



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 17, 2013

6:30 p.m.

1. **CALL TO ORDER.**
2. **PLEDGE OF ALLEGIANCE** - Invocation by Derek Dobies, 6th Ward City Councilmember.
3. **ROLL CALL.**
4. **ADOPTION OF AGENDA.**
5. **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):**
10. **CONSENT CALENDAR.**
 - A. **Minutes of the Regular Meeting on September 10, 2013:**
Approve the minutes of the regular City Council meeting of September 10, 2013.
 - B. **JHS Homecoming Parade:**
Approve the request from Jackson High School to conduct their Homecoming Parade on Friday, October 11, 2013, from 6:00 p.m. to 6:30 p.m. with street closures along Brown, Daniel, and Wildwood Streets beginning at 5:30 p.m. and ending at 6:30 p.m. (Contingent upon receipt of proper insurance coverage.)
 - C. **Public Rosary:**
Approve the request from Queen of the Miraculous Medal Parish to conduct their annual Public Rosary at the Riverwalk Amphitheatre on

Sunday, October 13, 2013 from 11:00 a.m. – 3:00 p.m. (Contingent upon receipt of proper insurance coverage.)

- D. CDBG and HOME Financial Statements through August 31, 2013:**
Receive the Community Development Block Grant (CDBG) and HOME Financial Summaries through August 31, 2013.
- E. City Financial Statements Ending June 30, 2013:**
Receive the City of Jackson's summary of revenue and expenditures for twelve (12) months ended, June 30, 2013.
- F. Establishment of a Public Hearing - Petition for an Alley Vacation - Rockwell Alley:**
Establishment of October 8, 2013, at the City Council meeting as the time and place to hold a public hearing on the vacation of Rockwell alley, as recommended by the City Planning Commission on June 5, 2013.

11. PUBLIC HEARINGS.

- A. Public Hearing CAPER Report:**
Public hearing to receive citizen comments on the City's Performance in administering 2012-13 Community Development Block Grant (CDBG) and HOME Programs.
 - 1. Authorization for the Mayor to execute the 2012-13 Consolidated Annual Performance and Evaluation Report (CAPER) and approve the submission of the report to the U.S. Department of Housing and Urban Development (HUD).
- B. Public Hearing - Refrigeration Sales, Inc., IFTEC Application:**
Public hearing regarding the application filed by Refrigeration Sales Inc., 1810 E. High Street, for an Industrial Facilities Tax Exemption Certificate.
 - 1. Adopt a resolution approving an application for an Industrial Facilities Tax Exemption Certificate (IFTEC) for Refrigeration Sales, Inc.

12. OTHER BUSINESS.

- A. Ordinance Amendment - Placement of Leaves - Public Right Way (Second/Final Reading):**
Final adoption of Ordinance No. 2013.21, amending Article II, Chapter 23, City Code, 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.

13. **NEW BUSINESS.**

- A. **Ordinance Amendment – Collection of Stormwater Fees (First Reading):**
Consideration of an Ordinance amending Section 27-180 through 27-201, Article VI, Chapter 27, City Code, to bring Chapter 27 of the Code of Ordinances in conformity with the decision of the Michigan Court of Appeals ordering that the City of Jackson cease collection of the fee for stormwater.
- B. **Contract Renewal – Pavement Marking:**
Approval of the renewal of the pavement marking contract with PK Contracting, Troy, in the amount of \$54,990.00, and authorization for the Mayor and City Clerk to execute the appropriate contract renewal documents.
- C. **Purchase of 2014 F-350 – DPW:**
Approval of the request to purchase one (1) 2014 Ford F-350 cab, chassis and dump box from Gorno Ford, Woodhaven, through the State of Michigan MiDeal contract in the amount of \$39,474.00, for use by the Department of Public Works.
- D. **Purchase of 2014 F-550 – DPW:**
Approval of the request to purchase one (1) 2014 Ford F-550 4x4 cab and chassis from Gorno Ford, Woodhaven, through the State of Michigan MiDeal contract in the amount of \$41,793.00, for use by the Department of Public Works.
- E. **Purchase of Specialty Truck Attachments – DPW:**
Approval of the request to purchase a specialty truck package from Truck & Trailer Specialties, Dutton, through the State of Michigan MiDeal contract in the amount of \$56,021.00, for use by the Department of Public Works.
- F. **Purchase of Miscellaneous Brass Water Fittings – Water Department:**
Approval of the request to purchase miscellaneous brass water fittings from ETNA Supply, Grand Rapids, in the amount of \$109,114.00, for use in the repair and maintenance of the water distribution system in accordance with “No Lead Rule” portion of the Safe Drinking Water Act.
- G. **Purchase of a Caterpillar 430F ACR Loader Backhoe – Water and DPW:**
Approval of the request to purchase one (1) 2013 model year Caterpillar 430F ACR Backhoe Loader from Michigan Cat, Novi, through the State of Michigan MiDeal contract, in the amount of \$100,548.00, for use in the Water and Public Works Departments.

H. Purchase of Caterpillar 930K Wheel Loader - WWTP:

Approval of the request to purchase one (1) Caterpillar 930K Wheel Loader from Michigan Cat, Novi, through the State of Michigan MiDeal contract, in the amount of \$173,445.00, for use at the Wastewater Treatment Plant.

I. Ground Storage Tank Painting Project - WTP:

Approval of a contract with Dixon Engineering and Inspection Services, Lake Odessa, to provide inspection services on the 7.5 million gallon ground storage tank painting project at a cost of \$29,920.00, and authorization for the Mayor and City Treasurer/Clerk to execute the agreement.

***J. Waive of Five (5) Year Rule between Emergency Hazard Loans:**

Consideration of the request to waive the five (5) year limitation for emergency hazard assistance to allow a second emergency hazard loan at 332 E. High Street.

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

15. CITY COUNCILMEMBERS' COMMENTS.

16. MANAGER'S COMMENTS.

17. ADJOURNMENT.

***Item added, deleted or changed.**



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

September 10, 2013

CALL TO ORDER:

The Jackson City Council met in regular session in City Hall and was called to order at 6:32 p.m. by Mayor Griffin.

PLEDGE OF ALLEGIANCE-INVOCATION:

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

ROLL CALL:

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

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

AGENDA:

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

EXECUTIVE SESSION:

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

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

RETURN TO OPEN SESSION:

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

Motion was made by Councilmember Dobies and seconded by Councilmember Woods to continue to retain the law firm Miller Canfield for the defense of Panzica vs. the City of Jackson and for Wisniewski vs. the City of Jackson. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Schlecte, Frounfelker and Dobies – 6. Nays: 0. Absent: Councilmember Greer – 1.

PRESENTATIONS/PROCLAMATIONS:

None

CITIZEN COMMENTS - AGENDA ITEMS (3-MINUTE).

Evelyn Schweda of 600 Commonwealth spoke in opposition of the deer feeding ordinance. She feels that deer bring a lot of joy. She felt Ella Sharp could have the deer as a tourist attraction with the right management and help. She wanted to know why it couldn't be put on a ballot to decide about deer feeding and the deer kill. She asked why the citizens have no input on the matter. She feels it is a punishment for citizens to be required to clean up the streets. She feels property owners should be responsible for their own yards, but not the streets. She feels this Council could help in getting the cement divider at exit 138 painted, streaked, or signed for visibility.

John Wilson of 1045 S. Durand Street spoke in opposition of the leaf ordinances and said they should be taken off the agenda and replaced with some discussion making sure the city residents have their leaves picked up before the winter. He mentioned that Councilmember Frounfelker stated a couple of weeks ago on a radio interview that the city has various "pots of money" that can now be used for leaf pick up. He said the pots of money are the separate sewer and water enterprise funds each containing millions of dollars. He said if funds from neither of these can be used to pick up leaves then he wants to have Councilmember Greer or Frounfelker to explain why they both voted to take \$100,000 from the water/sewer funds in 2010 to pay for the annual 2010 Enterprise Group contract. He stated the reason these funds were used was because the General Fund didn't have the money to allocate to the Enterprise Group that year. He said in comparison, the Council could be creative in finding resources to fund the leaf pickup. He mentioned looking into CDBG funds to fund the leaf pick up. He said the solution is simple, use leftover CDBG funds to pick up the leaves in certain

areas, and the remaining areas can be taken care of from the water/sewer funds used once before. He said if the Council can vote to spend a million plus dollars to paint water towers and about \$50,000 to purchase new pickups, then provide to the citizens of Jackson the basic essential service of picking up leaves.

Craig Radala of 1118 Burr Street spoke regarding agenda items 13 B&C and other topics. He questioned where the ordinances come from that are being proposed, and wanted to know what is going on. He stated that when you read MLive it is like a comic section with regards to what the City is doing. He said the garbage proposal was a debacle. He mentioned the property owners that bought property in the City, found out it would be \$153,000 to upgrade it, and then deeded it over to the City. He stated that was by design. He spoke on the Stormwater Tax being unconstitutional. He mentioned the lawsuits being filed against the City that taxpayers have to pay for. He wanted to know when the nonsense was going to stop. He said MLive has the same news as the Citizen Patriot so he asked where he was supposed to get his news.

PETITIONS & COMMUNICATION:

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

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.

CONSENT CALENDAR

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

Consent Calendar

A. MINUTES OF THE REGULAR MEETING ON 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 Making

Strides Against Breast Cancer throughout downtown and at the Riverwalk Amphitheatre on Saturday, October 19, 2013.

PUBLIC HEARINGS:

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

Motion was made by Councilmember Dobies and seconded by Councilmember Woods to recess as a City Council and convene as a Board of Review. The motion was carried by unanimous voice vote.

1. SPECIAL ASSESSMENT ROLL NO. 4231- METERLESS PARKING.

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

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

Motion was made by Councilmember Frounfelker and seconded by Councilmember Dobies to adjourn as a Board of Review and reconvene as a City Council. The motion was carried by unanimous voice vote.

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.

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

1. CONSIDERATION OF A RESOLUTION APPROVING AN APPLICATION FOR AN INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE (IFTEC) FOR COX BROTHERS MACHINING, INC.

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

OTHER BUSINESS

A. ORDINANCE 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.

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

B. ORDINANCE 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.

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

NEW BUSINESS

A. 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.

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

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.

Motion was made by Councilmember Schlecte and seconded by Councilmember Jaquish to postpone this item until September 17, 2013. The motion failed by the following vote. Yeas: Councilmembers Jaquish, Schlecte and Frounfelker – 3. Nays: Mayor Griffin and Councilmembers Woods and Dobies – 3. Absent: Councilmember Greer – 1.

Motion was made by Councilmember Dobies and seconded by Councilmember Woods to approve and advance to second reading final adoption. The motion was approved by the following vote. Yeas: Mayor Griffin and Councilmembers Woods, Frounfelker and Dobies – 4. Nays: Councilmembers Jaquish and Schlecte – 2. Absent: Councilmember Greer – 1.

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.

Motion was made by Councilmember Dobies and seconded by Councilmember Woods to table the item. The motion was adopted by the following vote. Yeas: Councilmembers Woods, Jaquish, Schlecte and Dobies – 4. Nays: Mayor Griffin and Councilmember Frounfelker – 2. Absent: Councilmember Greer – 1.

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.

Motion was made by Councilmember Dobies and seconded by Councilmember Frounfelker to approve the purchase. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmember Woods, Frounfelker and Dobies – 4. Nays: Councilmembers Jaquish and Schlecte – 2. Absent: Councilmember Greer – 1.

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.

Motion was made by Councilmember Dobies and seconded by Councilmember Frounfelker to approve the purchase. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmember Woods, Frounfelker and Dobies – 4. Nays: Councilmembers Jaquish and Schlecte – 2. Absent: Councilmember Greer – 1.

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 OF SEPTEMBER 1, 2013, THROUGH SEPTEMBER 1, 2014 AND

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

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.

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

G. **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.

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

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

Peter Bormuth of 142 W. Pearl Street spoke about the desecration of the graves at the City cemeteries. He said he had conversations with Councilmembers Frounfelker and Dobies and was told there was no money for hiring people to walk around with weed wackers to control grass and weeds by some other method rather than dumping poison on the graves of our ancestors. He wanted to point out that Council approved this evening, \$50,000 for Parks/Recreation & Grounds to purchase new vehicles when there was no money. He said he is going to hold each person on the Council politically and spiritually responsible for this decision.

CITY COUNCILMEMBERS' COMMENTS:

Councilmember Woods-said she is having a Neighborhood Meeting on Monday, September 30th at the Carnegie Branch of the District Library in the auditorium. It will be in regards to the Stormwater issue. She said Mr. Patrick Burtch will be the guest speaker.

Councilmember Schlecte- wanted to wish Councilmember Frounfelker a belated Happy Birthday. She also stated she will be having a Neighborhood Meeting on Monday at Calvary Methodist Church on 925 Backus Street at 6:30p.m.

Councilmember Frounfelker- wanted to see if we could get some guidance on what other municipalities are doing with their leaves. He wanted to know if there are municipality standards on what other communities do with their leaves.

Councilmember Dobies-he wanted to thank people (about 60 turned out) for coming to his meeting and he felt there was good feedback. He wanted to thank Beth

and Patrick for coming out. He thought there was good dialogue. He wanted to thank Kelli Hoover. He said they will be rehabbing the swing set in Lions Park with a mini grant from the Jackson Community Foundation. He said they will be painting them at noon on the 11th. He said if you would like to join them to please contact him. He wanted to remind everyone about the citizen interaction design. He said that is going to be on Thursday at the Carnegie Library at 6:30p.m.

MANAGER'S COMMENTS:

Patrick Burtch said while he respects John Wilson, CDBG money cannot be used for maintenance. He said it is a federal law, and even if we could, it could only be designated for certain areas.

ADJOURNMENT:

No further business being presented, a motion was made by Councilmember Dobies to adjourn the meeting. The motion was adopted by unanimous voice vote and the meeting adjourned at 8:04 p.m.

Andrew J. Wrozek Jr.
City Treasurer/Clerk

AJW/car



Jackson Downtown Development Authority

**CITY COUNCIL MEETING
September 17, 2013**

September 11, 2013

MEMO TO: Honorable Mayor and City Council Members

FROM: Jonathan Greene, Executive Director

SUBJECT: Special Event Application: Consideration of a request from Jackson High School

RECOMMENDATION: Approval of the request from Jackson High School to conduct their Homecoming Parade on Friday October 11th from 6pm to 6:30pm with street closures along Brown, Daniel, and Wildwood Streets beginning at 5:30pm and ending 6:30pm. This event is contingent upon receipt of proper insurance coverage.

DEPARTMENTAL APPROVAL SUMMARY

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

Department	Approval	Denial	Economic Impact
Police	x		\$200
Fire	x		\$0
Engineering	x		\$0
Public Works	x		\$385
Recreation	x		\$0
DDA	x		\$0
			<hr/>
			\$585

Conditions and Considerations:

Insurance Status: Pending

att: Special Event Application: Homecoming Parade
Street closure map

JG

CITY OF JACKSON
SPECIAL EVENT APPLICATION

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

Date Received By DDA Office: 4/11/13 Time: 8:00 By: JG

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

Sponsoring Organization's Legal Name: Jackson High School

Organization Address: 544 Wildwood Ave

Organization Agent Barbara Baird-Pauli Title: Principal

Phone: (work) 841-3701 Phone: (home) _____ Phone: (during the event) 206-5659

Agent's Address Same

Agent's E-Mail Address bbairdpa@jpsmail.org

Event Name Homecoming Parade

Please give a brief description of the proposed special event: Parade w/ marching band floats, students, vehicles, and board members

Event Day(s) & Date(s) Friday Oct. 11th, 2013

Event Time(s) 6:00pm

Set-Up Date & Time 5:30pm Tear-Down Date & Time 6:30pm

Event Location Brown St, Daniel St, Wildwood Ave
Staging @ Westwood Mall/Walmart, Conclusion JHS

ANNUAL EVENT: Is this event expected to occur next year? (circle one) YES NO
How many years has this event occurred? 25+

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 10/11 5:30pm through Date/Time: 10/11 6:30pm

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? Community observed along
Parade route

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.)

Police Assistance @ intersection

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

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 17, 2013**

September 11, 2013

MEMO TO: Honorable Mayor and City Council Members

FROM: Jonathan Greene, Executive Director

SUBJECT: Special Event Application: Public Rosary

RECOMMENDATION: Approval of the request from Queen of the Miraculous Medal Parish to conduct their annual Public Rosary at the Riverwalk Amphitheatre on Sunday, October 13, 2013 from 11:00 a.m. – 3:00 p.m.. Insurance is pending approval.

DEPARTMENTAL APPROVAL SUMMARY

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

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

Conditions and Considerations: none

Insurance Status: Pending approval

att: Special Event Application: **Public Rosary**

JG/RR

CITY OF JACKSON
SPECIAL EVENT APPLICATION

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

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: Queen of the Miraculous Medal Parish
Organization Address: Wiesner St. Jackson
Organization Agent Cynthia Smith Title: Parishioner
Phone: (work) 517 541-3720 Phone: (home) 517 9376786 Phone: (during the event) 517 9376786
Agent's Address 10310 S. Durand Jackson
Agent's E-Mail Address Cindysmith414@gmail.com
Event Name Public Rosary
Please give a brief description of the proposed special event: Prayer Service

Event Day(s) & Date(s) 10.13.13
Event Time(s) 2:00pm - 3:00 pm
Set-Up Date & Time 10/13/13 11:00 am Tear-Down Date & Time 10/13/13 3:00 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? 6

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

STREET CLOSURES: Start Date/Time NONE through Date/Time: _____

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

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

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

If yes, please attach liquor license and liquor liability insurance.
If yes, what time? _____ until _____

ENTERTAINMENT: Are there any entertainment features related to this event? YES NO *Choir*
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? 200

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.)

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.

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

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

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

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

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

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

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

7.23.13

Date

Cynthia M. Smith

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**



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 17, 2013

TO: Honorable Mayor and City Councilmembers
FROM: Patrick H. Burtch, City Manager
SUBJECT: CDBG and HOME Financial Summaries through August 31, 2013

RECOMMENDATION

To accept and place on file the CDBG and HOME Financial Summaries through August 31, 2013.

Attached please find the Financial Summaries for the CDBG and HOME funds for the two months ended August 31, 2013.

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

**City of Jackson
Community Development Block Grant
Monthly Financial Summary
For the Two Months Ended August 31, 2013**

	<u>Budgeted</u>	<u>Expended Prior Year</u>	<u>Actual Month-to-Date</u>	<u>Actual Year-to-Date</u>	<u>Total Funds Expended- to-Date</u>	<u>Balance</u>	<u>Percent Spent</u>
<u>Public Services</u>							
1 King Center Summer Program	45,500	-	-	-	-	45,500	0.0%
2 Transportation Services (FY 2012/2013)	7,000	909	-	-	909	6,091	13.0%
<u>Administration</u>							
3 Administration & Planning							
FY 2012/2013	215,000	31,000	12,833	27,216	58,216	156,784	27.1%
FY 2013/2014	71,700	-	-	-	-	71,700	0.0%
<u>Code Enforcement</u>							
4 City Code Enforcement - Inspection							
FY 2012/2013	535,000	345,217	22,898	44,833	390,050	144,950	72.9%
FY 2013/2014	258,220	-	-	-	-	258,220	0.0%
5 City Code Enforcement - Rehabilitation	163,780	-	4,385	4,568	4,568	159,212	2.8%
6 City Attorney Office							
FY 2012/2013	52,000	14,321	-	-	14,321	37,679	27.5%
FY 2013/2014	20,000	-	-	-	-	20,000	0.0%
<u>Housing Rehabilitation Projects</u>							
7 City Rehabilitation	325,358	-	-	1,777	1,777	323,581	0.5%
8 City Emergency Hazard Repair Program							
FY 2012/2013	104,000	97,375	60	6,625	104,000	-	100.0%
FY 2013/2014	125,000	-	10,987	17,490	17,490	107,510	14.0%
9 City Housing Initiative	92,846	-	-	2,421	2,421	90,425	2.6%
10 City Rehab Administration (Denied Loans)							
FY 2010/2011	1,000	670	-	14	684	316	68.4%
FY 2012/2013	1,000	-	-	-	-	1,000	0.0%
FY 2013/2014	1,000	-	-	-	-	1,000	0.0%
11 John George Home - building repairs	15,000	-	-	-	-	15,000	0.0%
<u>Street Projects</u>							
12 Forest - Bend to Edgewood (FY 2011/2012)	106,000	62,494	-	-	62,494	43,506	59.0%
13 Homewild - Ellery to Edgewood (FY 2011/2012)	119,000	83,525	-	-	83,525	35,475	70.2%
14 Special Assessments (FY 2011/2012)	25,000	-	-	-	-	25,000	0.0%

	<u>Budgeted</u>	<u>Expended Prior Year</u>	<u>Actual Month-to-Date</u>	<u>Actual Year-to-Date</u>	<u>Total Funds Expended- to-Date</u>	<u>Balance</u>	<u>Percent Spent</u>
<u>Other Projects</u>							
15 Sidewalk Replacement							
FY 2012/2013	5,000	-	-	-	-	5,000	0.0%
FY 2013/2014	60,000	-	-	-	-	60,000	0.0%
16 Public Works - curb ramps							
FY 2011/2012	10,000	4,832	-	-	4,832	5,168	48.3%
FY 2012/2013	10,000	-	-	-	-	10,000	0.0%
FY 2013/2014	40,000	-	-	-	-	40,000	0.0%
17 Tree Removal/Replacement	60,000	-	-	-	-	60,000	0.0%
18 Park Improvements	243,357	-	-	-	-	243,357	0.0%
<u>Public Improvements</u>							
19 Demolition - Neighborhood Economic Stabilization							
FY 2012/2013	494,924	304,560	1,800	1,800	306,360	188,564	61.9%
FY 2013/2014	155,000	-	-	-	-	155,000	0.0%

NOTE: All funds are FY 2013/2014 allocations unless otherwise indicated

S:\Finance\Reports\2013-2014\CDBG Financial Summary\[2013-2014.xls]CDBG

**City of Jackson
HOME
Monthly Financial Summary
For the Two Months Ended August 31, 2013**

	<u>Budgeted</u>	<u>Expended Prior Year</u>	<u>Actual Month-to-Date</u>	<u>Actual Year-to-Date</u>	<u>Total Funds Expended- to-Date</u>	<u>Balance</u>	<u>Percent Spent</u>
1 Rehabilitation Assistance Program							
FY 2012/2013	184,391	64,365	-	-	64,365	120,026	34.9%
2 HOME Administration							
FY 2012/2013	25,500	-	-	25,500	25,500	-	100.0%
FY 2013/2014	25,400	-	-	-	-	25,400	0.0%
3 JAHC - Downpayment Assistance							
FY 2010/2011	48,272	34,821	-	4,500	39,321	8,951	81.5%
4 CAA - CHDO Operating Expenses							
FY 2011/2012	16,000	9,575	-	-	9,575	6,425	59.8%
FY 2012/2013	12,500	-	-	-	-	12,500	0.0%
FY 2013/2014	12,500	-	-	-	-	12,500	0.0%
5 CAA - CHDO Acq/Rehab/Resale (FY 2011/2012)							
FY 2011/2012	53,250	-	1,391	1,391	1,391	51,859	2.6%
FY 2012/2013	40,000	-	-	-	-	40,000	0.0%
FY 2013/2014	40,000	-	-	-	-	40,000	0.0%
6 City - Acq/Rehab/Resale (FY 2011/2012)							
FY 2011/2012	240,000	236,899	3,101	3,101	240,000	-	100.0%
FY 2013/2014	177,361	-	11,384	11,384	11,384	165,977	6.4%



City of Jackson, Michigan Financial Statements

As of and For the 12 Months Ended June 30, 2013

(Unaudited)

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City of Jackson, Michigan
General Fund Expenditure Summary
As of and For the 12 Months Ended June 30, 2013
(PRE-AUDIT / Prepared on the Adopted Budget-Basis)

Function Department	2012/13 Budget		Actual Month To Date	Actual Year To Date	Variance - Percent Spent Favorable (Unfavorable)	
	Original	Amended				
<u>Legislative :</u>						
101-101 City Council	80,682	82,837	7,030	81,079	97.88%	1,758
<u>Judicial:</u>						
101-137 Administrative Hearings Bureau	22,851	22,851	86	22,686	99.28%	165
	22,851	22,851	86	22,686	99.28%	165
<u>General Government :</u>						
101-172 City Manager	237,127	336,378	29,407	335,184	99.65%	1,194
101-192 City Clerk-Elections	148,744	143,235	4,657	139,098	97.11%	4,137
101-201 Finance	421,295	422,198	37,657	420,735	99.65%	1,463
101-209 City Assessor	314,153	320,856	33,212	306,247	95.45%	14,609
101-210 City Attorney	416,459	468,529	90,764	456,668	97.47%	11,861
101-215 City Clerk	198,465	227,281	17,304	223,014	98.12%	4,267
101-226 Personnel	183,789	195,186	32,005	181,192	92.83%	13,994
101-233 Purchasing	91,890	91,876	11,949	85,884	93.48%	5,992
101-253 City Treasurer	276,707	281,292	29,371	281,269	99.99%	23
101-254 City Income Tax	199,353	201,426	12,890	169,664	84.23%	31,762
101-258 Management Information Services	360,973	321,534	31,018	320,583	99.70%	951
101-265 City Hall & Grounds	340,337	338,862	16,889	338,673	99.94%	189
101-276 Cemeteries	250,000	251,513	28,277	251,372	99.94%	141
101-299 Unallocated	760,980	756,391	112,011	751,422	99.34%	4,969
	4,200,272	4,356,557	487,411	4,261,005	97.81%	95,552
<u>Police Department :</u>						
101-301 Police	7,543,533	7,466,991	882,778	7,355,126	98.50%	111,865
101-308 STEP Grants	0	19,530	0	7,765	39.76%	11,765
101-311 OHSP Grant - Seatbelts	0	16,590	0	10,745	64.77%	5,845
101-312 OHSP Grant - OWI	0	4,015	0	4,014	99.98%	1
101-313 Consortium Training	12,124	35,618	7,150	30,907	86.77%	4,711
101-314 In-Service Training	4,486	14,805	190	9,418	63.61%	5,387
101-315 MCOLES Training	0	27,478	19,172	26,021	94.70%	1,457
101-318 Police Grants - Other	0	292,188	156,927	280,586	96.03%	11,602
	7,560,143	7,877,215	1,066,217	7,724,582	98.06%	152,633
<u>Fire Department :</u>						
101-340 Fire Suppression	3,066,078	3,262,139	379,663	3,155,850	96.74%	106,289
	3,066,078	3,262,139	379,663	3,155,850	96.74%	106,289
<u>Other Public Safety :</u>						
101-350 Public Safety - Unallocated	2,023,881	1,991,731	164,099	1,983,188	99.57%	8,543
101-426 Office of Emergency Measures	67,459	68,426	(6,378)	37,014	54.09%	31,412
	2,091,340	2,060,157	157,721	2,020,202	98.06%	39,955

(Continued -)

City of Jackson, Michigan
General Fund Expenditure Summary
As of and For the 12 Months Ended June 30, 2013
(PRE-AUDIT / Prepared on the Adopted Budget-Basis)

- Continued -

Function Department	2012/13 Budget		Actual Month To Date	Actual Year To Date	Variance - Percent Spent	Favorable (Unfavorable)
	Original	Amended				
<u>Public Works :</u>						
101-441 Tax Property Maintenance	8,813	22,660	3,323	16,967	74.88%	5,693
101-442 Civic Affairs	50,240	46,785	11,333	37,701	80.58%	9,084
101-447 Grounds Maintenance	49,320	48,056	5,061	18,776	39.07%	29,280
101-448 Sidewalk Construction	40,000	60,818	3,118	37,031	60.89%	23,787
101-450 Street Lighting	513,209	498,766	79,350	454,918	91.21%	43,848
101-455 Weed Control	46,198	57,492	19,246	36,235	63.03%	21,257
101-690 Forestry	286,363	289,363	26,149	257,312	88.92%	32,051
	994,143	1,023,940	147,580	858,940	83.89%	165,000
<u>Recreation & Culture :</u>						
101-692 Parks, Recreation & Grounds Admin	621,837	621,837	66,286	613,862	98.72%	7,975
101-697 Parks & Facilities Maintenance	547,170	553,367	19,962	538,364	97.29%	15,003
101-698 Lt. Nixon Memorial Pool	132,225	113,241	15,295	111,517	98.48%	1,724
101-699 Sharp Park Swimming Pool	95,593	95,058	12,888	94,077	98.97%	981
101-803 Historical District	8,452	7,950	714	7,810	98.24%	140
	1,405,277	1,391,453	115,145	1,365,630	98.14%	25,823
<u>Community Enrichment & Development:</u>						
101-401 Planning	121,803	94,605	9,015	93,266	98.58%	1,339
101-728 Economic Development	100,000	30,000	839	4,294	14.31%	25,706
	221,803	124,605	9,854	97,560	78.30%	27,045
<u>Contributions to Other Funds:</u>						
101-999 Contributions to Other Funds:	655,875	776,100	525,500	775,500	99.92%	600
Total General Fund Expenditures	20,298,464	20,977,854	2,896,207	20,363,034	97.07%	614,820

City of Jackson
All Other Funds - Expenditure Summary
As of and For the 12 Months Ended June 30, 2013
(PRE-AUDIT / Prepared on the Adopted Budget-Basis)

Fund Type/Fund Name	2012/13 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)
	Original	Amended				
<u>Special Revenue Funds :</u>						
202 Major Street	9,693,083	9,325,078	1,178,195	6,780,256	72.71%	2,544,822
203 Local Street	1,603,111	1,522,420	63,991	1,399,363	91.92%	123,057
208 Ella W. Sharp Park Operating	690,279	657,537	114,788	627,154	95.38%	30,383
210 Land Acquisition Fund	40,000	25,000	146	15,973	63.89%	9,027
245 Public Improvement	1,264,621	1,670,457	1,287,275	1,444,983	86.50%	225,474
249 Building Department	489,376	535,130	42,723	506,412	94.63%	28,718
251 Housing Code Enforcement	861,250	506,540	40,852	390,186	77.03%	116,354
252 Building Demolitions	500,000	1,997,025	163,112	1,441,689	72.19%	555,336
253 212 W. Michigan Bldg. Demolition	0	1,880,000	395,626	1,859,688	98.92%	20,312
257 Budget Stabilization	10,000	10,000	7,806	7,806	78.06%	2,194
265 Drug Law Enforcement	43,216	68,601	12,019	51,065	74.44%	17,536
268 BYRNE/JAG Grants	17,590	83,894	0	75,426	89.91%	8,468
270 LAUNET Grant	0	34,692	7,267	29,864	86.08%	4,828
272 SAFER Grant	0	937,579	55,887	461,855	49.26%	475,724
289 Neighborhood Stabilization Grant	0	214,808	(365)	211,305	98.37%	3,503
296 Recreation Activity	247,532	247,532	24,429	247,450	99.97%	82
297 JPS Recreation Millage Program	227,956	227,326	32,741	227,217	99.95%	109
298 2008 Brownfield Revolving Loan	875,187	1,360,250	351,565	1,324,798	97.39%	35,452
<u>Debt Service Funds :</u>						
324 2003 MTF Bond D/S	284,705	284,705	0	284,705	100.00%	0
365 City Hall D/S	676,389	679,889	0	679,610	99.96%	279
366 2013 City Hall Refunding D/S	0	8,881,348	0	8,879,887	99.98%	1,461
368 Building Authority D/S	132,512	132,512	0	132,511	100.00%	1
395 2001 DDA TIF D/S	550	550	0	275	50.00%	275
396 2011 DDA TIF Refinancing D/S	247,925	247,925	0	246,975	99.62%	950
397 2012 BRA TIF Refunding D/S	406,094	406,094	200	404,794	99.68%	1,300
398 2002 BRA TIF Refunding D/S	0	2,273	2,273	2,273	100.00%	0
399 2007 BRA TIF D/S	695,329	695,329	0	695,329	100.00%	0
<u>Capital Projects Funds :</u>						
401 Capital Projects Fund	387,212	907,100	204,114	542,325	59.79%	364,775
402 Water Equipment and Replacement	1,907,430	1,780,164	132,746	1,286,053	72.24%	494,111
404 Sanitary Sewer Maintenance Fund	512,166	492,443	34,228	272,761	55.39%	219,682
405 Sanitary Sewer Replacement	890,011	773,228	7,841	386,520	49.99%	386,708
406 Wastewater Equip. Replacement	414,000	353,500	0	71,746	20.30%	281,754
494 Brownfield Redevelopment Auth.	1,285,887	1,253,659	88,785	1,251,151	99.80%	2,508
496 DDA Project	340,475	343,125	87,651	346,867	101.09%	(3,742)
<u>Enterprise Funds :</u>						
583 Sharp Park Golf Practice Center	63,775	61,287	25,942	53,184	86.78%	8,103
585 Auto Parking System	31,958	24,707	7,855	20,147	81.54%	4,560
586 Parking Assessment	117,994	124,662	6,182	102,099	81.90%	22,563
589 Stormwater Utility	1,040,019	1,213,924	(57,635)	829,055	68.30%	384,869
590 Sewer	6,809,036	6,329,260	1,505,486	5,808,001	91.76%	521,259
591 Water	8,028,255	7,843,228	1,305,940	7,021,320	89.52%	821,908
599 Parking Deck Fund	780,923	760,004	281,468	499,507	65.72%	260,497

(Continued -)

City of Jackson
All Other Funds - Expenditure Summary
As of and For the 12 Months Ended June 30, 2013
(PRE-AUDIT / Prepared on the Adopted Budget-Basis)

- Continued -

Fund Type/Fund Name	2012/13 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)	
	Original	Amended					
<u>Internal Service Funds :</u>							
641	Public Works Administration	624,499	626,040	3,115	483,325	77.20%	142,715
642	Engineering Administration	422,241	415,368	34,987	370,441	89.18%	44,927
643	Local Site Remediation Revolving	201,000	47,239	353	46,040	97.46%	1,199
661	Motor Pool and Garage	1,779,246	1,891,882	(49,421)	1,308,090	69.14%	583,792
663	Equipment Revolving Fund	43,880	43,880	39,216	39,216	89.37%	4,664
677	Workers' Compensation	133,798	315,128	15,677	331,828	105.30%	(16,700)
678	Prescription Drug	395,250	645,380	69,320	625,396	96.90%	19,984
679	Health Care Deductible Reimb.	384,250	284,259	152,118	330,354	116.22%	(46,095)
680	Health Care Deductible Reimb.-Fire	0	139,000	26,368	129,410	93.10%	9,590
<u>Trust & Agency Funds :</u>							
702	County & School Tax Collection	20,000	10,000	13,148	13,148	131.48%	(3,148)
711	Cemetery Perpetual Maintenance	60,100	52,100	35,915	42,952	82.44%	9,148
718	Ella W. Sharp Endowment	42,800	28,050	33,197	33,197	118.35%	(5,147)
731	Employees' Retirement System	3,500,000	3,600,000	(230,079)	3,473,055	96.47%	126,945
732	Policemen's/Firemen's Pension	990,000	1,000,598	334,813	1,015,912	101.53%	(15,314)
733	Policemen's/Firemen's Pens.-345	4,875,000	5,400,000	1,251,833	4,903,905	90.81%	496,095
736	Public Employees Health Care	8,000	13,650	0	13,650	100.00%	0
<u>Special Assessment Funds :</u>							
895	Special Assessment	649,247	595,042	0	595,041	100.00%	1

City of Jackson
All Funds - Revenue Summary
As of and For the 12 Months Ended June 30, 2013
(PRE-AUDIT / Prepared on the Adopted Budget-Basis)

Fund/Fund Name	2012/13		Actual Month To Date	Actual Year To Date	Percent Collected
	Original	Amended			
<u>General Fund :</u>					
Property Taxes	6,722,592	6,726,592	(107,098)	6,780,334	100.80%
Income Taxes	7,600,000	7,900,000	40,234	8,017,329	101.49%
Licenses & Permits	264,425	260,200	59,589	270,090	103.80%
Federal Grants	1,881	317,537	240,866	301,212	94.86%
State Grants	10,300	36,067	29,992	34,582	95.88%
State Revenue Sharing	3,918,607	4,030,883	1,336,168	4,061,494	100.76%
Contributions From Local Units	29,396	34,469	6,000	26,944	78.17%
Charges For Goods & Services	1,159,160	1,155,286	99,772	1,133,091	98.08%
Fines & Forfeits	171,290	201,264	15,573	223,947	111.27%
Investment Income	26,000	16,000	11,615	23,081	144.26%
Contributions From Other Funds	162,300	143,118	56,638	110,101	76.93%
Miscellaneous	185,428	229,582	55,065	259,006	112.82%
Total General Fund Revenues	20,251,379	21,050,998	1,844,414	21,241,211	100.90%

Special Revenue Funds :

202	Major Street	9,503,721	8,960,112	1,414,910	6,965,647	77.74%
203	Local Street	1,550,965	1,508,403	828,239	1,574,831	104.40%
208	Ella W. Sharp Park Operating	692,700	653,908	302,300	624,042	95.43%
210	Land Acquisition Fund	40,000	21,858	12,830	12,830	58.70%
245	Public Improvement	1,023,300	1,023,650	6,428	1,026,712	100.30%
249	Building Inspection	489,475	530,600	43,801	544,304	102.58%
251	Housing Code Enforcement Fund	861,250	499,885	90,427	645,887	129.21%
252	Building Demolitions Fund	500,000	1,814,250	471,671	1,594,110	87.87%
253	212 W. Michigan Bldg. Demolition	0	1,880,000	396,100	1,859,809	98.93%
257	Budget Stabilization	10,000	10,000	1,488	7,806	78.06%
265	Drug Law Enforcement	32,530	18,022	6,702	19,051	105.71%
268	BYRNE/JAG Grants	17,590	83,874	11,253	75,406	89.90%
270	LAWNET Grant	0	34,692	1,339	29,867	86.09%
272	SAFER Grant	0	937,579	308,166	461,855	49.26%
289	Neighborhood Stabilization Grant	0	214,808	709	211,305	98.37%
296	Recreation Activity	296,000	279,500	24,975	286,343	102.45%
297	JPS Recreation Millage Program	222,200	215,760	32	215,892	100.06%
298	2008 Brownfield Revolving Loan	875,187	1,360,250	354,101	1,324,798	97.39%

Debt Service Funds :

324	2003 MTF Bond D/S	284,705	284,705	(7)	284,698	100.00%
365	2003 City Hall D/S	677,500	678,000	2,665	675,096	99.57%
366	2013 City Hall Refunding D/S	0	8,881,348	0	8,881,344	100.00%
368	Building Authority D/S	132,512	132,512	0	132,511	100.00%
395	2001 DDA TIF D/S	550	550	0	275	50.00%
396	2011 DDA TIF Refinancing D/S	247,925	247,925	0	246,975	99.62%
397	2012 BRA TIF Refunding D/S	406,094	406,094	200	404,794	99.68%
399	2007 BRA TIF Refunding D/S	695,329	697,602	2,273	697,601	100.00%

(Continued-)

City of Jackson
All Funds - Revenue Summary
As of and For the 12 Months Ended June 30, 2013
(PRE-AUDIT / Prepared on the Adopted Budget-Basis)

- Continued -

Fund/Fund Name	2012/13 Budget		Actual Month To Date	Actual Year To Date	Percent Collected	
	Original	Amended				
<u>Capital Projects Funds :</u>						
401	Capital Projects Fund	375,000	905,200	516,551	555,695	61.39%
402	Water Equipment and Replacement	1,506,000	1,408,040	77,103	1,411,104	100.22%
404	Sanitary Sewer Maintenance Fund	512,166	492,443	36,499	272,761	55.39%
405	Sanitary Sewer Replacement	654,778	659,771	56,308	659,315	99.93%
406	Wastewater Equip. Replacement	643,000	643,000	54,152	631,956	98.28%
494	Brownfield Redevelopment Auth.	1,113,579	1,139,196	1,679	1,139,308	100.01%
496	DDA Project	840,548	833,014	1,090	833,296	100.03%
<u>Enterprise Funds :</u>						
583	Sharp Park Golf Practice Center	64,500	61,880	24,759	52,168	84.31%
585	Auto Parking System	26,300	24,220	11,891	23,541	97.20%
586	Parking Assessment	131,989	137,519	13,896	126,386	91.90%
589	Stormwater Utility	1,105,520	1,219,417	99,115	1,222,476	100.25%
590	Sewer	5,293,615	4,850,934	1,318,155	4,881,359	100.63%
591	Water	7,511,331	8,255,680	2,556,429	8,405,498	101.81%
599	Parking Deck Fund	257,235	259,902	1,656	26,256	10.10%
<u>Internal Service Funds :</u>						
641	Public Works Administration	630,499	514,066	(49,645)	370,445	72.06%
642	Engineering Administration	425,765	372,844	34,080	392,421	105.25%
643	Local Site Remediation Revolving	81,522	83,609	80,103	82,424	98.58%
661	Motor Pool and Garage	1,337,049	1,369,764	118,516	1,336,286	97.56%
663	Equipment Revolving Fund	43,880	43,880	39,216	39,216	89.37%
677	Workers' Compensation	280,000	276,000	57,972	269,594	97.68%
678	Prescription Drug	356,050	582,050	108,554	567,441	97.49%
679	Health Care Deductible Reimb.	414,400	259,600	26,573	258,619	99.62%
680	Health Care Deductible Reimb.-Fire	0	154,953	11,770	154,508	99.71%
<u>Trust & Agency Funds :</u>						
702	County & School Tax Collection	20,000	10,000	1,011	13,148	131.48%
711	Cemetery Perpetual Maintenance	85,100	77,100	(12,576)	26,247	34.04%
718	Ella W. Sharp Endowment	82,000	67,250	22,410	22,410	33.32%
731	Employees' Retirement System	4,183,000	4,145,750	(655,471)	5,556,462	134.03%
732	Policemen's/Firemen's Pension	971,431	971,431	217,514	1,049,978	108.09%
733	Policemen's/Firemen's Pension-345	7,200,342	7,100,342	972,464	7,816,404	110.08%
736	Public Employees Health Care	40,000	40,000	13,928	84,639	211.60%
<u>Special Assessment Funds :</u>						
895	Special Assessment	649,247	595,042	(224,557)	403,689	67.84%

City of Jackson
Notes to Revenue & Expenditure Summaries
As of and For the 12 Months Ended June 30, 2013
(PRE-AUDIT / Prepared on the Adopted Budget-Basis)

Note 1: Revenues do not include budgeted appropriations from fund balance. These appropriations, together with budgeted revenues, are sufficient to fund budgeted expenditures, in accordance with State law.

Note 2: These are final pre-audit statements. The auditors will begin their field work in the next week or so and the final audit report is expected to be completed by early December.



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 17, 2013

MEMO TO: Honorable Mayor and City Councilmembers

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

SUBJECT: Establishment of an October 8, 2013, Public Hearing on the petition to vacate Rockwell Alley.

RECOMMENDATION:

Establishment of October 8, 2013, at the City Council meeting as the time and place to hold a public hearing on the vacation of Rockwell Alley, as recommended by the Jackson Planning Commission on June 5, 2013.

Requested action is to establish a public hearing at the October 8, 2013, City Council meeting.

C: City Manager



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

June 6, 2013

Elton Scott
1152 Herbert
Jackson, MI 49202

RE: PETITION FOR ALLEY VACATION – ROCKWELL ALLEY

Elton Scott,

Your petition to vacate Rockwell Alley, located between Francis Street and Pigeon Street, was considered by the City of Jackson Planning Commission on June 5, 2013, and the following motion was made:

Board Member Griffin moved, with support from Commissioner Dobies to ***RECOMMEND*** the petitioners request to vacate Rockwell Alley between Francis Street and Pigeon Street be approved by City Council with the following conditions:

- The petitioners grant the City an easement to allow emergency access for public safety purposes;
- The petitioners make no improvements or alterations to the vacated alley; and
- In the event that the petitioners erect a fence, access is provided which is acceptable to the City Fire Department.

Yeas- 7 (Polaczyk, Collver, Griffin, Mauldin, Dobies, Stark and Troxel); Nays- 0; Abstain- 0; Absent- 2 (Burtch and Kubish)

The motion passed unanimously on a roll-call vote.

Respectfully Submitted,

Barry Hicks, AICP
Planning Director

Cc: Jon Dowling, City Engineer
Andrew Wrozek, City Clerk
David Taylor, City Assessor
Dave Wooden, Fire Chief
Bethany Smith, Deputy City Attorney



Neighborhood & Economic Operations Building a Stronger Jackson

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

Phone (517) 788-4060 • Facsimile (517) 780-4781

PLANNING COMMISSION MEETING JUNE 5, 2013

MEMO TO: Planning Commission

FROM: Barry Hicks, AICP, Planning Director

DATE: May 31, 2013

SUBJECT: Staff Report: Petition to Vacate an Alley Located Between Francis Street and Pigeon Street, North of 1103 Francis Street (Parcel #5-104800000) and 1032 Pigeon Street (Parcel #5-104700000) and South of 1051 Francis Street (Parcel #5-104900000) and 1030 Pigeon Street (Parcel #5-104600000)

MOTION 1: Receive the Staff Report.

HEARING: Conduct a Public Hearing on the Request to Vacate the Alley.

MOTION 2: Consideration of a Petition to Recommend that City Council Vacate an Alley Located Between Francis Street and Pigeon Street, North of 1103 Francis Street (Parcel #5-104800000) and 1032 Pigeon Street (Parcel #5-104700000) and South of 1051 Francis Street (Parcel #5-104900000) and 1030 Pigeon Street (Parcel #5-104600000), in the City of Jackson, Jackson County, State of Michigan (*staff recommends denial*).

Overview and Applicable Zoning Criteria

Applicant: Elton Scott

Location: Between Francis Street and Pigeon Street, North of 1103 Francis Street (Parcel #5-104800000) and 1032 Pigeon Street (Parcel #5-104700000) and South of 1051 Francis Street (Parcel #5-104900000) and 1030 Pigeon Street (Parcel #5-104600000)

Application Received Date: December 14, 2012

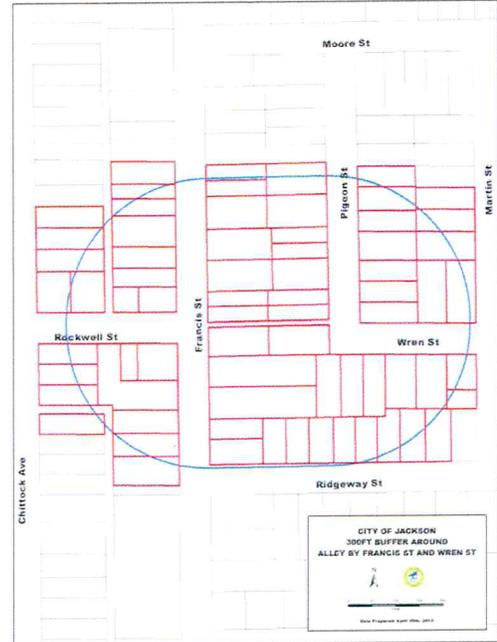
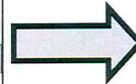
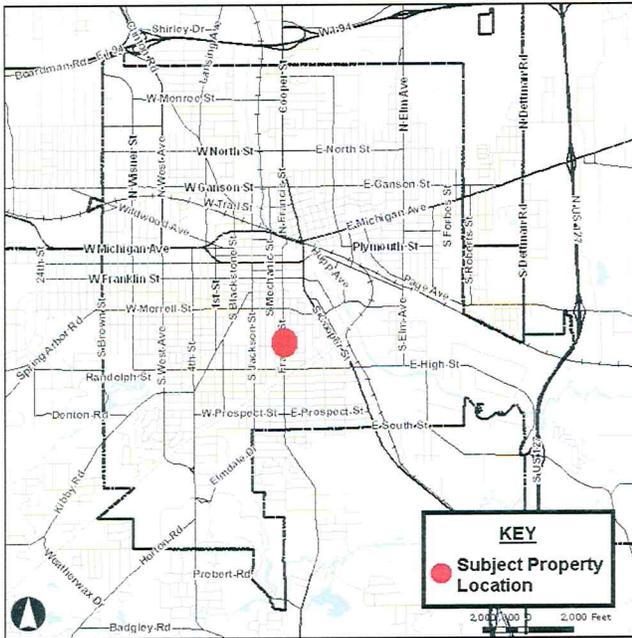
Latest Revisions: None

Zoning: R-1 one-family residential; R-3 multiple-family residential; and C-2 community commercial

Applicant Requested: Petition to Vacate an Alley

Staff Recommendation: Deny Request

Maps



Subject Location Maps



Subject Location Air Photo



Street & Alley Vacation Procedures

The following is the process that a petitioner must follow to vacate a street or an alley:

In order for the City Council to vacate a street or alley a petition to do so must be circulated. The following information must be provided by the applicant on the petition. It is suggested that the petition circulator follow the steps that are set forth below:

1. Obtain this procedure form from the City Clerk's Office
2. Visit the City Assessor's office on the 9th floor of City Hall. The Assessor's office will:
 - a. Determine if the street/alley is public or private. If the street/alley is private, no City Council action is required.
 - b. Prepare and place the legal description on a petition.
 - c. Provide the petition circulator with a listing of all title owners of record for each lot or parcel abutting the street or alley to be vacated, including the names of any land contract purchasers of record, and a copy of a plat map showing the affected properties. (Completion of this process may take a few days.)
3. Review the records of the Jackson County Register of Deeds to confirm that the names of persons with interest in the affected parcels, as supplied by the City Assessor's office, are complete and accurate. In lieu of searching the records, the petition circulator may wish to request a search by a title company. There will be a charge for this service. (FAILURE TO LIST ALL PERSONS WITH INTEREST IN THE AFFECTED PROPERTIES MAY INVALIDATE THE PETITION.)
4. Obtain the signatures of each of the persons listed in the above-described records on the petition provided.
 - a. Signatures must be in the name of each individual with an interest; i.e., Jane Doe and John Doe, not Mr. and Mrs. John Doe.
 - b. Corporations must be signed for by the Chief Executive Officer or authorized person. An authorization or other corporate document naming the individual with authority to sign on behalf of the corporation or entity must be provided to the City with the signed petition.
5. File the completed petition with the City Clerk, and the following steps will be taken by the City of Jackson:
 - a. The City Clerk will place the petition on the City Council agenda for receipt and referral to staff.
 - b. The petition will be reviewed by the City Attorney's office to verify its legality, then forwarded to the City Planning Commission.
 - c. The City Planning Commission staff will conduct their investigation and make a recommendation to the City Planning Commission who will consider the petition.
 - d. The City Clerk's office will receive the recommendation from the City Planning Commission, prepare a resolution, and place the item on the City Council agenda for consideration.

NOTE: Any Vacation by the City of Jackson will be subject to a reservation of utility rights-of-way in the street or alley. Therefore, any building or structure erected may not be permitted if it infringes upon the utility rights-of-way. Further, if you plan to erect a building or structure on a vacated street or alley, make certain that it complies with the City's Zoning Ordinance.



Conclusion and Recommendation

Conclusion

Staff has confirmed that the applicant has followed the procedures as outlined above and received the necessary approvals. The Planning Commission's review and recommendation to Council of this request will satisfy item 5.c. of the process to vacate a street or alley.

The following comments are based on staff's review and findings:

- The Fire Department requests that the alley remain open.

There is limited fire hydrant access near the corner of Pigeon and Wren. There is a fire hydrant with a water main that provides a 480 gallons per minute (gpm) rate of flow near Martin and Wren. This is the closest hydrant to this area. If there ever was ever a fire that involved more than one structure in the area, the Fire Department would not be able to respond due to the low rate of flow.

There is a fire hydrant at the corner of Francis and Rockwell that has a rate of flow of 1,400 gpm, which is adequate to allow the fire department to respond to more than one structure fire in the area at a time. This hydrant is accessible and is a short lay by running a hose through the alley the applicant is requesting that the City close. The alley is the only access to a fire hydrant.

Recommendation

Based on the preceding investigation and conclusions, staff recommends that the Planning Commission present their findings to City Council to **DENY** the petitioners request to vacate the alley due to public safety needs.

A handwritten signature in black ink, appearing to read "Barry Hicks", written over a horizontal line.

Barry Hicks, AICP
Planning Director

Att': Petition
Public Notice

PETITION FOR STREET/ALLEY CLOSING

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

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

A 16.5 FOOT WIDE ALLEY RUNNING EAST & WEST 232 FEET FROM THE EAST LINE OF N BLACKSTONE STREET TO THE WEST LINE OF BLACKMAN AVE AND LYING SOUTH OF LOTS 10 & 13 AND NORTH OF LOTS 9 & 27, BLOCK 2, DURAND'S ADDITION, CITY OF JACKSON, JACKSON COUNTY, STATE OF MICHIGAN

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

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

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

OWNER OF PROPERTY & SIGNATURE/DATE	DESCRIPTION OF PROPERTY	LINEAL FEET OF FRONTAGE*
DALE GAIDE 12405 DEVEREAUX RD ALBION, MI 49224 <i>Dale Gaide</i> 4-2-12	LOTS 10, 11, & S 1/2 OF 12 BLK 2 DURAND'S ADD # 1-0247.1000; 529 N BLACKSTONE ST 942-649, 966-564	
DALE GAIDE 539 N BLACKSTONE ST JACKSON, MI 49201 <i>Dale Gaide</i> 4-2-12	S 47 FT OF LOT 13 BLK 2 DURAND'S ADD W OF JAY ST # 1-027100000; V/L BLACKMAN AVE 1280-132	
DALE GAIDE 539 N BLACKSTONE ST JACKSON, MI 49201 <i>Dale Gaide</i> 4-2-12	LOT 9 BLK 2 DURAND'S ADD W OF JAY ST # 1-024500000; 527 N BLACKSTONE ST 1944-485	
MICHAEL A. GANSMILLER 3630 KIBBY RD JACKSON, MI 49201 <i>Michael A. Gansmiller</i> 4-2-12	LOT 27 BLK 2 DURAND'S ADD W OF JAY ST # 1-029500000; 532 BLACKMAN AVE 1636-787	

*Needed for street vacations only.

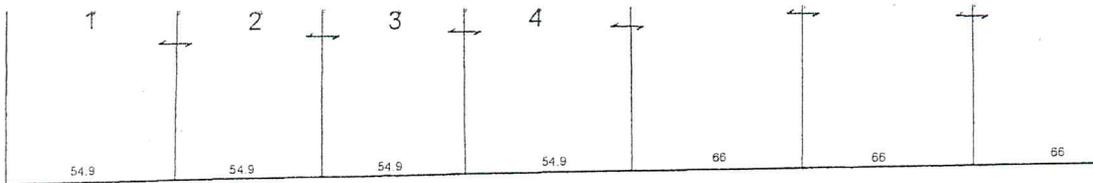
Petition Circulated By:

Name: Donald J. Bendzinski

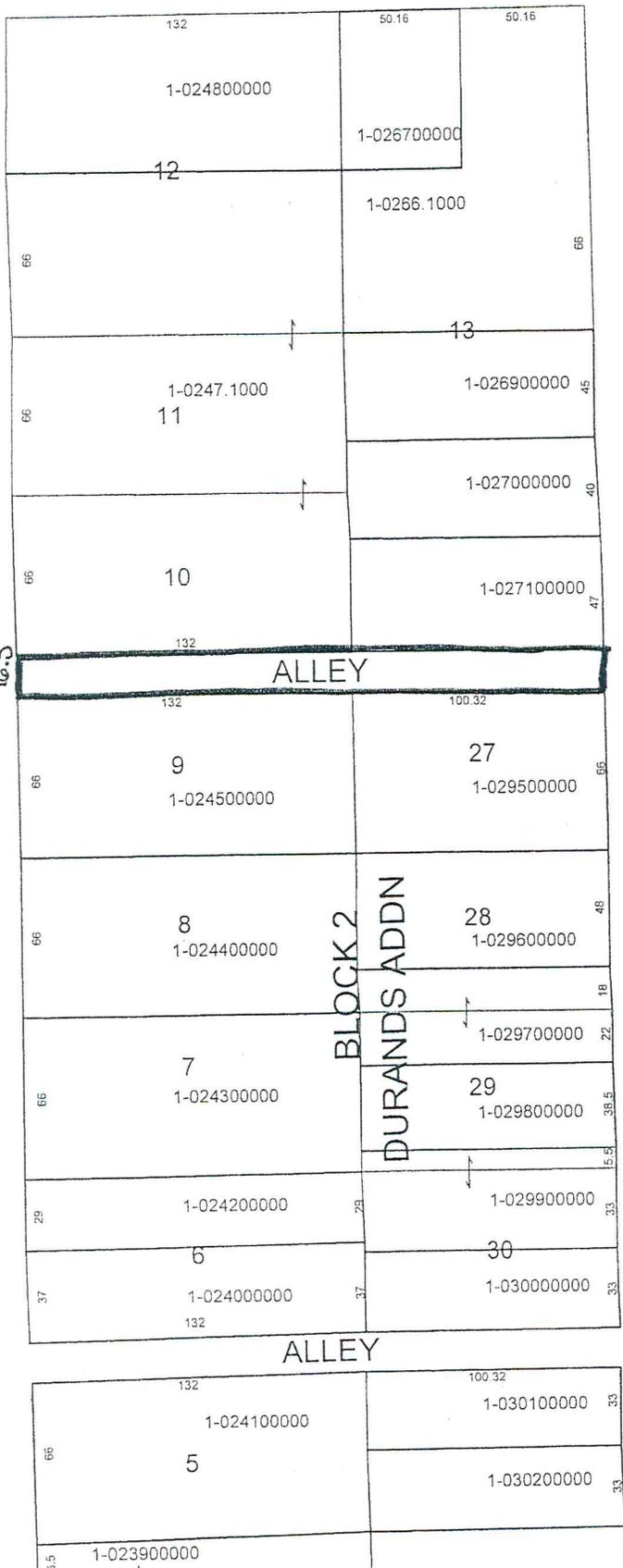
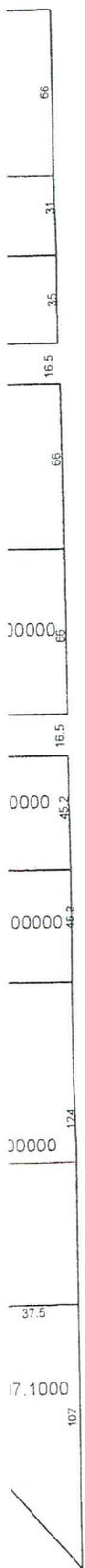
Date: 4-2-12

Address: 7802 Wooster Road

Signature: *Donald J. Bendzinski*

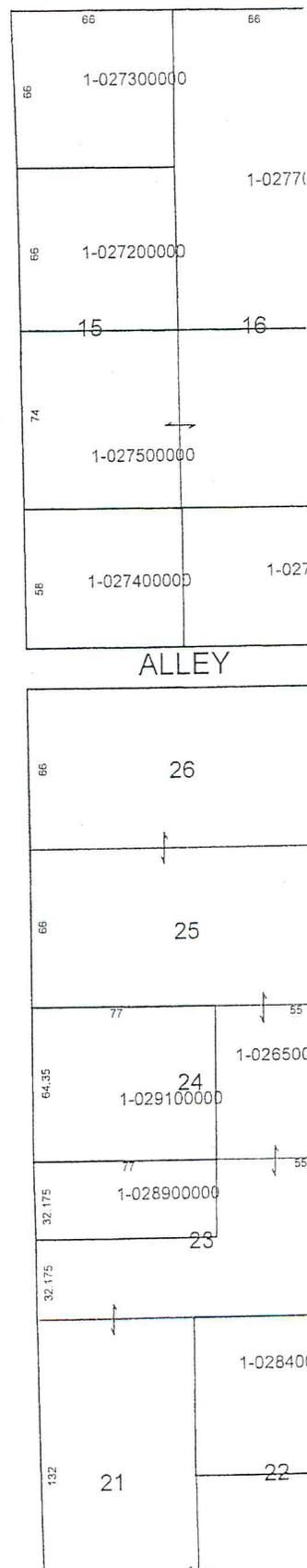


W. GANSO



N. BLACKSTONE

BLACKMAN



PETITION FOR STREET/ALLEY CLOSING

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

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

A 12 FOOT WIDE ALLEY RUNNING EAST & WEST 244 FEET FROM THE EAST LINE OF FRANCIS STREET TO THE WEST LINE OF PIGEON STREET AND LYING SOUTH OF LOTS 9 & 12 AND NORTH OF LOTS 10 & 11, BLOCK 11, ROOT'S SOUTH ADDITION, CITY OF JACKSON, JACKSON COUNTY, STATE OF MICHIGAN. ALSO KNOWN AS LOT "B", BLOCK 11, ROOT'S SOUTH ADDITION, CITY OF JACKSON, JACKSON COUNTY, STATE OF MICHIGAN, AND DEEDED TO THE CITY OF JACKSON FOR USE AS A PUBLIC ALLEY ON AUGUST 2, 1897, RECORDED AT JACKSON COUNTY REGISTER OF DEEDS IN LIBER 154 PAGE 407.

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

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

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

OWNER OF PROPERTY & SIGNATURE/DATE	DESCRIPTION OF PROPERTY	LINEAL FEET OF FRONTAGE*
ELTON I SCOTT BEVERLY A SCOTT 1152 HERBERT J JACKSON, MI 49202 <i>Elton I. Scott</i> <i>Beverly A. Scott</i>	LOT 11 BLK 11 ROOT'S SOUTH ADD; 5-104800000; 1103 FRANCIS; 1322-383 & 1898-402 " " " "	122.00 FT
LINDA S BAIRD LE 10351 SANDHILL RD JEROME, MI 49249 <i>Linda S. Baird</i>	LOT 10 BLK 11 ROOT'S SOUTH ADD; 5-104700000, 1032 PIGEON; 1905-969 " "	122.00 FT
ANTHONY JOHANSEN & ALLEN JOHANSEN 1032 PIGEON ST JACKSON, MI 49203 & 1-351 SANDHILL RD JEROME, MI 49249 <i>Anthony Johansen</i> <i>Allen Johansen</i>	LOT 10 BLK 11 ROOT'S SOUTH ADD; 5-104700000; 1032 PIGEON; 1910-502 & 1988-646 " "	122.00 FT

*Needed for street vacations only.

Petition Circulated By:

Name: ELTON SCOTT
Address: 1152 HERBERT J
City, State, Zip: JACKSON, MI. 49202

Date: 10/17/12
Signature: *Elton I. Scott*
Phone: 517-392-1208

PETITION FOR STREET/ALLEY CLOSING

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

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

A 12 FOOT WIDE ALLEY RUNNING EAST & WEST 244 FEET FROM THE EAST LINE OF FRANCIS STREET TO THE WEST LINE OF PIGEON STREET AND LYING SOUTH OF LOTS 9 & 12 AND NORTH OF LOTS 10 & 11, BLOCK 11, ROOT'S SOUTH ADDITION, CITY OF JACKSON, JACKSON COUNTY, STATE OF MICHIGAN. ALSO KNOWN AS LOT "B", BLOCK 11, ROOT'S SOUTH ADDITION, CITY OF JACKSON, JACKSON COUNTY, STATE OF MICHIGAN, AND DEEDED TO THE CITY OF JACKSON FOR USE AS A PUBLIC ALLEY ON AUGUST 2, 1897, RECORDED AT JACKSON COUNTY REGISTER OF DEEDS IN LIBER 154 PAGE 407.

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

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

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

OWNER OF PROPERTY & SIGNATURE/DATE	DESCRIPTION OF PROPERTY	LINEAL FEET OF FRONTAGE*
ANTHONY JOHANSEN 1032 PIGEON ST JACKSON, MI 49203	S 1/2 OF LOT 9 BLK 11 ROOT'S SOUTH ADD; 5-104600000; 1030 PIGEON; 1974-529	122.00 FT
<i>Anthony Johansen</i>	" "	
CLIFF REED 1051 FRANCIS ST JACKSON, MI 49203	S 1/2 OF LOT 12 BLK 11 ROOT'S SOUTH ADD; 5-104900000; 1051 FRANCIS; 1968-763	122.00 FT
<i>Cliff Reed</i>		

*Needed for street vacations only.

Petition Circulated By:

Name: _____ Date: _____
Address: _____ Signature: _____
City, State, Zip: _____ Phone: _____



Neighborhood & Economic Operations

Building a Stronger Jackson

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Building Inspection (517) 788-4012 Code Enforcement (517) 788-4060 Engineering (517) 788-4160 Planning & Economic Development (517) 768-6433

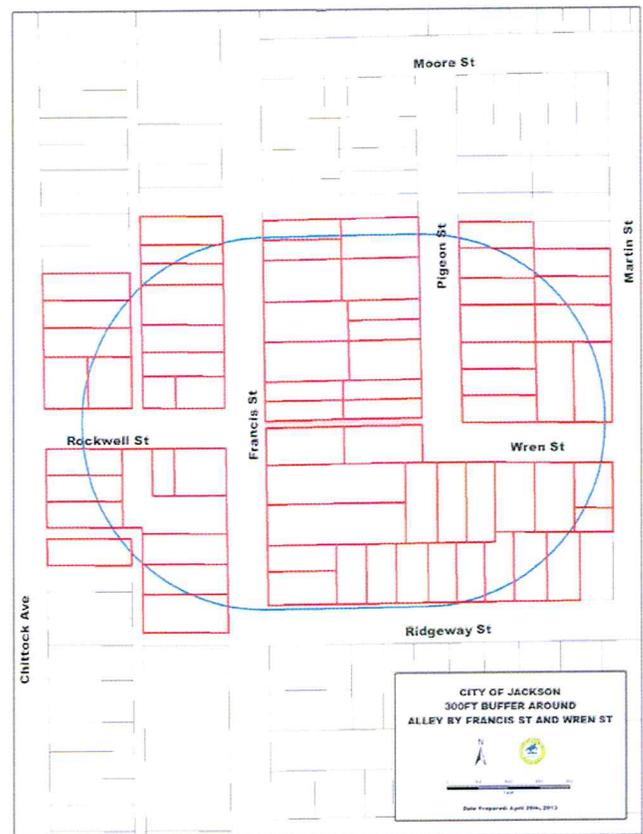
Notice of Public Hearings

The Jackson City Planning Commission and Jackson City Council will hold public hearings to consider a request for the vacation of the alley described as follows:

"A 12 FOOT WIDE ALLEY RUNNING EAST & WEST 244 FEET FROM THE EAST LINE OF FRANCIS STREET TO THE WEST LINE OF PIGEON STREET AND LYING SOUTH OF LOTS 9 & 12 AND NORTH OF LOTS 10 & 11, BLOCK 11, ROOT'S SOUTH ADDITION, CITY OF JACKSON, JACKSON COUNTY, STATE OF MICHIGAN. ALSO KNOWN AS LOT "B", BLOCK 11, ROOT'S SOUTH ADDITION, CITY OF JACKSON, JACKSON COUNTY, STATE OF MICHIGAN, AND DEEDED TO THE CITY OF JACKSON FOR USE AS A PUBLIC ALLEY ON AUGUST 2, 1897, RECORDED AT JACKSON COUNTY REGISTER OF DEEDS IN LIBER 154 PAGE 407."

The request was made by:

Elton Scott
1152 Herbert J Ave.
Jackson, MI 49202



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

Planning Commission – Wednesday, June 5, 2013 at 6:30 pm
City Council – Tuesday, June 25, 2013 at 6:30 pm

The meetings will be held in the

City Hall Council Chambers, 2nd floor
161 W. Michigan Avenue

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

By: Barry Hicks, AICP
Planning Director



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 17, 2013

TO: Honorable Mayor Griffin and City Councilmembers

FROM: Patrick Burtch, Deputy City Manager

SUBJECT: Public Hearing for CDBG/HOME Program Performance and Request for Authorization to Submit the Consolidated Annual Performance and Evaluation Report (CAPER) to HUD

RECOMMENDATION

Conduct Public Hearing to receive citizen comment regarding the CAPER and authorize submittal to HUD.

City Council established September 17, 2013 to conduct a Public Hearing to obtain citizen comment on the City's performance during the 2012-2013 CDBG/HOME program year. The attached CAPER, a draft of which was submitted to Council on September 6, 2013, summarizes program performance from the past fiscal year and since 2010, the beginning of the current Five-Year Consolidated Plan.

Federal regulations at 24 CFR 91.105(d) require a public comment period for the CAPER of no less than 15 days. The CAPER was made available for review the afternoon of September 6, 2013 at two locations within City Hall, the three public housing complexes, the Carnegie Branch of the Jackson District Library, Community Action Agency, and on the City's website. The public notice printed in the *Jackson Citizen Patriot* and *The Jackson Blazer* set the comment period to begin September 7, 2013; staff will receive and respond to comments received through the end of business on Monday, September 23, 2013. Although no comments have been received at the time this memorandum was written, any comments received through the public hearing or in writing through September 23, 2013 will be included as an attachment to the CAPER. Staff is still completing the reports required to be attached to the CAPER and they are not available at this time as well.

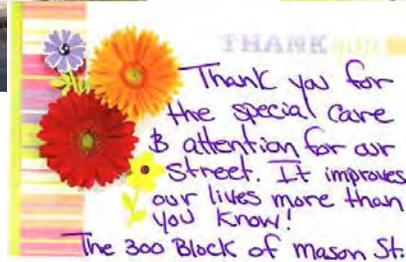
Once the Public Hearing is closed, requested action is for City Council to authorize submittal of the CAPER to HUD as written or with modifications as Council may direct. As an entitlement community, the City is required by 24 CFR 91.520 to submit the CAPER to HUD within 90 days after the close of the program year. All publication and comment periods will have been met by September 27, 2013, allowing sufficient time for remittance to HUD.



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



Community Development Block Grant



Demolition

HOME Investment Partnerships Program



Rehabilitation

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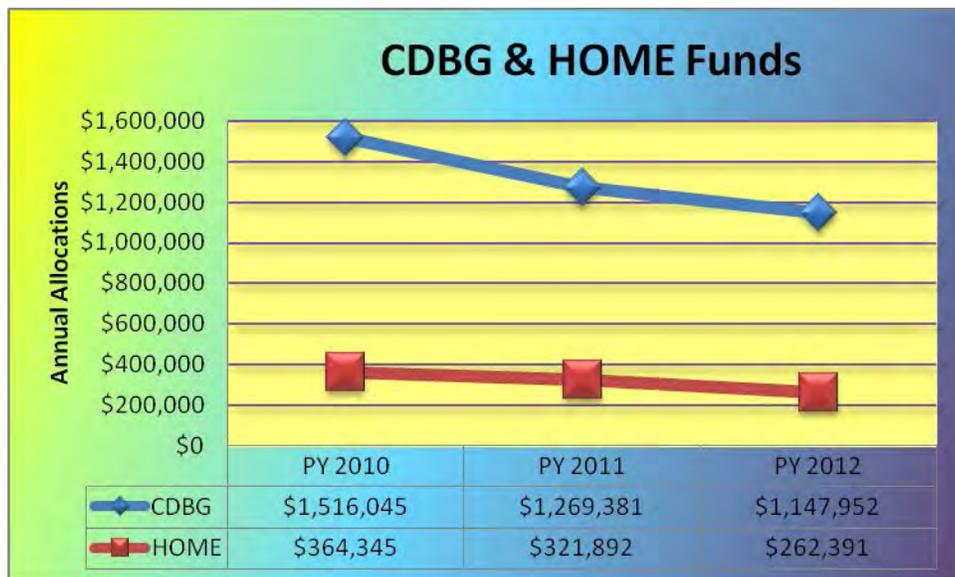
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Executive Summary

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, 1st Ward Councilperson Michelle Woods, and 5th 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 Barberrry 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
Total Housing Units	15,740	15,457
Total Population	45,484	33,534
Average Household Size	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:

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

*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:

Community Development Block Grant	\$1,503,924
Entitlement Grant B-12-MC-26-0021	\$1,147,952
Reallocated funds	\$ 280,972
Program Income	\$ 75,000
HOME Investment Program	\$266,077
Entitlement Grant M12-MC260214	\$262,391
Program Income	\$ 3,686
Total:	<u>\$1,770,001</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	<u>10,000</u>	<u>0.8%</u>
Total:	<u>\$1,222,952</u>	<u>100.0%</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)	<u>40,000</u>	<u>15.2%</u>
Total:	<u>\$262,391</u>	<u>100.0%</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

Date	Description	Amount
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

Date	Description	Amount
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

Agency Receiving Funds	Allocated	Expended	Percentage
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.



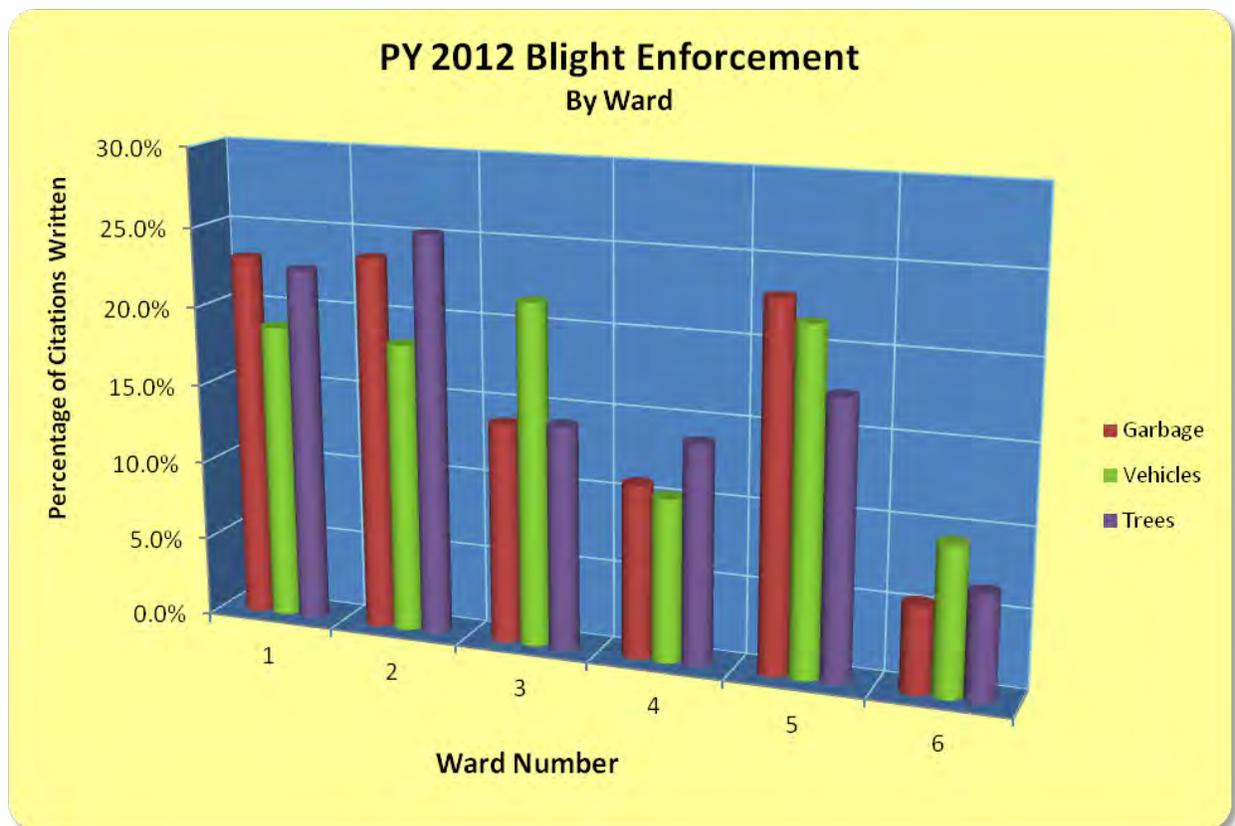
Since 2010, the City has completed 88 rehabilitation projects, funded as follows:

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

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.

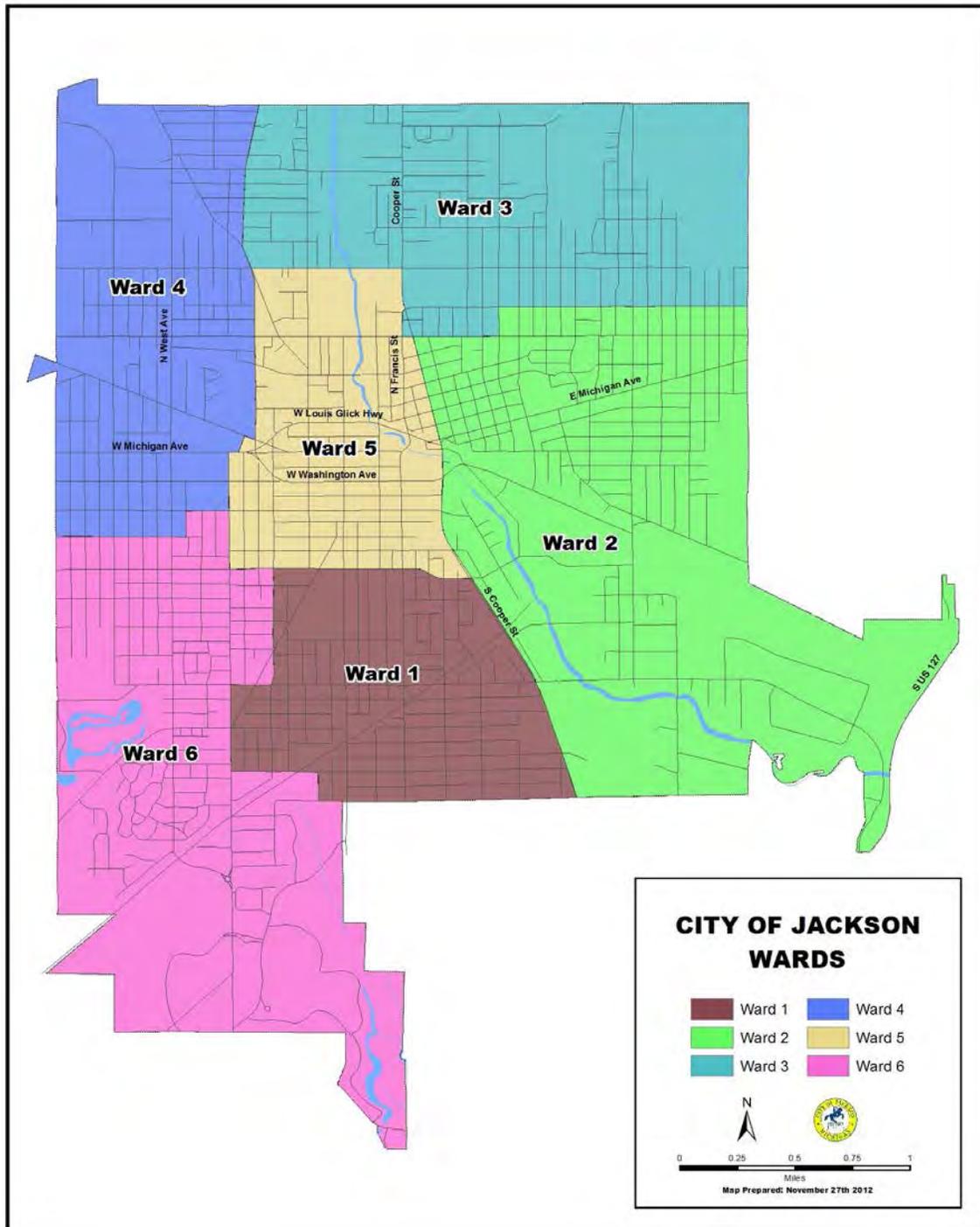


City inspectors continued with blight ordinance enforcement activity, citing homeowners for garbage, trash and debris; inoperable or unlicensed vehicles; and dead, diseased, dying or dangerous trees and noxious weeds. More often than not, property owners voluntarily complied with the citations and removed 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%
Total:	1,940	213	360	2,513	100.0%

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:

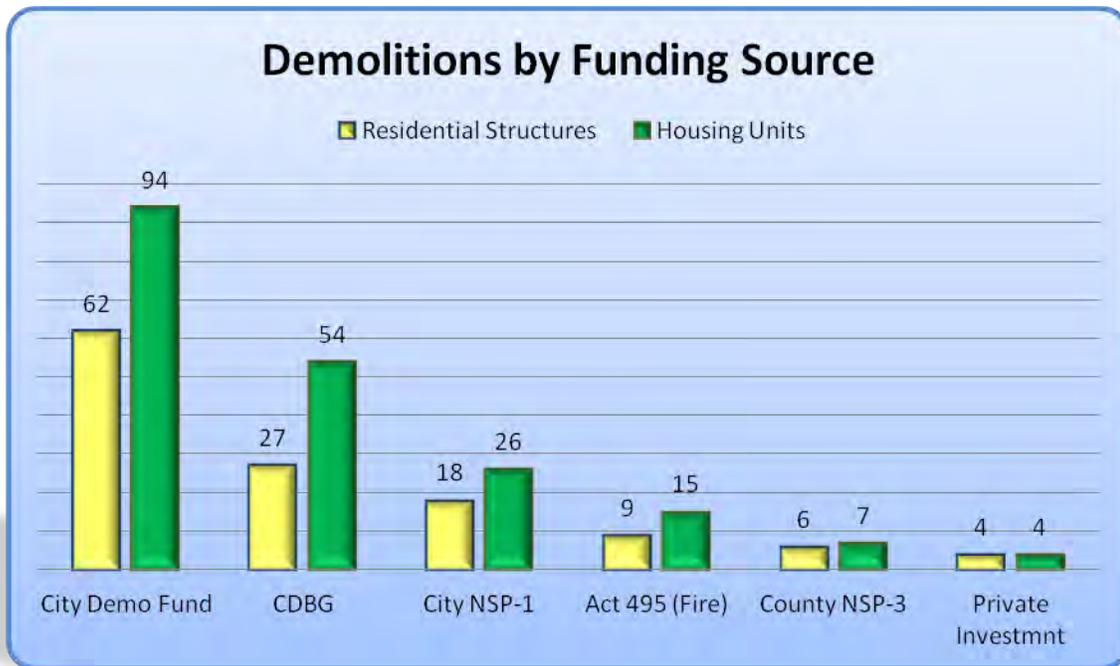
- Over 85% of the City’s housing stock was built before 1970;
- Over 50% of the City’s housing stock was built before 1940;
- Loss of approximately 40% of the City’s population since the 1930 Census;
- Loss of 11,950 residents (26.3%) since 1970;
- Loss of 283 (1.8%) total housing units since 1970;
- 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:

Funding Source	Residential Structures	Housing Units
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

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

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

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
CITY OF JACKSON, MICHIGAN
MICHIGAN DEPARTMENT OF TRANSPORTATION

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%.

2000 Census	
Industry	Percent
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%

2009-2011 American Community Survey	
Industry	Percent
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 Enforcement1,667,345
- 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

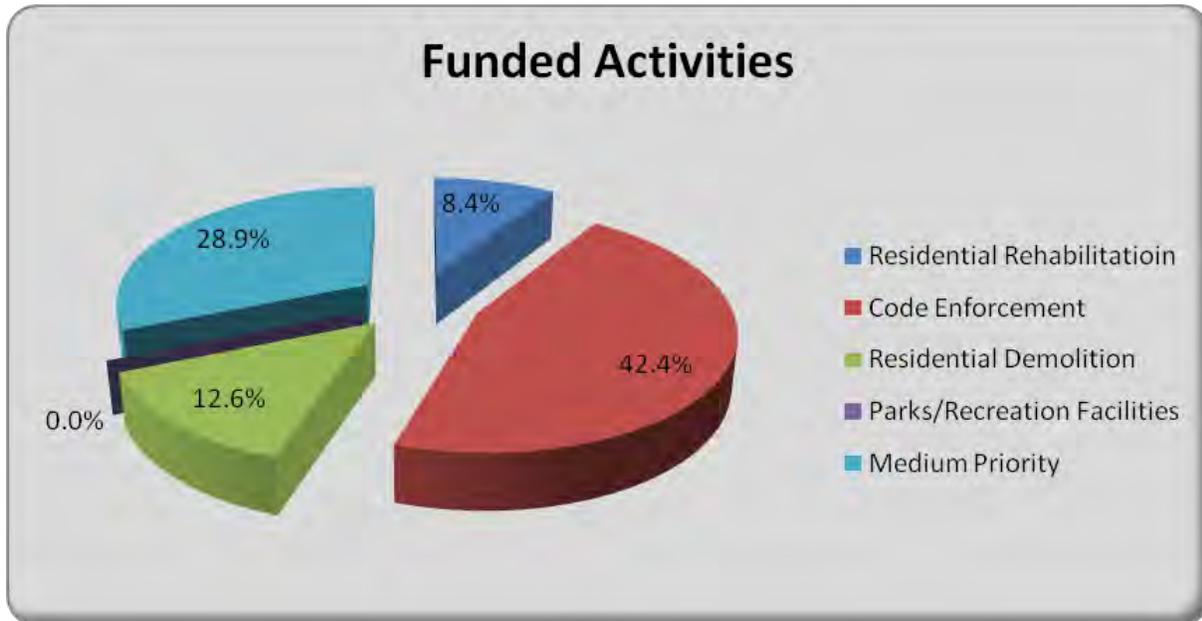
Through budget amendments reallocating funds from projects that came in under budget, canceled projects, or budgeting program income, the City was able to provide additional funding towards its priorities as follows:

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:

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

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.

Project Name	Type of Project	Beds	Applied For	Received
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
Total:		15	67	40	107

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
Total:		47	141	30	171

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
Total:		9	23	11	34

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.

Three 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. Volunteers of America Michigan, Inc., recently began participating with the Jackson County CoC as well and also received an SSVF allocation of \$1,172,948 to serve approximately 275 households in Allegan, Barry, Berrien, Calhoun, Eaton, Ingham, Jackson, Kalamazoo, Kent, Muskegon, Ottawa, and VanBuren 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.

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

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.

PUBLIC HOUSING BY THE NUMBERS	
PERFORMANCE INDICATORS	
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
DEMOGRAPHICS	
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
SOURCES OF INCOME	
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
INCOME LEVELS	
453	Extremely Low
68	Very Low
11	Low
TIME ON PROGRAM	
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

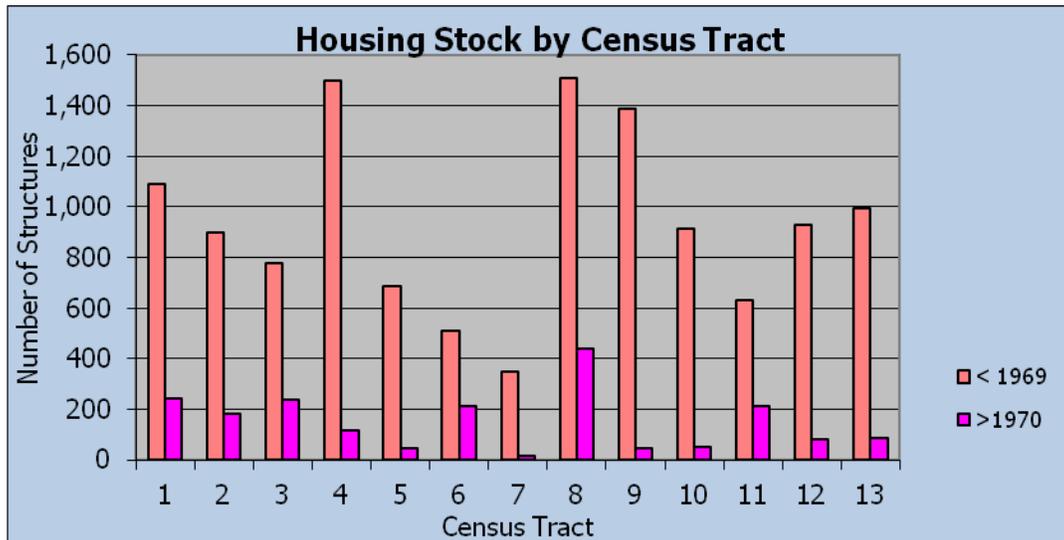
2012 Capital Fund Program	
Chalet Terrace	Lawn/Snow Removal Equipment
Chalet Terrace	Playground Equipment
Chalet Terrace	Playground Safety Surfacing
Chalet Terrace	Concrete Sidewalks
Reed Manor	Parking Lot
Reed Manor	Downspouts/Gutters
Reed Manor	Energy Efficient Exterior Lighting Study
Reed Manor	Energy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

	2009 ACS Estimate	2011 ACS Estimate
SEX		
Male	26.4%	29.0%
Female	27.5%	33.7%
RACE		
White	22.4%	24.6%
Black or African American.....	39.9%	47.8%
Two or more races.....	46.5%	50.5%
EDUCATIONAL ATTAINMENT		
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
- Leaf 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

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

Priority 2 – Code Enforcement

Code Enforcement Neighborhood & Economic Operations	Funding \$535,000 CDBG	Target Area City-wide
	Planned Beneficiaries Low- and Moderate-Income Area	
Outcome Improved neighborhoods	Planned Units 1,500 households	Actual Units 3,041 housing units inspected 1,940 garbage citations issued 213 Inoperable/Unlicensed Vehicle citations issued 360 Trees/Noxious Weeds issued
Code Enforcement City Attorney's Office	Funding \$52,000 CDBG	Target Area City-wide
	Planned Beneficiaries Low- and Moderate-Income Area	
Outcome Provide legal support in the Administrative Hearings Bureau for the City's Code Enforcement program	Planned Units 200	Actual Units 191 new cases prosecuted: 27 housing, 23 garbage, 42 vehicle, 90 noxious weeds, 11 zoning

Priority 3 – Residential Demolition

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

Medium Priority Activities

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

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

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

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

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

Program Income Type	Amount
CDBG	
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>
Total CDBG Program Income:	<u>\$177,516</u>
 HOME	
HOME Program Loan Repayment	\$ 14,117
Miscellaneous	<u>-0-</u>
Total HOME Program Income:	<u>\$14,117</u>

Loans and Other Receivables

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

No. of Loans	Type	Balance
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.

No. of Loans	Type	Balance
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.

Tax ID No.	Address	
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:

Tax ID No.	Address	
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
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

Rehabilitation Assistance Neighborhood & Economic Operations	Funding \$186,077 HOME	Target Area City-wide
	Planned Beneficiaries Low- and Moderate-Income Clientele	
Outcome Increased availability of improved housing units	Planned Units 18	Actual Units 4

Acquisition/Rehab/Resale Community Action Agency	Funding \$40,000 HOME	Target Area City-wide
	Planned Beneficiaries Low- and Moderate-Income Clientele	
Outcome Increased availability of improved housing units	Planned Units 1	Actual Units 0

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.



CITY COUNCIL MEETING
September 17, 2013

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Patrick Burtch, City Manager *Patrick Burtch*

SUBJECT: Public Hearing regarding the application filed by Refrigeration Sales Inc. located at 1810 E. High Street, for an Industrial Facilities Exemption Certificate.

RECOMMENDATION:

Consider a resolution approving an application for an Industrial Facilities Tax Exemption Certificate (IFT) for Refrigeration Sales Inc.

Attached please find a resolution, along with supporting documentation on the application filed by Refrigeration Sales Inc., for an Industrial Facilities Exemption Certificate for their facility located at 1810 E. High 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 17, 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 September 26, 2000, create by resolution Industrial Development District No. 89, which includes property located at 1810 East High Street, Jackson, Michigan, as particularly described in said resolution; and

WHEREAS, pursuant to the provision of said Act, Refrigeration Sales Inc., filed on August 28, 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 17, 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 17, 2013

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, Michigan, on this 18th 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 <i>Andrew J. Wrozek jr</i>	Date received by Local Unit <i>8/28/13</i>
STC Use Only	
Application Number	Date Received by STC

APPLICANT INFORMATION

All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) Refrigeration Sales Inc.		1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 332900	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 1810 E. High St. Jackson, Michigan 49203		1d. City/Township/Village (indicate which) Jackson	1e. County Jackson
2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(1)) <input type="checkbox"/> Research and Development (Sec. 2(9))		3a. School District where facility is located Jackson	3b. School Code 38170
		4. Amount of years requested for exemption (1-12 Years) 12	

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.

Valve Assembly Machine- Serial No. 13-012

6a. Cost of land and building improvements (excluding cost of land) * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	▶ _____ Real Property Costs
6b. Cost of machinery, equipment, furniture and fixtures * Attach itemized listing with month, day and year of beginning of installation, plus total	▶ <u>\$800,000.00</u> Personal Property Costs
6c. Total Project Costs * Round Costs to Nearest Dollar	▶ <u>\$800,000.00</u> 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 ▶	_____	_____	▶ <input type="checkbox"/> Owned <input type="checkbox"/> Leased
Personal Property Improvements ▶	8/1/13	8/1/14	▶ <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: 15
10. No. of new jobs at this facility expected to create within 2 years of completion: 5

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 _____

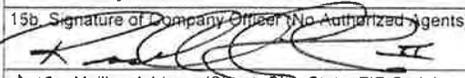
12a. Check the type of District the facility is located in:
 Industrial Development District Plant Rehabilitation District

12b. Date district was established by local government unit (contact local unit): 9/26/00 *#89*
12c. Is this application for a speculative building (Sec. 3(8))? Yes 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 Dennis Vargovich	13b. Telephone Number (517) 784-8579	13c. Fax Number (517) 784-7373	13d. E-mail Address dvargovich@refsales.com
14a. Name of Contact Person Russell Lyke II	14b. Telephone Number (517) 784-8579	14c. Fax Number (517) 784-7373	14d. E-mail Address rlyke@refsales.com
▶ 15a. Name of Company Officer (No Authorized Agents) Russell Lyke II			
15b. Signature of Company Officer (No Authorized Agents) 		15c. Fax Number (517) 784-7373	15d. Date 8-28-13
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 1810 E. High St. Jackson, MI 49203		15f. Telephone Number (517) 784-7373	15g. E-mail Address rlyke@refsales.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: Check or Indicate N/A if Not Applicable <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 Check or Indicate N/A if Not Applicable <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 Date Personal	▶ End Date Real	▶ End Date Personal

Applicant Name

Refrigeration Sales Inc.

Fiscal Statement (to be completed by local unit)

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

Estimated Project Investment (not assessed value):

Real Property	Personal Property \$800,000.00	Total \$800,000.00
---------------	--	------------------------------

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

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

LOCAL UNIT CERTIFICATION

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

Signature	Name and Title of Local Governmental Unit Official Andrew J. Wrozek, Jr. - City Clerk
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INDUSTRIAL FACILITIES TAX EXEMPTION AGREEMENT

AGREEMENT made this 3RD day of SEPTEMBER, 2013, by and between the CITY OF JACKSON, a Michigan municipal corporation, with offices at 161 West Michigan Avenue, Jackson, Michigan 49201 (hereinafter "City"); and Refrigeration Sales Inc., a Michigan corporation, with offices located at 1810 E. High 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 VALVE ASSEMBLY MACHINE (describe project) (the "Project") that was established as an Industrial Development District (the "District") by the City of Jackson on September 26, 2000; 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 5 new full time equivalent jobs and relocate and retain not less than 15 full time equivalent existing jobs from its current location within two years after the completion of its Project.

2. Applicant expects that the costs of the improvements proposed to be constructed on the basis of which the Industrial Facilities Exemption Certificate is issued, shall be within 10 percent (10%) of the estimated amount stated in the Applicant's application for the certificate.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Signed in the presence of:

CITY OF JACKSON

By _____

Its: Mayor _____

APPLICANT

DENNIS VARGOVICH
Dennis Vargovich

By 

Its: President

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
2,682	1,627	1,688

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

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).....	2,682	1627	1688
2. Revenue from related development (from page 2, line 2).....			
3. TOTAL (Add lines 1 and 2).....			
Cost			
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).....			



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 17, 2013

MEMO TO: Honorable Mayor and City Councilmembers
FROM: Andrew J. Wrozek, Jr., City Treasurer/City Clerk
SUBJECT: Adoption of Ordinance No. 2013.21

RECOMMENDATION:

Final adoption of Ordinance No. 2013.21 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.

Attached please find Ordinance 2013.21 approved by the Council at the September 10, 2013 meeting. Please consider adoption of the ordinance.

C: City Manager

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.

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 17, 2013
NEW BUSINESS

MEMO TO: Honorable Mayor and City Councilmembers
FROM: Bethany M. Smith, Interim City Attorney
DATE: September 11, 2013
SUBJECT: Amendment to Chapter 27 – Stormwater Ordinance

RECOMMENDATION: Approve the Amendments to Chapter 27 to remove provisions relating to the collection of stormwater fees.

Attached please find a black-lined and a clean version of the amendment to Chapter 27 of the Code of Ordinances to remove provisions relating to the collection of a stormwater fee. These changes are needed to bring the Code into conformance with the ruling of the Michigan Court of Appeals in *County of Jackson v. City of Jackson* and *Jackson Coffee Company et. al. v. City of Jackson*.

The requisite action is to approve the Ordinance.

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

Cc w/att: Patrick H. Burtch, City Manager

ORDINANCE 2013 - _____

An Ordinance amending Section 27-180 through 27- 201 of Article VI of Chapter 27 of the Code of Ordinances of the City of Jackson, Michigan to bring Chapter 27 of the Code of Ordinances in conformity with the decision of the Michigan Court of Appeals ordering that the City of Jackson cease collection of the fee for stormwater.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

The City Council adopts this ordinance to bring Chapter 27 of the Code of Ordinances in conformity with the decision of the Michigan Court of Appeals ordering that the City of Jackson cease collection of the fee for stormwater.

Section 2. That Article VI of Chapter 27 of the City of Jackson, Michigan Code of Ordinances, be amended to read as follows:

Sec. 27-180. Title.

This article shall be known as the "Stormwater Utility Ordinance" of the City of Jackson.

Sec. 27-181. Purpose.

This article establishes a stormwater utility for the purpose of conducting the city's stormwater management program to protect public health, safety, and welfare; ~~provides for the proportional allocation to property owners of the necessary costs of the stormwater utility; permits the establishment and collection of just and equitable rates and charges to fund the stormwater utility; provides for credits, adjustments, exemptions and appeals~~ establishes regulations for the use of the stormwater system, and prescribes the powers and duties of certain municipal agencies, departments and officials.

Sec. 27-182. Findings.

The council finds all of the following:

- (1) The constitution and laws of the State of Michigan authorize local units of government to provide stormwater management services and systems that will contribute to the protection and preservation of the public health, safety and welfare, and to the protection of the state's natural resources.
- (2) Property owners influence the quantity, character and quality of stormwater from their property in relation to the nature of the alterations made to property.

- (3) Stormwater contributes to the diminution of water quality, adversely impacting the public health, safety and welfare, and endangering natural resources.
- (4) Control of the quantity and quality of stormwater from developed and undeveloped property is essential to protect and improve the quality of surface waters and ground waters, thereby protecting natural resources and public health, safety and welfare.
- (5) The Federal Clean Water Act and rules and regulations promulgated there under place increased mandates on the city to develop, implement, conduct and make available to its citizens and property owners stormwater management services which address water quality, velocity, and volume impacts of stormwater.
- (6) Water quality is improved by stormwater management measures that control the quantity or quality, or both, of stormwater discharging directly or indirectly to receiving waters, that reduce the velocity of stormwater, or that divert stormwater from sanitary sewer systems.
- (7) The city, having a responsibility to protect the public health, safety, and welfare, has a major role in ensuring appropriate water quality related to stormwater flow.
- (8) Improper management of stormwater runoff causes erosion of lands, threatens businesses and residences and other facilities with water damage from flooding, adversely impacts public health, safety, and welfare, and creates environmental damage to rivers, streams and other bodies of water in Michigan, including the Great Lakes.
- (9) The public health, safety, and welfare are adversely affected by poor ambient water quality and flooding that results from inadequate management of both the quality and quantity of stormwater.
- (10) An adequate funding source is necessary to provide for stormwater management in the city.
- ~~(11) It is appropriate for the city to establish user fees to offset entirely or in part the cost of its stormwater management program.~~
- ~~(12) It is in the interest of protecting both the waters of the state from pollution and the public health, safety, and welfare for the city to fund stormwater management with a user fee that allocates the costs of these services to property owners within the city based upon the extent to which each parcel of real property contributes to the need for stormwater management.~~
- (1143) Impervious and pervious surfaces on a given property relate to the volume, rate and/or pollutant loading of stormwater runoff discharged from that property.

- (14) ~~The measurement of impervious and pervious surface that causes stormwater runoff provides an equitable and adequate basis for a system of user fees for funding stormwater management.~~

Sec. 27-183. Definitions.

For the purposes of this article, the following words and phrases shall have the meanings described in this section.

Administrator is the city engineer or such other person as the city manager may designate.

~~*Appeal* is the process of filing a dispute with the user fee determination, adjustment or credit as recognized by the city.~~

~~*Applicant* is any person, or a duly designated representative applying for a stormwater user fee credit, stormwater discharge permit or stormwater connection.~~

City shall mean the City of Jackson, Michigan and its authorized agents.

Council shall mean the city council of the City of Jackson, Michigan.

~~*Credit* shall mean a conditional reduction in the amount of a stormwater user fee charged to a property based on the provision and continuing presence of, use, operation, and maintenance of practices that the city does not own, maintain or operate; or based on the continuing provision of activities that may reasonably reduce or mitigate the city's cost of providing for the city's stormwater management program.~~

~~*Customer* shall mean the owner of any property that is receiving a stormwater utility service from the city.~~

Detention shall mean the prevention of, or to prevent, the discharge, directly or indirectly, of a given volume of stormwater runoff into the stormwater system by providing temporary on-site storage.

Discharge shall mean the flow of water from a project, site, aquifer, drainage basin, or other drainage facility.

~~*Equivalent hydraulic area (EHA) of a property* shall mean the sum of the impervious surface area of the property multiplied by a factor of 0.95 plus the pervious surface area multiplied by a factor of 0.15.~~

~~*Equivalent hydraulic area unit (EHA Unit)* shall mean the EHA of a typical detached single family residential property in the city determined by an engineering analysis to be two thousand one hundred twenty five (2,125) square feet. The EHA unit may be modified from time to time, if necessary, based on future engineering analyses. Detached single family homes (up to and including four (4) units) pay a flat stormwater user fee based on the fee charged to a property having one (1) EHA unit.~~

Erosion shall mean the wearing or washing away of soil by the action of water.

Impervious area or surface means a surface area which is compacted or covered with material that is resistant to or impedes permeation by water, including but not limited to, most conventionally surfaced streets, roofs, sidewalks, patios, driveways, parking lots, and any other oiled, graveled, graded, or compacted surfaces.

MDNRE shall mean the Michigan Department of Natural Resources and Environment (formerly known as the Michigan Department of Environmental Quality).

NPDES means National Pollutant Discharge Elimination System, a program to issue permits for discharges to receiving waters, established under the Federal Clean Water Act, and administered by the MDNRE.

Operation and maintenance includes any component of a stormwater system expenditure for materials, labor, utilities and other items for the management and uninterrupted operation of the stormwater system in a manner for which the stormwater system was designed and constructed.

Owner shall mean any person, firm, partnership, association, joint venture, corporation or other entity or combination of entities who alone, jointly, or severally with others hold(s) legal or equitable title to any real property. The term "owner" shall also include heirs, successors, and assigns.

Parcel shall mean a tract, or contiguous tracts, of land in the possession of, owned by, or recorded as property of the same claimant person.

Person shall mean any individual, association, organization, partnership, firm, public or private corporation or public agency.

Pervious area or surface is all land area that is not impervious.

Property means any land within the boundary of the city, both publicly and privately owned, including public and private rights-of-way.

Retention shall mean the prevention of, or to prevent, the discharge, directly or indirectly, of any stormwater volume into the stormwater system.

Stormwater means stormwater runoff, snowmelt runoff, footing drain discharges, surface runoff and drainage.

Stormwater management means one or more of the following:

- The quantitative control achieved by the stormwater system of the increased volume and rate of surface runoff caused by alterations to the land.

- The qualitative control achieved by the stormwater system, pollution prevention activities, and ordinances to reduce, eliminate or treat pollutants that might otherwise be carried by stormwater.
- Public education, information, and outreach programs designed to educate and inform the public on the potential impacts of stormwater.

Stormwater management plan shall mean the written documents and plans that contain the following elements which shall be used to guide the stormwater management program:

- September, 2010 City of Jackson, Michigan Stormwater Utility Feasibility Study prepared by Tetra Tech.
- December, 2003 Upper Grand River Watershed Management Plan prepared by Tetra Tech and the June 2006 Update.
- Geographic limits of the City of Jackson.
- Stormwater management services to be provided.
- The planning period covered by the stormwater management plan.
- Projected operation and maintenance and capital expenses for each year of the stormwater management plan planning period including steps taken to reduce expenses.
- Documentation of an analysis undertaken to evaluate the comparative cost-effectiveness of stormwater management alternatives. Projected impervious and pervious areas of each class of property.
- Projected impervious and pervious areas of each class of property.
- ~~The method of calculating any stormwater user fees and stormwater development charges, if used, proportionate to the necessary cost of providing the necessary level of service of stormwater management services.~~
- ~~The process and method by which the city will determine which properties will be subject to any stormwater user fee for use of the stormwater system owned and operated by the city.~~
- A description of the components of the stormwater system owned and operated by the city.

- ~~• A description of how credits to reduce stormwater user fees will be applied and calculated.~~

Stormwater management program means one (1) or more aspects of stormwater management undertaken for the purpose of complying with applicable federal, state and local law and regulation or the protection of the public health, safety, and welfare related to stormwater runoff.

Stormwater pollution prevention initiative (SWPPI). The SWPPI is a document that shows the city's commitments that would be needed to meet the goal of reducing the discharge of pollutants to the maximum extent practicable. It includes the portions of the watershed management plan that are applicable to the city.

Stormwater runoff shall mean flow on the surface of the ground, resulting from precipitation and snowmelt that does not infiltrate into the soil, including material dissolved or suspended in it.

Stormwater system means roads, streets, catch basins, curbs, gutters, ditches, storm sewers and appurtenant features, lakes, ponds, channels, swales, storm drains, canals, creeks, catch basins, streams, gulches, gullies, flumes, culverts, siphons, retention or detention basins, dams, floodwalls, levees, pumping stations, and other like facilities, and natural watercourses and features located within the geographic limits of the city which are designed or used for collecting, storing, treating or conveying stormwater or through which stormwater is collected, stored, treated or conveyed, or any other physical means by which stormwater management is achieved.

~~*Stormwater user fee* shall mean the fee charged to properties within the City of Jackson calculated proportionate to the necessary cost of providing stormwater system management services to the users of the city's stormwater system.~~

Structure shall mean anything constructed or installed with a fixed location on or in the ground.

Surface waters shall mean any receiving waters existing on the surface of the ground, including but not limited to; brooks, streams, rivers, wetlands, ponds, or lakes.

Undeveloped shall mean the condition of a property unaltered by construction or the addition of impervious surface.

User shall mean a firm, person or property that directly or indirectly contributes stormwater to the stormwater system.

Water quality shall mean those characteristics that relate to the physical, chemical, biological or radiological integrity of water.

Water quantity shall mean those characteristics that relate to the rate and volume of the stormwater runoff to downstream areas.

Watershed shall mean an extent of land where stormwater runoff drains downhill into a body of water, such as a river, lake, reservoir, estuary, or wetland. The watershed includes both the streams and rivers that convey the water as well as the land surfaces from which water drains into those channels, and is separated from adjacent watersheds by a topographic divide.

Sec. 27-184. Establishment of a stormwater utility.

A stormwater utility is hereby established by council under the direction of the administrator to conduct the stormwater management program of the city. The stormwater management program shall include those activities necessary to protect public health, safety, and welfare from stormwater and fulfill the requirements of the city's stormwater NPDES discharge permit, and all successor permits, including but not limited to the following activities:

- (1) Planning, engineering, acquisition, construction, operation, maintenance, installation and debt service costs to acquire, construct, finance, operate and maintain a stormwater system.
- (2) Administering the stormwater management program.
- (3) Acquiring, constructing, improving, enlarging, repairing, enhancing, replacing, financing, operating and maintaining the stormwater system, together with such indirect and overhead costs which are fairly chargeable to such activities pursuant to accepted accounting principles and practices applicable to the city.
- (4) Updating a stormwater management plan.
- (5) Undertaking activities required in order to comply with federal and state law and regulations related to stormwater and permits issued there under.
- (6) Paying drain assessments which are the obligation of the city.
- (7) Providing public education, or information, or outreach related to the stormwater management program or required by federal or state regulations, or required by permits issued to the city by federal or state regulatory bodies.

Sec. 27-185. Stormwater management plan.

The administrator may adopt, amend, or extend a stormwater management plan from time to time. Any such adoption, amendment, or extension shall be approved by resolution of the council.

~~Sec. 27-186. Stormwater user fee.~~

- ~~(1) Subject to the provisions of this article, all owners of property in the City of Jackson shall be charged a stormwater user fee for their use of the stormwater system. The stormwater~~

~~user fee shall be proportionate to the necessary cost of the stormwater management services provided to each property in the city. The basis for stormwater user fees shall be computed by the administrator using the equivalent hydraulic area (EHA) or EHA units applicable to each pThe principal stormwater generating characteristic of each property is its representative impervious and pervious area, which shall be used as the basis for the stormwater user fee. The stormwater user fee shall be used solely to defray the city's cost of conducting fund those elements of the stormwater management program whose cost is directly related to the amount of stormwater managed as well as the expenses related to billing, collection, customer service, and public involvement and public education activities. The representative impervious and pervious areas of a property shall be the measured impervious and pervious areas of the property except for detached single-f~~

Sec. 27-~~186~~187. Miscellaneous~~Other~~ charges.

Charges for ~~other~~ miscellaneous services provided by the city shall be on a time and materials basis, including direct and indirect costs, as established by the administrator. The administrator may also set charges for the fair share recovery of the cost, including direct and indirect costs, from users for the implementation and operation of any of the following:

- (1) Monitoring, inspection and surveillance procedures.
- (2) Reviewing accidental discharge procedures and construction.
- (3) Stormwater discharge permit applications.
- (4) Annual charges for multi-year permits.
- (5) Other charges as the administrator may deem necessary to carry out the requirements of this article.

Sec. 27-188. Credits.

- ~~(1) The purpose of this section is to provide for each owner's voluntary control over contributions of storm flows to the stormwater system and the related stormwater user fees and to advance protection of the public health, safety, and welfare.~~
- ~~(2) The city shall offer credits that will enable any owner, through voluntary action, to reduce the stormwater user fees calculated for that owner's property and will provide a meaningful reduction in the cost of service to the stormwater system, or that shall be reasonably related to a benefit to the stormwater system:
 - a. Credits will only be applied if certain requirements are met, including, but not limited to: completion of on going maintenance, guaranteed right of entry for inspections, and submittal of certification reports. Credits will be defined as percent reductions applied to the stormwater user fee calculation.~~

- ~~b. Credits are additive for each credit category. The maximum credit shall not exceed one hundred (100) percent of the stormwater user fee calculation.~~
- ~~c. As long as the stormwater facilities or management practices are functioning as approved, the credit will be applied to the stormwater user fee. If the approved practice is not functioning as approved or is terminated, the credit will be cancelled and the stormwater user fee will return to the baseline calculation. Once the credit has been cancelled, an owner may not reapply for a credit for a period of twelve (12) months and only then if the deficiency has been corrected, as determined by city inspection.~~
- ~~d. Credits will be applied to the next complete billing cycle after the application has been approved.~~
- ~~(3) The administrator shall define a method for applying and granting credits, as well as criteria for determining the credits an owner may receive. The administrator may establish credits for one or more of the following owner actions:~~
- ~~• Residential property: Flat rate100 percent~~
 - ~~• Stormwater quantity:37.5 to 100 percent~~
 - ~~• Education:25 percent~~
 - ~~• Direct discharge:Maximum of 100 percent~~
- ~~(4) The administrator shall define criteria for determining additional credits that lands dedicated for public use may receive. Such credits are appropriate because most of the city's drainage system lies within public rights of way, sharing that property with public roads and other public and private utility systems. Public roads and other surfaces within these rights-of-way discharge stormwater to the stormwater system and are subject to stormwater user fees like every other property within the city. Lands dedicated for public use are eligible for credits if they provide one or more of the following services to the stormwater utility:~~
- ~~a. Use of the roadway for conveyance and storage of stormwater during major storm events that exceed the capacity of the underground storm drainage system.~~
- ~~b. Use of right of way for retrofit of stormwater quality control system required under NPDES permits issued to the city.~~
- ~~c. Access to the stormwater system for operation and maintenance activities, restrict traffic on the roadway.~~
- ~~d. Reduced pavement life when stormwater system repairs require open cut excavation of the roadway.~~

- e. ~~Education provided by storm inlet labeling, stream crossing signage, and other educational signs placed within the right-of-way.~~

~~Sec. 27-189. Exemptions.~~

~~No public or private property located within the city limits of the City of Jackson shall be exempt from stormwater user fees.~~

~~Sec. 27-190. Billing.~~

~~The city shall bill owners for stormwater service on a periodic basis.~~

~~Sec. 27-191. Stormwater enterprise fund.~~

- (1) ~~All revenues raised from stormwater user fees shall be placed in a stormwater enterprise fund together with such other revenues from any source or combinations of sources of revenues otherwise legally available which have been designated to be used for the stormwater management program.~~
- (2) ~~No part of the funds held in the stormwater enterprise fund may be transferred to the general operating fund or used for any purpose other than undertaking the stormwater management program, and operating and maintaining a stormwater system.~~

Sec. 27-~~187~~192. Discharge permits.

- (1) A permit is required from the administrator to discharge treated non-stormwater otherwise subject to a discharge prohibition under this article into the stormwater system. The administrator may require each person or firm that applies for use or uses of the stormwater system for non-stormwater purposes to obtain a discharge permit on the form prescribed by the administrator, to be subject to all provisions of this article. A permit may be issued for a period not to exceed five (5) years. The permit shall be subject to modification or revocation for failure to comply or provide safe access or provide accurate reports of the discharge constituents and characteristics. Permits are issued to specific persons or firms for specific operations and are not assignable to another person or firm without the prior written approval of the administrator. Permits are not transferable to another location. Anyone seeking a permit to discharge treated non-stormwater otherwise subject to a discharge prohibition into the stormwater system must do the following:
 - a. File a written statement with the administrator setting forth the nature of the enterprise, the amount of water to be discharged with its present or expected bacterial, physical, chemical, radioactive or other pertinent characteristics.
 - b. Provide a plan map of the building, works or complex with each outfall to the surface waters, sanitary system, storm sewer, natural watercourse or ground waters noted, described and the discharge stream identified.

- c. Sample, test and file reports with the administrator and the appropriate federal, state, and county agencies on appropriate characteristics of discharges on a schedule, at locations, and according to methods approved by the administrator.
- (2) Every permit to discharge into the stormwater system shall be conditioned upon the permittee providing insurance, security and/or indemnification satisfactory to the administrator protecting the city, city property and persons in the city from loss or damages associated with the permit or permit activities.
- (3) The administrator or other authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of the discharge to the stormwater system. The industrial user may withhold or restrict information if it can establish to the satisfaction of the administrator that release of the information would reveal trade secrets or would otherwise provide an advantage to competitors, except discharge constituents will not be recognized as confidential information.
- (4) At the permittee's expense, the administrator shall carry out independent surveillance and field monitoring, in addition to the self-monitoring required of certain users to ascertain whether the purpose of this article is being met and all requirements are being satisfied.
- (5) The method of determining flow of discharge to the stormwater system shall be approved by the administrator.
- (6) The permit applicant shall acquire and be in full compliance with applicable federal, state and county permits for discharge prior to being granted a permit from the administrator.

Sec. 27-~~188~~193. Regulations.

- (1) The administrator may adopt regulations implementing this article. These regulations may include, but not be limited to, the following topics:
 - a. The design, operation, management, and maintenance of the stormwater system and for connections to that system.
 - b. Control of the quality and quantity of stormwater from industrial sites by establishing management practices, design and operating criteria.
 - ~~c. Procedures for updating billing data based upon changes in property boundaries, ownership, and stormwater runoff characteristics.~~
 - ~~d. Billing and payment procedures of the stormwater utility that define the billing period, and billing methodology.~~
 - ce. Policies establishing the type and manner of service delivery that will be provided by the utility.

f. ~~Procedures for establishing, evaluating, and refining any stormwater user fee credits.~~

dg. Enforcement policies and procedures.

- (2) These regulations shall take effect thirty (30) days after being filed with the city clerk unless modified or disapproved by the council. Regulations which are modified by council take effect thirty (30) days after the modification.

Sec. 27-~~189~~194. Stormwater taps.

- (1) Only city employees or licensed contractors, after first obtaining all necessary permits including but not limited to a plumbing permit, street cut permit and sewer tap permit, are authorized to uncover the stormwater system so that existing tees or deep sewer risers installed during public stormwater system construction may be utilized. The connection shall be made only by the city employees or licensed contractors only upon payment of the required connection fee which shall be fixed by the city and shall not be less than the cost of materials, installation and overhead attributable to the installation.
- (2) All costs and expenses incidental to the installation, connection, and maintenance of the stormwater tap and lead shall be borne by the property owner.
- (3) The city employees or licensed contractors will furnish and install stormwater system taps of the size and at the location the applicant requests in writing, provided:
- a. The requests are reasonable;
 - b. An adequate stormwater system fronts the premises;
 - c. An adequate tee or deep stormwater system riser does not exist for required usage;
 - d. A good and safe excavation is provided by the owner(s) or owner's agent for public services area tapping personnel;
 - e. The maximum sized direct tapped connection shall not be larger than one-half ($\frac{1}{2}$) the nominal diameter of the stormwater main (e.g., a six-inch maximum tap into a twelve-inch stormwater main). Connections greater than one-half ($\frac{1}{2}$) the nominal diameter of the stormwater main shall be made in a minimum three-foot diameter storm sewer structure or with a manufactured tee fitting.
 - f. Existing tees and deep risers shall be utilized along with stormwater leads constructed (stubbed) to the property line at the time the stormwater system was constructed.

Sec. 27-195. Right of appeal.

The administrator shall establish a procedure for the submission of appeals to an owner's stormwater user fees. This procedure shall provide the following:

- ~~(1) An owner liable for a stormwater user fee shall be provided the right to appeal the stormwater user fee. Appeals shall be considered on the grounds that the impervious and/or pervious area of the property is less than estimated by the administrator or that the credit allowable to the property is greater than that estimated by the administrator. No appeal may be brought with respect to a stormwater user fee more than one (1) year after the rendering of the bill for which an appeal is sought.~~
- ~~(2) For an appeal to be successful, the owner shall demonstrate that the impervious and/or pervious area of the property is less than the amount used by the administrator in the calculation of that property's stormwater user fee. Factors that will be considered by the administrator in addition to the impervious and pervious areas of the property will be the activities of the owner or features of the property that are available for credits, or other factors defined by the administrator.~~
- ~~(3) An owner must comply with all rules and procedures adopted by the administrator, including the payment of any applicable fees, when submitting a request for appeal or adjustment of the stormwater user fee and must provide all information necessary to make a determination.~~
- ~~(4) Upon a finding that the impervious and/or pervious area of a property is less than the amount used by the administrator in the calculation of that property's stormwater user fee, the sole remedy to the owner shall be re-calculation of the stormwater user fee based on the corrected area data.~~
- ~~(5) A finding that the impervious and/or pervious area of a property is not less than the amount used by the administrator in the calculation of that property's stormwater user fee shall be conclusive with respect to that property and shall remain effective for seven (7) years, unless the owner changes the impervious and/or pervious area or the stormwater management practices of the property. The owner shall remain eligible for credits.~~

Sec. 27-~~190~~196. Enforcement.

- (1) No person shall construct or maintain any property, residence or business not in compliance with the standards of this article.
- (2) The administrator and other authorized employees of the city bearing proper credentials and identification shall be permitted to enter upon all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this article.
- (3) No person shall fail to provide any report or other information or perform any duty required by this article.

- (4) If, after reasonable notice, a person fails to comply with this article, the city may cause the work to be done to obtain compliance and shall charge the cost of that work to the person responsible. If the person responsible fails to pay an invoice for ~~charges~~ fees directed to him or her under this subsection, within thirty (30) days of mailing of said invoice, the city may cause the cost reflected in said invoice to be assessed against the property as a special assessment, pursuant to section 15.7 of the city Charter, and the city may institute an action against the responsible person for the collection of said costs in any court of competent jurisdiction. However, the city's attempt to collect such costs by any process shall not invalidate or waive any lien filed against the property.
- (5) The administrator is authorized to take all steps necessary to immediately halt any discharge of pollutants which reasonably appears to present an imminent danger to the health or welfare of persons or to the environment.
- (6) In case of an emergency involving private stormwater facilities, the administrator may direct that immediate action be taken to correct or abate the condition causing the emergency. City personnel may perform the required work and charge the owner all such related and provable costs. Such costs (if remaining unpaid for thirty (30) days following a bill being sent for their reimbursement) shall constitute a lien on the real property.
- (7) Persons aggrieved by any determination of the administrator in enforcing this article may appeal that determination. Prosecution shall be stayed pending such an appeal.
- (8) In their interpretation and application, the provisions of this article shall be held to be minimum requirements and shall be liberally construed in favor of achieving the purposes of this article, and shall not be deemed a limitation or repeal of any other powers granted by state or federal statutes and regulations.

Sec. 27-~~191~~197. Violations and penalties.

- (1) *Violation; municipal civil infraction.* Except as provided by section 27-192, and notwithstanding any other provision of the city's laws, ordinances and regulations to the contrary, a person who violates any provision of this article (including, without limitation, any notice, order, permit, decision or determination promulgated, issued or made by the administrator under this article) is responsible for a municipal civil infraction, subject to payment of a civil fine of not less than one thousand dollars (\$1,000.00) per day for each infraction and not more than ten thousand dollars (\$10,000.00) per day for each infraction, plus costs and other sanctions.
- (2) *Repeat offenses; increased fines.* Increased fines may be imposed for repeat offenses. As used in this section, "repeat offense" means a second (or any subsequent) municipal civil infraction violation of the same requirement or provision of this article (i) committed by a person within any two-year period and (ii) for which the person admits responsibility or is determined to be responsible. The increased fine for a repeat offense under this article shall be as follows:

- a. The fine for any offense that is a first repeat offense shall be a minimum of fifteen hundred dollars (\$1,500.00), plus costs.
 - b. The fine for any offense that is a second repeat offense or any subsequent repeat offense shall be a minimum of three thousand dollars (\$3,000.00), plus costs.
- (3) *Amount of fines.* Subject to the minimum fine amounts specified in subsections (1) and (2) of this section, the following factors shall be considered by the court in determining the amount of a municipal civil infraction fine following the issuance of a municipal civil infraction citation for a violation of this article: the type, nature, severity, frequency, duration, preventability, potential and actual effect, and economic benefit to the violator (such as delayed or avoided costs or competitive advantage) of a violation; the violator's recalcitrance or efforts to comply; the economic impacts of the fine on the violator; and such other matters as justice may require. A violator shall bear the burden of demonstrating the presence and degree of any mitigating factors to be considered in determining the amount of a fine. However, mitigating factors shall not be considered unless it is determined that the violator has made all good faith efforts to correct and terminate all violations.
- (4) *Authorized local official.* Notwithstanding any other provision of the city's laws, ordinances and regulations to the contrary, the following persons are designated as the authorized local officials to issue municipal civil infraction citations directing alleged violators to appear in district court for violations of this article (or, if applicable, to issue municipal civil infraction notices directing alleged violators to appear at a municipal ordinance violations bureau): the city administrator and the city administrator's designees, any sworn law enforcement officer, and any other persons so designated by the city.
- (5) *Other requirements and procedures.* Except as otherwise provided by this section, the requirements and procedures for commencing municipal civil infraction actions; issuance and service of municipal civil infraction citations; determination and collection of court-ordered fines, costs and expenses; appearances and payment of fines and costs; failure to answer, appear or pay fines; disposition of fines, costs and expenses paid; and other matters regarding municipal civil infractions shall be as set forth in Act No. 236 of the Public Acts of 1961, as amended.

| Sec. 27-~~192~~198. Criminal penalties; imprisonment.

Any person who:

- (1) At the time of a violation knew or should have known that his action was contrary to any provision of this article, or contrary to any decision or determination promulgated, issued or made by the city under this article; or (2) Intentionally makes a false statement, representation, or certification in any application, form, notice, report, or record required by this article, or in any other correspondence or communication, written or oral, with the city regarding matters regulated by this article; or (3) Intentionally falsifies, tampers with, or renders inaccurate any report or record required to be maintained by this article; or (4)

Commits any other act that is punishable under state law by imprisonment for more than ninety (90) days; shall, upon conviction, be guilty of a misdemeanor punishable by a fine of five hundred dollars (\$500.00) per violation, per day, or imprisonment for up to ninety (90) days, or both in the discretion of the court.

| Sec. 27-~~193~~¹⁹⁹. Continuing violation.

Each act of violation, and each day or portion of a day that a violation of this article exists or occurs, constitutes a separate violation subject to the fines, penalties and other sanctions and remedies as provided by this article.

| Sec. 27-~~194~~²⁰⁰. Judicial relief.

The city attorney may institute legal proceedings in a court of competent jurisdiction to seek all appropriate relief for violations of this article. The action may seek temporary or permanent injunctive relief, damages, penalties, costs, and any other relief, at law or equity, that a court may order.

| Sec. 27-~~195~~²⁰¹. Cumulative remedies.

The imposition of a single penalty, fine, or other sanction or remedy upon any person for a violation of this article shall not preclude (or be a prerequisite for) the imposition by the city or a court of competent jurisdiction of a combination of any or all of those sanctions and remedies or additional sanctions and remedies with respect to the same violation, consistent with applicable limitations on penalty amounts under state or federal laws or regulations. A criminal citation and prosecution of a criminal action against a person shall not be dependent upon and need not be held in abeyance during any civil, judicial, or administrative proceeding, conference, or hearing regarding the person.

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 17, 2013

TO: Honorable Mayor and City Councilmembers

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

SUBJECT: Request for Contract Renewal – Pavement Marking – PK Contracting

RECOMMENDATION: Approval of the renewal of the Pavement Marking contract with PK Contracting of Troy, Michigan, in the amount of \$54,990.00, and authorization for the Mayor and City Clerk to execute the appropriate contract renewal documents.

On August 16, 2011, City Council approved a Pavement Marking contract with PK Contracting of Troy, Michigan, subject to two one-year renewals. On August 14, 2012, City Council approved the first renewal of the contract.

Engineering requests a second renewal of the contract at the same unit prices and quantities as 2011. PK Contracting has agreed to the second renewal of the contract utilizing the existing contract prices. This will be paid from Major Street Traffic Services funds.

We are requesting that Renewal No. 2 of the Pavement Marketing contract with PK Contracting in the amount of \$54,990.00 be approved by City Council and the Mayor and City Clerk be authorized to execute the appropriate documents.

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

JHD/sms

C: Robert Dietz, Parking Manager/Engineering Assistant
Andrew J. Wrozek, Jr., City Treasurer/Clerk
Philip Hones, Purchasing Agent
Shelly Allard, Purchasing Coordinator
Lucinda Schultz, Accounting Manager



MAIN OFFICE

1965 Barrett Drive
Troy, MI 48084-5372
PHONE 248-362-2130
FAX 248-362-4969

September 9, 2013

TO: City of Jackson

ATTN: Bob Dietz

P.K. Contracting, Inc. agrees to perform Waterborne Pavement Markings in 2013 for the same unit prices as used in 2012. Pay items to include: 4" White, 4" Yellow, and 6" White. Total quantities in 2013 are to be same as 2012.

Please contact Matt Shea in our Troy office when ready for scheduling.

Thank you.

A handwritten signature in blue ink, appearing to read 'A Shea', is written over the typed name.

Aden Shea
Vice President



CITY COUNCIL MEETING
September 17, 2013

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Patrick H. Burtch, City Manager
Todd Knepper, Department of Public Works *TBK*

SUBJECT: Consideration of a request to approve the purchase of one (1) 2014 Ford F-350 cab and chassis, complete with a 2-3 yard dump body, for use by the Department of Public Works.

RECOMMENDATION: To purchase one (1) 2014 Ford F-350 cab, chassis and dump box from Gorno Ford, Woodhaven Michigan through the State of Michigan MiDeal contract #3958-0072D at a cost of \$39,474.00.

The Department of Public Works requests City Council approval to purchase one Ford F-350 dump truck to replace the current 1986 model year vehicle that is still used on a regular basis. The current vehicle is used to haul gravel, dirt, topsoil, debris, wood chips and other materials in the process of daily departmental function. This proposed purchase would allow an upgrade to the existing vehicle that is 28-years old and exhibiting increased maintenance costs while also maintaining proper functionality and effectiveness.

This expense is included in the approved 2013-2014 fiscal year motor pool budget.

GORNO FORD
22025 ALLEN ROAD
WOODHAVEN, MI 48183

DATE: 7/9/13

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

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

RE: MiDEAL #3958-0072D 2014MY FORD F-350 REG CAB, 4x2, 141"WB, 60"CA,
OXFORD WHITE/GRAY VINYL, 6.7L V8 DIESEL, 6spd.A/T, 4.10 LTD. SLIP,
LT245/70x17 AS, A/C, TILT/CRUISE, AM/FMw/CLOCK VINYL FLOOR,
14,000# 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, ¼ " 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, ½ " 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 \$36,525.00
(MSRP = \$49,659.00)

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 FACTORY 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.



CITY COUNCIL MEETING
September 17, 2013

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Patrick H. Burtch, City Manager
Todd Knepper, Department of Public Works *TSK*

SUBJECT: Consideration of a request to approve the purchase of one (1) heavy duty Ford F-550 cab and chassis for the Department of Public Works.

RECOMMENDATION: To purchase one (1) 2014 Ford F-550 4x4 cab and chassis from Gorno Ford of Woodhaven, Michigan through the State of Michigan MiDeal contract number 3958-0117D in the amount of \$41,793.00 for the Department of Public Works.

The Department of Public Works requests Council approval to purchase one (1) 2014 Ford F-550 4x4 cab and chassis from Gorno Ford of Woodhaven, Michigan through the State of Michigan MiDeal contract number 3958-0117D in the amount of \$41,793.00.

The truck will replace a 1999 model truck that is demonstrating increased maintenance and operational costs. An additional request for interchangeable equipment on this vehicle will ultimately make it more versatile throughout multiple facets of the department operations as opposed to purchasing multiple vehicles with individualized equipment.

This expense is included as part of the approved 2013-2014 fiscal year motor pool budget.

DATE: 7/9/13

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

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

RE: **MiDEAL #3958-0117D_{w/F-550 Upgrade} 2014MY FORD F-550 REG CAB, 4x4, DRW, 165"WB, 84"CA, OXFORD WHITE/GRAY VINYL, 6.7L V8 DIESEL, 6spd.A/T, 4.88 LTD. SLIP, LT225/70x19.5 TRACTION, DRW, A/C, TILT/CRUISE, AM/FMw/CLOCK, VINYL FLOOR, PAYLOAD + 19,500# GVWR PKG., DISC BRKS.w/ABS, AIRBAGS, ENGINE BLOCK HTR., HIGH CAP. TRLR. TOW MOLDED CAB STEPS, TRANS. PTO, X-H.D. ALT., SNOW PLOW PREP. PKG., DAYTIME RUNNING LIGHTS, MUD GUARDS, ROOF CLEARANCE LIGHTS, UPFITTER SWITCHES, REVERSE SAFETY BEEPER, SPARE TIRE/WHEEL, FRNT. TOW HOOKS**

F.O.B. DELIVERED TO JACKSON, MI \$40,404.00
(MSRP = \$51,075.00)

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

RECOMMENDED OPTIONS:

PWR. WINDOWS/LOCKS/Htd.MIRRORS	895.00
ELEC. SHIFT-ON-THE-FLY	185.00
ELEC. BRK. CNTRLR.	230.00
ALL-WEATHER H.D. RUBBER FLOOR MATS	79.00

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.



CITY COUNCIL MEETING
September 17, 2013

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Patrick H. Burtch, City Manager
Todd Knepper, Department of Public Works *TSK*

SUBJECT: Consideration of a request to purchase three (3) specialty truck attachments packages for the Department of Public Works.

RECOMMENDATION: To purchase a specialty truck package from Truck & Trailer Specialties through the State of Michigan MiDeal contract number 071B9200317 in the amount of \$56,021.00.

The Department of Public Works requests City Council approval to purchase three (3) specialty truck attachment packages from Truck & Trailer Specialties of Dutton, Michigan, through the State of Michigan MiDeal Contract in the amount of \$56,021.00. These packages would complete the Ford F-550 cab and chassis purchase from Gomo Ford.

These attachments include a hook loading system, which allows the mounted equipment to be attached or removed from a single truck chassis and instantly change the duty of the vehicle. One attachment is a 10-foot dump body that can be used to haul material such as sand, stone and debris. The second attachment is a flat bed, which can be used to haul bagged material, concrete forms and tools, palleted material and other supplies. The third attachment is a stainless steel v-box salt spreader that would be used for snow and ice removal, and being mounted on an F-550 chassis allows for it to be used in the parking decks and low bridge crossings in the downtown area.

This expense is included a part of the approved 2013-2014 fiscal year motor pool budget.

Truck & Trailer Specialties
6726 Hanna Lake
Dutton, Mi. 49316
Phone 616-698-8215, Fax 616-698-0972

July 3, 2013

City of Jackson

Attention: Chuck Parks and Greg Lucas

Chassis: 2014 F550 with 84" CA, diesel engine and PTO compatible automatic transmission.

Install Swaploader Model SL105 Hookloader

Install Central hydraulic system including the following

Muncie Hot Shift PTO

Direct mounted pump

6M4-12 control valve

Stainless steel valve enclosure

Install CS430 spreader controller

All necessary wiring and hook ups for V-box and pre-wet system

Switch console includes the following:

Hook Actuation

Jib

Pre-wet on/off switch

PTO with over ride switch

Utility section for future plow

Heads up display module includes the following

Jib up light

Low liquid light

Low oil light

PTO engaged light

Install low oil shut down switch with over ride system

30 gal hydraulic tank with sight glass

Low oil sensor in tank

Tank mounted return line oil filter

Ball valve shut offs on the tank

AW32 hydraulic oil

Stainless couplers for spreader and pre-wet with dust caps and plugs

All necessary hoses and fittings

Install Minimizer poly fender kit with mud flaps

Install Star model 255HTCL warning light on chassis cab roof

Install rear light bar including LED marker light kit with led stop/turn tail lights, and LED backup lights.

LED sander light at the rear

Install 3/4" hitch plate including the following

Receiver tube

7 way electric plug

D rings for safety chains

Installed \$30,365.00

Attachment 1

Install 10 ft. Crysteel dump body including the following

Skid assembly installed with steel roller kit at the rear

Dump body includes 16" sides, 22" tailgate, and a 32" front

Construction includes 10 ga. sides and ends with 7 ga. floor

Quick drop tailgate with 3 vertical ribs

Tarp bar retainer at rear

Top rail on sides are boxed

Install Roll Rite manually operated semi-automatic tarp system including a mesh type tarp cover and wind deflector.

Installed \$7,080.00

Attachment 2

Install 10 ft. flatbed attachment including the following

Hook and skid assembly

Flatbed includes a 3/16" tread plate deck

4" structural C channel cross members on 12" centers

6" structural C channel outside rail with stake pockets and outside tie rail

Rubber rollers install at the rear of the bed.

Front bulkhead with a 2" x 2" x 1/4" frame

Windows built into bulkhead with expanded metal screens

Body sand blasted and painted black

Installed \$5,080.00

Attachment 3

Install Monroe MD-120-50-38 type 201 stainless steel V box including the following:

Skid assembly with roller kit

7" auger with step flighting

Tip up spinner with winch

Stainless steel catwalks

LDS455 exhaust flow pre-wet system

Trough mounted spray nozzles/bar for pre-wet

Twin 35 gal liquid tanks

Bulk fill kit and flusher kit

Low liquid switch kit for low liquid shut down

Top screens installed on the V box

Truck & Trailer Specialties
6726 Hanna Lake
Dutton, Mi. 49316
Phone 616-698-8215, Fax 616-698-0972

Stainless steel pipe kit plumbed down the side of the V box to the front with stainless steel hydraulic couplers for disconnect

All necessary wiring extended to the front for disconnect

Application rate sensor on auger motor included

Installed \$13,496.00

Chassis requirements

84" CA

Diesel engine with automatic transmission with PTO enabled option

Accessory switch option-(for flashers and work lights)

Submitted by Dan Bouwman and Tom Giles

07/03/13



CITY COUNCIL MEETING
September 17, 2013

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Patrick H. Burtch, City Manager
Todd Knepper, Department of Public Works *BK*

SUBJECT: Consideration of a request to approve the purchase of miscellaneous brass water fittings for use in the repair and maintenance of the water distribution system in accordance with "No Lead Rule" portion of the Safe Drinking Water Act.

RECOMMENDATION: To purchase miscellaneous brass water fittings from ETNA Supply of Grand Rapids, Michigan in the amount of \$109,114.00.

On August 21, 2013, the Purchasing Department received bids for brass fittings to be used by the water department. These fittings must comply with the "No Lead Rule" that was signed into law in 2011 and is set to take effect January 4, 2014. This rule states that brass fittings must contain 0.09% or less total lead by weight. Up to this time, the department has been using existing inventory, but after January 4, any existing fittings that do not meet this new rule are not allowed for use in drinking water systems.

Three companies submitted bids, and only the ETNA bid was complete with pricing for each requested piece. In a typical year, we do not purchase this much material all at once, but given the fact that remaining pieces cannot be used, we must establish a new inventory to be prepared for necessary repair and maintenance work.

This expense was approved and included as part of the 2013-2014 fiscal year water department budget.

Below are some specific highlights regarding the new rule. If anyone has questions regarding this proposed purchase, please contact us.

-
- All fittings and valves shall be manufactured in accordance with AWWA Standard C-800, latest revision, and as further specified in these technical specifications.
 - Exception: Any brass part of the fitting or valve in contact with potable water shall be made of a "No-Lead Brass", defined for this specification as UNS Copper Alloy No. C89520 or C89833 in accordance with the chemical and mechanical requirements of ASTM B584 and AWWA C-800.
 - This "No-Lead Brass" alloy shall not contain more than nine one hundredths of one percent (0.09% or less) total lead content by weight.

- Any Brass part of the fitting or valve not in contact with potable water shall be made of 85-5-5 brass as defined for this specification as UNS Copper Alloy C83600 per ASTM B62, ASTM B584 and AWWA C-800.
- All brass fittings and valves shall be certified by an ANSI accredited test lab per NSF/ANSI Standard 61, Drinking Water Components – Health Effects, Section 8 or NSF/ANSI Standard 372, Drinking Water System Components – Lead Content. Proof of certification is required.
- Brass fittings and valves shall comply with the United States Of America Safe Drinking Water Act, and the U.S. Environmental Protection Agency.
- All brass fittings and valves shall have the manufacturers name or trademark permanently stamped or cast on it. Another marking identifying the “no lead” brass alloy, e.g., ‘NL’, shall be cast or permanently stamped on the fitting or valve.



**BID TABULATION FOR
BRASS FITTINGS
WEDNESDAY, AUGUST 21, 2013, 10:00 AM**

			SLC Meter LLC 10375 Dixie Highway Davisburg, MI 48350		Michigan Pipe & Valve 3604 Page Avenue Jackson, MI 49203		Etna Supply 529 32nd Street SE Grand Rapids, MI 49548	
ITEM	MUELLER CODE	QTY.	ITEM PRICE	ITEM TOTAL	ITEM PRICE	ITEM TOTAL	ITEM PRICE	ITEM TOTAL
3/4" Corporation 3/4" CC x 3/4" Copper Flare	H-15000 3/4"	30	21.61	648.30	25.00	750.00	23.05	691.50
1" Corporation 1"CC x 1" Copper Flare	H-15000 1"	50	33.02	1,651.00	37.00	1,850.00	35.25	1,762.50
1 1/2" Corporation 1 1/2"CC x 1 1/2" Copper Flare	H-15000 1 1/2"	20	101.28	2,025.60	109.00	2,180.00	108.10	2,162.00
2" Corporation 2" CC x 2" Copper Flare	H-15000 2"	20	176.92	3,538.40	190.00	3,800.00	188.90	3,778.00
3/4" Curbstop Copper Flare x Copper Flare	B-25204 3/4"	20	47.68	953.60	53.00	1,060.00	50.90	1,018.00
1" Curbstop Copper Flare x Copper Flare	B-25204 1"	100	65.82	6,582.00	72.00	7,200.00	70.30	7,030.00
1 1/2" Curbstop Copper Flare x Copper Flare	B-25204 1 1/2"	20	159.92	3,198.40	171.00	3,420.00	170.75	3,415.00
2" Curbstop Copper Flare x Copper Flare	B-25204 2"	20	261.77	5,235.40	281.00	5,620.00	279.50	5,590.00
3/4" Curbstop FIP x FIP	B-20283 3/4"	100	36.55	3,655.00	40.00	4,000.00	39.00	3,900.00
1" Curbstop FIP x FIP	B-20283 1"	50	56.80	2,840.00	62.00	3,100.00	60.65	3,032.50
1 1/2" Curbstop FIP x FIP	B-20283 1 1/2"	20	116.33	2,326.60	125.00	2,500.00	124.25	2,485.00
2" Curbstop FIP x FIP	B-20283 2"	10	175.09	1,750.90	183.00	1,830.00	181.65	1,816.50
1" Curbstop Copper Flare x 3/4" FIP	B-25174 1"x3/4"	100	48.50	4,850.00	53.00	5,300.00	56.90	5,690.00
1" Curbstop Copper Flare x FIP	B-25174 1"	50	61.03	3,051.50	67.00	3,350.00	65.15	3,257.50
1 1/2" Curbstop Copper Flare x FIP	B-25174 1 1/2"	20	138.16	2,763.20	149.00	2,980.00	147.50	2,950.00
2" Curbstop Copper Flare x FIP	B-25174 2"	10	202.86	2,028.60	218.00	2,180.00	216.60	2,166.00
3/4" Quarter Bend Swivel Copper Flare x Copper Flare	H-15069 3/4"	10	18.80	188.00	21.00	210.00	20.05	200.50
1" Quarter Bend Swivel Copper Flare x Copper Flare	H-15069 1"	20	26.53	530.60	30.00	600.00	28.30	566.00
1 1/2" Quarter Bend Swivel Copper Flare x Copper Flare	H-15069 1 1/2"	10	77.69	776.90	84.00	840.00	82.90	829.00
2" Quarter Bend Swivel Copper Flare x Copper Flare	H-15069 2"	10	136.11	1,361.10	147.00	1,470.00	145.30	1,453.00

3/4" Copper Union Copper Flare x Copper Flare	H-15405 3/4"	50	10.54	527.00	14.00	700.00	11.25	562.50
3/4" x 1" Copper Union Copper Flare x Copper Flare	H-15400 3/4" x 1"	50	17.72	886.00	20.00	1,000.00	18.90	945.00
1" Copper Union Copper Flare x Copper Flare	H-15405 1"	50	16.32	816.00	24.00	1,200.00	17.40	870.00
1 1/2" Copper Union Copper Flare x Copper Flare	H-15405 1 1/2"	20	39.34	786.80	69.00	1,380.00	45.90	918.00
2" Copper Union Copper Flare	H-15405 2"	20	76.06	1,521.20	111.00	2,220.00	81.15	1,623.00
3/4" Coupling Copper Flare x MIP	H-15425 3/4"	100	9.47	947.00	12.00	1,200.00	10.10	1,010.00
3/4" Coupling Copper Flare x 1" MIP	H-15425 3/4" x 1"	50	10.90	545.00	13.00	650.00	11.60	580.00
1" Coupling Copper Flare X MIP	H-15425 1"	50	13.52	676.00	16.00	800.00	14.40	720.00
1" Coupling Copper Flare x 3/4" MIP	H-15425 1" x 3/4"	50	14.45	722.50	17.00	850.00	15.40	770.00
1 1/2" Coupling Copper Flare x MIP	H-15425 1 1/2"	20	41.70	834.00	46.00	920.00	44.50	890.00
2" Coupling Copper Flare x MIP	H-15425 2"	20	76.55	1,531.00	83.00	1,660.00	81.70	1,634.00
3/4" Coupling Copper Flare x FIP	H-15450 3/4"	100	9.35	935.00	11.00	1,100.00	9.95	995.00
1" Coupling Copper Flare x FIP	H-15450 1"	50	14.32	716.00	17.00	850.00	15.25	762.50
1" Coupling Copper Flare x 3/4" FIP	H-15450 1" x 3/4"	50	14.34	717.00	15.00	750.00	13.75	687.50
1 1/2" Coupling Copper Flare x FIP	H-15450 1 1/2"	20	38.40	768.00	42.00	840.00	40.95	819.00
2" Coupling Copper Flare x FIP	H-15450 2"	20	72.32	1,446.40	79.00	1,580.00	77.75	1,555.00
5/8" Coupling (XS) Lead Flare x 3/4" MIP	H-10051 5/8" x 3/4"	150		0.00	22.00	3,300.00	15.20	2,280.00
3/4" Coupling (XS) Lead Flare x 3/4" MIP	H-10051 3/4"	150	17.69	2,653.50	27.00	4,050.00	21.20	3,180.00
1" Coupling (XS) Lead Flare x 1" MIP	?	50		0.00	0.00	0.00	30.75	1,537.50
5/8" Coupling (XS) Lead Flare x 3/4" FIP	H-10050 5/8" x 3/4"	150	16.83	2,524.50	18.00	2,700.00	14.90	2,235.00
3/4" Coupling (XS) Lead Flare x 3/4" FIP	H-10050 3/4" x 3/4"	150	17.59	2,638.50	24.00	3,600.00	28.35	4,252.50
1" Coupling (XS) Lead Flare x 1" FIP	H-10050 1"	50	20.45	1,022.50	30.00	1,500.00	32.60	1,630.00
1 1/2" Coupling (XS) Lead Flare x 1 1/2" FIP	H-10050 1 1/2"	50		0.00	64.00	3,200.00	66.40	3,320.00
5/8" Coupling (XS) Lead Flare x 3/4" Copper Flare	H-15506 5/8" x 3/4"	150	21.21	3,181.50	25.00	3,750.00	20.10	3,015.00
3/4" Coupling (XS) Lead Flare x 3/4" Copper Flare	H-15506 3/4" x 3/4"	150	24.46	3,669.00	28.00	4,200.00	25.40	3,810.00

1" Coupling (XS) Lead Flare x 1" Copper Flare	?	100	39.57	3,957.00	0.00	0.00	31.95	3,195.00
5/8" Coupling (XS) Lead Flange x 3/4" Copper Flare	H-15505 5/8" x 3/4"	50	22.35	1,117.50	18.00	900.00	24.10	1,205.00
3/4" Coupling (XS) Lead Flange x 3/4" Copper Flare	H-15505 3/4" x 3/4"	50	24.09	1,204.50	18.00	900.00	26.00	1,300.00
1" Coupling (XS) Lead Flange x 1" Copper Flare	H-15505 1"	50	34.47	1,723.50	29.00	1,450.00	37.20	1,860.00
1 1/2" Coupling (XS) Lead Flange x 1 1/2" Copper Flare	H-15505 1 1/2"	20		0.00	146.00	2,920.00	152.75	3,055.00
2" Coupling (XS) Lead Flange x 2" Copper Flare	H-15505 2"	20		0.00	153.00	3,060.00	159.50	3,190.00
Lead Flange x 3/4" Copper Flare	H-15515 5/8" x 3/4"	10		0.00	20.00	200.00	20.10	201.00
Lead Flange x 3/4" Copper Flare	H-15515 3/4" x 3/4"	10		0.00	28.00	280.00	28.50	285.00
Lead Flange x 1" Copper Flare	H-15515 1"	10		0.00	42.00	420.00	42.85	428.50
				88,022.00		108,370.00		109,114.00



CITY COUNCIL MEETING
September 17, 2013

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Patrick H. Burtch, City Manager
Todd Knepper, Department of Public Works *BK*

SUBJECT: Consideration of a request to approve the purchase of one 2013 Caterpillar 430F ACR Loader Backhoe for use in the Water and Public Works Departments.

RECOMMENDATION: To purchase one 2013 model year Caterpillar 430 F ACR backhoe loader from Michigan Cat through the State of Michigan MiDeal contract number 071B1300092 in the amount of \$100,548.00.

The Department of Public Works requests Council approval to purchase one Caterpillar 430F backhoe loader from Michigan CAT through the State of Michigan MiDeal Contract in the amount of \$100,548.00. This purchase cost includes a 6-year, 6,000-hour extended warranty on the powertrain and hydraulic system.

This loader backhoe would replace a 1986 John Deere backhoe that has only been used as a back-up unit in the case of emergencies due to its age and condition. This backhoe would be used to excavate water main breaks, water service line installations, sewer repairs and other miscellaneous departmental work.

This expense was approved and included as part of the 2013-2014 fiscal year water department budget.



Corporate
Headquarters
24800 Novi Road
PO Box 918
Novi, MI 48375-0918

August 19, 2013

City of Jackson

Dear Gentlemen,

We are pleased to quote the following for your consideration:

(1) Caterpillar 430F ACR Backhoe Loader, 2013 model, Unit# 3507, S/N ORDF00442.

The following factory and dealer options are included:

- * Belt, Seat, 2" Suspension,
- * Bucket-gp, 1.5 Cyd,
- * Bucket-hd, 24", 6.2 Cft,
- * Cold Weather Package, 120v Hrc,
- * Counterweight, 1070 Lbs,
- * Cutting Edge, Two Piece, wide,
- * Engine, 86kw, C4.4 Dita, T4i,
- * Fenders, Front,
- * Plate Group - Boom Wear,
- * Protection, ship&store Standard,
- * Pt, 4wd, Std Shift,
- * Stabilizer Pads, Flip-over,
- * Stick, Extendable, 16ft,
- * Storage, Gp-box,
- * Hydraulics, Gp, 6fcn/8bnk, St,
- * Serialized Technical Media Kit,
- * Cab, Deluxe, Ac,
- * Ride Control,
- * Tires, 4wd, Bias, Firestone,
- * 30" hd backhoe bucket

* Warranty: Base Warranty is 12 Months/Unlimited Hrs. with 6 Months Mileage.

MIDEAL Cash Sale Price: \$96,503.00 plus \$ _____ for extra lights

Optional: Extended Powertrain & Hydraulic warranty for 6 years or 6,000 hours... ADD \$ 4,045.00
Optional: Extended Premier Warranty for 6 years or 6,000 hours..... ADD \$14,057.00
(Either choice is whichever occurs first)

We believe the equipment as quoted will exceed your expectations. On behalf of Michigan CAT, thank you for the opportunity to quote Caterpillar machinery.

Sincerely,

Jay Johnson
Account Representative
(517) 281-9384

'This proposal is good for 30 days / machine subject to availability'



CITY COUNCIL MEETING
September 17, 2013

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Patrick H. Burtch, City Manager
Todd Knepper, Department of Public Works *TK*

SUBJECT: Consideration of a request to approve the purchase of one Caterpillar 930K Wheel Loader for use at the Wastewater Treatment Plant.

RECOMMENDATION: To purchase one Caterpillar 930K wheel loader from Michigan Cat through the State of Michigan MiDeal contract number 071B1300092 in the amount of \$173,445.00.

The Department of Public Works requests Council approval to purchase one Caterpillar 930K wheel loader from Michigan CAT through the State of Michigan MiDeal Contract in the amount of \$173,445.00.

This purchase cost includes a 6-year, 6,000-hour extended warranty on the powertrain and hydraulic system, as well as a \$15,000.00 trade-in allowance for the existing 1990 Fiat-Allis wheel loader that has outlasted its useful life expectancy following 13 years of service. Fiat-Allis loaders are no longer manufactured, and repair parts are becoming extremely difficult to locate. These wheel loaders are used to handle biosolids as well as other products and materials at the wastewater treatment facility.

This expense was approved and included as part of the 2013-2014 fiscal year wastewater treatment plant budget.



Corporate
Headquarters
24800 Novi Road
PO Box 918
Novi, MI 48375-0918

August 20, 2013

City of Jackson

Dear Gentlemen,

We are pleased to quote the following for your consideration:

(1) Caterpillar 930k Wheel Loader, Unit# N.I.S., S/N **Factory Order**.
The following factory and dealer options are included:

- * Hyd,2v,coupler Ready,std Lift,
- * Weather, Cold Start 120V,
- * Cab, Deluxe,
- * Seat, Deluxe,
- * Radio, Cd Player,
- * Tires, 20.5r25 Xtla L2, Mi,
- * Counterweight, Heavy (930k),
- * Camera, Rear View,
- * Lights, Aux, Halogen / Halogen,
- * Toolbox Group,

* Warranty: Base Warranty is 12 Months/Unlimited Hrs. with 6 Months Mileage.

MIDEAL Cash Sale Price:	\$163,981.00
JRB coupler, bucket & forks....	ADD \$ 17,030.00
Optional ride control when ordered from factory on machine...	ADD \$ 2,639.00

Optional: Extended Powertrain & Hydraulic warranty for 6 years or 6,000 hours... ADD \$ 4,795.00

Optional: Extended Premier Warranty for 6 years or 6,000 hours..... ADD \$ 7,614.00

(Either choice is whichever occurs first)

Trade – Fiat Allis FR 15 SN# 595830 Deduct \$ 15,000

We believe the equipment as quoted will exceed your expectations. On behalf of Michigan CAT, thank you for the opportunity to quote Caterpillar machinery.

Sincerely,

Jay Johnson
Account Representative
(517) 281-9384

*This proposal is good for 30 days

1-888-MICH CAT

www.michigancat.com

Novi • Shelby Twp. • Grand Rapids • Saginaw • Lansing
Kalkaska • Brownstown Twp.



CITY COUNCIL MEETING

September 17, 2013

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Patrick H. Burtch, City Manager
Todd Knepper, Department of Public Works *TK*

SUBJECT: Consideration of a request to approve a contract with Dixon Engineering and Inspection Services to provide inspection services on the 7.5 million gallon ground storage tank painting project at a cost of \$29,920.00 and authorize the Mayor and City Treasurer/Clerk to execute the agreement.

RECOMMENDATION: To approve a contract with Dixon Engineering and Inspection Services to provide inspection services on the 7.5 million gallon ground storage tank painting project at a cost of \$29,920.00 and authorize the Mayor and City Treasurer/Clerk to execute the agreement.

On August 13, 2013 City Council awarded a water storage tank painting contract to LC United Painting, and have now provided the City with a tank painting schedule. LC United Painting has chosen to begin work on the 7.5 million gallon ground storage tank located on the grounds of the water treatment plant.

Dixon Engineering and Inspection Services has conducted all previous tank inspection and maintenance reports for the City, and relying on this experience and information, have provided the City with the following contract proposal for inspection services on this painting project. The inspections will be conducted to maintain proper surface preparation followed by painting of the interior and exterior of the ground storage tank.

The funds for this service are included in the approved 2013-2014 Department of Public Works-Utility Division budget.



DIXON

ENGINEERING AND
INSPECTION SERVICES
FOR THE COATING INDUSTRY

1104 Third Avenue
Lake Odessa, MI 48849
Telephone 1-616-374/3221
Fax 1-616-374/7116

September 4 2013

Mr. Todd Knepper
Public Utilities Director
City of Jackson
515 Water Street
Jackson, MI 49203

Subject: Proposal for 7,500,000 Gallon Reservoir Water Storage Tank

Dear Mr. Knepper,

Enclosed is a proposal for the City's water storage tank. I have proposed 45 days as the contractor will be holding his blast for a couple of days on the inside surfaces prior to priming. The intent is to inspect all surfaces prior to priming on the interior.

Our proposal is divided into a Proposal/Cover Page, Schedule A, B, and C. The Cover Page proposes a not-to-exceed fee. Schedule A details the services provided by our firm and services to be provided by your personnel. Schedule B explains the fees for providing the services outlined in Schedule A. Schedule C is engineering fees for additional work, if necessary. Please sign and return both copies, Dixon will sign both copies and return one copy for your record.

We appreciate the opportunity to submit this proposal. If I can be of any further service to you, or answer questions, please feel free to call me at 616-374-3221 X 310.

FOR DIXON ENGINEERING, INC.,

Thomas Rounds

Members: Steel Structures Painting Council
American Water Works Association
Consulting Engineers Council



DIXON

ENGINEERING AND
INSPECTION SERVICES
FOR THE COATING INDUSTRY

1104 Third Avenue
Lake Odessa, MI 48849
Telephone 1-616-374/3221
Fax 1-616-374/7116

**Proposal/Contract Agreement
for Steel Reservoir
7,500,000 Gallon Steel Ground Reservoir, #22-38-04-01**

The agreement is between Dixon Engineering, Inc. (DIXON) and the City of Jackson, Michigan (OWNER) to contract with DIXON for technical services for the 7,500,000 Gallon Steel Ground Reservoir (Project). This agreement inclusive together with any expressly incorporated appendix or Schedule constitutes the entire agreement between Owner and Engineer and supersedes all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

1.01 BASIC AGREEMENT

DIXON shall provide, or cause to be provided, services detailed in Scope of Services and OWNER agrees to pay DIXON as compensation for their services the fee/lump sum of Twenty Nine Thousand, Nine Hundred, and Twenty dollars (\$29,920.00). Terms of charges and payments per details in Schedule B. (Prices quoted are subject to change 90 days after proposal date, if not contracted.)

2.01 SCOPE OF SERVICES

Project Administration, Pre-Construction Meeting, Surface, and Paint Preparation Inspection Services per Schedule A

3.01 SIGNATURES

Thomas Rounds, Project Manager September 4, 2013
PROPOSED by DIXON (Not a contract until approved by an officer) PROPOSAL DATE

CONTRACT APPROVED by OWNER POSITION DATE

CO SIGNATURE (if required) POSITION DATE

CONTRACT APPROVED by DIXON OFFICER EFFECTIVE CONTRACT DATE

SCHEDULE A
7,500,000 Gallon Steel Ground Reservoir, #22-38-04-01
Jackson, Michigan

1104 Third Avenue
Lake Odessa, MI 48849
Telephone 1-616-374/3221
Fax 1-616-374/7116

I. Project Administration:

1. Project administration for the purpose of coordinating the inspection program, local inspector assistance, secretarial services, shop drawing review, and project finalization.
2. Review contractor's Schedule of Values and work schedule.
3. Review shop drawings for compliance with technical specifications.
4. DIXON shall record a written record of all Project meetings with the Owner. Meeting minutes shall be submitted to the Owner not more than 10 days after the meeting.
5. Perform services expected of Engineer and detailed in the EJCDC General Conditions.

II. Pre-construction Meeting:

1. Attend a pre-construction meeting, and distribute minutes to major participants. Topics of discussion will include contractor's:
 - a. emergency response plan,
 - b. responsibilities to the Owner,
 - c. responsibilities to her/his workers,
 - d. responsibilities to the public
 - e. inspection start time
 - f. inspection schedule
 - g. liquidated damages
2. Contractor will have submittals which are to be submitted 10 days prior to the pre-construction meeting. Some of these include: Contractor's schedule, ventilation, fall prevention, confined space, waste hauler certifications, welder certifications, etc. These will be reviewed prior to meeting and only deficiencies discussed.

III. Critical Phase Inspection Services:

A. Wet Interior – Painting:

1. Set standard for interior abrasive cleaning and examine surface profile created
2. Inspect interior abrasive blast cleaning for thoroughness, surface profile, and compliance with specifications, prior to application of the succeeding paint coat.
3. Inspect the interior primer coat for uniformity, coverage, and dry film thickness, prior to application of the succeeding paint coat.
4. Inspect the interior intermediate coating uniformity, coverage, dry film thickness, and holiday detection, prior to application of the succeeding paint coat.
5. Inspect the interior stipe coat for uniformity, coverage, and thoroughness.

6. Inspect the interior topcoat for uniformity, coverage, performance, and dry film thickness for compliance with specifications. Examine the overall project for possible damage caused by equipment removal. Inspect the application of top coats/installation of screens, light bulbs, etc.

B. Exterior – Painting:

1. Set the standard for exterior water blast cleaning, examine surface profile and feathering created for compliance with specifications.
2. Inspect exterior high pressure water cleaning for thoroughness and compliance with specifications, and set a standard for spot tool cleaning (SP-11) or abrasive blast cleaning.
3. Inspect exterior abrasive blast cleaning for thoroughness, surface profile, and compliance with specifications. The exterior binder coat will be inspected for uniformity, coverage, and dry film thickness prior to application of the succeeding paint coat.
4. Inspect the exterior prime coating for uniformity, coverage, and dry film thickness prior to application of the succeeding paint coat.
5. Inspect the exterior intermediate epoxy coating for uniformity, coverage, and dry film thickness prior to application of the succeeding paint coat.
6. Inspect the exterior intermediate urethane coating for uniformity, coverage, and dry film thickness prior to application of the succeeding paint coat.
7. Inspect the exterior topcoat for uniformity, coverage, performance, and dry film thickness for compliance with specifications. Examine the overall project for possible damage caused by equipment removal. Inspect the application of top coats/installation of screens, light bulbs, etc.

C. Pit Piping – Painting:

1. Inspect the abrasive blast cleaning of the pit piping, examine surface profile, and cleanliness for compliance with specifications.
2. Inspect the pit piping primer coat for uniformity, coverage, and dry film thickness, prior to application of the succeeding paint coat.
3. Inspect the interior stipe coat for uniformity, coverage, and thoroughness.
4. Inspect the pit piping topcoat for uniformity, coverage, performance, and dry film thickness for compliance with specifications. Examine the overall project for possible damage caused by equipment removal. Review all contract items to assure they have been completed according to contract requirements.

D. Project Finalization

1. Formulate a punch list of items to complete.
2. Finalize the project to assure all items in the contract specifications have been completed, and the quality of workmanship meets contract requirements.

IV. Inspection Services:

1. Review contractor's crew size and equipment for ability to meet specification requirements and time constraints.
2. Review abrasive and coating materials for approved manufacturers.
3. Inspect compressed air at blast nozzle for cleanliness (i.e. oil, moisture).
4. Measure surface profile created by abrasive blast cleaning by compressive tape or surface comparator.
5. Inspect abrasive blast cleanliness for specification requirements using SSPC Visual Standards, latest edition thereof.
6. Review coating mixing, thinning, and manufacturer's application requirements.
7. Monitor environmental conditions prior to and during coating application (i.e. ambient temperature, surface temperature, relative humidity, and dew point).
8. Inspect applied coating for dry film thickness, coverage, uniformity, holidays, and cure.
9. Collect appropriate samples for pre-disposal laboratory testing.
10. Prepare daily inspection report detailing above mentioned items and daily progress.

SCHEDULE B
7,500,000 Gallon Steel Ground Reservoir, #22-38-04-01
Jackson, Michigan

1. Compensation for Schedule A, Item I, project administration, shall be the time and material fee of **\$300.00**. Payment due as project progresses.
2. Compensation for Schedule A, Item II, participation at the pre-construction meeting shall be the lump sum fee of **\$550.00**, and will include preparation and travel time.
3. DIXON will provide daily inspection services as outlined in Schedule A, Item III, and IV, inspection Services. Compensation for these services is **\$29,070.00**, estimated using an average of 6 hours on-site daily. This time frame will vary based on contractor speed, contractor activity, complexity of individual inspection, and environmental or neighbor concerns. This estimate is based on a Level II Inspector. All fees are time and material per Schedule C. DIXON will notify the Owner bi-weekly of the "ESTIMATED" remaining budget, and will advise if a change in fees or scope of services is necessary. The fee and scope of services are negotiable between DIXON and the Owner.

Typical inspection schedule and associated rates:

Daily Inspection:

Travel time 2 hrs. @ \$65.00/hr.	=	\$130.00
Inspection time 6 hrs. @ \$65.00/hr.	=	390.00
Mileage 140 miles @ \$0.55/mile	=	77.00
Secretarial 0.5 hrs. @ \$48.00/hr.	=	24.00
Project Management 0.25 hrs. @ \$100.00/hr.	=	<u>25.00</u>
Total Estimated Daily Fee:	=	\$646.00

Estimated Daily Fee	\$646.00	
Project Length	x <u>45</u>	days
Total Inspection Fee	\$29,070.00	

4. DIXON reserves the right to adjust individual inspection line items as necessary based on the Contractor's performance and pace of work. The total fees for Schedule B will not be exceeded without prior approval from the Owner.
5. Invoices will be compiled after the 20th of the month and shall include from the 20th of the preceding month to the 20th of the invoiced month. Bimonthly invoicing will be completed on larger projects, or at the Owner's request.
6. All DIXON service invoices which are paid within ten (10) days of date of issue shall be discounted (Owner's favor) one percent (1%).
7. All DIXON service invoices which are outstanding more than sixty (60) days from date of issue shall be assessed (DIXON's favor) one and one half percent (1½%) per month interest from date thirty days after date of issue.

8. Delay in completing the work which is the responsibility of the Owner and which extends the amount of time required for DIXON to complete their work shall be considered an additional service, and DIXON shall be compensated for this delay under the provisions of Schedule C of the contract.
9. Failure by the Contractor to notify DIXON of the necessity to change inspection dates more than twenty-four hours in advance and which results in unnecessary travel and/or expense to DIXON shall cause this travel and expense to be considered an additional service, and DIXON shall be compensated for travel and/or expense under the provisions of Schedule C of the contract.
10. Requests for attending council meetings shall be forthcoming from the Owner in writing unless other arrangements are made between the Owner and DIXON. Attendance of council meetings shall be considered an additional service and DIXON shall be compensated under the provisions of Schedule C of the Contract.

SCHEDULE C
Indiana, Michigan, & Wisconsin
Engineering Services Fees

<u>Labor Class</u>	<u>Per Hour</u>	<u>*Overtime Rate</u>
Principal.....	\$175.00	
Expert Witness (Office, Travel & Court).....	\$185.00	
Project Manager.....	\$100.00	
Registered Professional Engineer.....	\$100.00	
Certified NACE Inspector.....	\$90.00	
Assistant Project Manager.....	\$80.00	
Staff Engineer – Level III.....	\$72.00 to \$85.00	
Staff Engineer – Level II.....	\$67.00 to \$80.00	
Staff Engineer – Level I.....	\$62.00 to \$75.00	
CAD Supervisor.....	\$65.00 to \$75.00	
CAWI or CWI Welding Inspector.....	\$67.00 to \$85.00	
Inspector – Level III.....	\$63.00 to \$80.00	
Inspector – Level II.....	\$60.00 to \$75.00	
Inspector – Level I.....	\$55.00 to \$70.00	
CAD Technician.....	\$60.00 to \$70.00	
Secretarial Services.....	\$48.00 & expenses	
Bookkeeping Services.....	\$44.00	
Project Status Meetings w/Project Engineers and Council or Board Meetings.....	Time and Expenses, Including Preparation Time	

*All Saturday, Sunday, and holiday inspections are overtime rate. Overtime rate is 1 ½ time the hourly rate. Overtime rate does not apply to Principal.

Expenses:

	<u>Metropolitan</u>	<u>Out – state</u>
Mileage.....	\$0.70/mile (including tolls)	\$0.55/mile
Meals & Lodging,	\$125 per diem <i>(may be increased based on location)</i>	\$135 per diem
Without Lodging.....	\$35/day	\$30/day
Air Travel.....	Business fare from Grand Rapids Chicago O'Hare or Milwaukee, plus full size car rental	
Material (gaskets, cathodic protection caps, etc.).....	Negotiated	

FEES EFFECTIVE THROUGH JUNE 30, 2014

Revised 08/12

4.01 ADDITIONAL SERVICES

- A. If additional services are **Requested and Authorized** by the OWNER which are not within the proposed Scope of Services (Schedule A) or because of changes in the Project, these additional services will be on a time and material basis per fee schedule of attached SCHEDULE C.
- B. **Delay by the Owner** in completing the work, which is their responsibility per Schedule A (Owner) and which extends the amount of time required for DIXON to complete their work, will be charged as an Additional Service.
- C. **Failure by the Owner to notify DIXON** of the necessity to change inspection dates more than twenty-four (24) hours in advance and which results in unnecessary travel and/or expense to DIXON shall cause this travel and expense to be charged as Additional Service.

5.01 Termination

- A. The obligation to provide further services under this Agreement may be terminated:
 - 1. For cause,
 - a. By either party upon thirty (30) days written notice in the event of substantial failure by the other party to perform in accordance with the Agreement's terms through no fault of the terminating party. Agreement will not terminate as a result of substantial failure under paragraph 5.01.A.1.a if the party receiving such notice begins, within seven (7) days of receipt of such notice, to correct its failure and proceeds diligently to cure such failure within no more than thirty (30) days of receipt of notice; provided, however, that if and to the extent such substantial failure cannot be reasonably cured within such thirty (30) day period, and if such party has diligently attempted to cure the same and thereafter continues diligently to cure the same, then the cure period provided for herein shall extend up to, but in no case more than, sixty (60) days after the date of receipt of the notice.
 - b. By DIXON upon seven days written notice:
 - 1) If Owner fails to pay invoices by 60 days.
 - 2) Upon seven (7) days written notice if the DIXON's services for the Project are delayed or suspended for more than ninety (90) days for reasons beyond DIXON's control.
 - 3) If DIXON believes that Engineer is being requested by Owner to furnish or perform services contrary to engineer's responsibilities as a licensed professional.
 - 4) DIXON shall have no liability to Owner on account of such termination.
 - 2. For Convenience,
 - a. By OWNER effective upon the receipt of notice by DIXON.
- B. The terminating party may set the effective date of termination at a time up to thirty (30) days later to allow Engineer to demobilize personnel and equipment from the Project site, to complete tasks whose value would otherwise be lost, to prepare notes as to the status of completed and uncompleted tasks, and to assemble Project materials in orderly files.

6.01 Controlling Law

- A. This Agreement is to be governed by the law of the state in which the Project is located.

7.01 Successors, Assigns, and Beneficiaries

- A. OWNER and DIXON and their successors are hereby bound to successors and legal representatives of the other to the extent permitted by law in respect of all covenants, agreements, and obligations of this Agreement.
- B. Neither OWNER nor DIXON may assign, sublet, or transfer any rights under or interest (including, but without limitation, moneys that are due or may become due) in this Agreement.

8.01 General Considerations

- A. The **Standard of Care** for all professional engineering and related services performed or furnished by DIXON under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. DIXON makes no warranties, expressed or implied, under this Agreement or otherwise, in connection with DIXON's services. DIXON and its consultants may use or rely upon the design services of others, including, but not limited to, contractors, manufacturers, and suppliers.
- B. DIXON shall **Not** at any time **Supervise**, direct, or have control over any of the **Owner's** work, nor shall DIXON have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected or used by Owner, for safety precautions and programs incident to owner's performance of Schedule A (Owner's).
- C. All **Design Documents** prepared or furnished by DIXON are instruments of service, and DIXON retains an ownership and property interest (including the copyright and the right of reuse) in such documents, whether or not the Project is completed.
- D. DIXON agrees to defend, **Indemnify**, and hold harmless the Owner, its officers, agents, and employees, from and against legal liability for all claims, losses, damages, or expenses to the extent such claims, losses, damages, or expenses are caused by Engineer's negligent or intentional acts, errors, or omissions. Limits of liability for negligence are based on the comparative negligence principle.
- E. The parties acknowledge that DIXON's scope of services does not include any services related to a **Hazardous Environmental Condition** (the presence of asbestos, PCBs, petroleum, hazardous substances or waste, and radioactive materials). DIXON acknowledges that some hazardous metals may be encountered in coatings.

8.02 Severability

- A. If any clause or paragraph or sentence is found to be in opposition to any law in the state of the Project, that clause or paragraph or sentence may be severed from the Agreement with no effect on remaining clauses.

8.03 Headings

- A. Article and paragraph headings are inserted for convenience only and do not constitute parts of these General Conditions. Words in the first sentence are in bold to act as secondary headings and should not be interpreted any different than a numbered heading.



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 17, 2013

TO: Honorable Mayor Griffin and City Councilmembers
FROM: Patrick Burtch, City Manager
SUBJECT: Waiver of Five (5) Year Rule between Emergency Hazard Loans

RECOMMENDATION:

Waive the five (5) year limitation for emergency hazard assistance to allow a second emergency hazard loan at 332 E High Street.

The owner of the residential property at 332 E High Street received an Emergency Hazard loan in May 2011 for replacement of a sewer line and water heater. The homeowner has now experienced a failure of the lead water service line outside the house foundation wall. City staff has contacted the original plumbing contractor who denies any responsibility for unintentionally damaging the water line during the excavation of the sewer line. In any event, the homeowner at this address is in need of an emergency repair to the water line.

The City's local policy established in the Rehabilitation Finance Handbook limits the number of times a property owner may apply for emergency hazard assistance in the form of a 20-year, zero interest, deferred payment loan to one time every five (5) years. This is not a HUD requirement and the local policy may be waived by City Council in a given circumstance.