Credit Union is not being made aware of this issue prior to demolition. The member called Jim from the Credit Union to state that the home had been demolished but the lender had never been notified.

**Citizen Comment:**

Jim Francis, Jackson Community Credit Union

In regards to 1019 Hill PI – We have been paying the taxes on the property because the owner had fallen behind. We were notified about the taxes being past due but never notified about the condemnation/demolition. Without any knowledge of the condemnation we couldn't do anything about it. Had we known about the condition of the property, we would have foreclosed on the property, repaired the property and then listed the home for sale.

**Meeting Adjourned at 2:15 p.m.**

Respectfully submitted,

Sheila Prater, Secretary  
Building Code Board of Examiners and Appeals



# Neighborhood & Economic Operations

## Building a Stronger Jackson

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

### MEETING MINUTES

#### City of Jackson Planning Commission

City Hall, 161 W. Michigan Avenue, 2<sup>nd</sup> Floor in Council Chambers  
Wednesday, July 10, 2013

MEMBERS PRESENT: John Polaczyk, James Stark, Patrick Burtch, Clyde W. Mauldin, Sheila M. Troxel, Martin Griffin, Cindy Collver and Derek Dobies  
MEMBERS ABSENT: Jeanne Kubish  
STAFF PRESENT: Barry Hicks (Planning Director) and Bethany Smith (Interim City Attorney)

#### 1. Call to Order

Chairperson Polaczyk called the meeting to order at 6:29 pm.

#### 2. Pledge of Allegiance

Those in attendance rose for the Pledge of Allegiance.

#### 3. Adoption of Agenda

*Commissioner Dobies moved, with support from Commissioner Griffin to adopt the agenda as presented.*

***The motion passed unanimously on a voice vote.***

#### 4. Planning Commission Public Comment and Correspondence

None.

#### 5. Consideration of the June 5, 2013 Planning Commission Regular Meeting Minutes

*Commissioner Griffin moved, with support from Commissioner Dobies to approve the June 5, 2013 Planning Commission Regular Meeting Minutes as presented.*

***The motion passed unanimously on a voice vote.***

#### 6. Consideration of Applications

##### A. Site Plans: Jackson Transportation Authority

Mr. Hicks summarized the staff report. He concluded by recommending that the Planning Commissioners approve the site plans for the proposed bus shelters.

*Commissioner Dobies moved, with support from Commissioner Troxel to **RECEIVE** the staff report.*

***The motion passed unanimously on a voice vote.***

Chairperson Polaczyk opened the public hearing.

Those in attendance spoke:

- Cameron McCullom (Jackson Transportation Authority) – Spoke in favor of the bus shelters and noted that the two (2) presented for approval were the second group of shelters that the



Jackson Transportation Authority would be brining before the Planning Commission. He indicated there would be fifteen (15) shelters in total.

Hearing no further comment, Chairperson Polaczyk closed the public hearing.

*Board Member Dobies moved, with support from Commissioner Griffin to **APPROVE** the applicant's site plans in accordance with staff's recommendation. The following references the bus shelters recommended for approval in staff's report:*

*#1 – Corner of Francis Street & Franklin Street*

*#3 – Chalet Terrace*

*Yeas- 8 (Polaczyk, Burtch, Collver, Griffin, Mauldin, Dobies, Stark and Troxel); Nays- 0; Abstain- 0; Absent- 1 (Kubish)*

***The motion passed unanimously on a roll-call vote.***

### **B. Conditional Use Permit: 606 S. Wisner Street**

Mr. Hicks summarized the staff report. He concluded by recommending that the Planning Commissioners approve the Conditional Use Permit with conditions.

*Commissioner Dobies moved, with support from Commissioner Mauldin to **RECEIVE** the staff report.*

***The motion passed unanimously on a voice vote.***

Chairperson Polaczyk opened the public hearing.

Those in attendance spoke:

- Jason Covalle (Covalle & Associates Architects) – Spoke in favor of the Conditional Use Permit and presented the plans included in the staff report to the Commissioners. He explained the catalyst for the requested parking rearrangement was to make the proposed ADA accessible portion of the building easier to access directly from the handicap parking spaces designed for van access. He also noted that the proposed elevator would make access to the building easier and the proposed fire stairs would provide an alternative fire escape.
- Paul Stowell (510 S. Thompson St.) – Expressed concern about an increase in traffic as a result of the proposed curb cut.
- John Schaub (310 S. Thompson St.) – Did not agree with the proposed curb cut on Thompson Street and did not see the need for additional parking that would encroach the front yard space towards S. Thompson St. He also noted the plans already proposed widening the opening to the parking lot on S. Wisner St., and that he felt that would be more appropriate than building a new drive lane to S. Thompson St.
- Susie Freer (1211 W. Franklin St.) – Opposed all aspects of the plan except the building expansion to make handicap accessibility to the building better.
- Joan Cummings (601 S. Wisner St.) – Noted she lives directly across the street from the proposed S. Wisner St. curb cut to be widened and had no problem with it. Opposed the through drive lane and curb cut on S. Thompson St., and supported the improved handicap accessibility.
- Scott Donneling (511 S. Thompson St.) – Stated he lived directly adjacent to the property, and was against expanding the parking area.



- Phil Weed (1305 W. Franklin St.) – Opposed the curb cut and drive lane to S. Thompson St., and supported the proposed elevator for handicap access.
- Frank (was there a last name?)(809 S. Thompson St.) – Opposed the curb cut and drive lane to S. Thompson St., and thought there should be more landscaping to shield car headlight glare.
- Correspondence – Mr. Hicks presented letters and emails he received regarding the project. The Commissioners reviewed them and entered them into the record.

Hearing no further comment, Chairperson Polaczyk closed the public hearing.

Commissioner Mauldin asked the applicant to clarify if they needed the proposed drive lane and curb cut to S. Thompsons St., and if they would be amenable to staff's recommendation to eliminate it. Mr. Covalle stated they were aware of staff's recommendation, and would remove the drive lane if the Planning Commission required it.

Commissioners Troxel and Burtch stated they felt the proposed landscaping would not provide an adequate buffer between the parking lot and properties to the north. Commissioner Burtch recommended adding more trees around the property and arborvitaes as a buffer.

Commissioner Griffin spoke against expanding the proposed parking beyond the proposed handicap spaces.

Chairperson Polaczyk asked the applicant to take into consideration everything the Commissioners and the public said, and then stated he would be voting to table the item and have the applicant bring back revised plans that address all of the concerns next month.

Commissioner Burtch noted there were several areas where the applicant could reduce some of the asphalt, and that seven (7) foot wide sidewalks would be required in front of the proposed parking spaces north of the proposed building expansion.

*Commissioner Griffin moved, with support from Commissioner Stark to **TABLE** the applicant's request for a Conditional Use Permit for property located at 606 S. Wisner Street (Parcel ID# 3-090000000); noting that upon resubmission of the plans that the proposed driveway to S. Thompson Street and the five (5) closest parking spaces to S. Thompson Street should be omitted from the site plan.*

*Yeas- 7 (Polaczyk, Collver, Griffin, Mauldin, Dobies, Stark and Troxel); Nays- 1 (Burtch); Abstain- 0; Absent- 1 (Kubish)*

***The motion passed on a roll-call vote.***

## **7. Consideration of a Zoning Ordinance Amendment: Medical Marihuana**

Mr. Hicks summarized the staff report. He concluded by recommending that the Planning Commissioners recommend the proposed text amendments be approved by City Council.

*Commissioner Dobies moved, with support from Commissioner Burtch to **RECEIVE** the staff report.*

***The motion passed unanimously on a voice vote.***

The Commissioners inquired whether or not the language was required or being recommended in coordination with language in another Chapter of the City's Code of Ordinances. Mrs. Smith and Mr. Hicks explained that the language was to allow for the home use of Medical Marihuana in all zoning districts, and that it was being proposed to make the language in the City's Zoning Ordinance congruent with language that was being considered for other sections of the City's Code of Ordinances. Mr. Hicks further explained that the Planning Commission's recommendation to



Council would not be presented to them until after the language from other sections of the City's Code of Ordinances pertaining to Medical Marihuana was ready to be presented.

Commissioner Burtch moved, with support from Commissioner Dobies to **RECOMMEND** to City Council to adopt an ordinance amending Section 28-71 (permitted and conditional uses) and Section 28-5 (definitions) to Chapter 28 (Zoning) to define and permit the home use of medical marihuana, subject to minor modification by the City Attorney for effectuation of the ordinance.

Yeas- 6 (Polaczyk, Burtch, Collver, Dobies, Stark and Troxel); Nays- 2 (Griffin and Mauldin); Abstain- 0; Absent- 1 (Kubish)

***The motion passed on a roll-call vote.***

## **8. Business**

None.

## **9. Commissioner Comments**

Chairperson Polaczyk informed those in attendance that the ordinance pertaining to Medical Marihuana was a City issue and not a County issue, and requested that no one go to the County Board of Commissioners meeting to discuss the issue.

## **10. Next Meeting Reminder: August 7, 2013 at 6:30 PM**

Chairperson Polaczyk reminded the Planning Commission that their next meeting is scheduled for August 7, 2013 at 6:30 pm.

## **11. Adjournment**

Commissioner Dobies moved, with support from Commissioner Burtch to **ADJOURN** the meeting.

***The motion passed unanimously on a voice vote.***

Chairperson Polaczyk adjourned the meeting at 7:30 pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Barry Hicks".

Barry Hicks, AICP, Recording Secretary

*These Minutes of the City of Jackson Planning Commission are not considered final until approved at a scheduled City of Jackson Planning Commission meeting.*

**Jackson Housing Commission**  
Minutes of the Special Meeting  
June 6, 2013

The Jackson Housing Commission held a special meeting at Reed Manor in the Board Room at 8 am on June 6, 2013.

Interim Executive Director Kimberly Truman called the meeting to order at 8 am and upon roll call, the following Commissioners were present: Michelle Pultz-Orthaus, Gerald Montgomery, Patricia Davis-Dye, James Stark Absent: Arlene Robinson

Also present were: Kimberly D. Truman, Interim Executive Director  
Shari Boyce, Section 8 Director  
Connie Crandall, Public Housing Program Director  
Katie Dickerson, Executive Secretary

**13-06-001 Healthcare**

Commissioner Stark **MOVED** to reconsider the Healthcare coverage.  
Commissioner Montgomery **SECONDED** the motion and, upon vote, the motion was adopted:

AYES:	Stark, Montgomery, Pultz-Orthaus
NAYS:	Davis-Dye
ABSTAIN:	None
ABSENT:	Robinson

Commissioner Pultz-Orthaus presented the board with a packet outlining the costs for each healthcare plan. Commissioner Pultz-Orthaus recommended to the board that the JPF plan was better than the Craft plan because they offered coverage for out of state retirees and hoped the board would vote to opt for the BCN 5000 plan through JFP Benefits via the City of Jackson.

Commissioner Davis-Dye asked why we were reconsidering the healthcare after the board already voted and why was the board voting again on the issue?  
Commissioner Stark responded and stated, in response to Commissioner Davis-Dye, that the board previously did not want to jeopardize the JHC employee's healthcare coverage. He also believed they were misinformed on the enrollment time frame and given new information, he wished to change his vote. Commissioner Davis-Dye asked why then would we stick with the City's plan? Commissioner Pultz-Orthaus stated the situation is due to the board receiving blanket resolutions that are passed without proper backup.  
Commissioner Pultz-Orthaus stated that JHC employees will remain on the City's current health plan until they receive notice to make changes. She also stated that

HUD does not set local policy; the City is the authorizing agency which is how board members are seated for the JHC and to approve compensation for the JHC employees.

Commissioner Davis-Dye asked that why now are we not separating services from the City when the previous board approved to do? Commission Pultz-Orthaus asked where that information was at because it does not appear in any of the board minutes. Furthermore, should the current board wish to vote for a separation, the City will still retain the authorization to appoint Board Members and approve compensation; which would never allow for the separation be a complete separation.

Commissioner Pultz-Orthaus stated that the board will no longer be making any decisions without being properly informed; and that is why they are revisiting previously voted upon issues.

Commissioner Stark stated this board is going to do what is in the best interest of JHC employees and do what they can with the assets they have available to them. The City doesn't have a say in what the Board does; if the City doesn't like what he or any other member of the board is doing, they have a the authority to remove the members by asking for our resignation. The board can hire the executive director and the director serves the Board; neither HUD nor the City can say what the JHC board does. The Board can ask for the Executive Directors resignation if it so wishes. HUD does not establish policy and has no control over JHC. HUD doesn't have authority over what policies and procedures the board passes.

Commissioner Pultz-Orthaus stated HUD only controls and guides the funding.

Commissioner Stark **MOVED** to rescind Resolution 2013-17 due to new information concerning Healthcare. Commissioner Pultz-Orthaus **SECONDED** the motion and, upon roll call vote, the motion was adopted:

AYES:	Stark, Montgomery, Pultz-Orthaus
NAYS:	Davis-Dye
ABSTAIN:	None
ABSENT:	Robinson

Commissioner Montgomery **MOVED** to accept the City's Plan. Commissioner Pultz-Orthaus clarified that the motion was to approve the BCN 5000 plan through the City. Commissioner Stark **SECONDED** the motion, and upon roll call, the motion was adopted:

AYES:	Stark, Montgomery, Pultz-Orthaus
NAYS:	Davis-Dye
ABSTAIN:	None
ABSENT:	Robinson

**13-06-002 Auto Insurance**

Commissioner Pultz-Orthaus would like to move forward with the insurance. The Board postponed the resolution due to receiving a naked resolution on the insurance coverage. The information was received at a later date from HAIG and Craft Agency. Commissioner Pultz-Orthaus wants to make noted that since we have started looking at new insurance; it was brought to the insurance company's attention that insures the City vehicles, should not have been insuring the JHC vehicles since they were not titled in the City of Jackson's name. Therefore, the board must make a selection from the two bids that were received.

Commissioner Pultz-Orthaus **MOVED** to contract with Housing Authority Insurance Group for vehicle insurance in the amount of \$8,481.00. Commissioner Stark **SECONDED** the motion.

Interim Executive Director Truman wanted to make clear that she did not instruct the City Attorney to remove the vehicles. Commissioner Pultz-Orthaus apologized for her misreading of the email and sent her apologies from her. It was from the actions to look into other insurance, brought up the issue.

Commissioner Montgomery asked if this policy was the cheaper of the two. Commissioner Pultz-Orthaus answered with a yes.

Upon roll call, the motion carried:

- AYES: Stark, Montgomery, Pultz-Orthaus, Davis-Dye
- NAYS: None
- ABSTAIN: None
- ABSENT: Robinson

Commissioner Pultz-Orthaus was happy to see everyone in agreement on the insurance for vehicles.

**13-06-003 Personnel Matters**

Commissioner Pultz-Orthaus wished to discuss the performance of the Interim Executive Director and offered an executive session to discuss. Ms. Truman declined the offer of an executive session.

Commissioner Pultz-Orthaus commented on the unhealthy nature of the board and other issues and there is too much going on and it is not right. For those reasons Commissioner Pultz-Orthaus **MOVED** to terminate Kim Truman from the Jackson Housing Commission. Commissioner Stark **SECONDED** the motion, with confidence.

Commissioner Stark commented on the numerous incidences of insubordination and the Executive Directors reliance on HUD and feels it is causing the conflict between the Executive Director, employees and the board. Not sure why there is the reliance, is it for the Executive Director to use HUD as a shield or does the Executive Director not understand how to the job. He also feels the misconception on the 45 days enrollment for the healthcare; Ms. Truman stated she has evidence now that the number of days changed after sending out the information. He also stated that given to the response of the FOIA requests fulfillment to former Commissioner Dobies. He received communication from the Reed Manor Resident Board and wants to make clear that the mayor is not his cousin, but his nephew and that Michelle is a female, not a male. Where the board is getting their information is causing to misinform them. JHC needs to ensure the tenants are not going to lose their housing and they are going to get their housing. Letter also states that the anxiety the tenants are having is due to lack of JHC informing them properly, thus leading to Ms. Truman not doing her job correctly. He feels the only way to resolve this conflict is to continue with the termination.

Ms. Truman stated she didn't want the job as Executive Director and she stepped in only because she was appointed. She also does not have control over the Resident Council and where they obtain their information from and she never once told them they would lose their housing.

Commissioner Davis-Dye asked if the board continues with the termination, who will run the JHC until a new Executive Director can be selected and asked Commissioner Pultz-Orthaus how the applications were coming? Commissioner Pultz-Orthaus stated she has received about 13 or 14 and the posting is set to expire on June 21<sup>st</sup>. They will then form a committee to review applications and some preliminary interviews and then bring 2-3 applications to the entire board.

Commissioner Stark recommended that Commissioner Davis-Dye and Commissioner Robinson be involved.

Ms. Truman stated she feels it is a set up and she has never fought to obtain the Executive Director position and has only doing the job. Commissioner Pultz-Orthaus said that by doing the job, Ms. Truman has displayed insubordination, inciting/encouraging discord among Board members, withholding information from the Board to enable it to make informed decisions, taking steps to separate from the City of Jackson without Board authorization, nonfeasance, destroyed the trust of the board in the Executive Director and severely damaged the fifty year amicable working relationship with the City, however not entirely Ms. Truman's doing. Ms. Truman wanted to know how she took steps to separate or procure auto insurance. Commissioner Pultz-Orthaus stated that RFP's were sent out for healthcare and auto insurance without their knowledge and no reason to do so. Ms. Truman stated the reasons for the procurement were due to the letter from HUD stating the services were not procured properly and they needed to be procured properly. Commissioner Pultz-Orthaus stated that there was no procurement required for the healthcare. Ms. Truman stated that Commissioner Burtch asked how the procurement was going for the healthcare and the Board knew it was occurring and that she would never procure services without the Board's approval. Commissioner Davis-Dye stated that Ms.

Truman is being punished for actions of Mr. Hill and HUD directed Ms. Truman to continue with the course of actions already in place. She felt the City was going behind the boards back to remove previous members without asking for resignation and failure to inform members they were being removed and the mayor can do what he wants and where the dissention came about. Ms. Truman was continuing the course of actions she walked into and she has not had time to correct any actions the board wishes to have changed. The conflict occurred when Mr. Dobies and Mr. Burch were on the board and then would vote for the City's favor at City Council. Commissioner Stark commented that the Council voted to remove members. And that his recommendation for termination was not personal and why they needed to move in a new direction and make amends with Pat and Arlene and the board can work together to benefit the tenants, repair the relationship with the City and HUD and employees. That is the reason why he was asked to sit on the board because he is objective from his previous role on the planning commission. Ms. Truman felt that the board and City wants someone else in the Interim Executive Director for it be to be a white female and that she has an email proving that. Mr. Dobies and Mr. Burch stated to Katie Dickerson that they would not appoint her unless she met with them before the meeting; she feels it is a setup (*speaking to her termination*), since she never met with them and they appointed her as Interim Executive Director. Commissioner Pultz-Orthaus feels the amount of time dealing with issues for the JHC is too time consuming and Ms. Truman feels the same way and that she feels it the board is working against her and not with her. Commissioner Montgomery asked why no documentation presented for healthcare, and that Ms. Truman stated there was never any back up documentation so she continued with that same process. He commented on her racial conflict, and Commissioner Montgomery felt that is never been an issue. He felt that Mr. Hill brought it up when he was leaving and now she is as well. Ms. Truman feels that it is an issue and how the board makes her feel. Commissioner Davis-Dye stated that Mr. Fracker never provided documents for the resolutions, and it was done that way for thirty five years and Commissioner Montgomery stated that we now have the technology to do so, and it should be done this way. Mr. Hill brought the Commission into the new age and that he updated a lot of things from Mr. Fracker. Commissioner Davis-Dye asked if you are making a motion to terminate Ms. Truman who will run the agency. It is not a good idea to leave the agency in that state, Commissioner Pultz-Orthaus agreed. Commissioner Pultz-Orthaus MOVED to terminate Kim Truman immediately from the Jackson Housing Commission. Commissioner Stark SECONDED it. Commissioner Pultz-Orthaus was going to do roll call, but Ms. Truman stated she could handle it. Upon a roll call, the motion carried:

AYES:	Stark, Montgomery, Pultz-Orthaus
NAYS:	Davis-Dye
ABSTAIN:	None
ABSENT:	Robinson

Commissioner Pultz-Orthaus stated that Mr. Fracker has agreed to come in for

twenty to thirty hours a week for a six month period and **MOVED** to negotiate with Mr. Fracker to be Interim Executive Director. Commissioner Montgomery **SECONDED** the motion.

Commissioner Montgomery asked about his salary and benefits he will receive. Commissioner Pultz-Orthaus stated that benefits wouldn't be necessary since Mr. Fracker is retired and for salary he would like to stay under a threshold so he can continue to receive Social Security and it will be nominal. Commissioner Montgomery asked when he could start and Commissioner Davis-Dye asked that if she had no intention of firing Ms. Truman, then why she had already talked with Mr. Fracker. Commissioner Pultz-Orthaus said her decision came after serious thought and prayer to come to it and keep the best interest of the Commission, Employee, and tenants and she spoke with Mr. Fracker to have someone, as Commissioner Davis-Dye stated, it would be a bad idea to leave the Commission without leadership. Commissioner Davis-Dye asked if she spoke with employees and tenants, and if she hasn't spoken with them, how can she know it is the best for them? Commissioner Stark commented that the employees and tenants may not feel it is in the best interest, but it is what the board feels is best and he also prayed over it.

Roll call vote on the motion is:

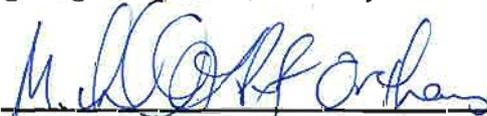
AYES:	Stark, Montgomery, Pultz-Orthaus
NAYS:	Davis-Dye
ABSTAIN:	None
ABSENT:	Robinson

Commissioner Stark **MOVED** to adjourn the meeting. Commissioner Montgomery **SECONDED** the motion. All were in favor. The meeting adjourned at 9:04 am.

Respectfully submitted,



Connie Crandall PHM  
Public Housing Program Director, Secretary Pro-Temp

ATTESTED:   
Michelle Pultz-Orthaus, President

## Jackson Housing Commission

Minutes of the Special Meeting

June 11, 2013

The Jackson Housing Commission held a special meeting at Reed Manor in the Board Room at 12:00 Noon on June 11, 2013.

Commissioner Pultz-Orthaus called the meeting to order at 12:00 Noon and upon roll call, the following Commissioners were present: Michelle Pultz-Orthaus, Gerald Montgomery, Patricia Davis-Dye, James Stark, and Arlene Robinson. Absent: None

Also present were: Shari Boyce, Section 8 Director  
Connie Crandall, Public Housing Program Director  
Katie Dickerson, Executive Secretary

Commissioner Stark **MOVED** to approve the agenda. Commissioner Montgomery **SECONDED** the motion. Commissioner Robinson asked to add an item to the agenda. The board discussed on whether or not that could be done, it was determined that since the entire board was present, that it could be done. Commissioner Stark **MOVED** to amend the agenda. Commissioner Montgomery **SECONDED** the motion, and upon a voice vote, the motion was approved:

AYES:	Stark, Montgomery, Pultz-Orthaus, Davis-Dye, Robinson
NAYS:	None
ABSTAIN:	None
ABSENT:	None

### 13-06-004 Contract for Interim Executive Director Phillip Fracker

Commissioner Pultz-Orthaus commented that the only change to the contract was changing Mr. Fracker's name to Phillip M. Fracker.

Commissioner Stark **MOVED** to proceed with the contract as written.

Commissioner Pultz-Orthaus **SECONDED** the motion.

Commissioner Robinson asked why negotiations did not include the entire board.

Commissioner Pultz-Orthaus stated it was done with an ad-hoc appointed by the president and since it was approved, Commissioner Pultz-Orthaus appointed the ad-hoc members. The contract was sent to all board members on June 7<sup>th</sup>, 2013 after the board approved entering into negotiations to bring Mr. Fracker on board as Interim Executive Director. Commissioner Robinson also asked whether HUD has approved the contract and Commissioner Pultz-Orthaus and Stark said they do not have authority of it and Commissioner Robinson stated it does. Commissioner Pultz-Orthaus stated that HUD doesn't have the authority over hiring the Executive Director and cited the by-laws of the Commission, "The Director shall be appointed by the Commission."

Upon roll call, the motion passes:

AYES: Stark, Montgomery, Pultz-Orthaus  
NAYS: Davis-Dye, Robinson  
ABSTAIN: None  
ABSENT: None

**13-06-005 Procurement of Legal Services**

Commissioner Pultz-Orthaus commented that the Commission is at a point to where it needs legal services for a variety of reason. The reasons stated were labor matters, PILOT renegotiations with the City, and other matters that may come to the Board. Commissioner Pultz-Orthaus **MOVED** to direct Mr. Fracker to being the process of obtaining legal services. Commissioner Stark **SECONDED** the motion.

Commissioner Robinson asked isn't the Commission on a Zero Threshold; Commissioner Pultz-Orthaus stated that we are not entering into a contract, just getting bids. Commissioner Pultz-Orthaus stated they will go through the process with HUD should it need to be. Commissioner Davis-Dye asked how Mr. Fracker is allowed to get legal counsel and Ms. Truman was not. Commissioner Pultz-Orthaus stated that Ms. Truman was to bring reason to the board.

Upon a voice vote, the motion carries:

AYES: Stark, Montgomery, Pultz-Orthaus  
NAYS: Davis-Dye, Robinson  
ABSTAIN: None  
ABSENT: None

**13-06-006 Resolutions**

Commissioner Pultz-Orthaus informed the commissioners of the resolutions dealing with bank signature cards and would entertain a motion to pass.

Commissioner Stark **MOVED** to approve the resolutions as presented. Commissioner Montgomery **SECONDED** the motion, and upon a vote, the resolutions passed:

AYES: Stark, Montgomery, Pultz-Orthaus, Robinson  
NAYS: Davis-Dye  
ABSTAIN: None  
ABSENT: None

**13-06-007 Discussion on Termination of Kimberly Truman**

Commissioner Pultz-Orthaus commented that since no action was to be taken Commissioner Robinson has the floor.

Commissioner Robinson would like to know how the board arrived at the fact Ms. Truman should be terminated. She was appointed as an Interim Executive Director and given directions to follow through on. And since she was unable to be at the June 6<sup>th</sup> meeting, she would like to know the agenda and wants to know why her questions were not answered. Why were certain selected members allowed to make the decision without the entire board? Commission Pultz-Orthaus stated the entire board does not have to before the meeting. Commissioner Stark did not think that was the intention of the meeting, and he explained that the misconceptions of roles between HUD, the City, and the Commission. We do not answer to either of them. He went through roughly five things that were indicative of insubordination or inability to do the job. At that time, the decision was made. .

Commissioner Pultz-Orthaus had to call the meeting to order due to the public speaking without permission.

Commissioner Robison wants to know that there was no discussion prior to the meeting on Commissioner Pultz-Orthaus' decisions and the emails they used to come to the decision. Commissioner Robinson asked how Commissioner Pultz-Orthaus was allowed to pray over it, and she was not and her prayers are answered as well? She was temporary and not the permanent and how did they decide that the interim could be fired? Commissioner Pultz-Orthaus stated that the board has the power to do, and she had no control over her assistant position. Commissioner Robinson wanted specific information, and the Commissioners were being vague with their information. Commissioner Pultz-Orthaus stated that no reasons needed to be stated and discussions can be taken prior. Commissioner Robinson asked why no corrective actions were taken. Commissioner Pultz-Orthaus stated that Commissioner Robinson is drilling the board over the issues, and her answers are in the video she has seen on the meeting and since she did not come prepared to discuss the issues, Commissioner Pultz-Orthaus does not have the specifics and could not speak to them.

Commissioner Robinson wanted to know why no investigation was done and she was placed on administrative leave and why were other options were not considered? Commissioner Pultz-Orthaus said none were considered; the board felt this was the best for the Commission. Commissioner Robinson said discussion should have occurred with Mr. Fracker on Ms. Truman's past performance as he worked with her closely. Did he hire Kim? How long was she employed? Were there any issues?

Commissioner Robinson **MOVED** to reinstate Kimberly Truman immediately as Interim Executive Director. Commissioner Davis-Dye **SECONDED** the motion and upon roll call, the motion failed:

AYES: Robinson, Davis-Dye  
NAYS: Stark, Montgomery, Pultz-Orthaus  
ABSTAIN: None  
ABSENT: None

Commissioner Stark **MOVED** to adjourn the meeting. Commissioner Pultz-Orthaus **SECONDED** the motion.

Commissioner Davis-Dye tried to ask a question. A call for vote was done over her request for a question. A voice vote was conducted and the motion carried:

AYES: Stark, Montgomery, Pultz-Orthaus,  
NAYS: Davis-Dye, Robinson  
ABSTAIN: None  
ABSENT: None

The meeting adjourned at 12:43 pm.

Respectfully submitted,



Connie Crandall PHM  
Public Housing Program Director, Secretary Pro-Temp

ATTESTED:   
Michelle Pultz-Orthaus, President

## **Jackson Housing Commission**

Minutes of the Regular Meeting

June 19, 2013

The Jackson Housing Commission held its regular meeting at Chalet-Terrace in the Community Room at 12:00 PM on June 19, 2013.

Commissioner Pultz-Orthaus called the meeting to order at 12:00 p.m. & upon discovering Commissioner Robinson was almost there, held the meeting until she arrived. Commissioner Robinson arrived at 12:07 p.m. and upon roll call, the following Commissioners were present: Montgomery, Robinson, Stark, Pultz-Orthaus, Davis-Dye. Absent: None.

Also present were: Phillip M. Fracker, Interim Executive Director  
Connie Crandall, Public Housing Program Director  
Katie Dickerson, Executive Secretary  
Shari Boyce, Section 8 Director

### **13-06-008 PUBLIC COMMENTS**

Patricia Ryals, Resident Council President for Reed Manor, read a letter she was presenting to Board President, Michelle Pultz-Orthaus. The letter addressed Ms. Pultz-Orthaus actions at recent meetings and Ms. Ryals disappointment in her actions.

### **13-06-009 APPROVAL OF THE MINUTES OF THE REGULAR MEETING HELD May 15, 2013.**

Commissioner Stark **MOVED** to approve the minutes of the Regular Meeting held April 17, 2013 with changes to 13-05-005 changing names Burtch & Dobies to Pultz-Orthaus & Stark. Commissioner Montgomery **SECONDED** motion, and upon the following roll call, the motion was adopted with changes:

AYES: Stark, Montgomery, Pultz-Orthaus, Davis-Dye  
NAYS: None  
ABSTAIN: None  
ABSENT: Robinson

**13-06-010 APPROVAL OF THE MINUTES OF THE SPECIAL MEETING HELD  
June 6, 2013.**

Commissioner Stark **MOVED** to approve the minutes of the Special Meeting held June 6, 2013. Commissioner Montgomery **SECONDED** motion, and upon the following roll call, the motion was adopted with changes:

AYES: Robinson, Stark, Montgomery, Pultz-Orthaus, Davis-Dye  
NAYS: None  
ABSTAIN: None  
ABSENT: None

**13-06-011 APPROVAL OF THE MINUTES OF THE SPECIAL MEETING HELD  
June 11, 2013.**

Commissioner Stark **MOVED** to approve the minutes of the Special Meeting held June 11, 2013. Commissioner Montgomery **SECONDED** motion, and upon the following roll call, the motion was adopted with changes:

AYES: Robinson, Stark, Montgomery, Pultz-Orthaus, Davis-Dye  
NAYS: None  
ABSTAIN: None  
ABSENT: None

**13-06-012 APPROVAL OF THE PREVIOUSLY PAID LIABILITIES FROM May 16  
to June 13, 2013.**

Commissioner Stark **MOVED** to approve the Previously Paid Liabilities from May 16 to June 13, 2013. Commissioner Robinson **SECONDED** motion, and upon the following roll call, the motion was adopted with changes:

AYES: Robinson, Stark, Montgomery, Pultz-Orthaus, Davis-Dye  
NAYS: None  
ABSTAIN: None  
ABSENT: None

**13-06-013 RESOLUTIONS**

A. Resolution No. 2013-22: Interim Director

As the Board entered into an agreement with Mr. Fracker as Interim Executive Director and whereas HUD is not approving the contract stating it wasn't procured correctly, Mr. Fracker is asking to be released from his contract so JHC can pay their bills and is recommending Connie Crandall, Public Housing Director be appointed as Interim Director until a suitable replacement is found. Ms. Crandall is OK with the appointment.

Commissioner Stark **MOVED** to approve the Interim Executive Director but to recommend Ms. Crandall's salary increase to the Mayor for approval.

Commissioner Robinson **SECONDED** the motion and, upon the following roll call, the motion was adopted:

AYES: Montgomery, Pultz-Orthaus, Stark Davis-Dye, Robinson.  
NAYS: None  
ABSTAIN: None  
ABSENT: None

B. Resolution No. 2013-23: Collection Losses Write-Off

Commissioner Davis-Dye **MOVED** to approve the Write-Off of Collection Losses \$2,894.34. Commissioner Stark **SECONDED** the motion and, upon the following roll call, the motion was adopted:

AYES: Pultz-Orthaus, Stark, Montgomery, Davis-Dye, Robinson  
NAYS: None  
ABSTAIN: None  
ABSENT: None

C. Resolution No. 2013-24: Oppenheimer

Commissioner Stark **MOVED** to approve the foregoing resolutions as introduced and read. Commissioner Robinson **SECONDED** the motion and, upon roll call, the motion was adopted:

AYES: Montgomery, Stark, Pultz-Orthaus, Davis-Dye, Robinson  
NAYS: None  
ABSTAIN: None  
ABSENT: None

D. Resolution No. 2013-25: Franklin Templeton

Commissioner Stark **MOVED** to approve the foregoing resolutions as introduced and read. Commissioner Robinson **SECONDED** the motion and, upon roll call, the motion was adopted:

AYES: Montgomery, Stark, Pultz-Orthaus, Davis-Dye, Robinson  
NAYS: None  
ABSTAIN: None  
ABSENT: None

E. Resolution No. 2013-26: Wells Fargo

Commissioner Stark **MOVED** to approve the foregoing resolutions as introduced and read. Commissioner Robinson **SECONDED** the motion and, upon roll call, the motion was adopted:

AYES: Montgomery, Stark, Pultz-Orthaus, Davis-Dye, Robinson  
NAYS: None  
ABSTAIN: None  
ABSENT: None

F. Resolution No. 2013-27: Citizens Bank/FirstMerit

Commissioner Montgomery **MOVED** to approve the foregoing resolutions as introduced and read. Commissioner Davis-Dye **SECONDED** the motion and, upon roll call, the motion was adopted:

AYES: Montgomery, Stark, Pultz-Orthaus, Davis-Dye, Robinson  
NAYS: None  
ABSTAIN: None  
ABSENT: None

G. Resolution No. 2013-28: County National

Commissioner Stark **MOVED** to approve the foregoing resolutions as introduced and read. Commissioner Montgomery **SECONDED** the motion and, upon roll call, the motion was adopted:

AYES: Montgomery, Stark, Pultz-Orthaus, Davis-Dye, Robinson  
NAYS: None  
ABSTAIN: None  
ABSENT: None

H. Resolution No. 2013-29: Revised Procurement Policy

Commissioner Pultz-Orthaus **MOVED** to approve the foregoing Resolution with the amendments of raising the small purchase threshold from \$5,000 to \$25,000 and to add to page 18 "...in accordance with the JHC Disposition Policy." Commissioner Montgomery **SECONDED** the motion and, upon roll call, the motion was adopted:

AYES: Montgomery, Stark, Pultz-Orthaus, Davis-Dye, Robinson  
NAYS: None  
ABSTAIN: None  
ABSENT: None

I. Resolution No. 2013-30: Revised Credit Card Policy

Commissioner Stark **MOVED** to approve the foregoing resolutions as introduced and read. Commissioner Montgomery **SECONDED** the motion and, upon roll call, the motion was adopted:

AYES: Montgomery, Stark, Pultz-Orthaus, Davis-Dye, Robinson  
NAYS: None  
ABSTAIN: None  
ABSENT: None

J. Resolution No. 2013-31: Document Signatories

Commissioner Stark **MOVED** to approve the foregoing resolutions as introduced and read. Commissioner Montgomery **SECONDED** the motion and, upon roll call, the motion was adopted:

AYES: Montgomery, Stark, Pultz-Orthaus, Davis-Dye, Robinson  
NAYS: None  
ABSTAIN: None  
ABSENT: None

**13-06-014 DIRECTORS' REPORTS**

Section 8

A. Utilization Report

Mrs. Boyce presented the report as stated.

Public Housing

B. Tenant Accounts Receivables

Ms. Crandall presented the Tenant Accounts Receivables as stated. Ms. Crandall stated more people owe money but the amounts they owe is significantly less than previous years.

C. Consolidated TARs

Ms. Crandall presented the Consolidated TARs.

D. Turnaround Time

Ms. Crandall stated that the turnaround time for May was awesome.

E. Reasons for Move Outs

Ms. Crandall stated the reasons for tenant move outs.

Executive

F. S8 Income Statement

G. PH Income Statement

H. Petty Cash Fund Register

I. After Hours/ Emergency Response Report

J. Utility Costs and Consumption

Ms. Crandall presented the reports as stated.

**13-06-015 OTHER BUSINESS**

Commissioner Robinson was questioning the denial of Ms. Truman's Grievance Request and how Mr. Fracker could deny it when he wasn't authorized by HUD to be at the Housing Commission. Mr. Fracker explained how the Grievance process was for employees and not for the Executive Director. The Executive Director is the final person for the grieved and it isn't meant to deal with the Executive Director. Interim Executive Director isn't addressed in the handbook and it should be. Commissioner Robinson understands that this will not assist Ms. Truman, but should be addressed for future Interim Executive Directors. Commissioner Robinson **MOVED** to take a look at the employee handbook and to address the positions of Acting and Interim Executive Director. Commissioner Pultz-Orthaus **SECONDED** the motion and upon a voice vote, the motion carried:

AYES: Montgomery, Stark, Pultz-Orthaus, Davis-Dye, Robinson  
NAYS: None  
ABSTAIN: None  
ABSENT: None

The board continued to discuss what the circumstances were under Ms. Truman and what wasn't done and should have been done. She should have received direction in writing as to what she wasn't or was doing to the board's satisfaction. Commissioner Robinson will bring suggestions to the board on how to amend the handbook.

Commissioner Stark **MOVED** to adjourn; Commissioner Pultz-Orthaus **SECONDED** the motion. All members of the board were in favor of adjournment.

The regular meeting adjourned at 1:23 p.m.

Respectfully submitted,



Connie Crandall, PHM  
Interim Executive Director

ATTESTED:   
Michelle Pultz-Orthaus, President



Founded July 3, 1829

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

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

## JACKSON CITY COUNCIL MEETING

### MINUTES

July 16, 2013

#### CALL TO ORDER:

The Jackson City Council met in regular session in City Hall and was called to order at 6:30 p.m. by Mayor Griffin.

#### PLEDGE OF ALLEGIANCE-INVOCATION:

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

#### ROLL CALL:

Present: Mayor Martin J. Griffin, Councilmembers Michelle L. Woods, Kimberly Jaquish, Laura Dwyer Schlecte, Andrew R. Frounfelker and Derek J. Dobies—6. Absent: Daniel P. Greer—1.

Also present: City Manager Patrick Burtch, Interim City Attorney Bethany Smith, City Engineer Jon Dowling, Police Chief Matt Heins, City Assessor David Taylor and City Treasurer/Clerk Andrew J. Wrozek, Jr.

#### AGENDA:

City Manager Burtch requested to add an item to the agenda. Motion was made by Councilmember Dobies and seconded by Councilmember Woods to add 11R to New Business on the agenda. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: Councilmember Greer—1.

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

**PRESENTATIONS/PROCLAMATIONS**

None

**CITIZEN COMMENTS - AGENDA ITEMS (3-MINUTE).**

Barb Byrum of 2460 W. Kimmel Rd spoke about the streetlighting changes. She said she was alright with taking out duplicate lights, but was concerned and wanted more information if lights were going to be taken out that would make the area unsafe.

Barb Jones (Owner of Tailors Corner 338 S. Mechanic) along with Penny Commet spoke of the dangers in the winter of removing lighting. Barb explained that it gets dark around 5pm and without adequate lighting it could create safety issues for employees and customers alike. Barb suggested putting the lights on timers.

**PETITIONS & COMMUNICATION:**

Received a letter from Jean Blodgett thanking Troy White, City Engineer’s Office, for a job well done on the West Avenue Project.

**CONSENT CALENDAR**

Motion was made by Councilmember Dobies and seconded by Councilmember Frounfelker to approve the consent calendar as presented. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Schlecte, Frounfelker and Dobies – 6. Nays: 0. Absent: Councilmember Greer – 1.

**Consent Calendar**

- A. MINUTES OF THE REGULAR MEETING ON JUNE 25, 2013:**  
Approve the minutes of the regular City Council meeting of June 25, 2013.
- B. CIVIL SERVICE COMMISSION REAPPOINTMENT:**  
Approve the Mayor’s recommendation to reappoint Teresa T. Delph to the Civil Service Commission for a three-year term beginning September 1, 2013, and ending August 31, 2016.
- C. JACKSON DISTRICT LIBRARY BOARD APPOINTMENT:**  
Approve the Mayor’s recommendation to appoint David Zuleski to the Jackson District Library Board of Trustees for a four-year term beginning August 24, 2013, and ending August 23, 2017.

- D. **TRAFFIC CONTROL ORDER NO. 2158- HARWOOD STREET TRAFFIC CALMING:**  
Approve Traffic Control Order No. 2158 for installation of a stop sign at Harwood Street and Third Street for traffic calming.
- E. **EASTSIDE REUNION:**  
Approve the request from Louvenia Shack-Seals to conduct their biennial Eastside Reunion celebration in Rotary Park on Saturday, August 10, 2013, from 10:00 a.m. - dusk. (A Hold Harmless Agreement has been submitted in lieu of insurance.)
- F. **SPEAKING WITH SPIRITS CEMETERY WALK:**  
Approve the request from Ella Sharp Museum Association of Jackson to conduct their 2<sup>nd</sup> annual Speaking with Spirits Cemetery Walk in Mount Evergreen Cemetery on Saturday, August 3, 2013, from 2:45 p.m. - 6:00 p.m. (contingent upon receipt of proper insurance).
- G. **JACKSON HOUSING COMMISSION - EMPLOYEE COMPENSATION:**  
Concur with the Interim Executive Director's recommendation to establish a Merit Compensation Schedule for all officers and employees of the Jackson Housing Commission, and also to concur with the recommendation to approve an annual compensation rate of \$44,286.17, Step 7, for the Section 8 Program Director, Shari Boyce, retroactive to February 6, 2013.

**PUBLIC HEARINGS:**

- A. **GREAT LAKES METAL FINISHING, LLC-IFEC:**  
Public hearing regarding the application filed by Great Lakes Metal Finishing, LLC, for an Industrial Facilities Tax Exemption Certificate.

Mayor Griffin opened the public hearing. No one spoke so Mayor Griffin closed the public hearing.

- 1. **CONSIDER A RESOLUTION APPROVING AN APPLICATION FOR AN INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE (IFTEC) FOR GREAT LAKES METAL FINISHING, LLC.**

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

**OTHER BUSINESS**

**A. ORDINANCE- FIREWORKS (SECOND/FINAL READING):**

Final adoption of Ordinance No. 2013.15, to repeal existing Chapter 18, Article VII, Section 18-183, City Code ("Fireworks"), and to adopt new sections 18-186 through 18-195 in Chapter 18, Article VII to provide for the regulation of the ignition, discharge and use of consumer fireworks, as allowed under the Michigan Fireworks Safety Act, MCL 28.451 et seq., as amended.

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

**B. ORDINANCE - OTSEGO APARTMENTS PILOT (SECOND/FINAL READING):**

Final adoption of Ordinance No. 487, to provide for a service charge in lieu of taxes (PILOT) for a proposed multiple-family dwelling project for elderly persons of low income to be financed or assisted pursuant to provision of the State Housing Development Authority of 1966, as amended.

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

**NEW BUSINESS**

**A. SEPTEMBER 24, 2013, CITY COUNCIL MEETING DATE:**

Approve the Mayor's recommendation to cancel the September 24, 2013, City Council meeting date at 6:30 p.m., and reschedule for September 17, 2013, 6:30 p.m.

Motion was made by Councilmember Woods and seconded by Councilmember Dobies to approve the recommendation.

Councilmember Frounfelker spoke and said he requests time off from work to attend meetings, and if the date is changed then he would not be able to attend the meeting on the 17<sup>th</sup>.

The motion was adopted by the following vote. Yeas: Mayor Griffin, and

Councilmembers Woods, Jaquish, Schlecte, and Dobies – 5. Nays:  
Councilmember Frounfelker – 1. Absent: Councilmember Greer – 1.

**B. RESOLUTION AMENDING THE CITY'S CAFETERIA PLAN:**

Approve a resolution amending the City's Cafeteria (Employee Flexible Benefit) Plan, including a Dependent Care Flexible Spending Account and Health Flexible Spending Account to comply with federal health care reform mandates.

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

**C. RESOLUTION APPROVING A LETTER OF AGREEMENT:**

Approve a resolution approving a Letter of Agreement between the Jackson Housing Commission, the U.S. Department of Housing and Urban Development (HUD), and the City of Jackson regarding and employee healthcare plan, and authorization for the Mayor to execute the document.

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

**D. CORRECTIVE RESOLUTION- SPECIAL ASSESSMENT ROLL NO. 4199:**

Approve a Corrective Resolution for Special Assessment Roll No. 4199 for Delinquent Miscellaneous Public Works Receivables, confirmed at the March 22, 2011, City Council meeting.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Schlecte to approve the corrective resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Schlecte, Frounfelker and Dobies – 6. Nays: 0. Absent: Councilmember Greer – 1.

**E. CORRECTIVE RESOLUTION - SPECIAL ASSESSMENT ROLL NO. 4226:**

Approve a Corrective Resolution for Special Assessment Roll No. 4226 for Delinquent Miscellaneous Housing Code Enforcement Fund Receivables, confirmed at the May 28, 2013, City Council meeting.

Motion was made by Councilmember Woods and seconded by

Councilmember Dobies to approve the corrective resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Schlecte, Frounfelker and Dobies – 6. Nays: 0. Absent: Councilmember Greer – 1.

**F. CONSUMERS ENERGY STANDARD STREETLIGHTING CONTRACT CHANGES:**

Approve the Resolutions for Changes to Consumers Energy Standard Streetlighting Contract, and authorization for the Mayor and City Treasurer/Clerk to sign the appropriate documents.

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

**G. ORDINANCE AMENDMENT - NUMBER OF INSTALLMENT PAYMENTS FOR SPECIAL ASSESSMENTS (FIRST READING):**

Consideration of an ordinance amending Chapter 22, Section 22-8(b), City Code, to permit an extended period of time for payment of special assessments for the public health, safety and welfare of the Citizens of the City of Jackson.

Motion was made Councilmember Dobies and seconded by Councilmember Woods to approve the first reading of the ordinance. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Schlecte, Frounfelker and Dobies – 6. Nays: 0. Absent: Councilmember Greer – 1.

**H. ORDINANCE AMENDMENT - DUTIES AND AUTHORITY OF THE CITY MANAGER (FIRST READING):**

Consideration of an ordinance amending Article I, Section 2-4, Chapter 2, City Code, to grant the City Manager the authority to negotiate and decrease late charges, late fees, interest charges and other monetary penalties for the health, safety and welfare of the Citizens of the City of Jackson.

Motion was made by Councilmember Dobies and seconded by Councilmember Woods to approve the first reading of the ordinance. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Schlecte, Frounfelker and Dobies – 6. Nays: 0. Absent: Councilmember Greer – 1.

**I. ORDINANCE AMENDMENT - LICENSING FEES & REGULATIONS OF BUSINESSES, TRADES AND OCCUPATIONS (FIRST READING):**

Consideration of an ordinance amending Articles I through XVII, Chapter 16, City Code, to modernize the provisions for regulation of certain fees, and to decrease regulations on certain businesses, trades and occupations for health, safety and welfare of the Citizens of the City of Jackson.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Dobies to approve the first reading of the ordinance. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Schlecte, Frounfelker and Dobies – 6. Nays: 0. Absent: Councilmember Greer – 1.

**J. BID AWARD OF 2013 WESLEY STREET WATER MAIN REPLACEMENT:**

Approve the bid award of the 2013 Wesley Street Water Main Replacement Contract to Bailey Excavating, Inc., in the amount of \$136,045.90, to replace water main on Wesley Street between Francis Street and South Cooper Street, and authorization for the Mayor and City Clerk to execute the appropriate document(s), in accordance with the Purchasing Agent.

Motion was made by Councilmember Schlecte and seconded by Councilmember Woods to approve the bid award. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Schlecte, Frounfelker and Dobies – 6. Nays: 0. Absent: Councilmember Greer – 1.

**K. RENEWAL OF SPENT LIME CONTRACT - WATER TREATMENT PLANT:**

Approve the second renewal of the contract with Prolime, Washington, Michigan, for spent lime bi-product removal in the amount of \$12.36 per cubic yard for an anticipated total project cost of \$247,200.00, and authorization for the Mayor and City Treasurer/Clerk to execute the appropriate documents.

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

**L. PURCHASE OF EQUIPMENT - DEPARTMENT OF PUBLIC WORKS:**

Approve the purchase of one (1) new brush chipper from Morbark, Inc., Winn, in the amount of \$31,424.40, for use by the Department of Public Works.

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

**M. PURCHASE OF DUMP TRUCKS - DEPARTMENT OF PUBLIC WORKS:**

Approve the purchase of two (2) 2012, International dump trucks from Tri County International through the State of Michigan MiDeal contract in the amount of \$157,530.00.

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

**N. PURCHASE OF SPECIALTY TRUCK PACKAGES - DEPARTMENT OF PUBLIC WORKS:**

Approve the purchase of two (2) 2012 specialty truck packages from Truck & Trailer Specialties through the State of Michigan MiDeal contract in the amount of \$95,278.00.

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

**O. RENEWAL OF HAZARDOUS MATERIALS ASSESSMENTS FOR INDIVIDUAL STRUCTURES CONTRACT:**

Approve the first contract renewal with Red Cedar Consulting, LLC, Lansing, to provide hazardous materials assessments for individual structures on an as-needed basis, in accordance with the contract signed June 25, 2012.

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

**P. CHANGE ORDER NO. 4 – FORMER CONSUMERS ENERGY BUILDING DEMOLITION PROJECT:**

Approve Change Order No. 4 to the Former Consumers Energy Building Demolition Project Contract between the City and Dore & Associates Contracting Inc., regarding the date of completion of the contract to demolish the former Consumers Energy Building, authorization for the Mayor to sign same, and authorization for the City Attorney to make minor modifications to the documents and to take all other action necessary for the execution of Change Order No. 4 (Staff recommends approval).

Motion was made by Councilmember Schlecte and seconded by Councilmember Woods to approve the Change Order #4. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Schlecte, Frounfelker and Dobies – 6. Nays: 0. Absent: Councilmember Greer – 1.

**Q. MICHIGAN MUNICIPAL LEAGUE LIABILITY AND PROPERTY POOL RENEWAL OF INSURANCE LIABILITY COVERAGE:**

Approve the insurance renewal premium with the Michigan Municipal League Liability and Property Pool (MML Pool), in the amount of \$394,336.00 for Fiscal Year 2013-14, and authorization for the Finance Director to pay the Invoices, in accordance with the recommendation of the Interim City Attorney.

Motion was made by Councilmember Dobies and seconded by Councilmember Frounfelker to approve the insurance coverage renewal. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Schlecte, Frounfelker and Dobies – 6. Nays: 0. Absent: Councilmember Greer – 1.

**R. AWARD DEMOLITION CONTRACT IN THE TOTAL AMOUNT OF \$28,000 TO THE LOW BIDDER, MICHIGAN DEMOLITION.**

Approve the award of the demolition contract for demolition of 701 S. Mechanic and 109 E. Wilkins to Michigan Demolition in the amount of \$28,000 and authorize the City Manager to approve any and all change orders required to complete the demolitions.

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

**EXECUTIVE SESSION**

## **Executive Session to discuss pending litigation.**

Motion was made by Councilmember Jaquish and seconded by Councilmember Dobies to go into closed executive session to discuss two pending litigations. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Schlecte, Frounfelker and Dobies – 6. Nays: 0. Absent: Councilmember Greer – 1.

## **RETURN TO OPEN SESSSION**

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

## **ACTION ITEM 1.**

Motion was made by Councilmember Frounfelker and seconded by Councilmember Dobies to approve the action recommended by the Interim City Attorney in executive session as to DPC Juniper vs. City of Jackson (Docket No. 0453720). The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Schlecte, Frounfelker and Dobies – 6. Nays: 0. Absent: Councilmember Greer – 1.

## **ACTION ITEM 2.**

Motion was made by Councilmember Frounfelker and seconded by Councilmember Woods to approve the action recommended by the Interim City Attorney in executive session as to City of Jackson vs. Jackson County Treasurer (AHB case #12-078NW) The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Schlecte, Frounfelker and Dobies – 6. Nays: 0. Absent: Councilmember Greer – 1.

## **CITIZEN COMMENTS – NON-AGENDA ITEMS (3-MINUTE LIMIT):**

Susan Murdie 5<sup>th</sup> Ward candidate for City Council (W. Wesley St. resident) came to discuss her favorite campaign activity and to invite residents and Council to volunteer for Trash Walks Vote Susan Murdie. The 3<sup>rd</sup> trash walk will be on Sunday, July 28, 2013 from 6-7:30 p.m. on Mechanic Street. She stated that if anyone would like their name listed in the press release they must promise to bring 2 volunteers with them. She wanted to invite her opponent to join her so that one positive outcome can come out of the election. Susan said, "no matter who gets the most votes, let's start cleaning up Jackson today".

Ted Brzezinski spoke about promoting Jackson. He proposed a sign that says, "We want your business in Downtown Jackson" with the email address at the bottom and also a sign for littering. He didn't know if there would need to be an ordinance for that. He questioned moving the semi trucks on Michigan

Avenue and West Avenue out to Cooper Street to reduce the damage on the streets.

### CITY COUNCILMEMBERS' COMMENTS:

Councilmember Woods-wanted to thank those who attended her neighborhood meeting on July 9<sup>th</sup>. She said it was well attended and she thanked Patrick and Chief Heins for their attendances as well. She wanted to invite everyone to get out and vote in the 1<sup>st</sup> Ward Primary on August 6<sup>th</sup>.

Councilmember Jaquish-wanted to congratulate the Center for Family Health on their new facility and prenatal program. She also congratulated Tom Loveberry on his retirement from Jackson Fire Department on Saturday, July 20<sup>th</sup>. She wanted to know how long the repair would take on the Elm Street railroad. Jon Dowling stated the project should be about a week. She also wanted to know why the pavement wasn't redone after Consumers accessed the gas lines on Pleasant Street. Jon Dowling stated Consumers would contact DPW to repair it and then the City bills Consumers for the repairs. He said it might not be finished yet.

Councilmember Schlecte-wanted to give a compliment to a contractor who did a demolition at 910 1<sup>st</sup> Street. She said there was an issue with the project and a neighboring property, and the contractor rectified the situation immediately. She also stated the Jackson Association of Realtors and the Jackson Community Foundation have awarded the grants that they received for place making, and all five grants will do something within the City of Jackson. At least four of the grants will be in the 5<sup>th</sup> Ward. One is in Partnership Park, three are on Mechanic Street (between Glick Hwy & Ganson) and the last one is for the Dahlem Center.

Councilmember Frounfelker- thanked Councilmember Schlecte for putting the place making grant process together. He said while he was walking around looking at street lights he noticed there was a closure on Mechanic Street because of a collapsed utility line. He wanted to know if the asphalt could be salvaged by perhaps a skim coat on the 500 block. Patrick Burtch stated that the situation is being addressed in order to get by until the street is reconstructed.

Councilmember Dobies-wanted to say he was happy that they passed the Fireworks Ordinance. He said he thinks it is important that the Council continues to educate residents to promote public peace. He thanked Councilmembers Frounfelker and Woods for their leadership on providing access to healthy foods to underserved areas. He wanted to thank the Jackson Community Foundation for providing some funds to help with some projects in the City. He said he is working with Kelli Hoover-Parks Director (said she is doing a great job) on a painting project in Lions Park. He invited anyone who wishes to come and volunteer with that. He also stated he has been getting a lot of positive feedback about demolitions and he feels it is important to continue with that. Lastly, he said he will be live blogging with Scott Tenbrink and Will

Forgrave from Mlive on Mlive.com on 7/17/13 at noon about the University of Michigan School of Information project to help improve citizen engagement.

Mayor Griffin- wanted to mention the loss of a great person in the community today. Ila Smith who was involved in Jackson for many years and with many volunteer organizations passed away this morning. He said she will be greatly missed.

**MANAGER'S COMMENTS:** The Manager wanted to say that he has received calls from residents in the 1<sup>st</sup> and 5<sup>th</sup> Wards praising the City's efforts on tearing down abandoned homes. They are also praising the restoration efforts of these lots such as the landscaping and the growth of new trees on them. He said kudos needs to be given to the contractors who are doing the work on these lots. He said they are true professionals. He also mentioned that Steward/Lansing Avenue are now two-way until Trail Street.

**ADJOURNMENT:**

No further business being presented, a motion was made by Councilmember Woods to adjourn the meeting. The motion was adopted by unanimous voice vote and the meeting adjourned at 7:51 p.m.

Andrew J. Wrozek Jr.  
City Treasurer/Clerk

AJW/car



Jackson Downtown Development Authority

**CITY COUNCIL MEETING  
August 13, 2013**

August 6, 2013

**MEMO TO: Honorable Mayor and City Council Members**

**FROM: Jonathan Greene, Executive Director**

**SUBJECT: Special Event Application: Taste of Jackson**

**RECOMMENDATION: Approval of the request from the Midtown Merchant Association to close Mechanic Street from Pearl St. to Michigan Ave for the Taste of Jackson Event on Thursday, August 15<sup>th</sup> from 4pm to 9pm. Insurance is pending approval.**

**DEPARTMENTAL APPROVAL SUMMARY**

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

<b>Department</b>	<b>Approval</b>	<b>Denial</b>	<b>Economic Impact</b>
Police	x		\$0
Fire	x		\$0
Engineering	x		\$0
Public Works	x		\$350
Recreation	x		\$0
DDA	x		\$0
			<hr/> \$ 350

**Conditions and Considerations:**

- Any markings on pavement shall be in temporary (i.e. chalk) material
- Clean up of all debris and trash

**Insurance Status:** Pending

att: Special Event Application: **Taste of Jackson**

JG/RR

CITY OF JACKSON  
SPECIAL EVENT APPLICATION

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

Date Received By DDA Office: \_\_\_\_\_ Time: \_\_\_\_\_ By: \_\_\_\_\_

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

Sponsoring Organization's Legal Name: Midtown Association

Organization Address: PO Box 1608, Jackson, MI, 49204

Organization Agent Cassandra Spicer Title: Secretary

Phone: (work) 517-902-8016 Phone: (home) \_\_\_\_\_ Phone: (during the event) 517-740-0715

Agent's Address Beads To Live By - 145 S. Mechanic St. Jackson, MI 49201

Agent's E-Mail Address cassandra@beadstoliveby.com

Event Name Taste of Jackson

Please give a brief description of the proposed special event: We are having the event at the Michigan Theatre and would like to be able to close the street for that evening. There will be a cash bar provided through the theatre, live music indoors and food from a dozen or more local vendors

Event Day(s) & Date(s) Thursday, August 15th 2013

Event Time(s) 10:00 - 9:00pm

Set-Up Date & Time 8/15 @ 4:00 Tear-Down Date & Time 8/15 @ 9:00

Event Location Michigan Theatre - Mechanic Street between Mechanic + Pearl St.

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

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

STREET CLOSURES: Start Date/Time 8/15 @ 4:00pm through Date/Time: 8/15 @ 9:00

RESERVED PARKING: Are you requesting reserved parking? YES  NO   
If yes, list the number of street spaces, City lots or locations where parking is requested: \_\_\_\_\_

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

DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT?  YES  NO  
If yes, please attach liquor license and liquor liability insurance. again, not outside  
If yes, what time? 6:00 until 9:00pm

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

**ATTENDANCE:** What is the expected (estimated) attendance for this event? 500 adults, some children plus vendors

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

**REST ROOMS:** Are you planning to provide portable rest rooms at the event? YES  NO  
If yes, how many? \_\_\_\_\_

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

**OTHER REQUESTS:** (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)

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

**CERTIFICATION AND SIGNATURE:** I understand and agree on behalf of the sponsoring organization that:  
A Certificate of Insurance must be provided which names the City of Jackson as an additional named insured party on the policy.

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

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

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

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

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

8/5/13  
Date

Cassandro Spicer  
Signature of Sponsoring Organization's Agent

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



Jackson Downtown Development Authority

**CITY COUNCIL MEETING**  
**August 13, 2013**

**August 5, 2013**

**MEMO TO: Honorable Mayor and City Council Members**

**FROM: Jonathan Greene, Executive Director**

**SUBJECT: Special Event Application: Foundry Fest**

**RECOMMENDATION: Approval of the request from Patrick Colligan to conduct Foundry Fest in parking lot 9a at 12:00 p.m. (noon) on August 16<sup>th</sup> to 12:00 p.m. (noon) on August 18<sup>th</sup>, 2013. The specific times of the event are August 16<sup>th</sup> from 6:00 p.m. to 12:30 a.m. and August 17<sup>th</sup> from 6:00 p.m. to 12:30 a.m. Insurance approval is pending.**

**DEPARTMENTAL APPROVAL SUMMARY**

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

<b>Department</b>	<b>Approval</b>	<b>Denial</b>	<b>Economic Impact</b>
Police	x		\$700
Fire	x		\$0
Engineering	x		\$326
Public Works	x		\$75
Recreation	x		\$0
DDA	x		\$0
			<hr/>
			<b>\$1,101</b>

**Conditions and Considerations:**

- Any markings on the pavement should be done in temporary, ie chalk, material

**Insurance Status:** Pending

att: Special Event Application: **Foundry Fest**  
Event Layout Map

JG/RR

CITY OF JACKSON  
SPECIAL EVENT APPLICATION

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

Date Received By DDA Office: 8/1/13 Time: 3:50 By: JG

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

Sponsoring Organization's Legal Name: The Foundry

Organization Address: 216 Francis St.

Organization Agent Patrick Colligan Title: member/owner

Phone: (work) 937-3468 Phone: (home) 937-3468 Phone: (during the event) 937-3468

Agent's Address 1527 Samaritan Dr Jackson, MI 49203

Agent's E-Mail Address Patrickc23@comcast.net

Event Name Foundry Fest

Please give a brief description of the proposed special event: 2 Day outdoor Live Band Party

Event Day(s) & Date(s) Friday August 16<sup>TH</sup> and Saturday August 17<sup>TH</sup>

Event Time(s) 6 PM till 1 AM

Set-Up Date & Time Friday at Noon Tear-Down Date & Time Sunday Noon

Event Location City lot at corner of Francis and Cortland

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

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

STREET CLOSURES: Start Date/Time None through Date/Time: \_\_\_\_\_

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

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

DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT?  YES  NO  
If yes, please attach liquor license and liquor liability insurance.  
If yes, what time? Friday and Saturday until 6 PM - 1 AM

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

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

Live Bands and DJ's schedule TBA

**ATTENDANCE:** What is the expected (estimated) attendance for this event? 500

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

**REST ROOMS:** Are you planning to provide portable rest rooms at the event?  YES  NO  
If yes, how many? 10

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

**OTHER REQUESTS:** (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)

make sure parking lot is clear of vehicles.

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

**CERTIFICATION AND SIGNATURE:** I understand and agree on behalf of the sponsoring organization that:  
A Certificate of Insurance must be provided which names the City of Jackson as an additional named insured party on the policy.

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

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

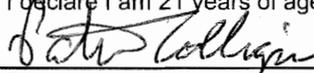
The approval of this special event may include additional requirements, limitations, or fees, based on the City's review of this application.

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

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

8-1-13

Date



Signature of Sponsoring Organization's Agent

**RETURN THIS APPLICATION at least thirty (30) days before the first day of the event to:**

**DOWNTOWN DEVELOPMENT AUTHORITY  
161 W. MICHIGAN AVENUE JACKSON, MI 49201**

Francis - St.



security

sidewalk

Entrance

Security

Stage 2

Side walk

Stage 1

Security

Bar

The Foundry

Portable toilets

Fenced

Patio

security

Alley

Parking

Parking

Event Title: \_\_\_\_\_

**DEPARTMENTAL USE ONLY: Please contact applicant directly with any questions or concerns. Sign and return to the DDA, as soon as possible.**

**Approvals noted below by departments, indicate they have been made aware of the request and the responsibilities of their department have been met.**

Police Dept. _____	Recommend Approval: YES	NO	Est. Economic Impact:\$ _____
Fire Dept. _____	Recommend Approval: YES	NO	Est. Economic Impact:\$ _____
Traffic Eng. _____	Recommend Approval: YES	NO	Est. Economic Impact:\$ _____
Dept. Pub. Serv. _____	Recommend Approval: YES	NO	Est. Economic Impact:\$ _____
DDA _____	Recommend Approval: YES	NO	Est. Economic Impact:\$ _____

Have businesses been notified for street closures?: YES NO

Parks/Forestry \_\_\_\_\_ Recommend Approval: YES NO Est. Economic Impact:\$ \_\_\_\_\_

Reason for disapproval: \_\_\_\_\_

Any special requirements/conditions: \_\_\_\_\_

Insurance/Indemnification Received: \_\_\_\_\_ Insurance Approved: \_\_\_\_\_ SEA Application Fee: \_\_\_\_\_

City Council Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ Confirmed with Applicant: \_\_\_\_\_



Jackson Downtown Development Authority

**CITY COUNCIL MEETING  
August 13th, 2013**

August 5, 2013

**MEMO TO: Honorable Mayor and City Council Members**

**FROM: Jonathan Greene, Executive Director**

**SUBJECT: Special Event Application: August Annual Race Weekend Event**

**RECOMMENDATION: Approval of the request from Crazy Cowboy to conduct their annual August Race Weekend Event on Friday, August 16, 2013 at 3p.m. through Sunday, August 18<sup>th</sup> at 3 a.m. Insurance approval has been granted by the City Attorney.**

**DEPARTMENTAL APPROVAL SUMMARY**

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

<b>Department</b>	<b>Approval</b>	<b>Denial</b>	<b>Economic Impact</b>
Police	x		\$0
Fire	x		\$0
Engineering	x		\$0
Public Works	x		\$882
Recreation	x		\$0
DDA	x		\$0
			<hr/>
			\$ 882

**Conditions and Considerations:**

- **Any markings on pavement must be in temporary (ie chalk) material.**
- **Outstanding balance from the June Annual Race Weekend Event has not been paid. Outstanding balance is \$523.45.**

**Insurance Status:** Approved

att: Special Event Application: **August Annual Race Weekend Event**

JG/RR

CITY OF JACKSON  
SPECIAL EVENT APPLICATION

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

Date Received By DDA Office: 1/15/13 Time: \_\_\_\_\_ By: RSR

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

Sponsoring Organization's Legal Name: Crazy Cowboy LLC

Organization Address: 215 S. Mechanic St.

Organization Agent: Kimberly Gamez Title: Owner

Phone: (work) 817-1910 Phone: (home) 764-5784 Phone: (during the event) 812-1037

Agent's Address: 39109 E. South St.

Agent's E-Mail Address: info@thecrazycowboy.com

Event Name: Annual Race Weekend Event

Please give a brief description of the proposed special event: Annual race weekend event that brings hundreds of people to downtown Jackson

Event Day(s) & Date(s): Aug 16<sup>th</sup> - 18<sup>th</sup> 2013

Event Time(s): Aug 16<sup>th</sup> 1pm - 1am & Aug 17<sup>th</sup> 8pm - 1am

Set-Up Date & Time: Aug 16<sup>th</sup> 3pm Tear-Down Date & Time: Aug 18<sup>th</sup> 3am

Event Location: Mechanic St. between Cortland + Washington

ANNUAL EVENT: Is this event expected to occur next year? (circle one)  YES  NO  
How many years has this event occurred? 8

MAP: (a) If your event will use streets or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. (b) Show any streets or parking lots that you are requesting to be blocked off, and location of vendors, if any. A final map, if different, must be provided seven (7) days before the event. (c) Please show an emergency vehicle access lane. 10<sup>th</sup> RR

STREET CLOSURES: Start Date/Time: Aug 16<sup>th</sup> 3pm through Date/Time: Aug 17<sup>th</sup> 1am

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

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

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

If yes, what time? Aug 16<sup>th</sup> 1pm - 1am until Aug 17<sup>th</sup> 1pm - 1am

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

**ATTENDANCE:** What is the expected (estimated) attendance for this event? 500-800

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

**REST ROOMS:** Are you planning to provide portable rest rooms at the event?  YES  NO  
If yes, how many? 4

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

**OTHER REQUESTS:** (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)

see attached letter dated Jan 14, 2013

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

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

A Certificate of Insurance must be provided which names the City of Jackson as an additional named insured party on the policy.

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

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

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

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

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

1/14/2013  
Date

[Signature]  
Signature of Sponsoring Organization's Agent

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

Washington Avenue

Gattshall's

Adams Hotel

Matt's Cafe

Cortland

S Mechanic St.

Ye Old Skull

Make it Yours

BZB

Crazy Cowboy

Dicker 'n Deal

Jackson Coffee

➔ Entrance/Exit

⊙ Trash Cans

☺ Porta-Potty

☪ High-top Tables

■ Live Entertainment

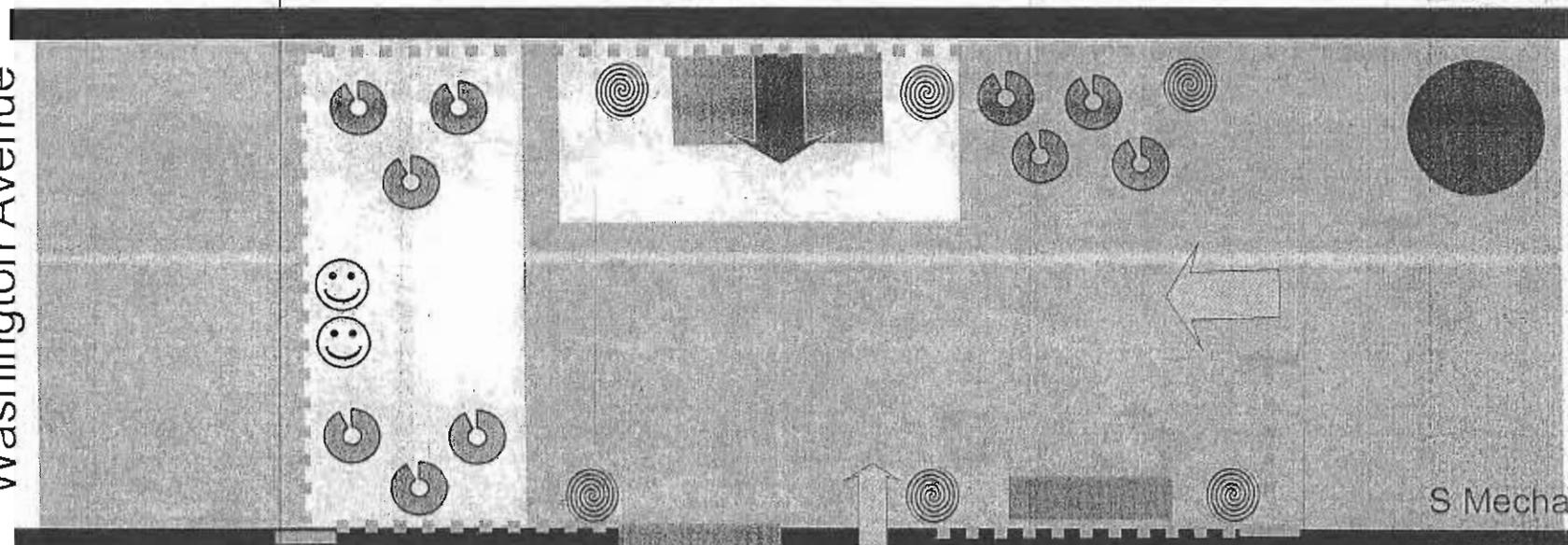
■ Liquor/ Beer Bar

■ Sidewalk

● Inflatable Bottles

⋮ Security Fence

# Friday and Saturday Night Event Layout





Jackson Downtown Development Authority

**CITY COUNCIL MEETING  
August 13th, 2013**

August 6, 2013

**MEMO TO: Honorable Mayor and City Council Members**

**FROM: Jonathan Greene, Executive Director**

**SUBJECT: Special Event Application: Amazing Race Jackson 2013 & After Party**

**RECOMMENDATION: Approval of the request from the Fitness Council of Jackson to conduct their Amazing Race and After Party on Saturday, August 17, 2013 from 10:00 a.m. – 10:00 p.m. Insurance is pending approval.**

**DEPARTMENTAL APPROVAL SUMMARY**

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

<b>Department</b>	<b>Approval</b>	<b>Denial</b>	<b>Economic Impact</b>
Police	x		\$0
Fire	x		\$0
Engineering	x		\$0
Public Works	x		\$0
Recreation	x		\$0
DDA	x		\$0
			<hr/>
			<b>\$0</b>

**Conditions and Considerations: none.**

**Insurance Status:** Pending approval

att: Special Event Application: **Amazing Race Jackson 2013 & After Party**

JG/HH

**CITY OF JACKSON  
SPECIAL EVENT APPLICATION**

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

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

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

Sponsoring Organization's Legal Name: Fitness Council of Jackson

Organization Address: 225 N. Jackson St.

Organization Agent Scott TenBrink Title: Executive Director

Phone: (work) 517 990 9798 Phone: (home) \_\_\_\_\_ Phone: (during the event) 517 914 6605

Agent's Address 225 N. Jackson St.

Agent's E-Mail Address info@fitnesscouncil.org

Event Name Amazing Race Jackson 2013 & After Party

Please give a brief description of the proposed special event: participants race throughout the city on foot, paddling, biking & bus to complete challenges. Locations are mostly private. Challenges may be held in Nixon, Ella Sharp, and Leominis Parks. Food & music at Grand River Amphitheater after the race. Tents and race start at @ Amphitheater.

Applying to partner w/ Michigan Theater for ~~alcohol~~ beer & wine vending at party site.

Event Day(s) & Date(s) Saturday, August 17 12 pm - 9 pm

Event Time(s) 12 pm - 9 pm

Set-Up Date & Time 10am 8/17 Tear-Down Date & Time 10pm 8/17

Event Location Amphitheater at Grand River Artswalk

**ANNUAL EVENT:** Is this event expected to occur next year? (circle one)  YES  NO  
How many years has this event occurred? 0

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

**STREET CLOSURES:** Start Date/Time None through Date/Time: \_\_\_\_\_

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

**VENDORS:** Food Concessions? YES  NO  Other Vendors? YES  NO  Catered, not vendors

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

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

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

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

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

**REST ROOMS:** Are you planning to provide portable rest rooms at the event?  YES  NO  
If yes, how many? 4

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

**OTHER REQUESTS:** (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)

Electricity access, DDA mic & speakers

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

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

A Certificate of Insurance must be provided which names the City of Jackson as an additional named insured party on the policy.

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

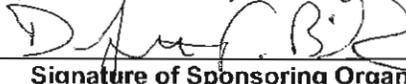
All food vendors must be approved by the Jackson County Health Department, and each food or other vendor must provide the City of Jackson with a Certificate of Insurance which names the City of Jackson as an additional named insured party on the policy.

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

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

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

7/14/2013  
Date

  
Signature of Sponsoring Organization's Agent

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



Jackson Downtown Development Authority

**CITY COUNCIL MEETING  
August 13th, 2013**

July 29, 2013

**MEMO TO: Honorable Mayor and City Council Members**

**FROM: Jonathan Greene, Executive Director**

**SUBJECT: Special Event Application: Cascades Civil War Muster**

**RECOMMENDATION: Approval of the request Cascades Inc. to conduct their annual Civil War Muster on Friday, August 23rd, 2013 at 10:00 a.m. through Sunday, August 25th, 2013 at 5:00 p.m. Insurance has been granted by the City Attorney.**

**DEPARTMENTAL APPROVAL SUMMARY**

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

<b>Department</b>	<b>Approval</b>	<b>Denial</b>	<b>Economic Impact</b>
Police	x		\$0
Fire	x		\$0
Engineering	x		\$0
Public Works	x		\$189
Recreation	x		\$0
DDA	x		\$0
			<hr/>
			<b>\$189</b>

**Conditions and Considerations: none.**

**Insurance Status: Approved**

att: Special Event Application: **Cascades Civil War Muster**

JG/RR

CITY OF JACKSON  
SPECIAL EVENT APPLICATION

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

Date Received By DDA Office: 7/10/13 Time: \_\_\_\_\_ By: HH

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

Sponsoring Organization's Legal Name: Cascades Inc.

Organization Address: PO Box 271, Jackson, MI 49204

Organization Agent: Kim Conant Title: President

Phone: (work) 262-6391 Phone: (home) 262-6391 Phone: (during the event) 262-6391

Agent's Address PO Box 271, Jackson, MI 49204

Agent's E-Mail Address kimc62@gmail.com

Event Name Cascades Civil War Muster

Please give a brief description of the proposed special event: The Cascades Civil War Muster is an educational, family fun event. It includes battle re-enactments, a military ball, a living/working village, step back in time hands on history exhibits, sutlers row, music festival, arts & craft show and more. The event attracts around 30,000 visitors over the course of the weekend.

Event Day(s) & Date(s) Saturday, August 24 & Saturday, August 25.

Event Time(s) All day both days

Set-Up Date & Time August 23, 2013 10:00 am Tear-Down Date & Time Sunday, August 25, 5:00 pm

Event Location Cascade Falls Park

ANNUAL EVENT: Is this event expected to occur next year? (circle one)  YES  NO  
How many years has this event occurred? 29

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

STREET CLOSURES: Start Date/Time 8/23 10:00 am through Date/Time: 8/25 7:00 pm

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

VENDORS: Food Concessions?  YES  NO Other Vendors?  YES  NO  
On County Property On County Property

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

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

If yes, what time? \_\_\_\_\_ until \_\_\_\_\_

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

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

*on County property*

**ATTENDANCE:** What is the expected (estimated) attendance for this event? 30,000 - 35,000

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

**REST ROOMS:** Are you planning to provide portable rest rooms at the event?  YES  NO  
If yes, how many? 28 regulars + 8 Handicap

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

**OTHER REQUESTS:** (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)

Barricades with lights to be placed at Brown St. & Randolph St. - Barricades with lights to be placed at Brown St. & Denton Rd. - 12 no parking barricades to be placed in off road parking on Randolph St. near basket ball court.

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

**CERTIFICATION AND SIGNATURE:** I understand and agree on behalf of the sponsoring organization that:  
A Certificate of Insurance must be provided which names the City of Jackson as an additional named insured party on the policy.

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

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

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

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

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

June 24, 2013  
Date

*Kim Conant*  
Signature of Sponsoring Organization's Agent

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



Jackson Downtown Development Authority

**CITY COUNCIL MEETING  
August 13, 2013**

August 5, 2013

**MEMO TO: Honorable Mayor and City Council Members**

**FROM: Jonathan Greene, Executive Director**

**SUBJECT: Special Event Application: End of Summer Fireworks Show**

**RECOMMENDATION: Approval of the request from Jackson County Parks Department to conduct their annual End of Summer Fireworks Show at Cascades Park on Saturday, August 31, 2013 from 9:00 a.m. – 11:00 p.m. Insurance approval has been granted by the City Attorney.**

**DEPARTMENTAL APPROVAL SUMMARY**

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

<b>Department</b>	<b>Approval</b>	<b>Denial</b>	<b>Economic Impact</b>
Police	x		\$800
Fire	x		\$200
Engineering	x		\$0
Public Works	x		\$670
Recreation	x		\$0
DDA	x		\$0
			<hr/>
			<b>\$1,670</b>

**Conditions and Considerations: none**

**Insurance Status: Approved**

att: Special Event Application: **Jackson County Parks Department**

JG/RR



**CITY OF JACKSON**  
**SPECIAL EVENT APPLICATION**  
 City Clerk's Office \* 161 W. Michigan Avenue \* Jackson, MI 49201  
 (517) 788-4025

**Date Received By Clerk's Office:** \_\_\_\_\_ **Time:** \_\_\_\_\_ **By:** \_\_\_\_\_

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

Sponsoring Organization's Legal Name: Jackson County Parks Department  
 Organization Address: 1992 Warren Avenue, Jackson MI 49203  
 Organization Agent: Becky Humphrey Title: Administrative Assistant  
 Phone: Work 517-768-2901 Home \_\_\_\_\_ During event Brandon Ransom 517-937-3767  
 Agent's Address: 1992 Warren Avenue, Jackson MI 49203  
 Agent's E-Mail Address: bhumphre@co.jackson.mi.us  
 Event Name: End of Summer Fireworks Show

Please give a brief description of the proposed special event:  
Fireworks, Live Entertainment and Food Vendors  
(Rain Date: Sunday, Sept. 1, 2013)  
 Event Day(s) & Date(s): Sat., Aug 31, 2013 Event Time(s): Starts at 5 pm  
 Set-Up Date & Time: 9 am, Aug 31, 2013 Tear-Down Date & Time: 11 pm  
 Event Location: The Cascades Park

**ANNUAL EVENT:** Is this event expected to occur next year?  YES  NO How many years has this event occurred? \_\_\_\_\_

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

**STREET CLOSURES:** Start Date/ Time: Aug 31, Noon through Date/ Time: Aug 31, 11 p.m.

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

**VENDORS:** Food Concessions?  YES  NO Other Vendors?  YES  NO gloProducts  
On County Property

**DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT?** YES  NO   
 If yes, are liquor license and liquor liability insurance attached? YES  NO   
 If yes, what time? n/a until n/a



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

**ATTENDANCE:** What is the expected (estimated) attendance for this event? 8,000 - 10,000

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

**REST ROOMS:** Are you planning to provide portable rest rooms at the event?  YES  NO If yes, how many? 12  
 As an event organizer, you must consider the availability of rest room facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

**OTHER REQUESTS:** (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)  
Street Closure at Brown + Randolph and Brown + Dexter  
Police for crowd control & Traffic control in the Park

**INSURANCE:** All sponsors of special events must carry liability insurance with coverage of at least \$500,000. An event sponsor must provide a valid certificate of insurance naming the City of Jackson as an additional insured party on the policy. A sponsor of a Low Hazard event may request that City Council waive the insurance requirement and execute a Hold Harmless and Indemnification Agreement. This event qualifies consideration for Low Hazard because:  
see attached

**CERTIFICATION AND SIGNATURE:** I understand and agree on behalf of the sponsoring organization that:  
 A Certificate of Insurance must be provided which names the City of Jackson as an additional named insured party on the policy or I am requesting that City Council waive the insurance requirement for this Low Hazard Event as identified in paragraph above related to insurance, and I have executed the Hold Harmless and Indemnification Agreement on behalf of the event sponsor.  
 All food vendors must be approved by the Jackson County Health Department, and each food or other vendor must provide the City of Jackson with a Certificate of Insurance which names the City of Jackson as an additional named insured party on the policy.  
 The approval of this special event may include additional requirements or limitations, based on the City's review of this application.  
 Applicants who fail to clean up and repair damages to the Event Area may be billed for City services and such failure will be considered for future applications.  
 As the duly authorized agent of the sponsoring organization, I am applying for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with the terms of the written confirmation of approval, and all other City requirements, ordinances and other laws, which apply to this Special Event. By signing this Special Event Application, I declare I am 21 years of age or older.

03.05.12  
 Date

Rebecca Humphrey  
 Signature of Sponsoring Organization's Agent

RETURN THIS APPLICATION at least thirty (30) days before the first day of the event to:  
 CITY CLERK'S OFFICE - ATTN: ANGELA ARNOLD  
 161 W. MICHIGAN AVENUE - JACKSON, MI 49201



Jackson Downtown Development Authority

**CITY COUNCIL MEETING  
August 13, 2013**

August 6, 2013

**MEMO TO: Honorable Mayor and City Council Members**

**FROM: Jonathan Greene, Executive Director**

**SUBJECT: Special Event Application: Jackson Family Fall Festival**

**RECOMMENDATION: Approval of the request from St. John Jackson Family Fall Festival to conduct their annual Jackson Family Fall Festival with setup beginning on Thursday, September 19<sup>th</sup> and the event itself running from Friday, September 20, 2013 thru Sunday, September 22<sup>nd</sup> from 3pm-dusk, respectively. Insurance is pending approval.**

**DEPARTMENTAL APPROVAL SUMMARY**

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

<b>Department</b>	<b>Approval</b>	<b>Denial</b>	<b>Economic Impact</b>
Police	x		\$185
Fire	x		\$0
Engineering	x		\$0
Public Works	x		\$0
Recreation	x		\$0
DDA	x		\$0
			<hr/>
			\$ 185

**Conditions and Considerations:**

- Any markings on pavement shall be in temporary (i.e. chalk) material
- Clean up Nixon Park softball field of all debris and trash

**Insurance Status:** Pending

att: Special Event Application: **Jackson Family Fall Festival**  
**Event layout**  
**Run route**

JG/RR

**CITY OF JACKSON  
SPECIAL EVENT APPLICATION**

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

Date Received By DDA Office: \_\_\_\_\_ Time: \_\_\_\_\_ By: \_\_\_\_\_

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

Sponsoring Organization's Legal Name: St. John Jackson Family Fall Festival

Organization Address: 704 N. East Ave. Jackson 49202

Organization Agent Elaine Crosby Title: Coordinator

Phone: (work) 841-9203 Phone: (home) 563-8476 Phone: (during the event) 745-4653

Agent's Address 704 N. East Ave. Jackson 49202

Agent's E-Mail Address ecrosby@myjacs.org

Event Name Jackson Family Fall Festival

Please give a brief description of the proposed special event: the festival is a three day event with carnival rides, children's games, food tents and dinners, craft tent, car show, bake sale, fireworks and entertainment.

Event Day(s) & Date(s) September 20-22, 2013

Event Time(s) 9/20 3pm-midnight, 9/21 10am-midnight, 9/22-13 noon-7:00pm

Set-Up Date & Time during the day of 9/19 Tear-Down Date & Time immediately following on the 22rd

Event Location Festival held behind St. John and JCMS schools, fireworks at Nixon Park, race on neighboring sts.

**ANNUAL EVENT:** Is this event expected to occur next year? (circle one) YES NO  
How many years has this event occurred? 7

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

**STREET CLOSURES:** Start Date/Time \_\_\_\_\_ through Date/Time: \_\_\_\_\_

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

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

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

If yes, please attach liquor license and liquor liability insurance. - IN PROCESS

If yes, what time? 9/20 3pm-midnight, 9/21 noon-midnight, 9/22 noon-6pm

**ENTERTAINMENT:** Are there any entertainment features related to this event? YES NO  
If yes, provide an attachment listing all bands/performers, type of entertainment, and performance schedule.  
*FRI Steve Berkenheim, SAT - DJ, SUN Hy-notes*

**ATTENDANCE:** What is the expected (estimated) attendance for this event? Approx. 20,000 during weekend

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

**REST ROOMS:** Are you planning to provide portable rest rooms at the event? YES NO  
If yes, how many? 10 porta johns and well as inside bathrooms  
As an event organizer, you must consider the availability of rest room facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

**OTHER REQUESTS:** (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)

We are requesting the use of Nixon Park baseball diamonds for Saturday night fireworks as well as use of the parking lot during the festival. We would like to have the Nixon parking lot lights on during the evening festival hours. We will also be holding a 5K run. The route is attached. We will have race marshals but police presence would be welcome. Beer and wine will be served in the Entertainment Tent with strict hours for minors. Security is present at the tent and no alcohol is allowed outside the tent A liquor license is in the application process with the MLCC.

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

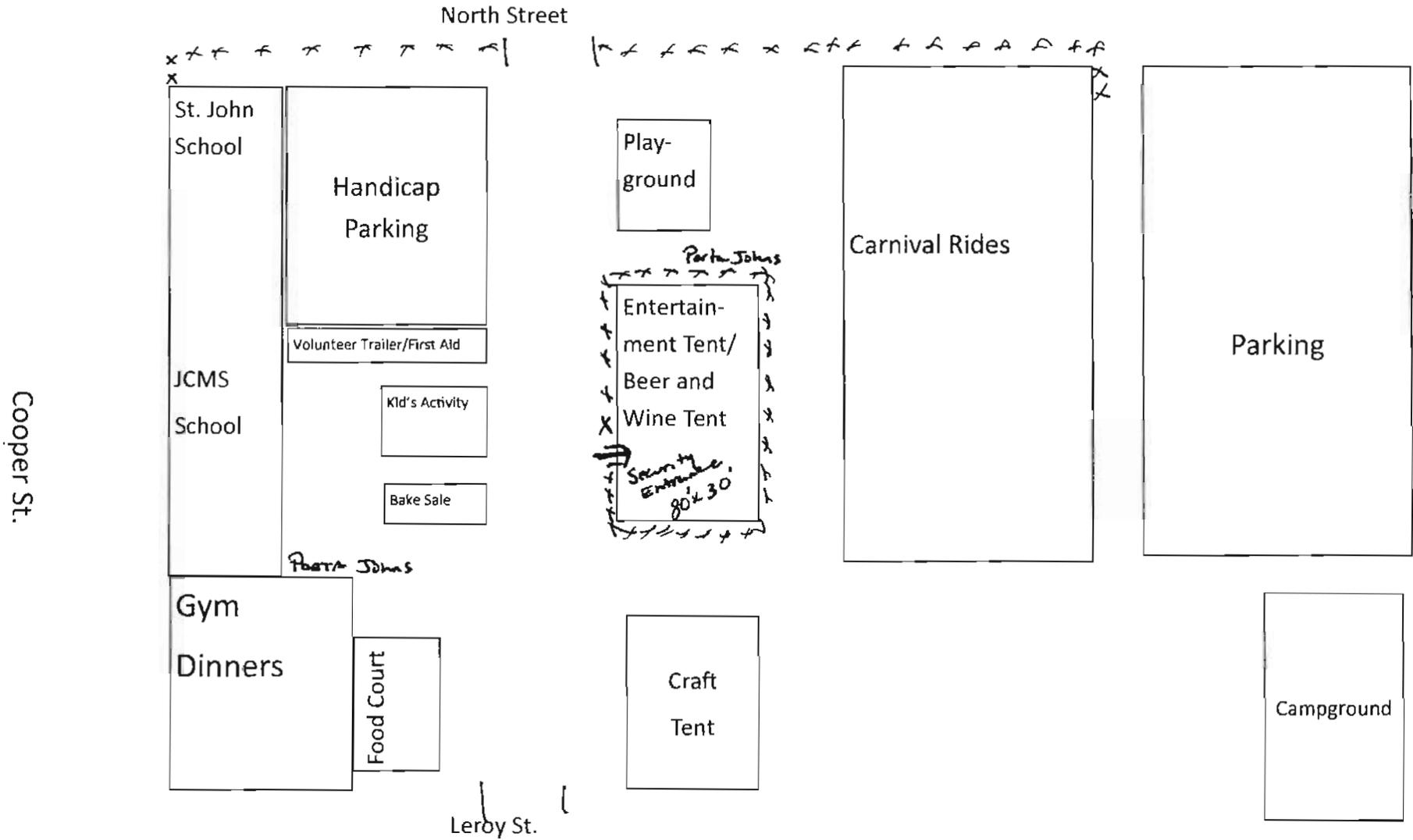
**CERTIFICATION AND SIGNATURE:** I understand and agree on behalf of the sponsoring organization that:  
A Certificate of Insurance must be provided which names the City of Jackson as an additional named insured party on the policy.  
A \$25 Special Event Application fee must be submitted along with this Special event Application.  
All food vendors must be approved by the Jackson County Health Department, and each food or other vendor must provide the City of Jackson with a Certificate of Insurance which names the City of Jackson as an additional named insured party on the policy.  
The approval of this special event may include additional requirements, limitations, or fees, based on the City's review of this application.  
Applicants who fail to clean up and repair damages to the Event Area may be billed for City services and such failure will be considered for future applications.  
As the duly authorized agent of the sponsoring organization, I am applying for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with the terms of the written confirmation of approval, and all other City requirements, ordinances and other laws, which apply to this Special Event. By signing this Special Event Application, I declare I am 21 years of age or older.

7/17/13  
Date

  
Signature of Sponsoring Organization's Agent

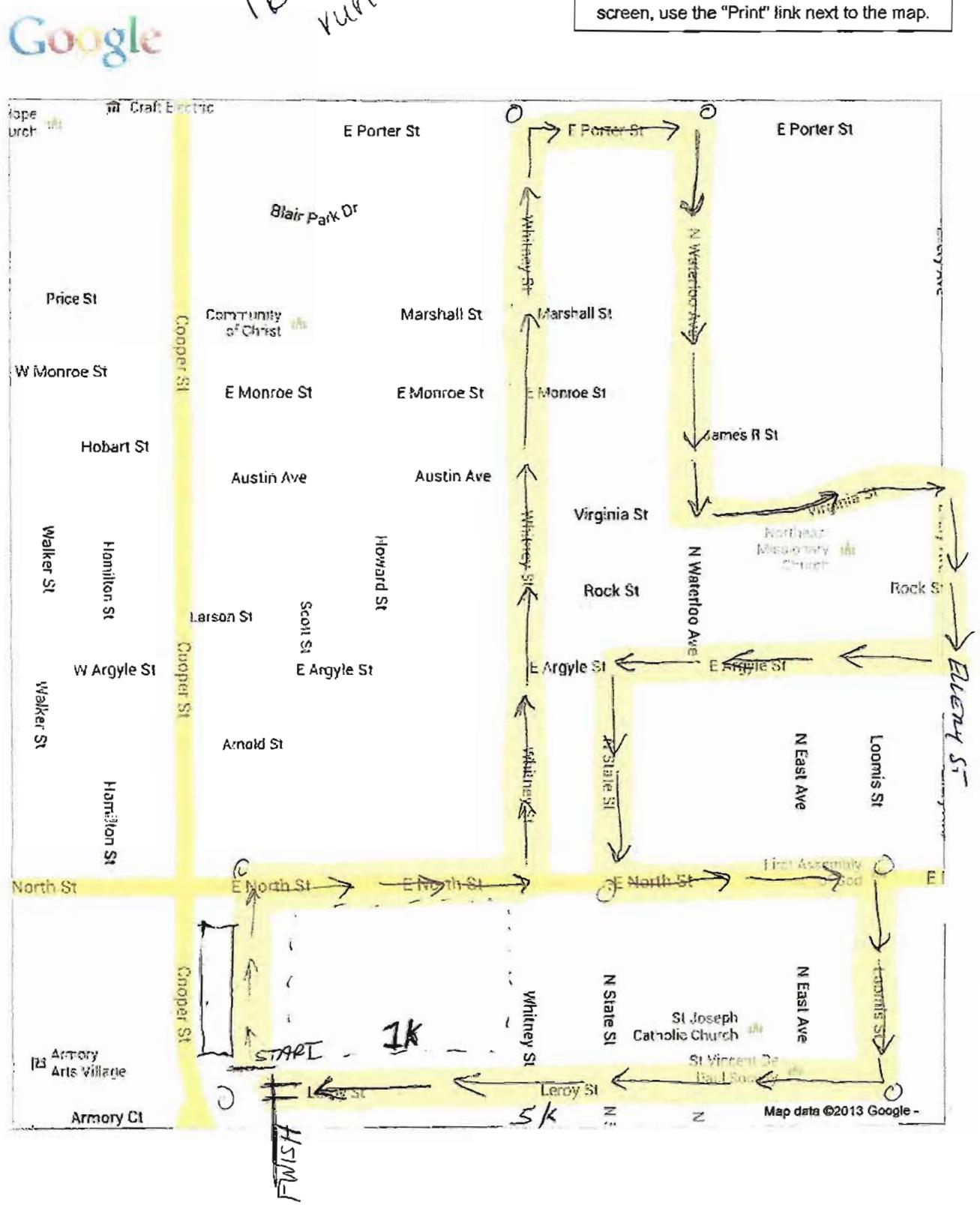
**RETURN THIS APPLICATION at least thirty (30) days before the first day of the event to:  
DOWNTOWN DEVELOPMENT AUTHORITY  
161 W. MICHIGAN AVENUE JACKSON, MI 49201**

# Event layout



1k + 5k  
run route

To see all the details that are visible on the screen, use the "Print" link next to the map.





**CITY COUNCIL MEETING**  
**August 13, 2013**

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Daniel P. Greer, 3<sup>rd</sup> Ward City Councilmember *DPG*

DATE: August 8, 2013

SUBJECT: MML Annual Convention – Voting Delegate

**RECOMMENDATION:**

To nominate and elect Councilmember Daniel P. Greer as the voting delegate to represent the City at the Annual Michigan Municipal League Convention to be held in Detroit, from September 17-20, 2013.

Attached is information regarding the upcoming Annual Michigan Municipal League (MML) Convention to be held September 17-20, 2013, in Detroit. I will be more than happy to serve as the City of Jackson voting delegate at the MML Convention. Your consideration and approval of my designation as voting delegate is appreciated.

DPG:skh

Attachment



August 1, 2013

Michigan Municipal League Annual Meeting Notice

(Please present at the next Council, Commission or Board Meeting)

Dear Official:

The Annual Convention of the Michigan Municipal League will be held in Detroit, September 17-20, 2013. The "Annual Meeting" is scheduled for 4:00 pm on Wednesday, September 18 in the Richard Room at the Detroit Marriott at the Renaissance Center. The meeting will be held for the following purposes:

1. Election of Trustees. To elect six members of the Board of Trustees for terms of three years each (see #1 on page 2).
2. Policy. A) To vote on the Core Legislative Principles document.  
In regard to the proposed League Core Legislative Principles, the document is available on the League website at <http://www.mml.org/delegate>. If you would like to receive a copy of the proposed principles by fax, please call Susan Vasher at the League at 800-653-2483.  
  
B) If the League Board of Trustees has presented any resolutions to the membership, they also will be voted on. (See #2 on page 2.)  
In regard to resolutions, member municipalities planning on submitting resolutions for consideration by the League Trustees are reminded that under the Bylaws, they must be submitted to the Trustees for their review by August 16, 2013.
3. Other Business. To transact such other business as may properly come before the meeting.

Designation of Voting Delegates

Pursuant to the provisions of the League Bylaws, you are requested to designate by action of your governing body one of your officials who will be in attendance at the Convention as your official representative to cast the vote of the municipality at the annual meeting, and, if possible, to designate one other official to serve as alternate. Please submit this information through the League website by visiting <http://www.mml.org/delegate> no later than September 6, 2013.

Regarding the designation of an official representative of the member to the annual meeting, please note the following section of the League Bylaws:

"Section 4.4 - Votes of Members. Each member shall be equally privileged with all other members in its voice and vote in the election of officers and upon any proposition presented for discussion or decision at any meeting of the members. Honorary members shall be entitled to participate in the discussion of any question, but such members shall not be entitled to vote. The vote of each member shall be cast by its official representative attending the meeting at which an election of officers or a decision on any proposition shall take place. Each member shall, by action of its governing body prior to the annual meeting or any special meeting, appoint one official of such member as its principal official representative to cast the vote of the member at such meeting, and may appoint one official as its alternate official representative to serve in the absence or inability to act of the principal representative."

1. Election of Trustees

Regarding election of Trustees, under Section 5.3 of the League Bylaws, six members of the Board of Trustees will be elected at the annual meeting for a term of three years. The regulations of the Board of Trustees require the Nominations Committee to complete its recommendations and post the names of the nominees for the Board of Trustees on a board at the registration desk at least four hours before the hour of the business meeting.

2. Statements of Policy and Resolutions

Regarding consideration of resolutions and statements of policy, under Section 4.5 of the League Bylaws, the Board of Trustees acts as the Resolutions Committee, and "no resolution or motion, except procedural and incidental matters having to do with business properly before the annual meeting or pertaining to the conduct of the meeting, shall be considered at the annual meeting unless it is either (1) submitted to the meeting by the Board of Trustees, or (2) submitted in writing to the Board of Trustees by resolution of the governing body of a member at least thirty (30) days preceding the date of the annual meeting." Thus the deadline this year for the League to receive resolutions is August 16, 2013. Please submit resolutions to the attention of Daniel P. Gilmartin, Executive Director/CEO at 1675 Green Rd., Ann Arbor, MI 48105. Any resolution submitted by a member municipality will go to the League Board of Trustees, serving as the resolutions committee under the Bylaws, which may present it to the membership at the Annual Meeting or refer it to the appropriate policy committee for additional action.

Further, "Every proposed resolution submitted by a member shall be stated in clear and concise language and shall be accompanied by a statement setting forth the reasons for recommending the proposed resolution. The Board shall consider the proposal at a Board meeting prior to the next annual meeting and, after consideration, shall make a recommendation as to the advisability of adopting each such resolution or modification thereof."

3. Posting of Proposed Resolutions and Core Legislative Principles

The proposed Michigan Municipal League Core Legislative Principles and any new proposed Resolutions recommended by the Board of Trustees for adoption by the membership will be available on the League website, to permit governing bodies of member communities to have an opportunity to review such proposals and delegate to their voting representative the responsibility for expressing the official point of view of the member at the annual meeting.

The Board of Trustees will meet on Wednesday, September 18 at the Detroit Marriott at the Renaissance Center for the purpose of considering such other matters as may be requested by the membership, in addition to other agenda items.

Sincerely,



David Lossing  
President  
Mayor of Linden



Daniel P. Gilmartin  
Executive Director & CEO

Enc.



# Neighborhood & Economic Operations

Building a Stronger Jackson

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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 August 13, 2013

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Patrick H. Burtch, City Manager  
**SUBJECT:** CDBG and HOME Financial Summaries through June 30, 2013

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### RECOMMENDATION

**To accept and place on file the CDBG and HOME Financial Summaries through June 30, 2013.**

Attached please find the Financial Summaries for the CDBG and HOME funds for the twelve months ended June 30, 2013.

Cc: Heather Soat, Accounting Manager  
Michelle Pultz-Orthaus, Records Management Coordinator

**City of Jackson  
Community Development Block Grant  
Monthly Financial Summary  
For the Twelve Months Ended June 30, 2013**

	<u>Budgeted</u>	<u>Expended Prior Year</u>	<u>Actual Month-to-Date</u>	<u>Actual Year-to-Date</u>	<u>Total Funds Expended- to-Date</u>	<u>Balance</u>	<u>Percent Spent</u>
<b><u>Public Services</u></b>							
1 AWARE (FY 2011/2012)	5,500	4,580	-	920	5,500	-	100.0%
2 King Center Summer Program	40,000	-	5,409	40,000	40,000	-	100.0%
3 Salvation Army - Heating Assistance (FY 2011/2012)	55,954	48,354	-	7,600	55,954	-	100.0%
4 Transportation Services	7,000	-	909	909	909	6,091	13.0%
<b><u>Administration</u></b>							
4 Administration & Planning							
FY 2011/2012	205,000	106,871	-	98,129	205,000	-	100.0%
FY 2012/2013	215,000	-	10,319	31,000	31,000	184,000	14.4%
<b><u>Code Enforcement</u></b>							
5 City Code Enforcement Division							
FY 2011/2012	485,000	370,196	-	114,804	485,000	-	100.0%
FY 2012/2013	535,000	-	50,813	345,217	345,217	189,783	64.5%
6 City Attorney Office							
FY 2011/2012	29,000	22,663	-	6,337	29,000	-	100.0%
FY 2012/2013	52,000	-	946	14,321	14,321	37,679	27.5%
<b><u>Housing Rehabilitation Projects</u></b>							
7 City Emergency Hazard Repair Program							
FY 2010/2011	125,000	112,395	-	12,605	125,000	-	100.0%
FY 2011/2012	54,900	-	-	54,900	54,900	-	100.0%
FY 2012/2013	104,000	-	7,584	97,375	97,375	6,625	93.6%
8 World Changers							
FY 2010/2011	40,585	33,383	-	7,202	40,585	-	100.0%
FY 2011/2012	40,000	-	-	2,305	2,305	37,695 *	5.8%
FY 2012/2013	40,000	-	-	-	-	40,000 *	0.0%
9 City Rehab Administration (Denied Loans)							
FY 2009/2010	1,000	403	367	267	670	330 *	67.0%
FY 2010/2011	1,000	348	-	652	1,000	-	100.0%
FY 2012/2013	1,000	-	-	-	-	1,000	0.0%

	<u>Budgeted</u>	<u>Expended Prior Year</u>	<u>Actual Month-to-Date</u>	<u>Actual Year-to-Date</u>	<u>Total Funds Expended- to-Date</u>	<u>Balance</u>	<u>Percent Spent</u>
10 John George Home - building repairs							
FY 2010/2011	10,000	9,660	-	340	10,000	-	100.0%
FY 2011/2012	12,500	-	-	12,500	12,500	-	100.0%
<b><u>Street Projects</u></b>							
11 Mason - Jackson to Francis (FY 2009/2010)	141,910	139,763	-	2,147	141,910	-	100.0%
12 Special Assessments (FY 2009/2010)	22,718	3,096	-	-	3,096	19,622 *	13.6%
13 Wilkins - Jackson to Williams (FY 2010/2011)	103,000	93,599	-	-	93,599	9,401 *	90.9%
14 Wilkins - Williams to Mechanic (FY 2010/2011)	106,000	-	-	-	-	106,000 *	0.0%
15 Special Assessments (FY 2010/2011)	10,000	-	-	-	-	10,000 *	0.0%
16 Biddle - Jackson to Williams (FY 2011/2012)	53,000	5,750	-	(5,750)	-	53,000 *	0.0%
17 Forest - Bend to Edgewood (FY 2011/2012)	106,000	6,307	140	56,187	62,494	43,506	59.0%
18 Homewild - Ellery to Edgewood (FY 2011/2012)	119,000	7,546	862	75,979	83,525	35,475	70.2%
19 Special Assessments (FY 2011/2012)	25,000	-	-	-	-	25,000	0.0%
<b><u>Other Projects</u></b>							
20 Sidewalk Replacement	5,000	-	-	-	-	5,000	0.0%
21 Public Works - curb ramps							
FY 2011/2012	10,000	1,714	3,118	3,118	4,832	5,168	48.3%
FY 2012/2013	10,000	-	-	-	-	10,000	0.0%
<b><u>Economic Development</u></b>							
22 Job Creation Loans (FY 2010/2011)	50,000	-	-	-	-	50,000 *	0.0%
<b><u>Public Improvements</u></b>							
23 Demolition Engineering - 212 W Mich (FY 2010/2011)	38,000	-	-	-	-	38,000 *	0.0%
24 Demolition - Neighborhood Economic Stabilization	494,924	-	-	304,560	304,560	190,364	61.5%

NOTE: All funds are FY 2012/2013 allocations unless otherwise indicated

\* Funds identified for future reallocation

S:\Finance\Reports\2012-2013\CDBG Financial Summary\[2012-2013.xls]CDBG

**City of Jackson  
HOME  
Monthly Financial Summary  
For the Twelve Months Ended June 30, 2013**

	<u>Budgeted</u>	<u>Expended Prior Year</u>	<u>Actual Month-to-Date</u>	<u>Actual Year-to-Date</u>	<u>Total Funds Expended- to-Date</u>	<u>Balance</u>	<u>Percent Spent</u>
1 Rehabilitation Assistance Program							
FY 2011/2012	144,017	94,865	-	49,152	144,017	-	100.0%
FY 2012/2013	184,391	-	2,491	64,365	64,365	120,026	34.9%
2 HOME Administration							
FY 2011/2012	32,189	-	-	32,189	32,189	-	100.0%
FY 2012/2013	25,500	-	-	-	-	25,500	0.0%
3 JAHC - Downpayment Assistance							
FY 2010/2011	48,272	20,365	-	14,456	34,821	13,451	72.1%
4 JAHC - CHDO Operating Expenses							
FY 2009/2010	7,328	6,901	-	427	7,328	-	100.0%
5 CAA - CHDO Operating Expenses							
FY 2011/2012	16,000	-	9,575	9,575	9,575	6,425	59.8%
FY 2012/2013	12,500	-	-	-	-	12,500	0.0%
6 JAHC - CHDO Acquisition/Rehab/Resale							
FY 2010/2011	107,400	73,146	-	34,254	107,400	-	100.0%
7 CAA - CHDO Acq/Rehab/Resale (FY 2011/2012)							
FY 2011/2012	53,250	-	-	-	-	53,250	0.0%
FY 2012/2013	40,000	-	-	-	-	40,000	0.0%
8 JAHC - Administration (FY 2010/2011)	6,000	5,652	-	348	6,000	-	100.0%
9 Habitat for Humanity (FY 2011/2012)							
FY 2011/2012	75,000	13,706	-	61,294	75,000	-	100.0%
FY 2012/2013	2,000	-	-	2,000	2,000	-	100.0%
10 City - Acq/Rehab/Resale (FY 2011/2012)	240,000	119,420	58,411	117,479	236,899	3,101	98.7%



Matthew R. Heins  
Chief of Police

216 E. Washington Ave. – Jackson, MI 49201-2389  
Telephone: (517) 788-4100 – Facsimile (517) 788-4137

CITY COUNCIL MEETING  
August 13, 2013

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Matthew R. Heins  
Chief of Police  
**SUBJECT:** 2013 Edward Byrne Memorial Justice Assistance Grant (JAG) Program

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**PUBLIC HEARING:**

- A. Public Hearing on the proposed use of the 2013 Edward Byrne Memorial Justice Assistance grant (JAG) funds through the U.S. Department of Justice, Bureau of Justice Assistance.**
- 1. Authorization for the City Manager to sign a Memorandum of Understanding with the County identifying the City as the grant fiscal agent and the entity eligible to utilize the allocated funds.**

The Jackson Police Department and the Jackson County Sheriff Department were notified the Jackson Police Department was eligible to receive FY 2013 Edward Byrne Memorial Justice Assistance Grant program funding in the amount of \$27,942. One of the JAG requirements is that a hearing be held allowing for citizen comment on the proposed use of the grant funds. Another requirement is the City and County sign a Memorandum of Understanding identifying the grant fiscal agent and the allocation of the funds. It was agreed the City will continue to be the fiscal agent for the grant.

The Jackson Police Department proposes to use the JAG funds to purchase a new patrol vehicle.

We are requesting this public hearing be held at the City Council meeting on August 13, 2013 and that the authorization to sign the Memorandum of Understanding be approved.



City Manager's Office

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

**CITY COUNCIL MEETING**  
**August 13, 2013**

**MEMO TO:** Honorable Mayor Griffin and City Councilmembers

**FROM:** Patrick Burtch, City Manager PHB

**SUBJECT:** Public Hearing on the application filed by Edwards Machining, Inc., located at 2335 Research Drive, for an Industrial Facilities Exemption Certificate

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**RECOMMENDATION:**

**Adopt a resolution approving an application for an Industrial Facilities Tax Exemption Certificate (IFT) for Edwards Machining, Inc.**

Attached please find a resolution, along with supporting documentation on the application filed by Edwards Machining, Inc., for an Industrial Facilities Exemption Certificate for their facility located at 2335 Research Drive. If Council adopts the resolution, it will be forwarded to the State Tax Commission for their consideration.

Please consider adopting the resolution after the public hearing is held at the August 13, 2013 City Council meeting.

Thank you.

PHB:AJW:cr

cc: Andrew Wrozek, City Treasurer/Clerk  
David Taylor, City Assessor  
Bethany Smith, Interim City Attorney  
Barry Hicks, Neighborhood and Economic Operations EDPM

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, Act 198 of the Public Acts of 1974, as amended, was enacted for the purpose of stimulating economic development in the state by providing tax benefits to industry through the establishment of Plant Rehabilitation Districts and Industrial Development Districts; and

WHEREAS, the Jackson City Council, acting under the authority of said Act, did on June 23, 1993, create by resolution Industrial Development District No. 73, which includes property located at 2335 Research Drive, Jackson, Michigan, as particularly described in said resolution; and

WHEREAS, pursuant to the provision of said Act, Edwards Machining, Inc., filed on March 1, 2013, an application for an Industrial Facilities Exemption Certificate for a facility located within said district for 12 years; and

WHEREAS, the applicant has complied with the applicable requirements contained in Section 5 and 9 of the Act; and

WHEREAS, the applicant and the City have executed a letter of agreement regarding Act 334 of 1993 and an affidavit in accordance with State Tax Commission Bulletin No. 3; and

WHEREAS, notice of receipt of the application has been given in writing to the Assessor of the City of Jackson and to the legislative body of each taxing unit which levies ad valorem property taxes in the City of Jackson; and

WHEREAS, a public hearing on said application was held on August 13, 2013; and

WHEREAS, the Jackson City Council has determined that the granting of an Industrial Facilities Exemption Certificate, considered with the aggregate amount of Industrial Facilities Exemption Certificates previously granted and currently in force, shall not have the effect of substantially impeding the operation of the local government unit or impairing the financial soundness of the taxing unit which levies an ad valorem property tax in the City of Jackson; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Jackson, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED that the Jackson City Council hereby approves this application for 12 years after project completion and directs the City Clerk to so certify and to forward a copy to the State Tax Commission for consideration by that body.

\* \* \* \* \*

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

I, Andrew J. Wrozek, Jr., City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on August 13, 2013

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, Michigan, on this 14th day of August, 2013.

\_\_\_\_\_  
Martin J. Griffin, Mayor

\_\_\_\_\_  
Andrew J. Wrozek, Jr., City Clerk

# Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory

**INSTRUCTIONS:** File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form or would like to request an informational packet, call (517) 373-3272.

To be completed by Clerk of Local Government Unit	
Signature of Clerk <i>Sybil Jessal, City Clerk</i>	Date received by Local Unit <i>March 1, 2013</i>
STC Use Only	
Application Number	Date Received by STC

**APPLICANT INFORMATION**

All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) <b>EDWARDS MACHINING INC.</b>	1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) <b>336990</b>	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) <b>2335 RESEARCH DRIVE</b>	1d. City/Township/Village (indicate which) <b>JACKSON</b>	1e. County <b>JACKSON</b>
2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(1)) <input type="checkbox"/> Research and Development (Sec. 2(9))	3a. School District where facility is located <b>JACKSON PUBLIC</b>	3b. School Code <b>38170</b>
		4. Amount of years requested for exemption (1-12 Years) <b>12</b>

5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.

**ADDITIONAL MACHINERY AND COMPUTER EQUIPMENT NEEDED FOR NEW WORK OBTAINED, BUSINESS EXPANSION AND EXPECTED FUTURE GROWTH.**

6a. Cost of land and building improvements (excluding cost of land) * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	Real Property Costs
6b. Cost of machinery, equipment, furniture and fixtures * Attach itemized listing with month, day and year of beginning of installation, plus total	Personal Property Costs
6c. Total Project Costs * Round Costs to Nearest Dollar	Total of Real & Personal Costs
	<b>\$800,000.00</b> <b>\$800,000.00</b>

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC

	Begin Date (M/D/Y)	End Date (M/D/Y)	
Real Property Improvements	9/1/12	8/31/14	<input type="checkbox"/> Owned <input type="checkbox"/> Leased
Personal Property Improvements			<input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased

8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption.     Yes     No

9. No. of existing jobs at this facility that will be retained as a result of this project.    **40**      10. No. of new jobs at this facility expected to create within 2 years of completion.    **10-12**

11. Rehabilitation applications only. Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.

a. TV of Real Property (excluding land) \_\_\_\_\_

b. TV of Personal Property (excluding inventory) \_\_\_\_\_

c. Total TV \_\_\_\_\_

12a. Check the type of District the facility is located in:  
 Industrial Development District       Plant Rehabilitation District

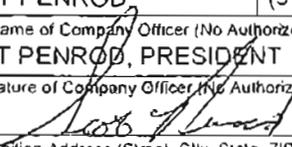
12b. Date district was established by local government unit (contact local unit) \_\_\_\_\_      12c. Is this application for a speculative building (Sec. 3(8))?  
 Yes     No

*District # 13*  
*Date June 23, 1993*

**APPLICANT CERTIFICATION - complete all boxes.**

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission

13a Preparer Name <b>JOE BOSWELL, CPA</b>	13b Telephone Number <b>(517) 796-8880</b>	13c Fax Number <b>(517) 796-8777</b>	13d E-mail Address
14a. Name of Contact Person <b>SCOTT PENROD</b>	14b Telephone Number <b>(517) 782-2568</b>	14c. Fax Number	14d E-mail Address
▶ 15a. Name of Company Officer (No Authorized Agents) <b>SCOTT PENROD, PRESIDENT</b>			
15b Signature of Company Officer (No Authorized Agents) 		15c Fax Number	15d. Date
▶ 15e Mailing Address (Street, City, State, ZIP Code) <b>2335 RESEARCH DR., JACKSON, MI 49203</b>		15f. Telephone Number <b>(517) 782-2568</b>	15g. E-mail Address

**LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.**

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16 Action taken by local government unit <input type="checkbox"/> Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12) After Completion <input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Denied (Include Resolution Denying)	16b The State Tax Commission Requires the following documents be filed for an administratively complete application <b>Check or Indicate N/A if Not Applicable</b> <input type="checkbox"/> 1. Original Application plus attachments, and one complete copy <input type="checkbox"/> 2. Resolution establishing district <input type="checkbox"/> 3. Resolution approving/denying application <input type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant) <input type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant) <input type="checkbox"/> 6. Building Permit for real improvements if project has already begun <input type="checkbox"/> 7. Equipment List with dates of beginning of installation <input type="checkbox"/> 8. Form 3222 (if applicable) <input type="checkbox"/> 9. Speculative building resolution and affidavits (if applicable)
16a. Documents Required to be on file with the Local Unit <b>Check or Indicate N/A if Not Applicable</b> <input type="checkbox"/> 1. Notice to the public prior to hearing establishing a district. <input type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing <input type="checkbox"/> 3 List of taxing authorities notified for district and application action. <input type="checkbox"/> 4. Lease Agreement showing applicants tax liability.	16c. LUCI Code
17 Name of Local Government Body	16d School Code
▶ 18 Date of Resolution Approving/Denying this Application	

Attached hereto is an original and one copy of the application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time.

19a Signature of Clerk	19b Name of Clerk	19c E-mail Address
19d Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e Telephone Number	19f. Fax Number	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

State Tax Commission  
Michigan Department of Treasury  
P.O. Box 30471  
Lansing, MI 48909-7971

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail )

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

**EDWARDS MACHINING, INC  
ATTACHMENT TO FORM 1012  
TOTAL PROJECT COSTS - LINE 6 (c)**

	<u>ACQUISITION AND INSTALLATION DATES</u>	<u>COSTS</u>
<u>PURCHASED PERSONAL PROPERTY:</u>		
MAZAK QTS LATHES (5)	09/21/12	\$ 470,998
HAAS MILLS (3)	09/21/12	248,000
TESA 3D DCC CMM	10/12/12	25,000
COMPUTER EQUIPMENT	10/12/12	3,285
FURNITURE & FIXTURES	09/14/12	3,215
 <u>PERSONAL PROPERTY TO BE PURCHASED:</u>		
MACHINERY & EQUIPMENT	06/15/13	49,502
 <b>TOTAL PROJECT COSTS</b>		
		<b><u><u>\$ 800,000</u></u></b>

**EDWARDS MACHINING INC  
INDUSTRIAL FACILITIES EXEMPTION AFFIDAVIT  
COMMENCEMENT OF PROJECT**

The undersigned states the following:

1. I am a representative of Edwards Machining Inc., applicant for an Industrial Facilities Exemption Certificate and make this Affidavit based on my own knowledge.
2. I submit this Affidavit in support of the application for Industrial Facilities Exemption Certificate dated February 28, 2013.
3. I hereby certify that installation of the personal property, which is included in the application for Industrial Facilities Exemption began on September 1, 2012.

Edwards Machining Inc.; Applicant

By: \_\_\_\_\_

Scott Penrod, Owner

February 22, 2013

## FISCAL STATEMENT FOR TAX ABATEMENT REQUEST SUMMARY INFORMATION

This form is issued under authority of P.A. 198 of 1974,  
as amended. Filing is voluntary.

	One Year After Construction is Done	After 5 Years	After 15 Years
<b>Revenue</b>			
1. Revenue from proposed property (from page 2, line 1).....	2425	1558	1483
2. Revenue from related development (from page 2, line 2).....			
3. TOTAL (Add lines 1 and 2).....			
<b>Cost</b>			
4. Roads (from page 3, line 6).....			
5. Sewer (from page 4, line 10).....			
6. Storm Drains (from page 5, line 14).....			
7. Water Systems (from page 6, line 18).....			
8. Police Personnel (Enter "total annual cost" from page 7, line 20).....			
9. Police Equipment (from page 7, line 22).....			
10. Police Buildings (from page 7, line 24).....			
11. Fire Personnel (Enter "total annual cost" from page 8, line 26).....			
12. Fire Equipment (from page 8, line 28).....			
13. Fire Buildings (from page 8, line 30).....			
14. Other Costs (from page 9, line 31).....			
15. TOTAL COST (Add lines 4 through 14).....			

## FISCAL STATEMENT FOR TAX ABATEMENT REQUEST - DETAIL

File this form with your application for a tax abatement, unless you have already filed it. Your application cannot be processed without this information.

You must complete all sections of this form. Attach additional pages whenever you need more space. Carry all results to page 1 of this form.

### Estimated Average Annual Revenue

1. What is the expected annual change in revenue for your local unit because of the proposed property? Include in these figures the expected increase (or decrease) in property taxes due to the addition of the proposed property to the tax base, the change in the value of surrounding property, and in income tax revenue as a result of the proposed property.

One Year After Construction Is Done	After 5 Years	After 15 Years
2425	1558	1483

2. What is the expected annual change in revenue for your local unit because of related development expected from the proposed property? Include in these figures the expected increase (or decrease) in property taxes due to the addition of the new development to the tax base when constructed, the change in the value of surrounding property, and in income tax revenues as a result of the expected development.

One Year After Construction Is Done	After 5 Years	After 15 Years

## INDUSTRIAL FACILITIES TAX EXEMPTION AGREEMENT

AGREEMENT made this 2<sup>nd</sup> day of May, 2013, by and between the CITY OF JACKSON, a Michigan municipal corporation, with offices at 161 West Michigan Avenue, Jackson, Michigan 49201 (hereinafter "City"); and **Edwards Machining Inc.**, a Michigan corporation, with offices located at 2335 Research Drive, City of Jackson, Jackson County, Michigan (hereinafter "Applicant").

**WHEREAS**, the City has received an application from Applicant for the issuance of an Act 198 Tax Exemption Certificate for its Expansion of Machining Capacity (describe project) (the "Project") that was established as an Industrial Development District (the "District") by the City of Jackson on June 23, 1993; and

**WHEREAS**, Public Act 334 of 1993 requires a written agreement between the City and the Applicant before an Industrial Facilities Exemption Certificate can be approved by the Michigan Department of Treasury;

**NOW, THEREFORE**, in consideration of the approval of the Industrial Facilities Exemption Certificate, it is hereby agreed by and between the parties hereto as follows:

1. The Applicant, as a result of said improvements, shall use its best efforts to create not less than 10 new full time equivalent jobs and relocate and retain not less than 40 full time equivalent existing jobs from its current location within two years after the completion of its Project.
2. Applicant expects that the costs of the improvements proposed to be constructed on the basis of which the Industrial Facilities Exemption Certificate is issued, shall be within 10 percent (10%) of the estimated amount stated in the Applicant's application for the certificate.

3. The Applicant will not cease its operations within the District prior to the termination of the Industrial Facilities Exemption Certificate without a transfer of the certificate being approved by the City to a third party that continues adequate operations within the District or elsewhere in the City with the City's approval. Applicant will not become delinquent in payment of taxes owing under this certificate.

4. The parties agree that the City, in approving the tax abatement, has relied on the good faith of Applicant's estimates and expectations described in its application. The parties agree that exclusive jurisdiction to resolve any disputes in this Agreement shall be in Jackson County, Michigan. The City's exclusive remedy for a default shall be the right to request that the State Tax Commission either reduce the term of, or revoke, the abatement prospectively except that for a default in section 3, the Applicant shall repay the City all abated taxes which previously benefited the Applicant for disbursement proportionately to all taxing units having taxing jurisdiction over the improvements, plus all accrued interest, penalties and administration fees applicable to this exemption in the same amount as would be collected if this tax were considered delinquent and the City may, at its option, seek repayment of the taxes as allowed under section 21(2) of the tax abatement statute, MCLA 207.571(2).

The City shall not seek any remedy under this section 4 until after all of the following have occurred:

a. The City shall have given written notice to the Applicant declaring a default and specifying the manner in which the Applicant is in default. Before a default is declared, the City and the Applicant shall meet informally with appropriate representatives to discuss the claimed default and how it may be cured.

b. The Applicant has not cured that default within thirty (30) days after receiving the notice, except that if the Applicant is diligently pursuing a cure, this thirty (30) day period shall automatically be extended for an additional thirty (30) days, and further extensions of this time period may be made only upon mutual agreement of the parties.

The parties acknowledge that certain conditions beyond Applicant's control may prevent Applicant from being able to make the capital investment, create or retain jobs or comply with other conditions in this Agreement. Therefore, Applicant shall not be in default to the extent the Applicant clearly shows, to the satisfaction of the City, that the failure was caused by unfavorable economic or other business conditions, loss of business, or some other reason beyond the actual or foreseeable control of Applicant.

5. Any payments due under Paragraph 4 above may be collected by either court proceedings or by adding to the next taxes due against the Applicant's property on the next tax roll of the City.

6. It is understood that the City of Jackson encourages the Applicant to review job applications of city residents, prior to filling new jobs in its facilities. Applicant will use its best efforts to employ City residents.

7. The Applicant further agrees that it shall submit annual reports to the City and the City Assessor setting forth the progress in attaining and maintaining the requirements of this Agreement and the provisions of the application for the Industrial Facilities Exemption Certificate.

8. The Applicant further agrees that during the term of the certificate, the Applicant shall not discriminate against any person on the basis of race, creed, color, sex, religious orientation, age, or other criteria not reasonably related to any jobs created as part of the grant of this tax abatement.

9. The Applicant further agrees that if Applicant ceases its use of the Project, and another entity asks the City for a transfer of the abatement, the Applicant will cooperate with the City

regarding the transfer by advising the transferee or new owner of the terms and conditions of this Agreement and by assisting the City to obtain the signature of the authorized agent of the transferee or new owner on this Agreement or one substantively the same.

10. This Agreement contains all of the terms of the agreement between the parties with respect to its subject matter and may be amended only in writing signed by both parties.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement on the day and year first above written.

Signed in the presence of:

**CITY OF JACKSON**

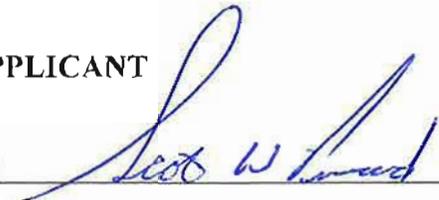
\_\_\_\_\_

By \_\_\_\_\_

Its: Mayor \_\_\_\_\_

  
\_\_\_\_\_

**APPLICANT**

By  \_\_\_\_\_

Its: President \_\_\_\_\_

Applicant Name  
**Edwards Machining, Inc.**

**Fiscal Statement (to be completed by local unit)**

- |  | <u>YES</u>                          | <u>NO</u>                           |
|--|-------------------------------------|-------------------------------------|
| Is this project:   |                                     |                                     |
| Real Property?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Personal Property?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Both Real and Personal Property - New Facility?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Both Real and Personal Property - Rehabilitation Facility? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Both New and Replacement Facility?                         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

Estimated Project Investment (not assessed value):

Real Property	Personal Property <b>\$800,000.00</b>	Total <b>\$800,000.00</b>
---------------	--	------------------------------

- |  | <u>YES</u>                          | <u>NO</u>                           | <u>REMARKS</u> |
|--|-------------------------------------|-------------------------------------|----------------|
| 1. A. Has the proper local authority reviewed the plan?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | _____          |
| B. Is the project located in a certified industrial park?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | _____          |
| C. Is this a renovation or expansion of an existing building?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | _____          |
| 2. Will this project require improvement of your road service?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | _____          |
| 3. Will this project require improvement of your sanitary sewer services?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | _____          |
| 4. Will this project require improvement of your storm sewer services?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | _____          |
| 5. Will this project require improvement of your water services?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | _____          |
| 6. Will this project require additional police personnel, police equipment or a need for new police building expansion?                            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | _____          |
| 7. Will this project require the need for additional fire personnel, additional or specialized fire equipment or the need for a new fire building? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | _____          |
| 8. Will this project require other costs?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | _____          |
| 9. Are costs of infrastructure elements to be provided through Local Development Finance Authority or Tax Increment Finance Authority Bonds?       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | _____          |

If you answered yes to any of questions 2 through 8, the appropriate sections of the Supplement to Fiscal Statement form must be completed and accompany the IFT application. Call (517) 373-3272 to obtain that form.

**LOCAL UNIT CERTIFICATION**

This is to certify that the following has been provided as accurately as possible.

Signature	Name and Title of Local Governmental Unit Official <b>Andrew J. Wrozek, Jr., City Clerk</b>
-----------	--



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

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

**CITY COUNCIL MEETING**  
**August 13, 2013**

**MEMO TO:** Honorable Mayor and City Councilmembers  
**FROM:** Andrew J. Wrozek, Jr., City Treasurer/City Clerk  
**SUBJECT:** Meterless Parking for 2013-2014.

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**PUBLIC HEARING:**

- A. Public hearing on the necessity of continuing the meterless parking system in the downtown area of the City for 2013-2014.**
- 1. Consider a resolution determining the necessity of continuing the meterless parking system, ordering the City Assessor to prepare Special Assessment Roll No. 4231 and establishing September 10, 2013, at the City Council meeting as the time and place to hold a public hearing confirming the meterless parking system assessment roll.**

Attached for your consideration is a resolution determining the necessity of continuing the meterless parking system in the downtown area of the City for 2013-2014. Recommended action is to adopt the resolution after the public hearing is held.

Thank you.

C: City Manager  
City Assessor

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, City staff has diligently studied the question of continuing the operation of a downtown meterless parking system as a public improvement with an estimated total annual assessable cost of \$46,200.00; and

WHEREAS, under the authority granted by Ordinance Nos. 98-6 and 98-20, the City Council has reviewed the necessity of continuing the operation of a meterless parking system for the downtown area; and

WHEREAS, notice had been duly given that the City Council would hold a public hearing in the City of Jackson on Tuesday, the 13<sup>th</sup> day of August, 2013, at 6:30 p.m. to hear any and all objections and suggestions by interested parties to said public improvement; and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines that the continuation of the meterless parking system for the downtown area is a necessary public improvement and directs the Assessor to prepare Assessment Roll No. 4231 in the amount of \$46,200.00 reflecting the estimated costs of same, assessing such costs to the property owners receiving a benefit therefrom in accordance with the benefits to be received by each.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to give notice that a public hearing will be held on Tuesday, the 10<sup>th</sup> day of September, 2013, at the hour of 6:30 p.m. in the Council Chambers of City Hall in the City of Jackson to hear any and all objections and suggestions by interested parties that may be made as to the assessments contained in said roll.

\* \* \* \* \*

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

I, Andrew J. Wrozek Jr., City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on the 13<sup>th</sup> day of August, 2013.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 14<sup>th</sup> day of August, 2013.

---

Andrew J. Wrozek, Jr., City Clerk



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

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

**CITY COUNCIL MEETING**  
**August 13, 2013**

**MEMO TO:** Honorable Mayor and City Councilmembers  
**FROM:** Andrew J. Wrozek, Jr., City Treasurer/City Clerk  
**SUBJECT:** Corrective Resolution for City Council Meeting Dates

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**RECOMMENDATION:**

**Consideration of a Corrective Resolution that documents the alterations to the regularly scheduled City Council meeting dates for 2013.**

Attached please find a corrective resolution for the City Council meeting schedule that was adopted November 27, 2012.

Requested action is to adopt the resolution

C: City Manager

CORRECTIVE RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, Act 267 of 1976 as last amended (the Open Meetings Act) requires all public bodies to establish a schedule of regular meetings to be held each year.

WHEREAS, on November 27, 2012, the City Council of the City of Jackson, Michigan declared the schedule that it would meet in the Council Chambers on the second floor of City Hall, 161 West Michigan Avenue, Jackson, Michigan during 2013.

WHEREAS, on March 12, 2013, the Jackson City Council adopted a change to the May meeting schedule to allow time to thoroughly review and approve the FY 2013-2014 budget by the required date.

WHEREAS, on July 16, 2013, the Jackson City Council adopted a change to the September meeting schedule to accommodate scheduling conflicts.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Jackson, Michigan hereby declares that it will meet in the Council Chambers on the second floor of City Hall, 161 West Michigan Avenue, Jackson, Michigan during 2013 on the following dates:

January 8	July 16
January 22	
February 5	August 13
February 19	
March 12	September 10
March 26	September 17
April 9	October 8
April 23	October 22
May 7	November 12
May 21	November 26
May 28	
June 11	December 3
June 25	December 17

\* \* \* \* \*

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

I, Andrew J. Wrozek, Jr., City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on August 13, 2013.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on the 14th day of August, 2013.

\_\_\_\_\_  
City Clerk



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

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

**CITY COUNCIL MEETING**  
**August 13, 2013**

**MEMO TO:** Honorable Mayor and City Councilmembers  
**FROM:** Andrew J. Wrozek, Jr., City Treasurer/City Clerk  
**SUBJECT:** Adoption of Ordinance No. 2013.13

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**RECOMMENDATION:**

**Final adoption of Ordinance No. 2013.13 an ordinance amending Sections 16-510 through 16-514 of Chapter 16 of the Code of Ordinances and adding Sections 16-515 through 16-518 to Chapter 16 of the Code of Ordinances to provide for the health, welfare and safety of the citizens of the City of Jackson by permitting and regulating the growing and consumption of medical marihuana by patients registered and qualified to consume and grow medical marihuana by the Michigan Department of Community Health pursuant to the Michigan Medical Marihuana Act, and to further provide for regulations of locations at which registered primary caregivers may grow medical marihuana for qualifying patients.**

Attached please find Ordinance 2013.13 approved by the Council at the June 11, 2013 meeting. Please consider adoption of the ordinance.

C: City Manager

OFFICE OF THE

**Bethany M. Smith**  
*Interim City Attorney*

**Gilbert W. Carlson**  
*Assistant City Attorney*



161 West Michigan Avenue  
Jackson, MI 49201  
(517) 788-4050  
(517) 788-4023  
Fax: (866) 971-2117

**CITY ATTORNEY**

**CITY COUNCIL MEETING**

**August 13, 2013**  
**OTHER BUSINESS**

MEMO TO: Honorable Mayor and City Councilmembers  
FROM: Bethany M. Smith, Interim City Attorney  
DATE: August 5, 2013  
SUBJECT: Amendment to Chapter 16 Medical Marihuana Ordinance

**RECOMMENDATION: Approve the Amended Version of the Chapter 16 Medical Marihuana Ordinance.**

Attached please find a black-lined and a clean version of the Chapter 16 Medical Marihuana Ordinance that was approved to advance to second reading at the June 11, 2013 City Council meeting. There have been amendments to delete several subsections that contained requirements found in the Code's home occupation section. In addition, the requirement for tenants to provide a statement from property owners to allow the use or growing of medical marihuana has been removed. These changes have been approved by the Medical Marihuana Work Group. The remainder of the Ordinance is essentially unchanged from the previous version.

I have also included a copy that is almost completely strike-through and underlining for the purpose of sending to the City's codification service. You do not need to read this version.

The requisite action is to approve the Ordinance.

If Council has any questions, please feel free to contact me.

cc w/att: Patrick H. Burtch, City Manager

ORDINANCE NO. 2013- 13

An ordinance amending Sections 16-510 through 16-514 of Chapter 16 of the Code of Ordinances and adding Sections 16-515 through 16-518 to Chapter 16 of the Code of Ordinances to provide for the health, welfare and safety of the citizens of the City of Jackson by permitting and regulating the growing and consumption of medical marihuana by patients registered and qualified to consume and grow medical marihuana by the Michigan Department of Community Health pursuant to the Michigan Medical Marihuana Act, and to further provide for regulations of locations at which registered primary caregivers may grow medical marihuana for qualifying patients.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

The City Council adopts this ordinance to permit and regulate the growing and consumption of medical marihuana by patients registered and qualified to consume and grow medical marihuana by the Michigan Department of Community Health or its successor agency pursuant to the Michigan Medical Marihuana Act, and to further provide for regulations of locations at which registered primary caregivers may grow medical marihuana for their qualifying patients.

Section 2. That Article XVIII, Sections 16-510 through Section 16-518 of Chapter 16 of the Code of the City of Jackson be, and the same hereby are, amended to read as follows:

ARTICLE XVIII. MEDICAL MARIHUANA HOME USES.

Sec. 16-510. Definitions.

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Medical marihuana home use* means either:

- (a) A dwelling where a qualifying patient grows or uses medical marihuana for his or her personal consumption in the privacy of the registered qualifying patient's primary residence, or
- (b) A dwelling or accessory structure to a dwelling where a registered primary caregiver grows medical marihuana in or at his or her primary residence for registered qualifying patients with whom the primary caregiver is connected to through the Michigan Department of Community Health or its successor agency.

*MMMA* refers to MCL §333.26421 *et. seq.*, known as the Michigan Medical Marihuana Act.

*Primary caregiver* means an individual as defined by the MMMA and as authorized by and registered through the Michigan Department of Community Health or its successor agency to grow and distribute medical marihuana for up to five (5) qualifying patients.

*Primary residence* means the one place where a person has his or her true, fixed and permanent home to which, whenever absent, he or she intends to return and that shall continue as a principal residence until another principal residence is established.

*Qualifying patient* means an individual, as defined by the MMMA, that has been diagnosed by a physician as having a medical condition alleviated by the use of medical marihuana, and who is registered through the Michigan Department of Community Health or its successor agency to grow and/or consume medical marihuana.

Sec. 16-511. No license required for medical marihuana home use.

No license from the City Clerk is required by either a qualifying patient or a primary caregiver to operate a medical marihuana home use.

Sec. 16-512. Requirements for medical marihuana home uses.

For purposes of a medical marihuana home use, the following shall apply:

- (a) A registered qualifying patient may grow twelve (12) marihuana plants for his or her personal use in his or her primary residence.
- (b) A primary caregiver may grow twelve (12) marihuana plants in his or her primary residence for each of up to five (5) registered qualifying patients with whom the primary caregiver is connected to through the Michigan Department of Community Health or its successor agency.
- (c) A primary caregiver also may grow twelve (12) marihuana plants for himself or herself if the primary caregiver is also a registered qualifying patient.
- (d) A primary caregiver may only transfer medical marihuana to a maximum of five (5) qualifying patients with whom the primary caregiver is connected to through the Michigan Department of Community Health or its successor agency.
- (e) Not more than twenty (20%) percent of the total floor area, including a basement, of a dwelling unit can be used for the growing of medical marihuana plants.
- (f) The principal use of the dwelling used for the medical marihuana home use must be residential occupancy and must be in actual use as such.

- (g) There shall be no on-site person-to-person transfers of medical marihuana on the premises of a primary caregiver, however a primary caregiver may deliver medical marihuana to the primary residence of his or her registered qualifying patients.
- (h) There can be no alteration to or activity at the exterior of the dwelling or yard that alters the residential character of the premises.
- (i) The medical marihuana home use must not generate a volume or character of pedestrian or vehicular traffic beyond that normally generated by homes in the residential neighborhood.
- (j) Only off-street parking facilities that are normal for residential use and located on the premises may be used.
- (k) No offensive noise, vibration, smoke, dust, odor, heat or glare noticeable at or beyond the property line is permitted.
- (l) All medical marihuana plants must be contained in an enclosed, locked facility as that term is defined by Michigan law.
- (m) If medical marihuana plants are contained in an enclosed, locked facility that is located outdoors, the enclosed, locked facility must be:
  - (1) Located farther than one thousand (1000) feet from a school or library; and
  - (2) In compliance with all building and zoning regulations for accessory structures contained in Chapters 14 and 28 of this Code.
- (n) A medical marihuana home use must comply with all provisions of this Code.
- (o) A medical marihuana home use must comply with the Michigan Medical Marihuana Act.
- (p) This section applies to every person engaging in the activities of a qualifying patient or primary caregiver at a medical marihuana home use regardless of whether or not his or her activities began before the enactment of this section.

Sec. 16-513. No other medical marihuana uses authorized.

Only the medical use of marihuana as defined in the MMMA is authorized in the City of Jackson. Medical marihuana use, growing and transfer shall only be permitted in the City if and in the manner expressly authorized in this Article.

Sec. 15-514. Penalty.

Any person violating any provision of this Article shall, upon conviction thereof, be punished according to the provisions of Section 1-18 of this Code. Each day that a violation is permitted to exist shall constitute a separate offense.

Sec. 16-515. Severability of ordinance.

If any section, subsection, sentence, clause, or phrase of this Article is for any reason held to be invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the decision shall not affect the validity of the remaining portion of this Article.

Sec. 16-516. Inconsistent provisions repealed.

Ordinances or parts of ordinances in conflict with the provisions of this Article are hereby repealed.

Sec. 16-517. Savings clause.

All rights and duties that have matured, penalties that have been incurred, proceedings that have begun and prosecution for violations of law occurring before the effective date of this ordinance are not affected or abated by this ordinance.

Sec. 16-518. Reserved.

Section 3. This Ordinance takes effect thirty (30) days from the date of adoption.

ORDINANCE NO. 2013-\_\_\_\_\_

An ordinance amending Sections 16-510 through 16-514 of Chapter 16 of the Code of Ordinances and adding Sections 16-515 through 16-518 to Chapter 16 of the Code of Ordinances to provide for the health, welfare and safety of the citizens of the City of Jackson by permitting and regulating the growing and consumption of medical marihuana by patients registered and qualified to consume and grow medical marihuana by the Michigan Department of Community Health pursuant to the Michigan Medical Marihuana Act, and to further provide for regulations of locations at which registered primary caregivers may growcultivate medical marihuana for qualifying patients.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

The City Council adopts this ordinance to permit and regulate the growing and consumption of medical marihuana by patients registered and qualified to consume and grow medical marihuana by the Michigan Department of Community Health or its successor agency pursuant to the Michigan Medical Marihuana Act, and to further provide for regulations of locations at which registered primary caregivers may grow medical marihuana for their qualifying patients.

Section 2. That Article XVIII, Sections 16-510 through Section 16-518 of Chapter 16 of the Code of the City of Jackson be, and the same hereby are, amended to read as follows:

ARTICLE XVIII. MEDICAL MARIHUANA HOMES USES.

Sec. 16-510. ~~Medical Marihuana Home Uses~~Definitions.

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Medical marihuana home use* means either:

- (a) A dwelling where a qualifying patient grows or uses medical marihuana for his or her personal consumption in the privacy of the registered qualifying patient's primary residence, or
- (b) A dwelling or accessory structure to a dwelling where a registered primary caregiver grows medical marihuana in or at his or her primary residence for registered qualifying patients with whom the primary caregiver is connected to through the Michigan Department of Community Health or its successor agency.

MMMA refers to MCL §333.26421 *et. seq.*, known as the Michigan Medical Marihuana Act.

*Primary caregiver* means an individual as defined by the MMMA and as authorized by and registered through the Michigan Department of Community Health or its successor agency to grow and distribute medical marihuana for up to five (5) qualifying patients.

*Primary residence* means the one place where a person has his or her true, fixed and permanent home to which, whenever absent, he or she intends to return and that shall continue as a principal residence until another principal residence is established.

*Qualifying patient* means an individual, as defined by the MMMA, that has been diagnosed by a physician as having a medical condition alleviated by the use of medical marihuana, and who is registered through the Michigan Department of Community Health or its successor agency to ~~grow~~cultivate and/or consume medical marihuana.

Sec. 16-511. No license required for medical marihuana home use.

No license from the City Clerk is required by either a qualifying patient or a primary caregiver to operate a medical marihuana home use.

Sec. 16-512. Requirements for medical marihuana home uses.

For purposes of a medical marihuana home use, the following shall apply:

- (a) A registered qualifying patient may grow twelve (12) marihuana plants for his or her personal use in his or her primary residence.
- (b) A primary caregiver may grow twelve (12) marihuana plants in his or her primary residence for each of up to five (5) registered qualifying patients with whom the primary caregiver is connected to through the Michigan Department of Community Health or its successor agency.
- (c) A primary caregiver also may grow twelve (12) marihuana plants for himself or herself if the primary caregiver is also a registered qualifying patient.
- (d) A primary caregiver may only transfer medical marihuana to a maximum of five (5) qualifying patients with whom the primary caregiver is connected to through the Michigan Department of Community Health or its successor agency.
- (e) Not more than twenty (20%) percent of the total gross floor area, including a basement, of a dwelling unit can be used for the growing of medical marihuana plants, a medical marihuana home use.
- (f) The principal use of the dwelling used for the medical marihuana home use must be residential occupancy and must be in actual use as such.

- (g) There shall be no on-site person-to-person transfers of medical marihuana on the premises of a primary caregiver, however a primary caregiver may deliver medical marihuana to the primary residence of his or her registered qualifying patients.
- (h) There can be no alteration to or activity at the exterior of the dwelling or yard that alters the residential character of the premises.
- (i) The medical marihuana home use must not generate a volume or character of pedestrian or vehicular traffic beyond that normally generated by homes in the residential neighborhood.
- (j) Only off-street parking facilities that are normal for residential use and located on the premises may be used.

~~(k) No vehicles used in the conduct of the medical marihuana home use may be parked, or otherwise kept at the premises, other than as are normal for use for domestic or household purposes.~~

~~(l) No highly explosive or combustible material may be stored on the premises.~~

~~(m)~~(k) No offensive noise, vibration, smoke, dust, odor, heat or glare noticeable at or beyond the property line is permitted.

~~(n)~~(l) All medical marihuana **plants** must be contained in an enclosed, locked facility as that term is defined by Michigan law.

~~(o)~~(m) If medical marihuana **plants areis** contained in an enclosed, locked facility that is located outdoors, the enclosed, locked facility must be:

- (1) Located farther than one thousand (1000) feet from a school or library; and
- (2) In compliance with all building and zoning regulations for accessory structures contained in Chapters 14 and 28 of this Code.

~~(p) If the qualifying patient or primary caregiver is not the owner of the location of the medical marihuana home use, a notarized statement from the owner of the property authorizing use of the property as a medical marihuana home use must be obtained.~~

~~(q)~~(n) A medical marihuana home use must comply with all provisions of this Code.

~~(r)~~(o) A medical marihuana home use must comply with the Michigan Medical Marihuana Act **and all other laws of the State of Michigan.**

~~(s)~~(p) This section applies to every person engaging in the activities of a qualifying patient or primary caregiver at a medical marihuana home use regardless of whether or not his or her activities began before the enactment of this section.

Sec. 16-513. No other medical marihuana uses authorized.

Only the medical use of marihuana as defined in the MMMA is authorized in the City of Jackson. Medical marihuana use, growing and transfer shall only be permitted in the City if and in the manner expressly authorized in this Article.

Sec. 15-514. Penalty.

Any person violating any provision of this Article shall, upon conviction thereof, be punished according to the provisions of Section 1-18 of this Code. Each day that a violation is permitted to exist shall constitute a separate offense.

Sec. 16-515. Severability of ordinance.

If any section, subsection, sentence, clause, or phrase of this Article is for any reason held to be invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the decision shall not affect the validity of the remaining portion of this Article.

Sec. 16-516. Inconsistent provisions repealed.

Ordinances or parts of ordinances in conflict with the provisions of this Article are hereby repealed.

Sec. 16-517. Savings clause.

All rights and duties that have matured, penalties that have been incurred, proceedings that have begun and prosecution for violations of law occurring before the effective date of this ordinance are not affected or abated by this ordinance.

Sec. 16-518. Reserved.

Section 3. This Ordinance takes effect thirty (30) days from the date of adoption.

ORDINANCE NO. 2013-\_\_\_\_\_

An ordinance amending Sections 16-510 through 16-514 of Chapter 16 of the Code of Ordinances and adding Sections 16-515 through 16-518 to Chapter 16 of the Code of Ordinances to provide for the health, welfare and safety of the citizens of the City of Jackson by permitting and regulating the growing and consumption of medical marihuana by patients registered and qualified to consume and grow medical marihuana by the Michigan Department of Community Health pursuant to the Michigan Medical Marihuana Act, and to further provide for regulations of locations at which registered primary caregivers may grow medical marihuana for qualifying patients.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

The City Council adopts this ordinance to permit and regulate the growing and consumption of medical marihuana by patients registered and qualified to consume and grow medical marihuana by the Michigan Department of Community Health or its successor agency pursuant to the Michigan Medical Marihuana Act, and to further provide for regulations of locations at which registered primary caregivers may grow medical marihuana for their qualifying patients.

Section 2. That Article XVIII, Sections 16-510 through Section 16-518 of Chapter 16 of the Code of the City of Jackson be, and the same hereby are, amended to read as follows:

ARTICLE XVIII. MEDICAL MARIHUANA ~~HOME USES~~RELATED ESTABLISHMENTS.

Sec. 16-510. Definitions.

~~Reserved.~~ The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Medical marihuana home use means either:

- (a) A dwelling where a qualifying patient grows or uses medical marihuana for his or her personal consumption in the privacy of the registered qualifying patient's primary residence, or
- (b) A dwelling or accessory structure to a dwelling where a registered primary caregiver grows medical marihuana in or at his or her primary residence for registered qualifying

patients with whom the primary caregiver is connected to through the Michigan Department of Community Health or its successor agency.

MMMA refers to MCL §333.26421 et. seq., known as the Michigan Medical Marihuana Act.

Primary caregiver means an individual as defined by the MMMA and as authorized by and registered through the Michigan Department of Community Health or its successor agency to grow and distribute medical marihuana for up to five (5) qualifying patients.

Primary residence means the one place where a person has his or her true, fixed and permanent home to which, whenever absent, he or she intends to return and that shall continue as a principal residence until another principal residence is established.

Qualifying patient means an individual, as defined by the MMMA, that has been diagnosed by a physician as having a medical condition alleviated by the use of medical marihuana, and who is registered through the Michigan Department of Community Health or its successor agency to grow and/or consume medical marihuana.

Sec. 16-511. Moratorium. No license required for medical marihuana home use.

~~The city shall neither allow the establishment of any operations that relate to either the cultivation or dispensing of medical marihuana nor shall it approve any permit, license, or other affirmative authorization that would grant any rights to cultivate, dispense, or use marihuana within the City of Jackson.~~

~~During the term of this moratorium, patients or caregivers, as defined in the Medical Marihuana Act, MCL 333.26421 et seq., shall not acquire any vested or nonconforming use rights even if acting in conformity with the Medical Marihuana Act in the privacy of their own home. No license from the City Clerk is required by either a qualifying patient or a primary caregiver to operate a medical marihuana home use.~~

Sec. 16-512. Appeal. Requirements for medical marihuana home uses.

~~The city manager may make an exception and issue a temporary permit during the period of this moratorium if, after a hearing on the appeal, the city manager determines it is necessary to protect the public health, safety, or welfare. Any such temporary permit issued will not grant the permittee a property interest or a claim to legal nonconforming status based upon the permit issued during the term of the moratorium. For purposes of a medical marihuana home use, the following shall apply:~~

~~(a) A registered qualifying patient may grow twelve (12) marihuana plants for his or her personal use in his or her primary residence.~~

~~(b) A primary caregiver may grow twelve (12) marihuana plants in his or her primary residence for each of up to five (5) registered qualifying patients with whom the primary~~

caregiver is connected to through the Michigan Department of Community Health or its successor agency.

- (c) A primary caregiver also may grow twelve (12) marihuana plants for himself or herself if the primary caregiver is also a registered qualifying patient.
- (d) A primary caregiver may only transfer medical marihuana to a maximum of five (5) qualifying patients with whom the primary caregiver is connected to through the Michigan Department of Community Health or its successor agency.
- (e) Not more than twenty (20%) percent of the total floor area, including a basement, of a dwelling unit can be used for the growing of medical marihuana plants.
- (a)(f) The principal use of the dwelling used for the medical marihuana home use must be residential occupancy and must be in actual use as such.
- (g) There shall be no on-site person-to-person transfers of medical marihuana on the premises of a primary caregiver, however a primary caregiver may deliver medical marihuana to the primary residence of his or her registered qualifying patients.
- (h) There can be no alteration to or activity at the exterior of the dwelling or yard that alters the residential character of the premises.
- (i) The medical marihuana home use must not generate a volume or character of pedestrian or vehicular traffic beyond that normally generated by homes in the residential neighborhood.
- (j) Only off-street parking facilities that are normal for residential use and located on the premises may be used.
- (k) No offensive noise, vibration, smoke, dust, odor, heat or glare noticeable at or beyond the property line is permitted.
- (l) All medical marihuana plants must be contained in an enclosed, locked facility as that term is defined by Michigan law.
- (m) If medical marihuana plants are contained in an enclosed, locked facility that is located outdoors, the enclosed, locked facility must be:

  - (1) Located farther than one thousand (1000) feet from a school or library; and
  - (2) In compliance with all building and zoning regulations for accessory structures contained in Chapters 14 and 28 of this Code.
- (n) A medical marihuana home use must comply with all provisions of this Code.

~~(b)(o) A medical marihuana home use must comply with the Michigan Medical Marihuana Act.~~

~~(p) This section applies to every person engaging in the activities of a qualifying patient or primary caregiver at a medical marihuana home use regardless of whether or not his or her activities began before the enactment of this section.~~

~~Sec. 16-513. City administration action. No other medical marihuana uses authorized.~~

~~During the period of time this article is effective, city administration will continue to take steps necessary to determine the city's future response to the cultivation, dispensing, and use of medical marihuana. Only the medical use of marihuana as defined in the MMMA is authorized in the City of Jackson. Medical marihuana use, growing and transfer shall only be permitted in the City if and in the manner expressly authorized in this Article.~~

~~Sec. 16-514. Duration. Penalty.~~

~~This article is valid for six (6) months following its effective date or until such time as an appropriate ordinance is enacted that will ensure the legality of such cultivation, dispensing, and use under state and federal law, whichever occurs first. Any person violating any provision of this Article shall, upon conviction thereof, be punished according to the provisions of Section 1-18 of this Code. Each day that a violation is permitted to exist shall constitute a separate offense.~~

~~Sec. 16-515. Continuation of moratorium. Severability of ordinance.~~

~~No operations, or applications for permits or licenses for operations, that relate to either the cultivation, dispensing, or use of medical marihuana shall be accepted, no pending applications shall be processed, and no permits or licenses shall be issued from the effective date of this section and while the moratorium enacted by this section or any subsequently adopted ordinances which may extend this moratorium shall remain in effect.~~

~~This limited moratorium on the operations and the issuance of operation permits or licenses related to the operations for the cultivation, dispensing, or use of medical marihuana is intended to continue, without interruption, the moratorium and all other provisions established by Ordinance No. 2012.15 and shall be applied retroactively to the extent necessary to accomplish that intent.~~

~~The moratorium established by this section shall further continue in effect for six (6) months from the effective date hereof, or until such time as an appropriate medical marihuana ordinance is enacted, whichever occurs first. If any section, subsection, sentence, clause, or phrase of this Article is for any reason held to be invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the decision shall not affect the validity of the remaining portion of this Article.~~

~~Sec. 16-516. Inconsistent provisions repealed.~~

Ordinances or parts of ordinances in conflict with the provisions of this Article are hereby repealed.

Sec. 16-517. Savings clause.

All rights and duties that have matured, penalties that have been incurred, proceedings that have begun and prosecution for violations of law occurring before the effective date of this ordinance are not affected or abated by this ordinance.

Sec. 16-518. Reserved.

Section 3. This Ordinance takes effect thirty (30) days from the date of adoption.



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

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

**CITY COUNCIL MEETING**  
**August 13, 2013**

**MEMO TO:** Honorable Mayor and City Councilmembers  
**FROM:** Andrew J. Wrozek, Jr., City Treasurer/City Clerk  
**SUBJECT:** Adoption of Ordinance No. 2013.14

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**RECOMMENDATION:**

**Final adoption of Ordinance No. 2013.14 an ordinance amending Sections 18-151 through 18-159 to Chapter 18 of the Code of Ordinances to provide for the health, welfare and safety of the citizens of the City of Jackson by providing an exception to the possession or use of marihuana to qualifying patients and primary caregivers who are validly registered by the Michigan Department of Community Health or its successor agency pursuant to the Michigan Medical Marihuana Act.**

Attached please find Ordinance 2013.14 approved by the Council at the June 11, 2013 meeting. Please consider adoption of the ordinance.

C: City Manager

ORDINANCE NO. 2013- 14

An ordinance amending Sections 18-151 through 18-159 to Chapter 18 of the Code of Ordinances to provide for the health, welfare and safety of the citizens of the City of Jackson by providing an exception to the possession or use of marihuana to qualifying patients and primary caregivers who are validly registered by the Michigan Department of Community Health or its successor agency pursuant to the Michigan Medical Marihuana Act.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose. The City Council adopts this ordinance to provide an exception to the possession or use of marihuana to qualifying patients and primary caregivers who are validly registered by the Michigan Department of Community Health or its successor agency pursuant to the Michigan Medical Marihuana Act.

Section 2. That Article VI, Division 2, Sections 18-151 through Section 18-159 of Chapter 18 of the Code of the City of Jackson be, and the same hereby are, amended to read as follows:

ARTICLE VI. OFFENSES AGAINST PUBLIC MORALS.

DIVISION 2. MARIHUANA AND DRUG PARAPHERNALIA.

Sec. 18-151. Definition.

The term "drug paraphernalia" as used in this division means any equipment, product or material of any kind or nature whatsoever which is used, intended for use or designed for use in planting, propagating, cultivating, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance as defined by the Controlled Substance Act (MCL 333.1701 et seq.), as amended.

Sec. 18-152. Purpose.

This division is enacted to preserve the health, safety, and welfare of the people of the city by regulating the possession or use of marihuana or the manufacture, sale, use, delivery, possession or distribution, or the attempt to manufacture, sell, use, deliver, possess or distribute drug paraphernalia.

Sec. 18-153. Possession of drug paraphernalia.

It is unlawful for any person, business entity or corporation to illegally use, or to possess with intent to illegally use, drug paraphernalia.

Sec. 18-154. Manufacture, sale, or delivery of drug paraphernalia.

It is unlawful for any person to sell, deliver, possess with intent to deliver or sell, or manufacture with intent to deliver or sell, drug paraphernalia.

Sec. 18-155. Advertisement of drug paraphernalia.

It is unlawful for any person to place in any newspaper, magazine, handbill, or other publication distributed in the city any advertisement, the purpose of which, in whole or in part, is to promote the sale of any object designed or intended for use as drug paraphernalia.

Sec. 18-156. Possession/use of marihuana.

No person shall knowingly and intentionally possess or use marihuana.

Sec. 18-157. Exemptions.

This division shall not apply to manufacturers, wholesalers, jobbers, licensed medical technicians, technologists, nurses, hospitals, research teaching institutions, clinical laboratories, medical doctors, osteopathic physicians, dentists, chiropractors, veterinarians, law enforcement agencies, pharmacists and embalmers in the lawful course of business or professional activity, nor to persons suffering from any medical condition which requires administering prescribed medication. This division shall not apply to the possession of medical marihuana or paraphernalia used in connection with the medical use of marihuana by qualifying patients or primary caregivers, as those terms are defined in the Michigan Medical Marihuana Act, MCL 333.26421 et. seq., in the amounts of medical marihuana permitted under the Michigan Medical Marihuana Act, who have a valid medical marihuana registration issued by the Michigan Department of Community Health or its successor agency that permits the qualifying patient or primary caregiver to cultivate and/or consume medical marihuana.

Sec. 18-158. Penalty.

- (a) Any person convicted of a violation of any provision of this division shall be deemed guilty of a misdemeanor and shall be punished by a fine not to exceed five hundred dollars (\$500.00), or by imprisonment not to exceed ninety (90) days, or both. Each day a violation continues shall be considered a separate offense and may be punished accordingly.
- (b) When an individual who has not previously been convicted of an offense under this division or under any similar state or federal law pleads guilty or is found guilty of a violation hereof, the court, without entering a judgment of guilt, may

defer further proceedings and place the individual upon probation subject to whatever terms and conditions it deems appropriate.

- (c) Upon violation of a term or condition of such probation, the court may enter an adjudication of guilt and sentence the individual. Upon fulfillment of the terms and conditions of probation, the court shall discharge the individual and dismiss the proceedings. Discharge and dismissal under this section shall be without adjudication of guilt and is not a conviction for purposes of this section or for purposes of any disqualification or disability imposed by law upon conviction of a crime. There may be only one (1) discharge and dismissal under this section as to an individual. The police department records division shall retain a nonpublic record of an arrest and discharge or dismissal under this section. This record shall be furnished to a court or police agency upon request for the purpose of showing that a defendant in a criminal action involving the use of a controlled substance covered herein has previously utilized this section of the division.
- (d) If any individual is convicted of a violation of this division, the court, as part of the sentence, during the period of confinement or the period of probation, or both, may require the individual to attend a course of instruction or rehabilitation program on the medical, psychological, and social effects of the misuse of drugs. The court may order the individual to pay a fee for the instruction or program. Failure to complete the instruction or program shall be considered a violation of the terms of probation.

Sec. 18-159. Reserved.

Section 3. This Ordinance takes effect thirty (30) days from the date of adoption.



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

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**Treasurer (517)788-4043 • Income Tax Office (517)788-4044 • Clerk (517) 788-4025**

**CITY COUNCIL MEETING**  
**August 13, 2013**

**MEMO TO:** Honorable Mayor and City Councilmembers  
**FROM:** Andrew J. Wrozek, Jr., City Treasurer/City Clerk  
**SUBJECT:** Adoption of Ordinance No. 2013.16

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**RECOMMENDATION:**

**Final adoption of Ordinance No. 2013.16 an ordinance amending Chapter 22 of the City of Jackson Code of Ordinances to permit an extended period of time for payment of special assessments for the public health, safety and welfare of the Citizens of the City of Jackson.**

Attached please find Ordinance 2013.16 approved by the Council at the July 16, 2013 meeting. Please consider adoption of the ordinance.

C: City Manager

ORDINANCE 2013 - 16

An Ordinance amending Chapter 22 of the City of Jackson Code of Ordinances to permit fees for permit an extended period of time for payment of special assessments for the public health, safety and welfare of the Citizens of the City of Jackson.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

The City Council adopts this ordinance to permit an extended period of time for payment of special assessments for the public health, safety and welfare of the Citizens of the City of Jackson.

Section 2. That Section 22-8 of Chapter 22 of the City of Jackson, Michigan Code of Ordinances be amended to read as follows:

Sec. 22-8. Hearing; action on roll.

The city council sitting as a board of review shall review the special assessment roll and consider all objections and comments made at the public hearing. The city council may correct or amend such roll as to any assessment or description of property or any other matter appearing thereon. The city council may reject such assessment roll and the same proceedings shall be had in making a new roll as in the making of an original roll. If, after hearing all objections and comments and making any corrections to the special assessment roll it deems necessary the city council determines that assessments are in proportion to benefits derived or to be derived, it shall pass a resolution reciting said determination, confirming said roll and stating all of the following:

- (a) The date upon which the first installment of the special assessment, if installment payments are allowed, is due and payable;
- (b) The number of annual installments, which shall not exceed fifteen (15), in which the special assessment may be paid; and
- (c) The rate of interest to be charged upon such annual installments.

The city council shall also authorize the city treasurer to collect the various amounts on the roll in accordance with the resolution. Such roll shall have the date of confirmation by the city council endorsed thereon by the city clerk, and shall be final and conclusive for the purpose of the public improvement to which it pertains.

Section 3. This Ordinance takes effect thirty (30) days from the date of adoption.



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

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**CITY COUNCIL MEETING**  
**August 13, 2013**

**MEMO TO:** Honorable Mayor and City Councilmembers  
**FROM:** Andrew J. Wrozek, Jr., City Treasurer/City Clerk  
**SUBJECT:** Adoption of Ordinance No. 2013.17

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**RECOMMENDATION:**

**Final adoption of Ordinance No. 2013.17 an ordinance amending Article I of Chapter 2 of the City of Jackson Code of Ordinances to grant to the City Manager the authority to negotiate and decrease late charges, late fees, interest charges and other monetary penalties for the health, safety and welfare of the Citizens of the City of Jackson.**

Attached please find Ordinance 2013.17 approved by the Council at the July 16, 2013 meeting. Please consider adoption of the ordinance.

C: City Manager

ORDINANCE 2013 - 17

An Ordinance amending Article I of Chapter 2 of the City of Jackson Code of Ordinances to grant to the City Manager the authority to negotiate and decrease late charges, late fees, interest charges and other monetary penalties for the health, safety and welfare of the Citizens of the City of Jackson.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

The City Council adopts this ordinance to specifically grant the authority to the City Manager to negotiate and decrease late charges, late fees, interest charges and other monetary penalties set forth in the City of Jackson Code of Ordinances, or by resolution of the City Council, for the health, safety and welfare of the Citizens of the City of Jackson.

Section 2. That Article I of Chapter 2 of the City of Jackson, Michigan Code of Ordinances, be amended to read as follows:

ARTICLE I. ADMINISTRATIVE SERVICE

Sec. 2-4. Office of city manager.

The office of city manager is hereby created, and shall be headed by the city manager, whose duty it shall be to be the chief administrative and financial officer of the city. The city manager shall:

- (1) Appoint and, when necessary for the good of the service, suspend or remove all city employees under the direction and supervision of the manager, except as otherwise provided by law or this charter. The manager may authorize any administrative officer, subject to the manager's direction and supervision, to exercise these powers with respect to subordinates in that officer's department, office or agency.
- (2) Direct and supervise the administration of all departments, offices and agencies of the city under the direction and supervision of the manager, except as otherwise provided by this charter or by law.
- (3) Attend council meetings. The manager shall have the right to take part in discussion but shall not vote. The manager shall be responsible for establishing and/or preparing the agenda for council meetings.
- (4) See that all laws, provisions of this charter and acts of the council, subject to enforcement by the manager or by officers subject to the manager's direction and supervision, are faithfully executed.

- (5) Be the chief financial officer of the city and develop the city budget in consultation with department heads and other administrative officers for presentation to the mayor and council.
- (6) Submit to the council and make available to the public a complete report on the finances and administrative activities of the city as of the end of each fiscal year.
- (7) Make such other reports as the council may require concerning the operations of city departments, offices and agencies subject to the manager's direction and supervision.
- (8) Keep the council fully advised as to the financial condition and future needs of the city.
- (9) Make recommendations to the council concerning the affairs of the city.
- (10) Provide staff support services for the mayor and council members.
- (11) Be liaison for the mayor and council to the city's commissions, boards, authorities, committees, departments and other organizational components of the city, and represent the mayor and council in their dealings with other governments when authorized to do so.
- (12) Develop a program to resolve conflicts between the city government and members of the public.
- (13) Have the authority to negotiate the payment of late fees, late charges, interest payments or other monetary penalties imposed by this Code or by resolution of the council upon a showing of good cause, with the concurrence of the mayor and vice-mayor; and
- (14) Perform such other duties as are specified in this charter or may be required by the council.

Section 3. This Ordinance takes effect thirty (30) days from the date of adoption.



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

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**CITY COUNCIL MEETING**  
**August 13, 2013**

**MEMO TO:** Honorable Mayor and City Councilmembers  
**FROM:** Andrew J. Wrozek, Jr., City Treasurer/City Clerk  
**SUBJECT:** Adoption of Ordinance No. 2013.18

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**RECOMMENDATION:**

**Final adoption of Ordinance No. 2013.18 an ordinance amending Articles I through XVII of Chapter 16 of the City of Jackson Code of Ordinances to modernize the provisions for regulation of certain businesses, trades and occupations, to adjust or eliminate certain license fees, and to decrease regulations on certain businesses, trades and occupations for the health, safety and welfare of the Citizens of the City of Jackson.**

Attached please find Ordinance 2013.18 approved by the Council at the July 16, 2013 meeting. Please consider adoption of the ordinance.

C: City Manager

ORDINANCE 2013 - 18

An Ordinance amending Articles I through XVII of Chapter 16 of the City of Jackson Code of Ordinances to modernize the provisions for regulation of certain businesses, trades and occupations, to adjust or eliminate certain license fees, and to decrease regulations on certain businesses, trades and occupations for the health, safety and welfare of the Citizens of the City of Jackson.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose

The City Council adopts this ordinance to modernize the provisions for regulation of certain businesses, trades and occupations, to adjust or eliminate certain license fees, and to decrease regulations applicable to certain businesses, trades and occupation for the health, safety and welfare of the Citizens of the City of Jackson.

Section 2. That Articles I through XVII of Chapter 16 of the City of Jackson, Michigan Code of Ordinances, be amended to read as follows:

**ARTICLE I. IN GENERAL**

**Sec. 16-1. Licenses required.**

No person shall engage, or be engaged, in the operation, conduct or carrying on of any trade, profession, business or privilege for which any license is required by any provision of this Code without first obtaining a license from the city in the manner provided for in this chapter.

**Sec. 16-2. Multiple businesses.**

The granting of a license or permit to any person operating, conducting or carrying on any trade, profession, business or privilege which contains within itself, or is composed of, trades, professions, businesses or privileges which are required by this Code to be licensed, shall not relieve the person to whom such license or permit is granted from the necessity of securing individual licenses or permits for each such trade, profession, business or privilege, except as specifically provided elsewhere in this Code.

**Sec. 16-3. State-licensed businesses.**

The fact that a license or permit has been granted to any person by the state to engage in the operation, conduct or carrying on of any trade, profession, business or privilege shall not exempt such person from the necessity of securing a license or permit from the city if such license or permit is required by this Code.

**Sec. 16-4. License application.**

Unless otherwise provided in this Code, every person required to obtain a license from the city to engage in the operation, conduct or carrying on of any trade, profession, business or privilege shall make application for such license to the city clerk upon forms provided by the city clerk and shall state under oath or affirmation such facts, as may be required for, or applicable to, the granting of such license. No person shall make any false statement or representation in connection with any application for a license under this Code.

**Sec. 16-5. License year.**

The license year applicable to annual licenses shall begin on May first of each year and shall terminate at 12:00 midnight on April thirtieth the following year. Original licenses shall be issued for the balance of the license year at the full license fee until November first, on which date and for the balance of the license year, the annual fee shall be reduced by one-half for the balance of that license year. License applications for license renewals shall be accepted and licenses issued for a period of fifteen (15) days prior to the annual expiration date. In all cases where the provisions of this Code permit the issuance of licenses for periods of less than one (1) year, the effective date of such licenses shall commence with the date of issuance thereof.

**Sec. 16-6. Conditions for issuance.**

No license or permit required by this Code shall be issued to any person who is required to have a license or permit from the state until such person shall submit evidence of such state license or permit and proof that all fees appertaining thereto have been paid. No license shall be granted to any applicant therefor until such applicant has complied with all of the provisions of this Code applicable to the trade, profession, business or privilege for which application for license is made, nor unless the applicant agrees in writing to permit inspection of the licensed premises at reasonable hours by authorized officers of the city.

**Sec. 16-7. Where certification required.**

No license shall be granted where the certification of any officer of the city is required prior to the issuance thereof until such certification is made.

**Sec. 16-8. Fire chief's certificate.**

In all cases where the certification of the fire chief or director of police and fire services (or designee) is required prior to the issuance of any license by the city clerk, such certification shall be based upon an actual inspection and a finding that the premises in which the person making application for such license proposes to conduct or is conducting the trade, profession, business or privilege comply with all the fire regulations of the state and of the city.

**Sec. 16-9. Police chief's certification.**

In all cases where certification by the chief of police or director of police and fire services (or designee) is required prior to the issuance of any license by the city clerk, such certification shall

be based upon a finding by the director of police and fire services (or designee) that the applicant has met all public safety and criminal history prerequisites, if any, of any applicable licensing ordinance.

**Sec. 16-10. Certification by the chief building official and zoning administrator.**

In all cases where the carrying on of the trade, profession, business or privilege involves the use of any structure or land, a license therefor shall not be issued until the chief building official and zoning administrator (or designees) shall certify that the proposed use is not prohibited by the building (see chapter 5) and zoning (see chapter 28) standards, respectively, of this Code, or other regulations of the city.

**Sec. 16-11. Bonds.**

Where the provisions of this Code require that a bond be furnished, such bond shall be furnished in an amount deemed adequate by the proper city officer, or, where the amount thereof is specified in a resolution of fees and bonds, in the amount so required, and the form of such bond shall be acceptable to the city attorney. In lieu of a bond, an applicant for a license or permit may furnish one (1) or more policies of insurance in the same amounts and providing the same protection as called for in any such bond; any such policies of insurance shall be approved as to substance by the city official issuing such license or permit and as to form by the city attorney.

**Sec. 16-12. Late renewals.**

All fees for the renewal of any license which are not paid at the time such fees shall be due, shall be paid as "late fees" with an additional twenty-five (25) percent of the license fee required for such licenses under the provisions of this chapter for the first fifteen (15) days that such license fee remains unpaid and thereafter the license fee shall be that stipulated for such licenses plus fifty (50) percent of such fee.

**Sec. 16-13. Issuance.**

If the application for any license is approved by the proper officers of the city, as provided in this Code, such license shall be granted and shall serve as a receipt for payment of the fee prescribed for such license.

**Sec. 16-14. Fees; when paid.**

The fee required by this Code for any license or permit shall be paid at the office of the issuing authority prescribed in this Code upon or before the granting of such license or permit. In addition to the fees required by this Code or by Resolution, additional fees may be charged by various city departments for inspections required by this Code. Additional fees may also be charged for responses or services by or from the police and fire services or the department of public works.

**Sec. 16-15. Exempt persons.**

No license fee shall be required from any person exempt from such fee by state or federal law. Such person shall comply with all other provisions of this chapter. The city clerk shall, in all such cases, issue to such persons licenses which are clearly marked as to such exemption and the reason therefor.

**Sec. 16-16. Suspension/revocation; hearing procedures.**

- (1) Any license issued by the city may be suspended with the intent to revoke by the city clerk when it appears to the city clerk there is a reasonable basis to believe the licensee has engaged in conduct constituting cause for suspension as defined by section 16-17 or as otherwise provided in this Code.
- (2) Any suspension with the intent to revoke under this section shall be in written form stating the reasons for suspension and shall be effective upon mailing to the last known address of the licensee.
- (3) Any licensee whose license has been suspended with the intent to revoke under this section shall have the right to a hearing before the city council upon the appropriateness of such suspension, provided a written request for such hearing is filed with the city attorney within ten (10) business days after mailing of the notice of suspension by the city to the licensee.
- (4) Upon such request, the city council shall conduct a hearing, and based upon a preponderance of the evidence presented, shall by vote of a majority of its membership either (1) overturn the action of the city clerk and reinstate the license or (2) confirm the action of the city clerk.
- (5) If a licensee whose license has been suspended with the intent to revoke fails to request a hearing as provided herein, or if the city council after a hearing confirms the action of the city clerk, the license shall be deemed to be fully and completely revoked for the balance of the license year.
- (6) Upon revocation of any license hereunder, the fee therefor shall not be refunded. Any licensee whose license has been revoked shall not be eligible to apply for a new license for the same-trade, profession, business, or privilege for a period of one (1) year after such revocation.

**Sec. 16-17. Cause for suspension defined.**

The term "cause for suspension," as used in this chapter, shall include the doing or omitting of any act, or permitting any condition to exist in connection with any trade, profession, business, or privilege for which a license is granted under the provisions of this chapter, or upon any premises or facilities used in connection therewith, which act, omission, or condition is any of the following:

- (1) Contrary to the health, safety, or welfare of the public.
- (2) Unlawful or fraudulent in nature.
- (3) Unauthorized or beyond the scope of the license granted.
- (4) Forbidden by the provisions of this Code or any other duly established rule or regulation of the city applicable to the trade, profession, business or privilege for which the license was granted, regardless if a conviction results.
- (5) Forbidden by any state statute or rule governing the same trade, profession, business, or privilege for which the city license was granted, regardless if a conviction results.
- (6) A conviction for a crime involving theft, dishonesty, receipt of stolen property, or embezzlement arising out of the trade, profession, business, or privilege for which the license was granted.
- (7) The licensee has ceased to operate or otherwise abandoned the trade, profession, business, or privilege for which the city license was granted.
- (8) Statements on the application were false or misleading.

**Sec. 16-18. License renewal.**

Unless otherwise provided in this Code, an application for renewal of a license shall be considered in the same manner as an original application.

**Sec. 16-19. Exhibition of license.**

No licensee shall fail to carry any license issued in accordance with the provisions of this chapter upon his person at all times when engaged in the operation, conduct or carrying on of any trade, profession, business or privilege for which the license was granted; except that where such trade, profession, business or privilege is operated, conducted or carried on at a fixed place or establishment, such license shall be exhibited at all times in some conspicuous place in his place of business. Every licensee shall produce his license for examination when applying for a renewal thereof or when requested to do so by any city police officer or by any person representing the issuing authority.

**Sec. 16-20. Exhibition of tags or stickers on vehicle or machine.**

No licensee shall fail to display conspicuously on each vehicle required to be licensed by this Code such tags or stickers as are furnished by the city clerk.

**Sec. 16-21. Displaying invalid license.**

No person shall display any expired license or any license for which a duplicate has been issued.

**Sec. 16-22. Transferability; misuse.**

No license or permit issued under the provisions of this Code shall be transferable unless specifically authorized by the provisions of this Code. No licensee or permittee shall, unless specifically authorized by the provisions of this Code, transfer or attempt to transfer his license or permit to another nor shall he make any improper use of the same.

**Sec. 16-23. Misuse; automatic revocation.**

In addition to the general penalty provision for violation thereof, any attempt by a licensee or permittee to transfer his license or permit to another, unless specifically authorized by the provisions of this Code, or to use the same improperly shall be void and result in the automatic revocation of such license or permit.

**Sec. 16-24. Penalty.**

Any person violating any section of this chapter shall be, upon conviction, punished as provided by section 1-18 of this Code.

**Secs. 16-25 - 16-50. Reserved.**

**ARTICLE II. FEES AND BONDS**

**Sec. 16-51. Schedule established.**

The fee required to be paid and the amount of any bond required to be posted to obtain any license to engage in the operation, conduct or carrying on of any trade, profession, business or privilege for which a license is required by the provisions of this Code shall be by resolution of the city council. No license shall be issued to any applicant unless he pays to the city clerk the fee and posts a bond in the amount required for the type of license desired.

Fees for licenses shall be by resolution of the city council.

**Secs. 16-53 - 16-70. Reserved.**

**ARTICLE III. AUCTIONS AND AUCTIONEERS**

**Sec. 16-71. License required.**

No person shall sell or cry off at auction any real or personal property within the city without having first secured a license to do so from the city clerk and filed an inventory as required by section 16-77.

**Sec. 16-72. License application.**

Any person desiring to be licensed as an auctioneer within the city shall file with the city clerk an application therefor on such forms as the city clerk may require. Before issuing such license, the city clerk may require additional information the clerk deems necessary in order to pass upon the application.

**Sec. 16-73. Fees and bond.**

- (1) After the application for a license under this article shall have been passed upon by the city clerk, and as a prerequisite to the issuance of a license thereunder, the applicant shall pay to the clerk a license fee in accordance with article II of this chapter; and shall execute a bond in the penal sum of five thousand dollars (\$5,000.00) with a surety company authorized to do business in the state which bond shall be approved by the city attorney.
- (2) In addition, prior to any sale hereunder, a licensed auctioneer shall pay the clerk the required inventory fee in accordance with article II of this chapter.

**Sec. 16-74. License issuance.**

Upon compliance with the provisions of this chapter, the city clerk shall issue to the applicant an annual license to conduct auctions within the city.

**Sec. 16-75. Prohibited practices.**

The following acts, omissions and practices in connection with any auction are hereby prohibited and, if found to have occurred shall constitute a basis for revocation of a license issued under this article.

- (1) The use of deceit, fraud or misrepresentation in the sale or offering for sale of any real or personal property.
- (2) The use of false bidders, cappers or puffers.
- (3) The use of any false or misleading advertising, whether relating to the kind or quality of the property or its past history, present status or otherwise.
- (4) The use of an unlicensed person to conduct an auction sale; provided, however, that an unlicensed person may conduct an auction sale under the direct supervision of an auctioneer licensed under this article.
- (5) The failure to exhibit, upon demand by a police officer, a currently valid city auctioneer's license or city clerk's license card.
- (6) The knowing receipt for sale by auction, or the knowing sale by auction, of any property which is stolen.

- (7) The conduct of any auction of personal property in any street, avenue, or alley in the city.
- (8) The sale of property not listed on the inventory required by section 16-77; provided, however, that property may be sold when its presence in a consignment is discovered after the required inventory has been filed. In all such cases, the auctioneer shall file a revised inventory list as soon as is practical after the sale.

**Sec. 16-76. Auction accounts.**

Every auctioneer licensed under this article shall keep a sales book with an accurate account of the persons to whom property is sold and of the persons from whom property was received; which records shall be open to inspection by city officials or their representatives at all reasonable times.

**Sec. 16-77. Inventory list.**

- (1) Every auctioneer licensed under this article shall, at least twenty-four (24) hours prior to the commencement of any sale at auction of any real or personal property, file with the city clerk a statement which shall contain:
  - a) The address where the auction is to be held.
  - b) An itemized inventory of the real or personal property to be sold.
  - c) A good faith estimate of the retail value of the property to be sold.
  - d) A recitation that all taxes which have become a lien upon the property have been paid.
- (2) It shall be unlawful for an auctioneer to conduct an auction at any place other than that designated upon the inventory list filed hereunder.

**Sec. 16-78. Reconditioned personal property.**

Reconditioned and rebuilt personal property shall be clearly labeled as such and the buying public in attendance at any auction licensed under this article shall be so informed by the auctioneer of such fact at the time such property is offered for sale.

**Sec. 16-79. Official sales exempt.**

The provisions of this article shall not apply to any person acting under the official license, direction or authority of any court or government.

**Sec. 16-80. Refunds.**

- (1) The purchaser of any property at any auction held under the provisions of this article may return the same for refund in accordance with the following:
  - (a) New property found not to be of the quality represented may be returned within three (3) business days from the time of the sale.

- (b) Used property found not to be of the quality represented may be returned within one (1) business day from the time of sale.
- (2) The auctioneer who sold the property shall then return to the purchaser the price of the property returned and, in case of refusal, shall be liable upon his bond.

**Sec. 16-81. Penalties.**

Any person violating any of the provisions of this article shall be punishable as provided by section 1-18 of this Code.

**Secs. 16-82—16-100. Reserved.**

**ARTICLE IV. BILL POSTING AND DISTRIBUTION**

**Sec. 16-101. License required.**

No person shall engage in the business of bill posting, tacking or distributing of bills or samples or other matter within the city without first obtaining a license therefor. This requirement shall not be applicable to any merchant, religious or political organization, or to any social or fraternal organization advertising its own functions or entertainment.

**Sec. 16-102. General regulations.**

- (1) No bills or other advertising matter shall be thrown upon the streets or other public places of the city, or be hung, tacked or posted upon any telephone or other utility pole, or upon or within any vehicle, or upon the side of any building, except upon billboards approved by the chief building official (or designee). Notices of elections or other legal notices may be attached to poles or posted in other convenient places, subject to any restrictions or rules made by the city council. No handbills under a license issued pursuant to this chapter shall be distributed upon the streets and sidewalks of the business section, and no person shall distribute samples of medicine of any kind.
- (2) Bill posters shall maintain billboards in good condition and shall take off and remove all paper as soon as the event advertised thereby is over. Nothing contained in this article shall prohibit merchants or other persons from attaching signs or other advertising matter to the building in which their business is conducted, providing such sign is an accessory thereto, but such signs shall be subject to all of the other pertinent provisions of this Code.

**Sec. 16-103. Parked vehicles.**

No person shall place any handbill or other advertising material in or upon any motor vehicle parked on any public street or within any municipal parking lot or structure.

**Secs. 16-104—16-125. Reserved.**

## **ARTICLE V. CHARITABLE SOLICITATION**

### **Sec. 16-126. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Public place* means any portion of any street, alley, park, entrance to a building, sidewalk or publicly owned building to which the public has access.

*Solicitation* means the act of requesting, while in the physical proximity of another, in a public place, a gift or donation of funds or some other thing of value for either:

- (1) Use by a person, group or entity to help those in need.
- (2) Use by a person, group or entity for religious purposes.

### **Sec. 16-127. Duties of persons, groups or entities wishing to solicit.**

No person shall engage in any act of solicitation in any public place within the city without first contacting the office of the city clerk at least twenty-four (24) hours in advance of the date or dates proposed for such solicitation, and providing in writing to the clerk and the director of police and fire services (or designee) all of the following:

- (1) The name, address and telephone number of the person, group or entity on whose behalf such solicitation will take place.
- (2) The names and business addresses of all those persons who will engage in such solicitation.
- (3) The date or dates upon which such solicitation will take place.
- (4) The general locations within the city where such solicitation will take place.

### **Sec. 16-128. Duties of city clerk.**

The city clerk shall keep a written record of all information provided under section 16-127, which shall be available for inspection and copying by the public during normal business hours.

### **Sec. 16-129. Hours of solicitation.**

No person shall engage in solicitation in any public place within the city between the hours of 7:00 p.m. and 9:30 a.m. of any day; provided, however, that persons not engaging in door-to-door solicitation may solicit between the hours of 7:00 a.m. and 7:00 p.m. of any day.

**Sec. 16-130. Solicitors to wear identification.**

No person who engages in any act of solicitation in any public place shall do so without wearing a tag or a badge which has, in legible form in the English language, the person's name and the name of the entity or group which he represents.

**Sec. 16-131. Penalty.**

Any person violating any provision of this article shall, upon conviction thereof, be punished in accordance with section 1-18 of this Code.

**Secs. 16-132 - 16-150. Reserved.**

**ARTICLE VI. SPECIAL EVENTS**

**Sec. 16-151. Show license.**

No person shall conduct a circus, show or carnival, except in a theater licensed under the provisions of this chapter, without first obtaining a license therefor which shall be known as a show license.

**Sec. 16-152. Animal shows and exhibitions.**

No person shall conduct any dog or pony show or menagerie, without first obtaining a license therefor. Such license shall be known as an animal show license. No person shall conduct any panorama, exhibition of statuary or painting, natural curiosity or any other exhibition, not otherwise licensed under this chapter, and for which an admission fee is charged, without first obtaining a license therefor to be known as an exhibition license. The provisions of this section shall not be applicable to any fair held under the direct management and supervision of any recognized agricultural association or society, nonprofit association, at which are exhibited agricultural or industrial products, principally.

**Sec. 16-153. Special events.**

- (1) *Definitions.* The following definitions shall apply to this section:
  - (a) *Governmental entity* means the state or federal government or any city, county, township, district library or public school.
  - (b) *Special event* means any circus, festival, fair, event, bazaar or other specially scheduled activity —including those sponsored by governmental agencies or nonprofit organizations— which is not of a frequent and permanent nature where persons are permitted to sell edible items, wares, goods, or merchandise within a building or area inside or outside of public rights-of-way, or where edible items, wares, goods or merchandise are sold inside of an establishment with a dance, party or other special gathering held inside or outside of public rights of way in conjunction with the establishment, unless otherwise approved by city council.

- (c) *Sponsor* means any person planning, promoting or making arrangements for any special event. Where there is no such person, the term "sponsor" means any person in charge of the premises where the special event is to be held.
- (2) *License required.* No person may sell, and no sponsor may permit the sale of, goods, wares or merchandise including arts and crafts at a special event without first filing an application for a special events license and obtaining such license from the city clerk.
- (3) *Application.* Application for a special events license shall be made on forms provided by the city. The applicant shall submit, as a part of its application, a license fee in accordance with resolution of city council, and a list of the names and addresses of all persons permitted to sell at the special event along with a general description of the goods, wares or merchandise to be sold by each. Upon compliance with the above requirements, and certification by the chief building official and zoning administrator (or designees) per the requirement of section 16-10 of this chapter, the city (or designee) shall issue the applicant a special events license.
- (4) *Sponsor's duties.* In addition to any other requirement of this section, any sponsor issued a special events license shall keep a list of any additions or deletions to the list of those persons permitted to sell at the special event which shall be provided to the city clerk within one (1) week following the close of the special event.
- (5) *Exemptions.* Any special event which is under the direct sponsorship and control of a governmental entity or a church with an established place of worship within the city is exempt from the licensure requirements of this section.
- (6) *Penalty.* Any person selling at any special event without being licensed or without being listed by a properly licensed sponsor shall be punished upon conviction in accordance with section 1-18 of this Code.

**Secs. 16-154—16-175. Reserved.**

## **ARTICLE VII. COIN-OPERATED MACHINES**

### **Sec. 16-176. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Arcade* means a retail establishment whose principal business is offering to patrons mechanical, electrical or video amusement devices or games.

*Coin-operated amusement device* means a machine which upon the insertion of a coin, slug, or electronic payment device operates or may be operated for use as a game, contest or amusement of any description, or which may be used for any such game, contest or amusement and which

contains no automatic payoff device for the return of slugs, monies, coins, credits, tokens or merchandise.

*Coin-operated music device* means a machine upon which the insertion of a coin, slug or electronic payment device, either in the machine or a slot connected with the machine, plays recorded or transcribed music.

*Vendor* means any person owning two (2) or more coin-operated amusement devices or coin-operated music devices, who places such devices for operation on premises other than those of the owner.

**Sec. 16-177. Licenses required.**

- (1) No person being the owner of a coin-operated amusement device or a coin-operated music device shall permit such device to be operated in any public place owned by or under the management or control of such person in the city without first obtaining an owner's license for each device. Fees for such license shall be by resolution of the city council.
- (2) No vendor of coin-operated amusement devices or coin-operated music devices shall permit such devices to be operated in any public place in the city without obtaining a vendor's license for each device. Fees for such license shall be by resolution of the city council.
- (3) No person shall permit any coin-operated amusement or music device to be operated in any place of business owned by or under the management and control of such person in the city without a license therefor having been first obtained, or without the sticker or permit issued for such devices being affixed thereto.
- (4) Every coin-operated amusement or music device operated by a licensee shall contain suitable identification marks and numbers, which identification marks and numbers shall be written by the city clerk upon a permit or sticker issued for such device, and such sticker or permit (or a copy of the permit) shall be permanently affixed to such device. A record of such permit so issued shall also be kept by the clerk.

**Sec. 16-178. Application.**

No license for the operation of any mechanical amusement device shall be granted except upon inspection and approval of each such device by the Director of Police and Fire Services (or designee). Written evidence of such approval shall be filed by the applicant with the application for such license. This requirement shall not be applicable in the case of renewal licenses. Every such application shall state that such device will be operated for amusement only.

**Sec. 16-179. Arcade owner's license.**

Whenever the operation of coin-operated amusement or music devices is conducted on any premises in the city as the principal business thereof, the operator or owner of such business shall obtain an arcade owner's license. Such license shall not be in lieu of other applicable licenses required in this chapter. Fees for such a license shall be by resolution of city council.

**Sec. 16-180. Coin-operated amusement devices.**

No person shall operate any coin-operated amusement device, nor permit the same to be operated in any establishment under the operation, management, or control of such person, which device shall be so constructed that the same may be converted into an automatic payoff device which shall issue or discharge credits, slugs, coins, or other tokens. Any coin-operated amusement device which shall be made use of for gambling in violation of the terms of this article may be seized and destroyed by the police department of the city in compliance with the statutes of the state, relative to gambling devices.

**Sec. 16-181. Operation by minors.**

- (1) No person shall permit a coin-operated amusement device under his control or management, or on premises under his control or management, to be operated by any minor of school age, during the hours of 8:00 a.m. and 3:00 p.m., Monday through Friday, for the period commencing the first Wednesday following Labor Day, through June fifteenth of each year. This prohibition shall not apply, however, on those days that any such minor's school shall not be in session.
- (2) No minor of school age shall operate a coin-operated amusement device during the hours of 8:00 a.m. and 3:00 p.m., Monday through Friday, for the period commencing the first Wednesday following Labor Day, through June fifteenth of each year. This prohibition shall not apply, however, on those days that any such minor's school shall not be in session.
- (3) For purposes of paragraphs (a) and (b) above, a minor of school age shall mean any person who shall have attained at least five (5) years of age, but who shall not have attained the full age of seventeen (17) years.
- (4) The city council may, upon satisfactory proof submitted to it that a violation of paragraph (a) has occurred, revoke the license for all coin-operated amusement devices on the premises where such violation occurred, and may prohibit the further operation of other devices on such premises.

**Sec. 16-182. Arcade Inspections.**

The chief building official (or his designee) shall inspect or cause to be inspected prior to operation all premises operating as an arcade under the terms of this article, wherever the same may be located, relative to safety and hazardous conditions.

**Sec. 16-183. Penalties.**

Any person violating the provisions of this article, except section 16-181(b), shall upon conviction be punished as prescribed in section 1-18 of this Code. Any minor of school age found violating the provisions of section 16-181(b) shall be deemed a delinquent child and may be complained against to the juvenile division of the probate court of the county.

**Secs. 16-184—16-200. Reserved.**

## **ARTICLE VIII. DANCE HALLS**

### **Sec. 16-201. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Public dance* means any dance to which admission may be had by payment of a fee, or by purchase, possession, or presentation of a ticket, or token obtained for money or any valuable thing, or in which a charge is made for caring for clothing or other property or where a dance is held in conjunction with, or as entertainment in any place where food or beverages, either alcoholic or nonalcoholic, are sold, or any other dance to which the public generally may gain admission with or without payment of a fee, but shall not be deemed to include dances given in private homes or by any organized fraternal or other society or association, where the general public is not admitted.

*Public dance hall* means any hall, room or place in which a public dance is given or public ball shall be held or any dance studio.

### **Sec. 16-202. Dance hall license.**

It shall be unlawful for the owner or lessee of any hall, building or grounds, to hold or permit any other person to hold any public dance, therein or thereon, until such owner or lessee shall first procure a license therefor; provided, that a one-day special dance license may be issued as provided in this Chapter

### **Sec. 16-203. Sanitary facilities.**

No license shall be issued to any dance hall or place where public dances are held, unless there is in such hall, proper provision for ventilation either natural or mechanical, so that each person in the hall will be supplied with one thousand two hundred (1,200) cubic feet of air per hour, and sufficient toilet conveniences so that there will be at least one (1) women's toilet in good sanitary condition per two thousand (2,000) square feet of floor space, or fraction thereof; at least one (1) men's toilet and urinal in good sanitary condition per four thousand (4,000) square feet of floor space or fraction thereof, and provision made for privacy therein; at least one (1) wash stand in each toilet provided with soap and sanitary towels; at least one (1) sanitary drinking fountain, either on the dance floor or reasonably accessible thereto for each four thousand (4,000) square

feet of floor space or fraction thereof; sufficient fire exits free from all rubbish and inflammable material as required by the regulations of the state fire marshal; and at least one (1) free and unobstructed means of exit from the premises in addition to the main entrance thereto.

**Sec. 16-204. Building code requirements.**

No license shall be issued for any place in which public dances are held unless the building code requirements of the city, as far as can be determined, are being complied with.

**Sec. 16-205. Inspections required.**

The chief building official and director of police and fire services (or their designees) shall inspect or cause to be inspected prior to operation of a dance hall or special dance operating under the terms of this article, wherever the same may be located, relative to safety, sanitation and hazardous conditions.

**Sec. 16-206. License revocation.**

The license for any public dance hall may be revoked for disorderly or immoral conduct therein or for cause as specified in article I of this chapter. Any public dance hall may be entered at any time by any member of the police department or other city officer or employee in the course of his employment. Any police officer of the city may cause any public dance to be discontinued and the hall to be vacated during the progress of a public dance for any reason for which a license may be suspended or revoked.

**Sec. 16-207. Special dance license.**

Any person desiring to hold or conduct a dance on one (1) date only in a hall or other place not licensed as a dance hall may make application to the city clerk for a license to hold same. No such license shall be granted except upon certification of compliance with this article and approval by the police department. Except as provided in this section, it shall be unlawful for any person to hold or conduct any public dance in any unlicensed hall, room or place.

**Sec. 16-208. Conduct of dance.**

Whenever any public dance is conducted in this city a competent floor manager shall be provided, whose duty it shall be to see that disorderly, familiar and objectionable conduct is not tolerated. Whenever any public dance is in progress the entire hall and all adjoining rooms opening into such hall must be well lighted.

**Secs. 16-209—16-230. Reserved.**

**ARTICLE X. FUMIGATORS**

**Sec. 16-261. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Exterminator* means one who uses insecticides, rodenticides or other substances or mechanical devices, other than fumigants, under whatever name known, for the destruction or control of insects, vermin, rodents or other pests.

*Fumigant* means any substance which by itself or in combination with any other substance emits or liberates a gas or gases, fumes or vapors, and which gas or gases, fumes or vapors, when liberated and used for the destruction or control of insects, vermin, rodents or other pests, are lethal, poisonous, noxious or dangerous to human life.

*Fumigator* means one competently trained and experienced in the use of fumigants. He must understand the hazards involved, precautionary and safety measures, use of gas masks, effect, residual and otherwise, upon foods and commodities, dosages and exposure periods necessary, provisions for adequate ventilation and safe reoccupancy.

*Insecticides* means and includes any substance not a fumigant, under whatever name known, used for the destruction or control of insects.

*Rodenticide* means and includes any substance not a fumigant, under whatever name known, whether poisonous or otherwise, used for the destruction or control of rodents.

#### **Sec. 16-262. Licenses.**

No license shall be required for the work or occupation of fumigation or extermination.

#### **Sec. 16-263. Requirements.**

It shall be unlawful:

- (1) For any person to fumigate a building or any part thereof without first notifying the director of police and fire services at least four (4) hours before beginning such fumigation.
- (2) For any person to fumigate any building without first closing, securely fastening and sealing all windows and securely locking all outer doors of such building, and no opening from which dangerous gases may escape shall remain unsealed.
- (3) For any person to fumigate any structure until all outer doors of same have been posted with white placards bearing the clearly visible lettering in red ink, DANGEROUS, KEEP OUT, POISONOUS GAS BEING USED IN THIS BUILDING, the word DANGEROUS to be in letters not less than four (4) inches in height, and such placard to bear the name, address and telephone number of the fumigator in charge.

- (4) For anyone other than the fumigator in charge or a public official in the discharge of duty to enter structures under process of fumigation, nor for such subsequent period as herein required for ventilation.
- (5) For any individual except the fumigator in charge to remove or destroy any warning placards which have been placed on a structure under process of fumigation, until such time as the ventilation period as prescribed herein has expired, and at no time during the ventilation period shall the structure be left unguarded unless all safety devices and warning placards are securely attached.
- (6) For any person to fumigate any portion of a building unless the entire structure is vacated.
- (7) For any person to fumigate any building or portion thereof in the city unless a competent, alert watchman or watchmen shall have been placed on guard for the purpose of preventing the ingress of human beings during the process of fumigation and ventilation; provided, that watchmen shall not be required at single dwellings or multiple dwellings containing not more than four (4) apartments where approved mechanical devices are applied to outer doors in such a manner as to prevent the use of existing locks by anyone except the licensed fumigator in charge of the fumigation procedure.

**Sec. 16-264. Ventilation.**

- (1) It shall be the duty of the fumigators at the conclusion of the fumigation process, which shall be continued for not less than twelve (12) hours, to open all doors and windows of fumigated structures, beginning at the basement or lowest floor and continuing until all rooms shall have been opened for the free access of air. Outer doors shall remain open for an interval of not less than two (2) hours after which, in the absence of a watchman or watchmen, safety locks shall be reapplied and kept in place for the remainder of the ventilation period. Where in any instance windows cannot be opened to provide adequate ventilation, the fumigator shall promptly report such fact to the director of police and fire services; whereupon the director of police and fire services (or his designee) may, if necessary, require the removal of one (1) or more panes of glass in order to insure complete ventilation. Such care shall be exercised in the process of ventilation that released fumigants shall not endanger human life or health.
- (2) Mechanical ventilation shall be employed in rooms which cannot be effectively ventilated by means of doors or windows. All mattresses, pillows, cushions, bedding, clothing and similar materials shall be beaten and placed in a well-ventilated space. The ventilation process shall be continuous for a total period of not less than twelve (12) hours, and it shall be the duty of fumigators to make a personal inspection of fumigated structures before declaring the same to be ready for reoccupancy. Such declaration shall be in the form of a written statement certifying the premises to be safe for human use. Such certificates shall be signed by the fumigator and the date and hour of the day when such signature is affixed shall be therein set forth, after which it shall be conspicuously posted in the fumigated premises; provided, that no aged, infirm or convalescent adult, or

any child under the age of six (6) years, shall be permitted to enter fumigated structures until twenty-four (24) hours after ventilation has been started.

**Sec. 16-265. Residues.**

Fumigant residues left in containers shall be disposed of in such a manner as to eliminate all source of danger therefrom, and by such methods as will not result in damage to property.

**Sec. 16-266. Supervision.**

No person shall fumigate any building, structure or part thereof, or cause the same to be fumigated by the use of fumigants, unless a licensed Michigan fumigator is in attendance and personally supervises all preparations and operations pursuant thereto.

**Sec. 16-267. Exterminants.**

Exterminators shall, in the pursuit of their occupation as such, take such precautionary measures as may be necessary to prevent the contamination of such foodstuffs and beverages as may be intended for human consumption with any substance or substances used in extermination procedures and which may be dangerous or deleterious to human health.

**Sec. 16-268. Instructions to occupants.**

- (1) The fumigator shall personally inspect structures which are to be fumigated before the work is begun, and shall give the occupant thereof a printed list of precautions and instructions, which shall include the following items:
  - (a) The dangerous character of the fumigant used.
  - (b) The time fumigation will begin and the length of time it will continue.
  - (c) The length of time the structure must remain vacant.
  - (d) The items of food, drink and material that must be removed.
  - (e) Warning concerning any possible remaining danger following reoccupancy.
  - (f) Date, and signature of the fumigator.
- (2) The fumigator shall determine before releasing any fumigant, that the structure to be fumigated has been entirely vacated by human beings, that all domestic animals have been removed, and that all ice and any food or beverages likely to be affected by the fumigants have been removed.

**Sec. 16-269. Adoption of rules.**

The city council may adopt such reasonable rules and regulations, not inconsistent with the provisions of this article, as it may deem necessary to govern the use of fumigants.

**Secs. 16-270 - 16-295. Reserved.**

## **ARTICLE XI. GASOLINE STATIONS**

### **Sec. 16-296. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Bulk gasoline station* means any tank or container used for the storage of gasoline, oil or petroleum products, from which products are distributed by tank car, tank truck or other mode of transportation to dealers, distributors, retailers or gasoline filling stations.

*Curb filling station* means a gasoline filling station of which one (1) or more pumps or tanks is located in whole or in part within the street right-of-way.

*Gasoline filling station* means an establishment for the sale of gasoline, oil or petroleum products at retail where such products are transferred directly to the tanks or other containers of motor vehicles.

*Private gasoline station* means a tank or container for gasoline, oil or petroleum products maintained by the owner thereof for his own private use or for use in his private business.

### **Sec. 16-297. No License required.**

No license is required for any gasoline filling station, curb filling station, private gasoline filling station or bulk gasoline station established or maintained within the city. Provided, however that all gasoline filling stations, curb filling stations, private gasoline filling stations or bulk gasoline stations must comply with the provisions of this Article.

### **Sec. 16-298. Construction and Maintenance.**

Any gasoline filling station, curb filling station, private gasoline filling station or bulk gasoline station constructed and maintained shall be in accordance with the provisions of this Code, the laws of the state and the regulations of the state fire marshal, relative to the construction and maintenance of buildings and their appurtenances, the locations of trades and industries, and the prevention and suppression of fire or explosive hazards.

### **Sec. 16-299. Location and fee.**

No gasoline filling station, curb filling station, private gasoline station or bulk gasoline station shall be constructed or maintained at any location where, in the judgment of the zoning administrator, undue traffic congestion would result, or the public safety be imperiled by the danger of fire or explosion.

### **Sec. 16-300. Curb filling stations.**

Curb filling stations must meet the following conditions:

- (1) The pump and tank shall be installed under the direction of the city manager and at such place adjacent to the curb as shall be determined by him, or if such pump and tank are already installed, their location shall be changed if so ordered by the city manager.
- (2) Both tank and pump shall be of size and quality to be approved by the city manager. The owner and operator shall comply with all provisions of the general laws and of the rules and regulations of the state fire marshal in regard to storage and handling of gasoline.
- (3) Such stations shall be so maintained as not to be unsightly or to constitute a nuisance or to interfere with travel on the sidewalk or street, or to increase the danger of fire.
- (4) The city assumes no liability by reason of the approval or denial of the city manager. If any person is damaged by reason of the construction or maintenance of such station, the owner or operator of the station shall hold the city harmless in respect to such damages.
- (5) If the station ceases operation for a period in excess of thirty (30) days, the pump and tank shall be removed unless a waiver is given by the city manager.

**Sec. 16-301. Inspection.**

All gasoline filling stations, curb filling stations, private gasoline filling stations, bulk gasoline stations, and any tank cars or trucks used in connection with the latter, shall be subject to inspection by the director of police and fire services (or designee) at all reasonable times. It is hereby made the duty of the director of police and fire services (or designee) to inspect the tanks, pumps, containers and other equipment of such stations for the purpose of ascertaining and suppressing any possible explosive or fire hazard at least twice a year.

**Sec. 16-302. Prohibited area.**

It shall be unlawful hereafter for any person to build, establish, maintain or conduct a gasoline service station or pump for the sale or distribution of gasoline or equally inflammable fuel oils upon premises abutting upon or within one hundred and thirty-two (132) feet of the following named streets, within the limits particularly fixed on each of same, to wit:

Blackstone Street from Clinton Street to Mason Street.  
Columbus Street from Michigan Avenue Southward.  
Cooper Street from Michigan Avenue to Detroit Street.  
Cortland Street from First Street to Otsego Avenue.  
Francis Street from Michigan Avenue to Biddle Street.  
Jackson Street from Van Buren Street to Wilkins Street.  
Liberty Street west of Milwaukee Street.  
Mechanic Street from Clinton Street to Wilkins Street.  
Michigan Avenue from First Street to Van Dorn Street.  
Otsego Avenue from Mechanic Street to Milwaukee Street.  
Pearl Street from its western terminus to Cooper Street.  
Washington Avenue from First Street to Otsego Avenue.

Wesley Street from First Street to Francis Street.

**Sec. 16-303. Penalty.**

Any person violating any provision of this article shall, upon conviction thereof, be punished by a fine of not exceeding fifty dollars (\$50.00), or by imprisonment not exceeding sixty (60) days or by both such fine and imprisonment. Each day that a violation is permitted to exist shall constitute a separate offense.

**Secs. 16-304 - 16-330. Reserved.**

**ARTICLE XII. PAWNBROKERS, SECONDHAND DEALERS, AND JUNKYARD OPERATORS**

**Sec. 16-331. Pawnbrokers.**

The city clerk is designated and authorized to issue, suspend, and revoke licenses for persons, corporations, or firms to carry on the business of a pawnbroker pursuant to 1917 PA 273, as amended, MCL 446.201 et seq., hereafter "the Pawnbrokers Act."

**Sec. 16-332. Pawnbroker defined.**

As used in this article, "pawnbroker" means a person, corporation, or member, or members of a copartnership or firm, who loans money on deposit, or pledge of personal property, or other valuable thing, other than securities or printed evidence of indebtedness, or who deals in the purchasing of personal property or other valuable thing on condition of selling the same back again at a stipulated price.

**Sec. 16-333. License required; grounds to deny license.**

- (1) No person, corporation, firm, or other entity shall carry on the business of a pawnbroker in the City of Jackson without being licensed pursuant to the Pawnbrokers Act and this article and as approved under the City of Jackson Zoning Ordinance, chapter 28. A license is not transferable.
- (2) The city clerk may deny an application for a pawnbroker's license if the application is disapproved by one (1) or more proper officers of the city, as provided in this Code, indicating that the applicant is unable to meet or continue to meet the requirements of the Pawnbroker's Act or any provision in this article.
- (3) The city clerk may also deny an application for any reason identified in section 16-17
- (4) If the city clerk denies the issuance of a license or a renewal thereof, a notice of denial including the reasons for the denial shall be mailed by first class mail to the applicant. If the application for a license has been denied, the applicant may appeal the denial by requesting a hearing pursuant to section 16-16 of this Code, as amended, or may reapply

at any time by submitting a new application and fee. The notice of denial shall provide that if the applicant wants to appeal the city clerk's decision, the applicant must request a hearing within ten (10) business days pursuant to section 16-16 of this Code, as amended.

**Sec. 16-334. License fees; display.**

- (1) The license fee shall be as set from time to time by the city council by motion or resolution pursuant to the provisions of the Pawnbrokers Act or this Code. A bond shall be provided as set forth in the act. If the application is rejected, a portion of the fee paid, as determined by the city clerk, shall be retained by the city to cover processing costs.
- (2) All persons obtaining a license issued under this article shall place the license conspicuously in full public view.

**Sec. 16-335. Pawnbrokers license—Application, conditions, denial, hearing.**

- (1) Application for a pawnbroker's license shall be made in writing to the city clerk, who is authorized to create application forms and to receive and process applications and to thereafter grant, deny, suspend, or revoke said licenses as set forth in this article. Applications shall be on forms supplied by and to be filed with the city clerk. Such application, shall be signed and dated by the applicant or, if the applicant is not an individual, by an authorized representative. The application shall contain the following minimum information, plus any other information deemed necessary by the city clerk:
  - (a) The name and any alias used, and address and telephone number of the applicant and all employees, officers, partners or agents of the applicant;
  - (b) The location where the business is to be carried on plus any subsidiary offices and a brief description of the items to be sold;
  - (c) The applicant's criminal record, if any, and if the applicant is not an individual, the criminal record, if any, of the partners or officers of the corporation;
  - (d) The criminal record, if any, of any employees of the applicant;
  - (e) The applicant's prior experience as a pawnbroker;
  - (f) An authorization for the city clerk and/or the director of police and fire services (or designee) to carry out a background investigation on the applicant and all employees, officers, partners or agents of the applicant;
  - (g) A statement as to whether the applicant has ever had any licenses required by the City of Jackson or any other governmental entity revoked, suspended, or denied and the reasons for said action;
  - (h) A statement that the information provided is true and accurate and that, if a license is granted, the applicant will abide by all applicable ordinances and statutes.
- (2) All licenses are subject to the following conditions, which shall be noted on the application form:
  - (a) The applicant shall permit inspection of the licensed premises, activity, and the record of transactions required by Section 5 of the Pawnbrokers Act at reasonable times by any authorized representative of the City of Jackson. The City may

charge an hourly fee for the inspection of the licensed premises and record of transactions.

- (b) The applicant shall not engage in the business of a pawnbroker at any time after the license has expired, without having been reissued, or at any time when the license is suspended or revoked;
  - (c) No license shall be issued or renewed unless and until the applicant and any and all employees, officers, partners or agents of applicant shall, if deemed necessary by the director of police and fire services (or designee), submit to being fingerprinted and photographed as part of the background investigation.
- (3) The city clerk shall issue a license to the applicant if the city clerk is satisfied that the applicant has met and will continue to meet the requirements of this article and all applicable laws and the applicant has paid the license fee.

**Sec. 16-336. Reporting requirements; hours of operation.**

- (1) Pawnbrokers shall transmit the record of transaction required by section 5 of the Pawnbrokers Act to the director of police and fire services (or designee) by electronic means over the internet to the website established by the city for this purpose. The city will provide information concerning the website. So long as the required information is transmitted by electronic means, the required statutory form need not be filled out by hand, but a short form with the right thumbprint of the individual pawning the item shall be maintained as required by the Pawnbrokers Act, with an appropriate reference to the transaction. If it is not possible for the person to provide his or her right thumbprint, then another specifically designated fingerprint shall be provided. Upon request, the short form containing the thumbprint shall be immediately provided to the director of police and fire services (or designee) or his/her designee.
- (2) No pawnbroker shall acquire any goods between the hours of 9:00 p.m. and 7:00 a.m.; nor from any person under the age of eighteen (18) years; nor from any person who is at the time intoxicated or known to be a habitual drunkard; nor from any person with the knowledge that such goods are stolen property. A pawnbroker shall not conduct business on Sunday.

**Sec. 16-337. Pawnbrokers—Suspension with intent to revoke.**

A pawnbroker's license issued pursuant to this article may be suspended by the city clerk, which shall be deemed a suspension with intent to revoke. The city clerk will comply with section 16-16 of this Code in noticing the suspension. The suspension with intent to revoke shall automatically become a revocation of the license unless the licensee requests an appeal hearing within ten (10) business days pursuant to section 16-16 of this Code, as amended.

**Sec. 16-338. Incorporation of state law.**

The Pawnbrokers Act, being 1917 PA 273, as amended, MCL 446.201 et seq., hereinbefore, the "Pawnbrokers Act" is incorporated by reference as if fully set forth herein. Any violations of the Pawnbrokers Act shall be considered a violation of this article.

**Sec. 16-339. Secondhand dealers – no license required.**

No license is required to carry on the business of a secondhand dealer pursuant to 1917 PA 350, as amended, MCL 445.401 et seq., hereinafter the "Secondhand Dealers Act."

**Sec. 16-340. Secondhand dealers, secondhand goods—Definitions.**

As used in this article, the following terms have these meanings:

*Secondhand dealer* means any person, corporation, or member or members of a co-partnership, firm, or other entity who engages in the business of purchasing, storing, selling, exchanging or receiving secondhand goods, including the receiving and selling of goods on consignment, but does not include a scrap processor, automotive recycler, or a junkyard that deals principally in industrial scrap.

*Secondhand goods* means any goods, wares, merchandise or other personal property acquired or purchased after having been acquired at retail and used by another except as excluded herein. Such term includes, but is not limited to, appliances and radios, televisions, video cassette players and recorders, CD and DVD players and recorders, electronic/computer equipment and devices, computer gaming equipment, tools, auto parts, guns, jewelry (unless such item is subject to the Precious Metals and Gem Dealer Act, MCL 445.481 et seq., as amended), musical instruments, sporting equipment, bicycles, lawn mowers and lawn equipment, snow blowers, typewriters, and audio equipment such as home and vehicle stereos and speakers. However, "secondhand goods" does not include old rags, waste paper, new goods, clothing, household items (except those items identified in the first sentence), tires, items normally handled by junk dealers, antiques or household furniture, books, magazines, trading cards, or industrial scrap items defined in MCL 445.403 et seq., as amended, such as scrap metals, cast iron, old iron, tool steel, aluminum, copper, brass, lead pipe or tools, or lighting and plumbing fixtures.

*Scrap processor* means a principal business that is processing and manufacturing iron, steel, nonferrous metals, paper, plastic, or glass, into prepared grades for products suitable for consumption by recycling mills, foundries, and other scrap processors.

**Sec. 16-341. Secondhand dealers— prohibition on acting as pawnbroker.**

No secondhand dealer shall loan money on deposit, or pledge of personal property, or other valuable thing, other than securities or printed evidence of indebtedness, or deal in the purchasing of personal property or other valuable thing on condition of selling the same back again at a stipulated price, without obtaining a pawnbroker's license pursuant to the Pawnbrokers Act, and section 16-333 of this Code, as amended.

**Sec. 16-342. Secondhand dealers - Record of secondhand goods received; reporting requirements; hours of operation.**

- (1) A secondhand dealer shall keep a record in English at the time the secondhand dealer receives any secondhand goods. The record shall include a description of the goods, the serial number and model number if available, a sequential transaction number, the amount of money or other consideration received for said goods, the name, residence, general description and driver's license number, official state personal identification card number, or government identification number of the person from whom the secondhand goods were received, the right thumbprint of the person from whom the goods were received, and the day and hour when the goods were received. If it is not possible for the person to provide his or her right thumbprint on the full handwritten form or the short form, then another specifically designated fingerprint shall be provided. These records, the place where the secondhand dealer's business is carried on, and all secondhand goods in that place of business or in control of the secondhand dealer are subject to examination at any time by the city attorney, the director of police and fire services (or designee), the city clerk, the state police, and the Jackson County Prosecuting Attorney. The required information may be maintained by computer as required by subsection (b) below.
- (2) The secondhand dealer shall retain a record of each transaction for a minimum of one (1) year or as directed by the director of police and fire services (or designee). The secondhand dealer shall send a copy of any record of transaction to the director of police and fire services (or designee) on a weekly basis or as otherwise directed by the director of police and fire services (or designee). Commencing no later than August 1, 2009, the information in the record of transaction shall be transmitted to the director of police and fire services (or designee) by electronic means over the internet to the website established by the city for this purpose. The city will provide information concerning the website. So long as the required information is transmitted by electronic means, a handwritten form need not be completed, but a short form with the right thumbprint of the individual trading in the item shall be maintained, with an appropriate reference to the transaction. If it is not possible for the person to provide his or her right thumbprint on the full handwritten form or the short form, then another specifically designated fingerprint shall be provided. Upon request, the short form shall be immediately provided to the director of police and fire services (or designee) or his/her designee.
- (3) The secondhand dealer shall retain an article that was purchased or exchanged for at least fifteen (15) days before disposing of the article, by keeping the article in an accessible place in the building where the article is purchased and received. A tag shall be attached to the article in some visible and convenient place, with the number written thereupon to correspond with the entry number in the book or other record.
- (4) The secondhand dealer or licensee need not follow the electronic reporting required in subsection (b) above for transactions taking place at a business location where the number of transactions in each ninety-day period does not exceed ten (10). A secondhand dealer or licensee reasonably believing a location at which he or she conducts a business qualifies under this subsection for exemption from electronic reporting and wishing to be

exempt from the requirements of subsection (b) shall sign, under penalty of perjury, a declaration to that effect on a police department approved form. Once the declaration is signed and so long as the volume of transactions does not exceed ten (10) for each ninety-day period for transactions taking place at that business, the transactions need not be reported electronically, but shall be reported on paper forms. No secondhand dealer shall acquire any secondhand goods between the hours of 9:00 p.m. and 7:00 a.m.; nor from any person under the age of eighteen (18) years; nor from any person who is at the time intoxicated or known to be a habitual drunkard; nor from any person with the knowledge that such secondhand goods are stolen property.

**Sec. 16-343 – 16-345. Reserved**

**Sec. 16-346. Junkyards operator.**

The city clerk is designated and authorized to issue, suspend, and revoke licenses for persons, corporations, or firms to operating as a junkyard.

**Sec. 16-347. Junkyard operator—Definition.**

As used in this article, the following terms have these meanings:

*Junkyard operator* means any person who keeps a junkyard or engages in the business of buying and selling old iron, brass, tin, copper, lead, rubber, tires, paper or other articles commonly known as junk or operates as a junkyard with an approved conditional use permit under the City of Jackson Zoning Ordinance.

*Junkyard* means a place where junk, waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including wrecked motor vehicles, used building materials, structural steel materials and equipment and other manufactured goods that are so worn, deteriorated, or obsolete as to make them unusable in their existing condition.

**Sec. 16-348. Junkyard operator—License required.**

No person, corporation, firm, or other entity shall carry on the business of a junkyard operator in the City of Jackson without being licensed pursuant to this article and as approved under the City of Jackson Zoning Ordinance, chapter 28. A license is not transferable.

**Sec. 16-349. Junkyard license - Application, conditions, denial, hearing.**

- (1) Application for a junkyard license shall be made in writing to the city clerk, who is authorized to create application forms and to receive and process applications and to thereafter grant, deny, suspend, or revoke said licenses as set forth in this article. Applications shall be on forms supplied by and to be filed with the city clerk. Such application, shall be signed and dated by the applicant or, if the applicant is not an individual, by an authorized representative. The application shall contain the following minimum information, plus any other information deemed necessary by the city clerk:

- (a) The name and any alias used, and address and telephone number of the applicant and all employees, officers, partners or agents of the applicant;
  - (b) The location where the business is to be carried on plus any subsidiary offices and a brief description of the items to be sold;
  - (c) The applicant's criminal record, if any, and if the applicant is not an individual, the criminal record, if any, of the partners or officers of the corporation;
  - (d) The criminal record, if any, of any employees of the applicant;
  - (e) The applicant's prior experience as a junkyard operator;
  - (f) An authorization for the city clerk and/or the director of police and fire services (or designee) to carry out a background investigation on the applicant and all employees, officers, partners or agents of the applicant;
  - (g) A statement as to whether the applicant has ever had any licenses required by the City of Jackson or any other governmental entity revoked, suspended, or denied and the reasons for said action;
  - (h) A statement that the information provided is true and accurate and that, if a license is granted, the applicant will abide by all applicable ordinances and statutes.
- (2) All licenses are subject to the following conditions, which shall be noted on the application form:
- (a) The applicant shall permit inspection of the licensed premises and/or activity at reasonable times by any authorized representative of the City of Jackson;
  - (b) The applicant shall not engage in the business of a junkyard operator at any time after the license has expired, without having been reissued, or at any time when the license is suspended or revoked;
  - (c) No license shall be issued or renewed unless and until the applicant and any and all employees, officers, partners or agents of applicant shall, if deemed necessary by the director of police and fire services (or designee), submit to being fingerprinted and photographed as part of the background investigation.
- (3) The city clerk shall issue a license to the applicant if the city clerk is satisfied that the applicant has met and will continue to meet the requirements of this article and all applicable laws, and the applicant has paid the license fee.
- (4) The city clerk may deny an application for a junkyard operator's license if the application is disapproved by one (1) or more proper officers of the city, as provided in this Code, indicating that the applicant is unable to meet or continue to meet the requirements of any provision in this article.
- (5) If the city clerk denies the issuance of a license or a renewal thereof, a notice of denial including the reasons for the denial shall be mailed by first class mail to the applicant. If the application for a license has been denied, the applicant may appeal the denial by requesting a hearing pursuant to section 16-16 of this Code, as amended, or may reapply at any time by submitting a new application and fee. The notice of denial shall provide that if the applicant wants to appeal the city clerk's decision, the applicant must request a hearing within ten (10) business days pursuant to section 16-16 of this Code, as amended.

**Sec. 16-350. Junkyard operator - License fees; display.**

- (1) The license fee shall be as set from time to time by the city council by motion or resolution pursuant to the provisions of this article. If the application is rejected, a portion of the fee paid, as determined by the city clerk, shall be retained by the city to cover processing costs.
- (2) All persons obtaining a license issued under this article shall place the license conspicuously in full public view.

**Sec. 16-351. Junkyard - Regulations.**

The following regulations shall be applicable to junkyards:

- (1) No junkyard operator or any of the operator's employees shall receive in the line of such business any article by way of pledge or pawn nor loan or advance any sum of money on the security of any article or thing.
- (2) Every junkyard operator shall upon demand, exhibit all goods which he has on hand and give a description of persons selling the same to any member of the police department upon request, and shall keep a book containing the names from whom he purchased brass, tin, copper or any metal except old iron, which book shall be open during business hours to the inspection of any police officer.
- (3) No junkyard operator shall sell or remove from his place of business any article purchased by him until the same shall have been in his possession for seventy-two (72) hours unless such article shall have been purchased directly from some reputable factory or company.
- (4) No junkyard may be established or maintained in the city, except as permitted by the zoning chapter or the district maps accompanying such chapter.
- (5) No junkyard may store or handle hazardous materials unless done so consistent with all other state, federal, and local regulations.
- (6) A junkyard is subject to annual administrative inspections or complaint based inspections to ensure the property is maintained in accordance with the health, safety, and welfare of the community, materials are stored in an orderly manner to allow access to inspect, and that that the property otherwise complies with the city code, including but not limited to this article and the zoning code.
- (7) Upon conviction of any junkyard operator for violating or failing to comply with any provisions of this article, the license of such junkyard operator shall be revoked and the convicted person shall not be licensed as a junkyard operator for a period of two (2) years from the date of his conviction, and the place in which he has been operating a business

of buying and selling junk shall not be licensed for that particular business for a period of one (1) year from the date of the conviction of the junkyard operator.

**Sec. 16-352. Junkyard - Reporting requirements; hours of operation.**

- (1) Once city staff determines that a junkyard operator is not operating as a pawnbroker under the Pawnbrokers Act or the provisions of this article being sections 16-331—16-338 or is not operating as a secondhand dealer under the Secondhand Dealer Act, or the provisions of this article being sections 16-339—16-345 above, a junkyard operator will not be required to report weekly purchases.
- (2) No junkyard dealer shall acquire any goods between the hours of 9:00 p.m. and 7:00 a.m.; nor from any person under the age of eighteen (18) years; nor from any person who is at the time intoxicated or known to be a habitual drunkard; nor from any person with the knowledge that such secondhand goods are stolen property.

**Sec. 16-353. Junkyard - Suspension with intent to revoke.**

Any junkyard operator's license issued pursuant to this article may be suspended by the city clerk, which shall be deemed a suspension with intent to revoke. The city clerk will comply with section 16-16 of this Code in noticing the suspension. The suspension with intent to revoke shall automatically become a revocation of the license unless the dealer requests an appeal hearing within ten (10) business days pursuant to section 16-16 of this Code, as amended.

In addition to the grounds to revoke contained in section 16-17 of this Code, the city clerk may rely on the following grounds to revoke a junkyard operator's license under section 16-16:

- (1) The property fails to comply with the zoning ordinance and any required condition of the junkyard's conditional use approval and the operator or licensee has failed to take steps to remedy the conditions.
- (2) The licensee fails to allow an administrative inspection.

**Sec. 16-354 Nonferrous metals.**

Nothing in this article should be construed to diminish the requirements that secondhand dealers, junk dealers, and junkyard operators who deal with nonferrous metals must comply with the Nonferrous Metals Act, being 2008 P.A. 429.

**Sec. 16-355. Severability of ordinance.**

If any section, subsection, sentence, clause or phrase of this article is, for any reason, held to be invalid, illegal, or otherwise unenforceable, by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this article.

**Sec. 16-356. Inconsistent provisions repealed.**

Ordinances or parts of ordinances in conflict with the provisions of this article are hereby repealed.

**Sec. 16-357. Penalty.**

- (1) Prosecutions for violations of this article may be commenced by arrest, complaint, and warrant, or the issuance of an appearance ticket by the police department. Further, the City of Jackson may commence an action in circuit court for injunctive or other equitable or legal relief to prevent a continuing violation of this article.
- (2) Any person violating any provision of this article shall, upon conviction thereof, be punished in accordance with section 1-18 of this Code, as amended.

**Sec. 16-358. Conformance to statutes.**

This article shall be construed as supplemental to, and not in conflict with, 1917 PA 350, being Michigan's Second Hand Dealers and Junk Dealers Act, MCL 445.401 through 445.408 and Public Act 273 of 1917, being Michigan's Pawnbrokers Act, MCL 446.201 through 446.219, or as those are amended. The absence of any provision contained in these acts from this article is not evidence of intent that such provision would not have full force and effect.

**Secs. 16-359 - 16-360. Reserved.**

**ARTICLE XIII. MISCELLANEOUS BUSINESSES AND TRADES**

**Sec. 16-361. Dealers in precious items - Certificates of registration required.**

No person, in whole or in part, engaging in the ordinary course of repeated and recurrent transactions of buying or receiving precious items from the public within this city shall do so without first obtaining from the police department a valid certificate of registration as required by Act No. 95, of the Public Acts of Michigan of 1981 (MCL 445.481 et seq.), as amended. As used in this section, "precious items" means jewelry, precious gems, or items containing gold, silver, or platinum, all as defined by Act No. 95 of the Public Acts of Michigan of 1981 (MCL 445.481 et seq.), as amended.

**Sec. 16-362. Same - Application for certificate of registration; payment of registration fee.**

The person seeking a certificate of registration as required by Act No. 95 of the Public Acts of Michigan of 1981 (MCL 445.481 et seq.), as amended, must apply to the police department of the city and pay a fee of fifteen dollars (\$15.00) to cover the reasonable cost of processing and issuing the certificate of registration. The application shall disclose the name, address, and thumbprint of applicant, the name and address of the applicant's business, and the name, address, and thumbprint of all agents and employees of the applicant. The applicant shall also forward to the police department, within twenty-four (24) hours of hire, the name, address, and thumbprint of any new employee. Upon receipt of an application as described, the police department of the

city shall issue a certificate of registration so long as the applicant is not disqualified from being a dealer under the provisions of Act No. 95 of the Public Acts of Michigan of 1981 (MCL 445.481 et seq.), as amended.

**Sec. 16-363. Same - Construction.**

Sections 16-361 and 16-362 shall be construed in such a manner so as not to be in conflict with Act No. 95, of the Public Acts of Michigan of 1981 (MCL 445.481 et seq.), as amended. The absence of any provision of such Act from sections 16-362 and 16-363 shall not be considered as evidencing an intent that such provision shall not have full force and effect.

**Secs. 16-364 - 16-385. Reserved.**

**ARTICLE XIV. PEDDLERS, TRANSIENT MERCHANTS, CONCESSIONAIRES, SIDEWALK CAFES, OUTDOOR SALES AND DISPLAY AREAS, AND DONATION BOXES**

**Sec. 16-386. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Central commercial district* means a district as designated by the city's zoning map maintained by the zoning administrator (or designee).

*Concessionaire* means any person, whether resident of the city or not, possessing a license under the provisions of section 16-394(7), to sell or offer for sale edible items, goods, wares or merchandise from a temporary or portable structure or fixture at a specific location within the central commercial district.

*Donation box* means any enclosed receptacle or container designed or intended for the donation and temporary storage of clothing or other materials and located in a designated area, for either non-profit or for-profit purposes.

*Outdoor sales and displays* means any display related to and used for the sale of edible items, wares, goods, and merchandise located in a designated area adjacent to a building containing a retail business owned or leased by the person, firm or corporation operating the store.

*Peddler* means any person, whether a resident of the city or not, who travels by foot, wagon, cart, motor vehicle, or other conveyance, from place to place, carrying, selling or offering for sale edible items, goods, wares or merchandise, or who, without travelling from place to place, sells or offers the same for sale from a motor vehicle, wagon, trailer, railroad car, or other vehicle or conveyance, or from a cart, stand, booth, display case, or other temporary or portable structure or fixture. The word "peddler" shall include "vendor," "hawker" and "huckster" and shall include route salespersons selling randomly to customers along a fixed route, but not route salespersons supplying only prior customer orders.

*Sidewalk cafe* means any aggregation of tables, chairs, and other appurtenances related to and used for the sale of food and drink located in a designated area adjacent to a building containing a restaurant business owned or leased by the person, firm or corporation operating the cafe.

*Transient merchant* means any person, whether a resident of the city or not, engaged in the transient outdoor sale or transient indoor sale (as regulated in chapter 28 of this Code) of edible items, goods, wares or merchandise on a temporary basis where such person does not have a permanent business location within the city which is subject to the city's real or personal property taxes for the current year.

**Sec. 16-387. License required.**

It shall be unlawful for any person to engage in the business of a peddler, transient merchant or concessionaire within the limits of the city without first having obtained a license to do so issued by the city clerk.

**Sec. 16-388. Exemptions.**

The following persons are exempt from the requirements of section 16-387:

- (1) Any person engaged in the retail sale of goods, wares or merchandise at a permanent location in the city and subject to the city's ad valorem real or personal property taxes shall not be required to obtain a license to sell as a transient merchant at any other location within the city, but shall be required to comply with every other provision of this article regulating such activity. Any person engaged as a peddler or concessionaire for a locally established business shall be required to obtain a license.
- (2) Any person under the age of eighteen (18) years of age, except that persons under age eighteen (18) peddling or vending from a motor vehicle shall be required to obtain a license.
- (3) Any person representing any recognized religious or charitable organization which has a valid license by the state under the provisions of Act No. 169 of the Public Acts of Michigan of 1975 (MCL 400.271 et seq., MSA 3.240(1) et seq.), as amended.
- (4) Any person representing any established public or private school, provided that sales are under the sponsorship of the school.
- (5) Any person selling vegetables, fruits or perishable farm products at any farmers' market approved by the city.
- (6) Any person operating any booth or concession at any fairgrounds.
- (7) Any person selling edible items from a mobile food vending vehicle approved or licensed by either the county health department or other regulatory agency.

- (8) Any person exempt from the licensing requirements of this article by virtue of state or federal law.
- (9) A person selling at an art fair or festival or similar event at the invitation of the event's sponsor, if all of the following conditions are met:
  - a. The sponsor is a governmental entity or nonprofit organization.
  - b. The sponsor provides a list of the event's vendors' business addresses and sales tax license numbers to the city clerk.

**Sec. 16-389. Application.**

Applicants for a license under this article shall pay a nonrefundable application fee of twenty-five dollars (\$25.00) at the time of filing an application on a form approved by the city clerk, such application to contain the following:

- (1) The applicant's name, date of birth, social security number, permanent address, business address and telephone number at the time of filing the application and any prior business address used for the previous three (3) years.
- (2) The name of the person represented, if different than the applicant, together with the address of the registered office of the business and registered agent designated in this state for service of legal process, and the address of the nearest local or district office.
- (3) A brief description of the nature of the business represented and the goods, wares or merchandise to be sold.
- (4) The length of time for which the license is required and the expected days and hours of operation.
- (5) Whether the licensee will operate from a fixed or mobile location and the proposed method of peddling or vending, whether on foot, by motor vehicle or other conveyance.
- (6) If a vehicle or other conveyance is to be used, a description of the same, together with license number, vehicle identification number or other adequate means of identification.
- (7) If a lot, room, building or structure is to be used, or if a cart, stand, booth or other structure or fixture is to be placed upon the property of another, evidence that the applicant has the consent of the legal owner of the property.
- (8) A photograph of the applicant, which shall be a two-inch by two-inch picture showing the face of the applicant in a form suitable for attachment to the license to be issued.
- (9) If a motor vehicle is to be used, a statement that the applicant has a current valid operator's license and whether the applicant has ever had his driving privileges revoked,

suspended or restricted within three (3) years immediately prior to the date of application, and the nature of any such revocation, suspension or restriction.

- (10) A statement as to whether the applicant has ever had any licenses required by this city or any other state or municipal authority revoked, suspended or denied within three (3) years immediately prior to the date of application, and the circumstances of any such revocation, suspension or denial.
- (11) A copy of a valid current state sales tax license, or, if exempt, a copy of a current exemption certificate, if required for the goods, wares or merchandise sold.
- (12) If food is to be sold, a health card or its equivalent, if applicable, issued by either the county health department or other regulatory agency.
- (13) Such other reasonable information as to the identity or character of the person having the management or supervision of the applicant's business as the city clerk may deem necessary to fulfill the purposes of this article.

**Sec. 16-390. Investigation of applicant; issuance of license.**

Upon receipt of the application, the city clerk shall cause an investigation of the applicant to be performed. If, as a result of such investigation, the applicant's character and business history is found to be unsatisfactory, the application shall be denied. If, as a result of such investigation, the applicant's character and business history is found to be satisfactory, the city clerk, upon payment of the fee set forth by resolution of city council and satisfaction of all other requirements of this article, shall issue the applicant a license. The city clerk shall keep a full record in his office of all licenses issued. Such license shall contain the number of the license, the date of issuance, its expiration date and the place where business may be carried on under such license.

**Sec. 16-391. License fees.**

All peddlers, transient merchants, concessionaires or sidewalk cafes shall, at the time of issuance of a license, pay to the city clerk a license fee as prescribed by resolution of city council.

**Sec. 16-392. Bond required; conditions.**

Before any license is issued for a peddler, transient merchant or concessionaire, the applicant shall file with the city clerk a bond running to the city in the sum of one thousand dollars (\$1,000.00) executed by the applicant, as principal, together with surety. The form of such bond shall be approved by the city attorney and shall be conditioned upon the applicant's full compliance with the provisions of this article and the laws and statutes of the state regulating and concerning the sale of food, goods, wares or merchandise.

**Sec. 16-393. Miscellaneous requirements.**

- (1) All persons licensed under this chapter and each and every one (1) of their agents or employees shall forthwith produce a copy of a city license for inspection by any police officer.
- (2) All persons, whether or not licensed under this article, using any cart, wagon, motor vehicle or other conveyance, when stopping upon the streets or public right-of-ways of the city for the purposes of conducting business, shall draw up to and parallel with the curbline and in such a manner so as not to obstruct vehicle or pedestrian travel.
- (3) No person shall engage in selling in a fixed location on a street corner or public right-of-way for longer than two (2) continuous hours.

**Sec. 16-394. Prohibited practices.**

The following conduct by any person, licensee, agent or employee thereof shall be considered in violation of this Code, and, in addition to prosecution, may result in the suspension or revocation of any license granted under this article.

- (1) Entering a private residence under pretense other than for peddling.
- (2) Remaining in a private residence or on the premises thereon after the owner or occupant has requested the licensee to leave.
- (3) Going in and upon the premises of a private residence to peddle when the owner or occupant thereof has displayed a "no peddling" sign on such premises.
- (4) Peddling at a private residence prior to 8:00 a.m. and after 8:00 p.m., unless by prior invitation of the occupant.
- (5) Peddling or operating a concession on a street or within an area which has been closed by city council resolution for an art fair, street fair or other special event, except where special permits are issued in accordance with standards established by the city council, or the peddler, transient merchant or concessionaire is exempted pursuant to section 16-388(9).
- (6) Shouting or calling wares or using a public address system, horn, bell, or other noise-making device to call attention to the licensee's business in such a way as to disturb residents or adjacent businesses.
- (7) Occupying any space for the purpose of peddling or as a transient merchant on any public place, street, or adjacent public right-of-way within the central commercial district, except as provided for below:

A concessionaire license may be granted by resolution of the city council within appropriate areas of the public right-of-way or other city-owned property of the central commercial district. Concessionaires shall be limited to locations and times within the

central business district, as determined by the city council, and a concessionaire license fee as required by section 16-391 of this article shall be paid by each concessionaire in advance of any activities on the approved site by the concessionaire.

- (8) Sell or offer for sale any edible items, goods, wares, or merchandise in any city park unless first complying with the requirements of chapter 19 of this Code.

**Sec. 16-395. Sidewalk cafes.**

An applicant wishing to establish a sidewalk cafe; may do so on a sidewalk of the city, but only if all of the following conditions are met:

- (1) The applicant pays a permit fee (set by resolution of city council) to the City and obtains a permit from the clerk to operate a sidewalk cafe;
- (2) The location of the tables, chairs, and other appurtenances comprising the sidewalk cafe; are indicated on a plot site plan (PSP) per the requirement of subsection 28-111(c)(1)(a). of this Code. The PSP must indicate the following:
  - (a) The tables, chairs, and other appurtenances of the sidewalk cafe; are placed adjacent to a building containing a restaurant business owned or leased by the person operating the sidewalk cafe;
  - (b) The tables, chairs and other appurtenances of the sidewalk cafe; are placed in a way that:
    - i. A clear pathway at least five (5) feet in width—free of street trees, street furniture, signs, and other obstructions—is maintained along the sidewalk; and
    - ii. Ingress or egress from any building or driveway is not blocked.
  - (c) The tables, chairs, and other appurtenances of the sidewalk cafe are not permanently anchored to the sidewalk in any way.
  - (d) Any temporary fencing (see section 28-111(d)(4)(a). of this Code).
- (3) The establishment and operation of the sidewalk cafe does not occur before April fifteenth of a calendar year for which a permit is granted nor after October thirty-first of the same year.
- (4) The tables, chairs and other appurtenances of the sidewalk cafe are not placed on the sidewalk prior to April fifteenth and are removed therefrom prior to November first.
- (5) The applicant has provided the city with a certificate of insurance which shows that it is in effect during the entire period of the proposed activities with a minimal amount of one million dollars (\$1,000,000.00) bodily injury protection per incident and one million dollars (\$1,000,000.00) property damage protection per incident with a product liability rider in the minimum amount of one million dollars (\$1,000,000.00) per incident, such certificate to list the city as an additional insured.

- (6) The operation of the sidewalk cafe; occurs only during the normal business hours of the restaurant within the building owned or leased by the person operating the sidewalk cafe;
- (7) The applicant has obtained all required liquor control commission permits and state and city licenses and is otherwise in compliance with all rules and regulations pertaining thereto. The patrons and the employees of a sidewalk cafe; authorized to vend alcoholic beverages by the liquor control commission shall not be deemed to be in violation of chapter 3 of this Code;
- (8) No entertainment or extension of entertainment by loudspeaker or otherwise is permitted outside of the building containing the restaurant business owned or leased by the person operating the sidewalk cafe;
- (9) The area in and about the sidewalk cafe is kept free of debris and litter.

**Sec. 16-396. Suspension or revocation.**

Upon receipt of a complaint alleging a violation of this article, the city clerk shall conduct an investigation to determine whether the complaint is valid. Any peddler, transient merchant, concessionaire or sidewalk cafe license issued by the city may be suspended by the city clerk if it is determined that the nature of the violation warrants such action.

- (1) Any person aggrieved by such action shall have the right to a hearing before a hearing officer appointed by the city clerk, provided a written request therefor is filed with the city clerk within five (5) days after receipt of notice of suspension. The hearing shall commence not later than twenty (20) days after the request is received by the city clerk. If no hearing is requested, the license shall automatically be revoked in conformity with subsection (5).
- (2) At least ten (10) days prior to the hearing, the licensee shall receive a reasonably definite statement of the charges against him and the reasons for the suspension.
- (3) The hearing officer shall:
  - a. Hear and receive testimony and material evidence offered by the city in support of suspension.
  - b. Hear and receive testimony and material evidence offered by the licensee disputing the city's evidence.
  - c. Give full and fair consideration to all the evidence presented.
  - d. Within twenty (20) days following completion of the hearing, prepare and file with the city clerk a written decision either rescinding the suspension or revoking the license for the duration of the license period.
- (4) Upon suspension or revocation of any license, the fee therefor shall not be refunded.

- (5) Any licensee whose license has been revoked shall not be eligible to apply for a new license for a period of one (1) year after such revocation.

**Sec. 16-397. License expiration.**

All peddler, transient merchant, concessionaire and sidewalk cafe licenses shall expire upon the date specified therein.

**Sec. 16-398. Group license.**

Whenever more than one (1) person is involved as a peddler, transient merchant or concessionaire on behalf of the same individual, business, organization or group, such person may apply for a group license in lieu of individual licenses. However, each peddler, transient merchant and concessionaire will be required to carry a copy of the license and, accordingly, must supply the city clerk with the information he deems necessary.

**Sec. 16-399. Insurance.**

No vehicle, cart, or pushcart shall be licensed in accordance with this article unless and until the owner thereof files with the city clerk proof of the existence of a policy of insurance issued by a company licensed to do business in the state, which policy insures the ability of the applicant for the license to respond to damages for any liability thereafter incurred resulting from the ownership, maintenance, use or operation of such vehicle, cart or pushcart licensed to the applicant, for personal injury or death of any one (1) person in the minimum amount of three hundred thousand dollars (\$300,000.00) bodily injury protection per incident and one hundred thousand dollars (\$100,000.00) property damage protection per incident with a product liability rider in the minimum amount of one hundred thousand dollars (\$100,000.00) per incident, such certificate to list the city as an additional insured.

**Sec. 16-400. Construction.**

Nothing in this article shall be construed to repeal or in any other way abrogate the provisions of chapter 28 of this Code.

**Sec. 16-401. Penalty.**

Any person violating any provision of this article, shall, upon conviction thereof, be punished in accordance with section 1-18 of this Code.

**Sec. 16-402. Outdoor sales and display areas.**

An applicant wishing to display and sell edible items, wares, goods, or merchandise may do so on a public sidewalk, but only if all of the following conditions are met:

- (1) The applicant pays an annual permit fee set by resolution of city council to the city and obtains an annual permit from the clerk to operate an outdoor sales and display area.

- (2) The location of the tables, bins, and other appurtenances comprising the outdoor sales and display area are indicated on a plot site plan (PSP) per the requirement of subsection 28-111(c)(1)a. of this Code. The PSP must indicate the following:
  - (a) The tables, bins, and other appurtenances comprising the outdoor sales and display area are placed adjacent to a building containing a retail business owned or leased by the person operating the outdoor sales and display area.
  - (b) The tables, bins, and other appurtenances comprising the outdoor sales and display area are placed in a way that:
    - i. A clear pathway at least five (5) feet in width—free of street trees, street furniture, signs, and other obstructions—is maintained along the sidewalk, and
    - ii. Ingress or egress from any building or driveway is not blocked.
  - (c) Any temporary fencing (see subsection 28-111(d)(4)a. of this Code).
- (3) The tables, bins, and other appurtenances comprising the outdoor sales and display area are not permanently anchored to the sidewalk in any way.
- (4) The applicant has provided the city with a certificate of insurance which shows that it is in effect during the entire period of the proposed activities with a minimal amount of one million dollars (\$1,000,000.00) bodily injury protection per incident and one million dollars (\$1,000,000.00) property damage protection per incident with a product liability rider in the minimum amount of one million dollars (\$1,000,000.00) per incident, such certificate to list the city as an additional insured.
- (5) The operation of the outdoor sales and display area occurs only during the normal business hours of the retail business within the building owned or leased by the person operating the outdoor sales and display area.
- (6) The applicant has obtained all required liquor control commission permits and state and city licenses and is otherwise in compliance with all rules and regulations pertaining thereto. The patrons and the employees of an outdoor sales and display area authorized to vend alcoholic beverages by the liquor control commission shall not be deemed to be in violation of chapter 3 of this Code.
- (7) No entertainment or extension of entertainment by loudspeaker or otherwise is permitted outside of the building containing the retail business owned or leased by the person operating outdoor sales and display area.
- (8) The area in and about the outdoor sales and display area is kept free of debris and litter.

**Sec. 16-403. Donation boxes.**

Donation boxes are prohibited in the city with the exception of registered nonprofit organizations on nonresidential property —located outside of the central commercial district— in accordance with the following:

- (1) Nonresidential premises devoted to nonprofit purposes, including churches, temples, and similar places of worship, are permitted to have up to two (2) donation boxes.
- (2) The donation box or boxes are not permitted in the front yard and must be appropriately located so as not to interfere with sight triangles, on-site circulation, required setbacks, landscaping, parking, and any other standards contained in this chapter.
- (3) The donation box or boxes must be a neutral or earth tone color and must be located against the building which is the primary use on the property.
- (4) The donation box or boxes must be of the type that are enclosed by use of a receiving door and locked so that the contents of the donation box or boxes cannot be accessed by anyone other than those responsible for the retrieval of the contents.
- (5) Each donation box cannot cover a ground surface area in excess of five (5) feet by five (5) feet, nor be more than six (6) feet six (6) inches in height. Groupings of up to two (2) donation boxes cannot cover a ground surface area in excess of five (5) feet by ten (10) feet.
- (6) Each donation box must be regularly emptied of its contents so that it does not overflow, resulting in used clothing being strewn about the surrounding area. Violators will be fined in accordance with chapter 12 of this Code.
- (7) A license for a donation box or boxes (and the associated fee set by resolution of city council) is required. The permit shall be issued by the city (or designee), but can only be granted when it is determined by the zoning administrator (or designee) that:
  - (a) The donation box or boxes are for use by a duly registered nonprofit organization;
  - (b) The proper types of donation box or boxes are being used as described by this Section;
  - (c) The donation box or boxes are being placed in a proper location as described by this Section, as indicated on the plot site plan (PSP) required by chapter 28 of this Code;
  - (d) A letter of authority/permission from the owner of the property upon which the donation boxes are to be and/or are already located has been submitted to the zoning administrator (or designee); and
  - (e) The name, address and phone number of the nonprofit organization or church displayed on each donation box.
- (8) The permit issued by the city must be displayed on the front of each donation box.
- (9) If any donation box or boxes are placed without a permit or an inspection reveals that such donation box or boxes are not in compliance with this section, enforcement action will be taken in accordance with chapter 12 of this Code.

**Secs. 16-404 - 16-420. Reserved.**

**ARTICLE XV. RESERVED.**

**ARTICLE XVI. TAXICABS AND TAXICAB DRIVERS**

**Sec. 16-443. Title.**

This article shall be known as the "Taxicab Ordinance" of the City of Jackson.

**Sec. 16-444. Purpose.**

This article establishes rules and regulations for the operation of taxicabs in the City of Jackson, and establishes minimum qualifications for taxicabs and taxicab drivers, to protect public health, safety, and welfare of the residents of the city.

**Sec. 16-445. Findings.**

The council finds the following:

- (1) It is hereby declared and found that the business of transporting passengers for hire by motor vehicle in the City of Jackson is in the public interest, is vital to the integral transportation system of the city, and must therefore be supervised, regulated, and controlled by the city.
- (2) Taxicabs should be covered by regulations which not only cover the conduct of the business, but also the condition of the vehicle and equipment used in the business and the qualifications of drivers of such vehicles.

**Sec. 16-446. Unlawful to operate.**

It shall be unlawful for any person to own, operate, keep or drive for pay or hire within the limits of the city any taxicab without complying in all particulars with the terms and provisions of this article.

**Sec. 16-447. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Driver* means and includes every person in charge of and/or operating any taxicab, either as agent or employee or otherwise.

*Owner* means and includes every person having the legal or equitable ownership of any taxicab.

*Taxicab* means every 4-door automobile or motor-propelled vehicle that is in compliance with the Michigan Motor Vehicle Code, Act No. 300 of the Public Acts 1949 (MCL 257.1 et seq., as

amended) (hereinafter "Motor Vehicle Code") with a seating capacity of seven (7) passengers or less used for the transportation of passengers over the public streets of the city for pay or hire, and not over defined routes, the trip and/or its destination of which vehicle are fixed by the person hiring the same, irrespective of whether such operations extend beyond the limits of the city.

**Sec. 16-448. Driver's license.**

No person shall drive a taxicab, and no person shall permit any agent or employee to drive any taxicab under his control, within the city unless such driver has first obtained a State of Michigan chauffeur's license. Any driver habitually operating a taxicab in any other municipality may carry passengers from such municipality to any place or point within the city and may freely enter and temporarily travel upon the streets and thoroughfares thereof for that purpose, without procuring a license as herein provided; but such driver shall not solicit business on the streets of the city or otherwise operate within the city without a license within the provisions of this article.

**Sec. 16-449. Driver qualifications.**

- (1) Each applicant for a taxicab driver's license must have the following qualifications and comply with the following conditions:
  - (a) Be currently licensed by the state to operate an automobile as a chauffeur.
  - (b) Be of the age of eighteen (18) years or older.
  - (c) Present a licensed physician's signed certificate which certifies the applicant was examined by the physician and was found to have normal eyesight and hearing and is not suffering from any disease or infirmity which would render the applicant incapable of safely operating a public vehicle.
  - (d) Be able to read, write and speak the English language.
  - (e) Complete, sign and swear to a statement to be provided by the director of police and fire services (or designee), which statement gives the following information about the applicant:
    - i. Full name.
    - ii. Present residence.
    - iii. Date and place of residence for five (5) years previous to the time of making application.
    - iv. Color of eyes and color of hair.
    - v. Name of previous employers.
    - vi. Whether applicant has ever been convicted of a felony, and the nature of such felonies, if any.
    - vii. Applicant's state chauffeur driver's license number and a copy of applicant's State of Michigan driving record.
    - viii. Any other information that the director of police and fire services (or designee) may require.
- (2) The director of police and fire services (or designee) shall investigate the contents of the statement submitted by the applicant. The application shall be filed with the city clerk and kept in that office as a record. Any applicant for a taxicab driver's license under this

article is obligated to notify the director of police and fire services (or designee) of a change of address or other changes of information required in this section. Such notification will be made within ten (10) days of the date of the change.

**Sec. 16-450. Disqualifications; exceptions.**

- (1) No taxicab driver's license shall be issued to any person under the provisions of this article who has been under any sentence, including parole, probation, or actual incarceration for the commission of a felony involving prohibited sexual conduct or is otherwise required to register on the State of Michigan Sex Offender Registry.
- (2) No taxicab driver's license shall be issued under the provisions of this article to any person who presently has nine (9) or more points assessed against his driving record pursuant to the provisions of the Motor Vehicle Code.
- (3) Notwithstanding subsection (b) above, the director of police and fire services or his designated representative may approve the issuance of a taxicab driver's license to an applicant duly licensed to drive by the state when, after investigation, it shall appear that a disqualified applicant does not present an unacceptable traffic safety risk. For purposes of this section, an applicant shall be deemed to present an unacceptable traffic safety risk where he has, during the two (2) years immediately prior to the date of application:
  - (a) Been involved in two (2) or more accidents; or
  - (b) Been convicted of either driving under the influence of intoxicating liquor or drugs or of driving while his ability was visibly impaired; or
  - (c) Been convicted of reckless driving, negligent homicide or manslaughter involving the use of an automobile.
- (4) In any case involving the approval of a taxicab driver's license by the director of police and fire services (or designee), the director shall request that the city clerk revoke such license, if upon satisfactory proof, it appears that the licensee has incurred additional points against his driving record bringing such point total to twelve (12) or more. Such licensee shall thereafter be disqualified from receiving a taxicab driver's license until such time as his point total is reduced to fewer than nine (9).

**Sec. 16-451. Issuance of taxicab driver's license.**

Upon certification by the director of police and fire services (or designee) of applicant's satisfactory fulfillment of the qualifications in section 16-449, and in the absence of disqualifications under section 16-450, the city clerk shall issue the applicant an annual taxicab driver's license which shall be in such form as may be prescribed by the city clerk. The city clerk shall keep a register in which shall be listed the names of all persons to whom such licenses are granted, the date any license is issued, the number of each license, and any additional data, which in the judgment of the clerk may be necessary. No taxicab driver's license shall be issued under this section until all fees required by this chapter have been paid to the city clerk.

**Sec. 16-452. Display of license.**

The license issued pursuant to section 16-451 shall be constantly and conspicuously displayed on the outside of the driver's coat or shirt when the driver is engaged in his or her employment and shall only be worn by the person to whom the license is issued. Such license shall contain at least the following: the name of licensee; the license number; the licensee's age, height, weight, color of hair, color of eyes; a recent photograph of licensee. Upon request, the driver shall present such license for inspection. No license issued pursuant to this section shall be transferred or assigned to any other person, nor shall the holder of such license allow the same to be used by any other person for any purpose.

**Sec. 16-453. Suspension or revocation of license.**

- (1) Taxicab driver's licenses may be revoked or suspended for cause by the city clerk. Cause for suspension or revocation shall include, in addition to the provisions of section 16-17, the following:
  - (a) The conviction of licensee of a felony.
  - (b) The conviction of licensee of a violation of a criminal statute, which violation involves the use of a taxicab for unlawful purposes.
  - (c) The expiration, suspension, or revocation of the licensee's state chauffeur's license, or the accumulation of nine (9) points against licensee's driving record pursuant to Act No. 300 of the Public Acts of Michigan of 1949 (MCL 257.320a, MSA 9.2020(1)).
  - (d) Any false statements made by licensee in an application for the taxicab driver's license.
  - (e) Violation of any of the provisions of this article.
- (2) Any taxicab driver's license issued pursuant to this article may be suspended by the city clerk, which shall be deemed a suspension with intent to revoke. The city clerk will comply with section 16-16 of this Code in noticing the suspension. The suspension with intent to revoke shall automatically become a revocation of the license unless the licensee requests an appeal hearing within five (5) business days after receipt of notice of suspension pursuant to section 16-16 of this Code, as amended.

**Sec. 16-454. Taxicab license.**

No person shall operate or permit to be operated in the city any taxicab over which that person has control without first having obtained a taxicab license therefor, or without complying in every respect with the provisions of this article. Any taxicab being habitually operated in any other municipality may carry passengers from such municipality to any place or point within the city; in such case it shall not be necessary to procure a license for such vehicle, but such vehicle shall not be permitted to solicit business in the city or otherwise operate within this city without a license or without complying with the requirements herein.

**Sec. 16-455. Taxicab license requirements.**

- (1) Each applicant for a taxicab license must comply with the following requirements:

- (a) If the applicant is an individual or a partnership each individual or partner must be of the age eighteen (18) years or older.
  - (b) The applicant must obtain a license for each and every taxicab to be operated, which must be affixed to the inside lower left rear window.
  - (c) The applicant must fill out, sign and swear to a statement on a form to be provided by the director of police and fire services (or designee), which statement includes a description of each vehicle to be licensed; the full name and address of the owner or owners, legal and equitable, of each vehicle; the make of the vehicle; its vehicle identification number; and whatever other information shall be required by the director of police and fire services (or designee). In addition to the above, the statement shall include the name of the company issuing a policy or certificate of liability insurance as required in section 16-457.
- (2) Nothing in this article shall be construed to prohibit a person from licensing a taxicab purchased under a title contract or plan of financing or the title thereto vests in some other person for the purpose of security only.

**Sec. 16-456. Taxicab license plate and number.**

Upon certification by the director of police and fire services (or designee) that the applicant for a license and the taxicab to be licensed meet all the qualifications prescribed by this article, and upon payment by the applicant of the fee for a taxicab license to the city clerk, as prescribed by article II of this chapter, the city council shall approve the taxicab license; provided, however, that the city council shall refuse a taxicab license when in its opinion there is currently licensed a sufficient number of taxicabs to adequately serve the public convenience and necessity or when, in its judgment, existing operating transportation facilities are reasonably sufficient to serve the public demand, or when in its judgment, the use of the streets by the additional taxicabs would interfere with the public use of the street, congest traffic, or in other ways endanger the person or property of others using the streets. Upon approval by the city council the city clerk shall deliver to the approved licensee, for each and every licensed taxicab, an annual license, which license shall be in the form of a tag and shall bear the license number and the year for which the license was issued. Such tags shall be affixed by the owner upon the inside lower left rear window of the taxicab, facing and plainly visible from the outside rear of the vehicle.

**Sec. 16-457. Insurance.**

- (1) Each taxicab business operating within the city limits shall be required to carry and maintain in effect the following minimum personal injury and property damage liability insurance:
  - (a) Comprehensive general liability insurance, public liability including premises, products and complete operations:
    - i. Bodily injury liability:  
Each person: \$500,000.00  
Each occurrence: \$500,000.00
    - ii. Property damage liability:  
Each occurrence: \$500,000.00 or in lieu of a. and b., above

- iii. Bodily injury and property damage combined:  
Single limit: \$500,000.00
  - (b) Comprehensive automobile liability insurance including owned, non-owned and hired vehicles:
    - i. Bodily injury liability:  
Each person: \$500,000.00  
Each occurrence: \$500,000.00
    - ii. Property damage liability:  
Each occurrence: \$500,000.00 or in lieu of a. and b., above
    - iii. Bodily injury and property damage combined:  
Single limit: \$500,000.00
- (2) No permit or license required by this article shall be granted to any person to operate any taxicab upon the streets or elsewhere in the city until such person shall have first filed with the city clerk a certificate of the above stated insurance requirements, issued to such person by a public liability insurance company authorized to do business in the state.
- (3) The insurance coverage required by this section shall at all times be maintained for the full amount. The certificate of each policy or policies of insurance required by this section to be filed with the city clerk shall contain a clause obligating the company issuing the same to give not less than thirty (30) days' written notice to the city clerk before cancellation thereof. Notice of cancellation shall not relieve the company issuing such policy or policies of liability insurance for any injury or claim arising before the cancellation becomes effective. The cancellation of any such policy shall have the effect of suspending the permit of such person to operate any taxicabs covered thereby until a new policy or policies complying with the provisions of this section is filed with the city clerk.
- (4) Every insurance policy required hereunder shall contain a provision for a continuing liability thereunder to the full amount thereof, notwithstanding any recovery thereon, that the liability of the insurer shall not be affected by the insolvency or the bankruptcy of the insured, and that until the policy is canceled the insurance company will not be relieved from liability on account of nonpayment of premium, or any act or omission by the named insured. Such policy of insurance shall further provide for the payment of any and all judgments, up to the limits of such policy, recovered against any person other than the owner, the owner's agent or employee of any such business, who may operate the same with the consent or acquiescence of the owner.

**Sec. 16-458. Inspection of taxicabs.**

No taxicab shall be licensed under this article until it has been thoroughly and carefully inspected and examined by the police department and found to be in a thoroughly safe condition for the transportation of passengers, clean, of good appearance and well painted and otherwise in compliance with the Motor Vehicle Code. The police department is hereby authorized and empowered to establish rules and regulations for the inspection of such vehicles and their appearance, construction and condition of fitness. Any member of the police department shall

have the right, at any reasonable time, after displaying proper identification, to enter into or upon any licensed taxicab for the purpose of ascertaining whether or not any of the provisions of this article are being violated.

**Sec. 16-459. Name of owner or taxicab company.**

Every taxicab licensed under the provisions of this article shall have the name of the owner of the taxicab, or the taxicab company with which the owner is associated, plainly visible on the main panel of each of the two (2) rear doors or two (2) front doors, in letters at least five (5) inches in height and in legible type. In the event of change of ownership or taxicab company association, the lettering shall be removed or changed to comply with this section.

**Sec. 16-460. Number of cab.**

Every taxicab vehicle licensed under the provisions of this article shall have the number of the license plainly visible in figures five (5) inches in height. The number of each cab shall be at least five (5) inches high on the main panel of each of the front doors or each side of the cowl. Such number shall be removed in the event of change of ownership of such vehicle and if again used as a taxicab the proper number shall be placed thereon before the same shall be used again.

**Sec. 16-461. Taximeters.**

Every taxicab operated on the streets of the city shall have affixed thereto a taximeter of a size and design approved by the director of police and fire services (or designee). Such meter shall be some mechanically approved instrument or device made for the purpose of installation on taxicabs by which the charge for hire of a taxicab is mechanically calculated for both distance traveled and waiting time, and upon which such device such charge shall be indicated by means of figures which shall be visible to the passenger in the taxicab. Such taximeter shall be inspected and tested in such manner and by such persons as the director of police and fire services (or designee) may from time to time direct. No taxicab shall be let or hired upon a meter basis when the taximeter thereon is broken, out of order, or for any other reason does not accurately register the fare.

**Sec. 16-462. Rates' display; receipt.**

There shall be affixed in each taxicab licensed under this article, for the convenience and information of passengers and in such manner as to be easily read by any person riding therein, a sign or placard, plainly legible, showing the rates of fare under which such taxicab is operated. The owner or driver in charge of such taxicab shall not demand, nor be entitled to receive any pay for the conveyance of any passengers unless such card bearing such rates of fares shall be conspicuously displayed as hereinbefore provided; nor shall such owner or driver charge or collect a rate of fare greater than that revealed on such placard or sign. If demanded by the passenger, the driver in charge of a taxicab shall deliver to the person paying for the hiring of the taxicab at the time of such payment, a receipt therefore in legible type or writing, containing the name of the owner, the driver's license number, the total amount paid and the date of payment.

**Sec. 16-463. Rates of fare.**

No person owning, operating or controlling any motor vehicle used as a taxicab within the city shall hire or let such vehicle without first filing with the city clerk a schedule of rates and fees to be charged for transportation and/or other services offered. No revision of such rates and/or fees to be charged shall be made until fifteen (15) days' notice of such revision has been filed with the city clerk.

**Sec. 16-464. Driver shall not deceive.**

It shall be unlawful for any person owning or driving any taxicab to deceive, misinform or mislead any passenger who may ride in such vehicle or who may desire to ride in such vehicle, as to his destination or the price to be charged for conveying such passengers or for other services offered. Any person owning or driving any taxicab who shall overcharge a passenger, or charge a passenger in excess of the rate of fare or fees as indicated on the taximeter, if a taximeter is placed therein and the tax hired by mileage, or on the card or sign displayed inside of the cab, shall be deemed guilty of a violation of this article.

**Sec. 16-465. Direct route.**

Any taxicab driver employed to transport passengers to a definite point shall take the shortest and most direct route possible that will carry that passenger to his destination safely and expediently.

**Sec. 16-466. Driver's duty to convey.**

No driver of a licensed taxicab shall refuse or neglect to convey any person within the city unless previously engaged or unable to do so; provided such person or persons agree to pay the fare for the operation of such taxicab. No driver of a licensed taxicab shall carry any other person than the person first employing the taxicab, without the consent of such passenger. No driver shall carry a number of passengers greater than the seating capacity of his taxicab. No passenger under the age of eighteen (18) shall be allowed to sit in the front seat of a taxicab.

**Sec. 16-467. Passenger's duty to pay.**

Upon arrival at a destination, it shall be a violation of this article if a passenger refuses to pay the fare.

**Sec. 16-468. Duty to transport passengers when available.**

The driver of any taxicab who shall report from his/her location to his/her business office that his/her cab is available for service and who shall receive after such report an order or direction to call at any point within the limits of the city to transport, then or within twelve (12) hours thereafter, any passenger or passengers from such appointed place to any other point within the city, shall forthwith or at such appointed time, fill such order and transport such passenger or passengers.

**Sec. 16-469. Cruising and soliciting.**

No taxicab drivers shall solicit passengers except when sitting on the driver's seat of such taxicab and no taxicab driver shall solicit passengers by driving through any public street or place at such a speed as to interfere with or impede traffic.

**Sec. 16-470. Return of property.**

Whenever any package or article of baggage or goods of any kinds shall be left in or on any taxicab, or when any such package or article shall be left in the custody of any driver, the driver of such taxicab shall forthwith deliver the same to the company's main office and into the hands of the management in charge thereof, and receive from such manager a receipt for same unless such package or article shall be sooner delivered to the owner thereof on the order of such owner.

**Sec. 16-471. Tobacco, liquor and drugs.**

No taxicab driver shall drive such taxicab while under the influence of liquor or any narcotic drug, nor shall such driver drink any intoxicating liquor whatsoever while on duty, whether or not passengers are in the taxicab of which he is in charge. No driver shall use tobacco in any form while patrons are in the cab.

**Sec. 16-472. License fees.**

All license fees required shall be as established periodically by the city council through either motion or resolution. If a license application is rejected, a portion of the fee paid, as determined by the city clerk, shall be retained by the city to cover processing costs.

**Sec. 16-473. Severability.**

Sections of this article shall be deemed severable and should any section, clause, or provision of this article be declared to be invalid, the same shall not affect the validity of the ordinance [from which this article is derived] as a whole or any part thereof other than the part so declared to be invalid.

**Sec. 16-474. Saving clause.**

The amendment or repeal by this article of any ordinance or ordinance provision shall have no effect upon prosecutions commenced prior to the effective date of this article or prosecutions based upon actions taken by any person prior to the effective date of this article. Those prosecutions shall be conducted under the ordinance provisions in effect prior to the effective date of this article.

**Sec. 16-475. Conflict.**

Except as otherwise expressly provided, the provisions of this article shall control in the event of any inconsistency or conflict between this article and any other provision of any other ordinance of the city.

**Sec. 16-476. Penalties.**

Any violation of the provisions of this article is, upon conviction, punishable as provided in section 1-18 of this Code.

**Secs. 16-477—16-490. Reserved.**

**ARTICLE XVII. USED CAR DEALERS**

**Sec. 16-491. Definitions.**

The following definitions shall apply in the interpretation of this article unless the context clearly indicates otherwise:

*Commercial district, M-2 and M-3* shall mean the corresponding districts established by chapter 28 of this Code.

*Established place of business* means premises actually and continuously occupied by a used motor vehicle dealer in the transaction of his business.

*Junker* means any motor vehicle which has been disassembled, dismantled or damaged to the extent that it cannot operate under its own power and which requires major repairs or the installation of major parts to render it operable.

*Junkyard* means premises where junkers are stored or displayed or parts thereof disassembled, dismantled or removed.

*Used motor vehicle* means every self-propelled vehicle which has been sold, bargained, exchanged, given away or title transferred from the person who first obtained an official certificate of title.

*Used motor vehicle dealer* means every person engaged in the business of selling, or disposing of, used vehicles. Such term shall include persons who sell, offer for sale, or dispose of, used vehicles, title to which is in another person.

**Sec. 16-492. License required.**

No person shall engage in the business of used motor vehicle dealer in the city without first having secured a license therefor.

**Sec. 16-493. Application for license.**

Application for license as a used motor vehicle dealer shall be made by the owner, partner or officer of the license applicant and shall contain:

- (1) The full name, age, and residence of the dealer, indicating his or its individual, partnership or corporate status.
- (2) The site or sites upon which such business is to be conducted, and whether it is to be an established place of business.
- (3) The length of time such dealer has been in business as a used motor vehicle dealer continuously prior to the application.
- (4) The date and number of license from the secretary of state, authorizing the conduct of a business in used motor vehicles and sales tax license number. No license shall be issued to any person not currently licensed by the secretary of state under Act No. 300 of the Public Acts of Michigan of 1949 (MCL 257.1 et seq., MSA 9.1801 et seq.), as amended, or who does not possess a sales tax license issued by the state department of revenue.
- (5) The application shall state whether or not the applicant, in addition to the conducting of a used motor vehicle business, proposes to engage in the conducting of any other type of business on the premises for which a license is sought; and it shall particularly state whether or not the applicant proposes to operate a public garage, as such term is defined in chapter 28, and whether he proposes to store or display junkers or operate a junkyard, as those terms are defined herein and in chapter 28

**Sec. 16-494. Reference to zoning administrator or his designee.**

The city clerk shall submit the application for a license under this article to the zoning administrator or his designee, who shall determine whether or not the premises upon which it is proposed to conduct such business is in a use district as provided for in chapter 28, where such business, or businesses, may be lawfully conducted. The zoning administrator or his designee shall endorse his determination upon such application and return the same to the city clerk. In appropriate cases, the appellate jurisdiction of the zoning board of appeals may be invoked. If the applicant possesses the qualifications required by this article, and the premises upon which he proposes to conduct his business is in a proper use district as indicated by the determination of the building inspector(or, in case of appeal, decision of the zoning board of appeals), the city clerk shall forthwith issue a license to the applicant; provided, however, that such license shall not be issued where, by the terms of chapter 28, prior approval is required by the zoning board of appeals, until such prior approval is given.

**Sec. 16-495. Established place of business.**

No license shall be granted to any person who does not have at the time of application an established place of business, or unless he furnishes satisfactory evidence to the city clerk that, if a license is issued, such established place of business is immediately procurable.

**Sec. 16-496. Records.**

Every used motor vehicle dealer shall maintain the records required by Section 251 of Act No. 300 of the Public Acts of Michigan of 1949 (MCL 257.1 et seq., MSA 9.1801 et seq.), as amended, which records shall be open to inspection by any police officer of the city during reasonable business hours.

**Sec. 16-497. Maintenance of place of business.**

All sites for which a license shall have been granted under the provisions of this chapter shall be maintained in a neat, clean and orderly manner. Chapter 28 of this Code, as the same now exists, or as hereafter amended or supplemented, establishing minimum setback, side-yard and rear-yard requirements, shall apply to the parking or display of used motor vehicles on open premises. No motor vehicle, trailer, semitrailer, trailer coach or any other type of vehicle shall be parked in such a manner, or in such a place as to prevent free and unobstructed vision to motorists driving from adjacent streets, alleys or private driveways onto intersecting streets.

**Sec. 16-498. Display of unsafe motor vehicles.**

It shall be a violation of this article for any person to display or expose for sale any used motor vehicle which is in such state of disrepair, in such mechanical condition, or without required equipment, as to be unsafe for operation on the public highways, or which would constitute a violation of this Code or state law if the same were operated upon a public highway. The presence of such a motor vehicle upon the premises, unless the same is being held for the purpose of repair, shall be deemed prima facie display or exposure for the purpose of sale.

**Sec. 16-499. Other Code provisions.**

The conducting of a used motor vehicle business shall be subject to all pertinent provisions of chapter 28 of this Code, and of such other provisions of this Code as may be applicable by reason of the licensee engaging in any subsidiary or appurtenant activities. The repair or servicing of motor vehicles, except as to minor repairs strictly incidental to the operation of a used motor vehicle business, shall be considered as the operation of a public garage, as the same is defined in chapter 28 and subject to the limitations thereof.

**Sec. 16-500. Registration and title transfer.**

When a used motor vehicle dealer holds a used motor vehicle for resale and operates the same only for purposes incident to resale and displays thereon the registration plates issued for such vehicle or when a used motor vehicle dealer does not drive such vehicle or permit it to be driven upon the highways, except for demonstration purposes incident to a resale, the dealer shall not be required to obtain transfer of registration of such vehicle or forward the certificate of title to the department but such dealer shall retain and have in his immediate possession at all times such assigned certificate of title and upon transferring his title or interest to another person shall execute and acknowledge an assignment and warranty of title upon the certificate of title and deliver the same to the person to whom such transfer is made.

**Sec. 16-501. Insurance.**

Each used motor vehicle dealer shall carry public liability and property damage insurance in an amount of at least twenty thousand dollars (\$20,000.00) for injury or death of one (1) person in any one (1) accident, forty thousand dollars (\$40,000.00) for injury or death of two (2) or more persons in any one (1) accident, and ten thousand dollars (\$10,000.00) property damage insurance upon each automobile operated by him upon streets of the city and shall file with the application a proper certificate issued by an insurance company authorized to do business in the state indicating that the dealer is insured against such risks.

**Sec. 16-502. Repossession.**

Every used motor vehicle dealer who shall repossess a used motor vehicle from a purchaser who has defaulted on a motor vehicle retail installment sales contract without the knowledge and consent of such purchaser shall forthwith report the fact of such repossession to the director of police and fire services (or designee).

**Sec. 16-503. Revocation of licenses.**

Any license issued under the terms of this article may be suspended or revoked as prescribed in article I of this chapter, or for any of the following reasons:

- (1) The conducting of any business subsidiary or appurtenant to the used motor vehicle business in violation of chapter 28 or any other applicable provision of this Code.
- (2) Where the licensee is a corporation or partnership, any stockholder, officer, director or partner of the licensee has been guilty of any act or omission which would be cause for suspending or revoking a license issued to such stockholder, officer, director or partner as an individual.
- (3) Revocation by the secretary of state of the dealer's license issued by the secretary of state.

**Secs. 16-504—16-509. Reserved.**

\* \* \*

Section 3. This Ordinance takes effect thirty (30) days from the date of adoption.

OFFICE OF THE

**Bethany M. Smith**  
*Interim City Attorney*

**Gilbert W. Carlson**  
*Assistant City Attorney*



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**CITY ATTORNEY**

**CITY COUNCIL MEETING**  
**August 13, 2013**  
**NEW BUSINESS**

MEMO TO: Honorable Mayor and City Councilmembers  
FROM: Bethany M. Smith, Interim City Attorney  
DATE: August 5, 2013  
SUBJECT: Revisions to Articles I through XVII of Chapter 16 – Licensing fees and regulations of business, trades and occupations

**RECOMMENDATION: Approve the Resolution revising the Chapter 16 licensing fees.**

Attached please find a clean copy and a track-changes copy of a Resolution setting forth the fees for businesses and trades required to be licensed under Chapter 16 of the Code of Ordinances. The effect of the adoption of the changes to Chapter 16 that are on the agenda for second reading would be to take all of the license fees out of the Chapter and have license fees set by Resolution. This will allow more flexibility in decreasing or increasing fees to meet the demands of the ever-changing business world. This Resolution should only be approved if the amendments to Chapter 16 are adopted.

The requisite action is for passage of the Resolution.

If Council has any questions, please feel free to contact me.

cc w/att: Patrick H. Burtch, City Manager

**RESOLUTION**

**BY THE CITY COUNCIL:**

**WHEREAS**, the City of Jackson has experienced an increase in the costs associated with the licensing of certain businesses, trades, and occupations, and a decrease in costs with others; and

**WHEREAS**, the City of Jackson wishes to establish fees for certain licenses by Resolution rather than by Ordinance to allow for flexibility in the establishment of license fees; and

**NOW, THEREFORE, BE IT RESOLVED** that the City of Jackson establishes the following license fees and insurance requirements for licenses as prescribed in the following entries of this Resolution:

- ~~•~~ ~~Antique Dealer:~~
  - ~~As principal business, annual fee~~ .....41.00
  - ~~As incidental business, annual fee~~ .....21.00
  - ~~Arcade owner’s license~~ .....288.00
- Arcade owner’s [or coin operated amusement device](#) license .288200.00
- Auction:
  - Annual License Fee .....50.00
  - Inventory fee (required each time an inventory List is filed for an auction sale) .....25.00
- Bicycles (See Uniform Traffic Code)
- ~~•~~ ~~Bowling Alleys:~~
  - ~~Annual Fee~~ .....41.00
  - ~~Plus each alley, annual fee~~ .....8.00
- Building contractors:
  - Annual state residential builder or residential maintenance and alteration contractor license registration fee .....15.00
- ~~•~~ ~~Buses:~~
  - ~~Annual fee, each bus per seat (rated capacity)~~ .....3.00
  - ~~Maximum annual fee per bus~~ .....52.00
  - ~~Bond (each bus):~~
    - ~~Personal injury (two (2) or more persons)~~ .....25,000.00
    - ~~Personal injury (one (1) person)~~ .....10,000.00
    - ~~Property damage (one (1) accident)~~ .....10,000.00
  - ~~Bus driver, annual fee~~ .....5.00
- Carnivals, amusement rides and other shows ..... 300.00
- Coin-operated amusement devices .....500.00
- Vendor's license:
  - ~~First device~~ .....1,150.00
  - ~~Each additional device~~ .....6.00
  - ~~Owner's license, each device~~ .....58.00

•	Coin-operated music devices:	
	Vendor's license:	
	First device .....	575.00
	Each additional device .....	6.00
	Owner's license, each device .....	58.00
•	Coin-operated music devices:	
	Vendor's license:	
	First device .....	575.00
	Each additional device .....	6.00
	Owner's license, each device .....	58.00
•	Convalescent home:	
	Annual fee .....	37.00
	Plus, for each room over ten (10) .....	3.00
•	<u>Concessionaires</u> .....	<u>190.00</u>
•	Dances:	
	Public dance hall, one (1) year.....	115 <u>100.00</u>
	Dance license, public dance hall, and	
	Special dance license, per day .....	8 <u>15.00</u>
•	<u>Donation boxes</u> .....	<u>175.00</u>
•	Dry cleaning:	
	Cleaner and outlet, annual fees .....	41.00
	Outlet store, annual fee .....	8.00
	Outlet store, assumed name, annual fee .....	15.00
•	Private collection depot:	
	Annual fee .....	8.00
	When doing spotting or finishing, annual fee .....	15.00
	Retail or private outlet, annual fee .....	8.00
	Self-service laundry or dry cleaner:	
	Annual fee for each machine (including washers and	
	dry cleaning machines) .....	2.00
	Provided, however, that each such licensee shall pay a	
	minimum annual license fee at each location .....	35.00
•	Fumigators and exterminators:	
	Fumigation and extermination, annual fee .....	81.00
	Extermination only, annual fee .....	58.00
•	Exhibition licenses:	
	Each exhibition .....	35.00
	Theatrical exhibition, except in licensed theater, per day .....	35.00
	Special events licenses, each special event (regardless	
	of its number of days.....	by resolution:
•	<u>Garage or yard sales</u> .....	<u>25.00</u> <u>5.00</u>
•	Garage Sale:	
	Each day, per day .....	5.00
•	Gasoline stations:	
	Gasoline filling stations and private gasoline stations:	
	Annual fee:	
	First pump .....	8.00

Additional pump .....	5.00
Bulk gasoline station:	
Up to 100,000 gallon capacity, annual fee .....	23.00
100,000 to 150,000 gallon capacity, annual fee .....	35.00
Over 150,000 gallon capacity, annual fee .....	46.00
• Heating contractors:	
Annual state license registration fee .....	15.00
• <del>Hotel:</del>	
Annual fee .....	41.00
Plus, each room .....	1.00
• Junk, scrap, and automobile salvage dealer:	
Annual fee .....	115 <u>250</u> .00
• <del>Laundry or dry cleaner, self-service:</del>	
Annual fee for each machine (including washers and dryers) .....	2.00
Provided, however, that each such licensee shall pay a minimum annual license fee at each location .....	35.00
• <u>Outdoor sales and displays</u> .....	<u>100.00</u>
• Pawnbroker:	
Annual fee .....	144 <u>250</u> .00
• <del>Photographer, itinerant:</del>	
Per week .....	81.00
Annual fee .....	288.00
Bond .....	1,000.00
• <u>Peddlers</u> .....	<u>215.00</u>
• Plumbers (see Chapter 5 of the Jackson Code of Ordinances).	
• <del>Poolrooms:</del>	
Annual fee .....	37.00
Plus, each table, annual fee .....	8.00
• Refuse collection licenses, per vehicle utilized or to be utilized in business .....	by resolution per Section 12.4.1
• <del>Rummage sale:</del>	
Each sale, per day .....	5.00
Building use exclusively for, annual fee .....	150.00
• <del>Secondhand dealer:</del>	
As principal business, annual fees .....	50.00
As incidental business, annual fee .....	50.00
For licensed gasoline station as incidental business, annual fee .....	8.00
• <u>Sidewalk cafes</u> .....	<u>85.00</u>
• <u>Special events (circuses, festivals, fairs, events, bazaars or other specially scheduled activity)</u> .....	<u>345.00</u>
• Taxicab:	
Each taxicab, annual fee .....	18 <u>50</u> .00
Insurance:	
Personal injury (one (1) or more persons) .....	50,000.00/100,000.00
Property damage (one (1) accident) .....	\$10,000.00
Taxicab driver, annual fee .....	<u>520</u> .00

- Temporary outdoor sales .....175.00
- Transient merchant indoor sales .....335.00
- Transient merchant outdoor sales .....335.00
- ~~Tourist home or cabin:~~  
~~Per room or cabin, annual fee~~ .....2.00
- Used motor vehicle dealer:  
annual fee .....81200.00

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

I, Andrew J. Wrozek Jr., City Treasurer/Clerk in and for the City of Jackson, County and State of Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Jackson City Council on the \_\_\_\_ da y of \_\_\_\_\_, 2013.

IN WITNESS WHEREOF, I have hereto affixed my signature and the seal of the City of Jackson, Michigan, on this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_ City Treasurer/Clerk

**RESOLUTION**

**BY THE CITY COUNCIL:**

**WHEREAS**, the City of Jackson has experienced an increase in the costs associated with the licensing of certain businesses, trades, and occupations, and a decrease in costs with others; and

**WHEREAS**, the City of Jackson wishes to establish fees for certain licenses by Resolution rather than by Ordinance to allow for flexibility in the establishment of license fees; and

**NOW, THEREFORE, BE IT RESOLVED** that the City of Jackson establishes the following license fees and insurance requirements for licenses as prescribed in the following entries of this Resolution:

- Arcade owner’s or coin operated amusement device license .....200.00
- Auction:
  - Annual License Fee .....50.00
  - Inventory fee (required each time an inventory List is filed for an auction sale) .....25.00
- Bicycles (See Uniform Traffic Code)
- Building contractors:
  - Annual state residential builder or residential maintenance and alteration contractor license registration fee ..... 15.00
- Carnivals, amusement rides and other shows .....300.00
- Concessionaires.....190.00
- Dances:
  - Public dance hall, one (1) year.....100.00
  - Dance license, public dance hall, and Special dance license, per day .....15.00
- Donation boxes .....175.00
- Garage or yard sales.....5.00
- Heating contractors:
  - Annual state license registration fee .....15.00
- Junk, scrap, and automobile salvage dealer:
  - Annual fee.....250.00
- Outdoor sales and displays.....100.00
- Pawnbroker:
  - Annual fee.....250.00
- Peddlers .....215.00
- Plumbers (see Chapter 5 of the Jackson Code of Ordinances).
- Refuse collection licenses, per vehicle utilized or to be utilized in business .....by resolution per Section 12.4.1
- Sidewalk cafes .....85.00

- Special events (circuses, festivals, fairs, events, bazaars or other specially scheduled activity).....345.00
- Taxicab:
  - Each taxicab, annual fee .....50.00
  - Insurance:
    - Personal injury (one (1) or more persons) .....50,000.00/100,000.00
    - Property damage (one (1) accident) .....\$10,000.00
    - Taxicab driver, annual fee.....20.00
- Temporary outdoor sales .....175.00
- Transient merchant indoor sales .....335.00
- Transient merchant outdoor sales .....335.00
- Used motor vehicle dealer:
  - annual fee .....200.00

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

I, Andrew J. Wrozek Jr., City Treasurer/Clerk in and for the City of Jackson, County and State of Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Jackson City Council on the \_\_\_\_ da y of \_\_\_\_\_, 2013.

IN WITNESS WHEREOF, I have hereto affixed my signature and the seal of the City of Jackson, Michigan, on this \_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_ City Treasurer/Clerk



# 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

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(517) 788-4160

Planning & Economic Development  
(517) 768-6433

## CITY COUNCIL MEETING August 13, 2013

**TO:** Honorable Mayor Griffin and City Councilmembers  
**FROM:** Patrick Burtch, City Manager  
**SUBJECT:** First Contract Renewal with Adrian Environmental, LLC

### RECOMMENDATION:

**Approve the first contract renewal with Adrian Environmental, LLC, to provide emergency assessment and abatement services for individual structures on an as-needed basis, in accordance with the contract signed June 25, 2012.**

At its June 12, 2012 regular meeting, City Council awarded an emergency asbestos abatement contract with the low bidder, Adrian Environmental, LLC. The contract allows for two (2) one-year renewals at no increase in cost, with approval from both parties. The current pricing structure is as follows:

<b>Per Inspection Price</b>	<b>Cost</b>
Mobilization fee .....	\$150.00
Asbestos bulk sample confirmation (24 hr turnaround) .....	14.00 ea
Removal of pipe insulation or other friable materials, including air monitoring .....	12.00 ea
Removal of floor tile or other non-friable materials, including air monitoring .....	2.00 ea

Chapter 5, Section 5.3 Demolition of Structures, includes the requirement to conduct a hazardous materials assessment in accordance with state and federal regulations and specifies the need to properly abate hazardous materials before demolition can occur. Adrian Environmental provides asbestos abatement on an emergency basis if, during demolition, hazardous materials are discovered that were not identified during the assessment process and removed prior to the demolition of the building.

Department of Neighborhood & Economic Operations staff has expressed their satisfaction with the work performed by Adrian Environmental, LLC, and recommend approval of the first contract renewal at the same cost, which is priced per inspection by square footage.

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

**From:** [Sheila Prater](#)  
**To:** [Michelle Pultz](#); [Frank Donovan](#)  
**Subject:** FW: Emergency Asbestos Assessment and Abatement Services  
**Date:** Thursday, July 18, 2013 2:45:33 PM

---

Michelle,

Here is what Shelly sent me for you to use.

---

**From:** Shelly Allard  
**Sent:** Thursday, July 18, 2013 2:44 PM  
**To:** Sheila Prater  
**Subject:** FW: Emergency Asbestos Assessment and Abatement Services

---

**From:** David Graham [<mailto:adrianenvironmental@yahoo.com>]  
**Sent:** Tuesday, April 23, 2013 6:17 PM  
**To:** Shelly Allard  
**Subject:** Re: Emergency Asbestos Assessment and Abatement Services

Yes Shelly,

I would like to renew the contract. We didnt use it this past year but I would like to renew anyway.

Thank You,

David Graham

**From:** Shelly Allard <[sallard@cityofjackson.org](mailto:sallard@cityofjackson.org)>  
**To:** "[adrianenvironmental@yahoo.com](mailto:adrianenvironmental@yahoo.com)" <[adrianenvironmental@yahoo.com](mailto:adrianenvironmental@yahoo.com)>  
**Cc:** Frank Donovan <[fdonovan@cityofjackson.org](mailto:fdonovan@cityofjackson.org)>; Sheila Prater <[sprater@cityofjackson.org](mailto:sprater@cityofjackson.org)>  
**Sent:** Tuesday, April 23, 2013 8:16 AM  
**Subject:** Emergency Asbestos Assessment and Abatement Services

Good morning. Your current contract for the Emergency Asbestos Assessment and Abatement Services with the City will expire June 30, 2013. The contract documents included language for two, one year extensions.

Page IB 4 of 4, Item F.

This agreement is subject to: two, one (1) year renewals contingent upon the approval of both parties. If both parties agree to renew the contract, it shall remain at the same unit bid price as the original contract.

I was asked to contact you to see if you are interested in extending the contract for an additional year and the same unit bid prices. Please reply to this email. If you are interested in extending the contract, Neighborhood and Economic Operations would need to take it to City Council and an Extension of Agreement would be sent to you for signature. Please let me know at your earliest convenience. Thank you very much.

# Shelly Allard

Purchasing Coordinator  
City of Jackson  
161 W. Michigan Avenue  
Jackson, MI 49201

Click [here](#) to report this email as spam.

OFFICE OF THE

**Bethany M. Smith**  
*Interim City Attorney*

**Gilbert W. Carlson**  
*Assistant City Attorney*



161 West Michigan Avenue  
Jackson, MI 49201  
(517) 788-4050  
(517) 788-4023  
Fax: (866) 971-2117

**CITY ATTORNEY**

**CITY COUNCIL MEETING**  
**August 13, 2013**  
**NEW BUSINESS**

MEMO TO: Honorable Mayor and City Councilmembers  
FROM: Bethany M. Smith, Interim City Attorney  
DATE: August 5, 2013  
SUBJECT: Amendment to Animals Ordinance  
Prohibition on the Feeding of Deer

**RECOMMENDATION: Approve the Ordinance that prohibits the feeding of deer.**

Attached please find a black-lined and a clean version of the amendment to Chapter 4 (Animals) to prohibit the feeding of deer within the City. This ordinance is a result of complaints from citizens that neighbors are feeding deer which causes deer to congregate near the food source and damage vegetation of neighboring properties.

I have spoken with the legal department of the Michigan Department of Natural Resources and have been told that, while the recreational feeding of deer is permitted in Michigan at this time, the DNR would consider our ordinance to control within the City limits.

The requisite action is to approve the Ordinance.

If Council has any questions, please feel free to contact me.

cc w/att: Patrick H. Burtch, City Manager

ORDINANCE 2013 - \_\_\_\_\_

An Ordinance amending Section 4-7 of Chapter 4 of the Code of Ordinances of the City of Jackson, Michigan to prohibit the feeding of deer within the City of Jackson for the health, safety and welfare of the Citizens of the City of Jackson.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

The City Council adopts this ordinance to specifically prohibit the feeding of deer for the health, safety and welfare of the Citizens of the City of Jackson.

Section 2. That Section 4-7 of Chapter 4 of the City of Jackson, Michigan Code of Ordinances, be amended to read as follows:

CHAPTER 4. ANIMALS.

\*\*\*

Sec. 4-7. Deer feeding prohibited.

- (a) Deer feeding within the City of Jackson is prohibited unless conducted by or with the permission of the City of Jackson Parks and Recreation Department.
- (b) As used in this section, "deer feeding" means the depositing, distributing, or tending of feed intended for consumption by deer for the purposes of preventing deer from starving or for recreational viewing.
- (c) As used in this section, "feed" means a substance composed of grain, mineral, salt, fruit, vegetable, hay, or any other food material or combination of these materials that may attract deer.

Sec. 4-78. Prohibited acts.

No person shall:

- (a) Throw or deposit, or cause to be thrown or deposited, any poisonous substance upon any outdoor area where it endangers or is likely to endanger any animal or bird.
- (b) Place or cause to be placed in or upon any portion of any street, alley, park, sidewalk, or any other place to which the public has access, a lethal trapping device. For purposes of this subsection, a lethal trapping device is any device which by means of gas, spikes, steel jaws, or other instrument, is designed to trap

an animal by killing it or restraining its movement in a way that will physical injure it.

Nothing in this section shall be deemed to prohibit the use of such materials by a licensed exterminator using practices common to the profession.

| Sec. 4-8~~9~~2. Penalty for violation of this chapter.

Any person who shall violate or assist in the violation of this chapter shall be guilty of a misdemeanor and be punished as provided in Section 1-18 of this Code.

Section 3. This Ordinance takes effect thirty (30) days from the date of adoption.

ORDINANCE 2013 - \_\_\_\_\_

An Ordinance amending Section 4-7 of Chapter 4 of the Code of Ordinances of the City of Jackson, Michigan to prohibit the feeding of deer within the City of Jackson for the health, safety and welfare of the Citizens of the City of Jackson.

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- (c) As used in this section, "feed" means a substance composed of grain, mineral, salt, fruit, vegetable, hay, or any other food material or combination of these materials that may attract deer.

Sec. 4-8. Prohibited acts.

No person shall:

- (a) Throw or deposit, or cause to be thrown or deposited, any poisonous substance upon any outdoor area where it endangers or is likely to endanger any animal or bird.
- (b) Place or cause to be placed in or upon any portion of any street, alley, park, sidewalk, or any other place to which the public has access, a lethal trapping device. For purposes of this subsection, a lethal trapping device is any device which by means of gas, spikes, steel jaws, or other instrument, is designed to trap

an animal by killing it or restraining its movement in a way that will physical injure it.

Nothing in this section shall be deemed to prohibit the use of such materials by a licensed exterminator using practices common to the profession.

Sec. 4-9. Penalty for violation of this chapter.

Any person who shall violate or assist in the violation of this chapter shall be guilty of a misdemeanor and be punished as provided in Section 1-18 of this Code.

Section 3. This Ordinance takes effect thirty (30) days from the date of adoption.

OFFICE OF THE

**Bethany M. Smith**  
*Interim City Attorney*

**Gilbert W. Carlson**  
*Assistant City Attorney*



161 West Michigan Avenue  
Jackson, MI 49201  
(517) 788-4050  
(517) 788-4023  
Fax: (866) 971-2117

**CITY ATTORNEY**

**CITY COUNCIL MEETING**  
**August 13, 2013**  
**NEW BUSINESS**

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Bethany M. Smith, Interim City Attorney

DATE: August 5, 2013

SUBJECT: Amendment to Vehicle and Traffic Code  
Parking of trailers, motor homes and recreational vehicles on City streets.

**RECOMMENDATION: Approve the Ordinance that prohibits parking of motor homes, recreational vehicles and uncoupled trailers on City streets.**

Attached please find a black-lined and a clean version of the amendment to Chapter 25 (Vehicle and Traffic Code) to prohibit the parking of motor homes, recreational vehicles and uncoupled trailers upon City street except for the purposes of loading, unloading or an emergency. Parking may also be allowed with the permission of the Neighborhood and Economic Operations Department.

This ordinance was requested by both the Police Department and the Neighborhood and Economic Operations Department as a result of numerous incidents involving uncoupled trailers and motor homes hampering traffic and creating hazards on City streets.

The requisite action is to approve the Ordinance.

If Council has any questions, please feel free to contact me.

cc w/att: Patrick H. Burtch, City Manager  
Matthew Heins, Director of Police and Fire Services  
Jon Dowling, City Engineer

ORDINANCE 2013 - \_\_\_\_\_

An Ordinance amending Section 25-27.12 of Article II of Chapter 25 of the Code of Ordinances of the City of Jackson, Michigan to provide for supplemental parking regulations governing semi-trailer, truck tractor, motor home, recreational vehicle and trailer parking for the health, safety and welfare of the Citizens of the City of Jackson.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

The City Council adopts this ordinance to specifically prohibit the parking of semi-trailers, truck tractors, motor homes, recreational vehicles and trailers on City streets and in public alleys for the health, safety and welfare of the Citizens of the City of Jackson.

Section 2. That Article II of Chapter 25 of the City of Jackson, Michigan Code of Ordinances, be amended to read as follows:

ARTICLE IX. VEHICLE AND TRAFFIC CODE.

\*\*\*

Sec. 25-27.12. Semi-trailer, truck tractor, motor home, recreational vehicle, or trailer parking prohibited.

It is unlawful to park a semi-trailer, truck tractor or uncoupled trailer on a public alley, upon a public street, or other public place within the city except when the parking is authorized in writing by the Department of Neighborhood and Economic Operations, when the parking is for purpose of loading and unloading, or when parking is for an emergency. It shall be unlawful to park a motor home, recreational vehicle or uncoupled trailer upon any residential street or public alley except when the parking is authorized in writing by the Neighborhood and Economic Operations Department, when the parking is for the purpose of loading and unloading, or when the parking is for an emergency.

Sections 25-30(a)(3) governs the penalty for violating this section.

In addition to the penalty above, when any semi-trailer, truck trailer, motor home, recreational vehicle or trailer is parked contrary to the provisions of this section, it may be removed after forty-eight (48) hours, by and under the direction of a member of the Police Department, to a place to be designated by the Director of Police and Fire Services.

When any semi-trailer, truck trailer, motor home, recreational vehicle or trailer is parked so as to be a hazard, by and under the direction of a member of the Police Department, it may be removed immediately to a place to be designated by the Director of Police and Fire Services.

Any person owning or entitled to possession of such semi-trailer, truck trailer, motor home, recreational vehicle or trailer may obtain possession thereof by paying to the custodian of the vehicle the towing fee, plus storage fees, for the length of time the vehicle or trailer has been held.

Whenever an officer removes a semi-trailer, truck trailer, motor home, recreational vehicle or trailer from public property as authorized in this section, the officer shall adhere to the notice and sale provisions of the Michigan Vehicle Code, MCL 257.1 *et seq.*, as amended.

\* \* \*

Section 3. This Ordinance takes effect thirty (30) days from the date of adoption.

ORDINANCE 2013 - \_\_\_\_

An Ordinance amending Section 25-27.12 of Article II of Chapter 25 of the Code of Ordinances of the City of Jackson, Michigan to provide for supplemental parking regulations governing semi-trailer, truck tractor, motor home, recreational vehicle and trailer parking for the health, safety and welfare of the Citizens of the City of Jackson.

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It is unlawful to park a semi-trailer, truck tractor or uncoupled trailer on a public alley, upon a public street, or other public place within the city except when the parking is authorized in writing by the ~~director of public works~~ Department of Neighborhood and Economic Operations, when the parking is for purpose of loading and unloading, or when parking is for an emergency. It shall be unlawful to park a motor home, recreational vehicle or uncoupled trailer upon any residential street or public alley except when the parking is authorized in writing by the Neighborhood and Economic Operations Department, when the parking is for the purpose of loading and unloading, or when the parking is for an emergency.

Sections 25-30(a)(3) ~~and (a)(4)~~ governs the penalty for violating this section.

In addition to the penalty above, when any semi-trailer, truck trailer, motor home, recreational vehicle or trailer is parked contrary to the provisions of this section, it may be removed after forty-eight (48) hours, by and under the direction of a member of the Police Department, to a place to be designated by the Director of Police and Fire Services.

When any semi-trailer, truck trailer, motor home, recreational vehicle or trailer is parked so as to be a hazard, by and under the direction of a member of the Police Department, it may be removed immediately to a place to be designated by the Director of Police and Fire Services.

Any person owning or entitled to possession of such semi-trailer, truck trailer, motor home, recreational vehicle or trailer may obtain possession thereof by paying to the custodian of the vehicle the towing fee, plus storage fees, for the length of time the vehicle or trailer has been held.

Whenever an officer removes a semi-trailer, truck trailer, motor home, recreational vehicle or trailer from public property as authorized in this section, the officer shall adhere to the notice and sale provisions of the Michigan Vehicle Code, MCL 257.1 *et seq.*, as amended.

\* \* \*

Section 3. This Ordinance takes effect thirty (30) days from the date of adoption.



**CITY COUNCIL MEETING**  
**August 13th, 2013**

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Economic Development Director – Jonathan Greene  
**SUBJECT:** Micro Brewery Liquor License

---

**RECOMEMNDATION:** Approve the resolution from Bifferhaus Brewing Company LLC (Terry Howard) for a new Micro Brewery License with Sales, Dance, Entertainment, and Outdoor Sales permits under MCLA 436.1525 to be located at 900 Lansing Ave. Jackson, MI 49202.

Recommended department approval has been received from Police, Fire, DPW, and Treasurer. The proposed location is in a C-2 zoning district in which bars are a permitted use. Approval will allow the applicant to make an initial application to the Michigan Liquor Control Commission (MLCC) while simultaneously engage the Department of Neighborhood and Economic Operations for site plan/development permits and approval. A letter from the applicant and MLCC Resolution are attached.

June 25, 2013

Terry Howard  
900 Lansing Ave  
Jackson, MI 49202

Jonathan Greene  
161 W. Michigan Ave  
Jackson, MI 49201

To whom it may concern:

My name is Terry Howard. For 20 years I worked as a social worker and foster care licensing specialist. I also coached springboard diving at Albion High School and Albion College for 19 years. For approximately six years, as my boys were growing up, I volunteered as a coach for AYSO and CMSA soccer teams. Since then, I have coached diving at Marshall High School for three years, and this past year, I did volunteer coaching at Marshall High and Albion College while mentoring another coach. I have been brewing my own beer for 15 to 20 years. After working in the social work field, I decided to use my pension and passion and start a family-run micro-brewery. I have three sons and many relatives who have been working side by side with me to make this dream a reality.

At the Bifferhaus, I plan to handcraft small batches of beer (approximately one barrel at a time) to ensure great quality. My goal is to have eight varieties of microbrewed beer on tap at all times. Patrons will be welcome to order food from local businesses/restaurants or bring it with them. Eventually, I'm hoping to be able to offer food within the pub. I envision hosting a community event each year, involving bicycle enthusiasts and using the event as a way of generating donations to a local charity or other non-profit. As of this date, I have sold nearly 100 memberships to the Bifferhaus Mug Club. The pub will offer a casual, relaxed environment for Jackson and surrounding area residents to enjoy great hand-crafted beer.

STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
LIQUOR CONTROL COMMISSION

**RESOLUTION**

At the Regular meeting of the Jackson City Council

called to order by Mayor Griffin on July 16, 2013 at \_\_\_\_\_ P.M.

The following resolution was offered:

Moved by \_\_\_\_\_ and supported by \_\_\_\_\_

**That the request from:**

**Bifferhaus Brewing Company LLC (Terry Howard) requests a new Micro Brewer license with, Dance, Entertainment, and Outdoor Sales permits under MCLA 436.1525 to be located at 900 Lansing Ave. Jackson, MI 49202.**

be considered for Approval "above all others"

**APPROVAL**

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

It is the consensus of this legislative body that the application be:

Recommended for issuance

State of Michigan \_\_\_\_\_)

County of \_\_\_\_\_)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the \_\_\_\_\_ at a \_\_\_\_\_

meeting held on \_\_\_\_\_ .

SEAL

(Signed) \_\_\_\_\_  
(Township, City of Village Clerk)

\_\_\_\_\_  
(Mailing address of Township, City of Village)



# Neighborhood & Economic Operations

Building a Stronger Jackson

---

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## CITY COUNCIL MEETING August 13, 2013

**TO:** Honorable Mayor Griffin and City Councilmembers

**FROM:** Patrick Burtch, City Manager

**SUBJECT:** Approve the Resolution to Reprogram Excess Program Income to the John George Home to Install Fire Doors

---

### RECOMMENDATION

**Approve the attached Resolution reprogramming \$15,000 in CDBG excess program income to the John George Home to install nine (9) fire doors.**

The John George Home has requested financial assistance through the City's Community Development Block Grant (CDBG) program to improve the safety and protection of its residents by replacing nine (9) doors within the facility with fire-rated doors. The locations for the new doors are:

- Boiler room
- Kitchen door off old dining room
- Back stairway
- East tornado room
- "Time clock" wall off old dining room
- South 2<sup>nd</sup> floor exit
- Basement/porch
- Employee break room
- East 1<sup>st</sup> floor stairway

Carrie Good, Administrator for the John George Home, received three bids for the project and has selected The Window and Door Store to install the doors and hardware and Jackson Glass Works to install operators to automatically open the doors. The John George Home will assume responsibility for payment of any costs over \$15,000.

Staff from the Department of Neighborhood & Economic Operations has identified sufficient program income to fund this request, which came from the sale of two vehicles and a demolition repayment.

City of Jackson, Michigan  
 Resolution to Amend the Fiscal Year 2012/2013 (Year 38)  
 and 2013/2014 (Year 39) CDBG Budgets

Whereas, the U.S. Department of Housing and Urban Development approved the Community Development Block Grant (CDBG) activities for fiscal years 2012/2013 (Year 38) and 2013/2014 (Year 39); and

Whereas, in Year 38 receipts from program income in excess of budgeted expenses were received; and

Whereas, the City Council desires to appropriate the additional program income from Year 38 to be made available for use in Year 39 for the John George Home rehabilitation activity.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Jackson hereby amends the subject budgets as follows:

<u>Account #</u>	<u>Account Description</u>	<u>Current Budget</u>	<u>Revised Budget</u>	<u>Change</u>
<b>Entitlement Year 38 (2012/2013)</b>				
286-000-038-698.012	Other Program Income	3,750	18,750	15,000
286-743-038-969.039	Contribution to Year 39	40,000	55,000	15,000
<b>Entitlement Year 39 (2013/2014)</b>				
286-000-039-695.038	Contribution from Year 38	40,000	55,000	15,000
286-723-039-816.001	John George Home	0	15,000	15,000

\* \* \* \* \*

State of Michigan }  
 County of Jackson } ss  
 City of Jackson }

I, Andrew J. Wrózek Jr., City Treasurer/Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on the 13<sup>th</sup> day of August, 2013.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 14<sup>th</sup> day of August, 2013.

\_\_\_\_\_  
 Andrew J. Wrózek Jr. City Treasurer/Clerk



# Neighborhood & Economic Operations

Building a Stronger Jackson

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

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## CITY COUNCIL MEETING August 13, 2013

**TO:** Honorable Mayor Griffin and City Councilmembers

**FROM:** Patrick Burtch, City Manager

**SUBJECT:** Approve Seven (7) Agreements Regarding Transfer of Property and Demolition or Rehabilitation of Dangerous and Unsafe Structure and Accept Quit Claim Deeds for Conveyance of Properties

### RECOMMENDATION:

Approve seven (7) Agreements Regarding Transfer of Property and Demolition or Rehabilitation of Dangerous and Unsafe Structure, authorize the Mayor to execute the Agreements, and accept quit claim deeds for conveyance of properties upon review and approval by the City Attorney's Office.

Attached are seven (7) Agreements Regarding Transfer of Property and Demolition or Rehabilitation of Dangerous and Unsafe Structure for the following properties:



Ward 5

227 E Biddle St  
PIN 5-051900000  
Condemned June 28, 2013  
Estimated Demolition Cost: \$12,372  
Estimated Rehabilitation Cost: \$99,290



Ward 5

117 W Biddle St  
PIN 4-073100000  
Condemned July 27, 2011  
Estimated Demolition Cost: \$14,766



**Ward 2**

**125 N Elm Ave  
PIN 7-111800000  
Condemned September 29, 2012  
Estimated Demolition Cost: \$11,462  
Estimated Rehabilitation Cost: \$105,109**



**Ward 2**

**218 N Forbes St  
PIN 8-004600000  
Condemned June 6, 2012  
Estimated Demolition Cost: \$16,096  
Estimated Rehabilitation Cost: \$83,186**



**Ward 1**

**121 E High St  
PIN 5-128600000  
Condemned January 26, 2012  
Estimated Demolition Cost: \$11,742  
Estimated Rehabilitation Cost: \$56,178**



**Ward 1**

**1027 S Jackson St  
PIN 4-066500000  
Condemned September 26, 2012  
Estimated Demolition Cost: \$7,535  
Estimated Rehabilitation Cost: \$90,491**



**Ward 2**

**707 S Elm Ave  
PIN 6-143000000  
Condemned September 28, 2012  
Estimated Demolition Cost: \$10,314  
Estimated Rehabilitation Cost: \$38,273**

The owners of these condemned structures have requested the City receive title to the properties to avoid liability for the costs of demolishing the structure. The owners certify no liens, mortgages, or other ownership interest exist concerning the property and, upon the transfer, will pay all outstanding property taxes, liens, special assessments, judgments, invoices or other indebtedness of the owner related the property that are due and owing to the City.

The owners will be required to present a fully executed quit claim deed to the City Attorney to review and modify, if necessary, to convey full legal title of the property to the City. The City will then accept responsibility for the costs of demolition or possible rehabilitation, if deemed viable.

cc: Frank Donovan, Bethany Smith, Sheila Prater

AGREEMENT REGARDING TRANSFER OF PROPERTY  
AND DEMOLITION OR REHABILITATION  
OF DANGEROUS AND UNSAFE STRUCTURE

This Agreement, entered into on the \_\_\_\_\_ day of \_\_\_\_\_, 2013 between Gae Winn, as Trustee of the Mabel Anderson Trust w/a/d August 31, 1993, (“Owner”), whose address is 511 Wildwood Avenue, Jackson, Michigan 49201, and the City of Jackson, a Michigan municipal corporation, with offices at 161 West Michigan Avenue, Jackson, Michigan 49201 (“the City”),

RECITALS

WHEREAS, Owner owns title to real property located within the City of Jackson, County of Jackson, to wit:

The West 35 ½ feet of lots 1 and 2, Block 16, Knapp’s Addition and a strip of land commencing at the Northwest corner of Lot 1; thence South along the West line of said Lots 1 and 2 of Knapp’s Addition 132 feet; thence West 8.5 feet; thence North 132 feet to the South line of Biddle Street; thence East 8.5 feet to the beginning. Being a part of the Southwest ¼ of the Northwest ¼, Section 2, Town 3 South, Range 1 West, City of Jackson, Jackson County, Michigan

and commonly known as 227 E. Biddle, Jackson, Michigan (“the property”);

WHEREAS, a vacant, substandard, deteriorated, or dilapidated building is located on the above described property;

WHEREAS, Owner and the City desire to have the building removed from the property or rehabilitated and acknowledge that its removal or rehabilitation is for the betterment of the public’s health, safety, and welfare; and;

WHEREAS, Owner wishes to transfer title to the real property to the City in order to avoid liability for the costs of demolishing the structure on the property; and

WHEREAS, the City is willing to remove the building by demolition or to rehabilitate the building at the City’s expense upon transfer of the property to the City.

NOW THEREFORE, the parties mutually agree as follows:

- A. The above recitals are incorporated by reference into this Agreement and form an integral part of this Agreement.

- B. This agreement is a result of negotiation between the parties, and accordingly, it will not be construed against either party in the event of a dispute or litigation arising out of this Agreement.
- C. Owner certifies that no liens, mortgages, or other ownership interests exist concerning said property.
- D. Owner shall convey the property to the City via quit claim deed.
- E. The City shall demolish the building(s) on the property described above, remove all demolition debris, and grade and restore the site, or rehabilitate the building(s).
- F. Owner shall not be responsible for any of the costs of demolishing or rehabilitating the building(s), removal of demolition debris, or site grading and restoration.
- G. Owner certifies that there are no hazardous materials located, stored, kept, or maintained on or about the above described property.
- H. Except for acts of the City's sole negligence or wrongdoing, Owner shall indemnify, defend and save harmless City from and against any demand, liability, cost, damage, loss or claim, including property damage, personal injury or death, brought by any third party in connection with this Agreement and the demolition services performed by the City pursuant to this Agreement.
- I. If any one or more of the provisions of this Agreement or in any other document or instrument delivered pursuant to this Agreement shall to any extent be declared or determined to be invalid or unenforceable, the validity, legality and enforceability of the remainder of this Agreement, or the application of such provision to person or circumstances other than those as to which it is invalid or unenforceable, shall not be affected or impaired thereby, and each provision of this Agreement shall be valid and enforceable to the fullest extent of the law.
- J. This Agreement shall be binding upon the parties hereto and their successors, heirs and assigns.
- K. The failure of either party to enforce the terms of this Agreement shall not constitute a waiver of any such provision or the rights of any party at any time to avail themselves of such rights and remedies as either may have for any breaches of such provision.
- L. The parties agree that any action relating to the Agreement shall be instituted and prosecuted in the courts of the County of Jackson, State of Michigan and governed by the laws of the State of Michigan.

M. This Agreement, upon its acceptance by the parties, shall constitute the entire Agreement and understanding between the parties and supersedes all prior and contemporaneous negotiations, representations, and agreements, whether written or oral, with respect to the subject matter herein.

The parties have signed this Agreement the dates indicated below.

Date: \_\_\_\_\_

\_\_\_\_\_  
Gae Winn  
Trustee of the Mabel Anderson Trust  
u/a/d August 31, 1993

CITY OF JACKSON

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Martin J. Griffin  
Its Mayor

Approval as to form:

  
\_\_\_\_\_  
Bethany M. Smith  
Interim City Attorney

Approval as to content:

  
\_\_\_\_\_  
Patrick Burtch  
City Manager

227 E Biddle St



AGREEMENT REGARDING TRANSFER OF PROPERTY  
AND DEMOLITION OR REHABILITATION  
OF DANGEROUS AND UNSAFE STRUCTURE

This Agreement, entered into on the \_\_\_\_\_ day of \_\_\_\_\_, 2013 between Gae Winn, as Trustee of the Mabel Anderson Trust u/a/d August 31, 1993, (“Owner”), whose address is 511 Wildwood, Jackson, Michigan 49201, and the City of Jackson, a Michigan municipal corporation, with offices at 161 West Michigan Avenue, Jackson, Michigan 49201 (“the City”),

RECITALS

WHEREAS, Owner owns title to real property located within the City of Jackson, County of Jackson, to wit:

Lot 125, Assessor’s South Plat, according to the recorded plat thereof, as recorded in Liber 9 of Plats, Page 27, Jackson County Records

and commonly known as 117 W. Biddle, Jackson, Michigan (“the property”);

WHEREAS, a vacant, substandard, deteriorated, or dilapidated building is located on the above described property;

WHEREAS, Owner and the City desire to have the building removed from the property or rehabilitated and acknowledge that its removal or rehabilitation is for the betterment of the public’s health, safety, and welfare; and;

WHEREAS, Owner wishes to transfer title to the real property to the City in order to avoid liability for the costs of demolishing the structure on the property; and

WHEREAS, the City is willing to remove the building by demolition or to rehabilitate the building at the City’s expense upon transfer of the property to the City.

NOW THEREFORE, the parties mutually agree as follows:

- A. The above recitals are incorporated by reference into this Agreement and form an integral part of this Agreement.
- B. This agreement is a result of negotiation between the parties, and accordingly, it will not be construed against either party in the event of a dispute or litigation arising out of this Agreement.

- C. Owner certifies that no liens, mortgages, or other ownership interests exist concerning said property.
- D. Owner shall convey the property to the City via quit claim deed.
- E. The City shall demolish the building(s) on the property described above, remove all demolition debris, and grade and restore the site, or rehabilitate the building(s).
- F. Owner shall not be responsible for any of the costs of demolishing or rehabilitating the building(s), removal of demolition debris, or site grading and restoration.
- G. Owner certifies that there are no hazardous materials located, stored, kept, or maintained on or about the above described property.
- H. Except for acts of the City's sole negligence or wrongdoing, Owner shall indemnify, defend and save harmless City from and against any demand, liability, cost, damage, loss or claim, including property damage, personal injury or death, brought by any third party in connection with this Agreement and the demolition services performed by the City pursuant to this Agreement.
- I. If any one or more of the provisions of this Agreement or in any other document or instrument delivered pursuant to this Agreement shall to any extent be declared or determined to be invalid or unenforceable, the validity, legality and enforceability of the remainder of this Agreement, or the application of such provision to person or circumstances other than those as to which it is invalid or unenforceable, shall not be affected or impaired thereby, and each provision of this Agreement shall be valid and enforceable to the fullest extent of the law.
- J. This Agreement shall be binding upon the parties hereto and their successors, heirs and assigns.
- K. The failure of either party to enforce the terms of this Agreement shall not constitute a waiver of any such provision or the rights of any party at any time to avail themselves of such rights and remedies as either may have for any breaches of such provision.
- L. The parties agree that any action relating to the Agreement shall be instituted and prosecuted in the courts of the County of Jackson, State of Michigan and governed by the laws of the State of Michigan.
- M. This Agreement, upon its acceptance by the parties, shall constitute the entire Agreement and understanding between the parties and supersedes all prior and contemporaneous

negotiations, representations, and agreements, whether written or oral, with respect to the subject matter herein.

The parties have signed this Agreement the dates indicated below.

Date: \_\_\_\_\_

\_\_\_\_\_  
Gae Winn  
Trustee of the Mabel Anderson Trust  
u/a/d August 31, 1993

CITY OF JACKSON

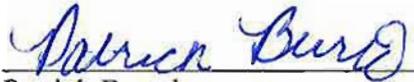
Date: \_\_\_\_\_

By: \_\_\_\_\_  
Martin J. Griffin  
Its Mayor

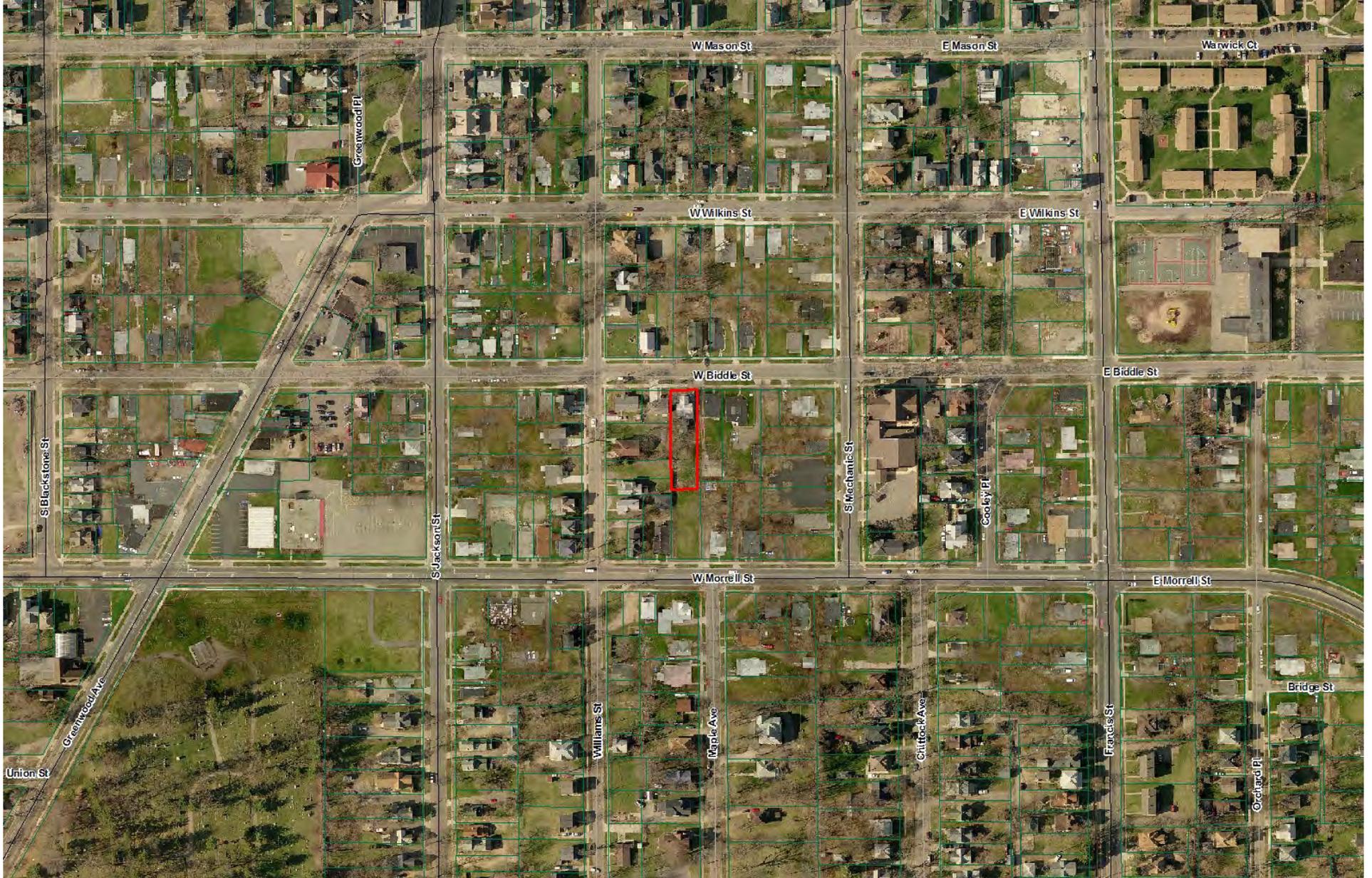
Approval as to form:

  
\_\_\_\_\_  
Bethany M. Smith  
Interim City Attorney

Approval as to content:

  
\_\_\_\_\_  
Patrick Burch  
City Manager

117 W Biddle St



AGREEMENT REGARDING TRANSFER OF PROPERTY  
AND DEMOLITION OR REHABILITATION  
OF DANGEROUS AND UNSAFE STRUCTURE

This Agreement, entered into on the \_\_\_ day of \_\_\_\_\_, 2013 between James Cannon, a single man, (“Owner”), whose address is 5607 Page Avenue, Jackson, Michigan 49201, and the City of Jackson, a Michigan municipal corporation, with offices at 161 West Michigan Avenue, Jackson, Michigan 49201 (“the City”),

RECITALS

WHEREAS, Owner owns title to real property located within the City of Jackson, County of Jackson, State of Michigan to wit:

The South 41 feet of Lot 3, also the North 12 feet of Lot 5, Block 8, East Addition to the City of Jackson, according to the recorded plat thereof, as recorded in Liber 3 of Plats, Page 7, Jackson County Records.

and commonly known as 125 N. Elm Street, Jackson, Michigan (“the property”);

WHEREAS, a vacant, substandard, deteriorated, or dilapidated building is located on the above described property;

WHEREAS, Owner and the City desire to have the building either removed from the property or rehabilitated, and acknowledge that its removal or rehabilitation is for the betterment of the public’s health, safety, and welfare; and;

WHEREAS, Owner wishes to transfer title to the real property to the City in order to avoid liability for the costs of demolishing the structure on the property; and

WHEREAS, the City is willing to remove the building by demolition or rehabilitate the building at the City’s expense upon transfer of the property to the City.

NOW THEREFORE, the parties mutually agree as follows:

- A. The above recitals are incorporated by reference into this Agreement and form an integral part of this Agreement.
- B. This agreement is a result of negotiation between the parties, and accordingly, it will not be construed against either party in the event of a dispute or litigation arising out of this Agreement.

- C. Owner certifies that no liens, mortgages, or other Ownership interests exist concerning said property.
- D. Owner shall convey the property to the City via quit claim deed.
- E. At the time of transfer of the property, Owner shall pay all outstanding property taxes owed on the property.
- F. At the time of transfer of the property, Owner will pay any and all liens, special assessments, judgments, invoices or other indebtedness of the Owner related to the property that are due and owing to the City.
- G. The City shall either demolish the building(s) on the property described above, remove all demolition debris, and grade and restore the site, or may rehabilitate the building(s) on the property.
- H. Owner shall not be responsible for any of the costs of rehabilitation of the building(s), or for demolishing the building(s), removal of demolition debris, or site grading and restoration.
- I. Owner certifies that there are no hazardous materials located, stored, kept, or maintained on or about the above described property.
- J. Except for acts of the City's sole negligence or wrongdoing, Owner shall indemnify, defend and save harmless City from and against any demand, liability, cost, damage, loss or claim, including property damage, personal injury or death, brought by any third party in connection with this Agreement and the demolition services performed by the City pursuant to this Agreement.
- K. If any one or more of the provisions of this Agreement or in any other document or instrument delivered pursuant to this Agreement shall to any extent be declared or determined to be invalid or unenforceable, the validity, legality and enforceability of the remainder of this Agreement, or the application of such provision to person or circumstances other than those as to which it is invalid or unenforceable, shall not be affected or impaired thereby, and each provision of this Agreement shall be valid and enforceable to the fullest extent of the law.
- L. This Agreement shall be binding upon the parties hereto and their successors, heirs and assigns.
- M. The failure of either party to enforce the terms of this Agreement shall not constitute a waiver of any such provision or the rights of any party at any time to avail themselves of such rights and remedies as either may have for any breaches of such provision.

N. The parties agree that any action relating to the Agreement shall be instituted and prosecuted in the courts of the County of Jackson, State of Michigan and governed by the laws of the State of Michigan.

O. This Agreement, upon its acceptance by the parties, shall constitute the entire Agreement and understanding between the parties and supersedes all prior and contemporaneous negotiations, representations, and agreements, whether written or oral, with respect to the subject matter herein.

The parties have signed this Agreement by their authorized officers or agents on the dates listed below.

Dated: \_\_\_\_\_

\_\_\_\_\_  
James Cannon

CITY OF JACKSON

Dated: \_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_  
Martin J. Griffin  
Its Mayor

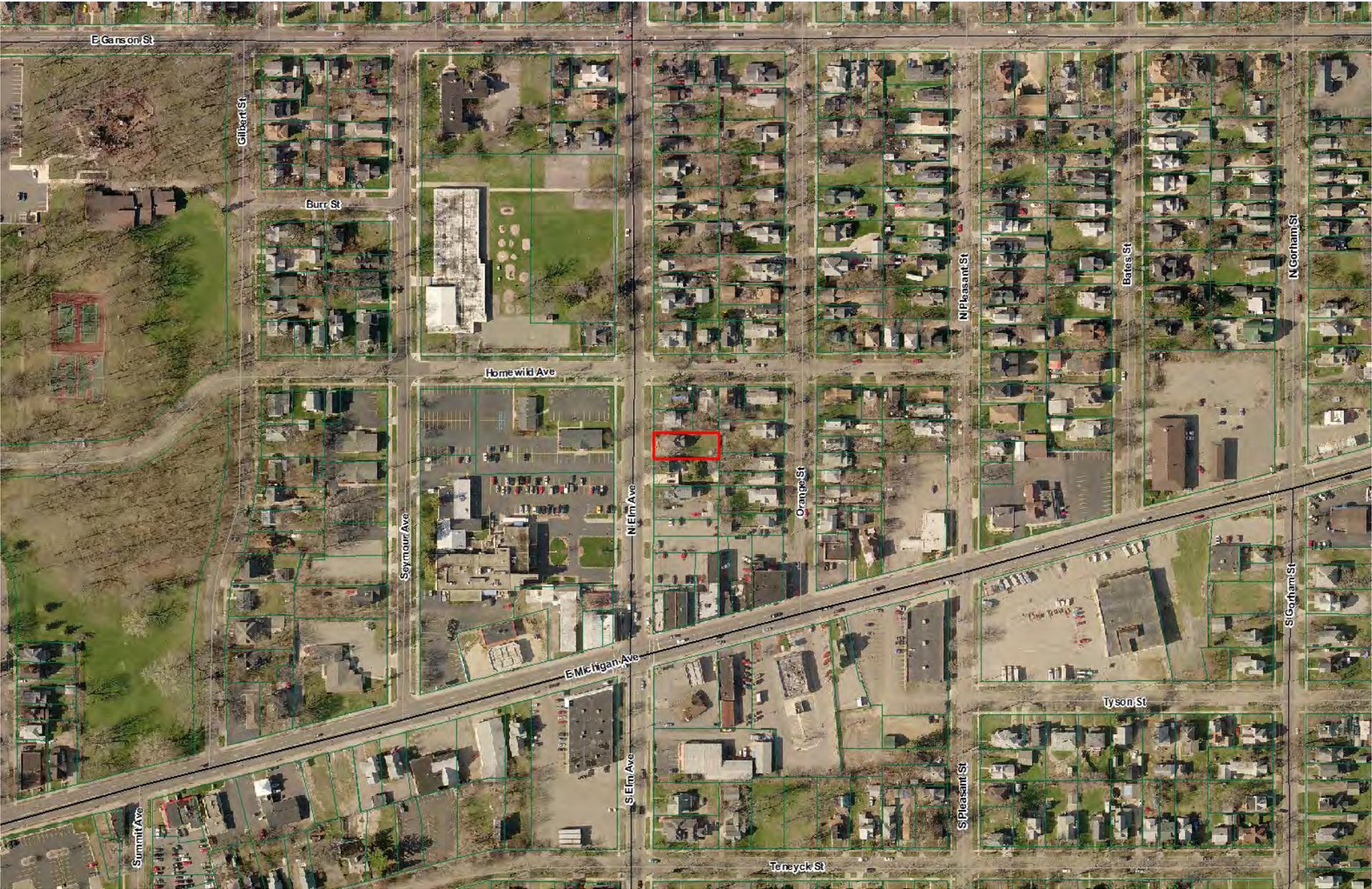
Approval as to form:

Bethany M. Smith  
Bethany M. Smith  
Interim City Attorney

Approval as to content:

Patrick H. Burch  
Patrick H. Burch  
City Manager

125 N Elm Ave



AGREEMENT REGARDING TRANSFER OF PROPERTY  
AND DEMOLITION OR REHABILITATION  
OF DANGEROUS AND UNSAFE STRUCTURE

This Agreement, entered into on the \_\_\_\_\_ day of \_\_\_\_\_, 2013 between James Cannon, a single man, (“Owner”), whose address is 5607 Page Avenue, Jackson, Michigan 49201, and the City of Jackson, a Michigan municipal corporation, with offices at 161 West Michigan Avenue, Jackson, Michigan 49201 (“the City”),

RECITALS

WHEREAS, Owner owns title to real property located within the City of Jackson, County of Jackson, State of Michigan to wit:

Lot 7, Block 3, Northeastern Addition, according to the recorded plat thereof, as recorded in Liber 4 of Plats, Page 21, Jackson County Records.

and commonly known as 218 N. Forbes Street, Jackson, Michigan (“the property”);

WHEREAS, a vacant, substandard, deteriorated, or dilapidated building is located on the above described property;

WHEREAS, Owner and the City desire to have the building either removed from the property or rehabilitated, and acknowledge that its removal or rehabilitation is for the betterment of the public’s health, safety, and welfare; and;

WHEREAS, Owner wishes to transfer title to the real property to the City in order to avoid liability for the costs of demolishing the structure on the property; and

WHEREAS, the City is willing to remove the building by demolition or rehabilitate the building at the City’s expense upon transfer of the property to the City.

NOW THEREFORE, the parties mutually agree as follows:

- A. The above recitals are incorporated by reference into this Agreement and form an integral part of this Agreement.
- B. This agreement is a result of negotiation between the parties, and accordingly, it will not be construed against either party in the event of a dispute or litigation arising out of this Agreement.
- C. Owner certifies that no liens, mortgages, or other Ownership interests exist concerning said property.

- D. Owner shall convey the property to the City via quit claim deed.
- E. At the time of transfer of the property, Owner shall pay all outstanding property taxes owed on the property.
- F. At the time of transfer of the property, Owner will pay any and all liens, special assessments, judgments, invoices or other indebtedness of the Owner related to the property that are due and owing to the City.
- G. The City shall either demolish the building(s) on the property described above, remove all demolition debris, and grade and restore the site, or may rehabilitate the building(s) on the property.
- H. Owner shall not be responsible for any of the costs of rehabilitation of the building(s), or for demolishing the building(s), removal of demolition debris, or site grading and restoration.
- I. Owner certifies that there are no hazardous materials located, stored, kept, or maintained on or about the above described property.
- J. Except for acts of the City's sole negligence or wrongdoing, Owner shall indemnify, defend and save harmless City from and against any demand, liability, cost, damage, loss or claim, including property damage, personal injury or death, brought by any third party in connection with this Agreement and the demolition services performed by the City pursuant to this Agreement.
- K. If any one or more of the provisions of this Agreement or in any other document or instrument delivered pursuant to this Agreement shall to any extent be declared or determined to be invalid or unenforceable, the validity, legality and enforceability of the remainder of this Agreement, or the application of such provision to person or circumstances other than those as to which it is invalid or unenforceable, shall not be affected or impaired thereby, and each provision of this Agreement shall be valid and enforceable to the fullest extent of the law.
- L. This Agreement shall be binding upon the parties hereto and their successors, heirs and assigns.
- M. The failure of either party to enforce the terms of this Agreement shall not constitute a waiver of any such provision or the rights of any party at any time to avail themselves of such rights and remedies as either may have for any breaches of such provision.
- N. The parties agree that any action relating to the Agreement shall be instituted and prosecuted in the courts of the County of Jackson, State of Michigan and governed by the laws of the State of Michigan.

- O. This Agreement, upon its acceptance by the parties, shall constitute the entire Agreement and understanding between the parties and supersedes all prior and contemporaneous negotiations, representations, and agreements, whether written or oral, with respect to the subject matter herein.

The parties have signed this Agreement by their authorized officers or agents on the dates listed below.

Dated: \_\_\_\_\_

\_\_\_\_\_  
James Cannon

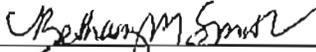
CITY OF JACKSON

Dated: \_\_\_\_\_

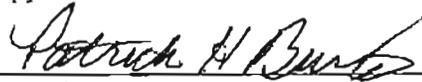
By: \_\_\_\_\_

\_\_\_\_\_  
Martin J. Griffin  
Its Mayor

Approval as to form:

  
\_\_\_\_\_  
Bethany M. Smith  
Interim City Attorney

Approval as to content:

  
\_\_\_\_\_  
Patrick H. Burtch  
City Manager

218 N Forbes St



AGREEMENT REGARDING TRANSFER OF PROPERTY  
AND DEMOLITION OR REHABILITATION  
OF DANGEROUS AND UNSAFE STRUCTURE

This Agreement, entered into on the \_\_\_\_\_ day of \_\_\_\_\_, 2013 between Shelly Hill and Roy Wade, (“Owners”), husband and wife, whose address is 116 East High Street, Jackson, Michigan 49201, and the City of Jackson, a Michigan municipal corporation, with offices at 161 West Michigan Avenue, Jackson, Michigan 49201 (“the City”),

RECITALS

WHEREAS, Owners own title to real property located within the City of Jackson, County of Jackson, to wit:

Commencing at a point on the South line of High Street, 360 feet East and 33 feet South of the Northwest corner of Section 11; thence East 50 feet; thence South to the right of way line of the Michigan Central Railroad; thence Southwesterly along said right of way line to a point 360 feet East and 134.1 feet South of the Northwest corner of said Section 11; thence North 101.1 feet to the place of beginning, being a part of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 11, Town 3 South, Range 1 West, being in the City of Jackson, Jackson County, Michigan

and commonly known as 121 East High Street, Jackson, Michigan (“the property”);

WHEREAS, a vacant, substandard, deteriorated, or dilapidated building is located on the above described property;

WHEREAS, Owners and the City desire to have the building removed from the property or rehabilitated and acknowledge that its removal or rehabilitation is for the betterment of the public’s health, safety, and welfare; and;

WHEREAS, Owners wish to transfer title to the real property to the City in order to avoid liability for the costs of demolishing the structure on the property; and

WHEREAS, the City is willing to remove the building by demolition or to rehabilitate the building at the City’s expense upon transfer of the property to the City.

NOW THEREFORE, the parties mutually agree as follows:

- A. The above recitals are incorporated by reference into this Agreement and form an integral part of this Agreement.

- B. This agreement is a result of negotiation between the parties, and accordingly, it will not be construed against either party in the event of a dispute or litigation arising out of this Agreement.
- C. Owners certify that no liens, mortgages, or other ownership interests exist concerning said property.
- D. Owners shall convey the property to the City via quit claim deed.
- E. At the time of transfer of the property, Owners shall pay all outstanding property taxes owed on the property.
- F. At the time of transfer of the property, Owners shall pay any and all liens, special assessments, judgments, invoices or other indebtedness of the Owners due to the City related to the property.
- G. The City shall demolish the building(s) on the property described above, remove all demolition debris, and grade and restore the site, or rehabilitate the building(s).
- H. Owners shall not be responsible for any of the costs of demolishing or rehabilitating the building(s), removal of demolition debris, or site grading and restoration.
- I. Owners certify that there are no hazardous materials located, stored, kept, or maintained on or about the above described property.
- J. Except for acts of the City's sole negligence or wrongdoing, Owners shall indemnify, defend and save harmless City from and against any demand, liability, cost, damage, loss or claim, including property damage, personal injury or death, brought by any third party in connection with this Agreement and the demolition services performed by the City pursuant to this Agreement.
- K. If any one or more of the provisions of this Agreement or in any other document or instrument delivered pursuant to this Agreement shall to any extent be declared or determined to be invalid or unenforceable, the validity, legality and enforceability of the remainder of this Agreement, or the application of such provision to person or circumstances other than those as to which it is invalid or unenforceable, shall not be affected or impaired thereby, and each provision of this Agreement shall be valid and enforceable to the fullest extent of the law.
- L. This Agreement shall be binding upon the parties hereto and their successors, heirs and assigns.
- M. The failure of either party to enforce the terms of this Agreement shall not constitute a waiver of any such provision or the rights of any party at any time to avail themselves of such rights and remedies as either may have for any breaches of such provision.

N. The parties agree that any action relating to the Agreement shall be instituted and prosecuted in the courts of the County of Jackson, State of Michigan and governed by the laws of the State of Michigan.

O. This Agreement, upon its acceptance by the parties, shall constitute the entire Agreement and understanding between the parties and supersedes all prior and contemporaneous negotiations, representations, and agreements, whether written or oral, with respect to the subject matter herein.

The parties have signed this Agreement the dates indicated below.

Date: \_\_\_\_\_  
Shelly Hill

Date: \_\_\_\_\_  
Roy Wade

CITY OF JACKSON

Date: \_\_\_\_\_ By: \_\_\_\_\_  
Martin J. Griffin  
Its Mayor

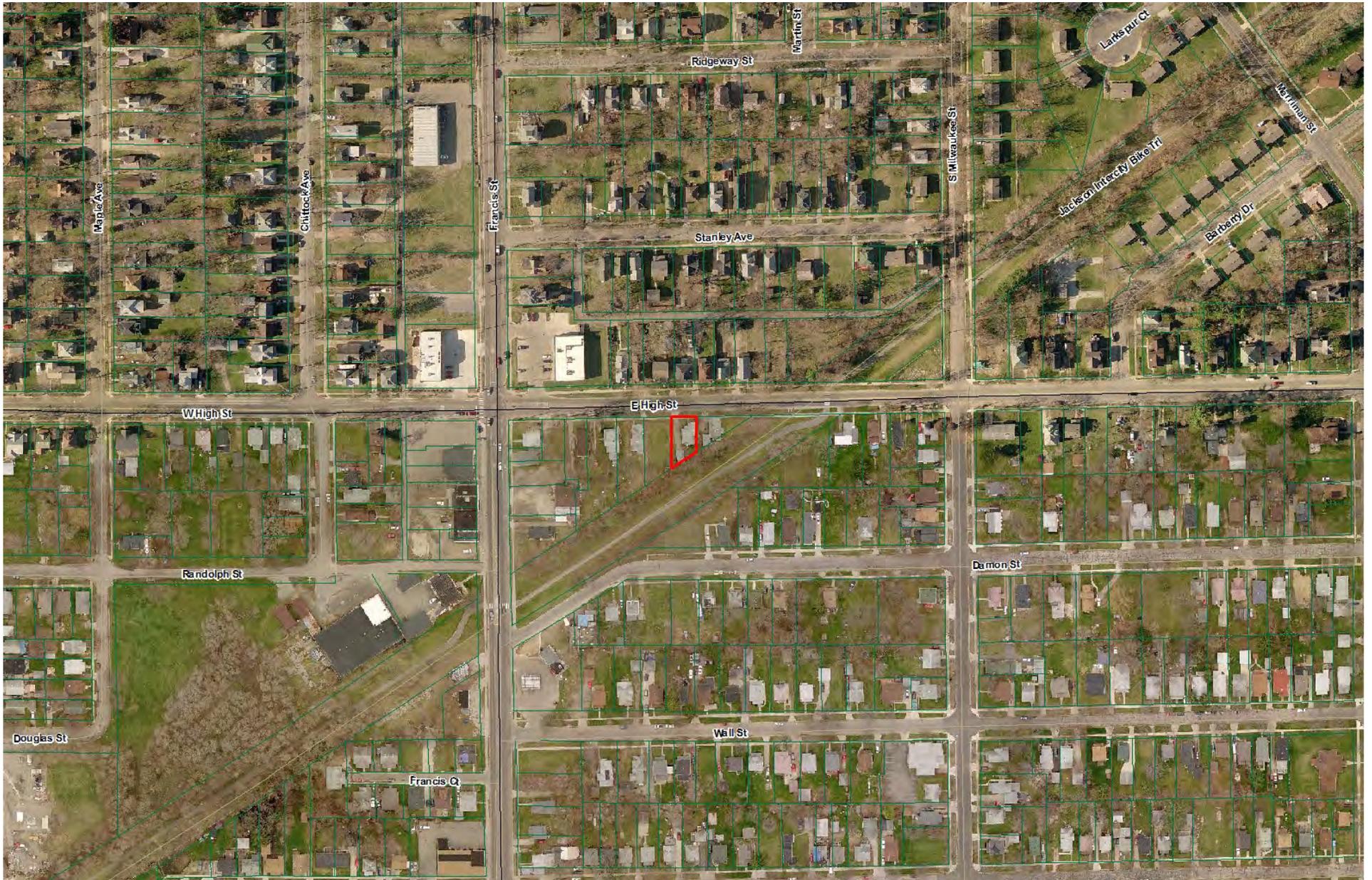
Approval as to form:

Bethany M. Smith  
Bethany M. Smith  
Interim City Attorney

Approval as to content:

Patrick H. Burtch  
Patrick H. Burtch  
City Manager

# 121 E High St



AGREEMENT REGARDING TRANSFER OF PROPERTY  
AND DEMOLITION OR REHABILITATION  
OF DANGEROUS AND UNSAFE STRUCTURE

This Agreement, entered into on the \_\_\_\_\_ day of \_\_\_\_\_, 2013 between United Midwest Savings Bank, (“Owner”), a federally chartered savings bank, whose address is 101 South Main Street, DeGaff, Ohio 43318, and the City of Jackson, a Michigan municipal corporation, with offices at 161 West Michigan Avenue, Jackson, Michigan 49201 (“the City”),

RECITALS

WHEREAS, Owner owns title to real property located within the City of Jackson, County of Jackson, State of Michigan to wit:

Lot 59, Except the North 30 feet thereof, Assessor’s South Plat, according to the recorded plat thereof, as recorded in Liber 9 of Plats, Page 27, Jackson County Records.

and commonly known as 1027 South Jackson Street, Jackson, Michigan (“the property”);

WHEREAS, a vacant, substandard, deteriorated, or dilapidated building is located on the above described property;

WHEREAS, Owner and the City desire to have the building either removed from the property or rehabilitated, and acknowledge that its removal or rehabilitation is for the betterment of the public’s health, safety, and welfare; and;

WHEREAS, Owner wishes to transfer title to the real property to the City in order to avoid liability for the costs of demolishing the structure on the property; and

WHEREAS, the City is willing to remove the building by demolition or rehabilitate the building at the City’s expense upon transfer of the property to the City.

NOW THEREFORE, the parties mutually agree as follows:

- A. The above recitals are incorporated by reference into this Agreement and form an integral part of this Agreement.
- B. This agreement is a result of negotiation between the parties, and accordingly, it will not be construed against either party in the event of a dispute or litigation arising out of this Agreement.

- C. Owner certifies that no liens, mortgages, or other Ownership interests exist concerning said property.
- D. Owner shall convey the property to the City via quit claim deed.
- E. At the time of transfer of the property, Owner shall pay all outstanding property taxes owed on the property.
- F. At the time of transfer of the property, Owner will pay any and all liens, special assessments, judgments, invoices or other indebtedness of the Owner related to the property that are due and owing to the City.
- G. The City shall either demolish the building(s) on the property described above, remove all demolition debris, and grade and restore the site, or may rehabilitate the building(s) on the property.
- H. Owner shall not be responsible for any of the costs of rehabilitation of the building(s), or for demolishing the building(s), removal of demolition debris, or site grading and restoration.
- I. Owner certifies that there are no hazardous materials located, stored, kept, or maintained on or about the above described property.
- J. Except for acts of the City's sole negligence or wrongdoing, Owner shall indemnify, defend and save harmless City from and against any demand, liability, cost, damage, loss or claim, including property damage, personal injury or death, brought by any third party in connection with this Agreement and the demolition services performed by the City pursuant to this Agreement.
- K. If any one or more of the provisions of this Agreement or in any other document or instrument delivered pursuant to this Agreement shall to any extent be declared or determined to be invalid or unenforceable, the validity, legality and enforceability of the remainder of this Agreement, or the application of such provision to person or circumstances other than those as to which it is invalid or unenforceable, shall not be affected or impaired thereby, and each provision of this Agreement shall be valid and enforceable to the fullest extent of the law.
- L. This Agreement shall be binding upon the parties hereto and their successors, heirs and assigns.
- M. The failure of either party to enforce the terms of this Agreement shall not constitute a waiver of any such provision or the rights of any party at any time to avail themselves of such rights and remedies as either may have for any breaches of such provision.

N. The parties agree that any action relating to the Agreement shall be instituted and prosecuted in the courts of the County of Jackson, State of Michigan and governed by the laws of the State of Michigan.

O. This Agreement, upon its acceptance by the parties, shall constitute the entire Agreement and understanding between the parties and supersedes all prior and contemporaneous negotiations, representations, and agreements, whether written or oral, with respect to the subject matter herein.

The parties have signed this Agreement by their authorized officers or agents on the dates listed below.

Dated: \_\_\_\_\_

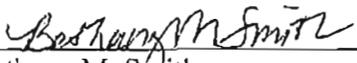
\_\_\_\_\_  
United Midwest Savings Bank  
By: Terry M. White  
Its: President

CITY OF JACKSON

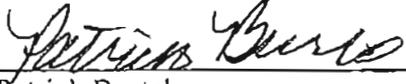
Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Martin J. Griffin  
Its Mayor

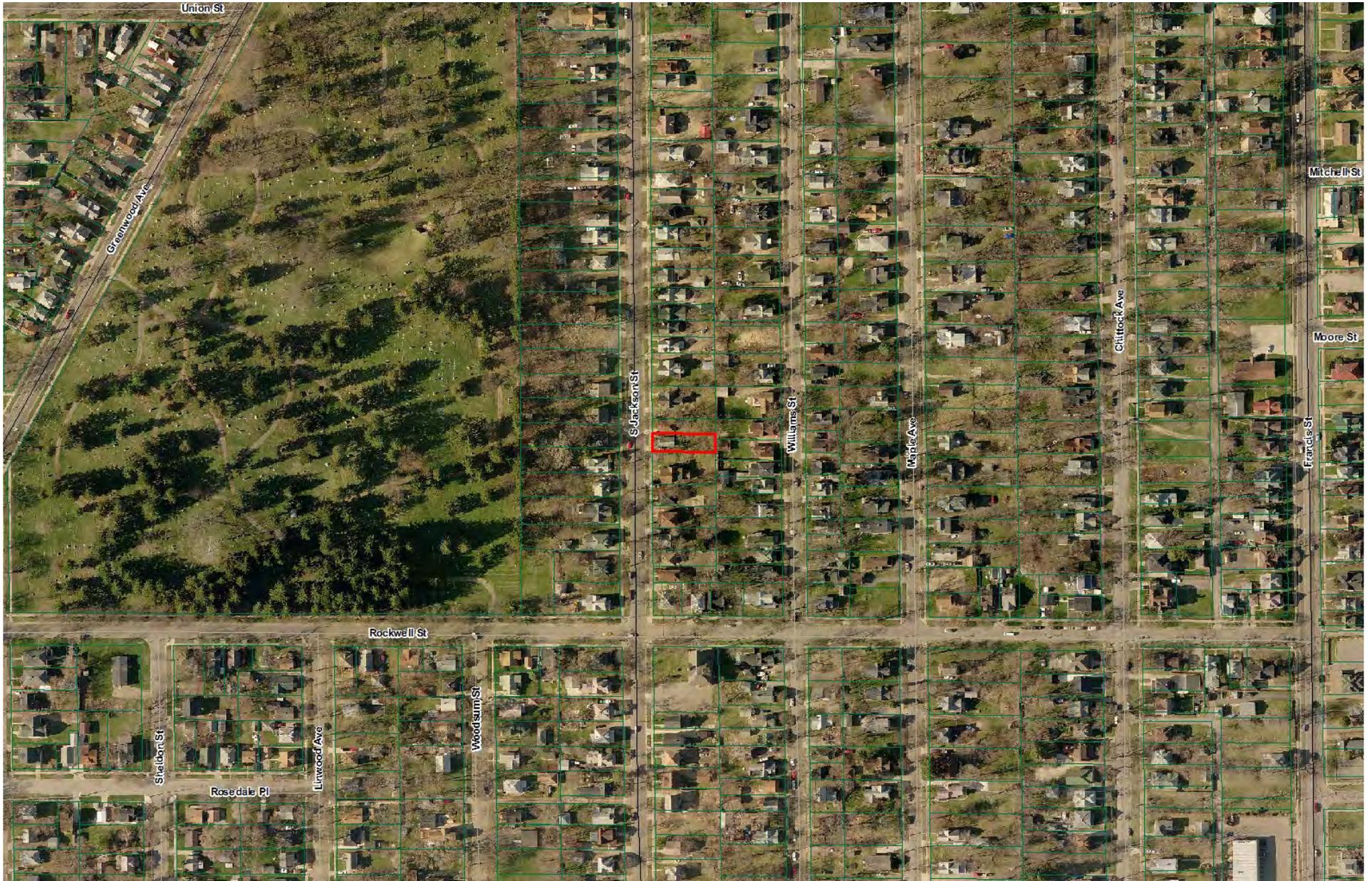
Approval as to form:

  
\_\_\_\_\_  
Bethany M. Smith  
Interim City Attorney

Approval as to content:

  
\_\_\_\_\_  
Patrick Burch  
City Manager

1027 S Jackson St



AGREEMENT REGARDING TRANSFER OF PROPERTY  
AND DEMOLITION OR REHABILITATION  
OF DANGEROUS AND UNSAFE STRUCTURE

This Agreement, entered into on the \_\_\_\_\_ day of \_\_\_\_\_, 2013 between James Cannon, a single man, (“Owner”), whose address is 5607 Page Avenue, Jackson, Michigan 49201, and the City of Jackson, a Michigan municipal corporation, with offices at 161 West Michigan Avenue, Jackson, Michigan 49201 (“the City”),

RECITALS

WHEREAS, Owner owns title to real property located within the City of Jackson, County of Jackson, State of Michigan to wit:

The North 40 feet in width of Lot 12, Block 6, Carr’s East Addition to the City of Jackson, according to the recorded plat thereof, as recorded in Liber 3 of Plats, Page 24, Jackson County Records.

and commonly known as 707 S. Elm Street, Jackson, Michigan (“the property”);

WHEREAS, a vacant, substandard, deteriorated, or dilapidated building is located on the above described property;

WHEREAS, Owner and the City desire to have the building either removed from the property or rehabilitated, and acknowledge that its removal or rehabilitation is for the betterment of the public’s health, safety, and welfare; and;

WHEREAS, Owner wishes to transfer title to the real property to the City in order to avoid liability for the costs of demolishing the structure on the property; and

WHEREAS, the City is willing to remove the building by demolition or rehabilitate the building at the City’s expense upon transfer of the property to the City.

NOW THEREFORE, the parties mutually agree as follows:

- A. The above recitals are incorporated by reference into this Agreement and form an integral part of this Agreement.
- B. This agreement is a result of negotiation between the parties, and accordingly, it will not be construed against either party in the event of a dispute or litigation arising out of this Agreement.
- C. Owner certifies that no liens, mortgages, or other Ownership interests exist concerning said property.

- D. Owner shall convey the property to the City via quit claim deed.
- E. At the time of transfer of the property, Owner shall pay all outstanding property taxes owed on the property.
- F. At the time of transfer of the property, Owner will pay any and all liens, special assessments, judgments, invoices or other indebtedness of the Owner related to the property that are due and owing to the City.
- G. The City shall either demolish the building(s) on the property described above, remove all demolition debris, and grade and restore the site, or may rehabilitate the building(s) on the property.
- H. Owner shall not be responsible for any of the costs of rehabilitation of the building(s), or for demolishing the building(s), removal of demolition debris, or site grading and restoration.
- I. Owner certifies that there are no hazardous materials located, stored, kept, or maintained on or about the above described property.
- J. Except for acts of the City's sole negligence or wrongdoing, Owner shall indemnify, defend and save harmless City from and against any demand, liability, cost, damage, loss or claim, including property damage, personal injury or death, brought by any third party in connection with this Agreement and the demolition services performed by the City pursuant to this Agreement.
- K. If any one or more of the provisions of this Agreement or in any other document or instrument delivered pursuant to this Agreement shall to any extent be declared or determined to be invalid or unenforceable, the validity, legality and enforceability of the remainder of this Agreement, or the application of such provision to person or circumstances other than those as to which it is invalid or unenforceable, shall not be affected or impaired thereby, and each provision of this Agreement shall be valid and enforceable to the fullest extent of the law.
- L. This Agreement shall be binding upon the parties hereto and their successors, heirs and assigns.
- M. The failure of either party to enforce the terms of this Agreement shall not constitute a waiver of any such provision or the rights of any party at any time to avail themselves of such rights and remedies as either may have for any breaches of such provision.
- N. The parties agree that any action relating to the Agreement shall be instituted and prosecuted in the courts of the County of Jackson, State of Michigan and governed by the laws of the State of Michigan.

- O. This Agreement, upon its acceptance by the parties, shall constitute the entire Agreement and understanding between the parties and supersedes all prior and contemporaneous negotiations, representations, and agreements, whether written or oral, with respect to the subject matter herein.

The parties have signed this Agreement by their authorized officers or agents on the dates listed below.

Dated: \_\_\_\_\_

\_\_\_\_\_  
James Cannon

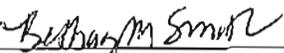
CITY OF JACKSON

Dated: \_\_\_\_\_

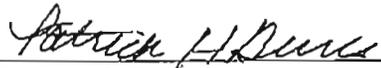
By: \_\_\_\_\_

\_\_\_\_\_  
Martin J. Griffin  
Its Mayor

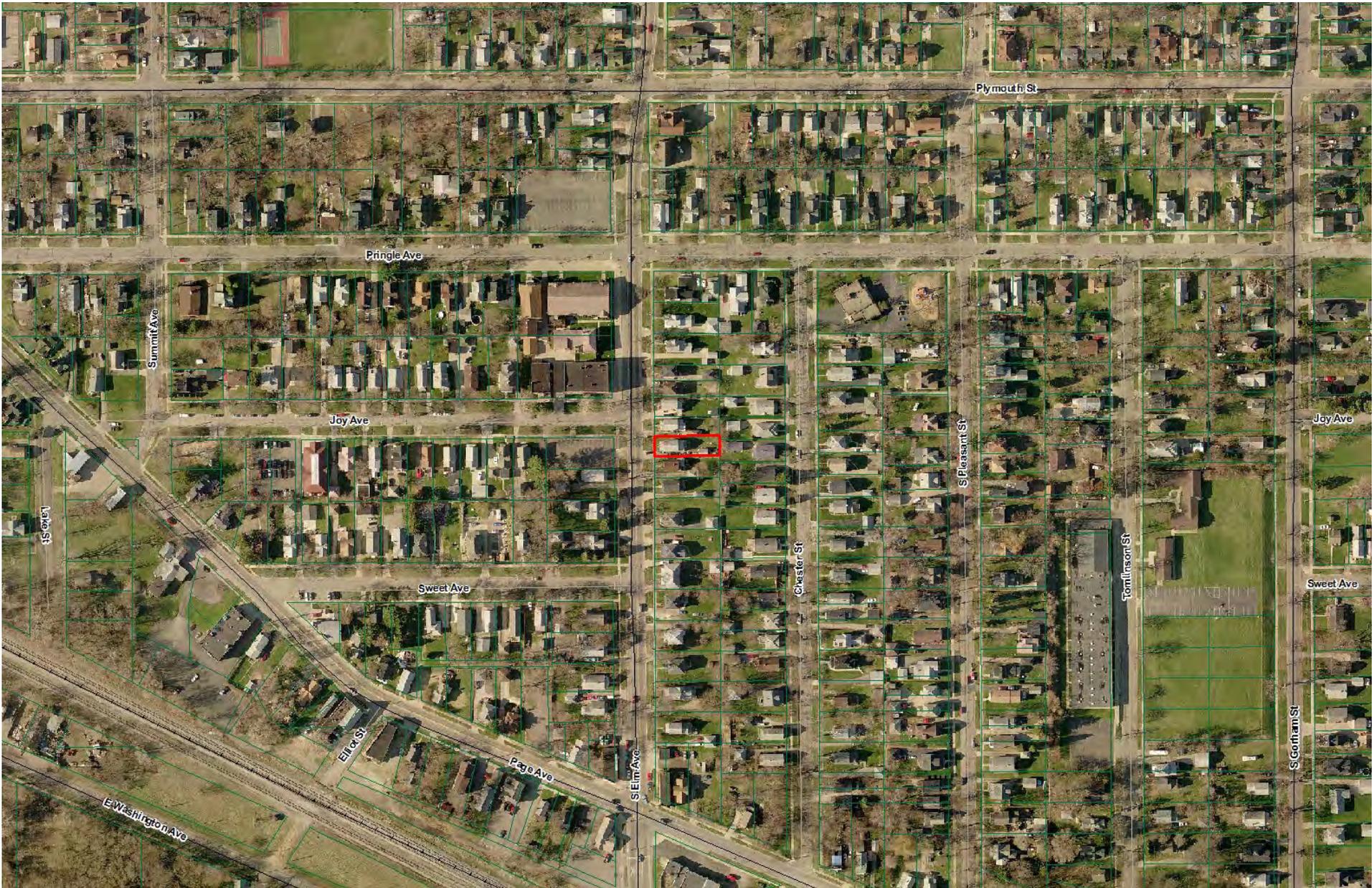
Approval as to form:

  
\_\_\_\_\_  
Bethany M. Smith  
Interim City Attorney

Approval as to content:

  
\_\_\_\_\_  
Patrick H. Burtch  
City Manager

707 S Elm Ave





# Neighborhood & Economic Operations

Building a Stronger Jackson

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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 August 13, 2013

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Patrick H. Burtch, City Manager  
**SUBJECT:** Request for Forgiveness of Loan - 133 Arnold Street

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### RECOMMENDATION

**To approve the property owner's request to forgive the rehabilitation loan issued May 5, 2005 in the amount of \$15,136.80 for 133 Arnold Street and to authorize City staff to discharge the related mortgage.**

Neighborhood and Economic Operations staff recently received a request (attached) to forgive a rehabilitation loan in the amount of \$15,136.80 from the property owner of 133 Arnold Street. This deferred loan is due in full May 2025. The homeowner received assistance in 2005 to rehabilitate the home to city code standards. Since that time, the homeowner has experienced financial hardships and is unable to remain current with her monthly expenses.

The property is currently listed as a short sale on the market for \$22,000.00 in an effort to avoid foreclosure. The current balance on the primary mortgage is \$53,286.00. The loan held by the City is subordinate to the primary, secured mortgage (i.e., in second position). As a result, when the property is sold, there will not be sufficient funds to repay the outstanding loan with the City; nor will the homeowner receive any net proceeds at the closing. Please note, if the property is not sold and is later foreclosed upon, the City will lose all interest in its loan as well.

Cc: Heather Soat, Accounting Manager  
Laurie Huff, Loan Services Assistant

City of Jackson

Attn: Laurie Huff

161 W. Michigan Ave.

Jackson, MI 49201

7/31/2013

City of Jackson,

I am requesting the mortgage on my house, through the City of Jackson, be forgiven as I attempt a short sale on my property at 133 Arnold Street, Jackson, MI 49202. I have had financial difficulties over the past years, having filed bankruptcy once already, and now falling behind in bill payments again.

I am a single mother to my nine year old son and have several monthly child care expenses that do not leave much money to pay bills. I have never received any child support payments from the non-custodial parent to aid me in the monthly expenses or any other financial assistance from the State of Michigan.

I have also spent ten years in college, trying to provide a better living for us, as the sole financial provider, and now have about \$50,000 in financial aid debt that I also have to pay monthly. There are not a lot of opportunities in the Jackson area at this time so I am finding it difficult to move forward in my career and make more money to cover all of my monthly expenses.

My goal is to do a short sale on my property in an attempt to avoid foreclosure. I ask the City of Jackson to please consider forgiving the mortgage amount owed on my property so that I am able to sell the property so that I can continue to financially provide for my son without further damaging my credit.

I appreciate your consideration in this matter.

Respectfully,

A handwritten signature in cursive script that reads "April Bliss". The signature is written in black ink and is positioned above the printed name.

April Bliss



# City of Jackson

## Department of Personnel & Labor Relations

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Crystal Y. Dixon, Director

CITY COUNCIL MEETING  
August 13, 2013

MEMO TO: Honorable Mayor and City Council Members

THRU: Patrick Burch, City Manager *PKB*

FROM: Crystal Y. Dixon, City/County Director of Human Resources *CYD*

SUBJECT: Request to Amend Personnel Policy (Article XVI – Flex Plan/Insurance)

RECOMMENDATION: **To amend the Personnel Policy Article XVI – Flex Plan/ Insurance – Non-Union Non-Medicare Eligible Retiree Prescription Benefit at Retiree’s Cost after Three Years Until Medicare Eligible.**

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The City continues to look for ways to balance cost and operational efficiencies with providing fair and equitable wage and benefit packages for City Employees.

### Background Information:

Prior to July 1, 2006, the Employees Retirement System funded prescription drug benefits to retirees. That funding was no longer sustainable by the pension system. Effective with the 2006-2007 fiscal year, the City began funding prescription drug benefits for a maximum of three years for non-union employees. This three year limitation provides real challenges for pre-age 65 retirees to have access to prescription drug coverage, as the market currently does not offer stand-alone prescription drug plans. There are prescription discounts on the market, but those are vastly different from prescription drug benefit plans.

JFP Benefit Management has indicated that the current non-Medicare eligible, non-union pre-age 65 retiree health insurance plan, Community Blue PPO \$5000, does offer the prescription drug coverage to be “carved out.” This means that the City can offer access to our pre-65 non-union non-Medicare eligible retirees to purchase and pay 100% of the prescription drug coverage after their three years of prescription drug coverage has expired, provided that they maintain participation in the City’s medical plan. (Blue Cross will not allow a person to only take the prescription drug coverage with this plan). This provides the retiree with continued access to prescription drug coverage with the retiree paying 100% of the cost.

The following table shows the break out of the current non-union retiree medical and prescription drug plan costs for non-Medicare eligible retirees (excluding State of Michigan claims tax):

Rates - CBPPO\$5000 + Rx as of 7/1/2013

Contract Type	Medical Only	Rx	Total
Single	\$381.34	\$104.59	\$485.93
Two Person	\$915.23	\$251.02	\$1166.25
Family	\$1144.03	\$313.78	\$1457.81

Administration is recommending that the Mayor and City Council approve this change which will affect those pre-age 65 non-union non-Medicare eligible retirees currently in the three year window and those retiring in the future to have access to this 100% retiree-paid prescription drug coverage until such time as they are Medicare eligible. This proposal does NOT apply retroactively to any non-union retirees who have already had the three year window expire.

Recommendation: Amend Personnel Policy Article XVI – Flex Plan/Insurance to allow all non-union pre-age 65 non-Medicare eligible retirees (all retirement categories) who retired on or after August 13, 2010, to at the conclusion of their three years of City provided prescription drug benefit coverage, have access to the City’s retiree prescription drug benefit plan with the non-union retiree paying 100% of the cost until such time as they are Medicare eligible.

Thank you for your consideration.



**CITY COUNCIL MEETING**  
**August 13, 2013**

**MEMO TO: Honorable Mayor and City Councilmembers**

**FROM: Patrick H. Burtch, City Manager**  
**Todd Knepper, Department of Public Works** *TSK*

**SUBJECT: Consideration of a request to approve a professional service agreement with Hydro Designs, Inc. to conduct and maintain the City of Jackson Cross Connection Control program for three years at an annual cost of \$42,576.00, equating to a total contract cost of \$127,728.00.**

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**RECOMMENDATION: To approve a three year professional services agreement with Hydro Designs, Inc. for cross connection control program services at a cost of \$127,728.00 and authorize the Mayor and City Treasurer/Clerk to execute the agreement.**

The City of Jackson maintains a cross connection control program for the drinking water system as required in Part 14 of the Michigan Safe Drinking Water Act, 1976 (PA 399 as amended). This program includes regular inspection of facilities that are serviced by the City's water supply system in an effort to reduce and eventually eliminate potential cross connections to the water supply.

In 2010, a three year professional services agreement was initiated with Hydro Designs, Inc. to conduct the necessary surveys and inspections, recommend appropriate action and complete the required reporting to the Department of Environmental Quality. Working in conjunction with City staff, over 260 service locations are inspected annually and that number is proposed to be increased to 400 inspections per year as part of the new agreement. The current agreement cost is \$43,332.00 annually or \$129,996.00 over the life of the agreement. The new proposal provides for a 1.8% reduction in cost while increasing the number of inspections by 35%.

Hydro Designs has proven to be a valuable partner in our department's effort to operate and maintain a safe and reliable drinking water supply. Over the last three years, they have inspected over half of the City's water service accounts, and with the proposed increase in annual inspections, the remaining accounts should be inspected over the next several years.

The funds for this service are included in the approved 2013-2014 Department of Public Works-Utility Division budget.

# Proposal

January 25, 2013

Todd Knepper  
Utility Director  
City of Jackson  
2995 Lansing Street  
Jackson, MI 49202

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Hydro Designs, Inc. Background

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Executive Summary

1

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Professional Service Agreement

2 - 8

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Appendix

9 - 16

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# We Keep Drinking Water Safe.....”



Hydro Designs, Inc. (HDI) is a professional service firm that has developed a unique niche in the maintenance of drinking water quality and protection from backflow which is the core of our business.

Over the past 28 years our employees have established highly efficient procedures for inspecting, reporting, and maintaining water and other distribution systems.

Our corporate mission is:

“We keep drinking water safe. We make people aware of the inherent risks and associated compliance issues related to water and other distribution systems. Our goal is cost effective compliance.”



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# Executive Summary

## Program Recommendations

Based on your current program, HDI will provide the following services to the City of Jackson. This project is a continued effort for an ongoing Cross-Connection Control Program and will provide the City of Jackson with the necessary data and information to maintain compliance with the Michigan Department of Environmental Quality (DEQ) Water Bureau Cross Connection Control Regulations. Once this project has been approved and accepted by the City and HDI, you may expect completion of the following elements within a three (3) year period. The components of the project include:

1. Annually, perform a minimum of **400** initial Inspections, compliance inspections, and re-inspections at individual industrial, commercial, institutional facilities and miscellaneous water users within the City served by the public water supply for cross-connections. Inspections will be conducted in accordance with the DEQ Water Bureau Cross Connection Control regulations.
2. Generate all backflow prevention assembly test notices, non-compliance notices and coordinate/monitor backflow prevention assembly testing compliance for approximately **946** backflow prevention assemblies.
3. Perform administrative functions including: answering water user telephone calls, scheduling of Inspections, mailing of all notices, verification of backflow prevention assembly tester credentials & proper testing results and general customer service and program education inquiries.
4. Generate and document the required program data for the facilities using the HDI Software Data Management Program.
5. Submit comprehensive management reports on a quarterly basis or monthly if requested.
6. Conduct an annual review meeting to discuss overall program status and recommendations.
7. Provide up to six- (6) ASSE approved hose bibb vacuum breakers or anti-frost hose bibb vacuum breakers, (i.e. combination) per facility as required, in order to place a facility into immediate compliance at the time of inspection.
8. Prepare the annual State of Michigan, DEQ Water Bureau Cross Connection Report.
9. Assist the City with a community wide public relations program including general awareness brochures and customized web site cross connection control program overview content and resources. (Sample Resource Web Page: <http://www.hydrodesignsinc.com/wiccc.html>)
10. Provide ongoing support via phone, fax, internet, text or email.

The above services will be provided for:

<b>Monthly Amount: \$ 3,548.00</b>	<b>Annual Amount: \$ 42,576.00</b>	<b>3 Year Contract: \$ 127,728.00</b>
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Contract Amount is based upon a 36-month period. HDI will invoice in 36 equal amounts of \$ 3,548.00



# PROFESSIONAL SERVICE AGREEMENT

This agreement, made and entered into this \_\_\_\_\_ by and between the City of Jackson, organized and existing under the laws of the State of Michigan, referred to as "Utility", and Hydro-Designs, Inc. a Michigan Corporation, referred to as "HDI".

WHEREAS, the Utility supplies potable water throughout its geographic boundaries to property owners; and desires to enter into a professional services contract for cross connection control program inspection, reporting and management services.

WHEREAS, HDI is experienced in and capable of supplying professional inspection of potable water distribution systems and cross connection control program management to the Utility and the Utility desires to engage HDI to act as its independent contractor in its cross connection control program.

WHEREAS, the Utility has the authority under the laws of the State of Michigan and its local governing body to enter into this professional services contract.

NOW THEREFORE, in consideration of the mutual agreements herein contained, and subject to the terms and conditions herein stated, the parties agree as follows:

## ARTICLE I. Purpose

During the term of this Agreement, the Utility agrees to engage HDI as an independent contractor to inspect its potable water distribution system in public, commercial and industrial facilities within the community and document its findings. Each party to this agreement agrees that it will cooperate in good faith with the other, its agents, and subcontractors to facilitate the performance of the mutual obligations set forth in this Agreement. Both Parties to this agreement recognize and acknowledge that the information presented to them is complete and accurate, yet due to the inaccessible nature of water piping or due to access constraints within water user's facilities, complete and accurate data is not always available.

## ARTICLE II. Scope of Services

The scope of services to be provided by HDI under this Agreement will include the inspections, compliance, preparation of quarterly management reports, and annual cross connection reports with respect to the Facilities to the extent specifically set forth in this Article II (hereinafter the "Scope of Service"). Should other reports be included within the scope of services, the same shall be appended to this Agreement as Exhibit 1.

**2.1 PROGRAM REVIEW.** HDI will review for the Utility Cross Connection Control Program. Items for review include the following:

- Review state & local regulations
- Review wording and timeliness for program notifications including:
  - Inspection Notice
  - Compliance Notice
  - Non-Compliance Notices 1-2, Penalty Notices
- Special Program Notices
- Prioritize Inspections
- Review procedures and protocol for addressing specific hazards
- Review program reporting procedures
- Review educational and public awareness brochures
- Obtain updated facility listing and address information
- Establish facility inspection schedule
- Review high hazard and large industrial facility inspection/containment procedures



**2.2 INSPECTIONS.** HDI will perform initial inspections, compliance inspections, and re-inspections at individual industrial, commercial, institutional facilities and miscellaneous water users within the utility served by the public water supply for cross-connections. Inspections will be conducted in accordance with Michigan Department of Department of Environmental Quality– Water Bureau Cross Connection Control Rules.

- *Initial Inspection* – the first time an HDI representative inspects a facility for cross connections. Degree of Hazard is assigned and/or verified during this facility visit. The Degree of Hazard will dictate future re-inspection frequency/schedule of facility, (facility will be either compliant or non-compliant after this inspection).
- *Compliance Inspection* – subsequent visit by an HDI representative to a facility that was non-compliant during the *Initial Inspection* to verify that corrective action was completed and meets the program requirements.
- *Re-Inspection* – Revisit by an HDI representative to a facility that was previously inspected. The re-inspection frequency/schedule is based on the degree of hazard assigned to the facility during the initial inspection (one or five year re-inspection cycle).

**2.3 INSPECTION SCHEDULE.** HDI shall determine and coordinate the inspection schedule. Inspection personnel will check in/out on a daily basis with the Utility designated contact person. Initial check in to include a list of inspections scheduled. An exit interview will include a list of inspections completed.

**2.4 PROGRAM DATA.** HDI will generate and document the required program data for the facilities listed below (in 2.10) using the HDI Software Data Management Program. Program Data shall remain property of the Utility; however, the HDI Software Data Management program shall remain the property of HDI. Data Services to include:

- Prioritizing and scheduling of inspections
- Notify users of inspections, backflow device installation and testing requirements
- Monitor inspection and testing compliance
- Maintenance of program to comply with all DEQ regulations

**2.5 MANAGEMENT REPORTS.** HDI will submit comprehensive management reports on a quarterly & annual basis to the Utility, which will include the following:

- Report format to include electronic updates and/or hard copy
- Electronic reports will be available in a downloadable format
- Number of facilities inspected/surveyed
- Number of facilities compliant/non-compliant
- Backflow prevention assembly testing notices sent and compliance status

**2.6 REVIEW OF CROSS-CONNECTION CONTROL ORDINANCE.** HDI will review the current cross-connection control ordinance and cross-connection control plan. Items for review include:

- Code adoption references, standard operational procedures, program notice documentation, reporting procedures and preference standards.
- Re-inspection frequency for all facilities.
- Backflow prevention assembly testing requirements.

**2.7 VACUUM BREAKERS.** Provide up to six- (6) ASSE approved hose bibb vacuum breakers or anti-frost hose bibb vacuum breakers per facility as required, in order to place a facility into immediate compliance at the time of inspection.

**2.8 PUBLIC RELATIONS PROGRAM.** HDI will continue to assist the Utility with a community wide public relations program including general awareness brochures and web site cross connection control program overview content and resources.



2.9 **SUPPORT.** HDI will provide ongoing support via phone, fax, text, internet or email for the contract period.

2.10 **FACILITY TYPES.** The facility types included in the program are as follows:

- Industrial
- Institutional
- Commercial
- Miscellaneous Water users

**Complex Facilities.** The primary responsibility of the water utility through the State of Michigan Cross-Connection Rules is to protect the public water supply distribution against the entrance of contaminants and/or pollutants. When the water utility is faced with a facility, (i.e., complex piping or potentially hazardous systems) whose Internal piping system is difficult or too complex to follow or is subject to frequent unauthorized changes, service line protection or "containment" of the premises should be required. It is the responsibility of the owner of the property to provide adequate protection of the internal plumbing system from cross connections.

2.11 **INSPECTION TERMS.** HDI will perform 1,200 total Inspections over a three (3) year contract period. The total inspections include all initial inspections, compliance and re-inspections.

2.12 **COMPLIANCE WITH DEPARTMENT OF ENVIRONMENTAL QUALITY & MICHIGAN ADMINISTRATIVE CODE.** HDI will assist in compliance with DEQ and Michigan Administrative Code cross connection control program requirements for all commercial, industrial, institutional and public authority facilities.

2.13 **POLICY MANUAL.** HDI will review and/or develop the comprehensive cross connection control policy manual/plan.

2.14 **INVENTORY.** HDI shall inventory all accessible (ground level) backflow prevention assemblies and devices. Information for testable assemblies to include: location, size, make, model and serial number if applicable.

2.15 **DATA MANAGEMENT.** HDI shall provide data management and program notices for all inspection services throughout the contract period.

2.16 **ANNUAL YEAR END REVIEW.** HDI will conduct an on-site annual year-end review meeting to discuss overall program status and specific program recommendations.

2.17 **CROSS CONNECTION CONTROL BROCHURES.** HDI will provide cross-connection control educational brochures for download at [www.hydrodesignsinc.com](http://www.hydrodesignsinc.com)

2.18 **INSURANCE.** HDI will provide all required copies of general liability, workers compensation and errors and omissions insurance naming the Utility as an additional insured if required.



### ARTICLE III. Responsibilities of the Utility

- 3.1 UTILITY'S REPRESENTATIVE.** On or before the date services are to commence under this Agreement, the Utility shall designate an authorized representative ("Authorized Representative") to administer this Agreement.
- 3.2 COMPLIANCE WITH LAWS.** The Utility, with the technical and professional assistance of HDI, shall comply with all applicable local, state, and federal laws, codes, ordinances, and regulations as they pertain to the water inspection and testing and shall pay for any capital improvements needed to bring the water treatment and delivery system into compliance with the aforementioned laws.
- 3.3 NOTICE OF LITIGATION.** In the event that the Utility or HDI has or receives notice of or undertakes the prosecution of any actions, claims, suits, administrative or undertakes the prosecution of any actions, claims, suits, administrative or arbitration proceedings, or investigations in connection with this agreement, the party receiving such notice or undertaking such prosecution shall give the other party timely notice of such proceedings and will inform the other party in advance of all hearings regarding such proceedings.
- 3.4 FACILITY LISTING.** The Utility must provide HDI a complete updated list of facilities to be inspected. Information to include facility name, address, contact person, and phone number, (if available). *Electronic file format such as Microsoft Excel, etc. is required. An additional one-time fee to manually enter facility listing will be charged at the rate of \$70.00 per hour. Incorrect facility addresses will be returned to the Utility contact and corrected address will be requested.*
- 3.5 LETTERHEAD/LOGO.** The Utility will provide HDI with an electronic file copy of the utility logo or utility letterhead and all envelopes for the mailing of all official program correspondence only.

### ARTICLE IV. Term

- 4.1 TERM AND TERMINATION TERM.** Services by HDI under this Agreement shall commence on \_\_\_\_\_ and end three (3) years from such date, unless this Agreement is renewed or terminated as provided herein. The terms of this Agreement shall be valid only upon the execution of this agreement within 90 days of its receipt. Failure to execute this Agreement within the 90-day period shall deem the proposed terms void.
- 4.2 RENEWAL.** Upon the expiration of this Agreement, HDI will continue to provide services as specified in this Agreement and the Agreement will automatically continue on a month-to-month basis at the same monthly contract dollar amount unless either party notifies the other in writing prior to sixty (60) calendar days before the end of this Agreement.
- 4.3 TERMINATION.** The Utility or HDI may terminate this Agreement at any time and on any date in the initial and renewal terms of this Agreement, with or without any cause, by giving written notice of such intent to terminate to the other party at least thirty (30) days prior to the effective date of termination. Notice of the intent to terminate shall be given in writing by personal service, by an authorized agent, or by certified mail, return receipt requested. The Utility shall pay the balance of any outstanding accounts of work performed by HDI.
- 4.4 BASE COMPENSATION.** From \_\_\_\_\_ the Utility shall pay HDI as compensation ("Base Compensation") for labor, equipment, material, supplies, and utilities provided and the services performed pursuant to this Agreement, the sum of \$3,548.00 per month, \$42,576.00 annually for a three (3) year contract period totaling \$127,728.00.
- 4.5 PAYMENT OF INVOICES.** Upon presentation of invoices by HDI, all payments including base and other compensation shall be due and payable on the first day of each month (due date) for which services will be or have been rendered. All such payments shall be made no later than thirty (30) days after the due date. Failure to pay shall be deemed a default under this agreement. For any payment to HDI which is not made



within thirty (30) calendar days after the due date, HDI shall receive interest at one and one-half (1½) percent per month on the unpaid balance.

- 4.6 CHANGES IN SCOPE OF SERVICES.** In the event that the Utility request and HDI consents to perform additional work or services involving the consulting, management, operation, maintenance, and repair of the Utility's water delivery system where such services or work exceeds or changes the Scope of Services contemplated under this Agreement, HDI shall be provided additional compensation. Within thirty (30) calendar days from the date of notice of such additional work or services, the parties shall mutually agree upon an equitable sum for additional compensation. This amount shall be added to the monthly sum effective at the time of change in scope. Changes in the Scope of Service include, but are not limited to, requests for additional service by the Utility, additional costs incurred in (a) treating Abnormal or Biological Toxic Materials; (b) disposing of process residue; (c) meeting new or changed government regulations or reporting requirements, including changed effluent or potable water standards which increase the cost of operating the Facilities; (d) arising from construction or modification of the Facilities, or (e) expenditures for Capital Improvement and Capital Repairs.
- 4.7 CLIENT CONFIDENTIALITY.** All communications between HDI and the Utility regarding business practices and other methods and forms of doing business will be considered confidential, subject to the requirements of the Freedom of Information Act.
- 4.8 ACCESSIBILITY.** Backflow prevention device information will be completed in full only when the identifying information (i.e. data plate, brass tag, etc.) is accessible and visible from ground level or from a fixed platform/mezzanine.
- 4.9 CONFINED SPACES** – HDI personnel will not enter into confined spaces.

#### ARTICLE V. Risk Management

- 5.1 INFORMATION.** Both Parties to this agreement recognize and acknowledge that the information presented to them is complete and accurate, yet due to the inaccessible nature of water piping, complete accurate data is not always available.
- 5.2 INDEMNIFICATION.** HDI agrees to and shall hold the Utility, its elected and appointed officers, and employees harmless from any liability for claims or damages for personal injury or property damage which is caused by or arises from the sole negligence of HDI in the performance of its services under this Agreement. The Utility agrees to and shall hold HDI, its officers, and employees harmless from any liability for claims or damages for personal injury or property damage which is caused by, or arises from, the sole negligence of the Utility. In the event that both HDI and the Utility are found by a fact finder to be negligent and the negligence of both is a proximate cause of such claim for damage, then in such event each party shall be responsible for the portion of the liability equal to its comparative share of the total negligence. HDI's liability to the Utility for any loss, damage, claim, or expense of any kind or nature caused directly or indirectly by the performance or non-performance of obligations pursuant to this Agreement shall be limited to general money damages in an amount not exceed or within the limits of the insurance coverage provided hereunder. HDI shall in no event be liable for indirect or consequential damages, including but not limited to, loss of profits, loss of revenue, or loss of facilities, based upon contract, negligence, or any other cause of action.
- 5.3 HDI INSURANCE.** HDI currently maintains the following insurance coverage's and limits:

	Occurrence	Aggregate
Comprehensive General Liability	\$1 Million	\$2 Million
Excess Umbrella Liability	\$5 Million	\$5 Million
Automobile Liability (Combined Single Limit)	\$1 Million	
Worker's Compensation/ Employer's Liability	\$1 Million	
Errors and Omissions	\$2 Million	\$2 Million



Within thirty (30) calendar days of the start of the project, HDI shall furnish the Utility with satisfactory proof of such insurance, and each policy will require a 30-day notice of cancellation to be given to the Utility while this Agreement is in effect. These policies will be in effect at the time HDI takes possession of the Facilities. The Utility shall be named as an additional insured according to its interest under the general liability policy during the term of this Agreement.

- 5.4 UTILITY INSURANCE.** The Utility will maintain liability insurance on an all risk basis and including extended coverage for matters set forth in this agreement. The Utility and HDI agree that with respect to insurance coverage carried by either party in connection with the Facilities, such insurance will provide for the waiver by the insurance carrier of any subrogation rights against the Utility or against HDI as the case may be.
- 5.5 RELATIONSHIP.** The relationship of HDI to the Utility is that of independent contractor and not one of employment. None of the employees or agents of HDI shall be considered employees of the Utility. For the purposes of all state, local, and federal laws and regulations, the Utility shall exercise primary management, and operational and financial decision-making authority.
- 5.6 ENTIRE AGREEMENT AMENDMENTS.** This Agreement contains the entire Agreement between the Utility and HDI, and supersedes all prior or contemporaneous communications, representations, understandings, or agreements. This Agreement may be modified only by a written amendment signed by both parties.
- 5.7 HEADINGS, ATTACHMENTS, AND EXHIBITS.** The heading contained in this Agreement is for reference only and shall not in any way affect the meaning or interpretation of this Agreement. The Attachments and Exhibits to this Agreement shall be construed as an integral part of this Agreement.
- 5.8 WAIVER.** The failure on the part of either party to enforce its rights as to any provision of this Agreement shall not be construed as a waiver of its rights to enforce such provisions in the future.
- 5.9 ASSIGNMENT.** This Agreement shall not be assigned by either party without the prior written consent of the other unless such assignment shall be to the affiliate or successor of either party.
- 5.10 REIMBURSABLE EXPENSES.** For the purpose of this Agreement, employee reimbursable expenses shall comply with the published Federal guidelines.
- 5.11 FORCE MAJEURE.** A party's performance under this Agreement shall be excused if, and to the extent that, the party is unable to perform because of actions due to causes beyond its reasonable control such as, but not limited to, Acts of God, the acts of civil or military authority, loss of potable water sources, water system contamination, floods, quarantine restrictions, riot, strikes, commercial impossibility, fires, explosions, bombing, and all such interruptions of business, casualties, events, or circumstances reasonably beyond the control of the party obligated to perform, whether such other causes are related or unrelated, similar or dissimilar, to any of the foregoing. In the event of any such force majeure, the party unable to perform shall promptly notify the other party of the existence of such force majeure and shall be required to resume performance of its obligations under this Agreement upon the termination of the aforementioned force majeure.
- 5.12 AUTHORITY TO CONTRACT.** Each party warrants and represents that it has power authority to enter into this Agreement and to perform the obligations, including any payment obligations, under this Agreement.
- 5.13 GOVERNING LAW AND VENUE.** This Agreement shall be governed by and construed in accordance with the laws of the State of Michigan, regardless of the fact that any of the parties hereto may be or may become a resident of a different state or jurisdiction. Any suit or action arising shall be filed in a court of competent jurisdiction within the State of Michigan, venue by Oakland County. The parties hereby consent to the personal jurisdiction of said court within the State of Michigan.



- 5.14 COUNTERPARTS.** This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original and all of which together shall be deemed to be one and the same instrument.
- 5.15 NOTICES.** All notices, requests, demands, payments and other communications which are required or may be given under this Agreement shall be in writing and shall be deemed to have been duly given if delivered personally, telecopied or sent by nationally recognized overnight carrier, or mailed by certified mail, postage prepaid, return receipt requested, as follows:

If to HDI:

Hydro Designs, Inc.  
c/o John Hudak  
5700 Crooks Road, Ste. 100  
Troy, MI 48337  
(248) 250-5005  
(248) 789-1788 fax

If to Utility:

Todd Knepper  
Utility Director  
City of Jackson  
2995 Lansing Street  
Jackson, MI 49202

- 5.16 SEVERABILITY.** Should any part of this Agreement for any reason, be declared invalid or void, such declaration will not affect the remaining portion, which will remain in full force and effect as if the Agreement has been executed with the invalid portion eliminated.

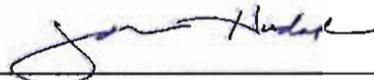
#### **SIGNATURES**

IN WITNESS WHEREOF, the parties have duly executed this Agreement effective as of the date first above written.

**City of Jackson**

\_\_\_\_\_  
By:  
Its:

**Hydro-Designs, Inc.**



\_\_\_\_\_  
By: John Hudak  
Its: President/COO



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## Appendix

### Specific Qualifications & Experience

**Hydro Designs, Inc.** is a professional service organization that specializes In Cross Connection Control Programs. Cross Connection Control Program Management & Training is the main core and focus of our business. We are committed to providing water utilities and local communities with a cost effective and professionally managed cross connection control program in order to assist in protecting the public water supply.

- HDI conducts over 17,000 Cross Connection Control Inspections *annually*.
- HDI tracks and manages over 27,000+ backflow prevention assemblies for our Municipal client base.
- Our highly trained staff works in an efficient manner in order to achieve maximum productivity and keep program costs affordable. We have a detailed **system** and **process** that each of our field inspectors follow in order to meet productivity and quality assurance goals.
- Our municipal inspection team is committed to providing outstanding customer service to the water users in each of the communities we serve. We teach and train customer service skills in addition to the technical skills since our team members act as representatives of the community that we service.
- Our municipal inspection team has attended training classes and received certification from the following recognized Cross Connection Control Programs: UF TREEO, UW-Madison, and USC – Foundation for Cross Connection Control and Hydraulic Research, American Backflow Prevention Association (ABPA), American Society for Sanitary Engineering (ASSE). HDI recognizes the Importance of Professional Development and Learning. We invest heavily in internal and external training with our team members to ensure that each Field Service and Administrative team member has the skills and abilities to meet the needs of our clients.
- We have a trained administrative staff to handle client needs, water user questions and answer telephone calls in a professional, timely and courtesy manner. Our administrative staff can answer most technical calls related to the cross connection control program and have attended basic cross connection control training classes.
- HDI currently serves over 160 communities in Michigan, Wisconsin, Maryland, Delaware, Virginia & Florida. We still have our first customer!
- HDI staff and company are active members in many water industry associations including: National Rural Water Association, State Rural Water Associations, National AWWA, State AWWA Groups, HDI is committed to assisting these organizations by providing training classes, seminars and assistance in the area of Cross Connection Control.
- Several Fortune 500 companies have relied on HDI to provide Cross Connection Control Surveys, Program Management & Reporting to assist in meeting state/local regulations as well as Internal company guidelines.



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## Professional Associations & Organizations

At Hydro Designs, we are citizens of our industry. HDI Associates are active members of the following professional organizations:

- American Backflow Prevention Association (ABPA)  
[www.abpa.org](http://www.abpa.org)
- American Public Works Association (APWA)  
[www.apwa.net](http://www.apwa.net)
- American Society of Sanitary Engineers (ASSE)  
[www.asse-plumbing.org](http://www.asse-plumbing.org)
- American Water Works Association (AWWA)  
[www.awwa.org](http://www.awwa.org)
- International Association of Plumbing & Mechanical Officials (IAPMO)  
[www.iapmo.org](http://www.iapmo.org)
- Michigan Section of American Water Works (MI-AWWA)  
[www.mi-water.org](http://www.mi-water.org)
- Michigan Rural Water Association (MRWA)  
[www.mrwa.net](http://www.mrwa.net) (Associate Member)
- National Rural Water Association (NRWA)  
[www.nrwa.org](http://www.nrwa.org) (Corporate Member)
- University of Southern California Center for Cross Connection Control & Hydraulic Research (USCCFCCC&HR)  
[www.usc.edu/dept/fcchr](http://www.usc.edu/dept/fcchr)



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# Project Staff

## **Glenn Adamus Vice President Operations**

Mr. Adamus has been with HDI for over ten years and is responsible for all field operations. He is conversant in Federal, State and industry drinking water regulations/guidelines as they apply to water quality control practices. Mr. Adamus holds a B.S. in Biochemistry and a Master's of Science in Environmental Science from the University of Michigan – Dearborn. He has performed various water quality analysis projects related to process water and potable water systems and has performed and managed industrial and state cross-connection control projects for over seven years.

In addition to his field experience, Mr. Adamus has the following certifications/training:

### **Michigan Department of Environmental Quality (MDEQ) Water Bureau**

- Soil Erosion & Sedimentation Control Certification, Part 91 – Feb. 2005

### **Michigan Department of Environmental Quality (MDEQ) Water Bureau**

- Certified Construction Site Storm Water Operator Certification – 2005

### **Michigan Department of Environmental Quality (MDEQ) Water Bureau**

- Certified Industrial Site Storm Water Operator Certification – 2005

### **University of Wisconsin Madison – College of Engineering**

- Cross-Connection Control and Backflow Prevention Assembly Testing Certificate, 2007
- Cross-Connection Control and Backflow Prevention Surveyor Certificate, 2009

### **American Society of Sanitary Engineering (ASSE)**

- Series 5000, 5150 Backflow Prevention Program Administrator Certification, January 2010
- Certified Backflow Prevention Assembly Tester, August 2011



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## Project Staff (continued)

### **Paul Patterson** **Director, Municipal Division**

Mr. Patterson has been with HDI since 2004 and is responsible for overseeing operations of Cross Connection Control Programs in Delaware, Florida, Maryland, Michigan and Virginia. He also conducts training in Backflow Prevention and Cross Connection Control for the Michigan Department of Environmental Quality, Michigan Rural Water Association and Delaware Rural Water Association. Prior to HDI, Mr. Patterson was a member of the United States Air Force where he assisted in the implementation of a Cross Connection Control Program at a stateside installation and was involved in numerous construction projects worldwide. Mr. Patterson has over 18 years' experience in plumbing, water distribution, cross connection control and backflow prevention. In addition to his extensive experience Mr. Patterson has also held the following certifications through his career:

#### **State of Nevada**

- Water Distribution Operator
- Journeyman Plumbers License – Clark County
- CAL/NV AWWA Backflow Prevention Assembly Tester

#### **University of Florida – TREEO Center**

- Cross-connection Control Program Manager
- Cross-connection Control Ordinance & Organization
- Cross-connection Control Survey & Inspection
- Cross-connection Control Backflow Prevention Testing

#### **American Society of Sanitary Engineering**

- Cross-Connection Control Backflow Prevention Assembly Testing
- Cross-Connection Control Backflow Prevention Assembly Repair
- Backflow Prevention Program Administrator
- Instructor/Proctor – Backflow Prevention Assembly Tester Course
- Instructor/Proctor – Cross Connection Control Surveyor Course
- Instructor/Proctor – Backflow Prevention Program Administrator Course

#### **State of Virginia**

- Commercial Plumbing Inspector
- Backflow Prevention Device Worker

#### **International Code Council**

- Commercial Plumbing Inspector



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## Project Staff (continued)

### **Mark Kneibel**

#### **Project Manager, Field Inspector**

Mr. Kneibel joined HDI in July 2011 after working with the City of Wyoming, MI for over 25 years. He holds many licenses and certifications in the water industry and is very active in the Plumbing and Backflow Prevention association communities.

#### **State of Michigan**

- S-1 Waterworks System Operator, I.D. #5344, Expiration 1/2014
  - Journeyman Plumber, License #8214718
  - Plumbing Inspector, Registration #004035
  - Backflow Prevention Assembly Tester, Certification #95-221
- 

### **Jerry Ayers**

#### **Project Manager, Field Inspector**

Mr. Ayers has been employed with Hydro Designs, Inc. for over 5 years. Jerry has performed numerous cross-connection control surveys and inspections at large, complex, high hazard industrial facilities. He recently was promoted to Regional Manager for the Michigan Municipal Division. He holds the following industry certifications:

#### **University of Florida – TREEO Center, June 2008**

- Cross-Connection Control Program Manager Certificate
- Cross-Connection Control Ordinance & Organization Certificate
- Cross-Connection Control Survey & Inspection Certificate

#### **University of Wisconsin – Madison, November 2006**

- Cross-Connection Control and Backflow Prevention Certification

#### **American Society of Sanitary Engineering (ASSE)**

- Series S000, 5150 Backflow Prevention Program Administrator Certification, January 2010
- Certified Backflow Prevention Assembly Tester, August 2011



# Organizational Chart

Hydro Designs, Inc. (HDI)  
**Corporate Office**  
 5700 Crooks Road, Ste. 100  
 Troy, MI 48098  
 (800) 690-6651 or 248-250-5000  
 www.hydrodesignsinc.com  
 www.backflownews.com

Hydro Designs, Inc. (HDI)  
**Wisconsin Office**  
 2665 S. Moorland Rd., Ste. 209  
 New Berlin, WI 53151  
 (800) 315-4305 or 262-264-6402  
 www.hydrodesignsinc.com  
 www.backflownews.com

## Executive Leadership Team

Larry J. LaBluta Founder/CEO 27 Years	Mark L. Martin, CPA Principal/CFO 5 Years
John Hudak President 11 Years	Glenn Adamus VP Operations 10 Years

## Sales, Training & Regulatory Compliance Advisors

Barry Walter Program Advisor Training/Sales Mid-Atlantic Region 17 Years	Gary McLaren Program Advisor Training/Sales WI-MN 7 Years	Open Program Advisor Training/Sales MI-IN-OH-Canada
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"Protect Before You Connect"

## VIRGINIA/MD TEAM

John Glass Field Manager
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## Field Services Program Management Surveys / Inspections

### WISCONSIN TEAM

Craig Wolf Director - WI OPS 2 Years	
Kelly Sterken Client Care Manager 3 Years	
Al Koller Field Services Licensed Journeyman Plumber 4 Years	Jerry Rugg Field Services Large Complex Facilities 4 Years
D.J. Schnokler Field Services Licensed Plumbing & Bldg. Inspector 1 Year	Dan Derouier Field Services Licensed Bldg. Inspector 6 Months
Rick Kinney Field Services 25 Years Water Utility/DPW New Hire	

### MICHIGAN TEAM

Paul Patterson Director 7 Years - HDI 2 Years Air Force Base CCC Program Mgr.	
John Crable Field Services 20 Years	John Moe Field Services 17 Years
Mark Shalawyo Field Services 9 Years	Jerry Ayers Field Services 7 Years
Gary Bendes Field Services 3 Years HDI 30 Years Water Utility and CCC Program Mgt.	Steve Oleskiewicz Field Services 7 Years - HDI 20 Years Water Utility and CCC Inspection
Mark Kneibel Field Services 20 Years Water Utility and CCC Program Mgt.	

## Customer Service Compliance Reports Administration

Edward Auleroth Technical Svc. Mgr. Compliance Reports Data Management 14 Years	Ryan Hensley Client Care Manager 6 Years
Tony Avarbeck Database Conversion/ Set Up 30 years Water Utility	Bethany Patterson Client Care Manager 6 Years
Sharon McMahon Accounting 5 years	Tracy Skuplewski Customer Service 2 Years
	Dan Weinman Customer Service 8 years

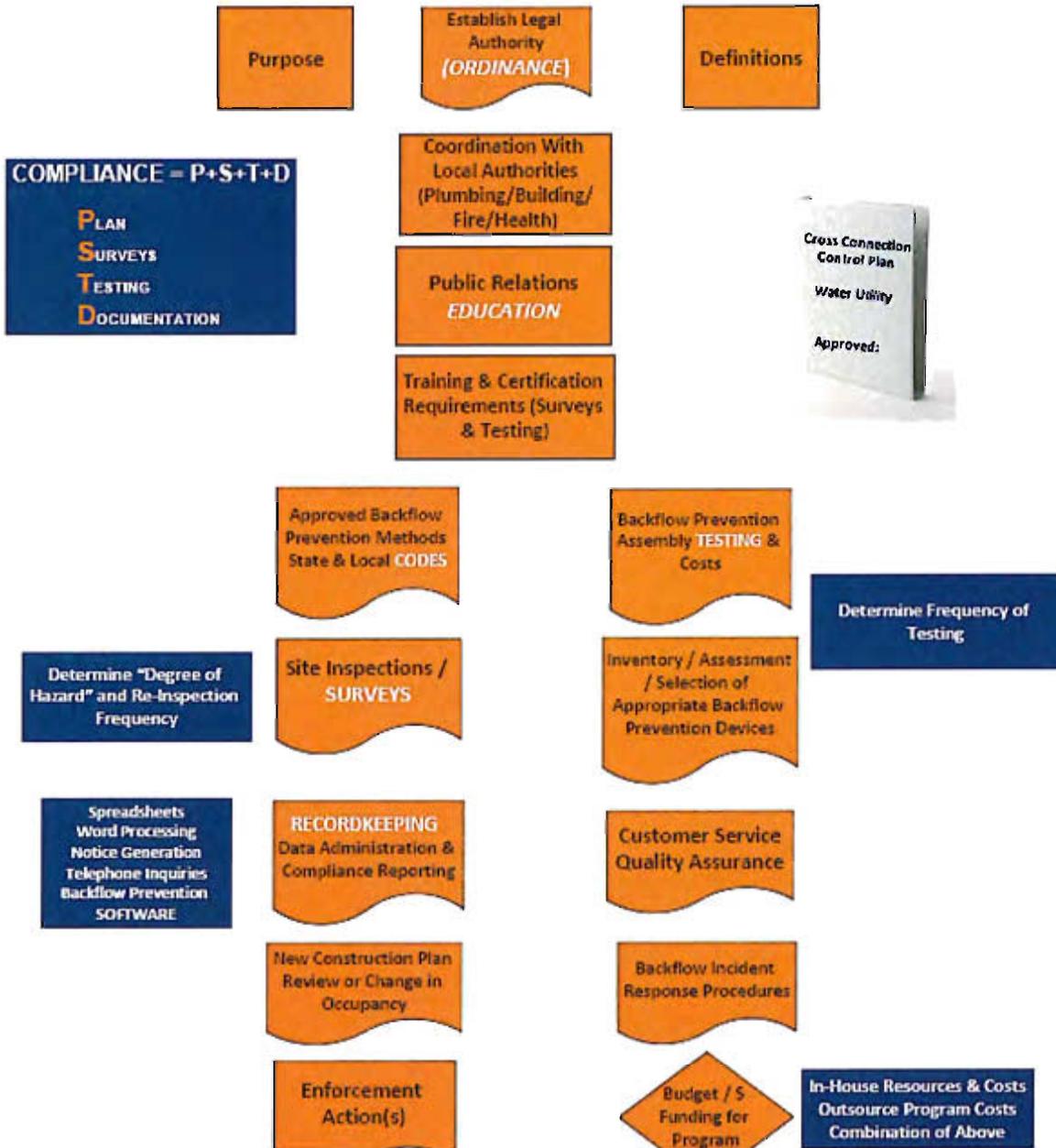
Notice generation, scheduling,  
 database management,  
 recordkeeping, customer service  
 inquiries, telephone support.

HDI utilizes HydroSoft™ Web Based  
 Software for database administration  
 & reporting

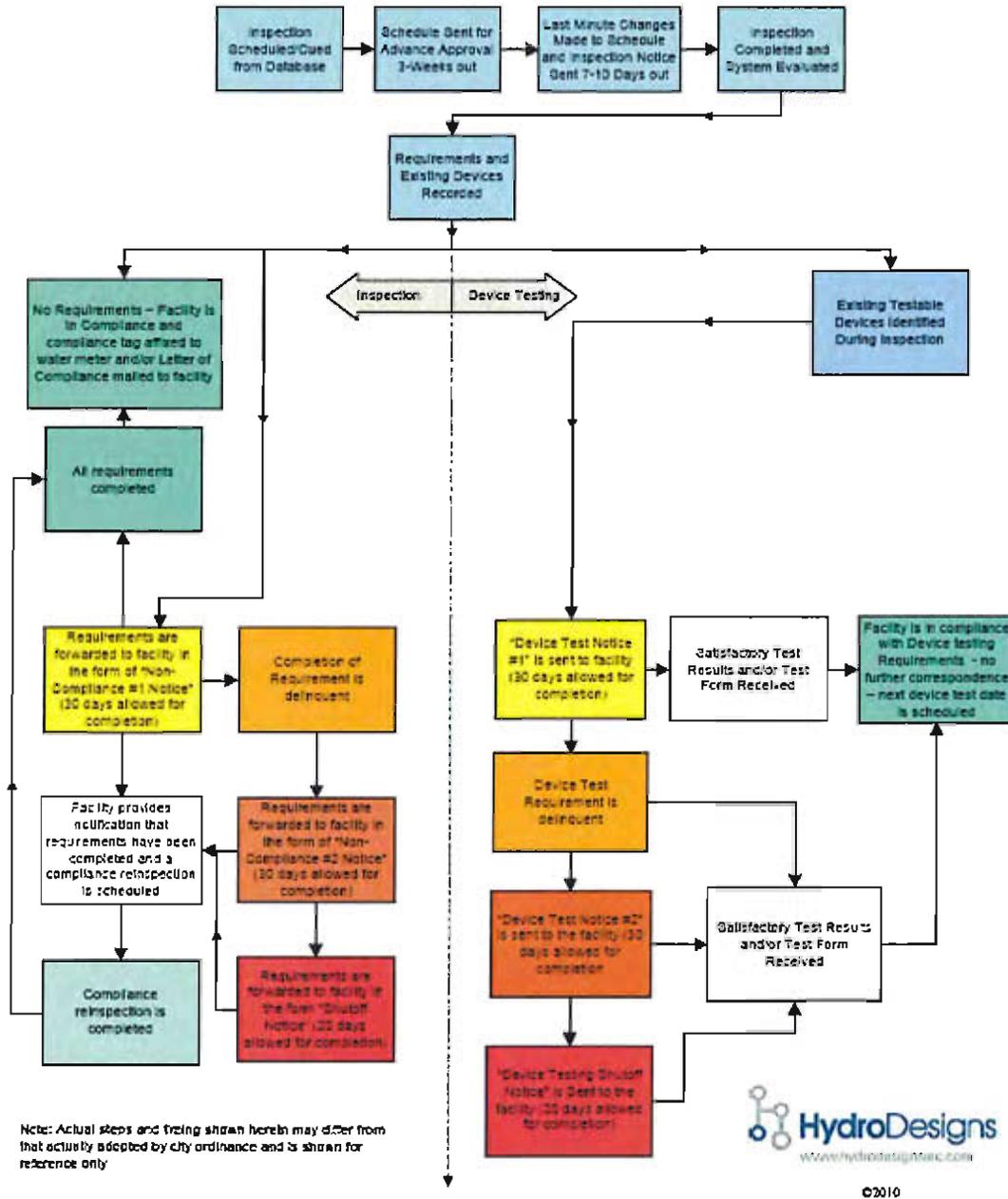
## Certifications / Training



**Cross Connection Control Program**  
**Sample PLAN Components**



## Cross Connection Control Program Completion Process



**Cross-Connection Control Inspection & Backflow Prevention Assembly Testing Components – Process Flow Chart**





**CITY COUNCIL MEETING**  
**August 13, 2013**

**MEMO TO: Honorable Mayor and City Councilmembers**

**FROM: Patrick H. Burtch, City Manager**  
**Todd Knepper, Department of Public Works**

**SUBJECT: Consideration of a request to approve the annual purchase of water and wastewater treatment chemicals.**

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**RECOMMENDATION: Reject the bid from Alexander Chemical Corporation for liquid caustic soda due to bid error and award a chemical supply contract for liquid caustic soda to JCI-Jones Chemical Inc. at a cost of \$552.00 per ton for the 2013-2014 fiscal year and authorize the Mayor and City Treasurer/Clerk to execute the contracts documents.**

On May 30, 2013, twenty bid packets were submitted and opened in the Purchasing Department for water and wastewater bulk chemical treatment supplies for fiscal year 2013-2014. This bid for liquid caustic soda was originally awarded to Alexander Chemical Corporation in June, when they realized an error in the bid and notified the City accordingly. When the calculations were reviewed, the actual low bid became that of JCI-Jones Chemical, Inc.

The total amount of this bid is \$552.00 per ton x 130 tons = \$71,760. The purchase of treatment chemicals is included in the approved 2013-2014 water and wastewater budget.



**CITY COUNCIL MEETING**  
August 13, 2013

**MEMO TO:** Honorable Mayor and City Councilmembers

**FROM:** Patrick H. Burtch, City Manager  
Todd Knepper, Department of Public Works *TSK*

**SUBJECT:** Consideration of a request to approve a contract with LC United Painting of Sterling Heights, Michigan to paint two elevated water storage tanks and one ground storage tank in the amount of \$1,051,000.00.

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**RECOMMENDATION:**

To approve the contract with LC United Painting of Sterling Heights, Michigan to paint two elevated water storage tanks and one ground storage tank in the amount of \$1,051,000.00 and authorize the Mayor and City Treasurer/Clerk to execute the appropriate contract documents.

The City of Jackson west elevated tank, located at West Avenue and North Street, was last painted in 1997. A complete inspection was completed on the 1.5-million gallon tank in 2009 that included a recommendation to prepare the tank for repairs and painting in 2014. The eastern elevated tank, located at Roberts Street and Tyson Street, was last painted in 1998. There was also a complete inspection on this 1.5-million gallon tank in 2008, indicating a timeframe for repairs and painting. The 7.5 million gallon ground storage tank, located at the water treatment plant on Mansion Street, was last painted in 2000.

On July 31, 2013, the City of Jackson Purchasing Department accepted five sealed bids for the repair, preparation and painting of the City of Jackson's two elevated water storage tanks and one ground storage tank. The proposals include some relatively minor repairs to access doors and ladders, the installation of safety railing and the preparation and painting of the interior and exterior of the tanks in accordance with the recommendations of Dixon Engineering, the City's consulting firm for this project. The cost proposals are as follows:

LC United Painting, Sterling Heights, MI	= \$1,051,000.00
Horizon Brothers Painting, Howell, MI	= \$1,086,300.00
Seven Brothers Painting, Shelby Twp, MI	= \$1,162,310.00
TM Coatings, Inc, St. Paul, MN	= \$1,709,300.00
Tecorp, Inc., Joliet, IL	= \$2,160,800.00

This project is expected to begin fall 2013 and is to be completed prior to winter 2014. Given the dependency on proper weather conditions for this type of work, and the fact that it will carry over two fiscal year budgets, partial funding for this project is included in the approved 2013-2014 Department of Public Works-Utility Division budget, and the remaining portion is to be requested in the 2014-2015 budget allocations.



BID TABULATION FOR  
 WATER TANK PROJECT  
 JULY 31, 2013, 10:00 AM

RESERVOIR				LC United Painting Co. 3525 Barbara Dr. Sterling Heights, MI 48310	Horizon Brothers Painting 1053 Kendra Lane Howell, MI 48843	Seven Brothers Painting Inc. 50805 Rizzo Dr. Shelby Township, MI 48315	TMI Coatings Inc. 3291 Terminal Dr. St. Paul, MN 55121	Tecorp, Inc. 2221 Muriel Court Joliet, IL 60433
ITEM NO	DESCRIPTION	ESTIMATED QUANTITY	UNITS	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE
1	Splash Pad	1	Each	2,500.00	1,500.00	3,500.00	7,300.00	4,500.00
2	Foundation Sealant	1	Each	4,000.00	2,000.00	2,000.00	3,900.00	3,000.00
3	Exterior Overcoat	1	Each	103,000.00	127,000.00	72,440.00	150,100.00	143,200.00
4	Wet Interior Repaint	1	Each	309,000.00	325,000.00	426,570.00	544,800.00	581,600.00
5	Pit Piping Repaint	1	Each	4,500.00	6,000.00	3,700.00	2,700.00	5,000.00
TOTAL				423,000.00	461,500.00	508,210.00	708,800.00	737,300.00
EAST TANK								
ITEM NO	DESCRIPTION	ESTIMATED QUANTITY	UNITS	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE
1	Spall Repair	1	Each	3,500.00	2,000.00	3,700.00	5,700.00	2,500.00
2	Safety Rail	1	Each	17,500.00	9,000.00	14,900.00	19,100.00	25,000.00
3	Replace Overflow Weir Box	1	Each	4,000.00	6,000.00	4,700.00	5,600.00	4,000.00
4	Install Stiffeners on the Access Tube	1	Each	2,000.00	1,000.00	800.00	600.00	4,000.00
5	Exterior Overcoat	1	Each	194,000.00	204,900.00	200,100.00	294,000.00	496,000.00
TOTAL				221,000.00	222,900.00	224,200.00	325,000.00	531,500.00
WEST TANK								
ITEM NO	DESCRIPTION	ESTIMATED QUANTITY	UNITS	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE
1	Grout Repair	1	Each	3,500.00	2,000.00	2,000.00	5,700.00	2,500.00
2	Fall Prevention Device - Wet Interior Ladder	1	Each	3,000.00	5,000.00	3,500.00	1,600.00	6,500.00
3	Safety Rail	1	Each	17,500.00	9,000.00	14,900.00	19,100.00	25,000.00
4	Replace Overflow Weir Box	1	Each	4,000.00	6,000.00	4,700.00	5,600.00	4,000.00
5	Install Stiffeners on the Access Tube Door	1	Each	2,000.00	2,000.00	800.00	600.00	4,000.00
6	Exterior Overcoat	1	Each	194,000.00	205,900.00	200,100.00	299,300.00	496,000.00
7	Wet Interior Repaint	1	Each	179,500.00	170,000.00	199,500.00	338,600.00	348,000.00
8	Seam Sealer	1	Each	3,500.00	2,000.00	4,400.00	5,000.00	6,000.00
TOTAL				407,000.00	401,900.00	429,900.00	675,500.00	892,000.00
RESERVOIR				423,000.00	461,500.00	508,210.00	708,800.00	737,300.00
EAST TANK				221,000.00	222,900.00	224,200.00	325,000.00	531,500.00
WEST TANK				407,000.00	401,900.00	429,900.00	675,500.00	892,000.00
TOTAL				1,051,000.00	1,086,300.00	1,162,310.00	1,709,300.00	2,160,800.00

August 7, 2013

City of Jackson  
161 W. Michigan Ave.  
Jackson, MI 49201

Attn: Bob Koehn, Water Treatment Plant Superintendent

Subject: Water Tank Repainting (7,500,000 gallon reservoir and 2-1,500,000 gallon elevated)  
Recommendation for Award

Dear Bob:

Dixon Engineering has reviewed the bids received for repainting the City's 7,500,000 gallon reservoir and two 1,500,000 elevated tanks (east and west tanks) and recommends award to the low bidder, L.C. United Painting of Sterling Heights, MI, for the bid amount of \$1,051,000. This amount includes all line items and is well below our project estimate of \$1,319,000. Bidding was competitive with five bids received. L.C. United Painting is a prequalified contractor with Dixon and in the past has successfully completed many similar projects. Their recent projects include tank repainting for Kalkaska, Pentland Township and East Grand Rapids.

If you have any questions regarding our recommendation, please contact Tom Rounds at (616) 374-3221 ext. 310, or myself at extension 317.

FOR DIXON ENGINEERING, INC.,

Trevor Felton



Staff Engineer

Enclosures



## Police Department

216 E. Washington Avenue - Jackson, MI 49201  
Telephone: (517) 788-4100 — Facsimile: (517) 788-4129

### CITY COUNCIL MEETING August 13, 2013

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Matthew R. Heins, Director of Police and Fire Services  
Patrick H. Burtch, City Manager

**SUBJECT:** Consideration of a request to approve the purchase of four (4) 2014 Utility vehicles for the Police Department

---

#### RECOMMENDATIONS:

**A. To purchase four 2014 Ford Police Interceptor utility vehicles through the State of Michigan MiDeal Contract in the amount of \$107,636.**

The Police Department is requesting authorization from the City Council to purchase four 2014 Ford Police Interceptor Utility vehicles from Gorno Ford of Woodhaven, Michigan. The purchase price which includes factory installed prisoner and rear cages is \$26,909, per vehicle. The Ford Interceptor is a pursuit rated all-wheel drive vehicle which will serve the Department and public well as it would have the ability to respond to emergency calls should adverse weather conditions arise.

The funds to purchase of these vehicles are in the Police Department's 2013/2014 fiscal year budget. The Police Department is now requesting the City Council approve these purchases.



# Neighborhood & Economic Operations

Building a Stronger Jackson

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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 August 13, 2013

**TO:** Honorable Mayor Griffin and City Councilmembers  
**FROM:** Patrick Burtch, City Manager  
**SUBJECT:** Rehabilitation of 503 First Street

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### RECOMMENDATION

#### **Provide direction to Department of Neighborhood & Economic Operations Staff whether to pursue rehabilitation or demolition of 503 First Street**

The City accepted ownership of 503 First Street through a donation. The original anticipated use was to rehabilitate the property and utilize the structure in a renewed Resident Officer Program to help stem the tide of crime in the area.

Upon closer examination of the interior of the structure, it was determined the rehabilitation costs far exceed the value of the property by a factor of four (home value - \$40,000; estimated cost of rehabilitation - \$156,459.68). The placement of 503 First Street within the Under the Oaks Historic District also adds cost to the rehabilitation estimate.

Attached, please find a detailed scope of work necessary to rehabilitate the structure and add a garage, as well as the Neighborhood Economic Stabilization (NES) property evaluation prepared by inspectors in the Department of Neighborhood & Economic Operations.

Please provide direction to staff whether City Council would like to proceed with rehabilitation or proceed with demolition.



# Neighborhood & Economic Operations

## Building a Stronger Community

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

Building Inspection  
(517) 788-4012

Code Enforcement  
(517) 788-4060

Engineering  
(517) 788-4160

Planning & Economic Development  
(517) 768-6433

Date: 8-08-13

Subject: 503 First St. Rehabilitation work scope.

Exterior: Work to be performed in accordance with lead safe work practices and HDC guidelines.

1. Refinish exterior paint coverings in accordance with lead-safe work practices to remove flaking/peeling paint on all siding/soffit/fascia's/porch floors and provide approved encapsulate paint coverings.
2. Replace rotted/damaged rear door (1)
3. Repair rotted wall framing to rear E.
  - a. Remove rotted shake siding and interior drywall.
  - b. Repair/replace any water damaged wall framing
  - c. Re-insulate wall framing
  - d. Replace interior drywall and exterior wood shake siding to match.
4. Front porch. Porch has settled and is pulled away from home on N. side of porch
  - a. Remove bottom shake skirting from porch perimeter
  - b. Install 6 footings (42" frost depth) to align under 4 upper support columns and at each end of center floor support beam.
  - c. Install 5-4x6 support posts
  - d. Install 2-2x12 beam at center of deck extending perpendicular from home. Beam to be supported by new support posts listed in item #4(c).
  - e. Install 2-2x8 girders at outer N. and S. sides of deck. Girders to be supported by house rim framing and new outer support posts noted in item #4(c)
  - f. Repair/replace any water damaged floor joists
  - g. Replace rotted floor planking through center of porch. Refinish remaining porch decking in accordance with lead-safe work practices.
  - h. Replace base/top plates on upper 4 support columns. Refinish columns to original condition.
    - i. Verify solid framing installed below porch columns in knee wall to provide load path to lower support columns.
  - i. Replace bowed soffits with like materials
  - j. Remove/replace front stairway. Install stair treads, handrails, guardrails to code.
    - i. Stairs maximum 8 1/4" riser / minimum 9" treads (max 3/8" deviation)
    - ii. Handrail/Guardrails along open sides of stairway. 34"-38" high with max 4" opening.
  - k. Verify that upper support beam not hollow 1x box beam. If determined that support beam is open box beam, remove interior 1x member, infill with minimum 2-2x8 girder, and re-install inner 1 x member to original condition.
  - l. Repair rotted wood soffits. Repair/replace all water damaged rafter framing/beaded soffits/cornice details to original condition.

5. Demolish NE post/beam entryway and construct attached breezeway/garage
  - a. Remove NE wood post/beam frame entry to home to primary house wall to allow for kitchen expansion.
  - b. Infill existing door openings, provide insulation and new interior wall coverings.
  - c. Repair all siding on NE corner of home to match remaining shake siding.
  - d. Install footings/foundations/slabs for 4'x8' breezeway and 22'x24' attached garage.
  - e. Siding/roofing/windows/doors/ to match primary structure per HDC requirements.
  - f. Install steel entry door and 20 minute firewall separation at garage side of garage/breezeway common wall
6. Remove/relocate existing 30' approach with 22' approach and install 816 sq. ft. new concrete driveway per City Engineering specifications.
7. Replace 770 sq. ft. of City sidewalk per City Engineering specifications
8. Remove all gravel parking area extending from W. First St. sidewalk eastward to NE Franklin St curb cut/approach.
9. Re-grade NW corner of property to NE Franklin St. curb cut/approach
  - a. Finished bladed grade/topsoil/seed/straw
10. Window repairs
  - a. Replace 23 window units and 4 basement window units with historically correct materials
11. Replace front door lockset.
12. Install new gutters and downspouts
13. Tuck-point second story masonry chimney and basement foundation as needed
14. Roof
  - a. Repair rotted second story NW corner and W. second story eyebrow. Rafter framing/soffits falling with birds nesting throughout soffits.
  - a. Remove cornices/wood soffits/fascia. Repair all damaged rafter framing, re-install fascia and beaded soffits and cornices.
  - b. Repair/replace NE flat roof coverings. Repair any water damaged framing materials, install new 7/16" decking and low slope roof coverings.
  - c. Install new roof coverings on all sloped roof sections and attached garage

#### Interior

1. Remove all junk/trash/debris from basement/1<sup>st</sup> story/2<sup>nd</sup> story/attic areas
2. Remove all carpeting and linoleum throughout home (stained/saturated) and install new floor coverings throughout or refinish existing hardwood flooring. Provide water resistant floor coverings in all kitchen and bathroom areas.
3. Remove and replace existing kitchen cabinets with new kitchen configuration due to elimination of NE entry.
4. Install drywall coverings over all interior walls and ceilings due to damaged/flaking wall coverings throughout home
5. Repair/refinish/replace interior trims as needed.
6. Remove/replace basement stair system. Replace with code compliant stairway.
7. Replace electrical system to home due to interior stripping and vandalism.
8. Replace water heater to code
9. Replace furnace system and install new ductwork throughout.
10. Repair/replace all plumbing systems/fixtures throughout home due to interior stripping and vandalism.
11. Install washer/dryer hookups in basement
12. Remove all abandoned phone line systems from basement and second story areas.
13. Clean, sanitize and seal basement floors and walls
14. Repair/replace pieced in 2x6 floor framing supporting 1<sup>st</sup> story floor area. Framing located directly above bottom of basement stair landing.
15. Install hard-wired smoke detectors with battery backups throughout home to code
  - a. Provide Carbon monoxide detectors outside sleeping areas.

16. Add 2x4 knee wall supports in attic area to stabilize 2x6 rafter framing.
17. Remove all knob and tube wiring in attic area previously covered with insulation materials.
18. Re-insulate attic area
19. Provide roof ventilation throughout attic
20. Install closet shelving/clothes rods
21. Provide operable electrical, mechanical, plumbing systems

Permit requirements:

1. Prior to commencement of work, obtain all required permits in accordance with Section 23a of the State Construction Code Act, 1972, 1972 PA 230, MCL 125.1523A prior to commencement of work. (Building, electrical, mechanical, plumbing)

**Neighborhood Economic Stabilization  
Property Evaluation**



<b>Property Information:</b>		<b>Historic District</b>				
<b>503 First St</b> Address	<b>4-038900000</b> PIN	<b>33</b> Area	<b>3</b> # of Units	<b>yes</b> Vacant?		
<b>1920</b> Yr Built	<b>C-2</b> Zoning	<b>66x80</b> Lot Dimension	<b>0.12</b> Acreage	<b>5,227.2</b> Total Lot Sq Footage		
<b>June 25, 2013</b> Date of Evaluation	<b>Taylor</b> Inspector(s)					

**Rehabilitation Estimate**

Item	Measure	Multiplier	Estimate	Comments
<b>1) Adjoining Properties</b>				corner lot - homes south and east
<b>2) Parking on Street</b>				no
<b>3) Sidewalk</b> Replace (over 4 sections damaged)	770 square feet	@ \$3.00 /sq ft	\$2,310.00	replace all public walk to west and north
<b>4) Driveway</b> New installation over existing gravel Remove or repair curb cut	816 square feet 30 linear feet	@ \$2.90 /sq ft @ \$25.00 / linear ft	\$2,366.40 \$750.00	new concrete driveway and relocated approach
<b>5) Exterior Stairs &amp; Rails</b> Replace with treated wood	1 number (ea)	@ \$350.00 each	\$700.00	x2 - 8' wide stair system
<b>6) Front or Rear Porch / Deck</b> Floors & posts settled (rebuild) Demolish/remove porch / deck	192 square feet 32 square feet	@ \$14.00 /sq ft @ \$4.79 /sq ft	\$5,376.00 \$153.28	x2 due to installation of historically correct materials Remove northwest entry mudroom
<b>7) Windows:</b> Wood single pane Standard window replacement Basement windows	23 number (ea) 4 number (ea)	@ \$425.00 each @ \$200.00 each	\$12,600.00 \$800.00	extra added due to installation of historically correct windows replaced in accordance with HUD lead safe work practices
<b>8) Doors</b>	2 number (ea)	@ \$500.00 each	\$1,000.00	extra added due to installation of historically correct doors replaced in accordance with HUD lead safe work practices
<b>9) Roof</b> Re-roof with structural repairs	23 square	@ \$350.00 / sq plus \$1,000	\$9,050.00	
<b>10) Chimney</b> Repair/replace above roof	\$700 flat rate	@ \$700.00 flat rate	\$250.00	tuckpoint only
<b>11) Gutters</b>	\$800 flat rate	@ \$800.00 flat rate	\$800.00	
<b>12) Soffit / Fascia</b> Install new vinyl/aluminum with structural repairs	4 square	@ \$350.00 /sq plus \$1,000	\$2,400.00	repair wood soffits and cornices on west
<b>13) Siding:</b> Wood				



## Neighborhood & Economic Operations Building a Stronger Jackson

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

### CITY COUNCIL MEETING AUGUST 13, 2013

**MEMO TO:** Honorable Mayor and City Councilmembers  
**FROM:** Barry Hicks, AICP, Planning Director *BH*  
**DATE:** August 8, 2013  
**SUBJECT:** City of Jackson Master Plan Rewrite Professional Service Provider

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#### RECOMMENDATION:

To approve an agreement with Beckett & Raeder, Inc., to provide professional services to assist the City with rewriting the Master Plan and to authorize the Mayor to sign the same; and to authorize the City Attorney to make minor modifications for the effectuation of the agreement (*the Planning Commission and staff recommends approval*).

Please find the attached memo presented to the Planning Commission at their last meeting which outlines the Professional Service Provider selection process and the Professional Service Agreement between the City of Jackson and Beckett & Raeder, Inc., to assist with rewriting the City's Master Plan. The Agreement has been reviewed by the Planning Commission, City Attorney and staff and is being recommended for approval.

Att': Memorandum to City Planning Commission  
Professional Service Agreement



## Neighborhood & Economic Operations Building a Stronger Jackson

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

### PLANNING COMMISSION MEETING AUGUST 7, 2013

**MEMO TO:** Planning Commission

**FROM:** Barry Hicks, AICP, Planning Director *BH*

**DATE:** July 31, 2013

**SUBJECT:** City of Jackson Master Plan Rewrite Professional Service Provider Selection Committee

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#### RECOMMENDATION:

To recommend that City Council enter into an agreement with Beckett & Raeder, Inc., to provide professional services to assist the City with rewriting the Master Plan and to authorize the City Attorney to make minor modifications for the effectuation of the agreement (*staff and professional service provider selection committee recommends approval*).

The City has allocated funding to rewrite the Master Plan to provide a vision for the future development of the community that is cohesive with the Overall Economic Stabilization Plan. Under the direction of City Council, the City Planning Commission requested that staff write and issue a Request for Proposals (RFP) to solicit a Professional Service Provider (PSP) to assist with the task. Staff assembled a PSP Selection Committee (the 'Committee') which was comprised of Council members, Planning Commissioners, and key staff and City personnel, to review the RFP's and conduct PSP interviews in order to make a recommendation. The Committee was comprised of:

- Martin Griffin, Mayor/Planning Commissioner
- Sheila Troxel, Planning Commission Vice-Chair
- Laura Dwyer Schlecte, 4<sup>th</sup> Ward City Council Member
- Barry Hicks, Planning Director
- Patrick Burtch, City Manager
- Jon Dowling, City Engineer
- Jonathan Greene, DDA Director/Economic Development Director
- Michelle Pultz-Orthaus, Records Management Coordinator
- Grant Bauman, Region 2 Planning Commission Principal Planner

The City received six (6) responses and interviewed PSPs in two (2) rounds of interviews. One (1) PSP was not selected for an interview; five (5) PSPs were selected for a first round interview; Three (3) PSPs were selected for a second round interview. The committee considered both the PSPs proposals and their presentations and responses to questions during the interviews. The matrix on the next page breaks down the Committees evaluation of each PSP.



The Committee used a point system to evaluate and rank the consultants. Points were issued with a range of 1-6, with ‘1’ being the best score a PSP could receive and a ‘6’ being the worst. The lowest overall scores are indicative of the Committee’s opinion of each of the PSPs capabilities and understanding of the project with regard to each specific item. Each heading refers to a specific item that was either asked to be addressed in the RFP or evaluated during the interview process.

<b>Rank</b>	<b>Consultant</b>	<b>Cost (in thousands)</b>	<b>Timeline (months)</b>	<b>Timeline (ranking)</b>	<b>Graphics</b>	<b>Public Participation</b>	<b>Study Areas</b>	<b>Plan Components</b>	<b>Place Making</b>	<b>Letter of Intent</b>	<b>Local Context</b>	<b>TOTAL</b>
#1	Beckett & Reader	\$131	12	3	1	1	5	1	3	2	2	<b>18</b>
#2	Houseal Lavigne	\$125	10-12	3	1	4	3	1	4	1	1	<b>18</b>
#3	Wade Trim	\$85	16	1	3	3	2	3	1	3	3	<b>19</b>
#4	McKenna	\$75	16	1	4	3	5	3	2	1	1	<b>20</b>
#5	Carlisle Wortman	\$112	14-16	2	3	5	5	2	1	1	2	<b>21</b>
#6	Peter J. Smith	\$129	9	6	3	6	5	2	6	1	6	<b>35</b>

All of the firms except for Peter J. Smith & Company were interviewed during the first round. Beckett & Reader, Houseal Lavigne, and Wade Trim were selected to participate in a second round interview.

The first round interviews consisted of a presentation by the PSP to summarize their proposal, followed by a question and answer period. The second round interviews were a hypothetical design challenge geared towards showcasing each PSP’s creative and graphic capabilities.

There are two considerations regarding cost that is not reflected in the spreadsheet above. The first is that staff found two other Michigan communities, Mount Pleasant and Ypsilanti, that recently issued RFPs to rewrite their Master Plans and asked for similar considerations and analysis that the City of Jackson requested. Both of those communities awarded bids of approximately \$130,000 to complete the tasks. Staff anticipated bids to come in around a similar price.

The second consideration worth noting with regard to cost is based on responses the Committee received during the PSP interviews. The Committee noted that while Wade Trim and McKenna were the lowest in cost, they did not seem to include everything requested in the PSP, such as housing analysis, graphics, all the public hearings that may be necessary, or other items discussed during the interviews. The Committee had concern that these items may have ended up being additional unknown costs that could have potentially resulted in change orders at a future time which would increase the overall cost of the project. The firms Beckett & Reader and Houseal Lavigne had the most ‘all-inclusive’ bids which the committee felt covered everything requested in the RFP and would result in minimal change orders, if any, during the course of the project.

Beckett & Reader and Houseal Lavigne were extremely close and nearly tied for first place. While the Committee found both firms to be well qualified, the factor that pointed the Committee towards Beckett & Reader was that they were based out of Ann Arbor, MI, and Houseal Lavigne was based out of Chicago, IL. The Committee felt that while distance was not a major factor for this type of project,



having a consultant closer in proximity may be advantageous in the event that the presence of personnel from the firm is needed more frequently than anticipated or on short-notice. The City did not receive any responses from Jackson based PSPs.

Please find the attached PSP Agreement between the City of Jackson and Beckett & Raeder, Inc., to assist with rewriting the City's Master Plan. The Agreement has been reviewed by the City Attorney and staff.

Att': Professional Service Agreement

**CITY OF JACKSON**  
**STANDARD TERMS AND CONDITIONS**  
**FOR**  
**PROFESSIONAL SERVICE AGREEMENT**

These Standard Terms and Conditions for Professional Service Agreement (Standard Terms) are incorporated into the Contract for Professional Services between City of Jackson (Owner) and the undersigned, Professional Service Provider (PSP) and are to be part of said Owner - PSP Contract (Contract). If the Standard Terms conflict or are inconsistent with the Contract or any other terms, conditions, specifications or contract documents, the Standard Terms shall govern. In the absence of an Owner - PSP Contract, the Standard Terms shall serve as the Contract between the undersigned parties.

Notwithstanding any other provision contained herein, it is understood and agreed between the undersigned parties that the Contract dollar amount identified in PSP's proposal dated May 1, 2013, (Proposal) constitutes a NOT TO EXCEED Contract dollar amount and shall be deemed full remuneration for all professional services provided, including, but not necessarily limited to, labor, services, out-of-pocket expenses, activities and work described or identified in the Proposal and the Owner's Request for Proposal (RFP) dated March 13, 2013. Said RFP is hereby incorporated by reference as if set forth in full and shall be deemed part of the Standard Terms.

1. **SERVICES:** The PSP shall perform the services, activities and work set forth or identified in the Proposal and RFP.
2. **COMPENSATION:** In consideration of labor, services, activities and work provided by PSP, the Owner shall pay PSP the dollar amounts identified in the Proposal in accordance with the terms of payment set forth herein.

Payment for any extra or additional services provided by PSP that are beyond the scope of the RFP and Proposal is contingent upon preliminary cost estimates for providing such extra or additional services and shall be presented to the Owner for review and written approval prior to performance by PSP.

3. **TERMS OF PAYMENT:** Invoices shall be submitted not more often than monthly to Owner for the services performed and the expenses accounted for under this Agreement during the preceding monthly period. Owner shall pay the full amount of the invoice within 60 days of the invoice date, unless Owner disputes same.

4. **PROFESSIONAL STANDARD:** PSP will perform its professional services under this Agreement by the exercise of due care and skill in accordance with applicable professional standards for services of this type under these circumstances.
5. **INDEPENDENT CONTRACTOR:** It is agreed between the Owner and PSP that employment by PSP to perform services constitutes them as independent contractors and not as an employee of the City.
6. **INSURANCE:** The PSP shall demonstrate that they have obtained professional liability insurance coverage which insurance shall provide coverage for negligent acts, errors or omissions committed or alleged to have been committed by the PSP, with minimum limits of liability of \$1,000,000 per claim. The professional liability coverage shall extend coverage to loss of interest, earnings, profit, use and operations and interruptions, and other special, indirect and consequential damages resulting from negligent acts, errors or omissions of the PSP.

The PSP shall provide evidence of commercial general liability and automobile liability insurance coverage with minimum limits of liability for each policy of \$1,000,000 for each occurrence. Commercial General liability coverages shall name the Owner as an additional insured. The insurance shall protect the Owner from claims for bodily injury, death or property damage which may arise from performance of the work by the PSP.

The PSP shall demonstrate that valid Worker's Compensation and Employer's Liability Insurance coverage, as required by the State of Michigan, is in force for all its employees.

All insurance policies shall be issued on an occurrence basis by financially responsible insurance companies licensed or approved by the State of Michigan and acceptable to the Owner.

7. **TERMINATION OF CONTRACT:** The Owner may at any time, upon seven (7) days prior written notice, terminate this Agreement. Upon such termination, Owner shall pay to PSP all amounts owed PSP under this Agreement, for all work performed to Owner's satisfaction up to the effective date of termination.
8. **DOCUMENTS OF SERVICE:** The PSP agrees that all reports, drawings, letters, work sheets, plans, preliminary material tables, supportive data, documents, and other materials produced by the PSP in the course of and for the purpose of meeting this Agreement, are the property of the Owner, but PSP shall have the right to use same. Owner may obtain copies of any of the above named material for a nominal reproduction charge. The above documents are not intended or represented to be suitable for reuse by the Owner or others on extensions of the Project or on any other project. Any reuse without written verification or adaptation by the PSP for the specific purpose intended will be at the Owner's sole risk.

9. **OPINIONS OF PROBABLE COST:** Opinions of Probable Cost prepared by PSP represent PSP's best judgment as a design professional familiar with the industry. It is recognized, however, that neither PSP nor Owner has control over the cost of labor, materials or equipment, over contractors' methods of determining bid prices, or over competitive bidding, market or negotiating conditions. Accordingly, Owner understands that PSP does not warrant or represent that bids or negotiated prices will not vary from the cost estimates prepared by PSP.
  
10. **OWNER OBLIGATIONS:** Owner shall at no cost to PSP:
  - A. Provide all information to PSP as identified in the RFP.
  - B. Provide to PSP, in a reasonably prompt manner, all data and information in the possession of Owner as may be required by PSP to perform the services under the Contract.
  - C. Provide PSP personnel with access to work sites so that they may perform the work under the Contract without interference.
  - D. Upon written request of the PSP, designate a person to act as Owner representative, who shall have complete authority to transmit instructions, receive information, and interpret and define Owner policies and decisions with respect to the services under the Contract.
  - E. Furnish to PSP prior to any performance by PSP a copy of any specifications, maps, ordinances, or other documents which Owner shall require PSP to follow in its performance of services under the Contract.
  
11. **INDEMNIFICATION:** To the maximum legal extent permissible under Michigan law, the PSP hereby agrees to defend, indemnify, and hold harmless the Owner, its agents, representatives, employees or officials (City), from any and all losses, damages, claims, demands, suits, actions, payments, judgments including any and all expenses, legal or otherwise, and any and all liability for property damage, bodily injury, death, or any other injury or damage, of whatever nature, which arises out of or pertains to any of the work or services performed by the PSP under this Contract and regardless of whether the liability of the City would be based upon allegations of passive negligence involving vicarious liability or liability imposed by operation of law or, in contrast, involves liability predicated upon allegations of active negligence involving acts, omissions of alleged negligence or wrongdoing by the City itself. Provided, however, in the event it were determined that Act 165 of the Public Acts of Michigan 1966, as amended, were applicable and would otherwise make void this provision, it is the intent of the parties that the PSP would defend the City, but then, and only then, would the PSP not be required to indemnify the City for the City's liability predicated upon the City's sole negligence or wrongdoing.

12. GOVERNING LAW: The Contract shall be governed by the laws of the State of Michigan.
13. NO ASSIGNMENT: Neither party shall assign its rights, interests or obligations under the Contract without the express written consent of the other party. Any assignment made without such written consent shall be void; however, such consent shall not be unreasonably withheld.
14. NO WAIVER: The failure of either party to enforce, at any time, the provisions of the Contract shall not constitute a waiver of such provisions or the right of Owner or PSP at any time to avail themselves of such remedies as either may have for any breach or breaches of such provisions.
15. VENUE: The parties agree that any action relating to the Contract shall be instituted and prosecuted in the courts of the County of Jackson, State of Michigan, and each party waives the right to change of venue.
16. NEGOTIATED: It is agreed by the parties hereto that the Contract is a result of negotiation between the parties, and accordingly, it will not be construed against either party in the event of a dispute or litigation arising out of the Contract.
17. ENTIRE AGREEMENT: The Contract, upon its acceptance by the parties hereto, shall constitute the entire and integrated understanding between the parties and supersede all prior and contemporaneous negotiations, representations and agreements, whether written or oral, with respect to the subject matter herein. The Contract may be amended only by written instrument signed by PSP and Owner.

IN WITNESS WHEREOF, The parties hereto have executed this Agreement as of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Project Identification: City of Jackson Master Plan

Professional Service Provider, (PSP)

\_\_\_\_\_  
(Type Name of Company)

\_\_\_\_\_  
Witness

By \_\_\_\_\_

Its \_\_\_\_\_

City of Jackson, (OWNER)

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Martin J. Griffin  
Mayor

Approved as to Content:

Approved as to Form:

\_\_\_\_\_  
Patrick H. Burtch  
City Manager

\_\_\_\_\_  
Bethany M. Smith  
Interim City Attorney

Item	Measure	Multiplier	Estimate	Comments
Repaint			\$8,000.00	Scrape and paint; apply lead-encapsulated paint per HUD lead safe work practices
<b>14) Foundation:</b> Porous cinder-block Tuckpoint	\$250 flat rate	@ \$250.00 flat rate	\$250.00	apply lead-encapsulated paint per HUD lead safe work practices
<b>15) Grade</b>	2 cubic yards	@ \$37.00 /cu yd	\$74.00	
<b>16) Fences</b> (replace)	linear feet	@ \$25.00 /linear ft	\$0.00	
<b>17) Trees/Shrubs</b> Trim bushes/branches around home Remove large tree (overhang house/utilities, or dead)	\$200 flat rate 1 number (ea)	@ \$200.00 flat rate @ \$1,000.00 each	\$400.00 \$1,000.00	x2
<b>18) Outbuildings</b> Reconstruct garage  Repair/replace electric to garage	572 square feet  \$800 flat rate	@ \$48.00 /sq ft  @ \$800.00 flat rate	\$29,380.00  \$800.00	Extra added due to installation of historically correct siding, soffit, fascia and cornices
<b>19) Interior:</b> <b>Class 4 - Interior gutted</b> <i>Repair to code compliance</i>	1560 square feet	@ \$50.00 /sq ft	\$78,000.00	Interior requires total refinish, insulation, installation of new electrical, mechanical and plumbing systems throughout, drywall, skim all walls/ceilings, new flooring throughout, new paint throughout, new kitchen, new appliances
<b>20) Interior Basement Inspection</b>				No access
<b>21) Additional Items:</b> Interior vandalized, piled with miscellaneous household items and debris				
			<i>Exterior Subtotal:</i> \$78,459.68	
			<i>Interior Subtotal:</i> \$78,000.00	
			<b>Total Rehabilitation Estimate: \$156,459.68</b>	

### Demolition Estimate

Item	Measure	Multiplier	Estimate	Comments
<b>1) House</b>	1560 square feet	@ \$9.00 /sq ft	\$14,040.00	
<b>2) Accessory Structures</b>	square feet	@ \$9.00 /sq ft	\$0.00	
<b>3) Curb and gutter</b>	linear feet	@ \$25.00 /linear foot	\$0.00	
<b>4) Grade/land balance</b>	\$500 flat rate	@ \$500.00 flat rate	\$500.00	
			<b>Total Demolition Estimate: \$14,540.00</b>	



# 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 August 13, 2013

**TO:** Honorable Mayor Griffin and City Councilmembers  
**FROM:** Patrick Burtch, City Manager  
**SUBJECT:** Award Four (4) Demolition Contracts in the Total Amount of \$184,685

### RECOMMENDATION:

**Award four (4) demolition contracts in the total amount of \$184,685 for demolition of vacant and abandoned structures based on individual unit pricing to:**

Dunigan Brothers.....	\$63,471
Jule Swartz & Sons Excavating .....	\$34,704
Michigan Demolition .....	\$66,600
Smalley Construction.....	\$19,910

**and authorize the City Manager to approve any and all change orders required to complete the demolitions.**

On August 9, 2013, sealed bids to demolish 23 properties in the City of Jackson were opened and processed. When bidding for demolition contracts, contractors are required to submit pricing for the entire package and for unit prices (cost to demolish an individual structure); contractors also have the option to submit an alternate, discounted bid of awarded the entire package. Two projects that had been part of the original bid package were eliminated after the bid opening for the following reasons:

- **506 Hibbard Ave** – the property owner completed the demolition of the garage at his cost.
- **302 Hill St** – the property owner was issued a permit to demolish the garage at his own cost on August 9, 2013. Demolition should be fully completed before the end of August.

The individual cost of the two garages above was deducted from the bids of those contractors that offered a lower-cost Alternate Bid if they were to be awarded all the demolitions. After careful scrutiny of the attached Bid Tabulation, it was determined the City would realize a total cost savings of \$36,445 over the lowest bid if contracts were awarded to one Contractor. The totals on the Bid Tabulation were reduced by the amount the respective Contractor bid for 506 Hibbard Ave and 302 Hill Street.

Individual unit pricing as follows:

Dunigan Brothers .....	\$63,471
Jule Swartz & Sons Excavating .....	\$34,704
Michigan Demolition .....	\$66,600
Smalley Construction.....	\$19,910

It should be noted that approximately two and a half hours after the bid opening, International Construction notified the Purchasing Agent they were withdrawing their bid. Staff was ready to recommend International Construction be awarded the three projects they were low bidder on; however, after the withdrawal notification, those recommendations shifted to the next lowest bidder, adding a total cost of \$510 to the entire amount.

A recommendation spreadsheet delineating the individual addresses and amounts awarded to each contractor is also attached. The number of demolitions to occur by Ward are:

<b>Ward</b>	<b>No. of Demolitions</b>
1	6
2	3
3	4
4	0
5	7
6	1

cc: Shelly Allard, Purchasing Agent  
Heather Soat, Accounting Manager  
Frank Donovan, Chief Building Official  
Sheila Prater, Records Mgmt Coordinator



**Bid Tabulation**  
**Asbestos Removal and Demolition**  
**Friday, August 9, 2013, 10:00 AM**

		<b>MICHIGAN DEMOLITION</b>	<b>SMALLEY CONSTRUCTION</b>	<b>DUNIGAN BROTHERS</b>	<b>JULE SWARTZ &amp; SONS EXCAVATING</b>	<b>INTERNATIONAL CONSTRUCTION</b>
		<b>4788 Cornell Okemos, MI 48864</b>	<b>1742 West US 10 Scottville, MI 49454</b>	<b>911 E. South Street Jackson, MI 49203</b>	<b>7855 Dixon Rd. Jackson, MI 49201</b>	<b>53618 Cherrywood Shelby Township, MI 48315</b>
<b>Item</b>	<b>Address/Location</b>	<b>Bid Amount</b>	<b>Bid Amount</b>	<b>Bid Amount</b>	<b>Bid Amount</b>	<b>**Bid Withdrawn**</b>
<b>Federally Funded Demolition</b>						
1	400 S. Blackstone Street	\$11,000.00	\$18,050.00	\$14,626.00	\$16,088.00	\$19,303.00
<b>Non-Federally Funded Demolition</b>						
2	1016 Adrian Avenue	7,700.00	7,250.00	8,986.00	8,458.00	9,264.00
3	117 W. Biddle Street	10,700.00	16,650.00	12,636.00	16,148.00	14,758.00
4	604 W. Biddle Street	18,400.00	18,525.00	20,645.00	17,916.00	25,061.00
5	536 N. Blackstone Street	15,200.00	18,600.00	17,292.00	21,008.00	20,277.00
6	708 S. Blackstone Street	11,400.00	11,400.00	10,716.00	13,906.28	11,458.00
7	144 N. Gorham Street	8,400.00	14,025.00	13,407.00	15,980.00	13,870.00
8	1311 Lansing Avenue	8,250.00	8,160.00	8,870.00	13,226.00	8,362.00
9	317 W. Mason Street	100,000.00	70,300.00	46,398.00	72,067.16	67,512.00
10	1514 Plymouth Street	6,000.00	11,360.00	9,626.00	11,973.00	10,666.00
11	207 W. Prospect Street	8,300.00	10,150.00	10,260.00	13,434.00	9,655.00
12	226 W. Prospect Street	7,000.00	8,100.00	10,077.00	11,904.00	10,855.00
13	1042 Walker Street	8,000.00	9,575.00	6,357.00	10,814.00	6,091.00
14	421 Adams Street	NB	2,900.00	3,520.00	2,743.00	3,200.00
15	333 E. Addison Street	NB	5,200.00	3,115.00	2,218.00	2,112.00
16	1409 Chapin Street	NB	2,600.00	5,056.00	6,218.00	6,560.00
17	927 Chittock Avenue	NB	2,500.00	3,881.00	2,443.00	3,528.00
18	1244 Greenwood Avenue	NB	2,900.00	4,462.00	2,533.00	5,000.00
19	506 Hibbard Avenue	NB	2,500.00	3,226.00	No structure on site. Owner removed recently	2,016.00
20	302 Hill Street	NB	2,500.00	3,240.00	1.00	3,000.00
21	304 Hill Street	NB	2,900.00	3,520.00	2,533.00	3,200.00
22	1212 S. Jackson Street	NB	1,900.00	3,072.00	2,218.00	1,920.00
23	710 Lansing Avenue	NB	4,550.00	4,608.00	4,318.00	4,180.00
<b>Totals:</b>		<b>Only bid individually</b>	<b>\$247,595.00</b>	<b>\$221,130.00</b>	<b>\$268,146.44</b>	<b>\$256,832.00</b>

<b>Alternate Bids</b>						
Discounted total if awarded all items in bid package						
As Bid for 23 projects	n/a	\$242,491.00	n/a	\$249,000.00	\$230,000.00	
Less Line Items 19 & 20		5,000.00		1.00	5,016.00	
<b>Total Alternate Bid:</b>	<b>n/a</b>	<b>\$237,491.00</b>	<b>n/a</b>	<b>\$248,999.00</b>	<b>\$224,984.00</b>	

<b>Low Unit Price</b>				
	<b>Address</b>	<b>Type of Structure</b>	<b>Amount</b>	<b>Contractor</b>
1	400 S. Blackstone Street	House	\$11,000.00	Michigan Demo
2	1016 Adrian Avenue	House	7,250.00	Smalley Const
3	117 W. Biddle Street	House	10,700.00	Michigan Demo
4	604 W. Biddle Street	House	17,916.00	Swartz & Sons
5	536 N. Blackstone Street	House/Garage	15,200.00	Michigan Demo
6	708 S. Blackstone Street	House	10,716.00	Dunigan Bros
7	144 N. Gorham Street	House/Garage	8,400.00	Michigan Demo
8	1311 Lansing Avenue	House	8,160.00	Smalley Const
9	317 W. Mason Street	Apartment Bldg	46,398.00	Dunigan Bros
10	1514 Plymouth Street	House	6,000.00	Michigan Demo
11	207 W. Prospect Street	House	8,300.00	Michigan Demo
12	226 W. Prospect Street	House	7,000.00	Michigan Demo
13	1042 Walker Street	House/Garage	6,357.00	Dunigan Bros
14	421 Adams Street	Garage	2,743.00	Swartz & Sons
15	333 E. Addison Street	Garage	2,218.00	Swartz & Sons
16	1409 Chapin Street	Garage	2,600.00	Smalley Const
17	927 Chittock Avenue	Garage	2,443.00	Swartz & Sons
18	1244 Greenwood Avenue	Garage	2,533.00	Swartz & Sons
19	304 Hill Street	Garage	2,533.00	Swartz & Sons
20	1212 S. Jackson Street	Garage	1,900.00	Smalley Const
21	710 Lansing Avenue	Garage/Barn	4,318.00	Swartz & Sons
		<b>Total:</b>	<b>\$184,685.00</b>	
<b>Awarding low unit price provides \$36,445 cost savings to City</b>				

**Demolition Contracts to be Awarded  
By Address and Contractor**

	<b>Low Unit Price</b>	<b>Type of Structure</b>	<b>Amount</b>	<b>Contractor</b>	<b>Award</b>
1	708 S Blacstone St	House	\$10,716.00	Dunigan Bros	
2	317 W Mason St	Apt Bldg	46,398.00	Dunigan Bros	
3	1042 Walker St	House/Garage	6,357.00	Dunigan Bros	<b>\$63,471.00</b>
4	604 W Biddle St	House	17,916.00	Jule Swartz & Sons	
5	421 Adams St	Garage	2,743.00	Jule Swartz & Sons	
6	333 E Addison St	Garage	2,218.00	Jule Swartz & Sons	
7	710 Lansing Ave	Garage/Barn	4,318.00	Jule Swartz & Sons	
8	927 Chittock Ave	Garage	2,443.00	Jule Swartz & Sons	
9	1244 Greenwood Ave	Garage	2,533.00	Jule Swartz & Sons	
10	304 Hill St	Garage	2,533.00	Jule Swartz & Sons	<b>34,704.00</b>
11	400 S Blackstone St	House	11,000.00	Michigan Demo	
12	117 W Biddle St	House	10,700.00	Michigan Demo	
13	536 N Blackstonoe St	House/Garage	15,200.00	Michigan Demo	
14	144 N Gorham St	House/Garage	8,400.00	Michigan Demo	
15	1514 Plymouth St	House	6,000.00	Michigan Demo	
16	207 W Prospect St	House	8,300.00	Michigan Demo	
17	226 W Prospect St	House	7,000.00	Michigan Demo	<b>66,600.00</b>
18	1016 Adrian Ave	House	7,250.00	Smalley Const	
19	1311 Lansing Ave	House	8,160.00	Smalley Const	
20	1409 Chapin St	Garage	2,600.00	Smalley Const	
21	1212 S Jackson St	Garage	1,900.00	Smalley Const	<b>19,910.00</b>
		<b>Total:</b>	<b>\$184,685.00</b>		<b>\$184,685.00</b>

# CITY OF JACKSON



Office of Mayor  
Martin J. Griffin

MICHIGAN

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

## CITY COUNCIL MEETING August 13, 2013

MEMO TO: City Councilmembers  
FROM: Martin J. Griffin, Mayor   
DATE: August 12, 2013  
SUBJECT: Human Relations Commission

### RECOMMENDATION:

**Approval of the Mayor's recommendation to appoint Rev. John C. Clemons to the Human Relations Commission filling a current vacancy beginning immediately, and ending December 31, 2015.**

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

It is my desire, therefore, to appoint Rev. John C. Clemons to the Human Relations Commission filling a current vacancy, beginning immediately, and ending December 31, 2015.

MJG:skh



# CITY OF JACKSON

HUMAN RELATIONS COMMISSION

161 W. MICHIGAN AVENUE

JACKSON, MICHIGAN 49201

PHONE: (517) 788-4167

FAX: (517) 788-4630

MEMO TO: Honorable Mayor Martin J. Griffin

FROM: Jon Hart, Chairman

DATE: August 8, 2013

SUBJECT: Recommendation for Appointment to the Human Relations Commission



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

The HRC voted to recommend the appointment of the following candidate to the HRC for a three-year term. The application is attached.

Rev. John C. Clemons  
143 Moore St.  
Jackson, MI 49203

Your consideration of this recommendation is appreciated.

JH:skh

Attachment

cc: HRC Members



**City of Jackson Board/Commission Application**

Name: REV JOHN C. CLEMONS

Address: 143 MOORE STREET Zip: 49203

Home Phone: 517-768-9198 Other Phone: CELL 313-384-5553

Occupation: PASTOR

Community Involvement/Activity

SOUTHEAST JACKSON MINISTERS ASSOCIATION

Are you a registered voter? YES Ward? 1

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

1. HUMAN RELATIONS COMMISSION 2. \_\_\_\_\_

3. \_\_\_\_\_

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

I HAVE OVER 12 YEARS EXPERIENCE IN THE POSITION  
IN KANS. (SEE RESUME)

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

Rev John C Clemens  
Signature of Applicant

28 JAN 13  
Date

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



Andrew J. Wrozek, Jr  
City Treasurer/City Clerk

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

**CITY COUNCIL MEETING  
AUGUST 13, 2013**

**MEMO TO:** Honorable Mayor and City Councilmembers  
**FROM:** Andrew J. Wrozek, City Treasurer/City Clerk  
**DATE:** August 12, 2013  
**SUBJECT:** Jackson County NORML petitions for an Initiative to add a new section to Chapter 18, Sections 18-151 through 18-158, Code of Ordinances, regarding marijuana.

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**RECOMMENDATION:**

**To have Council decide on action to be taken on the proposed Initiative.**

On July 30, 2013, a group known as Jackson County NORML submitted petitions, with over 500 signatures on them, for an initiative to add a new section to Chapter 18 of the City of Jackson Code of Ordinances, The proposed section would be Chapter 18 -159 and reads, NON-APPLICABILITY TO CERTAIN BEHAVIORS INVOLVING MARIJUANA. NONE OF THE PROVISIONS OF THIS DIVISION SHALL APPLY TO THE USE, POSSESSION OR TRANSFER OF LESS THAN 1 OUNCE OF MARIJUANA, ON PRIVATE PROPERTY, BY A PERSON WHO HAS ATTAINED THE AGE OF 21 YEARS.

I have validated the petitions to have a sufficient number of qualified electors of the City of Jackson, 392 signatures, and qualifies for action by the Council according to City Charter Section 10.1, RIGHT TO INITIATIVE. The timing of the submission of the petitions would allow the proposed ordinance to appear on this general election, November 5, 2013, if council so desires.

1. Unless prohibited by State law, a proposed ordinance may be submitted to the council by petition requesting its adoption. A petition must be signed by qualified electors of the city equal to (10) percent of the total vote for all candidates for mayor at the last general election.
2. If the petition accompanying the proposed ordinance is signed by the required number of qualified electors and is validated by the Clerk, the Council has (20) days after said petition is found sufficient by the Clerk, either:
  - (a) Pass the ordinance without alteration; or
  - (b) Subject to the limitation of this Charter, call a special city election, unless a city primary or a general election is already scheduled within (90) days, and at such election the proposed ordinance shall be submitted without alteration to a vote of the qualified electors of the city.
3. If a majority of the qualified electors voting on the proposed ordinance shall vote in favor, the ordinance shall become an ordinance of the city with immediate effect.