



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

AGENDA – CITY COUNCIL MEETING

April 10, 2012
7:00 p.m.

1. **Call to Order.**
2. **Pledge of Allegiance** – Invocation by Andrew R. Frounfelker, 5th Ward City Councilmember.
3. **Roll Call.**
4. **Adoption of Agenda.**
5. **Citizen Comments. (3-Minute Limit)**
6. **Presentations/Proclamations.**
 - A. Presentation of speeches by three first place winners of the Human Relations Commission 22nd Annual Teresa T. Delph Essay/Oratorical Contest.
 - 3rd & 4th Grades – Nathan Rosenberg, 4th Grade, Dibble Elementary School
 - 5th & 6th Grades – Sofia Silvestri, 6th Grade, Napoleon Middle School.
 - 8th – 12th Grades – Avery Blanks, 12th Grade, Jackson High School
7. **Consent Calendar.**
 - A. Approval of the minutes of the regular City Council meeting of March 27, 2012.
 - B. Approval of the request from Daryl's Downtown LLC, for authorization for temporary added space and temporary entertainment permit on May 25, June 22, June 29, July 6, July 13, July 20, July 27, August 3, August 10, August 17, August 24, and September 28, 2012, for a series of events. (Recommended approval received by the Police, Fire, Parks & Recreation Departments, and the Downtown Development Authority. Proper insurance has been obtained.)
 - C. Approval of the request from The Crazy Cowboy to conduct their annual Big Truck Event on Mechanic Street between Cortland and Washington, and Cortland between Francis and Jackson, on Saturday, June 16, 2012, from 2:00 p.m. to 4:00 p.m. (Recommended approval received by the Police, Fire, Engineering, Public Works, Parks & Recreation Departments, and the Downtown Development Authority. Contingent upon receipt of proper insurance coverage.)
 - D. Approval of the request from The Crazy Cowboy to conduct their Annual Race Weekend Event on Mechanic Street between Cortland and Washington on June 15-17, 2012, from 6:00 p.m. to 1:00 a.m., and 8:00 p.m. to 1:00 a.m. (Recommended approval received by the Police, Fire, Engineering, Public Works, and Parks & Recreation Departments and the Downtown Development Authority. Contingent upon receipt of proper insurance coverage.)
 - E. Approval of the request from The Crazy Cowboy to conduct their Annual Race Weekend Events on Mechanic Street between Cortland and Washington on August 17-19, 2012, from 6:00 p.m. to 1:00 a.m., and 8:00 p.m. to 1:00 a.m. (Recommended approval received by Police, Fire, Engineering, Public Works, and Parks & Recreation Departments and the Downtown Development Authority. Contingent upon receipt of proper insurance coverage.)

- F. Approval of the request to award an owner occupied rehabilitation contract to Concept Construction in the amount of \$21,731.00, for property located at 416 Dewey Street.
 - G. Receipt of a petition circulated by Donald Bendzinski to vacate a 16.5 foot wide alley running east & west 232 feet from the east line of N. Blackstone Street to the west line of Blackman Avenue and lying south of lots 10 & 13 and north of lots 9 & 27, Block 2 Durand's Addition and referral to staff for appropriate action.
8. **Committee Reports.**
- A. Receipt of the Finance/Tax Policy Committee report.
 - B. Receipt of the City Affairs/Rules and Personnel Committee report.
9. **Appointments.**
10. **Public Hearings.**
- A. Public hearing on an application for an Industrial Facilities Exemption Certificate filed by Die-Namic Tool & Design, LLC, 147 Hobart Street.
 - 1. Resolution approving the application. (City Finance/Tax Policy Committee recommends approval.)
 - B. Public hearing on the application for an Industrial Facilities Exemption Certificate filed by Alro Riverside, LLC, 2425 E. High Street.
 - 1. Resolution approving the application. (City Finance/Tax Policy Committee recommends approval.)
11. **Resolutions.**
- A. Consideration of a corrective resolution for Special Assessment Roll No. 4205 for Delinquent Miscellaneous General Fund Accounts Receivable, confirmed on March 27, 2012.
 - B. Consideration of a resolution to approve an application to the Michigan Department of Transportation (MDOT) for Local Bridge Program Funding, and authorization for the City Clerk to execute the resolution, and for the City Engineer/Director of Public Works to file an application for the Lewis Street Bridge over the Grand River.
12. **Ordinances.**
- A. Consideration of an ordinance revising Chapter 5, Section 5-3, City Code, regulation of the demolition of structures.
 - 1. Consideration of a resolution establishing fees associated with the Demolition of Structures Section of the Buildings and Building Regulations, in Chapter 5 of the City of Jackson Code of Ordinances.
 - B. Final adoption of Ordinance No. 2012.5, amending Chapter 28, City Code, to consolidate and replace Sec. 28-121 thru -125, and Sec. 28-127 thru -129 – nonconforming lots, structures and uses of structures and land – with a new Sec. 28-121, and to amend the following sections of the zoning ordinance in order to accommodate the new provisions: Sec. 28-5, Sec. 28-71, and Sec. 28-79. (City Planning Commission and staff recommend approval.)
 - C. Final adoption of Ordinance No. 2012.6, amending Chapter 17, Article IX, City Code, to define graffiti offenses, to provide for the removal of graffiti, and to provide penalties for graffiti. (City Affairs/Rules & Personnel Committee recommends approval and final adoption.)
13. **Other Business.**
14. **New Business.**
- A. Consideration of the recommendation from the City Manager to confirm the appointment of Kelli Hoover as the City Director of Parks, Recreation, and Grounds effective April 11, 2012.

- B. Consideration of the request to approve the bid award to Quality Asphalt Paving, Inc., Homer, for a total cost of \$90,910.75, for the Inter City Trail Repaving Contract, and authorization for the Mayor and City Clerk to execute the appropriate document(s), in accordance with the recommendation of the Purchasing Agent and the City Engineer/Director of Public Works.

15. **City Councilmembers' Comments.**

16. **Manager's Comments.**

17. **Adjournment.**

JACKSON CITY COUNCIL MEETING

MINUTES

MARCH 27, 2012

CALL TO ORDER.

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

PLEDGE OF ALLEGIANCE – INVOCATION.

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

ROLL CALL.

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

Also present: City Manager Larry Shaffer, City Attorney Julius A. Giglio, City Clerk Lynn Fessel, Deputy Police Chief John Holda, City Assessor David Taylor, City Engineer Jon Dowling and Deputy City Manager/Community Development Director Patrick Burtch.

AGENDA.

Motion was made by Councilmember Greer and seconded by Mayor Griffin to adopt the agenda, as amended, with Items 10.D. (Special Assessment Roll No. 4208)) and 13.B. (Change Order No. 3 to Dore & Associates contract) deleted. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

CITIZEN COMMENTS.

Dale Fisher distributed a hand-out and shared experiences with his solar electric generation system that has been in operation for 18 months.

Amy Torres, Vice-president of Economic Development at The Enterprise Group, thanked the Council for their investment in The Enterprise Group so that they can reach outside the community and bring in jobs and tax base to the community while they are assisting existing businesses grow and

prosper. She highlighted the Semi-Annual Report on Performance for the period of July 1, 2011, to December 31, 2011, along with some additional updates.

Chelsea Bryant reported (and provided pictures to the Council) that trash and other unwanted items are being dumped in wooded property located on E. Addison Street between Merriman and S. Milwaukee, as well as the open field located on Addison Street between S. Milwaukee and Francis. She requested that when Council considers the proposed ordinance for a Foreclosed, Vacant and Abandoned Residential Property Registry that Council also discuss an ordinance that would remedy the problem of trash and debris in open land areas located in City of Jackson neighborhoods.

Anthony Kiszka, who teaches renewable energy at the Dahlem Center and has a solar array system at his home, believes the paybacks will be much quicker than are being forecast for the proposed photovoltaic field at the Wastewater Treatment Plant.

John Downing discussed the Durand Street project and asked the Council to approve the project in the manner that is proposed by the Engineering Department.

Megan Keersmaekers asked the Council to consider the cost of the Durand Street project and not replace the curbs or narrow the street.

Jim Keersmaekers spoke in favor of the Durand Street project, but spoke in opposition to the complete replacement of curbs and narrowing of the street.

PRESENTATIONS/PROCLAMATIONS.

None.

CONSENT CALENDAR.

Councilmember Schlecte requested Item A be removed for separate consideration. Councilmember Dobies requested Items P and Q be removed for separate consideration. Motion was made by Councilmember Frounfelker and seconded by Councilmember Dobies to approve the following Consent Calendar, with Items A, P and Q removed for separate consideration. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

Consent Calendar

- A. *Removed for separate consideration.*
- A.1. Approval of the minutes of the regular City Council meeting of March 13, 2012.
- B. Approval of the request from Orthopaedic Rehab Specialists to conduct their Annual Orthopaedic Rehab Run on City streets on Saturday, April 21, 2012, from 8:00 a.m. to 10:00 a.m. (Recommended approval has been received from Police, Fire, Parks & Recreation, Public Works and Engineering Departments, and the Downtown Development Authority. Insurance coverage has been approved.)
- C. Approval of the request from the March of Dimes to conduct the March for Babies event at Ella Sharp Park on Sunday, April 29, 2012, from 1:00 p.m. to 4:00 p.m. (Recommended approval has been received from the Police, Fire, Parks & Recreation, Public Works, and Engineering Departments, and the Downtown Development Authority. Insurance coverage has been approved.)

- D. Approval of the request from the National Day of Prayer Task Force of the New Covenant Living Church to conduct their annual Jackson National Day of Prayer event at Bucky Harris Park on Thursday, May 3, 2012, from 12:00 p.m., to 1:30 p.m. (Recommended approval has been received from Police, Fire, Parks & Recreation, Public Works, and Engineering Departments, and the Downtown Development Authority. Insurance coverage has been approved.)
- E. Approval of the request from the City Police Department to conduct their annual Police Memorial at Bucky Harris Park on Wednesday, May 9, 2012, from 12:00 p.m. to 1:00 p.m. (Recommended approval has been received from Police, Fire, Parks & Recreation, Public Works and Engineering Departments, and the Downtown Development Authority.
- F. Approval of the request from Cascades Humane Society to conduct Paws in the Park at Sparks Park "Cascades" on Saturday, May 12, 2012, from 10:00 a.m. to 1:00 p.m. (Recommended approval has been received from Police, Fire, Parks & Recreation, Public Works and Engineering Departments, and the Downtown Development Authority. Insurance coverage has been approved.)
- G. Approval of the request from Advance Packaging Corporation to conduct their Annual Advance Packaging AP5000 5K Run/Walk on City streets and bike lanes on Friday, May 18, 2012, from 7:00 p.m. to 8:30 p.m. (Recommended approval has been received from Police, Fire, Parks & Recreation, Public Works and Engineering Departments, and the Downtown Development Authority. Insurance coverage has been approved.)
- H. Approval of the request from Together We Can Make A Difference to conduct the annual Jackson County Prayer Walk on Sunday, May 20, 2012, from 11:00 a.m. through 5:00 p.m. on City streets. (Recommended approval has been received from Police, Fire, Parks & Recreation, Public Works and Engineering Departments, and the Downtown Development Authority. Insurance coverage has been approved.)
- I. Approval of the request from the Fitness Council of Jackson to conduct their Boy/Girl Quest Run on City streets and bike lanes on Saturday, June 2, 2012, from 8:00 a.m. to 11:00 a.m. (Recommended approval has been received from Police, Fire, Parks & Recreation, Public Works and Engineering Departments, and the Downtown Development Authority. Insurance coverage has been approved.)
- J. Approval of the request from the Jackson County Rose Festival, Inc., to conduct their 2012 Jackson County Rose Parade and Party in the Park at Ella Sharp Park and City streets on Sunday, June 3, 2012, from 1:00 p.m. to 6:00 p.m. (Recommended approval has been received from Police, Fire, Parks & Recreation, Public Works and Engineering Departments, and the Downtown Development Authority. Contingent upon receipt of proper insurance coverage.)
- K. Item deleted.
- L. Item deleted.
- M. Approval of the request from the American Cancer Society to conduct their 21st annual Relay for Life at Cascade Falls Park on Friday, August 3, 2012, at 6:00 p.m. through Saturday, August 4, 2012, at 6:00 p.m. (Recommended approval has been received from Police, Fire, Parks & Recreation, Public Works and Engineering Departments, and the Downtown Development Authority. Insurance coverage has been approved.)
- N. Item deleted.
- O. Approval of the request from the Grand River Environmental Action Team (GREAT) to conduct their Annual Grand River Cleanup at the Consumers Energy Amphitheater on Saturday, September 8, 2012, from 9:00 a.m. to 2:00 p.m. (Recommended approval has been received from Police, Fire, Parks & Recreation, Public Works and Engineering Departments, and the Downtown Development Authority. Contingent upon receipt of proper insurance coverage.)
- P. *Removed for separate consideration.*

- Q. *Removed for separate consideration.*
- R. Receipt of the CDBG and HOME Financial Summaries through February 29, 2012.
- S. Receipt of the 2011 City of Jackson Annual Report.
- T. Establishment of April 10, 2012, at the City Council meeting as the time and place to hold a public hearing on the application for an Industrial Facilities Exemption Certificate filed by Die-Namic Tool & Design, LLC, 147 Hobart Street, and referral to the Finance/Tax Policy Committee for recommendation.
- U. Establishment of April 10, 2012, at the City Council meeting as the time and place to hold a public hearing on the application for an Industrial Facilities Exemption Certificate filed by Alro Riverside, LLC, 2425 E. High Street, and referral to the Finance/Tax Policy Committee for recommendation.

CONSENT CALENDAR ITEM A.

Approval of the minutes of the regular City Council meeting of February 21, 2012.

Motion was made by Councilmember Schlecte and seconded by Councilmember Breeding to approve the minutes with the following addition. On page 6, Item C, second paragraph, add after “two-year cycle” the words “and the Non-Owner Occupied Residential Property Registry.” The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

CONSENT CALENDAR ITEM P.

Approval of Traffic Control Order (TCO) No. 2106, to install a “Deaf Child Area” sign on Orange Street between Maguire and Blakely Streets, per citizen request.

Motion was made by Councilmember Greer and seconded by Councilmember Jaquish to approve Traffic Control Order No. 2106. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

CONSENT CALENDAR ITEM Q.

Approval of Traffic Control Order (TCO) Nos. 2107, 2108, 2109, and 2110, establishing marked crosswalks on West Michigan Avenue and West Cortland Street.

Motion was made by Councilmember Greer and seconded by Councilmember Jaquish to approve Traffic Control Order Nos. 2107, 2108, 2109 and 2110. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

COMMITTEE REPORTS

A. RECEIPT OF THE CITY AFFAIRS/RULES & PERSONNEL COMMITTEE REPORT.

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

APPOINTMENTS.

None.

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

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

A. PUBLIC HEARING ON SPECIAL ASSESSMENT ROLL NO. 4205, DELINQUENT MISCELLANEOUS GENERAL FUND ACCOUNTS RECEIVABLE.

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

1. RESOLUTION CONFIRMING ROLL NO. 4205.

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 Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

B. PUBLIC HEARING ON SPECIAL ASSESSMENT ROLL NO. 4206, DELINQUENT MISCELLANEOUS BUILDING FUND ACCOUNTS RECEIVABLE.

Mayor Griffin opened the public hearing. Celena Charles, 1809 Lewis Street, spoke in opposition to the proposed special assessment on her property – Stencil No. 6-1774. The City Clerk reported on correspondence from Janet Carothers, 908 Russell Street (Stencil No. 6-1223), and Doyle Rice, 1218 Fourth Street (Stencil No. 3-1656), protesting their proposed special assessments. The Mayor closed the public hearing.

1. RESOLUTION CONFIRMING ROLL NO. 4206.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Jaquish to adopt the resolution, with the deletion of Stencil No. 6-1774 (Celena Charles). The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

C. PUBLIC HEARING ON SPECIAL ASSESSMENT ROLL NO. 4207, DELINQUENT MISCELLANEOUS CDBG FUND ACCOUNTS RECEIVABLE.

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

1. RESOLUTION CONFIRMING ROLL NO. 4207.

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 Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

- D. DELETED WHEN THE AGENDA WAS ADOPTED. ALL PROPOSED SPECIAL ASSESSMENTS ON ROLL NO. 4208 HAVE BEEN PAID.**
- E. PUBLIC HEARING ON SPECIAL ASSESSMENT ROLL NO. 4209, DELINQUENT MISCELLANEOUS WATER FUND ACCOUNTS RECEIVABLE.**

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

1. RESOLUTION CONFIRMING ROLL NO. 4209.

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 Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

- F. PUBLIC HEARING ON SPECIAL ASSESSMENT ROLL NO. 4210, DELINQUENT MISCELLANEOUS PUBLIC WORKS FUND ACCOUNTS RECEIVABLE.**

Mayor Griffin opened the public hearing. No one spoke. The Clerk reported on correspondence received from Janet Carothers, 908 Russell Street (Stencil No. 6-1223), protesting her proposed special assessment. The Mayor closed the public hearing.

1. RESOLUTION CONFIRMING ROLL NO. 4210.

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

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

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

- G. PUBLIC HEARING TO RECEIVE COMMENT ON THE PROPOSED AMENDMENTS TO CHAPTER 28 (ZONING), CITY CODE, WHICH CONSOLIDATES AND REPLACES SEC. 28-121 THRU -129, NONCONFORMING LOTS, STRUCTURES, AND USES OF STRUCTURES AND LAND, WITH A NEW SEC. 28-121, AND PROPOSED AMENDMENTS TO SEC. 28-5, SEC. 28-71, AND SEC. 28-79 TO ACCOMMODATE THE NEW PROVISIONS.**

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

1. CONSIDERATION OF AN ORDINANCE AMENDING CHAPTER 28, CITY CODE, TO CONSOLIDATE AND REPLACE SEC. 28-121 THRU –125, AND SEC. 28-127 THRU –129 NONCONFORMING LOTS, STRUCTURES AND USES OF STRUCTURES AND LAND – WITH A NEW SEC. 28-121, AND PROPOSED AMENDMENTS TO SEC. 28-5, SEC. 28-71 IN ORDER TO ACCOMMODATE THE NEW PROVISIONS. (CITY PLANNING COMMISSION AND STAFF RECOMMEND APPROVAL.)

Motion was made by Councilmember Schlecte and seconded by Councilmember Greer to approve the ordinance and place it on the next regular Council meeting agenda for adoption. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Schlecte, Frounfelker and Dobies—6. Nays: Councilmember Breeding—1. Absent: 0.

RESOLUTIONS.

A. CONSIDERATION OF A RESOLUTION ORDERING THE CONSTRUCTION AND PREPARATION OF THE SPECIAL ASSESSMENT ROLL FOR THE DURAND STREET CONSTRUCTION PROJECT. (POSTPONED AT THE MARCH 13, 2012, CITY COUNCIL MEETING.)

Motion was made by Councilmember Dobies to adopt the resolution. Councilmember Dobies withdrew his motion.

Motion was made by Councilmember Dobies and seconded by Councilmember Greer to adopt the resolution and have a follow-up meeting with residents to determine specific specifications. Councilmember Dobies withdrew his motion.

Motion was made by Councilmember Dobies and seconded by Councilmember Greer to adopt the resolution, as amended by striking the words “*in accordance with plans, maps, and specifications in the City Engineer’s office.*” The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

Motion was made by Councilmember Schlecte and seconded by Councilmember Frounfelker to have the Mayor, Councilmember Dobies, the City Manager, the Deputy City Manager and the City Engineer take a look at any potential changes on Durand Street and make the appropriate changes based on comments received, with the recommendations coming back to the City Council for a vote. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Breeding to refer the matter of street standardizations to the City Affairs Committee. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

B. ITEM MOVED TO 12.B.1.

ORDINANCES.

A. CONSIDERATION OF AN ORDINANCE AMENDING CHAPTER 17, ARTICLE IX, CITY CODE, DEFINING GRAFFITI OFFENSES, PROVIDING FOR THE REMOVAL OF GRAFFITI, AND PROVIDING PENALTIES FOR GRAFFITI. (CITY AFFAIRS/RULES & PERSONNEL COMMITTEE RECOMMENDS APPROVAL AND FINAL ADOPTION.)

Motion was made by Councilmember Schlecte and seconded by Councilmember Greer to approve the ordinance and place it on the next regular Council meeting agenda for adoption. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Greer, Schlecte, Frounfelker and Dobies—6. Nays: Councilmember Jaquish—1. Absent: 0.

B. FINAL ADOPTION OF ORDINANCE NO. 2012.4, ADDING ARTICLE VI – FORECLOSED, VACANT AND ABANDONED RESIDENTIAL PROPERTY REGISTRY TO CHAPTER 14, CITY CODE, TO PROVIDE A REGISTRY OF FORECLOSED, VACANT, AND ABANDONED RESIDENTIAL PROPERTIES IN ORDER TO PROTECT THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE CITY OF JACKSON BY PREVENTING BLIGHT, PROTECTING PROPERTY VALUES AND NEIGHBORHOOD INTEGRITY, AND ENSURING MAINTENANCE OF FORECLOSED, VACANT, AND ABANDONED RESIDENTIAL PROPERTIES.

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to adopt Ordinance No. 2012.4. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Greer, Frounfelker and Dobies—5. Nays: Councilmembers Jaquish and Schlecte—2. Absent: 0.

1. CONSIDERATION OF A RESOLUTION ESTABLISHING FEES FOR PROVISIONS OF FORECLOSED, VACANT, OR ABANDONED RESIDENTIAL PROPERTY REGISTRY.

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

OTHER BUSINESS.

A. CONSIDERATION OF THE REQUEST TO APPROVE A CONTRACT BETWEEN THE CITY AND HARVEST ENERGY SOLUTIONS, JACKSON, TO DESIGN AND CONSTRUCT A 150KW PHOTOVOLTAIC FIELD AT THE WASTEWATER TREATMENT PLANT AT A COST OF \$440,663.00, AND AUTHORIZATION FOR THE MAYOR AND CITY CLERK TO EXECUTE ALL APPROPRIATE CONTRACT DOCUMENT(S). (POSTPONED AT THE MARCH 13, 2012, CITY COUNCIL MEETING.)

Motion was made by Councilmember Greer and seconded by Councilmember Jaquish to approve the request. The motion FAILED adoption by the following vote. Yeas: Councilmembers Jaquish and Greer—2. Nays: Mayor Griffin and Councilmembers Breeding, Schlecte, Frounfelker and Dobies—5. Absent: 0.

Motion was made by Councilmember Breeding and seconded by Councilmember Schlecte to not authorize a contract between the City and Harvest Energy Solutions. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish and Schlecte—4. Nays: Councilmembers Greer, Frounfelker and Dobies—3. Absent: 0.

- B. CONSIDERATION OF THE REQUEST TO APPROVE CHANGE ORDER NO. 3 TO THE CONTRACT WITH DORE & ASSOCIATES CONTRACTING, INC., IN THE INCREASED AMOUNT OF \$280,000.00 FOR THE FORMER CONSUMERS ENERGY BUILDING ASBESTOS ABATEMENT PROJECT, 212 W. MICHIGAN AVENUE, AND AUTHORIZATION FOR THE MAYOR TO EXECUTE THE APPROPRIATE DOCUMENT(S), AND FOR THE CITY ATTORNEY TO MAKE MINOR MODIFICATIONS AS NECESSARY.**

This item was deleted when the Agenda was adopted.

NEW BUSINESS.

- A. CONSIDERATION OF THE REQUEST TO PURCHASE THREE (3) 2012 CHEVROLET EQUINOX FROM SHAHEEN CHEVROLET, LANSING, THROUGH THE STATE OF MICHIGAN MIDEAL CONTRACT IN THE AMOUNT OF \$56,625.00, TOTAL PURCHASE PRICE INCLUDING THE TITLE FEE, FOR USE BY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CODE ENFORCEMENT INSPECTORS.**

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

- B. CONSIDERATION OF A REQUEST TO APPROVE THE USER AGREEMENT BETWEEN THE CITY AND THE JACKSON DOWNTOWN DEVELOPMENT AUTHORITY FOR OPERATION OF THE FARMER'S MARKET, AND AUTHORIZATION FOR THE MAYOR AND CITY CLERK TO SIGN SAME, AND FOR THE CITY ATTORNEY TO MAKE MINOR MODIFICATIONS TO THE AGREEMENT.**

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

- C. CONSIDERATION OF THE REQUEST TO AUTHORIZE THE MAYOR, AND CITY CLERK IF NECESSARY, TO EXECUTE THE RENEWAL OF THE REQUEST FOR ANNUAL DELEGATION OF SCHOOL INSPECTION AUTHORITY TO A LOCAL UNIT OF GOVERNMENT ENFORCING AGENCY FOR JACKSON PUBLIC SCHOOLS.**

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

and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

D. CONSIDERATION OF A SEMI-ANNUAL REPORT ON PERFORMANCE – THE ENTERPRISE GROUP FROM JULY 1, 2011 TO DECEMBER 31, 2011, AS REQUIRED IN THE CONTRACT BETWEEN THE CITY AND THE ENTERPRISE GROUP, INC.

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

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

The motion to receive the Report was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte and Dobies—6. Nays: Councilmember Frounfelker—1. Absent: 0.

CITY COUNCILMEMBERS' COMMENTS.

Councilmember Breeding expressed his displeasure with the format staff is using for City Council agenda item memos, specifically who they are addressed to, the lack of dates and the inclusion of motion language. He discussed the City's water bills, asking if amounts are rounded off, if people are being overcharged or undercharged and if the rates could be shown on the bills. He laughingly remarked on the City Attorney's section of the 2011 Annual Report, which has a picture of the scales of justice - which are not in balance.

Councilmember Jaquish reported on her visit to the Fire Department last Friday and accompanying Fire Fighters on their runs. She thanked the Firefighters for explaining their jobs and Deputy Chief Wooden for allowing her to participate.

Councilmember Greer would like the City Manager to provide an update in the near future on his plans for conducting the annual budget process. He would also like to see a goal setting/strategic planning session scheduled. He reported on his and Councilmember Schlecte's attendance at the Michigan Municipal League Capital Conference. He stated that it was a very informative conference and noted that the MML Board of Trustees authorized the establishment of a natural gas pool. This would allow communities to purchase natural gas from this pool and realize cost savings.

Councilmember Schlecte requested that special event agenda items from the DDA include a master checklist of department responses, but not the individual emails. She visited DPW and received a nice tour from Mr. Dowling. She saw an inventory of old signs and wondered if these could be donated for auctions. The Jackson Community Action Agency received a HUD grant for foreclosure counseling in the amount of \$18,549. She thanked Career Quest for providing an extern to the Parks and Recreation Department for 120 hours at no cost. She remarked on a good step toward customer service being worked on by American Title and the Water Department. She learned that the West Avenue bridge is not going to have a railing between the sidewalk and the road and would like to see the matter of railings addressed in the street standardizations that are going to be developed.

Councilmember Frounfelker would like to see the downtown parking bays re-stripped and wondered if this would be a good time to purchase salt as opposed to the fall. He congratulated the Jackson Fire and Police Departments on a job well done today when a fire broke out at the Sharp Park Academy.

Councilmember Dobies also congratulated the Jackson Fire and Police Departments on an excellent job today.

Mayor Griffin agreed with Councilmember Schlecte regarding the DDA special event agenda items.

MANAGER'S COMMENTS.

City Manager Shaffer stated that he was disappointed with Council's vote on the photovoltaic field and more disappointed in himself that he was not able to deliver a package that Council could approve. He still believes that these are very forward thinking projects, necessary for the City to get involved in sustainable energy. He looks forward to bringing to the Council, again, projects that make sense from a sustainability perspective. He doesn't give up easily.

ADJOURNMENT.

No further business being presented, Mayor Griffin adjourned the meeting at 8:33 p.m.

Lynn Fessel
City Clerk



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
April 10, 2012

DATE: April 3, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Lynn Fessel, City Clerk 

SUBJECT: Approval of the request from Daryl's Downtown LLC, for authorization for temporary added space and temporary entertainment permit

MOTION: APPROVAL OF THE REQUEST FROM DARYL'S DOWNTOWN LLC, FOR AUTHORIZATION FOR TEMPORARY ADDED SPACE AND TEMPORARY ENTERTAINMENT PERMIT ON MAY 25, JUNE 22, JUNE 29, JULY 6, JULY 13, JULY 20, JULY 27, AUGUST 3, AUGUST 10, AUGUST 17, AUGUST 24 AND SEPTEMBER 28, 2012 FOR A SERIES OF EVENTS. APPROVAL RECOMMENDED BY THE POLICE, FIRE, PARKS & RECREATION DEPARTMENTS AND THE DOWNTOWN DEVELOPMENT AUTHORITY. PROPER INSURANCE HAS BEEN OBTAINED.

Daryl's Downtown Restaurant is requesting authorization for temporary added space and temporary entertainment permit on May 25, June 22, June 29, July 6, July 13, July 20, July 27, August 3, August 10, August 17, August 24 and September 28 for a series of events.

Recommended approvals have been received from Police, Fire, Parks and Recreation and the Downtown Development Authority.

If Council approves this request, the City Clerk must sign the application indicating approval of the request by the City, because the proposed added space area is located on city property. The application will then be forwarded to the Michigan Liquor Control Commission for final approval. Requested action is approval of this request.

C: City Manager



Michigan Department of Licensing and Regulatory Affairs
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
 7150 Harris Drive, P.O. Box 30005
 Lansing, Michigan 48909-7505

Business ID: _____
 Request ID: _____

APPLICATION FOR TEMPORARY AUTHORIZATION

[Authorized by R 436.1023 (2) (3), R 436.1403 (2), R 436.1407 and R 436.1419 of the M.A.C.]
 Effective March 1, 2010 a non-refundable inspection fee of \$70.00 is required with the submission of your application

PART 1. APPLICANT INFORMATION

- Name of License (Corporation, Individual, Limited Liability Company, Limited Partnership):
DANYL ANTONIO HOSKINA DBA DANYL'S DOWNTOWN LLC
- Street Address, City or Village, Township (if applicable), County, and Zip Code:
151 W Michigan Avenue Jackson MI 49201
- Type of License and Number: *GLRES 105098-200353 SP17105098-2003*
- Business Telephone Number: *1-517-782-1895* Fax Number: *517-789-7210*
- Email Address: *DANYL AT DANYL'S DOWNTOWN LLC*

PART 2. TYPE OF EVENT Describe the Type of Event(s) Being Held:

CAR SHOWS, RACE WORKSHOPS, DOWNTOWN JACKSON FEELS

PART 3. TYPE OF AUTHORIZATION REQUESTED

Check only the types of authorization needed and answer the questions required for the authorization requested:

- TEMPORARY OUTDOOR SERVICE OR TEMPORARY ADDED SPACE

Please enclose a diagram showing proposed outdoor service or added space area, existing licensed premises, any streets and all dimensions requested below.

- Dates requested: *5/25/26/27/6-29/7-6/7-13/7-20/7-27/8-3/8-10/8-17/8/24*
9/28
- What is the size of the proposed outdoor service area or added space area? *100* feet X *40* feet
- Describe the barrier that will be used to enclose the outdoor service or added space area.
 [Include the type of barrier and the height of the barrier. Ropes, tape, and banners are NOT acceptable barriers.]
8 FOOT STICK AND ROPES BOTH ENDS
- Does your license currently include an existing Additional Bar? Yes No If **NO**, Temporary Additional Bar will be needed unless there will only be table service of alcoholic beverages. See General Instruction 9 for more information
- Describe the type of security that will be used for the event.
THERE WILL BE SECURITY AT BOTH ENDS OF PARK AND ENTRANCE DOOR
- Is the proposed outdoor service area or added space area directly next to the licensed premises? Yes No If **NO**, indicate how many feet there is between the proposed outdoor service or added space and the licensed premises?
- Are there any dedicated streets within the proposed outdoor service or added space area or is there any intervening property between the licensed premises and outdoor service or added space area? Yes No If **YES**, explain and include on the diagram.
- Is the proposed outdoor service area, added space and/or any intervening property owned, rented, or leased by the licensee? Yes No If **NO**, a lease for the outdoor service, added space and/or any intervening property must be provided with this application.
- Is the proposed outdoor service area or added space located on property owned by the city, village, or township? Yes No If **YES**, the city, village, or township clerk must sign the application indicating approval of the request by city, village or township.

10. Is all of the proposed outdoor service or added space area in the same governmental unit as the licensed premises?
 Yes No If NO, please explain.

TEMPORARY OFFICIAL PERMIT FOR DIFFERENCE IN HOURS OF OPERATION (Check each specific type of activity requested in #2)

1. Dates requested:

2. Type of Activity:

Bowling Do you operate the bowling center? Yes No If NO, please explain.

Dance Do you have a Dance Permit? Yes No If NO, Temporary Dance will be needed

Entertainment Do you have an Entertainment Permit? Yes No If NO, Temporary Entertainment will be needed

Food Do you operate a full service kitchen? Yes No If NO, please explain.

Golf Do you operate the golf course? Yes No If NO, please explain.

Other Special Event Activity Please describe and explain the type of event.

3. The licensed premises may not be occupied by anyone except the licensee and bona fide employees who are working between the hours of 2:30 A.M. and 12:00 Noon on any Sunday or from 2:30 A.M. until 7:00 A.M. on any other day. Please indicate the extended hours you are applying for to conduct the activities indicated above.

Weekdays 11:00 A.M. to 2:30 A.M. Sundays N/A A.M. to N/A A.M./P.M.

TEMPORARY ADDITIONAL BAR* Fee is \$350.00

* A Temporary Additional Bar is not needed if there will be table service only or a currently issued Additional Bar will be utilized.

Dates requested: N/A

TEMPORARY DANCE

It is required that the Dance Floor be at least 100 square feet, clearly marked, and shall not have tables, chairs and other obstacles on the dance floor while customers are dancing.

Dates requested:

Weekdays 11:00 A.M. to 2:30 A.M. Sundays N/A A.M. to N/A A.M./P.M.

TEMPORARY ENTERTAINMENT OR **TEMPORARY TOPLESS ACTIVITY**

1. Dates requested:

Weekdays 11:00 A.M. to 2:30 A.M. Sundays A.M. to A.M./P.M.

2. Describe the type of entertainment to be provided.
LIVE BANDS

3. If the entertainment includes a contest with prizes totaling over \$250 in value, please complete the following questions:
a. Explain in detail rules of the contest. Attach another page, if needed. N/A

b. Describe and state the retail value of each prize to be awarded. N/A

c. Specify who will be paying for and supplying the prizes. N/A

d. Will there be any alcoholic beverage items with a brand name logo used as prizes for part of the contest? Yes No

IMPORTANT: No alcoholic beverages may be used as part of any contest or as a prize for a contest. No licensee may receive anything of value from another licensee without prior MLCC approval.

e. Is there a cover charge or entrance fee for the contest or tournament? Yes No If YES, please explain.

PART 4. WARNING, AUTHORIZED SIGNATURES, AND LAW ENFORCEMENT/LOCAL APPROVALS

WARNING: Section 1003 of the Liquor Control Code of 1998, being MCL 436.2003, provides in part as follows: "A person who makes a false or fraudulent statement to the commission, orally or in writing, for the purpose of inducing the commission to act or refrain from taking action, or for the purpose of enabling or assisting a person to evade the provisions of this act is guilty of a violation of this act and is punishable in the manner provided for in section 909. . ."

I hereby swear that I have read all of the above answers and that they are true and further that I have read and understand the warning.

THE LICENSEE, AN AUTHORIZED CORPORATE OFFICER, OR MEMBER OF A LIMITED LIABILITY COMPANY MUST SIGN THIS APPLICATION?

[Signature] Licensee Signature DARVL Hoskins OWNER Print Name and Title

DARVL Hoskins Print Contact Name 577-782-1895 Area Code and Phone Number

Date of Application 2-7-12

THE POLICE CHIEF OR SHERIFF WHO HAS JURISDICTION RECOMMENDS THIS REQUEST.

[Signature] Date of Application [Signature] Police Chief or Sheriff Signature JOHN M. HOLDA Print Name

Print Name of Police Agency JACKSON POLICE DEPARTMENT

Street Address 216 E. WASHINGTON AVE.

City and Zip Code JACKSON, MI 49201

Area Code and Telephone Number (517) 788-4100

IF REQUESTING TEMPORARY TOPLESS ACTIVITY, OFFICIAL PERMIT FOR DANCE, OFFICIAL PERMIT FOR ENTERTAINMENT, OR THE TEMPORARY OUTDOOR SERVICE AREA IS LOCATED ON PROPERTY OWNED, BY THE CITY, VILLAGE OR TOWNSHIP, THIS APPLICATION MUST BE SIGNED BY THE CLERK.

This request was approved by the _____ On _____
Print Name of City, Village Council or Township Board Date

City, Village, Township Clerk Signature Print Name of City, Village, Township Clerk

Street Address

City and Zip Code

Area Code and Telephone Number



Jackson Downtown Development Authority

APRIL 10, 2012

MEMO TO: Honorable Mayor and City Council Members

FROM: Jonathan Greene, Executive Director

SUBJECT: Special Event Application: Big Truck Event

MOTION Approval of the request from The Crazy Cowboy to conduct their annual Big Truck Event on Mechanic St. between Cortland and Washington, and Cortland between Francis and Jackson, on Saturday, June 16th, 2012 from 2:00 p.m. to 4:00 p.m. This event is contingent upon receipt of proper insurance coverage, as insurance company requires purchase of non-refundable special event insurance.

DEPARTMENTAL APPROVAL SUMMARY

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

Department	Approval	Denial	Economic Impact
Police	x		\$0
Fire	x		\$0
Engineering	x		\$0
Public Works	x		\$498
Recreation	x		\$0
DDA	x		\$0
			\$498

Conditions and Considerations:

- Any markings on pavement/sidewalk will need to be done in temporary marker, ie chalk

Insurance Status: Pending

att: Special Event Application: Big Truck Event
JG/jt

CITY OF JACKSON
SPECIAL EVENT APPLICATION

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

Date Received By DDA Office: 2/15/12 Time: 3pm By: JT

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 Crazy Cowboy

Organization Address: 215 S mechanic st

Organization Agent Kimberly Gomez Title: owner

Phone: (work) 877-1910 Phone: (home) 7645784 Phone: (during the event) 821037

Agent's Address 3909 E South st

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

Event Name Big Truck Event

Please give a brief description of the proposed special event: Free family event. 30+
big trucks brought downtown Jackson for this family
friendly event.

Event Day(s) & Date(s) June 16, 2012

Event Time(s) 2pm-4pm

Set-Up Date & Time 11am June 16 Tear-Down Date & Time 5pm June 16

Event Location mechanic st between Cortland + Washington
Cortland st between Francis + S Jackson

ANNUAL EVENT: Is this event expected to occur next year? (circle one) YES NO
How many years has this event occurred? 4

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 June 16 11am through Date/Time: June 16 5pm

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 lot on north west corner, on mechanic + Cortland.

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? 400-600

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.)
Request any city vehicle to be apart of this event.
Also for all street closure fees to be waived for this
community event.

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.

2-07-2012
Date

[Signature]
Signature of Sponsoring Organization's Agent

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



Jackson Downtown Development Authority

APRIL 10, 2012

MEMO TO: Honorable Mayor and City Council Members

FROM: Jonathan Greene, Executive Director

SUBJECT: Special Event Application: Annual Race Weekend Event

MOTION Approval of the request from The Crazy Cowboy to conduct their Annual Race Weekend Event on Mechanic St. between Cortland and Washington on June 15th-17th, 2012 from 6:00 p.m. to 1:00 a.m. and 8:00 p.m. to 1:00 a.m. This event is contingent upon receipt of proper insurance coverage, as insurance company requires purchase of non-refundable special event insurance.

DEPARTMENTAL APPROVAL SUMMARY

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

Department	Approval	Denial	Economic Impact
Police	x		\$0
Fire	x		\$0
Engineering	x		\$0
Public Works	x		\$871
Recreation	x		\$0
DDA	x		\$0
			<hr/>
			\$871

Conditions and Considerations:

- Any markings on pavement/sidewalk will need to be done in temporary marker, ie chalk
- Applicant is responsible for removal/cleanup of trash, garbage, and debris
- All expenses realized by the City for setup/take down not associated with a community event will be reimbursed to the City by the applicant

Insurance Status: Pending

att: Special Event Application: Annual Race Weekend Event
JG/jt

CITY OF JACKSON
SPECIAL EVENT APPLICATION

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

Date Received By DDA Office: 2/15/12 Time: 3pm By: Jt

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

Sponsoring Organization's Legal Name: Crazy Cowboy LLC
Organization Address: 215 S. Mechanic St
Organization Agent Kimberly Gomez Title: owner
Phone: (work) 817-1910 Phone: (home) 764-5784 Phone: (during the event) 812-1037
Agent's Address 3909 E South St
Agent's E-Mail Address info@thecrazycowboy.com
Event Name Annual Race weekend Event

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

Event Day(s) & Date(s) June 15 6pm - June 17 1am
Event Time(s) June 15 6pm-1am June 16 8pm-1am
Set-Up Date & Time June 15²⁰¹² 3:00pm Tear-Down Date & Time June 17,²⁰¹² 3am
Event Location on Mechanic St between Caland + Washington

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

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

STREET CLOSURES: Start Date/Time June 15 3:00pm through Date/Time: June 18 6am

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? June 15, 6pm until June 17, 2012 1:00am
2012

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.

Local bands + dj 8pm-12am
ATTENDANCE: What is the expected (estimated) attendance for this event? 500-800

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

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

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

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

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.

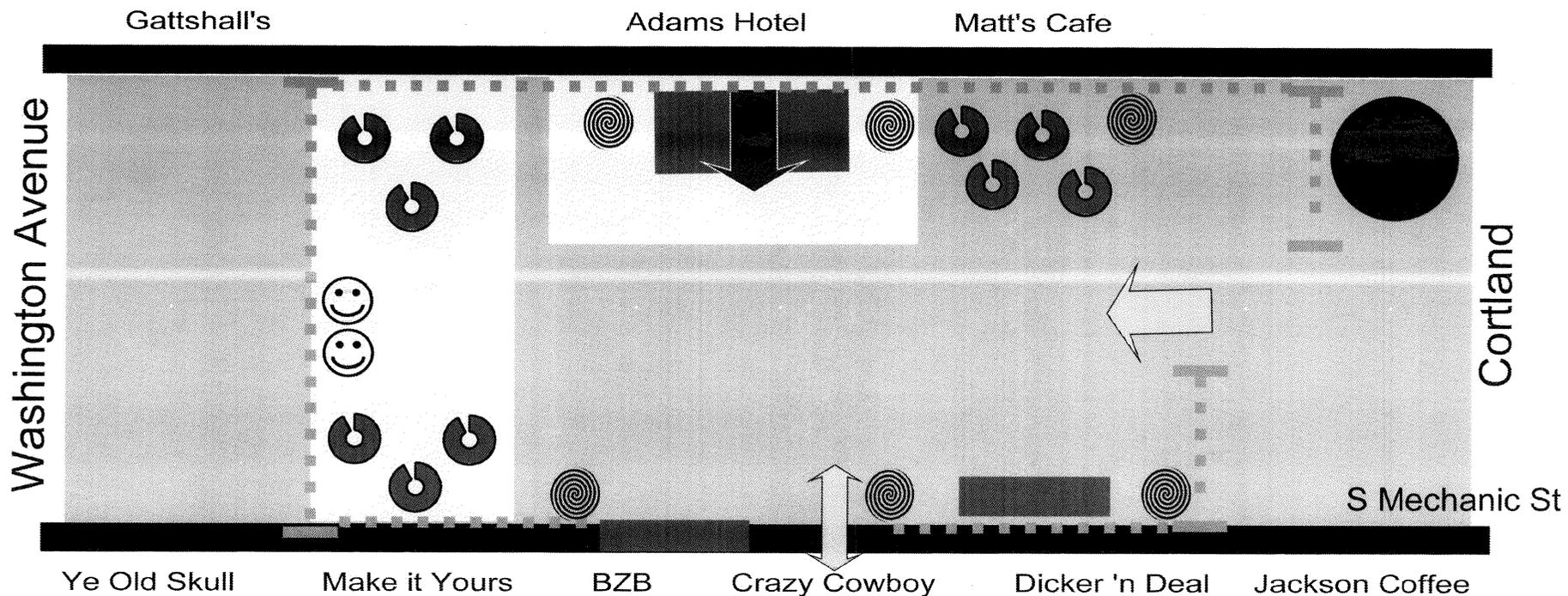
Applicants who fail to clean up and repair damages to the Event Area may be billed for City services and such failure will be considered for future applications.

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.

Feb 7, 2012
Date

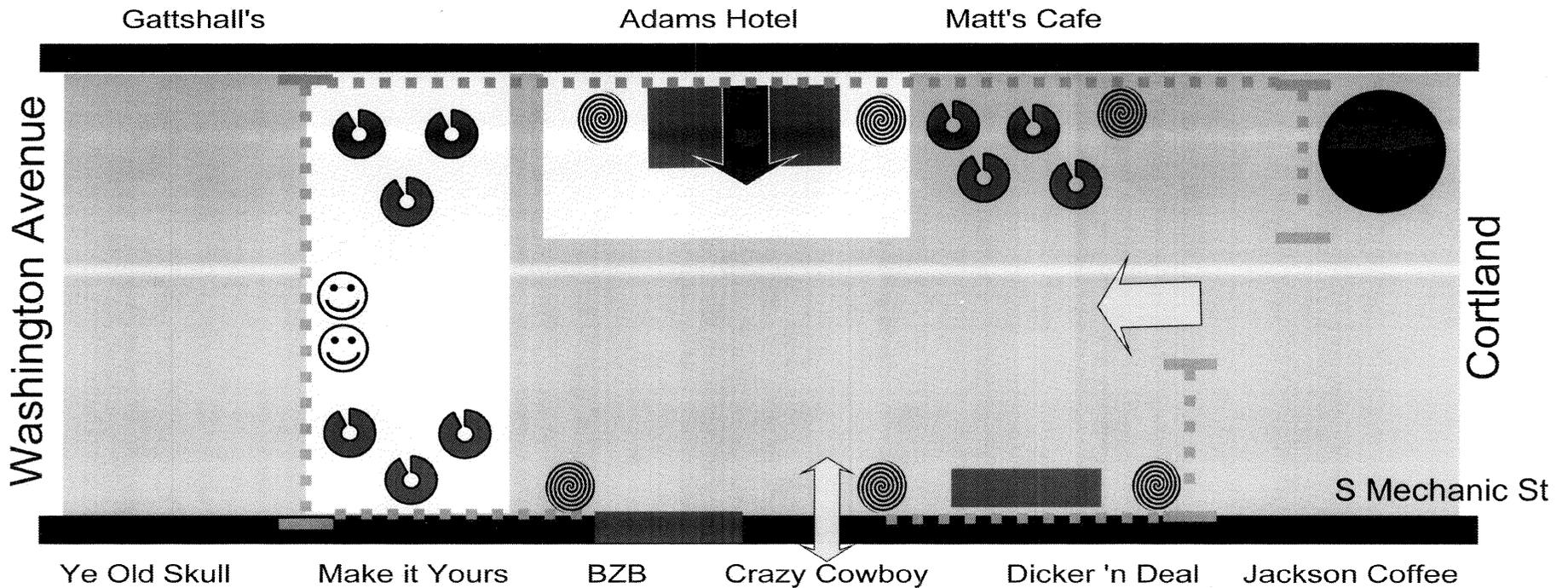
[Signature]
Signature of Sponsoring Organization's Agent

**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**



-  Entrance/Exit
-  Trash Cans
-  Porta-Potty
-  High-top Tables
-  Live Entertainment
-  Liquor/ Beer Bar
-  Sidewalk
-  Inflatable Bottles
-  Security Fence

Friday and Saturday Night Event Layout



-  Entrance/Exit
-  Trash Cans
-  Porta-Potty
-  High-top Tables
-  Live Entertainment
-  Liquor/ Beer Bar
-  Sidewalk
-  Inflatable Bottles
-  Security Fence

Friday and Saturday Night Event Layout



Jackson Downtown Development Authority

APRIL 10, 2012

MEMO TO: Honorable Mayor and City Council Members

FROM: Jonathan Greene, Executive Director

SUBJECT: Special Event Application: Annual Race Weekend Event

MOTION Approval of the request from The Crazy Cowboy to conduct their Annual Race Weekend Events on Mechanic St. between Cortland and Washington on August 17th-19th, 2012 from 6:00 p.m. to 1:00 a.m. and 8:00 p.m. to 1:00 a.m. This event is contingent upon receipt of proper insurance coverage, as insurance company requires purchase of non-refundable special event insurance.

DEPARTMENTAL APPROVAL SUMMARY

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

Department	Approval	Denial	Economic Impact
Police	x		\$0
Fire	x		\$0
Engineering	x		\$0
Public Works	x		\$939
Recreation	x		\$0
DDA	x		\$0
			<hr/>
			\$939

Conditions and Considerations:

- Any markings on pavement/sidewalk will need to be done in temporary marker, ie chalk
- Applicant is responsible for removal/cleanup of trash, garbage, and debris
- All expenses realized by the City for setup/take down not associated with a community event will be reimbursed to the City by the applicant

Insurance Status: Pending

att: Special Event Application: Annual Race Weekend Event
JG/jt

CITY OF JACKSON
SPECIAL EVENT APPLICATION

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

Date Received By DDA Office: 2/15/12 Time: 3pm By: JA

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

Sponsoring Organization's Legal Name: Crazy Cowboy LLC

Organization Address: 215 S mechanic st

Organization Agent: Kimberly Garner Title: owner

Phone: (work) 817 1910 Phone: (home) 764 5184 Phone: (during the event) 812 1037

Agent's Address 3969 E South St

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

Event Name Annual Race weekend Event

Please give a brief description of the proposed special event: annual race weekend

event that bring hundreds of people to downtown
Jackson.

Event Day(s) & Date(s) Aug 17, 2012 - Aug 19, 2012

Event Time(s) Aug 17 6pm - 1am + Aug 18 8pm - 1am

Set-Up Date & Time Aug 17 3pm Tear-Down Date & Time Aug 19 3am

Event Location mechanic st between cutland + washington

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

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

STREET CLOSURES: Start Date/Time Aug 17 3pm through Date/Time: Aug 20 6am

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

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

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

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

If yes, what time? Aug 17 6pm-1am until Aug 18 6pm-1am

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.

Local bands + DJ 8pm-12am

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

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

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

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

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

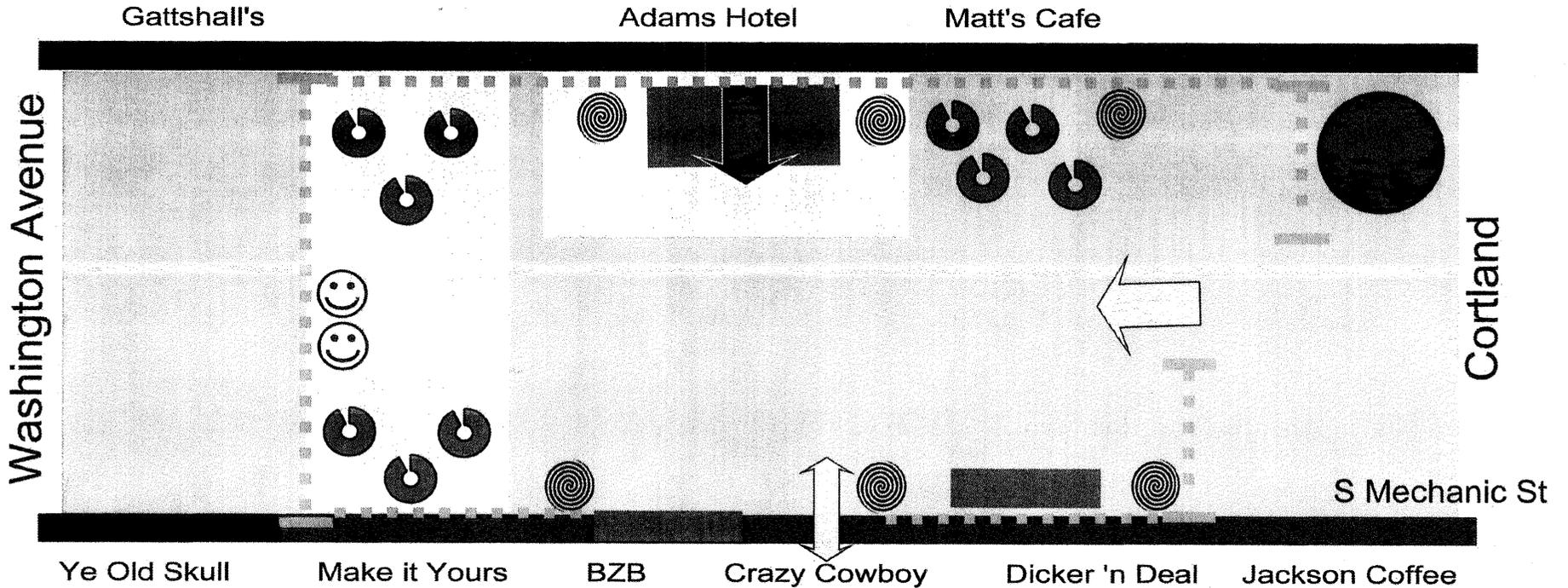
INSURANCE: All sponsors of special events must carry liability insurance with coverage of at least \$500,000. An event sponsor must provide a valid certificate of insurance naming the City of Jackson and Downtown Development Authority as an additional insured party on the policy, for the specified event.

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.

Feb 7, 2012
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**



➔ Entrance/Exit

⊙ Trash Cans

😊 Porta-Potty

⊖ High-top Tables

■ Live Entertainment

■ Liquor/ Beer Bar

■ Sidewalk

● Inflatable Bottles

⋯ Security Fence

Friday and Saturday Night Event Layout



Department of Community Development

Building a Stronger Community

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

Facsimile (517) 780-4781

Administrative Services
(517) 788-4060

Building Inspection
(517) 788-4012

Rehabilitation Services & Information
(517) 788-4070

CITY COUNCIL MEETING

April 10, 2012

TO: Honorable Mayor and City Councilmembers
FROM: Patrick H. Burtch, Deputy City Manager/Community Development Director
SUBJECT: Award of Rehab Contract at 416 Dewey

MOTION

Approve the award of the rehabilitation contract for 416 Dewey to Concept Construction.

Rehab Specialist Kurt Fritz requested bids through the Purchasing Department for an owner occupied rehabilitation project at 416 Dewey. The Community Development Department has analyzed the bids submitted and arrived at a recommendation on bid award.

Eight contractors attended the mandatory pre-bid walk through with three contractors submitting completed bids. The resulting bid tabulations are attached for your review. The lowest acceptable bid is:

Project	Contractor	Amount
416 Dewey	Concept Construction	\$21,731.00

The homeowner has prequalified to receive funding through a HOME rehab loan (\$19,746 code, \$1,985 lead). The contractor awarded this project is required to obtain a current installation floater on their general liability insurance policy. Pre- and post-rehab assessed values are not available from the City Assessor's office at this time.

cc: Shelly Allard, Purchasing Coordinator
Dennis M. Diffenderfer, Rehab Coordinator
Kim VanEvery, Loan Assistant
Michelle L. Pultz-Orthaus, Records Management Coordinator

Bid Tabulation
for
Housing Rehabilitation
at
416 Dewey

Item #	Description	Code	Rehab Inspector Estimate	Concept Construction	Harrison Builders LLC	Protech Environmental Services Inc
				1619 Cascade Ct. Jackson, MI 49203	916 Homewild Jackson, MI 49201	251 Jackson Plaza Ann Arbor Mi 48103
				Unit Price	Unit Price	Unit Price
1	Handrail South Steps	C	200.00	275.00	440.00	450.00
2	Concrete Steps at Porch	I	550.00	605.00	1,000.00	1,650.00
3	Rescreen 6 on Porch	C	180.00	270.00	240.00	285.00
4	Repair Storm Door	C	65.00	55.00	100.00	85.00
5	Replace Porch Roof	I	700.00	750.00	1,400.00	1,500.00
6	Gutterwork	C	800.00	625.00	975.00	1,640.00
7	Install 2 Screen Inserts	C	100.00	85.00	75.00	120.00
8	Replace Bay Windows	C	1,200.00	1,185.00	1,500.00	3,450.00
9	Cellar Window	C	300.00	470.00	600.00	525.00
10	Window Wells	C	200.00	185.00	250.00	285.00
11	Topsoil	C	300.00	375.00	800.00	950.00
12	Tree Removals	C	750.00	625.00	1,200.00	1,300.00
13	Close Laundry Window	L	250.00	285.00	250.00	225.00
14	Close Laundry Window - LSWP	L	50.00	100.00	200.00	325.00
15	Vinyl Siding	I	650.00	775.00	1,100.00	950.00
16	Steel Door North	C	450.00	425.00	750.00	690.00
17	Storm Door North	C	250.00	240.00	240.00	290.00
18	Replace North Addition Roof	C	700.00	750.00	1,500.00	1,700.00
19	Aluminum Fascia	C	125.00	325.00	300.00	425.00
20	Remove Awning & Post	C	150.00	45.00	150.00	185.00
21	Rescreens and Glass Insert	C	105.00	45.00	150.00	125.00
22	Replace Chimney Cap	C	175.00	185.00	800.00	625.00
23	Lead Encapsulant on Porch	L	375.00	485.00	550.00	900.00
24	Steel Door at Living Room	C	450.00	450.00	750.00	690.00
25	Repair Sash Balance	C	50.00	85.00	100.00	95.00
26	Replace Floor Grate	C	180.00	185.00	100.00	95.00
27	Trim Caulking	C	100.00	210.00	200.00	175.00
28	Extension Jambs	C	100.00	110.00	150.00	85.00
29	Paint Bathroom Ceiling	C	150.00	185.00	300.00	150.00
30	Underlayment Kitchen Floor	C	150.00	120.00	300.00	500.00
31	Vinyl Flooring Kitchen	C	350.00	476.00	850.00	775.00
32	Cellar Door Replacement	C	275.00	315.00	250.00	245.00
33	Lead Encapsulant in Laundry Room	L	100.00	65.00	450.00	500.00
34	Relocate Floor Register in Laundry Room	I	250.00	350.00	150.00	285.00
35	Handrail Main Stairway	C	125.00	125.00	175.00	185.00
36	Patch Plaster	C	150.00	285.00	400.00	195.00
37	Bedroom Locksets	C	190.00	170.00	120.00	245.00
38	Replace Bedroom Door	C	250.00	285.00	250.00	295.00
39	Replace Cellar Stair Tread	C	80.00	170.00	100.00	325.00
40	Replace Cellar Handrail	C	150.00	210.00	200.00	315.00
41	Cellar Floor Repairs	I	500.00	1,040.00	750.00	785.00
42	Smoke Detector	C	25.00	45.00	50.00	150.00
43	Lead Clearance	L	600.00	1,050.00	1,100.00	650.00
44	Furnace Replacement	C	4,500.00	5,720.00	5,000.00	17,900.00
45	Plumbing Repairs	C	475.00	195.00	850.00	695.00
46	Electrical Repairs	C	3,305.00	4,450.00	4,650.00	2,650.00
	TOTAL		21,130.00	25,461.00	31,815.00	46,665.00
		L	1,375.00	1,985.00	2,550.00	2,600.00
		C	17,105.00	19,956.00	24,865.00	38,895.00
		I	2,650.00	3,520.00	4,400.00	5,170.00

Bids are broken down to utilize/identify funding sources
L = Lead based paint hazard elimination work

C = Code requirement repair

I = Incipient Item



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
April 10, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Lynn Fessel, City Clerk

SUBJECT: Alley Vacation Petition

MOTION: RECEIPT OF A PETITION CIRCULATED BY DONALD BENDZINSKI TO VACATE A 16.5 FOOT WIDE ALLEY RUNNING EAST & WEST 232 FEET FROM THE EAST LINE OF N BLACKSTONE STREET TO THE WEST LINE OF BLACKMAN AVE AND LYING SOUTH OF LOTS 10 & 13 AND NORTH OF LOTS 9 & 27, BLOCK 2, DURAND'S ADDITION AND REFERRAL TO STAFF FOR APPROPRIATE ACTION

Attached please find the subject petition to vacate, along with a map showing the location of the alley.

Requested action is to receive the petition and refer it to staff for appropriate action.

C: City Manager

PETITION FOR STREET/ALLEY CLOSING

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

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

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

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

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

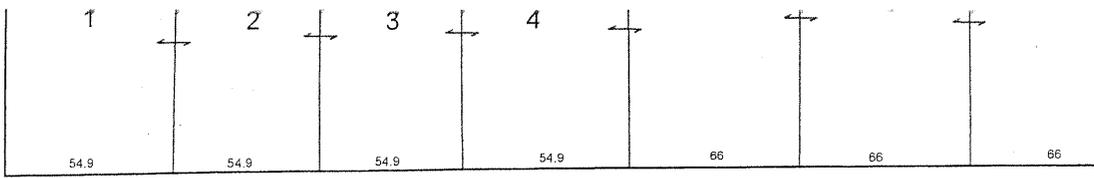
NOTE: All persons interested either jointly or individually by deed or contract in relation to any property abutting on the street or alley proposed to be vacated are required to sign and date the above petition:

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

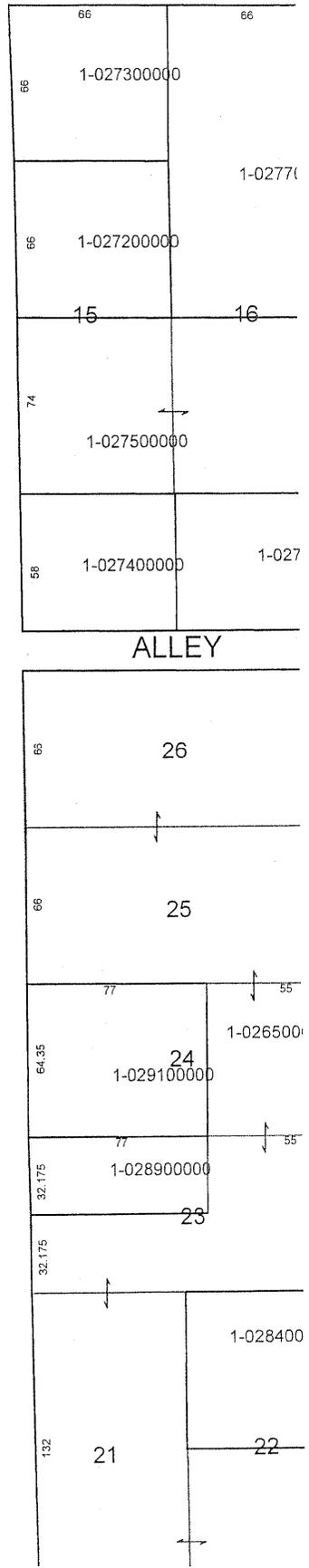
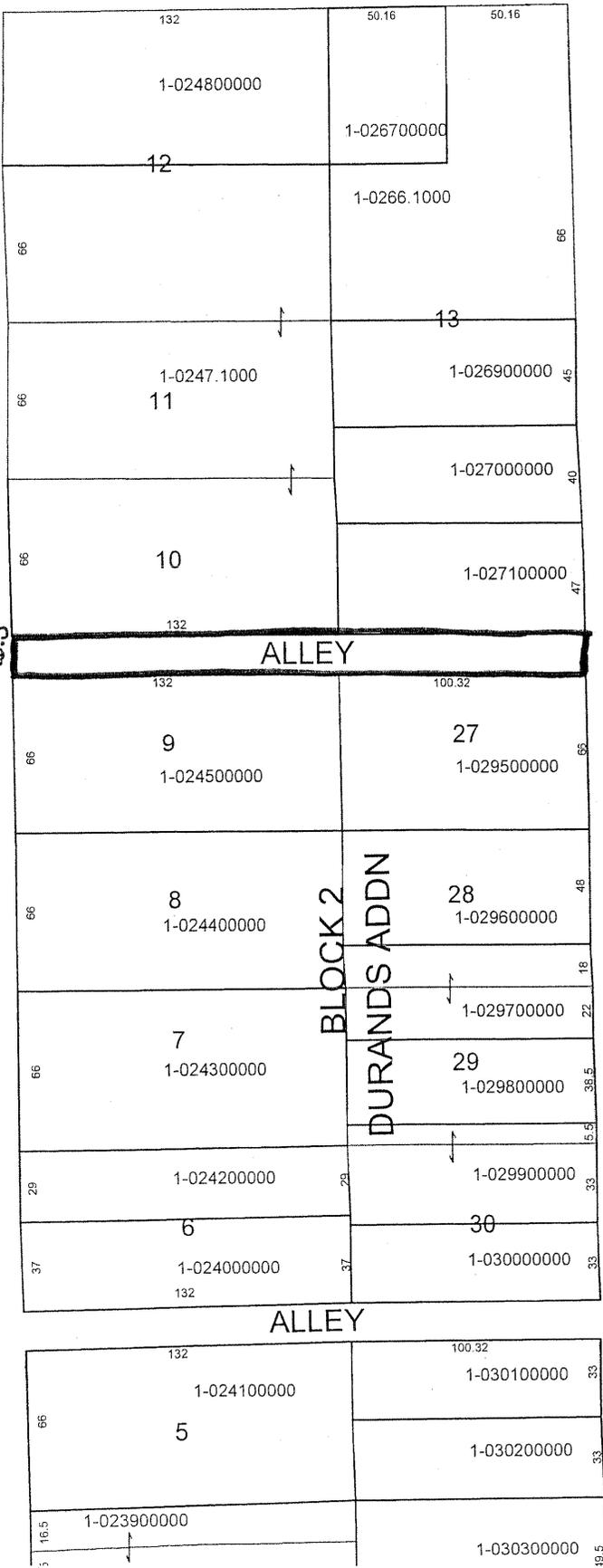
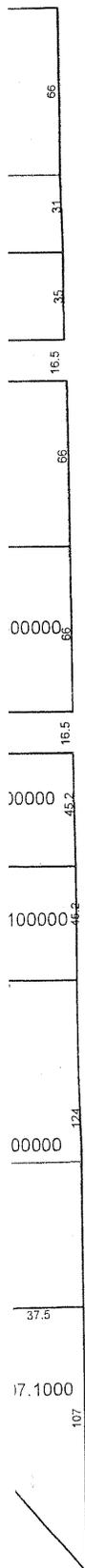
*Needed for street vacations only.

Petition Circulated By:

Name: Donald J. Bendzinski Date: 4-2-12
Address: 7802 Wooster Road Signature: Donald J. Bendzinski
City, State, Zip: JACKSON, MI 49201 Phone: 517-315-9669



W. GANSO



N. BLACKSTONE

BLACKMAN

BLOCK 2
DURANDS ADDN



CITY COUNCIL MEETING
April 10, 2012

MEMO TO: Mayor and City Councilmembers

FROM: Andrew R. Frounfelker, Chairman
Finance/Tax Policy Committee

DATE: March 28, 2012

SUBJECT: Finance/Tax Policy Committee Report

The Finance/Tax Policy Committee met on Tuesday, March 27, 2012, with Committee Members Martin Griffin, Derek Dobies, and myself in attendance along with City staff.

The Finance/Tax Policy Committee received a report from the City Manager regarding the merging of Parks & Recreation with Forestry, Cemetery, Grounds and Downtown, as well as DPW billing and accounting practices.

The committee will review the proposed City budget for Fiscal Year 2012-13 prior to its being brought before the City Council for consideration.

ARF:skh

April 4, 2012:

To: City Council

Report from the Chairperson of the City Affairs/Rules and Personnel Committee:

For obvious reasons, an appointed official, City Clerk Lynn Fessel, has provided Staff Support for the Rules and Personnel committee for more than several years and I believe that she should continue.

An email from the City Clerk indicated that the an appointed official, City Attorney Julius Gigilo, has served as Staff Support for previous City Affairs Committees and that both are willing to continue in the same capacity.

Therefore, I, as the Committee Chairperson, recommend the assignment of appointed officials, City Attorney Julius Gigilo and City Clerk Lynn Fessel as Staff Support for the City Affairs/Rules and Personnel committee respectively.

City Affairs/Rules and Personnel Committee Chairperson:

Carl L. Breeding



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
April 10, 2012

DATE: April 2, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Lynn Fessel, City Clerk 

SUBJECT: Public Hearing and Resolution on the Application filed by Die-Namic Tool & Design LLC, located at 147 Hobart Street, for an Industrial Facilities Exemption Certificate

MOTION: PUBLIC HEARING ON AN APPLICATION FOR AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FILED BY DIE-NAMIC TOOL & DESIGN LLC, 147 HOBART STREET

A. RESOLUTION APPROVING THE APPLICATION. (CITY FINANCE/TAX COMMITTEE RECOMENDS APPROVAL)

Attached please find a resolution, along with supporting documentation on the application filed by Die-Namic Tool & Design LLC, for an Industrial Facilities Exemption Certificate for their facility located at 147 Hobart Street. If Council adopts the resolution, it will be forwarded to the State Tax Commission for their consideration.

Requested action is to adopt the resolution after the public hearing is held.

C: Larry Shaffer, City Manager
Dave Taylor, City Assessor
Jules Giglio, City Attorney
Patrick Burch, Community Development Director

RESOLUTION

BY THE CITY COUNCIL:

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

WHEREAS, the Jackson City Council, acting under the authority of said Act, did on September 26, 2006, create by resolution Industrial Development District No. 93, which includes property located at 147 Hobart Street, Jackson, Michigan, as particularly described in said resolution; and

WHEREAS, pursuant to the provision of said Act, Die-Namic Tool & Design LLC filed on February 22, 2012, 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 April 10, 2012; 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, Lynn Fessel, City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on April 10, 2012.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, Michigan, on this 11th day of April, 2012.

Lynn Fessel, City Clerk

Application for Industrial Facilities Tax Exemption Certificate

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

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

To be completed by Clerk of Local Government Unit	
Signature of Clerk <i>Sybil Jussel, City Clerk</i>	Date received by Local Unit <i>February 22, 2012</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) DIE-NAMIC TOOL & DESIGN LLC		▶ 1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 332900 MANUFACTURING	
▶ 1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 147 HOBART STREET, JACKSON, MI 49202		▶ 1d. City/Township/Village (indicate which) CITY OF JACKSON	▶ 1e. County JACKSON
▶ 2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(1)) <input type="checkbox"/> Research and Development (Sec. 2(9))		▶ 3a. School District where facility is located JACKSON	▶ 3b. School Code 38170
		▶ 4. Amount of years requested for exemption (1-12 Years) 12 YEARS	

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

ADDITIONAL MACHINERY AND COMPUTER EQUIPMENT NEEDED FOR NEW WORK OBTAINED AND EXPECTED FUTURE GROWTH.

6a. Cost of land and building improvements (excluding cost of land)	▶ <u>\$0.00</u>
* Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	
6b. Cost of machinery, equipment, furniture and fixtures	▶ <u>\$325,000.00</u>
* Attach itemized listing with month, day and year of beginning of installation, plus total	
6c. Total Project Costs	▶ <u>\$325,000.00</u>
* Round Costs to Nearest Dollar	
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.

	<u>Begin Date (M/D/Y)</u>	<u>End Date (M/D/Y)</u>	
Real Property Improvements ▶	_____	_____	▶ <input type="checkbox"/> Owned <input type="checkbox"/> Leased
Personal Property Improvements ▶	9/1/11	8/31/13	▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased

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

▶ 9. No. of existing jobs at this facility that will be retained as a result of this project. 14	▶ 10. No. of new jobs at this facility expected to create within 2 years of completion. 5-6
--	---

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

a. TV of Real Property (excluding land)	_____
b. TV of Personal Property (excluding inventory)	_____
c. Total TV	_____

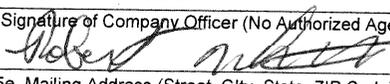
▶ 12a. Check the type of District the facility is located in:
 Industrial Development District Plant Rehabilitation District

▶ 12b. Date district was established by local government unit (contact local unit) 9/26/06 #13	▶ 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 JOSEPH BOSWELL, CPA	13b. Telephone Number (517) 796-8880	13c. Fax Number (517) 796-8777	13d. E-mail Address joseph.dovehickey@tds.net
14a. Name of Contact Person ROBERT WHITING	14b. Telephone Number (517) 787-4900	14c. Fax Number (517) 787-4950	14d. E-mail Address
▶ 15a. Name of Company Officer (No Authorized Agents) ROBERT WHITING			
15b. Signature of Company Officer (No Authorized Agents) 		15c. Fax Number (517) 787-4950	15d. Date 2-20-13
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 147 HOBART ST, JACKSON, MI 49202		15f. Telephone Number (517) 787-4900	15g. E-mail Address

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

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

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

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

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

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

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

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

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

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

**DIE-NAMIC TOOL & DESIGN LLC
ATTACHMENT TO FORM 1012
TOTAL PROJECT COSTS - LINE 6 (c)**

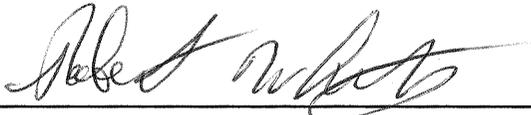
	<u>ACQUISITION DATES</u>	<u>COSTS</u>
<u>PURCHASED PERSONAL PROPERTY:</u>		
CNC MACHINE AND AIR COOLED DRYER	9/13/2011	\$ 145,000
 <u>PERSONAL PROPERTY TO BE PURCHASED:</u>		
COMPUTER EQUIPMENT	6/1/2012	15,000
MACHINERY & EQUIPMENT	7/1/2012	<u>165,000</u>
 TOTAL PROJECT COSTS		 <u><u>\$ 325,000</u></u>

**DIE-NAMIC TOOL & DESIGN, LLC
INDUSTRIAL FACILITIES EXEMPTION AFFIDAVIT
COMMENCEMENT OF PROJECT**

The undersigned states the following:

1. I am a representative of Die-Namic Tool & Design, LLC, applicant for an Industrial Facilities Exemption Certificate and make this Affidavit based on my own knowledge.
2. I submit this Affidavit in support of the application for Industrial Facilities Exemption Certificate dated February 7, 2012.
3. I hereby certify that installation of the personal property, which is included in the application for Industrial Facilities Exemption began on September 13, 2011.

Die-Namic Tool & Design, LLC; Applicant

By:  February 7, 2012
Robert Whiting, Member

Applicant Name
Die-Namic Tool & Design, LLC

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):

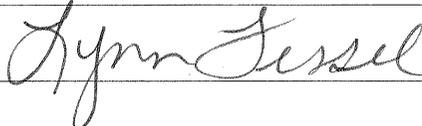
Real Property \$0.00	Personal Property \$325,000.00	Total \$325,000.00
--------------------------------	--	------------------------------

	<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 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 Lynn Fessel, City Clerk
--	--

REVISED

FISCAL STATEMENT FOR TAX ABATEMENT REQUEST SUMMARY INFORMATION

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

Revenue	One Year After Construction is Done	After 5 Years	After 15 Years
1. Revenue from proposed property (from page 2, line 1).....	983	602	641
2. Revenue from related development (from page 2, line 2).....			
3. TOTAL (Add lines 1 and 2).....			
Cost			
4. Roads (from page 3, line 6).....			
5. Sewer (from page 4, line 10).....			
6. Storm Drains (from page 5, line 14).....			
7. Water Systems (from page 6, line 18).....			
8. Police Personnel (Enter "total annual cost" from page 7, line 20).....			
9. Police Equipment (from page 7, line 22).....			
10. Police Buildings (from page 7, line 24).....			
11. Fire Personnel (Enter "total annual cost" from page 8, line 26).....			
12. Fire Equipment (from page 8, line 28).....			
13. Fire Buildings (from page 8, line 30).....			
14. Other Costs (from page 9, line 31).....			
15. TOTAL COST (Add lines 4 through 14).....			

LOCAL 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
983	602	641

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

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

INDUSTRIAL FACILITIES TAX EXEMPTION AGREEMENT

AGREEMENT made this 2 day of April, 2012, by and between the CITY OF JACKSON, a Michigan municipal corporation, with offices at 161 West Michigan Avenue, Jackson, Michigan 49201 (hereinafter "City"); and Die Nam.e Tool Design USA a Michigan corporation, with offices located at 147 Hobart St Jackson, 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 Additional Machinery & Complete Eq. (describe project) (the "Project") that was established as an Industrial Development District (the "District") by the City of Jackson on Sept 26, 2006; 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 5-6 new full time equivalent jobs and relocate and retain not less than 14 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 _____


Krista Whiting

APPLICANT

By  _____

Its President - Robert Whiting _____



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
April 10, 2012

DATE: April 2, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Lynn Fessel, City Clerk *Lynn*

SUBJECT: Public Hearing and Resolution on the Application filed by Alro Riverside LLC, located at 2425 East High Street, for an Industrial Facilities Exemption Certificate

MOTION: PUBLIC HEARING ON AN APPLICATION FOR AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FILED BY ALRO RIVERSIDE LLC, 2425 EAST HIGH STREET

A. RESOLUTION APPROVING THE APPLICATION. (CITY FINANCE/TAX COMMITTEE RECOMENDS APPROVAL)

Attached please find a resolution, along with supporting documentation on the application filed by Alro Riverside LLC, for an Industrial Facilities Exemption Certificate for their facility located at 2425 East High Street. If Council adopts the resolution, it will be forwarded to the State Tax Commission for their consideration.

Requested action is to adopt the resolution after the public hearing is held.

C: Larry Shaffer, City Manager
Dave Taylor, City Assessor
Jules Giglio, City Attorney
Patrick Burch, Community 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 18, 1996, create by resolution Industrial Development District No. 82, which includes property located at 2425 East High Street, Jackson, Michigan, as particularly described in said resolution; and

WHEREAS, pursuant to the provision of said Act, Alro Riverside, LLC filed on February 17, 2012, 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 April 10, 2012; 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, Lynn Fessel, City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on April 10, 2012.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, Michigan, on this 11th day of April, 2012.

Lynn Fessel, City Clerk

Application for Industrial Facilities Tax Exemption Certificate

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

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

To be completed by Clerk of Local Government Unit	
Signature of Clerk <i>John Fessel, City Clerk</i>	Date received by Local Unit <i>February 17, 2012</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) Alro Riverside, LLC	1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 3329	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 2425 E. High Street	1d. City/Township/Village (indicate which) Jackson	1e. County Jackson
2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(1)) <input type="checkbox"/> Research and Development (Sec. 2(9))	3a. School District where facility is located Jackson	3b. School Code 38170
4. Amount of years requested for exemption (1-12 Years) 12		

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

The project for which the exemption is sought is the construction of a 9,050 square foot addition to our existing facility. The estimated expenditures for the proposed addition, including building, machinery, equipment, furniture and fixtures, will be approximately \$1,325,000 (detail list attached).

6a. Cost of land and building improvements (excluding cost of land)	▶ \$750,000.00
* 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	▶ \$575,000.00
* Attach itemized listing with month, day and year of beginning of installation, plus total	Personal Property Costs
6c. Total Project Costs	▶ \$1,325,000.00
* Round Costs to Nearest Dollar	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 ▶	3/1/12	3/1/13	▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased
Personal Property Improvements ▶	3/1/12	3/1/13	▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased

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

9. No. of existing jobs at this facility that will be retained as a result of this project. 7 10. No. of new jobs at this facility expected to create within 2 years of completion. 5

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

a. TV of Real Property (excluding land)

b. TV of Personal Property (excluding inventory)

c. Total TV

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

12b. Date district was established by local government unit (contact local unit) 11/15/77 #82 6/18/96 12c. Is this application for a speculative building (Sec. 3(8))? Yes No

APPLICANT CERTIFICATION - complete all boxes.

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

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

13a. Preparer Name Chris Leavitt	13b. Telephone Number (517) 788-3232	13c. Fax Number (517) 787-6393	13d. E-mail Address cleavitt@alro.com
14a. Name of Contact Person same as above	14b. Telephone Number	14c. Fax Number	14d. E-mail Address
▶ 15a. Name of Company Officer (No Authorized Agents) Steven L Laten (Officer of Partner #2-Alro Steel Corporation)			
15b. Signature of Company Officer (No Authorized Agents) <i>Steven L. Laten</i>		15c. Fax Number (517) 787-6398	15d. Date 2/8/12
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 3100 E. High Street, Jackson MI 49203		15f. Telephone Number (517) 787-5500	15g. E-mail Address

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

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

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

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

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

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

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

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

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

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

Alro Riverside, LLC

Jackson, Michigan

Application for
Industrial Facilities Tax Exemption Certificate

<u>Items 5 & 6 - Total Project Cost and Description</u>	<u>Estimated Costs</u>	<u>Installation Date Begin</u>
Building	\$ 750,000	3/1/2012
Machinery, equipment, furniture and fixtures		3/1/2012
48 x 96 Blanchard	\$ 270,000	
32.60 Blanchard	\$ 90,000	
Drag out system	\$ 30,000	
7.5 ton crane	\$ 52,000	
5.0 ton crane	\$ 50,000	
Miscellaneous cost **	\$ 83,000	
Total machinery, equipment, furniture and fixtures	\$ 575,000	
Totals	<u>\$ 1,325,000</u>	

** Miscellaneous costs includes machine installation, debugging, lights, fans, ducts, etc.)

Applicant Name
Alro Riverside, LLC

Fiscal Statement (to be completed by local unit)

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

Estimated Project Investment (not assessed value):

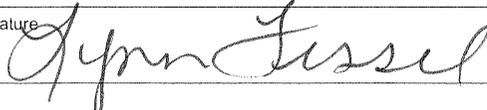
Real Property \$ 750,000.00	Personal Property \$ 575,000.00	Total \$ 1,325,000.00
---------------------------------------	---	---------------------------------

	<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 type="checkbox"/>	_____
C. Is this a renovation or expansion of an existing building?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
2. Will this project require improvement of your road service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
3. Will this project require improvement of your sanitary sewer services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
4. Will this project require improvement of your storm sewer services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
5. Will this project require improvement of your water services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
6. Will this project require additional police personnel, police equipment or a need for new police building expansion?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
7. Will this project require the need for additional fire personnel, additional or specialized fire equipment or the need for a new fire building?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"Plans to be submitted before project starts".
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 Lynn Fessel, City Clerk
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Alro Riverside
REVISED

FISCAL STATEMENT FOR TAX ABATEMENT REQUEST SUMMARY INFORMATION

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

Revenue	One Year After Construction Is Done	After 5 Years	After 15 Years
1. Revenue from proposed property (from page 2, line 1).....	3929	2989	3008
2. Revenue from related development (from page 2, line 2).....			
3. TOTAL (Add lines 1 and 2).....			
Cost			
4. Roads (from page 3, line 6).....			
5. Sewer (from page 4, line 10).....			
6. Storm Drains (from page 5, line 14).....			
7. Water Systems (from page 6, line 18).....			
8. Police Personnel (Enter "total annual cost" from page 7, line 20).....			
9. Police Equipment (from page 7, line 22).....			
10. Police Buildings (from page 7, line 24).....			
11. Fire Personnel (Enter "total annual cost" from page 8, line 26).....			
12. Fire Equipment (from page 8, line 28).....			
13. Fire Buildings (from page 8, line 30).....			
14. Other Costs (from page 9, line 31).....			
15. TOTAL COST (Add lines 4 through 14).....			

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
3929	2989	3088

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

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

INDUSTRIAL FACILITIES TAX EXEMPTION AGREEMENT

AGREEMENT made this 1st day of March, 2012, by and between the CITY OF JACKSON, a Michigan municipal corporation, with offices at 161 West Michigan Avenue, Jackson, Michigan 49201 (hereinafter "City"); and Alro Riverside, LLC, a Michigan corporation, with offices located at 2425 E High St, 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 Building expansion/addition (describe project) (the "Project") that was established as an Industrial Development District (the "District") by the City of Jackson on June 18, 1996; 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 7 full time equivalent existing jobs from its current location within two years after the completion of its Project.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Signed in the presence of:

CITY OF JACKSON

By _____

Its: Mayor

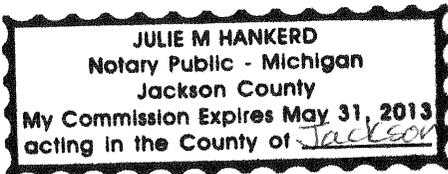
APPLICANT

By Steven L. Laten

Its Officer of Partner #2
- Alro Steel Corporation

State of Michigan
County of Jackson
On this 20th day of March 2012
before me personally appeared
Steve Laten, VPCFO
to me known to be the person who executed the
foregoing instrument, and acknowledged that he
executed the same as his free act and deed.

SEAL (signed) Julie M. Hankerd
Notary Public



X:\NFEC TAX EXEMPT AGREEMENT



Department of Community Development

Building a Stronger Community

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

Facsimile (517) 780-4781

Administrative Services
(517) 788-4060

Building Inspection
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Rehabilitation Services & Information
(517) 788-4070

CITY COUNCIL MEETING

April 10, 2012

TO: Honorable Mayor and City Councilmembers

FROM: Patrick H. Burtch, Deputy City Manager/Community Development Director

SUBJECT: Revise Chapter 5, Section 5-3 Demolition of Structures of the City of Jackson Code of Ordinances to Update Certain Provisions

MOTION

Approve Chapter 5, Section 5-3 ordinance and place it on the next regularly scheduled City Council agenda for consideration and adoption.

The Jackson Overall Economic Stabilization Program established the need for strategic initiatives aimed at consolidating and enhancing the City's economic base. To that end, staff from both the Department of Community Development and legal counsel spent considerable time reviewing Section 5-3 of Chapter 5 of the City of Jackson Code of Ordinances to provide a more succinct ordinance regulating the demolition of structures.

The amendments to Chapter 5 presented for City Council's consideration include updates to ensure compliance with local, state, and federal environmental requirements. The revisions also address proper abandonment of City utilities; restoration of City sidewalks, curbs, and gutters; and site restoration to provide clean, level, seeded, buildable sites, free of debris and dead vegetation.

Proposed revisions to Chapter 5 are provided in two attached documents. Attachment 1 represents a marked up version of the current Section, reflecting changes in strikeout removals and bold additions. Attachment 2 is how the Section will appear once adopted.

cc: Bethany Smith, Deputy City Attorney

Sec. 5-3. - Demolition of structures.

The purpose of this section is to provide a clean, level, seeded, buildable site at the conclusion of the demolition process **by or on behalf of a private or public interest**. Whenever a structure is demolished or removed, the person, firm, or corporation **commencing doing** such demolition or removal must do all of the following:

- (1) ***Before*Prior to commencing demolition.**
 - a. Submit a completed demolition permit application and pay ~~the~~ appropriate fees **before beginning for all activity related to the demolition process including, but not limited to, hazardous material assessment, hazardous material abatement, and** demolition.
 - b. Arrange for proper abandonment of all utility services ~~before beginning demolition.~~
 - c. **Conduct a hazardous material assessment and provide a report in accordance with state and federal regulations to the Department of Community Development.**
 - d. **Abate hazardous materials in accordance with local, state, and federal regulations and the hazardous material assessment report.**
 - e. **Provide a bill of lading for disposal of hazardous material in an approved landfill.**
 - f. **Request and confirm a site evaluation by Miss Dig. Provide a copy of the Miss Dig report number and site evaluation to the Department of Community Development before mobilizing equipment on site.**
 - g. **Install appropriate storm water inlet filters on storm drain inlets at the demolition site and the first two (2) storm drain inlets downstream of the demolition site or as directed by the Department of Community Development.**
 - h. **Coordinate the closure of any public street with the Department of Public Works if directed by the Department of Community Development.**
 - i. **Verify existing condition of streets, sidewalks, curbs, fences, and other infrastructure and site improvements with the Department of Community Development and provide photographs of all damages that exist prior to mobilizing equipment on-site.**
 - j. **Install safety measures to limit access to the demolition site if required by the Department of Community Development,.**
 - k. **Install soil erosion control measures as site conditions warrant when directed by the Department of Community Development.**
- (2) ***During demolition.***
 - a. **Terminate existing sanitary and storm sewer lateral(s) at the property line closest to the connection to the sewer main. Ensure a watertight termination(s) and record the location(s) with triangulation measurements on the demolition permit checklist.**
 - b. **Terminate existing water line(s) at the curb stop(s). Ensure a watertight termination**

and record the location(s) with triangulation measurements on the demolition permit checklist.

- c. Remove and replace sidewalk section(s) required to terminate waterlines at the curb stop. All backfill material must be granular, class 2 sand, compacted to 95% density. Contractor must request and verify inspection by the Department of Community Development prior to backfilling.
- d. Water down all structures during demolition, and demolition debris during loading into trucks for removal from site, to the satisfaction of the Department of Community Development using a minimum three (3) inch hose. Provide a water truck or contact the City Water Department (517-768-6107) for a metered connection to a City fire hydrant.–
- ~~ae. Demolish the entire structure including all appurtenances attached thereto. attached to or part of the structure being demolished.~~
- ~~bf. Remove all footings, foundations, basement walls, and basement floors from the site.~~
- g. Remove all debris from basements, partial basements, and foundation excavations.
- h. Demolish or remove all garages, sheds, and accessory or temporary structures including, but not limited to, poles, decks, fences, retaining walls, carports, pools, and play structures as directed by the Department of Community Development.
- ~~e. Remove all concrete, masonry, and asphalt from the site excluding public sidewalks, street curbs, and driveway approaches in the city right-of-way.~~
- i. Remove all trees and shrubs if required and directed by the Department of Community Development.
- ~~d. Remove all debris from basements, part basements, and foundation excavations from the site.~~
- j. Remove all hard surfaces including, but not limited to, concrete, masonry, asphalt, and hard packed stone or gravel, but excluding public sidewalks. Public sidewalks may be required to be replaced if hazardous conditions exist prior to demolition.
- k. Remove all driveway curb and gutter openings and approaches as directed by the Department of Community Development.

(3) *After demolition.*

- a. Request and verify inspection by the Department of Community Development of all basement and foundation excavations prior to backfilling. ~~Have all basement and foundation excavations inspected by the city inspection department before beginning any backfilling.~~
- ~~b. Plug all existing sewer laterals and record the location of the sewer plug with measured dimensions on the demolition permit checklist.~~

- b. Excavations shall be backfilled with clean fill acceptable to the Department of Community Development and compacted to 95% to prevent settling. The Department of Community Development reserves the right to require compaction testing paid by the contractor if deemed necessary.
 - c. Water down sidewalks and streets adjacent to the demolition site at the end of each day of demolition and after loading demolition debris for removal from the site.
 - d. Install new curb and gutter as directed by the Department of Community Development to replace the driveway curb and gutter openings ordered removed.
 - e. Grade the site to blend smoothly with surrounding properties, public sidewalks, driveways, and curbs. Final grade shall be executed in a manner that provides a continuous smooth grade free of voids, pockets, and debris including, but not limited to, rocks, roots, plastic, wood, cement, block, brick, and steel or other construction material. Grade shall be completed so as to eliminate pooling or draining of water onto neighboring properties. Install three (3) inches of topsoil if required by the Department of Community Development. Final site restoration may include, but not be limited to, application of slow growing, climate appropriate grass seed, hydro-seed, straw, or sod, as directed by the Department of Community Development.
 - f. Repair and reseed landscape areas on adjoining properties and the area between the curb and sidewalk damaged during demolition or removal activities consistent with item 3(e) above.
 - g. Replace all public sidewalks, curbs, driveway approaches, and driveways on the demolition site and adjoining properties damaged during demolition or removal activities in accordance with Department of Community Development standards.
 - h. Remove all paper, wood, rubbish, and debris from the site before final inspection.
 - i. Provide a bill of lading for disposal of demolition debris in an approved landfill.
 - j. Submit a completed demolition permit checklist to the Department of Community Development and Department of Engineering.
- ~~c. Backfill all excavations with clean fill and compact to prevent settling.~~
 - ~~d. Remove all paper, wood, rubbish, and debris from the site before final site restoration.~~
 - ~~e. Grade the site so that it is suitable for mowing with a push mower, free of rocks, voids, and pockets, having three inches of topsoil and seeded with a climate appropriate grass seed, and covered with straw.~~
 - ~~f. Repair and reseed any damage to the area between the curb and sidewalk caused by demolition and removal activities consistent with item (3)e. above.~~
 - ~~g. Replace or repair all public sidewalks, curbs, drive approaches, curb stops, or city owned property damaged during demolition.~~
 - ~~h. Submit a completed demolition permit checklist to the inspection and engineering~~

departments.

(4) *Exception.* The **Director of the Department of Community Development or the Chief Building Official** may authorize a deviation from the above standards in the best interest of the City provided however that such deviation complies with the spirit and intent of this ordinance. ~~building department may allow, in writing, for a basement and foundation to remain for reconstruction of a structure if the reconstruction will begin immediately following demolition and if the basement and foundation comply with the current building codes. The building department may require third party certification of the basement, foundation, and walls before approval.~~

(Ord. No. 91-6, § 2, 2-12-91; Ord. No. 2010-02, § 1, 1-26-10)

Sec. 5-3. - Demolition of structures.

The purpose of this section is to provide a clean, level, seeded, buildable site at the conclusion of the demolition process by or on behalf of a private or public interest. Whenever a structure is demolished or removed, the person, firm, or corporation commencing such demolition or removal must do all of the following:

(1) *Prior to commencing demolition.*

- a. Submit a completed demolition permit application and pay appropriate fees for all activity related to the demolition process including, but not limited to, hazardous material assessment, hazardous material abatement, and demolition.
- b. Arrange for proper abandonment of all utility services.
- c. Conduct a hazardous material assessment and provide a report in accordance with state and federal regulations to the Department of Community Development.
- d. Abate hazardous materials in accordance with local, state, and federal regulations and the hazardous material assessment report.
- e. Provide a bill of lading for disposal of hazardous material in an approved landfill.
- f. Request and confirm a site evaluation by Miss Dig. Provide a copy of the Miss Dig report number and site evaluation to the Department of Community Development before mobilizing equipment on site.
- g. Install appropriate storm water inlet filters on storm drain inlets at the demolition site and the first two (2) storm drain inlets downstream of the demolition site or as directed by the Department of Community Development.
- h. Coordinate the closure of any public street with the Department of Public Works if directed by the Department of Community Development.
- i. Verify existing condition of streets, sidewalks, curbs, fences, and other infrastructure and site improvements with the Department of Community Development and provide photographs of all damages that exist prior to mobilizing equipment on-site.
- j. Install safety measures to limit access to the demolition site if required by the Department of Community Development,.
- k. Install soil erosion control measures as site conditions warrant when directed by the Department of Community Development.

(2) *During demolition.*

- a. Terminate existing sanitary and storm sewer lateral(s) at the property line closest to the connection to the sewer main. Ensure a watertight termination(s) and record the location(s) with triangulation measurements on the demolition permit checklist.
- b. Terminate existing water line(s) at the curb stop(s). Ensure a watertight termination and record the location(s) with triangulation measurements on the demolition permit checklist.

- c. Remove and replace sidewalk section(s) required to terminate waterlines at the curb stop. All backfill material must be granular, class 2 sand, compacted to 95% density. Contractor must request and verify inspection by the Department of Community Development prior to backfilling.
- d. Water down all structures during demolition, and demolition debris during loading into trucks for removal from site, to the satisfaction of the Department of Community Development using a minimum three (3) inch hose. Provide a water truck or contact the City Water Department (517-768-6107) for a metered connection to a City fire hydrant.
- e. Demolish the entire structure including all appurtenances attached thereto.
- f. Remove all footings, foundations, basement walls, and basement floors.
- g. Remove all debris from basements, partial basements, and foundation excavations.
- h. Demolish or remove all garages, sheds, and accessory or temporary structures including, but not limited to, poles, decks, fences, retaining walls, carports, pools, and play structures as directed by the Department of Community Development.
- i. Remove all trees and shrubs if required and directed by the Department of Community Development.
- j. Remove all hard surfaces including, but not limited to, concrete, masonry, asphalt, and hard packed stone or gravel, but excluding public sidewalks. Public sidewalks may be required to be replaced if hazardous conditions exist prior to demolition.
- k. Remove all driveway curb and gutter openings and approaches as directed by the Department of Community Development.

(3) *After demolition.*

- a. Request and verify inspection by the Department of Community Development of all basement and foundation excavations prior to backfilling.
- b. Excavations shall be backfilled with clean fill acceptable to the Department of Community Development and compacted to 95% to prevent settling. The Department of Community Development reserves the right to require compaction testing paid by the contractor if deemed necessary.
- c. Water down sidewalks and streets adjacent to the demolition site at the end of each day of demolition and after loading demolition debris for removal from the site.
- d. Install new curb and gutter as directed by the Department of Community Development to replace the driveway curb and gutter openings ordered removed.
- e. Grade the site to blend smoothly with surrounding properties, public sidewalks, driveways, and curbs. Final grade shall be executed in a manner that provides a continuous smooth grade free of voids, pockets, and debris including, but not limited to, rocks, roots, plastic, wood, cement, block, brick, and steel or other construction material. Grade shall be completed so as to eliminate pooling or draining of water onto neighboring properties. Install three (3) inches of topsoil if required by the Department of Community

Development. Final site restoration may include, but not be limited to, application of slow growing, climate appropriate grass seed, hydro-seed, straw, or sod, as directed by the Department of Community Development.

- f. Repair and reseed landscape areas on adjoining properties and the area between the curb and sidewalk damaged during demolition or removal activities consistent with item 3(e) above.
 - g. Replace all public sidewalks, curbs, driveway approaches, and driveways on the demolition site and adjoining properties damaged during demolition or removal activities in accordance with Department of Community Development standards.
 - h. Remove all paper, wood, rubbish, and debris from the site before final inspection.
 - i. Provide a bill of lading for disposal of demolition debris in an approved landfill.
 - j. Submit a completed demolition permit checklist to the Department of Community Development and Department of Engineering.
- (4) *Exception.* The Director of the Department of Community Development or the Chief Building Official may authorize a deviation from the above standards in the best interest of the City provided however that such deviation complies with the spirit and intent of this ordinance.

(Ord. No. 91-6, § 2, 2-12-91; Ord. No. 2010-02, § 1, 1-26-10)



Department of Community Development

Building a Stronger Community

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

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Administrative Services
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CITY COUNCIL MEETING

April 10, 2012

Resolutions

TO: Honorable Mayor and City Councilmembers

FROM: Patrick H. Burtch, Deputy City Manager/Community Development Director

SUBJECT: Establish Fees Associated with Chapter 5 of the City of Jackson Code of Ordinances

MOTION

Adopt the Resolution establishing fees associated with the Demolition of Structures Section of the Buildings and Building Regulations, in Chapter 5 of the City of Jackson Code of Ordinances.

Attached is a Resolution setting forth proposed user fees representing the amounts necessary to recover costs associated with the conduct of inspections and administrative services to support the inspection process under the Building Code. The Resolution establishes a fee schedule for the Demolition of Structures.

Please place this Resolution on the April 10, 2012 City Council agenda for adoption.

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, the City of Jackson has established a Demolition of Structures Section of the Buildings and Building Regulations Ordinance; and

WHEREAS, the City of Jackson has endorsed the overall Economic Stabilization Program for the City of Jackson utilizing various strategies to improve neighborhood conditions; and

WHEREAS, Section 22 of Act 230 of 1972 provides that the City Council may establish demolition permit fees; and

WHEREAS, the City of Jackson desires to adopt a demolition permit fee schedule for the City of Jackson.

NOW, THEREFORE, BE IT RESOLVED that the attached demolition permit fee schedule be, and the same hereby is, adopted as the demolition permit fee schedule of the City of Jackson for use by the City in administering the Michigan Building Code (State Code).

BE IT FURTHER RESOLVED that copies of the demolition permit fee schedule are to be made available during normal business hours for public inspection at the office of the City Clerk and the Department of Community Development.

Demolition Permit Fees:

Application fee	\$ 90
Accessory Structure/Porch	\$100
Shed.....	\$100
Garage	\$150
Single Family Dwelling	\$200
Industrial, Commercial, Mixed Use, or Multi-Family Structure Minimum \$400 plus \$.05 per square foot for buildings larger than 2,000 square foot gross floor area	
Review Hazardous Material and Abatement Reports	\$75
Additional Inspections (each)	\$60
Request to Extend a Permit	\$60
Investigation Fee for beginning work without a permit..... (Fee reduced to \$110 provided permit is secured the same day the investigation was conducted)	\$220

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

I, Lynn Fessel, City Clerk in and for the City of Jackson, County and State of Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Jackson City Council on the 10th day of April, 2012.

IN WITNESS WHEREOF, I have hereto affixed
my signature and the seal of the City of Jackson,
Michigan, on this 11th day of April, 2012.

_____ City Clerk



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
April 10, 2012

DATE: April 2, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Lynn Fessel, City Clerk *Lynn*

SUBJECT: Corrective Resolution for Special Assessment Roll No. 4205

MOTION: CONSIDERATION OF A CORRECTIVE RESOLUTION FOR SPECIAL ASSESSMENT ROLL NO. 4205 FOR DELINQUENT MISCELLANEOUS GENERAL FUND ACCOUNTS RECEIVABLE, CONFIRMED ON MARCH 27, 2012

Attached please find a corrective resolution for Special Assessment Roll No. 4205 for Delinquent Miscellaneous General Fund Accounts Receivable, confirmed on March 27, 2012.

On March 28, a mathematical error was discovered in the subtraction of paid assessments from Roll No. 4205. Each paid assessment was correctly deleted from the Roll, but an incorrect total was placed on the resolution that was adopted by Council.

Requested action is to adopt the resolution.

C: City Manager

CORRECTIVE RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, the Assessor, in accordance with the direction of the City Council, did make assessments for delinquent miscellaneous General Fund accounts receivable, which assessments were by him placed on Assessment Roll No. 4205 and were reported to the City Council at its regular meeting held on the 21st day of February 2012; and

WHEREAS, on March 27, 2012, the City Council held a public hearing and confirmed said roll; and

WHEREAS, a mathematical error was discovered and the amount of the roll was incorrectly stated in the resolution as \$7,618.50; and

WHEREAS, the correct total for Assessment Roll No. 4205 is \$7,565.98.

NOW, THEREFORE, BE IT RESOLVED that the correct dollar amount for Assessment Roll No. 4205 is \$7,565.98.

* * * * *

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

I, Lynn Fessel, City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on the 10th day of April, 2012.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 11th day of April, 2012.

Lynn Fessel, City Clerk



Department of Public Works - Engineering

161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4160 — Facsimile: (517) 768-6435

CITY COUNCIL MEETING
APRIL 10, 2012

MEMO TO: Honorable Mayor and City Councilmembers
FROM: Jon H. Dowling, P.E., City Engineer/Director of Public Works
SUBJECT: Resolution to Apply for Local Bridge Program Funding

MOTION: Consideration of a resolution to approve an application to the Michigan Department of Transportation (MDOT) for Local Bridge Program Funding, authorization for the City Clerk to execute the resolution, and authorization for the City Engineer/Director of Public Works to file an application for the Lewis Street Bridge over the Grand River.

The Michigan Department of Transportation (MDOT) is soliciting applications for candidate projects for the Local Bridge Program. Legislation enacted on October 1, 2004, created the Local Bridge Fund. With the City's application for Local Bridge Programs, the City must commit to funding within the fiscal year for which we are applying. The current call for projects is for MDOT's fiscal year 2014-2015.

In reviewing the status of bridges within the City of Jackson, the Department of Engineering has determined that the Lewis Street Bridge over the Grand River qualifies for replacement under this program.

I am requesting the attached resolution to apply for Local Bridge Program Funding through the Michigan Department of Transportation for the Lewis Street Bridge over the Grand River be approved, the City Clerk be authorized to execute the resolution, and the City Engineer/Director of Public Works be authorized to file an application.

If you have questions, please contact me.

RTM:ss

c: Laurence R. Shaffer, City Manager
Randall T. McMunn, P.E., Assistant City Engineer

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, the bridge located on Lewis Street over the Grand River in the City of Jackson was constructed in 1936; and

WHEREAS, a bridge inspection completed in 2011 noted that the bridge is in deteriorating condition and recommended bridge replacement; and

WHEREAS, a detailed structural evaluation has been performed for the Lewis Street Bridge, and that weight restrictions have been lowered and been posted; and

WHEREAS, the Michigan Department of Transportation is accepting new applications for the Local Bridge Program; and

WHEREAS, if successful, the City will receive State funding in fiscal year 2014-2015 to finance 95% of construction costs, and the City will fund 5% of the construction cost and 100% of the engineering costs; and

WHEREAS, based upon engineering conceptual estimates, the projected construction cost is \$670,000; and

WHEREAS, 5% of the conceptual construction cost is \$33,500, and estimated engineering costs are \$167,500, for a total estimated City cost of \$201,000.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Jackson hereby certifies its support of the filing by the City Engineer/Director of Public Works on behalf of the City of Jackson an application for the Lewis Street Bridge over the Grand River under the Michigan Department of Transportation Local Bridge Program.

* * * * *

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

I, Lynn Fessel, City Clerk, in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on the 10th day of April, 2012.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 11th day of April, 2012.

Lynn Fessel, City Clerk



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
April 10, 2012

DATE: April 2, 2012
MEMO TO: Honorable Mayor and City Councilmembers
FROM: Lynn Fessel, City Clerk *Lynn*
SUBJECT: Final Adoption of Ordinance No. 2012.5

**MOTION: FINAL ADOPTION OF ORDINANCE NO. 2012.5
AMENDING CHAPTER 28 OF THE CODE OF
ORDINANCES, CITY OF JACKSON, MICHIGAN TO
CONSOLIDATE AND REPLACE SEC. 28-121 THRU -125
AND SEC. 28-127 THRU -129 – WHICH DEAL WITH
NONCONFORMING LOTS, STRUCTURES, AND USES OF
STRUCTURES AND LAND – WITH A NEW SEC. 28-121
AND TO AMEND THE FOLLOWING SECTIONS OF THE
ZONING ORDINANCE IN ORDER TO ACCOMMODATE
THE NEW PROVISIONS: SEC. 28-5, SEC. 28-71, AND SEC.
28-79**

Attached please find Ordinance No. 2012.5 approved by the Council at the March 27 meeting. Requested action is adoption of the Ordinance.

C: City Manager

ORDINANCE 2012. ____

An Ordinance amending Chapter 28 of the Code of Ordinances, City of Jackson, Michigan to consolidate and replace Sec. 28-121 thru -125 and Sec. 28-127 thru -129 — which deal with nonconforming lots, structures, and uses of structures and land — with a new Sec. 28-121 and to amend the following Sections of the zoning ordinance in order to accommodate the new provisions: Sec. 28-5, Sec. 28-71, and Sec. 28-79.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose

To simplify and clarify the regulation of nonconformities (e.g., a use not allowed in the zoning district, a substandard backyard setback, etc.), making it easier to administer the zoning ordinance and reduce variance requests to the Zoning Board of Appeals while protecting the health, safety, and general welfare of the residents of the community.

Section 2. That Article IV of Chapter 28 of the Code of Ordinances, City of Jackson, Michigan be amended to read as follows:

ARTICLE IV. SUPPLEMENTAL PROVISIONS

...

Sec. 28-121. Nonconforming lots, buildings, structures, and uses of buildings, structures and land.

(a) *Statement of purpose.* Within the districts established by this Chapter, or amendments that may be adopted, there exist lots, buildings, structures, and uses of lots, buildings, and structures which were lawful before this Chapter was passed or amended which would be prohibited, regulated, or restricted under the terms of this Chapter or future amendments. The intent of this Section is to permit such legal nonconformities to remain until they are discontinued or removed, but not to encourage their survival or, where discontinuance or removal is not feasible, to gradually upgrade such nonconformities to conforming status. Nonconformities cannot be enlarged, expanded, or extended, except as provided here, and may not be used as grounds for adding other structures and uses of lots and structures that are prohibited. Such nonconformities are declared by this Section to be incompatible with permitted uses in the districts involved and prevent the full realization of the goals and objectives of this Chapter. The standards of this Section are intended to accomplish the following:

- 1 (1) Terminate and remove any use, building, accessory structure or any combination
2 thereof established after this Chapter was passed, or amended, that is in violation of
3 this Chapter. Such uses, buildings, and accessory structures are classified as a nui-
4 sance and will not receive any of the rights, privileges, or protection granted by this
5 Section for legal nonconformities.
 - 6 (2) Eliminate nonconforming uses that are considered to be incompatible with permitted
7 uses, or encourage redevelopment into a more conforming use.
 - 8 (3) Permit legal nonconforming buildings, structures or uses to remain until they are dis-
9 continued or removed.
 - 10 (4) Support the mixed residential character of the City's neighborhoods through special
11 provisions relating to nonconforming residential structures.
 - 12 (5) Encourage gradual upgrading to a more conforming status of site landscaping, park-
13 ing, paving, signage or other features of a site which were developed in compliance
14 with the standards at the time of their construction, but which do not meet the current
15 site plan or other standards of this Code and its amendments.
 - 16 (6) Encourage the combination of contiguous nonconforming lots of record to create lots
17 that conform to current standards; are compatible with other lots in the zoning dis-
18 tricts; promote the public health, safety, and welfare; and eliminate problems associ-
19 ated with the overcrowding of land.
- 20 (b) *Nonconforming lots.*
- 21 (1) *Use of a nonconforming lot.* In any district, notwithstanding limitations imposed by
22 other provisions of this Code, where an existing lot of record fails to meet the re-
23 quirements for area, width, or both, that are generally applicable in the district, such
24 lot may be used for the permitted uses of the zoning district, including permitted ac-
25 cessory uses. However, all yard dimensions and other requirements, not involving
26 area or width of the lot, must conform to the regulations for the district in which such
27 lot is located.
 - 28 (2) *Use of nonconforming lots under single ownership.* If two (2) or more lots or combi-
29 nations of lots of record with continuous frontage and in single ownership and use at
30 the time of passage or amendment of this Chapter, irrespective of whether all or part
31 of the lots meets the Chapter requirements, the lands involved will be considered to
32 be an undivided parcel. No portion of said parcel or lot can be used or sold that does
33 not meet lot, width, and area requirements, nor can any division of the parcel or lot
34 be made which leaves remaining any parcel or lot with a width or area below the re-
35 quirements stated in this Chapter. All zoning and building requests require the for-
36 mal combination of those parcels into a single lot of record (see the definition for
37 "lot, formal combination of" in Sec. 28-5).
- 38 (c) *Nonconforming structures.* Where a lawful structure exists at the effective date of adop-
39 tion or amendment of this Chapter, but could not be built under the terms of this Chapter

1 by reason of restrictions on area, lot coverage, height, yards, or other characteristics of the
2 structure or its location on the lot, such structure may be continued so long as it remains
3 otherwise lawful, subject to the following limitations.

4 (1) *Increasing nonconformity*: No such structure may be enlarged or altered in a way
5 that increases its nonconformity without the granting of a variance from the Zoning
6 Board of Appeals (see Sec. 28-238). Such structures may be enlarged or altered in a
7 way that does not increase its nonconformity.

8 (2) *Alteration or modification*: Should such structure be altered or modified so as to
9 eliminate, remove or lessen any or all of its nonconforming characteristics, then such
10 nonconforming characteristics cannot be later reestablished or increased.

11 (3) *Moving a nonconforming structure*: Should such structure be moved for any reason
12 for any distance, it must thereafter conform to the regulations for the district in which
13 it is located after it is moved. This does not affect the right to replace, restore, or re-
14 construct an accessory structure provided it meets all of the other requirements of
15 this Code (see Sec. 28-132(2)b).

16 (4) *Expansion of a nonconforming residential building*: A nonconforming residential
17 building may be expanded into a required side or rear yard in a manner that does not
18 comply with the setback standards with approval from the Zoning Administrator.
19 The Zoning Administrator must utilize the following standards:

- 20 a. The expansion does not extend closer to the lot line than any existing, noncon-
21 forming part of the structure;
- 22 b. The expansion does not create a new nonconformity on the lot or an adjacent
23 lot.
- 24 c. The addition may be constructed up to the front or rear block building line (see
25 Sec. 28-5 for the definition of "block building line, front or rear") when more
26 than fifty (50) percent of the principal structures on one (1) side of the street in
27 any one (1) block in a residential or commercial district do not meet the re-
28 quired front or rear yard setbacks.
- 29 d. The addition retains compliance with all other setback, lot coverage, and height
30 requirements;
- 31 e. The addition will meet all minimum building code requirements;
- 32 f. The resultant addition, in terms of dimensions and design, would be compati-
33 ble with the established character of the neighborhood;
- 34 g. The design of the addition must be compatible with the existing structure and
35 not detract from the appearance of the site;

- 1 h. The expansion of a residential building with a nonconforming yard, not meet-
2 ing the requirements above, is prohibited unless a variance is granted by the
3 Zoning Board of Appeals (see Sec. 28-238).
- 4 (d) *Nonconforming uses of buildings and structures.* The use of any structure existing and
5 lawful on the effective date of the adoption or amendment of this Chapter may be contin-
6 ued, even though such use does not conform to the provisions of this Chapter, subject to
7 the following provisions:
- 8 (1) *Structural expansion:* No existing structure devoted to a use not permitted by this
9 Chapter in the district in which it is located may be enlarged, extended, constructed,
10 reconstructed, moved or structurally altered except as follows:
- 11 a. Changing the use of the structure to a use permitted in the district in which it is
12 located.
- 13 b. Granting of a conditional use permit by the Planning Commission (see Sec. 28-
14 146 thru -151) with the goal of bringing the site into greater conformity with
15 this Chapter.
- 16 (2) *Expansion of the use:* Any nonconforming use may be extended throughout any parts
17 of a building which were manifestly arranged or designed for such use, and which
18 existed at the time of adoption or amendment of this Chapter, but no such use can be
19 extended to occupy any land outside such building.
- 20 (3) *Replacement with a conforming use:* If a nonconforming use of a structure is termi-
21 nated and replaced with a new use, such use must be a permitted use and must there-
22 after conform to the regulations for the district in which such structure is located, and
23 the nonconforming use may not thereafter be resumed.
- 24 (4) *Discontinuance or termination of nonconforming use of structure:* When a noncon-
25 forming use of a structure is discontinued or ceases to exist for six (6) consecutive
26 months, the use may not thereafter be used except in conformance with the regula-
27 tions of the district in which it is located. Structures occupied by seasonal uses are
28 exempted from this provision.
- 29 (5) *Moving a nonconforming use:* No such nonconforming use can be moved in whole or
30 in part to any other portion of the lot or parcel occupied by such use at the effective
31 date of adoption, or amendment, of this Chapter.
- 32 (6) *Repair or replacement of nonconforming one-family uses:* Given the historical de-
33 velopment pattern in the City, one-family residential uses may exist in structures
34 zoned for nonresidential use. It is the intent of this Section to allow such uses to con-
35 tinue and be considered conforming uses, provided the standards and procedures out-
36 lined herein apply. A nonconforming one-family detached dwelling and its accessory
37 structures within commercial districts may be continued, replaced, or repaired if
38 damaged by fire, vandalism, flood or other force of nature, if approved by the Zoning
39 Administrator. Such approval requires a finding that the resulting building footprint

1 and height will be the same size or smaller than that of the building before such
2 change. Replacement of a nonconforming one-family building must commence
3 within one (1) year of the date of damage and work must be diligently pursued to-
4 ward completion. Failure to complete replacement or diligently work toward comple-
5 tion, or use of the building for a conforming non-residential use for any period of
6 time, will result in the loss of legal nonconforming status unless good cause for the
7 delay or temporary change in use is accepted by the Planning Commission and a
8 conditional use permit (CUP) is granted (see Sec. 28-146 thru -151).

9 (7) *Change of use.* If no structural alterations are made, any nonconforming use of a
10 structure, or structure and premises, may be changed to another nonconforming use
11 of the same or a more restrictive classification provided that the Planning Commis-
12 sion finds that the proposed use is equally appropriate or more appropriate to the dis-
13 trict than the existing nonconforming use as part of the conditional use permit pro-
14 cess (see Sec. 28-146 thru -151). In permitting such change, the Planning Commis-
15 sion will require conformance with the off-street parking and loading standards of
16 this Chapter (see Sec. 28-106 thru -108) and may require other appropriate condi-
17 tions and safeguards in accordance with the purpose and intent of this Chapter.
18 Where a nonconforming use of a structure, land, or structure and land in combination
19 is hereafter changed to a more restrictive classification, it cannot thereafter be
20 changed to a less restrictive classification.

21 (e) *Nonconforming uses of land.* The lawful use of any land not involving a building or struc-
22 ture, existing and lawful on the effective date of this Chapter or amendment thereto, may
23 be continued even though such use does not conform to the provisions of this Chapter or
24 amendments, subject to the following provisions:

25 (1) *Expansions:* No such nonconforming use can be enlarged or increased, nor extended
26 to occupy a greater area of land than was occupied on the effective date of this Chap-
27 ter, or amendment thereto.

28 (2) *Relocations:* No such nonconforming use can be moved to any other portion of the
29 lot occupied by such use on the effective date of this Chapter, or amendments there-
30 to.

31 (3) *Discontinuance or abandonment:* If any such nonconforming use of land, not involv-
32 ing a building or structure, is discontinued or ceases to exist for any reason for a pe-
33 riod of more than six (6) consecutive months, any subsequent use of such land must
34 conform to the requirements of this Chapter.

35 (f) *Repairs and maintenance.* The following regulations apply to all non-conforming struc-
36 tures (see the definition in Sec. 28-5) and structures devoted to nonconforming uses as reg-
37 ulated by this Section.

38 (1) *Damage and repairs less than seventy percent (70%) of the value:* On any building
39 or structure that is determined to be devoted to a nonconforming use or is itself a

1 nonconforming structure, work may be done in any period of twelve (12) consecu-
2 tive months on ordinary repairs, or on repair or replacement of non-bearing walls,
3 fixtures, wiring, or plumbing to an extent not exceeding seventy percent (70%) of the
4 taxable value of the building with the approval of the Zoning Administrator, provid-
5 ed that the cubic content of the building as it existed at the time of passage or
6 amendment of this Chapter is not increased. This does not allow for the separation
7 or expansion of utility systems for nonconforming residential uses.

8 (2) *Damage and repairs greater than seventy percent (70%) of the value:* In the event
9 that any nonconforming structure or structure devoted to a nonconforming use re-
10 quire repairs or maintenance for any reason, and in any manner that exceeds seventy
11 percent (70%) of the taxable value of the structure, such reconstruction or restoration
12 will be permitted only in conformity with the provisions of the Chapter. However,
13 when deemed unfeasible and/or impractical, a property owner may seek a condition-
14 al use permit from the Planning Commission (see Sec. 28-146 thru -151), assuming it
15 can also be demonstrated that the original structure was consistent with the estab-
16 lished character of the area.

17 (3) *Nonconforming landscaping and screening:* Landscaping and screening must be
18 brought into conformance with the requirements of Sec. 28-117, to the satisfaction of
19 the Zoning Administrator, whenever:

- 20 a. The estimated expense of construction exceeds seventy percent (70%) of the
21 taxable value of the building.
- 22 b. There is a change in use or occupancy of the building
- 23 c. The building has been vacant for more than 6 months.

24 The continuation of substandard landscaping and screening must be approved by the
25 Planning Commission through the conditional use permit process (see Sec. 28-146
26 thru -151).

27 (4) *Taxable value:* For the purposes of enforcing the regulations contained in this Sec-
28 tion, the taxable value (see the definition in Sec. 28-5) of the structure will be deter-
29 mined by the most recent valuation of the structure for the purposes of taxation.

30 (5) *Ongoing maintenance:* Nothing in this Section prevents the strengthening or restor-
31 ing to a safe condition of any structure or part thereof deemed to be unsafe by an of-
32 ficial charged with protecting the public safety, upon order of such official.

33 (6) A nonconforming structure, or portion of a structure, or a structure containing a non-
34 conforming use that is physically unsafe or unlawful due to lack of repairs and
35 maintenance, as determined by the Chief Building Official and Zoning Administra-
36 tor, may be restored to a safe condition. Where enlargement or structural alteration
37 is necessary to allow compliance with health and safety laws or Chapters, the cost of
38 such work will not exceed twenty-five percent (25%) of the structures fair market
39 value.

- 1 (g) *Determination of abandonment*: Nonconforming buildings and structures, nonconforming
2 uses of buildings and structures, and nonconforming uses of land will be considered aban-
3 doned if one or more of the following conditions exists, and will be deemed to constitute
4 intent on the part of the property owner to abandon the nonconforming use:
- 5 (1) Utilities, such as water, gas or electricity to the property, have been disconnected;
 - 6 (2) The property, buildings, or grounds, have fallen into disrepair;
 - 7 (3) Signs or other indications of the existence of the nonconforming use have been re-
8 moved;
 - 9 (4) Removal of equipment or fixtures that are necessary for the operation of the noncon-
10 forming use; or
 - 11 (5) Other actions, which in the opinion of the Zoning Administrator constitute an inten-
12 tion on the part of the property owner or lessee to abandon the nonconforming use.
- 13 (h) *Conditional uses are not nonconforming uses*. Any use for which a conditional use permit
14 is granted as provided in this Chapter will not be deemed a nonconforming use, but will,
15 without further action, be deemed a conforming use in such district.
- 16 (i) *Change of tenancy or ownership*. There may be a change of tenancy, ownership, or man-
17 agement of any existing nonconforming structures or use of structures and land in combi-
18 nation.
- 19 **Sec. 28-122. Reserved.**
- 20 **Sec. 28-123. Reserved.**
- 21 **Sec. 28-124. Reserved.**
- 22 **Sec. 28-125. Reserved.**
- 23 ...
- 24 **Sec. 28-127. Reserved.**
- 25 **Sec. 28-128. Reserved.**
- 26 **Sec. 28-129. Reserved.**
- 27 ...
- 28 **Sec. 28-147. Conditional uses authorized by the Planning Commission.**
- 29 ...
- 30 (1) *Procedures*. An application for a conditional use shall be submitted to the Planning Com-
31 mission for consideration and public hearing. The application must include a site plan
32 which meets the requirements of Sec. 28-152. Notice of such public hearing shall be given
33 as provided for in Sec. 28-8.
- 34 ...

1 **Sec. 28-148. Standards on which decisions will be made.**

2 ...

3 (6) **[For legal nonconformities only]**. When reviewing a conditional use permit application
4 for a nonconforming building, structure, or use, the Planning Commission must also con-
5 sider the following standards together with such relevant facts and circumstances identified
6 during the public hearing:

7 a. Whether restoration, reconstruction, substitution, and/or expansion would serve a
8 useful purpose, or whether a useful purpose would be served by pursuing strict en-
9 forcement and application of the provisions and requirements of this article.

10 b. Whether the development and/or use of property in the surrounding area has materi-
11 ally changed in relation to the condition which existed when the use or structure was
12 established, with the result that a continuation of the use or structure would be offen-
13 sive to the area.

14 c. In considering the establishment of a condition for the approval of the substitution of
15 a nonconforming use of lots, structures, or any combination of lots, structures, or us-
16 es of lots and structures, the Planning Commission must ensure that the nonconform-
17 ing use of lots and structures is not expanded, and that the substituted use of lots and
18 structures is not of greater nonconformity in terms of its impact upon the area and
19 surrounding properties.

20 ...

21 **Sec. 28-152. Site plan review and approval.**

22 ...

23 (1) *Buildings, structures, and uses requiring review by Planning Commission*

24 (f) Any automobile wash, service or repair facility.

25 If any of the uses listed above also require a conditional use permit (CUP), a separate site
26 plan review process is not required.

27
28 Section 3. That Article I of Chapter 28 of the Code of Ordinances, City of Jackson, Michigan
29 be amended to read as follows:

30 ARTICLE I. IN GENERAL

31 ...

32 **Sec. 28-5. Definitions.**

33 ...

34 *Block building line, front or rear*, means the average setback of the principal structures on one
35 (1) side of the street in any one (1) block.

1 ...

2 *Lot, formal combination of*, means the official combination of lots by the City Assessor, includ-
3 ing the generation of a legal description for the new lot of record.

4 ...

5 *Structure* means anything constructed or erected, the use of which requires permanent location
6 on the ground, or attachment to something having a permanent location on the ground, to in-
7 clude, but not be limited to driveways, parking lots, in-ground and above-ground swimming
8 pools, and similar recreational facilities.

9 ...

10 *Taxable value* means the value of the property listed on the City's assessment role for the pur-
11 pose of taxation, as confirmed by the last Board of Review

12 ...

13 Section 4. That Article III of Chapter 28 of the Code of Ordinances, City of Jackson, Michigan
14 be amended to read as follows:

15

16 ARTICLE III. ZONING DISTRICT REGULATIONS

17 **Sec. 28-71. Permitted and conditional uses.**

18 ...

		Zoning Districts											
		R-1	R-2	R-3	R-4	R-5	R-6	C-1	C-2	C-3	C-4	I-1	I-2
...													
(164)	Legal nonconformities	C	C	C	C	C	C	C	C	C	C	C	C

19 ...

20 **Sec. 28-79. - Front and rear yard exceptions.**

21 A primary structure may be constructed up to the front or rear block building line (see Sec. 28-5
22 for the definition) when more than fifty (50) percent of the principal structures on one (1) side of
23 the street in any one (1) block in a residential or commercial district do not meet the required
24 front or rear yard setbacks, respectively.



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
April 10, 2012

DATE: April 2, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Lynn Fessel, City Clerk 

SUBJECT: Final Adoption of Ordinance No. 2012.6

**MOTION: FINAL ADOPTION OF ORDINANCE NO. 2012.6
AMENDING ARTICLE IX OF CHAPTER 17 OF THE CITY
OF JACKSON CODE OF ORDINANCES TO DEFINE
GRAFFITI OFFENSES, TO PROVIDE FOR THE
REMOVAL OF GRAFFITI, AND TO PROVIDE
PENALTIES FOR GRAFFITI**

Attached please find Ordinance No. 2012.6 approved by the Council at the March 27 meeting. Requested action is adoption of the Ordinance.

C: City Manager

ORDINANCE 2012 - _____

An Ordinance amending Article IX of Chapter 17 of the City of Jackson Code of Ordinances to define graffiti offenses, to provide for the removal of graffiti, and to provide penalties for graffiti.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose

The City Council adopts this ordinance to specifically define the types of graffiti offenses covered by the graffiti ordinance, formulate a policy for providing notice to perpetrators and property owners for the removal of graffiti, and provide penalties for the failure to remove graffiti.

Section 2. That Article IX of Chapter 17 of the City of Jackson, Michigan Code of Ordinances, be amended to read as follows:

ARTICLE IX. GRAFFITI

Sec. 17-200. Purpose.

The purpose of this article is to prevent the spread of graffiti as defined herein, to limit possession by minors of spray paint and other implements used for graffiti, and to provide for removal of graffiti. The city council hereby determines graffiti to be a public nuisance due to its detrimental effect on buildings, other real or personal property and the surrounding neighborhood.

(Ord. No. 96-9, § 1, 7-16-96)

Sec. 17-201. Definitions.

For purposes of this article, the following definitions shall apply:

Aerosol paint container means any aerosol container which is adapted or made for the purpose of applying paint or other similar substance capable of marking or defacing property.

Grffiti means any unauthorized inscription, word, figure, painting or other defacement that is written, marked, etched, sprayed, drawn, painted or engraved on any city owned or private real or personal property within the city by or using any graffiti implement.

Grffiti implement means an aerosol paint container, felt tip marker, paint stick, etching tool or any other device capable of scarring or leaving a visible mark on glass, metal, concrete, wood or any other surface.

Owner shall mean any individual, firm, association, society, corporation, partnership or group, including their officers and employees, who, alone or with any others, possess:

(1) A freehold or lessor estate in, or a land contract vendee's interest in, any real property, with or without accompanying actual possession thereof, or

(2) Charge, care or control of any real or personal property, either as agent, employee, representative, executor, administrator, trustee or guardian.

Parent shall mean the natural or adoptive parent or legal guardian of an unemancipated minor.

Removal means the act or process of removing graffiti.

(Ord. No. 96-9, § 1, 7-16-96)

Sec. 17-202. Prohibition.

No person shall apply graffiti to any structure, ~~or~~ trees, or private property including but not limited to, buildings, walls, fences, pools, vehicles, or signs on any public or private property within the city.

(Ord. No. 96-9, § 1, 7-16-96)

Sec. 17-203. Possession of graffiti implements by a person under the age of eighteen (18) years of age.

No person under the age of eighteen (18) shall have in his or her possession any graffiti implement while on any public or private property including any public or private school. This section shall not apply to the possession of graffiti implements by minors attending or traveling to or from a school at which the minor is enrolled, if the minor is participating in a class at said school which requires the possession of said implements or to any minor who is required to possess graffiti implements in the course of lawful employment or other lawful uses with written proof from an employer, or parent and provided said graffiti implements are not used or intended to be used for purposes of applying graffiti contrary to the provisions of this article.

(Ord. No. 96-9, § 1, 7-16-96)

Sec. 17-204. Parental responsibility.

A parent having custody of a minor who violates any provision of this article shall be liable for all costs or expenses incurred by the city, any citizen, business or organization incurred in connection with the removal of graffiti placed by said minor.

Sec. 17-205. Removal by perpetrator.

Any person applying graffiti shall remove said graffiti. A parent having custody of a minor shall also be responsible for such removal. Failure to remove, provide for removal, or pay for removal shall also constitute a violation of this article. Any removal of graffiti

by a perpetrator shall be done only with the express consent of the owner of the property to which graffiti has been applied.

(Ord. No. 96-9, § 1, 7-16-96)

Sec. 17-206. ~~Removal by property owner. Notice of removal to property owner.~~

~~If the perpetrator of graffiti is not apprehended or fails to remove the graffiti, the owner of the property which has been the recipient of graffiti shall be held responsible to remove said graffiti after the City of Jackson Police Department has first served a notice to remove said graffiti upon the property owner via first class mail. The notice shall give the owner of the property fourteen (14) days from the date of mailing to effect removal of the graffiti. Failure of the owner to remove graffiti within the above time period shall subject the property owner to a civil infraction violation carrying a maximum fine of one hundred dollars (\$100.00).~~

Whenever the City of Jackson determines that graffiti on any structure is visible from the street or other public or private property, the City of Jackson may serve notice to remove said graffiti upon the property owner via first class mail. The notice shall give the owner of the property thirty (30) days from the date of mailing of the notice of abatement to remove the graffiti. The notice shall be addressed to the owner of the property as shown on the latest tax assessment roll at the owner's last address. In the case of obscene graffiti, the notice shall give the owner of the property fourteen (14) days from the date of the mailing of the notice of abatement to remove the graffiti.

Sec. 17-207. ~~Penalty. Removal by property owner.~~

~~Except as otherwise provided in section 17-206, violation of this article is a blight violation and upon adjudication is punishable as provided in Chapter 2.5 of this Code.~~

If the perpetrator of graffiti is not apprehended or fails to remove the graffiti, the owner of the property which has been the recipient of graffiti shall be held responsible to remove said graffiti after the City of Jackson has served a notice pursuant to Section 17-206. Any owner removing graffiti pursuant to this article shall be entitled to restitution from the perpetrator in an amount to be determined by the court for the cost of removing the graffiti. Restitution is to be paid by the person found responsible for such graffiti.

Sec. 17-208. ~~Reserved. Failure of property owner to remove graffiti.~~

Upon the failure, neglect or refusal of any owner of property to remove the graffiti within thirty (30) days (or fourteen (14) days in the case of obscene graffiti) of receipt of the notice provided in Section 17-206, the City of Jackson or its authorized representatives (including contractors) are hereby authorized to enter upon such property for the purposes of abating the nuisance by removal or elimination of such graffiti by the City of Jackson.

Sec. 17-209 Costs of removal of graffiti.

(1). Whenever the City of Jackson or its authorized representatives enter upon property in order to abate a graffiti nuisance, the City of Jackson is authorized and directed to keep an accurate account of all expenses incurred and issue a certificate certifying the reasonable cost involved for the work to remove the graffiti. Within ten (10) days after the receipt of the certificate, the City Treasurer shall forward a statement of the total charges and the charges shall be payable within thirty (30) days from the date the statement is mailed.

(2). If the owner fails to pay the charges within thirty (30) days, the statement shall be filed with the City Assessor and shall thereupon be assessed against the property and become a lien on the property. The amount charged may be discharged at any time by the payment of the amount on the statement. Such amount shall be a debt of the owner to whom assessed until paid and, in case of delinquency, may be enforced as delinquent city property taxes or by a suit against such person.

Sec. 17-210. Penalty.

(1). Except as otherwise provided, violation of this article is a blight violation and is punishable as provided in Chapter 2.5 of this Code.

(2). Any person who has violated any provision of the graffiti ordinance for the first time, in addition to being required to remove or pay for the removal of graffiti, shall be found responsible of a civil infraction and shall be punished by a fine of One Hundred (\$100.00) Dollars.

(3). Any person who has violated any provision of the graffiti ordinance for the second time, in addition to being required to remove or pay for the removal of graffiti, shall be found responsible of a civil infraction and shall be punished by a fine of Two Hundred Fifty (\$250.00) Dollars.

(4). Any person who has violated any provision of the graffiti ordinance for the third time, in addition to being required to remove or pay for the removal of graffiti, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished as provided in Section 1-18 of this Code.

Sec. 17-211. Community service.

In lieu of, or as part of, the penalties specified in this article, a minor or adult may be required by the court to perform community service as described by the court based on the following minimum requirements:

(1). The minor or adult shall perform at least thirty (30) hours of community service.

(2). At least one parent or guardian of the minor shall be in attendance a minimum of fifty (50%) percent of the period of assigned community service. The failure of a parent

or guardian to attend the minor's community service for the amount of time assigned by the court shall be punished according to the penalties provided in Section 17-210.

(3). Reasonable effort shall be made to assign the minor or adult to a type of community service that is reasonably expected to have the most rehabilitative effect on the minor or adult, including community service that involves graffiti removal.

Sec. 17-212. Severability.

If any section, subsection, sentence, clause, or phrase of this article is for any reason held to be invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this article.

Sec. 17-213. Inconsistent provisions repealed.

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

Sec. 17.214. Savings clause.

All rights and duties which have matured, penalties which have incurred, proceedings which have begun and prosecution for violations of law occurring before the effective date of this ordinance are not affected or abated by this ordinance.

Sec. 17.215. Reserved.

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



City Council Meeting
April 10, 2012

New Business

MEMO TO: Martin J. Griffin, Mayor
Members of the City Council

FROM: Laurence Shaffer, City Manager

DATE: March 30, 2012

SUBJECT: Appointment of Kelli Hoover – Director of Parks, Recreation and Grounds

It gives me great pleasure to recommend that the City Council adopt the following motion:

Consistent with the City of Jackson Charter, Section 7.5 Appointed Officers, which states, in part, “All other department heads shall be appointed by the manager subject to council confirmation.”, the City Council hereby confirms the City Manager’s appointment of Kelli Hoover as Director of Parks, Recreation and Grounds, said appointment effective, April 11, 2012.

Ms. Hoover has a sterling management history with the City of Jackson. Beginning in 1998 as a Recreation Supervisor with the City of Jackson, Ms. Hoover has worked her way up the organizational structure, growing as a professional as she achieved a comprehensive understanding of the city and the department. Presently, she serves as the Interim Director of Parks, Recreation and Grounds. At each level, she has demonstrated the unique ability to combine vision, ambition and congeniality. Ms. Hoover is a consummate professional who will lead an excellent department to even greater levels of achievement. The City of Jackson is devoted to the highest level of recreational services. Ms. Hoover’s enthusiasm, energy and commitment to excellence are a splendid match with the city’s values and aspirations. During her interview with Crystal Dixon and me, Ms. Hoover spoke of her vision to propel the department forward, focusing upon customer service and relationships with outside organizations as the cornerstone of her administration.

Ms. Hoover shall be paid as a Grade 17, Step 10, or \$87,617 per year. I look forward to answering any questions that you may have.

LS:skh



Department of Public Works - Engineering

161 W. Michigan Avenue - Jackson, MI 49201
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CITY COUNCIL MEETING
APRIL 10, 2012

MEMO TO: Honorable Mayor and City Councilmembers
FROM: Jon H. Dowling, P.E., City Engineer/Director of Public Works
SUBJECT: Contract Award Request – Inter City Trail Repaving

MOTION: CONSIDERATION OF THE REQUEST TO APPROVE THE BID AWARD TO QUALITY ASPHALT, FOR A TOTAL COST OF \$90,910.75, FOR THE INTER CITY TRAIL REPAVING CONTRACT, AND AUTHORIZATION FOR THE MAYOR AND CITY CLERK TO EXECUTE THE APPROPRIATE DOCUMENT(S), IN ACCORDANCE WITH THE RECOMMENDATION OF THE PURCHASING AGENT AND THE CITY ENGINEER/DIRECTOR OF PUBLIC WORKS

On April 3, 2012, bids were opened in the Purchasing Department for the Inter City Trail Repaving contract. This project will repave a portion of the Inter City Trail from Prospect Street to Francis Street, and build a new connection from Merriman Street into the King Center. The Department of Public Works-Engineering presented the proposed project to the Parks Board and received their approval of the plan. The work included in the Base Bid will repave the portion of the trail in the worst condition. Alternate bids were also requested to include repaving the trail from Francis Street to Merriman Street. The Engineer's estimate for the Base Bid and the Alternate Bid are \$97,984.00 and \$146,658.00, respectively. The bids are as follows:

Company	Base Bid	Alternate Bid
Quality Asphalt Paving, Inc., Homer, MI	\$90,910.75	\$133,051.45
Concord Excavating and Grading, Concord, MI	\$92,393.22	\$136,342.80
Jule Swartz and Sons Excavators, Jackson, MI	\$93,083.32	\$143,116.32
Rieth Riley Construction Co., Lansing, MI	\$93,544.31	\$137,215.14
Michigan Paving & Materials, Jackson, MI	\$94,261.80	\$139,985.20

Bailey Sand and Gravel also submitted a bid, but it was not read as they did not include Bid Security.

In concurrence with the Purchasing Agent, it is the recommendation of the Department of Public Works - Engineering that the Inter City Trail Repaving Contract be awarded to Quality Asphalt at their base bid of \$90,910.75, which is within the budget amount of \$100,000, and the Mayor and the City Clerk be authorized to sign the contract documents. This project will be paid from Capital Projects funds.

If you have any questions please do not hesitate to contact me.

RTM:sms

C: Randall T. McMunn, P.E., Assistant City Engineer
Lynn Fessel, Purchasing Agent
Shelly Allard, Purchasing Coordinator
Lucinda Schultz, Accounting Manager

