



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

## **AGENDA - CITY COUNCIL MEETING**

September 10, 2013

6:30 p.m.

1. **CALL TO ORDER.**
2. **PLEDGE OF ALLEGIANCE** - Invocation by Andrew R. Frounfelker, 5th Ward City Councilmember.
3. **ROLL CALL.**
4. **ADOPTION OF AGENDA.**
5. **EXECUTIVE SESSION to discuss pending litigation.**
6. **RETURN TO OPEN SESSION.**
7. **PRESENTATIONS/PROCLAMATIONS.**
8. **CITIZEN COMMENTS - AGENDA ITEMS (3-Minute Limit).**
9. **PETITIONS & COMMUNICATION (Accept & Place on File):**
  - A. **Letter of Appreciation for the Demolition Program:**  
Receive a letter of appreciation from Russell T. Hawkins expressing his appreciation of the demolition program.
  - B. **Letter of Appreciation for Preserving Jackson for Homeowners:**  
Receive a letter of appreciation from the Lock family expressing their appreciation for work being done to preserve Jackson for homeowners.
  - C. **Ella Sharp Park Board of Trustees Minutes:**  
Receive the August 21, 2013 Ella Sharp Park Board of Trustees meeting minutes.
  - D. **Human Relations Commission (HRC) Minutes and Notes:**  
Receive the May 15, 2013, HRC Minutes, and the June 19 and July 17, 2013, HRC Notes.

- E. **Jackson Housing Commission Meeting Minutes for July 17, 2013:**  
Receive the Jackson Housing Commission meeting minutes for July 17, 2013.
- F. **Parks & Recreation Commission Minutes:**  
Receive the Jackson Parks & Recreation Commission Minutes of August 21, 2013.

10. **CONSENT CALENDAR.**

- A. **Minutes of the Regular Meeting on August 13, 2013:**  
Approve the minutes of the regular City Council meeting of August 13, 2013.
- B. **Jackson Walk to Cure Diabetes:**  
Approve the request from Mike Wilson to conduct their annual Walk to Cure Diabetes in Ella Sharp Park on Saturday, September 14, 2013, from 8:00 a.m. - 12:00 p.m. (noon). (Contingent upon receipt of proper insurance coverage.)
- C. **MIA/POW Vigil:**  
Approve the request from Vietnam Veterans Chapter 109 to conduct their annual celebration in Withington/Veterans Park on Friday, September 20, 2013, from 3:00 p.m. through Saturday, September 21, 2013, at 3:00 p.m. (Contingent upon receipt of proper insurance.)
- D. **Blue Mass:**  
Approve the request from Knights of Columbus Council 9301 to conduct their annual Blue Mass on Sunday, September 22, 2013, from 9:30 a.m. - 12:00 p.m. (Proper insurance has been received.)
- E. **AIDS Walk:**  
Approve the request from HIV/AIDS Resource Center to conduct their annual AIDS Walk through downtown Jackson on Saturday, September 28, 2013, from 7:00 a.m. - 2:00 p.m. (Proper insurance has been received.)
- F. **Octoberfest:**  
Approval of the request from the YMCA to conduct Octoberfest on W. Wesley St. between S. Jackson and Mechanic St. on Saturday, October 5, 2013, from 9:00 a.m. - 9:00 p.m. (Contingent upon receipt of proper insurance coverage.)
- G. **Making Strides Against Breast Cancer:**  
Approve the request from the American Cancer Society to conduct their annual Making Strides Against Breast Cancer throughout downtown and at the Riverwalk Amphitheatre on Saturday, October 19, 2013, from 10:00 a.m. - 12:00 p.m. (noon). (Proper insurance has been received.)

## 11. PUBLIC HEARINGS.

### Recess as a City Council and Convene as a Board of Review.

#### A. **Special Assessment Roll No. 4231 - Meterless Parking:**

Public hearing on Special Assessment Roll No. 4231, Meterless Parking 2013-2014.

1. Adopt a resolution confirming Special Assessment Roll No. 4231.

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

#### B. **Cox Brothers Machining, Inc. - (IFTEC):**

Public hearing regarding the application filed by Cox Brothers Machining, Inc., located at 2300 E. Ganson Street, for an Industrial Facilities Tax Exemption Certificate.

1. Consideration of a resolution approving an application for an Industrial Facilities Tax Exemption Certificate (IFTEC) for Cox Brothers Machining, Inc.

## 12. OTHER BUSINESS.

#### A. **Ordinance No. 2013.19, Amendment that Prohibits Feeding Deer (Second/Final Reading):**

Final adoption of Ordinance No. 2013.19, 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 No. 2013.20, Amendment to Vehicle and Traffic Code (Second/Final Reading):**

Final adoption of Ordinance No. 2013.20, 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.

## 13. NEW BUSINESS.

#### A. **MDOT Contract - Francis-Mason to Washington:**

Approve a resolution to enter into a contract with the Michigan Department of Transportation (MDOT) for Francis Street reconstruction from Mason Street to Washington Avenue, and authorization for the Mayor and City Clerk to execute the appropriate contract documents.

- B. Ordinance Amendment - Placement of Leaves - Public Ways (First Reading):**  
Consideration of an ordinance amending Article II, Chapter 23, City Code, to add provisions prohibiting the burning of leaves and the placement of leaves in the streets, alleys and public ways of the City for the health, safety and welfare of the Citizens of the City of Jackson.
- C. Ordinance Amendment - Placement of Piles of Leaves - Private Property (First Reading):**  
Consideration of an ordinance amending Chapter 26, City Code, to add provisions prohibiting the placement of piles of leaves on private property for the health, safety and welfare of the Citizens of the City of Jackson.
- D. Purchase of Truck - Parks, Recreation and Grounds:**  
Approval of the request to purchase one (1) 2013 Ford F-150 Truck from Gorno Ford, Woodhaven, in the total amount of \$17,363.00 through the State of Michigan MiDeal Contract for the Parks, Recreation and Grounds Department.
- E. Purchase of Truck - Parks, Recreation and Grounds (Cemeteries):**  
Approval of the request to purchase one (1) 2014 Ford F-350 Dump Truck from Gorno Ford, Woodhaven, in the total amount of \$29,592.00, through the State of Michigan MiDeal Contract for the Cemeteries Department.
- F. Renewal of Workers' Compensation Service Agreement & the Excess Workers' Compensation Service Agreement:**  
Approval of the following requests from the City/County Director of Human Resources:
1. Authorization for the City Manager to execute the appropriate documents for renewal of the Workers' Compensation Professional Service Agreement with Broadspire Services, Inc., for the period or September 1, 2013, through September 1, 2014, and
  2. Authorization for the City Manager to execute the appropriate documents for the renewal of the Excess Workers' Compensation Insurance Professional Service Agreement with Midwest Employers for the period of September 1, 2013, through September 1, 2014.
- \*G. Item removed at request of Petitioner.**
- H. Receipt of CAPER Report:**  
Receive the draft copy of the Consolidated Annual Performance and Evaluation Report (CAPER), authorize dissemination for public comment, and establish a public hearing for the September 17, 2013, City Council meeting.

14. CITIZEN COMMENTS - NON-AGENDA ITEMS (3-Minute Limit).
15. CITY COUNCILMEMBERS' COMMENTS.
16. MANAGER'S COMMENTS.
17. ADJOURNMENT.

**\*Item Removed From Agenda.**

To the City of Jackson

I recently had the pleasure of talking with officer LaPorte on the issue of; the city tearing down the (basically abandoned) or not up to code homes. Homes that may or may not have people with interest in said homes. The issue I find is the uneducated buyers of these homes not being educated on the stipulations (or time limits) on said process. That being said; I would like to see a small local campaign to educate citizens on these issues

If we look at this from a homeowner or other persons of interest in the matter. Then we can see from the national level an (upswing) if you will in mortgage values for the first time in years! Just simply from these homes no longer weighing down the values of yours and mine and our neighbors homes. The amount of homeless people alone not dieing in said homes from extreme conditions or worse (drugs or crime) makes me and my children and I would hope my neighbors as well feel safer.

I also understand that from another point of view people who really did not know the value of what is the bigger picture here. Less than a block from my home a house sits that when bought the owner had good intentions; to fix said home. (However) I could plainly see their error. Due to the prior owner allowing the roof to leak and finally fix and cover (cosmetically) to sell. I knew there would be mold (and there is you can smell from the sidewalk) and they could have saved money by just rebuilding and have a higher value (new) home. I know this because of the field I was in, but the average trying to save a buck person does not and that is the danger. When something like this is being done there will always be a negative side but our safety is prime law.

If the government has to do this to (help) this sad situation then so be it. That is what they are for to (protect us from ourselves or the people from the people) when they otherwise cannot. So I welcome the change and I am glad my children and neighbors are safer; as well as our property/mortgage values go up and up.

Good job on seeing the bigger picture!

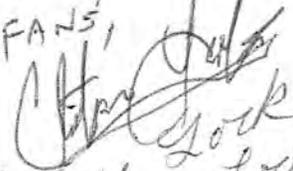
Russell T. Hawkins @ 902 1st street jxn, mi 49203

Summer 2013

Mayor Griffin,

We just wanted to let you know that we're "with you" as you preserve Jackson as a homeowner town; not cheap swim rentals. We appreciate you fighting for the qualities that make Jackson special!

YOUR FANS,

  
Barbara Lock  
Robert Lock



## Parks, Recreation and Cemeteries

161 W. Michigan Avenue • Jackson, MI 49201-1303

Phone: 517-788-4040 • Fax: 1-877-347-4714

[jacksonparksandrec.org](http://jacksonparksandrec.org)

# – Minutes –

## *Ella Sharp Park Board of Trustees*

*Meeting of Wednesday, August 21, 2013 at 4:00 p.m.*

*Ella Sharp Park Golf Hall of Fame Room*

<b>PRESENT</b>		
<b>Trustees</b>	<b>Guests</b>	<b>Staff</b>
<ul style="list-style-type: none"><li>• Martin Griffin, Mayor</li><li>• Elwyn Rider</li><li>• Andrew Frounfelker</li><li>• Derek Dobies, Alternate</li><li>• Arthur Benedetto, Alternate</li></ul>	<ul style="list-style-type: none"><li>• Beckett and Raeder Landscape Architects, planing, Engineering and Environmental Services</li></ul>	<ul style="list-style-type: none"><li>• Eric Terrian</li><li>• Kelli Hoover</li></ul>

1. A motion was made by Trustee Dobies and supported by Trustee Griffin to allow an Jackson Run/Walk for Hunger group to use the Carter's Corner Pavilion and walking trail systems on Saturday, October 6, 2013. *The motion passed unanimously.*
2. Beckett and Raeder Landscape Architects presented a power point of the Ella Sharp Master Plan
3. Mr. Terrian was able to negotiate with Dave Garcia to acquire their Class C Liquor License, (formerly Hudson Grill) for the amount of \$25,000. Funds to purchase this license will come from the Ella Sharp Park Endowment Fund. Trustee Frounfelker made the motion to move ahead with the purchase of the license and the motion was seconded by Trustee Benedetto. *Motion was approve by the board unanimously.*
4. Mr. Terrian has secured enough donations to move ahead with the purchase of a golf simulator for the Ella Sharp Park Golf Club House. Trustee Benedetto made a motion to move ahead with the purchase of the golf simulator and Trustee Frounfelker seconded the motion. *Motion was approve by the board unanimously.*
5. Adjournment: 4:30 p.m.

Next meeting is scheduled for Wednesday, October 16, 2013 at 4:00 p.m.

**HUMAN RELATIONS COMMISSION**  
**MEETING MINUTES**  
May 15, 2013

MEMBERS PRESENT

Teresa Delph  
Alice Lewis  
Jon Hart  
M. Teresa Gibson  
Parrish Stahl

MEMBERS ABSENT

Kathleen Conley (exc.)

EX-OFFICIO

Valerie Cochran-Toops

STAFF

Frank Weathers

GUESTS

1. CALL TO ORDER:

Chair Hart called the meeting to order at 6:31 p.m.

2. APPROVAL OF APRIL 17, 2013, MEETING MINUTES:

A motion was made by Parrish Stahl to approve the April 17, 2013, meeting minutes. Teresa Delph seconded. The motion carried.

3. COMMUNITY LIAISON POLICE OFFICER:

4. CITIZEN COMMENTS:

5. GUEST: None.

6. COMMUNITY UPDATE/CHAIRPERSON'S CORRESPONDENCE:

Chair Hart reported on two community incidents he was involved in. Chair Hart participated in the interview of a new Police Detective. He also was involved in conversations with Dan Evans, Jackson Public Schools Superintendent. Also, he had left a message for the Mayor to contact him, which the Mayor did. They were unable to meet, but Chair Hart will continue to have a dialog with the Mayor about the MLK street renaming proposal and the proposed civil rights ordinance. Chair Hart also reported that Christine and Ed Peterson have put together a civil rights awareness group.

Commissioner Stahl shared information about a Fair Housing Symposium recently held at the Carnegie Branch Library. He would like to see the HRC be more involved and promote things like this more often. Staff said that he will talk to the coordinator of this and ask that they let the HRC know in advance of a program so that it can be advertised. A discussion followed regarding advertising information.

7. STAFF REPORT

Complaint Report: Frank Weathers reported no formal HRC complaints were received. However, he reported that he had some inquiries regarding landlord tenant issues.

8. COMMITTEE REPORTS:

- A. Anti-Violence Neighborhood Committee - Jon Hart, Chair  
Chair Jon Hart reported that he has kept in touch with the Superintendent of JPS and the Police Chief regarding the HRC's concern of anti-violence in the City's neighborhoods.
- B. Complaint Committee – Alice Lewis, Chair  
No report.
- C. MLK Breakfast/Challenge Day Committee – Jon Hart, Chair  
Staff gave a report on the MLK Breakfast/Challenge Day Committee. They are continuing to meet on the fourth Thursday morning of each month. A speaker has been confirmed for the 2014 Breakfast, former State Senator Gilda Jacobs, who is the President and CEO of the Michigan League of Human Services (Michigan League of Public Policy). Also, the committee continues to raise money for Challenge Day.
- D. Nominating Committee – Kathleen Conley, Chair  
A discussion took place regarding the May 28<sup>th</sup> application deadline. Alice Lewis reported that she had spoken with Rev. Darius Williams to see if he would be interested in submitting an application for membership on the HRC. He indicated that he would be interested in being an ex-officio at this time. She also talked with others who indicated that they weren't interested in serving at this time. A discussion followed. Chair Hart stated that he will submit a request for 211 to advertise the positions. Also, Parrish Stahl stated that he can advertise the position on the DisAbility Connection website.
- E. Proposed Civil Rights Ordinance Committee –  
Chair Hart reported that he hopes to meet with the Mayor to discuss where the project is at in the process and may report at the next meeting.
- F. Public Relations and Information – Parrish Stahl, Chair  
Chair Stahl handed out a sheet with a detailed list of items he would like to have included in the newsletter. He also asked for information regarding the program that was held at Wilson School. Chair Hart stated that he can do a piece about former members George Brown and Ed Peterson. Parrish reported that he would like to have the information by Monday, May 20<sup>th</sup>.

He further reported that DisAbility Connection will again be awarding a Jeannie Inman Scholarship. He asked commissioners to encourage students with disabilities to apply for this scholarship.

9. OLD BUSINESS:

A. Picnic Committee – Alice Lewis, Chair

Chair Lewis reported that July is too soon for the picnic. Therefore, the picnic would have to be held in August. With very little money available, it will be very difficult to hold the picnic. A discussion followed. Chair Hart suggested that another Picnic Committee meeting be held to further discuss.

A motion was made by Parrish Stahl to allow the Picnic Committee to use the \$250.00 donated by Councilmember Dobies at their discretion. Teresa Delph supported the motion. Discussion followed regarding the name of the picnic. The motion carried.

Valerie Cochran-Toops suggested having the picnic in downtown Jackson. A new date for the picnic committee was scheduled for Wednesday, May 22<sup>nd</sup> at 5:30 p.m., 14<sup>th</sup> floor, City Hall. Chair Hart asked that if anyone has any ideas for change to let Alice know. Teresa Gibson gave some suggestions. The committee consists of Alice Lewis, Chair, Jon Hart, Teresa Delph, Parrish Stahl and Valerie Cochran-Toops.

10. NEW BUSINESS:

A. Chair Hart suggested holding a forum about the March on Washington. It will be held on August 15<sup>th</sup>, 6:30 p.m., at the Carnegie Branch Library, in the auditorium.

A motion was made by Alice Lewis that the HRC will be an official sponsor of the event. Parrish Stahl supported the motion. The motion carried.

B. Teresa Gibson let the Commission know that her Church is sponsoring a comedian on June 7<sup>th</sup> at the Michigan Theatre. If anyone is interested in tickets, they can contact the church or e-mail Teresa Gibson.

11. COMMISSIONER COMMENTS:

Parrish Stahl reported that he would like to have a movie night when the movie “44” comes out. He also made some suggestions for activities that the HRC can participate in, (i.e., a panel discussion, movies about history, etc.).

Alice Lewis stated that she had felt saddened that she might not be able to hold the Community Picnic, and now feels better and sees that there might be a possibility.

Jon Hart stated that he felt honored to be part of the interview board for the Detective position.

12. ADJOURNMENT –

A motion was made by Parrish Stahl to adjourn the meeting. Teresa Gibson supported. The motion carried and the meeting adjourned at 8:15 p.m.

Respectfully submitted,

Teressa Delph  
Acting Secretary

**HUMAN RELATIONS COMMISSION**  
**MEETING NOTES**  
June 19, 2013

MEMBERS PRESENT

Jon Hart  
Teresa Delph  
Parrish Stahl  
Kathleen Conley

MEMBERS ABSENT

Alice Lewis (exc.)

EX-OFFICIO

Valerie Cochran-Toops

POLICE LIAISON

Chief Matt Heins

STAFF

Frank Weathers

GUESTS

Thomas Burke

1. CALL TO ORDER:

Chair Hart called the meeting to order at 6:35 p.m.

2. APPROVAL OF THE MEETING MINUTES FOR MAY 15, 2013:

Due to a lack of a quorum, the Commission met as a committee of the whole. The May 15, 2013, meeting minutes were delayed until the July 17, 2013, HRC meeting.

3. COMMUNITY LIAISON POLICE OFFICER:

Chief Heins reported that there will be an opportunity for 13 patrol officers to be hired in the next three to five years as there will be impending retirements in that time frame. He asked that the news be disseminated so that persons interested in a career opportunity could pursue the education or credentials needed to be eligible for consideration when the time came.

Chief also reported that there were extra patrols on the last day of school with the City, State, and County departments assisting. There were also more patrols recently due to shootings, and breaking and entering problems.

Representatives from Cascades Baptist and Skiff Lake churches have contacted the City Police Department communicating an interest in working toward establishing a citywide neighborhood watch or resource in their pastoral staff and congregants. There are presently approximately four active neighborhood watches.

Information on fireworks in relation to the local noise ordinance was given.

Vagrancy complaints were discussed with respect to questions from Ex-Officio member Valerie Cochran-Toops as were several resources in the community that could be used by area homeless should the need arise.

4. CITIZEN COMMENTS:

None

5. GUEST:  
None

6. COMMUNITY UPDATE/CHAIRPERSON'S CORRESPONDENCE:

Chair Hart reported on a recent communication he received in the form of an invitation to attend a Jackson Area Civil Rights meeting to discuss community concerns about the HRC including complaints and abilities of the HRC to serve its intended purpose with the current situation.

Chair Hart reported on the August reading of the "March on Washington," by HRC members.

Chair Hart noted that the donation the HRC received did not appear on the list of donations given by Councilperson Derek Dobies in his public reckoning of donations. Discussion was held on the topic as it was discovered that the check is being held in the Mayor's office until such time as a method can be devised for deposit as there is no account available for use of the HRC within the City's accounting department.

Chair Hart reported that he is pursuing work with Dan Evans and JPS regarding the nurtured heart approach in an effort to tie in the 22<sup>nd</sup> day of Peace and the Be More Kind effort. He also reported that the school board had responded to the ACLU with respect to concerns about the suspension rate of non-minority students.

7. STAFF REPORT

Frank Weathers reported no formal complaints.

Frank presented a copy of the report that is presented to the City Manager detailing the work he has been involved in for the month.

8. COMMITTEE REPORTS:

A. Anti-Violence Neighborhood Committee - Jon Hart, Chair

Chair Hart reported on his impending work with Dan Evans, Jackson Public Schools Superintendent, about the day of peace item as mentioned in the Chair Persons Update.

B. Complaint Committee – Alice Lewis, Chair

No report.

C. Martin Luther King Breakfast

Frank Weathers reported that the speaker for the breakfast for 2014 will be Gilda Jacobs, who is a former State Representative now leading the Michigan League for Public Policy. The dates for Challenge Day 2013 are November 4, 5, 6 and 7. Chair Hart reported he would like to have a speaker for a morning Rotary group in an effort to raise funds for Challenge Day.

- D. Nominating Committee – Kathleen Conley, Chair  
Kathleen Conley reported that there were no new applications received, however, in light of the current status regarding membership that interviews should commence as soon as possible.
- E. Proposed Civil Rights Committee  
Chair Hart reported that the State was considering amendments to the Elliott Larson Civil Rights Act, which would include sexual orientation and possibly transgender.
- F. Public Relations and Information – Parrish Stahl, Chair  
Parrish Stahl reported that he had a newsletter ready for review and proof reading.

9. OLD BUSINESS:

- A. Strategic Plan – no report.
- B. Harold White Breakfast – Kathleen Conley reported that the breakfast could be scheduled for September, and Chair Hart and she scheduled a committee meeting to discuss further details and planning. It was decided that the donation initially intended for the picnic (from Councilperson Dobies) could be applied to the breakfast.

10. NEW BUSINESS:

Frank Weathers reported on meetings with Dan Evans, JPS Superintendent, and others, about increased use of mediation and mediation training in schools. There are several grants being written by the Southeastern Dispute Resolution Center. The HRC staff person will write a letter of support if needed for these grants.

Guest, Thomas Burke, remarked that he may reapply as a member for the HRC regardless of his address being outside the City limits, and that he is recruiting members of the public to consider applying as well. He reported he was willing to do a fundraiser for the HRC.

He also presented a booklet on a program on Unity Roadmaps he would like to use in Jackson. He has permission from the program creator to use the ideas in the program here. He has also spoken to the Chief of Police regarding this. Chair Hart advised that the commission members would need time to review the booklet prior to commenting.

11. COMMISSIONER COMMENTS

Teressa Delph shared an award she received from Delta Kappa Gamma Society International designating her as a Woman of Distinction.

Kathleen Conley reported on a 6<sup>th</sup> Ward Neighborhood meeting on June 26<sup>th</sup> at 6:30 p.m. at Parkside Middle School.

Chair Hart reported that he was glad of the recent interest in partnership that was generated by the Jackson Area Civil Rights Association.

Parrish Stahl reported he attended the ribbon cutting for the Dahlem Center Nature Trail for All, which is handicap accessible. He also reported his job would be changing with respect to taking on a project that would outline accessibility issues at the Jackson College campus site.

Valerie Cochran-Toops reported that she had noticed an improvement in the look of the City after the recent curb cuts being installed and the removal of uninhabitable housing.

12. ADJOURNMENT

The meeting adjourned at 8:00 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kathleen Conley".

Kathleen Conley  
Secretary

**HUMAN RELATIONS COMMISSION**  
MEETING (Notes)  
July 17, 2013

MEMBERS PRESENT

Jon Hart  
Teresa Delph  
Alice Lewis  
Kathleen Conley

MEMBERS ABSENT

Parrish Stahl, (exc.)

EX-OFFICIO

Valerie Cochran-Toops

POLICE LIAISON

Lt. Elmer Hitt

STAFF

Frank Weathers

GUESTS

1. CALL TO ORDER:

Chair Hart called the meeting to order at 6:25 p.m. Due to a lack of a quorum the HRC met as a committee of the whole.

2. APPROVAL OF THE MEETING MINUTES FOR MAY 15, 2013, AND NOTES FOR JUNE 19, 2013:

There were no amendments to the minutes noted as necessary.

3. COMMUNITY LIAISON POLICE OFFICER:

Lt. Hitt reported that the department was hiring one new officer with interviews starting soon. Additionally, another officer was beginning training. He reported on increased patrols on First Street, Washington Avenue, Fourth Street, Morrell, Second Street and Third Street due to increase in concerns in the area regarding shots fired, etc. There will also be increased patrols during the Hot Air Jubilee and activities for August 6, 2013, which is National Night Out.

4. CITIZEN COMMENTS:

None.

5. GUEST:

None.

6. COMMUNITY UPDATE/CHAIRPERSON'S CORRESPONDENCE:

Chair Hart reported on a fundraising request from another organization, and a recent event at Allegiance Health to introduce new staff to the community. He also advised that Kathleen Conley and Will Riley would be attending the Rotary Club meeting to assist with volunteer and fund raising efforts surrounding Challenge Day.

Chair Hart reported on a recent meeting with the Mayor regarding future plans for the HRC as an organization, the MLK street renaming project, the proposed civil rights ordinance, the HRC newsletter's placement on the City website, the ratio of City/County members for the HRC, and budgetary concerns with respect to events and donations the HRC receives.

Chair Hart advised that he was planning an event in partnership with JACRA at the Carnegie Branch Jackson District Library that would consist of readings of the speeches from the March on Washington in celebration of the anniversary of the event.

7. STAFF REPORT

Frank Weathers reported no formal complaints.

Frank presented a copy of the report that is presented to the City Manager detailing the work he has been involved in for the month. He also reported on an upcoming meeting with the Chief of Police and Thomas Burke regarding the Unity Program and partnerships with area churches to increase citizens ability to assist police in a citywide neighborhood watch effort.

8. COMMITTEE REPORTS:

A. Anti-Violence Neighborhood Committee - Jon Hart, Chair

Chair Hart reported he was continuing to work with Jackson Public Schools to further a partnership effort to bring the 22<sup>nd</sup> Day of Peace to the schools.

B. Complaint Committee – Alice Lewis, Chair

No report.

C. Martin Luther King Breakfast

Chair Hart reiterated that Kathleen Conley and Will Riley would attend a breakfast Rotary meeting to raise funds and volunteers for Challenge Day. Frank Weathers reported that a speaker had been secured for the MLK Breakfast and that fund raising for Challenge Day was ongoing.

D. Nominating Committee – Kathleen Conley, Chair

Kathleen Conley reported that interviews had taken place prior to the meeting and that the Nominating Committee unanimously proposed that Clevester Molten be appointed as an Ex-Officio member, and that Rev. Clemmons be recommended to the Mayor for an open seat on the Human Relations Commission. As there was no quorum a phone/electronic vote on this was requested in order to take action prior to our next regularly scheduled meeting.

E. Proposed Civil Rights Committee

Chair Hart reported that we will be waiting for feedback from the Mayor and Councilmember Dobies prior to moving forward.

F. Public Relations and Information – Parrish Stahl, Chair

Chair Hart reported that the newsletter was ready, and it would be appearing on the home page of the City website as a link to the PDF.

9. OLD BUSINESS:

A. Strategic Plan – Chair Hart reported we are moving forward according to the strategic plan.

B. Forum on March on Washington – Chair Hart reported that HRC members would participate in readings for this event to be held in collaboration with JACRA at the Carnegie Branch Jackson District Library on August 8, 2013, at 6:30 pm in the Auditorium.

- C. JACRA Meeting – Chair Hart reported that Kathleen Conley and he attended the recent meeting where discussion was held regarding the state of civil rights work in Jackson and the future of the HRC.
10. NEW BUSINESS:  
n/a
11. COMMISSIONER COMMENTS:  
Valerie Cochran-Toops reported that she had noticed the recently planned protests surrounding medical marijuana and the proposed ordinance changes. She indicated she had been asked questions by members of the public with respect to HIPPA laws and concerns about the dissimilar treatment of prescribed medication in other forms as compared to the proposed ordinances treatment of medical marijuana.
12. ADJOURNMENT  
The meeting adjourned at 7:15 pm.

Respectfully submitted,



Kathleen Conley  
Secretary

# Jackson Housing Commission

Minutes of the Regular Meeting

July 17, 2013

The Jackson Housing Commission held its regular meeting at Reed Manor in the Board Room at 12:00 PM on July 17, 2013.

Commissioner Pultz-Orthaus called the meeting to order at 12:00 p.m. and upon roll call, the following Commissioners were present: Montgomery, Stark, Pultz-Orthaus, Davis-Dye. Absent: Robinson

Also present were: Connie Crandall, Interim Executive Director  
Shari Boyce, Section 8 Director

## 13-07-001 PUBLIC COMMENTS

Patricia Ryals, Resident Council President for Reed Manor, asked questions regarding the Memorandum of Understanding and would like to know if it could be done by the next meeting. President Pultz-Orthaus stated it is under HUD review.

## 13-07-002 APPROVAL OF THE MINUTES OF THE REGULAR MEETING HELD June 19, 2013.

Commissioner Montgomery **MOVED** to approve the minutes of the Regular Meeting held June 19, 2013 with changes to the date from June 18 to June 19. Commissioner Davis-Dye **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

## 13-07-003 APPROVAL OF THE PREVIOUSLY PAID LIABILITIES FROM June 20 to July 12, 2013 and July 12 to July 17, 2013.

Commissioner Montgomery **MOVED** to approve the Previously Paid Liabilities from June 20 to July 12, 2013. Commissioner Stark **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

\*\*Commissioner Robinson entered the meeting at 12:09 PM.

**13-07-004 RESOLUTIONS**

A. Resolution No. 2013-32: Collection Losses Write-Off

Commissioner Robinson **MOVED** to approve the Write-Off of Collection Losses \$1,137.57. Commissioner Davis-Dye. **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

B. Resolution No. 2013-33: Revised Procurement Policy

Commissioner Stark **MOVED** to approve the removal of Appendix 14, Intergovernmental Agreement for Supplemental Community Policing Services from the Procurement Policy. Commissioner Montgomery **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. 2013-34: Health Care Re-Procurement

Commissioner Stark **MOVED** to adopt the forgoing resolution to re-procure health care services. Commissioner Davis-Dye **SECONDED** the motion and, upon roll call, the motion was adopted:

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

D. Resolution No. 2013-35: Promotion of Daphney Sullivan

Commissioner Stark **MOVED** to approve the promotion of Daphney Sullivan with a pay increase equal to Step 1. 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

Commissioner Pultz-Orthaus **MOVED** to amend the resolution by striking the last line; “and to recommend the salary increase to City Council for approval”. Commissioner Stark **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

## **13-07-005 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. Not a good month.

#### C. Consolidated TARs

Ms. Crandall presented the Consolidated TARs.

#### D. Turnaround Time

Ms. Crandall stated that the turnaround time for June was great.

#### 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.

## **13-07-006 OTHER BUSINESS**

Ms. Crandall presented the letter regarding the audit. Ms. Crandall explained the situation as to why the audit was done late. And HUD provided the reason as to why it was denied.

Ms. Crandall presented the letter regarding utility costs.

President Pultz-Orthaus changed the Executive Director job description. She presented the changes to the board via email and US Mail. The review committee has reviewed the applications and resume and have selected five candidates who

will receive a first round interview via face to face or Skype. The job description will need to be attached to the contract, and since the first draft, the job description needed to be changed. Commissioner Stark asked that number 8 be changed to City of Jackson, HUD and then other agencies.

Commissioner Stark **MOVED** to accept the job description as presented. Commissioner Montgomery **MOVED** to second the motion. And upon roll call, the motion was adopted:

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

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

The regular meeting adjourned at 1:20 p.m.

Respectfully submitted,



Connie Crandall, PHM  
Interim Executive Director

ATTESTED:   
Michelle Pultz-Orthaus, President



## MINUTES

*Jackson Parks and Recreation Commission  
Meeting of Wednesday, August 21, 2013 at 4:30 p.m.  
at the Ella Sharp Park Golf Hall of Fame Room*

### • PRESENT •

#### COMMISSIONERS

#### GUESTS

#### STAFF

- Mayor Martin Griffin
- Councilperson Kimberly Jaquish
- Elwyn Rider
- Arthur Benedetto
- Kelly Williams
- Councilperson Andrew Frounfelker
- Pamela Fitzgerald

- Kelli Hoover
- Eric Terrian
- Andrew Sargeant
- Joseph Hawley

**Public Comment:** Cija Noakes from the local Girl Scout Council is working on her Gold Award which is the highest rank a Girl Scout can achieve. She would like to raise money to build a water fountain at the Loomis Park Playground. A motion was made by Pamela Fitzgerald to approve the Loomis Park Water Fountain project. Arthur Benedetto seconded the motion. *Motion was approve by the board unanimously.*

**Budget Update:** Kelli Hoover gave an update on the budget for 2013-2014. The Board was also informed about the Maintenance Worker I staff changes within the Parks and Cemeteries Departments.

#### **Parks Update:**

- **Bloomfield Park:** The project is currently out with a deadline of Tuesday, September 3, 2013. Once the lowest bid is confirmed we will be seeking approval from City Council and the State of Michigan to award the bid and start construction.
- **Loomis Park:** We have done several projects currently in the park. We have removed over 15 trees and are currently working on replacing the trees throughout the park. Updated gates and arranged a volunteer system through B2 Watchers to open and close parking lot gates. We also put two new lights and fixed out-of-date lights around the parking lot, playground and picnic shelter area.

*Next Meeting is Wednesday, October 16, 2013*

- Ella Sharp Park-Disc Golf: Working with a committee headed by Katherine Snyder and Derek Dobies to help raise money to provide an 18-hole Disc Golf Course at Ella Sharp Park.

**Recreation Department Update:** Andrew Sargeant reported on spring and summer programs. A full list of program and attendance will be available at our next meeting.

**Adjournment:** Motion to adjourn at 5:15 p.m. by Elwyn Rider and seconded by Art Benedetto



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

August 13, 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 Greer.

#### ROLL CALL:

Present: Mayor Martin J. Griffin, Councilmembers Michelle L. Woods, Kimberly Jaquish, Laura Dwyer Schlecte, Andrew R. Frounfelker – 6. Absent: Derek J. Dobies – 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 Records & Elections Coordinator Carmen Ryan.

#### AGENDA:

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

#### EXECUTIVE SESSION:

Motion was made by Councilmember Greer and seconded by Councilmember Woods to go into Executive Session to discuss pending litigation and a legal opinion. The motion was adopted by the following vote. Yeas: Mayor Griffin, and

Councilmembers Woods, Jaquish, Greer, Schlecte and Frounfelker – 6. Nays: 0. Absent: Councilmember Dobies – 1.

Councilmember Dobies arrived as the Executive Session began approximately 6:35 p.m.

**RETURN TO OPEN SESSION:**

Motion was made by Councilmember Frounfelker and seconded by Councilmember Woods to return to regular session. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies – 7. Nays: 0. Absent: 0.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Woods to approve the recommendation of the Interim City Attorney in Executive Session regarding pending litigation. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies – 7. Nays: 0. Absent: 0.

**PRESENTATIONS/PROCLAMATIONS:**

None

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

Gerald Montgomery of 341 Hill Street said he thinks it is time to either adopt the (medical marijuana) ordinances or scrap the whole thing and follow the Federal Government- zero tolerance. He also wanted to recommend Bethany Smith as the Attorney. He said she does a great job.

Marilyn Guidinger of 760 Woodlawn Ave spoke about 503 1<sup>st</sup> Street. She stated that the Historic District has asked the Council to follow the procedure put forth in the City ordinance for consideration of demolition of a historic resource, and that has not been followed to date. She stated that the Historic District has not had the chance to discuss preservation. She is requesting the Council postpone their vote to a later date to allow time for discussion of preservation.

Patrick Colligan of 216 Francis Street asked permission to use the parking lot next to the Foundry because he has a big party planned for the weekend.

Dennis Reott of 7350 Krofft Road spoke about Medical Marijuana ordinances being created. He said he is upset with the government telling him how he can protect himself. He doesn't like the stipulations associated with the ordinances especially the ones that deal with privacy issues.

Joe Cain said he follows the guidelines of the State of Michigan and that he respects the law. He said the City does not follow the State law and what the City is doing is in violation with the State law and is illegal.

Roger Maufort of 1620 E. Michigan Avenue spoke about the Medical Marihuana ordinances and also the voter initiative. He wanted to applaud the initial changes to the first ordinances. He asked the Council to postpone their decision until the September 10<sup>th</sup> meeting to allow them to work through a couple other issues within the ordinance. He said decriminalization does not mean legalization. He stated that decriminalization would not cause the City to fall apart. He asked the Council to pass the initiative instead of putting it to a ballot. He stated statistics regarding crime and decriminalization of marihuana.

Tim Hartley of 406 1<sup>st</sup> Street. He spoke about the house at 503 1<sup>st</sup> Street. He said he is trying to operate a business, and the house is a drug house and has many issues. He thinks the property needs to be torn down. He said there are a lot of kids running around.

Aaron Boatin - President of Ambs Call Center. He said they have been in the neighborhood since 1934 and have made significant investment in the City adding on to the building. They employ 65 individuals and want to add 5 more. He stated that they are having a hard time hiring employees because of the crime in the area. He said there are no redeeming qualities about the property and there is nothing historic about crime, rape or murder.

Robin Puckett-Jervis stated she is a retired RN that is a cannabis caregiver and user. She said she has a tumor that has not grown in 4 years. She hopes the Council will listen to what Roger said about postponing to the September meeting so that some arrangements can be made.

#### **PETITIONS & COMMUNICATION:**

Motion was made by Councilmember Frounfelker and seconded by Councilmember Dobies to approve 9A, B, C & D. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies – 7. Nays: 0. Absent: 0.

#### **CONSENT CALENDAR**

Councilmember Frounfelker asked to pull items 10C & 10D for separate consideration. Motion was made by Councilmember Frounfelker and seconded by Councilmember Dobies to approve the consent calendar as amended. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies – 7. Nays: 0. Absent: 0.

## 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. *Removed for separate consideration.***
- D. *Removed for separate consideration.***
- 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.

**CONSENT CALENDAR ITEM 10C.**

**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.)

Motion was made by Councilmember Frounfelker and seconded by Councilmember Greer to approve the event as recommended by staff with the following additions: 1. Parking permit costs for permit holders of this lot are reimbursed to the prorated amount for the closure; 2. If any permit holder receives a parking ticket as a result of the loss of parking space, the applicant will reimburse the permit holder for the parking ticket; 3. The applicant reimburses all actual costs associated with the event payable by September 30; and 4. All outdoor music volume is maintained at an acceptable range. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies – 7. Nays: 0. Absent: 0.

**CONSENT CALENDAR ITEM 10D.**

**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.)

Motion was made by Councilmember Frounfelker and seconded by Councilmember Woods to approve the event as recommended by staff with the following additions: 1. The outstanding reimbursement balance from both the June and July events are paid by 5:00 PM on Thursday, August 15; 2. The applicant reimburses all actual costs associated with the August event payable by September 30; 3. All outdoor music volume is maintained at an acceptable range. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies – 7. Nays: 0. Absent: 0.

**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.

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

**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.**

Motion was made by Councilmember Greer and seconded by Councilmember Dobies to approve the authorization. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

**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.

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

**1. ADOPT A RESOLUTION APPROVING AN APPLICATION FOR AN INDUSTRIAL FACILITES TAX EXEMPTION CERTIFICATE (IFEC) FOR EDWARDS MACHINING, INC.**

Motion was made by Councilmember Greer and seconded by Councilmember Woods to adopt the resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

**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.

Mayor Griffin opened the public hearing. No one spoke so Mayor Griffin closed the public hearing. Mayor Griffin reported the correspondence that was received on the matter.

- 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.**

Motion was made by Councilmember Frounfelker and seconded by Councilmember Dobies to approve adoption of the resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

## **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.

Motion was made by Councilmember Dobies and seconded by Councilmember Woods to adopt the corrective resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

### **B. ORDINANCE 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.)

Motion was made by Councilmember Schlecte and seconded by Councilmember Greer to approve the ordinance. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Greer & Schlecte.—4. Nays: Councilmembers Jaquish, Frounfelker and Dobies—3. Absent: 0.

**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.)

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

**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.

Motion was made by Councilmember Greer and seconded by Councilmember Dobies to approve the ordinance. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

**E. ORDINANCE 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.

Motion was made by Councilmember Dobies and seconded by Councilmember Woods to approve the ordinance. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

**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.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Woods to approve the final adoption of the ordinance. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies – 7. Nays: 0. Absent: 0.

**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.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Dobies to approve the resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies – 7. Nays: 0. Absent: 0.

**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.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Greer to approve the contract. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies – 7. Nays: 0. Absent: 0.

**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.

Motion was made by Councilmember Greer and seconded by Councilmember Woods to approve the ordinance. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies – 7. Nays: 0. Absent: 0.

**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.

Motion was made by Councilmember Greer and seconded by Councilmember Schlecte to approve the ordinance and advance to second reading and final adoption. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies – 7. Nays: 0. Absent: 0.

**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.

Motion was made by Councilmember Schlecte and seconded by Councilmember Dobies to adopt the resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies – 7. Nays: 0. Absent: 0.

**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.

Mayor Griffin stated that because of his affiliation with the John George Home he would be abstaining from the vote. Councilmember Frounfelker noted that the City owns the John George Home.

Motion was made by Councilmember Woods and seconded by Councilmember Greer to approve the resolution. The motion was adopted by

the following vote. Yeas: Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies – 6. Nays: 0. Absent: 0. Abstention: Mayor Griffin – 1.

**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.

Motion was made by Councilmember Woods and seconded by Councilmember Greer to approve the agreements. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies – 7. Nays: 0. Absent: 0.

**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.

Motion was made by Councilmember Dobies and seconded by Councilmember Frounfelker to approve the request. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies – 7. Nays: 0. Absent: 0.

**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.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Greer to approve the amendment. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies – 7. Nays: 0. Absent: 0.

**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.

Motion was made by Councilmember Greer and seconded by Councilmember Woods to approve the agreement. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies – 7. Nays: 0. Absent: 0.

**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.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Greer to approve the request. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies – 7. Nays: 0. Absent: 0.

**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.

Motion was made by Councilmember Dobies and seconded by Councilmember Woods to approve the contract. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies – 7. Nays: 0. Absent: 0.

**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.

Motion was made by Councilmember Dobies and seconded by Councilmember Frounfelker. The motion was adopted by the following

vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies – 7. Nays: 0. Absent: 0.

**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.

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

**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 recommend approval.)

Motion was made Councilmember Dobies and seconded by Councilmember Woods to approve the agreement. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies – 7. Nays: 0. Absent: 0.

**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.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Greer. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies – 7. Nays: 0. Absent: 0.

**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, 2005.

Motion was made by Councilmember Woods and seconded by Councilmember Greer to approve the appointment. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies – 7. Nays: 0. Absent: 0.

**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 Section 18-158, city code, regarding marijuana.

Motion was made by Councilmember Greer and seconded by Councilmember Jaquish to put the Initiative on the November ballot. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies – 7. Nays: 0. Absent: 0.

**Q. PROPOSED BUDGET RESOLUTION FOR STORMWATER UTILITY FUND ELIMINATION AND STAFFING REDUCTIONS:**

Consideration of a resolution amending the 2013-2014 Fiscal Year Budget approving the elimination of the Stormwater Utility Fund and the proposed necessary staffing reductions.

Mayor Griffin called for a short recess at 8:48 p.m.

Motion was made by Councilmember Dobies and seconded by Councilmember Greer to approve the proposed budget resolution and for Stormwater Utility fund elimination and staffing reductions. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies – 7. Nays: 0. Absent: 0.

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

None

**CITY COUNCILMEMBERS' COMMENTS:**

Councilmember Greer- wanted to say “thank you” for designating him the voting delegate to the MML convention. He also wanted to point out a quick reaction to an incident at Nixon Park. There was a baseball that went through a windshield during a coed game as a result of a field mix up. (There was not adequate netting to prevent such an incident.) He explained that Kelli Hoover stepped up to take care of the issue and it was resolved within 24 hours. He just wanted to say “thank you” and “great job” to the staff.

Councilmember Jaquish- wanted to thank Ed and Sharon for helping to set up her meeting. She said the meeting went very well. She said she would like to have more participation in the human trafficking issue. She also wanted to congratulate Rev. Clemons on his appointment to the HRC.

Councilmember Woods-wanted to congratulate Rev. Clemons on his appointment. She also said she made it through the Primary and she is ready to proceed on.

**MANAGER’S COMMENTS:**

None

**ADJOURNMENT:**

No further business being presented, a motion was made by Councilmember Greer to adjourn the meeting. The motion was adopted by unanimous voice vote and the meeting adjourned at 8:55 p.m.

Andrew J. Wrozek Jr.  
City Treasurer/Clerk

AJW/car



Jackson Downtown Development Authority

**CITY COUNCIL MEETING  
September 10, 2013**

August 28, 2013

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

**FROM: Jonathan Greene, Executive Director**

**SUBJECT: Special Event Application: Jackson Walk To Cure Diabetes**

**RECOMMENDATION: Approval of the request from Mike Wilson to conduct their annual Walk to Cure Diabetes in Ella Sharp Park on Saturday, September 14, 2013 from 8:00 a.m. – 12pm. 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		\$150
Fire	x		\$0
Engineering	x		\$0
Public Works	x		\$0
Recreation	x		\$0
DDA	x		\$0
			<hr/> \$150

**Conditions and Considerations:**

- **any markings on pavement shall be in temporary (i.e. chalk) material.**

**Insurance Status:** Pending approval

att: Special Event Application: **Jackson Walk To Cure Diabetes  
Walk Route Map**

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: 4/17/13 Time: \_\_\_\_\_ By: RR

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: Juvenile Diabetes Research Foundation  
Organization Address: 4595 Broadmoor Ave SE, Ste 230 Kentwood, MI 49512  
Organization Agent: Mike Wilson Title: Logistics  
Phone: Work 517-474-4495 Home \_\_\_\_\_ During event \_\_\_\_\_  
Agent's Address: 1595 Badgley Rd Jackson, MI 49203  
Agent's E-Mail Address: mbkwilson33@sbcglobal.net  
Event Name: Jackson Walk to Cure Diabetes

Please give a brief description of the proposed special event: To Help Raise awareness and donations to help find a cure for diabetes

Event Day(s) & Date(s): September 14, 2013 Event Time(s): 8am to 12pm  
Set-Up Date & Time: September 13, 2013 Tear-Down Date & Time: September 14, 2013  
Event Location: Ella Sharp Park (12pm)

ANNUAL EVENT: Is this event expected to occur next year?  YES  NO How many years has this event occurred? 15 yes

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: 9:55 AM through Date/ Time: 10:45 AM

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, are liquor license and liquor liability insurance attached? YES  NO   
If yes, what time? \_\_\_\_\_ until \_\_\_\_\_



CITY OF JACKSON  
SPECIAL EVENT APPLICATION, Page 2  
City Clerk's Office \* 161 W. Michigan Avenue \* Jackson, MI 49201  
(517) 788-4025

ENTERTAINMENT: Are there any entertainment features related to this event?  YES NO KIDS, 3  
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? NO RAIN = 1500-2000 / RAIN = 300-400

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? 3  
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.)  
Need Police Department to Assist with Street Closures (see Attached Map)

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:

\_\_\_\_\_

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.

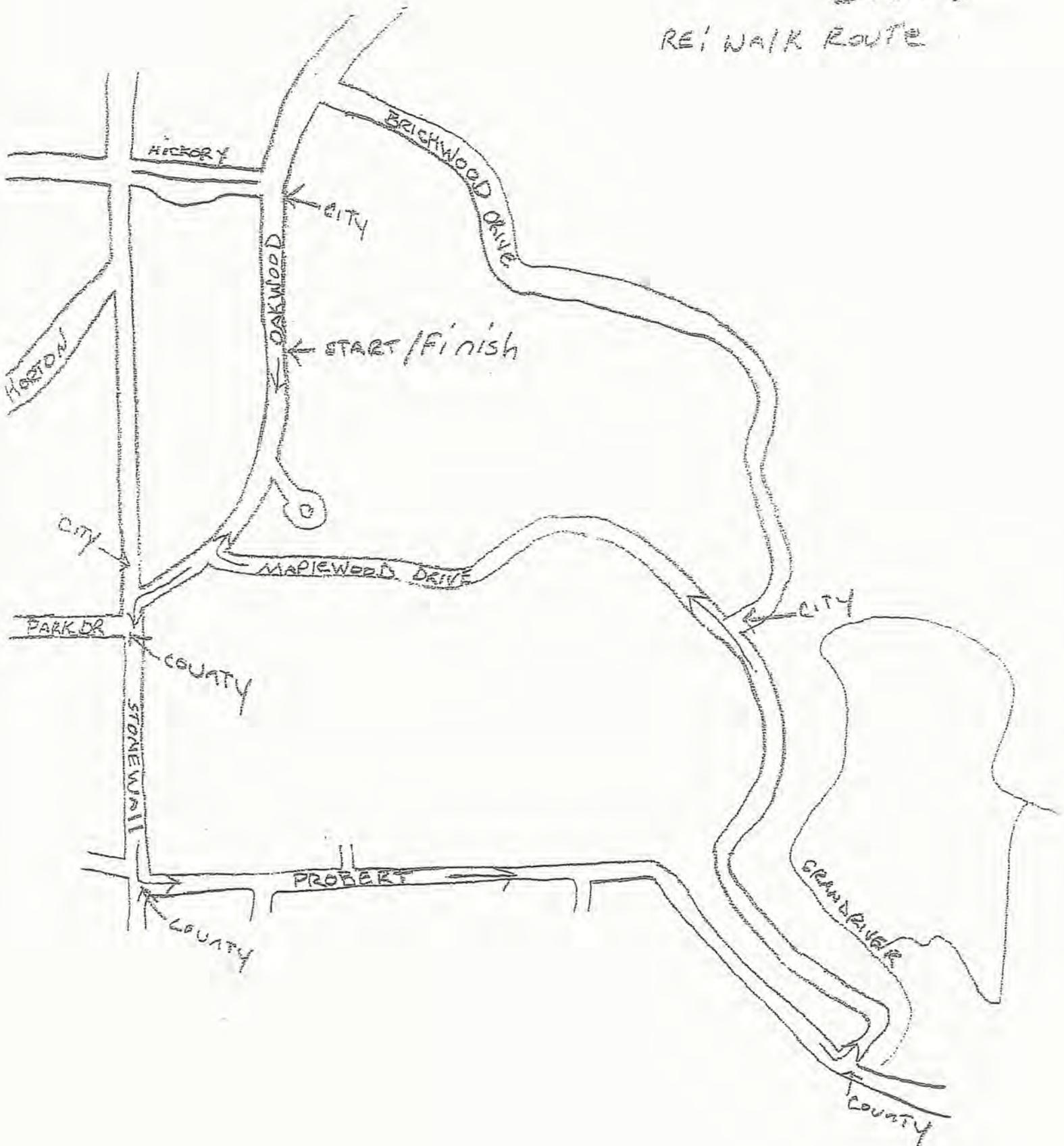
4-15-13  
Date

[Signature]  
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

ATTN: Angela Arnold  
FROM: Mike Wilson  
(JDRF)

RE: WALK ROUTE





Jackson Downtown Development Authority

**CITY COUNCIL MEETING  
September 10, 2013**

August 28, 2013

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

**FROM: Jonathan Greene, Executive Director**

**SUBJECT: Special Event Application: MIA/POW Vigil**

**RECOMMENDATION: Approval of the request from Vietnam Veterans Chapter 109 to conduct their annual celebration in Withington/Veterans Park on Friday, September 20, 2013 from 3:00p.m. thru Saturday, September 21, 2013 at 3:00pm. 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/> \$0

**Conditions and Considerations: none.**

**Insurance Status: Pending approval**

att: Special Event Application: **MIA/POW Vigil**

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: 8/6/13 Time: 10:15am By: RR

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: Vietnam Veterans Chapter 109

Organization Address: PO Box 1704 Jackson, Mich. 49204

Organization Agent Bob Wilkinson Title: President

Phone: (work) N/A Phone: (home) 7645149 Phone: (during the event) 2067559

Agent's Address 434 Valley Rd Mich. Center, Mich. 49254

Agent's E-Mail Address bd.wilkinson.434@hotmail.com

Event Name MIA / POW Vigil

Please give a brief description of the proposed special event: Burn light in park

for 24 hours to honor MIA/POW's.

VVA Members spend 24 hours in park.

Event Day(s) & Date(s) 9-20-13 3:00pm till 9-21-13 3:00pm

Event Time(s) 3:00 pm to 3:00 pm

Set-Up Date & Time 2:00pm 9-20-13 Tear-Down Date & Time 9-21-13 3:00pm

Event Location Whittington Park ~ Veterans Park

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

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.

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

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

**ATTENDANCE:** What is the expected (estimated) attendance for this event? 20

**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? 1-2  
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.  
*maybe if we can't use find home*

**OTHER REQUESTS:** (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)  
None

**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. *Collins Agency will send.*

**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.

8/6-13  
Date

Bob Wilkinson  
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  
September 10, 2013**

September 5, 2013

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

**FROM: Jonathan Greene, Executive Director**

**SUBJECT: Special Event Application: Blue Mass**

**RECOMMENDATION: Approval of the request from Knights of Columbus Council 9301 to conduct their annual Blue Mass on Sunday, September 22, 2013 from 9:30 a.m. – 12:00pm. This event is covered under the Hold Harmless Agreement.**

**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/> \$0

**Conditions and Considerations: none.**

**Insurance Status:** Hold Harmless Agreement

att: Special Event Application: **Blue Mass**

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: 8/30/13 Time: 8:30am By: RR

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: Knights of Columbus Council 9301

Organization Address: St Mary Star of the Sea, 170 E Wesley St 49201

Organization Agent Howell Wynne Title: Recorder

Phone: (work) \_\_\_\_\_ Phone: (home) 517-851-4779 Phone: (during the event) 517-795-5072

Agent's Address PO Box 46 Stockbridge MI 49785

Agent's E-Mail Address howell.wynne@gmail.com

Event Name Blue Mass

Please give a brief description of the proposed special event: A time during our Mass (service) to honor active, retired emergency first responders as well as those who gave their life in the line of duty (names read w/ bell). city, county, JLA, surround townships, MSP Jackson Post invited - please see attached paper -

Event Day(s) & Date(s) Sep 22, 2013

Event Time(s) 10 AM

Set-Up Date & Time 9:30 AM Tear-Down Date & Time 12 PM (noon)

Event Location 170 E. Wesley St

**ANNUAL EVENT:** Is this event expected to occur next year? (circle one) YES  NO   
How many years has this event occurred? 4 times - not consecutive

**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 9/22 09:30 through Date/Time: 9/22 12:00

**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.

If yes, what time? -NA- 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? about 20-25

**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.)

Please see attached note for "official vehicle"  
entrance and parking.

**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.

8/30/2013  
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**



Jackson Downtown Development Authority

**CITY COUNCIL MEETING  
September 10, 2013**

September 3, 2013

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

**FROM: Jonathan Greene, Executive Director**

**SUBJECT: Special Event Application: AIDS Walk**

**RECOMMENDATION: Approval of the request from HIV/AIDS Resource Center to conduct their annual AIDS Walk through downtown Jackson on Saturday, September 28, 2013 from 7 a.m. – 2pm. Insurance has been approved 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		\$0
Recreation	x		\$0
DDA	x		\$0
			<hr/> \$0

**Conditions and Considerations: any markings on pavement shall be in temporary (i.e. chalk) type material**

**Insurance Status:** Approved

att: Special Event Application: **AIDS Walk  
Walk 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: 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: Wellness Huron Valley DBA: HIV/AIDS Resource center  
Organization Address: 3075 Clark Rd. #305 Ypsilanti, MI 48197 (CHARC)  
Organization Agent Hope Brock Title: Office Manager / Spec. Events coord.  
Phone: (work) 734-572-9355 Phone: (home) 330-231-5376 Phone: (during the event) 330-231-5376  
Agent's Address 8145 Grossman Rd. Manchester MI 48158  
Agent's E-Mail Address hbrock@hivaidsresource.org  
Event Name AIDS Walk

Please give a brief description of the proposed special event: A 5K walk through the downtown Jackson area. Sidewalk use crossing only at existing crosswalks and obeying all existing crossing lights and signs.

Event Day(s) & Date(s) Saturday, September 28, 2013  
Event Time(s) 9:00 AM - 1:00 PM  
Set-Up Date & Time Saturday Sept 28 7:00 AM Tear-Down Date & Time Sat. Sep. 28 12:00 pm  
Event Location Riverwalk Amphitheater

ANNUAL EVENT: Is this event expected to occur next year? (circle one) YES NO  
How many years has this event occurred? 3 prior

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 N/A through Date/Time: N/A

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? \_\_\_\_\_ 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? 100

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

**REST ROOMS:** Are you planning to provide portable rest rooms at the event?  YES  NO  
If yes, how many? 1

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.)  
Request reservation of the Riverwalk Amphitheater  
no street closures required.

**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.

\_\_\_\_\_  
Date

Hope E. Brock  
\_\_\_\_\_  
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  
September 10, 2013**

September 5, 2013

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

**FROM: Jonathan Greene, Executive Director**

**SUBJECT: Special Event Application: Oktoberfest**

**RECOMMENDATION: Approval of the request from the YMCA to conduct Oktoberfest on W. Wesley St. between S. Jackson and Mechanic St. on Saturday, October 5, 2013 from 9:00 a.m. – 9:00pm. 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: any markings on pavement shall be in temporary (ie chalk) material; any street tent installations are to have no stakes in pavement.**

**Insurance Status:** Pending

att: Special Event Application: **Oktoberfest**

JG/RR

CITY OF JACKSON  
SPECIAL EVENT APPLICATION

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

Pl. \$25.00

Date Received By DDA Office: 8/20/13 Time: 2:00pm By: RR

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: YMCA, St Paul's, Trinity St. Mary's, Partnership

Organization Address: 127 W. Wesley

Organization Agent Rich Wilson Title: CEO (YMCA)

Phone: (work) 782-0527 Phone: (home) \_\_\_\_\_ Phone: (during the event) 206-3716

Agent's Address \_\_\_\_\_

Agent's E-Mail Address rich@jacksonymca.org

Event Name Octoberfest

Please give a brief description of the proposed special event: Outdoor Party with food, games, exercise classes, drawings, Adult beverage tent, music.

Event Day(s) & Date(s) Saturday Oct 5

Event Time(s) 9am - 9pm

Set-Up Date & Time 10-4-13 Tear-Down Date & Time 10-6-13

Event Location W. Wesley St between S. Jackson & Mechanic

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 10-4-13 2pm through Date/Time: 10-6-13 12pm

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? 12pm until 9pm

**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? Community

**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.)

Handwritten notes, 24' stage

**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.

8-20-13  
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**



Jackson Downtown Development Authority

**CITY COUNCIL MEETING  
September 10, 2013**

August 28, 2013

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

**FROM: Jonathan Greene, Executive Director**

**SUBJECT: Special Event Application: Making Strides Against Breast Cancer**

**RECOMMENDATION: Approval of the request from American Cancer Society to conduct their annual Making Strides Against Breast Cancer throughout downtown and at the Riverwalk Amphitheatre on Saturday, October 19, 2013 from 10:00 a.m. – 12pm. 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		\$175
Fire	x		\$0
Engineering	x		\$0
Public Works	x		\$150
Recreation	x		\$0
DDA	x		\$0
			<hr/>
			\$325

**Conditions and Considerations: none**

**Insurance Status: Approved**

att: Special Event Application: **Making Strides Against Breast Cancer Walk Route 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: 6/11/13 Time: \_\_\_\_\_ By: RR

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: American Cancer Society

Organization Address: 1755 Abbey Rd, E. Lansing, MI 48923

Organization Agent Kelly Knopfer Title: Community Rep

Phone: (work) 517-664-1317 Phone: (home) cell 517-896-8667 Phone: (during the event) cell

Agent's Address 1755 Abbey Rd, E. Lansing, MI 48923

Agent's E-Mail Address Kelly.Knopfer@cancer.org

Event Name Making Strides Against Breast Cancer

Please give a brief description of the proposed special event: The event is a 5K non-competitive awareness walk through the downtown.

Event Day(s) & Date(s) Oct 19, 2013

Event Time(s) 10am - 12pm

Set-Up Date & Time Oct 19 at 6:00am Tear-Down Date & Time Oct 19 at 12:00pm

Event Location River Walk Amphitheater

ANNUAL EVENT: Is this event expected to occur next year? (circle one)  YES  NO  
How many years has this event occurred? 6 years

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: none map attached

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? \_\_\_\_\_ 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  DJ w/ music  
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? 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? 6

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.)

Working w/ Police to assist with crossing  
main intersections

**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.

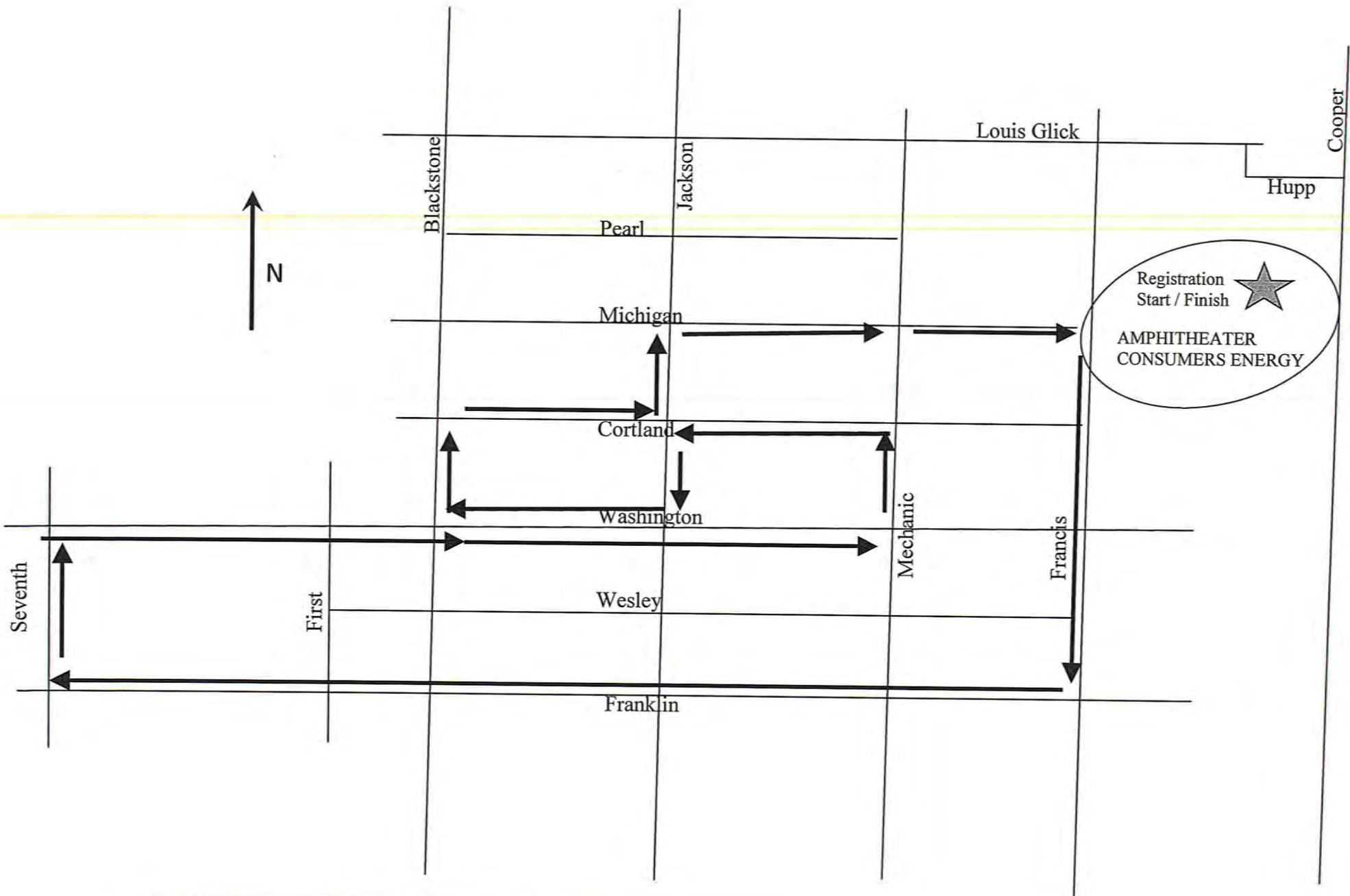
Applicants who fail to clean up and repair damages to the Event Area may be billed for City services and such failure will be considered for future applications.

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.

5/31/13  
Date

Clare  
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**



AMERICAN CANCER SOCIETY  
 MAKING STRIDES AGAINST BREAST CANCER  
 OCTOBER 19, 2013—DOWNTOWN JACKSON



MAKING STRIDES  
 Against Breast Cancer™  
 American Cancer Society



## ROUTE DIRECTIONS

**October 19, 2013**

After leaving the Riverwalk Amphitheater go:

**South on Francis** to Franklin St

**West on Franklin** to Seventh St

**North on Seventh** to Washington Ave

**East on Washington** to Mechanic (staying on south side of street)

**North on Mechanic** to Cortland St

**West on Cortland** to Jackson St

**South on Jackson** to Washington

**West on Washington** to Blackstone (staying on north side of street)

**North on Blackstone** to Cortland

**East on Cortland** to Jackson (staying on north side of street)

**North on Jackson** to Michigan

**East on Michigan returning to the Riverwalk Amphitheater**



**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:** Public Hearing and Resolution for Special Assessment Roll No. 4231

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

**A. Public hearing on Special Assessment Roll No #4231 for Meterless Parking 2013.2014.**

- 1. Consider a resolution confirming Roll No. #4231.**

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

Attached for your consideration please find resolution confirming Roll #4231 for 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 BOARD OF REVIEW:

WHEREAS, the Assessor, in accordance with the direction of the City Council, did prepare special assessments concerning the operation of a meterless parking system for the downtown area, which assessments were by him placed on Assessment Roll No. 4231 in the amount of \$46,200.00; and

WHEREAS, notice has been duly given that the City Council and Assessor would sit as a Board of Review in the City Hall Council Chambers at 161 W. Michigan Avenue, Jackson, Michigan, on Tuesday, the 10<sup>th</sup> day of September 2013, at 6:30 p.m. to hear any and all objections and suggestions by interested parties concerning such special assessments; and

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

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

BE IT FURTHER RESOLVED that each and every special assessment as contained in said roll is hereby divided into two (2) equal installments without interest (with a billing date of September 11, 2013), the first of which is due and payable by November 12, 2013, and the second of which shall be due and payable by January 11, 2014.

\* \* \* \* \*

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

I, Lynn Fessel, City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council sitting as a Board of Review on the 10<sup>th</sup> day of September, 2013.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, this 11<sup>th</sup> day of September, 2013.

\_\_\_\_\_  
Lynn Fessel, 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**  
**September 10, 2013**

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

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

**SUBJECT: Public Hearing regarding the application filed by Cox Brothers Machining Inc., located at 2300 E. Ganson Street, for an Industrial Facilities Exemption Certificate.**

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**RECOMMENDATION:**

**Consider a resolution approving an application for an Industrial Facilities Tax Exemption Certificate (IFT) for Cox Brothers Machining, Inc.**

Attached please find a resolution, along with supporting documentation on the application filed by Cox Brothers Machining, Inc. for an Industrial Facilities Exemption Certificate for their facility located at 2300 E. Ganson Street. 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 September 10, 2013 City Council meeting.

Thank you.

Attachments

cc: Andrew Wrozek, City Treasurer/Clerk  
David Taylor, City Assessor  
Bethany Smith, Interim City Attorney  
Jonathan Greene, Economic Development Director

**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 25, 2002, create by resolution Industrial Development District No. 83, which includes property located at 2300 East Ganson Street, Jackson, Michigan, as particularly described in said resolution; and

WHEREAS, pursuant to the provision of said Act, Cox Brothers Machining, Inc., filed on July 2, 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 September 10, 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 September 10, 2013

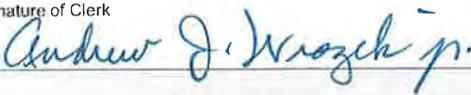
IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, Michigan, on this 11th day of September, 2013.

\_\_\_\_\_  
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) 373-2408.

To be completed by Clerk of Local Government Unit	
Signature of Clerk 	Date received by Local Unit 7/2/2013
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) Cox Brothers Machining, Inc	1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 3441, 3446, 3449	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 2300 E Ganson St Jackson, MI 49202	1d. City/Township/Village (indicate which) jackson	1e. County Jackson
2. Type of Approval Requested <input 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 Jackson	3b. School Code 38170
4. Amount of years requested for exemption (1-12 Years)		

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.  
 SSee Attached

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.	▶ \$221,156.00 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	▶ \$428,929.07 Personal Property Costs
6c. Total Project Costs * Round Costs to Nearest Dollar	▶ \$650,085.07 Total of Real & Personal Costs

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 ▶	1/2/13		▶	<input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased
Personal Property Improvements ▶	1/2/13		▶	<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. 32	10. No. of new jobs at this facility expected to create within 2 years of completion. 6
---	--

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:

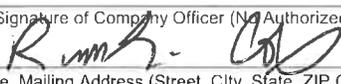
Industrial Development District       Plant Rehabilitation District

12b. Date district was established by local government unit (contact local unit) 6/25/02      #83	12c. Is this application for a speculative building (Sec. 3(8))? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
--	---

**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 Teri Cox	13b. Telephone Number (517) 796-4662	13c. Fax Number (517) 796-4774	13d. E-mail Address tl.cox@coxbro.com
14a. Name of Contact Person Teri Cox	14b. Telephone Number (517) 796-4662	14c. Fax Number (517) 796-4774	14d. E-mail Address tl.cox@coxbro.com
▶ 15a. Name of Company Officer (No Authorized Agents) Russell E Cox			
15b. Signature of Company Officer (No Authorized Agents) 		15c. Fax Number (517) 796-4774	15d. Date. 7/2/2013
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 2300 E Ganson St Jackson, MI 49202		15f. Telephone Number (517) 796-4662	15g. E-mail Address russ.cox@coxbro.com

**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	16d. School Code
17. Name of Local Government Body	▶ 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 Dale Personal	▶ End Date Real	▶ End Date Personal

IFT Itemized Machine List & Information

Property Description	(Expected ) Date in Service	(Expected ) Cost
AUTO BLASTER S# ES-1986/S-940206	7/1/2013	\$65,000.00
ACER PC VX4620G I7-3770	3/1/2013	\$882.84
ACER VERTON X4618G-Ui72060W CORE i7 2600	3/17/2013	\$932.60
AUTOCAD INVENTOR LT SUITE 2012	3/13/2013	\$1,145.00
BARRACUDA WEB FILTER 2010	3/31/2013	\$2,764.90
BEAMLINE ENCODER YD2311927	1/10/2013	\$580.95
BEAMLINE MACHINED RACK YD183510010003	1/10/2013	\$3,550.07
BEAMLINE MOTOR YD2313762	1/10/2013	\$12,240.00
BEAMLINE PCU CTRL 840Di YD2312310R	1/10/2013	\$13,571.23
BEAMLINE PROP BOSCH/REXROTH YD2312258	1/10/2013	\$2,752.65
BEAMLINE REPAIR LABOR MDL 1000 SN# 56562	1/31/2013	\$12,945.91
BEAMLINE SWITCH PROX YD2307271	1/10/2013	\$536.23
BEAMLINE TRANSDUCER YD2312307	1/10/2013	\$4,056.00
CHICAGO PNEUMATIC AIR DRILL 3/8IN #110454	2/1/2013	\$157.49
CLARK FORK TRUCK STARTER & REPAIRS C500-S100	5/7/2012	\$585.66
CSI KODIAK PRECISION CUTTING MACHINE SN:12-3672	1/24/2013	\$123,024.00
DANKINS BACKHOE 299138	10/31/2012	\$5,800.00
DEWALT HIGH PERFORMANCE GRINDER D28114	2/14/2013	\$1,052.00
EL COMETER 456 THICKNESS GAGE & PROBE	1/30/2012	\$1,416.50
ELECTRIC HOISTS 220/440LB CAP #14226	2/1/2013	\$299.97
ENERPAC PUMP ENEINC-PATG-1105N	4/13/2012	\$822.00
EQUIPMENT MOUNTING HYBROCO-M00071808-0000	2/18/2013	\$1,793.31
ESAB SUB-ARC WELDING SYSTEM SN: S9402441472 & S9402441473	2/16/2013	\$43,828.05
EXACT SOFTWARE	11/9/2012	\$4,317.80
FABTROL SOFTWARE/SUPPORT	5/12/2013	\$5,092.00
FIBERGLASS WELDING BLANKET 590-6x6	3/6/2013	\$314.59
GIRDER SETUP ONEAL A36 ANGLE & PLATE:	1/30/2013	\$12,741.48
HOIST/TITAM F180	1/8/2013	\$15,000.00
KLEECO MOBILE INDUSTRIAL HOIST MN: MIH-10 SN: 023131009	1/30/2012	\$40,434.00
LANSING HENLEY SIDELOADER S LOADER 10 TON SN: 5109884	1/22/2013	\$27,250.00
PENDANT SWITCH WITH CABLE 6944K12	3/7/2012	\$1,022.93
PLAZMA TABLE ASSEMBLY SO#: 13-6908	1/29/2013	\$610.80
PLAZMA TABLE LEG PLATES PRECISION A-36	1/4/2013	\$9,012.60
PLAZMA TABLE TORCH HEAD HPRXD	1/9/2013	\$846.34
PLAZMA TORCH TABLE ESSEMBLY MCGOWEN	2/28/2013	\$3,087.87
PLAZMA TORCH TABLE VAPORIZER HBSG28HF	2/18/2013	\$2,678.30
SAMSUNG MONITOR E2420L	3/1/2013	\$168.57
SLING, CHAIN, ALLOY 2AF22168DOASI.	1/22/2013	\$1,040.00
SUPER TOUGH PLATE-LIFTING CLAMP 8845T56	3/22/2012	\$825.64
TIMBERLINE SOFTWARE/SUPPORT	4/18/2013	\$3,741.80
WEL-BIT HAMMER DRILL #21404	2/1/2013	\$38.99
Ancillary equipment for above items	ESAB KODIAK	\$316.00 \$652.00
		<u>\$428,929.07</u>
Permitted Improvements with Oharrow Construction		\$221,156
<b>Total for IFT</b>		<u><b>\$650,085.07</b></u>

Applicant Name

**Cox Brothers Machining, Inc**

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

	<u>YES</u>	<u>NO</u>
Is this project:		
Real Property?	<input checked="" type="checkbox"/>	<input 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	Total
<b>\$221,156.00</b>	<b>\$428,929.07</b>	<b>\$650,085.07</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 checked="" type="checkbox"/>	<input 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>
-----------	--

**INDUSTRIAL FACILITIES TAX EXEMPTION AGREEMENT**

AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_, by and between the CITY OF JACKSON, a Michigan municipal corporation, with offices at 161 West Michigan Avenue, Jackson, Michigan 49201 (hereinafter "City"); and **Cox Brothers Machining Inc.**, a Michigan corporation, with offices located at 2300 E. Ganson Street, 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 property improvements (describe project) (the "Project") that was established as an Industrial Development District (the "District") by the City of Jackson on June 25, 2002; 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 3 new full time equivalent jobs and relocate and retain not less than 30 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.

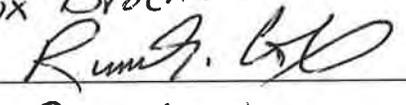
IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

Signed in the presence of:  
\_\_\_\_\_

**CITY OF JACKSON**  
By \_\_\_\_\_

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

  
Charity Sunderman

**APPLICANT**  
*Cox Brothers Machining, Inc.*  
By   
Its President \_\_\_\_\_

# 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.

Revenue	One Year After Construction is Done	After 5 Years	After 15 Years
1. Revenue from proposed property (from page 2, line 1).....	1965	1250	1538
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
1965	1250	1538

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



**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**

**September 10, 2013**

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

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

**SUBJECT:** Adoption of Ordinance No. 2013.19

---

**RECOMMENDATION:**

**Final adoption of Ordinance No. 2013.19 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.**

Attached please find Ordinance 2013.19 approved by the Council at the August 13, 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**  
**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 - 19

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. 4-8. 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.

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. 4-89. 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.



**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**  
**September 10, 2013**

**MEMO TO:** Honorable Mayor and City Councilmembers  
**FROM:** Andrew J. Wrozek, Jr., City Treasurer/City Clerk  
**SUBJECT:** Adoption of Ordinance No. 2013.20

---

**RECOMMENDATION:**

**Final adoption of Ordinance No. 2013.20 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.**

Attached please find Ordinance 2013.20 approved by the Council at the August 13, 2013 meeting. Please consider adoption of the ordinance.

C: City Manager

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.

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 ~~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)~~ govern 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.**



# 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 September 10, 2013

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Patrick H. Burtch, City Manager  
Jon H. Dowling, P.E., City Engineer

**SUBJECT:** Resolution for Approval of Contract with MDOT for Francis-Mason to Washington

**RECOMMENDATION:** Approval of the resolution to enter into a contract with the Michigan Department of Transportation (MDOT) for Francis Street reconstruction from Mason Street to Washington Avenue, and authorization for the Mayor and City Clerk to execute the appropriate contract documents.

Attached is a resolution to enter into a contract with the Michigan Department of Transportation for Francis Street reconstruction from Mason Street to Washington Avenue. This project includes hot mix asphalt paving, concrete curb and gutter, storm sewer, tree removal, sign and pavement marking work and other necessary related work.

The total construction cost of this project is estimated at 560,100.00. Federal funding will cover the lesser of \$280,000.00 or 81.85% of the cost for the street portion of the project. The City portion of the project will be paid from Sewer, Water, and Major Street funds. The breakdown is as follows:

Street Construction Federal Funding:	\$280,000.00
Sewer Funds	\$110,300.00
Water Funds	\$96,800.00
Major Street Funds:	<u>\$73,000.00</u>
Total:	\$560,100.00

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

Please do not hesitate to contact us if you should have any questions.

JHD:sms

c Andrew J. Wrozek, Jr., City Treasurer/Clerk  
Troy R. White, P.E., Senior Civil Engineer  
Lucinda Schultz, Accounting Manager

STP

DA

Control Section	STUL 38409
Job Number	120364
Project	STP 1338(019)
Federal Item No.	HH 8795
CFDA No.	20.205 (Highway Research Planning & Construction)
Contract No.	13-5391

PART I

THIS CONTRACT, consisting of PART I and PART II (Standard Agreement Provisions), is made and entered into this date of \_\_\_\_\_, by and between the MICHIGAN DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "DEPARTMENT"; and the CITY OF JACKSON, a Michigan municipal corporation, hereinafter referred to as the "REQUESTING PARTY"; for the purpose of fixing the rights and obligations of the parties in agreeing to the following improvements, in the City of Jackson, Michigan, hereinafter referred to as the "PROJECT" and estimated in detail on EXHIBIT "I", dated June 25, 2013, attached hereto and made a part hereof:

PART A – FEDERAL PARTICIPATION

Reconstruction work along Francis Street from Mason Street to Washington Street; including hot mix asphalt paving, concrete curb and gutter, storm sewer, tree removal, sign, and pavement marking work; and all together with necessary related work.

PART B – NO FEDERAL PARTICIPATION

Sanitary sewer and watermain work along Francis Street from Mason Street to Washington Street; and all together with necessary related work.

WITNESSETH:

WHEREAS, pursuant to Federal law, monies have been provided for the performance of certain improvements on public roads; and

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

WHEREAS, the PROJECT, or portions of the PROJECT, at the request of the REQUESTING PARTY, are being programmed with the FHWA, for implementation with the use of Federal Funds under the following Federal program(s) or funding:

SURFACE TRANSPORTATION PROGRAM

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

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

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

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

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

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

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

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

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

- A. Design or cause to be designed the plans for the PROJECT.
- B. Appoint a project engineer who shall be in responsible charge of the PROJECT and ensure that the plans and specifications are followed.
- C. Perform or cause to be performed the construction engineering, construction materials testing, and inspection services necessary for the completion of the PROJECT.

The REQUESTING PARTY will furnish the DEPARTMENT proposed timing sequences for trunkline signals that, if any, are being made part of the improvement. No timing adjustments shall be made by the REQUESTING PARTY at any trunkline intersection, without prior issuances by the DEPARTMENT of Standard Traffic Signal Timing Permits.

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

PART A

Federal Surface Transportation Funds shall be applied to the eligible items of the PART A portion of the PROJECT COST up to the lesser of: (1) \$280,000, or (2) an amount such that 81.85 percent, the normal Federal participation ratio for such funds, for the PART A portion of the PROJECT is not exceeded at the time of the award of the construction contract. The balance of the PART A portion of the PROJECT COST, after deduction of Federal Funds, shall be charged to and paid by the REQUESTING PARTY in the manner and at the times hereinafter set forth.

PART B

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

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

6. No working capital deposit will be required for this PROJECT.

In order to fulfill the obligations assumed by the REQUESTING PARTY under the provisions of this contract, the REQUESTING PARTY shall make prompt payments of its share of the PROJECT COST upon receipt of progress billings from the DEPARTMENT as herein provided. All payments will be made within 30 days of receipt of billings from the DEPARTMENT. Billings to the REQUESTING PARTY will be based upon an effective billing rate and the REQUESTING PARTY'S share of the actual costs incurred less Federal Funds earned as the PROJECT progresses. The initial effective billing rate for the federal funding of PART A portion of the PROJECT is calculated by using the federal funding for the PART A portion of the PROJECT set at the time of the award of the construction contract, as described in Section 5, and dividing by the total costs of the PART A portion of the PROJECT eligible for federal funding and authorized at the time of the award of the construction contract.

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

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

7. Upon completion of construction of the PROJECT, the REQUESTING PARTY will promptly cause to be enacted and enforced such ordinances or regulations as may be necessary to prohibit parking in the roadway right-of-way throughout the limits of the PROJECT.

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

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

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

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

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

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

12. The DEPARTMENT'S sole reason for entering into this contract is to enable the REQUESTING PARTY to obtain and use funds provided by the Federal Highway Administration pursuant to Title 23 of the United States Code.

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

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

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

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

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

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

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

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

- A. Maintain bodily injury and property damage insurance for the duration of the PROJECT.
- B. Provide owner's protective liability insurance naming as insureds the State of Michigan, the Michigan State Transportation Commission, the DEPARTMENT and its officials, agents and employees, the REQUESTING PARTY and any other county, county road commission, or municipality in whose jurisdiction the PROJECT is located, and their employees, for the duration of the PROJECT and to provide, upon request, copies of certificates of insurance to the insureds. It is understood that the DEPARTMENT does not assume jurisdiction of the highway described as the PROJECT as a result of being named as an insured on the owner's protective liability insurance policy.
- C. Comply with the requirements of notice of cancellation and reduction of insurance set forth in the current standard specifications for construction and to provide, upon request, copies of notices and reports prepared to those insured.

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

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

CITY OF JACKSON

MICHIGAN DEPARTMENT  
OF TRANSPORTATION

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

By \_\_\_\_\_  
Department Director MDOT

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



**APPROVED BY:**

*[Handwritten Signature]*

8/6/2013

FOR

Administrator  
Real Estate

Date

June 25, 2013

EXHIBIT I

CONTROL SECTION      STUL 38409  
JOB NUMBER            120364  
PROJECT                 STP 1338(019)

ESTIMATED COST

CONTRACTED WORK

	<u>PART A</u>	<u>PART B</u>	<u>TOTAL</u>
Estimated Cost	\$353,000	\$207,100	\$560,100

COST PARTICIPATION

GRAND TOTAL ESTIMATED COST	\$353,000	\$207,100	\$560,100
Less Federal Funds*	<u>\$280,000</u>	<u>\$ -0-</u>	<u>\$280,000</u>
BALANCE (REQUESTING PARTY'S SHARE)	\$ 73,000	\$207,100	\$280,100

\*Federal Funds for the PART A portion of the PROJECT are limited to an amount as described in Section 5.

NO DEPOSIT

DOT

TYPE B  
BUREAU OF HIGHWAYS  
03-15-93

PART II

STANDARD AGREEMENT PROVISIONS

SECTION I COMPLIANCE WITH REGULATIONS AND DIRECTIVES

SECTION II PROJECT ADMINISTRATION AND SUPERVISION

SECTION III ACCOUNTING AND BILLING

SECTION IV MAINTENANCE AND OPERATION

SECTION V SPECIAL PROGRAM AND PROJECT CONDITIONS

## SECTION I

### COMPLIANCE WITH REGULATIONS AND DIRECTIVES

- A. To qualify for eligible cost, all work shall be documented in accordance with the requirements and procedures of the DEPARTMENT.
- B. All work on projects for which reimbursement with Federal funds is requested shall be performed in accordance with the requirements and guidelines set forth in the following Directives of the Federal-Aid Policy Guide (FAPG) of the FHWA, as applicable, and as referenced in pertinent sections of Title 23 and Title 49 of the Code of Federal Regulations (CFR), and all supplements and amendments thereto.
  - 1. Engineering
    - a. FAPG (6012.1): Preliminary Engineering
    - b. FAPG (23 CFR 172): Administration of Engineering and Design Related Service Contracts
    - c. FAPG (23 CFR 635A): Contract Procedures
    - d. FAPG (49 CFR 18.22): Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments—Allowable Costs
  - 2. Construction
    - a. FAPG (23 CFR 140E): Administrative Settlement Costs-Contract Claims
    - b. FAPG (23 CFR 140B): Construction Engineering Costs
    - c. FAPG (23 CFR 17): Recordkeeping and Retention Requirements for Federal-Aid Highway Records of State Highway Agencies
    - d. FAPG (23 CFR 635A): Contract Procedures
    - e. FAPG (23 CFR 635B): Force Account Construction
    - f. FAPG (23 CFR 645A): Utility Relocations, Adjustments and Reimbursement

- g. FAPG (23 CFR 645B): Accommodation of Utilities (PPM 30-4.1)
  - h. FAPG (23 CFR 655F): Traffic Control Devices on Federal-Aid and other Streets and Highways
  - i. FAPG (49 CFR 18.22): Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments—Allowable Costs
3. Modification Or Construction Of Railroad Facilities
- a. FAPG (23 CFR 140I): Reimbursement for Railroad Work
  - b. FAPG (23 CFR 646B): Railroad Highway Projects
- C. In conformance with FAPG (23 CFR 630C) Project Agreements, the political subdivisions party to this contract, on those Federally funded projects which exceed a total cost of \$100,000.00 stipulate the following with respect to their specific jurisdictions:
- 1. That any facility to be utilized in performance under or to benefit from this contract is not listed on the Environmental Protection Agency (EPA) List of Violating Facilities issued pursuant to the requirements of the Federal Clean Air Act, as amended, and the Federal Water Pollution Control Act, as amended.
  - 2. That they each agree to comply with all of the requirements of Section 114 of the Federal Clean Air Act and Section 308 of the Federal Water Pollution Control Act, and all regulations and guidelines issued thereunder.
  - 3. That as a condition of Federal aid pursuant to this contract they shall notify the DEPARTMENT of the receipt of any advice indicating that a facility to be utilized in performance under or to benefit from this contract is under consideration to be listed on the EPA List of Violating Facilities.
- D. Ensure that the PROJECT is constructed in accordance with and incorporates all committed environmental impact mitigation measures listed in approved environmental documents unless modified or deleted by approval of the FHWA.
- E. All the requirements, guidelines, conditions and restrictions noted in all other pertinent Directives and Instructional Memoranda of the FHWA will apply to this contract and will be adhered to, as applicable, by the parties hereto.

## SECTION II

### PROJECT ADMINISTRATION AND SUPERVISION

- A. The DEPARTMENT shall provide such administrative guidance as it determines is required by the PROJECT in order to facilitate the obtaining of available federal and/or state funds.
- B. The DEPARTMENT will advertise and award all contracted portions of the PROJECT work. Prior to advertising of the PROJECT for receipt of bids, the REQUESTING PARTY may delete any portion or all of the PROJECT work. After receipt of bids for the PROJECT, the REQUESTING PARTY shall have the right to reject the amount bid for the PROJECT prior to the award of the contract for the PROJECT only if such amount exceeds by ten percent (10%) the final engineer's estimate therefor. If such rejection of the bids is not received in writing within two (2) weeks after letting, the DEPARTMENT will assume concurrence. The DEPARTMENT may, upon request, readvertise the PROJECT. Should the REQUESTING PARTY so request in writing within the aforesaid two (2) week period after letting, the PROJECT will be cancelled and the DEPARTMENT will refund the unused balance of the deposit less all costs incurred by the DEPARTMENT.
- C. The DEPARTMENT will perform such inspection services on PROJECT work performed by the REQUESTING PARTY with its own forces as is required to ensure compliance with the approved plans & specifications.
- D. On those projects funded with Federal monies, the DEPARTMENT shall as may be required secure from the FHWA approval of plans and specifications, and such cost estimates for FHWA participation in the PROJECT COST.
- E. All work in connection with the PROJECT shall be performed in conformance with the Michigan Department of Transportation Standard Specifications for Construction, and the supplemental specifications, Special Provisions and plans pertaining to the PROJECT and all materials furnished and used in the construction of the PROJECT shall conform to the aforesaid specifications. No extra work shall be performed nor changes in plans and specifications made until said work or changes are approved by the project engineer and authorized by the DEPARTMENT.

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

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

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

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

- G. The REQUESTING PARTY, at no cost to the PROJECT or the DEPARTMENT, shall make such arrangements with railway companies, utilities, etc., as may be necessary for the performance of work required for the PROJECT but for which Federal or other reimbursement will not be requested.
- H. The REQUESTING PARTY, at no cost to the PROJECT, or the DEPARTMENT, shall secure, as necessary, all agreements and approvals of the PROJECT with railway companies, the Railroad Safety & Tariffs Division of the DEPARTMENT and other concerned governmental agencies other than the FHWA, and will forward same to the DEPARTMENT for such reviews and approvals as may be required.
- I. No PROJECT work for which reimbursement will be requested by the REQUESTING PARTY is to be subcontracted or performed until the DEPARTMENT gives written notification that such work may commence.

- J. The REQUESTING PARTY shall be responsible for the payment of all costs and expenses incurred in the performance of the work it agrees to undertake and perform.
- K. The REQUESTING PARTY shall pay directly to the party performing the work all billings for the services performed on the PROJECT which are authorized by or through the REQUESTING PARTY.
- L. The REQUESTING PARTY shall submit to the DEPARTMENT all paid billings for which reimbursement is desired in accordance with DEPARTMENT procedures.
- M. All work by a consulting firm will be performed in compliance with the applicable provisions of 1980 PA 299, Subsection 2001, MCL 339.2001; MSA 18.425(2001), as well as in accordance with the provisions of all previously cited Directives of the FHWA.
- N. The project engineer shall be subject to such administrative guidance as may be deemed necessary to ensure compliance with program requirement and, in those instances where a consultant firm is retained to provide engineering and inspection services, the personnel performing those services shall be subject to the same conditions.
- O. The DEPARTMENT, in administering the PROJECT in accordance with applicable Federal and State requirements and regulations, neither assumes nor becomes liable for any obligations undertaken or arising between the REQUESTING PARTY and any other party with respect to the PROJECT.
- P. In the event it is determined by the DEPARTMENT that there will be either insufficient Federal funds or insufficient time to properly administer such funds for the entire PROJECT or portions thereof, the DEPARTMENT, prior to advertising or issuing authorization for work performance, may cancel the PROJECT, or any portion thereof, and upon written notice to the parties this contract shall be void and of no effect with respect to that cancelled portion of the PROJECT. Any PROJECT deposits previously made by the parties on the cancelled portions of the PROJECT will be promptly refunded.
- Q. Those projects funded with Federal monies will be subject to inspection at all times by the DEPARTMENT and the FHWA.

## SECTION III

### ACCOUNTING AND BILLING

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

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

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

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

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

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

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

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

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

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

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

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

The agency shall submit two copies of:

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

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

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

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

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

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

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

2. Agreed Unit Prices Work - All billings for work undertaken by the REQUESTING PARTY on an agreed unit price basis will be submitted in accordance with the Michigan Department of Transportation Standard Specifications for Construction and pertinent FAPG Directives and Guidelines of the FHWA.
3. Force Account Work and Subcontracted Work - All billings submitted to the DEPARTMENT for Federal reimbursement for items of work performed on a force account basis or by any subcontract with a consulting firm, railway company, governmental agency or other party, under the terms of this contract, shall be prepared in accordance with the provisions of the pertinent FHPM Directives and the procedures of the DEPARTMENT. Progress billings may be submitted monthly during the time work is being performed provided, however, that no bill of a lesser amount than \$1,000.00 shall be submitted unless it is a final

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

4. Final billing under this contract shall be submitted in a timely manner but not later than six months after completion of the work. Billings for work submitted later than six months after completion of the work will not be paid.
5. Upon receipt of billings for reimbursement for work undertaken by the REQUESTING PARTY on projects funded with Federal monies, the DEPARTMENT will act as billing agent for the REQUESTING PARTY, consolidating said billings with those for its own force account work and presenting these consolidated billings to the FHWA for payment. Upon receipt of reimbursement from the FHWA, the DEPARTMENT will promptly forward to the REQUESTING PARTY its share of said reimbursement.
6. Upon receipt of billings for reimbursement for work undertaken by the REQUESTING PARTY on projects funded with non-Federal monies, the DEPARTMENT will promptly forward to the REQUESTING PARTY reimbursement of eligible costs.

B. Payment of Contracted and DEPARTMENT Costs:

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

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

C. General Conditions:

1. The DEPARTMENT, in accordance with its procedures in existence and covering the time period involved, shall make payment for interest earned on the balance of working capital deposits for all projects on account with the DEPARTMENT. The REQUESTING PARTY in accordance with DEPARTMENT procedures in existence and covering the time period involved, shall make payment for interest owed on any deficit balance of working capital deposits for all projects on account with the DEPARTMENT. This payment or billing is processed on an annual basis corresponding to the State of Michigan fiscal year. Upon receipt of billing for interest incurred, the REQUESTING PARTY promises and shall promptly pay the DEPARTMENT said amount.
2. Pursuant to the authority granted by law, the REQUESTING PARTY hereby irrevocably pledges a sufficient amount of funds received by it from the Michigan Transportation Fund to meet its obligations as specified in PART I and PART II. If the REQUESTING PARTY shall fail to make any of its required payments when due, as specified herein, the DEPARTMENT shall immediately notify the REQUESTING PARTY and the State Treasurer of the State of Michigan or such other state officer or agency having charge and control over disbursement of the Michigan Transportation Fund, pursuant to law, of the fact of such default and the amount thereof, and, if such default is not cured by payment within ten (10) days, said State Treasurer or other state officer or agency is then authorized and directed to withhold from the first of such monies thereafter allocated by law to the REQUESTING PARTY from the Michigan Transportation Fund sufficient monies to remove the default, and to credit the REQUESTING PARTY with payment thereof, and to notify the REQUESTING PARTY in writing of such fact.
3. Upon completion of all work under this contract and final audit by the DEPARTMENT or the FHWA, the REQUESTING PARTY promises to promptly repay the DEPARTMENT for any disallowed items of costs previously disbursed by the DEPARTMENT. The REQUESTING PARTY pledges its future receipts from the Michigan Transportation Fund for repayment of all disallowed items and, upon failure to make repayment for any disallowed items within ninety (90) days of demand made by the DEPARTMENT, the DEPARTMENT is hereby authorized to withhold an equal amount from the REQUESTING PARTY'S share of any future distribution of Michigan Transportation Funds in settlement of said claim.

4. The DEPARTMENT shall maintain and keep accurate records and accounts relative to the cost of the PROJECT and upon completion of the PROJECT, payment of all items of PROJECT COST, receipt of all Federal Aid, if any, and completion of final audit by the DEPARTMENT and if applicable, by the FHWA, shall make final accounting to the REQUESTING PARTY. The final PROJECT accounting will not include interest earned or charged on working capital deposited for the PROJECT which will be accounted for separately at the close of the State of Michigan fiscal year and as set forth in Section C(1).
5. The costs of engineering and other services performed on those projects involving specific program funds and one hundred percent (100%) local funds will be apportioned to the respective portions of that project in the same ratio as the actual direct construction costs unless otherwise specified in PART I.

## SECTION IV

### MAINTENANCE AND OPERATION

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

1. All Projects:

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

2. Projects Financed in Part with Federal Monies:

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

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

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

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

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

- B. On projects for the removal of roadside obstacles, the parties, upon completion of construction of each part of the PROJECT, at no cost to the PROJECT or the DEPARTMENT, will, within their respective jurisdictions, take such action as is necessary to assure that the roadway right-of-way, cleared as the PROJECT, will be maintained free of such obstacles.
- C. On projects for the construction of bikeways, the parties will enact no ordinances or regulations prohibiting the use of bicycles on the facility hereinbefore described as the PROJECT, and will amend any existing restrictive ordinances in this regard so as to allow use of this facility by bicycles. No motorized vehicles shall be permitted on such bikeways or walkways constructed as the PROJECT except those for maintenance purposes.
- D. Failure of the parties hereto to fulfill their respective responsibilities as outlined herein may disqualify that party from future Federal-aid participation in projects on roads or streets for which it has maintenance responsibility. Federal Aid may be withheld until such time as deficiencies in regulations have been corrected, and the improvements constructed as the PROJECT are brought to a satisfactory condition of maintenance.

## SECTION V

### SPECIAL PROGRAM AND PROJECT CONDITIONS

- A. Those projects for which the REQUESTING PARTY has been reimbursed with Federal monies for the acquisition of right-of-way must be under construction by the close of the twentieth (20th) fiscal year following the fiscal year in which the FHWA and the DEPARTMENT projects agreement covering that work is executed, or the REQUESTING PARTY may be required to repay to the DEPARTMENT, for forwarding to the FHWA, all monies distributed as the FHWA'S contribution to that right-of-way.
- B. Those projects for which the REQUESTING PARTY has been reimbursed with Federal monies for the performance of preliminary engineering must be under construction by the close of the tenth (10th) fiscal year following the fiscal year in which the FHWA and the DEPARTMENT projects agreement covering that work is executed, or the REQUESTING PARTY may be required to repay to the DEPARTMENT, for forwarding to the FHWA, all monies distributed as the FHWA'S contribution to that preliminary engineering.
- C. On those projects funded with Federal monies, the REQUESTING PARTY, at no cost to the PROJECT or the DEPARTMENT, will provide such accident information as is available and such other information as may be required under the program in order to make the proper assessment of the safety benefits derived from the work performed as the PROJECT. The REQUESTING PARTY will cooperate with the DEPARTMENT in the development of reports and such analysis as may be required and will, when requested by the DEPARTMENT, forward to the DEPARTMENT, in such form as is necessary, the required information.
- D. In connection with the performance of PROJECT work under this contract the parties hereto (hereinafter in Appendix "A" referred to as the "contractor") agree to comply with the State of Michigan provisions for "Prohibition of Discrimination in State Contracts", as set forth in Appendix A, attached hereto and made a part hereof. The parties further covenant that they will comply with the Civil Rights Acts of 1964, being P.L. 88-352, 78 Stat. 241, as amended, being Title 42 U.S.C. Sections 1971, 1975a-1975d, and 2000a-2000h-6 and the Regulations of the United States Department of Transportation (49 C.F.R. Part 21) issued pursuant to said Act, including Appendix "B", attached hereto and made a part hereof, and will require similar covenants on the part of any contractor or subcontractor employed in the performance of this contract.
- E. The parties will carry out the applicable requirements of the DEPARTMENT'S Disadvantaged Business Enterprise (DBE) program and 49 CFR, Part 26, including, but not limited to, those requirements set forth in Appendix C.

**APPENDIX A**  
**PROHIBITION OF DISCRIMINATION IN STATE CONTRACTS**

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

1. In accordance with Public Act 453 of 1976 (Elliott-Larsen Civil Rights Act), the contractor shall not discriminate against an employee or applicant for employment with respect to hire, tenure, treatment, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, height, weight, or marital status. A breach of this covenant will be regarded as a material breach of this contract. Further, in accordance with Public Act 220 of 1976 (Persons with Disabilities Civil Rights Act), as amended by Public Act 478 of 1980, the contractor shall not discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of a disability that is unrelated to the individual's ability to perform the duties of a particular job or position. A breach of the above covenants will be regarded as a material breach of this contract.
2. The contractor hereby agrees that any and all subcontracts to this contract, whereby a portion of the work set forth in this contract is to be performed, shall contain a covenant the same as hereinabove set forth in Section 1 of this Appendix.
3. The contractor will take affirmative action to ensure that applicants for employment and employees are treated without regard to their race, color, religion, national origin, age, sex, height, weight, marital status, or any disability that is unrelated to the individual's ability to perform the duties of a particular job or position. Such action shall include, but not be limited to, the following: employment; treatment; upgrading; demotion or transfer; recruitment; advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
4. The contractor shall, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, age, sex, height, weight, marital status, or disability that is unrelated to the individual's ability to perform the duties of a particular job or position.
5. The contractor or its collective bargaining representative shall send to each labor union or representative of workers with which the contractor has a collective bargaining agreement or other contract or understanding a notice advising such labor union or workers' representative of the contractor's commitments under this Appendix.
6. The contractor shall comply with all relevant published rules, regulations, directives, and orders of the Michigan Civil Rights Commission that may be in effect prior to the taking of bids for any individual state project.

7. The contractor shall furnish and file compliance reports within such time and upon such forms as provided by the Michigan Civil Rights Commission; said forms may also elicit information as to the practices, policies, program, and employment statistics of each subcontractor, as well as the contractor itself, and said contractor shall permit access to the contractor's books, records, and accounts by the Michigan Civil Rights Commission and/or its agent for the purposes of investigation to ascertain compliance under this contract and relevant rules, regulations, and orders of the Michigan Civil Rights Commission.
8. In the event that the Michigan Civil Rights Commission finds, after a hearing held pursuant to its rules, that a contractor has not complied with the contractual obligations under this contract, the Michigan Civil Rights Commission may, as a part of its order based upon such findings, certify said findings to the State Administrative Board of the State of Michigan, which State Administrative Board may order the cancellation of the contract found to have been violated and/or declare the contractor ineligible for future contracts with the state and its political and civil subdivisions, departments, and officers, including the governing boards of institutions of higher education, until the contractor complies with said order of the Michigan Civil Rights Commission. Notice of said declaration of future ineligibility may be given to any or all of the persons with whom the contractor is declared ineligible to contract as a contracting party in future contracts. In any case before the Michigan Civil Rights Commission in which cancellation of an existing contract is a possibility, the contracting agency shall be notified of such possible remedy and shall be given the option by the Michigan Civil Rights Commission to participate in such proceedings.
9. The contractor shall include or incorporate by reference, the provisions of the foregoing paragraphs (1) through (8) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Michigan Civil Rights Commission; all subcontracts and purchase orders will also state that said provisions will be binding upon each subcontractor or supplier.

Revised June 2011

**APPENDIX B  
TITLE VI ASSURANCE**

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

1. **Compliance with Regulations:** For all federally assisted programs, the contractor shall comply with the nondiscrimination regulations set forth in 49 CFR Part 21, as may be amended from time to time (hereinafter referred to as the Regulations). Such Regulations are incorporated herein by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed under the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection, retention, and treatment of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices, when the contractor covers a program set forth in Appendix B of the Regulations.
3. **Solicitation for Subcontracts, Including Procurements of Materials and Equipment:** All solicitations made by the contractor, either by competitive bidding or by negotiation for subcontract work, including procurement of materials or leases of equipment, must include a notification to each potential subcontractor or supplier of the contractor's obligations under the contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto and shall permit access to its books, records, accounts, other sources of information, and facilities as may be determined to be pertinent by the Department or the United States Department of Transportation (USDOT) in order to ascertain compliance with such Regulations or directives. If required information concerning the contractor is in the exclusive possession of another who fails or refuses to furnish the required information, the contractor shall certify to the Department or the USDOT, as appropriate, and shall set forth the efforts that it made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the Department shall impose such contract sanctions as it or the USDOT may determine to be appropriate, including, but not limited to, the following:
  - a. Withholding payments to the contractor until the contractor complies; and/or
  - b. Canceling, terminating, or suspending the contract, in whole or in part.

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

Revised June 2011

## APPENDIX C

### TO BE INCLUDED IN ALL FINANCIAL ASSISTANCE AGREEMENTS WITH LOCAL AGENCIES

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

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

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

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

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

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**  
**September 10, 2013**  
**NEW BUSINESS**

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Bethany M. Smith, Interim City Attorney *BS*

DATE: September 3, 2013

SUBJECT: Amendments to Chapters 23 and 26 - Leaves

**RECOMMENDATION: Approve the Amendment to Chapters 23 and 26 to prohibit the placement of leaves into the public ways and to prohibit leaf piles.**

Attached please find clean versions of the amendments to the Code to regulate leaves. The addition to Chapter 23 will prohibit the placement of leaves into the streets, alleys and public ways. It also permits the costs of removal by the City to be assessed against the property.

The addition of Article V to Chapter 26 prohibits large leaf piles that are left for more than 10 days. As with the Chapter 23 additions, the cost of the City removing the leaf piles would be assessed against the property.

Burning of leaves in the City is already prohibited in the City's Fire Prevention and Protection Code at Section 10-53, subsection F-403.1.

The requisite action is to approve the Ordinances.

If Council has any questions, please feel free to contact me.

Cc w/att: Patrick Burtch, City Manager

ORDINANCE 2013 - \_\_\_\_\_

An Ordinance amending Article II of Chapter 23 of the Code of Ordinances of the City of Jackson, Michigan to add provisions prohibiting the placement of leaves in the streets, alleys and public ways of the City 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 in response to the recent Michigan Court of Appeals ruling invalidating the City's stormwater user fee. Part of the funds collected as the stormwater user fee were used to provide leaf collection service. With no funds to provide collection, the City must suspend the service indefinitely. While the City diligently reviews other options for the collection of leaves, the Council passes the present ordinance in an effort to keep the streets of the City safe and clean of leaves and other yard debris.

Section 2. That Article II of Chapter 23 of the City of Jackson, Michigan Code of Ordinances, be amended to read as follows:

Sec. 23-43. Placing leaves and yard waste on public ways.

- (a) The owner or occupant of any property, or any employee or contractor of such owner or occupant engaged to provide lawn care or landscaping services, shall not sweep, rake, blow, or otherwise place leaves, grass clippings, lawn rakings, brush, soil or dirt on any street, alley or public way in the City. (For provisions concerning the accumulation of leaf piles, see Section 26-101 and Section 26-102).
- (b) A presumption shall exist that the owner of the property abutting the street, alley or public way where the leaves, grass clippings, lawn rakings, soil or dirt is located is responsible for the placement of same onto the street, alley or public way.

Sec. 23-44. Notice of violation and penalty.

If the provisions of Section 23-43 are not complied with, the Department of Public Works shall notify the occupant or owner to comply with the provisions of such section within a time to be specified in such notice. The notice shall be given in accordance with Section 1-15 of this Code. If such notice is not complied with in the time specified in such notice, the Department of Public Works shall cause the leaves, grass clippings, lawn rakings, brush, soil or dirt to be cleared, and the cost of clearing and removing same shall be charged to the owner of the lot or premises as a special assessment against such lot or premise, and shall be collected in the manner provided for special assessments.

In addition, a violation of Section 23-43 shall be, upon conviction, punished as a blight violation as provided in Section 2.5 of this Code.

Section 3. This Ordinance takes effect thirty (30) days from the date of adoption.

ORDINANCE 2013 - \_\_\_\_

An Ordinance amending Chapter 26 of the Code of Ordinances of the City of Jackson, Michigan to add provisions prohibiting the placement of piles of leaves on private property 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 in response to the recent Michigan Court of Appeals ruling invalidating the City's stormwater user fee. Part of the funds collected as the stormwater user fee were used to provide leaf collection service. With no funds to provide collection, the City must suspend the service indefinitely. While the City diligently reviews other options for the collection of leaves, the City Council passes the present ordinance in an effort to prevent the accumulation of leaves which can provide harborage for vermin and are a blight upon the City.

Section 2. That Article V be added to Chapter 26 of the City of Jackson, Michigan Code of Ordinances, to read as follows:

ARTICLE V. LEAVES.

Sec. 26-101. Accumulation of leaves prohibited.

The owner or occupant of any property shall not allow an accumulation of leaves upon his or her property in excess of three (3) feet in diameter and two (2) feet in height for more than ten (10) days, and only during the months of April, May, October and November.

Sec. 26-102. Notice of violation and penalty.

If the provisions of Section 26-101 are not complied with the Department of Public Works shall notify the occupant or owner to comply with the provisions of such section within a time to be specified in such notice. The notice shall be given in accordance with Section 1-15 of this Code. If such notice is not complied with in the time specified in such notice, the Department of Public Works may cause the leaves to be cleared, and the cost of clearing and removing same shall be charged to the owner of the lot or premises as a special assessment against such lot or premise, and shall be collected in the manner provided for special assessments.

In addition, a violation of Section 26-101 shall be, upon conviction, punished as a blight violation as provided in Section 2.5 of this Code.

Section 3. This Ordinance takes effect thirty (30) days from the date of adoption.



## Parks, Recreation and Grounds

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

### CITY COUNCIL MEETING TUESDAY, SEPTEMBER 10, 2013

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Kelli M. Hoover, Director

SUBJECT: Purchase of a 2013 Ford F-150 Truck,

**RECOMMENDATION: To approve the purchase of a 2013 Ford F-150 Truck, from Gorno Ford of Woodhaven, Michigan in the total amount of \$17,363 thru the State of Michigan MiDeal Contract as budgeted in our 2013-2014 Fiscal Year Budget.**

The purchase of a 2013 Ford F-150 Truck, for the City Parks Department will replace dated equipment within the Department. The Ford F-150 Truck will be replacing a 1995 GMC S10 Sonoma with 113,000 miles. The 1995 GMC S10 Sonoma has been used to tow trailers carrying lawn mowers, snow blowers and to plow the Cemeteries.

Gorno Ford of Woodhaven, Michigan has submitted a quote per the State of Michigan MiDeal Contract of \$17,363. I have attached a copy of the specifications for your review.

The purchase of the item above is budgeted in the 2013/2014 Fiscal Year's Cemeteries Budget, line-item 101-697-000-947. The truck will be purchased through the City of Jackson's Motor Pool and will be charged to the Parks Department annually for 5 years or less to cover this expense.

KMH:sw

**GORNO FORD**  
22025 ALLEN ROAD  
WOODHAVEN, MI 48183

DATE: 7/9/13  
TO: CHUCK PARKS, CITY OF JACKSON  
517-768-6142 (DIRECT) [cparks@cityofjackson.org](mailto:cparks@cityofjackson.org) & [khoover@cityofjackson.org](mailto:khoover@cityofjackson.org)  
FROM: JIM AGNEY, GORNO FORD, GOVERNMENT & FLEET SALES  
734-671-4033 (DIRECT) (FAX) 734-676-7647 [jagnev@gornoford.com](mailto:jagnev@gornoford.com)  
RE: **MIDEAL # 3958-0026 - CONTRACT# 071B1300005**  
**2013MY F-150 XL REG. CAB 4x2, 145" WB, 8' BED, 6,750 GVWR, 3.73 LTD. SLIP-AXLE, 3.7L V6, 6spd. A/Tw/TOWHAUL MODE, A/C, OXFORD WHITE/GREY-VINYL, DISC BRKS.w/ABS, AIR BAGS, ADVANCE TRACw/ROLL STABILITY-CNTRL., TRAILER SWAY CNTRL., AM/FMw/CLOCK, TILT/CRUISE, TPMS, P235/75Rx17AT, VINYL FLOOR, TRAILER TOW**

**NOTE: ORDER CUT-OFF FOR 2013MY IS 8/23/13**  
**2014MY START-UP IS 11/18/13**

**CURRENT LEAD TIME TO ORDER IS ESTIMATED @ 8-10 WEEKS.**

F.O.B. DELIVERED TO JACKSON, MI ..... \$17,363.00  
(MSRP = \$26,250.00)

**RECOMMENDED OPTIONS:**

PWR. WINDOWS/LOCKS/MIRRORS .....	950.00
CLOTH SEATS .....	149.00
MUNICIPAL SAFETY LIGHT PKG. Includes; Amber LED Mini Light Bar, F/R LED Flashers .....	1,250.00
AMBER LED ROOF BEACON .....	379.00
REVERSE SAFETY BEEPER .....	149.00
H.D. ALL-WEATHER RUBBER FLOOR MATS .....	79.00
RHINO SPRAY-IN BED LINER .....	599.00
SPLASH GUARDS .....	139.00

Please review, **SELECT options**, sign and e-mail/fax back or e-mail/fax Purchase Order to Jim Agney.

Customer Signature: \_\_\_\_\_

Thank you,  
Jim Agney

This quotation is confidential and privileged and is intended solely for the use of Gorno Ford and City of Jackson. This quotation is compiled in association with the MiDEAL Contract and intended for use by MiDEAL Members and State of Michigan government agencies stated above. Information/specifications in this quotation have been established by and are intended only for use by the stated parties. This document is not to be disclosed, distributed, used/re-used as a basis for specifications subsequent bids or request(s) for quotation(s) to any other party or bidders other than the intended parties and/or their authorized personnel.



## Parks, Recreation and Grounds

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### CITY COUNCIL MEETING TUESDAY, SEPTEMBER 10, 2013

MEMO TO: Honorable Mayor and City Councilmembers  
FROM: Kelli M. Hoover, Director  
SUBJECT: Purchase of a 2014 Ford F-350 Dump Truck

**RECOMMENDATION: To approve the purchase of a 2014 Ford F-350 Dump Truck, from Gorno Ford of Woodhaven, Michigan in the total amount of \$29,592 thru the State of Michigan MiDeal Contract as Budgeted in our 2013-2014 Fiscal Year Budget.**

The purchase of a 2014 Ford F-350 Dump Truck, for the City Cemeteries Department will replace dated equipment within the Department. The Ford F-350 Dump Truck will be replacing a 1990 F-350 Dump Truck with 72,338 miles. The 1990 Ford F-350 Dump Truck has been used to help with funeral services in the two City Cemeteries.

Gorno Ford of Woodhaven, Michigan has submitted a quote per the State of Michigan MiDeal Contract of \$29,592. I have attached a copy of the specifications for your review.

The purchase of the item above is budgeted in the 2013-2014 Fiscal Year's Cemeteries Budget, line-item 101-276-000-947. The truck will be purchased through the City of Jackson's Motor Pool and will be charged to the Cemeteries Department annually for 5 years or less to cover this expense.

KMH:sw



**GORNO FORD**  
22025 ALLEN ROAD  
WOODHAVEN, MI 48183

DATE: 7/8/13

TO: CHUCK PARKS, CITY OF JACKSON  
517-768-6080 (DIRECT) (CELL) 517-206-2184 [cparks@cityofjackson.org](mailto:cparks@cityofjackson.org) &  
[khoover@cityofjackson.org](mailto:khoover@cityofjackson.org)

FROM: JIM AGNEY, GORNO FORD, GOVERNMENT & FLEET SALES  
734-671-4033 (DIRECT) (FAX) 734-676-7647 [jagnev@gornoford.com](mailto:jagnev@gornoford.com)

RE: MIDEAL #3958-0072 2014MY FORD F-350 REG CAB, 4x2, 141"WB, 60"CA,  
OXFORD WHITE/GRAY VINYL, 6.2L V8 , 6spd.A/T, 4.30 LTD. SLIP,  
LT245/70x17 AS, A/C, TILT/CRUISE, AM/FMw/CLOCK VINYL FLOOR,  
13,700# GVWR PKG., DISC BRKS.w/ABS, AIRBAGS, ENGINE BLOCK HTR.,  
SPARE TIRE/WHL., H.D. ROOF CLEARANCE LIGHTS, UPFITTER SWITCHES  
E-TRAILER BRK. CTRLR.,

RUGBY H.D. 9', 2 - 3yd. DUMP BODY, Includes; FMVSS DOT LIGHTING, IN-CAB-  
CNTRLS., HYD./ELEC. PWR. UP-PWR. DOWN BOX PUMP, 1/4 " STEEL CAB SHIELD-  
w/SLOTTED REAR WINDOW, DBL. WALL DESIGN BOX, ELEC. BRK. CNTRLR.,  
SLOTTED BRACKETS FOR 2" SIDE BOARD EXTENTIONS, E-Z LATCH 10 DEGREE-  
SLOPPED T-GATE, SPREADER CHAINS, 1/2 " REAR HITCH-PLATEw/SAFETY CHAIN-  
D-RINGS, 15 TON PINTLE/BALL or RECV'R. HITCH, 7-WIRE ROUND TRAILER PLUG,  
MANUAL SAFETY ROLLER TARP SYSTEMw/14' MESH TARP, MUD FLAPS

F.O.B. DELIVERED TO JACKSON, MI ..... \$29,592.00  
(MSRP = \$41,334.00)

Current estimated lead time is 10-12 weeks from receipt of P.O.

**RECOMMENDED OPTIONS:**

PWR. WINDOWS/LOCKS/Htd.MIRRORS .....	895.00
MUNICIPAL SAFETY LIGHT PKG. ....	1,250.00
(Includes: FR/RR amber LED Flashers + Dump mount amber LED mini - light - bar)	
DAYTIME RUNNING LIGHTS .....	55.00
BODY MOUNTED AMBER 6" STROBE .....	350.00
ALL-WEATHER H.D. RUBBER FLOOR MATS .....	79.00
BLACK MOLDED FACTORTY CAB STEPS .....	320.00

Please review, *select options*, sign and e-mail/fax back or e-mail/fax Purchase Order to Jim Agney.

Customer Signature: \_\_\_\_\_

Thank you,

*Jim Agney*

This quotation is confidential and privileged and is intended solely for the use of Gorno Ford and City of Jackson. This quotation is compiled in association with the MIDEAL Contract and intended for use by MIDEAL Members and State of Michigan government agencies stated above. Information/specifications in this quotation have been established by and are intended only for use by the stated parties. This document is not to be disclosed, distributed, used/re-used as a basis for specifications subsequent bids or request(s) for quotation(s) to any other party or bidders other than the intended parties and/or their authorized personnel.

125  
491.4



# City of Jackson

## Department of Personnel & Labor Relations

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Crystal Y. Dixon, Director

CITY COUNCIL MEETING  
September 10, 2013

MEMO TO: Honorable Mayor and City Council Members

THRU: Patrick Burtch, City Manager

FROM: Crystal Y. Dixon, City/County Director of Human Resources *CYD*

SUBJECT: Renewal of Workers' Compensation Service Agreement and the Excess Workers' Compensation Service Agreement

RECOMMENDATIONS: **1. Request to authorize the City Manager to execute the appropriate documents for the renewal of the Workers' Compensation Professional Service Agreement with Broadspire Services, Inc. for the period of September 1, 2013 through September 1, 2014.**

**2. Request to authorize the City Manager to execute the appropriate documents for the renewal of the Excess Workers' Compensation Insurance Professional Service Agreement with Midwest Employers for the period of September 1, 2013 through September 1, 2014**

---

### Background Information:

The City of Jackson utilizes the services of Broadspire Services Inc. to provide comprehensive claims handling, billing, collecting, medical bill review, check issuance and related functions for the City's workers' compensation program. The current professional services agreement is expiring and Broadspire has proposed a one-year professional services agreement in the amount of \$15,292, which is a 7% reduction from the previous agreement. The City has had a favorable reduction in workers' compensation claims over the past year.

The City of Jackson also utilizes a specialty insurer for the claims adjudication, handling and payment of any single workers' compensation claim which exceeds \$350,000 (Excess Workers' Compensation Insurance). For two years, the City enjoyed stable pricing for this insurance. However, the excess workers' compensation insurance market has drastically changed. Insurers are no longer offering multi-year policies and the minimum insurance levels and premiums have dramatically increased, due to changing national and local market risk demographics. The best proposal to provide the City's excess coverage has been quoted by Midwest Employers with a \$400,000 retention level for a one year policy premium of \$45,112. This proposal was also reviewed and approved by Phil Hones, Finance Director.

Recommendation: It is respectfully recommended that the Mayor and City Council approve the extension of the professional services agreements for both Broadspire Services, Inc. and Midwest Employers through September 1, 2014 for the City's workers' compensation and excess workers' compensation programs. Thank you.

Enclosure



This confidential quotation has been prepared with pride specifically for

## CITY OF JACKSON

*and will remain in effect for 90 days from the date of receipt.*

### ITEMS INCLUDED IN BROADSPIRE CLAIM SERVICE FEES (NO ADDITIONAL CHARGE)

- ✓ Designated or dedicated (when claim volume merits) claim professionals
- ✓ Filing of the Employers First Report of Injury and other standard forms required for individual file
- ✓ Claim Acknowledgements
- ✓ File set-up
- ✓ Special Account Instructions
- ✓ Best Practices
- ✓ Q-Ops (Quality Assurance Program)
- ✓ Three-point contact (Other than Medical Only claims)
- ✓ One-point contact (Medical Only claims)
- ✓ All inside investigations
- ✓ Supervision
- ✓ Strategic Plans of Action
- ✓ Reserve Advisories
- ✓ Pre-settlement Notifications at Defined Thresholds
- ✓ Best Practices Storage of Closed Claims
- ✓ Claim File Reviews at Defined Intervals
- ✓ Banking/Billing
- ✓ Duplicate Bill Detection (MBR)
- ✓ SCHIP Reporting to CMS (or other reporting agent if not using the Broadspire/PMSI solution)

The information contained in this proposal and quote is confidential and proprietary to Broadspire. It is being provided to you strictly for the purpose of evaluating a potential business relationship with Broadspire for claim and risk management consulting.



Claim Administration Fees

## CITY OF JACKSON

### ALLOCATED CLAIM EXPENSES

All costs, expenses or fees ("Expenses") incurred in investigation or handling of claims will be paid as ALAE, described in more detail in the Claim Administration Service Section of the Agreement. Allocated expenses may include but are not limited to:

- ✓ Accident Reconstruction
- ✓ Appraisals
- ✓ Architects/Contractors
- ✓ Attorney Fees
- ✓ Court Reporter Services
- ✓ Court Costs
- ✓ Depositions/Video Statements
- ✓ Official Documents/Transcripts
- ✓ On-site Investigations
- ✓ Subrogation (Net recovery after Expenses)
- ✓ Second Injury Fund Recoveries (% of recovery - rate varies on state by state basis)
- ✓ Independent Medical Examinations
- ✓ Witness Fees
- ✓ Special Investigation Unit
- ✓ Medical Records
- ✓ Index Bureau Reporting (if carrier or client's subscriber number is used, indexing fee will not be charged to the claim file)
- ✓ Police, Fire Reports
- ✓ Service of Process Fees
- ✓ Trial/Hearing Attendance
- ✓ Extraordinary Travel made at Client Request



BROADSPIRE®

a Crawford Company

Claim Administration Fees

CITY OF JACKSON

09-01-13 / 09-01-14

Life of Contract

Line of Business	Renewal	Claims	Fees	Total Fees
Workers Compensation - New				
Medical Only		35	\$ 122	4,270
Other Than Med Only All Other States		8	\$ 822	6,576
Occ Diseases or Employer Liability All states		-	\$ 1,080	-
Record Only Claims		0	\$ 45	0
Administrative Costs				2,000
System Charges				1,500
New Claim Intake		43	\$ 22	946
Total				<u>15,292</u>

This pricing includes services on behalf of Client until termination of the Agreement. At the conclusion of the Agreement, the claims will be to conclusion of the claim at the then current rates.

**CITY OF JACKSON**  
EXCESS RENEWAL TERMS

	Safety National A+ 09-01-11 / 09-01-13 Two Year Expiring Terms	Safety National A+ 09-01-13 / 09-01-14 One Year Option I	Midwest Employers A+ 09-01-13 / 09-01-14 One Year Option II	Midwest Employers A+ 09-01-13 / 09-01-14 One Year Option III	Midwest Employers A+ 09-01-13 / 09-01-14 One Year Option IV
<b>Normal Premium Development</b>					
Estimated Payroll	\$ 16,288,973	\$ 14,992,440	\$ 14,992,440	\$ 14,992,440	\$ 14,992,440
Annual Normal Premium	\$ 465,839	\$ 352,632	\$ 344,930	\$ 344,930	\$ 344,930
<b>Specific</b>					
Retention Per Occurrence	\$ 350,000	\$ 500,000	\$ 400,000	\$ 450,000	\$ 500,000
Police/Fire Retention	\$ 350,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000
Excess Insurance Limit					
a) Workers' Compensation	Statutory	Statutory	Statutory	Statutory	Statutory
b) Employers Liability	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000
<b>Excess Insurance Fee</b>					
a) Rate per \$100 of Payroll	.133	.334	.3009	.2739	.2511
b) Estimated Annual Premium	\$ 21,664	\$ 50,075	\$ 45,112	\$ 41,064	\$ 37,646
c) Estimated Policy Premium	\$ 43,328	\$ 50,075	\$ 45,112	\$ 41,064	\$ 37,646
d) Minimum Policy Premium	\$ 41,162	\$ 50,075	\$ 40,601	\$ 36,958	\$ 33,881

**Comments/Endorsements**

Safety National's quote includes 60 Day NOC, Voluntary Compensation and Terrorism Endorsements.

Midwest Employers Casualty's quote includes 60 Day NOC, Voluntary Compensation, Terrorism and Michigan Fund Assessment Endorsements.



# 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 September 10, 2013

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

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

**SUBJECT:** Receipt of Draft Copy of Consolidated Annual Performance and Evaluation Report (CAPER)

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### RECOMMENDATION

**Receive the draft CAPER, authorize dissemination for public comment, and establish a Public Hearing on September 17, 2013.**

---

The attached draft Consolidated Annual Performance and Evaluation Report (CAPER), a hard copy of which will be given to each Councilmember, reviews the City's progress in accomplishing the goals and objectives for its CDBG and HOME funds during the 2012-2013 fiscal year. To meet the City's public comment requirement specified by regulation, copies of the draft CAPER will be available for public review beginning September 7, 2013 in the Department of Neighborhood & Economic Operations, City Clerk's office, the Carnegie Branch of the Jackson District Library, Community Action Agency, and lobbies of the public housing facilities at Shahan-Blackstone North Apartments, Reed Manor and Chalet Terrace.

According to the CDBG/HOME Timeline approved by City Council on December 11, 2012, a Public Hearing to obtain citizen comment on the City's performance with its annual CDBG and HOME entitlement grants was established for September 24, 2013. However, please establish the Public Hearing for September 17, 2013 at 6:30 p.m. to coincide with the recent change of City Council meetings. A final CAPER will be provided to City Council before the September 17 meeting date incorporating any citizen comments received to date.

Following the September 17, 2013 Public Hearing, Council will be requested to authorize submission of the CAPER to the Department of Housing and Urban Development (HUD). The comment period (15 days) and Public Hearing are in compliance with the submission timeline of 90 days after closing of the grant period (June 30, 2013).



# Stabilizing City Neighborhoods 2012-2013 Consolidated Annual Performance and Evaluation Report



## Community Development Block Grant



### *Demolition*

## HOME Investment Partnerships Program



**The attached document is a draft report.**

**Please display until Monday, September 23, 2013.**

Citizens are encouraged to provide comments regarding this report in writing to:

Dept of Neighborhood & Economic Operations  
ATTN: Michelle L. Pultz-Orthaus  
161 W Michigan Ave, Jackson, MI 49201  
E-mail: [mpultz@cityofjackson.org](mailto:mpultz@cityofjackson.org)

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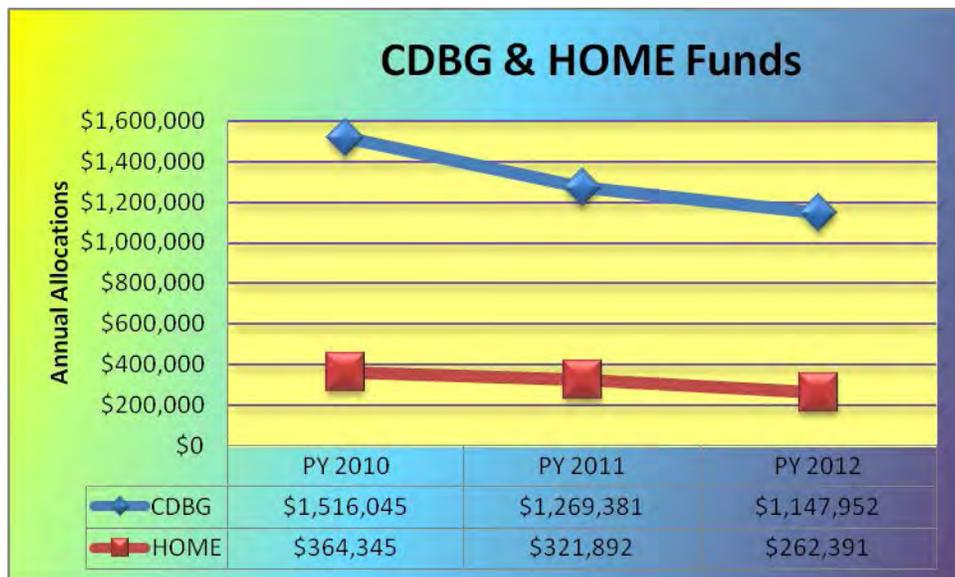
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## Executive Summary

This Consolidated Annual Performance and Evaluation Report (CAPER) will cover those Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) activities undertaken by the City of Jackson during the 2012-2013 fiscal year (FY). It will provide information regarding each program's strengths and weaknesses, as well as specific project accomplishments and ways the programs can be improved.

The City of Jackson is an entitlement community and has been since the inception of the CDBG program in 1975 and a participating jurisdiction with the HOME program since 1991. The City remains committed to meeting community needs of providing decent, safe, and sanitary affordable housing, improving the living conditions of its low- and moderate-income residents, and expanding the economic opportunities in the community.

The City's current Five-Year Consolidated Plan is in place for the period of 2010-2015; 2012 marked the third year of that Plan. The period covered by this CAPER, July 1, 2012 to June 30, 2013, saw a reduction in formula allocation in both CDBG (9.6%) and HOME (18.5%) funds from 2011 levels. When compared to 2010 levels, CDBG funds available to the City of Jackson have been reduced by 24.3% and HOME funds by 28%. This sudden, sharp reduction in grant funds to the community has resulted in serious reconsideration of priorities.



The City of Jackson underwent significant changes during the Program Year (PY) 2012:

*City Manager* – Lawrence Shaffer resigned from his position in August 2012 after leading the City of Jackson for 13 months. Patrick Burtch served as Interim City Manager until he was officially installed as City Manager in October 2012.

*Jackson's Overall Economic Stabilization (JOES) Program* – several items anticipated as needed to begin the stabilization of Jackson's economy were put into play. This included the formation of the Non-Owner Occupied Residential Property Registration (NOORPR),

Foreclosed, Vacant or Abandoned Residential Property Registration (FVARPR), and ordinance updates to housing, zoning and building/demolition codes.

*Reorganization of Departments* – also a core concept of JOES, several departments were combined to provide budget savings, streamline administrative function and offer a structure that makes more sense to a shrinking city. Most notably was the formation of the Department of Neighborhood & Economic Operations, which combined Community Development, Planning, Economic Development, Engineering, Inspection, and the Administrative Hearings Bureau. Other combinations made were Police and Fire Operations (police, fire, emergency measures), Public Works & Utilities (public works, water, sewer, storm water, forestry), Parks, Recreation & Grounds (parks, recreation, cemeteries), and Finance & Information Operations (finance, management information services, purchasing, and City Hall and grounds).

*Staff Increases* – revenue from the NOORPR and FVARPR allowed the Department of Neighborhood & Economic Operations to hire three new full-time inspectors, one part-time inspector, and three new administrative staff positions.

The strategic plans for the JOES program revolve around

- Reducing the supply of vacant, abandoned, dilapidated housing through demolition, thereby increasing demand;
- Increasing code enforcement, such as rental inspections and blighting violations, implementing a non-owner occupied residential property registry and a foreclosed, vacant and abandoned residential property registry, and exploring the feasibility of a point of sale ordinance;
- Increasing zoning enforcement to curb illegal uses in all zoning districts, especially in the one- and two-family residential districts;
- Exploring viable waste disposal plans, including metro garbage and recycling options;
- Supporting homeownership and single family reversions through strategic rehabilitation and limited new construction where practical;
- Managing and right-sizing public infrastructure assets.

The preliminary phases of the multi-faceted JOES Program concentrates on neighborhood stabilization, which includes, but is not limited to, the overall reduction of vacant, abandoned and dilapidated housing through aggressive demolition, increased code and zoning enforcement, a much more targeted effort for rehabilitation of single family homes, and an asset management plan that reflects the reality of Jackson's overall housing conditions.

### **Public Services**

City Council was faced with challenging decisions to make with PY 2012 allocations because of the significant reduction in grant funds received by the City. Little discretionary funding was available to fund community service organizations that provide programs geared toward low-income residents. However, many of the same community service providers were able to obtain other financial resources in order to further their missions.

The King Center  
Summer Youth Program  
"the most fun a kid can have in one summer"

City Council chose to continue funding the King Center Summer Youth Program run by the City's Department of Parks, Recreation and Grounds. This program has consistently proven to be extremely successful and beneficial to approximately 400 low- and moderate-income City youths. Participants are exposed to cultural and educational field trips, summer reading, life skills learning, and free health and hygiene services. In addition, breakfasts and lunches are provided to the participants, and over 30 college and high school students receive work experience, mentoring and job training while assisting with the program.

Wards 1 and 5 are among the most distressed areas of the City of Jackson. For many years, there has not been a grocery store within walking distance to service the area. Residents have had to rely on gas stations, fast food restaurants, and convenience stores, with their higher prices and lack of fresh produce, to supplement their daily diet. Although public transportation is available in these wards, it can become time consuming, cumbersome and cost prohibitive to utilize the bus system's various links to get to local grocers several miles away.



Mayor Martin Griffin, 1<sup>st</sup> Ward Councilperson Michelle Woods, and 5<sup>th</sup> Ward Councilperson Andrew Frounfelker devised a program to connect low- to moderate-income residents to fresh, affordable foods. In collaboration with the Jackson Transportation Authority (JTA), the program, dubbed the "Simply Smarter Shopping Shuttle," offers a fixed route bus run for certain stops in CDBG-eligible areas of Wards 1 and 5 to provide public transportation on Saturdays from 11:00 a.m. to 3:00 p.m. to the ALDI grocery store at 1100 West North Street, Jackson. If successful, this pilot program may be offered to other disadvantaged neighborhoods within the City.

The initial service area extends from East Michigan Avenue on the north, Cooper Street on the east, High Street on the south and Mechanic Street on the East with bus stops at the following locations:

- **Elaine Apartments** (corner of Mechanic Street and Michigan Avenue) – a 33 unit, Section 8 subsidized, apartment building in downtown Jackson.
- **Otsego Apartments** (corner of Francis Street and Michigan Avenue) – a 76 unit, Section 8 subsidized, apartment building for elderly persons in downtown Jackson.
- **Southridge Park** (corner of Francis Street and Franklin Street) – a 116 unit, Section 8 subsidized, apartment complex for families.
- **St. John's United Church of Christ** (corner of Mechanic Street and Biddle Street) – located in the Partnership Park Downtown Neighborhood.



- **Martin Luther King, Jr. Center** (corner of Adrian Street and Redwood Lane) – a full service community center operated by the City of Jackson.
- **Chalet Terrace** (corner of Barberry Drive and Merriman Street) – a 100 unit public housing complex.

### Code Enforcement and Rehabilitation

From July 1, 2012 through June 30, 2013, the Department of Neighborhood & Economic Operations continued its efforts to provide decent, safe, affordable housing through its non-owner occupied residential property inspections and rehabilitation programs. In addition, enforcement of the City's blight ordinances provided a more suitable living condition in its residential neighborhoods.

Inspectors in the Department of Neighborhood & Economic Operations issued 1,940 garbage citations, 213 inoperable vehicle citations, and 360 tree and noxious weed citations. Property owners receiving a violation notice overwhelmingly continued to voluntarily rectify the situation; however, those choosing to ignore the citations were issued a Violation and Notice of Hearing mandating their appearance at the City's Administrative Hearings Bureau (AHB).

Due to the initiation of JOES, a hiatus was placed on housing inspections for most of PY 2011 and the first quarter of PY 2012 to allow inspectors the time required to evaluate over 800 vacant residential properties. Inspectors still responded to tenant complaints about housing conditions, but, for the most part, new systematic inspections of non-owner occupied housing were put on hold. However, revenue from the advent of the NOORPR and FVARPR allowed the City to hire additional inspectors and support staff. From October 2012 through the end of PY 2012, non-owner occupied housing inspections were scheduled as follows:

- 1,807 initial inspections scheduled
- 1,824 buildings were part of those initial inspections
- 3,041 individual housing units were scheduled for inspection

The inspection program was incentivized during PY 2012. If inspectors found no violations in an individual housing unit, the landlord was eligible to receive up to a \$50 refund of the inspection fee paid, provided there were no exterior violations as well. During PY 2012, 61 housing units qualified for this incentive and \$3,050 of inspection fees was refunded.

If housing code compliance was not achieved within 90 days of the initial inspection and the property owner was making progress but needed additional time, they had an opportunity to appeal to the Building Code Board of Examiners and Appeals (BCBA) for an extension of time to complete repairs. Among other mitigating factors, should the property owner choose not to present their case before the BCBA, or if hazardous conditions remained, such as smoke detectors not being installed by the first reinspection, a Violation and Notice of Hearing was issued requiring an appearance at the AHB. During FY 2012-2013, 70 AHB cases involving housing inspections were initiated.

The City's Housing Rehabilitation Program completed 12 rehabilitation projects and 20 emergency hazard cases during FY 2012-2013. Two additional rehabilitation projects and one emergency hazard cases were initiated but not completed before June 30, 2013 and are currently in progress.

### **Other Projects**

The City's Department of Public Works (DPW) has received annual allocations to install handicap curb ramps to conform with requirements of 28 CFR 35.150(d)(2). Due to departmental restructuring and staff changes made at DPW, no projects were completed during PY 2012. However, with the additional funding received for PY 2013, DPW will combine all funds to bid and award a contract with an outside source to install curb ramps before the end of October 2013.

After receiving a request for assistance from an elderly, disabled homeowner regarding a heaved City sidewalk in front of their home in a generally ineligible CDBG area in the City, City Council approved a reallocation of funds toward a new activity to assist a specific subpopulation of residents with sidewalk repairs. For homeowners to qualify for assistance, they must exhibit one or more of the following factors:

- Use a wheelchair or another special aid for 6 months or longer;

- Are unable to perform one or more functional activities (seeing, hearing, having one's speech understood, lifting and carrying, walking up a flight of stairs or walking);
- Need assistance with activities of daily living (getting around inside the home, getting in or out of bed or a chair, bathing, dressing, eating and toileting) or instrumental activities of daily living (going outside the home, keeping track of money or bills, preparing meals, doing light housework and using the telephone);
- Are prevented from working at a job or doing housework;
- Have a selected condition including autism, cerebral palsy, Alzheimer's disease, senility or dementia or mental retardation; or
- Are under 65 years of age and are covered by Medicare or receive Supplemental Security Income (SSI).

No qualifying residents requested assistance with sidewalk replacement during PY 2012.

Like many communities in Michigan and across the United States, City of Jackson leaders found themselves attempting to manage a downward economic spiral, exacerbated by the recession of 2008. In May 2011, in an effort to re-introduce aggressive, new ideas and strengthen its economy in doing so, the City of Jackson hired Patrick Burtch, PhD, a noted economic developer, city manager, and published leadership authority. According to Dr. Burtch, advantage for Jackson could be gained by recognizing and utilizing the many capabilities staff already possessed and subsequently implemented a multi-disciplined approach to integrate and perfect those economic strategies more typically employed in the private sector. Dr. Burtch recognized Jackson needed to drastically change its normal way of doing business and developed an initiative, Jackson's Overall Economic Stabilization (JOES) program, designed to stabilize and improve the local economy.

The City's population has declined from 55,187 persons (1930 Census) to 33,534 (2010 Census), a loss of nearly 40% of its populace, most of which occurred during the past 40 years. During the 40 year timeframe between 1970 and 2010, the City's total housing units have only decreased 1.8% from 15,740 units in 1970 to 15,457 units in 2010.

	1970 Census	2010 Census
<b>Total Housing Units</b>	15,740	15,457
<b>Total Population</b>	45,484	33,534
<b>Average Household Size</b>	2.89	2.17

Over 85% of the City's housing stock was built before 1970, with over one-half built before 1940. According to the 2009-2011 American Community Survey (ACS), the number of vacant housing units continues to increase at an alarming rate.

2000 Census		2010 Census		2009-2011 ACS	
# Vacant Units	Percentage	# Vacant Units	Percentage	# Vacant Units	Percentage
1,031	6.8%	2,163	14.0%	2,360	15.2%

The initial phase of JOES concentrates on removing the overabundance of vacant, abandoned, dilapidated housing while providing rehabilitation and very limited new construction opportunities to maintain and increase homeownership. It is the goal of the City to demolish 800 abandoned, dilapidated residential structures and 50 unutilized commercial structures

during the next five years. A portion of CDBG funds were earmarked to aid the City in achieving this goal, along with NSP-1 funds, City funds from the General Fund, Demolition Fund, Water/Sewer funds, Jackson Brownfield Redevelopment Authority, Jackson County, Local Site Remediation Revolving Fund, and private sources. During PY 2012, the following demolitions took place from all funding sources:

<b>Number</b>	<b>Type of Structure</b>
7	Commercial Buildings
31	Garages, Sheds or Storage Buildings
126	Residential Structures*
<b>164</b>	<b>Total Demolitions</b>

\*200 individual housing units, or an average of 1.6 housing units per structure

### Summary of Resources and Distribution of Funds

During the reporting period of July 1, 2012 through June 30, 2013, the following funds were made available from the U.S. Department of Housing and Urban Development (HUD) to the City of Jackson:

<b>Community Development Block Grant</b> .....	<b>\$1,503,924</b>
Entitlement Grant B-12-MC-26-0021 .....	\$1,147,952
Reallocated funds .....	\$ 280,972
Program Income .....	\$ 75,000
<b>HOME Investment Program</b> .....	<b>\$266,077</b>
Entitlement Grant M12-MC260214 .....	\$262,391
Program Income .....	\$ 3,686
<i>Total:</i>	<u><b>\$1,770,001</b></u>

#### CDBG funds were allocated as follows:

Activity	Amount	Approx. %
Public Services	\$ 40,000	3.3%
Administration & Planning	215,000	17.6%
Code Enforcement	587,000	48.0%
Demolition	225,952	18.5%
Rehabilitation	145,000	11.9%
Public Infrastructure Improvements	10,000	0.8%
<i>Total:</i>	<u><b>\$1,222,952</b></u>	<u><b>100.0%</b></u>

#### HOME funds were allocated as follows:

Activity	Amount	Approx. %
Rehab Assistance	\$184,391	70.3%
Administration	25,500	9.7%
CHDO Operating Costs	12,500	4.8%
Acquisition/Rehab/Resale (CHDO)	40,000	15.2%
<i>Total:</i>	<u><b>\$262,391</b></u>	<u><b>100.0%</b></u>

Budget amendments made during the reporting period allowed for the redistribution of funds from entities that had not expended or rescinded allocated funds for their projects, and program income received in excess of the amount originally budgeted, allowing the City to assist other CDBG or HOME eligible activities. Those budget amendments were as follows:

**CDBG**

<b>Date</b>	<b>Description</b>	<b>Amount</b>
07/17/2012	Reallocate various unspent funds to Residential Demolition	\$268,972
10/09/2012	Reallocate unexpended World Changer funds to Sidewalk Replacement for presumed benefit LMC residents	5,000
04/23/2012	Reallocate excess program income to a public service activity	7,000

**HOME**

<b>Date</b>	<b>Description</b>	<b>Amount</b>
12/11/2012	Reallocate CHDO Operating Expense funds to CHDO Reserve activity	\$ 17,400
03/26/2013	Allocate excess program income to Rehabilitation Assistance Program	1,686
05/07/2013	Reallocate Deferred Loan Repayment funds to Greater Jackson Habitat for Humanity to complete new construction	2,000
05/28/2013	Reallocate CHDO Operating Expense funds to Down Payment Assistance	8,272

A complete listing of the funds committed during the reporting period and the total amount expended appears below.

**CDBG**

<b>Agency Receiving Funds</b>	<b>Allocated</b>	<b>Expended</b>	<b>Percentage</b>
MLK Center Summer Program	\$ 40,000	\$ 34,591	86.5%
Jackson Transit Authority – Transit Services	7,000	0	0.0%
Neighborhood & Economic Operations – Administration	215,000	36,174	16.8%
Neighborhood & Economic Operations - Code Enforcement	535,000	341,611	63.9%
Neighborhood & Economic Operations – Residential Demolition	494,924	304,560	61.5%
Neighborhood & Economic Operations - Rehabilitation	145,000	78,009	53.8%
City Attorney – Code Enforcement	52,000	14,321	27.5%
Dept. of Public Works – curb ramps	15,000	0	0.0%

## HOME

Agency Receiving Funds	Allocated	Expended	Percentage
Community Action Agency - CHDO Reserve	\$40,000	\$ 0	0.0%
Community Action Agency - CHDO Operating Costs	12,500	0	0.0%
Habitat for Humanity – New Construction	2,000	0	0.0%
Neighborhood & Economic Operations – Rehabilitation	186,077	51,714	27.8%
Neighborhood & Economic Operations – Administration	25,500	25,500	100.0%

### General CAPER Narratives

#### Assessment of the Five-Year Goals and Objectives

The 2010-2014 Five-Year Consolidated Plan listed five high priority goals to guide funding decisions:

- 1) Rehabilitation of owner-occupied housing.
- 2) Code enforcement.
- 3) Local street improvements.
- 4) Other public facility/infrastructure improvements.
- 5) Economic development activities.

However, the 2012-2013 Annual Action Plan included a Substantial Amendment to re-prioritize the goals of the City Manager, Mayor and City Council upon the advent of Jackson's Overall Economic Stabilization (JOES) program. When the Five-Year Consolidated Plan was written, City leaders intended for street paving/reconstruction efforts to receive high priority annual funding, hoping new curbs and streets in a neighborhood would invite new construction or substantial rehabilitation of housing which, in retrospect, may prove less effective than larger, overall economic efforts. Unfortunately, the number of residential blocks that could be targeted for reconstruction far outweighs the availability of funds and would take many years to complete. The effectiveness of a limited amount of street reconstruction would be similar to untargeted housing rehabilitation – the cost to build and renovate far exceeds the potential appraised value of the proposed development and structure. With the onset of the JOES program, there may be instances where sections of streets are no longer needed, can be closed, and returned to green space. Managing public infrastructure assets during the next decade, including other public facility/infrastructure improvements, will become critical to revitalizing Jackson. In other words, Jackson needs to implement a "shrinking city strategy" to stabilize local economic conditions.

Based on the Substantial Amendment, the re-prioritized goals are:

- 1) Rehabilitation of owner-occupied housing.
- 2) Code enforcement.
- 3) Clearance and Demolition.
- 4) Parks and/or Recreation Facilities.

The selection of new high priority activities does not negate the importance of local street improvements, other infrastructure improvements, or economic development activities, but rather brought into better focus the activities needed to more quickly stabilize Jackson's economy.

Examining each priority separately, information is provided below:

### Priority 1 – Rehabilitation of Owner-Occupied Housing

Neighborhood & Economic Operations rehabilitation staff remains committed to supplying emergency hazard and rehabilitation loans to homeowners choosing to remain in their current housing. In addition to CDBG and HOME funded rehabilitation projects, staff has been involved with the evaluation of vacant housing to determine the feasibility of rehabilitation versus demolition.

The Five-Year Consolidated Plan designated a local target area in which to focus a portion of its CDBG and HOME funds. This area is called “West of Allegiance Health” and is bordered by Cooper Street to the west, North Street to the north, Waterloo Street to the east and East Michigan Avenue to the south. During PY 2011, 261 homeowners in the target neighborhood were mailed information regarding the City’s rehabilitation program and were invited to apply for a rehabilitation loan. Staff received little response and no rehabilitation projects from the effort.



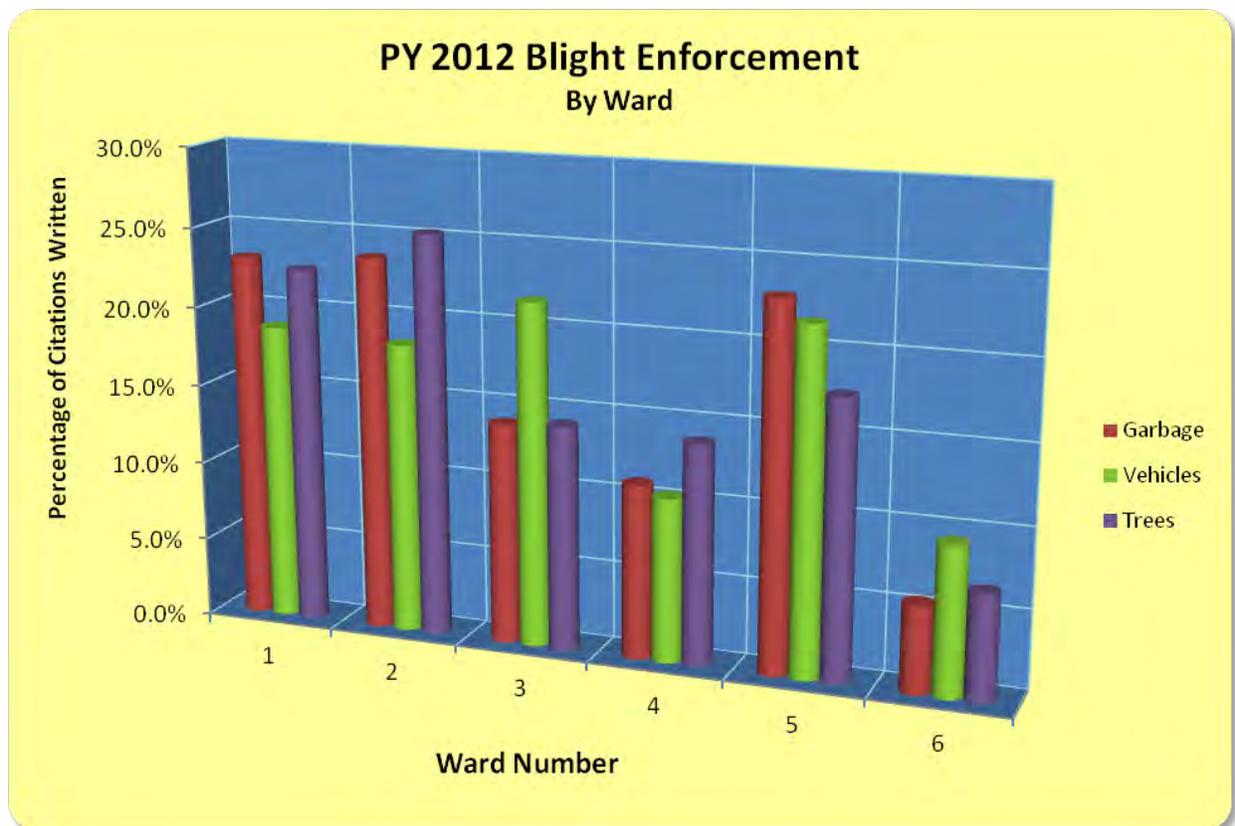
Since 2010, the City has completed 88 rehabilitation projects, funded as follows:

Year	No. Cases	CDBG Funds		HOME	Total
		Reg. Rehab	Emerg. Hazard		
36	33	\$ 99,236	\$119,308	\$219,961	<b>\$438,505</b>
37	23	30,947	75,402	288,539	<b>394,888</b>
38	32	-0-	138,143	365,709	<b>503,852</b>
<b>Total:</b>		<b>\$130,183</b>	<b>\$332,853</b>	<b>\$874,209</b>	<b>\$1,337,245</b>

As of June 30, 2013, the City had an additional two rehabilitation and one emergency hazard projects in process, which will be completed early in the 2013-2014 fiscal year.

### Priority 2 – Code Enforcement

Neighborhood cleanliness remained a high priority for City inspectors during PY 2012. The number of blight citations written during PY 2012 was up over 18% due to the addition of full and part time inspectors. Neighborhoods were positively impacted from efforts to keep properties tidy either by voluntary compliance or City intervention.

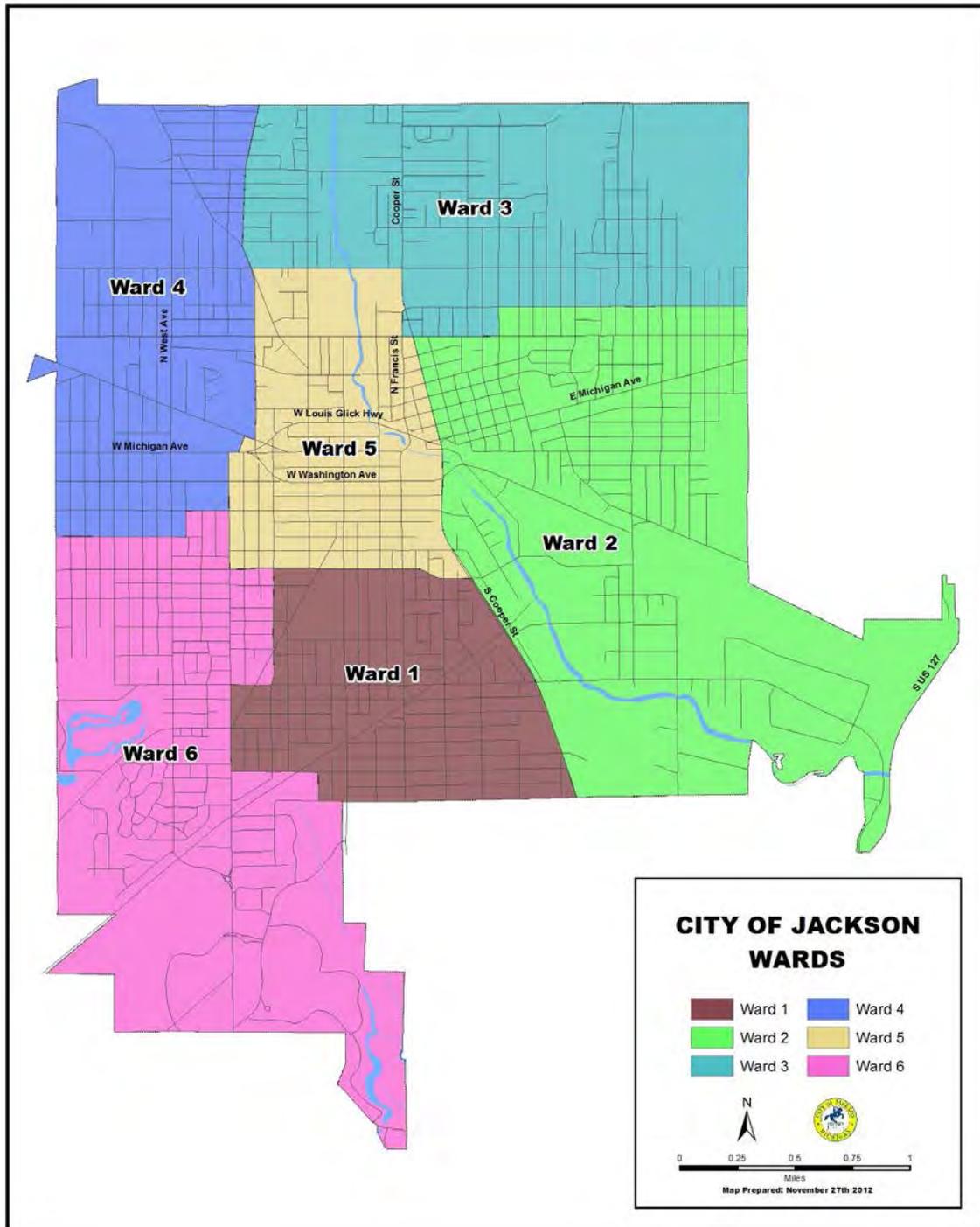


City inspectors continued with blight ordinance enforcement activity, citing homeowners for garbage, trash and debris; inoperable or unlicensed vehicles; and dead, diseased, dying or dangerous trees and noxious weeds. More often than not, property owners voluntarily complied with the citations and removed or eliminated the violations, requiring no further action from the City.

As demonstrated in the graph above, Wards 1, 2 and 5 received the most blight citations, which directly correlates to the City's most distressed neighborhoods. These areas experience the highest poverty rates, higher rental-to-homeowner properties, high vacancy rates, and high density rates, among other factors. Wards 1, 2 and 5 also have the highest number of vacant, dilapidated housing in the City with higher than City-wide averages of housing rehabilitation estimates.

Ward	Number of Citations Written			Total	
	Garbage	Vehicles	Trees	Number	Percent
1	447	40	81	568	22.6%
2	457	39	91	587	23.4%
3	270	46	51	367	14.6%
4	213	22	50	285	11.3%
5	446	46	63	555	22.1%
6	107	20	24	151	6.0%
<b>Total:</b>	<b>1,940</b>	<b>213</b>	<b>360</b>	<b>2,513</b>	<b>100.0%</b>

When violations remained at reinspection, those matters were brought before the City's Administrative Hearings Bureau (AHB) where final resolution was achieved through eventual compliance or with the homeowner being defaulted. Further, the Administrative Hearings Officer assessed fines and costs in most instances as penalty for not bringing the code violations into compliance voluntarily.



### Priority 3 – Clearance and Demolition

As reported previously, City leaders have undertaken a multi-phased program – Jackson’s Overall Economic Stabilization (JOES) – to arrest and reverse the downward economic spiral Jackson has been reeling from since the 1970s when its larger manufacturing employers began closing. One of the obvious first steps to improve neighborhoods was the removal of vacant, dilapidated, foreclosed, abandoned residential housing for reasons which include, but are not limited to:

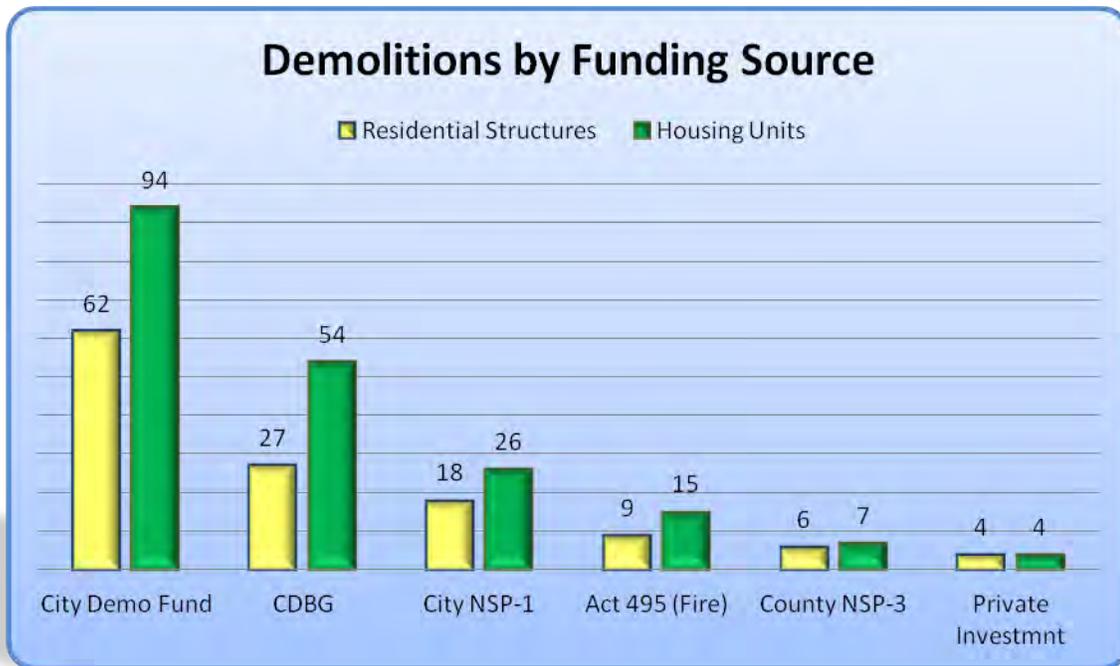
- Over 85% of the City’s housing stock was built before 1970;
- Over 50% of the City’s housing stock was built before 1940;
- Loss of approximately 40% of the City’s population since the 1930 Census;
- Loss of 11,950 residents (26.3%) since 1970;
- Loss of 283 (1.8%) total housing units since 1970;
- Over 15% vacancy rate (per 2009-2011 American Community Survey);
- High mortgage foreclosures (683 in 2007 down to 273 in 2012);
- Increasing tax foreclosures (16 in 2007 to 123 in 2013 – high of 146 in 2012);
- Increasing poverty rates – 27% in 2007-2009 American Community Survey to 31.5% in 2009-2011 American Community Survey.

As demonstrated above, the City has an excess of vacant older housing stock and less population to fill those vacant structures. Once a property is vacant or abandoned, it becomes a target to vandals, thieves and other criminal elements that take advantage of the neglected property and ravage it and the neighborhood in which it is located.

During PY 2012, 126 residential structures containing 201 housing units were demolished utilizing various funding sources available to the City of Jackson:

<b>Funding Source</b>	<b>Residential Structures</b>	<b>Housing Units</b>
City Demolition Fund	62	94
CDBG	27	54
City NSP-1	18	27
Act 495 (Fire)	9	15
County NSP-3	6	7
Private Investment	4	4

Act 495 (Fire) funds represent the portion of a homeowner’s insurance payout after a devastating fire. As the amount of funds collected by this method rarely is enough to completely pay demolition costs, the monies from City’s Demolition Fund are also used.



All properties to be demolished first receive a hazardous materials assessment in accordance with state and federal regulations to determine the types and locations of hazardous materials, which are then required to be properly abated. All potential demolition projects also undergo a Section 106 Historic Preservation review by the State Historic Preservation Office. No federal funds are used for those properties that are determined that demolition will have an adverse effect on the neighborhood. Each property is also carefully scrutinized to document it has been vacant or abandoned prior to condemnation, usually through a review of the property's water usage history. Only verifiably vacant or abandoned, severely blighted and dilapidated properties are approved for use of CDBG funds for demolition.

#### **Priority 4 – Parks and/or Recreational Facilities**

Staff is currently in the planning stages of selecting the low/mod area parks and level of improvements to be made at each location. Currently under consideration is the conversion of Austin Blair Park from an open space with limited seating, to a more child-friendly park. Located a couple of blocks to the east, the privately-owned Partnership Park was destroyed when an accidental fire started by children under 10 years old severely damaged the playground equipment beyond repair. The owner of the land on which Partnership Park sits will not negotiate with the City to re-establish the park as a City park and the residents of Partnership Park have no funds to rebuild. The City would like to re-establish a play area for the disadvantaged children in and around the Partnership Park Neighborhood.

#### **Medium Priority Activities**

Medium priority activities conducted during PY 2012 included public service activities. CDBG funds were used to assist the City of Jackson's disadvantaged youth through the Martin Luther King Center Summer Recreation Program which, in addition to arts and crafts, swimming lessons and other sports clinics and camps, youth were given peer pressure practice, life skills training and cultural diversification trips.

The collaborative effort between ALDI stores, Jackson Transportation Authority, and the City of Jackson to provide transportation services specifically to connect low-income residents with fresh, affordable and nutritious food was in operation only seven (7) weeks before the end of PY 2012. Over the course of the seven weeks, 38 persons took advantage of the program. The City will undertake aggressive marketing efforts to inform area residents of the service during PY 2013 to increase ridership.

**NEW!** **Simply Smarter Shopping™ Shuttle**

**HEY HEY it's Saturday**

**11:00 a.m. to 3:00 p.m. on Saturdays beginning May 18!**

**Elaine Apts**  
11:08 am, 11:38 am, 12:08 pm, 12:38 pm, 1:08 pm, 1:38 pm, 2:08 pm

**Otsego Apts**  
11:10 am, 11:40 am, 12:10 pm, 12:40 pm, 1:10 pm, 1:40 pm, 2:10 pm

**Southridge Park Apts**  
11:08 am, 11:38 am, 12:08 pm, 12:38 pm, 1:08 pm, 1:38 pm, 2:08 pm

**St. John's United Church of Christ**  
11:04 am, 11:34 am, 12:04 pm, 12:34 pm, 1:04 pm, 1:34 pm, 2:04 pm

**King Community Center**  
11:02 am, 11:32 am, 12:02 pm, 12:32 pm, 1:02 pm, 1:32 pm, 2:02 pm

**Chalet Terrace**  
11:00 am, 11:30 am, 12 noon, 12:30 pm, 1:00 pm, 1:30 pm, 2:00 pm

**Bus from ALDI's**  
11:20 am, 11:50 am, 12:20 pm, 12:50 pm, 1:20 pm, 1:50 pm, 2:20 pm

**The last pickup at ALDI's to bring you home is at 2:20 p.m.**

**Roundtrip Fare only \$1.00!**

Made possible by your friends at

During PY 2012, the Engineering Department utilized funding allocated for street reconstruction during 2011 to complete the following street sections:

Project Location	Project Type	Start Date	Finish Date
Forest – bend to Edgewood	Reconstruction, Watermain	8/20/12	10/5/12
Homewild – Ellery to Edgewood	Reconstruction, Watermain	8/31/12	10/15/12

The two street sections, identified as “Forest – west bend to Edgewood” and “Homewild – Ellery to Edgewood”, both had watermain replacement in conjunction with the street reconstruction.

Both projects began in August 2012 and were completed before the end of October 2012. In addition to CDBG funds, the City also invested Water Fund resources to complete these projects. As with all street reconstruction projects, ADA-compliant handicap curb ramps were installed in the sidewalks at all intersections.

In addition to handicap curb ramps installed during street reconstruction, the City continued to allocate CDBG funding to stand alone curb ramp installation projects. During PY 2012, the Department of Public Works underwent some major staff changes and was not able to complete any curb ramp installations. However, DPW staff will collaborate with Engineering staff to bid and contract the project to be completed before the end of the Michigan construction period in October 2013. By combining unspent funds from 2011 (\$8,286.35) and 2012 (\$10,000) with its 2013-2014 allocation of \$40,000, it is anticipated more ramps will be able to be installed using a contractor than if DPW had completed the work with force account labor utilizing only the amount of funds available during an individual program year.

As stated previously, City Council felt a need existed to assist the community's severely disabled adults with the cost of sidewalk replacement. An activity was created and allocated a small amount of CDBG funds to set up the program. The impetus for this activity involved an elderly, disabled resident aging in place at his home. He required the use of an assistive device to ambulate but was unable to use the sidewalk in front of his home for exercise as it was severely heaved from tree roots. Although other funds were used to aid this particular resident, no other qualified homeowner has applied for assistance.

While no special economic development activity is available to report on during PY 2012, it should be noted that all CDBG and HOME funds received by the City provide an economic impact to the community in some fashion. Rehabilitation funds allow a low-income homeowner to afford to maintain their home, freeing up income to pay bills, purchase food and clothing, and also allow a contractor to keep its employees working. CDBG also pays for all or a portion of certain public employees, and creates jobs in the community through public infrastructure improvements.

Jackson has historically been a manufacturing community, with an emphasis on production of auto parts. The top four industry categories for civilian employed City population 16 years and over remain unchanged from the 2000 Census data; however, manufacturing no longer leads the group. The 2009-2011 American Community Survey estimates manufacturing fell from 23.7% to 17.5% of employed city workers while educational, health and social services rose from 20.3% to 24.5%.

<b>2000 Census</b>	
<b>Industry</b>	<b>Percent</b>
Manufacturing	23.7%
Educational Services, Health Care, and Social Assistance	20.3%
Retail Trade	11.9%
Arts, Entertainment, Recreation, Accommodation, and Food Services	10.5%
Professional, Scientific, Management,	5.9%

<b>2009-2011 American Community Survey</b>	
<b>Industry</b>	<b>Percent</b>
Educational Services, Health Care, and Social Assistance	24.5%
Manufacturing	17.5%
Arts, Entertainment, Recreation, Accommodation, and Food Services	13.0%
Retail Trade	12.8%
Professional, Scientific, Management,	6.0%

2000 Census	
Industry	Percent
Administrative, and Waste Management	
Other Services (except Public Administration)	5.7%
Public Administration	4.7%
Construction	4.5%
Transportation, Warehousing, and Utilities	4.0%
Finance, Insurance, Real Estate, Rental and Leasing	3.7%
Wholesale Trade	3.1%
Information	1.8%
Agriculture, forestry, fishing, hunting, and mining	0.2%

2009-2011 American Community Survey	
Industry	Percent
Administrative, and Waste Management	
Other Services (except Public Administration)	5.7%
Public Administration	5.5%
Finance, Insurance, Real Estate, Rental and Leasing	3.8%
Transportation, Warehousing, and Utilities	3.1%
Construction	2.8%
Information	2.7%
Wholesale Trade	2.4%
Agriculture, forestry, fishing, hunting, and mining	0.4%

Source: Table DP-3 from 2000 Census and 2008-2010 American Community Survey

The City of Jackson's average jobless rate for Program Year 2012 was 11.8%, with a high of 13.6% in July 2012 to a low of 9.9% in November 2012. Comparatively, Jackson County averaged 8.1%, the State of Michigan 8.9%, and the United States 7.8% during this same timeframe. While unemployment is still a major concern among City residents, the 11.8% average was one percentage point lower than Program Year 2011's average jobless rate. Unfortunately, economic recovery cannot necessarily be assumed because unemployment percentages have fallen. The Bureau of Labor Statistics (BLS) defines unemployment as people who "do not have a job, have actively looked for work in the prior four weeks, and are currently available for work." Most people leave the labor force when they retire, go to school, have a disability that keeps them from working, or have family responsibilities. Others may feel they can't get work so stop looking and are then classified as discouraged workers and the BLS removes them from both the unemployment statistics and labor force.

Beginning July 1, 2013, the City of Jackson employed an Economic Development Director totally devoted to economic development opportunities. It is also expected that the City's CDBG-funded Jobs Creation Initiative loan program will be offered as an incentive for potentially viable economic development ventures in the community.

### Summary of Resources and Distribution of Funds

The City of Jackson received \$3,933,378 in CDBG funding since 2010 and, together with anticipated program income of \$250,000, has allocated said funds toward its stated priorities as follows:

#### High Priority

- 1 – Rehabilitation of Owner-Occupied Housing.....\$ 328,970
- 2 – Code Enforcement .....1,667,345
- 3 – Residential Demolition..... 225,952
- 4 – Parks and/or Recreational Facilities ..... -0-  
(currently a planning activity)

**Medium Priority**

Local Street Improvements (formerly High Priority 3).....	\$658,000
Other Public Facility/Infrastructure Improvements (formerly High Priority 4) .....	74,000
Public Services .....	380,954
Rehabilitation of Multi-Unit Senior Housing .....	22,500

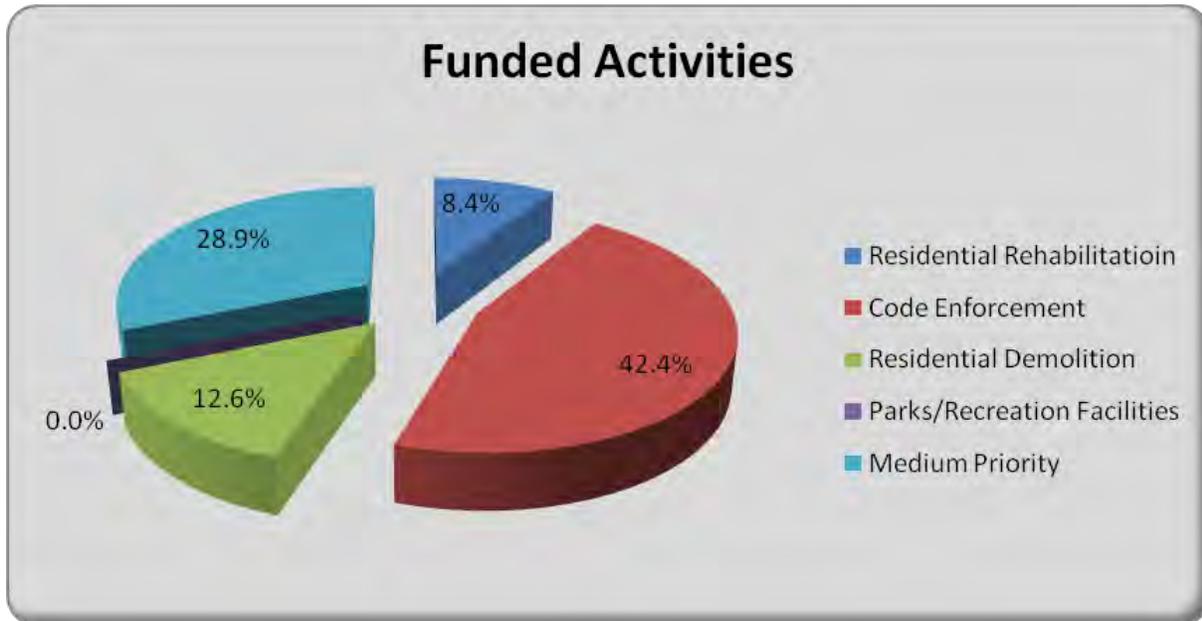
Through budget amendments reallocating funds from projects that came in under budget, canceled projects, or budgeting program income, the City was able to provide additional funding towards its priorities as follows:

**High Priority**

Residential Demolition .....	\$268,972
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**Medium Priority**

Other Public Facility/Infrastructure Improvements.....	\$5,000
Public Services .....	7,000



Certain 2012 funded projects and activities needed additional time to complete; others were completed by June 30, 2013 but project accomplishments could not be entered into HUD's Integrated and Disbursement Information System (IDIS) until after July 1, 2013.

**CDBG**

Subrecipient	Balance	Plans to Rectify
Parks, Recreation & Grounds – King Center Summer Youth Program	\$ 0	Reimbursement request for balance of 2012 funds received in July 2013
Jackson Transportation Authority	6,091	Project initiated late in PY 2012 and will continue through PY 2013
City Attorney's Office	37,679	The City Attorney's Office received a

Subrecipient	Balance	Plans to Rectify
		continuing allocation for Year 39 (2013-2014); 2012 balance carried over to FY 2013-14
Department of Public Works (DPW) – Sidewalk Replacement	5,000	No qualifying projects completed to date; remaining funds carried over to FY 2013-14
Department of Public Works (DPW) – Handicap Curb Ramps	15,168	DPW received a continuing allocation for Year 39; remaining funds carried over to FY 2013-14
Engineering – Street Paving/Reconstruction	198,023	Remaining funds will be reallocated for another use in FY 2013-14
Neighborhood & Economic Operations – Administration	178,826	Continuing to spend down prior year funding; remaining funds carried over to FY 2013-14
Neighborhood & Economic Operations - Code Enforcement	193,389	Continuing to spend down prior year funding; remaining funds carried over to FY 2013-14
Neighborhood & Economic Operations – Jobs Creation Initiative	50,000	Remaining funds will be reallocated for another use in FY 2013-14
Neighborhood & Economic Operations - Rehabilitation	36,464	Continuing to spend down prior year funding; remaining funds carried over to FY 2013-14
Neighborhood & Economic Operations – Residential Demolition	190,364	Continuing to spend down prior year funding; remaining funds carried over to FY 2013-14

#### HOME

Subrecipient	Balance	Plans to Rectify
Neighborhood & Economic Operations – Rehabilitation	\$134,364	Continuing to spend down prior year funding; remaining funds carried over to FY 2012-13
CAA – CHDO Reserve	33,250	Remaining funds carried over to FY 2012-13
CAA – CHDO Operating	18,925	Remaining funds carried over to FY 2012-13
Habitat for Humanity – New Construction	2,000	Remaining funds carried over to FY 2012-13
Neighborhood & Economic Operations – Acquisition/Rehabilitation/Resale	169,645	Remaining funds carried over to FY 2012-13
Jackson Affordable Housing – Down Payment Assistance	8,951	Remaining funds carried over to FY 2012-13

### Affirmatively Furthering Fair Housing

The City of Jackson's fair housing ordinance is outlined in Chapter 14, Article IV, Sections 14-131 through 14-140, City of Jackson Code of Ordinances, and prohibits discrimination in sale, lease or rental of real property because of an individual's religion, race, color, national origin, age, sex, marital status, handicap or source of income. Provisions are made in each CDBG Subrecipient Agreement or HOME Contract that the recipient must comply with fair housing and equal opportunity laws.

The City's Analysis of Impediments to Fair Housing Choice was updated and received by the City Council in early 2010. Impediments were identified in the Analysis as including, but not limited to:

- Lack of resources/developers to create more affordable or low-income housing.
- Urban food deserts, which is the lack of grocery stores in low- and moderate-income areas. Residents oftentimes rely on local convenience stores, which generally charge significantly more for an identical item found cheaper in a large grocery store. This also greatly reduces the availability of fresh produce, meat, and bakery items.

- Lack of local banking establishments in low- and moderate-income areas – residents again often rely on convenience stores to cash checks and are either charged a sizeable fee for the service, or are required to purchase a certain amount of goods from the store before it will cash the check.
- Landlords who monopolize available housing. Tenants feel they are in a Catch-22 – if they complain to the landlord, their complaint goes ignored; if they complain to the City, they risk the chance of becoming homeless should conditions exist that pose a health and safety hazard for the tenant; landlords may retaliate for complaints made by initiating eviction.
- Landlord foreclosures – tenants are rarely given adequate advance notice to find alternate housing.
- Not In My Back Yard (NIMBY) – opposition by residents to a proposal for a new development near them.
- Lack of housing for working poor (middle income) – those persons who work every day and barely make ends meet, but do not qualify for assistance from the Department of Health and Services, food stamps, childcare, etc.
- Lack of a local fair housing organization to investigate complaints and offer educational opportunities.
- Lack of jobs available for low- and moderate-income persons in which the potential employee may be able to perform, but is lacking the required experience.
- Lack of affordable and convenient transportation.

Below is the Summary of Recommendations contained in the Analysis of Impediments with notes added to describe steps taken to address and remove the impediments:

*Alleviate Identified Impediments to Fair Housing Choice* - opportunities to alleviate or eliminate the impediments identified in the Analysis should be given high consideration, whether it is by providing a specific service or supporting community partners who are better able to address the issues.

**Note:** No requests for CDBG funding have been received which alleviate or eliminate the identified impediments.

*Provide Financial Support to Fair Housing Activities* – City Council is advised to consider annual CDBG allocations to the Fair Housing Center of Southeastern Michigan to reinstate fair housing activities of education, complaint receipt, testing, investigation, and potential enforcement of Chapter 14, Article IV, Sections 14-131 through 14-140, City of Jackson Code of Ordinances.

**Note:** No requests for funding have been received for fair housing activities; no fair housing center exists specifically to address Jackson County needs.

*Update Fair Housing Ordinance* – City Council is advised to direct the language used in the City of Jackson's Fair Housing Ordinance, Chapter 14, Article IV, Sections 14-131 through 14-140, City of Jackson Code of Ordinances, be updated to be more reflective of current terminology used for gender and diversity.

**Note:** The Jackson City Council approved two amendments to Chapter 14 Housing Code during PY 2011. One such amendment, which was adopted on February 21, 2012, included revisions to Article IV to be more reflective of current terminology.

*Fair Housing Law Promotion* – The Neighborhood & Economic Operations Department is advised to enhance its Fair Housing promotion by including a statement on housing code inspection compliance certificates.

**Note:** Overall revisions to housing code inspection compliance certificates have been discussed, which would also include the following language:

*The City of Jackson prohibits discrimination in the sale, lease or rental of real property based on an individual's religion, race, color, national origin, age, sex, marital status, handicap or source of income.*

At this time, revisions to the compliance certificates have not been implemented.

*Neighborhood Revitalization* – City Council is advised to place high importance on continued efforts to improve the Neighborhood Stabilization Program (NSP) Target Neighborhood after NSP grant funds have been expended to provide additional enhancement to this distressed area of the City. Medium importance should be placed on continued financial support to the Partnership Park Downtown Neighborhood as significant investment and revitalization has already occurred.

**Note:** The City's 2010 – 2014 Five-Year Consolidated Plan identified a target area which expanded on the City's NSP Target Neighborhood. As stated previously, a mass mailing to homeowners in the CDBG Target Area occurred early in 2012 informing homeowners of the City's rehabilitation program and encouraging them to participate.

*Transportation* - The City is advised to continue, and possibly expand, its participation in various boards, committees and study groups dedicated to improving public transportation in the community.

**Note:** City staff continues to be involved in boards, committees and study groups dedicated to improving public transportation. City Council also approved a new public service activity in conjunction with the Jackson Transportation Authority to provide direct bus service on Saturdays between specific locations in distressed City neighborhoods to ALDI's grocery store.

*Continued Financial Support for Housing Programs* - City Council is advised to maintain, and possibly enhance, financial support from its entitlement grants toward programs designed specifically for housing. Such programs include homeownership counseling, foreclosure prevention, down payment assistance, rehabilitation of housing, and construction of new housing.

**Note:** City Council continued providing funding for homeowner rehabilitation, emergency hazard, and acquisition/rehabilitation/resale projects.

## **Affordable Housing**

### *Foster and Maintain Affordable Housing*

During fiscal year 2012-2013, the City continued to provide a rehabilitation program for owner-occupied, low-income households who are unable to access home improvement loans through traditional lenders for repairs. Emergency hazard loans of up to \$10,000 were made available to qualifying households to repair an immediate, urgent need, such as an inoperable furnace in the winter, a leaking roof during the rainy season, etc. These programs offer loans, rather than grants, ensuring future funding from program income will be available to assist another low-income family.

In June 2012, the City acquired 702 S Grinnell Street to rehabilitate with HOME funds and resell to a qualifying family. Rehabilitation is ongoing and near conclusion with a projected completion date of October 31, 2013. In December 2012, the City also purchased 1121 First Street with HOME funds. Rehabilitation of this property was recently commenced and is anticipated to be completed by the end of October 2013 as well. As the City's CHDO, the Community Action Agency also purchased 606 W Biddle Street to rehabilitate for resale to a low- to moderate-income family.

### *Preserving Decent, Affordable Rental Units*

In order to protect the health, safety and welfare of area tenants, the City's Code Enforcement program takes a proactive stance on the City's non-owner occupied housing by systematically inspecting all rental units in a designated area. During FY 2012-2013, revenue collected through the City's Non-Owner Occupied Residential Property Registry (NOORPR) and Foreclosed, Vacant and Abandoned Residential Property Registry (FVARPR) allowed for the addition of inspectors and clerical staff in the Department of Neighborhood & Economic Operations. Housing inspections were initiated in the City during PY 2012 as follows:

<b>Ward</b>	<b>Scheduled</b>	<b>Buildings</b>	<b>Housing Units</b>
1	304	306	385
2	346	347	502
3	219	219	235
4	375	386	724
5	299	302	874
6	264	264	321
<b>Totals:</b>	<b>1807</b>	<b>1824</b>	<b>3041</b>

All complaints made by tenants were investigated and proper corrective measures were required of landlords.

After the initial inspection by a Code Enforcement Officer, landlords are given no less than 30 days nor more than 90 days within which to bring any non-emergency violations noted up to code per Chapter 14 of the City of Jackson Code of Ordinances. The Building Code Board of Examiners and Appeals may extend the time limit set for correction of violations if the owner can show a good faith effort to comply with the repair order. Non-compliance cases are prosecuted through the City's Administrative Hearings Bureau.

*Eliminate Barriers to Affordable Housing*

With the advent of JOES, specifically starting at the neighborhood level of evaluating vacant and abandoned housing, it has become quite clear a lack of sufficient resources is the foremost barrier to affordable housing in the City of Jackson. During the 40 years between 1970 and 2010, the City's population decreased 26.3% while housing units only reduced by 1.8%. This has led to an overabundance of aged housing stock, 85% of which was built before 1970. Many of the homes have suffered from owners or landlords having insufficient funds or abilities to properly maintain them, leading to an excess of housing well beyond the feasibility of rehabilitating.

After estimating the rehabilitation costs of over 900 residential structures, the City is able to document the average cost to rehabilitate its aged housing stock is \$70,610, almost \$3,000 per structure more than reported last year. Because a significant number of dilapidated housing was demolished during PY 2012, the information was reassessed after removing demolished structures from the data. Doing so reduced the average city-wide rehabilitation estimate to \$60,538 (14.3%), demonstrating the remaining residential properties are of a higher quality. Although the improved rehabilitation average is significant, it is not satisfactory enough to reverse years of decay experienced in neighborhoods. However, not only do the aesthetics of neighborhoods improve with the removal of blight, public safety has been improved and property values have inched upward.

Continuing with the analysis conducted after demolished structures were no longer a factor in the equation, the average cost to rehabilitate vacant housing in individual Wards is as follows:

Ward	Average Cost to Rehabilitate		Ward	Average Cost to Rehabilitate	
	Full Analysis	Demos Removed		Full Analysis	Demos Removed
1	\$75,280	\$66,200	2	\$69,140	\$68,617
3	\$43,443	\$39,540	4	\$42,457	\$42,012
5	\$122,803	\$111,070	6	\$41,077	\$36,088

Neighborhood Economic Stabilization Analysis			
Full Analysis		After Demolished Properties Removed	
No. of Structures .....	909	No. of Structures	780
No. of Housing Units .....	1,210	No. of Housing Units	997
<i>Total Estimated Costs</i>		<i>Total Estimated Costs</i>	
Rehabilitation .....	\$64,184,144	Rehabilitation	\$47,219,704
Demolition.....	\$10.8m - \$13.9m	Demolition	\$9.3m - \$11.9m

The total cost to rehabilitate the remaining 780 assessed vacant residential structures in the City of Jackson exceeds \$47 million, many of them so cost prohibitive to elevate from a substandard level it is more economical to demolish the same structures at a cost of \$9.3 million to \$11.9 million. In either case, the City lacks sufficient resources to take full corrective measures; however, over the coming years, it plans to invest more wisely in rehabilitation and new construction efforts and demolish dilapidated structures as funding allows.

With consistently high unemployment, low income, and an ever shrinking safety net, many of the community's residents struggle with multiple issues besides housing. Because the need is much greater than the City can provide for, gaps are filled to the extent feasible by non-profit

and faith-based entities. While this alleviates some demands, it still is not great enough to assist everyone, nor provide a cure to the problems.

#### *Address Accessibility Needs of Persons with Disabilities*

On August 15, 2006, the Jackson City Council took action to waive the permit fees for work performed by local non-profit charitable organizations, specifically for handicap-accessible ramps. Since that time, nearly 100 ramps have been installed for disabled homeowners by disAbility Connections, the Rotary Club, World Changers and Mission Serve. The City's Department of Public Works responds to suggestions for improved accessibility by disabled and elderly residents by installing handicap curb ramps in requested locations.

#### **Continuum of Care**

The Jackson County Continuum of Care (CoC) receives annual allocations of Emergency Solutions Grants (ESG) from the Michigan Housing Development Authority (MSHDA). The CoC allocated \$186,998 in 2011-2012 ESG funding through September 30, 2013 as follows:

- \$10,350 to CAA to serve as Grant Fiduciary.
- \$34,400 to CAA to serve as the Housing Assessment and Resource Agency.
- \$54,232 to CAA to provide utility arrearage financial assistance, short term rental arrearages, and rapid re-housing short term rental assistance.
- \$13,200 to Do'Chas II to provide essential services to youth aging out of foster care.
- \$2,018 to The Salvation Army for essential services case management.
- \$44,938 to AWARE, Inc. for operating expenses related to managing an emergency shelter for survivors of domestic violence and sexual assault and essential services case management.
- \$7,500 to the CoC for subcontracting for Exhibit 1 preparation and Point in Time count services.

MSHDA provided the CoC with a second round of 2011-2012 ESG funding in the amount of \$123,744 for the period of September 1, 2012 through August 31, 2013, which was allocated as follows:

- \$74,247 to CAA for re-housing assistance.
- \$18,562 to CAA for re-housing case management.
- \$14,849 to CAA for prevention assistance.
- \$3,712 to CAA for prevention case management.
- \$3,712 to CAA for HMIS.
- \$8,662 to CAA for administrative costs.

ESG funding of \$186,998 for October 1, 2012 through September 30, 2013 was allocated as follows:

- \$50,000 to AWARE, Inc. for shelter expenses.
- \$22,931 to Do'Chas II for street outreach.
- \$61,900 to CAA for prevention assistance.
- \$24,120 to CAA for re-housing assistance.
- \$9,349 to CAA for a CoC Coordinator.
- \$5,609 to CAA for HMIS.
- \$13,089 to CAA for administrative costs.

On July 18, 2013, the CoC was notified by MSHDA that it would receive \$164,640 from the 2013-14 ESG, amounting to 12% cut in funding.

In January 2013, the Jackson CoC applied for \$816,872 from HUD in CoC renewal funding for the supportive housing programs listed in the table below. On March 13, 2013, HUD announced funding awards to renew existing grants that were listed as “Tier 1” in the FY2012 Continuum of Care Program Competition. HUD included a ranking process in the FY2012 NOFA that required CoCs to prioritize projects into two tiers—one that was relatively safe (Tier 1) and one that was potentially at risk (Tier 2)—and prepare for the possibility of a 3.5% reduction from their Annual Renewal Demand (ARD). A second award announcement included the results for the remaining projects submitted by CoCs in the FY2012 CoC Program Competition, including new projects, Tier 2 renewal projects, and CoC planning funds.

<b>Project Name</b>	<b>Type of Project</b>	<b>Beds</b>	<b>Applied For</b>	<b>Received</b>
Garfield Square	Transitional Housing	38	\$193,870	\$193,870
Housing Assistance Program (HAP)	Transitional Housing	63	\$274,402	\$274,402
Mechanic Street – Partnership Park	Permanent Supportive Housing	11	\$57,200	\$59,306
TTI Leasing I	Permanent Supportive Housing	47	\$120,395	\$119,234
TTI Leasing II	Permanent Supportive Housing	29	\$115,026	\$124,302
HMIS	HMIS	n/a	\$55,979	\$55,979

Supportive housing programs develop housing and related supportive services for persons moving from homelessness to independent living. Program funds are to be used to assist homeless people live in a stable place, increase their skills or income, and gain more control over the decisions that affect their lives. Supportive Housing Program funding from HUD is utilized by CAA, Aware, Inc. (in partnership with CAA) and TTI. The renewal grant award allows CAA to continue its two transitional housing programs, which help residents pay rent for up to two years, and for continued support of five housing units for homeless families in the Partnership Park neighborhood. All three programs assist approximately 60 families per year. A portion of CAA’s funding also supports required data collection and reporting through the Homeless Management Information System (HMIS). TTI’s grant funding supports its two leasing assistance programs.

City staff actively participates in the CoC as a co-chairperson and assisted in the planning and implementation of three Project Homeless Connect events between November 2009 and April 2011. In 2010, the CoC realized its original strategies and goals for ending homelessness in Jackson were not effective and, in light of the ongoing foreclosure crisis, high unemployment rate, and financial decline, began to rework its strategic plan, action plan and 10 year plan. Goals identified by the strategic plan work group include:

- Build CoC activities by engaging volunteers interested in specific projects;
- Improve communication about CoC’s purpose and successful outcomes;
- Increase advocacy activities;
- Address unmet needs of target populations.

Beginning in the last quarter of 2010 CoC meetings included significant discussion of subpopulation needs, such as those experienced by domestic violence survivors, youth, elderly, veterans, and persons with dual diagnosis. CoC members are continuing in the planning process

to develop an achievable action plan and amend the 10 Year Plan to incorporate and implement the modified visioning and elements of the HEARTH Act.

On January 23, 2013, the CoC conducted the biennial Point in Time (PIT) count with the following results:

	Sheltered			Unsheltered	Total
	Emergency	Transitional	Safe Haven		
Total No. of Households	54	41	0	33	128
Total No. of Persons	65	89	0	33	187
No. of Children under 18	14	42	0	0	56
No. of Persons 18 – 24	4	8	0	2	14
No. of Persons Over 24	47	39	0	31	117
Average Household Size					1.5

Following is the most recent information regarding shelter providers in the City:

### 2012 Continuum of Care Housing Inventory Chart

#### Emergency Shelters

Provider Name	Facility Name	Family Units	Family Beds	Individual Beds	Total Beds
AWARE, Inc.	AWARE, Inc.	6	22	8	30
Jackson Interfaith Shelter	Jackson Interfaith Shelter	9	45	32	77
<b>Total:</b>		<b>15</b>	<b>67</b>	<b>40</b>	<b>107</b>

#### Transitional Housing

Provider Name	Facility Name	Family Units	Family Beds	Individual Beds	Total Beds
AWARE, Inc.	Transitional Housing	19	41	3	44
CAA	HAP, Garfield	23	95	2	97
Do'Chas II	Transitional Housing	5	5	0	5
MPRI	Rental Assistance	0	0	25	25
<b>Total:</b>		<b>47</b>	<b>141</b>	<b>30</b>	<b>171</b>

#### Permanent Supportive Housing

Provider Name	Facility Name	Family Units	Family Beds	Individual Beds	Total Beds
CAA	Partnership Park	5	14	0	14
TTI	TTI	4	9	11	20
<b>Total:</b>		<b>9</b>	<b>23</b>	<b>11</b>	<b>34</b>

On August 22, 2013, HUD issued CPD Notice 13-06 which required additional information be included in the CAPER regarding homelessness. Various organizations that participate in the CoC provide outreach to homeless persons and assess their individual needs. For instance, CAA is Jackson County's Housing Assessment and Resource Agency (HARA) and employs persons dedicated to practicing shelter diversion and administering all financial assistance dollars for homelessness prevention and rehousing. Do'Chas II is the only agency in Jackson County contracted by the State of Michigan to provide supportive services to youth, most of which have a McKinney-Vento status. Other agencies that regularly participate in the CoC include Aware (domestic violence), the Veterans Administration, the Salvation Army, Department of Human

Services, Training & Treatment Innovations (mentally disabled), Seque (mentally disabled, substance abuse), LifeWays (mental health), and Michigan Prisoner Re-entry, to name a few.

Two non-profit organizations that conduct business in Jackson County and participate on the CoC recently received allocations from the Supportive Services for Veterans Families (SSVF) program. Under the SSVF program, the Veterans Administration awards grants to non-profit organizations and consumer cooperatives who can provide supportive services to very low-income Veteran families living in or transitioning to permanent housing. Grantees provide eligible Veteran families with outreach, case management, and assistance in obtaining VA and other benefits, which may include:

- Health care services
- Daily living services
- Personal financial planning services
- Transportation services
- Fiduciary and payee services
- Legal services
- Child care services
- Housing counseling services

CAA received \$668,673 to serve approximately 115 households in Jackson, Hillsdale and Lenawee Counties while TTI received \$1,094,500 to serve approximately 400 households in Macomb, Oakland, Genesee, Lapeer, Jackson and Saginaw Counties.

### **Other Actions**

#### *Address Obstacles to Meeting Underserved Needs*

Among the greatest needs in the City involve transportation, jobs providing a living wage, and affordable, safe housing. Unfortunately, the lack of sufficient resources to meet these needs remains the greatest obstacle to overcome. With reduced grant funding from HUD, the City must rely on social services providers and the faith-based community to address these gaps. With the onset of JOES, the City anticipates Jackson's economy will begin the long road to recovery.

In May 2013, the City partnered with ALDI food stores and the Jackson Transportation Authority to institute a pilot program of providing a dedicated bus line on Saturdays from select impoverished neighborhoods to ALDI. This effort was made to conveniently connect low- and moderate-income residents with a fresh, affordable and nutritious food source as no full service grocery stores currently exist in the area south and east of the downtown.

#### *Overcome Gaps in Institutional Structures and Enhance Coordination.*

The City of Jackson administers the grants received from HUD used to carry out activities of the Five-Year Consolidated Plan and Annual Action Plan. City staff works with other organizations, including public institutions, non-profit organizations, and private industry and continues to strengthen relationships with agencies that provide services to Jackson's low- and moderate-income residents. City staff has participated with United Way's Income Community Solutions Team and the Jackson County Continuum of Care. The City encourages its citizens and business leaders to participate in all aspects of its programs and governing decisions. In addition to public hearings on specific issues, citizens are given time at the beginning of each City Council meeting to address the City Council on issues of concern to them. Through this citizen input, the City Council has developed alternative program plans to address concerns in some cases.

*Improve Public Housing and Resident Initiatives*

The Jackson Housing Commission (JHC) is the City's Public Housing Authority (PHA). The JHC manages 540 units of public housing in three Asset Management Projects and a Section 8 program of 475 participants. The mission of the JHC is:

To assist low income families secure safe, decent and affordable housing; create opportunities for resident and participant families to achieve self sufficiency and economic independence; and assure fiscal and program integrity by all program participants.

To achieve the ideals contained in the mission statement, the JHC set goals and objectives of providing decent, safe and affordable housing; ensuring equal opportunity in housing for everyone; responding to resident requests for maintenance issues in a timely fashion; returning vacated units to occupancy within 25 days; continuing enforcement of its "One Strike" policy for residents and applicants; and improving and/or maintaining financial stability through aggressive rent collections and improved reserve position. The JHC's financial resources include an operating fund, capital fund, dwelling rental income, and Section 8 administrative fees.

<b>SECTION 8 BY THE NUMBERS</b>	
<b>\$2,508,632</b>	<b>Housing Assistance Payments</b>
<b>98%</b>	<b>Lease Up Rate</b>
<b>185</b>	<b>Landlords</b>
<b>463</b>	<b>Voucher Holder Participants</b>
<b>1,232</b>	<b>Individuals</b>

As a result of sequestration, the JHC's Section 8 Housing Choice Voucher (HCV) program is over budget by \$31,149 as of June 2013. While the JHC normally administers 475 vouchers, it has had to cut back to 459 in an effort to balance the budget. Even with this cost savings measure, in June 2013, the Housing Assistance Program (HAP) paid \$10,899 more than the HAP funded. The JHC will continue to reduce the vouchers it fills until the assistance it provides is within the funding available.

After assessing the housing needs of the City and surrounding Jackson County area, JHC has determined that it currently meets, and will continue to meet, the housing needs of the community to the extent practical for a medium-sized agency. In addition, the JHC has:

- No plans to demolish any of its properties. Comments and suggestions from the various Resident Advisory Boards (Shahan-Blackstone, Chalet Terrace, Reed Manor and Section 8) are taken into consideration and, if feasible, implemented.
- A HUD-approved Home Ownership Plan to sell 50 scattered site units to qualifying low- and moderate-income homebuyers. As of June 3, 2008, 10 units had been sold; however, when the housing crisis affected the ability to sell homes, JHC discontinued this program and reconverted these single family homes back into rental units.

- Implemented local preferences to improve the living environment by de-concentration, promoting income mixing, and improving security throughout the developments.
- Created and continues to facilitate self-sufficiency programs to improve resident employability, as well as solicit support services for the elderly and families with disabilities.

<b>PUBLIC HOUSING BY THE NUMBERS</b>	
<b>PERFORMANCE INDICATORS</b>	
98%	Occupancy Rate
115	New Admissions
150	Youth Participated in Programs
3,562	Non-Emergency Work Orders Completed
1.8	Average # of Days to Complete Non-Emergency Work Orders
485	Emergency Work Orders
95%	Emergency Work Orders Completed within 24 hours
18 Days	Average Vacant Unit Turnaround
<b>DEMOGRAPHICS</b>	
2.0	Average Family Size
78	Elderly Heads of Household (Age 62+)
454	Non-Elderly Heads of Household (Age <61)
345	Female Heads of Household
187	Male Heads of Household
273	Disabled/Handicapped Heads of Household
247	Non-Minority Heads of Household
285	Minority Heads of Household
<b>SOURCES OF INCOME</b>	
1	Own a Business
22	Receive Child Support
1	General Assistance
1	Indian Trust/Per Capita
416	Other Nonwage Sources
14	Pension
186	SSI
182	Social Security
138	TANF (Formerly AFDC)
4	Unemployment Benefits
126	Other Wages
<b>INCOME LEVELS</b>	
453	Extremely Low
68	Very Low
11	Low
<b>TIME ON PROGRAM</b>	
97	<1 Year
72	<2 Years
71	<3 Years
44	<4 Years
48	<5 Years
200	>5 Years

The JHC receives funding from an annual allocation of Capital Funds Program for development, financing, modernization and management improvements to its three housing complexes and 40 scattered site units. The public housing complexes managed by the JHC are:

**Shahan-Blackstone North** – 120 units  
**Reed Manor** – 292 units  
**Chalet Terrace** – 128 units

### CAPITAL FUND PROGRAM PROJECTS

2011 Capital Fund Program	
Central Office & Reed Manor	Administrative Office Renovations
Reed Manor	0 to 1 Bedroom 504 Conversions
Reed Manor	Energy Efficient Exterior Lighting
Reed Manor	Garbage Room Doors
Chalet Terrace & Shahan Blackstone	Sidewalk Replacement & Repairs

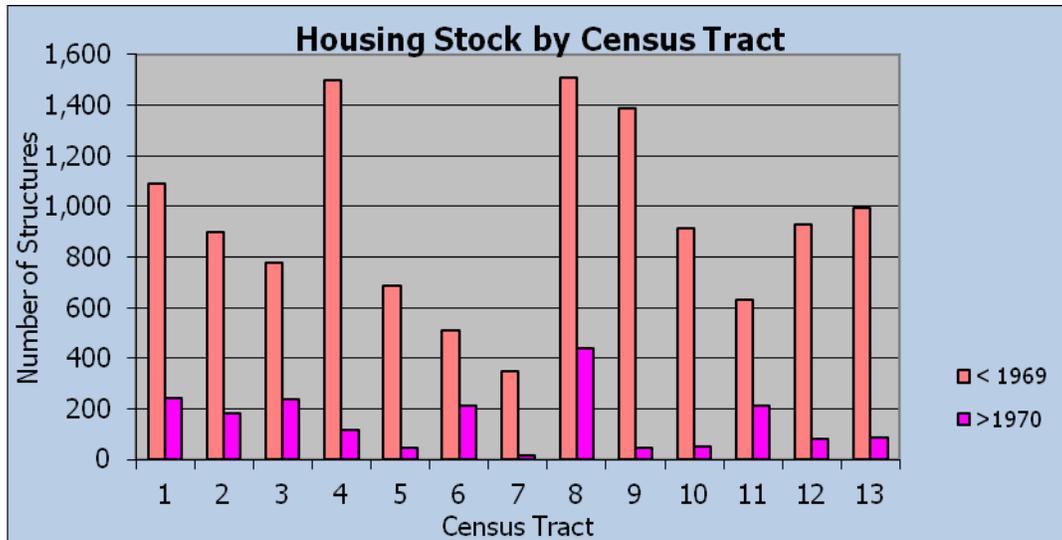
2011 Capital Fund Emergency Safety & Security Program	
Reed Manor	Energy Efficient Exterior Lights

2012 Capital Fund Program	
Chalet Terrace	Lawn/Snow Removal Equipment
Chalet Terrace	Playground Equipment
Chalet Terrace	Playground Safety Surfacing
Chalet Terrace	Concrete Sidewalks
Reed Manor	Parking Lot
Reed Manor	Downspouts/Gutters
Reed Manor	Energy Efficient Exterior Lighting Study
Reed Manor	Energy Efficient Exterior Lighting
Shahan Blackstone	Playground Equipment
Shahan Blackstone	Parking Lot

A resident member participates on the JHC Board, and four separate Resident Advisory Boards exist; one at each of the three complexes and one for Section 8. Due to Resident Advisory Board participation, the JHC incorporated certain requests into its annual and five-year plans and will address other requested items through normal operational activities that do not require use of Capital Funds.

*Evaluate and Reduce Lead-Based Paint Hazards*

According to the Michigan Department of Community Health (MDCH), environmental exposure to lead in amounts sufficient to cause illness and neurological damage in children remains a significant concern in Michigan. Jackson County has been identified as one of fourteen counties in Michigan at high risk for childhood lead exposure and poisoning. Lead-based paint hazards are a major concern for the City's young children and pregnant women as over 85% of all housing was constructed prior to 1970, with over 51% being built before 1940. As jobs continue to be scarce and families are trying to get by, property maintenance and repair are not high on the list of priorities. As properties decline, the risk of exposure to lead-based paint hazards increases. All 13 Census tracts in the City contain aged housing, as demonstrated below:



Housing built prior to 1978 (when federal law banned the use of lead-based paint in residential housing) is considered to be at risk of containing some amount of lead-based paint. The amount of lead pigment in the paint increases with the age of the housing. Housing built prior to 1950 remains a significant concern for lead poisoning as 1950 is often recognized as the “threshold” to lower levels of lead-based paint. Prior to about 1940, paint typically contained high amounts of lead, often 10 to 50 percent. In the early 1950s, paint industry standards voluntarily called for limiting lead content to 1%. With approximately 66% of the housing stock built prior to 1950, Jackson housing units pose a high risk of containing significant lead-based paint hazards. Young children of very low- and low-income households are most likely to reside in older housing, and are disproportionately at risk of lead poisoning. It is anticipated that units of owner occupied housing will continue to decline and the ratio of rental units will increase due to the stress of the slow and declining economy. Rental properties make up a large percentage of the City’s housing units. If units are not maintained, the risk of young children coming into contact with lead-paint hazards continues to climb.

Since HUD’s lead-based paint regulations took effect in September 2000, the City has seen rehabilitation costs increase by 60%. Unfortunately, the City’s funding sources did not increase at the same time, making it more and more difficult to have a significant impact on the housing in the community. Because of the age of the housing stock, the homes of all applicants for rehabilitation assistance living in homes built prior to 1978 must be tested for lead-based paint.

From 2006-2010, the City successfully implemented a Lead Hazard Control Program to address lead-based paint hazards in low-income homes built before 1978. The program tested 215 units and provided lead hazard remediation for 174 units. The purpose of the grant was to provide funds to low- and moderate-income families living in the City of Jackson and Jackson County to accomplish the national initiative to eliminate childhood lead poisoning. The program offered testing for lead-based paint hazards in the home, testing of young children under age six for elevated blood lead levels, and funding to remediate the lead-based paint hazards from the home. To implement this program, the City partnered with other community organizations to provide lead hazard control services to reduce the number of housing units containing lead-based paint hazards. These organizations included CAA, the Jackson County Health Department, and the Center for Family Health (Allegiance Health System).

The City partnered with the CAA to provide lead hazard control services to owner occupants living outside of the city limits and to rental property owners in the Partnership Park area. The Jackson County Health Department provided community education and outreach to families with children under the age of six and local organizations that service families with children under the age of six. The City partnered with the Center for Family Health to provide client referrals for blood lead testing of children under the age of six living in the home. The City also worked with the Jackson Area Landlord Association (JALA) to provide resources to rental property owners and educational information pertaining to childhood lead poisoning, renovating pre-1978 properties and the Michigan Lead Abatement Act. Although the City applied for renewal funding from the U.S. Department of Housing and Urban Development (HUD) in the fall of 2009 and again in the fall of 2010 to continue providing lead-based paint hazard control services, those applications were denied and the program ended in March 2010. With the lack of funding to continue lead-based paint hazard control services, the number of lead-safe housing units being created in the community will be impacted.

The City will continue to work with referrals from the Jackson County Health Department to identify clients with lead-based paint hazards that may be eligible for a full housing rehabilitation project. These clients will be able to address their lead-based paint hazards and probable code violations in the same project. The downside to this is the amount of funding available per client. Lead hazard remediation may be expensive and may impact the amount of housing projects that can be accomplished through the allocated funding. For families with a child identified as having an elevated blood lead level, the City will refer the family to the Michigan Department of Community Health's Lead and Healthy Homes Program. While the City of Jackson is not identified within the MDCH work plan as a subrecipient community, it does fall under their "statewide" clause of being allowed to provide assistance based on a child with an identified elevated blood lead level. This will provide some opportunity for families with a lead-poisoned child, but it will not aid in the prevention of childhood lead poisoning. The City will also utilize the MDCH's Lead and Healthy Homes Program to serve as a referral network to link local contractors to training and educational services for lead abatement certification as well as resources to become certified in the EPA's Renovate Right curriculum.

The State of Michigan has enacted legislation to address lead-based paint issues in the state. The City of Jackson and its subgrantees will continue to incorporate and comply with the Michigan Lead Abatement Act to address lead-based paint issues in the community. The City of Jackson and its subgrantees will also comply with the Federal Environmental Protection Agency (EPA)'s Renovation, Remodeling and Paint Law that took effect on April 10, 2010. This law will require contractors performing remodeling and renovation activities in residential properties and child occupied facilities built before 1978 to be certified and to follow specific work practices to prevent lead dust contamination.

#### *Ensure Compliance with Program and Comprehensive Planning Requirements*

Department of Neighborhood & Economic Operations staff responsible for oversight of the administration of CDBG/HOME funds perform the following functions, which includes, but is not limited to:

- Receiving applications for funding and reviewing same for eligibility.
- Performing a risk analysis of applicants requesting funds.
- Preparing reports for the City Manager, Mayor and City Council.

- Performing environmental reviews.
- Preparing the Five-Year Consolidated Plan, One-Year Action Plan, and Analysis of Impediments for submission to HUD, as required.
- Preparing Subrecipient Agreements to those entities receiving an allocation.
- Preparing the CAPER.
- Monitoring subrecipients: quarterly desk reviews and annual on-site reviews.
- Reviewing reimbursement requests for eligibility.
- Conducting site visits to projects while in progress.
- Conducting Davis-Bacon interviews on construction sites for Labor Standards compliance.
- Maintaining files and records relating to the overall administration of the programs.
- Review payment requests for accuracy and eligibility.
- Reconcile financial records with IDIS.
- Prepare and reconcile reports submitted with the CAPER.
- Prepare Federal Cash Control Report.
- Ensure accuracy of data entered in IDIS.
- Prepare budgets and forecasts.

*Reduce the Number of Persons Living Below the Poverty Level*

HUD annually releases area median income limits based on information specific to the community. HUD's 2011 Median Family Income estimates for Jackson County were made utilizing a comparison of 2009 American Community Survey 5-year and 1-year estimates.

**City of Jackson 2013 Area Median Income Limits**

% of Median	Limit per Number of Persons in Household							
	1	2	3	4	5	6	7	8
30%	\$12,350	\$14,100	\$15,850	\$17,600	\$19,050	\$20,450	\$21,850	\$23,250
50%	\$20,550	\$23,450	\$26,400	\$29,300	\$31,650	\$34,000	\$36,350	\$38,700
60%	\$24,660	\$28,140	\$31,680	\$35,160	\$37,980	\$40,800	\$43,620	\$46,440
80%	\$32,850	\$37,550	\$42,250	\$46,900	\$50,700	\$54,450	\$58,200	\$61,950
100%	\$41,100	\$46,900	\$52,800	\$58,600	\$63,300	\$68,000	\$72,700	\$77,400

(effective December 11, 2012)

A comparison of the 2007-2009 and 2009-2011 American Community Survey Table S1701, Poverty Status in the Past 12 Months, provides a telling picture of the state of the City's impoverished residents:

	2009 ACS Estimate	2011 ACS Estimate
Population for whom poverty status is determined .....	27.0%	31.5%
<b>AGE</b>		
Under 18 years .....	37.2%	42.7%
Related children under 18 years .....	36.5%	42.1%
18 – 64 years .....	25.1%	30.1%
65 years and over .....	12.4%	9.1%
<b>SEX</b>		
Male .....	26.4%	29.0%
Female .....	27.5%	33.7%

	2009 ACS Estimate	2011 ACS Estimate
<b>RACE</b>		
White .....	22.4%	24.6%
Black or African American.....	39.9%	47.8%
Two or more races.....	46.5%	50.5%
<b>EDUCATIONAL ATTAINMENT</b>		
Less than high school graduate .....	46.5%	45.2%
High school graduate (includes GED) .....	22.4%	27.5%
Some college, associate's degree .....	14.8%	20.0%
Bachelor's degree or higher .....	3.3%	5.9%

The City of Jackson has neither the resources nor facilities to carry out programs directly targeted at reducing the number of households at or below the poverty level. However, through the use of CDBG and HOME funds, the City offers services and programs to assist its low- and moderate-income residents:

*Deferred Loan Program* – utilized through the Neighborhood & Economic Operations Department's Rehabilitation Program offering interest-free loans with no monthly payments. Repayment is deferred for 20 years or until the owner moves, rents out the home, or fails to use the property as their primary residence.

*Emergency Hazard Program* – as with the Deferred Loan Program, these loans are interest free with no monthly payments for 20 years and allow the Neighborhood & Economic Operations Department to expedite the correction of hazardous conditions (e.g. leaking roof, non-working furnace, etc.).

*Acquisition/Rehabilitation/Resale* – The City of Jackson and its CHDO, CAA, have acquired three moderate properties which will be fully rehabilitated then offered for sale to income qualifying families at an affordable price.

These local efforts, backed by extremely limited funds, are unlikely to have a significant impact in reducing the number of individuals and families living below the poverty level. However, with thoughtful consideration of complementary activities to other programs available in the community, a collaborative effort among all service providers may provide more significant, measurable progress to reducing poverty rates in the City.

**Leveraging Resources**

The City's CDBG and HOME subgrants do not require matching funds, but consideration is taken regarding the amount of other funds leveraged in a project when making allocation decisions. The City has successfully leveraged other funding streams, including its own funding, to implement and advance its goals and objectives when combined with CDBG and/or HOME funds. Jackson also applies for other federal, state and local funds that compliment the CDBG and HOME activities it undertakes when those funds become known.

**Citizen Comment**

Citizen input is actively solicited through publication of notifications in the *Jackson Citizen Patriot*, the area's daily newspaper, and *The Jackson Blazer*, a bi-weekly newspaper with an 80% African American readership, and through the City's website. The public is informed of

meetings and public hearings and given the opportunity to comment on CDBG/HOME applications received by the City, the Action Plan, how funding is being disseminated before the Request for Release of Funds, and also the CAPER. Draft copies of this CAPER were made available for public viewing and comment at the main branch of the public library, two locations in City Hall, and the three public housing complexes. The City also posted the draft CAPER on its website with a link to provide comment via e-mail.

The City of Jackson and University of Michigan's School of Information recently cemented a partnership to increase transparency and communication between government officials and their constituents. The three year project will employ students to develop mobile apps and social media tools to streamline communication between City residents and their leaders. In late 2012, Jackson leaders also purchased the software "Blackboard Connect," which allows government leaders to provide emergency notifications and community outreach 24 hours a day. Dubbed "Jackson Connect," residents can sign up for the free service and customize their notification which includes, but is not limited to:

- Emergency weather notifications
- Billing updates
- Event cancellations
- New recreation program announcements
- Neighborhood meeting reminders
- Upcoming events of interest in the Jackson area
- Deadline to register
- Election reminders
- Road construction
- Water main break
- Leave pick-up
- Hydrant Flushing
- Street Closures

The service will only be used to contact residents for emergencies or the topics they have chosen.

### **Self-Evaluation**

The City's Five-Year Consolidated Plan and 2011 Action Plan were developed under interim leadership. Since that time, re-visioning of a new Mayor, City Manager, and Deputy City Manager led to the inclusion of a Substantial Amendment to the Five-Year Consolidated Plan with the 2012 Action Plan. Much of 2011 was spent on the development of the JOES, data gathering to support the JOES plan, and beginning phases of implementation. The amount of time devoted by Neighborhood & Economic Operations staff to accomplish the planning and initial implementation somewhat hindered the ability to achieve program accomplishments. However, the City is already achieving a benefit from the plan development through increased code enforcement after hiring two temporary blight ordinance enforcement officers in July 2012. Program accomplishments were further enhanced in 2012 when four full time and one part time code enforcement officers were hired on a permanent basis. Accomplishments and outcome measures are detailed in the Program Narratives section beginning on page 28.

### **Monitoring**

During review of applications received through an annual competition for grant funds, a risk analysis is conducted of the potential recipient of grant funds. Based on that risk analysis, prospective organizations are assessed for strengths and weaknesses in order to develop support mechanisms to enhance program delivery. This assessment takes into consideration the nature and eligibility of the activity, whether it is a duplicative service conducted by another

agency in a more efficient manner, whether the proposed plan for carrying out the activity is realistic, the organization's capacity to conduct the activity in a timely fashion, and also for the possibility of any conflicts of interest.

Neighborhood & Economic Operations staff conducts quarterly desk reviews of performance reports required to be filed by subrecipients of CDBG funds. From those desk reviews, staff is able to determine if a project is on track or when it is expected to be instituted. Individual agencies may receive one-on-one technical assistance meetings to help explain different aspects of the program and to aid the agency in accomplishing its goals. Each request for reimbursement is required to supply supporting documentation, which is carefully reviewed by more than one staff person before payments are made.

Staff also conducts annual on-site monitoring of subrecipients receiving grant funds to verify back up documentation to their quarterly reports. This on-site, expanded monitoring is determined based on newness of subrecipient, prior findings, performance reporting issues, or other appropriate areas that may need closer review. While a majority of the City's subrecipients receive very favorable outcomes to the monitoring visits, some issues become apparent requiring an agency to make anywhere from minor corrective actions or a complete revision of a specific procedure to keep it in compliance with program regulations.

### Program Narratives

#### CDBG Program

The priorities of using CDBG funds in the City of Jackson are rehabilitation of owner-occupied housing, code enforcement activity, local street improvements, other public facility/infrastructure improvements and economic development activities. To accomplish these priorities, CDBG funds were allocated as follows:

#### Priority 1 – Rehabilitation of Owner-Occupied Housing

<b>Rehabilitation</b> Neighborhood & Economic Operations	Funding <b>\$145,000 CDBG</b>	Target Area <b>City-wide</b>
	Planned Beneficiaries <b>Low- and Moderate-Income Clientele</b>	
Outcome <b>Improved housing conditions for owner-occupied residences</b>	Planned Units <b>25 units</b>	Actual Units <b>8 Emergency Hazard projects</b>

#### Priority 2 – Code Enforcement

<b>Code Enforcement</b> Neighborhood & Economic Operations	Funding <b>\$535,000 CDBG</b>	Target Area <b>City-wide</b>
	Planned Beneficiaries <b>Low- and Moderate-Income Area</b>	
Outcome <b>Improved neighborhoods</b>	Planned Units <b>1,500 households</b>	Actual Units <b>3,041 housing units inspected</b> <b>1,940 garbage citations issued</b> <b>213 Inoperable/Unlicensed Vehicle citations issued</b> <b>360 Trees/Noxious Weeds issued</b>

<b>Code Enforcement</b> City Attorney's Office	Funding <b>\$52,000 CDBG</b>	Target Area <b>City-wide</b>
	Planned Beneficiaries <b>Low- and Moderate-Income Area</b>	
Outcome <b>Provide legal support in the Administrative Hearings Bureau for the City's Code Enforcement program</b>	Planned Units <b>200</b>	Actual Units <b>191 new cases prosecuted: 27 housing, 23 garbage, 42 vehicle, 90 noxious weeds, 11 zoning</b>

### Priority 3 – Residential Demolition

<b>Residential Demolition</b> Neighborhood & Economic Operations	Funding <b>\$494,924 CDBG</b>	Target Area <b>CT000200, CT006900; CT000400; CT000600; CT000900; CT001000; CT001100; CT001300</b>
	Planned Beneficiaries <b>Slum/Blight Spot Basis</b>	
Outcome <b>Decent, safe and clean neighborhoods</b>	Planned Units <b>20 structures</b>	Actual Units <b>27 structures</b>

### Medium Priority Activities

<b>MLK Summer Youth Program</b> Parks & Recreation Dept.	Funding <b>\$40,000 CDBG</b>	Target Area <b>CT001100, BG1, 2 &amp; 3</b>
	Planned Beneficiaries <b>Low- and Moderate-Income Clientele</b>	
Outcome <b>Provided staff and operating expenses for summer enrichment program for youth</b>	Planned Units <b>400</b>	Actual Units <b>351</b>

<b>Sidewalk Handicap Curb Ramps</b> Department of Public Works	Funding <b>\$10,000 CDBG</b>	Target Area <b>CT006900</b>
	Planned Beneficiaries <b>Low- and Moderate-Income Clientele (presumed)</b>	
Outcome <b>Improved accessibility for elderly or disabled residents</b>	Planned Units <b>4</b>	Actual Units <b>0</b>

<b>Street Paving/Reconstruction</b> City Engineering	Funding <b>\$303,000 CDBG</b> (2011-2012 funds)	Target Area <b>CT000400; BG 5</b>
	Planned Beneficiaries <b>Low- and Moderate-Income Area</b>	
Outcome <b>Improved drivability of local streets</b>	Planned Units <b>4 street segments</b>	Actual Units <b>2 street segments</b>

<b>Simply Smarter Shopping Shuttle</b> Jackson Transportation Authority	Funding <b>\$7,000 CDBG</b>	Target Area <b>CT000600; CT001000, BG 1 and 4; CT001100; BG1</b>
	Planned Beneficiaries <b>Low- and Moderate-Income Area</b>	
Outcome <b>Provide transportation to fresh, affordable foods</b>	Planned Units <b>600</b>	Actual Units <b>38</b>

### *Use of CDBG Funds for National Objectives*

All CDBG funds received were allocated to meet National Objectives, specifically targeted to the City's low- and moderate-income residents, eliminating slum/blight, or meeting urgent needs. As indicated on the Financial Summary Report (PR 26), 71.43% of Jackson's CDBG funds benefited low- and moderate-income persons during the 2012 reporting period.

### *Anti-Displacement and Relocation*

No projects were funded that involved demolition of occupied property. Temporary relocation was necessary during six (6) rehabilitation projects during Program Year 2012.

The City of Jackson and/or its funding recipients provide for reasonable benefits to any person involuntarily and temporarily or permanently displaced as a result of the use of CDBG or HOME funds for acquisition or rehabilitation of residential property. The City intends to cause no displacement to persons receiving assistance from the CDBG or HOME programs but recognizes that situations may arise wherein displacement, relocation or temporary relocation are the only viable methods for providing assistance. Because the City's approved contractors have extensive experience, they are able to isolate various rooms in the home to perform lead hazard control work during rehabilitation. Once that area has been addressed, the contractor then moves to another section of the home and again isolates the area to do the rehabilitation and lead hazard work. Each area is completed in expedited fashion, without exposure of the family to lead-based paint hazards. Should extensive work be necessary, the budget includes relocation costs.

### *Low/Mod Job Activities*

The City of Jackson implemented its Jobs Creation Initiative Loan Program in 2003 as an economic development incentive to expand business and create jobs for low- and moderate-income residents. Although the loans are still being offered as part of an economic development incentive package, no businesses have applied for assistance since the economic recession beginning in 2008.

### *Program Income Received*

<b>Program Income Type</b>	<b>Amount</b>
<b>CDBG</b>	
Sale of Real Property	\$ -0-
Economic Development Loan Repayments	15,750
Deferred Loan Repayments	24,595
MSHDA PIP Loan/Inspection Fees	-0-
HOME Administration	25,500
Accounts Receivables, Permits, Code Enf., etc.	82,785
Other Program Income	<u>28,886</u>
<b><i>Total CDBG Program Income:</i></b>	<b><u>\$177,516</u></b>
<b>HOME</b>	
HOME Program Loan Repayment	\$ 14,117
Miscellaneous	<u>-0-</u>
<b><i>Total HOME Program Income:</i></b>	<b><u>\$14,117</u></b>

*Loans and Other Receivables*

As of June 30, 2013, the City of Jackson has the following open outstanding loans:

<b>No. of Loans</b>	<b>Type</b>	<b>Balance</b>
208	Rehab (repayable)	\$2,735,156
76	Lead (forgivable)	203,438
99	Emergency Hazard (repayable)	583,146

There are no outstanding Section 108 loans.

The City of Jackson implemented a Deposit Loan program in the early 1980s when mortgage and home improvement loan interest rates were 17% - 20%. It was originally a lump sum deposit and the bank interest earned was used to subsidize the high interest on home improvement loans to between 4% and 8%. As interest rates improved, there was no longer a need for this program; however, the City's agreement with Flagstar Bank required sufficient funds remain in the account to cover the outstanding principal on existing Title I loans. Over time, as the loans have been repaid and less and less interest was needed to subsidize existing loans, the unneeded interest was declared as program income and reused in other block grant eligible activities. Due to inactivity, the Deposit Loan program account will be closed during PY 2013.

<b>No. of Loans</b>	<b>Type</b>	<b>Balance</b>
0	Deposit Loan (repayable)	-0-

The City of Jackson has the following properties for sale that were acquired and/or improved using CDBG funds and are available to sale to low- and moderate-income persons.

<b>Tax ID No.</b>	<b>Address</b>	
3-1083	702 S Grinnell	Acquired with HOME funds; rehabilitation bids opened July 31, 2012; project completion projected in October 2013
4-1287	1121 First	Acquired with HOME funds; rehabilitation bids opened March 18, 2013; project completion projected in October 2013

Jackson Affordable Housing Corporation, Community Action Agency, and Habitat for Humanity received assistance on following properties:

<b>Tax ID No.</b>	<b>Address</b>	
8-1449	622 N Waterloo	Acquired in May 2011; sold February 2013
4-0925.2	140 Rockwell	Original partner family backed out, new partner family identified and closed on sale in October 2012
4-0595	708 S Mechanic	YouthBuild collaborative; original partner family backed out, new partner family identified and will close in the near future
4-0599	806 S Mechanic	YouthBuild collaborative; partner family identified and sale will close in near future

<b>Tax ID No.</b>	<b>Address</b>	
7-0702	626 Harris	Construction is completed; partner family identified and sale will close in near future
3-0222	606 W Biddle	Property recently purchased for rehabilitation; specification development underway

### HOME Program

<b>Rehabilitation Assistance</b> Neighborhood & Economic Operations	Funding <b>\$186,077 HOME</b>	Target Area <b>City-wide</b>
	Planned Beneficiaries <b>Low- and Moderate-Income Clientele</b>	
Outcome <b>Increased availability of improved housing units</b>	Planned Units <b>18</b>	Actual Units <b>4</b>

<b>Acquisition/Rehab/Resale</b> Community Action Agency	Funding <b>\$40,000 HOME</b>	Target Area <b>City-wide</b>
	Planned Beneficiaries <b>Low- and Moderate-Income Clientele</b>	
Outcome <b>Increased availability of improved housing units</b>	Planned Units <b>1</b>	Actual Units <b>0</b>

The goal of using HOME funds in the City of Jackson is to provide decent, affordable housing to low- and moderate-income persons. To accomplish this goal, HOME funds were allocated for rehabilitation assistance and acquisition/rehabilitation/resale.

Community Action Agency serves as the City's Community Housing Development Organization (CHDO). After significant staff changes, including the retirement of the long time CEO, CAA has completed its restructuring and is now concentrating on project development. CAA recently purchased 606 W Biddle Street to rehabilitate and resell to a low- to moderate-income family. Development of the rehabilitation specifications is currently underway and will include combining the vacant lot on the east with 606 W Biddle to offer the prospective family a larger yard.

The Jackson Overall Economic Stabilization (JOES) Program established the need for strategic initiatives aimed at consolidating and enhancing the City's economic base. To that end, Neighborhood & Economic Operations staff reviewed the viability of homeowner rehabilitation in stabilizing residential neighborhoods. While staff recommended continuance of the owner-occupied rehabilitation program, especially in the City's target neighborhood near Allegiance Health Systems, it also recommended the City Council consider a new approach to providing housing rehabilitation.

The current program of homeowner rehabilitation establishes a cap to the amount of assistance the City can offer in a 20 year deferred loan to the homeowner, thereby limiting the level of rehabilitation that can be conducted. However, establishing a homebuyer program where the City acquires modest single-family homes in need of minor to moderate repair will permit a higher level of rehabilitation to be completed, raising not only the home's value but also that of the neighborhood in which it is sited. This concept is similar to that of the Neighborhood

Stabilization Program from the Housing and Economic Recovery Act of 2008. To that end, on June 6, 2012, the City acquired the property at 702 S Grinnell Street and, with rehabilitation well underway, marketing for sale to an eligible homebuyer will begin in the coming months. In December 2012, the City also acquired 1121 First Street with rehabilitation underway.

The City of Jackson controls the resale of homebuyer property during the period of affordability using the recapture option as follows:

- 1) Should a homebuyer receiving a direct HOME subsidy in the amount of \$5,000 or less sell the property during the affordability period, repayment of the entire direct HOME subsidy will be triggered.
- 2) Should a homebuyer receiving a direct HOME subsidy in excess of \$5,000 sell the property during the affordability period, repayment of the direct HOME subsidy will be directly tied to the length of time the homebuyer has occupied the home in relation to the period of affordability.

If there are no net proceeds from the sale or the net proceeds are insufficient to repay the HOME subsidy due, the City will recapture the amount of the net proceeds, if any. Recaptured funds will be used for any HOME-eligible activity. The homeowner will receive a return on investment only if there are remaining net proceeds from the sale after payment of all outstanding mortgages, including the HOME mortgage and closing costs.

The City of Jackson does not use HOME funds for rental housing, therefore, no on-site inspections of rental units were conducted of HOME funded rental housing, and no affirmative marketing was required. No HOME match is required to be paid by the City of Jackson for FY2011 as HUD continues to determine the City is in severe fiscal distress. Forms HUD-40107 (HOME Program + Annual Performance Report) and HUD-40107-A (HOME Match Report) are attached to the CAPER as required.

#### **Housing Opportunity for People with Aids (HOPWA) Program**

The City of Jackson does not receive HOPWA funding.

#### **Emergency Shelter Grants (ESG) Program**

The City of Jackson does not receive ESG funding.