



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

## **AGENDA - CITY COUNCIL MEETING**

November 12, 2013

6:30 p.m.

1. **CALL TO ORDER.**
2. **PLEDGE OF ALLEGIANCE** - Invocation by Invocation by Kimberly Jaquish, 2nd 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.**
  - A. **The City Manager will give a presentation regarding a proposal to create a park on the now vacant site of the Former Consumers Headquarters.**
    1. Approve a Proposal for Professional Services for design Development and Construction Documentation services for the Former Consumers Headquarters site with Beckett & Raeder, Inc.
8. **CITIZEN COMMENTS - AGENDA ITEMS (3-Minute Limit).**
9. **PETITIONS & COMMUNICATION (Accept & Place on File):**
  - A. **Jackson Housing Commission Meeting Minutes:**  
Receive the Jackson Housing Commission meeting regular minutes for August 21, 2013 and September 18, 2013.
  - B. **Human Relations Commission Meeting Minutes:**  
Receive the Jackson Human Relations Commission meeting minutes for September 18, 2013.

- C. **Letter of Appreciation for the Demolition Program:**  
Receive a letter of appreciation from Carie Meadows, B2 Watchers Neighborhood Watch expressing her appreciation of the demolition program.

10. **CONSENT CALENDAR.**

- A. **Minutes of the Regular Meeting on October 8, 2013:**  
Approve the minutes of the regular City Council meeting of October 8, 2013.
- B. **Board Resignations:**
1. Receipt with regret the resignation of John Polaczyk from the Downtown Development Authority.
  2. Receipt with regret the resignation of Cynthia Collver from the City Planning Commission.
- C. **Civil Service Commission Reappointment:**  
Approve the Mayor's recommendation to reappoint John Henegar to the Civil Service Commission for a three year term, beginning January 1, 2014, and ending December 31, 2016.
- D. **Historic District Commission Reappointment:**  
Approve the Mayor's recommendation to reappoint Marilyn Guidinger to the Historic District Commission for a three year term, beginning January 1, 2014, and ending December 31, 2016.
- E. **Jackson District Library Board of Directors Reappointment:**  
Approve the Mayor's recommendation to reappoint Darrell J. Durham as an alternate (City) to the Jackson District Library Board of Trustees for a four year term beginning January 1, 2014, and ending December 31, 2017.
- F. **Human Relations Commission Reappointments:**  
Approve the Mayor's recommendation to reappoint Parrish Stahl and Teresa Delph to the Human Relations Commission for a three-year term each, beginning January 1, 2014, and ending December 31, 2016, in accordance with the Human Relations Commission recommendation.
- G. **Salvation Army Christmas Kettle Campaign:**  
Approve the request from Salvation Army to conduct their annual Salvation Army Kettle Campaign in which they ring bells Monday through Friday, from Friday, November 15, 2013, through Tuesday, December 24, 2013, during the hours of 9:00 a.m. – 9:00 p.m. There are two bell ringing locations requested: the Post Office at 113 W. Michigan Avenue, and the Consumers Energy Parking Garage. (Contingent upon receipt of proper insurance.)

- H. Glow Run:**  
Approve the request from the Fitness Council of Jackson to conduct their second annual Glow Run in Ella Sharp Park and surrounding roads on Saturday, November 16, 2013, during the hours of 10:00 a.m. – 9:00 p.m. (Contingent upon receipt of proper insurance.)
- I. Christmas Parade:**  
Approve the request from the Downtown Jackson Christmas Parade to conduct their annual Christmas Parade in downtown Jackson on Friday, November 22, 2013, from 4:00 p.m. – 9:00 p.m. (Special event insurance is covered by the Downtown Development Authority.)
- J. Holiday DDA Day**  
Approve the request from the Jackson Downtown Development Authority to conduct their annual Holiday DDA Day in downtown Jackson, Bucky Harris Park, and Blackman Park on Saturday, November 23, 2013 from 9:30 a.m. – 3:00 p.m. (This event is covered under the City’s insurance policy.)
- K. YMCA Turkey Trot:**  
Approve the request from Jackson Turkey Trot to conduct their annual Jackson YMCA Turkey Trot in downtown Jackson on Thursday, November 28, 2013, from 6:00 a.m. – 11:00 a.m. (Contingent upon receipt of proper insurance.)
- L. Kiwanis Newspaper Sale:**  
Approve the request from Kiwanis Club of Jackson to conduct their annual Kiwanis Newspaper Sale in downtown Jackson on Friday, December 13, 2013, from 6:30 am. – 4:00 p.m. (Contingent upon receipt of proper insurance.)
- M. City Financial Statements Ending September 30, 2013:**  
Receive the City of Jackson’s summary of revenue and expenditures for twelve (12) months ended, September 30, 2013.
- N. CDBG and HOME Financial Statements through September 30, 2013:**  
Receive the Community Development Block Grant (CDBG) and HOME Financial Summaries through September 30, 2013.
- \*O. Jackson Housing Commission Appointment:**  
Approve the Mayor’s recommendation to appoint Michelle L. Woods to the Jackson Housing Commission filling a current vacancy, beginning December 1, 2013, and ending October 30, 2018.
- \*P. Downtown Development Authority Reappointment:**  
Approve the Mayor’s recommendation to reappoint Robert Simmons to the Downtown Development Authority for a four-year term ending March 31, 2018.

## 11. PUBLIC HEARINGS.

### A. **Elm Plating, Co. - Industrial Development District No. 96:**

Public hearing regarding the request filed by Elm Plating Co., to create Industrial Development District No. 96.

1. Consideration of a resolution creating Industrial Development District No. 96.

### B. **Technique, Inc. - (IFTEC):**

Public hearing regarding the application filed by Technique, Inc., located at 2427 Research Drive, for an Industrial Facilities Tax Exemption Certificate.

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

## 12. OTHER BUSINESS.

### A. **Ordinance No. 2013.23 - Telecommunications Advisory Board (Second/Final Reading):**

Final adoption of Ordinance No. 2013.23 amending Article I, Chapter 6, City Code, to repeal ordinances establishing the telecommunications advisory board, describing the telecommunications advisory board's powers, or referring to the telecommunications advisory board.

## 13. NEW BUSINESS.

### A. **Ordinance - Amendments to Chapter 26 - Vegetation (First Reading):**

Consideration of an ordinance amending Articles II and III of Chapter 26, City Code, to regulate trees, grass, weeds, shrubbery, and other woody vegetation on public and private property for the health, safety, and welfare of the citizens of the City of Jackson.

### B. **Ordinance - Possession of Alcoholic Beverages at Ella Sharp Park Golf Course (First Reading):**

Consideration of an ordinance amending Section 3-3 of Chapter 3, City Code, to permit the consumption of alcoholic beverages on the grounds of the Ella Sharp Park Golf Course.

### C. **Indian Village Park Settlement Agreement, Indemnity Agreement & Release of All Claims:**

Approve the Settlement Agreement, Indemnity Agreement, and Release of all Claims (one document) between the City, Indian Village Park LLC,

First Holding Management Company, LLC and South Park LLC, and authorization for the Mayor to sign same, and for the Interim City Attorney to make minor modifications, and take all other actions necessary to finalize the agreement.

- D. Ordinance - Amendments to Division 2 - Marihuana and Drug Paraphernalia, Article VI, Chapter 18 - Offenses (First Reading):**  
Approve an ordinance amending Division 2 - Marihuana and Drug Paraphernalia, Article VI, Chapter 18, City Code, to make the provisions of Division 2 - Marihuana and Drug Paraphernalia, Article VI, Chapter 18, City Code, inapplicable to the use, possession or transfer of less than 1 ounce of marijuana, on private property, by a person who has attained the age of 21 years, for the health, safety, and welfare of the citizens of the City of Jackson.
- E. Resolution - Byrne Justice Assistance Grant (JAG):**  
Approve a resolution amending the 2013-2014 Budget to reflect the receipt of the Byrne Justice Assistance Grant (JAG), in the amount of \$27,942.00, and authorization to purchase one 2014 Ford Police Interceptor utility vehicle through the State of Michigan MiDeal Contract in the amount of \$24,895.00, and related patrol vehicle equipment from Winder Police Equipment for \$3,047.00.
- F. Resolution - Selective Traffic Enforcement Program (STEP):**  
Approve a resolution amending the 2013-2014 Budget to reflect the receipt of the Selective Traffic Enforcement Program (STEP) grant in the amount of \$8,167.00
- G. Changes to Consumers Energy Standard Streetlighting Contract:**  
Approve the Resolution for Changes to the Consumers Energy Standard Streetlighting Contract along with payment in the amount of \$200.00, and authorization for the Mayor and City Treasurer/Clerk to sign the appropriate documents.
- H. Traffic Control Order No. 2162 - City Parking Lot #5:**  
Approval of Traffic Control Order No. 2162 to prohibit parking between the hours of 2:00 a.m. - 6:00 a.m. in the row in front of pavilion in City Parking Lot #5.
- I. Traffic Control Order No. 2163 - Mansion Street - Between Merriman and Eggleston Streets:**  
Approval of Traffic Control Order No. 2163 to prohibit truck traffic on Mansion Street between Merriman and Eggleston.
- J. Change Order No. 1 - 2013 Sewer Rehabilitation Project:**  
Approve Change Order No. 1 to the contract for 2013 Sewer Rehabilitation Project with Layne Inliner, LLC, in the increased amount of \$1,573.00 to match final quantities placed, and authorization for the City Manager and

City Engineer to execute the appropriate document.

- K. Change Order No. 1 - Steward and Lansing/Blackstone Two-Way Conversion Contract:**  
Approve Change Order No. 1 to the contract with Concord Excavating and Grading, Inc., in the increased amount of \$12,818.54 to balance the contract quantities with the final quantities built along with some additional items not in the original contract, and authorization for the City Manager and City Engineer to execute the appropriate document.
- L. Change Order No. 3 - 2013 As Needed Survey Consulting Services Contract:**  
Approve Change Order No. 3 to the contract with Wade Trim, in the increased amount of \$62,004.00 for the performance of a topographic survey of the streets, parks and parking lots within the downtown, and authorization for the City Manager and City Engineer to execute the appropriate document.
- M. Award of Lewis Street Bridge Study:**  
Approve the award for Lewis Street Bridge Design and Construction Engineering to Fishbeck, Thompson, Carr & Huber, Novi, for \$122,997.23, and authorization for the Mayor and City Treasurer/Clerk to execute the appropriate document(s) in accordance with the Purchasing Agent.
- \*N. Award of Snow Removal of Downtown Parking Lots and Sidewalks:**  
Approve a contract with **Wolverine Sealcoating**, to provide snow and ice removal service on downtown sidewalks and city-owned parking lots in the amount of **\$763.11** for each occurrence, and authorization for the Mayor and City Treasurer/Clerk to execute the agreement.
- O. Transfer of City-Owned Property - 604 W. Biddle:**  
Authorize the transfer of City-owned property at 604 West Biddle Street for the sales price of \$1.00 to Community Action Agency, and authorization for the Mayor to sign all documents necessary to close the transaction, subject to minor modifications and approval by the City Attorney.
- P. Transfer of Property To City - 1428 Cooper St.:**  
Approve the Agreement regarding Transfer of Property and Demolition or Rehabilitation of Dangerous and Unsafe Structure, authorize the Mayor to execute the Agreement, and accept the quit claim deed for conveyance of 1428 Cooper Street upon review and approval by the City Attorney's office.
- Q. Waive Local Policy Loan Limit for Homeowner Rehabilitation Project - 122 W. Biddle St.:**  
Approve the request to waive the local policy of limiting homeowner rehabilitation loans to a maximum amount of \$20,000.00 to complete

rehabilitation work at 122 W. Biddle Street, and authorization for the city Manager to approve the final bid.

- R. New Water Service – 155 N. Dettman Road:**  
Approve the request from U-Store Jackson, LLC, 155 North Dettman Road, Leoni Township to install a new 1-inch water service to supply the property from a Blackman Township-owned water main.
- S. Redevelopment Liquor License Request:**  
Approval of a liquor license request from Libby Brown for a Redevelopment Area Liquor License to be issued at 128 W. Michigan Avenue, pursuant to MCL 436.1521.
- T. Purchase of Class C Liquor License – Ella Sharp Park Golf Course Club House:**  
Accept the Ella Sharp Park Board of Trustees recommendation to purchase and file an application with the State of Michigan for a Class C Liquor License from Mr. Ronald E. Johnston, Northville, in the amount of \$35,000.00 for the Ella Sharp Park Golf Course Club House.
- U. Amend Mass Mutual (Formerly The Hartford) 457b Governmental Plan Documents and Related Plan Documents:**  
Consideration of the following request by the City/County Director of Human Resources:
1. to amend the Mass Mutual (formerly The Hartford) 457b Governmental Plan Documents;
  2. approve and amend Mass Mutual investment option selections;
  3. approve the Retirement Plan Advisors’ Mass Mutual Plan Sponsor Agreement and Fee Schedule, and
  4. authorize the City/County Director of Human Resources and/or the City Manager to sign the required plan documents.
- V. Jackson Housing Commission Executive Director Compensation Level:**  
Approve the Jackson Housing Commission Executive Director Patricia S. Tyus, compensation level as recommended by the Jackson Housing Commission Board of Commissioners.
- W. Jackson Housing Commission Health Care Service Provider Selection:**  
Consideration of the Mayor’s recommendation to approve BCN \$5,000 Health Care Plan with employer paid dental and vision coverage to be administered through JFP Benefit Management in the bid amount of \$301,359.17, as recommended by the Jackson Housing Commission.
- X. Award Contract to Backfill of Basement of 212 W. Michigan Avenue:**  
Approve the bid award of the Basement Backfill of 212 W. Michigan Avenue to Jule Swartz & Sons Excavating in the amount of \$101,740.00, to backfill the site with sand and place topsoil and seed in the basement of the old Consumers Energy building, and authorization for the Mayor and

City Treasurer/Clerk to execute the appropriate document(s), in accordance with the Purchasing Agent.

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

# Jackson Housing Commission

Minutes of the Regular Meeting

August 21, 2013

The Jackson Housing Commission held its regular meeting at Reed Manor in the Board Room at 12:06 PM on August 21, 2013.

Commissioner Pultz-Orthaus called the meeting to order at 12:06 p.m. and upon roll call, the following Commissioners were present: Montgomery, Stark, Pultz-Orthaus, Davis-Dye, Robinson. Absent: None

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

## 13-08-003 PUBLIC COMMENTS

Patricia Ryals, Resident Council President for Reed Manor, thanked the board for the Memorandum of Understanding. She also shared her thoughts on the Executive Director Selection process and felt the board should give Mr. Temple the position.

## 13-08-004 APPROVAL OF THE MINUTES OF THE REGULAR MEETING HELD July 17, 2013.

Commissioner Stark **MOVED** to approve the minutes of the Regular Meeting held July 17, 2013. Commissioner Montgomery **SECONDED** motion, and upon the following roll call, the motion was adopted with changes:

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

Commissioner Pultz-Orthaus would like to amend agenda to consider the Memorandum of Understanding between the Board and Reed Manor Tenant Association under Other Business & would like to add the deliberation and vote of Executive Director. Commissioner Stark **MOVED** to add the MOU and the Executive Director Discussion and vote to the agenda. Commissioner Montgomery **SECONDED** the motion, and upon the following roll call, the motion was adopted:

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



**CITY COUNCIL MEETING**  
**November 12, 2013**

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

**FROM:** Patrick Burtch, City Manager

**SUBJECT:** Approve the Proposal for Professional Services for the Former Consumers Energy Headquarters site.

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**RECOMMENDATION**

**Approve the attached Proposal for Professional Services for Design Development and Construction Documentation services for the Former Consumers Energy Headquarters site.**

On August 13, 2013, City Council unanimously approved contracting with Beckett & Raeder, Inc. to rewrite the City's Master Plan. As an added component to the Master Plan, staff has discussed with Beckett & Raeder the inclusion of Design Development and Construction Documentation services for creating a park on the now vacant site. Attached is Beckett & Raeder's proposal, which would be considered Change Order 2 to the Professional Services Agreement at a not-to-exceed amount of \$37,500.

**13-08-005 APPROVAL OF THE PREVIOUSLY PAID LIABILITIES FROM July 18 to August 15 and August 18 to August 21, 2013.**

Commissioner Davis-Dye **MOVED** to approve the Previously Paid Liabilities from July 18 to August 15 and August 18 to August 21, 2013. Commissioner Stark **SECONDED** motion, and upon the following roll call, the motion was adopted with changes:

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

**13-08-006 RESOLUTIONS**

A. Resolution No. 2013-36: Collection Losses Write-Off

Commissioner Stark **MOVED** to approve the Write-Off of Collection Losses \$1,406.29 with amending the amount to \$1,406.29 in the Resolution. Commissioner Davis-Dye. **SECONDED** the motion and, upon the following roll call, the motion was adopted:

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

B. Resolution No. 2013-37: HCV Program Administrative Plan Update

Commissioner Davis-Dye **MOVED** to the HCV Program Administrative Plan Updates. Commissioner Stark **SECONDED** the motion and, upon the following roll call, the motion was adopted:

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

C. Resolution No. 2013-38: Closure of the Oppenheimer Investment Account

Commissioner Stark **MOVED** to adopt the forgoing resolution to ~~re-procure health care services~~ close the Oppenheimer Investment Account. Commissioner Robinson **SECONDED** the motion and, upon roll call, the motion was adopted:

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

D. Resolution No. 2013-39: Approval of Contract with White, Hotchkiss & Falahee, PLLC

Commissioner Robinson **MOVED** to approve the execution of a contract for legal services with White, Hotchkiss & Falahee, PLLC. Commissioner Stark **SECONDED** the motion and, upon discussion, the motion was Rescinded by Commissioner Robinson.

Commissioner Stark **MOVED** to entered into a contract with Pentiuik, Couveur & Kobiljak & to send the procurement to HUD for approval. Commissioner Davis-Dye **SECONDED** the motion, and upon roll call, the motion was adopted:

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

**13-08-007 DIRECTORS' REPORTS**

Section 8

A. Utilization Report

Mrs. Boyce presented the report as stated.

Public Housing

B. Tenant Accounts Receivables

Ms. Crandall presented the Tenant Accounts Receivables as stated. Not a good month.

C. Consolidated TARs

Ms. Crandall presented the Consolidated TARs.

D. Turnaround Time

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

E. Reasons for Move Outs

Ms. Crandall stated the reasons for tenant move outs.

Executive

- F. S8 Income Statement
  - G. PH Income Statement
  - H. Petty Cash Fund Register
  - I. After Hours/ Emergency Response Report
  - J. Utility Costs and Consumption
- Ms. Crandall presented the reports as stated.

**13-08-008 OTHER BUSINESS**

Ms. Crandall informed the board that she gave Katie Dickerson, Executive Secretary a Merit Raise based of her performance over the past few months. Ms. Dickerson has stepped up the plate and continued to go above and beyond to keep the Commission operating smoothly as possible.

Ms. Crandall also made the board aware of possible litigation regarding the termination of Ms. Truman via a MLive article.

Ms. Crandall showed the board a letter regarding the HCV SMAP Score. Our score was a 96% which designates us as a High Performer.

Commissioner Pultz-Orthaus moved the discussion towards the search for an Executive Director. She told the board they have three options:

1. Select Eric Temple
2. Select Donald Paredez
3. Go back out to look for other candidates.

The Commissioners discussed the two candidates and all agreed that both interviewed well and have some good points. However, the board was concerned with Mr. Paredez's past employment history. He jumped from position to position and was only at each position roughly 2 years. The board was concerned with Mr. Temple's past convictions and the warning from HUD officials regarding employment of Mr. Temple. The board also did not like his statement that HUD isn't a fan of mine.

The Board discussed how both candidates were not asked the same questions and felt the interviews were not the same. Commissioner Robinson asked if they should be discussing the financial situations of the candidates in the open, Commissioner Pultz-Orthaus said both candidates were offered closed session to discuss their employment, credit and criminal history and both opted out of it; preferring an open session.

Commissioner Robinson **MOVED** to go back out to gather more Executive Director Candidates. Commissioner Stark **SECONDED** the motion, and upon roll call, the motion was adopted:

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

The board stated the posting should be posted at all free avenues and to ask for approval of posting at sites that require a fee.

Free sites include Non-Profit Network, PHADA and the JHC website.

Commissioner Pultz-Orthaus asked the board members to look over the Memorandum of Understanding and then she would entertain a motion.

Commissioner Davis-Dye **MOVED** to approve the MOU between the Board of Commisisoners, JHC and the Reed Manor Tenant Association. Commissioner Montgomery **SECONDED** the motion, and upon roll call, the motion was adopted:

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

Commissioner Pultz-Orthaus informed the board that HUD-DOF is asking for a Recovery Plan based off the late submission of the audit that resulted in the JHC losing its High Performer status. Please look it over and then entertain a motion on a plan.

The Commissioners took a break at 1:50 PM and reconvened at 1:54 PM.

Commissioner Stark **MOVED** to amend the recovery plan and to send it to HUD. Commissioner Davis-Dye **SECONDED** the motion, and upon roll call, the motion was adopted:

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

Commissioner Pultz-Orthaus would like to a copy of the SEMAP scanned and emailed to her.

The trash service contract needs to be looked into to see what pick up days and times are for Chalet-Terrace.

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

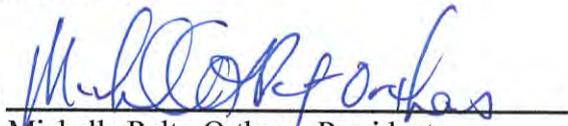
The regular meeting adjourned at 2:11 p.m.

Respectfully submitted,



Connie Crandall, PHM  
Interim Executive Director

ATTESTED:

  
\_\_\_\_\_  
Michelle Pultz-Orthaus, President

# Jackson Housing Commission

## Minutes of the Regular Meeting

September 18, 2013

The Jackson Housing Commission held its regular meeting at Reed Manor in the Board Room at 12:01 PM on September 18, 2013.

Commissioner Pultz-Orthaus called the meeting to order at 12:01 p.m. and upon roll call, the following Commissioners were present: Montgomery, Stark, Pultz-Orthaus, Davis-Dye, Robinson. Absent: None

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

### 13-09-001 PUBLIC COMMENTS

No public comments were heard.

### 13-09-002 APPROVAL OF THE MINUTES OF THE SPECIAL MEETING HELD August 19, 2013.

Commissioner Davis-Dye **MOVED** to approve the minutes of the Special Meeting held August 19, 2013. Commissioner Robinson **SECONDED** motion, and upon the following roll call, the motion was adopted with changes:

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

### 13-09-003 APPROVAL OF THE MINUTES OF THE SPECIAL MEETING HELD August 20, 2013.

Commissioner Robinson **MOVED** to approve the minutes of the Special Meeting held August 20, 2013. Commissioner Davis-Dye **SECONDED** motion, and upon the following roll call, the motion was adopted with changes:

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

**13-09-004 APPROVAL OF THE MINUTES OF THE REGULAR MEETING HELD August 21, 2013.**

Commissioner Montgomery **MOVED** to approve the minutes of the Regular Meeting held August 21, 2013. Commissioner Davis-Dye **SECONDED** motion to approve the minutes with amendments to 13-08-006 C. to change the wording to “close Oppenheimer Account” & 13-08-008 to switch Commission Robinson & Commissioner Stark’s name in the motion to gather more applications for Executive Director, and upon the following roll call, the motion was adopted with changes:

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

**13-09-005 APPROVAL OF THE PREVIOUSLY PAID LIABILITIES FROM August 22 to September 12, 2013 and from September 13 to September 18, 2013.**

Commissioner Stark **MOVED** to approve the Previously Paid Liabilities from August 22 to September 12, 2013 and from September 13 to September 18, 2013. Commissioner Davis-Dye **SECONDED** motion, and upon the following roll call, the motion was adopted with changes:

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

**13-09-006 RESOLUTIONS**

**A. Resolution No. 2013-40: Collection Losses Write-Off**

Commissioner Robinson **MOVED** to approve the Write-Off of Collection Losses of \$1,436.70. Commissioner Montgomery **SECONDED** the motion and, upon the following roll call, the motion was adopted:

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

B. Resolution No. 2013-41: Close Franklin Templeton Account

Commissioner Stark **MOVED** to the adopt resolution to close the Franklin Templeton Investment account. Commissioner Robinson **SECONDED** the motion and, upon the following roll call, the motion was adopted:

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

**13-09-007 DIRECTORS' REPORTS**

Section 8

A. Utilization Report

Mrs. Boyce presented the report as stated. Ms. Boyce also explained to the board that the program may have a short fall at the end of the year and in order to prevent that, people will be pulled from the program based off of HUD's regulation. Ms. Boyce is working with our HUD rep on the situation.

Public Housing

B. Tenant Accounts Receivables

Ms. Crandall presented the Tenant Accounts Receivables as stated.

C. Consolidated TARs

Ms. Crandall presented the Consolidated TARs.

D. Turnaround Time

Ms. Crandall stated that the turnaround time for August was not great and it was due to an increase in the turnover of the homes which are larger than apartments and thus require more work to turnover.

E. Reasons for Move Outs

Ms. Crandall stated the reasons for tenant move outs.

Executive

F. S8 Income Statement

G. PH Income Statement

H. Petty Cash Fund Register

I. After Hours/ Emergency Response Report

J. Utility Costs and Consumption

Ms. Crandall presented the reports as stated.

**13-09-008 OTHER BUSINESS**

Mr. Hill, former Executive Director has filed an FOIA request and is requesting the waiver of fees associated with his request.

Commissioner Stark **MOVED** to not waive the fees for Mr. Hill’s FOIA request. Commissioner Montgomery **SECONDED** the motion and, upon the following roll call, the motion was adopted to not waive the fees:

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

A follow up letter will be sent to Mr. Hill informing him of the board’s decision.

Recovery plan & calendar was presented to the board by President Pultz-Orthaus. The board discussed what is due within the next month and what the board could do to assist the staff in ensuring the items were completed on time.

Memo of Understanding between the Board of Commissioners and the Reed Manor Tenant Association was discussed. The board approved the MOU and it will be signed by the board president, Interim Executive Director, and Board President Pultz-Orthaus. The signed agreement will then be sent to the HUD-DOF.

The legal services procurement was denied by HUD. The board discussed the reasons for the change in the picking of the attorneys.

Commissioner Stark **MOVED** to resubmit the procurement to HUD with new reasons for why Pentiuk was picked. Commissioner Davis-Dye **SECONDED** the motion and, upon the following roll call, the motion was adopted to resubmit to HUD:

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

Commissioner Robinson asked why she was not informed of the investigation into Mr. Hill prior to the paper receiving the information. President Pultz-Orthaus discovered that Commissioner Robinson’s packet was mailed to the wrong address and was the reason for not receiving it. Commissioner Robinson updated her address with President Pultz-Orthaus.

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

The regular meeting adjourned at 1:18 p.m.

Respectfully submitted,

*Connie Crandall*

Connie Crandall, PHM  
Interim Executive Director

ATTESTED: *M. Pultz-Orthaus*  
Michelle Pultz-Orthaus, President

**HUMAN RELATIONS COMMISSION**  
MEETING MINUTES  
September 18, 2013

MEMBERS PRESENT

Jon Hart  
M. Teresa Gibson  
Alice Lewis  
Kathleen Conley  
Teresa Delph  
Parrish Stahl  
Rev. John Clemons

MEMBERS ABSENT

None

EX-OFFICIO

Clevester Molten

POLICE LIAISON

Lt. John Holda

STAFF

Frank Weathers

GUESTS

1. CALL TO ORDER:

Chair Hart called the meeting to order at 6:32 p.m.

A. Welcome New Member:

Chair Hart welcomed new ex-officio member Clevester Molten and offered him the opportunity to speak. Clevester is the Executive Director of the House of New Beginnings, teaches at Jackson College and would like to focus on youth and community violence issues with the HRC.

2. APPROVAL OF THE MEETING MINUTES FOR AUGUST 21, 2013

Alice Lewis made a motion to approve the meeting minutes and notes from August 21, 2013. Parrish Stahl supported. The motion carried.

3. COMMUNITY LIAISON POLICE OFFICER:

Lt. Holda reported that the records office was now open five days a week, that there was a new officer coming to the department who would start in the next three weeks, and discussed recent break-ins and their cooperation with the County Sheriff's office to solve the problem.

4. CITIZEN COMMENTS:

None

5. GUEST:

None

6. COMMUNITY UPDATE/CHAIRPERSON'S CORRESPONDENCE:

Chair Hart reported that he would like to invite the University of Michigan group that is responsible for the community surveys in Jackson. He would like to have staff of the Southeastern Dispute Resolution Service Center present as well to see if there were some ways that the HRC and SDRSC could assist the City.

Chair Hart reminded commissioners of the disAbility Connections event on October 3rd at Gene Davis & Sons that would include a silent auction and awards ceremony.

Chair Hart reported that he had approached PFLAG to discuss a showing of the movie Brother Outsider that was a documentary focusing on Bayard Rustin.

Chair Hart reported that he had spoken to the Mayor about adding an account for the HRC to deposit any funds raised. The Mayor said that the HRC could have an account attached to the

City's accounting department and that it should be something that could be voted on during the October 8, 2013, City Council meeting.

7. STAFF REPORT

Frank Weathers provided the monthly report for August that he also provides to the City Manager detailing the tasks he has accomplished or been a part of. Discussion took place on the complaints referenced within that report.

8. COMMITTEE REPORTS:

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

Chair Hart reported he was still actively involved with Dan Evans to get a program working in JPS that would correspond with the 22<sup>nd</sup> Day of Peace.

Chair Hart also reported on a possible program of action in response to recent shootings. Pastor Clemons indicated he was interested in working on that as well.

B. Complaint Committee – Alice Lewis, Chair

No report.

C. Martin Luther King Breakfast

Frank Weathers reported on Challenge Day; the dates are November 4-7, 2013. Money is coming in to fund the event and notices are going out to former and proposed volunteers for those dates. Meetings are 8 a.m. on the fourth Thursday of the month at the Chamber of Commerce.

D. Nominating Committee – Kathleen Conley, Chair

Kathleen Conley reported that there were still seats to be filled on the commission and discussion was held on recruitment.

E. Proposed Civil Rights Committee

Chair Hart reported that this committee would be removed from the agenda as there was a lack of organized community support for an inclusive Civil Rights Ordinance.

F. Public Relations and Information – Parrish Stahl, Chair

Parrish Stahl reported that he had proceeded with arrangements to show the movie, "42," at the Carnegie Branch of the Jackson District Library. The movie is the story of Jackie Robinson. The event will be at no cost to the public and will be held on October 23, 2013. The doors to the auditorium will open at 6:15 p.m. with the movie beginning at 6:30 p.m. After the movie there will be an opportunity to discuss the film.

Parrish also reported on the coming newsletter. Deadline for content was given as October 1, 2013.

9. OLD BUSINESS:

A. Strategic Plan:

Chair Hart put together some bullet points to discuss after the commissioners had a chance to review them. Discussion will take place at the October HRC meeting.

10. NEW BUSINESS:

Alice Lewis reported on an informational meeting/tour she attended at the Center for Family Health. Information was disseminated to HRC members regarding the sliding scale fee system, pharmacy and walk-in care opportunities available.

Chair Hart referenced a flyer he provided in regard to the movie, "Brother Outsider," which gave more information on the film. He also encouraged members to visit [rustin.org](http://rustin.org) for more resources.

11. COMMISSIONER COMMENTS

Parrish Stahl reported on the recently complete assessment he had done for ADA compliance at Jackson College. He also reported that many of the recommendations made in the previous study in 2006 were made at the time of the most recent assessment.

Chair Hart reported feeling more energized by the support in the community for the HRC.

Frank Weathers reminded commissioners of the opportunity to raise funds for United Way of Jackson County by attending the event at the Roxy Café. A portion of the proceeds for the date of September 25, 2013, go to the campaign to raise funds in Jackson.

Teresa Delph shared that she had lost two sisters in six months time in this year. She also reported that she was the recipient of the Who's Who Award for her community service in relation to her 40 years of work with the HRC.

12. ADJOURNMENT

Parrish Stahl made a motion to adjourn at 7:55 p.m. Alice Lewis supported; the motion carried

Respectfully submitted,



Kathleen Conley  
Secretary

RECEIVED  
OCT 24 2011  
BY \_\_\_\_\_

Patrick Burtch,

I wanted to personally thank you for helping in removal of the condemned houses in Jackson. The house across the street from me was nothing but bad neighbors and a lot of blight issues. They took it down last week and I am so happy! It truly does make the city a much better place to live!!

Carie Meadows  
B2 watchers  
Neighborhood  
watch



---

**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

## JACKSON CITY COUNCIL MEETING

### MINUTES

October 8, 2013

#### **CALL TO ORDER:**

The Jackson City Council met in regular session in City Hall and was called to order at 6:31 p.m. by Mayor Griffin.

#### **PLEDGE OF ALLEGIANCE-INVOCATION:**

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

#### **ROLL CALL:**

Present: Mayor Martin J. Griffin, Councilmembers Michelle L. Woods, Kimberly Jaquish, Daniel P. Greer, Laura Dwyer Schlecte, Andrew R. Frounfelker and Derek J. Dobies – 7. Absent – 0.

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

#### **AGENDA:**

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

#### **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, Greer, Schlecte, Frounfelker and Dobies – 7. Nays: 0. Absent: 0.

**RETURN TO OPEN SESSION**

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

Motion was made by Councilmember Dobies and seconded by Councilmember Greer to retain the law firm of Miller Canfield to handle the City’s defense in DPC Juniper vs. the City of Jackson. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies – 7. Nays: 0. Absent: 0.

Motion was made by Councilmember Dobies and seconded by Councilmember Greer to follow the recommendation of the City Attorney discussed in Executive Session as to Panzica vs. the City of Jackson. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies – 7. Nays: 0. Absent: 0.

**PRESENTATIONS/PROCLAMATIONS:**

None

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

None

**PETITIONS & COMMUNICATION:**

Motion was made by Councilmember Greer and seconded by Councilmember Dobies to accept and place on file the Certificate of Achievement for Excellence in Financial Reporting for Philip J. Hones. The motion was adopted by unanimous voice vote.

**CONSENT CALENDAR**

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

**Consent Calendar**

**A. MINUTES OF THE REGULAR MEETING ON SEPTEMBER 17, 2013:**

Approve the minutes of the regular City Council meeting of September 17, 2013.

**B. CIVIL SERVICE COMMISSION APPOINTMENT:**

Approve the Mayor's recommendation to appoint Alice J. Lewis to the Civil Service Commission filling a current vacancy, beginning immediately, and ending August 31, 2016.

**C. BUILDING CODE BOARD OF APPEALS REAPPOINTMENT:**

Approve the Mayor's recommendation to reappoint Jason Covalle to the Building Code Board of Appeals for a three year term, beginning January 1, 2014, and ending December 31, 2016.

**D. CITY PLANNING COMMISSION REAPPOINTMENT:**

Approve the Mayor's recommendation to reappoint James M. Stark to the City Planning Commission for a three-year term beginning January 1, 2014, and ending December 31, 2016.

**E. ELECTION COMMISSION REAPPOINTMENTS:**

Approve the Mayor's recommendation to reappoint Connie Kay Williams and S. Bradford Williams to the Election Commission for a four-year term each, beginning January 1, 2014, and ending December 31, 2017.

**F. ZONING BOARD OF APPEALS REAPPOINTMENT:**

Approve the Mayor's recommendation to reappoint Patricia Gutekunst to the Zoning Board of Appeals for a three-year term beginning January 1, 2014, and ending December 31, 2016.

**G. ZOMBIE WALK JACKSON:**

Approve the request from Zombie Walk Jackson to conduct their annual walk in support of the March of Dimes throughout downtown on Saturday, October 12, 2013, from 3:00 p.m. - 6:00 p.m. (Contingent upon receipt of proper insurance.)

**H. JACKSON AREA CROP WALK:**

Approve the request from Michigan Church World Service/CROP to conduct their annual walk in support of fighting world hunger and

poverty in downtown on Sunday, October 13, 2013, from 1:00 p.m. – 5:00 p.m. (Contingent upon receipt of proper insurance.)

**I. TUBA CHRISTMAS:**

Approve the request from Jackson Symphony Orchestra to conduct their Tuba Christmas, a national event in which tubists and low brass musicians come together to perform a Christmas concert, in Bucky Harris Park on Saturday, November 23, 2013, from 12:30 p.m. – 2:00 p.m. (Proper insurance has been received.)

**J. EVE ON THE AVE:**

Approve the request from the Jackson Downtown Development Authority to conduct their annual Eve on the Ave family celebration in downtown Jackson on Tuesday, December 31, 2013, from 9:00 p.m. – Wednesday, January 1, 2014, at 12:30 a.m. (Proper insurance has been received.)

**K. VETERANS DAY CEREMONY:**

Approval of the request from Jackson County Veteran’s Council to host the Veteran’s Day Ceremony on Monday, November 11, 2013, from 10:30 a.m. to 12:00 p.m. in Withington Park with street closure of First Street between Wildwood and Michigan Avenue. (Proper insurance has been received.)

**PUBLIC HEARINGS:**

**A. PUBLIC HEARING - PETITION FOR AN ALLEY VACATION - ROCKWELL ALLEY:**

Public hearing on the request to vacate a 12 foot wide alley running east and west 224 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.

**1. ADOPTION OF A RESOLUTION APPROVING THE VACATION.**

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

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

## OTHER BUSINESS

### **A. ORDINANCE NO. 2013.22 AMENDMENT - COLLECTION OF STORMWATER FEES (SECOND/FINAL READING):**

Final adoption of Ordinance No. 2013.22, 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.

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

## NEW BUSINESS

### **A. RESOLUTION - HALLOWEEN:**

Consideration of a resolution establishing Halloween hours between 6:00 p.m. and 8:00 p.m., on Thursday, October 31, 2013, encouraging children to “trick or treat” during that time period.

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

### **B. RESOLUTION - REVISED SPECIAL ASSESSMENT POLICY:**

Consideration of a resolution revising the Special Assessment Policy extending the maximum period of time for the repayment of special assessments from ten (10) to fifteen (15) years.

Motion was made by Councilmember Greer and seconded by Councilmember Schlecte to adopt the resolution. The motion was adopted

by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

**C. RESOLUTION:**

Consideration of a resolution establishing a fine for violations of Section 23-43, City Code, placement of leaves in streets and public ways.

Motion was made by Councilmember Greer and seconded by Councilmember Woods to adopt the resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin, and Councilmembers Woods, Greer, Frounfelker and Dobies—5. Nays: Councilmembers Jaquish & Schlecte—2. Absent: 0.

**D. RESOLUTION - CDBG FUNDING - JOHN GEORGE HOME:**

Consideration of a resolution reprogramming \$5,600.00 in Community Development Block Grant (CDBG) excess program income to the John George Home to install an Emergency Return Unit to the elevator.

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

**E. RESOLUTION - CONTRACT WITH MDOT FOR MONROE STREET - CLINTON ROAD TO WEST AVENUE:**

Consideration of a resolution to enter into a contract with the Michigan Department of Transportation (MDOT) for Monroe Street reconstruction from Clinton Road to West Avenue, and authorization for the Mayor and City Clerk to execute the appropriate contract documents.

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

**F. RESOLUTION - CONTRACT WITH MDOT FOR BLACKSTONE STREET - WASHINGTON AVENUE TO LOUIS GLICK HIGHWAY:**

Consideration of a resolution to enter into a contract with the Michigan Department of Transportation (MDOT) for Blackstone Street reconstruction from Washington Avenue to Louis Glick Highway, and authorization for the Mayor and City Clerk to execute the appropriate contract documents.

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

**G. RESOLUTION - ADOPTION OF MDOT TITLE VI PLAN:**

Consideration of a resolution approving the City of Jackson Title VI Plan, approval of a resolution adopting the Limited English Proficiency (LEP) Plan, and authorization for the Mayor and City Manager to execute the appropriate contract documents.

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

**H. ORDINANCE - TELECOMMUNICATIONS ADVISORY BOARD (FIRST READING):**

Consideration of an ordinance amending Article I, Chapter 6, City Code, to repeal ordinances establishing the telecommunications advisory board, describing the telecommunications advisory board's powers, or referring to the telecommunications advisory board.

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

**I. MUTUAL POLICE ASSISTANCE AGREEMENT:**

Consideration of the request to approve a Mutual Police Assistance Memorandum of Agreement between the City of Jackson Police Department and the Jackson County Office of the Sheriff, and authorization for the Mayor and the Director of Police and Fire Services to sign as representatives of the City.

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

**J. TCO NO. 2160 - NEW LANE ASSIGNMENTS:**

Approve Traffic Control Order No. 2160 for new lane assignments for eastbound traffic on High Street approaching Cooper Street.

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

**K. TCO NO. 2161 - STEWARD STREET AND LANSING AVENUE:**

Approve Traffic Control Order No. 2161 to create right-of-way assignment for traffic on Steward Street at the newly created traffic islands near the intersection with Lansing Avenue.

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

**L. CHANGE ORDER NO. 2 - 2013 AS NEEDED SURVEY CONSULTING SERVICES CONTRACT:**

Approve Change Order No. 2 to the contract with Wade Trim, in the increased amount of \$39,600.00 for the collection of sewer manhole data and the design of a traffic signal for the intersection of West Avenue and High Street, and authorization for the City Manager and City Engineer to execute the appropriate document.

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

**M. REAUTHORIZATION OF COLLABORATIVE AGREEMENT FOR HUMAN RESOURCES SERVICES WITH THE COUNTY OF JACKSON:**

Consideration of a recommendation that the Mayor and City Council approve the Intergovernmental Agreement between the City of Jackson and the County of Jackson for the provision of Personnel (Human Resources) functions.

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

**N. PURCHASE OF ROAD SALT:**

Consideration of the request to purchase an estimated 4,000 tons of road salt at \$45.98 per ton from The Detroit Salt Co., LLC, Detroit, for a total purchase of \$183,920.00, for major and local street winter maintenance.

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

**O. LEAF DROP OFF PROGRAM:**

Approve a recommendation establishing a leaf drop off program that includes five (5) locations throughout the City of Jackson to accept leaves from City residents for Fall 2013. The recommended dates and locations are as follows:

Saturdays, October 26<sup>th</sup>, November 2, 9, 16, & 23<sup>rd</sup> from 8:00 a.m. to 12:00 p.m.

- Site #1 Public Works Facility - 521 Water Street
- Site #2 Nixon Park, Parking Lot - 400 E. North Street
- Site #3 W. Louis Glick Hwy & Blackstone - City Parking Lot
- Site #4 Frost School, East Parking Lot - 1226 S. Wisner
- Site #5 Parkside Middle School - 2400 Fourth Street

Sundays, October 27<sup>th</sup>, November 3, 10, 17 & 24<sup>th</sup> from 8:00 a.m. to 12:00 p.m.

- Site #1 Public Works Facility - 521 Water Street (only site open on Sundays)

Motion was made by Councilmember Dobies and seconded by Councilmember Greer to approve the program. The motion was adopted by the following vote. Yeas: Mayor Griffin, and

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

**P. RESOLUTION - COMPREHENSIVE DOWNTOWN PLAN:**

Approve a resolution reallocating Downtown Replacement Funds to Planning, and retain Beckett and Raeder to perform downtown streetscape conceptual design.

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

**Q. WAIVE LOCAL POLICY LOAN LIMIT FOR EMERGENCY HAZARD PROJECTS - 514 FIRST STREET:**

Approve the request to waive the local policy of limiting emergency hazard loans to a maximum amount of \$10,000.00 to complete the emergency hazard work at 514 First Street.

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

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

Michael Wisniewski of 1406 Locust Lane read an article from the Jackson Citizen Patriot dated 4/14/2009. He spoke about the implementation of the City Income Tax and what it was intended for.

Patricia Ryals of 301 Steward Avenue- President of the Reed Manor Tenant Association gave her opinions of Mayor Griffin and the job she felt he is doing in his position.

**CITY COUNCILMEMBERS' COMMENTS:**

Councilmember Woods- She wanted to thank everyone for coming out to the tree planting ceremony for Carl Breeding.

Councilmember Jaquish- She wanted to congratulate Phil and thank Lucy and Todd for all their work setting up the drop off program. She said at least people will have something to do with their leaves this year.

Councilmember Greer- He said he too is grateful for all the efforts for the leaf drop off program. He also said he has a Neighborhood Meeting scheduled next Wednesday the 16<sup>th</sup> at 6:30 p.m. in the City Council Chambers to discuss the program or any other concerns people may have. He said the City Manager will be on hand there also. He went on to thank the City Manager, the Interim City Attorney and the Inspection Supervisor for going to Lansing to testify in Committee on a Senate Bill regarding Rental Registry. He feels it is important that everyone contact their State Senators and Representatives.

Councilmember Schlecte-She wanted to thank our local haulers for their collaboration. She also wanted to thank the staff (Lucy and Todd) for all their hard work.

Councilmember Frounfelker- He stated that the local food pantry and the Interfaith Shelter are in desperate need of nonperishable items. He stated that the City Staff put together a "Stock the Pantry Event" along with the County. He stated residents can drop off donations at the Interfaith Shelter or at the Food Bank.

Councilmember Dobies- He wanted to congratulate Phil and the Finance Dept. He also wanted to thank Councilmember Woods for the memorial for Carl Breeding. He then wanted to thank the Staff (Lucy, Patrick and Todd) for working on a short-term compromise for leaf removal this year. He also wanted to thank Modern, Emmons and Northwest for coming to the table as a community partner and helping to formulate a solution.

City Treasurer/City Clerk Andrew J. Wrozek, Jr. briefly spoke stating that candidates, roofers, realtors, craft shows, etc., need to be aware that temporary signs should be out of the right-of-way and on the property owners' side of the sidewalk.

**MANAGER'S COMMENTS:**

NONE

**ADJOURNMENT:**

No further business being presented, a motion was made by Councilmember Greer to adjourn the meeting. The motion was adopted by unanimous voice vote and the meeting adjourned at 8:09 p.m.

Andrew J. Wrozek Jr.  
City Treasurer/Clerk

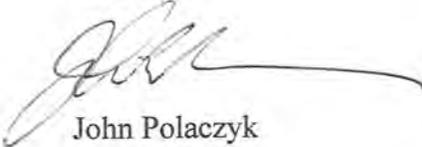
AJW/car

City of Jackson  
Downtown Development Authority  
161 W. Michigan Ave.  
Jackson, Michigan 49201  
Mayor Griffin  
Jonathan Green

Gentlemen; *MARK*

With regret I will be resigning from the D.D.A. My job duties at Allegiance Health and the County of Jackson make it difficult to attend as many meetings that take me away from work. I hope that you will understand and thank you for the opportunity to serve.

Sincerely



John Polaczyk

## Sharon Hasen

---

**From:** Martin Griffin  
**Sent:** Tuesday, November 12, 2013 1:30 PM  
**To:** Sharon Hasen  
**Subject:** FW: Planning Commission

---

**From:** Cynthia Collver [<mailto:jpcclc@sbcglobal.net>]  
**Sent:** Sunday, November 10, 2013 5:49 PM  
**To:** Martin Griffin  
**Subject:** Planning Commission

Hi Marty:

After much thought, I have decided to submit my resignation to you for my position on the Planning Commission effective immediately. Due to increased family obligations that have come to be within the last couple of months, I find that I simply cannot make the time commitment to the Commission as I feel I should as a member of the board.

It's been a real pleasure working with you and the other members and I truly appreciate the opportunity to be a part of such a great group of people interested in seeing Jackson thrive and grow. Thanks for giving me the chance.

~~ Cindy Collver

Click [here](#) to report this email as spam.

# CITY OF JACKSON



Office of Mayor  
Martin J. Griffin

MICHIGAN

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

## CITY COUNCIL MEETING November 12, 2013

**MEMO TO:** City Councilmembers

**FROM:** Martin J. Griffin, Mayor *MJG*

**DATE:** November 7, 2013

**SUBJECT:** Civil Service Commission

**RECOMMENDATION:**

**Approval of the Mayor's recommendation to reappoint John Henegar to the Civil Service Commission for a three year term, beginning January 1, 2014, and ending December 31, 2016.**

In accordance with City Code, Sec. 2-301, Charter Section 7.7, the Mayor appoints with Council confirmation, five members to three year terms. The members must have been registered electors in the City for at least two years.

It is my desire, therefore, to reappoint John Henegar to the Civil Service Commission for a three year term, beginning January 1, 2014, and ending December 31, 2016.

MJG:skh

# CITY OF JACKSON



MICHIGAN



OFFICE OF  
MAYOR  
MARTIN J. GRIFFIN

161 W. MICHIGAN AVENUE  
JACKSON, MI 49201  
PHONE (517) 788-4028  
FAX (517) 768-5820

## City of Jackson Board / Commission Application

Name: John HENEGAR

Address: 1206 E. NORTH ST Zip 49202

Home Phone: \_\_\_\_\_ Other Phone: 577-395-5521

Occupation: \_\_\_\_\_

### Community Involvement / Activity

\_\_\_\_\_  
\_\_\_\_\_

Are you a registered voter? YES Ward? 3rd

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

1. Civil Service Commission 2. \_\_\_\_\_  
3. \_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

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

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR.**

John Henegar  
Signature of Applicant

11-5-13  
Date

# CITY OF JACKSON



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

Office of Mayor  
Martin J. Griffin

## MICHIGAN

### CITY COUNCIL MEETING November 12, 2013

MEMO TO: City Councilmembers  
FROM: Martin J. Griffin, Mayor *MJG*  
DATE: November 6, 2013  
SUBJECT: Historic District Commission

**RECOMMENDATION:**

**Approve the Mayor's recommendation to reappoint Marilyn Guidinger to the Historic District Commission for a three year term, beginning January 1, 2014, and ending December 31, 2016.**

In accordance City Code, Sec. 13-5, MCL 399.204, the Mayor appoints, subject to City Council confirmation, seven City residents for three-year terms. Mayor shall consult with chair of the Historic District Commission and appoint at least two members from a list of citizens submitted by a duly organized and existing local historical and/or preservation society(s) and, if available, one architect or a graduate of an accredited school of architecture who has two years of architecture experience or who is an architect registered in this state.

It is my desire, therefore, to reappoint Marilyn Guidinger to the Historic District Commission for a three-year term, beginning January 1, 2014, and ending December 31, 2016.

MJG:skh

APP-CC

CITY OF JACKSON



MICHIGAN

OFFICE OF MAYOR MARTIN J. GRIFFIN

161 W. MICHIGAN AVENUE JACKSON, MI 49201 PHONE (517) 788-4028 FAX (517) 768-5820

City of Jackson Board / Commission Application

Name: Marilyn Guidinger
Address: 760 Woodlawn Ave. Jackson Zip 49203
Home Phone: 517-789-5436 Other Phone: 517-914-5186
Occupation: Retired

Community Involvement / Activity

Michigan Theatre Jackson YMCA
Ella Sharp Museum

Are you a registered voter? Yes Ward? 6

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

- 1. Historic District Commission
3.

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

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR.

Marilyn Guidinger
Signature of Applicant

Oct. 16, 2013
Date

# CITY OF JACKSON

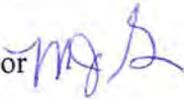


161 W. Michigan Ave.  
Jackson, MI 49201  
Phone: (517) 788-4028  
Facsimile (517) 768-5820

Office of Mayor  
Martin J. Griffin

## MICHIGAN

### CITY COUNCIL MEETING November 12, 2013

MEMO TO: City Councilmembers  
FROM: Martin J. Griffin, Mayor   
DATE: November 6, 2013  
SUBJECT: Jackson District Library Board of Trustees

#### RECOMMENDATION:

**Approval of the Mayor's recommendation to reappoint Darrell J. Durham as an alternate to the Jackson District Library Board for a four-year term beginning January 1, 2014, and ending December 31, 2017.**

Pursuant to the provisions of Act 24 of the Public Acts of 1989, City/County District Library System resolution adopted August 23, 1977, and the City/County amendment dated January 4, 1993, a seven member voting board is appointed serving four-year terms. Three members appointed by City Council, three members appointed by County Commission and \*seventh member appointed alternately by City and County.

It is my desire, therefore, to reappoint Darrell J. Durham as an alternate to the Jackson District Library Board of Trustees for a four-year term beginning January 1, 2014, and ending December 31, 2017.

MJG:skh

# CITY OF JACKSON



OFFICE OF  
MAYOR  
MARTIN J. GRIFFIN

MICHIGAN

161 W. MICHIGAN AVENUE  
JACKSON, MI 49201  
PHONE (517) 788-4028  
FAX (517) 768-5820

## City of Jackson Board / Commission Application

Name: Darrell J. Durham

Address: 206 S. Wisner St - Jackson Zip 49203

Home Phone: 784-0749 Other Phone: 937-7882

Occupation: Account Executive, Stafford-Smith, Inc.

### Community Involvement / Activity

Jackson District Library Friends of Jackson Dist. Library  
Jackson Rec. Dept. - Secret Santa Jackson Rec. Dept. - Youth Coach

Are you a registered voter? Yes Ward? \_\_\_\_\_

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

1. District Library Board 2. \_\_\_\_\_

3. \_\_\_\_\_

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

President - Board of Trustees - JDL - Past 2 yrs.  
Vice President - " " " - " - Previous 4 yrs.

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

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR.**

Darrell J. Durham  
Signature of Applicant

10/15/13  
Date

# CITY OF JACKSON



MICHIGAN

Office of Mayor  
Martin J. Griffin

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

## CITY COUNCIL MEETING November 12, 2013

MEMO TO: City Councilmembers  
FROM: Martin J. Griffin, Mayor *MJG*  
DATE: November 6, 2013  
SUBJECT: Human Relations Commission

### RECOMMENDATION:

**Approval of the Mayor's recommendation to reappoint Parrish Stahl and Teresa Delph to the Human Relations Commission for a three-year term each beginning January 1, 2014, and ending December 31, 2016.**

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

It is my desire, therefore, to reappoint Parrish Stahl and Teresa Delph to the Human Relations Commission for a three-year term each, beginning January 1, 2014, and ending December 31, 2016.

MJG:skh



# CITY OF JACKSON

HUMAN RELATIONS COMMISSION

161 W. MICHIGAN AVENUE

JACKSON, MICHIGAN 49201

PHONE: (517) 788-4167

FAX: (517) 768-5820

MEMO TO: Honorable Mayor Martin J. Griffin

FROM: Jon Hart, Chairman

DATE: October 21, 2013

SUBJECT: Recommendation for Appointment to the Human Relations Commission

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

The HRC voted to recommend the reappointment of the following candidates to the HRC for a three-year term each. The application is attached.

Parrish Stahl  
148 W. Clark St.  
Jackson, MI 49203

Teressa Delph  
103 Wren  
Jackson, MI 49203

Your consideration of this recommendation is appreciated.

JH:skh

Attachment

cc: HRC Members

# CITY OF JACKSON



MICHIGAN

OFFICE OF  
MAYOR  
MARTIN J. GRIFFIN

161 W. MICHIGAN AVENUE  
JACKSON, MI 49201  
PHONE (517) 788-4028  
FAX (517) 768-5820

## City of Jackson Board / Commission Application

Name: Parrish Stahl

Address: 148 W. Clark St. Jackson MI Zip 49203

Home Phone: (517) 782-2549 Other Phone: (517) 250-1215

Occupation: Public Relations & Education Specialist

### Community Involvement / Activity

Disability Connections RI CC  
HRC Volunteer

Are you a registered voter? yes Ward? \_\_\_\_\_

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

1. HRC 2. \_\_\_\_\_

3. \_\_\_\_\_

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

I have been active on the HRC For 11 years

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

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR.**

Parrish Stahl  
Signature of Applicant

9/16/13  
Date

# CITY OF JACKSON



OFFICE OF  
MAYOR  
MARTIN J. GRIFFIN

MICHIGAN

161 W. MICHIGAN AVENUE  
JACKSON, MI 49201  
PHONE (517) 788-4028  
FAX (517) 768-5820

## City of Jackson Board / Commission Application

Name: Jeressa T. Delph

Address: P.O. Box 318 Jackson MI Zip 49204

Home Phone: 5177874347 Other Phone: Cell 517 740 5576

Occupation: \_\_\_\_\_

Community Involvement / Activity Second Bpt Church

Jackson District Library Civil Service Com

Delta Kappa Gamma Ndact (Life member)  
Secretary of 7 omicron chapter women of Distinction 2012-2013

Are you a registered voter? yes Ward? 1st

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

- City of Jackson H.R.C
- civil service com.
- Jackson District Library Board

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

worldwide who's who Lifetime achievement award

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

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR.**

Jeressa T. Delph  
Signature of Applicant

10 / 21 / 13  
Date



WORLDWIDE  
**WHO'S WHO**

HONORS

*Teressa T. Delph, HRC Commissioner*

The above named individual  
has been selected as a

*Worldwide Who's Who  
Lifetime Achievement*

inductee representing  
outstanding professional  
dedication  
and career longevity





Jackson Downtown Development Authority

**CITY COUNCIL MEETING  
November 12, 2013**

November 6, 2013

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

**FROM: Jonathan Greene, Executive Director**

**SUBJECT: Special Event Application: Salvation Army Christmas Kettle Campaign**

**RECOMMENDATION: Approval of the request from Salvation Army to conduct their annual Salvation Army Kettle Campaign, in which they ring bells Monday through Friday, from Friday, November 15, 2013 through Tuesday, December 24, 2013 during the hours of 9am-9pm. There are two bell ringing locations requested- the Post Office at 113 W. Michigan Ave and the Consumers Energy Parking Garage. Insurance is pending approval.**

**DEPARTMENTAL APPROVAL SUMMARY**

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

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

**Conditions and Considerations: none.**

**Insurance Status: Pending Approval**

att: Special Event Application: **Salvation Army Christmas Kettle Campaign**

JG/RR

**CITY OF JACKSON  
SPECIAL EVENT APPLICATION**

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

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

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

Sponsoring Organization's Legal Name: The Salvation Army

Organization Address: 806 E. Pearl St. Jackson, MI 49201

Organization Agent Kim Conant Title: Development Dir.

Phone: (work) 782-7185 x117 Phone: (home) \_\_\_\_\_ Phone: (during the event) \_\_\_\_\_

Agent's Address 806 E. Pearl St. Jackson, MI 49201

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

Event Name The Salvation Army Christmas Kettle Campaign

Please give a brief description of the proposed special event: Volunteers ring bells + accept donations in the Salvation Army's Red Kettle

Event Day(s) & Date(s) Mon-Sat Nov 15 - Dec 24

Event Time(s) 9 AM - 9 PM

Set-Up Date & Time Nov 13 or 14 9-3 Tear-Down Date & Time Dec 24 Noon

Event Location USPS 113 W. Mich. Ave. Jackson, MI 49201 + Consumers Energy Parking Garage

**ANNUAL EVENT:** Is this event expected to occur next year? (circle one)  YES  NO  
How many years has this event occurred? 15

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

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

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

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

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

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

**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? \_\_\_\_\_

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

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

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

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

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

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

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

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

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

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

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

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

Oct. 28, 2013  
Date

  
Signature of Sponsoring Organization's Agent

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



Jackson Downtown Development Authority

**CITY COUNCIL MEETING  
November 12, 2013**

November 6, 2013

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

**FROM: Jonathan Greene, Executive Director**

**SUBJECT: Special Event Application: Glow Run**

**RECOMMENDATION: Approval of the request from the Fitness Council of Jackson to conduct their second annual Glow Run in Ella Sharp Park and surrounding roads on Saturday, November 16, 2013 during the hours of 10am-9pm. Insurance is pending approval.**

**DEPARTMENTAL APPROVAL SUMMARY**

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

<b>Department</b>	<b>Approval</b>	<b>Denial</b>	<b>Economic Impact</b>
Police	x		\$
Fire	x		\$0
Engineering	x		\$0
Public Works	x		\$550-600
Recreation	x		\$0
DDA	x		\$0
			<hr/>
			\$

**Conditions and Considerations: Any pavement markings showing route must be in temporary (i.e. chalk) material**

**Insurance Status: Pending Approval**

att: Special Event Application: **Glow Run  
Race Route**

JG/RR

**CITY OF JACKSON  
SPECIAL EVENT APPLICATION**

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

Date Received By DDA Office: 10/14/13 Time: 2:00pm By: RR

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

Sponsoring Organization's Legal Name: Fitness Council of Jackson

Organization Address: 225 N. Jackson St. Jackson, MI. 49201

Organization Agent Nicolas Pangborn Title: Executive Director

Phone: (work) 517-990-9798 Phone: (home) \_\_\_\_\_ Phone: (during the event) 310-228-7359

Agent's Address 225 N. Jackson St. Jackson, MI. 49201

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

Event Name Glow Run

Please give a brief description of the proposed special event: The Glow Run is a 5k fun run/walk to benefit Girl Quest and Boy Quest through the Fitness Council. The event is a "glow" run, so the road will be lined with lights, candles and inside the park, additional lights will be set up. All lights will be run by battery or generator

Event Day(s) & Date(s) Saturday, November 16th at 6pm

Event Time(s) 6pm (registration at 5:30 - 6:15, race to start at 6:30) ending 8pm

Set-Up Date & Time Saturday 10am 16th Nov Tear-Down Date & Time Saturday 9pm 16th Nov.

Event Location Ella Sharp Park

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

**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 Nov. 16th 6:30pm through Date/Time: Nov. 16th 7:30pm

**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? 200-250

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

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

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

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

We were hoping four police cars can close the roads. They would only need to be there for an hour, then they would be free to go. We may have Jackson transportation put up blinking barrels around the course.

**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.

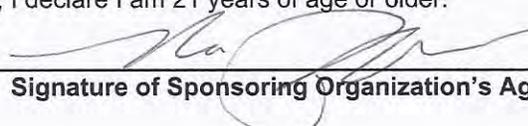
The approval of this special event may include additional requirements, limitations, or fees, based on the City's review of this application.

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.

10-11-13

Date

  
Signature of Sponsoring Organization's Agent

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



Parking



Vendors



Restrooms



Music (DJ's)



Race Course



Roads Closed



Roads requested to be closed:

- S. Oakwood Drive
- Maplewood Drive
- Elmdale Drive
- E. Hickory Drive

We are requesting that the roads be shut down from 6:30pm to 7:30 pm. We are also hoping that police officers could be at the four road inlets to assure that no vehicles can make there way onto the course.



Jackson Downtown Development Authority

**CITY COUNCIL MEETING  
November 12, 2013**

November 6, 2013

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

**FROM: Jonathan Greene, Executive Director**

**SUBJECT: Special Event Application: Christmas Parade**

**RECOMMENDATION: Approval of the request from the Downtown Jackson Christmas Parade to conduct their annual Christmas Parade in downtown Jackson on Friday, November 22, 2013 from 4 p.m. – 9 p.m. Special event insurance is covered by the Downtown Development Authority.**

**DEPARTMENTAL APPROVAL SUMMARY**

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

<b>Department</b>	<b>Approval</b>	<b>Denial</b>	<b>Economic Impact</b>
Police	x		\$
Fire	x		\$0
Engineering	x		\$0
Public Works	x		\$1,400
Recreation	x		\$0
DDA	x		\$0
			<hr/>
			\$

**Conditions and Considerations: none.**

**Insurance Status:** Covered under the Downtown Development Authority's Insurance

att: Special Event Application: **Christmas Parade  
Parade Route**

JG/RR



CITY OF JACKSON  
SPECIAL EVENT APPLICATION

City Clerk's Office \* 161 W. Michigan Avenue \* Jackson, MI 49201  
(517) 788-4025

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

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

Sponsoring Organization's Legal Name: Downtown Jackson Christmas Parade

Organization Address: One Energy Plaza Jackson MI

Organization Agent: Ed Hatfield, JR Title: Committee Chair

Phone: Work 517-788-1420 Home \_\_\_\_\_ During event 517-262-4422

Agent's Address: One Energy Plaza, Jackson MI 49201

Agent's E-Mail Address: Edward.HatfieldJR@cmsenergy.com

Event Name: Annual Christmas Parade

Please give a brief description of the proposed special event: Annual Christmas Parade complete with bands, floats, hundreds of walkers, Santa + Mrs Claus through downtown Jackson along Michigan Avenue.

Event Day(s) & Date(s): Friday November 22nd Event Time(s): 6:00pm - 7:00 pm

Set-Up Date & Time: 4:00 pm Tear-Down Date & Time: 9:00 pm

Event Location: See attached map for Parade Route

ANNUAL EVENT: Is this event expected to occur next year?  YES  NO How many years has this event occurred? 23yrs

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: 4:45 pm through Date/ Time: 8:00 pm

RESERVED PARKING: Are you requesting reserved parking?  YES  NO  
If yes, list the number of street spaces, City lots or locations where parking is requested:  
All parking on Michigan Avenue needs to be blocked off

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

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

If yes, are liquor license and liquor liability insurance attached? YES  NO

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



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

**ATTENDANCE:** What is the expected (estimated) attendance for this event? 20,000 +

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

**REST ROOMS:** Are you planning to provide portable rest rooms at the event? YES  **NO**  If yes, how many? \_\_\_\_\_  
 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 Escort of Santa Float from 409 South Cooper to Michigan Avenue. Follow float down the route and back to United Methodist Church

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

As a partner in this event the parade falls under the DDA insurance coverage.

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

10.07.2013  
 Date

Edward Hatfield, Jr  
 Signature of Sponsoring Organization's Agent

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



**Parade Street Closures**

Christmas Parade: November 22, 2013 4:45-8 p.m.  
 Michigan Ave (Steward Ave to Louis Glick Hwy)  
 First St (Washington Ave to Wildwood Ave)  
 Wildwood Ave (Michigan Ave to Louis Glick Hwy)  
 Cortland St (First St to Francis St)  
 Blackstone St (Washington Ave to Pearl St)  
 Hayes St (Michigan Ave to Pearl St) - **NOT REFLECTED ON MAP**  
 Jackson St (Washington Ave to Pearl St)  
 Mechanic St (Washington Ave to Pearl St)  
 Francis St (Washington Ave to Michigan Ave)



Jackson Downtown Development Authority

**CITY COUNCIL MEETING  
November 12, 2013**

November 6, 2013

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

**FROM: Jonathan Greene, Executive Director**

**SUBJECT: Special Event Application: Holiday DDA Day**

**RECOMMENDATION: Approval of the request from the Jackson Downtown Development Authority to conduct our annual Holiday DDA Day in downtown Jackson, Bucky Harris Park, and Blackman Park on Saturday, November 23, 2013 from 9:30 a.m. – 3 p.m. This event is covered under the city's insurance policy.**

**DEPARTMENTAL APPROVAL SUMMARY**

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

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

**Conditions and Considerations: none.**

**Insurance Status:** Covered under the City's Insurance Policy

att: Special Event Application: **Holiday DDA Day**

JG/RR

**CITY OF JACKSON  
SPECIAL EVENT APPLICATION**

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

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

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

Sponsoring Organization's Legal Name: Downtown Development Authority

Organization Address: 161 W. Michigan Ave.

Organization Agent Rebecca Rae + J. Greene Title: DDA Assist. + Director

Phone: (work) 768-6410 Phone: (home) \_\_\_\_\_ Phone: (during the event) \_\_\_\_\_

Agent's Address 161 W. Michigan Ave.

Agent's E-Mail Address rrae@cityofjackson.org

Event Name Holiday DDA Day w/ Shop Your Community Day

Please give a brief description of the proposed special event: DDA Day is a day to rediscover downtown and all that it has to offer. Events include Santa's mailbox, live reindeer, carolers, strolling santa, toy demo in Bucky Harris Park, along w/ JSD Tuba Christmas concert, firetruck viewing, horse + carriage rides, and much more family friendly activities. There are over 30 merchants participating, as well as 11 non-profits that a purchasing customer can donate back to.

Event Day(s) & Date(s) Saturday, Nov 23rd<sup>local</sup> from 11am-2pm

Event Time(s) 11am-2pm

Set-Up Date & Time 11/23 @ 9am Tear-Down Date & Time 11/23 @ 3pm

Event Location Bucky Harris Park + Blackman Park - downtown Jackson

**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: None

**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:  
Parking Spaces across from Caster + along Blackman Park side of street for fire truck parking

**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? \_\_\_\_\_

**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.)  
Insurance covered under city's insurance.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**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  
November 12, 2013**

November 6, 2013

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

**FROM: Jonathan Greene, Executive Director**

**SUBJECT: Special Event Application: Jackson YMCA Turkey Trot**

**RECOMMENDATION: Approval of the request from Jackson Turkey Trot to conduct their annual Jackson YMCA Turkey Trot in downtown Jackson on Thursday, November 28<sup>th</sup>, 2013 from 6am-11am. Insurance is pending approval.**

**DEPARTMENTAL APPROVAL SUMMARY**

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

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

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

**Insurance Status:** Pending Approval

att: Special Event Application: **Jackson YMCA Turkey Trot  
Route Map**

JG/RR

**CITY OF JACKSON  
SPECIAL EVENT APPLICATION**

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

Date Received By DDA Office: 10/2/13 Time: 1:30pm By: RR

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

Sponsoring Organization's Legal Name: Jackson Turkey Trot

Organization Address: 127 W. Wesley

Organization Agent Jeff Beagle Title: Race Director

Phone: (work) 517 795 4970 Phone: (home) SAME Phone: (during the event) SAME

Agent's Address 425 Skyline Henton MI 49246

Agent's E-Mail Address jeff\_tina\_beagle@yahoo.com

Event Name Jackson YMCA Turkey Trot

Please give a brief description of the proposed special event: a 5K Walk/Run and 10K Run, Kids Run. Starting and finishing at the YMCA

Event Day(s) & Date(s) THANKSGIVING Day, Thursday Nov 28<sup>th</sup> 2013

Event Time(s) Kids Run 8:45, 10K 9:00am 5K 9:10am

Set-Up Date & Time Thursday 11/28 6:00am Tear-Down Date & Time Thursday 11/28 11:00am

Event Location Jackson YMCA 127. W. Wesley

**ANNUAL EVENT:** Is this event expected to occur next year? (circle one)  YES  NO  
How many years has this event occurred? 9

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

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

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

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

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

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

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

**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? 1000 - 1500

**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 at Major Intersections, Jackson, First, West  
and Windsor are my major concerns. I don't think  
we need to close any streets, just traffic control. NO PARKING  
Signs along South side of Wesley, between Jackson and Francis.  
Road closed for City Parking lot across from YMCA

**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.

9/29/2013  
Date

[Signature]  
Signature of Sponsoring Organization's Agent

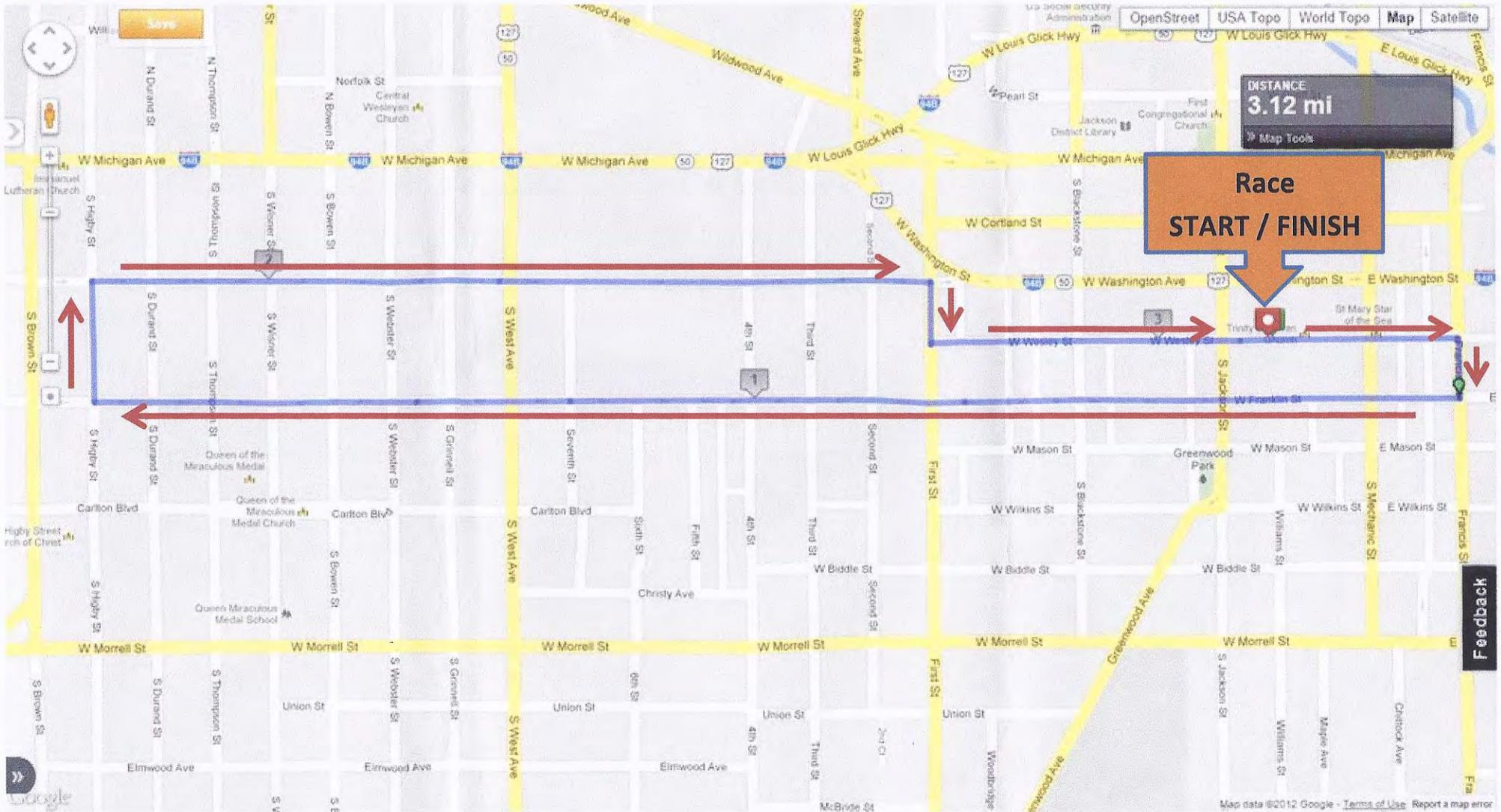
**RETURN THIS APPLICATION at least thirty (30) days before the first day of the event to:  
DOWNTOWN DEVELOPMENT AUTHORITY  
161 W. MICHIGAN AVENUE JACKSON, MI 49201**

# JACKSON YMCA TURKEY TROT

# 5k Run/Walk – 10K Run

5K – 1 LAP

10K – 2 LAPS





Jackson Downtown Development Authority

**CITY COUNCIL MEETING  
November 12, 2013**

November 6, 2013

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

**FROM: Jonathan Greene, Executive Director**

**SUBJECT: Special Event Application: Kiwanis Newspaper Sale**

**RECOMMENDATION: Approval of the request from Kiwanis Club of Jackson to conduct their annual Kiwanis Newspaper Sale in downtown Jackson on Friday, December 13<sup>th</sup>, 2013 from 6:30am-4pm. Insurance is pending approval.**

**DEPARTMENTAL APPROVAL SUMMARY**

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

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

**Conditions and Considerations: none.**

**Insurance Status: Pending Approval**

att: Special Event Application: **Kiwanis Newspaper Sale**

JG/RR

CITY OF JACKSON  
SPECIAL EVENT APPLICATION

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

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

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

Sponsoring Organization's Legal Name: KIWANIS CLUB OF JACKSON, MICHIGAN

Organization Address: 1203 FIRST ST. JACKSON, MI 49203

Organization Agent JOE WOLFE Title: SECRETARY

Phone: (work) 517-787-1704 Phone: (home) 517-750-4965 Phone: (during the event) 517-740-3008

Agent's Address 1203 FIRST ST. JACKSON, MI 49203

Agent's E-Mail Address JWOLFE@THEPROTECTIONCENTER.COM

Event Name 95<sup>TH</sup> ANNUAL KIWANIS NEWSPAPER SALE

Please give a brief description of the proposed special event: KIWANIS MEMBERS SELL A SPECIAL EDITION NEWSPAPER PRINTED BY THE JACKSON CITIZEN PATRIOT SOLD ON THE STREETS OF JACKSON ON FRIDAY, DECEMBER 13, 2013 TO RAISE MONEY TO BUY SHOES + BOOTS FOR NEEDY CHILDREN.

Event Day(s) & Date(s) FRIDAY, DECEMBER 13, 2013

Event Time(s) 6:30 AM (POST OFFICE, B-Z-A, JACKSON COFFEE + CONVENIENCES) OTHERS 11:00AM - 4:00PM

Set-Up Date & Time NO SET UP Tear-Down Date & Time NO TEAR DOWN

Event Location DOWNTOWN CITY OF JACKSON

ANNUAL EVENT: Is this event expected to occur next year? (circle one)  YES  NO  
How many years has this event occurred? 95 YEARS

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

STREET CLOSURES: Start Date/Time N/A 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? N/A until \_\_\_\_\_

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

**ATTENDANCE:** What is the expected (estimated) attendance for this event? N/A

**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.

9/24/13  
Date

  
Signature of Sponsoring Organization's Agent

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



# City of Jackson, Michigan Financial Statements

As of and For the 3 Months Ended September 30, 2013

*(Unaudited)*

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All Funds - Revenue Summary	5-6
Notes to Revenue & Expenditure Summaries	7

**City of Jackson, Michigan**  
**General Fund Expenditure Summary**  
**As of and For the 3 Months Ended September 30, 2013**  
**( Prepared on the Adopted Budget-Basis )**

Function Department	2013/14 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)
	Original	Amended				
<b><u>Legislative :</u></b>						
101-101 City Council	84,067	84,067	5,935	26,910	32.01%	57,157
<b><u>Judicial:</u></b>						
101-137 Administrative Hearings Bureau	22,851	22,851	2,132	6,470	28.31%	16,381
	<b>22,851</b>	<b>22,851</b>	<b>2,132</b>	<b>6,470</b>	<b>28.31%</b>	<b>16,381</b>
<b><u>General Government :</u></b>						
101-172 City Manager	302,867	302,867	23,143	63,158	20.85%	239,709
101-192 City Clerk-Elections	104,138	104,138	2,039	12,090	11.61%	92,048
101-201 Finance	442,583	442,583	34,571	98,022	22.15%	344,561
101-209 City Assessor	330,976	330,976	24,572	68,331	20.65%	262,645
101-210 City Attorney	387,581	387,581	22,156	64,218	16.57%	323,363
101-215 City Clerk	106,039	106,039	7,367	24,256	22.87%	81,783
101-226 Personnel	211,127	211,127	7,943	21,686	10.27%	189,441
101-233 Purchasing	95,540	95,540	6,826	14,730	15.42%	80,810
101-253 City Treasurer	299,613	252,480	24,133	67,289	26.65%	185,191
101-254 City Income Tax	211,112	211,112	10,319	32,538	15.41%	178,574
101-258 Management Information Services	376,430	376,430	21,899	70,417	18.71%	306,013
101-265 City Hall & Grounds	312,465	312,465	19,564	65,301	20.90%	247,164
101-276 Cemeteries	244,179	244,179	22,768	66,988	27.43%	177,191
101-299 Unallocated	746,767	746,767	33,253	113,569	15.21%	633,198
	<b>4,171,417</b>	<b>4,124,284</b>	<b>260,553</b>	<b>782,593</b>	<b>18.98%</b>	<b>3,341,691</b>
<b><u>Police Department :</u></b>						
101-301 Police	7,848,957	7,790,674	548,246	1,579,476	20.27%	6,211,198
101-308 STEP Grants	0	0	0	11,742	N/A	(11,742) <i>Note 2</i>
101-311 OHSP Grant - Seatbelts	0	0	3,779	5,700	N/A	(5,700) <i>Note 2</i>
101-313 Consortium Training	13,069	13,069	0	0	0.00%	13,069
101-314 In-Service Training	2,756	2,756	1,270	3,515	127.54%	(759) <i>Note 2</i>
	<b>7,864,782</b>	<b>7,806,499</b>	<b>553,295</b>	<b>1,600,433</b>	<b>20.50%</b>	<b>6,206,066</b>
<b><u>Fire Department :</u></b>						
101-340 Fire Suppression	3,292,085	3,292,085	169,717	717,503	21.79%	2,574,582
	<b>3,292,085</b>	<b>3,292,085</b>	<b>169,717</b>	<b>717,503</b>	<b>21.79%</b>	<b>2,574,582</b>
<b><u>Other Public Safety :</u></b>						
101-350 Public Safety - Unallocated	2,178,396	2,178,396	170,330	504,448	23.16%	1,673,948
101-426 Office of Emergency Measures	69,736	69,736	4,876	14,560	20.88%	55,176
	<b>2,248,132</b>	<b>2,248,132</b>	<b>175,206</b>	<b>519,008</b>	<b>23.09%</b>	<b>1,729,124</b>

( Continued - )

**City of Jackson, Michigan**  
**General Fund Expenditure Summary**  
**As of and For the 3 Months Ended September 30, 2013**  
**( Prepared on the Adopted Budget-Basis )**

- Continued -

Function Department	2013/14 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)
	Original	Amended				
<b><u>Public Works :</u></b>						
101-441 Tax Property Maintenance	13,776	13,776	2,296	8,606	62.47%	5,170
101-442 Civic Affairs	49,254	49,254	2,730	8,678	17.62%	40,576
101-445 Drains at Large	0	4,000	1,295	2,842	71.05%	1,158
101-447 Grounds Maintenance	47,609	47,609	3,094	8,652	18.17%	38,957
101-448 Sidewalk Construction	65,000	65,000	0	2,663	4.10%	62,337
101-450 Street Lighting	499,689	499,689	38,477	75,750	15.16%	423,939
101-455 Weed Control	60,568	60,568	6,535	21,487	35.48%	39,081
101-690 Forestry	289,363	289,363	18,912	72,363	25.01%	217,000
	<b>1,025,259</b>	<b>1,029,259</b>	<b>73,339</b>	<b>201,041</b>	<b>19.53%</b>	<b>828,218</b>
<b><u>Recreation &amp; Culture :</u></b>						
101-692 Parks, Rec. & Grounds Admin.	638,415	638,415	57,560	160,138	25.08%	478,277
101-697 Parks & Facilities Maintenance	521,395	521,395	36,196	106,809	20.49%	414,586
101-698 Lt. Nixon Memorial Pool	85,920	85,920	5,774	45,928	53.45%	39,992
101-699 Sharp Park Swimming Pool	38,312	38,312	221	16,545	43.18%	21,767
101-803 Historical District	9,523	9,523	602	1,688	17.73%	7,835
	<b>1,293,565</b>	<b>1,293,565</b>	<b>100,353</b>	<b>331,108</b>	<b>25.60%</b>	<b>962,457</b>
<b><u>Community Enrichment &amp; Development:</u></b>						
101-401 Planning	196,944	196,944	4,394	11,944	6.06%	185,000
101-728 Economic Development	100,000	100,000	5,307	18,947	18.95%	81,053
	<b>296,944</b>	<b>296,944</b>	<b>9,701</b>	<b>30,891</b>	<b>10.40%</b>	<b>266,053</b>
<b><u>Contributions to Other Funds:</u></b>						
101-999 Contributions to Other Funds:	<b>664,900</b>	<b>664,900</b>	<b>0</b>	<b>0</b>	<b>0.00%</b>	<b>664,900</b>
<b>Total General Fund Expenditures</b>	<b>20,964,002</b>	<b>20,862,586</b>	<b>1,350,231</b>	<b>4,215,957</b>	<b>20.21%</b>	<b>16,646,629</b>

**City of Jackson**  
**All Other Funds - Expenditure Summary**  
**As of and For the 3 Months Ended September 30, 2013**  
**( Prepared on the Adopted Budget-Basis )**

Fund Type/Fund Name	2013/14 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)
	Original	Amended				
<b><u>Special Revenue Funds :</u></b>						
202 Major Street	3,276,826	3,276,826	134,471	412,987	12.60%	2,863,839
203 Local Street	1,401,483	1,354,925	79,427	271,205	20.02%	1,083,720
208 Ella W. Sharp Park Operating	688,590	688,590	61,322	202,000	29.34%	486,590
245 Public Improvement	1,056,848	1,056,848	150	42,106	3.98%	1,014,742
249 Building Department	472,146	472,146	27,417	81,761	17.32%	390,385
251 Housing Code Enforcement	700,272	700,272	30,172	82,162	11.73%	618,110
252 Building Demolitions	1,831,000	1,831,000	31,505	140,382	7.67%	1,690,618
253 212 W. Mich. Bldg. Demolition	455,051	455,051	58,680	115,034	25.28%	340,017
257 Budget Stabilization	10,000	10,000	0	0	0.00%	10,000
265 Drug Law Enforcement	37,883	37,883	388	13,020	34.37%	24,863
270 LАWNET Grant	7,415	7,415	0	13,749	185.42%	(6,334) <i>Note 2</i>
272 SAFER Grant	937,577	937,577	97,959	97,959	10.45%	839,618
296 Recreation Activity	259,711	259,711	29,951	98,537	37.94%	161,174
297 JPS Recreation Millage Program	215,760	215,760	14,818	69,880	32.39%	145,880
298 2008 Brownfield Revolving Loan	0	0	668	1,612	N/A	(1,612) <i>Note 2</i>
<b><u>Debt Service Funds :</u></b>						
365 City Hall D/S	8,888	8,888	0	0	0.00%	8,888
366 2013 City Hall Refunding D/S	618,204	618,204	0	0	0.00%	618,204
368 Building Authority D/S	48,294	48,294	150	42,106	87.19%	6,188
395 2001 DDA TIF D/S	550	550	0	0	0.00%	550
396 2011 DDA TIF Refinancing D/S	247,925	247,925	0	0	0.00%	247,925
397 2012 BRA TIF Refunding D/S	346,519	346,519	0	0	0.00%	346,519
399 2007 BRA TIF D/S	724,129	724,129	0	0	0.00%	724,129
<b><u>Capital Projects Funds :</u></b>						
401 Capital Projects Fund	488,360	488,360	0	96,207	19.70%	392,153
402 Water Equip. and Replacement	3,130,087	3,106,803	46,953	289,855	9.33%	2,816,948
404 Sanitary Sewer Maint. Fund	483,741	483,741	39,356	106,712	22.06%	377,029
405 Sanitary Sewer Replacement	908,750	885,466	230,316	375,587	42.42%	509,879
406 Wastewater Equip. Replacement	330,000	330,000	6,983	10,943	3.32%	319,057
494 Brownfield Redevelopment Auth.	1,175,696	1,175,696	1,524	4,255	0.36%	1,171,441
496 DDA Project	341,075	341,075	451	2,029	0.59%	339,046
<b><u>Enterprise Funds :</u></b>						
583 Sharp Park Golf Practice Center	63,547	63,547	4,513	13,249	20.85%	50,298
585 Auto Parking System	32,662	32,662	284	1,804	5.52%	30,858
586 Parking Assessment	133,563	133,563	2,685	9,921	7.43%	123,642
589 Stormwater Utility	1,115,286	0	0	2,790	N/A	(2,790) <i>Note 2</i>
590 Sewer	6,726,700	6,519,494	365,758	1,005,683	15.43%	5,513,811
591 Water	9,883,300	9,883,300	519,155	1,535,119	15.53%	8,348,181
599 Parking Deck Fund	784,173	784,173	8,576	25,860	3.30%	758,313

( Continued - )

**City of Jackson**  
**All Other Funds - Expenditure Summary**  
**As of and For the 3 Months Ended September 30, 2013**  
**( Prepared on the Adopted Budget-Basis )**

- Continued -

Fund Type/Fund Name	2013/14 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)	
	Original	Amended					
<b><u>Internal Service Funds :</u></b>							
641	Public Works Administration	587,247	588,247	58,015	130,346	22.16%	457,901
642	Engineering Administration	399,064	399,064	20,845	66,099	16.56%	332,965
643	Local Site Remediation Revolving	606,051	606,051	0	0	0.00%	606,051
661	Motor Pool and Garage	1,928,642	1,928,642	93,511	237,615	12.32%	1,691,027
663	Equipment Revolving Fund	50,561	50,561	0	0	0.00%	50,561
677	Workers' Compensation	251,300	251,300	9,938	21,155	8.42%	230,145
678	Prescription Drug	508,650	508,650	45,441	86,988	17.10%	421,662
679	Health Care Deductible Reimb.	344,275	344,275	22,704	64,843	18.83%	279,432
680	Health Care Deduct. Reimb.-Fire	139,000	139,000	11,217	24,727	17.79%	114,273
<b><u>Trust &amp; Agency Funds :</u></b>							
702	County & School Tax Collection	15,000	15,000	0	0	0.00%	15,000
711	Cemetery Perpetual Maintenance	55,100	55,100	2,337	2,337	4.24%	52,763
718	Ella W. Sharp Endowment	28,550	28,550	0	0	0.00%	28,550
731	Employees' Retirement System	3,700,000	3,700,000	317,268	936,427	25.31%	2,763,573
732	Policemen's/Firemen's Pension	979,105	979,105	255,410	255,410	26.09%	723,695
733	Policemen's/Firemen's Pens.-345	5,510,000	5,510,000	142,287	1,031,524	18.72%	4,478,476
736	Public Employees Health Care	0	0	0	0	N/A	0
<b><u>Special Assessment Funds :</u></b>							
895	Special Assessment	256,700	256,700	46,200	46,200	18.00%	210,500

**City of Jackson**  
**All Funds - Revenue Summary**  
**As of and For the 3 Months Ended September 30, 2013**  
**( Prepared on the Adopted Budget-Basis )**

Fund/Fund Name	2013/14 Budget		Actual Month To Date	Actual Year To Date	Percent Collected
	Original	Amended			
<b><u>General Fund :</u></b>					
Property Taxes	6,948,484	6,948,484	481,076	5,037,116	72.49%
Income Taxes	8,150,000	8,150,000	295,281	2,071,948	25.42%
Licenses & Permits	263,200	263,200	71	706	0.27%
Federal Grants	402	402	0	0	0.00%
State Grants	8,972	8,972	0	0	0.00%
State Revenue Sharing	4,200,128	4,200,128	0	28,521	0.68%
Contributions From Local Units	28,665	28,665	2,893	10,101	35.24%
Charges For Goods & Services	1,178,392	1,178,392	25,361	136,244	11.56%
Fines & Forfeits	178,790	178,790	14,268	40,230	22.50%
Investment Income	21,000	21,000	829	1,295	6.17%
Contributions From Other Funds	177,100	177,100	2,723	2,983	1.68%
Miscellaneous	164,225	164,225	66,184	91,785	55.89%
Total General Fund Revenues	21,319,358	21,319,358	888,686	7,420,929	34.81%
<b><u>Special Revenue Funds :</u></b>					
202 Major Street	3,110,730	3,110,730	192,418	194,463	6.25%
203 Local Street	1,154,670	1,154,670	57,898	57,974	5.02%
208 Ella W. Sharp Park Operating	693,050	693,050	74,414	216,914	31.30%
245 Public Improvement	933,700	933,700	66,064	676,891	72.50%
249 Building Inspection	473,000	473,000	35,122	106,670	22.55%
251 Housing Code Enforcement Fund	690,500	690,500	62,765	91,336	13.23%
252 Building Demolitions Fund	1,831,500	1,831,500	5,215	5,215	0.28%
253 212 W. Mich. Bldg. Demolition	455,051	455,051	61	55,715	12.24%
257 Budget Stabilization	10,000	10,000	406	761	7.61%
265 Drug Law Enforcement	30,450	30,450	1,765	11,059	36.32%
270 LAWNET Grant	7,415	7,415	0	7,627	102.86%
272 SAFER Grant	937,577	937,577	0	0	0.00%
296 Recreation Activity	274,500	274,500	20,514	38,956	14.19%
297 JPS Recreation Millage Program	215,760	215,760	0	0	0.00%
<b><u>Debt Service Funds :</u></b>					
366 2013 City Hall Refunding D/S	626,888	626,888	38,899	483,513	77.13%
368 Building Authority D/S	48,294	48,294	150	42,106	87.19%
395 2001 DDA TIF D/S	550	550	0	0	0.00%
396 2011 DDA TIF Refinancing D/S	247,925	247,925	0	0	0.00%
397 2012 BRA TIF Refunding D/S	346,519	346,519	0	0	0.00%
399 2007 BRA TIF Refunding D/S	724,129	724,129	0	0	0.00%

(Continued-)

**City of Jackson**  
**All Funds - Revenue Summary**  
**As of and For the 3 Months Ended September 30, 2013**  
**( Prepared on the Adopted Budget-Basis )**

- Continued -

Fund/Fund Name	2013/14 Budget		Actual Month To Date	Actual Year To Date	Percent Collected
	Original	Amended			
<b><u>Capital Projects Funds :</u></b>					
401 Capital Projects Fund	455,100	455,100	1,604	2,126	0.47%
402 Water Equipment and Replacement	2,508,040	2,508,040	208,876	626,435	24.98%
404 Sanitary Sewer Maintenance Fund	483,741	483,741	39,989	106,712	22.06%
405 Sanitary Sewer Replacement	658,000	658,000	61,292	183,173	27.84%
406 Wastewater Equip. Replacement	643,000	643,000	52,343	156,093	24.28%
494 Brownfield Redevelopment Auth.	1,064,404	1,064,404	447	839	0.08%
496 DDA Project	833,000	833,000	276	535	0.06%
<b><u>Enterprise Funds :</u></b>					
583 Sharp Park Golf Practice Center	64,380	64,380	17,238	10,650	16.54%
585 Auto Parking System	24,200	24,200	1,055	2,835	11.71%
586 Parking Assessment	126,393	126,393	49,323	56,409	44.63%
589 Stormwater Utility	1,101,286	1,101,286	0	97,492	8.85%
590 Sewer	5,053,688	5,053,688	194,068	330,857	6.55%
591 Water	8,239,776	8,239,776	658,476	1,157,882	14.05%
599 Parking Deck Fund	270,000	270,000	2,137	4,522	1.67%
<b><u>Internal Service Funds :</u></b>					
641 Public Works Administration	459,824	459,824	18,025	76,705	16.68%
642 Engineering Administration	420,808	420,808	40,213	114,910	27.31%
643 Local Site Remediation Revolving	11,000	11,000	154	289	2.63%
661 Motor Pool and Garage	1,396,068	1,396,068	63,493	239,958	17.19%
663 Equipment Revolving Fund	50,561	50,561	0	0	0.00%
677 Workers' Compensation	280,000	280,000	14,545	49,636	17.73%
678 Prescription Drug	508,050	508,050	13,921	47,272	9.30%
679 Health Care Deductible Reimb.	391,000	391,000	26,827	81,349	20.81%
680 Health Care Deductible Reimb.-Fire	178,000	178,000	10,251	30,704	17.25%
<b><u>Trust &amp; Agency Funds :</u></b>					
702 County & School Tax Collection	15,000	15,000	2,720	3,423	22.82%
711 Cemetery Perpetual Maintenance	80,100	80,100	10,137	10,145	12.67%
718 Ella W. Sharp Endowment	68,550	68,550	0	0	0.00%
731 Employees' Retirement System	4,623,636	4,623,636	774,389	2,137,203	46.22%
732 Policemen's/Firemen's Pension	978,096	978,096	389,541	389,541	39.83%
733 Policemen's/Firemen's Pension-345	7,503,947	7,503,947	2,774,675	3,455,227	46.05%
736 Public Employees Health Care	180,000	180,000	0	0	0.00%
<b><u>Special Assessment Funds :</u></b>					
895 Special Assessment	256,700	256,700	46,237	47,601	18.54%

**City of Jackson**  
**Notes to Revenue & Expenditure Summaries**  
**As of and For the 3 Months Ended September 30, 2013**  
**( Prepared on the Adopted Budget-Basis )**

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**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:** A budget amendment to correct this variance is pending.



# Neighborhood & Economic Operations

Building a Stronger Jackson

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

Building Inspection  
(517) 788-4012

Code Enforcement  
(517) 788-4060

Engineering  
(517) 788-4160

Planning & Economic Development  
(517) 768-6433

## CITY COUNCIL MEETING November 12, 2013

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

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### RECOMMENDATION

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

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

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

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

	Budgeted	Expended Prior Year	Actual Month-to-Date	Actual Year-to-Date	Total Funds Expended- to-Date	Balance	Percent Spent
<b><u>Public Services</u></b>							
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%
<b><u>Administration</u></b>							
3 Administration & Planning							
FY 2012/2013	215,000	31,000	12,600	39,816	70,816	144,184	32.9%
FY 2013/2014	71,700	-	-	-	-	71,700	0.0%
<b><u>Code Enforcement</u></b>							
4 City Code Enforcement - Inspection							
FY 2012/2013	535,000	345,217	22,163	66,996	412,213	122,787	77.0%
FY 2013/2014	258,220	-	-	-	-	258,220	0.0%
5 City Code Enforcement - Rehabilitation	163,780	-	4,027	8,595	8,595	155,185	5.2%
6 City Attorney Office							
FY 2012/2013	52,000	14,321	1,138	1,138	15,459	36,541	29.7%
FY 2013/2014	20,000	-	-	-	-	20,000	0.0%
<b><u>Housing Rehabilitation Projects</u></b>							
7 City Rehabilitation	325,358	-	323	2,100	2,100	323,258	0.6%
8 City Emergency Hazard Repair Program							
FY 2012/2013	104,000	97,375	-	6,625	104,000	-	100.0%
FY 2013/2014	125,000	-	2,551	20,041	20,041	104,959	16.0%
9 City Housing Initiative	92,846	-	383	2,804	2,804	90,042	3.0%
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%
<b><u>Street Projects</u></b>							
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>
<b><u>Other Projects</u></b>							
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%
<b><u>Public Improvements</u></b>							
19 Demolition - Neighborhood Economic Stabilization							
FY 2012/2013	494,924	304,560	-	1,800	306,360	188,564	61.9%
FY 2013/2014	155,000	-	-	-	-	155,000	0.0%
20 Residential Historic Preservation	22,000	-	-	-	-	22,000	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 Three Months Ended September 30, 2013**

	<u>Budgeted</u>	<u>Expended Prior Year</u>	<u>Actual Month-to-Date</u>	<u>Actual Year-to-Date</u>	<u>Total Funds Expended- to-Date</u>	<u>Balance</u>	<u>Percent Spent</u>
1 Rehabilitation Assistance Program							
FY 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	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	240,000	-	100.0%
FY 2013/2014	177,361	-	-	11,384	11,384	165,977	6.4%

# CITY OF JACKSON

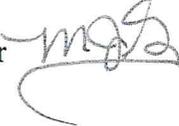


Office of Mayor  
Martin J. Griffin

## MICHIGAN

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

### CITY COUNCIL MEETING November 12, 2013

MEMO TO: City Councilmembers  
FROM: Martin J. Griffin, Mayor   
DATE: November 12, 2013  
SUBJECT: Jackson Housing Commission

#### **RECOMMENDATION:**

**Approval of the Mayor's recommendation to appoint Michelle L. Woods to the Jackson Housing Commission filling a current vacancy, beginning December 1, 2013, and ending October 30, 2018.**

In accordance with Ordinance No. 2000.1 and resolution adopted on December 21, 1999, the Mayor is the appointing authority for all appointments, subject to City Council confirmation as required by the Charter. Terms are for 5 years with no residency requirement.

It is my desire, therefore, to appoint Michelle L. Woods to the Jackson Housing Commission filling a current vacancy, beginning December 1, 2013, and ending October 30, 2018.

MJG:skh

# CITY OF JACKSON



Office of Mayor  
Martin J. Griffin

MICHIGAN

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

## CITY COUNCIL MEETING November 12, 2013

MEMO TO: City Councilmembers  
FROM: Martin J. Griffin, Mayor *mjg*  
DATE: November 12, 2013  
SUBJECT: Downtown Development Authority

### RECOMMENDATION:

**Approval of the Mayor's recommendation to reappoint Robert Simmons to the Downtown Development Authority, for a four-year term ending March 31, 2018.**

In accordance with City Code Section 2-401 providing for creation of Authority pursuant to Act 197 of the Public Acts of 1975, adopted 3/22/77 and City Commission resolution adopted 11/26/91. Members are appointed by the Mayor subject to Council confirmation, for four year terms. The Mayor serves during term of office. The Board shall consist of 13 members, with at least seven having an interest in downtown district property, and at least one member a resident of the downtown district, including the Midtown Association president.

It is my desire to reappoint Robert Simmons to the Downtown Development Authority, for a four-year term, beginning April 1, 2014, and ending March 31, 2018.

MJG:skh

APP-CC

# CITY OF JACKSON



MICHIGAN

RECEIVED  
FEB 22 2010  
BY: \_\_\_\_\_

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

Office of Mayor  
Karen F. Dunigan

## City of Jackson Board/Commission Application

Name: Robert Simmons

Address: 2290 Maple Dr. Zip: 49203

Home Phone: 517-782-2889 Other Phone: 517-788-8733

Occupation: REAL ESTATE SALES E-mail Address: rsimmo@comcast.net

### Community Involvement/Activity

Board Member/Treasurer of Jackson Economic Development Corporation

Are you a registered voter? Yes Ward? Summit Twp

1. \_\_\_\_\_ 2. \_\_\_\_\_

3. \_\_\_\_\_

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

I have worked for 25 years as a Realtor promoting downtown and have invested in and redeveloped several properties in the City (Most recent: City View Lofts)

I have been a DDA board member for 20+ years and I am willing to continue if you believe I can contribute.

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

Robert Simmons  
Signature of Applicant

2/19/10  
Date



**CITY COUNCIL MEETING**  
**November 12, 2013**

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

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

**SUBJECT: Public Hearing regarding the request filed by Elm Plating Co., to create Industrial Development District No. 96.**

---

**RECOMMENDATION:**

**Consider a resolution creating Industrial Development District No. 96.**

Attached please find a resolution in reference to creating Industrial Development District No. 96. Also included are a map and aerial photo of the proposed district, and a letter of request from Elm Plating Co.

Please consider this request at your November 12, 2013 Council meeting after the public hearing is held.

Thank you.

Attachments

cc: Patrick Burtch, City Manager  
David Taylor, City Assessor  
Jonathan Greene, Economic Development Director

**RECEIVED**  
CITY of JACKSON  
OCT 10 2013  
CLERK'S OFFICE

BY \_\_\_\_\_

**Michael D. Bozimowski**

*Principal*

**Rehmann Robson**

39300 W. Twelve Mile Rd., Suite 100

Farmington Hills, MI 48331

Ph: 248.579.1122

Fx: 248.536.6201

mike.bozimowski@rehmann.com

www.rehmann.com

Ms. Carmen Ryan

October 10, 2013

City Clerk of City of Jackson

**City Hall**

161 W. Michigan Avenue

Jackson, Michigan 49201

Re: Elm Plating Inc., IDD and IFTE request

Dear Ms. Ryan

Pursuant to our conversations, I have been asked to request an industrial development district and the accompanying Industrial Facilities Exemption found in PA 198 of 1974, as amended, which provides a tax incentive to manufacturers to enable renovation and expansion of aging facilities. Elm Plating Inc. is in the process of expanding and upgrading its operations in the City of Jackson, Michigan. This expansion at the address found in the accompanying forms will provide the opportunity for both new employment and retain current jobs within the City of Jackson. Please forward this request and the accompanying forms for you and the State tax Commission for review and approval.

Your cooperation and assistance in this matter is greatly appreciated. Should you need further information or have any other questions please contact me at (248) 579-1122 or at my mobile at (248) 756 5832.

Sincerely,

*M D Bozimowski*

Mike Bozimowski

**RESOLUTION**

BY THE CITY COUNCIL:

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

WHEREAS, the City qualifies under the terms of Sec. 4 (1) (b) of the Act as a governmental unit eligible to create either type of the above named districts; and

WHEREAS, Elm Plating Co., of 533 Hupp Street, Jackson, Michigan, more fully described below, has petitioned the City of Jackson to create Industrial Development District No. 96; and

WHEREAS, the City Council of the City of Jackson has complied with the requirements of Sec. 4(3) of Act 198; and

WHEREAS, written notice has been given to the public by newspaper advertisement in the Jackson Citizen Patriot of the hearing on the establishment of the proposed district; and

WHEREAS, on November 12, 2013, a public hearing was held at which all residents and taxpayers of the City of Jackson were afforded an opportunity to be heard thereon on the Industrial Development District creation; and

WHEREAS, the Jackson City Council deems it to be in the public interest of the City of Jackson to create the Industrial Development District.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Jackson hereby creates and so designates Industrial Development District No. 96, consisting of the following lands within the City of Jackson:

ELY 63 FT OF LOT 16 & ALL OF LOTS 17 & 18 EX THEREFROM FORMER PCRR R/W, ALSO A PC OF LAND COM AT NE COR OF LOT 10 BLK 56 TH S 24 DEG 4' 27" W 198 FT ALG WLY R/W LN OF PARK PL TH N 65 DEG 43' 3" W 135.45 FT TH S 47 DEG 55' 35" W 49.5 FT TH N 42 DEG 9' 19" W 123.46 FT TO POB OF THIS DESC TH N 42 DEG 9' 19" W 30 FT TH N 65 DEG 43' 3" W 69.24 FT TH 117.76 FT ALG ARC OF A 430 FT RADIUS CURVE TO THE RIGHT SUBTENDED BY A CHORD MEASURING N 57 DEG 52' 20" W 117.39 FT TH N 47 DEG 50' 41" E 30.12 FT TH S 52 DEG 56' 35" E 210.18 FT TH S 47 DEG 50' 41" W 9.98 FT TO POB BLK 56 ELM GROVE AMENDED ADD

And

LOT 15 & WLY 3 FT OF LOT 16 EX THEREFROM FORMER PCRR R/W BLK 56 ELM GROVE AMENDED ADD

\* \* \* \* \*

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 November 12, 2013.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, Michigan, on this 13th day of November 2013.

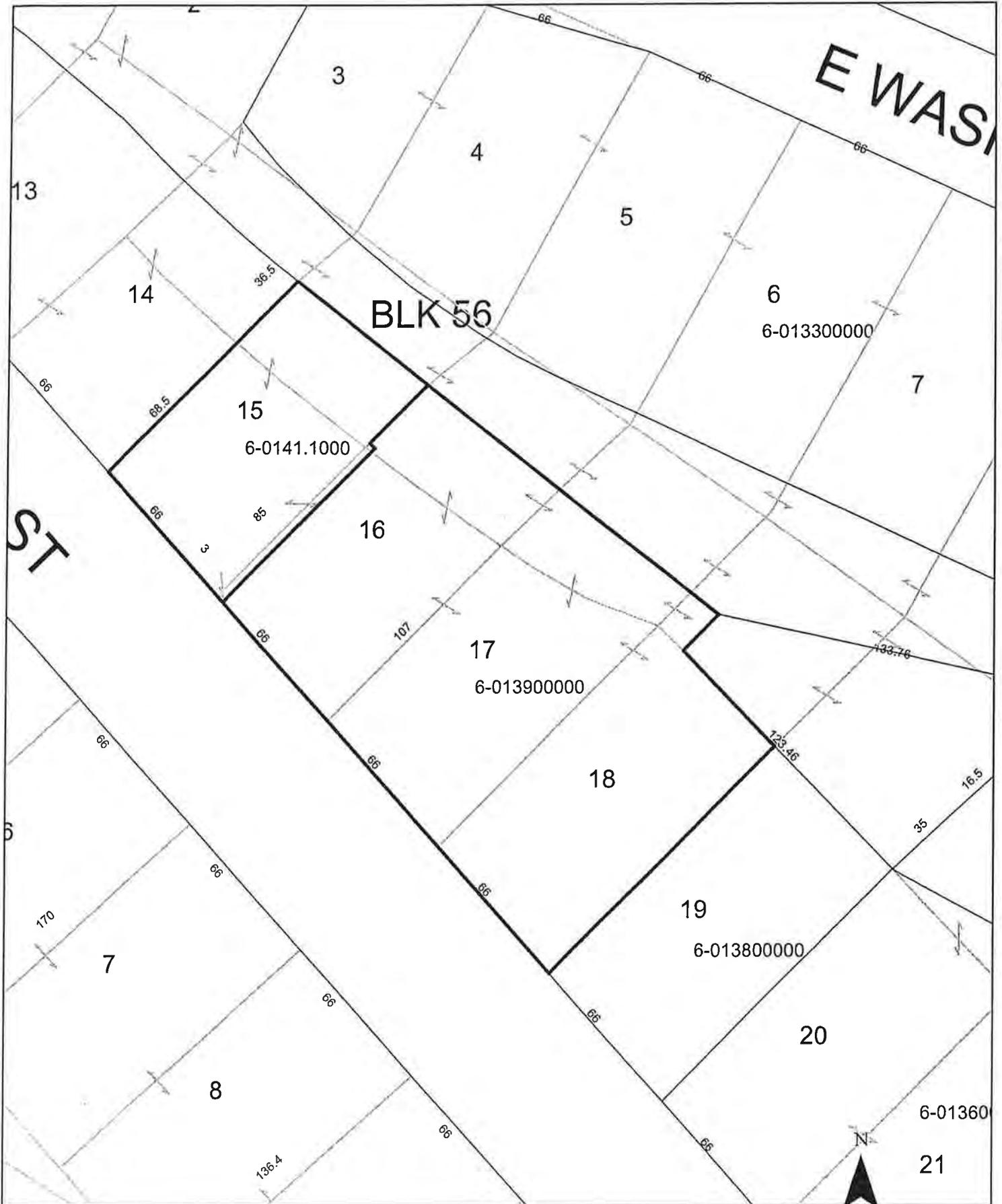
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Martin J. Griffin, Mayor

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Andrew J. Wrozek, Jr., City Clerk

# Elm Plating



PROPOSED CITY COUNCIL POLICY REGARDING  
AFFIRMATIVE ACTION REQUIREMENTS FOR  
ACT 198 AND 255 TAX ABATEMENT DISTRICT APPLICATIONS

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The City Council of the City of Jackson hereby approves the following policy regarding Affirmative Action requirements for Act 198 and 255 Tax Abatement Applications at the District level:

“All companies with 15 or more total employees making application with the City of Jackson for Act 198 or 255 Tax Abatement District establishment shall strive to establish a percentage of minority employment equal to or greater than the percentage of minority population in Jackson County.”

Procedures for implementing the above policy statement are:

1. Any firms making application with less than 15 total employees are exempted from the requirements contained herein.
2. A form requesting existing minority and female workforce statistics will be attached to the tax abatement application.
3. If the applicant's existing minority employment percentage is not equal to or greater than the percentage of minority population in Jackson County ( 9.8 ), the applicant must sign an Affirmative Action Agreement Letter of Commitment.
4. Applications for firms whose percentage of minority employment is not equal to or greater than the County minority population percentage of 9.8 and who fail to submit the Affirmative Action Agreement Letter of Commitment will not be processed.

ADDITIONAL INFORMATION REQUIRED BY THE CITY OF JACKSON FOR ACT 198 & 255  
TAX ABATEMENT DISTRICT APPLICANTS

DATE October 17, 2013 REPORTING PERIOD: FROM 9/1/2013 TO 9/8/2013 - Payroll

NAME OF FIRM Elm Plating Company, Inc. CONTACT Dan, Controller

1. What is your firm's total number of employees? 141

2. How many of the total in Question #1 are minorities? 43

3. How many of the total in Question #1 are female? 13

4. Compute the percentage of minority employment in your firm by dividing the number of minorities employed by the total number of employees ( $\#2 \div \#1 = \%$ ):

43 divided by 141 = 31.0 %  
# Minorities Total Employees

5. Is your percentage of minority employment equal to or greater than 9.8% (Jackson County's minority population percentage)?

YES  NO

6. If the answer is "YES", you need not complete any further information. Your application will be processed and forwarded to the City Council for consideration.

7. If the answer is "NO", you must submit the attached Affirmative Action Agreement Letter of Commitment in order for your tax abatement application for district establishment to be processed by the City of Jackson.

\*DEFINITIONS OF RACE/ETHNIC CATEGORIES:

White (not Hispanic origin): All persons having origins in any of the original peoples of Europe, North Africa, or the Middle East.

Black (not Hispanic origin): All persons having origins in any of the Black racial groups of Africa.

Hispanic: All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

Asian or Pacific Islanders: All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands, and Samoa.

American Indian or Alaskan Native: All persons having origins in any of the original peoples of North America and who maintain cultural identification through tribal affiliation or community recognition.

**AFFIRMATIVE ACTION AGREEMENT  
LETTER OF COMMITMENT**

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We, the undersigned applicant, operating under the name of Elm Plating Company, whose address is 1319 S. Elm Avenue, Jackson, MI 49203 acknowledge that our firm is subject to the policies and administrative guidelines of the City of Jackson relating to the Affirmative Action Policy for Act 198 and 255 Tax Abatement Applications at the district establishment level. Said company is committed to examine the racial and sexual integration of all levels of its own workforce, to make every good faith effort to correct any underutilization of minorities and women where it is found to exist, and to make every good faith effort to achieve the goals set forth in this Letter of Commitment, to include:

- A. The applicant will allow representatives appointed by the City of Jackson Human Relations Commission and/or the Michigan Civil Rights Commission to conduct an evaluation visit involving assistance and guidance on recruitment practices, application format, and interviewing procedures, and
- B. The applicant will submit the form requiring additional workforce information annually (due one year from City Council approval of the Facilities Exemption Certificate, and annually thereafter) to the City of Jackson for ongoing review purposes.

  
SIGNATURE OF COMPANY OWNER OR OFFICER

Jonas McCluskey, President  
PRINT NAME AND TITLE

October 17, 2013  
DATE SIGNED

531 Hupp

Parcel 6-013900000

Legal Description

ELY 63 FT OF LOT 16 & ALL OF LOTS 17 & 18 EX THEREFROM FORMER PCRR R/W, ALSO A PC OF LAND COM AT NE COR OF LOT 10 BLK 56 TH S 24 DEG 4' 27" W 198 FT ALG WLY R/W LN OF PARK PL TH N 65 DEG 43' 3" W 135.45 FT TH S 47 DEG 55' 35" W 49.5 FT TH N 42 DEG 9' 19" W 123.46 FT TO POB OF THIS DESC TH N 42 DEG 9' 19" W 30 FT TH N 65 DEG 43' 3" W 69.24 FT TH 117.76 FT ALG ARC OF A 430 FT RADIUS CURVE TO THE RIGHT SUBTENDED BY A CHORD MEASURING N 57 DEG 52' 20" W 117.39 FT TH N 47 DEG 50' 41" E 30.12 FT TH S 52 DEG 56' 35" E 210.18 FT TH S 47 DEG 50' 41" W 9.98 FT TO POB BLK 56 ELM GROVE AMENDED ADD

525 Hupp St

Parcel 6-0141.1000

LOT 15 & WLY 3 FT OF LOT 16 EX THEREFROM FORMER PCRR R/W BLK 56 ELM GROVE AMENDED ADD



Founded July 3, 1829

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

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

October 23, 2013

CERTIFIED MAIL – RETURN RECEIPT REQUESTED 7005 2570 0001 0821 3342

Mr. Jonas McCluskey  
Elm Plating Co.  
1319 S. Elm St.  
Jackson, MI 49203

Dear Mr. McCluskey:

RE: ELM PLATING CO.- Request to Establish an Industrial Development District

This letter is to confirm that the City Council has set 6:30 p.m. on Tuesday, November 12, 2013, in the City Council Chambers in City Hall, 161 W. Michigan Avenue, as the time and place to hold a public hearing on the request of Elm Plating Co., to create an Industrial Development District for property located at 533 Hupp Street.

**The City Council requests that you or your representative be present at this meeting.**

If you have any questions, please feel free to contact Carmen Ryan in the City Clerk's office at 517-768-6362.

Sincerely,

Andrew J. Wrozek, Jr.  
City Clerk

AJW/cr

C: City Manager, City Attorney, City Assessor, Human Relations Commission, Downtown Development Authority, The Enterprise Group





**CITY COUNCIL MEETING**  
**November 12, 2013**

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

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

**SUBJECT: Public Hearing regarding the application filed by Technique, Inc., located at 2427 Research Drive, for an Industrial Facilities Exemption Certificate.**

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**RECOMMENDATION:**

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

Attached please find a resolution, along with supporting documentation on the application filed by Technique, Inc., for an Industrial Facilities Exemption Certificate for their facility located at 2427 Research Drive. If Council adopts the resolution, it will be forwarded to the State Tax Commission for their consideration.

Please consider adopting the resolution after the public hearing is held at the November 12, 2013 City Council meeting.

Thank you.

Attachments

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

RESOLUTION

BY THE CITY COUNCIL:

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

WHEREAS, the Jackson City Council, acting under the authority of said Act, did on June 22, 1993, create by resolution Industrial Development District No. 73, which includes property located at 2427 Research Drive, Jackson, Michigan, as particularly described in said resolution; and

WHEREAS, pursuant to the provision of said Act, Technique, Inc., filed on October 3, 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 November 12, 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 November 12, 2013

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, Michigan, on this 13th day of November, 2013.

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

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

# Application for Industrial Facilities Tax Exemption Certificate

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

**INSTRUCTIONS:** File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form or would like to request an informational packet, call (517) 373-2408.

To be completed by Clerk of Local Government Unit	
Signature of Clerk <i>Andrew J. Wrozek Jr.</i>	Date received by Local Unit <i>10/3/13</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) <b>Technique, Inc.</b>		▶ 1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) <b>332110</b>	
▶ 1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) <b>2427 Research Drive, Jackson, MI 49204-4010</b>		▶ 1d. City/Township/Village (indicate which) <b>City of Jackson</b>	▶ 1e. County <b>Jackson</b>
▶ 2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(1)) <input type="checkbox"/> Research and Development (Sec. 2(9))		▶ 3a. School District where facility is located <b>Jackson</b>	▶ 3b. School Code <b>38170</b>
		4. Amount of years requested for exemption (1-12 Years) <b>12</b>	

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

The requested exemption will allow new equipment that will enable continued growth to meet our customer's increasing production demands while allowing more jobs to be created. Due to favorable pricing, Technique was able to obtain machinery that will increase capabilities as well as create jobs.

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	▶ <b>\$2,100,110.00</b> Personal Property Costs
6c. Total Project Costs _____ * Round Costs to Nearest Dollar	▶ <b>\$2,100,110.00</b> 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 ▶	<i>4/7/13</i>	<i>12/31/13</i>	▶ <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. <b>2</b>	▶ 10. No. of new jobs at this facility expected to create within 2 years of completion. <b>7</b>
-----------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------

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 _____	_____

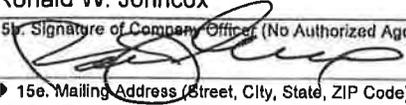
▶ 12a. Check the type of District the facility is located in:  
 Industrial Development District       Plant Rehabilitation District

▶ 12b. Date district was established by local government unit (contact local unit) <i>6/22/93 #73</i>	▶ 12c. Is this application for a speculative building (Sec. 3(8))? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
----------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------

**APPLICANT CERTIFICATION - complete all boxes.**

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

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

13a. Preparer Name <b>Michele M. Lauer, CPA</b>	13b. Telephone Number <b>(517) 788-8660</b>	13c. Fax Number <b>(517) 788-9872</b>	13d. E-mail Address <b>michele@willispc.com</b>
14a. Name of Contact Person <b>Michele M. Lauer, CPA</b>	14b. Telephone Number <b>(517) 788-8660</b>	14c. Fax Number <b>(517) 788-9872</b>	14d. E-mail Address <b>michele@willispc.com</b>
▶ 15a. Name of Company Officer (No Authorized Agents) <b>Ronald W. Johncox</b>			
15b. Signature of Company Officer (No Authorized Agents) 		15c. Fax Number <b>517-789-8495</b>	15d. Date <b>9-30-2013</b>
▶ 15e. Mailing Address (Street, City, State, ZIP Code) <b>2427 Research Drive, Jackson, MI 49204-4010</b>		15f. Telephone Number <b>(517) 789-8988</b>	15g. E-mail Address <b>rj@tirps.com</b>

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

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

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

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

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

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

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

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

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

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

## Technique, Inc.

IFT Request  
Personal Property

<u>Description</u>	<u>(Expected) Date in Service</u>	<u>Cost</u>
HAAS ST 30 CNC Turning Center	04/07/13	118,040
Burton Precision Braces 3D Measuring Arm	05/10/13	97,350
Allway Precision Model 330-15 Centerless Grinder	October 2013	268,910
Power MIG 350 MP Welder	05/22/13	3,700
BLM Elect 80 Tube Bending Machine	08/12/13	436,500
Triform Model 35-10-125C Hydroforming machine	November 2013	1,165,475
CAD Station	05/06/13	3,720
CAD Station	08/19/13	2,984
Cannon 2525/2535 Engineering	04/15/13	3,431
		<u>2,100,110</u>



## LEASE AGREEMENT

THIS LEASE made December 20, 2011, by and between Technique Properties, LLC a Michigan Limited Liability Corporation at 2427 Research Dr., Jackson, Michigan 49203 (hereinafter referred to as "Lessor") and Technique, Inc, a Michigan corporation at 2427 Research Dr., Jackson, Michigan 49203 (hereinafter referred to as "Lessee");

### WITNESSETH

NOW, THEREFORE, in consideration of the rents hereinafter reserved and covenanted by the Lessee to be paid and of the covenants and agreements hereafter mentioned to be kept and performed by both parties, the Lessor does demise and lease unto the Lessee the following described premises situated and being in the City of Jackson, County of Jackson, State of Michigan, upon the following terms and conditions:

1. **PREMISES:** An office and warehouse situated in the City of Jackson, County of Jackson, State of Michigan, and described as follows: Property located at the postal address 2427 Research Dr., Jackson, Michigan 49203.
2. **TERM:** The term of the lease shall be for a period of three (3) years, commencing January 1, 2012 and ending December 31, 2014.
3. **PURPOSE:** The Lessee does hereby lease the said premises together with all easements, rights of ingress and egress, and all appurtenances and fixtures belonging or appertaining to said premises for the purpose of retail sales and all related use incidental thereto.
4. **RENT:** The Lessee does hereby hire the said premises for the term as mentioned and covenants and promises to pay to the said Lessor, its representatives or assigns for rent of said premises for said term the sum of \$17,500.00 payable monthly commencing January 1, 2012.
5. **TITLE AND QUIET ENJOYMENT:** Lessor covenants that it is lawfully seized of the demised premises and has full right and power to enter into this lease for the full term and upon all the conditions herein contained, and that Lessee on paying the said rent and performing the covenants agreed to be performed shall and may peaceably and quietly have, hold and enjoy the demised premises for the said term.
6. **TAXES OR SPECIAL ASSESSMENTS:** Lessee covenants and agrees to pay all real estate taxes of every kind and nature levied upon or against said premises, and any special assessments or installments, before the same shall become delinquent.
7. **UTILITY CHARGES:** Lessee covenants and agrees to pay all utility charges for utilities furnished to Lessee in the use of said premises including all charges for gas, water, heat, electricity, lights, sewage and garbage disposal and any other utility or service charges as the same shall become due and before becoming a lien on the premises.
8. **MAINTENANCE:** Lessee covenants and agrees to maintain the premises in good repair and make any and all repairs at Lessee's sole expense as may be necessary and maintain that the buildings, structures, roofs, exterior walls, foundations, glass, heating, ventilating, air conditioning, electrical, water system and pumps, plumbing, and any and all parts and systems relating thereto as necessary. Lessee agrees to surrender and return the premises at the end of the lease to the Lessor in as good condition as when taken, damage by elements, loss by fire or other casualty and by ordinary wear and tear excepted.
9. **WARRANTIES AND REPRESENTATIONS:** Lessor and Lessee agree that Lessee has inspected and previously occupied the premises and accepts the same "as is". Lessee agrees that no representations

as to the condition or repair have been made by Lessor or anyone representing it prior to the execution of this lease.

10. **INSURANCE:** Lessee covenants and agrees to maintain insurance at all times against loss by fire and uniform extended coverage insurance upon the said premises at Lessee's sole expense. Such insurance shall insure Lessor against loss resulting from fire or other casualty and shall be maintained in such amounts as Lessor may reasonably require. Lessee agrees to indemnify and hold harmless Lessor from and against any damages or liability to any person or property in, on or about said premises from any cause whatsoever, and Lessee agrees to maintain at Lessee's expense public liability and property damage insurance for the benefit of Lessor in such amounts as Lessor may demand in writing from time to time. Lessee shall deliver to Lessor written evidence or certificates of such insurance as requested.

11. **WAIVER OF SUBROGATION:** Lessor and Lessee agree to release, discharge and waive their respective rights of recovery against each other, agents, employees or representatives from any liability whatsoever hereafter arising from loss, damage or injury caused by fire or other casualty, whether or not occurring by reason of the negligence of either party, for which insurance coverage, permitting waiver of liability and containing a waiver of subrogation clause is carried by the insured party at the time of such loss, damage or injury to the extent of any recovery by the insured party against such insurance. The parties further agree to see that there is attached to all fire insurance policies covering said premises the following waiver of subrogation clause:

"It is hereby stipulated that this insurance shall not be invalidated should the insured waiver in writing, prior to a loss, any or all right of recovery against any party for loss occurring to the property described herein."

The Lessor and Lessee agree to furnish each other a memorandum of insurance covering such insurance and indicating that the subrogation clause is a part of the policy, provided it is not already automatically incorporated in the policy.

12. **INSPECTION:** Lessor shall have the right to enter upon the leased premises at all reasonable hours for the purpose of inspecting the same. Lessee shall not perform any acts or carry out any practices which may injure the building and shall keep the premises clean and free from rubbish, dirt, snow and ice at all times and further not commit waste to the premises. In the event of any damage or injury to the premises of any kind whatsoever including cause by carelessness, negligence or improper conduct on the part of the Lessee, its agents or employees, Lessee shall cause the said damage or injury to be repaired as speedily as possible at its own cost and expense.

13. **ASSIGNMENT OR TRANSFER:** It is mutually understood and agreed that Lessee can neither assign nor transfer this lease except with the express written permission of Lessor.

14. **ALTERATIONS, MODIFICATIONS OR IMPROVEMENTS:** Lessee shall have the right during the term of this lease to modify or improve the external or internal portion of the premises; provided, however, that all costs and expenses related and incidental thereto shall be Lessee's sole and separate obligation and any such alterations or changes shall not impair the strength or structural integrity of the building. Any material alterations and changes or changes which affect the strength or structural integrity of the building shall be made only with the approval of Lessor. All alterations, additions or improvements made by either of the parties hereto upon the premises shall remain upon and be surrendered with the premises at the termination of this lease and shall become the property of Lessor.

15. **AVOIDANCE OF LIENS OR CLAIMS AGAINST TITLE:** Lessee covenants and agrees to pay promptly all expenses, charges or claims for alterations, modifications or improvements as the same shall become due and maintain the premises free and clear of all mechanics or materialmen liens, claims or encumbrances. In the event Lessor fails to make any mortgage or other payments required by Lessor to discharge liens or encumbrances before any of the same become in arrears, Lessee may, at its option, make such payments on Lessor's behalf and thereafter deduct the amount of any such payment made by the Lessee from rent due or to become due hereunder.

16. **DESTRUCTION OR CASUALTY:** It is mutually agreed and understood between the Lessor and Lessee that in the event the premises shall promptly and with reasonable dispatch be fully repaired or restored, as the case may be, provided, however, that the Lessor's obligations to repair or to restore it shall be limited to the proceeds of any insurance recoverable by virtue of said fire or casualty, and provided further, that the rent provided for shall abate entirely in the case the entire premises are untenable and pro-rata for the portion rendered untenable, in case a part only is untenable, until the same shall be restored to a tenable condition; provided, however, that if Lessee shall fail to adjust its own insurance or to remove its damaged goods, wares, equipment or property within a reasonable amount of time, and as a result thereof the repairing or restoration is delayed, there shall be no abatement of rental during the period of such resulting delay, and provided further that if there shall be no abatement of rental if such fire or other cause damaging or destroying the leased premises shall result from the negligence or willful act of the Lessee, its agents or employees, and provided further that if the Lessee shall use any part of the leased premises for storage during the period of repair, a reasonable charge shall be made, therefore, against the Lessee. In case the leased premises or the building shall be destroyed to the extent that more than one-half of the value thereof, Lessor may at its option terminate this lease forthwith by written notice to Lessee.

17. **EMINENT DOMAIN:** If the whole or any part of the premises hereby leased shall be taken by an public authority under the power of eminent domain, then the term of this lease shall cease on the part so taken, from the date of possession of the part shall be required for any public purpose, and the rent shall be paid up to that day and from that day the Lessee shall have the right either to terminate this lease or to continue in the possession of the remainder of the premises under the terms herein provided, except that the rent shall be reduced in proportion to the amount of the premises taken. All damages awarded for such taking shall belong to and be the property of the Lessor whether such damages shall be awarded as compensation for diminution in value to the leasehold or to the fee of the premises herein leased, provided, however, that the Lessor shall not be entitled to any portion and award made to the Lessee for loss of business, depreciation in merchandise and fixtures, fixtures and equipment damage, and removal costs; and, provided further, that Lessee shall be entitled to prove in said eminent domain proceedings and request award for the unamortized balance of its cost of any alterations, changes or repairs.

18. **BANKRUPTCY:** In the event that the Lessee shall become bankrupt or become a debtor under Section 11 of the Federal Bankruptcy Act or any amendments thereto, or shall make an assignment of Lessee's property for the benefit of creditors, or in the event that a receiver be appointed for the business and property of Lessee or the estate created hereby shall be taken in execution, or by other process of law, or Lessee shall apply for reorganization or extension arrangements with its creditors under any Federal or State law now in force or hereinafter enacted, or if Lessee's corporate existence shall terminate, or if its assets shall be sold or otherwise disposed of other than in the ordinary course of its present business, or it shall merge, or if it shall reorganize, liquidate or partially liquidate, or if it shall cease conducting or materially reduce or alter the conduct of its present business, then, at the option of Lessor, this lease may be canceled or terminated.

19. **DEFAULT:** In the event of any default by the Lessee in payment of rent or the performance of any other covenant or obligation to be kept or performed by the Lessee, and continuation of the default for a period of thirty (30) days after receipt of written notice from Lessor specifying such default, Lessor may thereafter pursuant to the law in the State of Michigan, enter onto the said premises and take full and absolute possession thereof without such reentry causing a forfeiture of the rent to be paid or the covenants to be performed by the Lessee hereunder for the full term of this lease, and may thereafter lease or sublease the premises for such rent as Lessor may reasonably obtain, crediting the Lessee with the rent so obtained after deducting the costs Lessor reasonably incurs by such reentry, leasing or subleasing; or the Lessor, at its election, may terminate this lease and reenter and take full and absolute possession of the demised premises free of any further right or claim by the Lessee. Lessee agrees and will become fully obligated for, pursuant to this lease, any and all expenses incurred by the Lessor in enforcement of the terms and obligation of Lessee under this lease including legal expenses, attorney fees, court costs, witness fees and related expenses which Lessor may incur.

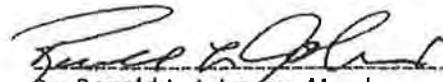
20. **OPTIONS TO RENEW SAID LEASE:** Lessee may at its option obtain a renewal or extension of this lease after expiration of its initial term for an additional term of two (2) years upon the same terms and conditions provided herein except as to rent which will be fixed by mutual agreement in writing at that time by notifying the Lessor ninety (90) days or more prior to the expiration of the term of its intention to do so. In the event that Lessee holds over after the termination of the leasehold term or extension, in the absence of a written agreement to the contrary, thereafter the tenancy shall be from month-to-month.

21. **NON-WAIVER:** No waiver of any breach of any covenant, condition or stipulation herein contained shall be taken as a waiver of any succeeding breach thereof and the acceptance of rent, during any period in which Lessee may be in default, shall not mean to be a waiver of such default.

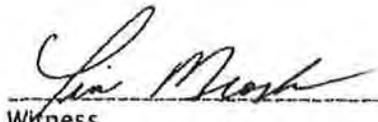
22. **SUCCESSORS:** The covenants, conditions and agreements made and entered into by the parties hereto are binding upon their respective successors and assigns.

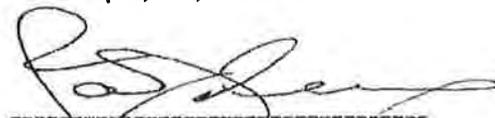
**TECHNIQUE PROPERTIES, LLC, LESSOR**

  
-----  
Witness

  
-----  
By: Ronald L. Johncox, Member

**Technique, Inc, LESSEE**

  
-----  
Witness

  
-----  
By: Ronald W. Johncox

**Willis & Jurasek, P.C.**  
**Certified Public Accountants, Consultants**  
2545 Spring Arbor Road, Suite 200  
Jackson, MI 49203-3690  
Phone (517) 788-8660, Fax (517) 788-9872  
Website: [www.willispc.com](http://www.willispc.com)

# Memo

**RECEIVED**  
CITY of JACKSON  
SEPT 03 2013  
CLERK'S OFFICE  
BY \_\_\_\_\_

**Date: September 30, 2013**

**To: Andrew J. Wrozek, Jr.-City Clerk**

**From: Michele M. Lauer, CPA**

**CC: S. Brian Jurasek, CPA; Ronnie Johncox; Ron Johncox**

**Re: Technique, Inc. IFT application**

---

Attached you will find Form 1012 the Industrial Facilities Tax Exemption (IFT) Application. I have included the required attachments and I am sending the entire package to you in triplicate.

Please advise us of the time, date and place the public hearing will be held to discuss this matter, we will be happy to have a company representative present.

Thanks you in advance for your attention to this matter. Please do not hesitate to contact me should you have any questions or if I may be of additional assistance.

September 30, 2013

City Clerk, Andrew J. Wrozek, Jr.  
City of Jackson  
161 W. Michigan Avenue  
Jackson, Mi 49201-1303

**RECEIVED**  
CITY of JACKSON  
OCT 03 2013  
CLERK'S OFFICE

BY \_\_\_\_\_

Dear Andrew:

Please see the enclosed Application for Industrial Facilities Tax Exemption Certificate for the equipment we have purchased.

The permanent parcel number is 06-1845.NO00

Our company has recently purchased approximately \$2,100,110 in machinery. These acquisitions will help us increase efficiency, increase production capacity and create new jobs. Granting us the benefits of P.A. 198 will encourage management and owners to continue to invest in Jackson and its valued residents.

If you will advise us of the time, date and place the public hearing will be held to discuss this matter, we will be happy to have a company representative present.

Thank you in advance for your assistance.

Sincerely yours,



Ronald W. Johncox  
President  
Technique, Inc.

### 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
7,030	4,260	4,415

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.

	One Year After Construction is Done	After 5 Years	After 15 Years
<b>Revenue</b>			
1. Revenue from proposed property (from page 2, line 1).....	7,030	4260	4415
2. Revenue from related development (from page 2, line 2).....			
3. TOTAL (Add lines 1 and 2).....			
<b>Cost</b>			
4. Roads (from page 3, line 6).....			
5. Sewer (from page 4, line 10).....			
6. Storm Drains (from page 5, line 14).....			
7. Water Systems (from page 6, line 18).....			
8. Police Personnel (Enter "total annual cost" from page 7, line 20).....			
9. Police Equipment (from page 7, line 22).....			
10. Police Buildings (from page 7, line 24).....			
11. Fire Personnel (Enter "total annual cost" from page 8, line 26).....			
12. Fire Equipment (from page 8, line 28).....			
13. Fire Buildings (from page 8, line 30).....			
14. Other Costs (from page 9, line 31).....			
15. TOTAL COST (Add lines 4 through 14).....			

**INDUSTRIAL FACILITIES TAX EXEMPTION AGREEMENT**

AGREEMENT made this 5TH day of OCTOBER, 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 **Technique Inc.**, a Michigan corporation, with offices located at 2427 Research Drive, City of Jackson, Jackson County, Michigan (hereinafter "Applicant").

**WHEREAS**, the City has received an application from Applicant for the issuance of an Act 198 Tax Exemption Certificate for its NEW EQUIPMENT (describe project) (the "Project") that was established as an Industrial Development District (the "District") by the City of Jackson on June 22, 1993; and

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

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

1. The Applicant, as a result of said improvements, shall use its best efforts to create not less than 5 new full time equivalent jobs and relocate and retain not less than \_\_\_\_\_ 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:

\_\_\_\_\_

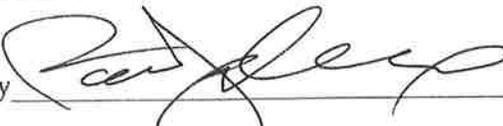
**CITY OF JACKSON**

By \_\_\_\_\_

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

William Jackson

**APPLICANT**

By  \_\_\_\_\_

Its: PRESIDENT \_\_\_\_\_

Applicant Name  
**Technique, Inc**

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

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

Estimated Project Investment (not assessed value):

Real Property	Personal Property <b>\$2,100,110.00</b>	Total <b>\$2,100,110.00</b>
---------------	--------------------------------------------	--------------------------------

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

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

**LOCAL UNIT CERTIFICATION**

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

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



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

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

**CITY COUNCIL MEETING**  
**November 12, 2013**

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

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

**SUBJECT:** Adoption of Ordinance No. 2013.23

---

**RECOMMENDATION:**

**Final adoption of Ordinance No. 2013.23 an ordinance amending Article I of Chapter 6 of the City of Jackson Code of Ordinances to repeal ordinances establishing the telecommunications advisory board, describing the telecommunications advisory board's powers, or referring to the telecommunications advisory board.**

Attached please find Ordinance 2013.23 approved by the Council at the October 8, 2013 meeting. Please consider adoption of the ordinance.

**C:** City Manager

ORDINANCE 2013 - 23

An Ordinance amending Article I of Chapter 6 of the City of Jackson Code of Ordinances to repeal ordinances establishing the telecommunications advisory board, describing the telecommunications advisory board's powers, or referring to the telecommunications advisory board.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

The City Council adopts this ordinance to dissolve the telecommunications advisory board and to repeal ordinances establishing the telecommunications advisory board, to repeal ordinances describing the telecommunications advisory board's powers, and to repeal ordinances referring to the telecommunications advisory board.

Section 2. That Article I of Chapter 6 of the City of Jackson, Michigan Code of Ordinances, be amended to read as follows:

Sec. 6-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Subscriber* means a person authorized to receive the services of the system.

*System* means a system of antennae, cables, wires, lines, towers, or other conductors, converters, equipment or facilities designed and constructed for the purpose of producing, receiving, transmitting, amplifying and distributing audiovideo and other forms of electronic or electrical signals via cable or other conductor to subscribers for a specified fee. Such term shall not include any facility that serves or will serve only subscribers in any multiple-unit dwelling under common ownership, control or management which does not use city rights-of-way.

*Cross reference— Definitions and rules of construction generally, § 1-2.*

Sec. 6-2. Necessity of franchise.

No person shall construct or operate a system within the boundaries of the city except by franchise granted under this chapter by the city.

Sec. 6-2.1. Repealed.

Sec. 6-2.2. Repealed.

Sec. 6-3. Interference.

Neither the owner of any multiple unit, residential dwelling, nor the owner's agent or representative shall interfere with the rights of any tenant or lawful occupant thereof to receive system installation, services or maintenance from a cable communication company franchised under the authority of this chapter.

Sec. 6-4. Franchise conditions.

- (a) *Nonexclusiveness.* Each franchise or renewal thereof granted under the authority of this chapter shall be nonexclusive.
- (b) *Revocation of franchise/standards.* Any franchise granted under the authority of this chapter shall be revocable at any time after a hearing before the city council. The following are factors, evidence of which may be considered by the city council as a basis for a finding that, based upon a preponderance of evidence presented, there is reason for revocation of a franchise granted hereunder. Those standards are as follows:
  - (1) The demonstrated material and repeated violation of this chapter by a franchisee.
  - (2) The demonstrated material and repeated violation of a franchise agreement granted under the authority of this chapter by a franchisee.
  - (3) The demonstrated failure to make franchise fee payments in a timely manner by a franchisee.
  - (4) The bankruptcy of a franchisee.
  - (5) Assignment, sale or transfer of a franchise without the written consent of the city.
  - (6) Any other factor which has rendered a franchisee unable to continue the competent operation of a franchise granted hereunder.
- (c) *Terms of franchise.* The terms of a franchise granted hereunder shall be determined by the requirements of this chapter and by the provisions of a franchise agreement signed pursuant hereto.

Sec. 6-5. Theft of service, vandalism.

- (a) No person, whether a subscriber to the system or not, shall willfully, maliciously or otherwise, damage or cause to be damaged any wire, cable, conduit, apparatus or equipment of the system or commit any act with intent to cause such damage, or to tap, tamper with or otherwise connect any wire or device to a wire, cable, conduit, apparatus, appurtenance or equipment of any such system with the intent to obtain a signal or impulse from the system without authorization of the franchisee.
- (b) It shall be unlawful for any person to tap, monitor, or arrange for the tapping or monitoring of any cable lines, signal, input device or other subscriber outlet, or receive it for any purpose whatsoever, without the specific written authorization of the subscriber or pursuant to a court order.

- (c) Whoever shall violate any provision of this section shall be guilty of a misdemeanor and shall be liable to a penalty not to exceed five hundred dollars (\$500.00) or ninety (90) days in jail or both per day, for each and every day or part thereof that the violation occurs.

Sec. 6-6. Eminent domain.

Nothing in any franchise granted under this chapter shall limit any right of the city which it may have to acquire by eminent domain or otherwise any property of the franchisee; provided, however, that any such acquisition shall be for a price that values the franchisee's property at fair market value.

Sec. 6-7. Assignment, sale or transfer of ownership or control of franchise.

- (a) *Franchise transfers.* This franchise, the cable system, and any portion of the cable system may not be transferred, sold or assigned without the prior written consent of the City of Jackson.
  - (1) For purpose of this section, "transfer" and "transferred" shall not include a transfer solely for security purposes (such as the grant of a mortgage or security interest), but shall include any realization on the security by the recipient, such as a foreclosure on a mortgage or security interest.
  - (2) For purpose of this section, "transfer" and "transferred" shall not include the replacement of components of the cable system in the course of ordinary maintenance and day-to-day operation.
- (b) *Transfer of ownership or control.* There shall be no transfer of or acquisition of the franchise holder, or of any entity, at any tier or level, which directly or indirectly controls the franchise holder without the prior written consent of the city. For purposes of this section, "... transfer of or acquisition of control of a franchise hereunder..." shall mean any change in the identity of the entities, individuals or group which directly or indirectly directs, or has the power to direct, the management and policies of franchisee, whether through the ownership of voting securities or other equity interest, by contract or otherwise. Without limiting the generality of the foregoing, for the purposes hereof, such a change shall be deemed to have occurred at any point in time when there is:
  - (1) A change in working or effective voting control, in whatever manner effectuate, of franchisee;
  - (2) An agreement of the holders of voting stock or rights of franchisee which effectively vests or assigns policy decision-making in any person or entity other than franchisee;
  - (3) A sale, assignment or transfer of any shares or interest in franchisee which results in a change in the control of franchisee; or
  - (4) A change of control of the franchise or entity that directly or indirectly controls the franchisee occurs of a nature that would be required to be reported in the Security Exchange Act of 1934, as amended.

- (c) *Applications for consent/procedure/restrictions.* If a franchisee seeks to obtain the consent of the city to any transaction described in section 6-7, it shall submit an application for such consent to the city and shall submit or cause to be submitted to the city such additional documents and information as the city may request.
- (1) The city shall have one hundred twenty (120) days from the date of submission of an application (such as an FCC Form 394) to act upon any such application for consent. If the city fails to act upon such application for consent within one hundred twenty (120) days, such application shall be deemed consented to unless the city and franchisee otherwise agree to an extension of time.
  - (2) The city shall not unreasonably withhold its consent to any proposed transfer, and may grant its consent outright, may grant such consent with conditions which if finds are in the public interest, or may deny consent.
  - (3) Nothing in any approval by the city or an authorization of any transfer shall be construed to waive or release any rights of the city in and to the streets, public rights-of-way, and public places of the city, or as a release of any of the city's police powers, or as an exercise of eminent domain.
  - (4) The city's grant of consent in any one instance shall not require it to grant consent in other instances.
  - (5) The franchisee shall pay and/or reimburse the city for all costs reasonably incurred by the city due to any proposed transfer.

Sec. 6-8. Police power.

The rights of a franchisee are subject to the powers of the city to adopt and enforce general ordinances necessary for the protection of the health, safety and welfare of the people of the city.

Sec. 6-9. Franchise fees.

- (a) For the reason that the streets to be used by any franchisee are valuable public properties acquired and maintained by the city at great expense to its taxpayers, any franchisee shall pay to the city an annual franchise fee in accordance with the terms of its franchise agreement.
- (b) Payment of the franchise fee shall not be considered a tax, but shall be in addition to any and all taxes required by the city, state, or the United States. Nonpayment of any franchise fee by a franchisee shall be considered a material violation of this chapter.

Sec. 6-10. Subscriber rights.

- (a) *Nondiscrimination.* No franchisee shall deny system service or access to subscribers upon the basis of their race, color, creed, ancestry, sex, age, disability, income level or marital status.

- (b) *Subscriber antenna.* No franchisee may require the removal or provide any inducements for the removal of any potential or existing subscriber's antennas as a condition of provision of service.
- (c) *Subscriber privacy.*
  - (1) No signals shall be transmitted from a subscriber's terminal, dwelling or place of business for purposes of monitoring individual viewing patterns or practices without the express written permission of the subscriber; provided, however, that any franchisee shall be entitled to conduct, without such written authorization, systemwide or individually addressed sweeps for the purpose of verifying system integrity, controlling the return path transmission, or billing for services rendered hereunder.
  - (2) No poll or other upstream response of a subscriber or user shall be conducted or obtained unless the program of which the upstream response is a part shall contain an explicit disclosure of the nature, purpose, and prospective use of the results of the poll or upstream response, and the franchisee shall release the results of upstream responses only in the aggregate and without individual reference.

Sec. 6-11. Rates.

All charges made to subscribers for installation, maintenance and use of the system under a franchise granted under the authority of this chapter shall be fair and reasonable.

Secs. 6-12—6-20. Reserved.

**Bethany M. Smith**  
*Interim City Attorney*

**Gilbert W. Carlson**  
*Assistant City Attorney*

**Kevin A. Rogers**  
*Staff Attorney*

**Robert C. Rottach**  
*Staff Attorney*

**OFFICE OF THE**



**CITY ATTORNEY**

**161 West Michigan Avenue**  
**Jackson, MI 49201**  
**(517) 788-4050**  
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**CITY COUNCIL MEETING**  
**November 12, 2013**  
**NEW BUSINESS**

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Robert Rottach, Staff Attorney

DATE: November 4, 2013

SUBJECT: Amendments to Chapter 26 – Vegetation

**RECOMMENDATION: Approve the Amendments to Chapter 26**

Attached please find a black-lined and a clean version of the amendments to Chapter 26 of the Code of Ordinances:

- to replace the city forester with the Director of Public Works;
- to regulate the storage of wood piles on private property;
- to allow the Director of Public Works (or designee) to remove, trim, or treat all dead, dying, decaying, dangerous, infested, or diseased trees on public and private property;
- to provide an appeals process to the city manager for a private property owner when a tree on his/her private property is ordered to be removed, trimmed or treated; and
- to give the Director of Public Works (or designee) the authority to enter private property to determine compliance with Chapter 26.

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  
Bethany M. Smith, Interim City Attorney

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

An Ordinance amending Articles II and III of Chapter 26 of the City of Jackson Code of Ordinances to regulate trees, grass, weeds, shrubbery, and other woody vegetation on public and private property for the health, safety, and welfare of the citizens of the City of Jackson, Michigan.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

The City Council adopts this ordinance to regulate trees, grass, weeds, shrubbery, and other woody vegetation on public and private property for the health, safety, and welfare of the citizens of the City of Jackson, Michigan.

Section 2. That Articles II and III of Chapter 26 of the City of Jackson, Michigan Code of Ordinances, be amended to read as follows:

**ARTICLE II – REGULATION OF TREES ON PUBLIC PROPERTY**

Sec. 26 - 26. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Director of Public Works* means the Director of Public Works and any individual, agent, employee, volunteer, corporation, partnership, or contractor designated by the Director of Public Works to perform his duties under this article.

*Diseased tree* means a tree that is afflicted with any fatal or communicable disease.

*Park* means all public parks having individual names, and all areas owned by the city, or to which the public has free access as a park.

*Public utility* means any person or entity owning or operating any pole, line, pipe, cable, or conduit located in, under, or above any public street or over or along any public easement or right-of-way for the transmission of electricity, gas, telephone service or telecommunication service.

*Right-of-way* means any public street, highway, alley or avenue of the city.

*Street* means all of the land lying between property lines on either side of all streets, highways and boulevards in the city.

*Tree* means trees, shrubs, bushes and all other woody vegetation.

*Tree stump* means the base part of a tree attached to the root(s), including any portion of the tree trunk, which remains after the tree has been cut.

Sec. 26 – 27. Applicability.

The terms of this article, unless otherwise specifically stated, shall apply to public streets, alleys, highways, easements, parkways, parks and other land publicly owned or controlled by the city.

Sec. 26 – 28. Enforcement; authority of the Director of Public Works.

The Director of Public Works shall be charged with the duty of enforcing the provisions of this article, except in Sharp Park which shall be under supervision of the superintendent of Sharp Park.

Sec. 26 – 29. Permits for tree planting, care, maintenance, and removal.

The Director of Public Works shall have control over all trees located within the street rights-of-way and parks in the city and the planting, care and removal thereof, subject to the regulations contained in this article. The owner of land abutting on any street may, upon obtaining prior written permission of the Director of Public Works, prune, spray, plant or remove trees in that part of the street abutting his land not used for public travel, but no person shall otherwise prune, spray, plant or remove any tree in any street or park. Every such permit shall specify the extent of the authorization and the conditions to which it is subject. Where an owner of abutting property requests the removal of a tree, the Director of Public Works is authorized, in his discretion, to require as a condition to granting of approval for such removal, that such property owner make the removal in accordance with regulations established by the Director of Public Works, assume all or any part of the costs of removing such tree, and also to require that the tree removed be replaced at some other nearby location by planting another tree, not necessarily of the same type.

Sec. 26 – 30. Removal of dead, dying, decaying, dangerous, infested, or diseased trees.

All dead, dying, decaying, dangerous, infested, or diseased trees may be trimmed, treated, or removed by the Director of Public Works.

Sec. 26 - 31. Removal of tree stumps.

All tree stumps may be removed, ground, or trimmed by the Director of Public Works.

Sec. 26 – 32. Removal of other trees.

Trees may be removed which are not dead, dying, decaying, dangerous, infested, or diseased when such trees are of an undesirable species or a public nuisance. The Director of Public Works is hereby authorized to direct the removal of any tree growing within any street, park or public place, when such tree interferes with fire hydrants, sewer and water mains, visibility of street intersections, traffic-control devices or construction within street rights-of-way.

Sec. 26 – 33. Tree planting regulations.

- (a) No tree of any prohibited species shall be planted in any street or park, nor shall any such tree be planted on any private property within fifty (50) feet of any street or sidewalk right-of-way or any sewer or sewer extension. Shade trees planted in any street right-of-way shall be spaced no further than twenty-five (25) feet apart. The owner of a single lot may, in order to provide a shade or ornamental tree in the front of his lot, secure written permission from the Director of Public Works to have a tree planted closer than forty (40) feet from an existing tree, but in no case shall such planting be within thirty (30) feet of any existing tree, within the right-of-way. No tree shall be planted in any street right-of-way, less than two and one-half (2½) feet from the sidewalk; trees on private property adjacent to the sidewalk shall be planted not less than three (3) feet therefrom.
- (b) Canopy trees may be maintained in the site clearance triangle areas described in section 28-126 of this code provided that all branches are trimmed to maintain a clear vision for a vertical height of ten (10) feet above the roadway surface.

Sec. 26 – 34. Tree protection.

No person shall break, injure, mutilate, kill or destroy any tree or shrub, or set any fire, or permit any fire, or the heat thereof, to injure any portion of any tree. No toxic chemicals or other injurious materials shall be allowed to seep, drain or be emptied on, near or about any tree. No electric wires or any other lines or wires shall be permitted to come in contact with any tree or shrub in any manner that shall cause damage thereto, and no person shall attach any electric insulation to any tree. No person shall use any tree as an anchor, and no material shall be fastened to or hung on any tree, except by written permission of the Director of Public Works. All persons having under their care, custody or control, facilities which may interfere with the trimming or removal of any tree, shall after notice thereof by the Director of Public Works, promptly abate such interference in such manner as shall permit the trimming or removal of such tree by the Director of Public Works.

Sec. 26 – 35. Excavations near trees.

Excavations and driveways shall not be placed within six (6) feet of any tree without written permit from the Director of Public Works. Any person making such excavation or construction shall guard any tree within six (6) feet thereof with a good substantial frame box to be approved by the Director of Public Works, and all building material or other debris shall be kept at least four (4) feet from any tree.

Sec. 26 – 36. Covering surface near trees.

No person shall place within the street right-of-way, any stone, brick, sand, concrete or other material which will in any way impede the full and free passage of water, air or fertilizer to the roots of any tree, except a sidewalk of authorized width and location.

Sec. 26 – 37. Gas main leakage.

Gas pipes and mains within any public rights-of-way or on any public property shall be so maintained as to avoid any leakage therefrom. In the event a leak exists or occurs, it shall be reported to the owner of such pipe and main, and the leak shall be repaired. Any damage to trees, shrubbery or grass resulting from the escape of gas from a pipe or main shall be repaired, and the cost of the work, including the cost of removal and the replacement of any trees, shall be levied against the owner of the pipe or main causing the damage.

Sec. 26 – 38. Rules and Regulations.

The city manager shall make such rules and regulations supplementary to this article and not in conflict herewith, as he may from time to time deem necessary. Until changed pursuant to this section, the rules and regulations in effect at the adoption of this Code shall continue in effect. No person shall fail to obey any rule or regulation effective hereunder.

Sec. 26. - 39. Severability.

If any section, subsection, sentence, clause or phrase of this article is for any reason held to be invalid or unconstitutional by reason of any decision of any court of competent jurisdiction, such decision will not affect the validity of any other section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions thereof may be declared invalid or unconstitutional.

Sec. 26. - 40. Inconsistent provisions repealed.

Ordinances or parts of ordinances in conflict with the provisions of this article are hereby repealed.

Secs. 26 – 41 – 26 – 65. Reserved.

### **ARTICLE III – REGULATION OF GRASS, NOXIOUS WEEDS, SHRUBBERY, AND TREES ON PRIVATELY OWNED PROPERTY**

#### Sec. 26 – 66. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Director of Public Works* means the Director of Public Works and any individual, agent, employee, volunteer, corporation, partnership, or contractor designated by the Director of Public Works to perform his duties under this article.

*Diseased tree* means a tree that is afflicted with any fatal or communicable disease.

*Private property* means all property that is not a public street, alley, highway, easement, parkway, park or other land publicly owned or controlled by the city.

*Public utility* means any person or entity owning or operating any pole, line, pipe, cable, or conduit located in, under, or above any public street or over or along any public easement or right-of-way for the transmission of electricity, gas, telephone service or telecommunication service.

*Right-of-way* means any public street, highway, alley or avenue of the city.

*Street* means all of the land lying between property lines on either side of all streets, highways and boulevards in the city.

*Tree* means trees, shrubs, bushes and all other woody vegetation.

*Tree stump* means the base part of a tree attached to the root(s), including any portion of the tree trunk, which remains after the tree has been cut.

#### Sec. 26 – 67. Private trees – Clearance.

- (a) Every owner of any tree, plant, shrub overhanging any street, avenue, alley, sidewalk, boulevard, or other right-of-way within the city shall trim the branches so that such branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection and so that there shall be a clear space of at least sixteen (16) feet above the surface of the street, and at least eight (8) feet above the surface of the remainder of the right-of-way. Such owners shall remove all dead, dying, decaying, diseased, infested, or dangerous trees, or broken or decayed limbs or branches from trees where such limbs and branches overhang a street or public property or which constitute a menace to the safety of the public. Where the Director of Public Works, city engineer or the engineer's designee determines that any tree or shrub located on private property

interferes with the proper spread of light along the street from a street light, interferes with visibility of any traffic control device, or otherwise poses a threat to the safe use of the right-of-way by the public, the city shall have the right to enter upon said private property to trim or remove same as needed. Where practicable, the city shall give written notice by first-class letter, mailed at least five (5) days prior to any trimming or removal activities, to the property owner's last known address as shown by the records of the city assessor.

- (b) All shrubs and bushes located within the site clearance triangle areas described in section 28-126 of this code shall not be permitted to grow to a height of more than two and one half (2½) feet above the grade at the edge of the pavement. Canopy trees may be maintained in the site clearance triangle areas described in section 28-126 of this code provided that all branches are trimmed to maintain a clear vision for a vertical height of ten (10) feet above the roadway surface.
- (c) In the event the city finds it necessary to act under this section, the Director of Public Works shall cause an invoice to be directed to the owner of the property which shall be due and payable within thirty (30) days. If the owner fails to pay the invoiced charges within thirty (30) days of mailing of the invoice, the city may cause the cost reflected in the invoice to be assessed against the premises as a special assessment, and the city may institute an action against the owner for the collection of the costs in any court of competent jurisdiction. However, the city's attempt to collect such costs shall not invalidate or waive any lien filed against the property.

Sec. 26 – 68. Private Trees – Dead, dying, decaying, dangerous, diseased, or infested trees.

When the Director of Public Works shall discover that any tree on or growing on private property within the city is dead (including standing dead trees), dying, decaying, dangerous, diseased, or afflicted with any insect infestation, the Director of Public Works shall forthwith serve a written notice upon the owner or his agent, or the occupant of the property, describing the tree, its location and the nature of the dead, dying, decaying, dangerous, diseased, or infested tree and ordering the owner, agent or occupant to take such measures as may be reasonably necessary to remove, trim, prune, spray or otherwise cure the dead, dying, decaying, dangerous, diseased, or infested tree, specifying the measures required to be taken. Every such notice shall be complied with within ten (10) days after service thereof, upon the owner, agent or occupant of the property on which the afflicted tree is located, or within such additional time as may be contained in such notice.

Sec. 26 - 69. Private Trees – Tree stumps.

When the Director of Public Works shall discover any tree stump on private property within the city, the Director of Public Works shall forthwith serve a written notice upon the owner or his

agent, or the occupant of the property, describing the tree stump and its location and ordering the owner, agent or occupant to take such measures as may be reasonably necessary to remove the tree stump or to grind the tree stump four (4) inches below existing finish surface grade. Every such notice shall be complied with within ten (10) days after service thereof, upon the owner, agent or occupant of the property on which the tree stump is located, or within such additional time as may be contained in such notice.

Sec. 26 – 70. Private Trees – Owner’s failure to comply.

- (a) In case the owner, agent or occupant of the property refuses to carry out the order of the Director of Public Works within the time prescribed, or in case of an appeal, within five (5) days after the city manager shall have affirmed such order, the Director of Public Works shall carry out the removal, trimming, pruning, grinding, spraying or destruction of the tree or tree stump as deemed necessary and shall charge the owner, agent or occupant of the property for the cost thereof. An invoice for the fees or charges will be submitted to the owner, agent, or occupant of the premises. If the invoiced charges are not paid within thirty (30) days of mailing of the invoice, the city may cause the cost reflected in the invoice to be assessed against the premises as a special assessment, and the city may institute an action against the owner, agent, or occupant for the collection of the costs in any court of competent jurisdiction. However, the city's attempt to collect such costs shall not invalidate or waive any lien filed against the property.
- (b) The Director of Public Works may, without serving the above notice, when the owner or occupant of any private property shall consent thereto and pay the reasonable cost thereof, cause trees or tree stumps on private property to be sprayed, ground, pruned, trimmed, or removed when he deems the same necessary.
- (c) The Director of Public Works may, without serving the above notice, immediately cause trees, shrubs, bushes, or tree stumps on private property to be sprayed, ground, pruned, trimmed, or removed when they pose an imminent danger or safety hazard and shall charge the owner, agent or occupant of the property for the cost thereof. An invoice for the fees or charges will be submitted to the owner, agent, or occupant of the premises. If the invoiced charges are not paid within thirty (30) days of mailing of the invoice, the city may cause the cost reflected in the invoice to be assessed against the premises as a special assessment, and the city may institute an action against the owner, agent, or occupant for the collection of the costs in any court of competent jurisdiction. However, the city's attempt to collect such costs shall not invalidate or waive any lien filed against the property.

Sec. 26 – 71. Female boxelder trees.

Any female boxelder tree which is or could be the breeding place for boxelder bugs (*Leptocoris trivittas*) is hereby declared to be a public nuisance and it shall be unlawful for any person to maintain the same on his property after notification as herein provided. Upon receipt of a written complaint, the Director of Public Works shall forthwith serve a written notice of the same nature, form and manner, and with the same effect, as prescribed in section 26-68, upon the owner or his agent or the occupant of the property upon which such tree or trees are located. After service of such notice, the owner, agent, or occupant of such property shall be subject to the provisions of section 26-70, section 26-74, and section 26-79. Any such trees located on public lands within the limits of the city shall likewise be removed upon the receipt of such written complaint.

Sec. 26 – 72. Planting strips.

No person shall willfully injure or destroy any grass or tree upon any planting strip or throw any papers, refuse or other thing thereon. No person shall drive an automobile, bicycle or other vehicle upon or over any such planting strip.

Sec. 26 – 73. Overhead lines; trimming permits.

The Director of Public Works shall annually issue permits granting permission to public utilities to trim and keep trimmed all trees within the streets, alleys, parks and public places of the city, in such a manner as shall keep the overhead lines of such public utilities safe and accessible. Such trimming shall be done in accordance with approved practices and under the general direction of the Director of Public Works. Such permit shall require reasonable prior notice to the city before any work is commenced thereunder. If an emergency requires immediate maintenance work on the overhead lines of such public utilities, prior notice of commencing work under such permit shall not be required. The word "emergency," as used in this section, shall be defined to mean the occurrence or happening of an event which could not be foreseen by the exercise of reasonable care and foresight, which might cause damage to the overhead lines of the public utilities.

Sec. 26 - 74. Private Trees - Appeal.

In case the owner, agent or occupant of the property shall feel himself aggrieved by an order of the Director of Public Works requiring the treatment, trimming, or removal of any private tree on his property, he may within forty-eight (48) hours make an appeal to the city manager by written communication filed with the city clerk. The city manager shall hear such appeal within ten (10) days, unless another time shall be set, and shall determine the matter under such expert advice as may be necessary.

Sec. 26 – 75. Cutting and removing grass, noxious weeds, rank vegetation and trees; duty of owner and occupant.

- (a) It shall be unlawful for the occupant or owner of every property within the city to permit, allow, or otherwise cause any of the following activities upon property so owned or occupied:
- (1) Growth of any noxious weed, grass, or other rank vegetation of a height greater than eight (8) inches on average.
  - (2) Accumulation of dead weeds, grass, brush, leaves, on the property.
  - (3) Growth of noxious weeds, grass, or other rank vegetation detrimental to the public health on any property in such manner that any part of the noxious weeds, grass, or other rank vegetation extends upon, overhangs or borders any public place or adjoining properties, or allows seed, pollen, or other particles or emanations therefrom to be carried through the air into any public place or upon adjoining properties.
  - (4) Fallen trees, branches, or portions thereof to lie upon public or private property.
- (b) It shall be the duty of every owner or occupant of such property to cause the weeds, brush, leaves, rank vegetation, trees, branches, or grass to be cut, destroyed or removed.
- (c) For purposes of this article, "*noxious weeds*" includes, but is not necessarily limited to, Canada thistle (*Cirsium arvense*), dodders (any species of *Cuscuta*), mustards (charlock, black mustard and Indian mustard, species of *Brassica* or *Sinapis*), wild carrot (*Daucus carota*), bindweed (*Convolvulus arvensis*), perennial sowthistle (*Sonchus arvensis*), hoary alyssum (*Berteroa icana*), ragweed (*ambrosia elatior* 1.), poison ivy (*rhus toxicodendron*), poison oak (*rhus diversiloba* or *toxicodendron pubescens*), poison sumac (*toxicodendron vernix*) or other plant which in the opinion of the *Director of Public Works*, is regarded as a common nuisance.
- (d) For purposes of this article, "*rank vegetation*" includes, but is not necessarily limited to, cultivated, non-cultivated, ornamental, non-ornamental unmaintained woody plants, or shrubs.
- (e) For purposes of this article, "*fallen trees*" includes, but is not necessarily limited to, those trees, branches, or other portions of trees that hang low, lean, lie upon the ground, or cause hazardous conditions whether on public or private property.

Sec. 26 - 76. Wood piles.

- (a) *Wood pile Defined.* As used in this section, *wood pile* means all wood, logs, twigs, branches, stumps and stakes, and includes wood items used for fire pits, fireplaces or woodburning stoves, regardless of the amount or number of pieces of wood.
- (b) *Storage.* No person shall maintain or store a wood pile in the City unless the wood pile meets the following storage specifications:
  - (1) Storage shall be permitted only on a secure rack, base or other device that keeps the wood from making direct contact with the ground.
  - (2) The wood shall be stacked in an orderly and neat fashion and the wood pile shall be no larger than eight (8) feet long, four (4) feet wide, and four (4) feet high.
  - (3) A wood pile shall be located in the back yard of a residential home. The wood pile cannot be any closer than five (5) feet from any lot line on the side or rear of the property and cannot be any closer than ten (10) feet from any structure.
  - (4) A wood pile shall not be permitted in the side yard of a residential home, with the exception of corner lots.

Sec. 26 - 77. Notice; when city to do work; penalties.

- (a) If the provisions of section 26-75 and section 26-76 are not complied with, the Director of Public Works, or his or her designee, must notify the occupant or owner of the property to comply with this article; such notice shall:
  - (1) Be given to each owner or occupant in accordance with section 1-15 of this Code; and
  - (2) Require compliance with this article within ten (10) days after the mailing of such notice. In lieu of the above notice, the city may publish notice during the month of March of each year, in a newspaper of general circulation within the county, advising the general public that the provisions of city ordinances adopted under the authority of Act No. 359 of the Public Acts of Michigan of 1941 (MCL 247.61 *et seq.*), as amended, will be enforced within the city.
- (b) If the occupant or owner of the premises does not then remove, destroy, spray, or cut all weeds, brush, leaves, rank vegetation, trees, branches, or grass in a manner consistent with section 26-75 and section 26-76, the Director of Public Works, or his or her designee, will cause the weeds, brush, leaves, rank vegetation, trees, branches, or grass to be cut, removed, sprayed, or destroyed. The costs incurred by the city shall be billed to

the owner. The Director of Public Works shall cause an invoice to be directed to the owner of the property which shall be due and payable within thirty (30) days. If the owner fails to pay the invoiced charges within thirty (30) days of mailing of the invoice, the city may cause the cost reflected in the invoice to be assessed against the premises as a special assessment, and the city may institute an action against the owner for the collection of the costs in any court of competent jurisdiction. However, the city's attempt to collect such costs shall not invalidate or waive any lien filed against the property. The levy or collection of the special assessment will not relieve any person offending against this article from the penalties prescribed in section 26-80.

#### Sec. 26 - 78. Exemptions.

Exempted from the provisions of this article are flower gardens, plots of shrubbery, vegetable gardens and small grain plots. An exemption under the terms of this section cannot be claimed unless the land has been cultivated and cared for in a manner appropriate to such exempt categories.

#### Sec. 26 – 79. Right of Entry for Inspection and Removal; Interference

The Director of Public Works shall have the authority to enter upon private property and premises for the purpose of examining and inspecting any trees, tree stumps, branches, shrubs, bushes, plants, vines, weeds, brush, leaves, rank vegetation, grass, and all other woody vegetation to determine if the vegetation complies with this article. The Director of Public Works shall have the authority to enter upon private property and premises for the purpose of cutting, destroying, spraying, treating, grinding, or removing any trees, tree stumps, branches, shrubs, bushes, plants, vines, weeds, brush, leaves, rank vegetation, grass, and all other woody vegetation under this article. No person shall impede, interfere with, or obstruct the Director of Public Works, or his authorized representatives, while they are engaged in carrying out the provisions of this article. No damages shall be awarded to any property owner, individual, or other legal entity for the destruction or injury of any tree, shrub or plant, fruit, or other vegetation, if done by the Director of Public Works or under his direction, in accordance with this article.

#### Sec. 26 - 80. Penalties.

Any occupant or owner of any premises who fails to comply with this article is subject, upon adjudication, to the penalty provided for under Chapter 2.5 of this Code.

#### Sec. 26 – 81. Rules and Regulations.

The city manager shall make such rules and regulations supplementary to this article and not in conflict herewith, as he may from time to time deem necessary. Until changed pursuant to this section, the rules and regulations in effect at the adoption of this Code shall continue in effect. No person shall fail to obey any rule or regulation effective hereunder.

Sec. 26. - 82. Severability.

If any section, subsection, sentence, clause or phrase of this article is for any reason held to be invalid or unconstitutional by reason of any decision of any court of competent jurisdiction, such decision will not affect the validity of any other section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions thereof may be declared invalid or unconstitutional.

Sec. 26. - 83. Inconsistent provisions repealed.

Ordinances or parts of ordinances in conflict with the provisions of this article are hereby repealed.

Secs. 26-84 – 26-89. Reserved.

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

An Ordinance amending Articles II and III of Chapter 26 of the City of Jackson Code of Ordinances to regulate trees, grass, weeds, shrubbery, and other woody vegetation on public and private property for the health, safety, and welfare of the citizens of the City of Jackson, Michigan.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

The City Council adopts this ordinance to regulate trees, grass, weeds, shrubbery, and other woody vegetation on public and private property for the health, safety, and welfare of the citizens of the City of Jackson, Michigan.

Section 2. That Articles II and III of Chapter 26 of the City of Jackson, Michigan Code of Ordinances, be amended to read as follows:

**ARTICLE II – ~~TREE REGULATIONS~~ REGULATION OF TREES ON PUBLIC PROPERTY**

Sec. 26 - 26. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Director of Public Works means the Director of Public Works and any individual, agent, employee, volunteer, corporation, partnership, or contractor designated by the Director of Public Works to perform his duties under this article.

Diseased tree means a tree that is afflicted with any fatal or communicable disease.

*Park* means all public parks having individual names, and all areas owned by the city, or to which the public has free access as a park.

*Public utility* means any person or entity owning or operating any pole, line, pipe, cable, or conduit located in, under, or above any public street or over or along any public easement or right-of-way for the transmission of electricity, gas, telephone service or telecommunication telegraph service.

Right-of-way means any public street, highway, alley or avenue of the city.

*Street* means all of the land lying between property lines on either side of all streets, highways and boulevards in the city.

*Tree* means trees, shrubs, bushes and all other woody vegetation.

[Tree stump means the base part of a tree attached to the root\(s\), including any portion of the tree trunk, which remains after the tree has been cut.](#)

Sec. 26 – 27. [Applicability.](#) ~~Application of article.~~

The terms of this article, unless otherwise specifically stated, shall apply to public streets, alleys, highways, easements, parkways, parks and other land publicly owned or controlled by the city.

Sec. 26 – 28. [Enforcement; authority of the Director of Public Works.](#) ~~City forester's responsibility.~~

The [Director of Public Works](#) ~~city forester~~ shall be charged with the duty of enforcing the provisions of this article, except in Sharp Park which shall be under supervision of the superintendent of Sharp Park.

Sec. 26 – 29. Permits for tree planting, care, [maintenance, and](#) removal.

The [Director of Public Works](#) ~~city forester~~ shall have control over all trees located within the street rights-of-way and parks in the city and the planting, care and removal thereof, subject to the regulations contained in this article. The owner of land abutting on any street may, upon obtaining prior written permission of the [Director of Public Works](#) ~~city forester~~, prune, spray, plant or remove trees in that part of the street abutting his land not used for public travel, but no person shall otherwise prune, spray, plant or remove any tree in any street or park. Every such permit shall specify the extent of the authorization and the conditions to which it is subject. Where an owner of abutting property requests the removal of a tree, the [Director of Public Works](#) ~~forester~~ is authorized, in his discretion, to require as a condition to granting of approval for such removal, that such property owner make the removal in accordance with regulations established by the ~~city forester~~ [Director of Public Works](#), assume all or any part of the costs of removing such tree, and also to require that the tree removed be replaced at some other nearby location by planting another tree, not necessarily of the same type.

Sec. 26 – 30. ~~Removal of dead or diseased trees.~~ [Removal of dead, dying, decaying, dangerous, infested, or diseased trees.](#)

~~All dead or dangerous trees and trees afflicted with any fatal or communicable disease may be removed by the city forester.~~ [All dead, dying, decaying, dangerous, infested, or diseased trees may be trimmed, treated, or removed by the Director of Public Works.](#)

[Sec. 26 - 31. Removal of tree stumps.](#)

[All tree stumps may be removed, ground, or trimmed by the Director of Public Works.](#)

Sec. 26 – 32. Removal of other trees.

~~Trees may be removed which are not dead, or infected with any disease when such trees are of an undesirable species, but only upon notice to the owner of the abutting property, and if such owner shall file written objection with the city clerk within forty-eight (48) hours after service of such notice, a public hearing on such removal shall be had before the city council and the abutting owner shall be notified of the time and place of such hearing. The city manager is hereby authorized to direct the removal of any tree growing within any street, park or public place, when such tree interferes with fire hydrants, sewer and water mains, visibility of street intersections, traffic-control devices or construction within street rights-of-way.~~ dying, decaying, dangerous, infested, or diseased when such trees are of an undesirable species or a public nuisance. The Director of Public Works is hereby authorized to direct the removal of any tree growing within any street, park or public place, when such tree interferes with fire hydrants, sewer and water mains, visibility of street intersections, traffic-control devices or construction within street rights-of-way.

Sec. 26 – 33. Tree planting regulations.

- (a) No tree of any prohibited species shall be planted in any street or park, nor shall any such tree be planted on any private property within fifty (50) feet of any street or sidewalk right-of-way or any sewer or sewer extension. Shade trees planted in any street right-of-way shall be spaced ~~not less than forty (40) feet apart~~ no further than twenty-five (25) feet apart. The owner of a single lot may, in order to provide a shade or ornamental tree in the front of his lot, secure written permission from the Director of Public Works to have a tree planted closer than forty (40) feet from an existing tree, but in no case shall such planting be within thirty (30) feet of any existing tree, within the right-of-way. No tree shall be planted in any street right-of-way, less than two and one-half (2½) feet from the sidewalk; trees on private property adjacent to the sidewalk shall be planted not less than three (3) feet therefrom. ~~No tree shall be planted nearer to the intersection of any streets than twenty-five (25) feet from the corner of such intersection.~~
- (b) Canopy trees may be maintained in the site clearance triangle areas described in section 28-126 of this code provided that all branches are trimmed to maintain a clear vision for a vertical height of ten (10) feet above the roadway surface.

Sec. 26 – 34. Tree protection.

No person shall break, injure, mutilate, kill or destroy any tree or shrub, or set any fire, or permit any fire, or the heat thereof, to injure any portion of any tree. No toxic chemicals or other injurious materials shall be allowed to seep, drain or be emptied on, near or about any tree. No electric wires or any other lines or wires shall be permitted to come in contact with any tree or shrub in any manner that shall cause damage thereto, and no person shall attach any electric insulation to any tree. ~~No person shall use any tree as an anchor, and no material shall be fastened to or hung on any tree, except utility pole guy wires by special permission of the city forester.~~ No person shall use any tree as an anchor, and no material shall be fastened to or hung on any tree, except by written permission of the Director of Public Works. All persons having

under their care, custody or control, facilities which may interfere with the trimming or removal of any tree, shall after notice thereof by the ~~city forester~~ [Director of Public Works](#), promptly abate such interference in such manner as shall permit the trimming or removal of such tree by the ~~city forester~~ [Director of Public Works](#).

Sec. 26 – 35. Excavations near trees.

Excavations and driveways shall not be placed within six (6) feet of any tree without written permit from the ~~city forester~~ [Director of Public Works](#). Any person making such excavation or construction shall guard any tree within six (6) feet thereof with a good substantial frame box to be approved by the ~~department~~ [Director of Public Works](#), and all building material or other debris shall be kept at least four (4) feet from any tree.

Sec. 26 – 36. Covering surface near trees.

No person shall place within the street right-of-way, any stone, brick, sand, concrete or other material which will in any way impede the full and free passage of water, air or fertilizer to the roots of any tree, except a sidewalk of authorized width and location.

Sec. 26 – 37. Gas main leakage.

Gas pipes and mains within any public rights-of-way or on any public property shall be so maintained as to avoid any leakage therefrom. In the event a leak exists or occurs, it shall be reported to the owner of such pipe and main, and the leak shall be repaired ~~within twenty four (24) hours~~. Any damage to trees, shrubbery or grass resulting from the escape of gas from a pipe or main shall be repaired, and the cost of the work, including the cost of removal and the replacement of any trees, shall be levied against the owner of the pipe or main causing the damage.

~~Sec. 26-37. Private trees—Clearance.~~

~~Every owner of any tree overhanging any street or right of way within the city shall trim the branches so that such branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection and so that there shall be a clear space of at least sixteen (16) feet above the surface of the street, and at least eight (8) feet above the surface of the remainder of the right of way. Such owners shall remove all dead, diseased or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public. Where the city engineer or the engineer's designee determines that any tree or shrub located on private property interferes with the proper spread of light along the street from a street light, interferes with visibility of any traffic control device, or otherwise poses a threat to the safe use of the right of way by the public, the city shall have the right to enter upon said private property to trim same as needed. Where practicable, the city shall give written notice by first class letter, mailed at least five (5) days prior to any trimming activities, to the property owner's last known address as shown by the records of the city assessor.~~

~~All shrubs and bushes located in the sight clearance triangle shall not be permitted to grow to a height of more than three (3) feet above the surface of the roadway. Trees may be planted and maintained in this area provided that all branches are trimmed to maintain clear visibility for a vertical height of eight (8) feet above the road surface. For purposes of this section, the term "sight clearance triangle" shall mean that area beginning at the corner of the property where the edge of pavement lines, or in the case of a gravel road, the edge of the gravel surface lines, intersect, a distance of thirty (30) feet shall be measured along each edge of pavement line. From the end of those lines, another line shall be made connecting the two (2) ends.~~

~~In the event the city finds it necessary to act under this section, the city forester shall cause an invoice to be directed to the owner of the property which shall be due and payable within thirty (30) days. In the event the owner does not pay same within thirty (30) days, the city forester shall report same to the city clerk, who shall cause the same to be collected as a single lot special assessment in accordance with the Charter.~~

#### Sec. 26 – 38. Rules and Regulations.

The city manager shall make such rules and regulations supplementary to this article and not in conflict herewith, as he may from time to time deem necessary. Until changed pursuant to this section, the rules and regulations in effect at the adoption of this Code shall continue in effect. No person shall fail to obey any rule or regulation effective hereunder.

#### ~~Sec. 26-38. Same—Diseases and infestations.~~

~~When the city forester shall discover that any tree growing on private property within the city is afflicted with any dangerous and infectious insect infestation or tree disease, he shall forthwith serve a written notice upon the owner or his agent, or the occupant of the property, describing the tree, its location and the nature of the infestation or tree disease and ordering the owner, agent and occupant to take such measures as may be reasonably necessary to cure such infestation or disease and to prevent the spreading thereof, specifying the measures required to be taken. Such order may require the pruning, spraying or destruction of trees as may be reasonably necessary. Every such notice shall be complied with within five (5) days after service thereof, upon the owner, agent or occupant of the property on which the afflicted tree is located, or within such additional time as may be stipulated in such notice.~~

#### Sec. 26. - 39. Severability.

If any section, subsection, sentence, clause or phrase of this article is for any reason held to be invalid or unconstitutional by reason of any decision of any court of competent jurisdiction, such decision will not affect the validity of any other section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions thereof may be declared invalid or unconstitutional.

~~Sec. 26-39. Same—Owner's failure to comply.~~

~~In case the owner, agent and occupant of the property refuses to carry out the order of the city forester within the time limited, or in case of an appeal, within five (5) days after the commission shall have affirmed such order, the city forester shall carry out the pruning, spraying or destruction of the trees as deemed necessary by him and shall bill the owner, agent or occupant of the property for the cost thereof. In case the owner of such property shall fail to pay such bill within thirty (30) days after the same has been rendered, the city forester shall report the same to the city council for collection as a single lot assessment against such property in accordance with the Charter. The city forester may, without serving the above notice, when the owner or occupant of any private property shall consent thereto and pay the reasonable cost thereof, cause trees growing on private property to be sprayed when he deems the same necessary on account of any infestation or disease or threat thereof.~~

[Sec. 26. - 40. Inconsistent provisions repealed.](#)

[Ordinances or parts of ordinances in conflict with the provisions of this article are hereby repealed.](#)

~~Sec. 26-40. Same—Inspection.~~

~~The city forester and his assistants and employees shall have authority to enter upon private premises for the purpose of examining any trees, shrubs, plants or vines for the presence of destructive insects or plant diseases. No damages shall be awarded for the destruction of any tree, shrub or plant or fruit or injury to the same, if done by the city forester or under his direction, in accordance with this article.~~

~~Sec. 26-41. Female boxelder trees.~~

~~Any female boxelder tree which is or could be the breeding place for boxelder bugs (*Leptocoris trivittas*) is hereby declared to be a public nuisance and it shall be unlawful for any person to maintain the same on his property after notification as herein provided. Upon receipt of a written complaint, the city forester shall forthwith serve a written notice of the same nature, form and manner, and with the same effect, as prescribed in, upon the owner or his agent or the occupant of the property upon which such tree or trees are located. After service of such notice, the owner, section 26-38agent, or occupant of such property shall be subject to the provisions of section 26-45, section 26-39, and section 26-40. Any such trees located on public lands within the limits of the city shall likewise be removed upon the receipt of such written complaint.~~

~~Sec. 26-42. Planting strips.~~

No person shall willfully injure or destroy any grass or tree upon any planting strip or throw any papers, refuse or other thing thereon. No person shall drive an automobile, bicycle or other vehicle upon or over any such planting strip.

~~Sec. 26-43. Overhead lines; trimming permits.~~

~~The city manager shall annually issue permits granting permission to public utilities to trim and keep trimmed all trees within the streets, alleys, parks and public places of the city, in such a manner as shall keep the overhead lines of such public utilities safe and accessible. Such trimming shall be done in accordance with approved practices and under the general direction of the city forester. Such permit shall require reasonable prior notice to the city before any work is commenced thereunder. If an emergency requires immediate maintenance work on the overhead lines of such public utilities, prior notice of commencing work under such permit shall not be required. The word "emergency," as used in this section, shall be defined to mean the occurrence or happening of an event which could not be foreseen by the exercise of reasonable care and foresight, which might cause damage to the overhead lines of the public utilities.~~

~~Sec. 26-44. Rules and regulations.~~

~~The city manager, subject to the approval of the city council, shall make such rules and regulations supplementary to this article and not in conflict herewith, as he may from time to time deem necessary. Until changed pursuant to this section, the rules and regulations in effect at the adoption of this Code shall continue in effect. No person shall fail to obey any rule or regulation effective hereunder.~~

~~Sec. 26-45. Appeal.~~

~~In case the owner, agent or occupant of the property shall feel himself aggrieved at an order of the city forester requiring the treatment or destruction of any tree, he may within forty eight (48) hours make an appeal to the city council by communication filed with the city clerk. The city council shall hear such appeal at its next regular meeting, unless another time shall be set, and shall determine the matter under such expert advice as may be necessary.~~

[Secs. 26 – 41 – 26 – 65. Reserved.](#)

**ARTICLE III – GRASS AND NOXIOUS WEEDS REGULATION OF GRASS, NOXIOUS WEEDS, SHRUBBERY, AND TREES ON PRIVATELY OWNED PROPERTY**

Sec. 26 – 66. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Director of Public Works* means the Director of Public Works and any individual, agent, employee, volunteer, corporation, partnership, or contractor designated by the Director of Public Works to perform his duties under this article.

*Diseased tree* means a tree that is afflicted with any fatal or communicable disease.

*Private property* means all property that is not a public street, alley, highway, easement, parkway, park or other land publicly owned or controlled by the city.

*Public utility* means any person or entity owning or operating any pole, line, pipe, cable, or conduit located in, under, or above any public street or over or along any public easement or right-of-way for the transmission of electricity, gas, telephone service or telecommunication service.

*Right-of-way* means any public street, highway, alley or avenue of the city.

*Street* means all of the land lying between property lines on either side of all streets, highways and boulevards in the city.

*Tree* means trees, shrubs, bushes and all other woody vegetation.

*Tree stump* means the base part of a tree attached to the root(s), including any portion of the tree trunk, which remains after the tree has been cut.

Sec. 26-66. Cutting and removing grass, noxious weeds, rank vegetation, and fallen trees.

- (a) — ~~It is unlawful to permit, allow, or otherwise cause any of the following activities upon property so owned or occupied:~~
- ~~(1) — Growth of any noxious weed, grass, or other rank vegetation of a height greater than eight (8) inches on average.~~
  - ~~(2) — Accumulate dead weeds, grass, or brush on the property.~~
  - ~~(3) — Growth of noxious weeds, grass, or other rank vegetation detrimental to the public health on any property in such manner that any part of the noxious weeds, grass, or other rank vegetation extends upon, overhangs or borders any public place or adjoining properties, or allows seed, pollen, or other particles or emanations~~

~~therefrom to be carried through the air into any public place or upon adjoining properties.~~

~~(4) — Fallen trees to lie upon public or private property.~~

- ~~(b) — For purposes of this article, "*noxious weeds*" includes, but is not necessarily limited to, Canada thistle (*Cirsium arvense*), dodders (any species of *Cuscuta*), mustards (charlock, black mustard and Indian mustard, species of *Brassica* or *Sinapis*), wild carrot (*Daucus carota*), bindweed (*Convolvulus arvensis*), perennial sowthistle (*Sonchus arvensis*), hoary alyssum (*Berteroa icana*), ragweed (*ambrosia elatior* L.) and poison ivy (rhus toxicodendron), poison sumac (*toxicodendron vernix*) or other plant which in the opinion of the city forester, or his or her designee, is regarded as a common nuisance.~~
- ~~(c) — For purposes of this article, "*rank vegetation*" includes, but is not necessarily limited to, non-cultivated, unmaintained, or non-ornamental woody plants.~~
- ~~(d) — For purposes of this article, "*fallen trees*" includes, but is not necessarily limited to, those trees or portions of trees that hang low, lean, or otherwise cause hazardous conditions whether on public or private property.~~

#### Sec. 26 – 67. Private trees – Clearance.

- (a) Every owner of any tree, plant, shrub overhanging any street, avenue, alley, sidewalk, boulevard, or other right-of-way within the city shall trim the branches so that such branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection and so that there shall be a clear space of at least sixteen (16) feet above the surface of the street, and at least eight (8) feet above the surface of the remainder of the right-of-way. Such owners shall remove all dead, dying, decaying, diseased, infested, or dangerous trees, or broken or decayed limbs or branches from trees where such limbs and branches overhang a street or public property or which constitute a menace to the safety of the public. Where the Director of Public Works, city engineer or the engineer's designee determines that any tree or shrub located on private property interferes with the proper spread of light along the street from a street light, interferes with visibility of any traffic control device, or otherwise poses a threat to the safe use of the right-of-way by the public, the city shall have the right to enter upon said private property to trim or remove same as needed. Where practicable, the city shall give written notice by first-class letter, mailed at least five (5) days prior to any trimming or removal activities, to the property owner's last known address as shown by the records of the city assessor.
- (b) All shrubs and bushes located within the site clearance triangle areas described in section 28-126 of this code shall not be permitted to grow to a height of more than two and one half (2½) feet above the grade at the edge of the pavement. Canopy trees may be maintained in the site clearance triangle areas described in section 28-126 of this code

provided that all branches are trimmed to maintain a clear vision for a vertical height of ten (10) feet above the roadway surface.

~~(a)~~(c) In the event the city finds it necessary to act under this section, the Director of Public Works shall cause an invoice to be directed to the owner of the property which shall be due and payable within thirty (30) days. If the owner fails to pay the invoiced charges within thirty (30) days of mailing of the invoice, the city may cause the cost reflected in the invoice to be assessed against the premises as a special assessment, and the city may institute an action against the owner for the collection of the costs in any court of competent jurisdiction. However, the city's attempt to collect such costs shall not invalidate or waive any lien filed against the property.

~~Sec. 26-67. Duty of occupant or owner of unoccupied premises.~~

~~Every occupant or owner of every property within the city must cut and remove or destroy by lawful means all weeds, grass, or other rank, noxious, or harmful vegetation, and fallen trees as often as may be necessary to comply with the provisions of:~~

Sec. 26 – 68. Private Trees – Dead, dying, decaying, dangerous, diseased, or infested trees.

When the Director of Public Works shall discover that any tree on or growing on private property within the city is dead (including standing dead trees), dying, decaying, dangerous, diseased, or afflicted with any insect infestation, the Director of Public Works shall forthwith serve a written notice upon the owner or his agent, or the occupant of the property, describing the tree, its location and the nature of the dead, dying, decaying, dangerous, diseased, or infested tree and ordering the owner, agent or occupant to take such measures as may be reasonably necessary to remove, trim, prune, spray or otherwise cure the dead, dying, decaying, dangerous, diseased, or infested tree, specifying the measures required to be taken. Every such notice shall be complied with within ten (10) days after service thereof, upon the owner, agent or occupant of the property on which the afflicted tree is located, or within such additional time as may be contained in such notice.

~~Sec. 26-68. Notice; when city to do work; penalties.~~

~~(a) — Except as to fallen trees, if the provisions of sections 26-66 and 26-67 are not complied with, the director of public works, or his or her designee, must notify the occupant or owner of the property to comply with this article, such notice to:~~

~~(1) — Be given each owner or occupant in accordance with section 1-15 of this Code;  
and~~

~~(2) — Require compliance with this article within ten (10) days after the mailing of such notice. In lieu of the above notice, the city may publish notice during the month of~~

~~March of each year, in a newspaper of general circulation within the county, advising the general public that the provisions of city ordinances adopted under the authority of Act No. 359 of the Public Acts of Michigan of 1941 (MCL 247.61 et seq.), as amended, will be enforced within the city.~~

- ~~(b) — Except as to fallen trees, if the occupant or owner of the premises does not then remove all noxious weeds, grass, and other rank vegetation in a manner consistent with section 21-67, the director of public works, or his or her designee, will cause the weeds, grass or other rank, noxious or harmful vegetation to be cut, removed, or destroyed, and any expense incurred will be collected as a special assessment as provided in the Charter of the city. The levy or collection of the special assessment will not relieve any person offending against this article from the penalties prescribed in.~~
- ~~(c) — As to fallen trees prohibited under(a)(4), the city must notify the occupant and owner of the property of the violation of this article, and the notice must:~~
- ~~(1) — Be given to each owner or occupant in accordance with section 1-15 of this Code; and~~
  - ~~(2) — Require compliance with this article within ten (10) days after the mailing of such notice. Failure of the occupant or owner to comply with this article will result in penalties provided for in section 26-70.~~

#### Sec. 26 - 69. Private Trees – Tree stumps.

When the Director of Public Works shall discover any tree stump on private property within the city, the Director of Public Works shall forthwith serve a written notice upon the owner or his agent, or the occupant of the property, describing the tree stump and its location and ordering the owner, agent or occupant to take such measures as may be reasonably necessary to remove the tree stump or to grind the tree stump four (4) inches below existing finish surface grade. Every such notice shall be complied with within ten (10) days after service thereof, upon the owner, agent or occupant of the property on which the tree stump is located, or within such additional time as may be contained in such notice.

#### Sec. 26-69. Exemptions.

~~Exempted from the provisions of this article are flower gardens, plots of shrubbery, vegetable gardens and small grain plots. An exemption under the terms of this section cannot be claimed unless the land has been cultivated and cared for in a manner appropriate to such exempt categories.~~

#### Sec. 26 – 70. Private Trees – Owner’s failure to comply.

- (a) In case the owner, agent and occupant of the property refuses to carry out the order of the Director of Public Works within the time prescribed, or in case of an appeal, within five (5) days after the city manager shall have affirmed such order, the Director of Public Works shall carry out the removal, trimming, pruning, grinding, spraying or destruction of the tree or tree stump as deemed necessary and shall charge the owner, agent or occupant of the property for the cost thereof. An invoice for the fees or charges will be submitted to the owner, agent, or occupant of the premises. If the invoiced charges are not paid within thirty (30) days of mailing of the invoice, the city may cause the cost reflected in the invoice to be assessed against the premises as a special assessment, and the city may institute an action against the owner, agent, or occupant for the collection of the costs in any court of competent jurisdiction. However, the city's attempt to collect such costs shall not invalidate or waive any lien filed against the property.
- (b) The Director of Public Works may, without serving the above notice, when the owner or occupant of any private property shall consent thereto and pay the reasonable cost thereof, cause trees or tree stumps on private property to be sprayed, ground, pruned, trimmed, or removed when he deems the same necessary.
- (c) The Director of Public Works may, without serving the above notice, immediately cause trees, shrubs, bushes, or tree stumps on private property to be sprayed, ground, pruned, trimmed, or removed when they pose an imminent danger or safety hazard and shall charge the owner, agent or occupant of the property for the cost thereof. An invoice for the fees or charges will be submitted to the owner, agent, or occupant of the premises. If the invoiced charges are not paid within thirty (30) days of mailing of the invoice, the city may cause the cost reflected in the invoice to be assessed against the premises as a special assessment, and the city may institute an action against the owner, agent, or occupant for the collection of the costs in any court of competent jurisdiction. However, the city's attempt to collect such costs shall not invalidate or waive any lien filed against the property.

~~Sec. 26-70. Penalties.~~

~~Any occupant or owner of unoccupied premises who fails to comply with this article is subject, upon adjudication, to the penalty provided for under of this Code.~~

Sec. 26 – 71. Female boxelder trees.

Any female boxelder tree which is or could be the breeding place for boxelder bugs (*Leptocoris trivittas*) is hereby declared to be a public nuisance and it shall be unlawful for any person to maintain the same on his property after notification as herein provided. Upon receipt of a written complaint, the Director of Public Works shall forthwith serve a written notice of the same nature, form and manner, and with the same effect, as prescribed in section 26-68, upon the owner or his agent or the occupant of the property upon which such tree or trees are located. After service of

such notice, the owner, agent, or occupant of such property shall be subject to the provisions of section 26-70, section 26-74, and section 26-79. Any such trees located on public lands within the limits of the city shall likewise be removed upon the receipt of such written complaint.

Sec. 26 – 72. Planting strips.

No person shall willfully injure or destroy any grass or tree upon any planting strip or throw any papers, refuse or other thing thereon. No person shall drive an automobile, bicycle or other vehicle upon or over any such planting strip.

Sec. 26 – 73. Overhead lines; trimming permits.

The Director of Public Works shall annually issue permits granting permission to public utilities to trim and keep trimmed all trees within the streets, alleys, parks and public places of the city, in such a manner as shall keep the overhead lines of such public utilities safe and accessible. Such trimming shall be done in accordance with approved practices and under the general direction of the Director of Public Works. Such permit shall require reasonable prior notice to the city before any work is commenced thereunder. If an emergency requires immediate maintenance work on the overhead lines of such public utilities, prior notice of commencing work under such permit shall not be required. The word "emergency," as used in this section, shall be defined to mean the occurrence or happening of an event which could not be foreseen by the exercise of reasonable care and foresight, which might cause damage to the overhead lines of the public utilities.

Sec. 26 - 74. Private Trees - Appeal.

In case the owner, agent or occupant of the property shall feel himself aggrieved by an order of the Director of Public Works requiring the treatment, trimming, or removal of any private tree on his property, he may within forty-eight (48) hours make an appeal to the city manager by written communication filed with the city clerk. The city manager shall hear such appeal within ten (10) days, unless another time shall be set, and shall determine the matter under such expert advice as may be necessary.

Sec. 26 – 75. Cutting and removing grass, noxious weeds, rank vegetation and trees; duty of owner and occupant.

(a) It shall be unlawful for the occupant or owner of every property within the city to permit, allow, or otherwise cause any of the following activities upon property so owned or occupied:

(1) Growth of any noxious weed, grass, or other rank vegetation of a height greater than eight (8) inches on average.

(2) Accumulation of dead weeds, grass, brush, leaves, on the property.

- (3) Growth of noxious weeds, grass, or other rank vegetation detrimental to the public health on any property in such manner that any part of the noxious weeds, grass, or other rank vegetation extends upon, overhangs or borders any public place or adjoining properties, or allows seed, pollen, or other particles or emanations therefrom to be carried through the air into any public place or upon adjoining properties.
- (4) Fallen trees, branches, or portions thereof to lie upon public or private property.
- (b) It shall be the duty of every owner or occupant of such property to cause the weeds, brush, leaves, rank vegetation, trees, branches, or grass to be cut, destroyed or removed.
- (c) For purposes of this article, "noxious weeds" includes, but is not necessarily limited to, Canada thistle (*Cirsium arvense*), dodders (any species of *Cuscuta*), mustards (charlock, black mustard and Indian mustard, species of *Brassica* or *Sinapis*), wild carrot (*Daucus carota*), bindweed (*Convolvulus arvensis*), perennial sowthistle (*Sonchus arvensis*), hoary alyssum (*Berteroa icana*), ragweed (*ambrosia elatior* L.), poison ivy (*rhus toxicodendron*), poison oak (*rhus diversiloba* or *toxicodendron pubescens*), poison sumac (*toxicodendron vernix*) or other plant which in the opinion of the *Director of Public Works*, is regarded as a common nuisance.
- (d) For purposes of this article, "rank vegetation" includes, but is not necessarily limited to, cultivated, non-cultivated, ornamental, non-ornamental unmaintained woody plants, or shrubs.
- (e) For purposes of this article, "fallen trees" includes, but is not necessarily limited to, those trees, branches, or other portions of trees that hang low, lean, lie upon the ground, or cause hazardous conditions whether on public or private property.

Sec. 26 - 76. Wood piles.

- (a) *Wood pile Defined.* As used in this section, *wood pile* means all wood, logs, twigs, branches, stumps and stakes, and includes wood items used for fire pits, fireplaces or woodburning stoves, regardless of the amount or number of pieces of wood.
- (b) *Storage.* No person shall maintain or store a wood pile in the City unless the wood pile meets the following storage specifications:
- (1) Storage shall be permitted only on a secure rack, base or other device that keeps the wood from making direct contact with the ground.

- (2) The wood shall be stacked in an orderly and neat fashion and the wood pile shall be no larger than eight (8) feet long, four (4) feet wide, and four (4) feet high.
- (3) A wood pile shall be located in the back yard of a residential home. The wood pile cannot be any closer than five (5) feet from any lot line on the side or rear of the property and cannot be any closer than ten (10) feet from any structure.
- (4) A wood pile shall not be permitted in the side yard of a residential home, with the exception of corner lots.

Sec. 26 - 77. Notice; when city to do work; penalties.

(a) If the provisions of section 26-75 and section 26-76 are not complied with, the director of public works, or his or her designee, must notify the occupant or owner of the property to comply with this article; such notice shall:

(1) Be given to each owner or occupant in accordance with section 1-15 of this Code; and

(2) Require compliance with this article within ten (10) days after the mailing of such notice. In lieu of the above notice, the city may publish notice during the month of March of each year, in a newspaper of general circulation within the county, advising the general public that the provisions of city ordinances adopted under the authority of Act No. 359 of the Public Acts of Michigan of 1941 (MCL 247.61 *et seq.*), as amended, will be enforced within the city.

(b) If the occupant or owner of the premises does not then remove, destroy, spray, or cut all weeds, brush, leaves, rank vegetation, trees, branches, or grass in a manner consistent with section 26-75 and section 26-76, the Director of Public Works, or his or her designee, will cause the weeds, brush, leaves, rank vegetation, trees, branches, or grass to be cut, removed, sprayed, or destroyed. The costs incurred by the city shall be billed to the owner. The Director of Public Works shall cause an invoice to be directed to the owner of the property which shall be due and payable within thirty (30) days. If the owner fails to pay the invoiced charges within thirty (30) days of mailing of the invoice, the city may cause the cost reflected in the invoice to be assessed against the premises as a special assessment, and the city may institute an action against the owner for the collection of the costs in any court of competent jurisdiction. However, the city's attempt to collect such costs shall not invalidate or waive any lien filed against the property. The levy or collection of the special assessment will not relieve any person offending against this article from the penalties prescribed in section 26-80.

Sec. 26 - 78. Exemptions.

Exempted from the provisions of this article are flower gardens, plots of shrubbery, vegetable gardens and small grain plots. An exemption under the terms of this section cannot be claimed unless the land has been cultivated and cared for in a manner appropriate to such exempt categories.

Sec. 26 – 79. Right of Entry for Inspection and Removal; Interference

The Director of Public Works shall have the authority to enter upon private property and premises for the purpose of examining and inspecting any trees, tree stumps, branches, shrubs, bushes, plants, vines, weeds, brush, leaves, rank vegetation, grass, and all other woody vegetation to determine if the vegetation complies with this article. The Director of Public Works shall have the authority to enter upon private property and premises for the purpose of cutting, destroying, spraying, treating, grinding, or removing any trees, tree stumps, branches, shrubs, bushes, plants, vines, weeds, brush, leaves, rank vegetation, grass, and all other woody vegetation under this article. No person shall impede, interfere with, or obstruct the Director of Public Works, or his authorized representatives, while they are engaged in carrying out the provisions of this article. No damages shall be awarded to any property owner, individual, or other legal entity for the destruction or injury of any tree, shrub or plant, fruit, or other vegetation, if done by the Director of Public Works or under his direction, in accordance with this article.

Sec. 26 - 80. Penalties.

Any occupant or owner of any premises who fails to comply with this article is subject, upon adjudication, to the penalty provided for under Chapter 2.5 of this Code.

Sec. 26 – 81. Rules and Regulations.

The city manager shall make such rules and regulations supplementary to this article and not in conflict herewith, as he may from time to time deem necessary. Until changed pursuant to this section, the rules and regulations in effect at the adoption of this Code shall continue in effect. No person shall fail to obey any rule or regulation effective hereunder.

Sec. 26. - 82. Severability.

If any section, subsection, sentence, clause or phrase of this article is for any reason held to be invalid or unconstitutional by reason of any decision of any court of competent jurisdiction, such decision will not affect the validity of any other section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions thereof may be declared invalid or unconstitutional.

Sec. 26. - 83. Inconsistent provisions repealed.

Ordinances or parts of ordinances in conflict with the provisions of this article are hereby repealed.

Secs. 26 – 84 – 26 – 89. Reserved.

**Bethany M. Smith**  
*Interim City Attorney*

**Gilbert W. Carlson**  
*Assistant City Attorney*

**Kevin A. Rogers**  
*Staff Attorney*

**Robert C. Rottach**  
*Staff Attorney*

**OFFICE OF THE**



**CITY ATTORNEY**

**161 West Michigan Avenue**  
**Jackson, MI 49201**  
**(517) 788-4050**  
**(517) 788-4023**  
**Fax: (866) 971-2117**

**CITY COUNCIL MEETING**  
**November 12, 2013**  
**NEW BUSINESS**

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Bethany M. Smith, Interim City Attorney

DATE: November 1, 2013

SUBJECT: Possession of alcoholic beverages at Sharp Park Golf Course.

**RECOMMENDATION: Approve the Ordinance to permit possession of alcoholic beverages at the Ella Sharp Park Golf Course.**

Attached please find a black-lined and a clean version of amendments to Section 3.3 of the Alcoholic Liquors chapter of the Code. This section is being amended to allow possession of alcoholic beverages upon the grounds of the Ella Sharp Golf Course as the golf course will be obtaining a liquor license and begin serving alcohol in the near future.

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 3-3 of Chapter 3 of the Code of Ordinances of the City of Jackson, Michigan to permit the consumption of alcoholic beverages on the grounds of the Ella Sharp Golf Course.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

The City Council adopts this ordinance to permit the consumption of alcoholic beverages on the grounds of the Ella Sharp Golf Course.

Section 2. That Section 3-3 of Chapter 3 of the City of Jackson, Michigan Code of Ordinances, be amended to read as follows:

CHAPTER 3. ALCOHOLIC LIQUORS.

\* \* \*

Sec. 3-3. Possession of open or uncapped alcoholic liquor within public parks or other outdoor locations open to the general public.

(a) No person shall possess, within any public park of the city, or in any other outdoor location open to the general public, any alcoholic liquor in a container which is open, uncapped or upon which the seal is broken, unless all of the following have occurred:

(1) Issuance by the state under Act No. 8 of the Public Acts of Michigan of 1933 (MCL 436.1 et seq.) (Extra Session) of a valid permit to sell or dispense alcoholic liquor within the specified public park or outdoor location where the possession occurs.

(2) Approval, in advance, of the location of the event at which alcoholic liquor is to be sold or dispensed by the city manager and the chief of police.

(b) This section shall not prohibit the possession of alcoholic liquor in a container which is unsealed or open within an outdoor area appurtenant to and controlled by any establishment which is regularly licensed under the authority of Act No. 8 of the Public Acts of Michigan of 1933 (Extra Session) (MCL 436.1 et seq.); ~~or the possession of alcoholic liquor upon the grounds of the Ella Sharp Museum which is licensed by the state under Act No. 8 of the Public Acts of Michigan of 1933 (Extra Session) and approved by the museum board.~~

(c) This section shall not prohibit the possession of alcoholic liquor in a container which is unsealed or open upon the grounds of the Ella Sharp Museum which is licenses by the

state under Act No. 8 of the Public Acts of Michigan of 1933 (Extra Session) and approved by the museum board.

(d) This section shall not prohibit the possession of alcoholic liquor in a container which is unsealed or open or the possession of alcoholic liquor upon the grounds of the Ella Sharp Golf Course which is licensed by the state under Act No. 8 of the Public Acts of Michigan of 1933 (Extra Session) and approved by the city manager.

(ee) This section shall not prohibit the possession of open, unsealed, or uncapped alcoholic liquor or the consumption of alcoholic liquor (in non-glass containers) in the designated area known as the Riverwalk Amphitheater Events Area, described below (which does not include the waters of the Grand River), at such times and at such community special events as the city council shall establish. During the times that the consumption of alcoholic liquors is permitted, the city administration shall install appropriate signs around the perimeter of the Riverwalk Amphitheater Events Area to apprise the public that alcohol consumption must be confined to that area and that no open containers may be removed from the area. The Riverwalk Amphitheater Events Area is described as:

The Amphitheater, lawn seating area, and that portion of the Riverwalk Trail between Francis and Airline (Glick) Streets lying between the south bank of the Grand River and generally that area north of the Consumers' corporate headquarters building extending to the south of the Riverwalk Trail and bordered by the middle art venue on the west extending to the art venue on the east that is contained within designated fencing.

\* \* \*

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

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

An Ordinance amending Section 3-3 of Chapter 3 of the Code of Ordinances of the City of Jackson, Michigan to permit the consumption of alcoholic beverages on the grounds of the Ella Sharp Golf Course.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

The City Council adopts this ordinance to permit the consumption of alcoholic beverages on the grounds of the Ella Sharp Golf Course.

Section 2. That Section 3-3 of Chapter 3 of the City of Jackson, Michigan Code of Ordinances, be amended to read as follows:

CHAPTER 3. ALCOHOLIC LIQUORS.

\* \* \*

Sec. 3-3. Possession of open or uncapped alcoholic liquor within public parks or other outdoor locations open to the general public.

- (a) No person shall possess, within any public park of the city, or in any other outdoor location open to the general public, any alcoholic liquor in a container which is open, uncapped or upon which the seal is broken, unless all of the following have occurred:
  - (1) Issuance by the state under Act No. 8 of the Public Acts of Michigan of 1933 (MCL 436.1 et seq.) (Extra Session) of a valid permit to sell or dispense alcoholic liquor within the specified public park or outdoor location where the possession occurs.
  - (2) Approval, in advance, of the location of the event at which alcoholic liquor is to be sold or dispensed by the city manager and the chief of police.
- (b) This section shall not prohibit the possession of alcoholic liquor in a container which is unsealed or open within an outdoor area appurtenant to and controlled by any establishment which is regularly licensed under the authority of Act No. 8 of the Public Acts of Michigan of 1933 (Extra Session) (MCL 436.1 et seq.)
- (c) This section shall not prohibit the possession of alcoholic liquor in a container which is unsealed or open upon the grounds of the Ella Sharp Museum which is licensed by the state under Act No. 8 of the Public Acts of Michigan of 1933 (Extra Session) and approved by the museum board.

- (d) This section shall not prohibit the possession of alcoholic liquor in a container which is unsealed or open or the possession of alcoholic liquor upon the grounds of the Ella Sharp Golf Course which is licensed by the state under Act No. 8 of the Public Acts of Michigan of 1933 (Extra Session) and approved by the city manager.
- (e) This section shall not prohibit the possession of open, unsealed, or uncapped alcoholic liquor or the consumption of alcoholic liquor (in non-glass containers) in the designated area known as the Riverwalk Amphitheater Events Area, described below (which does not include the waters of the Grand River), at such times and at such community special events as the city council shall establish. During the times that the consumption of alcoholic liquors is permitted, the city administration shall install appropriate signs around the perimeter of the Riverwalk Amphitheater Events Area to apprise the public that alcohol consumption must be confined to that area and that no open containers may be removed from the area. The Riverwalk Amphitheater Events Area is described as:

The Amphitheater, lawn seating area, and that portion of the Riverwalk Trail between Francis and Airline (Glick) Streets lying between the south bank of the Grand River and generally that area north of the Consumers' corporate headquarters building extending to the south of the Riverwalk Trail and bordered by the middle art venue on the west extending to the art venue on the east that is contained within designated fencing.

\* \* \*

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

**Bethany M. Smith**  
*Interim City Attorney*

**Gilbert W. Carlson**  
*Assistant City Attorney*

**Kevin A. Rogers**  
*Staff Attorney*

**Robert C. Rottach**  
*Staff Attorney*

**OFFICE OF THE**



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**Fax: (866) 971-2117**

**CITY COUNCIL MEETING**  
**November 12, 2013**

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Bethany M. Smith, Interim City Attorney

SUBJECT: Indian Village Park  
Settlement Agreement, Indemnity Agreement, and Release of All Claims

Date: November 5, 2013

**RECOMMENDATION: Approve the Settlement Agreement, Indemnity Agreement, and Release of All Claims.**

Attached please find a Settlement Agreement, Indemnity Agreement, and Release of all Claims (one document) between the City of Jackson, Indian Village Park LLC, First Holding Management Company, LLC and South Park LLC. The other parties to the Agreement allege that the City of Jackson charged them incorrect amounts for wastewater since October 1, 2006 for the real property located at 2600 East South Street. By executing this Agreement, the parties agree to waive any and all claims of any nature that they have against the City.

In return, the parties will receive \$48,270.00 from the City. A credit of \$11,574.21 will be applied to the wastewater bill for the real property. The \$36,756.69 balance of the \$42,270.90 will be refunded to South Street Park LLC.

The requisite action is to approve the Agreement, authorize the Mayor to sign same, authorize the Interim City Attorney to make minor modifications, and to take all other actions necessary to finalize the Agreement.

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

cc w/att: Patrick Burtch, City Manager

**SETTLEMENT AGREEMENT, INDEMNITY AGREEMENT  
AND RELEASE OF ALL CLAIMS**

THIS SETTLEMENT AGREEMENT, INDEMNITY AGREEMENT, AND RELEASE OF ALL CLAIMS is between INDIAN VILLAGE PARK, LLC, a Michigan Limited Liability Company, whose address is c/o Carson Rivera, PLLC, 185 Oakland Avenue, Suite 230, Birmingham, Michigan 48009, FIRST HOLDING MANAGEMENT COMPANY LLC, whose address is 6960 Orchard Lake Road, Suite 300, West Bloomfield, Michigan 48322, and South Street Park LLC, whose address is 6960 Orchard Lake Road, Suite 300, West Bloomfield, Michigan 48322 (hereinafter collectively "Claimants"), and the CITY OF JACKSON, a Michigan Municipal Corporation, whose address is 161 West Michigan Avenue, Jackson, Michigan 49201, including its council members (past or present), agents, employees, officials, investigators, managers, attorneys, officers, department heads, staff members, successors, assigns and/or representatives (hereinafter "Respondent").

Whereas, Respondent desires to settle all of Claimants' existing claims and disputes against it, including those arising out of incorrect waste water bills and/or charges invoiced by Respondent since on or about October 1, 2006 for Claimants' real property located at 2600 East South Street, Jackson, Michigan 49201, which is more particularly described on Exhibit A, attached hereto and incorporated herein by reference (hereinafter "the Property"), and any and all matters connected with said claims and/or potential claims, the parties for good and valuable consideration as hereinafter set forth, do hereby agree as follows:

**1. Effective Date**

This Agreement is effective as of the date of execution by all parties and will finally conclude all claims which were or could be made by Claimants against Respondent, which claims were or might have been asserted, and will finally conclude any claim of any kind whatsoever which Claimants may have against Respondent concerning any matter which may have arisen prior to the execution of this Agreement.

**2. No Admission of Liability**

It is understood and agreed that this settlement is the compromise of a claim, and that the payment made is not to be construed as an admission of liability on the part of Respondent, hereby released.

It is further understood and agreed that the parties hereby released make no admission whatsoever of wrongdoing, and deny all allegations of same, but enter into this Settlement Agreement, Indemnity Agreement, and Release of All Claims solely in order to bring about an end to any potential claims and other charges against Respondent by Claimants.

**3. Release of All Claims and Indemnity Agreement**

That Claimants, for and in consideration of the full performance of the promises contained in this Settlement Agreement, Indemnity Agreement, and Release of All Claims, and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, does hereby and for its administrators, personal representatives, successors and assigns, release, acquit, and forever discharge Respondent of any and all claims, actions, causes of action, demands, rights, damages, costs, attorney fees, loss of service, expenses and compensation whatsoever which Claimants now has or which hereafter accrue on account of or in any way growing out of any and all known and unknown, foreseen and unforeseen, property damages, economic damages, implied contracts, representations, contracts, suits and

damages for injuries of any kind whatsoever, absolute or contingent, liquidated or unliquidated, known or unknown, at law or in equity, which Claimants now have or possibly could have upon or by reason of any matter, cause or thing whatsoever existing as of the date of this Settlement Agreement, Indemnity Agreement, and Release of All Claims.

Claimants further agree for and in consideration of the payment made hereunder that Claimants shall indemnify and hold harmless Respondent from and for any and all damages, judgments, verdicts or awards, demands, rights, causes for action, losses, claims and actions which may, do or shall arise out of or grow out of any known or unknown, accrue or unaccrued claims by reason of any motion, cause or thing whatsoever existing as of the date of this Settlement Agreement, Indemnity Agreement and Release of all Claims.

Notwithstanding anything else to the contrary herein, this Settlement Agreement, Indemnity Agreement and Release of All Claims shall apply only to all of Claimants' existing and/or potential claims and disputes arising out of incorrect waste water bills and/or charges invoiced by Respondent since on or about October 1, 2006, for the Property.

#### 4. Settlement Amount

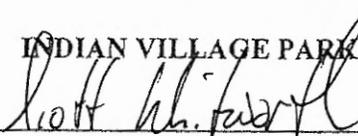
In consideration of this Release, Respondent will:

- A. Pay the total sum of **\$48,270.90** ("Overcharge") to Claimants, upon the execution of this Settlement Agreement, Indemnity Agreement, and Release of All Claims in satisfaction of Claimants' claims and/or potential claims as set forth herein related to all aspects of its waste water bills and/or charges invoiced by Respondent since October 1, 2006 for the Property. Payment by Respondent shall be in the form of a credit in the amount of \$11,514.21 to Claimants' current wastewater bill for the Property. The \$11,514.21 credit has been applied by Respondent to the Property's current wastewater bill.
- B. The balance of the Overcharge, \$36,756.69, shall be refunded to South Street Park, LLC.

#### 5. Opportunity to Review

Claimants hereby state and acknowledges that it has had an opportunity to review the terms of this Settlement Agreement, Indemnification Agreement, and Release of All Claims, with the attorney of its choice and/or with full knowledge of its right to have an attorney review this matter, Claimants state that they understand the terms of this Settlement Agreement, Indemnity Agreement, and Release of all Claims, and the same is entered into freely, voluntarily, knowingly and without duress or compulsion.

INDIAN VILLAGE PARK, LLC

By: 

Its: Authorized Representative

FIRST HOLDING MANAGEMENT  
COMPANY LLC

By: 

Its: Authorized Representative

SOUTH STREET PARK, LLC

By: [Signature]

Its: Authorized Representative

New York  
STATE OF MICHIGAN )  
New York ) ss  
COUNTY OF JACKSON )

On this 9<sup>th</sup> day of September, 2013, before me personally appeared Scott Whitworth, authorized representative of Indian Village Park, LLC, to me known to be the person named herein and who executed the foregoing Settlement Agreement, Indemnity Agreement, and Release of All Claims, and who acknowledged to me that (he/she) voluntarily executed same.

[Signature]  
Notary Public

GALA BEREZKIN  
Notary Public  
State of New York  
Reg. No. 01BE6179744  
Qualified in Kings County  
Commission Expires 2.25.2016

STATE OF MICHIGAN )  
 ) ss  
COUNTY OF JACKSON )

On this 12<sup>th</sup> day of September, 2013, before me personally appeared Claudia Sills, authorized representative of First Holding Management Company, LLC, to me known to be the person named herein and who executed the foregoing Settlement Agreement, Indemnity Agreement, and Release of All Claims, and who acknowledged to me that (he/she) voluntarily executed same.

[Signature]  
Notary Public

KIMBERLEY T. MEYERS  
Notary Public, Macomb County, Michigan  
My Commission Expires September 10, 2014

STATE OF MICHIGAN )  
 ) ss  
COUNTY OF JACKSON )

On this 12<sup>th</sup> day of September, 2013, before me personally appeared Claudia Sills, authorized representative of South Street Park, LLC, to me known to be the person named herein and who executed the foregoing Settlement Agreement, Indemnity Agreement, and Release of All Claims, and who acknowledged to me that (he/she) voluntarily executed same.

[Signature]  
Notary Public

KIMBERLEY T. MEYERS  
Notary Public, Macomb County, Michigan  
My Commission Expires September 10, 2014



**Bethany M. Smith**  
*Interim City Attorney*

**Gilbert W. Carlson**  
*Assistant City Attorney*

**Kevin A. Rogers**  
*Staff Attorney*

**Robert C. Rottach**  
*Staff Attorney*

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**CITY COUNCIL MEETING**  
**November 12, 2013**

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Robert Rottach, Staff Attorney

DATE: November 6, 2013

SUBJECT: Amendments to Division 2 - Marihuana and Drug Paraphernalia, Article VI,  
Chapter 18 – Offenses

**RECOMMENDATION: Codify the Proposal Amendments to Division 2 - Marihuana  
and Drug Paraphernalia, Article VI, Chapter 18**

Attached please find a black-lined and a clean version of the proposal amendments to Division 2 - Marihuana and Drug Paraphernalia, Article VI, Chapter 18 of the Code of Ordinances. On November 5, 2013 the majority of the qualified electors voting on the proposal to amend Division 2 - Marihuana and Drug Paraphernalia, Article VI, Chapter 18 of the Code of Ordinances voted in favor of the proposal. Article X, Section 10.1(3) of the Charter of the City of Jackson, Michigan provides that “[i]f a majority of the qualified electors voting on the proposed ordinance shall vote in its favor, the ordinance shall become an ordinance of the city with immediate effect.” The ordinance that passed on November 5, 2013 took immediate effect and now needs to be codified in the Code of Ordinances.

The requisite action is to codify the Ordinance.

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

cc w/att: Patrick H. Burtch, City Manager  
Bethany M. Smith, Interim City Attorney

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

An Ordinance amending Division 2 - Marihuana and Drug Paraphernalia, Article VI, Chapter 18 of the City of Jackson Code of Ordinances to make the provisions of Division 2 - Marihuana and Drug Paraphernalia, Article VI, Chapter 18 of the City of Jackson Code of Ordinances inapplicable to the use, possession or transfer of less than 1 ounce of marijuana, on private property, by a person who has attained the age of 21 years, for the health, safety, and welfare of the citizens of the City of Jackson, Michigan.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

The City Council adopts this ordinance to make the provisions of Division 2 - Marihuana and Drug Paraphernalia, Article VI, Chapter 18 of the City of Jackson Code of Ordinances inapplicable to the use, possession or transfer of less than 1 ounce of marijuana, on private property, by a person who has attained the age of 21 years, for the health, safety, and welfare of the citizens of the City of Jackson, Michigan.

Section 2.

That Division 2 - Marihuana and Drug Paraphernalia, Article VI, of Chapter 18 of the City of Jackson, Michigan Code of Ordinances, be amended to read as follows:

Sec. 18-151. Definition.

The term "*drug paraphernalia*" as used in this division means any equipment, product or material of any kind or nature whatsoever which is used, intended for use or designed for use in planting, propagating, cultivating, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance as defined by the Controlled Substance Act (MCL 333.1701 et seq.), as amended.

Sec. 18-152. Purpose.

This division is enacted to preserve the health, safety, and welfare of the people of the city by regulating the possession or use of marihuana or the manufacture, sale, use, delivery, possession or distribution, or the attempt to manufacture, sell, use, deliver, possess or distribute drug paraphernalia.

Sec. 18-153. Possession of drug paraphernalia.

It is unlawful for any person, business entity or corporation to illegally use, or to possess with intent to illegally use, drug paraphernalia.

Sec. 18-154. Manufacture, sale, or delivery of drug paraphernalia.

It is unlawful for any person to sell, deliver, possess with intent to deliver or sell, or manufacture with intent to deliver or sell, drug paraphernalia.

Sec. 18-155. Advertisement of drug paraphernalia.

It is unlawful for any person to place in any newspaper, magazine, handbill, or other publication distributed in the city any advertisement, the purpose of which, in whole or in part, is to promote the sale of any object designed or intended for use as drug paraphernalia.

Sec. 18-156. Possession/use of marihuana.

No person shall knowingly and intentionally possess or use marihuana.

Sec. 18-157. Exemptions.

This division shall not apply to manufacturers, wholesalers, jobbers, licensed medical technicians, technologists, nurses, hospitals, research teaching institutions, clinical laboratories, medical doctors, osteopathic physicians, dentists, chiropractors, veterinarians, law enforcement agencies, pharmacists and embalmers in the lawful course of business or professional activity, nor to persons suffering from any medical condition which requires administering prescribed medication. This division shall not apply to the possession of medical marihuana or paraphernalia used in connection with the medical use of marihuana by qualifying patients or primary caregivers, as those terms are defined in the Michigan Medical Marihuana Act, MCL 333.26421 et seq., in the amounts of medical marihuana permitted under the Michigan Medical Marihuana Act, who have a valid medical marihuana registration issued by the Michigan Department of Community Health or its successor agency that permits the qualifying patient or primary caregiver to cultivate and/or consume medical marihuana.

Sec. 18-158. Penalty.

- (a) Any person convicted of a violation of any provision of this division shall be deemed guilty of a misdemeanor and shall be punished by a fine not to exceed five hundred dollars (\$500.00), or by imprisonment not to exceed ninety (90) days, or both. Each day a violation continues shall be considered a separate offense and may be punished accordingly.
- (b) When an individual who has not previously been convicted of an offense under this division or under any similar state or federal law pleads guilty or is found guilty of a violation hereof, the court, without entering a judgment of guilt, may defer further proceedings and place the individual upon probation subject to whatever terms and conditions it deems appropriate.
- (c) Upon violation of a term or condition of such probation, the court may enter an adjudication of guilt and sentence the individual. Upon fulfillment of the terms and conditions of probation, the court shall discharge the individual and dismiss the proceedings. Discharge and dismissal under this section shall be without adjudication of guilt and is not a conviction for purposes of this section or for purposes of any disqualification or disability imposed by law upon conviction of a crime. There may be only one (1) discharge and dismissal under this section as to an individual. The police

department records division shall retain a nonpublic record of an arrest and discharge or dismissal under this section. This record shall be furnished to a court or police agency upon request for the purpose of showing that a defendant in a criminal action involving the use of a controlled substance covered herein has previously utilized this section of the division.

- (d) If any individual is convicted of a violation of this division, the court, as part of the sentence, during the period of confinement or the period of probation, or both, may require the individual to attend a course of instruction or rehabilitation program on the medical, psychological, and social effects of the misuse of drugs. The court may order the individual to pay a fee for the instruction or program. Failure to complete the instruction or program shall be considered a violation of the terms of probation.

[Sec. 18-159. Non-Applicability to Certain Behaviors Involving Marijuana.](#)

[None of the provisions of this division shall apply to the use, possession or transfer of less than 1 ounce of marijuana, on private property, by a person who has attained the age of 21 years.](#)

Secs. 18-~~159~~ 160 - 18-180. Reserved.

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

An Ordinance amending Division 2 - Marihuana and Drug Paraphernalia, Article VI, Chapter 18 of the City of Jackson Code of Ordinances to make the provisions of Division 2 - Marihuana and Drug Paraphernalia, Article VI, Chapter 18 of the City of Jackson Code of Ordinances inapplicable to the use, possession or transfer of less than 1 ounce of marijuana, on private property, by a person who has attained the age of 21 years, for the health, safety, and welfare of the citizens of the City of Jackson, Michigan.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

The City Council adopts this ordinance to make the provisions of Division 2 - Marihuana and Drug Paraphernalia, Article VI, Chapter 18 of the City of Jackson Code of Ordinances inapplicable to the use, possession or transfer of less than 1 ounce of marijuana, on private property, by a person who has attained the age of 21 years, for the health, safety, and welfare of the citizens of the City of Jackson, Michigan.

Section 2.

That Division 2 - Marihuana and Drug Paraphernalia, Article VI, of Chapter 18 of the City of Jackson, Michigan Code of Ordinances, be amended to read as follows:

Sec. 18-151. Definition.

The term "*drug paraphernalia*" as used in this division means any equipment, product or material of any kind or nature whatsoever which is used, intended for use or designed for use in planting, propagating, cultivating, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance as defined by the Controlled Substance Act (MCL 333.1701 et seq.), as amended.

Sec. 18-152. Purpose.

This division is enacted to preserve the health, safety, and welfare of the people of the city by regulating the possession or use of marihuana or the manufacture, sale, use, delivery, possession or distribution, or the attempt to manufacture, sell, use, deliver, possess or distribute drug paraphernalia.

Sec. 18-153. Possession of drug paraphernalia.

It is unlawful for any person, business entity or corporation to illegally use, or to possess with intent to illegally use, drug paraphernalia.

Sec. 18-154. Manufacture, sale, or delivery of drug paraphernalia.

It is unlawful for any person to sell, deliver, possess with intent to deliver or sell, or manufacture with intent to deliver or sell, drug paraphernalia.

Sec. 18-155. Advertisement of drug paraphernalia.

It is unlawful for any person to place in any newspaper, magazine, handbill, or other publication distributed in the city any advertisement, the purpose of which, in whole or in part, is to promote the sale of any object designed or intended for use as drug paraphernalia.

Sec. 18-156. Possession/use of marihuana.

No person shall knowingly and intentionally possess or use marihuana.

Sec. 18-157. Exemptions.

This division shall not apply to manufacturers, wholesalers, jobbers, licensed medical technicians, technologists, nurses, hospitals, research teaching institutions, clinical laboratories, medical doctors, osteopathic physicians, dentists, chiropodists, veterinarians, law enforcement agencies, pharmacists and embalmers in the lawful course of business or professional activity, nor to persons suffering from any medical condition which requires administering prescribed medication. This division shall not apply to the possession of medical marihuana or paraphernalia used in connection with the medical use of marihuana by qualifying patients or primary caregivers, as those terms are defined in the Michigan Medical Marihuana Act, MCL 333.26421 et seq., in the amounts of medical marihuana permitted under the Michigan Medical Marihuana Act, who have a valid medical marihuana registration issued by the Michigan Department of Community Health or its successor agency that permits the qualifying patient or primary caregiver to cultivate and/or consume medical marihuana.

Sec. 18-158. Penalty.

- (a) Any person convicted of a violation of any provision of this division shall be deemed guilty of a misdemeanor and shall be punished by a fine not to exceed five hundred dollars (\$500.00), or by imprisonment not to exceed ninety (90) days, or both. Each day a violation continues shall be considered a separate offense and may be punished accordingly.
- (b) When an individual who has not previously been convicted of an offense under this division or under any similar state or federal law pleads guilty or is found guilty of a violation hereof, the court, without entering a judgment of guilt, may defer further proceedings and place the individual upon probation subject to whatever terms and conditions it deems appropriate.
- (c) Upon violation of a term or condition of such probation, the court may enter an adjudication of guilt and sentence the individual. Upon fulfillment of the terms and conditions of probation, the court shall discharge the individual and dismiss the proceedings. Discharge and dismissal under this section shall be without adjudication of guilt and is not a conviction for purposes of this section or for purposes of any disqualification or disability imposed by law upon conviction of a crime. There may be only one (1) discharge and dismissal under this section as to an individual. The police

department records division shall retain a nonpublic record of an arrest and discharge or dismissal under this section. This record shall be furnished to a court or police agency upon request for the purpose of showing that a defendant in a criminal action involving the use of a controlled substance covered herein has previously utilized this section of the division.

- (d) If any individual is convicted of a violation of this division, the court, as part of the sentence, during the period of confinement or the period of probation, or both, may require the individual to attend a course of instruction or rehabilitation program on the medical, psychological, and social effects of the misuse of drugs. The court may order the individual to pay a fee for the instruction or program. Failure to complete the instruction or program shall be considered a violation of the terms of probation.

Sec. 18-159. Non-Applicability to Certain Behaviors Involving Marijuana.

None of the provisions of this division shall apply to the use, possession or transfer of less than 1 ounce of marijuana, on private property, by a person who has attained the age of 21 years.

Secs. 18-160—18-180. Reserved.



**CITY COUNCIL MEETING**  
**November 12, 2013**

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Matthew R. Heins  
Director of Police and Fire Services

**SUBJECT:** Byrne Justice Assistance Grant (JAG)

---

**Recommendation:**

- A. Adopt a resolution amending the 2013-2014 Budget to reflect the receipt of the Byrne Justice Assistance Grant (JAG), in the amount of \$27,942.**
- B. Authorization to purchase one 2014 Ford Police Interceptor utility vehicle through the State of Michigan MiDeal Contract in the amount of \$24,895 and related patrol vehicle equipment from Winder Police Equipment for \$3,047.**

An Edward Byrne Memorial grant in the amount of \$27,942 has been awarded to the Jackson Police Department by the Department of Justice, Office of Justice Programs. This grant will be used by the department to purchase a new patrol vehicle along with related vehicle equipment.

The police department is now requesting the City Council approve this purchase and adopt the attached resolution amending the 2013/2014 fiscal year budget.

**RESOLUTION**

WHEREAS, the City has entered into the federal government's Edward Byrne Memorial 2012/2016 Justice Assistance Grant (JAG) Program, through the Department of Justice, Office of Justice Programs, Bureau of Justice Assistance.

WHEREAS, this grant requires the activity relating to this project to be kept in a separate account to facilitate reporting and compliance under the terms of the grant.

NOW, THEREFORE, BE IT RESOLVED, that the 2013/2014 budget be amended as follows:

**Byrne JAG Grant Fund**

		<u>Increase</u>
<b>REVENUES:</b>		
268-305-214-501.000	Federal Grant	<u>27,942</u>
<b>EXPENDITURES:</b>		
268-305-214-778.000	Equipment Maintenance Supplies	3,047
268-305-214-985.000	Vehicles	<u>24,895</u>
		<u>27,942</u>

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

I, Andrew J. Wrozek, 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 November 12, 2013.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, on this 13th day of November 2013.

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



## Police Department

216 E. Washington Avenue - Jackson, MI 49201  
Telephone: (517) 788-4100 — Facsimile: (517) 788-4129

CITY COUNCIL MEETING  
November 12, 2013

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Matthew R. Heins  
Chief of Police  
**SUBJECT:** Selective Traffic Enforcement Program

---

**Recommendation:**

**A. To adopt a resolution amending the 2013-2014 Budget to reflect receipt of the Selective Traffic Enforcement Program (STEP) grant in the amount of \$8,167.**

The Jackson Police Department has been awarded a traffic safety grant in the amount of \$8,167 by the Jackson Traffic Safety Commission. This grant provides overtime funding to conduct traffic enforcement in and around identified high accident intersections and areas during peak accident times. This model of enforcement has been extremely successful in reducing traffic crashes.

The Police Department is now requesting the City Council adopt the attached resolution amending the 2013/2014 fiscal year budget. The grant match of \$1,441 was approved in the current fiscal year budget in anticipation of this grant award.

**RESOLUTION**

WHEREAS, the City Council desires to amend the 2013/2014 budget in order to provide for a continuation of the Selective Traffic Enforcement Program (STEP) through the Jackson Traffic Safety Program.

NOW, THEREFORE, BE IT RESOLVED, that the 2013/2014 budget be amended as follows:

**General Fund**

	<u>Decrease</u>	<u>Increase</u>
<b>REVENUES:</b>		
101-308-214-545.000 STEP - County		<u>8,167</u>
<b>EXPENDITURES:</b>		
101-299-956-001.000 Contingency	1,441	
101-308-214-709.000 Overtime		9,378
101-308-214-715.000 FICA		136
101-308-214-724.001 Workers' Compensation		94
	<u>1,441</u>	<u>9,608</u>

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

I, Andrew J. Wrozek, 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 November 12, 2013.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, on this 13th day of November 2013.

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



# Neighborhood & Economic Operations

Building a Stronger Jackson

---

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

Building Inspection  
(517) 788-4012

Code Enforcement  
(517) 788-4060

Engineering  
(517) 788-4160

Planning & Economic Development  
(517) 768-6433

## CITY COUNCIL MEETING November 12, 2013

**TO:** Honorable Mayor and City Councilmembers

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

**SUBJECT:** Changes to Consumers Energy Standard Streetlighting Contract

---

**RECOMMENDATION:** To Approve the Resolution for Changes to the Consumers Energy Standard Streetlighting Contract along with payment in the amount of \$200.00 and Authorize the Mayor and City Treasurer/Clerk to Sign the Appropriate Documents.

At the request of City Councilmember Frounfelder, the City has requested that Consumers Energy install two new lights in the City, at 813 Second and 216 Mason. Also, as a part of this contract change, a high pressure sodium light at Washington Avenue and Jackson Street is being replaced with a higher wattage.

Attached is the Authorization for Change in Standard Streetlighting Contract from Consumers Energy for this work. A Consumers Energy resolution authorizing these changes is also attached.

We request the approval of the changes to the Consumers Energy Standard Streetlighting Contract along with payment in the amount of \$200.00 and the authorization for the Mayor and City Treasurer/Clerk to sign the appropriate documents.

JHD:sms

Cc: Andrew J. Wrozek, Jr., City Treasurer/Clerk  
Troy R. White, P.E., Senior Civil Engineer  
Robert Dietz, Parking Manager/Engineering Assistant

**AUTHORIZATION FOR CHANGE IN STANDARD LIGHTING CONTRACT (COMPANY-OWNED)**

Consumers Energy Company is authorized as of \_\_\_\_\_, by the City of  
Jackson \_\_\_\_\_, to make changes, as listed below, in the lighting system(s) covered by the existing Standard  
Lighting Contract between the Company and the City \_\_\_\_\_ of Jackson \_\_\_\_\_, dated  
June 1, 2010 \_\_\_\_\_.

General Service Unmetered Lighting Rate GUL, Standard High Intensity Discharge as identified in Exhibit A.  
 General Unmetered Experimental Lighting Rate GU-XL as identified in Exhibit B.

Notification Number 1022079837, 12022601918 & 1014606763

Construction Work Order Number \_\_\_\_\_

Except for the changes in the lighting system(s) as herein authorized, all provisions of the aforesaid Standard Lighting Contract  
dated June 1, 2010 \_\_\_\_\_, shall remain in full force and effect.

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

This Agreement may be executed and delivered in counterparts, including by a facsimile or an electronic transmission thereof,  
each of which shall be deemed an original. Any document generated by the parties with respect to this Agreement, including  
this Agreement, may be imaged and stored electronically and introduced as evidence in any proceeding as if original business  
records. Neither party will object to the admissibility of such images as evidence in any proceeding on account of having been  
stored electronically.

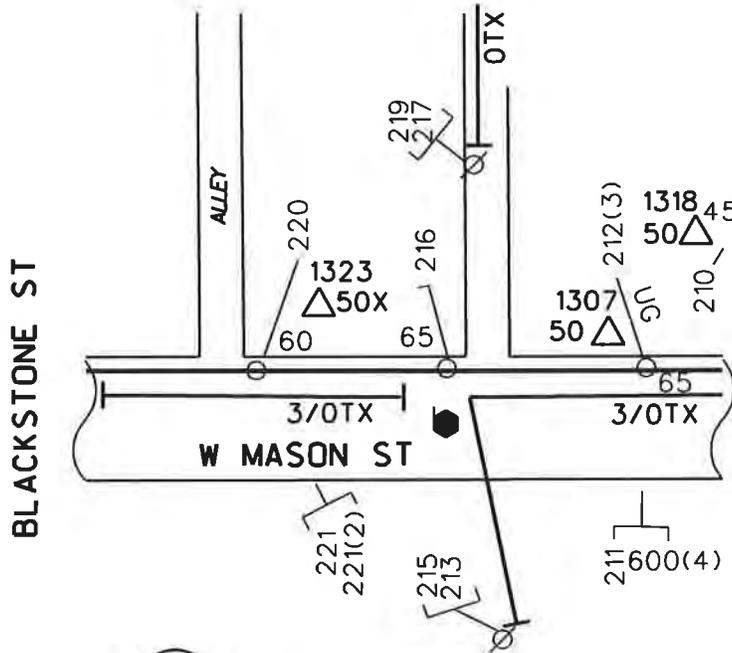








JACKSON CO  
 SUMMIT TWP  
 T53 R01 SEC.03



1

**INSTALL**  
 150W HPS COBRAHEAD  
 ON 6FT BRACKET  
 25FT MTG HT  
 per 42-103-0

NOTIFICATION #1022601918

ORDER NUMBER

 A CMS Energy Company <b>ELECTRIC</b>	DESIGNED BY GCGUNDY	DATE 10/19/13	216 MASON ST, JACKSON-ECNC/STL			
	APPROVED BY	DATE	STREETLIGHT For: CITY OF JACKSON 216 MASON ST			
SHEET 1 OF 1		SCALE NONE				
<b>-CONSTRUCTION CERTIFICATION-</b> Work was constructed as Engineered or Changed as Indicated. All Salvageable Material Was Returned to Stores. Signed _____ in Direct Charge of Work Dates: Started _____ Completed _____ MSS DIG NUMBER: _____ DATE: _____	TLM NUMBER 5301031323	# OF RODS	OHMS	CONSTRUCTION MEASURE NUMBER 100002569136		
	SUBSTATION INGHAM	WD NO. 0703	ORDER TYPE		DESIGN NUMBER	
	CIRCUIT GREENWOOD	CKT NO. 05	LCP NO. 0804	ECNC	STL	10432932
			STAKED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		TRES <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	

ELECTRIC CAD TITLE BLOCK (B-1/2x11) 10-30-2008  
 SHEET A

10/22/2013 8:09:13 AM d:\of\wrad\ustn\tempdgn\10432932\10432932.001

DESIGN FILE NAME: 10432932.001

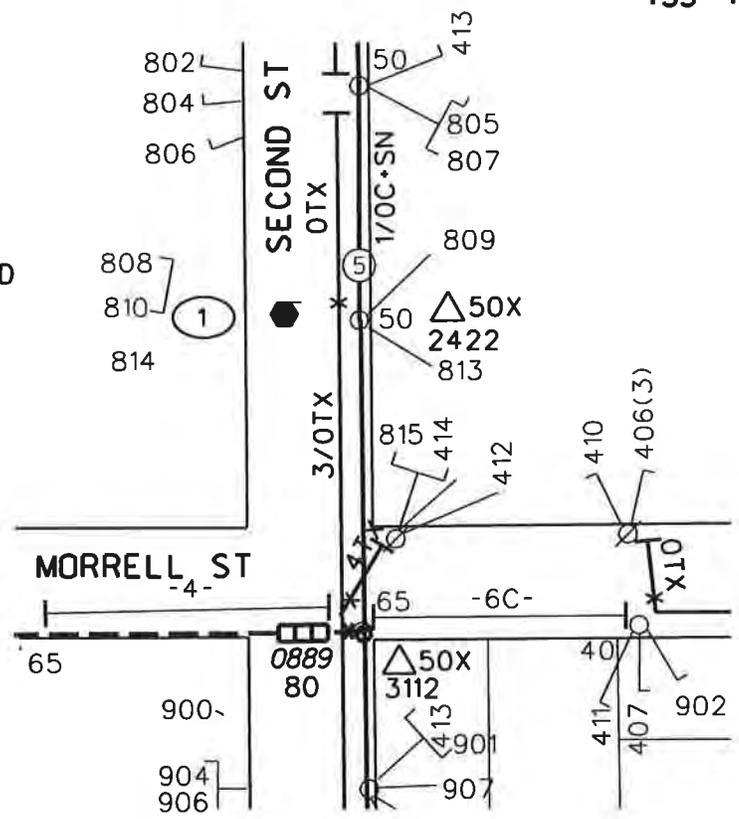
T R S 53 01 03



JACKSON CO  
SUMMIT TWP  
T53 R01 SEC.03

1

**INSTALL**  
150W HPS COBRAHEAD  
ON 6FT BRACKET  
25FT MTG HT  
per 42-103-0



NOTIFICATION #1022079837

ORDER NUMBER
--------------

 A CMS Energy Company <b>ELECTRIC</b>	DESIGNED BY GCGUNDY	DATE 10/19/13	813 SECOND ST, JACKSON-ECNC/STL							
	APPROVED BY	DATE	STREETLIGHT For: CITY OF JACKSON 813 SECOND ST							
SHEET 1 OF 1		SCALE NONE								
<b>-CONSTRUCTION CERTIFICATION-</b> Work was constructed as Engineered or Changed as Indicated. All Salvageable Material Was Returned to Stores. Signed _____ in Direct Charge of Work Dates: Started _____ Completed _____ MISS DIG NUMBER: _____ DATE: _____	TLM NUMBER 5301032422	# OF RODS	OHMS	CONSTRUCTION MEASURE NUMBER 100002569136						
	SUBSTATION INGHAM	WD NO. 0703	<table border="1"> <tr> <td>ORDER TYPE</td> <td>MAINTENANCE ACTIVITY TYPE</td> <td>DESIGN NUMBER</td> </tr> <tr> <td>ECNC</td> <td>STL</td> <td>10432931</td> </tr> </table>			ORDER TYPE	MAINTENANCE ACTIVITY TYPE	DESIGN NUMBER	ECNC	STL
ORDER TYPE	MAINTENANCE ACTIVITY TYPE	DESIGN NUMBER								
ECNC	STL	10432931								
CIRCUIT GREENWOOD		CKT NO. 05	LCP NO. 0806	STAKED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO TREES <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO						

6 330010903917 000000200006 0000 2056 8 300006350916

H

CONSUMERS ENERGY CO.  
Lansing, MI 48937-0001



CITY OF JACKSON  
161 W MICHIGAN AVE  
JACKSON MI 49201-1315

Due Date	Total Due
11/21/13	\$200.00
Amount Enclosed	\$

PREPAYMENT REQUEST

Please detach this stub and return it with your payment

CONSUMERS ENERGY CO

Account Number 300006350916  
Account Name CITY OF JACKSON  
Address 161 W MICHIGAN AVE  
JACKSON, MI 49201

Invoice Number 9300750975  
PO Number  
PO Date  
Bill Date 10/22/13  
DUE DATE 11/21/13

Comments:

Item	Description	Quantity	Unit Price	Amount
40010403	Electric Streetlights-CIAC Streetlight 13 Second St	1.0 EA	\$100.00	\$100.00
40010403	Electric Streetlights-CIAC Streetlight 216 Mason	1.0 EA	\$100.00	\$100.00
<b>Payment Terms:</b>				<b>TOTAL DUE*:</b> \$200.00
<b>Due by:</b> 11/21/13				

PLEASE ENCLOSE THE TOP PORTION OF THIS INVOICE WITH YOUR PAYMENT. THE ACCOUNT NUMBER IS NECESSARY TO ENSURE YOUR PAYMENT IS PROPERLY CREDITED. THANK YOU

Contact Information: Greg Gundy @ 517-788-1480

\*Payments applied after the date of 10/22/13 are not included.

Consumers Energy is regulated by the Michigan Public Service Commission, Lansing, Michigan

www.consumersenergy.com





# 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 November 12, 2013

**TO:** Honorable Mayor and City Councilmembers

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

**SUBJECT:** Request to Approve Traffic Control Order 2162  
City Parking Lot #5

---

**RECOMMENDATION: Approval of Traffic Control Order 2162 to prohibit parking between the hours of 2:00-6:00 a.m. in the row in front of pavilion in City Parking Lot #5.**

Engineering received concerns from vendors at the Grand River Farmer's Market regarding vehicles being parked in the row closest to the pavilion in early morning hours, causing problems with setting up for market days. Signage was reviewed to see how to alleviate the problem.

Vehicles shall be prohibited from parking between the hours of 2:00 and 6:00 a.m. in the row in front of the pavilion in City Parking Lot #5.

It is the recommendation of Engineering that Traffic Control Order 2162 be approved. If you have any questions please do not hesitate to contact us.

JHD/sms

C: Bob Dietz, Parking Manager/Engineering Assistant  
Matt Heins, Chief of Police

**CITY OF JACKSON, MICHIGAN**  
**TRAFFIC ENGINEERING DIVISION**  
**Traffic Control Order 2162**

**LOCATION:** City Parking Lot #5

**DATE:** October 10, 2013

**ASSIGNED TO:**

**TCO DESCRIPTION**

Review signage possibilities to alleviate a problem of vehicles parking in front of the pavilion in City Parking lot #5 on Market days.

BY JON H. DOWLING, P.E.

**RECOMMENDATION**

Vehicles shall be prohibited from parking between the hours of 2 am and 6 am in the row in front of the pavilion in City Parking lot #5.

**APPROVED**  **REJECTED**

**DATE:**

BY CITY COUNCIL

**WORK ASSIGNMENT:** To Sign Shop

**DATE:**

**TO:**

BY JON H. DOWLING, P.E.

**MATERIAL USED**

<input type="checkbox"/>									
--------------------------	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------

Posts      Stop      Time Limit      No Parking      Loading Zone      One Way      Yield      Paint      Other

**ASSIGNMENT COMPLETED**

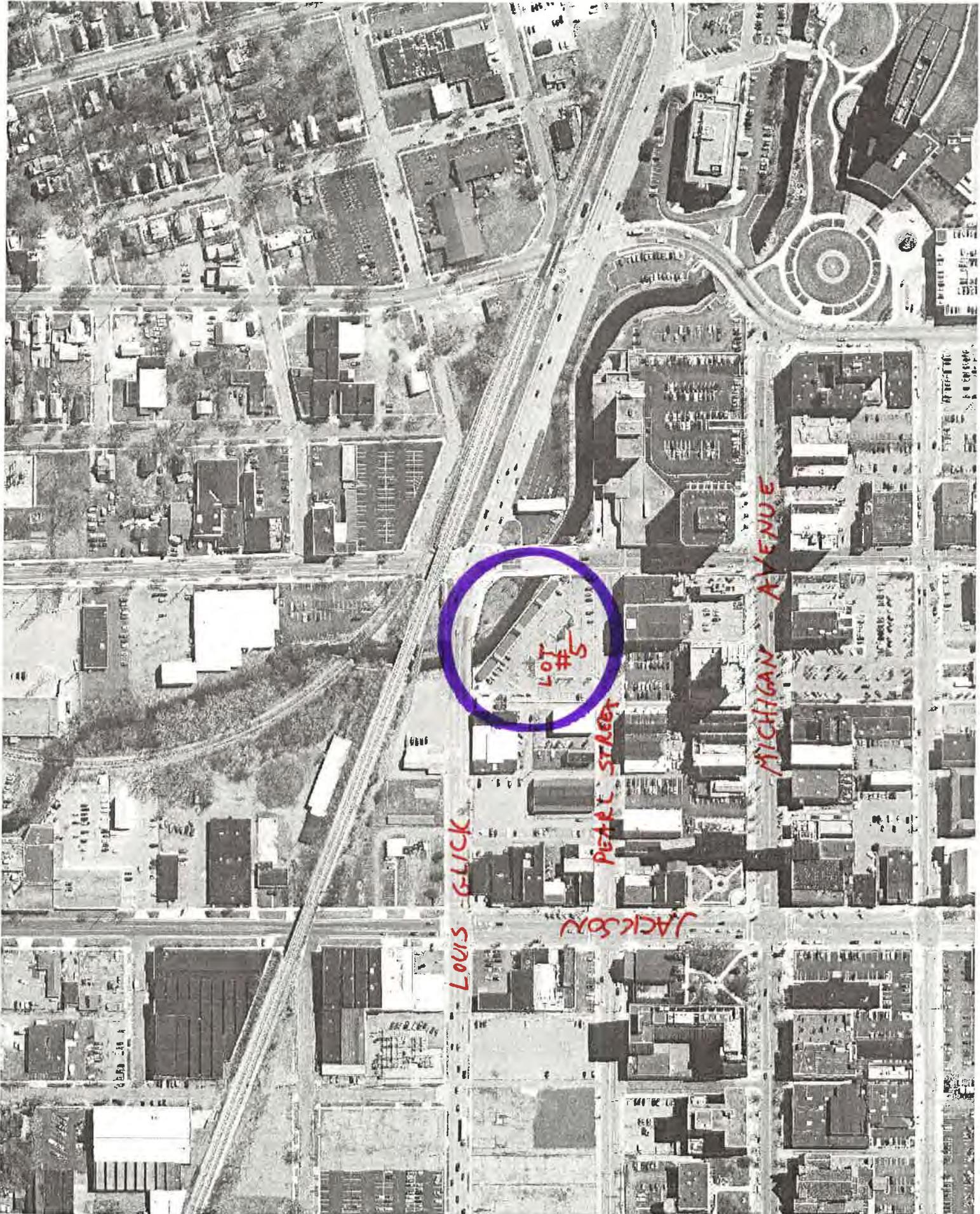
**DATE:**                      **BY: Sign Shop**

**WORK INSPECTED**

**REMARKS:**

**DATE:**                      **BY: Jon H. Dowling, P.E., City Engineer**

Copies: 1. Intersection File 2. TCO File 3. Work Order Copy 4. Police Dept. 5. Fire Dept 6. City Clerk





# Neighborhood & Economic Operations

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---

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Planning & Economic Development  
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## CITY COUNCIL MEETING November 12, 2013

**TO:** Honorable Mayor and City Councilmembers

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

**SUBJECT:** Request to Approve Traffic Control Order 2163  
Mansion Street – Between Merriman and Eggleston Streets

---

### **RECOMMENDATION: Approval of Traffic Control Order 2163 to prohibit truck traffic on Mansion Street between Merriman and Eggleston.**

A citizen contacted Engineering to review the through truck traffic on Mansion Street. There are concerns with trucks accessing the businesses in the area using Mansion Street instead of Prospect Street.

Unless stopping for deliveries, through truck traffic shall be prohibited to travel on Mansion Street between Merriman and Eggleston Streets.

It is the recommendation of Engineering that Traffic Control Order 2163 be approved. If you have any questions please do not hesitate to contact us.

JHD/sms

C: Bob Dietz, Parking Manager/Engineering Assistant  
Matt Heins, Chief of Police

**CITY OF JACKSON, MICHIGAN**  
**TRAFFIC ENGINEERING DIVISION**  
**Traffic Control Order 2163**

**LOCATION:** Mansion Street

**DATE:** October 21, 2013

**ASSIGNED TO:**

**TCO DESCRIPTION**

Based upon citizen request review possibility of prohibiting through truck traffic on Mansion Street between Merriman and Eggleston Streets.

BY JON H. DOWLING, P.E.

**RECOMMENDATION**

Unless stopping for deliveries through truck traffic shall be prohibited to travel on Mansion Street between Merriman and Eggleston Streets.

**APPROVED**  **REJECTED**

**DATE:**

**BY CITY COUNCIL**

**WORK ASSIGNMENT:** To Sign Shop

**DATE:**

**TO:**

BY JON H. DOWLING, P.E.

**MATERIAL USED**

Posts

Stop

Time Limit

No Parking

Loading Zone

One Way

Yield

Paint

Other

**ASSIGNMENT COMPLETED**

**DATE:**

**BY: Sign Shop**

**WORK INSPECTED**

**REMARKS:**

**DATE:**

**BY: Jon H. Dowling, P.E., City Engineer**

Copies: 1. Intersection File 2. TCO File 3. Work Order Copy 4. Police Dept. 5. Fire Dept 6. City Clerk





# Neighborhood & Economic Operations

Building a Stronger Jackson

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## CITY COUNCIL MEETING November 12, 2013

**TO:** Honorable Mayor and City Councilmembers

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

**SUBJECT:** Change Order 1 – 2013 Sewer Rehabilitation Project

**RECOMMENDATION:** To Approve Change Order 1 to the contract for 2013 Sewer Rehabilitation Project with Layne Inliner, LLC., in the increased amount of \$1,573.00 to match final quantities placed, and Authorization for the City Manager and City Engineer to execute the appropriate document.

On May 29, 2013, City Council approved the award of the 2013 Sewer Rehabilitation Contract to Layne Inliner, LLC, of Hilliard, Ohio, in the amount of \$264,611.00. This project provided for rehabilitation of sections of antiquated and/or damaged sewers at various locations throughout the city:

- Michigan Avenue, from Cooper Street to Waterloo
- Fleming, between Maguire and Blakely
- First alley west of Steward, between Oakhill and Ganson
- Mechanic Street, from Franklin to Wesley
- North Street, at the railroad crossing
- First alley west of Jackson, between Wesley and Washington

This change order balances quantities to match the final quantities placed, and represents an increase of \$1,573.00, bringing the total contract amount to \$266,184.00. The additional costs will be paid for with Sanitary Sewer Replacement Funds.

We request approval of Change Order 1 and authorization for the City Manager and the City Engineer to sign the document.

JHD/sms

C: Patrick H. Burtch, City Manager  
Troy R. White, P.E., Senior Civil Engineer  
Phil Hones, Purchasing Agent  
Shelly Allard, Purchasing Coordinator  
Lucinda Schultz, Accounting Manager

**BALANCING CHANGE ORDER NO. 1  
To Contract for  
2013 Sewer Rehabilitation  
City of Jackson, Michigan**

Notice is hereby given that the following additional information and changes shall become a part of the Contract Documents, Plans and Specifications of the above-named contract.

<b>ORIGINAL CONTRACT AMOUNT</b>	<b>\$ 264,611.00</b>
<b>CHANGE ORDER NO. 1</b> Details of changes shown on the attached sheets	<b>\$ 1,573.00</b>
<b>NEW CONTRACT AMOUNT AS SET BY CHANGE ORDER NO. 1</b>	<b>\$ 266,184.00</b>

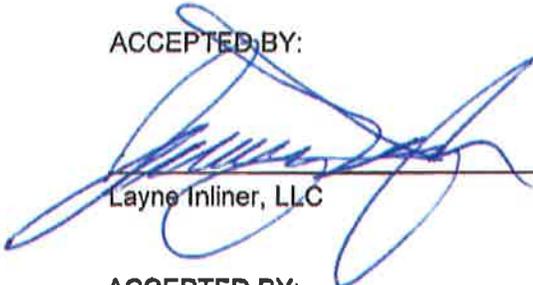
**REASON FOR CHANGE:**

To change the authorized quantities for contract items to match final quantities placed.

**CONTRACT COMPLETION:**

The contract completion time remains unchanged.

ACCEPTED BY:

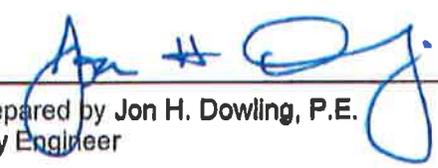
  
\_\_\_\_\_  
Layne Inliner, LLC

ACCEPTED BY:

\_\_\_\_\_  
Jon H. Dowling, P.E., City Engineer

ACCEPTED BY:

\_\_\_\_\_  
Patrick H. Burtch, City Manager

  
\_\_\_\_\_  
Prepared by Jon H. Dowling, P.E.  
City Engineer

10-22-13  
\_\_\_\_\_  
Date:

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Date:

# CITY OF JACKSON - DEPARTMENT OF ENGINEERING

CONTRACTOR: <b>Layne Inliner, LLC 4143 Weaver Court Hilliard, OH 43026</b>	JOB DESCRIPTION: <b>2013 Sewer Rehabilitation</b>	CHANGE ORDER: <b>1</b>
		PAGE OF 3 DATE: 06-Nov-2013

ITEM OF WORK, STATUS OF QUANTITY AND DESCRIPTION LOCATION-REASON	CODE NO.	UNIT USED	EST. QUANTITIES	UNIT PRICE	AMOUNT	AMOUNT
			+ INCREASE - DECREASE		INCREASE	DECREASE
					\$49,335.00	(\$47,762.00)
					\$1,573.00	
<b>Traffic Control, Washington Alley</b>	8127051	LS	(1.00)	\$650.00		(\$650.00)
Contract Quantity						
Newly Revised Quantity						
Difference in C.O. # 1						
<b>Sanitary Sewer Liner, CIPP, 24 inch</b>	85007001	Ft	(241.00)	\$77.00		(\$18,557.00)
Contract Quantity						
Newly Revised Quantity						
Difference in C.O. # 1						
<b>Sanitary Sewer Liner, CIPP, 27 inch</b>	85007001	Ft	(291.00)	\$85.00		(\$24,735.00)
Contract Quantity						
Newly Revised Quantity						
Difference in C.O. # 1						
<b>Sanitary Sewer Liner, CIPP, 30 inch</b>	85007001	Ft	299.00	\$165.00	\$49,335.00	
Contract Quantity						
Newly Revised Quantity						
Difference in C.O. # 1						
<b>Sanitary Sewer Liner, CIPP, 8 inch</b>	85007001	Ft	(3.00)	\$30.00		(\$90.00)
Contract Quantity						
Newly Revised Quantity						
Difference in C.O. # 1						
<b>Service Investigation</b>	85007040	Hr	(14.00)	\$195.00		(\$2,730.00)
Contract Quantity						
Newly Revised Quantity						
Difference in C.O. # 1						





# Neighborhood & Economic Operations

Building a Stronger Jackson

---

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Building Inspection  
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Code Enforcement  
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Engineering  
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Planning & Economic Development  
(517) 768-6433

## CITY COUNCIL MEETING November 12, 2013

**TO:** Honorable Mayor and City Councilmembers

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

**SUBJECT:** Change Order 1 – Steward and Lansing/Blackstone Two-Way Conversion Contract

---

**RECOMMENDATION:** To approve Change Order 1 to the contract with Concord Excavating and Grading, Inc., in the increased amount of \$12,818.54 to balance the contract quantities with the final quantities built along with some additional items not in the original contract, and authorization for the City Manager and City Engineer to execute the appropriate document.

On May 28, 2013, City Council approved the award of the Steward and Blackstone/Lansing Two-Way Conversion contract to Concord Excavating and Grading, Inc., of Concord, Michigan in the amount of \$80,339.45. This contract provided for installation of a new traffic island at Steward and Lansing and modification the pavement markings to facilitate the two way conversion.

The attached Change Order Number 1 is to balance the contract quantities with the final quantities built along with some additional items not in the original contract.

This change order represents an increase of \$12,818.54 bringing the total contract amount to \$93,157.99. The additional costs will be paid for with Major Street Funds.

We request approval of Change Order 1 and authorization for the City Manager and the City Engineer to sign the document.

JHD/sms

C: Troy R. White, P.E., Senior Civil Engineer  
Phil Hones, Purchasing Agent  
Shelly Allard, Purchasing Coordinator  
Lucinda Schultz, Accounting Manager

**BALANCING CHANGE ORDER NO. 1**  
**To Contract for**  
**Two-Way Conversion of Steward and Lansing/Blackstone**  
**City of Jackson, Michigan**

Notice is hereby given that the following additional information and changes shall become a part of the Contract Documents, Plans and Specifications of the above-named contract.

**ORIGINAL CONTRACT AMOUNT** **\$ 80,339.45**

**CHANGE ORDER NO. 1** **\$ 12,818.54**  
Details of changes shown on the attached sheets

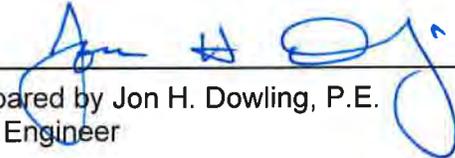
**NEW CONTRACT AMOUNT AS SET BY CHANGE ORDER NO. 1** **\$ 93,157.99**

**REASON FOR CHANGE:**

To change the authorized quantities for contract items to match final quantities placed and to add items that were not included in the proposal but completed in the field during construction.

**CONTRACT COMPLETION:**

The contract completion time remains unchanged.

  
\_\_\_\_\_  
Prepared by Jon H. Dowling, P.E.  
City Engineer

ACCEPTED BY:

  
\_\_\_\_\_  
Concord Excavating and Grading, Inc.

10.16.13  
\_\_\_\_\_  
Date:

ACCEPTED BY:

\_\_\_\_\_  
Jon H. Dowling, P.E., City Engineer

\_\_\_\_\_  
Date:

ACCEPTED BY:

\_\_\_\_\_  
Patrick H. Burtch, City Manager

\_\_\_\_\_  
Date:

# CITY OF JACKSON - DEPARTMENT OF ENGINEERING

<b>CONTRACTOR:</b>  <div style="text-align: center;"> <b>Concord Excavating &amp; Grading</b>  <b>P.O. Box 250</b>  <b>Concord, MI 49237</b> </div>	<b>JOB DESCRIPTION:</b>  <div style="text-align: center;"> <b>Two-way Conversion of Steward and Lansing/Blackstone</b> </div>	<b>CHANGE ORDER:</b> <span style="float: right;"><b>1</b></span>  PAGE <span style="float: right;">OF</span> <span style="float: right;"><b>7</b></span> DATE: <span style="float: right;">06-Nov-2013</span>
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ITEM OF WORK, STATUS OF QUANTITY AND DESCRIPTION LOCATION-REASON	CODE NO.	UNIT USED	EST. QUANTITIES + INCREASE - DECREASE	UNIT PRICE	AMOUNT INCREASE	AMOUNT DECREASE
					\$17,587.54	(\$4,769.00)
					\$12,818.54	
<b>Sewer, Rem, less than 24 inch</b>	2030015	Ft	(10.00)	\$10.00		(\$100.00)
Contract Quantity						
Newly Revised Quantity					40.00	
Difference in C.O. #	1		(10.00)			
<b>Curb &amp; Gutter, Rem</b>	2040020	Ft	21.00	\$6.00	\$126.00	
Contract Quantity						
Newly Revised Quantity					209.00	
Difference in C.O. #	1		21.00			
<b>Sidewalk, Rem</b>	2040055	Syd	6.00	\$8.00	\$48.00	
Contract Quantity						
Newly Revised Quantity					78.00	
Difference in C.O. #	1		6.00			
<b>Pavt Sawcut</b>	2047001	Ft	(42.70)	\$2.00		(\$85.40)
Contract Quantity						
Newly Revised Quantity					271.30	
Difference in C.O. #	1		(42.70)			
<b>Vertical Exploratory Investigation</b>	2047001	Ft	(20.00)	\$1.00		(\$20.00)
Contract Quantity						
Newly Revised Quantity					10.00	
Difference in C.O. #	1		(20.00)			
<b>Non Haz Contaminated Material, Handling and Disposal</b>	2050031	Cyd	(18.00)	\$40.00		(\$720.00)
Contract Quantity						
Newly Revised Quantity					0.00	
Difference in C.O. #	1		(18.00)			

# CITY OF JACKSON - DEPARTMENT OF ENGINEERING

CONTRACTOR: <b>Concord Excavating &amp; Grading</b> <b>P.O. Box 250</b> <b>Concord, MI 49237</b>		JOB DESCRIPTION: <b>Two-way Conversion of Steward          and Lansing/Blackstone</b>		CHANGE ORDER: <b>1</b>  PAGE <b>OF</b> <b>7</b> DATE: <b>06-Nov-2013</b>	
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ITEM OF WORK, STATUS OF QUANTITY AND DESCRIPTION LOCATION-REASON	CODE NO.	UNIT USED	EST. QUANTITIES		UNIT PRICE	AMOUNT INCREASE	AMOUNT DECREASE
			+ INCREASE	- DECREASE			
<b>Subgrade Undercutting, Type II</b> Contract Quantity 50.00  Newly Revised Quantity 9.00 Difference in C.O. # 1 (41.00)	2050041	Cyd	(41.00)		\$15.00		(\$615.00)
<b>Erosion Control, Inlet Protection, Grate Filter</b> Contract Quantity 10.00  Newly Revised Quantity 11.00 Difference in C.O. # 1 1.00	2087050	Ea	1.00		\$110.00	\$110.00	
<b>Aggregate Base, 8 inch</b> Contract Quantity 635.00  Newly Revised Quantity 857.00 Difference in C.O. # 1 222.00	3020020	Syd	222.00		\$7.00	\$1,554.00	
<b>Trench Undercut and Backfill</b> Contract Quantity 25.00  Newly Revised Quantity 0.00 Difference in C.O. # 1 (25.00)	4021260	Cyd	(25.00)		\$25.00		(\$625.00)
<b>Sewer, CI E, 12 inch</b> Contract Quantity 104.00  Newly Revised Quantity 59.00 Difference in C.O. # 1 (45.00)	4027001	Ft	(45.00)		\$40.00		(\$1,800.00)
<b>Sewer Backfill, Class II</b> Contract Quantity 104.00  Newly Revised Quantity 59.00 Difference in C.O. # 1 (45.00)	4027001	Ft	(45.00)		\$1.00		(\$45.00)

# CITY OF JACKSON - DEPARTMENT OF ENGINEERING

CONTRACTOR: <b>Concord Excavating &amp; Grading P.O. Box 250 Concord, MI 49237</b>	JOB DESCRIPTION: <b>Two-way Conversion of Steward and Lansing/Blackstone</b>	CHANGE ORDER: <b>1</b>
		PAGE OF <b>7</b>
		DATE: <b>06-Nov-2013</b>

ITEM OF WORK, STATUS OF QUANTITY AND DESCRIPTION LOCATION-REASON	CODE NO.	UNIT USED	EST. QUANTITIES		UNIT PRICE	AMOUNT INCREASE	AMOUNT DECREASE	
			+ INCREASE	- DECREASE				
<b>HMA, 13A</b>	5010033	Ton	9.48		\$75.50	\$715.74		
Contract Quantity								209.00
Newly Revised Quantity								218.48
Difference in C.O. # 1						9.48		
<b>HMA Surface, Rem, Modified</b>	5017011	Syd	48.00		\$5.50	\$264.00		
Contract Quantity								875.00
Newly Revised Quantity								923.00
Difference in C.O. # 1						48.00		
<b>Curb and Gutter, Conc, Detail F4</b>	8020038	Ft	35.00		\$17.90	\$626.50		
Contract Quantity								432.00
Newly Revised Quantity								467.00
Difference in C.O. # 1						35.00		
<b>Sidewalk, Conc, 4 inch</b>	8030044	Sft	14.00		\$5.00	\$70.00		
Contract Quantity								150.00
Newly Revised Quantity								164.00
Difference in C.O. # 1						14.00		
<b>Pavt Mrkg, Ovly Cold Plastic, 24 inch Stop Bar</b>	8110045	Ft	21.00		\$11.00	\$231.00		
Contract Quantity								162.00
Newly Revised Quantity								183.00
Difference in C.O. # 1						21.00		
<b>Pavt Mrkg, Ovly Cold Plastic, Lt Turn Arrow Sym</b>	8110063	Ea	(1.00)		\$98.00		(\$98.00)	
Contract Quantity								5.00
Newly Revised Quantity								4.00
Difference in C.O. # 1						(1.00)		

# CITY OF JACKSON - DEPARTMENT OF ENGINEERING

CONTRACTOR: <b>Concord Excavating &amp; Grading P.O. Box 250 Concord, MI 49237</b>	JOB DESCRIPTION: <b>Two-way Conversion of Steward and Lansing/Blackstone</b>	CHANGE ORDER: <b>1</b>
		PAGE OF 7 DATE: 06-Nov-2013

ITEM OF WORK, STATUS OF QUANTITY AND DESCRIPTION LOCATION-REASON	CODE NO.	UNIT USED	EST. QUANTITIES		UNIT PRICE	AMOUNT INCREASE	AMOUNT DECREASE
			+ INCREASE	- DECREASE			
<b>Pavt Mrkg, Ovly Cold Plastic, Only</b> Contract Quantity 5.00 Newly Revised Quantity 4.00 Difference in C.O. # 1 (1.00)	8110068	Ea	(1.00)		\$125.00		(\$125.00)
<b>Pavt Mrkg, Waterborne, 4" White</b> Contract Quantity 450.00 Newly Revised Quantity 787.00 Difference in C.O. # 1 337.00	8110231	Ft	337.00		\$0.22	\$74.14	
<b>Pavt Mrkg, Waterborne, 4" Yellow</b> Contract Quantity 13,240.00 Newly Revised Quantity 13,789.00 Difference in C.O. # 1 549.00	8110232	Ft	549.00		\$0.22	\$120.78	
<b>Pavt Mrkg, Longit, 6 inch or less, Rem</b> Contract Quantity 5,800.00 Newly Revised Quantity 4,672.00 Difference in C.O. # 1 (1,128.00)	8120210	Ft	(1,128.00)		\$0.40		(\$451.20)
<b>Pavt Mrkg, Longit, Greater than 6 inch, Rem</b> Contract Quantity 212.00 Newly Revised Quantity 86.00 Difference in C.O. # 1 (126.00)	8120211	Ft	(126.00)		\$0.40		(\$50.40)
<b>Fertilizer, Chemical Nutrient, CI A</b> Contract Quantity 17.00 Newly Revised Quantity 25.00 Difference in C.O. # 1 8.00	8160020	Lb	8.00		\$3.75	\$30.00	

# CITY OF JACKSON - DEPARTMENT OF ENGINEERING

CONTRACTOR: <b>Concord Excavating &amp; Grading P.O. Box 250 Concord, MI 49237</b>	JOB DESCRIPTION: <b>Two-way Conversion of Steward and Lansing/Blackstone</b>	CHANGE ORDER: <b>1</b>
		PAGE OF <b>7</b> DATE: <b>06-Nov-2013</b>

ITEM OF WORK, STATUS OF QUANTITY AND DESCRIPTION LOCATION-REASON	CODE NO.	UNIT USED	EST. QUANTITIES	UNIT PRICE	AMOUNT INCREASE	AMOUNT DECREASE
			+ INCREASE - DECREASE			
<b>Seeding, Mixture THM</b> Contract Quantity 21.00 Newly Revised Quantity 30.00 Difference in C.O. # 1 9.00	8160039	Lb	9.00	\$5.50	\$49.50	
<b>Mulch Blanket</b> Contract Quantity 460.00 Newly Revised Quantity 452.00 Difference in C.O. # 1 (8.00)	8160027	Syd	(8.00)	\$1.25		(\$10.00)
<b>Topsoil Surface, 4 inch</b> Contract Quantity 460.00 Newly Revised Quantity 452.00 Difference in C.O. # 1 (8.00)	8167011	Syd	(8.00)	\$3.00		(\$24.00)
<b>Island Modification</b> Contract Quantity Newly Revised Quantity 1.00 Difference in C.O. # 1 1.00	9000001	Lsum	1.00	\$11,771.00	\$11,771.00	
<b>Unused pipe to the City</b> Contract Quantity Newly Revised Quantity 48.00 Difference in C.O. # 1 48.00	9000002	Ft	48.00	\$15.56	\$746.88	
<b>Pavt Mrkg, Rem Lt Turn Arrow</b> Contract Quantity Newly Revised Quantity 1.00 Difference in C.O. # 1 1.00	9000003	Ea	1.00	\$75.00	\$75.00	

# CITY OF JACKSON - DEPARTMENT OF ENGINEERING

CONTRACTOR: <b>Concord Excavating &amp; Grading P.O. Box 250 Concord, MI 49237</b>	JOB DESCRIPTION: <b>Two-way Conversion of Steward and Lansing/Blackstone</b>	CHANGE ORDER: <b>1</b>
		PAGE OF <b>7</b> DATE: <b>06-Nov-2013</b>

ITEM OF WORK, STATUS OF QUANTITY AND DESCRIPTION LOCATION-REASON	CODE NO.	UNIT USED	EST. QUANTITIES		UNIT PRICE	AMOUNT INCREASE	AMOUNT DECREASE
			+ INCREASE	- DECREASE			
<b>Pavt Mrkg, Rem Only</b> Contract Quantity	9000004	Ea	1.00		\$75.00	\$75.00	
Newly Revised Quantity _____ 1.00 Difference in C.O. # 1 1.00							
<b>Pavt Mrkg, Rem RR Sym</b> Contract Quantity	9000005	Ea	1.00		\$150.00	\$150.00	
Newly Revised Quantity _____ 1.00 Difference in C.O. # 1 1.00							
<b>Traffic Control Extra Time</b> Contract Quantity	9000006	Lsum	1.00		\$750.00	\$750.00	
Newly Revised Quantity _____ 1.00 Difference in C.O. # 1 1.00							
_____							
_____							
_____							



# Neighborhood & Economic Operations

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## CITY COUNCIL MEETING November 12, 2013

**TO:** Honorable Mayor and City Councilmembers

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

**SUBJECT:** Change Order 3 – 2013 As Needed Survey Consulting Services Contract

**RECOMMENDATION:** To Approve Change Order 3 to the contract with Wade Trim, in the increased amount of \$62,004.00 for the performance of a topographic survey of the streets, parks and parking lots within the downtown, and authorization for the City Manager and City Engineer to execute the appropriate document.

On March 26, 2013, City Council approved the award of the 2013 As Needed Survey Consulting Services contract to Wade Trim of Taylor, Michigan in the amount of \$46,140.00. This contract provides for topographic mapping, sewer manhole data collection and construction staking for the 2013 construction season. The term of this contract is for one year subject to two one-year renewals contingent upon approval by Wade Trim and City Council.

On May 21, 2013, City Council approved Change Order 1 for the survey and design of traffic signals at the intersections of Blackstone and Michigan, Jackson and Michigan and West and Kibby. On October 8, 2013, City Council approved Change Order 2 which added increased survey for sewer manhole data collection and added survey and design of a traffic signal at the intersection of West and High.

The attached Change Order 3 will add the performance of a topographic survey of Michigan Avenue from Blackstone to Francis, and Jackson Street from Cortland to Pearl. The survey is the first step in the process of preparing plans and contract documents for the replacement of the antiquated cast iron water mains and brick sewers under Michigan Avenue. This change order will also add the topographic survey of the City streets, parks and parking lots within the downtown bounded by Washington, Glick Highway, Blackstone and Francis.

This change order represents an increase of \$62,004.00 which will bring the total contract amount to \$198,544.00. The cost for the additional survey will be paid for with Sewer, Water and Street Funds.

We request approval of Change Order 3 and authorization for the City Manager and the City Engineer to sign the document.

JHD/sms

C: Troy R. White, P.E., Senior Civil Engineer  
Phil Hones, Purchasing Agent

Shelly Allard, Purchasing Coordinator  
Lucinda Schultz, Accounting Manager

**CHANGE ORDER NO. 3  
To Contract for  
2013 As Needed Survey Consulting Services  
City of Jackson, Michigan**

Notice is hereby given that the following additional information and changes shall become a part of the Contract Documents, Plans and Specifications of the above-named contract.

<b>ORIGINAL CONTRACT AMOUNT</b>	<b>\$ 46,140.00</b>
<b>APPROVED CHANGE ORDER NO. 1</b>	<b>\$ 50,800.00</b>
<b>APPROVED CHANGE ORDER NO. 2</b>	<b>\$ 39,600.00</b>
<b>CURRENT CONTRACT AMOUNT AS SET BY CHANGE ORDER NO. 2</b>	<b>\$136,540.00</b>
<b>CHANGE ORDER NO. 3</b>	<b>\$62,004.00</b>
<b>NEW CONTRACT AMOUNT AS SENT BY CHANGE ORDER NO. 3</b>	<b>\$198,544.00</b>

The contract is modified to increase quantities of original contract items without change to current contract unit prices for the performance of a topographic survey of Michigan Avenue between Blackstone and Francis and Jackson Street between Cortland and Pearl. This change order will also add the topographic survey of the City streets, parks and parking lots within the downtown bounded by Washington, Glick Highway, Blackstone and Francis.

**CONTRACT COMPLETION:**

Not applicable.

  
Prepared by Jon H. Dowling, P.E.  
City Engineer

ACCEPTED BY:

\_\_\_\_\_  
Wade Trim

\_\_\_\_\_  
Date:

ACCEPTED BY:

\_\_\_\_\_  
Jon H. Dowling, P.E., City Engineer

\_\_\_\_\_  
Date

ACCEPTED BY:

\_\_\_\_\_  
Patrick H. Burtch, City Manager

\_\_\_\_\_  
Date



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## CITY COUNCIL MEETING November 12, 2013

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Patrick H. Burtch, City Manager  
Jon H. Dowling, P.E., City Engineer  
**SUBJECT:** Recommendation of Award of Lewis Street Bridge Study

**RECOMMENDATION: Approval of the award for Lewis Street Bridge Design and Construction Engineering to Fishbeck, Thompson, Carr & Huber, of Novi, Michigan, for \$122,997.23, and authorization for the Mayor and City Clerk to execute the appropriate document(s) in accordance with the Purchasing Agent.**

On October 16, 2013, qualification documents and proposals were received from four consultants by the Purchasing Department for design and construction engineering of the Lewis Street Bridge. Unlike bid solicitations, Requests for Qualifications and Proposals (RFQP) are requested for professional services and are designed to allow the respondents to demonstrate their understanding of the project needs and their qualifications to perform the work. A point system is used to evaluate proposals and select the most qualified firms that considers experience, method of approach, time and effort, understanding of the project and accessibility. Cost proposals are opened and evaluated only for the most qualified firms, preventing potential Freedom of Information Act exposure to cost information by unsuccessful respondents.

Qualifications and proposals for the Lewis Street Bridge project were reviewed by a team consisting of Jon Dowling, City Engineer, and Troy White, Senior Civil Engineer. The following is a listing of firms submitting proposals and their rating as ranked by the review team:

Design Firm	Total Rating	Cost
Fishbeck, Thompson, Carr & Huber, Lansing	950	\$122,997.23
DLZ, Lansing	905	\$108,410.88
C2AE, Lansing	740	
Mannick & Smith, Monroe	570	

Cost proposals were opened and reviewed for the two highest ranking firms. FTC&H's original cost proposal was \$95,970.34. After the city sent out the requests for proposals, we discovered that the sewer is a siphon under the existing bridge. Once we ranked the consultants, we negotiated with FTC&H to provide an additional scope for the replacement of the sewer siphon. Based upon the qualification ranking and completeness of their cost proposal, and in concurrence with the Purchasing Agent, Engineering recommends that the contract for design and construction engineering for the Lewis Street Bridge project be awarded to Fishbeck, Thompson, Carr & Huber of Lansing at their not-to-exceed cost of \$122,997.23. The City has funding for the bridge construction in 2015 from the MDOT Local Bridge Program. Funding for design is available in the Major Street Fund for this fiscal year. We also request that the Mayor and City Clerk be authorized to sign the contract documents.

JHD:sms

c Andrew J. Wrozek, Jr., City Treasurer/Clerk  
Philip J. Hones, Purchasing Agent  
Troy R. White, Senior Civil Engineer

Lucinda Schultz, Accounting Manager  
Shelly Allard, Purchasing Coordinator



CITY COUNCIL MEETING  
November 12, 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 award a contract to Wolverine Sealcoating of Jackson, Michigan for downtown parking lot and sidewalk snow and ice removal services.**

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**RECOMMENDATION:**

**To approve a contract with Wolverine Sealcoating of Jackson, Michigan to provide snow and ice removal service on downtown sidewalks and city-owned parking lots in the amount of \$763.11 for each occurrence, and authorize the Mayor and City Treasurer/Clerk to execute the agreement.**

On November 5, 2013, the Purchasing Department accepted bids for downtown sidewalk and city-owned parking lot snow and ice removal services. Five companies responded with the following bids:

Wolverine Sealcoating	- \$ 763.11
Executive Property Management	- \$ 951.20
Brothers Lawn Care	- \$1,111.24
Jules Swartz and Sons	- \$1,450.50
Mohawk Refuse	- \$1,922.00

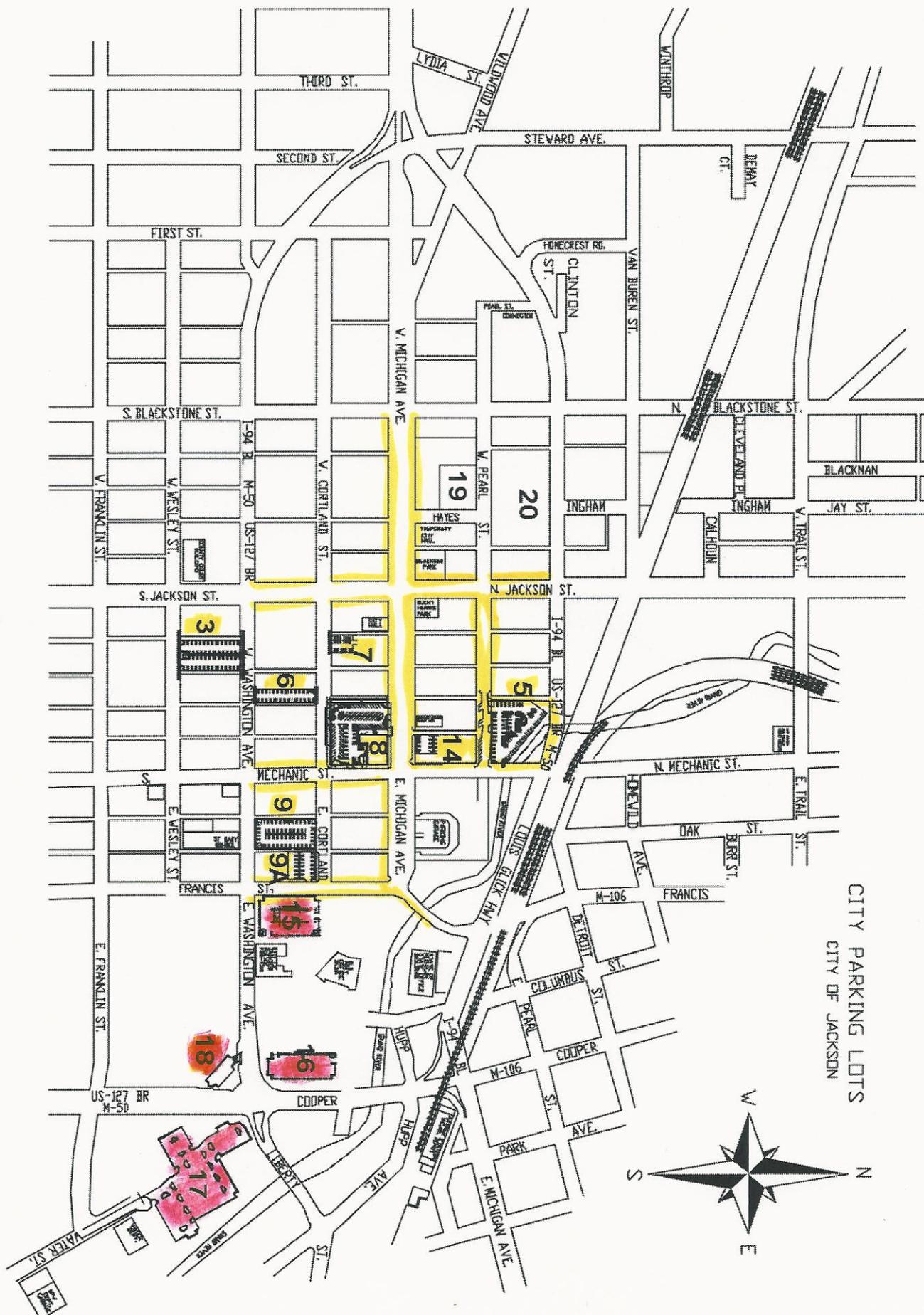
Pricing was presented as each application of salt or deicer as well as each occurrence of mechanical snow removal for each of eight city-owned surface parking lots and approximately 10,200 lineal feet of downtown sidewalk. Each deicer application or removal activity will be determined by the amount of rain, snow or ice that falls at any given time throughout the winter.

The bids were tabulated and reviewed, and the low bid submitted by Wolverine Sealcoating appears to be in order, and it is recommended to award the contract accordingly.

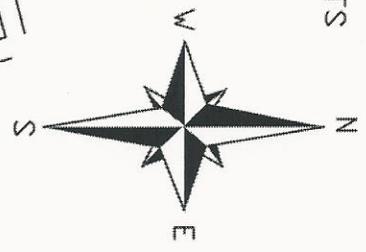


**Bid Tabulation For  
Snow Removal of Downtown Parking Lots and Sidewalks  
Tuesday, November 5, 2013, 10:00 AM**

ITEM NO	DESCRIPTION	UNITS	EST. QUANTITY	Wolverine Sealcoating 545 Shirley Dr. Jackson, MI 49202	Executive Property Management of Michigan LLC 337 McConnell Jackson, MI 49201	Brothers Lawn Care 6694 Spring Arbor Jackson, MI 49201	Jule Swartz & Sons Excavating 7855 Dixon Rd. Jackson, MI 9201	Michael Caligiuri AKA Mohawk Refuse 4407 Roberts Ct. Jackson, MI 49203
				UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE
<b>DOWNTOWN SIDEWALKS SNOW REMOVAL</b>								
1	Snow melt application, each occurrence	LF	1	0.05	0.11	0.14	0.25	0.75
2	Snow removal, each occurrence	LF	1	0.06	0.09	0.10	0.25	1.25
<b>PARKING LOT SNOW REMOVAL</b>								
3	Parking Lot 3, Salt Application	Each Occurrence	1	60.00	64.00	83.00	120.00	100.00
4	Parking Lot 3, Snow Removal	Each Occurrence	1	65.00	75.00	129.00	140.00	200.00
5	Parking Lot 5, Salt Application	Each Occurrence	1	60.00	81.00	84.00	110.00	100.00
6	Parking Lot 5, Snow Removal	Each Occurrence	1	70.00	95.00	137.00	120.00	200.00
7	Parking Lot 6, Salt Application	Each Occurrence	1	35.00	30.00	29.00	80.00	50.00
8	Parking Lot 6, Snow Removal	Each Occurrence	1	38.00	45.00	46.00	70.00	100.00
9	Parking Lot 7, Salt Application	Each Occurrence	1	35.00	30.00	17.00	50.00	45.00
10	Parking Lot 7, Snow Removal	Each Occurrence	1	35.00	45.00	28.00	50.00	85.00
11	Parking Lot 8, Salt Application	Each Occurrence	1	65.00	92.00	96.00	140.00	150.00
12	Parking Lot 8, Snow Removal	Each Occurrence	1	70.00	105.00	160.00	150.00	300.00
13	Parking Lot 9, Salt Application	Each Occurrence	1	50.00	64.00	66.00	110.00	120.00
14	Parking Lot 9, Snow Removal	Each Occurrence	1	60.00	75.00	103.00	110.00	230.00
15	Parking Lot 9a, Salt Application	Each Occurrence	1	30.00	30.00	38.00	50.00	50.00
16	Parking Lot 9a, Snow Removal	Each Occurrence	1	30.00	45.00	24.00	50.00	100.00
17	Parking Lot 14, Salt Application	Each Occurrence	1	30.00	30.00	27.00	50.00	30.00
18	Parking Lot 14, Snow Removal	Each Occurrence	1	30.00	45.00	44.00	50.00	60.00
<b>TOTAL BID</b>				<b>763.11</b>	<b>951.20</b>	<b>1111.24</b>	<b>1450.50</b>	<b>1922.00</b>



CITY PARKING LOTS  
CITY OF JACKSON





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## CITY COUNCIL MEETING November 12, 2013

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

**FROM:** Patrick Burtch, City Manager

**SUBJECT:** Authorization to Transfer City-Owned Property at 604 West Biddle to Community Action Agency

---

### RECOMMENDATION

**Authorize the transfer of City-owned property at 604 West Biddle for the sales price of \$1.00 to Community Action Agency, and authorize the Mayor to sign all documents necessary to close the transaction, subject to minor modifications and approval by the City Attorney.**

On January 8, 2013, City Council authorized the purchase of 606 West Biddle Street for \$2,500 to rehabilitate and resell 606 West Biddle under the City's HOME program to an income qualified purchaser. The City also purchased 604 West Biddle Street for an additional \$2,500 with non-federal funds with the intention of demolishing the house, leaving the garage (which was superior to the garage at 606 West Biddle), and combining the lots to offer a larger yard for the future homebuyer.

On April 9, 2013, City Council authorized the transfer of ownership of 606 West Biddle to Community Action Agency (CAA) as the City's Community Housing Development Organization (CHDO) to accomplish the original intent of the City's purchase (Development Agreement attached). CAA has worked with City rehabilitation staff to develop specifications and will soon bid and award the construction contract. CAA is also assuming responsibility to complete the rehabilitation of 606 West Biddle, conduct construction management, market the property, qualify interested homebuyers and eventually sell the finished product. City staff will continue to assist with construction oversight by inspecting work requiring permits and making site visits as necessary to ensure good workmanship.

**DEVELOPMENT AGREEMENT**  
**606 WEST BIDDLE STREET, JACKSON**

THIS DEVELOPMENT AGREEMENT (hereinafter referred to as the "Agreement") is entered into as of the date appearing below, by and between the CITY OF JACKSON, a Michigan municipal corporation, with offices located at 161 West Michigan Avenue, Jackson, Michigan 49201 (hereinafter referred to as "City"), and COMMUNITY ACTION AGENCY, a Michigan non-profit corporation, whose address is 1214 Greenwood Avenue, Jackson, MI 49203 (hereinafter referred to as "Developer").

WITNESSETH:

WHEREAS, the parties hereto entered into a Purchase Agreement dated April 9, 2013, for purchase of certain real estate in the City of Jackson, County of Jackson, and State of Michigan, which is more particularly described as follows:

Commencing at a point 90 feet East of the intersection of the East line of Fourth Street with the North line of Biddle Street; thence East along the North line of Biddle Street 45 feet; thence North parallel with the East line of Fourth Street 124 feet; thence West parallel with the North line of Biddle Street 45 feet; thence South parallel with the East line of Fourth Street 124 feet to the beginning, also known as Lot 22, Assessor's Biddle Plat, according to the recorded plat thereof, as recorded in Liber 13 of Plats, Page 16, Jackson County Records. Subject to easement and restrictions of record.

Commonly known as 606 West Biddle Street, Jackson, Michigan and Tax Parcel Number 3-022200000 (hereinafter referred to as "the Property"); and

WHEREAS, part of the consideration passing to the City for the sale of the Property is the promise by Developer to develop the Property for sale to an income qualified homebuyer, which will benefit the City and its residents; and

WHEREAS, the parties wish to ensure that the Development will take place and wish to set forth the terms of the Development and provide for remedies to the City in the event Development does not occur.

NOW, THEREFORE, it is agreed by and between the parties hereto, in consideration of the above promises and covenants contained, as follows:

1. The above recitals are incorporated by reference into this Agreement and form an integral part of this Agreement.

2. The City will convey to the Property to Developer via quit claim deed for the sum of One and <sup>00</sup>/<sub>100</sub> (\$1.00) Dollar.

3. Under separate agreement, Developer will rehabilitate as the City's Community Housing Development Organization (CHDO) and resell the Property to an income qualified homebuyer as regulated by the U.S. Department of Housing and Urban Development's (HUD's) HOME Investment Partnerships Program.

4. Developer will combine the Property with 604 West Biddle Street, Jackson, Michigan, Tax Parcel Number 3-022300000, which Developer is also purchasing from City and is under separate Agreement.

5. The City is authorized to enter in and upon the Property as determined necessary by the City to conduct inspections, develop initial rehabilitation work specifications and prepare costs estimates. Rehabilitation specifications will comply with the Building and Design Standards outlined in Chapter 28 of the City of Jackson Code of Ordinances. Once completed, City and Developer will conduct a walk-through inspection of the Property to ensure clarification and completeness.

6. Rehabilitation work specifications will include the demolition of the garage located on the Property and incorporate the rehabilitation needs of the garage located at 604 West Biddle Street.

7. Developer will be responsible for bidding the project, awarding a contract to the lowest responsible bidder as per City specifications written and submitted under subparagraph 5 above, construction management, marketing, qualification and selection of eligible homebuyer, and completing the sale of the Property.

8. Developer shall assume all liability for and protect, indemnify, and save City, its officers, directors, employees, volunteers, invitees, agents and representatives (hereinafter collectively "the Releasee") from and against all actions, claims, demands, judgments, losses,

expenses, suits or action and attorney fees, for any injury or death of any person or persons, and loss or damage of the property of any person or persons whomsoever, including Developer or the Releasee, and their respective agents, contractors, subcontractors, and employees, arising in connection with, or as a direct or indirect result of this Agreement. The provisions of this Agreement shall apply to each and every such injury, death, loss, and damage, however caused, whether due, or claimed to be due to Developer's negligence, Releasee's negligence, Developer's and Releasee's combined negligence, or otherwise; provided, however, Developer shall not be required to indemnify the Releasee for such injury, death, loss, or damage caused by the Releasee's sole negligence. Developer's obligation to indemnify Releasee shall survive termination and/or expiration of this Agreement.

9. If any one or more of the provisions of this Agreement or in any other document or instrument delivered pursuant to this Agreement shall to any extent be declared or determined to be invalid or unenforceable, the validity, legality and enforceability of the remainder of this Agreement, or the application of such provision to person or circumstances other than those as to which it is invalid or unenforceable, shall not be affected or impaired thereby, and each provision of this agreement shall be valid and enforceable to the fullest extent of the law.

10. This Agreement shall be binding upon the parties hereto and their successors, heirs and assigns.

11. The failure of either party to enforce the terms of this Agreement shall not constitute a waiver of any such provision or the rights of any party at any time to avail themselves of such rights and remedies as either may have for any breaches of such provision.

12. The parties agree that any action relating to the Agreement shall be instituted and prosecuted in the courts of the County of Jackson, State of Michigan and governed by the laws of the State of Michigan.

13. This Agreement, upon its acceptance by the parties, shall constitute the entire Agreement and understanding between the parties and supersedes all prior and contemporaneous negotiations, representations and agreements, whether written or oral, with respect to the subject matter herein.

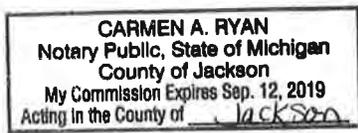
The parties have signed this Agreement by their authorized officers or agents on the \_\_\_\_\_ day of ~~April~~ May, 2013.

CITY OF JACKSON

By: Martin J. Griffin  
Martin J. Griffin Mayor

STATE OF MICHIGAN )  
 )ss.  
COUNTY OF JACKSON )

The foregoing instrument was acknowledged before me, this 11<sup>th</sup> day of ~~April~~ May, 2013, by Martin J. Griffin, its Mayor, on behalf of the City of Jackson, a Michigan municipal corporation.



Carmen A. Ryan  
Notary Public  
Jackson County, Michigan  
My commission expires 9/12/19

COMMUNITY ACTION AGENCY

By: Toby L. Berry  
Toby L. Berry Chief Executive Officer

STATE OF MICHIGAN )  
 )ss.  
COUNTY OF JACKSON )

The foregoing instrument was acknowledged before me, this 23<sup>rd</sup> day of April, 2013, by Toby L. Berry, its Chief Executive officer, on behalf of Community Action Agency, a Michigan non-profit corporation.

Yvonne A. Nigro  
Notary Public  
Jackson County, Michigan  
My commission expires August 15, 2014

Prepared by and Return to:  
Department of Neighborhood &  
Economic Operations  
161 W. Michigan Avenue  
Jackson, MI 49201

Approved as to Form on April 1, 2013:  
Julius A. Giglio (P32022)  
City Attorney  
161 W Michigan Avenue  
Jackson, MI 49201

**QUIT CLAIM DEED**

The Grantor, CITY OF JACKSON, a Michigan municipal corporation, whose address is 161 West Michigan Avenue, Jackson, Michigan 49201,

quit claims to COMMUNITY ACTION AGENCY, a Michigan non-profit corporation, Grantee, whose address is 1214 Greenwood Avenue, Jackson, Michigan 49203,

the following described premises situated in the City of Jackson, County of Jackson, State of Michigan:

Commencing on the North line of Biddle Street at a point 90 feet West of the West line of Third Street; thence North 124 feet, thence West 45 feet, thence South 124 feet to the North line of Biddle Street, thence East along the North line of Biddle Street, 45 feet to the place of beginning, being now known as Lot 23, Assessor's Biddle Plat, according to the recorded plat thereof, as recorded in Liber 13 of Plats, Page 16, Jackson County Records.

*Commonly known as 604 West Biddle Street, Jackson, Michigan*

for the sum of One and <sup>00</sup>/<sub>100</sub> (\$1.00) Dollar, subject to all easements, reservations, building and use restrictions of record.

This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

This deed is exempt from real estate transfer tax under MCL 207.505(a) and MCL 207.526(a).

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

CITY OF JACKSON, a Michigan Municipal Corporation

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

STATE OF MICHIGAN    )  
                                          )ss.  
COUNTY OF JACKSON    )

The foregoing Quit Claim Deed was acknowledged before me, this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by the City of Jackson, a Michigan municipal corporation, by Martin J. Griffin, its Mayor.

\_\_\_\_\_  
Notary Public  
Jackson County, Michigan  
My commission expires \_\_\_\_\_

<i>When recorded return to:</i> <b>Community Action Agency</b> <b>1214 Greenwood Avenue</b> <b>Jackson, MI 49203</b>	<i>Send Subsequent Tax Bills to:</i> <b>Community Action Agency</b> <b>1214 Greenwood Avenue</b> <b>Jackson, MI 49203</b>	<i>Prepared by (without opinion):</i> Department of Neighborhood & Economic Operations 161 West Michigan Avenue Jackson, MI 49201
-------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------

Tax Parcel # 3-022300000 Recording fees: \$14.00 Transfer Tax: \$



# 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 November 12, 2013

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

**FROM:** Patrick Burtch, City Manager

**SUBJECT:** Approve the Agreement Regarding Transfer of Property and Demolition or Rehabilitation of Dangerous and Unsafe Structure and Accept Quit Claim Deed for Conveyance of Property at 1428 Cooper St

### RECOMMENDATION:

**Approve the Agreement Regarding Transfer of Property and Demolition or Rehabilitation of Dangerous and Unsafe Structure, authorize the Mayor to execute the Agreement, and accept a quit claim deed for conveyance of 1428 Cooper St upon review and approval by the City Attorney's Office.**

Attached is an Agreement Regarding Transfer of Property and Demolition or Rehabilitation of Dangerous and Unsafe Structure for 1428 Cooper St.



**Ward 3**

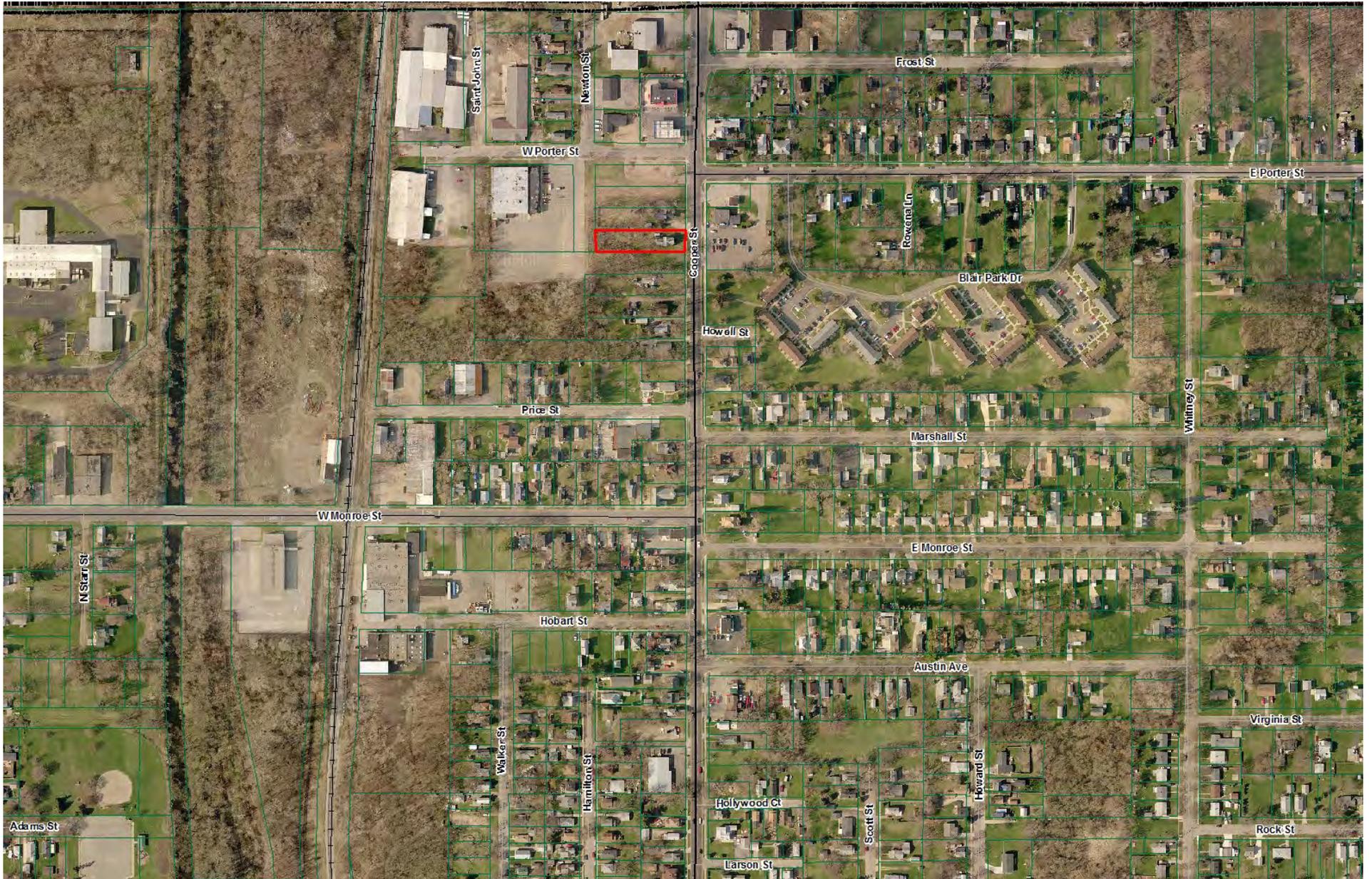
**1428 Cooper St  
PIN 8-263300000  
Condemned September 25, 2012  
Estimated Demolition Cost: \$12,806  
Estimated Rehabilitation Cost: \$91,397**

The owner of this condemned structure has requested the City receive title to the property to avoid liability for the costs of demolishing the structure. The owner certifies no liens, mortgages, or other ownership interests exist concerning the property and, upon the transfer, will pay all outstanding property taxes, liens, special assessments, judgments, invoices or other indebtedness of the owner related to the property that are due and owing to the City.

The owner will be required to present a fully executed quit claim deed to the City Attorney to review and modify, if necessary, to convey full legal title of the property to the City. If deemed viable, the City will accept responsibility for the costs of demolition or possible rehabilitation, once all taxes, liens, special assessments, judgments, invoices or other indebtedness of the owner related to the property has been paid.

cc: Frank Donovan, Bethany Smith, Sheila Prater

# 1428 Cooper St



AGREEMENT REGARDING TRANSFER OF PROPERTY  
AND DEMOLITION OR REHABILITATION  
OF DANGEROUS AND UNSAFE STRUCTURE

This Agreement, entered into on the \_\_\_\_\_ day of \_\_\_\_\_, 2013 between Raymond Edward Boroughf, Personal Representative for the Estate of Robert James Boroughf, whose address is 4237 Donnely Rd, Jackson, MI 49201, and the City of Jackson, a Michigan municipal corporation, with offices at 161 West Michigan Avenue, Jackson, Michigan 49201 (“the City”),

RECITALS

WHEREAS, Owner owns title to real property located within the City of Jackson, County of Jackson, State of Michigan to wit:

Lots 7 and 8, Block 4, Bennett and George Addition to the City of Jackson, according to the recorded plat thereof, as recorded in Liber 1 of Plats, Page 65, Jackson County Records.

Parcel # 8-263300000

and commonly known as 1428 Cooper St., Jackson, Michigan (“the property”);

WHEREAS, a vacant, substandard, deteriorated, or dilapidated building is located on the above described property;

WHEREAS, Owner and the City desire to have the building either removed from the property or rehabilitated, and acknowledge that its removal or rehabilitation is for the betterment of the public’s health, safety, and welfare; and;

WHEREAS, Owner wishes to transfer title to the real property to the City in order to avoid liability for the costs of demolishing the structure on the property; and

WHEREAS, the City is willing to remove the building by demolition or rehabilitate the building at the City’s expense upon transfer of the property to the City.

NOW THEREFORE, the parties mutually agree as follows:

- A. The above recitals are incorporated by reference into this Agreement and form an integral part of this Agreement.
- B. This agreement is a result of negotiation between the parties, and accordingly, it will not be construed against either party in the event of a dispute or litigation arising out of this Agreement.
- C. Owner certifies that no liens, mortgages, or other Ownership interests exist concerning said property.
- D. Owner shall convey the property to the City via quit claim deed.
- E. At the time of transfer of the property, Owner shall pay all outstanding property taxes owed on the property.
- F. At the time of transfer of the property, Owner will pay any and all liens, special assessments, judgments, fees, invoices or other indebtedness of the Owner related to the property that are due and owing to the City.
- G. The City shall either demolish the building(s) on the property described above, remove all demolition debris, and grade and restore the site, or may rehabilitate the building(s) on the property.
- H. Owner shall not be responsible for any of the costs of rehabilitation of the building(s), or for demolishing the building(s), removal of demolition debris, or site grading and restoration.
- I. Owner certifies that there are no hazardous materials located, stored, kept, or maintained on or about the above described property.
- J. Except for acts of the City's sole negligence or wrongdoing, Owner shall indemnify, defend and save harmless City from and against any demand, liability, cost, damage, loss or claim, including property damage, personal injury or death, brought by any third party in connection with this Agreement and the demolition services performed by the City pursuant to this Agreement.
- K. If any one or more of the provisions of this Agreement or in any other document or instrument delivered pursuant to this Agreement shall to any extent be declared or determined to be invalid or unenforceable, the validity, legality and enforceability of the remainder of this Agreement, or the application of such provision to person or circumstances other than those as to which it is invalid or unenforceable, shall not be affected or impaired thereby, and each provision of this Agreement shall be valid and enforceable to the fullest extent of the law.

- L. This Agreement shall be binding upon the parties hereto and their successors, heirs and assigns.
- M. The failure of either party to enforce the terms of this Agreement shall not constitute a waiver of any such provision or the rights of any party at any time to avail themselves of such rights and remedies as either may have for any breaches of such provision.
- N. The parties agree that any action relating to the Agreement shall be instituted and prosecuted in the courts of the County of Jackson, State of Michigan and governed by the laws of the State of Michigan.
- O. This Agreement, upon its acceptance by the parties, shall constitute the entire Agreement and understanding between the parties and supersedes all prior and contemporaneous negotiations, representations, and agreements, whether written or oral, with respect to the subject matter herein.

The parties have signed this Agreement by their authorized officers or agents on the dates listed below.

Dated: \_\_\_\_\_

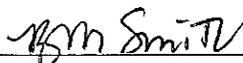
\_\_\_\_\_  
 Raymond Edward Boroughf,  
 Personal Representative for the Estate of  
 Robert James Boroughf

CITY OF JACKSON

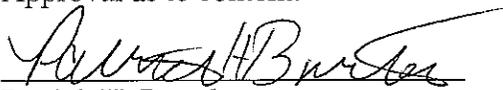
Dated: \_\_\_\_\_

By: \_\_\_\_\_  
 Martin J. Griffin  
 Its Mayor

Approval as to form:

  
 \_\_\_\_\_  
 Bethany M. Smith  
 Interim City Attorney

Approval as to content:

  
 \_\_\_\_\_  
 Patrick H. Burch  
 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

## CITY COUNCIL MEETING November 12, 2013

**TO:** Honorable Mayor Griffin and City Councilmembers  
**FROM:** Patrick Burtch, City Manager  
**SUBJECT:** Waive the Local Policy Loan Limit of \$20,000 for Homeowner Rehabilitation Project for 122 W. Biddle Street

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### RECOMMENDATION

**Waive the local policy of limiting homeowner rehabilitation loans to a maximum amount of \$20,000 to complete rehabilitation work at 122 W. Biddle Street and authorize the City Manager to approve the final bid.**

Neighborhood & Economic Operations staff received an application for homeowner rehabilitation at 122 W. Biddle Street. Bids have not yet been taken, however the total estimated cost to complete this rehabilitation project is \$41,185. Specifications include bringing the property up to current housing code standards, estimated at \$24,485, and general improvements, estimated at \$16,700.

General improvements included in the estimate are as follows:

- Installation of a bathroom on the first floor – the home currently has one bath on the second floor and the owner has difficulty maneuvering the stairs.
- Construction of a small shed to house lawn maintenance equipment – the homeowner's lawn mower was recently stolen and the shed will provide safe storage of the equipment.
- Asphalt driveway overlay – to meet current building and site standards.
- Replace kitchen cabinets, countertop and sink – not currently a functional, usable kitchen.

The Rehabilitation Guidelines previously approved by City Council limit the loan amount available for this project to \$20,000. The project otherwise meets the eligibility requirements of the Community Development Block Grant (CDBG) program and sufficient funding exists in the current budget to provide assistance.

To enable this project to proceed, staff is requesting City Council waive the rehabilitation loan limit of \$20,000 for 122 W. Biddle Street and authorize the City Manager to approve the final bid once received.

CC: Heather Soat, Assistant Director – N&EO  
Dennis Diffenderfer – Rehabilitation Coordinator  
Laurie Huff – Loan Services Assistant



## Department of Public Works

161 W. Michigan Avenue - Jackson, MI 49201  
Telephone: (517) 788-4170 — Facsimile: (877) 396-6309

CITY COUNCIL MEETING  
November 12, 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 supply and install a new water service to the property located at 155 North Dettman Road, Leoni Township.**

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**RECOMMENDATION:**

**To approve the request from U-Store Jackson, LLC, 155 North Dettman Road, Leoni Township to install a new 1-inch water service to supply the property from a Blackman Township-owned water main.**

On Tuesday, October 23, 2013 the City of Jackson was contacted by the property owner at 155 North Dettman Road with information that their private well had failed. The City of Jackson provides water service in the area through a Blackman Township-owned water main and it is available to supply service to this property. According to the Water Service Agreements between the City of Jackson/Blackman Township and the City of Jackson/Leoni Township, this request must be formally approved by the Jackson City Council, as this customer will become a City of Jackson water customer.

Both Leoni Township and Blackman Township have approved this new service connection.



Utility Billing & Department of Public Works Fiscal Services

161 W. Michigan Ave., 11th Floor - Jackson, MI 49201
Telephone: (517) 788-4082 Facsimile: (877) 396-6309 (Toll Free)

UTILITY BILLING DEPARTMENT
NEW OWNER APPLICATION

Account #: \_\_\_\_\_

Service Address: \_\_\_ 155 N. Dettman \_\_\_\_\_

Application is hereby made for Water and/or Sewer Service as described above in accordance with applicable City Ordinances. It is hereby expressly understood that if Water and/or Sewer Service Charges or any part thereof are not paid when due, the service will be discontinued.

Owner Name: \_\_\_ U-Store Jackson LLC \_\_\_\_\_

Billing Address: \_\_\_ 29201 Telegraph Road Suite #510 \_\_\_\_\_

City, State, Zip: \_\_\_ Southfield, MI 48034 \_\_\_\_\_

Phone: \_\_\_ 248-355-6800 \_\_\_\_\_ Email Address: \_\_\_ mtremonti@bergerrealtygroup.com \_\_\_\_\_

Date of Possession (Moved into Property): \_\_\_\_\_ Rental Property? \_\_\_ NO \_\_\_
If yes, please register with Inspection Department, 3rd Floor.

[Commercial] or Residential Property (circle one) Number of Units \_\_\_ Self Storage \_\_\_

Please be prepared to provide identification when delivering your information to the Utility Billing Office, City Hall, 11th Floor, 161 W. Michigan Ave., Jackson, Michigan 49201.

Driver's License: \_\_\_\_\_
State Issued Photo ID: \_\_\_\_\_
Passport: \_\_\_\_\_
Military ID: \_\_\_\_\_

Verified at: Utility Billing \_\_\_\_\_ City Hall \_\_\_\_\_
Initial & Date \_\_\_\_\_

Signed: [Signature] \_\_\_\_\_ 10/23/13
Property Owner Date

U-Store Jackson LLC
By: Berger Realty Group, Inc.
Its: Management Agent
By: Michael Tremonti
Its: Director of Property Management

(517) 784-1987

WATER SERVICE APPLICATION NO.

CHARTER TOWNSHIP OF BLACKMAN  
1990 W. Parnall Road  
Jackson, Michigan 49201

Application is hereby made to install a water service for  
U-Store Limited Partnership \_\_\_\_\_ at the following address  
155 N. Dettman Road, Jackson, MI 49201

to be installed as described below, in accordance with current  
Charter Township of Blackman Ordinances, to all of which the  
undersigned hereby agrees to conform. It is hereby understood and  
agreed that if any time the cost of the improvement or any part  
thereof is not paid when due, it may be assessed against the  
property hereby affected and described below.

Received of \_\_\_\_\_ the sum of  
\_\_\_\_\_ Dollars, for  
the water service described herein.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Property Owner

\*\*\*\*\*

District No.	<u>10</u>	\$ <u>50.00</u>	Permit Fee
Property No.	<u>000-09-31-151-006-00</u>	\$ <u>2,400.00</u>	Service Connection
Service Diameter	<u>1"</u>	\$ <u>---</u>	Meter Benefit Charge
Meter Size	<u>5/8"</u>	\$ <u>---</u>	Pavement Restoration
CONNECTION FEE	\$ <u>2,200.00</u>	\$ <u>330.00</u>	Extra Pipe
not included in total on right		\$ <u>2,780.00</u>	TOTAL

\*\*\*\*\*

Please contact Mary Harper at the City of Jackson Water  
Department, 788-4091, to set up billing information, and make  
arrangements to pick up the meter horn which will be installed by  
your contractor.



U-Store of Jackson  
155 N. Dettman Rd  
Jackson, MI 49202

.Leoni Township  
.Water Department  
.913 Fifth St  
Michigan Center, MI 49254

October 21, 2013

Dear Sirs,

U-Store Jackson at 155 N. Dettman Rd in Jackson sits on the borderline of Leoni and Blackman Townships.

U-Store Jackson is respectfully requesting approval from Leoni Township to allow water hookup to our property from Blackman Township.

We appreciate your prompt response to our request.

Sincerely,

A handwritten signature in cursive script that reads "Linda Donihue".

Linda Donihue  
U-Store of Jackson  
155 N. Dettman Rd  
Jackson, MI 49202  
[Jackson@ustoremi.com](mailto:Jackson@ustoremi.com)

517- 784-1987  
517-784-8793 fax

# Leoni Township Office

913 Fifth Street  
Michigan Center, Michigan 49254  
PHONE: (517) 764-4694 FAX: (517) 764-1106  
email: ckern@leonitownship.com

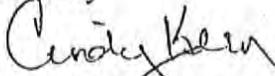
October 21, 2013

Blackman Township

RE: 155 N. Dettman

Leoni Township will allow the property 155 N/. Dettman to connect to Blackman water as long as there is no expense to Leoni Township

Sincerely



Cindy Kern  
Sewer and Water Department

[Print](#) | [Close Window](#)

**Subject:** RE: Check needed to get water at Jackson location  
**From:** Michael Tremonti <mtremonti@bergerrealtygroup.com>  
**Date:** Wed, Oct 23, 2013 3:16 pm  
**To:** "Idonihue@ustoremi.com" <ldonihue@ustoremi.com>  
**Cc:** Cassandra <chaas@ustoremi.com>  
**Attach:** SCAN4545\_000.pdf

NEED a document from Blackman Twp. showing amount... scope... before I can get a check signed...

Attached is the application....

Thank you,

**Michael Tremonti**

Director of Property Management and Acquisitions  
Berger Realty Group, Inc.  
Freedomview Management Company LLC  
29201 Telegraph Road  
Suite 510  
Southfield, MI 48034  
[mtremonti@bergerrealtygroup.com](mailto:mtremonti@bergerrealtygroup.com)  
Direct (248) 355-6812  
Fax (248) 355-6812

*Berger Realty Group*

*"Where Integrity Meets Excellence!"*



Please consider the environment before printing this e-mail

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**From:** Idonihue@ustoremi.com [mailto:ldonihue@ustoremi.com]  
**Sent:** Friday, October 18, 2013 4:30 PM  
**To:** Cassandra  
**Cc:** Michael Tremonti  
**Subject:** Check needed to get water at Jackson location

Cassandra,

My first step is to send a letter to Leoni Township requesting permission to apply to Blackman Township for water service. I have been told that this is a formality. Then I have to apply for the water service to City of Jackson because they provide the water service to Blackman Township

We need a check for \$4980 made out to Blackman Charter Township to get the water across the street. Their Tax # is 000-08-15-351-001-01. This is the cost of actually bringing the water from their pipes over to our side of the street.

RJT Construction will then bring the water to the building, His quote from 2 months ago was \$1200. I have left a message for him to call me back.

After that is accomplished, Fox and Boley will need to come back and certify the well as abandoned.

**Linda Donihue**

Property Manager

U-Store Jackson

P: ( 517 ) 784-1987

F: ( 517 ) 784-8793

Email: [ldonihue@ustoremi.com](mailto:ldonihue@ustoremi.com)

This electronic message and all contents and attachments contain information, which may be privileged, confidential or otherwise protected from disclosure. The information is intended to be for the addressee or entity only. If you are not the intended recipient or are the employee/agent responsible for delivering it, you are hereby notified that any disclosure, copy, distribution or use of the contents of this electronic message is neither allowed nor intended. If you receive this message/communication in error, please contact the sender immediately and destroy the original message and all copies. Thank you.

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**CITY COUNCIL MEETING  
November 12, 2013**

**Date:** November 6, 2013  
**To:** City Council  
**From:** Jonathan Greene, Executive Director  
**RE:** Redevelopment Liquor License Request

---

**RECOMMENDATION: Approval of a liquor license request from Libby Brown for a Redevelopment Area Liquor License pursuant to MCL 436.1521.**

The DDA has received a letter from George and Libby Brown, requesting a Redevelopment Project Area Liquor License pursuant to MCL 436.1521 to be issued at 128 W. Michigan Ave. in Downtown Jackson. At its May 25, 2010 Regular meeting the City Council established the DDA District as a Redevelopment Project Area pursuant to MCL 436.1521.

Approval by the Jackson City Council does not mean automatic approval by the Michigan Liquor Control Commission it will simply initiate their application process. The applicant must still:

1. Meet normal regulations, laws and guidelines to be eligible for a liquor license.
2. Must expend for rehabilitation or renovation of the building that houses the licensed premises not less than \$75,000 over the preceding 5 year period or commit to capital improvements of at least that amount in the building that houses the licensed premises, which must be expended before the issuance of the license.
3. The licensed business engages in dining, entertainment, or recreation, that is open to the general public, with a seating capacity of not less than 25 persons.

Again, the DDA recommends approval of this request and the business and investment will be welcome additions to our Downtown. The Michigan Liquor Control Commission will begin its investigation after the City Council approves a resolution issuing the Redevelopment Project Area license. They will also notify the City of Jackson of the investigation and if further action is needed.

STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
LIQUOR CONTROL COMMISSION

RESOLUTION

At the November 12, 2013 meeting of the Jackson City Council

called to order by Mayor Griffin on November 12, 2013 at \_\_\_\_\_ P.M.

The following resolution was offered:

Moved by \_\_\_\_\_ and supported by \_\_\_\_\_

**That the request from:**

**Libby Brown requests a new full year Class C license with Sunday Sales, Dance, Entertainment, and Outdoor Sales permits under MCLA 436.1521a(1)(b) to be located at 128 W Michigan Ave., Jackson, MI 49201.**

be considered for Approval **“above all others”**

**APPROVAL**

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

It is the consensus of this legislative body that the application be:

Recommended for issuance

State of Michigan \_\_\_\_\_)

County of \_\_\_\_\_)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the \_\_\_\_\_ at a \_\_\_\_\_

meeting held on \_\_\_\_\_ .

SEAL

(Signed) \_\_\_\_\_  
(Township, City or Village Clerk)

\_\_\_\_\_  
(Mailing address of Township, City or Village)



## Parks, Recreation and Grounds

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

### CITY COUNCIL MEETING TUESDAY, NOVEMBER 12, 2013

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Kelli M. Hoover, Director

SUBJECT: Accept Ella Sharp Park Board of Trustees recommendation to purchase and to file an application with the State of Michigan for a Class C Liquor License from Mr. Ronald E. Johnston of Northville, Michigan in the amount of \$35,000.

**RECOMMENDATION: To accept the Ella Sharp Park Board of Trustees recommendation to purchase and file an application with the State of Michigan for a Class C Liquor License from Mr. Ronald E. Johnston of Northville, Michigan in the amount of \$35,000.**

The City Parks, Recreation and Cemeteries Department Staff were able to secure a Class C Liquor License from Mr. Ronald E. Johnston of Northville, Michigan in the amount of \$35,000. The Liquor License would be purchased with funds provided by the Ella Sharp Park Endowment Fund and will become the property of the City of Jackson.

On August 21, 2013 the Ella Sharp Park Board of Trustees approved the purchase of a Class C Liquor License for the Ella Sharp Park Golf Course Club House. We anticipate an increase in league play, outings and special event activities that could increase revenue by \$35,000. Currently, the Ella Sharp Park Operating Fund is subsidizing in the amount of \$95,000 that is offset by the general fund and also the result of a decrease in interest generated by the Endowment Fund. We envision the Liquor License will increase revenues and we will become less dependent on the general fund.

KMH: sw



**Department of Licensing and Regulatory Affairs**

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**GROUND ROUND GRILL & BAR**

County Name	JACKSON
LGU Name	BLACKMAN TWP
Insurance Company	FOUNDERS INSURANCE COMPANY (06/01/2012-06/01/2013)
Business Id	145288
Business Tax Id	200133809
Business Address	1051 BOARDMAN PAKA PLAZA SHOPPING CENTER,JACKSON,49202
Business Phone	517.782.3330
Number of Bars	0

**Licensees**  
JACKSON GR, INC.

**Stockholders/Members**  
JOHNSTON, RONALD E

**Contacts**

Name	Purpose/Function	Phone Nbr	Fax Nbr	Address
JOHNSTON, RONALD E	ESCROW LICENSES	248.921.5657	NONE	22333 TAFT ROAD,NORTHVILLE,MI,48167

**Liquor License Specifics**

License (Type-NBR-YR)	Permits	Transfer Status	MCL Act
CLASS C-126169-2013	1.SS 2.ENT 3.SPECIFIC PURPOSE(FOOD) 4.OD-SERV 5.SS(AM)	TRANSFERABLE	NONE

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Michigan Liquor Control Commission

Lansing, MI 48909-7505

Ph: 517-322-1400

Fx: 517-322-6137

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# City of Jackson

## Department of Personnel & Labor Relations

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Crystal Y. Dixon, Director

CITY COUNCIL MEETING

November 12, 2013

MEMO TO: Honorable Mayor and City Council Members

THRU: Patrick Burtch, City Manager

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

SUBJECT: Request to Amend Mass Mutual (Formerly The Hartford) 457b Governmental Plan Documents and Related Plan Documents

RECOMMENDATION: **#1. To amend the Mass Mutual (Formerly The Hartford) 457b Governmental Plan Documents. #2. To approve and amend Mass Mutual investment option selections. #3. To approve the Retirement Plan Advisors' Mass Mutual Plan Sponsor Agreement and Fee Schedule and to authorize the City/County Director of Human Resources and/or the City Manager to sign the required plan documents.**

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The City of Jackson has for some time offered The Hartford as one of the approved 457b governmental deferred compensation plans for eligible employees to invest their own funds into for supplemental retirement purposes. Plan documents need to be updated and changed due to The Hartford's retirement plans business being acquired by the Mass Mutual Life Insurance Company (Mass Mutual).

Background Information:

In view of Mass Mutual's recent national acquisition of The Hartford's retirement plans business, several plan documents and related documents need to be amended and refreshed for the City of Jackson's 457b deferred compensation (retirement plan). Additionally, Mass Mutual has partnered for years with Retirement Plan Advisors (RPA), to offer management investment services to participants. The Mass Mutual Plan Sponsor Agreement and Fee Schedule allows employees who elect to do so, to have RPA manage their investment accounts for them for a fee. Fees charged for the plan are charged to each employee participant's account and are not charged to the City of Jackson.

Recommendation: #1. To amend the Mass Mutual (Formerly The Hartford) 457b Governmental Plan Documents. #2. To approve and amend Mass Mutual's investment option selections. #3 To approve the Retirement Plan Advisors' Mass Mutual Plan Sponsor Agreement and Fee Schedule and to authorize the City/County Director of Human Resources and/or the City Manager to sign the required plan documents.

# Investment Option Selection

Retirement Plan Advisors (RPA)

Employer's Legal Name:	City of Jackson, MI	Group Number:	110003
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Complete this form to add or close investment options in your plan.

Please review all information and instructions contained in each section.

This package includes:

- Investment Option Selection Menu
- Default Election
- Asset Transfer & Mapping
- Signature Page

**Role of MassMutual:** Your plan's Contract and Administrative Services Agreement are with Hartford Life Insurance Company ("Hartford"). Hartford has appointed Massachusetts Mutual Life Insurance Company ("MassMutual") as its exclusive agent to provide all of the necessary services under the Contract and Administrative Services Agreement in Hartford's name as Hartford's attorney-in-fact.

## Investment Option Selection Menu

**A word about mutual fund share class:** Many of the underlying funds in the investment options listed on the Investment Option Selection Menu offer different types of shares, known as share "classes". These underlying funds are sometimes called "multi-class funds". With a multi-class fund, each share class invests in the same investment portfolio of securities, but each share class has different shareholder services and/or distribution arrangements with different fees and expenses. This means that each share class has different performance results. The share class of the underlying fund in the investment option available through this bundled service program ("Program") is listed below next to the name of the investment option. We want you to know that the indicated share class may have higher or lower fees and expenses than other share classes of the same fund, and the compensation we pay to your broker-dealer firm may be higher or lower than the compensation we pay for other classes of shares of the same fund. For more information, please contact us at 1-800-874-2502 or contract your registered representative.

Please refer to the "Investment Option Menu Disclosure Chart" and the "Revenue Sharing and Other Fees and Payments we Receive with Respect to the Funds" Section of your Disclosure Statement – Reasonable Contract or Arrangement under ERISA Section 408(b)(2) before making your selections.

Please place an "X" to indicate the investment options chosen. Once particular investment choices are selected, the addition or deletion of investment choices must be made in writing.

Specialty

- JR Invesco Real Estate – A

International/Global

- TV AllianzGI NFJ International Value – A
 BF Oppenheimer International Growth A
 N4 American Funds Cap World Growth and Income – R1
 XA Wells Fargo Advantage Emerging Markets Equity – A
 AE Hartford International Opps HLS – R4

Small Cap

- LR Dreyfus SmallCap Stock Index – N/A
 VT Keeley Small Cap Value – A
 1I Hartford Small Company HLS – IB
 7T MFS New Discovery R3
 ZN Invesco Small Cap Value – A

Mid Cap

- 3Z AllianceBernstein Discovery Value – R
 4Z Fidelity Advisor Leveraged Company Stock – T
 Q8 ClearBridge Mid Cap Core A
 AY Munder MidCap Core Growth – R
 LQ Dreyfus MidCap Index – N/A

Large Cap

- N8 Alger Capital Appreciation Instl I
 4R PIMCO StocksPLUS Absolute Return A
 5X American Century Equity Income – R
 WA TCW Dividend Focus – N
 1A Hartford Index HLS – IB
 SC T. Rowe Price Growth Stock R
 U1 Hartford Value HLS – IB

Asset Allocation/Balanced

- CV American Funds The Income Fund of America – R1
 T6 BlackRock LifePath 2050 - Institutional – A
 JJ BlackRock LifePath 2020 - Institutional – A
 8W Invesco Equity and Income – R
 JK BlackRock LifePath 2030 - Institutional – A
 2U Janus Balanced – R
 JL BlackRock LifePath 2040 - Institutional – A

Bond

- NP Eaton Vance Income Fund of Boston – R
 PJ Oppenheimer International Bond – N
 1B Hartford Total Return Bond – IB
 PP PIMCO Real Return – R
 4I MFS Government Securities – R2
 BL PIMCO Total Return – R

Stable Value/Money Market

- 10 General Account\*
\*General Investment Account of Hartford Life Insurance Company.

Asset Allocation Services

- As Plan Sponsor, I elect to offer Retirement Plan Advisors' PortfolioPlusSM
 As Plan Sponsor, I elect DO NOT to offer Retirement Plan Advisors' PortfolioPlusSM

PortfolioPlusSM is a professional money management service specially designed for employer-sponsored retirement plans. Retirement Plan Advisors (RPA) is an independent registered investment advisor specializing in providing plan design and support, employee education, onsite enrollment services and investment advice to public sector retirement plans.

Important

Forfeitures, if any, and any amounts held unallocated from time to time under the plan as a result of corrective action taken to maintain the plan's qualified tax status will be invested in:

(choose one):  General Account – 3%  
 Other: \_\_\_\_\_

## CLOSE/DELETE Investment Option(s)

Indicate below any investment options you currently have, which you elect to eliminate as of the requested date (enter complete name of option, please): If you exceed the number of lines below please continue on another sheet.

If, on the effective date of the change, any money remains in the eliminated options, or participant investment selections remain directed to the eliminated options, we are directed to transfer such money and change such investment elections as follows:

(From) Inv Opt Code	(From) Investment Option Name		(To) Inv Opt Code	(To) Investment Option Name	Closed to In-Coming Transfers and Future Contributions	Move Current Assets To New Investment Opt	Change Future Contribution Allocations
5X	AmCent Equity Income INV	To	5X	American Century Equity Income R	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
2O	AmCent Inc & Growth INV	To	WA	TCW Dividend Focus N	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
6A	AmCent Intl Growth INV	To	BF	Oppenheimer International Growth A	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
1O	AmCentury Ultra INV	To	N8	Alger Capital Appreciation Instl I	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
ZQ	DR INT TRM I – A	To	BL	PIMCO Total Return R	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
5D	Drey Third Century A	To	4R	PIMCO StocksPLUS Absolute Return A	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
2V	FrkIn SmMd Cap Grwth A	To	AY	Munder MidCap Core Growth R	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
1L	Htfd Bal HLS IA	To	2U	Janus Balanced R	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
1J	Htfd Cap App HLS IA	To	4R	PIMCO StocksPLUS Absolute Return A	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
1C	Htfd Div & Grwth HLS IA	To	WA	TCW Dividend Focus N	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
9I	Htfd Glbl Res HLS IA	To	N4	American Funds Cap World Growth and Income R1	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
4E	Htfd HC HLS IA	To	10	General Account	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
1A	Htfd Index HLS IA	To	1A	Hartford Index HLS IB	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
2Q	Htfd MidCap HLS IA	To	AY	Munder MidCap Core Growth R	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
1I	Htfd Sml Company HLS IA	To	7T	MFS New Discovery R3	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
1E	Htfd Stock HLS IA	To	4R	PIMCO StocksPLUS Absolute Return A	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
1B	Htfd TotRet Bond HLS IA	To	1B	Hartford Total Return Bond IB	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
DI	Htfd US Gov Sec HLS IA	To	BL	PIMCO Total Return R	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
QK	Inv Diversified Div INV	To	WA	TCW Dividend Focus N	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
PV	Inv American Fran	To	10	General Account	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes

## CLOSE/DELETE Investment Option(s)

Indicate below any investment options you currently have, which you elect to eliminate as of the requested date (enter complete name of option, please): If you exceed the number of lines below please continue on another sheet.

If, on the effective date of the change, any money remains in the eliminated options, or participant investment selections remain directed to the eliminated options, we are directed to transfer such money and change such investment elections as follows:

(From) Inv Opt Code	(From) Investment Option Name	To	(To) Inv Opt Code	(To) Investment Option Name	Closed to In-Coming Transfers and Future Contributions	Move Current Assets To New Investment Opt	Change Future Contribution Allocations
9K	Invesco SC Growth INV	To	7T	MFS New Discovery R3	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
5L	Invesco Technology INV	To	10	General Account	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
2U	Janus Balanced T	To	2U	Janus Balanced R	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
3W	Janus Enterprise T	To	AY	Munder MidCap Core Growth R	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
6B	Janus Forty S	To	N8	Alger Capital Appreciation Instl I	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
2C	Janus Global Res S	To	N4	American Funds Cap World Growth and Income R1	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
3R	Janus Overseas S	To	BF	Oppenheimer International Growth A	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
ZZ	MFS Core Equity A	To	N8	Alger Capital Appreciation Instl I	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
5R	MFS High Income A	To	NP	Eaton Vance Income Fund of Boston R	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
5T	MA Inv Grwth Stck A	To	N8	Alger Capital Appreciation Instl I	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
5U	MFS Utilities A	To	10	General Account	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
5V	Putnam Global Equity A	To	N4	American Funds Cap World Growth and Income R1	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
CT	Putnam MultiCap Gr A	To	N8	Alger Capital Appreciation Instl I	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
1G	Htfd Money Market HLS IA	To			<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Yes
		To			<input type="checkbox"/> No <input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Yes
		To			<input type="checkbox"/> No <input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Yes
		To			<input type="checkbox"/> No <input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Yes
		To			<input type="checkbox"/> No <input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Yes
		To			<input type="checkbox"/> No <input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Yes

**Fees and Payments MassMutual Receives with Respect to the Funds:** We receive fees and payments with respect to the Funds that are offered as variable investment options to your plan through your Contract (sometimes referred to generally as "revenue sharing" payments). We consider these fees and payments, among a number of other factors, when deciding to include a Fund in the Investment Option Menus. Virtually all of the Funds on the Investment Option Menus make these payments to us and/or our affiliates. For more information, and to see the rate of fees and payments we receive with respect to a specific Fund on the Investment Option Menu for your Contract please refer to the Investment Option Menu Disclosure Chart and the "Revenue Sharing and Other Fees and Payments we Receive with Respect to the Funds" Section of your Disclosure Statement – Reasonable Contract or Arrangement under ERISA Section 408(b)(2). You may also contact us by calling 1-800-874-2502, Option 4.

**Additional Compensation to MassMutual in the form of "Float":** As discussed in the "Float Compensation" Section of your Disclosure Statement – Reasonable Contract or Arrangement under ERISA Section 408(b)(2), MassMutual, as the administrative services provider for Hartford's bundled retirement services programs, keeps for its own benefit any earnings on plan receipts or disbursements (called "float") as additional compensation for its recordkeeping and nondiscretionary administrative services. For more information, please refer to the Float Compensation Section in your Disclosure Statement.

**Frequent Trading:** Plan Participants may transfer amounts in their Participant Accounts between or among the Sub-Accounts available in your Plan's Contract, subject to our policies and procedures, and the policies and procedures of the underlying funds.

**Our Policies and Procedures:** Currently, MassMutual administers Hartford's policy under which each Plan Participant is allowed to submit a total of 20 requests to transfer amounts between or among the Sub-Accounts each calendar year in their Participant Account by any of the following methods: U.S. mail, telephone (by calling the Retirement Plan Service Center or by using our Voice Response Unit), or via Internet. Once these 20 transfers have been requested, transfer requests by telephone (either through our Retirement Plan Service Center or Voice Response Unit), via the Internet or sent by same day mail or courier service will not be accepted. The Participant may submit any additional transfer requests only in writing by U.S. Mail or overnight delivery service. Transfers as a result of Dollar Cost Averaging or Automatic Rebalancing programs (if applicable) do not count towards the 20 transfer limit. We may make changes to this policy at any time, or implement different policies and procedures for the purpose of discouraging frequent or excessive trading in fund shares. In addition, Plan and Participant requests to transfer amounts between or among the Sub-Accounts are subject to any additional restrictions of the underlying funds.

These policies and procedures are not designed to detect or prevent all frequent or abusive trading activities. Furthermore, these policies and procedures apply only to participants under this Contract. However, the underlying mutual funds available through the Sub-Accounts of this Contract are available for use with many different products, plans and platforms, including variable annuity products, life insurance products, funding agreements, brokerage accounts, custodial accounts, retirement plan mutual fund platforms, and other products, plans and platforms. Some of these products, plans and platforms may have different or less restrictive transfer rules, or may have no transfer restrictions at all.

**Policies and Procedures of the Funds:** We want you to know that all purchase payments allocated to, and any transfers among, Sub-Accounts available through the Participant's Accounts in Hartford's separate account are subject to the policies and procedures of the underlying funds that are set forth in the current prospectuses for the underlying fund regarding frequent or excessive trading in underlying fund shares. We are not required to honor any instructions to purchase underlying fund shares with respect to any Plan or Participant Account in violation of an underlying fund's written policies and procedures regarding frequent or excessive trading in the underlying fund's shares

**Shareholder and Transaction Information Provided to the Funds:** We also want you to know that we will provide certain shareholder or Participant Account information, including, but not limited to, taxpayer information numbers, and the amount and dates of purchases, redemptions, transfers and exchanges of underlying fund shares, to the underlying funds pursuant to Rule 22c-2 under the Investment Company Act of 1940, as requested by the underlying funds. We will execute instructions from the underlying funds to restrict or prohibit additional purchases of underlying fund shares by Plans or Plan Participants that violate the underlying fund's policies and procedures.

You agree to the foregoing and acknowledge that the underlying funds are not intended as vehicles for short-term trading. Frequent or excessive transfer activity may interfere with fund portfolio management and may have an adverse effect on shareholders. The underlying funds expressly reserve the right to curtail such short-term trading activity. In addition to any policies or procedures we may implement from time to time with respect to frequent or excessive trading in the Sub-Accounts, the

underlying funds may implement their own policies and procedures designed to restrict or prohibit frequent or excessive trading. For additional information regarding our Sub-Account Transfer Policy, please visit our website at [www.massmutual.com/planserve](http://www.massmutual.com/planserve).

**Important Note:** If your plan is subject to the U.S. Department of Labor's participant-level fee disclosure 404(a)(5) regulation, any changes made to your plan's list of investment options may be a triggering event under the regulation requiring notice of the change to your participants. Under the regulation, change notifications must generally be distributed at least 30 but not more than 90 days before the effective date of the change, except when such notice is not possible (such as the immediate elimination of an investment option that has been determined to no longer be a suitable investment alternative), in which case, the plan must generally provide notice of the change as soon as practicable. For your convenience, we have developed a sample change notification letter that you can download and adapt for use with your participants. To obtain a copy of the sample letter, contact your Client Service Representative.

By signing below, I/we acknowledge that I/we have read and understood the information described or referred to above and approve the proposed transaction on behalf of the Plan.

<b>Name:</b>	Crystal Dixon	<b>Signature:</b>		<b>Date:</b>	
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**Return All Forms To:**  
MassMutual Retirement Services  
P.O. Box 1583  
Hartford, CT 06144-1583

**If Overnight Mail:**  
MassMutual Retirement Services  
1 Griffin Road North  
Windsor, CT 06095-1512

**Or Fax To:**  
Retirement Services  
860-843-6100  
Attn: Plan Manager



# PortfolioPlus<sup>SM</sup>

## MassMutual Plan Sponsor Agreement and Fee Schedule

Plan Name: City of Jackson Michigan 457(b) Deferred Compensation Plan (the "Plan")

Plan Sponsor Name: City of Jackson, MI (the "Plan Sponsor")

The foregoing Plan has entered into an arrangement with MassMutual to offer group retirement plan investment and record keeping services to participants in the Plan ("Participants"). The Plan Sponsor hereby approves Retirement Plan Advisors, LLC (the "Designated RIA") as an authorized provider of investment advisory services to those Participants who elect to have the Designated RIA manage their accounts. The Plan Sponsor agrees that each Participant electing to have the Designated RIA manage their account must authorize the Designated RIA using The Retirement Plan Advisors PortfolioPlus<sup>SM</sup> participant application.

In consideration of services rendered to such Participants, subject to specific approval by each Participant electing the Designated RIA as their respective investment advisor, Plan Sponsor acknowledges that:

- A 1.00% annual investment advisory fee will be deducted from each participant account;
- The annual investment advisory fee shall be determined monthly and payable quarterly, in arrears, based on each Participant's account balance as of the end of each calendar month. For partial quarters, the fee will be calculated on a prorated basis;
- A \$15.00 annual administrative fee will also be deducted from each participant account; and
- The annual administrative fee shall be payable at the rate of \$3.75 per calendar quarter.

The Plan Sponsor further acknowledges that the Designated RIA may allow MassMutual to retain a portion of the fees payable to the Designated RIA as compensation for administrative services rendered in connection with the PortfolioPlus<sup>SM</sup> Program. The Plan Sponsor hereby consents and authorizes the Designated RIA to direct MassMutual or its agents or affiliates to deduct these fees from Participant's accounts. This consent and authorization shall remain in effect until revoked in writing by the Plan Sponsor.

The Plan Sponsor, on behalf of the Plan, has executed this Agreement as of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Plan Sponsor

Retirement Plan Advisors, LLC

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

Accepted By: RPA Home Office

Crystal Dixon  
Print Name

\_\_\_\_\_  
RPA Principal Signature

Director of Human Resources  
Title

Jim Morper  
Print RPA Principal Name

Group Number: 110003

Plan Name: JACKSON MI 457 DC PLAN

# 457(b) Governmental Plan – Request for Plan Amendment Authorization Form



**To be completed by the Plan Sponsor or the Plan Administrator or authorized representative on behalf of the Plan Sponsor**

Use this form if you want to:

- request an amendment to The Hartford specimen plan document

Do not use this form if you:

- have an outside drafted plan that was amended. Please provide a copy of your Plan amendment or restated Plan Document for The Hartford to review it for recordkeeping purposes.

Plan Sponsors utilizing The Hartford's plan document preparation service may use this form to direct The Hartford to prepare a revised specimen plan document for the Plan Sponsor's review and execution. Plan Sponsors should review the restated specimen plan document with their legal and tax advisors and discuss any proposed changes to the document with a member of their Plan Management team before executing the revised specimen plan document.

**Note that the Plan Sponsor must provide an executed copy of the revised Plan Document to The Hartford before the revised Plan provisions are updated in the recordkeeping system, if applicable. Also note that the revised Plan provisions are generally not considered to be in effect until the document is executed.**

**The specimen Plan will provide the following:**

- Plan Year is 1/1 - 12/31.
- Deferrals (pre-tax and, if applicable, Roth contributions) up to the maximum Code §457(e)(15) limit.
- Age 50 catch-up deferrals and pre-retirement catch-up deferrals allowed.
- Participants will direct the investment of all contributions.
- Participants may make a transfer to a governmental defined benefit plan for the purchase of permissive service credits.
- Distributions permitted on account of:
  - Severance from employment and death
  - Attainment of age 70 ½
  - Unforeseeable emergency (not permitted for OBRA plans)
  - Employed Participants may take a in-service withdrawal if their account balance is \$5,000 or less, have not made or received an allocation of any elective deferral contributions under the Plan during the two year period ending on the date of distribution and have not received a prior distribution under this provision (not permitted for OBRA plans)
  - If the plan permits rollover contributions, withdrawals of these contributions (excluding Roth rollovers) are allowed at any time

Group Number: 110003

Plan Name: JACKSON MI 457 DC PLAN

Brief narrative explanation of the objective of this amendment request:

Allow termed/retired participants to roll into the plan if they have an account balance

Complete only applicable Section(s) being amended both in the table of contents below and the corresponding page(s) within this form.

Section	Plan Feature	Page
<input checked="" type="checkbox"/> Section 1.	REQUIRED – Effective Date of Amendment	3
<input type="checkbox"/> Section 2.	Plan Information	3
<input type="checkbox"/> Section 3.	Classes of Covered Employees	3
<input type="checkbox"/> Section 4.	Contribution Sources	3
<input type="checkbox"/> Section 5.	Definition of Compensation for Contributions	3
<input type="checkbox"/> Section 6.	Deferral of Sick Pay, Vacation Pay, or Back Pay	4
<input type="checkbox"/> Section 7.	Contributions to Participants Who Die or Become Disabled During Military Leave	4
<input type="checkbox"/> Section 8.	Normal Retirement Age	4
<input checked="" type="checkbox"/> Section 9.	Rollover Contributions	4
<input type="checkbox"/> Section 10.	Methods of Distribution	5
<input type="checkbox"/> Section 11.	Qualified Distributions for Retired Public Safety Officers	5
<input type="checkbox"/> Section 12.	Withdrawal Due to Qualified Military Service	5
<input type="checkbox"/> Section 13.	Involuntary Cash Out Distributions	5
<input type="checkbox"/> Section 14.	Loans	5
<input type="checkbox"/> Section 15.	Other Non-Standard Plan Language Amended	6
REQUIRED	Plan Sponsor Authorization and Signature	6

Group Number: 110003

Plan Name: JACKSON MI 457 DC PLAN

### Section 1. Effective Date of Amendment

Effective Date of Amendment: December 1, 2013

(Must be at least 30 days from the date this paperwork is submitted and is in good order.)

Is this a FICA alternative "OBRA" Plan?  Yes  No

OBRA plans must provide a benefit of at least 7.5% of compensation, contributions must be credited with a reasonable rate of interest (invested in the General Account Only - no variable investments). Loans and certain distributions are not allowed.

### Section 2. Plan Information

Change

Legal Name of Plan Sponsor:

Legal Plan Name: (This is not the employer's name)

### Section 3. Classes of Covered Employees

Change

(OBRA Plans only – Part-time, seasonal and temporary employees are covered. You do not need to complete this section.)

The Plan will cover common law full-time employees of the employer, but will not cover leased employees. Union employees will be a covered employee only if the collectively bargaining agreement provides for their participation in the Plan. The plan will also include the following employees, if applicable:

Part-time employees  Employees in an elected or appointed position  Independent Contractors

Other employees (specify by position or job class): \_\_\_\_\_

Note: An age or service requirement to participate in the Plan is a modification you will need to add to the specimen plan document.

Does the Plan have an automatic enrollment program?

Yes (must also complete and sign the *Automatic Enrollment Plan Feature* election form)  No

### Section 4. Contribution Sources

Contributions applicable to the Plan: (A) Pre-Tax      Optional contributions applicable to the Plan:

Add      Freeze

(S) **Employer** – Will be 100% immediately vested and counts towards the 457 deferral limit.

(9) **Rollovers** from another 457(b) plan

(U) **Miscellaneous Rollovers** from 401(a) and 403(b) plans, or 408(a) and 408(b) IRAs

(B) **Roth Deferrals** (includes (L) **Roth Rollover**) Note: Unless specified otherwise, when adding Roth contributions, investment allocations will mirror Elective Deferral Contributions.

### Section 5. Definition of Compensation for Contributions

Change

The Plan will use W-2 Wages, including military differential pay, which shall be determined over the Plan Year.

For contribution purposes, post-severance amounts that would have been paid to the Participant in the course of employment had she or he not terminated (e.g., salary, commissions, bonuses, other similar compensation), made before the later of: (1) the end of the Plan Year in which the Participant's severance of employment occurred or (2) within 2 ½ months of severance, and **any payments selected below**, will be included in the Plan's definition of Compensation.

Payments received by the Participant for accrued sick, vacation, or other leave, but only if the Participant would have been able to use such leave if his employment had continued.

Payments received by the Participant pursuant to a non-qualified, unfunded deferred compensation plan, but only to the extent such amounts are includible in income and only if the Participant would have received the payments at the same time if his employment had continued.

Group Number: 110003

Plan Name: JACKSON MI 457 DC PLAN

**Section 6. Deferral of Sick Pay, Vacation Pay, or Back Pay**  
 Add     Delete

Will the plan allow employed Participants to make a separate deferral election of accumulated sick pay, vacation pay, or back pay?  Yes     No

**Section 7. Contributions to Participants Who Die or Become Disabled During Military Leave**  
 Add     Delete

This section only applies if you make Employer contributions to the Plan.  
Will the Employer make a contribution to a participant if the employee:  
• dies while on military leave?  Yes     No  
• becomes disabled while on military leave?  Yes     No

**Section 8. Normal Retirement Age**  
 Change

The Plan's normal retirement age for the application of the 457 special catch-up contribution is:  
 Uniform age for all Participants:  
     65  
     \*Other age \_\_\_\_\_ (other than 65 but not later than age 70 ½)  
     \*Other age \_\_\_\_\_ (not later than age 70 ½) and \_\_\_\_\_ years of employment  
    \* Note: If you selected an "Other Age" or "Other age and years of employment" above, the plan's uniform normal retirement age cannot be earlier than 65 unless you have a defined benefit plan where the earliest age participants can get an unreduced immediate retirement benefit or money purchase pension plan where that plan's normal retirement age is the same or earlier than the age you entered above.  
 Age designated by the Participant.  
    Note: The age designated by the Participant may be any age that is on or after the earlier of such age or the age at which the Participant has the right to retire and receive, under the basic defined benefit pension plan of the Employer (or a money purchase pension plan in which the Participant also participates if the Participant is not eligible to participate in the defined benefit plan), immediate retirement benefits without actuarial or similar reduction because of retirement before some later specified age, and that is not later than age 70 ½.  
Does your Plan include full-time Fire, Police, or Emergency Medical employees?  Yes     No  
If you elected "Yes", complete only if your Plan has a different retirement age for these employees:  
 Uniform age for all Participants:  
     Age \_\_\_\_\_ (no earlier than 40)  
     Age \_\_\_\_\_ (no earlier than 40 and not later than age 70 ½) and \_\_\_\_\_ years of employment  
 Age designated by the Participant. (The same rules in the Note under "Age designated by the Participant" above apply, except the Participant cannot select a retirement age that is earlier than age 40.)

**Section 9. Rollover Contributions**  
 Change

Employees eligible to make rollover contributions include:  
 N/A, rollovers not permitted. (If you are no longer permitting rollover contributions into the Plan, you must also elect to freeze the (9) Rollovers and, if applicable, (U) Miscellaneous Rollovers sources in Section 4.)  
 Participants who are employees.  
 Participants who are employees and terminated employees with an account balance.

Group Number: 110003

Plan Name: JACKSON MI 457 DC PLAN

**Section 10. Methods of Distribution**

Add  Delete

Lump sum and installment forms of distribution are allowed. Are annuity forms of distribution also permitted?  Yes  No

**Section 11. Qualified Distributions for Retired Public Safety Officers**

Add  Delete

Are qualified distributions permitted for direct payment of health insurance premiums for eligible retired public safety officers?  
 Yes  No

**Section 12. Withdrawal Due to Qualified Military Service**

Add  Delete

- Allow "deemed severance distributions" for employees absent due to qualified military service for more than 30 days (deferrals suspended for 6 months).  Yes  No
- Allow "qualified reservist distributions" for employees absent due to qualified military service for 180 days or more (deferrals not suspended for 6 months).  Yes  No

**Section 13. Involuntary Cash Out Distributions**

Add  Change  Delete

The Employer may initiate the following Involuntary Cash out Provisions without participant consent:

- A. Employed Participant Involuntary Cash outs (not permitted for OBRA plans) – The Employer may cash out account balances of Participants who (1) have not made or received an allocation of elective deferral contributions under the Plan during the two year period ending on the date of the distribution, (2) have an account balance of \$5,000 or less (not including the Rollover Account), and (3) have not received a prior distribution under this rule, of amounts equal to or less than:  
 \$1,000  \$5,000\*  NA, the Employer will not initiate involuntary cash outs
- B. Terminated Participant Involuntary Cash outs – Employer may cash out separated from service Participants' account balances of amounts equal to or less than:  
 \$1,000  \$5,000\*  NA, the Employer will not initiate involuntary cash outs

\* Note: Under the Code, plans that include an involuntary cash out provision for benefits of \$5,000 or less are required to roll over to an IRA any involuntary cash out in excess of \$1,000 when the Participant makes no election to directly roll over or receive cash payment.

**Section 14. Loans**

Add (your Administrative Services Agreement may also need to be amended)  Change  Delete

(Note: Loans are not permitted for OBRA plans.)

Are Participant loans available?  Yes  No

Number of outstanding loans allowed per Participant at a time? \_\_\_\_\_ (Caution: Allowing multiple loans can increase administrative complexity. Standard is to allow only one outstanding loan per participant.)

- Loans are available for any reason.
- Minimum loan amount is \$1,000.
- Minimum loan term is 12 Months.
- Repayment method is payroll deduction.
- Maximum loan repayment period for:
  - general purposes loans will be 60 months (i.e., 5 years),
  - principal residence loans will be 360 months (i.e., 30 years)

Interest Rate:  Prime  Prime plus 1%  Prime plus 2%

Loans will be pro-rated across all sources and investment options unless otherwise specified: \_\_\_\_\_

Group Number: 110003

Plan Name: JACKSON MI 457 DC PLAN

**Section 15.  Other Non-Standard Plan Language Amended**

If you are amending your Plan Document for provisions not reflected in the preceding sections or other standard plan language, The Hartford will not prepare a revised specimen plan document. You will need to modify the applicable Plan Document Sections. Please remember to also modify the following Plan Document Sections:

- Effective date of the amendment on the cover page and on the "Preamble" page under "Adoption of Plan"
- Effective date of the amendment on the *Plan Document Certification* form and list the amended modification

Please list the modifications you intend to make below:

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**Plan Sponsor Authorization and Signature**

As Plan Sponsor or Plan Administrator or an authorized representative of the Plan with authority to provide the directions contained herein on behalf of the Plan Sponsor, I acknowledge and agree that: 1) the Plan Sponsor has had opportunity to consult with its own legal and tax advisors regarding the requested amendments to the Plan Document and has determined the Plan allows the amendments and/or changes requested herein; 2) to the extent required by the Plan and/or the Plan Sponsor's governing body, the Plan Sponsor has, or will cause to have, taken the appropriate actions to timely effect the Plan changes consistent with this form; 3) upon receipt of this properly completed and executed form, The Hartford is hereby directed to prepare a revised specimen Plan Document consistent with these instructions for the Plan Sponsor's review, approval and timely execution ; 4) The Hartford will not reflect any changes or updates to its recordkeeping system, as applicable, until the Plan Sponsor provides a returned, executed copy of the revised Plan Document prepared by The Hartford; 5) upon The Hartford's receipt of the executed revised Plan Document, the Plan Sponsor directs The Hartford, if applicable, to update its recordkeeping system in accordance with the executed revised Plan Document, consistent with the administrative services agreement between the Plan Sponsor and The Hartford; 6) The Hartford has not provided any legal or tax advice to me, the Plan, the Plan Sponsor or the Plan Administrator; 7) the Plan Sponsor and Plan Administrator will operate, or cause to be operated, the Plan in a manner consistent with these instructions and the revised Plan Document on the requested effective date specified on this form or, if required by law, the Plan Document adoption date; and 8) the Plan Sponsor and Plan Administrator remain solely responsible for timely notifying participants of the changes to the Plan.

I have elected The Hartford's specimen plan document preparation service, The Hartford will provide me with a restated specimen plan document in a Word format. I understand that if I make any modifications to any of the standard plan language, that The Hartford will not customize the specimen plan document to incorporate those modifications. If I modify the specimen plan document I will list the modifications on the *Plan Document Certification* form, The Hartford will review the modifications listed to ensure that they conform with our Contract and Administrative Services Agreement with The Hartford, and can be administered on its recordkeeping system. I am responsible for editing the specimen plan document to incorporate the modifications, and also to bring forward those modifications to future specimen documents prepared by The Hartford to the extent required by changes in the law, regulations, or other official guidance.

Signature of Plan Sponsor, Plan Administrator or Authorized Representative of the Plan Sponsor:

Print Name: Crystal Dixon, Director of Human Resources

Date: \_\_\_\_\_

Please note that you may also receive an updated Administrative Service Agreement (ASA) or an updated Hartford Contract.

# CITY OF JACKSON



**MICHIGAN**

Office of Mayor  
Martin J. Griffin

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

## **CITY COUNCIL MEETING November 12, 2013**

**MEMO TO:** City Councilmembers

**FROM:** Martin J. Griffin, Mayor

A handwritten signature in black ink, appearing to read "mjg", is written over the "FROM:" line.

**SUBJECT:** Jackson Housing Commission Executive Director Compensation Level

**RECOMMENDATION:**

**Approve the Jackson Housing Commission Executive Director Patricia S. Tyus compensation level as recommended by the Jackson Housing Commission Board of Commissioners.**

The Jackson Housing Commission Board of Commissioners recently selected a new Executive Director Patricia S. Tyus. Please see the attached recommendation. I concur with their recommendation of the compensation level for Ms. Tyus, and would appreciate your consideration and approval. Thank you.



301 Steward Avenue  
Jackson, MI 49201-1132  
Phone: (517) 787-9241  
Fax: (517) 787-6143

November 6, 2013

City of Jackson  
ATTN: Martin J. Griffin, Mayor  
161 W Michigan Avenue  
Jackson, MI 49203

**RE:** Jackson Housing Commission  
Request for Approval of Compensation Level

Dear Mayor Griffin:

I am delighted to inform you the JHC Board of Commissioners has selected a new Executive Director. After an unsuccessful attempt in August, the position was re-advertised and the JHC received many well-qualified candidates. Initial interviews were conducted in mid-October and a Special Meeting of the JHC Board of Commissioners was convened on October 23, 2013 when three potential candidates were interviewed. Of those three, the Board selected Patricia S. Tyus as the most qualified and best fit for the JHC and its current needs.

Ms. Tyus's résumé was exemplary in both education, having achieved a Masters of Business Administration, and experience. Ms. Tyus will bring over 20 years' of working knowledge in accounting, budgeting, administration, operations, as well as upper level management. Her last position was as the Internal Compliance Administrator for the Housing Authority of Fulton County (Georgia). Ms. Tyus is able to start her employment as the JHC Executive Director as early as November 12, 2013, pending final negotiations.

The JHC has received approval from HUD to enter into a contract with Ms. Tyus at a starting salary of \$74,932.19 per year. The JHC is now requesting you review this negotiated compensation level as well and render a positive recommendation to the Jackson City Council for approval.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Michelle L. Pultz-Orthaus".

Michelle L. Pultz-Orthaus, President  
Jackson Housing Commission Board of Commissioners

cc: JHC Board of Commissioners



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U.S. Department of Housing and Urban Development

Detroit Field Office  
Office of Public Housing  
Patrick V. McNamara Federal Building  
477 Michigan Avenue, Room 1710  
Detroit, MI 48226-2592  
Tel. (313) 226-7900 FAX (313) 226-6160

NOV 05 2013

Michelle L. Pultz-Orthaus  
President  
Jackson Housing Commission  
161 W Michigan Ave 1- 4<sup>th</sup> floor  
Jackson, MI 49201

Dear Ms. Pultz-Orthaus:

SUBJECT: Procurement of Executive Director as Independent Contractor

The Detroit Office of Public Housing received the revised employment contract to hire Ms. Patricia Tyus to serve as Executive Director of the Jackson Housing Commission. After reviewing the submitted documentation, my staff has determined that the selection meets HUD's procurement guidelines. Therefore, the Jackson Housing Commission may move forward with the execution of this contract as enclosed.

Sincerely,

A handwritten signature in black ink, appearing to read "Willie C. H. Garrett".

Willie C. H. Garrett  
Director  
Office of Public Housing

cc:

Arlene Robinson  
Board Member  
159 Randolph St.  
Jackson, MI 49202

James M. Stark  
Board Member  
786 Bloomfield Blvd.  
Jackson, MI 49203

Patricia Davis-Dye  
Board Member  
1221 Laurel Lane  
Jackson, MI 49203

Gerald Montgomery  
Commissioner  
341 Hill Street  
Jackson, MI 49203



**CITY COUNCIL MEETING**  
**November 12, 2013**

**MEMO TO:** City Councilmembers

**FROM:** Martin J. Griffin, Mayor *mjg*

**DATE:** November 6, 2013

**SUBJECT:** Jackson Housing Commission Health Care Service Provider Selection

**RECOMMENDATION:**

**Consider the Mayor's recommendation to approve BCN \$5,000 Health Care Plan with employer paid dental and vision coverage to be administered through JFP Benefit Management in the bid amount of \$301,359.17, as recommended by the Jackson Housing Commission.**

Attached is detailed information regarding the selection process for a Health Care Service Provider for the Jackson Housing Commission. Through Resolution No. 2013-44, the Jackson Housing Commission recommends to the Mayor and City Council the selection of JFP Benefit Management to administer BCN \$5,000 Health Care Plan with employer paid dental and vision coverage in the amount of \$301,359.17, which is an anticipated \$157,391.83 annual cost savings over its current plan. I concur with this recommendation and urge your support.

Thank you.

MJG:skh



301 Steward Avenue  
Jackson, MI 49201-1132  
Phone: (517) 787-9241  
Fax: (517) 787-6143

October 21, 2013

City of Jackson  
ATTN: Martin J. Griffin, Mayor  
161 W Michigan Avenue  
Jackson, MI 49203

**RE:** Jackson Housing Commission (JHC)  
Health Care Service Provider Selection

Dear Mayor Griffin:

After two previous attempts to procure health care services for JHC employees were rejected by HUD, the JHC issued a third RFP to obtain bids from various interested providers. As our Board President, Michelle Pultz-Orthaus, was deemed to have a conflict of interest by the HUD Detroit Field Office when it came to review and approval of health care providers (due to consideration of the City's BCN\$5,000 plan submitted by JFP Benefits Management), she did not participate in the review or selection.

The JHC held a bid opening meeting on October 9, 2013 where anyone could attend, including prospective bidders. A four person committee made up of JHC staff and retirees opened the sealed bids and reviewed the proposals. A cost analysis prepared by the JHC's executive secretary demonstrated the JHC would achieve a \$157,391.83 annual cost savings over its current plan and would also provide ample, affordable benefits to employees if it selected the City's BCN \$5,000 plan. Two plans from the Craft Agency were also considered and, while each plan also provided an annual cost savings to the JHC over its current plan, the City's plan provided the most significant cost savings.

Plan & Provider	Annual Cost Savings
City's (JFP) BCN\$500	\$157,391.83
Craft BCNHMO: \$500\$1000 Deductible	\$142,507.44
Craft BCN5: \$0 Deductible	\$118,572.34

No contract or agreement has been signed at this point until the Board's action, which was approved on a vote of 3 affirmative/0 negative/1 absence (Commissioner Robinson)/1 abstention (President Pultz-Orthaus), has been reviewed and approved by both the Jackson City Council and HUD's Detroit Field Office.

The JHC is providing HUD over 500 pages of documentation for this recent procurement and is optimistic HUD will approve the selection made by the Board of Commissioners, based on a June 18, 2013 email received from Nakisha Paul at HUD which stated, in part:

I would suggest that the board follow its procurement policy and analysis (sic) the bids that were received open, honestly and objectively without bias for either side. The purpose of selecting a vendor is to find the best vendor for the employees and the



An Equal Opportunity Employer



Commission. HUD doesn't have an opinion in which vendor is selected. Merely, we must insure that the selection was open, fair, and reasonable.

Respectfully,



Connie Crandall  
Interim Executive Director

Enclosures

C: Procurement File

# Memo

**To:** RFP JHC Health Care Services 2013-04 Contract File  
**From:** Katie Dickerson, Executive Secretary  
**Date:** October 15, 2013  
**Re:** Health Care Procurement

---

The RFP was sent to Aflac, The Richmond Agency, The Craft Agency and JFP Benefit Management, Inc. The RFP was also sent to NARHO and PHADA. We also displayed the RFP on our website. It resulted in one additional contractor providing a quote; National Benefit Service Center.

Bid opening took place on October 9, 2013 at 1 PM. Three proposals were submitted but only one contractor attended, JFP Benefit Management.

The apparent lowest, responsive bidder was JFP Benefit Management at a price of \$301,359.17. The price is \$157,391.83 lower than the current benefit plan package the JHC employees are under. JFP offered the most cost savings from current year plan package to new one. The next closest savings plan came from the Craft Agency. It would only save the JHC \$142,507.44 over the current plan.

The National Benefit Service Center did not provide clear costs for active employees and retirees. The costs were not displayed as required by the RFP; thus no cost analysis was completed due to the nature of pricing. This disqualified as the bidder as non-responsive.

Overall, the evaluators scored the Craft Agency higher than JFP; however, cost was the final deciding factor and JFP provided the best overall cost savings for the JHC.

Upon confirmation of SAM search and Denial of Participation from HUD procurement, it was deemed the JFP Benefit Management is a responsible bidder.

Health Insurance	JFP Benefits					
	# of JHC EE	Mohtly Rate	Yearly Cost Per EE	Total Yearly Cost	Minus EE 20%	TOTAL JHC Cost
Single Person	1	\$ 831.51	\$ 9,978.12	\$ 9,978.12	n/a	\$ 9,978.12
2 Person	7	\$ 1,596.61	\$ 19,159.32	\$ 134,115.24	n/a	\$ 134,115.24
Family	11	\$ 1,760.55	\$ 21,126.60	\$ 232,392.60	n/a	\$ 232,392.60
R- 1 person	1	\$ 422.94	\$ 5,075.28	\$ 5,075.28	n/a	\$ 5,075.28
R- 2 Person	5	\$ 845.48	\$ 10,145.76	\$ 50,728.80	n/a	\$ 50,728.80
<b>TOTALS</b>		\$ 5,457.09	\$ 65,485.08	\$ 432,290.04	\$ -	\$ 432,290.04

Dental/Vision	JFP Benefits					
	# of JHC EE	Mohtly Rate	Yearly Cost Per EE	Total Yearly Cost	Minus EE 20%	TOTAL JHC Cost
Single Person	1	\$ 43.40	\$ 520.80	\$ 520.80	n/a	\$ 520.80
2 Person	7	\$ 104.18	\$ 1,250.16	\$ 8,751.12	n/a	\$ 8,751.12
Family	11	\$ 130.22	\$ 1,562.64	\$ 17,189.04	n/a	\$ 17,189.04
R- 1 person	1	n/a	n/a	n/a	n/a	n/a
R- 2 Person	5	n/a	n/a	n/a	n/a	n/a
<b>TOTALS</b>		\$ 277.80	\$ 3,333.60	\$ 26,460.96	\$ -	\$ 26,460.96

Notes
BCN 100% City Plan BCN-100%, \$10 OV, \$50 ER, Scriptguide RX Vision & Dental Separate Retiree \$for in & out of state; No vision/dental \$100 RX for Single; \$200 RX for 2 person

Notes

**Total JFP Benefit Costs to JHC/YR \$ 458,751.00**

Health Insurance	JFP Benefits						
	# of JHC EE	Moithly Rate	Yearly Cost Per EE	Total Yearly Cost	Minus EE 20%	JHC EE Cost Per Pay	TOTAL JHC Cost
Single Person	1	\$ 521.52	\$ 6,258.24	\$ 6,258.24	\$ 1,251.65	\$ 48.14	\$ 5,006.59
2 Person	7	\$ 1,221.65	\$ 14,659.80	\$ 102,618.60	\$ 20,523.72	\$ 112.77	\$ 82,094.88
Family	11	\$ 1,355.62	\$ 16,267.44	\$ 178,941.84	\$ 35,788.37	\$ 125.13	\$ 143,153.47
R- 1 person	1	\$ 422.94	\$ 5,075.28	\$ 5,075.28	\$ 1,015.06	\$ 84.59	\$ 4,060.22
R- 2 Person	5	\$ 845.48	\$ 10,145.76	\$ 50,728.80	\$ 10,145.76	\$ 169.10	\$ 40,583.04
<b>TOTALS</b>		\$ 4,367.21	\$ 52,406.52	\$ 343,622.76	\$ 68,724.55		\$ 274,898.21

Notes
Quoted as part of the City as a LARGE group
BCN\$5000, OV\$10, Rx \$10/20/40 (\$5000/\$10,000 Ded'l Reimbursed to \$4500/\$9000 = \$500/\$1000 Employee Ded'l then 100%; Flat \$10 OV copays & \$10/20/40 Rx Retiree \$for in & out of state; No vision/dental \$100 RX for Single; \$200 RX for 2 person

Dental/ Vision	JFP Benefits						
	# of JHC EE	Moithly Rate	Yearly Cost Per EE	Total Yearly Cost	Minus EE 20%	JHC EE Cost Per Pay	TOTAL JHC Cost
Single Person	1	\$ 43.40	\$ 520.80	\$ 520.80	n/a	n/a	\$ 520.80
2 Person	7	\$ 104.18	\$ 1,250.16	\$ 8,751.12	n/a	n/a	\$ 8,751.12
Family	11	\$ 130.22	\$ 1,562.64	\$ 17,189.04	n/a	n/a	\$ 17,189.04
R- 1 person	1	n/a	n/a	n/a	n/a	n/a	n/a
R- 2 Person	5	n/a	n/a	n/a	n/a	n/a	n/a
<b>TOTALS</b>		\$ 277.80	\$ 3,333.60	\$ 26,460.96	\$ -	\$ -	\$ 26,460.96

Notes
** PA 152 does not mandate employees paying 20% of dental/vision; JHC will pay 100%

<b>Total JFP Benefit Costs to JHC/YR</b>	<b>\$ 301,359.17</b>
<b>Total for Current 2013 Plan for Year</b>	<b>\$458,751.00</b>
<b>Total SAVINGS</b>	<b>\$ 157,391.83</b>

Health Insurance	The Craft Agency						
BCN HMO BCN 5 \$0 Deductible	# of JHC EE	Mohtly Rate	Yearly Cost Per EE	Total Yearly Cost	Minus EE 20%	JHC EE Per pay	TOTAL JHC Cost
Single Person	1	\$ 558.86	\$ 6,706.32	\$ 6,706.32	\$ 1,341.26	\$ 51.59	\$ 5,365.06
2 Person	7	\$ 1,341.27	\$ 16,095.24	\$ 112,666.68	\$ 22,533.34	\$ 123.81	\$ 90,133.34
Family	11	\$ 1,508.92	\$ 18,107.04	\$ 199,177.44	\$ 39,835.49	\$ 139.29	\$ 159,341.95
R- 1 person	1	\$ 518.42	\$ 6,221.04	\$ 6,221.04	\$ 1,244.21	\$ 103.68	\$ 4,976.83
R- 2 Person	5	\$ 1,036.84	\$ 12,442.08	\$ 62,210.40	\$ 12,442.08	\$ 207.37	\$ 49,768.32
<b>TOTALS</b>		\$ 4,964.31	\$ 59,571.72	\$ 386,981.88	\$ 77,396.38		\$ 309,585.50

Notes
Quoted as a NEW small group
<b>**This Plan Benefits JHC Employees</b>
JHC EE paid 2X Month Retirees paid 1X/Month

Dental/Vision	The Craft Agency						
\$0 Deductible; 100/80/50/50% to \$100	# of JHC EE	Mohtly Rate	Yearly Cost Per EE	Total Yearly Cost	Minus EE 20%	JHC EE Per pay	TOTAL JHC Cost
Single Person	1	\$ 50.19	\$ 602.28	\$ 602.28	n/a	n/a	\$ 602.28
2 Person	7	\$ 120.44	\$ 1,445.28	\$ 10,116.96	n/a	n/a	\$ 10,116.96
Family	11	\$ 150.56	\$ 1,806.72	\$ 19,873.92	n/a	n/a	\$ 19,873.92
R- 1 person	1	n/a	n/a	n/a	n/a	n/a	n/a
R- 2 Person	5	n/a	n/a	n/a	n/a	n/a	n/a
<b>TOTALS</b>		\$ 321.19	\$ 3,854.28	\$ 30,593.16	\$ -		\$ 30,593.16

Notes
** PA 152 does not mandate employees paying 20% of dental/vision; JHC will pay 100%

<b>Total Craft Agency Costs to JHC/YR</b>	<b>\$ 340,178.66</b>
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<b>Total for Current 2013 Plan for JFP</b>	<b>\$458,751.00</b>
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<b>Total SAVINGS</b>	<b>\$ 118,572.34</b>
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Health Insurance	The Craft Agency						
BCN HMO Ded 01 \$500/\$1000	# of JHC EE	Mothly Rate	Yearly Cost Per EE	Total Yearly Cost	Minus EE 20%	JHC EE Per pay	TOTAL JHC Cost
Single Person	1	\$ 471.42	\$ 5,657.04	\$ 5,657.04	\$ 1,131.41	\$ 48.49	\$ 4,525.63
2 Person	7	\$ 1,131.41	\$ 13,576.92	\$ 95,038.44	\$ 19,007.69	\$ 104.44	\$ 76,030.75
Family	11	\$ 1,272.84	\$ 15,274.08	\$ 168,014.88	\$ 33,602.98	\$ 117.49	\$ 134,411.90
R- 1 person	1	\$ 566.37	\$ 6,796.44	\$ 6,796.44	\$ 1,359.29	\$ 113.27	\$ 5,437.15
R- 2 Person	5	\$ 1,359.28	\$ 16,311.36	\$ 81,556.80	\$ 16,311.36	\$ 271.86	\$ 65,245.44
<b>TOTALS</b>		\$ 4,801.32	\$ 57,615.84	\$ 357,063.60	\$ 71,412.72		\$ 285,650.88

Notes
Quoted as a NEW small group
<b>** This plan benefits JHC</b>
JHC EE paid 2X Month Retirees paid 1X/Month

Dental/Vision	The Craft Agency						
\$0 Deductible; 100/80/50/50% to \$100	# of JHC EE	Mothly Rate	Yearly Cost Per EE	Total Yearly Cost	Minus EE 20%	JHC EE Per pay	TOTAL JHC Cost
Single Person	1	\$ 50.19	\$ 602.28	\$ 602.28	n/a	n/a	\$ 602.28
2 Person	7	\$ 120.45	\$ 1,445.40	\$ 10,117.80	n/a	n/a	\$ 10,117.80
Family	11	\$ 150.55	\$ 1,806.60	\$ 19,872.60	n/a	n/a	\$ 19,872.60
R- 1 person	1	n/a	n/a	n/a	n/a	n/a	n/a
R- 2 Person	5	n/a	n/a	n/a	n/a	n/a	n/a
<b>TOTALS</b>		\$ 321.19	\$ 3,854.28	\$ 30,592.68	\$ -		\$ 30,592.68

Notes
** PA 152 does not mandate employees paying 20% of dental/vision; JHC will pay 100%

<b>Total Craft Agency Costs to JHC/YR</b>	<b>\$ 316,243.56</b>
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<b>Total for Current 2013 Plan for JFP</b>	<b>\$458,751.00</b>
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<b>Total SAVINGS</b>	<b>\$ 142,507.44</b>
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Health Insurance	National Benefits Service Center						
	# of JHC EE	Monthly Rate	Yearly Cost Per EE	Total Yearly Cost	Minus EE 20%	JHC EE Per pay	TOTAL JHC Cost
Single Person	1						\$ -
2 Person	7						\$ -
Family	11						\$ -
R- 1 person	1						\$ -
R- 2 Person	5						\$ -
<b>TOTALS</b>		\$ -	\$ -	\$ -	\$ -		\$ -

Notes
Plan options did not follow RFP Unable to do cost analysis Did not provide retiree info JHC EE paid 2X Month Retirees paid 1X/Month

Dental/Vision	National Benefits Service Center						
	# of JHC EE	Monthly Rate	Yearly Cost Per EE	Total Yearly Cost	Minus EE 20%	JHC EE Per pay	TOTAL JHC Cost
Single Person	1				n/a		\$ -
2 Person	7				n/a		\$ -
Family	11				n/a		\$ -
R- 1 person	1	n/a	n/a	n/a	n/a		n/a
R- 2 Person	5	n/a	n/a	n/a	n/a		n/a
<b>TOTALS</b>		\$ -	\$ -	\$ -	\$ -		\$ -

Notes
** PA 152 does not mandate employees paying 20% of dental/vision; JHC will pay 100%

<b>Total NBSC Costs to JHC/YR</b>	<b>\$ -</b>
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\*\*NBSC provided plans that had costs dependent on employee and dependents age. The rates also changed with each birthday. No Fixed Price was provided per the RFP.

**JACKSON HOUSING COMMISSION**  
JACKSON, MI

The following Resolution was introduced by President Pultz-Orthaus read in full and considered:

**RESOLUTION NO. 2013-44**

**WHEREAS**, the Interim Executive Director is recommending a new health care plan for employees; and

**WHEREAS**, the Commission's new health insurance plan would reduce monthly health care premium costs and lessen the 20% medical benefit plan cost share burden of employees; and

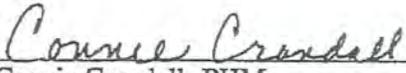
**THEREFORE BE IT RESOLVED THAT** the Commission authorizes the BCN\$5000 Health Care Plan with employer paid dental and vision coverage to be administered through JFP Benefits Management, Inc., and recommends to City Council for approval.

Commissioner Stark **MOVED** to adopt foregoing Resolution as introduced and read.  
Commissioner Davis-Dye **SUPPORTED** the motion and, upon roll call the "AYES" and "NAYS" were as follows:

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

President Pultz-Orthaus declared the motion carried and the Resolution adopted.

I hereby certify that the above Resolution was adopted at a Regular Meeting of the Jackson Housing Commission on October 16, 2013.

  
\_\_\_\_\_  
Connie Crandall, PHM  
Interim Executive 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 November 12, 2013

**TO:** Honorable Mayor and City Councilmembers

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

**SUBJECT:** Recommendation of Contract Award to Backfill Basement of 212 W. Michigan Avenue

**RECOMMENDATION:** Approval of the bid award of the Basement Backfill of 212 W. Michigan Avenue to Jule Swartz & Sons Excavating of Jackson, Michigan, in the amount of \$101,740.00, to backfill the site with sand and place topsoil and seed in the basement of the old Consumers Energy building, and authorization for the Mayor and City Treasurer/Clerk to execute the appropriate document(s), in accordance with the Purchasing Agent.

The City has been working on the demolition of the old Consumers Energy building at 212. W. Michigan Avenue. Dore and Associates have the contract to remove the building but leave the basement floor and walls. The original intent was for the City to leave the basement open and fence the perimeter to secure the site. It was then decided to fill the site with sand and place topsoil and seed to prevent damage to the basement walls due to frost action and to eliminate an attractive nuisance within the downtown. This project has been taken to the Jackson Brownfield Redevelopment Authority and they are in concurrence with this work.

On October 15, 2013, bids for the basement backfill of the 212 W. Michigan Avenue building were received and opened. This project will fill the basement area of the old Consumers Energy building with sand and be covered with topsoil and seed. The Engineer's estimate for this project is \$124,299.00. Seven companies met all qualification requirements and provided bids as follows:

Company	Cost
Jule Swartz & Sons Excavating, Jackson, MI	\$101,740.00
Concord Excavating and Grading, Inc., Concord, MI	\$124,916.00
Bailey Excavating, Jackson, MI	\$129,537.50
E. T. MacKenzie Co., Grand Ledge, MI	\$179,115.00
Bailey Sand and Gravel, Jackson, MI	\$203,743.00
Dunigan Brothers, Jackson, MI	\$223,030.00
Salenbien Trucking, Dundee, MI	\$265,850.00

In concurrence with the Purchasing Agent, it is the recommendation of the Department of Neighborhood and Economic Operations-Engineering to award the Basement Backfill of 212 W. Michigan Avenue to Jule Swartz & Sons Excavating, of Jackson, Michigan, in the amount of \$101,740.00. This will be paid out of the 212 W. Michigan Building Demolition Fund.

JHD/sms

C: Troy R. White, P.E., Senior Civil Engineer  
Andrew J. Wrozek, Jr., City Treasurer/Clerk  
Philip J. Hones, Purchasing Agent

Shelly Allard, Purchasing Coordinator  
Lucinda Schultz, Accounting Manager

## (253) 212 W. Michigan Building Demolition Fund

**PURPOSE** - This Fund is used to account for revenues earmarked for the demolition of 212 W. Michigan Avenue.

**CHARACTER** - This Fund is used to account for the receipts and expenditures of various City and County brownfield funds that have been earmarked for the demolition of the old Consumers Energy Headquarters Building acquired by the City. The City Council had previously approved the contract change order on June 12, 2012 with Dore and Associates. The project is expected to be completed in late fall 2013.

**AUTHORITY** - This Fund was formally established by Resolution adopted by the City Council on October 23, 2012.

### City of Jackson Fiscal Year 2013/14 Adopted Budget Analysis of Changes in Fund Balance

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***Fund 253 212 W. Michigan Building Demolition Fund***

	2010/11 Actual	2011/12 Actual	2012/13 Adopted	2012/13 Projected	2013/14 Proposed	2013/14 Adopted
Revenues	0	0	2,290,000	1,880,000	455,051	<b>455,051</b>
Expenditures	0	0	2,290,000	1,880,000	455,051	<b>455,051</b>
Excess of Revenues Over (Under) Expenditures	0	0	0	0	0	<b>0</b>
Fund Balance - Beginning of Year	0	0	0	0	0	<b>0</b>
<b>Fund Balance - End of Year</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>